

**Time and Date**

2.00 pm on Tuesday, 7th January, 2020

Place

Committee Room 3 - Council House

Public business

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 4)
 - (a) To agree the minutes from the meeting of Cabinet on 10th December 2019
 - (b) Matters arising
4. **Additional Licensing in Coventry – Consultation Results** (Pages 5 - 196)

Report of the Deputy Chief Executive (Place)

To consider an e-petition, bearing 14 signatures. The petition organiser has been invited to the meeting for the consideration of this item.
5. **Selective Licensing in Coventry - Consultation Results** (Pages 197 - 406)

Report of the Deputy Chief Executive (Place)
6. **The 2020/21 Council Tax Base Report** (Pages 407 - 418)

Report of the Deputy Chief Executive (Place)
7. **Outcomes of Fair Funding Consultation 2020-2021** (Pages 419 - 434)

Report of the Deputy Chief Executive (People)
8. **UKBIC Additional Grant Funding Award from Innovate UK** (Pages 435 - 442)

Report of the Deputy Chief Executive (Place)
9. **Outstanding Issues**

There are no outstanding issues.

10. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

Private business

Nil

Martin Yardley, Deputy Chief Executive (Place), Council House, Coventry

Friday, 20 December 2019

Note: The person to contact about the agenda and documents for this meeting is Lara Knight / Michelle Salmon, Governance Services, Tel: 024 7697 2642 / 2643, Email: lara.knight@coventry.gov.uk / michelle.salmon@coventry.gov.uk

Cabinet Members:

Councillors K Caan, G Duggins (Chair), P Hetherington, A S Khan (Deputy Chair), T Khan, K Maton, J Mutton, M Mutton, J O'Boyle and P Seaman

Non-voting Deputy Cabinet Members:

Councillors P Akhtar, R Ali, B Gittins, G Lloyd and D Welsh

By invitation:

Councillors A Andrews and G Ridley (non-voting Opposition representatives)

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting
OR if you would like this information in another format or
language please contact us.

**Lara Knight / Michelle Salmon, Governance Services,
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Coventry City Council
Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 10 December 2019

Present:

Members: Councillor G Duggins (Chair)
Councillor K Caan
Councillor AS Khan
Councillor K Maton
Councillor J Mutton
Councillor J O'Boyle
Councillor P Seaman
Councillor P Hetherington
Councillor T Khan
Councillor M Mutton

Non-Voting Opposition Members: Councillor R Bailey

Other Members: Councillor Brown

Employees (by Directorate):

Chief Executive M Reeves (Chief Executive)
People G Quinton (Deputy Chief Executive (People)), D Ashmore,
J Crawshaw, S Hall
Place B Hastie, L Knight, R Moon, J Newman
Apologies: Councillor R Ali and B Gittins

Public Business

60. Declarations of Interest

There were no disclosable pecuniary interests.

61. Minutes

The minutes of the meeting held on 19th November 2019 were agreed and signed as a true record. There were no matters arising.

62. Adoption of Rough Sleeping Strategy 2019-2024

The Cabinet considered a report of the Deputy Chief Executive (People) on the adoption of the Rough Sleeper Strategy 2019-2024. Appendices to the report provided copies of the Rough Sleeping Strategy 2019-24; the Partners Commitment; the Rough Sleeping Action Plan; the Consultation Statement; and the Equality and Part 1 & 2 of the Consultation Analysis.

The Ministry of Housing, Communities and Local Government required that a Rough Sleeping Strategy, which focussed on the principles: to prevent new people from starting to sleep rough; to intervene rapidly when people start to sleep rough to help them off the street; and to promote a person's recovery once they are off the street to build positive lives and so they do not return to rough-sleeping, was published by December 2019.

Following engagement with key stakeholders, the draft Rough Sleeping Strategy and Action Plan for 2019-2024 was consulted on during the period 18th September to 30th October 2019 and the results of the consultation and the key points raised through the process were detailed in the report. The Action Plan that supported the Strategy would remain a live document and be monitored and delivered by the City Council and its relevant partners.

RESOLVED that the Cabinet, having considered the consultation responses received to the draft Strategy and the summary report provided at Appendix C to the report, recommends that the City Council adopts the new Rough Sleeping Strategy 2019-2024, attached as Appendix A to the report, and the supporting Action Plan, attached as Appendix B to the report, with immediate effect.

63. **Outstanding Issues**

There were no outstanding issues.

64. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

There were no other items of public business.

(Meeting closed at 2.15 pm)



**Cabinet
Council**

7th January 2020
14th January 2020

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor T Khan
Cabinet Member for Policing and Equalities – Councillor A S Khan

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

All

Title: Additional Licensing in Coventry – Consultation Results

Is this a key decision?

Yes – the proposals within the report will have a city-wide impact and financial implications are in excess of £1m per annum.

Executive Summary:

The Housing Act 2004, Part 2, provides a discretionary power, subject to carrying out consultation, for Local Housing Authorities to licence all private landlords in a designated area with the intention of ensuring that Houses in Multiple Occupation (HMOs) meet a minimum standard of management.

On the 8 January 2019 Cabinet considered the Additional Licensing Feasibility Report (Appendix 1) and authorised Officer's to proceed with a citywide 10-week consultation beginning on the 9 January 2019 and ending on the 20 March 2019.

City Wide consultation was undertaken in the form of on-line questionnaires, ward drop in sessions, focus groups and Member meetings. There were a mix of responses but with the highest number being from landlords and residents. The responses highlighted a number of issues that both residents of HMOs experience and residents living alongside HMOs. There was strong support for the introduction of an Additional Licensing scheme, the fee structure was considered reasonable and proportionate by the majority, likewise there was support to manage the licence period depending upon the compliancy of the particular landlord. There were some concerns around the legality of the fee structure and how the length of licence would be determined in practice which have been considered and addressed with some recommended amendments. The consultation results are provided in full at Appendix 2.

This report provides a summary and analysis of the consultation results and a recommendation.

In addition, a petition bearing 14 signatures has been received objecting to Additional Licensing, as detailed in paragraph 3.25.

Recommendations:

Cabinet is recommended to: -

1. Note the matters raised by the petitioners.
2. Consider the consultation results attached at Appendix 2 and request that Council approve the following: -
 - i. Designate the whole of Coventry City as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all Houses in Multiple Occupation (HMOs), irrespective of the number of storeys, that contain three or four occupiers;
 - ii. Designate the whole of Coventry City as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all HMOs as defined under Section 257 of that Act where those HMOs are mainly or wholly tenanted, including those with resident landlords;
 - iii. That the designations in paragraphs i and ii above come into force on the 4th May 2020 for a period of 5 years;
 - iv. Designate the Deputy Chief Executive (Place) to sign the Coventry City Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2020 as attached at Appendix 7 in accordance with the provisions set out in 2M 3 of the Scheme of Delegations in the Council's Constitution.
 - v. Resolve to adopt the proposed fees and charges structure as attached at Appendix 4 and review those fees annually to ensure they remain reasonable and proportionate and address any issues relating to surpluses or deficits in accordance with case law and the EU Services Directive; and
 - vi. Resolve to adopt the HMO Licensing Policy 2020 as attached at Appendix 3.

Council is requested to approve the following: -

1. Consider the consultation results attached at Appendix 2 and approve the following: -
 - i. Designate the whole of Coventry City as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all Houses in Multiple Occupation (HMOs), irrespective of the number of storeys, that contain three or four occupiers;
 - ii. Designate the whole of Coventry City as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all HMOs as defined under Section 257 of that Act where those HMOs are mainly or wholly tenanted, including those with resident landlords;
 - iii. That the designations in paragraphs 2 and 3 above come into force on the 4th May 2020 for a period of 5 years;
 - iv. Designate the Deputy Chief Executive (Place) to sign the Coventry City Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2020 as attached at Appendix 7 in accordance with the provisions set out in 2M 3 of the Scheme of Delegations in the Council's Constitution.
 - v. Resolve to adopt the proposed fees and charges structure as attached at Appendix 4 and review those fees annually to ensure they remain reasonable and proportionate and address any issues relating to surpluses or deficits in accordance with case law and the EU Services Directive; and
 - vi. Resolve to adopt the HMO Licensing Policy 2020 as attached at Appendix 3.

List of Appendices included:

Appendix 1 – Additional Licensing Feasibility Report
Appendix 2 – Additional Licensing Consultation Results
Appendix 3 – HMO Licensing Policy 2020
Appendix 4 – HMO Licensing Fees
Appendix 5 – Private Rented Sector Code of Practice
Appendix 6 – Equalities Impact Assessment
Appendix 7 – Coventry City Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2020

Background papers:

None

Other useful documents:

1. Cabinet Meeting Minutes 8 January 2019
<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=124&MId=11776&Ver=4>
2. Housing Act 2004.
<http://www.legislation.gov.uk/ukpga/2004/34/contents>
3. Additional and Selective Licensing in the Private Rented Sector - A Guide for Local Authorities published by the MHCLG in March 2015.
<https://www.gov.uk/government/publications/selective-licensing-in-the-private-rented-sector-a-guide-for-local-authorities>
4. English Housing Survey Private Rented Sector Report 2014-15
<https://www.gov.uk/government/statistics/english-housing-survey-2014-to-2015-private-rented-sector-report>
5. General Approval April 2015
<https://www.gov.uk/government/publications/selective-licensing-in-the-private-rented-sector-a-guide-for-local-authorities>
6. House of Commons publication, Housing, Communities and Local Government Committee. Private Rented Sector 17th April 2018.
<https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/440/440.pdf>
7. Scrutiny Coordination Committee, 6 February 2019
<https://edemocracy.coventry.gov.uk/documents/g11747/Printed%20minutes%2006th-Feb-2019%2010.30%20Scrutiny%20Co-ordination%20Committee.pdf?T=1>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes: 14th January 2020

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Report title: Additional Licensing in Coventry

1. Context (or background)

- 1.1. During the 2014/15 municipal year, a task and finish group was established by the Business, Economy and Enterprise Scrutiny Board (3) to consider the practicalities and implications of introducing a licensing scheme for the Private Rented Sector (PRS).
- 1.2. On 27 January 2016, Business, Economy and Enterprise Scrutiny Board (3) considered the recommendations of the task and finish group and recommended that the Cabinet Member for Business, Enterprise and Employment:-
 - a) Initiate the statutory process to implement a selective licensing scheme in St. Michael's Ward (minus the city centre) of the city;
 - b) Pending the consultation in recommendation 1), consider at the same time, the financial feasibility of implementing a selective licensing scheme in the St. Michael's Ward of the city; and
 - c) Actively encourage landlords to join a landlord's accreditation scheme. Appropriate discounts on licences will be granted to those landlords who have houses in the proposed licensing area.
- 1.3. On 29 March 2016 Cabinet Member for Business, Enterprise and Employment instructed officers to carry out a public consultation for selective licensing in the St Michael's Ward (minus the city centre).
- 1.4. That period of public engagement began on 22 August 2016 and ran until 6 November 2016 and the consultation responses raised several queries mainly around fee structure and the fairness of a scheme that proposed to treat all landlords the same whether compliant or non-compliant. Members therefore asked for further work to be carried out to not only look at the fee structure but also to look at the evidence base to widen a scheme for the Private Rented Sector (PRS).
- 1.5. In order to effectively respond to the request and widen the Council's scope to tackle poor housing conditions and protect vulnerable renters, officers investigated further alternative approaches to address the issues in the PRS, particularly Houses in Multiple Occupation (a huge component of the PRS) and the legislative powers under the Housing Act.
- 1.6. Section 56 of the Housing Act 2004 places requirements on Local Authorities when considering a designation for Additional Licensing of HMOs in that the Council must:
 - Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more problems whether for those occupying the HMOs or for members of the public;
 - Take reasonable steps to consult with persons who are likely to be affected and consider any representations made in accordance with the consultation; and
 - Have regard to any information regarding the extent to which any codes of practice approved under Section 233 have been complied with by persons managing HMOs in the area (these codes relate to University managed accommodation).
- 1.7. Section 57 provides further considerations for the Council, in that they should ensure that:
 - Exercising the designation is consistent with the authority's overall housing strategy;

- Seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour (ASB) affecting the Private Rented Sector (PRS) as regards combining licensing with other action taken by them or others;
 - Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problems or problems in question; and
 - That making a scheme will significantly assist them to deal with the problem or problems (whether they take any other course of action as well).
- 1.8. Government guidance provides examples of properties being managed “sufficiently ineffectively” including:
- Those whose external condition and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located;
 - Those whose internal condition, such as poor amenities, overcrowding etc. adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues;
 - Those where there is a significant and persistent problem of anti-social behaviour affecting other residents and/or the local community and the landlords of the HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems; and
 - Those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare, health and safety of resident and/or impacting upon the wider community.
- 1.9. On 8 January 2019 Cabinet considered a feasibility report (Appendix 1) on the potential for an Additional Licensing scheme covering the whole of the city and instructed officers to carry out a public consultation on the proposal.
- 1.10. This report provides a summary of the consultation approach and findings of the citywide consultation which commenced on 9 January 2019 and ended on 20 March 2019, alongside other evidence by the Council in deciding whether to implement Additional Licensing of HMOs in the city.

2. Options considered and recommended proposal

- 2.1. The options considered included eight possible interventions for tackling substandard and ‘problematic’ smaller HMOs in the City as set out below:

Do nothing

- 2.2. This option would involve the Council doing nothing to intervene in the small HMO sector this would leave the local housing market to be the driver for landlords carrying out improvements to their properties.

Do the minimum (reactive inspection programme only)

- 2.3. This option would mean that the Council intervention in the small HMO sector being limited to a basic complaint response service with action by other departments and agencies on a largely ad hoc basis. The option is reactive and relies on the housing market as a driver for landlord-initiated housing improvement across the board. All council services would continue to use their existing enforcement powers. A reactive service is essentially generated by the tenant making a complaint about the condition of the property, all too often tenants are concerned that making complaints will result in eviction

and therefore normally only the very worst of the issues are remedied. Furthermore, this option would mainly focus on condition of property and not necessarily the management which is often the cause of concern.

Informal area action (Proactive inspection programme)

- 2.4. This would be delivered through a non-statutory Action Area, considering parts of the city where there was concentration of poorly managed or maintained properties. The driver for the housing improvement would come from a combination of council activity from different services focussing work in the area and landlord activity (including peer pressure). This would be delivered using the existing team and therefore would be limited due to workloads and level of resources.

Voluntary Accreditation

- 2.5. Accreditation schemes have a set of standards (or code) relating to the management or physical condition of different HMOs and recognise properties/landlords who achieve/exceed the requirements. This is a voluntary scheme which relies upon the co-operation of landlords and agents and as such it is unlikely to attract a large part of the sector.

Targeted use of Interim Management Orders (IMOs) and Final Management Orders (FMOs).

- 2.6. The Housing Act 2004 gives local authorities powers to use Management Orders for talking comprehensive and serious management failures. These are powers are currently available for HMOs that are required to be licensed under the Mandatory HMO licensing scheme but not those HMOs that fall outside this national scheme.

Article 4 Direction only

- 2.7. This option would rely on the use of this power to control the numbers of new HMOs and the market to drive property improvements. It would only succeed in reducing numbers if appropriate planning policy was adopted to restrict numbers, it is not retrospective and would not resolve the quality of the PRS stock, living conditions for tenants or neighbouring properties.

City Wide Additional Licensing scheme

- 2.8. Licensing would be extended to all HMOs in the city (in all 18 wards) and would include all smaller multiply occupied properties not currently subjected to Mandatory HMO Licensing. This would serve to address all HMOs whatever the size and ensure a level playing field for the quality and management of them. It would work best alongside options 2.5 and 2.6 above.

Area-based Additional licensing scheme

- 2.9. Licensing would be introduced in selected wards in the city where there is the highest concentration of HMOs and the evidence demonstrates that there is the greatest need. A smaller area-based scheme will not give the Council detailed and accurate information concerning the HMO stock and will not afford all tenants occupying HMOs the same level of protection. This is essential in order to undertake meaningful prioritisation and work planning and to improve standards in HMOs. Furthermore, the majority of the city is populated by HMOs with only a few areas having small numbers. An area-based scheme

will effectively create exclusion zones where landlords may migrate to avoid the licensing requirements.

- 2.10. It is recommended of Officers that Option 2.8 is progressed alongside the use of those powers detailed under option 2.5 and 2.6.

3. Results of consultation undertaken

- 3.1. The Housing Act 2004 requires the Council to take reasonable steps to consult persons who are likely to be affected by the designation; and consider any representations made in accordance with the consultation. The Department of Communities and Local Government Guidance recommends that any consultation on a scheme is for a minimum 10 weeks. The consultation was carried out for a period of 10 weeks between the 9 January 2019 and the 20 March 2019. The consultation focused on two schemes – one for Additional Licensing and one on Selective Licensing. There is a separate report detailing the results relating to Selective Licensing.
- 3.2. Throughout the period of engagement, officers have worked jointly with the Communications team to ensure that a comprehensive communications strategy has been delivered. This has been carried out in full accordance with the Council's Statement of Community Involvement and included an Equalities and Consultation Analysis. A consultation plan was developed which incorporated a range of methods for conducting the consultation, including;
 - Online questionnaires;
 - Drop in sessions;
 - Focus Groups;
 - Forums; and
 - Flyers.
- 3.3. The following provides a precis of the results which are provided in full at Appendix 2.
- 3.4. A total of 137 responses were received to the online questionnaire with the majority (46%) indicating that they lived in Coventry. 28% of respondents indicated that they were a private landlord in Coventry or a letting or management agent in Coventry. Further questions asked established the kind of issues that tenants of HMOs regularly experience these included, amongst other things, difficulty getting repairs carried out, problems with gas certificates, rent increases and deposit issues, emergency contacts or no contact, intimidation and notice to quit for no apparent reason. Likewise, residents with HMOs in their immediate areas highlighted problems of poor management of refuse, overgrown gardens, poor maintenance of property appearance, empty and unattended properties, anti-social behaviour and nuisance. Respondents considered that over the last 5 years the maintenance and management of HMOs has worsened, anti-social behaviour has increased, living conditions had not improved, the number available has increased and the geographical location of the HMOs has widened.
- 3.5. A total of 62% of respondents agreed in some way with the proposals - 50% strongly agreeing and 12% tending to agree, whilst a total of 31% disagreed in some way – 23% strongly disagreeing and 8% tending to disagree.
- 3.6. When asked whether the proposed fees and charges were reasonable and proportionate 50% agreed and 36% disagreed. The general principle of having reduced fees subject to criteria was agreed by 57% of respondents with a higher number (77%) also agreeing that higher fees should be paid by non-compliant landlords.

- 3.7. 69% of respondents agreed that longer licences should be provided to compliant landlords whilst 71% agreed that shorter licences should be provided to non-compliant landlords. Generally, respondents also agreed to the proposed licence conditions.
- 3.8. There were 79 general comments made by respondents that were generally supportive of the proposals. Those that were against were framed around the financial implications of introducing such a scheme.
- 3.9. An analysis of comparative licence fees was carried out which found that Coventry's proposed fees and charges were highly competitive when compared against other Local Authorities that have introduced Additional Licensing.
- 3.10. A number of events/meetings were held that gave a variety of stakeholders the opportunity to discuss and question officers on both the schemes: Additional Licensing and Selective Licensing. Across the board there was certainly far less concern around Additional Licensing than Selective Licensing.
- 3.11. 18 drop-in sessions were carried out in various locations across the city covering every ward. These were attended by 119 people made up of landlords and residents. The focus of these sessions was to provide attendees with further information and advice. During the sessions there was general support for licensing of HMOs.
- 3.12. Several focus groups were held with a variety of stakeholders, including landlords, agents, universities, tenants and residents, and voluntary organisations.
- 3.13. 9 landlords attended their focus group, despite 30 being invited raised no major concern with Additional Licensing.
- 3.14. 20 agents attended their focus group and there was general agreement with the proposals with most accepting that this was "key to making a difference" and "needed for a while".
- 3.15. The tenants and residents group meeting was attended by 17 people who had varied experiences of landlords in the PRS, with some reporting an "excellent experience" to others having experienced problems with unfair evictions, poor property maintenance and threatening behaviour. Generally, there was support for the proposals but there were several reservations around the potential impact this could have on the cost of accommodation. It was clear that tenants felt there was a need to retain cheap accommodation even if it meant that it was slightly below standard as this was the only option for some.
- 3.16. Both Universities were in support of the proposals commenting that the scheme would hold landlords more accountable and would improve the quality of private rented housing in the city.
- 3.17. Voluntary organisations, such as the Frontline Network and Citizens Advice were in support of the aim of Additional Licensing.
- 3.18. A total of 4 landlord forums were held with 245 attendees from the property sector. Licence fees were discussed extensively with many raising concerns that the cost would be passed onto tenants through rent increases.

- 3.19. Meetings were held with all Ward Councillors and there appeared to be overwhelming support for the proposals in principle with very few concerns.
- 3.20. The following recommendations were made by the Scrutiny Coordination Committee as part of the consultation:
- The scheme should include a plain English definition of what is an HMO, including examples;
 - The number of prosecutions and enforcement actions is reported back to Members on a regular basis;
 - Ensure that the complaints process for tenants is not onerous;
 - That a poster or sign displaying the tenants' rights and responsibilities be part of the license requirements;
 - Consider including DBS checks as part of the licensing process, as with taxi licensing; and
 - Officers to continue working with ward members if the scheme is implemented.
- 3.21. Several formal submissions were also received from large portfolio and professional organisations i.e. the Residential Landlords Association and the National Landlords Association. Most applauded the Council's intentions, but re-iterated comments made by others - that it is unfair in its application to compliant landlords.
- 3.22. The Residential Landlords Association (RLA) raised concerns about the methodology and granting licences and the charging provisions for them. The response from the RLA had two aspects: the first being that the proposal indicates that the Council will decide if a landlord is compliant or non-compliant before consideration of the application before them; and secondly that the accreditation proposal is bias towards those that are local and those that engage with the Council's accreditation scheme meaning that any landlords that either cannot attend the necessary training in person or those that decide to obtain accreditation through a different scheme will not receive the same benefits.
- 3.23. The two limbs of the RLA's complaint are related. They go to the lawfulness of the Council's endeavour to provide certainty by setting out in advance how it will treat different categories of applicant differently.
- 3.24. Advice was obtained on these matters and is provided later in Section 6.2.
- 3.25. A petition was received on the 7th August 2019 setting out the following:

We the undersigned wish to register our opposition to the imposition of selective licensing and additional licensing schemes.

Coventry Council want to initiate selective licensing and additional licensing schemes that will affect 9000 homes. The Council claim that these schemes will improve the condition of housing, tackle anti-social behaviour of tenants and address environmental issues.

The truth is, anti-social behaviour and fly-tipping caused by some tenants are out of the control of landlords. The tenants should be fined, not landlords in the name of licensing fees. The rental market is very competitive now due to the purpose built properties in city centre areas. Landlords are updating their properties to attract tenants. The new laws are ever stricter. The proposed licencing schemes will not add value to relevant stakeholders, other than getting more income for the Council. Intervention by the Council is unnecessary and we should let the market play its role here.

We request the Council to release the consultation results related to the licensing schemes and make the information public.

We also request to stop the proposed licensing schemes.

4. Response to consultation

- 4.1. As can be seen from the consultation there was generally support to introduce Additional Licensing, however the concerns raised about the lawfulness of treating categories of applicant differently have been considered further.
- 4.2. The Scheme will require all owners of HMOs that are occupied by three or four tenants and all converted self-contained flats that are wholly tenanted to apply to the Council for an HMO licence. Once an application is received and valid the Council will determine which type of licence is appropriate using the criteria laid down in the HMO Licensing Policy 2020 attached at Appendix 3. This will include, amongst other things, an assessment of the landlord and manager's ability to comply with the licensing requirements and management practices. Licences will be issued for a period of 1, 2 or 5 years based upon the eligibility of the landlord.
- 4.3. The Council has considered the learning outcomes from other Local Authorities that have introduced similar schemes and has structured the scheme in such a way that benefits those landlords and agents that are compliant and provides incentives to improve compliance, whilst managing the opportunities for the non-compliant landlords through higher fees and shorter licences. This is reflected in the fees and charges structure and the eligibility for licences.
- 4.4. Accreditation will be given to those landlords and agents who are experienced, knowledgeable in their profession and are committed to following the good practice principles set out in the Royal Institution of Chartered Surveyors (RICS) Private Rented Sector Code of Practice, which was endorsed by the Minister of State for Housing and Planning in July 2015 and is attached as Appendix 5.
- 4.5. Reactive and proactive services will be carried out to address complaints about property conditions, poor management practices and identifying unlicensed properties.
- 4.6. Any differentiation applied to landlords and agents based on the eligibility criteria, including the length of licence for which they may be considered, is justified in furtherance of the overriding public interest of improving the standard of HMOs and their management.
- 4.7. The proposed fees and charges discussed further in Section 6 and attached at Appendix 4 have been developed to provide incentives for compliant landlords whilst providing sufficient resources to ensure that the scheme can be effectively delivered, and every property can be inspected before a licence is issued.
- 4.8. In cases of a registered 'not for profit' charity i.e. Cyrenians or an individual housing provider, such as a private landlord or organisation who is assisting the Council by offering permanent accommodation to meet our homelessness duties applications will be accepted, for the particular property being provided without a fee being payable. An assessment of the organisation will then be carried out and if appropriate the Council will determine the application and issue a licence without requiring any fee. Each case will be considered on its merits based on the type of individual or organisation submitting the

application and the removal of the fee requirement will only be applied to the licence for the house being provided for homelessness purposes.

- 4.9. This is to reflect that many registered charities provide a valuable service to people who are homeless, or are living in insecure accommodation, and that charities should be supported in those aims it is proposed that registered charities contributing to the Council's housing priorities (as identified in the housing and Homelessness draft Strategy) be exempt from Additional Licensing fees.
- 4.10. Licences will include all the mandatory conditions required under the legislation, for example, providing gas and electrical certificates and maintaining health and safety standards, as well as additional (discretionary) licence conditions to address issues such as ASB and environmental / management issues.

5. Conclusions

- 5.1. The consultation has resulted in overwhelming support for the proposed citywide Additional Licensing scheme, with 62% in agreement. It has also identified that there are a significant number of HMOs that cause problems for both occupiers and residents.
- 5.2. The Council's aim includes the need to improve living conditions in the private rented sector and it is confident that this can be achieved with the introduction of an Additional Licensing scheme targeting the most problematic parts of the sector, HMOs.
- 5.3. The fees and charges structure and criteria attached to licences will ensure that the most deserving and responsible will receive longer licences at a lower fee whilst enabling the Council to focus on the minority that fail to comply and enforce the required standards appropriately.

6. Timetable for implementing this decision

- 6.1. Should the recommendations be approved the Council has general approval to designate the scheme under the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 to implement an Additional Licensing scheme.
- 6.2. The timescale for implementing this decision is for the designation to commence on the 4th May 2020. This requirement is to provide the Council with sufficient time to conclude the reporting process and to comply with Section 58 of the Housing Act 2004 which states that a designation cannot come into force until three months after the date when the designation was made.

7. Comments from Director of Finance and Corporate Services

7.1. Financial implications

Section 63 of the Housing Act 2004 permits the Council to require any application for a licence under Part 2 to be accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

When setting the fees and charges structure for the licensing scheme to go out for consultation the Council has considered the staff costs, training, administration and

publicity and that it is not allowed to use licensing fees to raise revenue for other projects or areas of work.

The proposed fees and charges structure set out in Appendix 4 is cost neutral and has been consulted on as part of these proposals and will be ratified in this report prior to the introduction of the scheme.

The financial modelling of the scheme estimates income and expenditure cash flows as below. This shows that the scheme is modelled to break even over its 5-year life.

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
	£ million	£ million	£ million	£ million	£ million	£ million
Expenditure	1.2	1.2	1.2	1.3	1.3	6.2
Income	(0.4)	(1.3)	(1.4)	(1.5)	(1.5)	(6.2)
Net Total	0.7	(0.1)	(0.2)	(0.2)	(0.2)	0

The modelled activity suggests that an additional 24 full time equivalent staff would be required to administer the scheme. There is therefore a financial risk that the number and type of licences issued in real life differ from the model and the amount of income received does not cover the costs of operating the scheme. In order to mitigate this risk:

- The financial position of the scheme will have to be carefully monitored and action taken to control costs if necessary.
- The fees and charges structure will be reviewed on an annual basis and if there is a need to increase fees to cover any potential shortfall then this will be recommended and reported through the budget setting process.

There could also be a financial risk to be managed at the end of the 5-year scheme as if the scheme is not continued or the size of the scheme reduces, there will be costs associated with scaling down the team. Again, this will have to be closely monitored throughout the initial 5 years.

Implications of Hemming v Westminster Case

The European Union Services Directive 2006 changed the basis upon which fees for certain licences and permissions could be charged by the issuing authorities. Licensing authorities may not set fees that are dissuasive, and any fees must be reasonable and proportionate to the cost of the licensing process and the issuing of the licence. These provisions have been taken into account in the proposed fees for consultation.

In addition, a recent judgement, in the Supreme Court (Hemming v Westminster case UKSC 2013/0146), has provided further clarification of the type of costs which may be taken into account when setting fees, and when fees may be payable. The Council will follow this decision and therefore the proposal is that fees will be payable in two parts to meet with the European Directive requirements.

7.2. Legal implications

In order for the Council to designate an Additional Licensing scheme it must proceed through the statutory process as laid out in Section 56 and 57 and the guidance issued under the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective

Licensing of Other Residential Accommodation (England) General Approval 2010, which is provided in paragraphs 1.1 to 1.4 above.

Under section 60(2) of the Act the time must be no later than five years after the date on which the designation comes into force.

The proposal includes a range of fees and charges and criteria by which licence applications will be assessed.

There is justification for different 'granting' fees. If an applicant gets a full-length licence because he or she has established through accreditation or something similar that the licence is unlikely to create compliance costs, then it would be proper for the fee to be less than that for a licence which is anticipated to create compliance costs. So, where the Council has such concerns that it imposes conditions it is rational to charge more for the compliance component.

However, legal advice suggests that the decision about the amount of that fee should not be made before the decision about the actual terms of the licence. As such changes to the fee structure have been made.

The Stage 1 (consideration) fee is to be the same for all applications, which removes any perception that the Council is pre-judging the length of a licence before a valid application is made. The fee forms part of the application process and is a key component in making the application valid.

At the point that the Stage 1 (consideration) fee is paid and the application is valid, the Council will determine which length of licence is appropriate.

The Council has set out an approach by which it would decide on the length of the licence having decided whether to grant it, that in doing so it will take into account all the information which it has on the applicant, and that evidence of competence such as accreditation or a known history of compliance with the Council, would weigh in favour of a longer licence.

This approach is entirely consistent with the powers provided and the requirements placed upon the Council by the recent Hemming case.

Any differentiation applied to landlords and agents based on the eligibility criteria, including the length of licence for which they may be considered, is justified in furtherance of the overriding public interest of improving the standard of HMOs and their management.

In order to address the final issue pertaining to the restriction on training for the accreditation scheme the Council will be introducing free webinars and online training so that participants can access this from any location and receive the training and accreditation electronically.

8. Other implications

8.1. How will this contribute to achievement of the Council's Plan?

The Council Plan takes forward the main themes agreed by the Council in recent years. It reaffirms the Council's ambition – developed with the Strategic Partnership and partners to make Coventry: A Top Ten City.

This ambition is driven through three corporate priorities which directly address the needs of the city and include, in particular:

- Promoting the growth of a sustainable Coventry economy by:
 - Increasing the supply, choice and quality of housing.
- Improving the quality of life for Coventry people by;
 - Improving the health and wellbeing of residents
 - Protecting our most vulnerable people
 - Reducing health inequalities

The Health and Wellbeing Strategy 2016-19 recognises that creating health, wealth and happiness requires more than simply managing people's health problems.

The health and wealth being of people can be improved if people have jobs, good housing, and are connected to families and communities.

The Council's Housing Strategy 2013-2018 affirms the Council's view that housing plays a crucial role in the economic growth of the City. The ambition for Coventry is "*to ensure decent homes, housing choice and support for Coventry citizens*" through various themes including:

- Increase the supply, choice and quality of new housing;
- Prevent and tackle homelessness;
- Strive for a healthier and more sustainable City by improving the quality and use of stock; and
- Encourage balanced, stable and sustainable communities.

The Housing Strategy 2013-18 has now been combined with the Homelessness strategy into one document known as the Housing and Homeless Strategy 2019-24, which was formally adopted on the 19th March 2019. The new strategy sets out four themes which are relevant to this proposal and the objectives of the scheme, namely;

- Preventing Homelessness
- New Housing Development
- Improving the use of Existing Homes
- Support for People and Communities.

The Housing Strategy links into the Council Plan and the Health and Wellbeing Strategy by contributing to the delivery of the key corporate priorities but also in supporting the local economy through ensuring communities have stable and safe places to live.

Globally connected - Promoting the growth of a sustainable Coventry City Council economy

The proposals set out in this report will also contribute toward the increase of supply, choice & quality of housing within the designated area and reduce the impact of poverty through supporting residents experiencing fuel poverty.

It will help tackle environmental and ASB crime supporting a vibrant business environment and will help raise the profile of Coventry by the improvement of the environment and housing within the area, thereby making it attractive to retaining skilled graduates in the area.

Locally committed - improving the quality of life for Coventry people

Additional Licensing will, together with other agencies, make communities safer and reduce crime and ASB.

It will improve health and wellbeing by providing safer and healthier rented accommodation that is well managed with reduced overcrowding and will reduce health inequalities and protect the most vulnerable by improving the standard of poorly managed homes without the need to report problems. It will help prevent homelessness due to poorly managed or rogue landlord actions.

8.2. How is risk being managed?

The proposals have been developed in line with advice sought from Counsel. The consultation was designed to ensure compliance with legislation and the statutory guidance, thereby minimising the risk of legal challenge and the structure of the fees and charges have been ratified through this legal advice. The recommendations have the potential to be challenged but the risk of these being overturned is minimal.

8.3. What is the impact on the organisation?

The approval of the recommendations has human resource and ICT implications. A recruitment exercise has been factored into the timeline for implementation to ensure that adequate resources exist if the scheme is implemented.

8.4. Equalities / EIA

The report makes links to the Council's Equality and Diversity Policies and a specific Equalities Assessment has been completed for this report and is attached at Appendix 6.

8.5. Implications for (or impact on) climate change and the environment?

The option of 'do nothing' is likely to result in significant environmental impacts, particularly when the Council will otherwise have a very limited ability to maintain and improve HMO conditions, for example: energy efficiency and thermal performance, waste management and household waste recycling.

8.6. Implications for partner organisations?

None.

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Additional Licensing in Coventry

FEASIBILITY REPORT
CHOWNS, ADRIAN



Contents

1. EXECUTIVE SUMMARY	3
2. Introduction.....	4
3. Additional Licensing of HMOs.....	5
What is a HMO?.....	5
4. Supporting Information	7
4.1 The National Picture.....	7
4.2 Local Context	7
4.3 Strategic Context	11
4.4 Housing in Coventry	13
4.5 The Private Rented Sector	14
4.6 HMOs in Coventry	15
4.7 Mandatory Licensing of HMOs	18
4.8 Property Conditions	19
4.9 HHSRS	21
4.10 Non Decent Homes.....	23
4.11 Complaints about HMOs.....	25
5. Conditions in HMOs.....	31
5.1 Case Studies.....	31
Case Study 1.....	32
Case Study 2.....	33
6. Enforcement of HMOs.....	35
7. Option Appraisal.....	37
8. Benefits of Additional Licensing	39
8.1 Benefit: Consistent Approach to all Coventry HMOs.....	39
8.2 Benefit: Appreciation of Property Values	39
8.3 Benefit: Links with Landlords.....	40
8.4 Benefit: A Recognised Group of Landlords.....	40
8.5 Benefit: Pro-active involvement eliminates reactive work	40
9. Impact of Licensing.....	40
10. Conclusions.....	44

Figure 1- Population by Age.....	8
Figure 2- Non EU Migrants in Coventry	10
Figure 3- EU Migrants in Coventry	10
Figure 4- Average house price in Coventry.....	14
Figure 5- % households in PRS in West Midlands area 2011.....	14
Figure 6- % households in PRS in West Midlands region 2015.....	15
Figure 7- Percentage of HMOs by ward.....	17
Figure 8- Census 2011 multi occupied properties	17
Figure 9- Licensed HMOs in Coventry 2018.....	18
Figure 10- HMO Hotspot Density 2018.....	19
Figure 11- Dwelling Age in Coventry 2012/13	20
Figure 12- Dwelling type in Coventry 2012.....	21
Figure 13- Cat 1 hazards in PRS Coventry	21
Figure 14- Cat 1 hazards by ward.....	22
Figure 15- Non decent homes in Coventry PRS	23
Figure 16- Criteria for non decent homes in HMOs.....	23
Figure 17- HMO density and fly tipping and refuse complaints	25
Figure 18- Pest control visits last two years	27
Figure 19- ASB crime rates by Ward	28
Figure 20- Drug related crime by ward.....	29
Figure 21- Public Order crime rates by ward.....	30
Figure 22- PRS rents between 2014 and 2018.....	41
Figure 23- Comparison of rents in areas with and without licensing	41
Figure 24- PRS rents during 2017 to 2018	42
Figure 25- % PRS rental increase during 2017-18.....	43
Table 1- Population Growth in Coventry	8
Table 2- Hazard profiles in HMOs and PRS	22
Table 3-- Fire safety measures in HMOs	24
Table 4- Complaints in PRS	25
Table 5- Refuse complaint by LSOA	26

1. EXECUTIVE SUMMARY

Coventry is well known nationally and internationally as the city of peace of reconciliation. It has also recently been awarded the City of Culture for 2021. However there have long been serious problems, especially around housing. For thousands of people coming to study the condition of accommodation for rent can be very poor. In addition, due to the problems associated with a lack of housing supply many people are forced to rent privately. This is particularly relevant for young professionals and migrant workers. The large numbers of people looking to rent, and the lack of affordable housing available to buy have conspired to present failures in the operation of the housing market.

For many years the City Council has been looking for effective means of assisting and encouraging improvements in the quality of houses in multiple occupation (HMOs) let out in Coventry. The HMO sector is a substantial element of the private rental market.

These informal approaches met with a degree of success but the scope of such intervention is very limited and many wards across the City still present significant problems with HMOs. The other tools available remain an option but prosecution for breaches of Regulations is a cumbersome procedure and one that is essentially negative – albeit appropriate in the right circumstances.

The mandatory licensing of HMOs has been effective in regulating and improving the standard of accommodation offered to let in Coventry. Licensing encourages a positive interaction with landlords and allows for the problems presented by each house to be managed on an individual basis through a bespoke set of licence conditions.

Additional licensing spread over the whole of the City will allow for those positive effects to be extended and for the benefits to be available to everybody. The Council believes that licensing all HMOs is essential for bringing about improvements in Coventry's rental stock. There is a very strong commitment from the Council for this development and the licensing of all HMOs is an indispensable element in that work.

HMOs make a considerable contribution to the vibrancy of the City's economy and the Council appreciates the work good landlords do in providing decent living accommodation. It is imperative that all landlords in the City are encouraged to operate minimum standards that anyone should be able to expect when renting such accommodation.

The significance of HMOs in Coventry is only likely to increase. The pressures on the City's housing market are such that house prices are likely to continue to rise restricting further those households who cannot access the property ladder. In turn, this will mean that for a greater number of people who live in the PRS, the only chance of a decent home is in a properly managed and well regulated, licensed house in multiple occupation.

2. Introduction

Coventry is one of the fastest growing cities outside of London with an estimated population of approximately 360,000. Census 2011 data suggests that Coventry's population has a much younger age profile than England in general; it is the younger population that is on the increase with a decline in the over 75's. The average age of Coventry's residents is 33 years, notably lower than the England average of 40 years, and is falling. The student population means there is continually a large population aged 18-24, this age group makes up 14.7% of the population compared to the England average of 8.7%.



The growth and increase in the size of the Private Rented Sector (PRS) has been a significant change in the housing market in Coventry. In 2001 there were approximately 15,000 households living in the PRS which according to Census information rose to 26,503 in 2011. The Office of National Statistics (ONS) reported in 2015 that there were estimated to be 34,326 households in the PRS in Coventry.

HMOs are a major concern for the Council with the Census 2011 suggesting that HMOs currently make up a quarter of the PRS. The trend over many years has been for the HMO stock to grow steadily within the City.

The Council has produced a Housing Strategy which recognises that, amongst other things, there is limited social affordable housing available in the City making it clear that the private rented sector will need to play a greater role in meeting housing needs in the City.

Landlord licensing is part of a wider set of measures to enable landlords to provide good quality housing within their communities and Additional Licensing of HMOs will help alleviate the housing

situation in HMOs by setting and maintaining minimum standards across the city in the most vulnerable sector of Coventry's private rental market.

Additional Licensing would require all private landlords with HMOs in designated areas of the city to apply for a licence for each property before they can be let to tenants. In order to become a licence holder a landlord would have to meet certain standards.

3. Additional Licensing of HMOs

The Housing Act 2004 has given Councils the power to introduce Additional Licensing of HMOs, those which fall outside of the mandatory HMO licensing definition to improve conditions for tenants and the local community in certain circumstances.

What is a HMO?

An HMO (House in Multiple Occupation) is defined in Sections 254 and 257 of the Housing Act 2004.

An HMO can be a building or part of a building if it is:

- Occupied by persons who form more than one household, and where those persons share (or lack) one or more basic amenities, such as a WC, personal washing and cooking facilities.
- A converted building containing one or more units of accommodation that do not consist entirely of self-contained flats. (There is no requirement that the occupiers share facilities)
- A converted building consisting entirely of self-contained flats, where the building work undertaken in connection with the conversion did not comply with the 1991 Building Regulations and more than one third of the flats are occupied under short tenancies.

The HMO must be occupied by more than one household:

- As their only or main residence;
- As a refuge by persons escaping domestic violence; or
- During term time by students.

In all cases:

- Occupation of the living accommodation must be the only use of that accommodation; and
- Rents are payable or other considerations are provided.

Under the Housing Act 2004, a **household** comprises:

- A single person;
- Co-habiting couples (whether or not of the opposite sex); or
- A family (including foster children and children being cared for) and current domestic employees.

Certain types of buildings will not be HMOs for the purpose of the Housing Act. They are:

- Buildings, or parts of buildings, occupied by no more than two households, each of which comprise a single person only (for example, two person house or flat shares);
- Buildings occupied by a resident landlord with up to two tenants;
- Buildings managed or owned by a public sector body, such as the police, local authority, registered social landlords, fire and rescue authority and the NHS;
- Buildings occupied by religious communities;

- Student halls of residence where the education establishment has signed up to an Approved Code of Practice; and
- Buildings occupied entirely by freeholders or long leaseholders.

Bed and breakfast and hostel accommodation occupied by individuals as their main and permanent address are also considered to be an HMO.

In April 2015 the Secretary of State for Communities and Local Government gave Local Authorities general approval regarding the approval steps for additional and selective licensing designations in England. When considering the introduction of an Additional Licensing Scheme the Council must proceed through the statutory process as laid out in Section 56 and 57 and the guidance issued under the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015.

Section 56 of the Act places requirements upon the Council when considering a designation for additional licensing of HMOs, in that the Council must:

- Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public;
- Take reasonable steps to consult with persons who are likely to be affected and consider any representations made in accordance with the consultation and not withdrawn; and
- Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area (these codes relate to University managed accommodation).

Section 57 provides further considerations for the Local Authority in that they should ensure that:

- Exercising the designation is consistent with the authority's overall housing strategy;
- Seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behavior affecting the private rented sector as regards combining licensing with other action taken by them or others; and
- Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and
- That making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).

The General Approval provides the condition that any consultation period for the proposed designation should not be less than 10 weeks.

The guidance for the general approval also provides examples of properties being managed "*sufficiently ineffectively*" including:

- Those whose external condition and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located;
- Those whose internal condition, such as poor amenities, overcrowding etc. adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues;

- Those where there is a significant and persistent problem of anti-social behavior affecting other residents and/or the local community and the landlords of the HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems; and
- Those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare, health and safety of residents and/or impacting upon the wider community.

Under section 60(2) of the Act the time must be no later than five years after the date on which the designation comes into force.

4. Supporting Information

4.1 The National Picture

ONS projects that there will be a population increase in the UK by 11 million over the next two decades. People are growing older and living longer. It is estimated that over the next few years the over 65's will increase by 7 million.

2.9 million people aged 20-34 are currently living with parents and for many home ownership is no longer a tenure of choice or aspiration resulting in the PRS being the only viable housing option for most newly forming households.

The English Housing Survey 2016/17 (EHS) reported, that the PRS has now grown to 20%, up from 19% in 2013-14 and 11% in 2003 and that a larger proportion of 25- to 34-year-olds now rent their home.

Rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which also acknowledges that *“While the under 35s have always been overrepresented in the private rented sector, over the last decade or so the increase in the proportion of such households in the private rented sector has been particularly pronounced. In 2006-07, 27% of those aged 25-34 lived in the private rented sector. By 2016-17 this had increased to 46%. Over the same period, the proportion of 25-34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25-34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-13. As with those aged 35-44, the proportion of 25-34 year olds in the social rented sector did not change”*.

In 2016-17, 5% of households in the PRS (231,000) were living in overcrowded accommodation.

The rental market has also changed considerably. After stalling in 2013, rents charged by private landlords increased by 8.2% in 2014 across England with the average weekly rent climbing from £163 to £176.40. Currently average rents average £675.¹

4.2 Local Context

1

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/714123/PRMS_Statistical_Release_180607.pdf

Coventry is the second largest City in the region by population and is also the 9th largest in England. Its population places it as the 10th largest City in the UK. Between 2012 and 2013, the city's population increased by over 2%. A significant number of migrants have contributed to the city's population, which is expected to continue into the future as Coventry will see steady population increases.

ONS published their updated mid-year population estimates on 22nd June 2017. These estimates suggest that Coventry has 352,900 people living in the city - 7,500 more people than in 2015 when the population was estimated to be 345,400.

This is an increase of 2.2%, compared to the England average of 0.9%. Between June 2015 and June 2016 Coventry's population was growing at the 10th fastest rate out of all council areas in the United Kingdom, the 4th fastest rate outside of London.

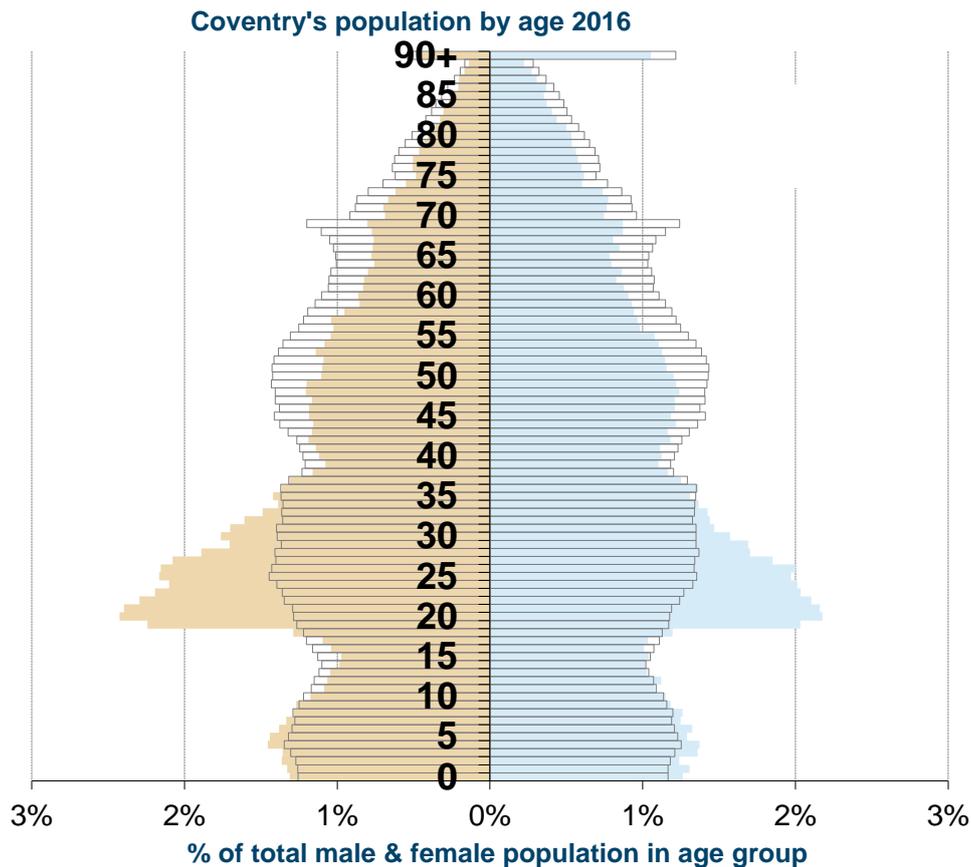
Table 1 below shows Coventry's medium term growth since 2000. After a period of population decline at the start of the century Coventry's recent growth has been faster than the national and regional averages.

Table 1- Population Growth in Coventry

Year	Coventry		England	West Midlands
	Mid-year population estimate	Population change index (2000 = 100, Cumulative % change since 2000)		
2000	303,100	100.0	100.0	100.0
2001	302,800	99.9	100.4	100.2
2002	301,300	99.4	100.9	100.6
2003	300,700	99.2	101.4	101.1
2004	298,200	98.4	102.0	101.5
2005	298,400	98.5	102.8	102.1
2006	300,100	99.0	103.5	102.8
2007	301,400	99.5	104.4	103.5
2008	305,200	100.7	105.2	104.3
2009	307,400	101.4	106.0	104.9
2010	311,700	102.8	106.9	105.6
2011	316,900	104.6	107.9	106.4
2012	323,100	106.6	108.7	107.1
2013	329,800	108.8	109.4	107.7
2014	337,400	111.3	110.3	108.4
2015	345,400	114.0	111.3	109.1
2016	352,900	116.4	112.3	110.1

In 2007 when the Coventry population started to grow notably the average age was 36 years. The young average age is partly because Coventry is home to two large universities – Coventry and Warwick University. The City is one of the top 20 towns and cities in the UK in terms of the proportion of the population who are students (source: Census 2011). Figure 2 below shows the age profile by population in Coventry.

Figure 1- Population by Age



The student population means there is continually a large population aged 18 – 24, this age group makes up 14.3% of the population compared to the England average of 8.8%.

There are other reasons why Coventry is a relatively young city;

- A number of European economic migrants, who are more likely to be younger, have moved and are moving to the city;
- In the 1970s and 1980s many young people left the city looking for work meaning that there are relatively fewer older people today than might be expected;
- Up until five years ago the annual number of births was increasing as a trend. The number of births has now stabilised and has fallen from a high of around 4,800 to around 4,600 and
- Some established middle aged residents move out of Coventry to more rural areas.

Continuing a recent trend, the average age of Coventry's residents reduced between mid-2015 and mid-2016. The population of 0-15 year olds increased by 1.9%, 16-64s increased by 2.6% and older people aged 65 and over by 0.6%. However, with life expectancy increasing the population of residents aged 65+ is likely to increase faster than younger age groups in the future. The working age population increased by the most, particularly due to growth amongst 18-24s and 25-34s; partly the result of the growing universities. Coventry University in particular has been growing and the number of full-time students enrolled there continued to increase between 2015 and 2016.

ONS reported in 2014 that overall for the UK as a whole, the proportion of the population born outside of the UK was 13% (8.3 million of 63.7 million). In Coventry the figures for 2014/15 were reported to be 24% non UK born, almost twice the national average.

According to the 2011 Census, Coventry as a local authority has experienced the greatest migration since 2001 - second only to London. The increasing diversity of populations in Coventry is creating new challenges for housing, health and social care systems, which need to adapt in order to remain responsive and ensure delivery of effective and culturally sensitive services while promoting equity, social cohesion and inclusiveness. To achieve the City's aim of reducing inequalities within the City, and in response to the City's Marmot role, addressing migrant health was a clear priority.

The 2011 Census tells us that 1 in every 5 people living in Coventry (21%) were born outside the UK. People move in and out of the city every year, including students studying at the city's two universities from both the UK (37,580) as well as an estimated 19,160 overseas students (2016-2017 figures)². 14,035 students enrolled from Non-EU countries and 5,125 from EU countries.

The 2011 also shows us that areas around the city centre and to the south east of the city were the most popular places for EU migrants to live, while the city centre and areas to the North East and South West are the most popular for non-EU migrants. Figures 2 and 3 provide the profile.

Figure 2- Non EU Migrants in Coventry

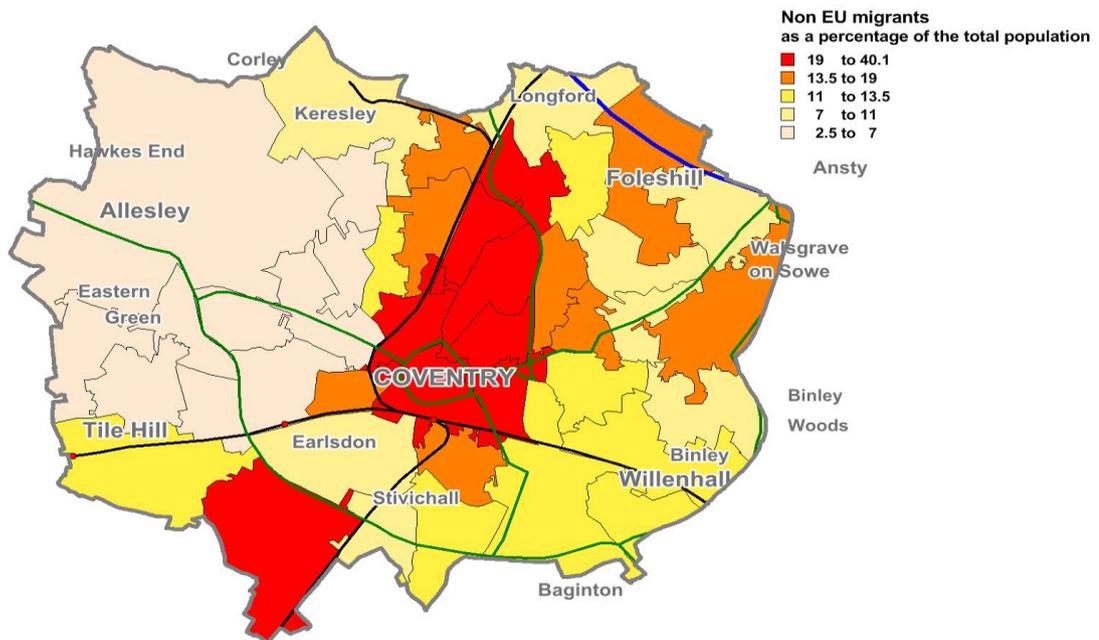
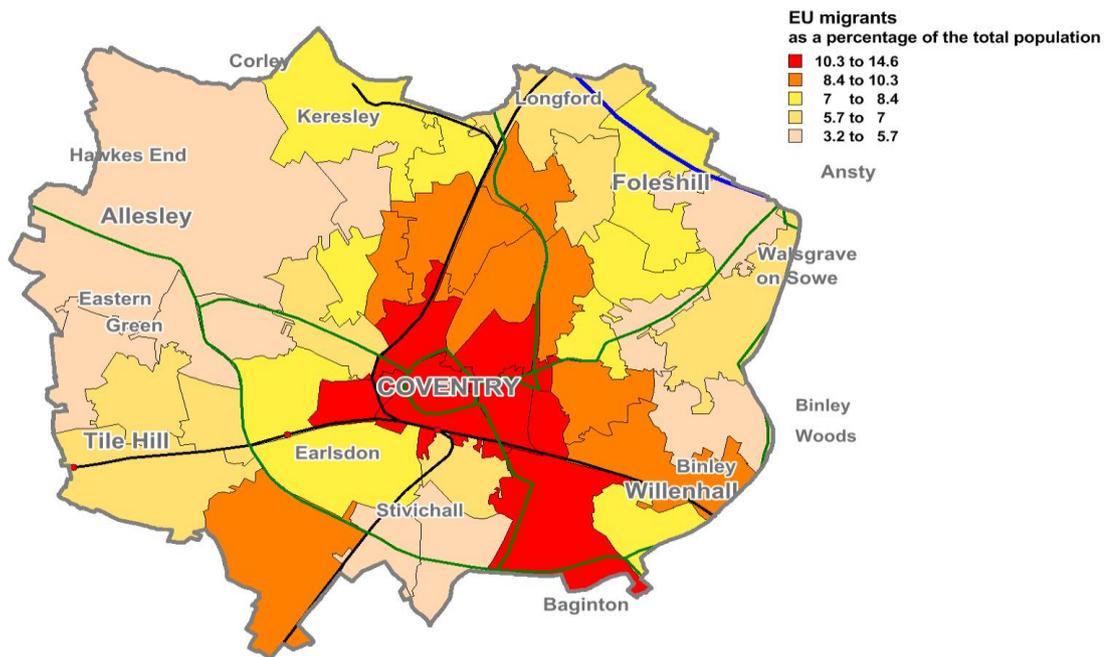


Figure 3- EU Migrants in Coventry

² <https://www.hesa.ac.uk/news/11-01-2018/sfr247-higher-education-student-statistics/location>



The City has experienced high levels of migration into certain wards and as a result, has seen further demand on already stretched public services. This, has in turn placed extra pressure on the housing sector and the likelihood is that a large number of migrants will seek affordable accommodation in HMOs across the city.

4.3 Strategic Context

Section 57 (2) of the Housing Act 2004 states that before making a designation the authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy.

The Council Plan takes forward the main themes agreed by the Council in recent years. It reaffirms the Council's ambition – developed with the Strategic Partnership and partners to make Coventry: A Top Ten City.

This ambition is driven through three corporate priorities which directly address the needs of the city:

- 1) Promoting the growth of a sustainable Coventry economy by;
 - Supporting businesses to grow
 - Creating the infrastructure for the city to grow and thrive
 - Developing the city centre for the 21st century
 - Raising the profile of Coventry
 - Helping local people into jobs
 - Reducing the impact of poverty
 - Increasing the supply, choice and quality of housing.
 - Increasing access to arts, sports & cultural opportunities including leisure, music and events

- 2) Improving the quality of life for Coventry people by;
 - Creating an attractive, cleaner and greener city
 - Making communities safer together with the police, to reduce crime and anti-social behaviour
 - Improving educational outcomes by working with schools to continue to improve standards
 - Improving the health and wellbeing of local residents
 - Protecting our most vulnerable people
 - Reducing health inequalities
- 3) Delivering our priorities with fewer resources by:
 - Making savings so that we can support frontline services
 - Support the regeneration of Coventry's economy
 - Change how we work to become more flexible and adaptable
 - Empowering citizens and encouraging active communities
 - Working together with neighbours and partners across the voluntary, public and private sectors

The Health and Wellbeing Strategy 2016-19 recognises that creating health, wealth and happiness requires more than simply managing people's health problems. The health and wealth being of people can be improved if people have jobs, good housing, and are connected to families and communities. By working together to deliver three priority areas Coventry Health and Wellbeing will make the biggest difference to the lives of Coventry people.

The Council's Housing Strategy 2013-2018 affirms the Council's view that housing plays a crucial role in the economic growth of the City. The ambition for Coventry is *"to ensure decent homes, housing choice and support for Coventry citizens"* through various themes including:

- 1) Increase the supply, choice and quality of new housing
- 2) Prevent and tackle homelessness
- 3) Strive for a healthier and more sustainable City by improving the quality and use of stock; and
- 4) Encourage balanced, stable and sustainable communities.

Beneath these themes there are number of key priorities, most notable for this report being :Regenerate neighbourhoods where poor quality, low demand housing exists.

- Improve energy efficiency and affordable warmth across all tenures.
- Improve property condition and management standards in the private rented sector.
- Improve the quality of our neighbourhoods to support safe, inclusive and cohesive communities.

The Housing Strategy links into the Council Plan and the Health and Wellbeing Strategy by contributing to the delivery of the key corporate priorities but also in supporting the local economy through ensuring communities have stable and safe places to live.

Regulatory Services is responsible for regulating the housing sector and embraces a range of service areas used by people, businesses and organisations and through this work profile ***"seeks to ensure that the public, visitors, workers and residents of Coventry have a healthy and safe work and domestic environment."*** through education, persuasion and enforcement activities. The teams

within the service are responsible for ensuring properties and landlords in the Private Rented Sector meet minimum legal requirements.

The service has been working with landlords to improve conditions within the HMO stock of the city through the national mandatory HMO licensing scheme as well as statutory regulatory functions relating to maintaining minimum standards in properties in the rented sector.

A variety of interventions have been used in Coventry to tackle problems in the HMO stock in the city. These range from providing advice and support to landlords and tenants through to the use of legislative powers to raise standards within HMOs.

The primary driver for all of the work carried out by the team is the protection of the health, safety and welfare of residents living in HMO's whether it is acting in an advisory role or regulatory role through enforcement. Where serious breaches occur legal action has been taken which has led to convictions and formal action. The outcome of this work is a healthier and safer environment in which people live.

Operational partners include the various teams within Regulatory Service, Environmental Health, Housing Department and Planning Services.

The teams within these service areas all contribute to the Councils Corporate objectives and there are also strong links with external agencies including in particular West Midlands Police and West Midlands Fire and Rescue Service.

The Coventry Police and Crime Board brings together a range of agencies who work together to make Coventry a safer, more confident city. The Safety Partnerships was created in 1998 in response to a requirement within the Crime & Disorder Act. A number of agencies were given "Responsible Authority" status that places a statutory duty on them to work together and do all they reasonably can to prevent, detect and reduce crime and nuisance and prevent re-offending. These agencies must work with local businesses and communities to improve the safety of the communities they live and work in.

In essence, this requirement was to aid the coordination of multiple resources, tools, legal powers and services of local agencies, businesses and residents with the ultimate aim of making Cities safer.

The work of Community Safety Partnerships is guided by an annual strategic assessment of threat and risk, which provides evidence with which to determine local need and priorities for agencies to plan action to address those priorities.

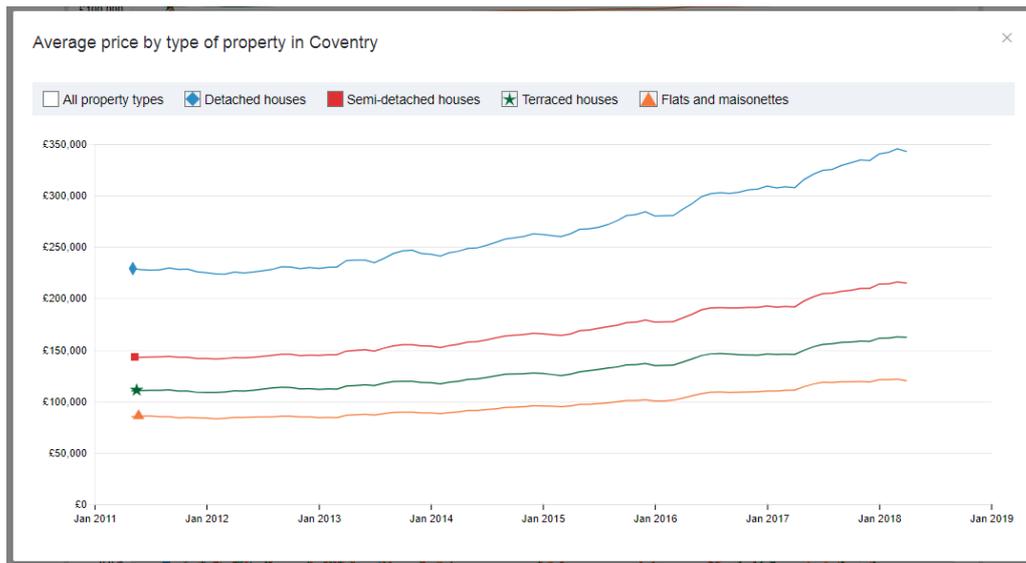
The relationship with private landlords and letting agents within the city and other stakeholders has developed over the years and events are held to inform landlords and agents of key issues that may affect them. The service also meets with letting agents, college domestic bursars and other strategic partners on a regular basis.

Despite the above many landlords remain disengaged until formal action is pursued by the Council.

4.4 Housing in Coventry

There is a housing shortage in Coventry with an estimated 14,000 households on the waiting list for housing there is a particular need for larger 3 and 4 bedroom properties. Affordability is also a major concern issue. As can be seen from Figure 4 the average house price for property has increased considerably over the past 10 years in all property types.

Figure 4- Average house price in Coventry



In 2011, the vast majority (82%) of the 133,185 homes in Coventry were in private ownership, while around one in five (18%) of homes were considered affordable housing and were mainly owned by registered providers.

An over-representation of terraced housing also exists within the City. The 2011 Census reported that 43% of housing in Coventry was terraced. In contrast, 10% of households in the City are detached and over a quarter (28%) are semi-detached.

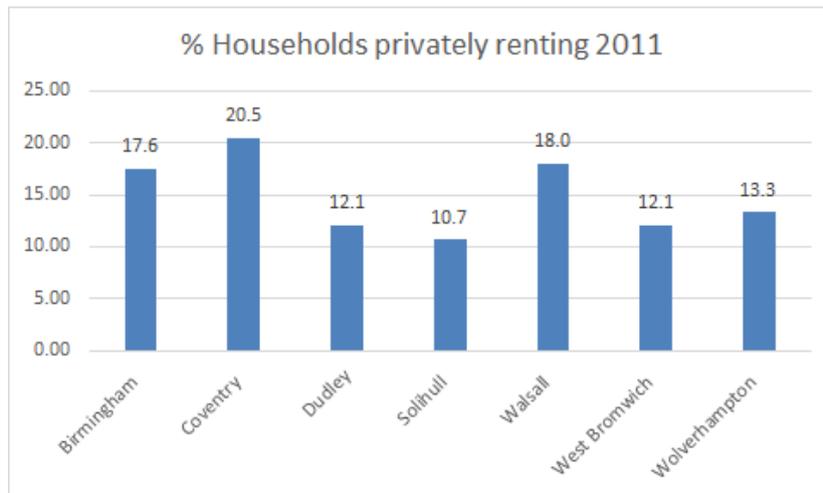
It is well reported that poor housing conditions, including overcrowding and homelessness, are associated with property age and the effect of such conditions have a direct impact on health including in particular, cardiovascular diseases, respiratory conditions and mental health problems.

4.5 The Private Rented Sector

The PRS in Coventry has seen considerable growth over the past 20 years or so. In 2001 the sector was reported to be around 13% - Census 2001 and had increased to around 20% by 2011, making Coventry the region in the West Midlands with the largest PRS.

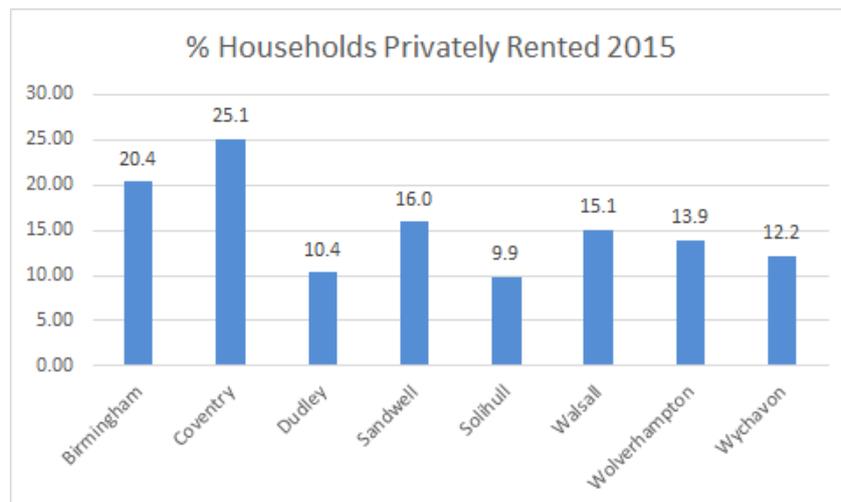
Figure 5 below provides the comparison of the percentage of PRS in the West Midlands and surrounding areas for 2011.

Figure 5- % households in PRS in West Midlands area 2011



In 2015, the Office for National Statistics released tenure estimates by Local Authority for owner occupied and private rented dwellings. These estimates indicated that the PRS had increased since the 2011 census to 34,326 (25.06%) and although these were estimates and not 'official' statistics' this provides a clear indication that the PRS in Coventry is expanding year on year. Figure 6 below provides the comparison for the local area.

Figure 6- % households in PRS in West Midlands region 2015



4.6 HMOs in Coventry

The council must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

HMOs are a major concern in Coventry. It is estimated that Coventry is one of the top ten authorities having the highest number of HMOs in England and Wales with around 6,800 HMOs or 26% of the total PRS stock.

They form an unusually high percentage of houses in the city and provide much needed accommodation for residents, particularly students who would typically live in this type of accommodation.

Planning policy has been developed by the Council to create and sustain as appropriate 'mixed and balanced communities', by encouraging the spread of sustainable and viable options for accommodation. Notwithstanding, the city does have large areas where HMOs within the PRS are substantial in number.



The Census 2011 provides data on the percentage of multi occupied (HMO) properties in the PRS, which is shown in Figures 7 and 8 below. The percentage is reported as a proportion of the total PRS stock and Figure 8, in particular clearly shows that there is a large concentration of HMOs in certain wards focussed within close proximity of the City centre and the two major university complexes.

An analysis of the Housing Strategy Statistical Appendix (HSSA) was carried out to determine how this compared to the rest of the UK.

The HSSA is a statistical return to support the development of annual Housing Strategy. It is mainly basic and policy orientated data on all tenures within each local authority's own geographical area and covers a wide range of information including, amongst other things, the total number of properties estimated in the PRS and the total number. With this information available the Council is able to compare the % of HMOs across the country.

Based on the HSSA returns there is an estimated 2,511,137 properties in the PRS, of which 426,834 are reported to be HMOs. This represents a 17% average across the 325 LA's that completed the HSSA return in 2011.

From the percentages shown in Figure 7 it is clear that despite there being a large concentration of HMOs in and around the City centre there are above average numbers across a large number of wards generally, with only 5 falling below the estimated national average of 17% (Bablake, Wyken, Henley, Holbrook and Longford).

Figure 7- Percentage of HMOs by ward

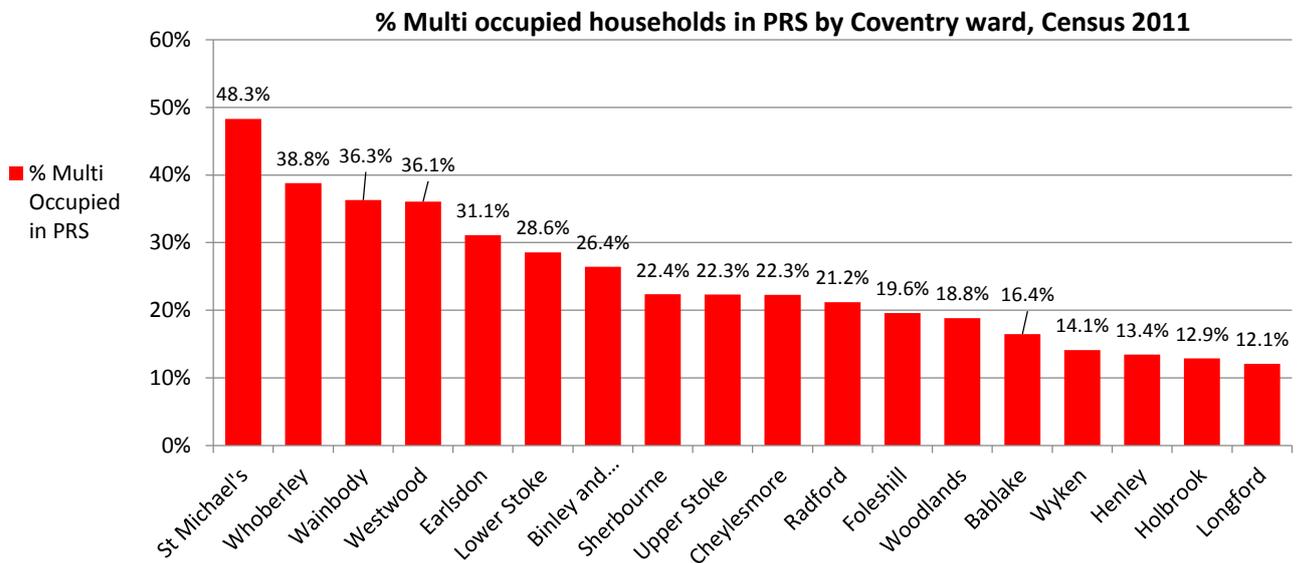
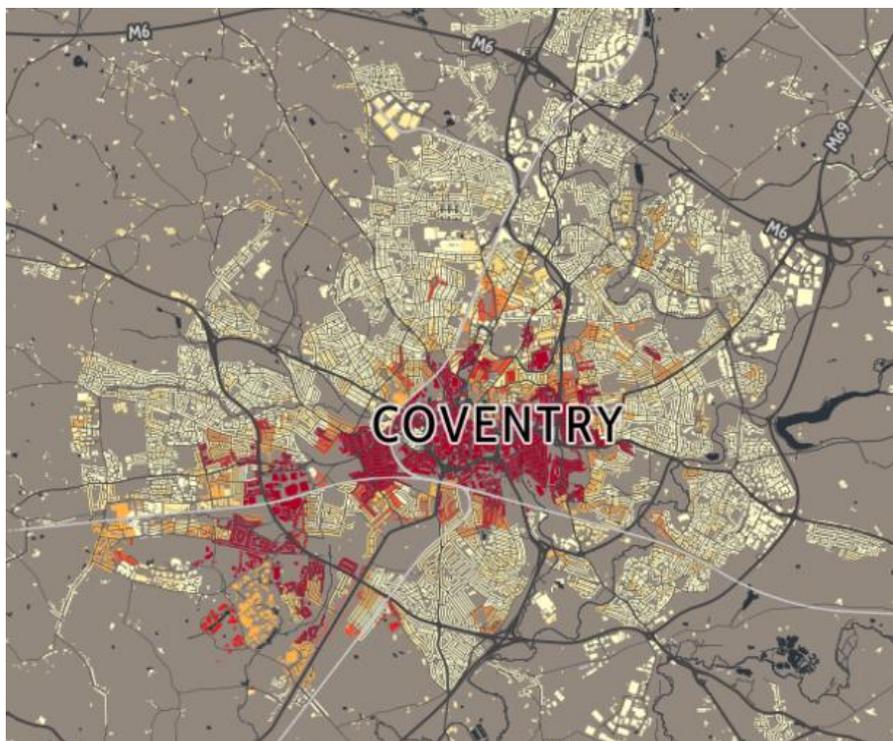


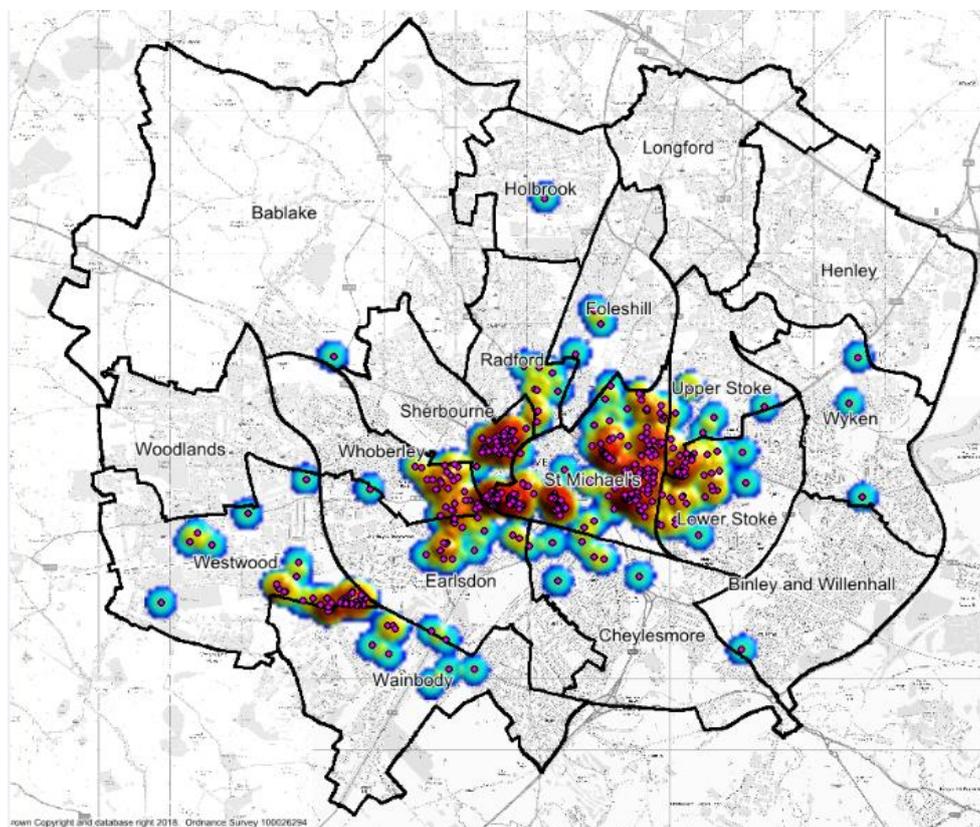
Figure 8- Census 2011 multi occupied properties



4.7 Mandatory Licensing of HMOs

Under the Housing Act 2004 certain types of HMO were defined as licensable. For these HMOs there is an obligation on the landlord to apply to the local authority, where the HMO is located, for a licence. Local authorities, therefore, must be in a position to manage the application for licences. At the time of writing this report licensable HMOs are those that are of three or more storeys with five or more residents living as two or more households that share some facilities. The total number of licensable HMOs of this nature in Coventry, using this definition is estimated to be 1,190. The Council has issued around 500 licenses for mandatory HMOs and 129 new applications waiting to be determined. Figure 9 below provides the profile of licensed HMOs across the City.

Figure 9- Licensed HMOs in Coventry 2018

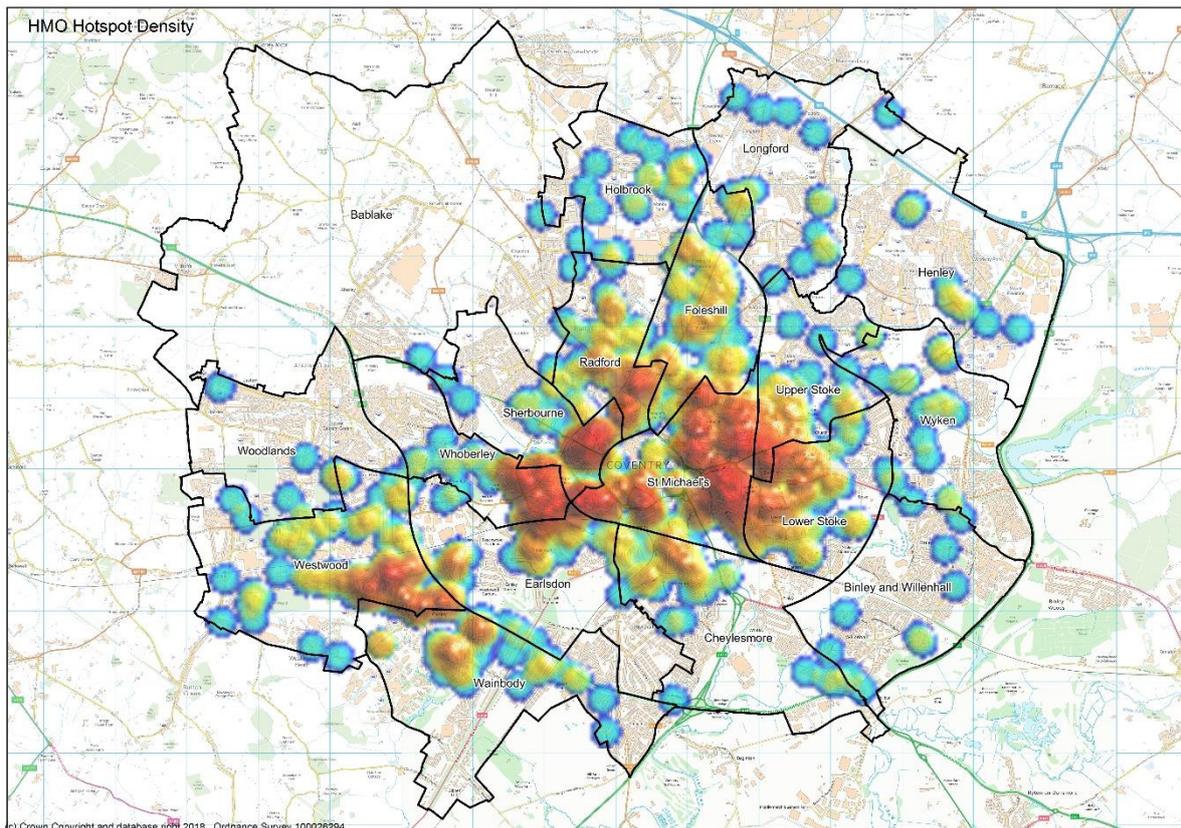


From 1st October 2018 the definition of a mandatory licensable HMO will change and the rule regarding 3 or more storeys will be removed. All properties that meet the following criteria will therefore require a mandatory HMO licence:

- It is occupied by five or more persons;
- Is occupied by persons living in two or more separate households; and meets—
- The standard test under section 254(2) of the Act;
- The self-contained flat test under section 254(3) of the Act but is not a purpose-built flat situated in a block comprising three or more self-contained flats; or
- The converted building test under section 254(4) of the Act.

The Council estimates that this change will bring an additional 1,200 HMOs into the mandatory licensing regime in October 2018 increasing the total estimated number of licensable HMOs in Coventry to approximately 2,400. Despite this intervention by the Government there will still be an estimated 4,400 HMOs in Coventry that will not be subject to licensing provisions. Figure 10 below provides the estimated hotspot density for HMOs by cross referencing the Local Land and Property Gazetteer (LLPG) street records for a combination of Council Tax data and licensed HMOs. As mentioned a large number of these suspected HMOs will fall outside of the mandatory scheme.

Figure 10- HMO Hotspot Density 2018



4.8 Property Conditions

Local authorities have an obligation under the Housing Act 2004 to keep housing conditions in their area under review. This includes all tenures of housing, not just stock that may be owned by the local authority.

Councils also have an obligation to enforce certain statutory minimum standards in housing and have powers that they can use to do this, while further non-mandatory powers are available to the Authority under the Housing Act 2004. To meet this obligation, Coventry City Council commissioned a survey on a random sample of housing within the city in 2012/13.

Information concerning the HMO stock in the city has historically been built up from operational records, however, landlords and agents are most reticent to provide the Council with data unless specifically required to do so. Additional Licensing will enable the collection of more detailed and accurate information about the HMO stock. This is one of the less apparent benefits of licensing.

The Council has developed a number of policies and strategies to further develop its overall approach to the housing stock and the Stock Condition Survey forms an important contribution to the full evidence base which underpins local policies and strategies towards improving housing standards.

The figures below provide relevant information regarding the stock and conditions in the Private Rented Sector and HMOs as reported in the stock condition survey.

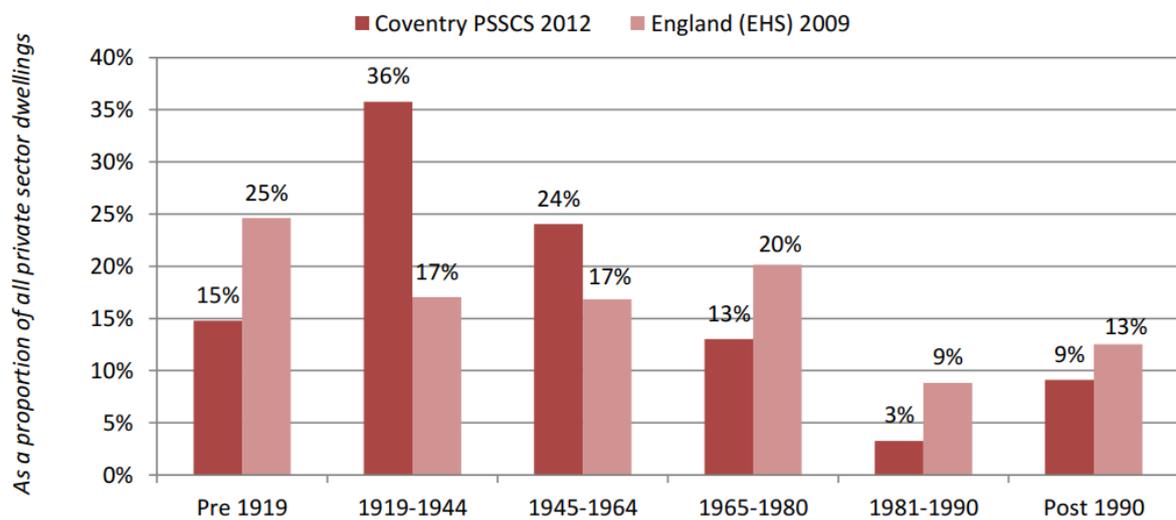
As previously described the DCLG guidance for the general approval provides examples of properties being managed “sufficiently ineffectively” and includes;

- 1) those where the external condition and curtilage (including yards and gardens) adversely impacts upon the general character and amenity of the area in which they are located; and
- 2) where the internal condition, such as poor amenities, overcrowding etc. adversely impact upon the health, safety and welfare of the occupiers; and
- 3) where the landlords of these properties are failing to take appropriate steps to address the issues.

The age of dwellings in the PRS is therefore an important consideration as there is a direct correlation between property age and conditions - the worse conditions are generally present in older stock types.

As can be seen from Figure 11 below the highest proportion of properties in the PRS are pre 1919 terraced type houses and inter war properties, which are present at over twice the national average.

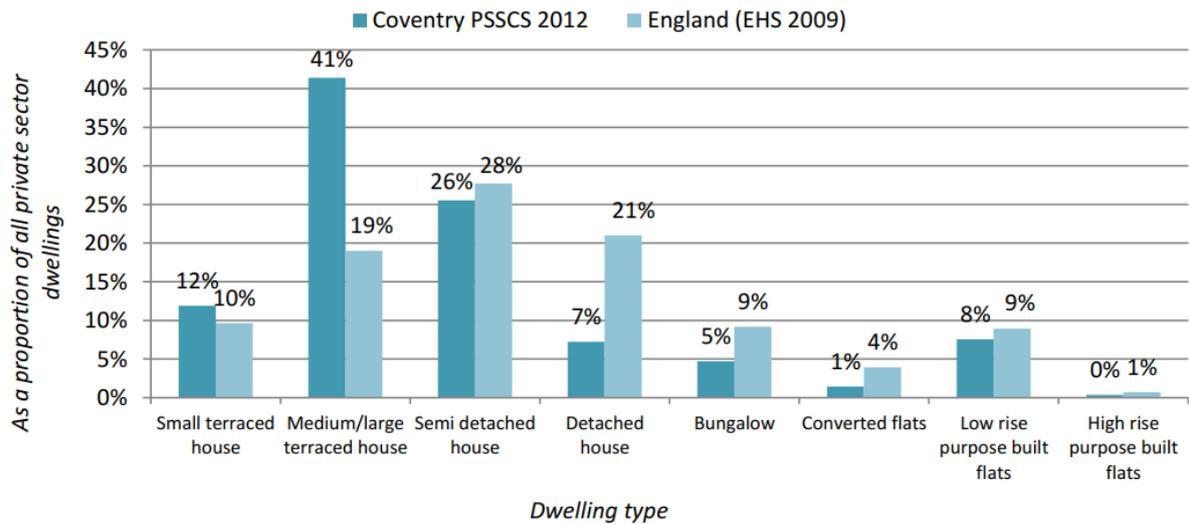
Figure 11- Dwelling Age in Coventry 2012/13



Dwelling type is also an important consideration and correlates with the issue of poor property conditions. In Coventry almost half of all the stock in the PRS is a medium or large type terraced house, which again is double to that found in England. This is particularly relevant in the case of HMOs as it is more likely that these larger type properties are in HMO use as a result of their size and internal configuration.

Figure 12 below provides the dwelling type profile across the whole of the PRS for different property types.

Figure 12- Dwelling type in Coventry 2012



4.9 HHSRS

The Housing Health and Safety Rating System (HHSRS) provides the minimum standard for housing, in that a property should be free from a category 1 hazard. There are 29 criteria for assessing hazards in a property and typically hazards arise from faults or deficiencies in the dwelling which could cause harm.

In short, a dwelling should be able to supply the basic needs for the everyday life of the range of households who could normally be expected to live in a dwelling of that size and type. The dwelling should not contain any deficiency that might give rise to a hazard which interferes with, or puts at risk, the health or safety, or even the lives, of the occupants.

The Council is under a duty to take action in the case of category 1 hazards and if necessary it may carry out any necessary remedial work and reclaim the costs. The Council has a power (discretion) to take action in the case of all category 2 hazards (i.e. those which carry lower risks).

As can be seen from Figure 13 below the stock condition survey reported that there were 17% of properties in the PRS that had a Category 1 hazards, slightly below the national average.

Figure 13- Cat 1 hazards in PRS Coventry

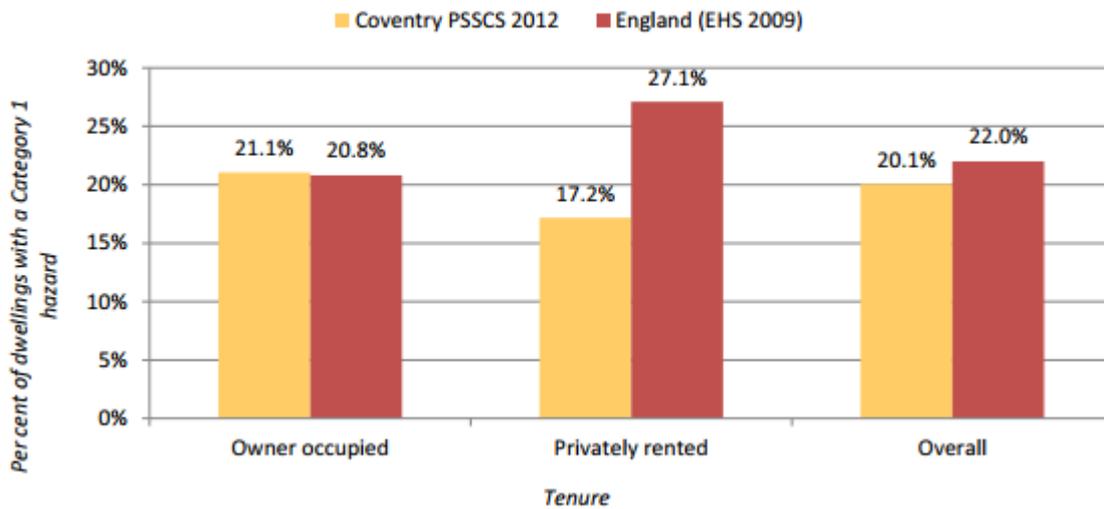
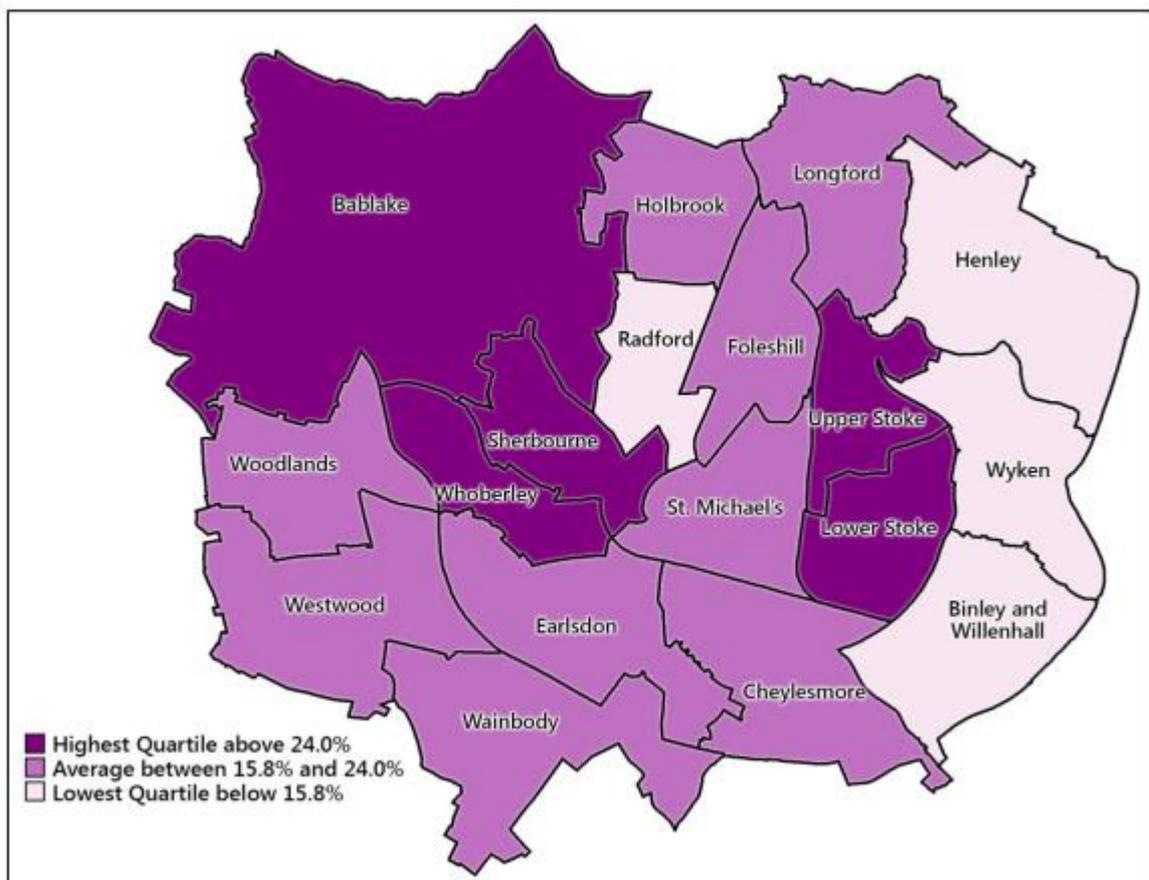


Figure 14 provides the concentration of Category 1 hazards by ward. It is apparent from this profile that over 77% of the wards in the city have above average levels of hazards.

Figure 14- Cat 1 hazards by ward



The stock condition survey also identified the hazard criteria which were most prevalent in HMOs and the private rented stock. As shown in Table 2 below the two main hazards in HMOs were excess cold and falls on stairs.

Table 2- Hazard profiles in HMOs and PRS

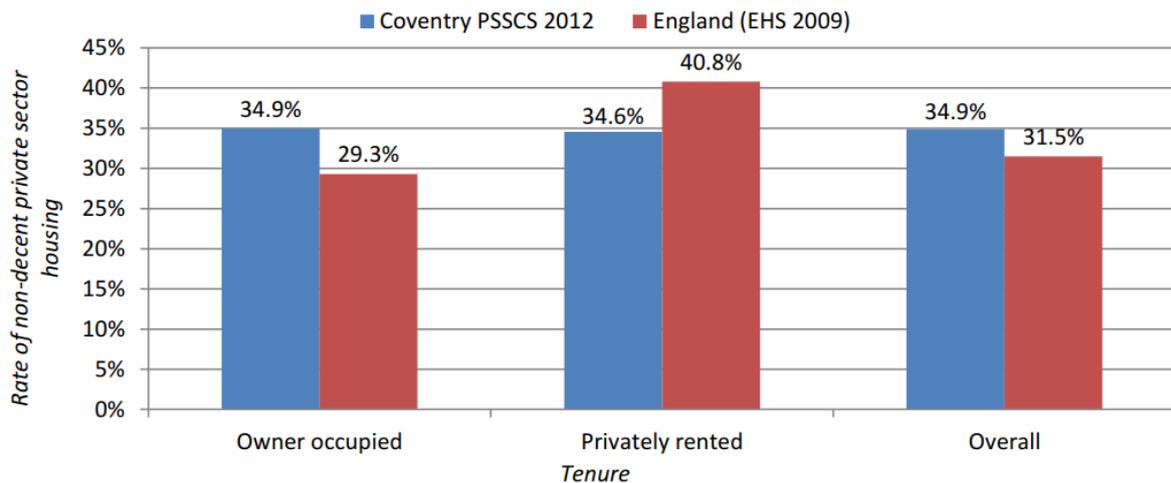
Category 1 hazard	HMOs		Private Sector	
Excess cold	550	9.9%	13,070	11.9%
Falls on stairs	520	9.3%	7,460	6.8%
Falls on the level	200	3.6%	2,410	2.2%
Falls between levels	90	1.6%	160	0.1%
Fire hazard	40	0.8%	70	0.1%
Flames & hot surfaces	0	0.0%	40	0.0%
Damp & mould	0	0.0%	100	0.1%
Overcrowding	0	0.0%	60	0.1%

4.10 Non Decent Homes

The Decent Homes Standard is a minimum standard under which all homes must: be free from any hazard that poses a serious threat to health or safety; be in a reasonable state of repair; have modern facilities and have adequate levels of thermal comfort.

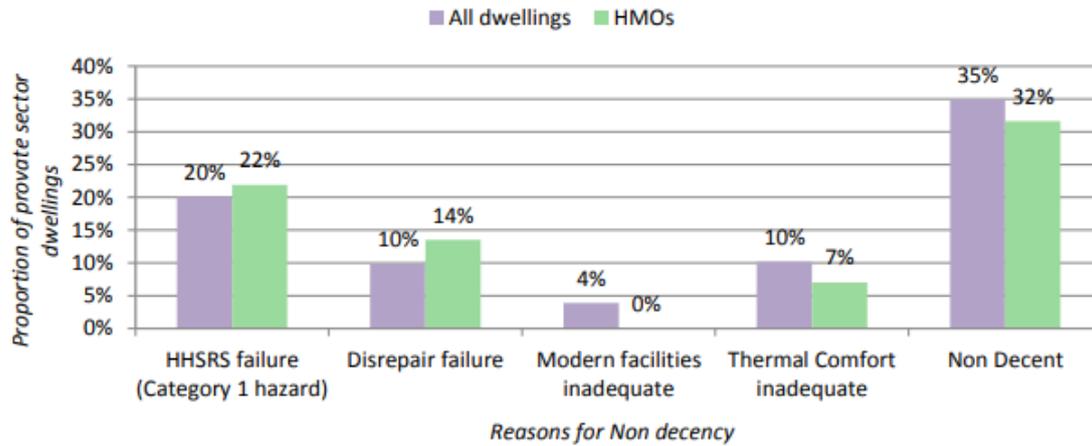
It is estimated that there are 38,400 private sector dwellings (34.9%) that are non-decent in Coventry. This compares to 31.5% of private sector stock (owner occupied and privately rented) for England as a whole.

Figure 15- Non decent homes in Coventry PRS



The reasons for non-decency were identified as part of the survey and showed that most prominent failure was due to HHSRS with 17% of properties in the PRS failing this element of the criteria. As can be seen from Figure 16 below non decent HMOs were slightly less prevalent in the HMO sector than in the housing stock as a whole but there were greater levels of Category 1 hazards and disrepair found in this type of accommodation.

Figure 16- Criteria for non decent homes in HMOs



In addition to HHSRS and the Decent Homes Standard, HMOs are also required to be “reasonably suitable for occupation”. HMO landlords should ensure that their properties that are in multiple occupation provide basic amenities, for example at least one bathroom (including a WC or with a separate WC) where there are up to four people sharing.

According to the stock condition survey most HMOs in Coventry have only one room set aside as a dedicated living room as more than this would reduce the rental potential on the dwelling. There are an estimated 170 HMOs with no dedicated living room.

HMOs surveyed were also found to have inadequate kitchen facilities, which represents an estimate of 140 across the city as a whole. There is no specific requirement for HMOs to have a separate room set aside as a living room, however, if no living room is present, individual bedrooms are required to be of a larger size. The Council has experienced a number of HMOs that have below minimum size bedrooms.

The Government has introduced a mandatory licence condition for minimum room sizes in HMOs which is enforced through the licensing provisions. Any HMO which does not require a licence would not be required to meet this condition and as such could house people in smaller undersized rooms.

In addition to basic facilities there is also a requirement to ensure that there are adequate fire precautions in all HMOs. In the case of licensable HMOs the landlord is required to ensure that there is a suitable and sufficient fire risk assessment, which would set out the general fire safety requirements within the HMO. In the case of HMOs which are not subject to licensing the Council has the power to apply management regulations and HHSRS. The latter would usually be on a reactive basis.

Table 3 provides the results of the stock condition survey and despite the substantial risk of not having smoke detection in a HMO, there are still 4% of 257 HMOs, 15% of licensable HMOs and 51% of other HMOs that had no smoke detector present. Approximately 94% of 257 HMOs, 35% of licensable HMOs and 29% of other HMOs have a mains wired smoke detector.

Table 3-- Fire safety measures in HMOs

Fire safety measure	Other HMOs		Licensable HMOs		S257 HMOs	
	HMOs	Per cent	HMOs	Per cent	HMOs	Per cent
Any smoke detector	1,590	49%	1,020	85%	1,120	96%
Mains wired smoke detectors	940	29%	410	35%	1,100	94%
Fire extinguisher	430	13%	370	31%	1,100	94%
Fire blanket	1,250	39%	640	53%	1,120	96%
Fire proof doors	2,200	69%	970	81%	1,120	96%
Protected escape route	430	13%	140	12%	1,100	94%
Fire safety notice	130	4%	270	22%	1,120	96%
Escape route free from obstructions	3,210	100%	1,190	100%	1,170	100%
Total number of HMOs	3,210	100%	1,190	100%	1,170	100%

4.11 Complaints about HMOs

The Council considered those areas where there is a significant and persistent problem of anti-social behavior affecting other residents and/or the local community and where landlords of HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems.

When deciding whether areas are suffering from anti-social behaviour (ASB) which a landlord should address, regard was given as to whether the behaviour is being conducted within the curtilage of the rented property or in its immediate vicinity and include acts of: intimidation and harassment of tenants or neighbours; noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity; animal related problems; vehicle related nuisance; illegal drug taking or dealing; graffiti and fly posting; litter and waste within the curtilage of the property.

This methodology was adopted to identify the relationship between complaints and HMOs and where the lack of management or poor management skills or practices were otherwise adversely impacting upon the welfare, health and safety of residents and/or the wider community.

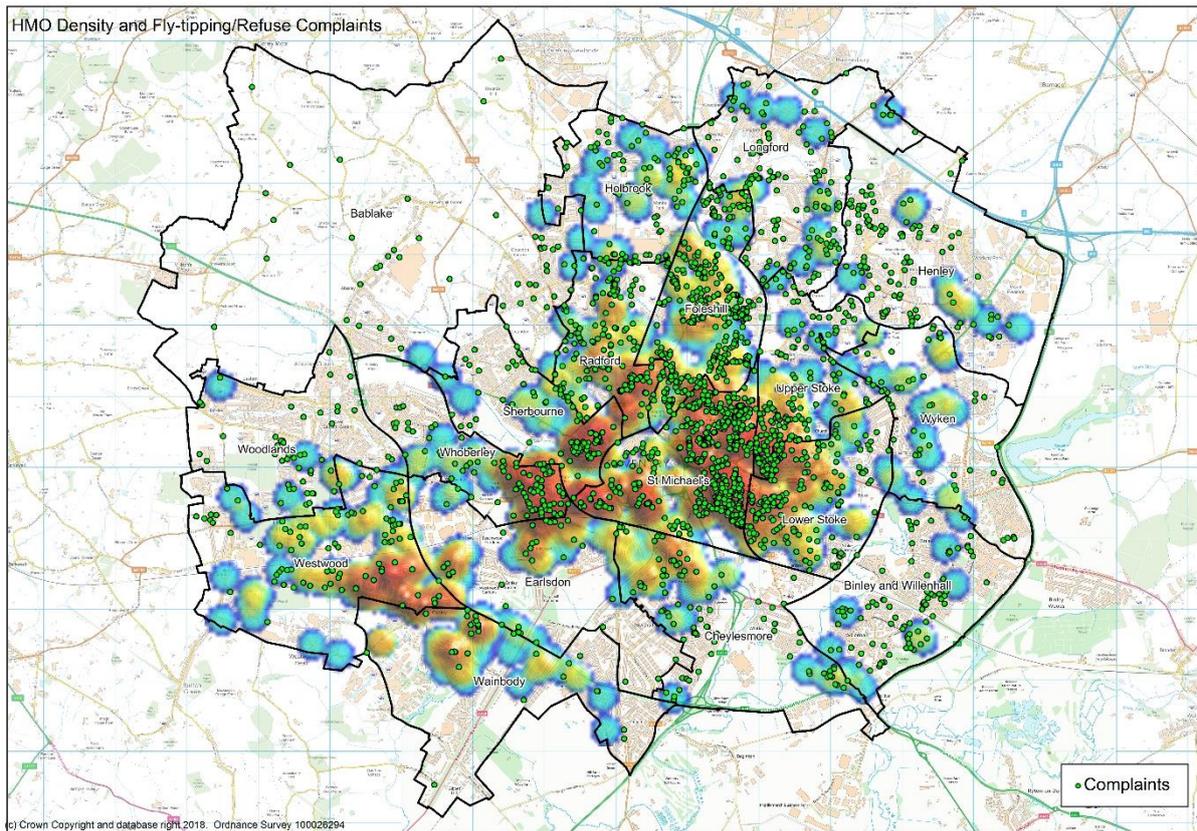
During 2016/18 the Council received a large number of complaints relating to the issues considered as shown in Table 4 below. What is also apparent is, that in the case of pests, fly tipping and noise these issues have increased from the previous year suggesting there is a growing problem. ASB issues, although significant are slightly lower than that of the previous year.

Table 4- Complaints in PRS

Complaint	2016/17	17/18	Difference
Pests	1502	2132	30% >
Fly Tipping/Refuse	3342	4704	29% >
Noise	3286	3523	6.7% >
ASB	18,197	17,977	1.2% <

The concentrations of these issues have been represented in Figures 17 & 18, which clearly show the “hotspots” for complaints and how these correspond with the location of suspected HMOs.

Figure 17- HMO density and fly tipping and refuse complaints



As can be seen from Figure 20 above there is a strong correlation between fly tipping and refuse complaints and HMOs.

During 2016 the Council received 2,440 complaints alone regarding rubbish. Of particular interest was those areas which showed an increase in these complaints. Table 5 below shows where the complaints were concentrated by LSOA.

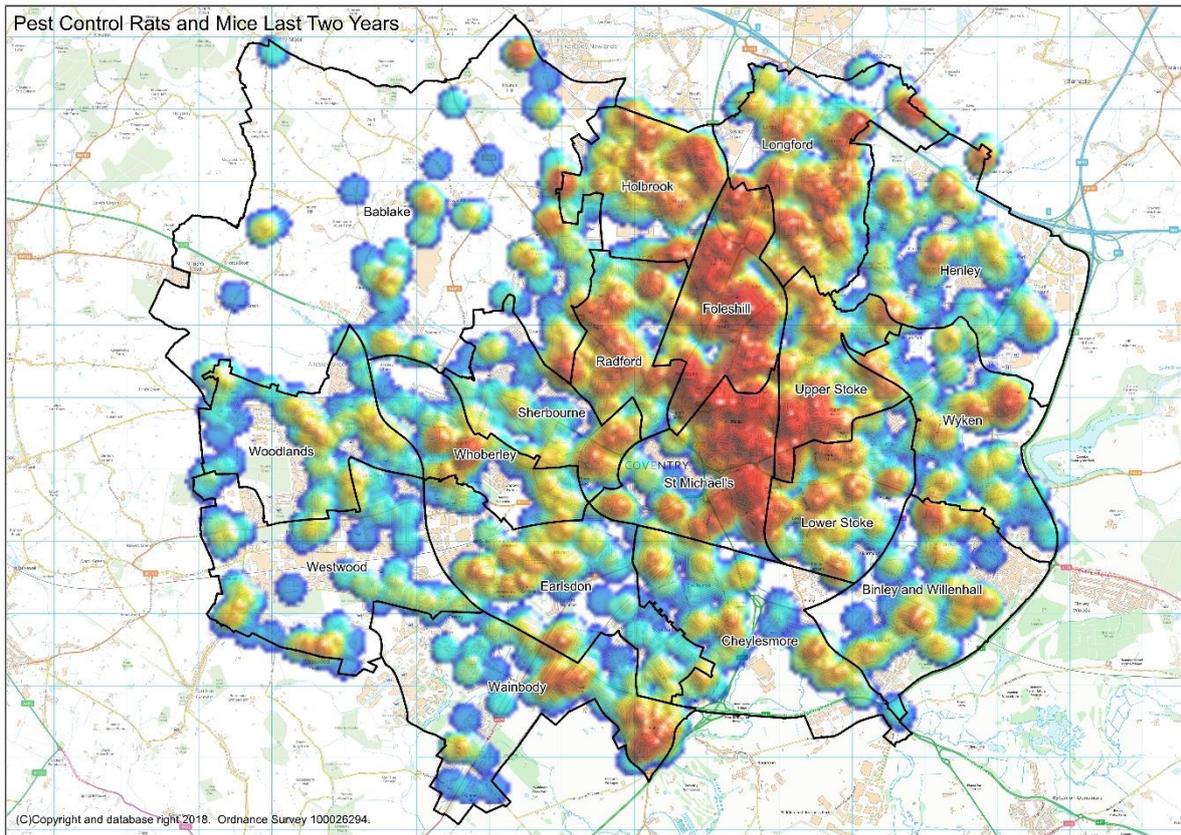
Table 5- Refuse complaint by LSOA

LSOA Code	LSOA Name	Mainly in Ward
E01009548	Friargate & Parkside –Technology, N. Cheylesmore	St Michael's
E01009553	Central Six Retail Park - Queens Road	St Michael's
E01009564	Little Heath – King Georges Avenue	Foleshill
E01009567	Edgwick - Canal Road	Foleshill
E01009568	Parting of the Heaths - Durbar Avenue	Foleshill
E01009569	Edgwick - Gallagher Retail Park Cross Road	Foleshill
E01009570	Foleshill - Broad Street	Foleshill
E01009571	Paradise - Awson Street	Foleshill
E01009572	Foleshill - Paragon Park Red Lane	Foleshill
E01009573	Bishopgate - George Elliot	Foleshill
E01009574	Swanswell - Leicester Causeway	Foleshill
E01009575	Arena Retail Park - Arbury	Foleshill
E01009577	Aldermans Green - Deedmore Road W	Henley
E01009607	Bell Green - Roseberry Ave	Longford
E01009615	Stoke Park	Lower Stoke

E01009619	Peugeot, Dominion Plaza & Humber Road North	Lower Stoke
E01009624	Jubilee Crescent	Radford
E01009626	Daimler Green - North Capmartin Road	Radford
E01009629	Daimler Green – Electric Wharf	Radford
E01009630	Radford - Lawrence Saunders Roads	Radford
E01009631	Barker Butts - Bablake School Thomson Avenue	Radford
E01009633	Charterhouse - St Georges Road	St Michael's
E01009634	London Road - Acacia Northfields Roads	St Michael's
E01009636	Hillfields - Swans Lane Thacknall Street	St Michael's
E01009637	Hillfields - Cambridge Street	St Michael's
E01009638	Hillfields Village & Motor Museum	St Michael's
E01009639	City Farm North	St Michael's
E01009640	Hillfields - Coronation Road Swanswell Basin	St Michael's
E01009641	Hillfields - Canterbury Raglan Streets	St Michael's
E01009650	Upper Holyhead Road – Minster Road	Sherbourne
E01009651	Lower Spon Street	Sherbourne
E01009658	Stoke Heath - Dane Road North Allotments	Upper Stoke
E01009660	Stoke Church End - Shakespeare Street	Upper Stoke
E01009661	Gosford Green - Kingsway	Upper Stoke
E01009663	Wyken Croft North	Upper Stoke
E01009665	Wainbody - Cannon & Cannon Park Roads	Wainbody
E01009683	Earlplace Business Park - Middlecotes	Westwood
E01009689	Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley
E01032538	Longford Village & Longford Park	Longford

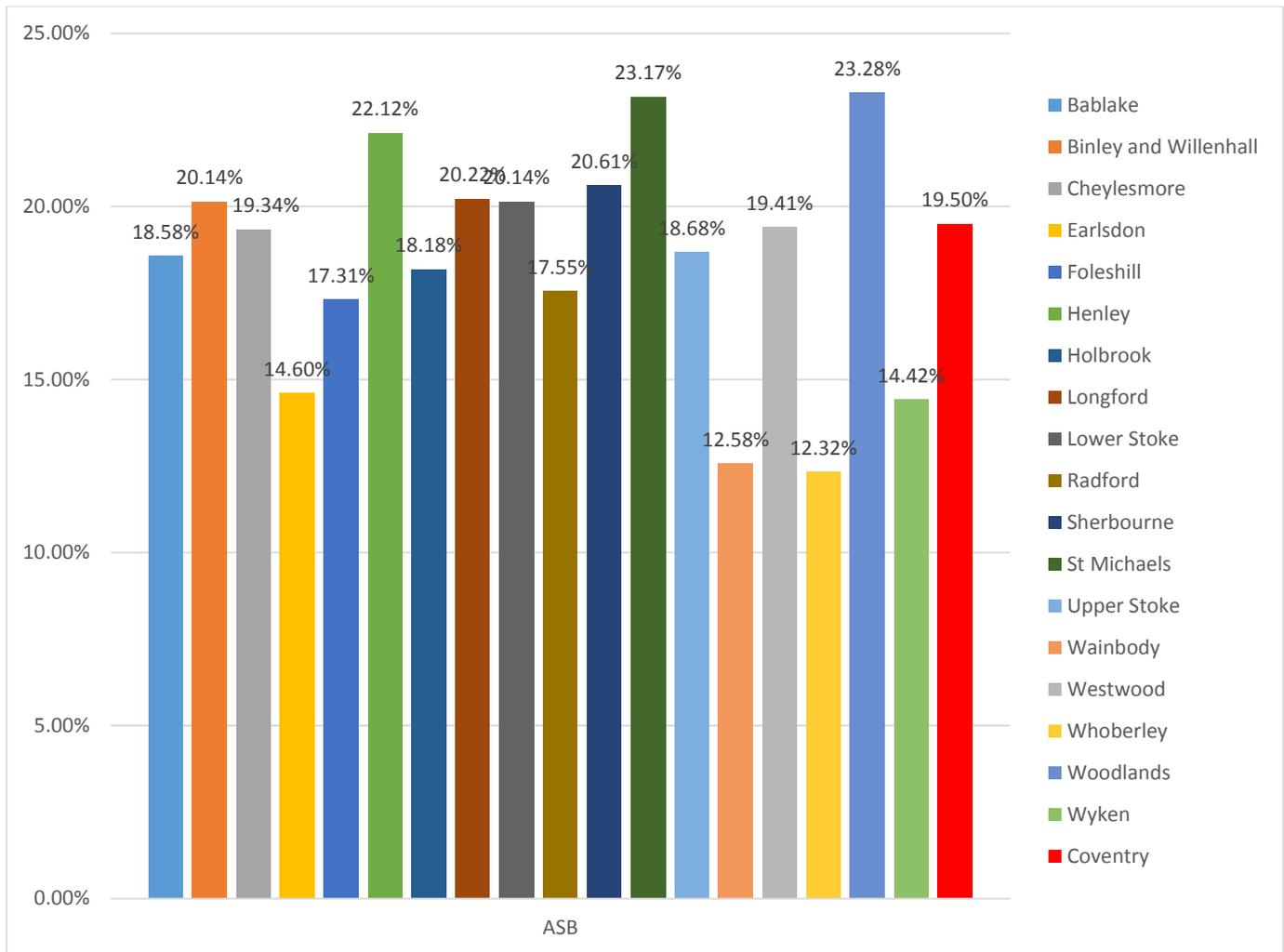
Further data was analysed in relation to the number of pest control visits made by the Council. Figure 18 below provides the profile for the past two years.

Figure 18- Pest control visits last two years



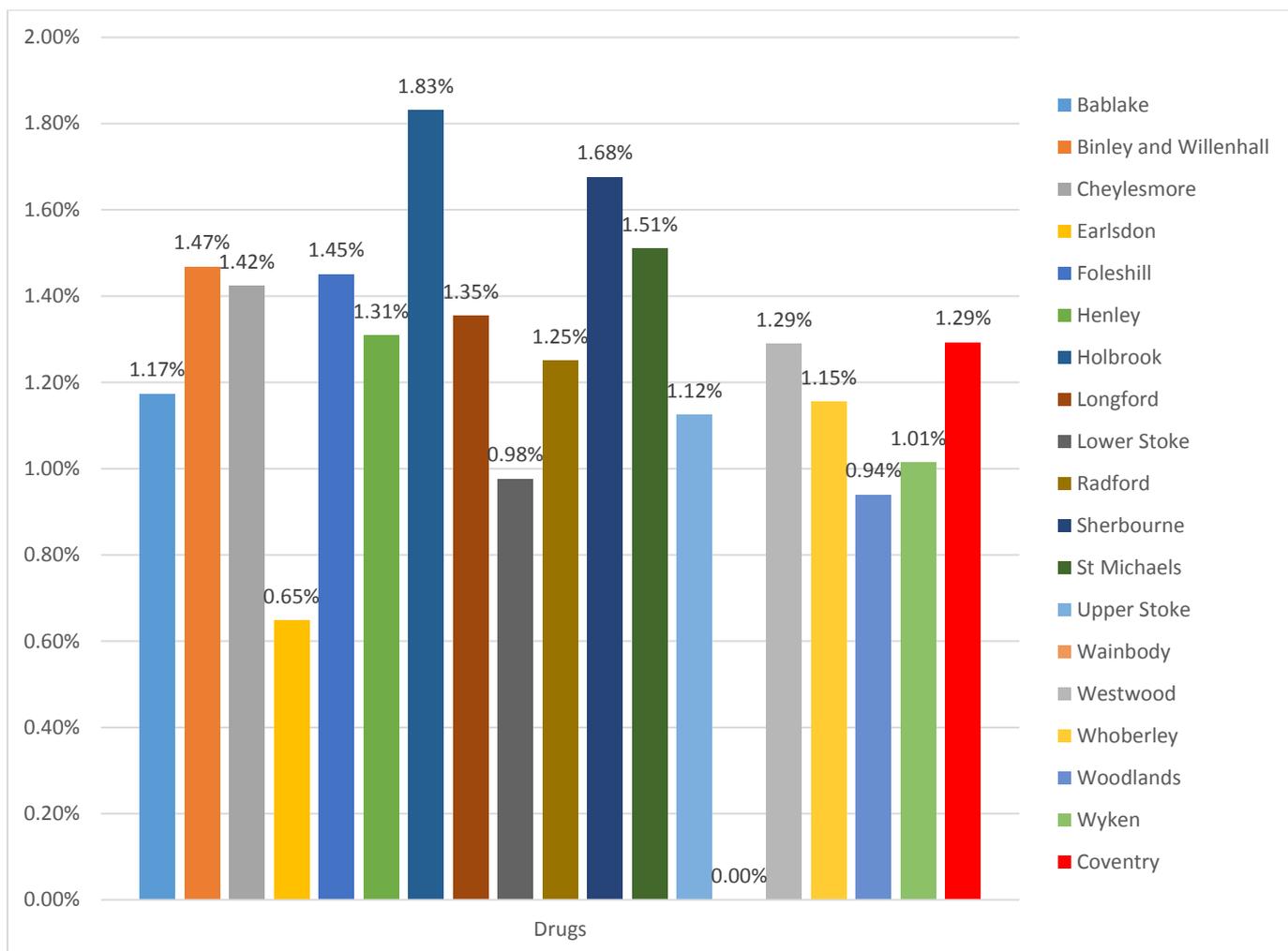
National ASB crime rates by ward are shown in Figure 19 below. Based on ASB crime rates reported during 2017 and 2018 the average for Coventry is 20% of all crime. Analysis of the ward figures identified significant concerns across all wards with 7 wards in particular (Binley and Willenhall, Henley, Longford, Lower Stoke, Sherbourne, St Michaels, and Woodlands) showing above average problems than those of Coventry as a whole. A further 5 wards (Bablake, Cheylesmore, Holbrook, Upper Stoke, and Westwood) were within 1% of the Coventry average for ASB crime related issues.

Figure 19- ASB crime rates by Ward



Drug related crime was also considered as part of the issues that relate to problems of ASB in areas. Figure 20 below provides the breakdown for each ward and Coventry.

Figure 20- Drug related crime by ward.

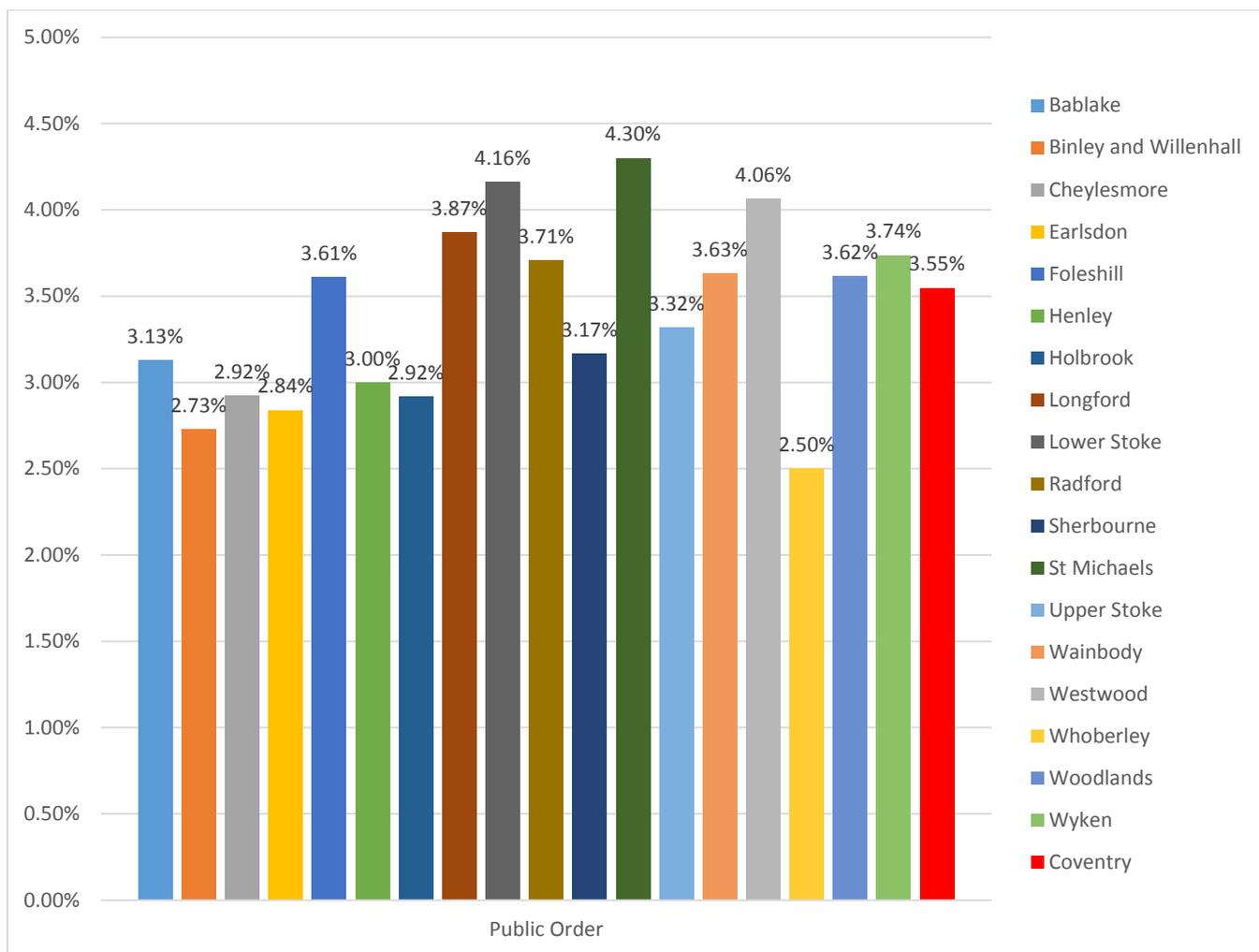


Drug related crime is running at an average for Coventry during 2017/18 of 1.3% of all crime. A number of wards were above the city average including, in order of highest, Holbrook (1.8%), Sherbourne (1.7%), Binley and Willenhall (1.5%), Foleshill (1.5%), St Michael`s (1.5%), Cheylesmore (1.4%), and Longford (1.4%). Henley and Westwood wards had similar averages for drug related crime to those of the City.

Public Order is defined as "crime which involves acts that interfere with the operations of society and the ability of people to function efficiently", i.e., it is behaviour that has been labelled criminal because it is contrary to shared norms, social values, and customs, in other words 'anti- social'.

Figure 21 below provides the public order crime rates average for Coventry during 2017/18 and as can be seen Foleshill, Longford, Lower Stoke, Radford, St Michael`s, Wainbody, Westwood, Woodlands and Wyken all have similar averages to those of the city at 4%. The worst area for public order crime is St Michaels ward at 4.3% closely followed by Lower Stoke at 4.2%.

Figure 21- Public Order crime rates by ward.



5. Conditions in HMOs

The problems associated with living in a HMO have been well documented over the years and are known to professionals working in the sector. In the 1980's the then Department for Environment (DOE) commissioned a survey of HMOs which noted that *“four fifths lacked satisfactory means of escape – and that – risk of death or injury from fire in a HMO is ten times that in other houses”*.

The English Housing Survey (EHS), which is an annual survey conducted to *“determine people's housing circumstances and the condition and energy efficiency of housing”* Department for Communities and Local Government (2014) *English Housing Survey – Headline report* DCLG February 2015, reported that HMOs are often old, solid wall properties with low levels of insulation and sometimes expensive electric heating systems and.... *“Section 257 HMOs pose particular problems because they are by definition older, poorly converted properties”*.

The experience over the years, in Coventry, is that some of the worst conditions are present in HMOs.

5.1 Case Studies

As there are limited proactive visits to non-licensable HMOs, these houses have come under notice through a variety of sources. Some emerged as a by-product of desktop searches of Regulatory Service records cross-referenced to information obtained from Council Tax, the Electoral Register and HM Land Registry.

Others were based on information gathered over a number of years from tenants' service requests, from the former registration scheme, from other house condition surveys and from other services visiting areas where HMOs are prevalent. Although primarily aimed at houses subject to mandatory licensing these sources are also indicative of the number of other HMOs in Coventry.

Further research has been undertaken in partnership with Warwick University considering student accommodation and proactively visiting areas in and around halls of residence and the university where HMOs are likely to be concentrated. This has revealed, particularly with respect to properties on offer to students, that accommodation is being offered in two storey houses to 4 or less people where facilities and fire precautions do not meet current standards.

Case Study 1

Two three storey properties that have been converted into HMOs with commercial premises to the ground floor front half of each building. The occupancy had been reduced to four people in each to avoid mandatory licensing.



The property was the subject of numerous complaints since 2010. Numerous notices have been served but the poor management practices have continued. More recently a visit to the property revealed four tenants in occupation in this five bedroomed property. The fire protection is below the standard for a three storey HMO and there is a limited protected escape route through the building.

Several Category 1 and 2 hazards were identified and powers utilised requiring the owner to undertake certain works within a specified time period to reduce/remove the hazards.

The effect of Additional Licensing on this and similar properties will be to ensure that the sub-standard fire precautions and lack of management are improved to a minimum standard. The powers will also enable the Council to intervene with an Interim Management Order if the property is not successfully licensed.

Case Study 2

Similar to the above this is a three storey property where occupancy has been reduced to avoid mandatory licensing. The property has been on the Council's radar since 2008 and has been the subject of numerous interventions including a prosecution for failing to comply with the management regulations. Despite this the landlord has consistently ignored the issues present at the property and kept it on the border of minimum requirements.





During a recent visit one of the tenants advised that the landlord told them to keep the number of people in the building to 4. The numbers are such to avoid mandatory licensing.

It was noted that window frames are in poor repair, rubbish collecting in the means of escape and issues with the handrail were present.

Additional licensing would ensure that the internal structure including fire doors would be improved.

Two storey HMOs with four occupants

The following pics in this one are indicative of the smaller HMO's I am inspecting, I am encountering the same reoccurring issues namely:

- No notice displayed for tenants to contact in an emergency.
- Inadequate fire detection; in most cases the detection is unlinked or in some cases standard battery operated.
- Final exit doors and doors to lets require keys to unlock and egress.

Many landlords or agents are unaware that they are required to carry out an electrical installation condition report and as a result a lot of the reports obtained have been dated within seven days of the request, which is indicative of poor management and a disregard for these responsibilities. The photographs also show that these types of HMOs are also generally ill managed.



6. Enforcement of HMOs

The reason why landlords of HMOs have a tougher regime to deal with is because of all the problems that can arise in this type of accommodation. Although there are many well managed and trouble free HMOs, generally most are at the lower end of the scale. Tenants, especially those renting a room in a shared house, are often unable to afford anything more. Frequently they will be on housing benefit and because they are unrelated but living in close proximity, studies have shown that there are far more likely to be problems with HMOs.

The Council has always taken a positive approach in dealing with concerns about HMOs and concentrates on four main areas of enforcement:

- Unlicensed HMOs
- Non compliance of licence conditions
- Management
- Health and Safety

Under the Housing Act 2004 the Council is responsible for administering the mandatory licensing scheme described earlier in this report. Where the Council suspects there is an unlicensed HMO it has powers to inspect without providing any notice to the occupants or the owner. Once a property has been found to be operating without a licence the Council will instigate a formal investigation and decide, based on a range of risk factors, what course of action is appropriate.

In cases of poor management the Council has powers under the Management of Houses in Multiple Occupation (England) Regulations 2006. The general principle of the regulations is to protect the health, safety and welfare of occupants by requiring landlords and managers of HMOs to comply with certain duties.

Effective management procedures should take account of the characteristics of the residents, including age, vulnerability, disabilities or dependencies. It may be necessary to make special provision for individuals such as providing written information in large print or in another language.

Effective management also relies in part on residents being fully aware of their responsibilities. They should be made aware that they are either required by regulation or by the terms of the tenancy agreement not to act in a way that obstructs the manager, or causes nuisance or annoyance to neighbours, and also be made aware of the consequences if they do not comply with this.

HHSRS applies to HMOs as any other housing accommodation and the Council is required to keep property conditions 'under review'. The application of HHSRS in HMOs is a reactive approach as the Council relies upon residents and tenants to complain so that it is aware of issues.

In the case of licensed HMOs the Council is required to carry out a HHSRS inspection once every five years. This is very much reactive.

More recently with austerity resources have resulted in reactive services taking priority. Despite this the Council has carried out 912 proactive and reactive inspections to HMOs between July 2016 and July 2018.

During the same period the Council received some 1,229 (931 relating to disrepair and 298 Tenancy Relations). In response the Council issued some 65 notices excluding those requiring information to be provided and prosecuted 6 landlords for housing related offences.

The Council adopts a robust approach to taking enforcement and has a mechanism to resolve issues either through legal action, which may result in the landlord/licence holder or manager being prosecuted, or through further licensing controls such as revoking a licence and restricting their ability to run HMOs.

Where necessary and appropriate the Council will pursue formal action against landlords and agents.

These figures reflect the number of notices served as part of formal investigations into unlicensed and non-compliant HMOs and they do not include any notices served by the Council in relation or

other matter such as noise, ASB or waste issues. In the case of refuse the Council served 515 during 2016/17 and 432 notices during 2017/18.

The Council also adopts informal measures such as re-inspections, which carry a higher charge for licence renewals or require landlords to employ the services of a competent and professional agent. This is dependent upon a number of factors but in general terms consideration is given to the following:

- The gravity of the offence alleged;
- The complexity of what is in issue;
- The general record and approach of the person responsible;
- The severity of the consequences for the defendant and others affected; and
- Whether it is in the best interests of the public to deter others from similar failures.

In some cases the breaches found do not always warrant formal action so the Council will adopt an informal approach and provide the landlord with a warning or caution. If a landlord fails to heed these warnings about problems then the Council has applied enforcement and prosecuted where the problem is serious enough and it would be in the public interest to take such action.

7. Option Appraisal

As part of the Option Appraisal process the Council must consider;

- whether there are other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question;
- that making the designation will significantly assist them to achieve the objective; and
- that making the designation will significantly assist them to deal with the problem or problems.

Coventry City Council has for many years been committed to improving the standards and conditions of housing across all tenures. The Council has a strategic aim to improve housing for all and HMO types and dwelling/household characteristics of licensing assists in meeting this strategic aim.

This report provides an overview of the issues around HMO types and dwelling/household characteristics licensing and some of the areas of concern in relation to the conditions and management practices found all too often in the HMO stock in the city.

Alternative approaches to extending HMO licensing have been considered and are illustrated alongside the strengths of additional licensing in Table 2. Each is a valuable tool for dealing with the problems in the HMO stock. However in each case the weaknesses outweigh the strengths.

Table 3 outlines the risks involved with additional HMO licensing and the preventative measures, which could be used to alleviate those risks.

The options considered included eight possible interventions for tackling substandard and 'problematic' smaller HMOs in the City as set out below:

1. Do nothing

This option would involve the Council doing nothing to intervene in the small HMO sector this would leave the local housing market to be the driver for landlords carrying out improvements to their properties.

2. Do the minimum (reactive inspection programme only)

This option would mean that the Council intervention in the small HMO sector being limited to a basic complaint response service with action by other departments and agencies on a largely ad hoc basis. The option is reactive and relies on the housing market as a driver for landlord-initiated housing improvement across the board. All council services would continue to use their existing enforcement powers.

3. Informal area action (Proactive inspection programme) this would be delivered through non-statutory Action Area, considering parts of the city where there were concentration of poorly managed or maintained properties. The driver for the housing improvement would come from a combination of council activity from different services focussing work in the area and landlord activity (including peer pressure)

4. Voluntary Accreditation. Accreditation schemes have a set of standards (or code) relating to the management or physical condition of different HMOs and recognise properties/landlords who achieve/exceed the requirements. Southampton currently has an accreditation scheme for student housing (SASSH) operated by the universities. Any new scheme for other HMOs would run alongside.

5. Targeted use of Interim Management Orders (IMOs) and Final Management Orders (FMOs). The Housing Act 2004 gives local authorities powers to use Management Orders for talking comprehensive and serious management failures.

6. Article 4 Direction only. This option would rely on the use of this power to control the numbers of new HMOs and the market to drive property improvements.

7. City Wide Additional Licensing scheme. Licensing would be extended to all HMOs in the city (in all 18 wards) and would include all smaller multiply occupied properties not currently subjected to Mandatory HMO Licensing.

8. Area-based Additional licensing scheme. Licensing would be introduced in selected wards in the city where there is the highest concentration of HMOs and the evidence demonstrates that there is the greatest need.

In general the limitations to the alternatives to introducing additional licensing include:

- Most other schemes are expensive and would require funds being taken from the Council Tax. This seems unfair when many of the problems are due to poor management practices by landlords or agents operating in a buoyant market place. Additional licensing will be self-financing with the fee covering the cost of licensing; the fee will be paid by the applicants and not by the wider community.
- The use of IMOs on individual properties does not appear to give value for money, as the amount of resources being put into one property will mean that other properties cannot be tackled. It is clear from our experience that if this were to be the only sanction available then operating more than a few IMOs at a time would not be feasible given the lack of funding. This approach can also be seen to be heavy handed and can cause problems for the Council when attempting to work with and engage with landlords.
- None of the proposals give a long-term solution to the problems within the HMO sector, however the Council is looking at introducing a voluntary landlords accreditation scheme alongside licensing – this would help with landlord training and improving property management. In the event that the majority of the HMO stock is managed by letting agents this will only effect a small improvement.

- Other schemes will not give the Council detailed and accurate information concerning the HMO stock. This is essential in order to undertake meaningful prioritisation and work planning. Such information is not only used in the area of Regulatory Services but is also used and required by colleagues in other services.

8. Benefits of Additional Licensing

We know from experience that there will be a small, and probably vocal, minority of landlords who will never see the overall value of Additional Licensing of HMOs. They take an essentially narrow, self-interested view. Their interest is focused on financial returns; their criticism of any form of licensing is couched in terms of 'unnecessary financial burden' and 'pointless bureaucratic interference'.

On the other hand, the majority point-of-view takes a wider perspective on the provision of stock for the housing rental market. This group includes, most landlords and agents.

While the general public may not be directly involved in paying or receiving rent, they also experience the impact that HMOs have on the social and political economy of Coventry. The view that HMO Licensing is instrumental in the improvement of facilities, management and safety in the housing rental market is echoed by a broad cross-section of the city. Licensing is seen as one strand in preventing the long-term decline in the amenity of the urban environment.

They recognise that wider licensing removes the inequalities caused by partial regulation and spreads costs and obligations in a fairer way. They recognise that it creates a common footing and can help agents. Provided that it is properly run, they see it as helping the market function effectively.

8.1 Benefit: Consistent Approach to all Coventry HMOs

Additional Licensing will extend and continue the process of upgrading of HMO rental stock already begun by the Mandatory scheme. Additional Licensing will add a significant portion of the Coventry HMO market to the list of those houses where the Council currently is involved with licensing.

This will mean that such houses will be subject to the same evaluation and improvement regime as the larger houses already covered by the national scheme. Coventry has in the order of 4,400 HMOs occupied by five or less occupants. They deserve to be afforded the same protection as people in licensed HMOs. Without Additional Licensing there is significant and growing disparity in Coventry's HMO market.

The inclusion of all multi occupied houses as licensable HMOs will enable Coventry to develop a consistent approach to the whole of the HMO rental market. When there is a critical mass of houses subject to the same requirements other houses (whether licensable or not) will be obliged to comply with that standard by market pressures. A house presented for rent without offering those facilities is unlikely to attract desirable tenants.

8.2 Benefit: Appreciation of Property Values

Coventry has a buoyant housing market and this being the case it means that there will be a financial benefit to individual landlords in the longer term as accommodation standards are raised across the HMO sector. The benefit will be apparent in the capital appreciation of the property value. The heavy usage that multiple households inflict on the fabric of a building usually causes a far more rapid decline than does that of a single family. Where there are heavy concentrations of HMOs, as is the case in Coventry, it can lead to a general reduction in the amenity of whole suburbs and the relative loss of value of specific properties. A bespoke agreement between landlord and local

housing authority as a result of licensing ensures that standards are maintained and improvements encouraged. In turn, this means that neighbourhoods will not deteriorate and thus property values are enhanced.

8.3 Benefit: Links with Landlords

The formation of a formal but direct and individual link with the Council, which the Licence Conditions affords, also allows for a beneficial flow of information between the authority and landlords. The owners of houses can receive news and ideas relevant to the development of the market sector. They can also provide accurate data on which Council can make informed decisions on issues which impact on both landlords and tenants.

The creation of a dynamic partnership between the landlord and council is an under-rated benefit of Licensing. There are other, ancillary benefits for landlords through Additional Licensing.

8.4 Benefit: A Recognised Group of Landlords

Landlords, once subject to licensing, become part of a specific group recognised in law and by government policy. This has implications for their ability to organise themselves to influence HMO related decisions. Recognition as a licensed landlord will have several flow-on benefits.

It may have the benefit of providing for simpler justification to lending institutions when it comes to securing finance if the local housing authority requires specific work to be done.

Agents and letting organisations such as student housing departments are more likely to accept landlords if their *bona fides* is supported by being licensed. Licensing brings its own degree of reliability and assurance to the relationship between landlord and agent.

That benefit is reinforced by the fact that licensing requires landlords to keep their letting arrangements (either privately or through an Agent) on a more business-like footing. A licensed landlord is obliged to do things formally, like provide written terms of occupancy rather than *ad hoc* verbal arrangements that too often result in disputed interpretations of the agreement.

8.5 Benefit: Pro-active involvement eliminates reactive work

Licensing also provides a consequential benefit in that it eliminates or mitigates many of the issues that generate tensions between landlords and tenants. Licensing is a means of pre-empting problems (for example, damp or ventilation issues leading to poor living conditions) before they become matters of contention and stress that the landlord would otherwise have to manage. Licensing will go a long way to ensure there are fewer hassles for a landlord from, for example, anxious parents of students who rent a house. It will at least, provide a recognised mechanism for resolving any disputes without the cumbersome mechanisms of prosecution.

The Council already deals with much of this work but in different capacities. The work is normally in response to a service request. Reacting to something after damage has been done is usually a negative and inefficient way of resolving an issue. Additional licensing will allow for positive, pro-active and efficient involvement, and should eliminate many problems before they occur.

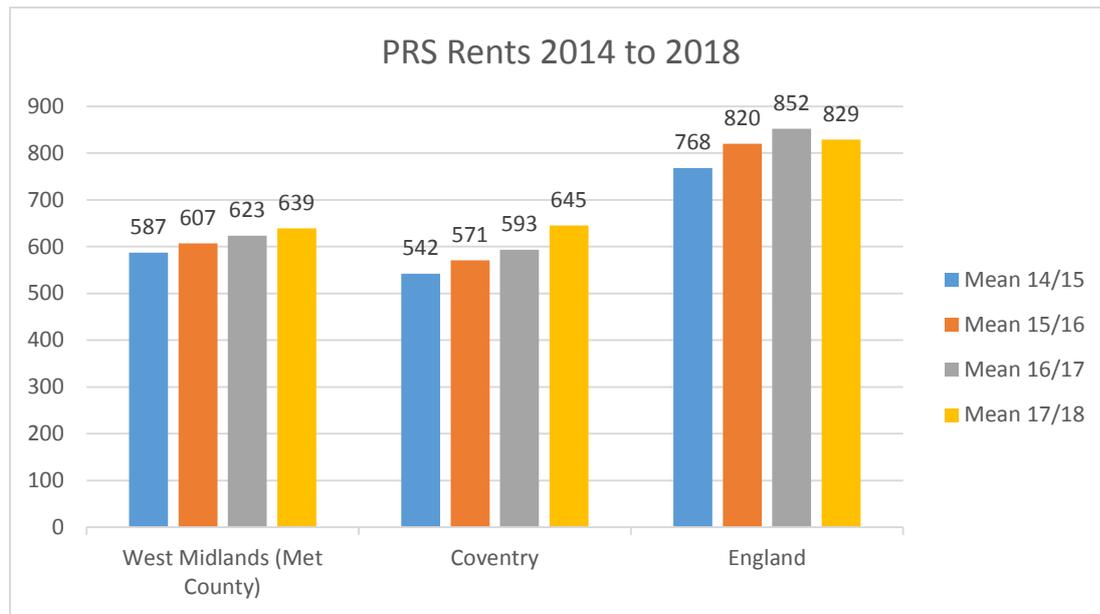
9. Impact of Licensing

One of the biggest criticisms of licensing schemes is that the cost associated with the licensing fee will be passed onto tenants by an increase in rent. The Council has conducted some research into this area and made a comparison of rents from 2014- 2018 between areas in England that had

discretionary licensing schemes and those that did not, in order to establish if there was any evidence to show that discretionary licensing increases rent.

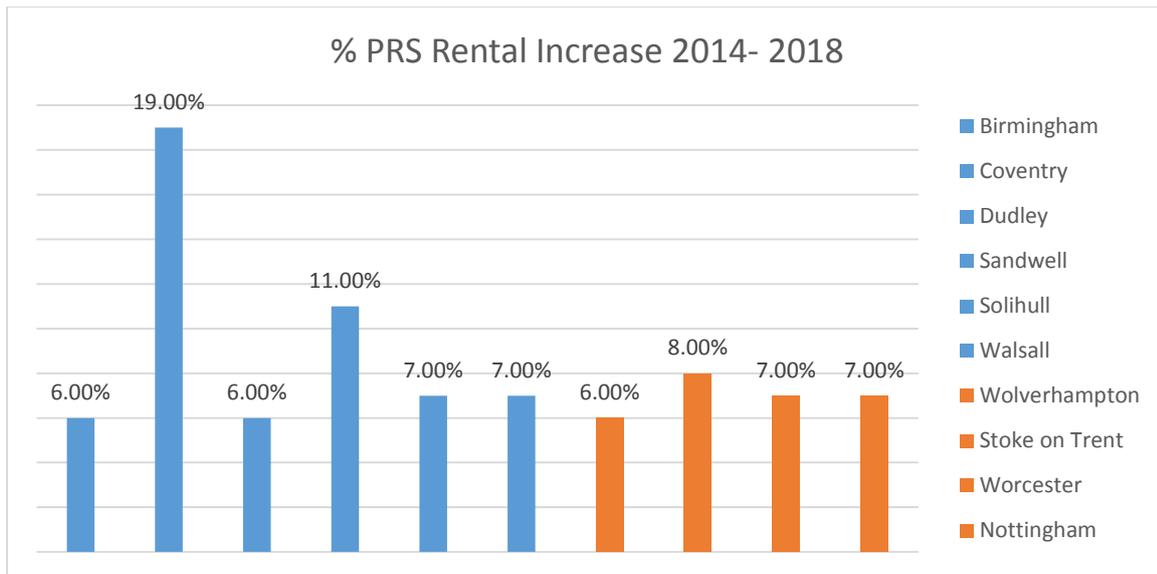
The research showed that rental values had increased in Coventry, on average by 19% between 2015 and 2018 compared to 11% in the West Midlands and 8% England over the same period¹. (See Figure 22 below).

Figure 22- PRS rents between 2014 and 2018



The summary of overall rents was used to conduct the comparison of rents in areas with and without discretionary licensing schemes in other areas across the West Midlands region and England. The comparison can be seen in Figure 23 below.

Figure 23- Comparison of rents in areas with and without licensing



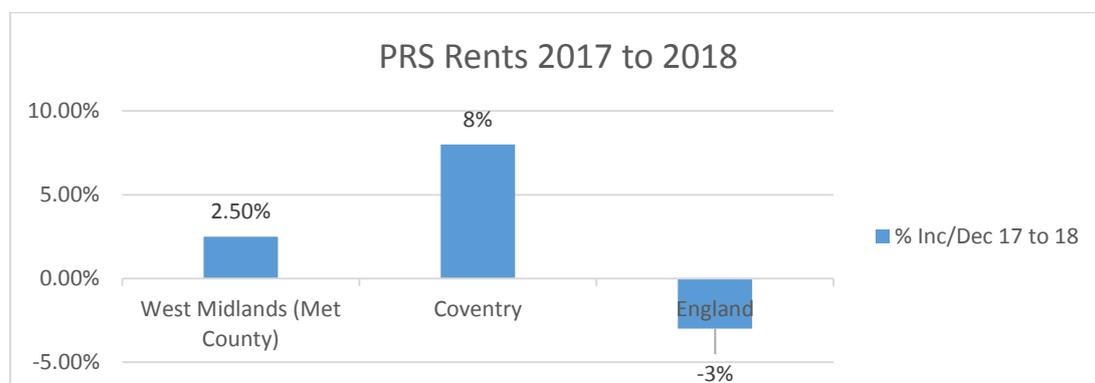
As can be seen from Figure 23 above rental increases have occurred across all authority areas, with the most significant in Coventry (19%) and Sandwell (11%). Both of these areas do not currently operate discretionary licensing schemes.

It is also notable that those areas with discretionary licensing schemes (Wolverhampton, Stoke on Trent, Worcester and Nottingham) experienced rent increases below the average levels in the West Midlands and, in a few instances (Wolverhampton, Worcester and Nottingham) below those reported across England during the same period.

The Office for National Statistics (ONS) recently reported that private rental prices paid by tenants in Great Britain rose by 0.9% in the 12 months to July 2018, down from 1.0% in the 12 months to June 2018.

Data available for the period from 1st April 2017 to 31st March 2018 shows that there has been an 8% increase in average rents in Coventry compared to 2.5% in the West Midlands and a 3% decrease across England. Figure 24 provides the breakdown for each category reported.

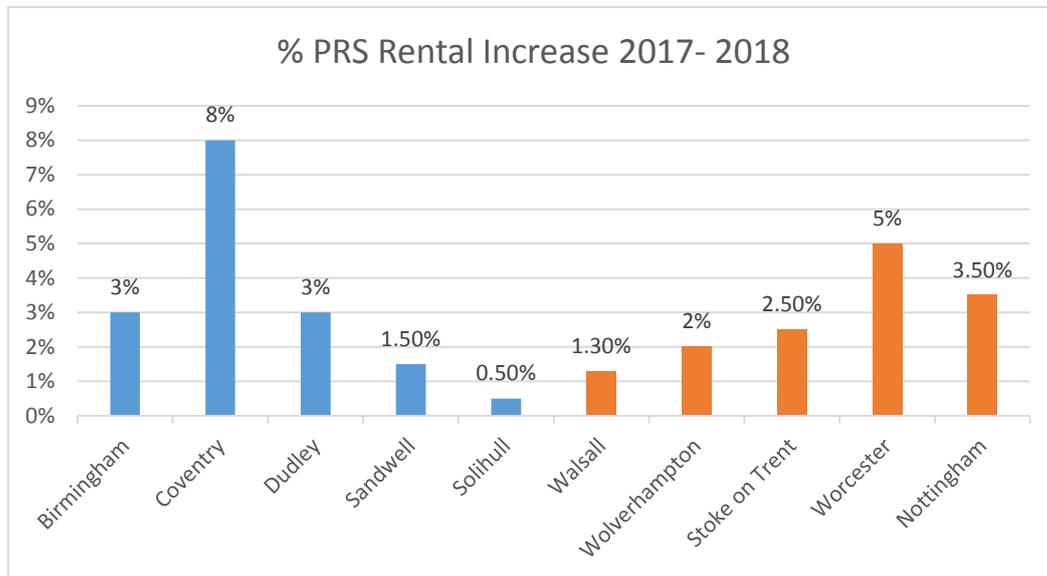
Figure 24- PRS rents during 2017 to 2018



Further analysis of data for this period shows that the average rent increases across the West Midlands were relatively consistent and well above the average for England. Coventry and Worcester experienced the highest increases with 8% and 5% respectively. Overall the greatest

increases occurred in areas which do not have discretionary licensing schemes in operation. Figure 25 provides the breakdown for each area.

Figure 25- % PRS rental increase during 2017-18



Despite the perception that licensing increase rents it is apparent that there is very little evidence to suggest that discretionary licensing schemes are directly responsible for rental increases. Where there has been an increase in rent it is more likely associated with supply and demand and not as a direct result of the introduction of discretionary licensing schemes. England has seen a fall in rental values over the past 12 month period, which is probably due to oversupply and low demand in areas where landlords have had to lower their rents to attract tenants.

This situation is likely to get worse as a result of other pressures, for example the Council of Mortgage Lenders (CML) reported that the plans introduced by the Government to remove the higher rate of tax relief on buy to let mortgage interest rate payments will force landlords to *'lift rents higher'* and pass the cost of the Government's actions onto tenants.

The CML also recently reported that activity in the buy-to-let market is set to drop further in the coming three years as a result of the recent tax crackdowns on buy-to-let regulations and these are expected to lead to a further 'professionalisation' in the sector, while some amateur landlords could see their properties become loss-making once the gradual withdrawal of mortgage tax relief is completed in 2020.

It is likely that rents in Coventry will continue to rise as a direct result of these market pressures and by a lack of housing supply generated by fewer buy-to-let properties but not as a direct result of the introduction of discretionary licensing schemes.

10. Conclusions

Additional Licensing is a viable solution for Coventry. This report states the reasoning and evidence collated by Coventry City Council required to proceed with a formal consultation on the proposal to declare Coventry as an area for additional licensing. The scheme will cover all HMOs, irrespective of the number of stories that are occupied by less than five unrelated persons and all s.257 HMOs (buildings converted into self-contained flats) where the building is wholly occupied by tenants.

The buoyant housing market in Coventry continues to do well with the numbers of HMOs rising year upon year. Landlords who have chosen to evade controls have operated without regulation for many years, which has resulted in HMOs often being let out in an unsafe manner.

The mixture of property types in the private rented sector in Coventry coupled with the dominant student market means that a high number of HMOs fall outside mandatory licensing. Such properties are next door to, across the street or around the corner from those that are licensable. Their occupants benefit from the controls on the quality and management of licensed properties. The others may come to notice from service requests (from tenants or, more often, from worried parents) but many unsatisfactory houses are never reported so standards are not enforced and the quality of the rental stock does not improve.

Coventry City Council has embraced mandatory HMO licensing which has proved to be a valuable tool in improving poor conditions and management practices in HMOs across the city. The extension of the mandatory scheme to cover more HMOs can only add to this improvement and this is the first step in ensuring that all HMOs will require a licence.

The preferred stance of the Council is that licensing should apply to *all* HMOs in the same way, for example that licensing applies to *all* taxis. The new powers therefore gave the Council the opportunity to make this a reality.

With the introduction of additional licensing controls applied to the whole of the HMO sector the Council will be able to take a reactive and proactive approach to dealing with the sector.

We want to continue to develop our links and working relationship with landlords and agents in the city, which have been greatly enhanced by mandatory licensing and we will continue to investigate other interventions, which could complement additional licensing.

Additional licensing is a long-term strategy and is one element of the toolkit in improving the HMO stock within the city.

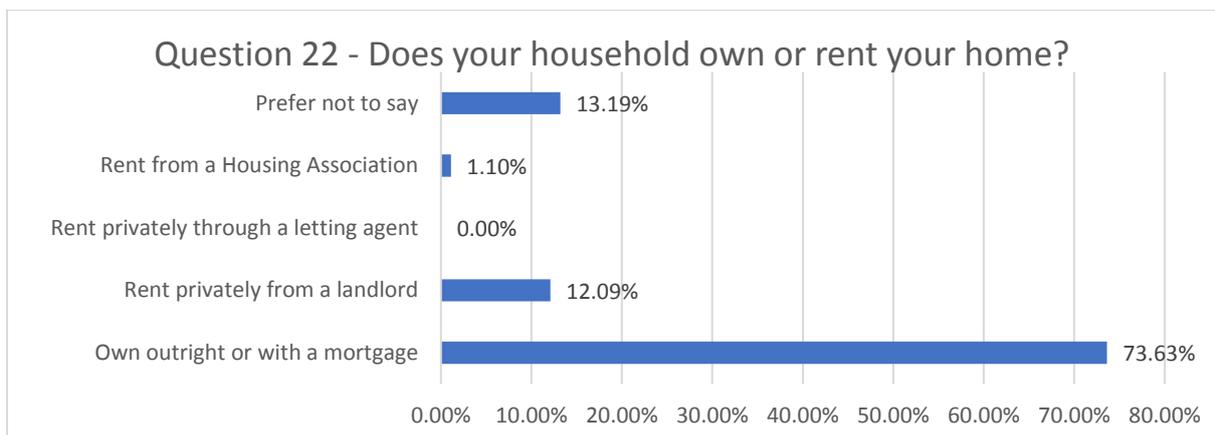
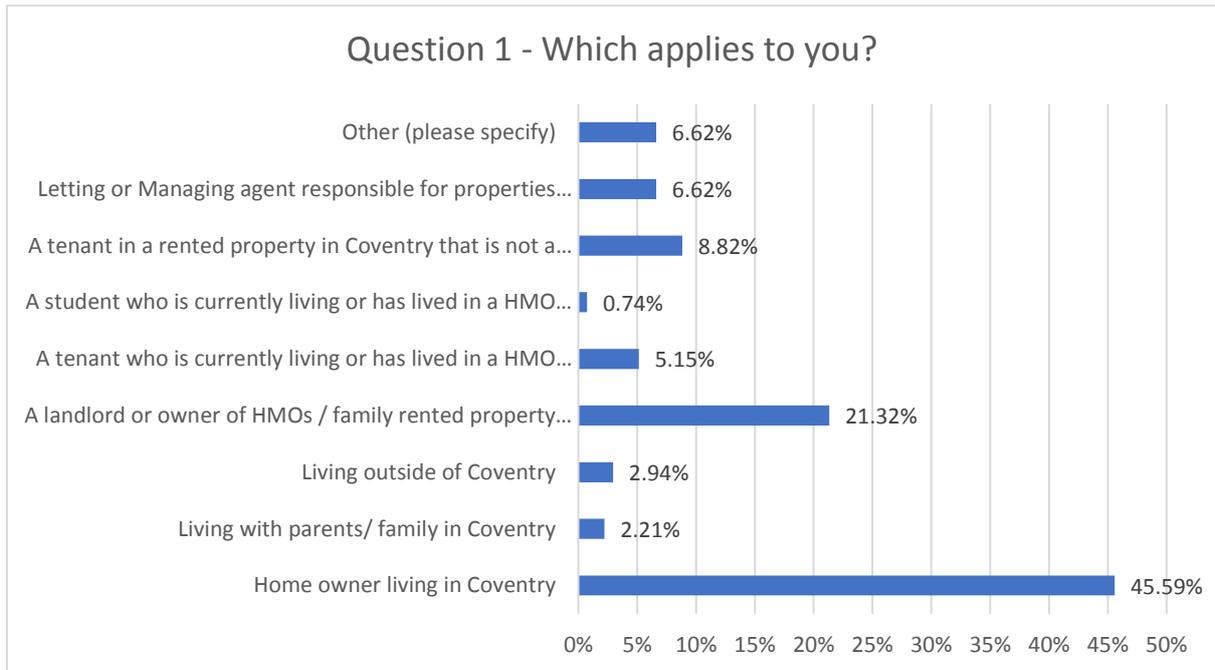
ⁱ <https://www.gov.uk/government/collections/private-rental-market-statistics> - Valuation Office Private Rental Market Statistics 2014 to 2018

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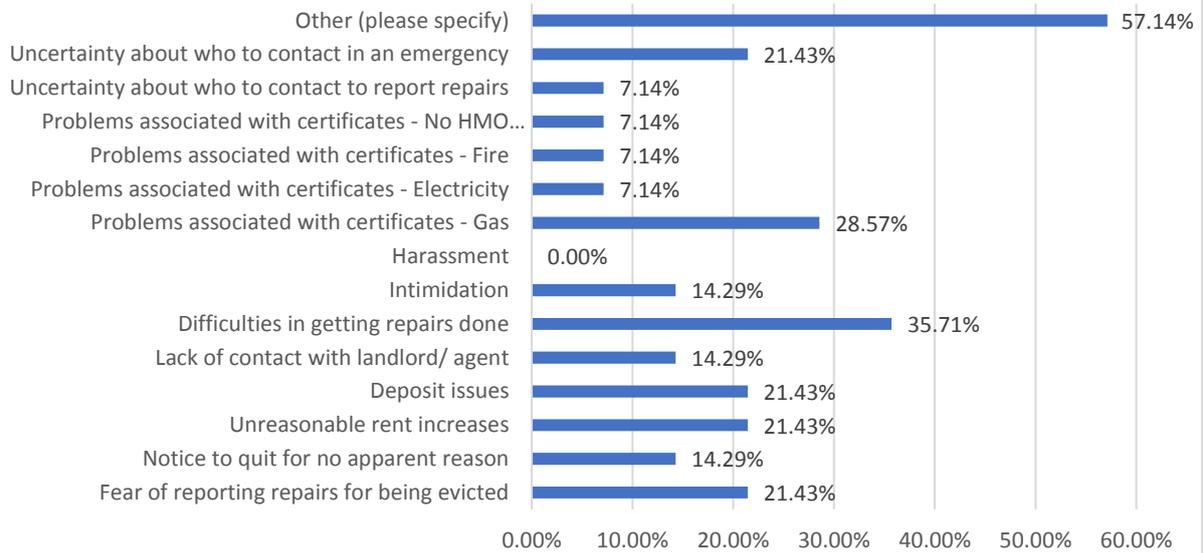
Appendix 2 – Additional Licensing Consultation Results

Online Questionnaires

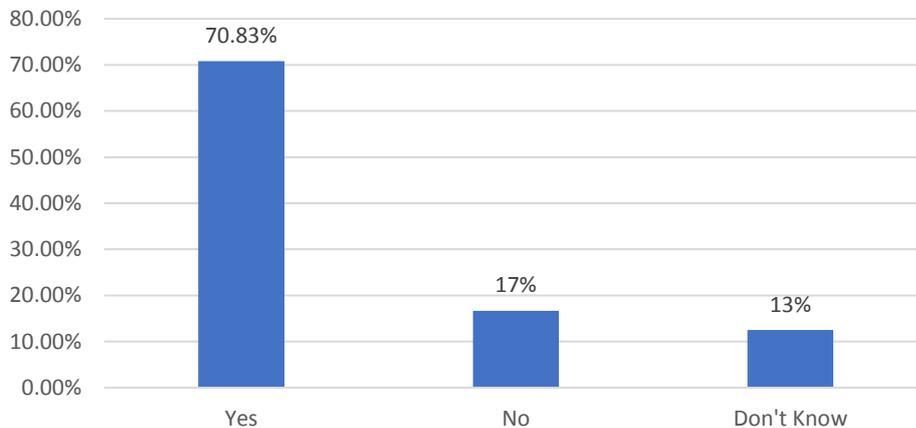
The online questionnaire consisted of 20 questions, 10 of which related to the specific proposals about Selective Licensing. The remaining questions related to ethnicity, equality and diversity information.



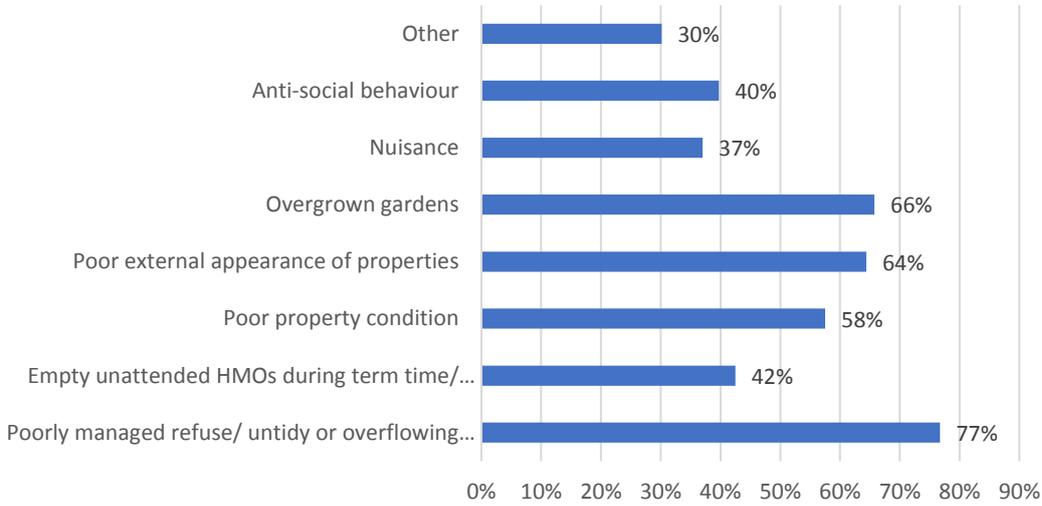
Question 2 - If you have indicated that you are living or have lived in a HMO in Coventry in the past five years then please indicate whether you have had personal experience of any of the following?(Please tick all that apply)



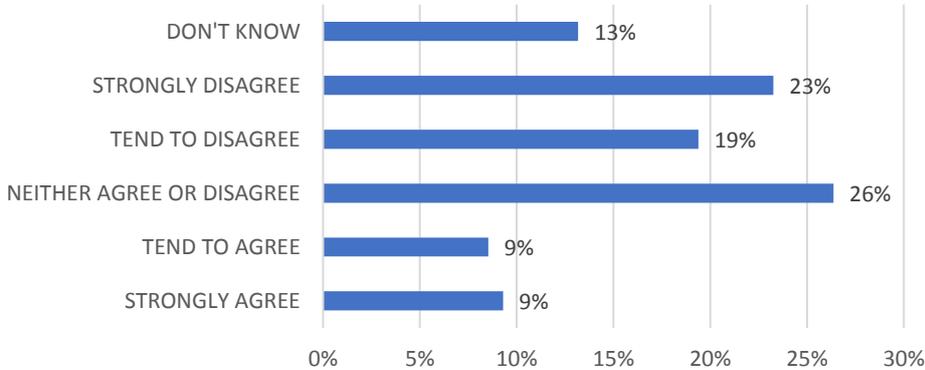
Question 3 - Are you aware of any HMOs in the immediate area where you live in Coventry?



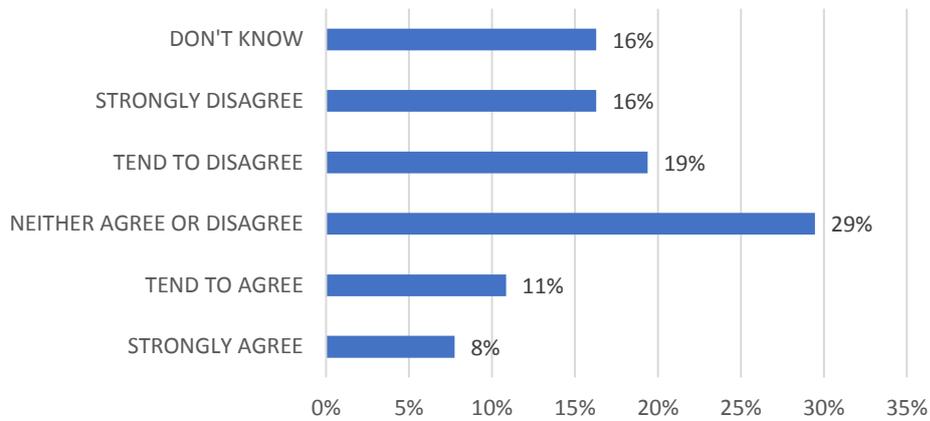
Question 4 - If you know that there are HMOs in the immediate area where you live in Coventry then have you ever experienced any of the following problems?



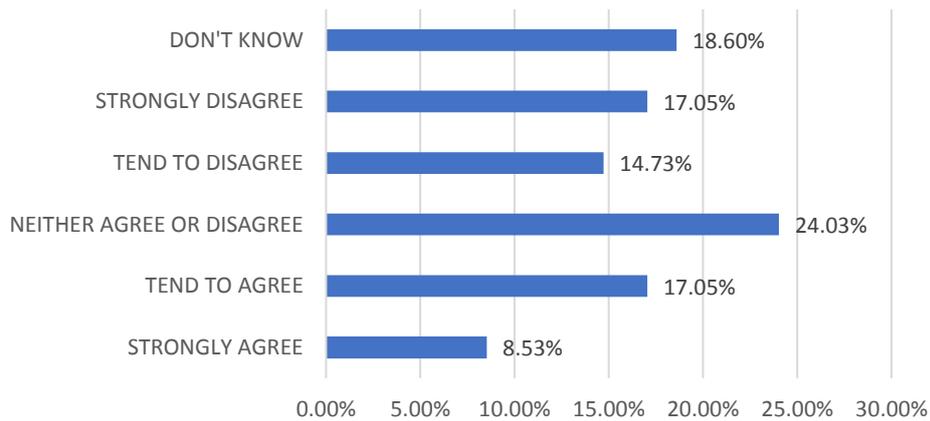
Question 5a - HMOs in Coventry are better maintained and managed than they were 5 years ago



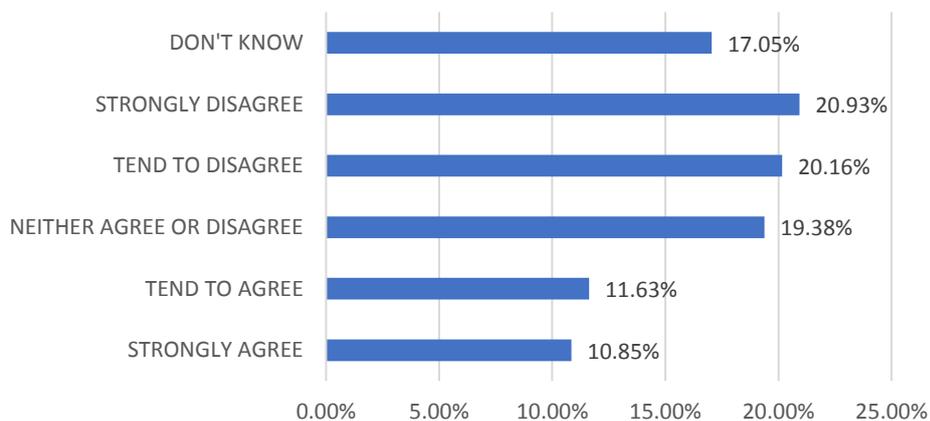
Question 5b - There is now less anti-social behaviour associated with HMOs in Coventry



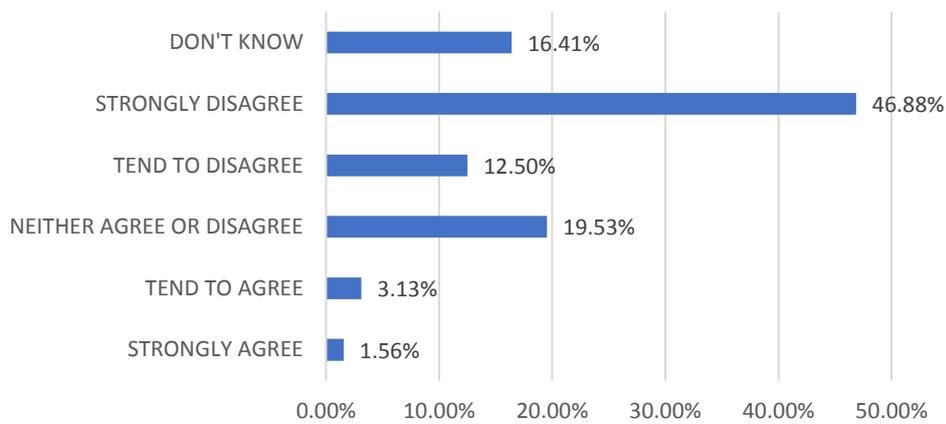
Question 5c - Living conditions in HMOs across the City have improved over the past 5 years



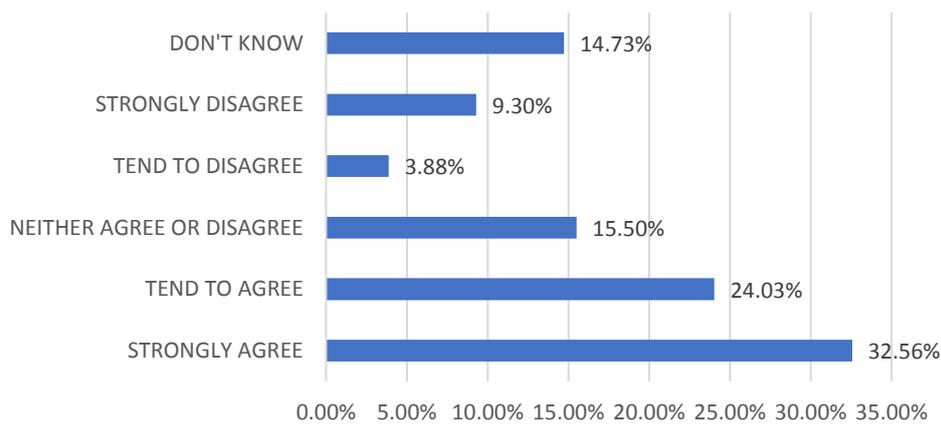
Question 5d - The management of HMOs has improved over the past 5 years



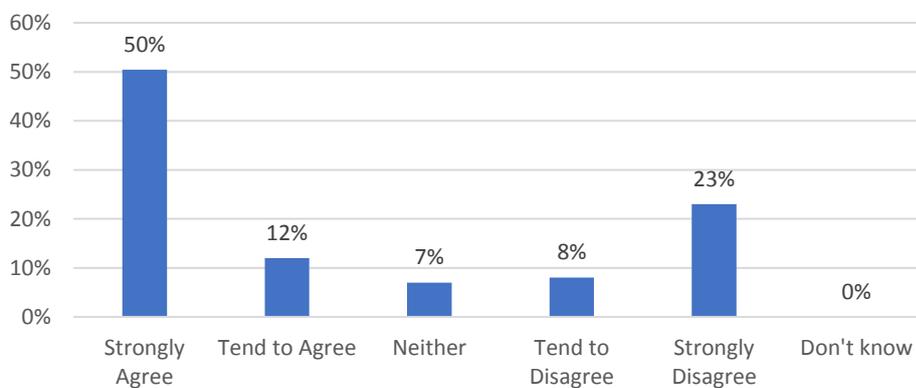
Question 5e - The number of HMOs available in Coventry has reduced



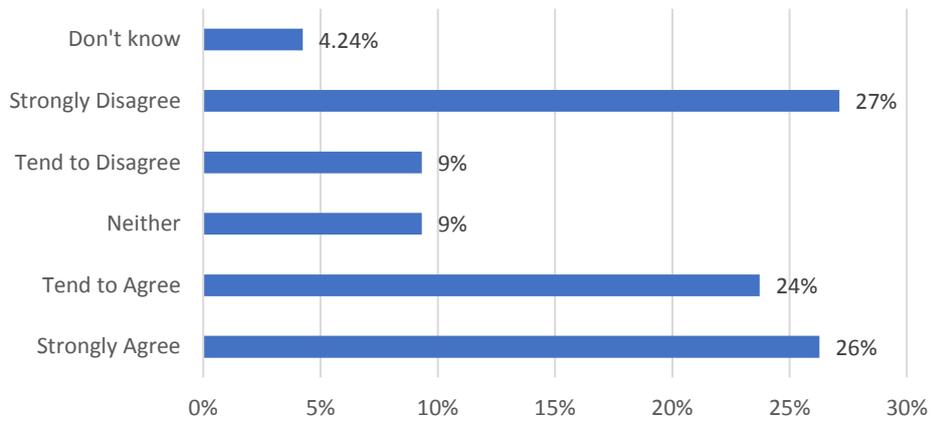
Question 5f - There are more HMOs in other parts of Coventry now than there was 5 years ago



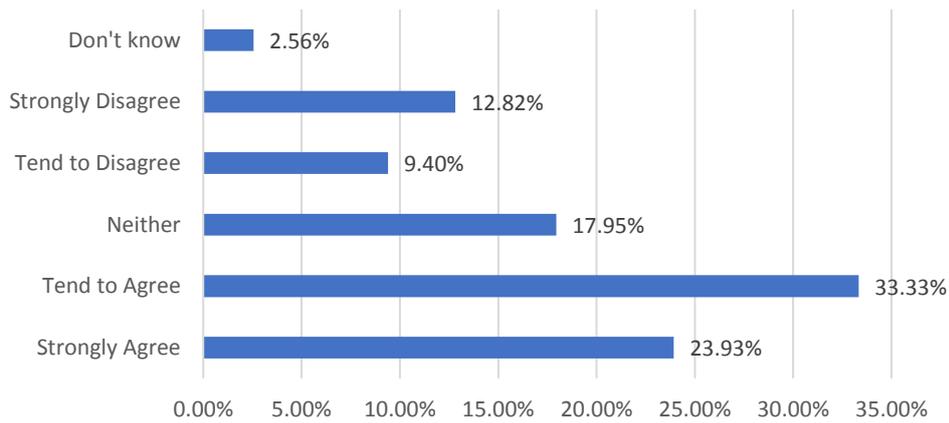
Question 6 - To what extent do you agree or disagree with the proposed Additional Licensing of HMOs?



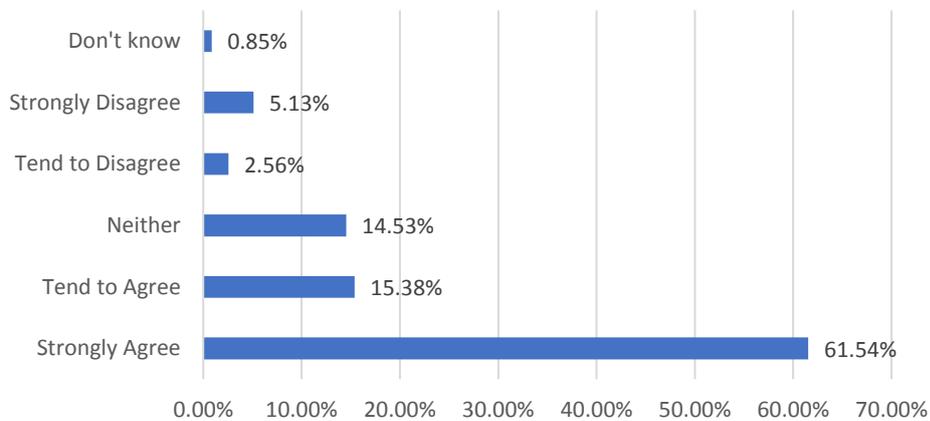
Question 7a - That this fee structure is reasonable and proportionate



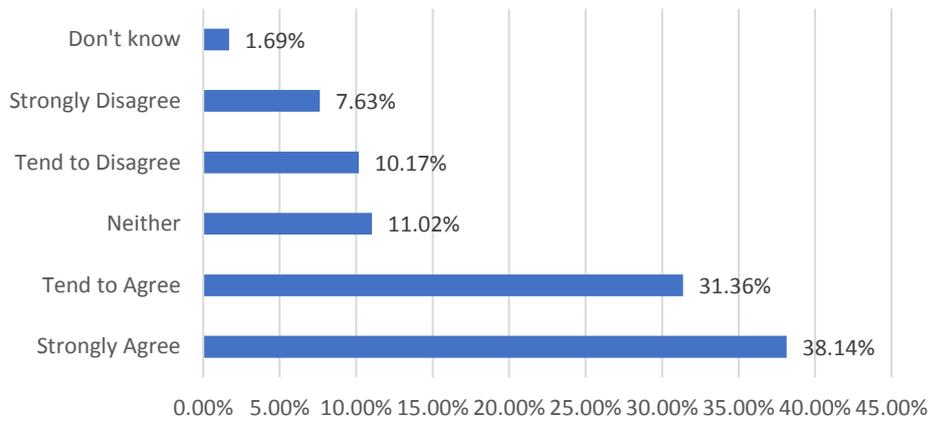
Question 7b - The Council's proposals to provide reduced fees subject to criteria



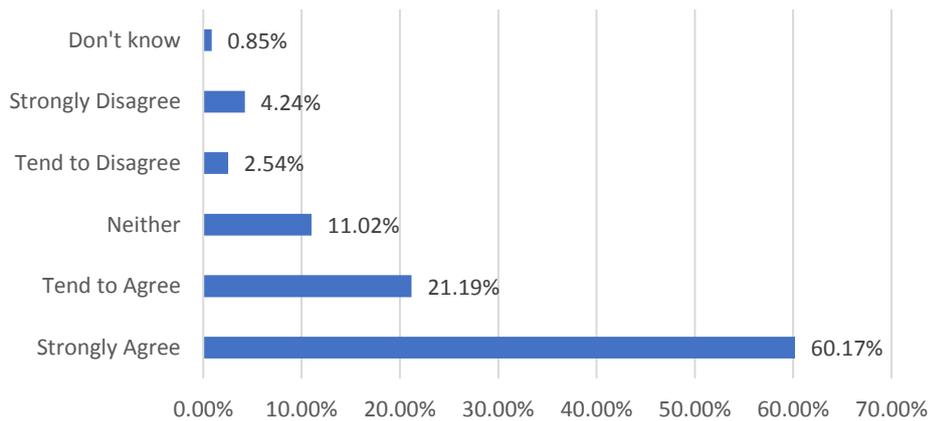
Question 7c - The Councils proposals to charge higher fees for non-compliant landlords



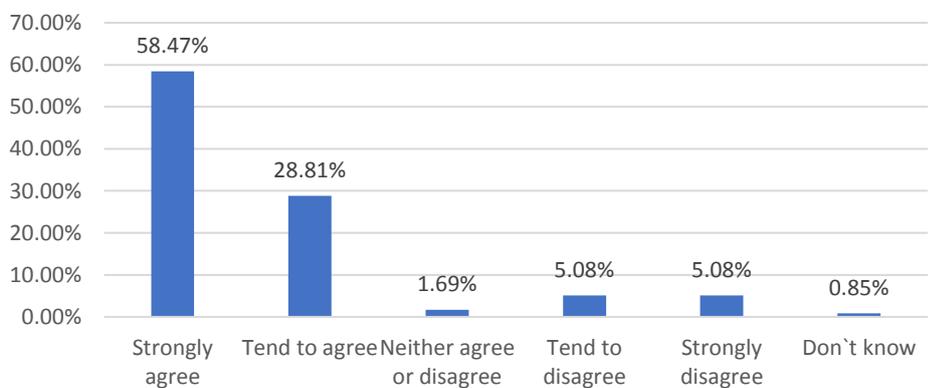
Question 7d - The Council's proposals to provide longer licences for compliant landlords

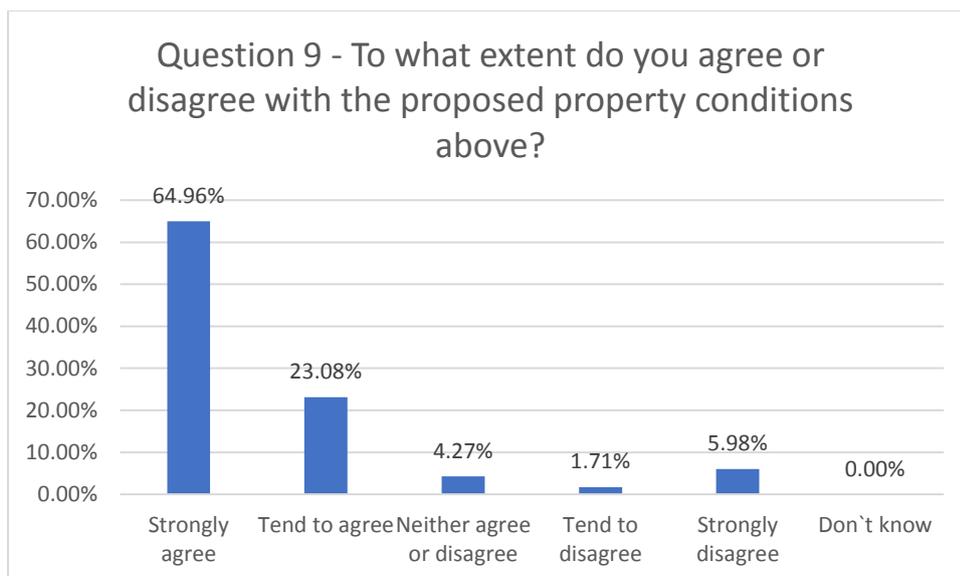


Question 7e - The Council's proposals to produce shorter licences for non-compliant landlords



Question 8 - To what extent do you agree or disagree with the above proposals for property management?





Further Comments from the online questionnaire

- 1) It is unnecessary. Making rubbish removal easier and simpler for all residents would solve many issues. 3/20/2019 11:18 AM
- 2) Non-compliant landlords should NOT be granted a licence at all never mind a shorter licence. If I didn't comply with paying council tax I'd be in a bit of bother. Landlords need to be responsible and not just raking in rent for tenants living in unsafe, tiny squalid box sized rooms. HMO's just create disharmony when surrounded by family homes in my opinion. 3/19/2019 9:30 PM
- 3) I am disgusted with the amount of HMO's in our area. We are seeing more and more family properties being ripped apart to cram as many bedrooms in as possible. The properties bring extra litter overflowing bins, issues with parking and it is so unfair to the residents. I live on Hugh rd. and since Christmas I have witnessed 2 properties (1 next door and 1 across the road) being turned into hmo's. The street struggles with parking as it is, once these houses are fully occupied parking will be a nightmare. There should be a cap on how many hmo's there are allowed in each area. 3/19/2019 8:58 PM
- 4) I would like to know why the questionnaire is mainly about HMO and not selective licensing. I do not think the questions you have asked in the survey gives a fair understanding of what individual views really are. Of course, every tenant wants to live in safe conditions. My landlord already provides this to me without having to become an HMO or Selective licensing as he already has a legal duty to make my living conditions safe e.g. gas certificates and smoke alarms etc. The council are looking to sandwich what is already legal responsibilities and call it a licence just to create revenue and jobs within the council. As a tenant I am aware if I have any issue with my living conditions, I can report this to both the landlord and the council. The council already have the powers to make sure property conditions are safe. My landlord will have no other option but to pass these charges on to myself as a tenant, which means I will not be able to afford it, I will have no choice but to move

out and find somewhere cheaper. The council say they want the best for tenants but how is this so when we will pay more in the long run. I am very disappointed in Coventry Council for trying to bring these licenses in to Coventry. 3/19/2019 10:08 AM

- 5) No - I don't own any hmos. 3/19/2019 8:51 AM
- 6) Additional fees to agents will result in rent increases 3/19/2019 8:42 AM
- 7) Licence fees will result in an increase of rent to tenants 3/19/2019 8:41 AM
- 8) As a Landlord with excessive regulation to contend with we feel exasperated that there is to be now more regulation which puts up costs and provides banana skins to trip up the honest Landlord inadvertently. All this increases cost and complexity and demonstrates a governmental organisation incapable of joined up thinking but intent on piecemeal development that will put the problems on Landlords and Tenants. As a Landlord of many years, that attempts to provide a good home for my clients, it is becoming increasingly more difficult and complex not the reverse which should be what the regulatory authorities should be aiming at. In the short term it will yet again increase Landlords costs reducing income and lead to increased rent and therefore Tenant costs which is the wrong thing to do. 3/18/2019 9:09 AM
- 9) The council from, its own assessment, will save substantial existing enforcement costs and administrative expenses, yet these do not appear to have been off set against the costs of the proposed scheme before setting the revenues. This contravenes the requirement that the council shall not make financial gain from such schemes and the scheme may therefore be unlawful. Licensing is a nice comfortable flow of extra tax revenue to pursue policy. The law abiding pays for the law breakers plus a bit for the law makers. 3/17/2019 1:39 PM
- 10) There needs to be a firm limit on the number of HMOs in residential areas. 3/17/2019 1:27 PM
- 11) No 3/16/2019 7:14 PM
- 12) No 3/14/2019 11:13 PM
- 13) I let a single house with 3 bedrooms in [REDACTED] Street under the University of Warwick management Scheme. Therefore, I already meet their standards and feel that a Selective Licence charge in these circumstances should be heavily discounted. 3/14/2019 12:44 PM
- 14) You should not charge compliant landlords the same fee for additional properties. You have accepted that the landlord is compliant and that reduces the need for check. Therefore, additional properties should be subject to reduced rates 3/14/2019 9:31 AM
- 15) It must be enforced. The issue of parking should be addressed as the properties allow several students per property to park cars, they rarely use This makes it very

hard or impossible for other residents who do need their cars day to day to park
03/12/2019 09:49

16) We live in [REDACTED], which is not included but is part of Earlsdon. Could it be included in the scheme? If it is not, then anti-social landlords might gravitate to us.
03/11/2019 08:55

17) No further HMO's should be allowed in Coventry 03/08/2019 09:48

18) Proposal is 'over the top', unreasonable and unnecessary, and will cause huge problems for people looking to rent. 03/07/2019 13:22

19) This scheme will penalise good landlords that currently adhere to all the requirements as outlined by law. It smacks of a money-making scheme for the council. Whilst I agree rogue landlords need to be supervised this scheme is not a fair one to those responsible landlords who may only have one property which they let. Those landlords would be happy to register but this should be free. A fining structure should then be introduced following inspection. In this way good landlords can continue as before without being penalised 03/05/2019 19:35

20) Seems very complicated. Also, very expensive for small private landlords. Surely rentals will increase as a result making housing even more expensive. 03/05/2019 14:09

21) Need to ensure the other nearby homes are properly consulted and have a contact number / person that they can access if there are issues. Need a council contact for unresolved issues 03/05/2019 11:49

22) This is a badly-needed initiative to keep people and communities safe and to reduce the attraction for profiteering from vulnerable tenants 03/05/2019 10:00

23) Your area is finished as a nice area once the btl people move in. 03/05/2019 09:28

24) We need housing for families not HMO the buy to let market is flooded in the St. Michael's ward. It's time something was done about the fly tipping by landlords just dumping stuff after students leave and the misuse of the parking permits in the charterhouse area. 03/05/2019 09:10

25) You are robbing the landlords. It is a city of robbery. Shame on you. Landlords have to comply the conditions by law. Why you charge extra? It is not fair. Landlords cannot improve tenants' anti-social behaviour as they don't have control over them. 2/26/2019 11:39 PM

26) I am a Landlord with 3 students living in a house in Coventry. If the council charges me a licensing fee, I will immediately pass the cost onto the students, or I will sell the property. With central government attacking landlords, and now the local council, I'm afraid many small landlords have had enough and will sell their properties. This will mean a shortage of house to rent and the big property buyers

increasing their housing stock and pushing up rents. I believe the council is about to devastate the rental market in Coventry. 2/26/2019 5:49 PM

27) Having lived next door to an HMO for over 5 years, I welcome any proposals that will make landlords take their responsibilities seriously. One lot of students were so bad I had to have a recording device in my house - they received a letter from the noise team, but it didn't really help. The garden and bins were awful, and the smell of weed was strong. They were also drug dealing and the front door was going 24/7. When they left the landlady had to completely redecorate. It nearly drove me to a nervous breakdown, 2/25/2019 9:34 PM

28) There should be more stringent conditions about neglected properties and noise and much stronger enforcement. Badly run HMOs make life a misery for other residents. It should be easier to find who the agents and landlords are 2/24/2019 11:35 AM

29) Could you limit how many HMOs there are in a street or area please? I understand people need somewhere to live but once an area becomes overloaded with HMOs any sense of a balanced community is lost because of the resulting constantly changing population. 2/23/2019 9:40 AM

30) There are too many HMOs that look squalid. Planning gets through for more without adequate parking 2/20/2019 6:05 PM

31) The proposed fees are far too low. 2/19/2019 7:08 PM

32) The outside appearance and management of HMOs should be maintained at a good standard. This will improve relationships between landlords, students/tenants and local home owners and prevent downgrading of estates such as Cannon Park. Car parking provision is also an issue in some areas. 2/18/2019 1:02 PM

33) It's surprising that the costs may rise further, this is still more costs on landlords, a balance may be when it becomes easier to evict tenants who do not pay rents. 2/16/2019 2:55 PM

34) Be careful of the additional burden and costs you are imposing on landlords. They will flee your beloved city in the end if undue restrictions are brought in. Also nowhere are landlords provided for if tenants do not pay rents and it remains infinitely difficult to evict non-paying tenants via the courts. This just appears to be a money grabbing scheme. Good luck 2/16/2019 1:51 PM

35) I strongly think that the housing benefit paid should be paid direct to landlords. So, no rent arrears occur for both landlord and tenants. It is not fair on good landlords for his tenant/s to cause them incurring debts and possible loss of their own property. And tenants to receive these monies and not use for rent and make themselves homeless. Also, this is fraud in respect, but no one seems to get prosecuted for it. Also, it would help towards stopping 3rd party lettings. Which should not be blamed on the landlord. I have never understood why the council who give these benefits for rent cannot purchase properties themselves and use

the benefit monies towards the paying of the properties i.e. mortgage or gov loans. This would then increase the council's housing needs and they could oversee the tenancy and maintaining of. If private landlords can then surely the council could. As theoretically you are paying for a property for the landlord. Which he will own outright in years to come. If I were younger, I would certainly be doing it for my investment of future/and pension pot. 2/15/2019 3:17 PM

36)Additional licensing schemes have been suggested in other UK towns and cities and have generally not materialised. Why does Coventry City Council think they can do a better job. A much better option would be a UK wide system governed by law that all HMOs adhere to rather than each council trying to do their own thing with their own fee structures. 2/15/2019 11:07 AM

37)Landlord's will just increase the rent and as usual the council are not bothered about hardship this will cause 2/14/2019 5:36 PM

38)My one and only concern is that these costs will be passed directly to the tenant - some of whom may not be able to pay. Renewal of tenancy agreements annually is already a cost burden. How do you propose to stop this from happening 2/14/2019 3:38 PM

39)The scheme would increase costs for all landlords, even the good ones. This will lead to an increase in rents and divert resources and landlord funding away from enhancing their properties 02/12/2019 10:23

40)I welcome the additional Licensing of HMO's in Coventry hopefully this will deter unscrupulous landlords from buying up properties to make a 'fast buck' on the back of their tenants. 02/05/2019 13:52

41)Target and impose fees to NON compliant landlords ONLY/ not ALL landlords who are fully compliant. Target slum landlords! 1/29/2019 3:15 PM

42)The Council must provide evidence that the funds raised by the two schemes are spent on additional staff and must proactively enforce housing standards including prosecuting landlords to obtain maximum publicity. 1/29/2019 9:46 AM

43)The extension of an additional licensing scheme in Coventry would be an unnecessary financial burden' on landlords. • The fees are too high, and would mean that landlords would have to pay for an expensive licence while criminal landlords continue to operate below the radar • The Council already has existing enforcement powers, such as civil penalties and rent repayment orders, and they should make use of these before extending this licensing scheme 1/25/2019 4:31 PM

44)The extension of the mandatory scheme earlier in 2018 increased the scope of licensing to a lot higher proportion of properties. The smaller hmo's that aren't currently mandatorily required to be licensed are the lowest risk. The scope of mandatory licencing already covers virtually all higher risk HMOs. 1/25/2019 1:24 PM

- 45) Introducing fees for mandatory licensing will increase rents. The costs associated have to be recouped by landlord from somewhere and it will ultimately be the tenants that pay higher rents for better standards of properties provided for by better landlords. 1/25/2019 1:03 PM
- 46) within my role at families of all Hub in Foleshill we often see unsuitable HMOs including unofficial properties that we have reported. I feel a licensing scheme would be a positive thing. 1/25/2019 10:37 AM
- 47) There needs to be a rent cap, and large developers need to also face the same criteria Across all the city 1/24/2019 11:26 AM
- 48) It looks like a further significant cost to landlords (on top of recent tax changes) which will have very little benefit to tenants as the good landlords will continue to provide good quality accommodation as that is what the market now demands. The bad landlords are the ones that need targeting. The costs proposed equate to over a month's average Coventry rent, landlords will not be able to absorb that cost so the inevitable consequence will be higher rents for tenants. This is surely counter productive? 1/22/2019 9:57 AM
- 49) The fees for Landlords who rent 1 or 2 houses to a small family or professionals should not be subject to similar fees which apply to a HMO. The Managing of properties bill should also be revised as there are many small-time compliant Landlords who are good Landlords and can personally manage their properties very well. The Licensing fees are very high which will eat into a Landlords profit, especially when considering the Taxes which they incur i.e. self-assessment etc. If licensing fees are a part of owning a property, then they need to be substantially lower than the proposal. However, I do agree with Licensing for HMOs as they are purely a scheme for money making. Whereas the private landlord with 1 or 2 houses does not earn much (especially when considering the cost of running a property). If, however, such a Landlord is not compliant then a fee should be applied. Applying a Licence fee will only put the small time Landlord off and result in them selling up. This will have a negative effect on the housing crisis and potentially render good tenants homeless. If the Licensing is for HMOs then I strongly agree that they are managed and licensed according to the proposals. 1/21/2019 9:32 PM
- 50) It's just a money making scheme, that will not be enforced. Bad landlords will ignore it. Good landlords will be more likely to leave the sector. 1/19/2019 9:06 PM
- 51) No, thanks. 1/18/2019 5:30 PM
- 52) Tend to agree with the suggestion of stiffer penalties for noncompliance 1/18/2019 2:31 PM
- 53) The proposals do not fulfil the objective of improving housing for tenants. They are designed to put the letting market into the hands of large businesses and squeeze out the smaller operators. I have one house let to 4 students, one of whom is my

son. It is probably one of the most luxurious student houses in Coventry. If I look at the criteria for a cheap 5-year licence, I see things that clearly favour large businesses such as CPD for my employees (what employees?), cleaning contracts (my son keeps the property clean), agency requirements (next to useless for the luxury end of the market, unless you are letting a large number of rooms). I can see that with luck I will always be on the expensive 1-year licence. So how do you think that reducing my profits or driving me out of the market (if you do not give me a licence) will improve housing for tenants. The large businesses will remain in the market letting out accommodation that is worse than that which I currently offer.
1/18/2019 2:25 PM

54)The proportion of HMO in residential areas should be restricted to avoid impacting the social balance of the local community 1/17/2019 4:13 PM

55)Bins in Coventry in all areas irrelevant of whether predominantly residential or heavily rented are an issue due to change in collections which is limited & refusal to provide extra bins for houses with less than 6 people living in them 1/17/2019 2:58 PM

56)It would be better to have a shorter but cheaper licence for good landlords. It seems unfair to have new landlords charged the same as known bad landlords for the 1-year licence. Can training courses not be offered to new landlords to offset this instead? It is good that places with live in landlords will not have to register unless more than 2 tenants. 1/17/2019 12:41 PM

57)Fees are so high that they will encourage landlords to circumvent the procedure. There are lots of properties in your non-priority areas where problems occur. Why not treat the whole City the same? 1/17/2019 11:43 AM

58)There should be a limit to licences and properties in areas, I live in an area that is being overrun by converted residential homes and they are ruining the area, the litter is everywhere in the streets, bins piled high and community is being wiped away. I have a family and feel like I am being pushed out. 1/17/2019 11:01 AM

59)In general, I agree with the premise of an improved scheme within Coventry. There is some confusion about if it is just for HMO properties or all residential lettings? I also believe the licence fees are pretty high and not needed for annual renewal.
1/16/2019 12:15 PM

60)Rental in Coventry will increase if additional license is introduced. It will add burden to us tenants. 1/16/2019 11:50 AM

61)In relation to the fee structures. In the interest of transparency, can we know how you have calculated costs such as salaries, office admin, etc and how many licences are envisaged to be issued / charged for. With that information provided, landlords can be assured that it is not a 'profit centre' and fully costed. Also, what programme of property inspections is being planned? 1/14/2019 5:35 PM

62)No 1/14/2019 1:26 PM

63) Needs to ensure that property management relating to key issues such as refuse disposal, maintenance of fences, gardens and the house itself is properly managed. Need to have a robust system in place to ensure that property owners submit planning applications before the house is converted to a HiMO. Once this has been done, retrospective planning applications are essentially "rubber stamped". Home owning residents need to have a dedicated Council phone number that they can phone to register complaints about a HiMO (refuse, state of property garden) and for this to be acted on promptly. HiMO owners don't pay Council tax, so they should pay a licence fee at Council tax rates in order that they support the provision of services in the City. The license fee is therefore too low.
1/14/2019 8:40 AM

64) The costs associated in this document are considerably more than those given in your Questions and Answers document i.e. a 5-year licence has a total cost of £380 with FQ&A. There doesn't appear to be any sound reasoning in the areas identified - there are some small areas that are not included yet completely all round them they are. If it's that critical then make it city wide policy. I do not agree with the policy of using landlords to improve anti-social behaviour / criminal activity - there are sufficient powers within the police force and local authority to address this and they are clearly not being used to full affect. The powers of the landlord are minimum on managing / addressing these issues apart from moving the problem on to another area or worse the trouble makers disappear completely and go off the radar. These people are often the most vulnerable within society, often with educational and medical needs - mental health. This doesn't appear to be fair and inconclusive of these individuals into society. And finally, the City Council could do more to allow landlords to use the recycling and refuse centre, i.e. by allowing them xxx passes per year. This is on two levels; I tried to dispose of some mattresses once and when I informed them I was a landlord I was informed this was commercial waste and couldn't use the centre. Secondly this attitude has stopped me being able to be proactive with my tenants; by offering to dispose of any items left at the property or even clearing up any items that have been abandoned in the street / surrounding areas. The city councils' approach is indirectly supporting fly tipping either by rogue landlords or tenants. I therefore believe there is much more the City Council could of and could do on a more voluntary basis to address some of these issues with all the parties actively working together to resolve these issues and enable the PRS to be more professional and recognised within the city. 01/11/2019 19:13

65) Overall, I think it's a good idea though landlords are being attacked from every angle right now, it also needs to be more balanced for the landlord as it seems that the tenant has all the power right now and it is only just increasing. As a letting agent we try and do our best to keep both landlord and letting agent happy yet we constantly deal with tenants who think they have issues which the landlord MUST do something about it and always fail to listen to us until we have to get the council involved, to then be proven right... also would the money spent also mean the councils HMO team would increase in size? 01/11/2019 14:22

66) Enforcement needs to be adequately financed, manned and equipped to do the job 01/11/2019 13:55

- 67) Should include requirements to ensure waste is suitably managed at properties such as ensuring suitable containers are provided for the number of people residing at each property. 01/11/2019 13:39
- 68) Not before time. With a City Planning Department unable to organise a reasonable vetting process where ALL affected by extensions are consulted and ignoring most of THEIR OWN guidelines (e.g. [REDACTED]) my area is becoming a collection of inappropriate extensions converted into HMOs. It has a deleterious effect for residents especially house owners and as one town planner commented, "building tomorrow's slums today". Examples of this abuse can be found in Sovereign, Latham and Melbourne Rd. 01/11/2019 09:36
- 69) Poor performance by Coventry City Council in allowing HMO conversions without planning permission and then allowing them once built. Bins and rubbish becoming out of control. 01/11/2019 01:23
- 70) needs to happen. I am a community nurse and have seen very bad condition affecting health 01/10/2019 21:35
- 71) I would go further and charge a holdable bond of at least £5k per property together with a 200% council tax rate payable. If the house or surround is a mess, take it from the bond - if the bond money is then used, take control of the property and auction it. There are many areas of Coventry now turning into absolute filthy uncared for tips because of HMOs (and ultimately other rented houses with absent landlords). 01/10/2019 21:07
- 72) There should be a single licensing scheme for both HMO and non-HMO properties so that landlords are not discouraged from renting to groups of friends who are not related. The fees are quite high for a landlord who is only renting out a single property. Regular houses with a live-in landlord should be entirely exempted, as they're less likely to be career landlords and are more likely to just be ordinary people trying to rent out some spare rooms for a few quid to try to make ends meet and the expense and bureaucracy would punish them unfairly. Managing antisocial behaviour is not something landlords should have to prove themselves adept at. Assuming the property is rented out to adult tenants rather than children signing the tenancies(!) then the tenants should be held directly responsible for their behaviour (by the police, council, etc.) and not the landlord. Charging landlords with a duty to play referee and regulator between tenants and their neighbours will likely result in increased discrimination against minority groups because the landlord will be afraid of losing their license if they support their tenants' viewpoint in disputes. 01/10/2019 19:54
- 73) They should be subject to regular, unannounced inspections. 01/10/2019 19:44
- 74) Probably about the most worthwhile survey you chaps have produced 01/10/2019 19:35

75) Overall a good idea but may put additional burden on good landlords without the resources to tackle bad landlords. Doesn't seem to do anything to tackle problem tenants or anti-social behaviour or unkempt (but not dangerous) property. 01/10/2019 19:32

76) because of my job role I strongly believe 'owners' & 'tenants' provide council tax info, it is very hard to enforce our legislation without the relevant info, some of these properties/tenants cause alarm to other residents especially the elderly as most are in residential streets, I see this on a regular basis 01/10/2019 19:10

77) I feel this is simply a tax on landlords. There are plenty of illegal HMOs in Coventry yet I see no action taken. 01/10/2019 18:06

78) As a tenant who is with a landlord that doesn't bother to make repairs or make them in a timely fashion - Myself and the other tenants have had to fork out money to either make amendments or put up with the conditions. Secondly, what's to stop the landlord passing on the increased fees, bearing in mind private renting is expensive as-is!! and conversely, what's to encourage the landlord to pass on the savings? (when pigs fly!) 01/10/2019 14:48

79) Because it is so easy to rent out property in Coventry (and take advantage of higher demand), many landlords have taken advantage of this to the detriment of local communities and without a concern for the loss of amenity to neighbouring property. We strongly support any action taken by the council to make it more difficult for unscrupulous landlords to take advantage of the local population's need for decent housing. We are alarmed that such a high number of houses are HMOs. As a family living in Coventry we are now planning to move out of the city to the suburbs where we will not be affected by the negative impact of the increase in HMOs in our current area. I know of several families on the street next to us who made a similar decision to when another house on their street was due for conversion. It is a crisis in Coventry. 01/10/2019 10:55

Drop in sessions

18 drop in sessions were held in various locations across the city covering every ward. The table below provides the location and the number of people who attended each session. In total these sessions were attended by 84 people.

Ward	Venue	Date	Number attended
Bablake	Hawkes Mill Sports and Social Club	13 th March 4.30pm to 6.30pm	2
Binley and Willenhall	John White Community Centre	21 st January 4.30pm to 6.30pm	1
Cheylesmore	Cheylesmore Community Centre	22 nd January 4.30pm to 6.30pm	4
City Centre	Central Library	21 st January 10am to 12.30pm	11

Earlsdon	Gilbert Richards Centre	28 th January 4.30pm to 6.30pm	5
Foleshill	St Pauls Church	11 th March 4.30pm to 6.30pm	4
Henley	Moathouse Leisure and Neighbourhood Centre	29 th January 4.30pm to 6.30pm	3
Holbrook	Holbrook Community Care Association	5 th March 4.30pm to 6.30pm	None
Longford	Bell Green Community Centre	4 th February 4.30pm to 6.30pm	7
Lower Stoke	Aldermoor Life Centre	7 th March 4.30pm to 6.30pm	None
Radford	Jubilee Crescent Community Centre	12 th March 4.30pm to 6.30pm	1
Sherbourne	Coundon Social Club	15 th January 4.30pm to 6.30pm	4
St Michaels	St Peters Centre	5 th February 4.30pm to 6.30pm	13
Upper Stoke	Stoke Heath Community Centre	18 th February 4.30pm to 6.30pm	6
Wainbody	St Joseph's Church Hall	14 th March 4.30pm to 6.30pm	9
Westwood	Canley Community Centre	25 th February 4.30 to 6.30pm	8
Whoberely	St Mary Magdalen	19 th February 4.30pm to 6.30pm	5
Woodlands	St John Vianney Church	11 th February 4.30pm to 6.30pm	None
Wyken	Wyken Community Centre	12 th February 4.30pm to 6.30pm	1

Most attendees were landlords with the remaining being tenants and residents. The main issues for those who attended related to the proposed Selective Licensing scheme and not Additional Licensing. Generally, attendees were there to seek further advice and information about the proposals whilst a small number also wanted to raise their concerns about, and support for the proposals which, in a few cases were also followed up by email.

There was a laptop made available for those who wanted to complete an online questionnaire.

In addition, officers distributed the flyer below to the members of the general public in the main city centre shopping areas for two consecutive days on the 8th and 15th March. A total of 35 people indicated that they would be responding to the consultation.

The flyer is a blue rectangular graphic with white and light blue text. At the top, the title 'Have your say on property licensing proposals for HMOs and privately rented homes in Coventry' is written in a large, bold, white sans-serif font. Below the title, there are three paragraphs of white text. The first paragraph states: 'The Council wants to improve the quality of privately rented homes and HMOs in the private rented sector.' The second paragraph says: 'Have your say on plans for Selective Licensing of privately rented homes and Additional Licensing of Houses in Multiple Occupation (HMOs).' The third paragraph reads: 'Both schemes would place tighter controls on the standards of private sector landlords and the behaviour of tenants in neighbourhoods throughout Coventry.' To the right of the text is a white silhouette illustration of two houses with gabled roofs and chimneys. In front of the houses are several white human figures of varying heights, representing a family. A small white plus sign is positioned between the two groups of figures. At the bottom left of the flyer is the Coventry City Council logo, which features a stylized white horse head and the text 'Coventry City Council' below it. At the bottom right, the text 'For details visit www.Coventry.gov.uk/propertylicensing' is written in white.

Have your say on property licensing proposals for HMOs and privately rented homes in Coventry

The Council wants to improve the quality of privately rented homes and HMOs in the private rented sector.

Have your say on plans for Selective Licensing of privately rented homes and Additional Licensing of Houses in Multiple Occupation (HMOs).

Both schemes would place tighter controls on the standards of private sector landlords and the behaviour of tenants in neighbourhoods throughout Coventry.

For details visit www.Coventry.gov.uk/propertylicensing

Focus Groups

Several focus groups were held with different stakeholders. The details of these events and comments made is provided below.

Landlord's focus group

A focus group was held on the 31st January 2019 at the Council House. 30 landlords who had previously expressed an interest in being involved in any consultation events run by the Council were invited to this event and 9 attended.

The clear majority raised more concerns about the proposals relating to Selective Licensing and were not too concerned about Additional Licensing.

Agent's Focus group

An Agent's focus group was organised with the flyer being sent to all registered Agents in the city. The event was held on the 21st February 2019 at the Council House and 18 representatives from the following letting and managing agent businesses across the City attended:

Loveitts

Bairstow Eves
Payne
Matthew James Property Services
Vesta Properties
Whitegates
Connells
Alternative Estates
Cloud9 Estates
Suttons Estates
Coventry Refugee centre
Brian Holt Estate Agents
Allsop and Allsop

In the main the group were generally supportive of the proposals. There were several agents who thought the proposals were the key to making a difference. One particular agent commented in an email later that - *"I think the Coventry area has needed this for a while, with properties in poor condition, and landlords wanting premium rents without the premium properties.*

I went through a similar process some years back with the implementation of the decent homes standard for Social Housing tenants, and the private sector has needed to play catch up for a long time".

Coventry University Focus Group

3 representatives from Coventry Uni attended the meeting and submitted the following response – *"Your proposal and rational appears to attempt to address both issues as it holds landlords more accountable which is to be enforced by the team that would be created if the outcome of the consultation is in favour of the proposal that has been tabled.*

As a significant employer in the city the University is equally keen to ensure more high-quality properties are made available to our many staff who require them and I hope as a result of this, we will see an improvement not only in student let properties but in professional let properties too."

Warwick University Focus Group

4 representatives from Warwick Uni attended the meeting and submitted a detailed response.

The University provided the following response to the consultation.

13 March 2019

Mr A Chowns
Property Licensing Manager
Place Directorate
Regulatory Services
One Friargate
Coventry
CV1 2GN

Sent via email: adrian.chowns@coventry.gov.uk

Dear Adrian

Coventry City Council Proposed Selective & Additional Licensing Schemes

I am writing in support of Coventry City Council's proposals to introduce Selective Licensing and Additional Licensing in order to improve the quality of private rented housing in the City.

The University of Warwick has a student community of over 26,000 students and over 6,000 staff. Around 6,000 of our students chose to live in private rented accommodation in Coventry. We believe good quality, safe and secure housing is fundamental to our student experience and positively impacts on students' academic performance and wellbeing.

Warwick Accommodation, the University of Warwick's property management agency manages over 2,300 student bed spaces in private rented accommodation in Coventry, Kenilworth and Leamington. We ensure all the properties we manage are compliant and that all of our landlords are operating under the required regulations. We have a "Standard Requirements for All Properties Managed by the University" document and "Service & Compliance Standards", along with our detailed contract that states the high standards we expect before entering into an agreement. Our Property Managers undergo compulsory training in areas ranging from NEBOSH to fire risk assessment.

We are pleased to be working with Coventry City Council this academic year on our Student Housing Enforcement Pilot in Canley and Cannon Park. Through the University's grant contribution this project has allowed resource to carry out proactive inspections of student HMOs, helping to advise student tenants but also advising and helping landlords to achieve and maintain acceptable standards and taking enforcement action when appropriate. This work has shown some good quality student HMOs and professional landlords but has also provided evidence that some of the private rented sector accommodation our students are living in does not meet health and safety standards as well as highlighting environmental and management issues. We have received positive feedback from our students and also our local residents that this project is improving conditions in individual properties but also in the community as a whole.

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The proposed Additional Licensing Scheme is of particular interest to the University as this covers some of the smaller HMOs our students live in that fall outside of the current national Mandatory Licensing Scheme. HMO licensing is key to improving facilities, management and safety and by extending this to HMOs occupied by 3-4 people there will be a consistent approach and our students living in these smaller properties will have the same protection as those in licensed HMOs.

The University recognises that current Council austerity resources have resulted in prioritising reactive inspections. We have clearly seen the benefits of pro-active inspections from the work on our pilot housing project in Canley and Cannon Park. This pilot has also provided a single point of contact at the Council allowing for quick responses when dealing with concerns and we hope a similar model will be considered within new structures and resource. We are pleased to see that both proposed schemes will provide the Council with additional resources allowing for proactive management of private sector housing in the City.

Affordability of student accommodation is a key concern of ours and we worry that the cost associated with licensing fees will be passed onto our students by an increase in rent. We note from the research the Council has conducted in this area that rental values in Coventry have increased on average by 19% between 2015 and 2018 compared to 11% in the West Midlands and 8% in England over the same period. We ask the Council to do all they can to actively monitor and use their influence on rising rent costs in the City.

It is positive to see that landlord management of antisocial behaviour by tenants is part of the proposed schemes. We work hard, hand in hand with our Students' Union and local partners, to help our students to understand their responsibilities as local residents and how to be a good neighbour. We do from time to time receive complaints and concerns from local residents about antisocial behaviour from our students. We investigate each complaint received and speak directly with any of our students identified and take appropriate action. Of course, landlords also have a role to play here and a responsibility to take reasonable steps to prevent or reduce ASB by managing their property and tenants effectively but will need advice and support with this. Warwick Accommodation deal with all incidents of antisocial behaviour in the properties they manage on behalf of landlords/owners.

We are aware that the Council is looking at introducing a voluntary landlord accreditation scheme alongside licensing. We feel this will play an essential part in improving the standards of private rental accommodation complementing existing and proposed HMO licensing. Such a scheme would give our students confidence that landlords will act professionally, offer good standards and allow them to make more informed choices. The University would like to work with the Council on developing proposals around this scheme.

We would be happy to provide more input during and following the consultation if it can be of further help so please do not hesitate to contact us.

Yours sincerely

Professor Simon Swain FBA
Pro-Vice-Chancellor (External Engagement)

Landlord Forums

A total of four landlord forums were held at the Council House between 6pm and 8pm. Spaces on the 6th, 13th, 14th, and 18th March. Spaces were limited to 75 per event so that everyone attending would have the opportunity to be involved and despite each event being sold out 207 out of the potential 300 attended.

Table below provides the number of attendees for each event.

Date	Number of Attendees
6 th March 2019	58
13 th March 2019	50
14 th March 2019	47
18 th March 2019	52

Many attendees were landlords, agents and property professionals and during these sessions a presentation was provided (attached as appendix 1). The proposals for Selective Licensing were of more concern than those relating to Additional Licensing.

The suggested licence fee levels were discussed extensively in all the landlord forums and the principle of any kind of fee was raised many times in the context of the increased cost burden on landlords and possible increased rent levels for tenants.

The proposed scale of fees and different length of licence for non-compliant and compliant landlords led to many questions and requests for clarification about what type of property/landlord would qualify for these – and in particular whether, say, a landlord who, has more than one property would be eligible for a discount on multiple applications. There were also several comments along the lines of: *why do good landlords have to pay for rogue landlords*.

Ward Member's Sessions

Comments made by respondents regarding the selected areas for Selective Licensing were of more concern than the proposals for Additional Licensing. There appeared to be a consensus that Additional Licensing of HMOs can only be a good thing.

The following feedback was provided by Members during these sessions:

- An easy online form for reporting rented properties/HMOs should be developed
- A register of all licensed properties should be available online
- Please to see cluster flats for students are being looked at
- In favour but in the case of Selective Licensing would like to extend the areas
- Can we provide access to the 'tip' for landlords at the end of the Uni year to clear out – this could help reduce fly tipping
- Additional Licensing welcomed but see little need for Selective Licensing
- Charities should not be free – exempt
- Likely to be issues with family properties being rented to each other – cultural behaviours
- Concerned about areas not being included but supportive of both schemes overall
- Could the fee be related to property sizes

Scrutiny Coordination Committee

Officers presented to proposals to the Scrutiny Coordination Committee and provided the outline proposals for the group to consider and respond to as part of the consultation process.

The Committee were generally supportive of the proposed scheme and put forward the following recommendations:

- The scheme should include a plain English definition of what is an HMO, including examples;
- The number of prosecutions and enforcement actions is reported back to Members on a regular basis;
- Ensure that the complaints process for tenants is not onerous;
- That a poster or sign displaying the tenants' rights and responsibilities be part of the license requirements;
- Consider including DBS checks as part of the licensing process, as with taxi licensing; and
- Officers to continue working with ward members if the scheme is implemented.

Letters, Emails and other responses

A series of emails and letters were sent to people who had registered their details with the Council on the Gov.uk website and an email was also sent to Council employees as part of the daily intranet round up.

Several individuals and organisations (not mentioned for data protection purposes) sent their response to the consultation directly to the Council via letters and emails etc. Their main concerns appeared to relate solely to Selective Licensing rather than Additional licensing of HMOs.

Letters and Emails received

(1) Public Health submitted - *The right home environment is essential to health and wellbeing, throughout life. Key features of a healthy home include:*

- 1) *Warm and affordable heat*
- 2) *Free from hazards, safe from harm*
- 3) *Enables movement around the home and is accessible*
- 4) *Promotes a sense of security and stability*
- 5) *Support available if needed*
- 6) *Healthy neighbourhood community*

Disrepair and cold homes can cause immediate health issues to residents (such as respiratory conditions, hypothermia, risk of falls and death) and also negatively affect children's educational attainment, emotional wellbeing and resilience and put adolescents at five times more risk of suffering from multiple mental health problems. In addition, families living in overcrowded housing can be at an increased risk of mental health problems, infectious disease, injuries, breathing problems and exposure to tobacco harm.

The physical and mental effects of poor housing disproportionately affect vulnerable people; however the mental health effects are made worse for older people living isolated lives, the young, those without a support network and adults with disabilities.

For this reason, Public Health are pleased to see that the supporting information in the Selective Licensing Feasibility Report (2018) has considered areas such as fuel poverty, energy performance, thermal comfort, modern facilities, disrepair, HHSRS (Housing Health and Safety Rating System), the Decent Homes Standard, property conditions, amongst others, when identifying the geographic areas (that have poor property conditions) to be included in the selective licensing areas.

The Selective Licensing Feasibility Report (2018) identifies that selective licensing in a targeted area of the city is expected to improve physical standards and management of private rented stock which will help to reduce the health issues caused by poor quality homes mentioned above (and therefore reduce health inequalities). Public Health also support the other benefits mentioned in the feasibility report, in particular the benefits to tenants of:

- Reducing incidence of unplanned moves and homelessness*
- Economic benefits e.g. regaining deposits/less moving costs*
- Improvements to the neighbourhood e.g. security and sense of community*

The areas identified in the proposal are some of the more deprived areas in Coventry. As mentioned, improving the condition of poor-quality housing in these areas will improve the health of some residents in these deprived areas and therefore contribute towards lowering health inequalities in Coventry.

Selective licensing presents itself as an ideal opportunity for CCC to ensure that all private rented properties in the specified areas will be inspected to ensure that they reach the minimum national legislation (through mandatory conditions) and in some cases, as per discretionary conditions, to go above and beyond these requirements. Ensuring that landlords achieve certain standards of management and maintenance will help to bring about better-quality housing in the PRS (and therefore improve health outcomes).

The proposed Additional Licensing Scheme is expected to address the impact of poor-quality HMOs that fall outside of the mandatory licensing HMO definition and address management issues and poor property conditions. This will include minimum room sizes in HMOs in addition to other areas (such as fire safety) being improved to a minimum standard. Public Health welcomes acknowledgement in the Additional Licensing Feasibility Report that additional Licensing will extend and continue the process of upgrading of HMO rental stock already begun by the Mandatory scheme. Additional licensing will add a significant portion of the Coventry HMO market to the list of those houses where the Council currently is involved with licensing (and therefore, by default, involved with improving their quality). As already described above, improving the condition of the property will contribute to improving the health and wellbeing of residents of Coventry.

In the case of both proposed licensing schemes, there is theoretical risk that some rogue landlords will disproportionately increase the rent to say they are covering their extra charges. Public Health are pleased to see acknowledgement of the risk of increased rent in the consultation paperwork, along with a breakdown of the true monthly increase if the exact cost of the license was passed on to the tenant through rent.

Taking into account all of the above information, Public Health are in support of both of the proposed licensing schemes (Selective Licensing and Additional Licensing of HMO's).

In the case of both licensing proposals, if approved, Public Health would welcome the opportunity to work with the property licensing team to enable officers, during property inspections, to identify potentially vulnerable tenants in the properties. These vulnerable tenants may benefit from services such as the WMFS Safe and Well check.

(2) Dear Mr Chowns,

Selective and Additional Licensing Scheme – Consultation

In the light of the current Consultation on Selective and Additional Licensing, we are responding with these comments, rather than completing the online questionnaires which do not cover the ground we wish to cover.

We applaud the Council's intention to improve the quality of the private rented housing stock in Coventry and to remove bad landlords and we support the key priority, as outlined in the Feasibility Report, of working with landlords to provide high quality, professionally managed accommodation. However, we feel that the scheme as proposed has a deeply flawed methodology, would not work with, but penalise large private landlords such as ourselves, would be unfair in its application and would not achieve its objectives.

To put our comments into context, as a private landlord [REDACTED] now operates some 360 housing units based in the East of the City, meeting local housing needs, some let at social rents and many at considerably lower than market rents, which we regard as part of our corporate social responsibility. We provide a good level of maintenance and generally tenant satisfaction is high. Not all our stock is in the currently declared boundary for the scheme, but some 120 units are.

1. Fairness

First, the scheme is based on the principle that all landlords pay for the cost of the scheme, whether they are classified as good or bad. This is manifestly unfair. Why should good landlords pay for the cost of a scheme that is designed to police bad landlords and from which they obtain no effective benefit? Good landlords would apply for a licence, just because they are good landlords. Bad landlords would keep under the radar for years, continue to offer substandard accommodation and eventually move to other areas, which has been the experience where similar schemes have

been introduced. Thus, most of the cost of the scheme would be borne by the good landlords.

Second, much greater clarity is required on the issue of “multi-property” licences. Where one landlord operates a block of apartments, all of similar design, the only difference between them is the behaviours of the tenants. For example, ██████████ operates eighty-six apartments in six separate blocks on a site known as The Old Yard ██████████. This falls within the currently designated area. As the scheme is presently written, the bill for the initial application would be nearly £20,000. Would this be refunded if a multi-property licence were issued and what would be the eventual cost? Is it feasible that each one of these units would be inspected, with all the attendant problems of access etc., just to show that we are a respectable landlord? Most of these tenants are good, respecting the property and the neighbourhood, but a small minority are bad – creating problems and scarcely paying their rent. To emphasise the point – the only difference in these circumstances is the quality of the tenants.

2. Effectiveness – Area Selection

The scheme is designed to eliminate bad landlords and improve the quality of housing in the private rented sector. We are surprised about the designation of some areas within the scheme. Taking, again, the example of The Old Yard, we would want to know which of the six required criteria for inclusion (low demand, anti-social behaviour, poor property, high level of migration, high deprivation or high level of crime) it is said to meet? If this is typical of area selection it suggests that the process has not been carried out to sufficiently local level. A further example is the inclusion of Turlands Close, a quiet residential area in Walsgrave, which may have been included because of the proximity of the Asda supermarket with its attendant problems of shoplifting etc.

3. Effectiveness – Tenants

It is generally agreed that much anti-social behaviour stems from bad tenants. This particularly can apply to student lets, when bad behaviours occur even in properties which are managed by the universities – yet these are exempt from the scheme. Our dealing with some of these agencies suggests that they have little or no control over the activities of their student tenants and can lead to some very disturbing situations.

4. Effectiveness - Rents

If the cost of the scheme is to be borne entirely by landlords one of the major effects would be to increase rents or reduce maintenance. Both are obviously undesirable.

So in general, we think that the scheme, as it is proposed, is unfair and will be ineffective in curbing the problems that it is attempting to address. We feel that a scheme should be developed to license landlords, not properties, through a landlord register. This would reduce inspection costs to random sampling and give broader control over landlords' activities.

Furthermore, from the perspective of ██████████, if this scheme is implemented in its present form, we would have no alternative but to let properties at full market rents rather than to needy local people, something that we are very reluctant to do.

If you would like further discussion on these matters, we are available to provide any assistance that we can.

(3) NATIONAL APPROVED LETTING SCHEME (NALS)

INTRODUCTION

NALS www.nalscheme.co.uk is a licensing scheme for lettings and management agents operating in the Private Rented Sector. NALS agents are required to:

- deliver defined standards of customer service
- operate within strict client accounting standards
- maintain a separate client bank account
- be included under a Client Money Protection Scheme

Agents must provide evidence that they continue to meet NALS criteria on an annual basis, in order to retain their licence. The scheme operates UK wide and has 1500 firms with over 2000 offices.

NALS also administers the SAFEagent campaign www.safeagents.co.uk the purpose of which is to raise consumer awareness of the need to ensure that landlords and tenants should only use agents who are part of a Client Money Protection Scheme, which offers reimbursement in the event that an agent misappropriates their money. The campaign is recognised by Government and our logo appears in their How to Rent guide [How to Rent](#)

We are an accredited training provider under the Rent Smart Wales scheme and recognised by the Scottish Government as offering training which meets the requirements for agents to be included under regulation on the Scottish Register. We are also a co-regulation partner with Liverpool City Council. Recently, we have been approved by Government as a provider of the mandatory Client Money Protection arrangements that will soon come into force.

NALS AND LICENSING

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

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

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

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

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

PROMOTING PROFESSIONALISM IN THE PRS - THE ROLE OF AGENTS

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

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

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

COVENTRY CITY COUNCIL'S PROPOSALS - SPECIFIC ISSUES

Proposed Licensing Area

We welcome the targeted nature of the licensing proposals.

Licence Term

We note that "reduced term licences (annual licences) will normally be issued to new landlords where they have recently acquired or converted their property into a licensable property"

In our view, very careful consideration needs to be given to the term "new landlord" when applying this rule. Is a new landlord one who is letting property for the very first time? Is a landlord letting their second property a new landlord or not?

Furthermore, a landlord could be new to the Coventry area, but not new to the profession. In our view, experienced landlords who acquire or convert a property in the licensable area should not be subject to a "probationary period of 12 months".

Additionally, we do not think that new landlords who engage an accredited agent should be subject to a probationary period of 12 months. In our view, a longer license should be issued if an accredited agent is managing the property, regardless of whether or not the agent is the license holder.

Changes in License Holder

Our experience around the country suggests that the lack of flexibility in most license fee structures can militate against efforts to establish “an alternative competent person to be licence holder/ manager” in cases where problems have been identified, often by the council. This is because accredited agents still have to pay the full fee when they take on management from a landlord (or agent) part way through the license period.

Whilst we understand that licenses cannot be “transferable” from one person to another, we would suggest that more flexibility is required than just 5 year or 1 year terms. For example, agents taking on properties part way through a 5 year term should only have to pay the 5 year fee “pro rata”.

Fee Structure - Accreditation

We note that although “all parties actively involved in managing the property (i.e. joint or sole management responsibility) must be accredited with Coventry City Council’s Landlord Accreditation Scheme (CLAS)” no discount is offered to landlords engaging agents thus accredited. As set out above, it is our view that discounts can be an important incentive to landlords who are considering engaging a reputable agent. We would urge Coventry City Council to offer such discounts.

We are also unclear as to whether membership of industry bodies such as NALS provides a “passport” to CLAS accreditation. In our view, if license holding agents are to be required to be “registered with a recognised professional association”, it would be onerous to insist on CLAS accreditation as well, unless straightforward passporting arrangements are in place.

We would urge Coventry City Council to consider offering fee discounts to:

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

We would urge Coventry City Council to passport NALS members to CLAS accreditation.

Lastly, we would ask that NALS be added to the list of recognised professional associations.

We would suggest that NALS members and the landlords who engage them are less likely to be non-compliant and that, as a result, there would be reduced costs to the council. We would also suggest that NALS membership mitigates the need for

compliance visits to be carried out by the council. For example, the timing and content of these visits could be risk based, recognising that the risk of non-compliance is much lower in the case of properties managed by NALS agents.

In our detailed comments below we point out some of the areas where compliance with key standards is an inherent part of the NALS scheme. These are the areas where we think promotion of NALS membership through license fee discounts could ultimately save the Council money, as well as increase the take up of voluntary accreditation.

Fee Waiver – Tackling Homelessness

We welcome the proposal that, in cases where “a private landlord...is assisting the Council by offering permanent accommodation to meet...homelessness duties applications will be accepted, for the particular property being provided without a fee being payable”

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

COMMENTS ON THE LICENCE CONDITIONS

Tenant Referencing

We are strongly supportive of any requirement to obtain references for prospective tenants, as NALS is actively involved in promoting good practice in tenant referencing.

Tenancy Management

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

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

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

Under NALS’ service standards, agents are required to take a deposit to protect against possible damage. They are required to explain the basis on which the

deposit is being held and the purpose for which it is required, as well as to confirm the deposit protection arrangements. When joining NALS, agents are asked to provide details of the number and value of the deposits they have registered with the scheme.

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

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

NALS agents are also required to:

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

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

Licence Conditions Relating to the Property

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

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

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

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

Thereafter, NALS' standards require agents to carry out property inspections periodically, as agreed with the landlord, in line with normal good practice. NALS and our firms would anticipate inspections to be carried out every 6 months as a minimum, to identify any problems relating to the condition and management of the

property. In line with common practice, records of such inspections would contain a log of who carried out the inspection, the date and time of inspection and issues found and action(s) taken. Under a licensing scheme, this information could be shared with the council in an appropriate format.

Tenants will be fully aware of access arrangements. NALS agents are expected to arrange in advance a time for access, in order to inspect the condition of the property in accordance with the tenancy agreement. NALS agents will arrange to have routine maintenance work carried out, up to a limit agreed with the landlord. The agent will refer expenditure above that limit to the landlord.

Training

We welcome the scheme requirement that agents who are license holders should undergo training.

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

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

One advantage of this approach is that it makes it easy to ascertain (through on line monitoring) that participants have in fact undertaken the required training, prior to or immediately after accreditation.

Modules available cover:

- *Pre-tenancy issues*
- *Responsibilities and liabilities*
- *Setting up a tenancy*
- *During a tenancy*
- *Ending a tenancy*
- *General law concepts, statute vs contract*
- *Relationships*
- *Obligations*
- *Process*
- *Considerations for corporate tenants*
- *Continuing Professional Development (CPD)*

In addition, NALS provides mini online courses designed to cover a number of elements in more detail, as appropriate to the learner's role, include topics such as:

<i>Assured Shorthold Tenancies (ASTs)</i>
<i>Client Money</i>
<i>Consumer Protection Regulations (CPRs)</i>
<i>Deposits</i>
<i>Disrepair</i>
<i>Electrical Appliances & Safety</i>
<i>Gas Appliances & Safety</i>
<i>Houses in Multiple Occupation (HMOs)</i>
<i>Housing, Health & Safety Rating System (HHSRS)</i>
<i>Inventories and schedules of condition</i>
<i>Joint Tenancies</i>
<i>Notice Requiring Possession</i>

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

Anti-Social Behaviour

We note that there are distinctive issues around crime and Anti-Social Behaviour (ASB) in the licensing area. However, we do have concerns about the assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB.

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

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

Suitability of Licence Holder

We note the requirement that the council would only issue a licence if it is satisfied that the proposed licence holder is a 'fit and proper' person and that there are suitable management arrangements in place. We believe that this requirement highlights the importance of lettings and management agents belonging to recognised accrediting bodies like NALS, who themselves apply a fit and proper person test.

All principals, partners and directors of a NALS firm are asked to make the following declaration on application:

"I confirm that: for a period of 10 years prior to this application I have had no conviction for any criminal offence (excluding any motor offence not resulting in a custodial sentence) nor have I been guilty of conduct which would bring the Scheme or myself into disrepute; I am not an undischarged bankrupt nor is there any current arrangement or composition with my creditors; I am not nor have I been a director of a company which has within the period of 10 years prior to this application entered into liquidation whether compulsory or voluntary (save for the purpose of amalgamation or reconstruction of a solvent company) nor had a receiver appointed of its undertaking nor had an administration order made against it nor entered into an arrangement or composition with its creditors; nor have I at any time been disqualified from acting as a Director of a company nor subject to a warning or banning order from the Consumer Markets Authority or the Department for Business, Enterprise and Regulatory Reform.

If I am subject to any current claim or am aware of any impending claim for professional negligence or loss of money or if I have been the subject of any investigation by the Consumer Markets Authority and/or local Trading Standards Office, full details of the circumstances are set out in a report enclosed with the application; all information provided by me in connection with this application is, to the best of my knowledge, correct"

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

Complaints

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

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

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

CONCLUSION

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

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

APPENDIX 1 – COMPATIBILITY OF NALS SERVICE STANDARDS WITH TYPICAL SCHEME CONDITIONS

Example Scheme Conditions	NALS Service Standard Requirements
<i>Fees</i>	<i>NALS promotes complete transparency in agency fees. Members provide landlords with a statement of account as often as agreed.</i>
<i>Rent Liabilities and Payments</i>	<i>NALS agents collect the rent and pass it on every month or as otherwise agreed. The agent will keep a separate clients' account to hold all monies.</i>
<i>Contact Details</i>	<i>NALS agents are expected to respond to tenant and other legitimate enquiries in a timely manner. Up to date contact details will enable them to respond to tenants' requests for maintenance or repairs which might in some cases have to be referred to the landlord for approval.</i>
<i>State of Repair</i>	<i>NALS agents visit the property with landlords and advise on any action needed before letting the property. This includes any repairs and refurbishments needed to put it into a fit state for letting. They will also go with possible new tenants to view unoccupied property. Tenants can be</i>

Example Scheme Conditions	NALS Service Standard Requirements
	<i>confident that NALS agents have provided advice to the landlord concerning any repairs or refurbishments which are necessary.</i>
<i>Access and Possession arrangements</i>	<i>NALS agents will visit the property periodically during the course of the tenancy as often as agreed with the landlord. Tenants will be fully aware of access arrangements. At the end of a tenancy, they will always serve the tenant with the correct period of notice as set out in the tenancy agreement.</i>
<i>Repairs and Maintenance</i>	<i>NALS agents will arrange to have routine maintenance work carried out, up to a limit agreed with the landlord. The agent will refer expenditure above that limit to the landlord.</i>
<i>Access, Cleaning and Maintenance of Common Parts</i>	<i>NALS agents will arrange in advance a time for access to the property in order to inspect the condition of the property in accordance with the tenancy agreement.</i>
<i>Level of Facilities</i>	<i>NALS agents ensure that tenants are provided with copies of safety certificates on gas and electrical appliances before you commit to the tenancy. They provide details of the condition of the property, plus a list of its contents. The property will have undergone all required safety checks on furnishings, and gas and electrical services.</i>
<i>Deposits</i>	<i>NALS agents provide and fill in a tenancy agreement and take a deposit to protect against possible damage. They will explain the basis on which it is being held and the purpose for which it is required</i>
<i>References</i>	<i>NALS agents choose a tenant in a way agreed with the landlord, taking up references or checking the tenant's rent payment record.</i>
<i>Complaints & Dispute Handling</i>	<i>NALS agents explain both the landlord's and the tenant's the rights and responsibilities. To guard</i>

Example Scheme Conditions	NALS Service Standard Requirements
	<p><i>against misunderstandings, they will arrange for the preparation of a schedule of the condition of the property.</i></p> <p><i>During the tenancy, they will arrange to check the condition of the property and draw up a schedule to outline any deductions to be made from the tenant's initial deposit. They will return the deposit as soon as possible, less any appropriate deductions.</i></p>

(4) Residential Landlord Association (RLA)

Thank you for the opportunity to respond to the above consultation.

We have read through your consultation documents, and though we appreciate the issues that the Council have mentioned and the effect they can have on tenants, landlords and the housing market in areas proposed, the RLA is opposed to the scheme and has many general objections to Licensing overall.

The council has failed in its documents to prove sufficiently that private rented sector houses are the main perpetrators of anti-social behaviour and crime. The council has very similar issues in predominantly council/social housing estates with their highly regulated housing management and property standards. Clearly not solely a landlord issue. It is more about concentrated need. To identify a particular area for the introduction of licensing highlights a belief that the area has numerous issues, potentially blighting the reputation of the area. There is also a danger that the issues that the scheme seeks to address are simply moved elsewhere, as difficult or vulnerable tenants are moved on.

Raising Standards

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

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources wasted processing applications, it should continue to direct these limited resources at identifying private rented properties and taking effective enforcement action, where necessary.

Fees

The worst landlords – the criminal operators – will simply ignore the scheme, as they do many other regulations. The high licence fees for both Selective & Additional licences will place a large financial burden on a lot of landlords, and as the council has already stated in the consultation documents that fees will not be able to be paid in instalments, this could

lead to landlords selling up and exiting the sector, thus depriving Coventry of much needed housing.

Fee Structure & Transparency

The council has proposed an unfeasibly complicated fee structure, with several tiers for one, two- & five-year licences for both Additional and Selective licences. Generally, property licences should be granted for the maximum period - five-years – unless there are grounds for not doing so. Local authorities must have a good reason to grant a shorter licence, for example: previous convictions, civil penalties or notices served. To issue a one-year licence for being unlicensed for 3 months could be seen as being heavy handed.

There is also the issue of the varying Stage one licence charges, as the processing fee varies from licence to licence. For example, for a one-year Additional Licence, the Stage one fee is £599.00, compared to £413.00 for a two-year Additional Licence for Stage one. It is difficult to see why it would cost the council £186.00 more to process a one-year licence for a landlord, as the licence application process itself will be the same for all the licences except renewal applications. The council should clarify why there are varying costs to process Stage one licence applications, in order to increase transparency.

Existing Enforcement Powers

There are over 150 Acts of Parliament and more than 400 regulations affecting landlords in the private rented sector.

Councils should use the enforcement powers already granted to them by the Housing and Planning Act 2016, ranging from civil penalties, rent repayment orders, banning orders and the introduction of a database for rogue landlords and letting agents, to their full extent, rather than rely on Licensing Schemes to regulate landlords in addition to these powers. The Council has also not taken into consideration the amount of informal enforcement activity undertaken between local authorities and private landlords.

Additionally, Coventry City Council has access to the Controlling Migration Fund, which allows local authorities to tackle local service pressures associated with any recently increased migration, which includes tackling rogue landlords and driving up standards.

The Tenant Fees Bill will also introduce a lead enforcement authority to provide guidance and support to local authorities regarding the enforcement of letting agent requirements, which comes into force later on this year.

PEARL Research on Local Authority Enforcement

Our Research Lab PEARL recently published a report on the level of enforcement at local authority level and analysis found that when it comes to complaints and enforcement, data shows that there was no significant difference in the before or after the introduction of the scheme. The criteria for Enforcement include: Improvement Notices served, prosecutions of private landlords commenced, HHSRS Inspections, complaints received, Hazard Awareness Notices served, and Emergency Remedial Action order served.

The findings indicate that Selective Licensing schemes do not support local authorities to improve standards or increase enforcement activities against criminal landlords. Rather, we argue that these schemes are to the detriment of good landlords and tenants, and local authorities need to engage in targeted enforcement against the criminals that provide unsafe housing. <https://research.rla.org.uk/wp-content/uploads/post-code-lottery-enforcement-prs.pdf>

Government review on Selective Licensing

On 20th June 2018, the government formally announced that they will be carrying out a review of Selective Licensing to assess its use and effectiveness by a independent commisssioner to gather evidence on the effectiveness of the scheme. The results of this review will be published in the Spring. Taking this into consideration, the council should await the outcome of this review.

Conclusion

There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement. More information can be supplied if required. We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for criminals to operate under the radar.

Ti provides local authorities with a new tool to help differentiate between properties which are privately rented, HMO and those that are owner occupied or socially rented. Ti can also be used to pinpoint properties that are likely to have serious hazards. The technology can be used to assist with policy makers and managers to understand the 'make up' and changes in housing stock across a borough and how it relates to other policy areas, such as anti-social behaviour, and provides a vital insight into landlord behaviour and helps prevents crime and fraud, such as council tax evasion. It is developed in partnership with council teams to ensure the maximum benefits of Ti are delivered, and to ensure compliance with GDPR, no sensitive data is taken away and all analysis can be completed within the council's digital environment.

Such a scheme can be used as an alternative for Selective & Additional Licensing for Coventry City Council, as it could be used as more of an effective tool to identify and target properties in bad conditions and act against criminal landlords.

Further information can be found at this link: <https://metastreet.co.uk/blog/tenure-intelligence-to-predict-tenure-and-housing-issues.html>

Should licensing be approved by the council, the option of co-regulation with the RLA could be considered. Liverpool City Council introduced city wide licensing in 2015; as part of this the RLA were allowed to introduce a co-regulation scheme for landlords in the city. Co-regulation involves a full written code of conduct, which details the procedures and processes in place to deal with contractual and other matters as part of the overall scheme. The benefits of co-regulation for a local authority is targeted enforcement making the best use of more limited resources, reduced workload due to reduced number of complaints being managed by the authorities, easier identification of bad/criminal landlords, control over the scheme requirements to suit local needs and stronger links with the landlord community.

(5) Dear Adrian,

Happy New Year!

Firstly, can I say I appreciate what is done by the Council and its staff for the City, and as a former employee of a local authority I understand it is often a thankless task...and generally unappreciated by the general public.

Secondly,

Thank you for the information sent regarding the Forum and the proposals for licensing the rental properties within the areas indicated. I am sure there are many properties which ought to be of a far better standard, and there are landlords who ought to be far better in their responsibilities towards their tenants. It is the same across the nation.

Thirdly (and in no way a contradiction to my genuine thanks expressed above)

Having done a quick speed read...my conclusion is....what on earth is this about? I am not an ignorant person but I am having real difficulty reading and understanding over 130 pages of information. It is not the easiest of packages of information I have ever come across. I would wonder if the average landlord will pay the slightest attention to the mass of information here.

My own situation is that I am landlord of a student property with only 4 tenants on a single tenancy agreement. I have previously understood from contact with CCC that this scenario exempts me from any prospective licensing plan. All I need to know is...is this still the case? I am a landlord with an excellent reputation for care and due diligence for my tenants. My attention to their care is one of the USP's the letting agents give prospective student tenants, but I do know that this is not normal...sadly.

Could you simply confirm what I have been previously told, that is I am not part of the criteria this new proposal is intended for...or otherwise? It is not clear or easy to ascertain this from the documents I have downloaded.

(6) Dear Adrian,

Thank you for the clarification. What is the point of having a link in your recent letter to Landlords, which takes you to a map which is unreadable and then a Road checker which doesn't work!

I really do hope this consultation will not be a re-run of the consultation conducted over two years ago, where meetings were only attended by responsible landlords, who it became clear, already meet all the legal requirements and more.

It also became clear the scheme was a blatant money generating measure, designed to extract more money from good landlords, while failing to use the Council powers that do exist, to tackle poor and negligent landlords. What action are you taking to direct your current resources at effective enforcement activity?

What evidence do you have that Licensing Schemes improve Housing standards? How much of the income generated will be spent on creating a new, huge bureaucracy to administer the scheme, rather than spending money on the ground, flushing out criminal Landlords?

How many cases have you taken against criminal landlords over the last three years? How many cases were successful and what were the outcomes i.e. improvements made or fines obtained? How was income used?

Why is [REDACTED] included in this scheme? What criteria has been used?

What improvements do the Council plan to make to [REDACTED] if this Scheme is implemented? Resurfacing the road would be a good start, which is a disgrace, due to the neglect of the Council.

Your scheme has now blighted [REDACTED], while incredibly, nearby roads are outside the scheme! How do you justify these decisions?

I look forward to receiving answers to these questions and to hearing how the Council justifies introducing an outdated and ineffective Scheme.

(7) Dear Adrian,

I am somewhat alarmed that it is being proposed that we will now have two separate criteria running. One existing criteria at a national level, and one at a local level. How does the city plan to correctly attribute the different criteria? It will be a nightmare for Landlords (who, like me, don't fit one national criteria but apparently will now fit the localised criteria)...and a headache for the administration of both schemes. How are the City going to administer both sets simultaneously? It is a recipe for error. I would have thought that aiming the local to match the national (at least in the first instance) to catch those landlords who are having high numbers of tenants in totally unsuitable accommodations would be the priority. These are usually not managed by letting agents, who are legally required to make sure properties are up to standard before they let them. It is the very private (under the radar) landlords where the worse abuse is happening, then the illegal sub-letting which seems to be an increasing market – especially amongst vulnerable tenants (often migrant workers). Perhaps licensing the letting agents to do their job properly could be a place to start.

To have two simultaneous and, in parts, contradictory criteria operating makes no sense. I don't know how CCC are going to administer this without high levels (both time consuming and revenue costly) of appeal. I would have thought that fully and robustly implementing the national license in the first instance would be administratively higher performing. THEN (if it is found that there are still abuses) widen the catchment.

If CCC is like every other authority, then central revenues are falling heavily and there are increasing pressures on services and the need to “get creative” with revenue streams. I do hope this is not a stream in the making. I would have thought that CCC already have enough powers to deal with HMO under current licensing rules.

I shall read more intently the documents you suggest., and complete the questionnaire also. I will keep a keen eye on this proposal. As I live away from the area I would struggle to get to public meetings.

Thank you for the dialogue. It is helpful.

(8) Dear Adrian,

I will look at the information provided about this Scheme.

Please clarify one point. Is the Consultation to decide on introducing a Selective Licensing Scheme or not, or has the Council already decided to proceed and

therefore the Consultation is purely to fine tune some aspects of the proposals within the scheme?

(9) Dear Adrian,

I understand you are inviting comments on the property licensing proposal.

Scotland has a system for licensing properties and landlords and as far as I know this works well. This process together with other quality, health and safety requirements certainly makes landlords focus on ensuring that their property meets a high, regulated standard. However, although the licensing charges are modest, Scotland requires that the individual landlords are personally licensed as well as their properties. They also require that this licence is renewed every three years.

Although this is a good thing, it does penalise good landlords and factor in additional, increasing costs which inevitably pass down to tenants.

I believe that the process for improving substandard let properties could be more quickly attained, if the Council also considered licensing letting agencies.

If properties that were let through 'Licensed Agencies' were automatically approved and enrolled into the scheme, this would consolidate the responsibilities and liabilities Leasing Agents already have in this area. A Licensed Agency would be able to use their influence with landlords to speed up the implementation of any necessary property improvements. Letting Agencies usually undertake a 12-monthly inspection of properties, so they would be well placed to interact with the landlord In the event of any deterioration to a property over the previous 12 months and in the event of non cooperation from the Landlord organise any necessary repairs/improvements by withholding rental payments.

In this way Licensed Agencies would be able to take a great number of properties out of the equation and allow the Council to focus on the remaining properties and landlords.

It would also mean that responsible landlords who already employ a reputable agency to administer and monitor their property would not suffer further bureaucracy and costs.

(10) Dear Adrian,

My apologies for the delay in responding, but have been away.

Thank you for the update on the proposed licensing scheme and whilst I am strongly in favour of Council controls over all rental properties in Coventry, unfortunately I will be unable to attend this workshop.

I wish you every success in setting up the scheme and only hope that it results in the eradication of the many poorly run and maintained rental properties in Coventry.

Thank you for the prompt response.

(11) Dear Adrian,

I note your assurance, but it does seem at odds with the following paragraph on page 13 of the policy:

In cases where the licence is being issued to or on behalf of a new landlord who has never licensed a property before the first licence will run for one (1) year, and the licence must be renewed before it expires. After the first year, the opportunity will be provided to apply for a longer licence, provided all the relevant criteria is met.

By definition, none of us will have ever licenced a property in Coventry before. Because of the huge financial relevance of this point, I'd imagine it will be frequently raised at the consultations.

Can I also ask you, where does the data come from on percentages of rented properties, and how recent is it?

Also, how was the decision made on the perimeters of each proposed area? Including or excluding one or two streets could well completely change the statistical justifications.

I should declare my particular interest - we rent ten properties in Coventry, all relatively (20/30 years) recently built, all one or two bed purpose built flats/maisonettes. Five of these are outside the designated areas and five (not really of different quality of build decoration or surroundings) are on the [REDACTED]). That area is designated, although the % PRA at 19.6% is below the 20% cut-off.

(12) Dear Adrian

Thank you for taking the time to provide such a detailed reply. The map you gave me a link to is so much better, I suggest you provide this to all interested parties.

Regarding the licensing scheme, your clarifications make sense. I can see that tenants would be reluctant to complain for fear of eviction - although in my experience, eviction is a long drawn out process, even for non-payment of rent, costing the landlord even more money in court fees!

I hope the scheme is a success, and that it will achieve what it sets out to do. The material you sent out is complicated, and I would recommend that a simple summary of the scheme and its purposes and the different levels of fees would be a good idea, with the more comprehensive documentation available for those who want further information.

(13) Dear Adrian,

Thank you for the slides of yesterday's meeting by E mail.

We think we should thank you for organising and holding the meeting which was very informative under sometimes difficult circumstances.

We will continue to participate by filling in the questionnaire and in other further consultations and would like to suggest you consider further Landlords Forums in order to improve the Landlord capability in Coventry.

Best wishes

(14) Dear Adrian,

We will be away these dates.

but you need to know I am totally against this as you make it so difficult for us to evict bad tenants(anti-social) you advise them to stay put in there house until the landlord has paid thousands of pounds in the courts to get the bailiffs round and give them notice to vacate ..then they can move ????? .it cost me £5000

Then your housing dept sent me a letter saying I was over paid by something like £50 .when this Romanian gypsy who completely trashed my house costing me nearly £20000 to put right .and £5000 in court fees and rent arrears.

This fee you will be demanding will take a whole years profit from me so I am beginning to think being a landlord to help with my retirement is no longer an option .

(15) Dear Adrian,

Thank you for that. On the video whatever points I'm wrong about (other than my opinion) I'm happy to amend.

I actually agree with what you are doing 100 %

- We need to raise standards and this will do that*
- Rogue agents and landlords need addressing, this will do that*
- You need more staff, the current levels are ridiculous and your staff doing a glowing job with limited resources*

I appreciate now it's not an income for profit generator and the funds raised will go towards funding the department to make this happen.

I do strongly disagree with landlords having to fund it. We already pay tax for services to be provided.

(16) Dear Adrian,

Thanks for your reply

That may be so if we are allowed to pay it over 5 years otherwise it is very expensive especially when we will getting nothing and no help..

(17) Dear Adrian,

I have two questions which I wish to ask you.

Firstly, it is not clear to me on the documentation I've seen, if a landlord has a HMO license, will they need another license on top of this or is it a case, of as long as you have a form of applicable licensing this is suffice.

In addition, a number of my landlords wish to give their opinion on your proposals, how can they do this ensuring their opinion is taken note of and considered in your decision of whether to introduce the new licensing.

Thank you for your time in this matter.

(18) Dear Adrian,

Thank you for your presentation, of February 4th, on the proposals being put forward by the city council for the selective licensing of private rented accommodation, and HMOs not covered under existing regulation.

I have briefed senior management within [REDACTED] as to the strengths and weaknesses of these proposals from our perspective; as an independent advice agency dealing daily with the issues to which these proposals are addressed.

I am happy to say that, speaking on behalf of [REDACTED], we endorse the proposals put forward for both schemes as a positive and timely step in raising standards in both landlord behaviour and the private rented properties they rent.

This endorsement, though, comes with three qualifications. However well-intentioned these schemes are, we believe they cannot succeed unless:

Housing Enforcement can effectively meet the challenge set it,

Areas chosen for the selective schemes are subject to review once more up-to-date data becomes available, and

The council has a contingency plan ready to assess the short term impact of either proposal and respond effectively should that impact (on the availability of affordable rented properties for the homeless) be negative.

Selective licensing of non-HMO private rented accommodation and additional licensing of HMO properties is not a panacea. However, together with a strong commitment to housing enforcement, we believe it can make a real difference to the affordable housing market in Coventry; moving the city closer to a time when struggling tenants don't have to live in fear of losing the roof over their (and their children's) heads due to an arbitrary decision made by an unscrupulous landlord, or being forced to live in desperate housing conditions which generate or exacerbate health problems with all the consequences for work, school and quality of life.

(19) Dear Adrian,

Thank you for your e-mail - I have decided not to attend the meeting as to be honest i see it as a pointless exercise but i understand that as part of the criteria that it has to be carried out. i do however realise that this scheme will be implemented no matter what will be said at the meeting by the landlords - with the council having to self fund and with the scheme given the go ahead - i myself a landlord very much see the importance of all tenants having a high standard and well maintained property to live in - for them tenants to also feel part of the wider community and for

them tenants to also live within that property correctly keeping the outside area clean and tidy with no anti social behaviour for the community. i myself only deal with tenants who are of this standard and correct any issues with tenants if and when they arise - hope that the same can be said for social housing sector and we are not bearing the costs of them not dealing with issues - i am sure that you are fully aware over the last few years of how hard it has become being a landlord with the consent changes and on going implementation of costs through tax, licensing etc - within some cases the landlords having to now sell the properties and sadly having to make tenants homeless who you the council have to try and house with no houses for them - i understand the government is trying to bring houses back to the market maybe one day they will understand that not everyone wants or feels the need to be a home owner and now with the council having little or no properties sadly the matter is only to get worse with regards to homelessness - your reasons for having the scheme are correct by sadly being done in the wrong manner - the landlords and tenants that are causing the issues should be the ones only being penalized - when other landlord and tenants are working hard to make sure that everything is done in the right way - i also understand and have calculated the amount of money that the council could be making on this scheme which i believe far out ways the money that will go back into that scheme and once this goes ahead i will be taking a great interest in how the scheme is running and on how the funding of the money of the scheme has been spent - unfortunately most landlords now have taken the stand that any extra cost put on them by councils/ government/tax etc this will now be forwarded on to the tenant with the rent being put up - sadly yet again in most cases it will be the tenant that loses out and if they do have a dream of owning their own home this is moving further away from them - not all landlords want to make a lot of money some landlords just want to provide people with good homes

I apologise for the quick writing of this e-mail and for any missing spelling or grammar - but i just felt i had to put my point across

(20) Dear Adrian,

With reference to the licencing consultation

I fear what the council are not taking into consideration certain points.

By the end of 2019 the following will be in place by UK Law :

- All Landlords must join a redress scheme. 2019*
- 5 year electrical testing will be mandatory 2019*
- Client money protection for all estate agents to be in place 2019*
- Human Habitation act setting clear standards for housing March 2019*

We already have:

- Gas safe certification*
- UK immigration Right to Rent checks*
- EPC standards*

All of the above I feel is essential for a robust PRS

So what extra value will licencing bring when in reality the above points will already be UK legislation and will be followed by the majority of law abiding TAX paying landlords. Also if they utilise a regulated agency they will be covered by regulation.

Also landlords general costs are escalating with :

- *Section 24 tax changes meaning increased tax bills On going*
- *Tenant fee ban resulting in increased agency fees June 2019*

So rents will escalate with the above, add to this mandatory licensing and its simple to see where rents are heading. At a recent meeting with Mr Chowns some TEN landlords who represent over 1500 let properties all agreed they would be increasing rents

On the point of anti-social behaviour where the council feels this is directly linked to the private rental sector. If the police can't resolve it how do the council think Landlords will ?

Anti-social behaviour when linked to PRS often also equates to rent arrears. Consequently the council will then have to house tenants who have been evicted a cost they can not afford. The insulting point of this is the clear direction by Coventry Benefits team that ALL tenants will be deemed INTENTIONALLY HOMELESS if they move out on a court order, they are made to stay in situ until a bailiff is instructed.

All the Landlords agreed that the council need to be enforcing the law and tenants' rights. What we don't agree with is good landlords funding a department to do so.

(21) Dear Adrian,

Could you please explain how Landlords in [REDACTED] have 'failed to take steps to control anti-social behaviour by their tenants?' What evidence do you have to support this assertion, which has resulted in St. Margaret Road being included in the proposed SLS?

St. Michael's Ward includes Coventry City Centre. What are the respective crime figures for [REDACTED] compared to Coventry City Centre for the years 2016-2018? How do these figures support the Council's decision to include [REDACTED] PRS properties (and other nearby streets) in the SLS?

How many prosecutions have the Police brought for crimes recorded in [REDACTED], (or nearby) between 2016-18? Which of the following crimes listed below do you see as a) the responsibility of Private Sector Landlords to address personally, b) the responsibility of the Police and c) crimes which will be reduced by landlords forced to take part in the SLS? How will the Council monitor success in crime reduction? Which figures will you use as your Base Line?

Types of Crime: ASB/Bicycle theft/Burglary/Criminal damage and arson/Drugs/other crime/other theft/Possession of weapons/Public order/Robbery/Shoplifting/Theft from the person/Vehicle crime/Violence and sexual offences.

At the meeting we attended you mentioned properties built by Coventry City Council. How many properties have been built by the Council and where? Have these properties been built to rent and aimed at the starter/affordable housing sector? Does the Council have any plans to refurbish empty properties within the City and make them available to rent? If so, when and where? How many empty properties are there in Coventry as of February 2019?

Low Housing demand Points 3.7/3.8. The Council's case is that Low Housing Demand/price falls = poor Landlords = anti-social tenants = ASB, is not proven. All but 2 areas listed in Table 2 on p.20 experienced a decline in house prices! Council information states 2015-18 average house prices in Coventry were £171,274 compared to £150,000 in CV1 and £159,000 on [REDACTED]. This proves little other than confirming house prices are different across the City due to local and National events e.g. since 28.1.19 houses prices fell at the fastest rate in 6 years and unsurprisingly Brexit is causing unprecedented turmoil and uncertainty in all sectors, particularly housing. Hardly a good time to introduce SL & AL Schemes based on such dubious data sources. Also, to include roads like St Margaret in a Ward as big as St. Michael's (using the 'mainly in ward' catch all heading) to reinforce the outcome wanted by the Council i.e. that all figures point to an 'influx of unprofessional Landlords' in these wards, is a nonsense.

Please explain what a 'Mixed Community' is and demonstrate how such Communities lead to low or high demand? Please give an example of a perfect 'mixed community' in Coventry. Would a student population in e.g. CV1 lead to figures showing a 'high turnover'? Is this deemed bad? What action have you taken to ensure such 'raw' figures do not distort the CV1 Ward data? St Michael's Ward has both EU/Non-EU Migrants and students due to the University. Isn't this a strength?

We look forward to receiving answers to the questions raised, as all the evidence we have seen points to a flawed Scheme, designed simply to raise money to employ more staff (40!) engaged in administering a Licence Scheme, leaving PRS Landlords, if what was said at the meeting is correct, to be responsible for enforcement!

Just in case the points we made at the meeting were not recorded:

- 1. The Scheme should be scrapped because it targets all PRS Landlords, regardless of whether they already comply with current laws/legislation, or not. Why should good landlords pay for a scheme to manage bad landlords?*
- 2. The Scheme is simply about raising money to fund administration of a new scheme, rather than enforcing existing laws.*
- 3. The scheme charging structure is ridiculous. Comply and you will still be charged £380 for something you do not need! Other Authorities are sensible e.g.*

Peterborough - £50 (instead of £550) is charged for Landlords who are already members of either NLA or RLA.

4. Figures from large wards e.g. St Michael's Ward are deliberately used to draw in as many properties as possible e.g. no attempt to separate out City Centre figures from streets with very low crime figures, within the same ward. All have to be in the SLS. Why?

5. Why is the Council now making Private sector Landlords responsible for ASB? Dealing with ASB must ultimately be the role of the Police. You appeared to be the only person present who didn't appreciate this point.

6. How will you administer Licences for 8,752 properties, visit each property and complete each licence application within 12 weeks?

7. In Year 1, how much income will be generated from 1) SL and 2) AL Scheme Fees? How will this income be allocated?

8. What qualifications, training etc. will new staff have? What do they have to do to make sure we are 'fit and proper persons'?

9. It is not acceptable for Council staff to make unannounced visits to my property. We would not do this to our tenants. Why should you?

10. Why if the SLS & ALS are so good, are the NLA & RLA against these schemes?

11. Why in the space of just over 2 years have Coventry City Council discovered the SLS needs to be introduced in to 13 wards, rather than 1 in 2016?

12. Why is more of the 5 year Licence fee spent on Administration than enforcement? This illustrates perfectly the distorted priorities of these Schemes.

13. How many 'rogue' landlords have the Council fined in the last 3 years?

14. What Laws or Regulations have Coventry City Council used to make sure Landlords comply with Housing Laws, regulations etc?

15. Many of the statistics quoted are from the 2011 Census. How can these figures be relevant in 2019?

16. What has Coventry City Council (CCC) done to reduce the 14,000 housing waiting list?

17. Why is CCC alienating Private sector Landlords when they are the only sector providing substantial numbers of properties, by investing their own money to make properties habitable, increasing the Housing stock?

18. How will the SLS lead to regeneration of for example [REDACTED]?

19. Housing is a whole City issue. Why not create funds raised through Council Tax income, to both pay to refurbish empty/repossessed properties to tackle the housing shortage (money paid back over several years through rents) and fund enforcement, which through the council Tax registration process will identify private rented

properties and Landlords, making it harder for 'rogue' landlords to continue to operate undetected.

*20. Use existing Laws to target and send a message to criminal Landlords. Table 17 is presented as reason **not** to use existing Laws! CCC need to Fund enforcement not more administration.*

21. The First Tier Tribunal process quoted under Housing and Planning Act Enforcement as a reason not to use this approach, as the Tribunal process is "time consuming and resource intensive," is the very process to be used to resolve SLS Appeals! How do you justify this contradiction?

22. "Criteria can be set to reward good and punish bad Landlords." Criteria appears to be given more importance than using the Law. As Landlords how will 'criteria' be used to rewarded or punish us under the proposed SLS?

23. Point 3.8 reveals the Council does know when criminal Landlords move in to an area, but appear to do nothing about it. Why?

24. £6/mth x 5yrs = £360, so why is £380 quoted? There is no cap on the fee charged. CCC can charge what they want from year to year. Want more administrators - fee increased. Not acceptable.

25. Figure 14 - admits CCC does not have LSOA data on PRS by Ward. It is assumed the PRS Housing sector stock is worse due to age. We have replaced, roof, windows, heating, insulation etc, therefore this sweeping assumption cannot be correct.

26. Bureaucracy gone mad. As well as having to join the SLS (on top of our existing RLA membership) we will have to join the CCC Landlord Accreditation Scheme (cost?) and follow the principles of the Private Rented sector Code (if have an Agent) and join the Government Redress Scheme! Also read 148 pages plus of information associated with these schemes, so we know what the Council want to do! How many people will have the time to do this?

*27. Selective Licensing Questionnaire - Questions asked apply to owners of **all** types of properties. whether they have a connection with Coventry or not and does not seek to establish the views of Landlords or tenants about e.g. alternatives to a SL Scheme, process, value for money, efficiency, use of existing Housing Laws, enforcement etc. Where is the question, should compliant Landlords have to pay anything or be responsible for ASB? The Licence holder questions apply to **all** property owners! Re: Management of a property, again some of these points apply to all owners. Kitchen facilities - refers to H & S issues, common to all property owners. Of course these are all 'reasonable' expectations, so all returns will be positive, producing the desired outcome for CCC! Information Pack - the replies are irrelevant, as tenants should receive this information now!*

28. CCC asked to check all gender designations listed are appropriate.

In what tangible way will anything said by ourselves and everyone else who attends the consultation meetings, have on influencing the proposed Licensing Schemes? All

the CCC text is written in terms of, the schemes are going ahead regardless of what you think. We just want to have your 'input on the way the schemes could operate', but then take exception or appear to ignore points made, when we do not agree with what is proposed!

Yours sincerely

(22) Dear Adrian,

I think the Coventry area has needed this for a while, with properties in poor condition, and landlords wanting premium rents without the premium properties. You are more than welcome to use any comment you feel necessary. I went through a similar process some years back with the implementation of the decent homes standard for Social Housing tenants, and the private sector has needed to play catch up for a long time.

Looking forward to working with you in the future – exciting times ahead.

(23) Dear Adrian,

I have read, albeit quickly, the information regarding proposed property licensing for private landlords in Coventry. I live in [REDACTED]. I have completed the questionnaire but would like some further points to be taken into account.

I am amazed that only part of [REDACTED] is to be included in the designated area for licensing. I live in the part of the estate that is not covered and clearly we do have problems too. Why do you consider that a portion of the estate should be licence free? We are one area surrounded by [REDACTED] and as such should be treated as one estate. As soon as owner occupiers move or die the landlords swoop into our street to purchase these homes because they are mainly smaller properties which landlords can rent out cheaply so these properties attract those on lower incomes. I moved to this property after a divorce in 1993 and decided I would need to live in a smaller property which I could afford to run in my retirement. Now half of this street is tenant occupied. Households used to be single occupiers or elderly or childless older couples. Now we have younger community and some families of 4-7 people trying to live in a tiny two bedroom houses because that is all they can afford at the extortionate rents being charged. I strongly object to our small area not being included in the whole designated area of Clifford Park Estate.

Sadly to say in most cities often the tenant doesn't report things to landlord because he's not bothered because it's not his property. When things are reported the Estate Agent doesn't address the situation and certainly not quickly and very often the landlord doesn't want to address the problem as it may require money to fix and that would eat into his monthly profit. So tenant, agent and landlord don't care, as long as the rent is being paid, which leaves the householders on either side of tenanted property to suffer the consequences.

The property licence fee should not just be to protect tenants it should work to protect neighbours of those properties too so that everyone on the estate can live in harmony and enjoy a good and equal quality of life.

If the licence fee was to be afforded by the Coventry Council Tax payer then I would expect all areas of Coventry to be included in this programme; after all all taxpayers would be contributing. There is no point having a licence fee if you cannot compel the landlord to address the tenant's behaviour. This would ensure that the City as a whole had improved standards and conditions.

It may be tenant agreements differ but I think most contracts require the tenants to cut lawns, weed gardens, clear rubbish, put out their bins regularly and trim bushes and keep area free of rubbish. However these people don't always seek to live such a tidy life. With many of the tenants that have lived next door to me they only cut the grass once during the season and that is before they leave the property so they can get their deposits back. Weeding is a definite no-no so grass grows into the flowerbeds and even the weeds grow over the footpaths on some properties in this street. Rubbish is left at the property when tenants leave; they usually fill the recycling bin with none recyclable stuff just to get rid of it which is left in the street or in the back garden. I know one new tenant asked the landlord to get the bins emptied so he could use them and the landlord refused and said it wan't his rubbish and the new tenant was left to sort the bins and dispose of the rubbish at the tip. (The landlord could have driven once to the tip - problem solved and respect between landlord and tenant would have prevailed).

As we have said many tenants are on low incomes so if the landlord wishes the grass to be cut then surely he has to provide a lawnmower? If the tenant took the lawnmower with him when he vacated the property then the landlord would have every right to delete the cost of that item from the return deposit. Why do tenants have such low I.Q. that they think it is acceptable to leave bottles, cans and paper rubbish lying outside of the garden gate when a wheelie bin is provided, this is just laziness and a disregard for neighbours quality of life.

I have to say the standard of repairs when carried out leave a lot to be desired. These repairs are done at the cheapest cost by people clearly having no relevant experience and add to the downgrade of the property. WHY OR WHY do landlords think that tenants should live in properties where the paint is peeling off, the wood rotting and the plastic windows and doors are filthy? Surely the licence should stipulate that properties are to be painted every ten years at least!

*I do hope my points will be taken into consideration and hopefully addressed because it didn't take your report for us to know that our house prices are not keeping pace with inflation because the area is declining. **Again, it is the less well off in society that suffer the consequences of social change.***

(24) Dear Adrian,

The vast majority of people want to live in a safe, predictable world and will do right by others. There however always going to be some that wish to do harm to others, not live up to their social or legal obligations and flout the law. Fortunately over the

years the various departments that help organise and run the country have been given the powers to tackle these problems and, in reference to our particular discussion, prosecute rouge landlords.

I have a number of issues with your proposed licensing scheme:

- 1) The problems you are proposing it will tackle you already have the powers to tackle. What you don't have is the ability to identify the rouge landlords in the first place and tackle them head on. Even when you have a route to identifying them you do nothing. Earlier this year I read the following: "Exclusive figures were obtained by CoventryLive from Freedom of Information requests made by the Residential Landlords Association. Experts have warned that "landlords are breaking the law" and "getting away with murder" following the revelation that a total of 675 complaints were made to [Coventry City Council](#) against rogue landlords in 2017/1 but that there were no prosecutions".
- 2) You state it will be cost neutral. Your spreadsheet might well be structured in such a way to show that but clearly as you and your department already exist, and has existed for a long time, and you already have the powers to do the things stated under the heading of "benefits a licensing scheme" the budgeted allocated to run your team has clearly been identified as an area where a cut can be made but recouped elsewhere. Where do you recoup the cut from? You target the easy to identify, law abiding landlords to replace your shortfall and low and behold it is cost neutral.
- 3) You claim rents will not go up and that market forces will prevail. I think your timing on this is clever as I think in the short term rents will stagnate and may even drop slightly but it will be nothing to do with your licence. Rents will stagnate for the short term due to the influx of purpose built student accommodation blocks with approximately 10,000 new rooms are coming online over the next couple of years. However with the population of Coventry expanding and with both universities planning on growing by 13,000 students the demand for accommodation will once more outstrip supply and rents will rise. Why will they rise? Because all of these landlords, including the ones that have been purpose built, don't just have costs to meet but a margin that they need to make. When that margin is eaten away by higher costs then the market will respond, not as one and not as one lump sum directly mirroring your licence but make no mistake as costs go up rents will go up. Your licence is one of those costs and rents will rise as a direct result of the costs you are putting on accommodation in Coventry.
- 4) As I read it you are planning on charging two fees on some properties in certain areas if they are HMOs. How the in god's name is that fair? The majority of the points on both licences are identical so why are you charging some landlords twice? See point 2 for the answer.
- 5) Has this scheme worked elsewhere? No. I speak from personal experience as I have property in Newham as well as in Coventry and it has not changed anything about how I operate, what I do for my tenants or how they work with me. What has it done? The rent has gone up. Why does she stay when there are cheaper places in London without a licence? Because it's a good

property, well maintained, in a good area with landlord that cares and that she can communicate with. Has it made any difference to the tenants and the neighbours of rouge landlords in Newham? Not one bit because like you Newham already had the powers to tackle rogue landlords and what they lack is the ability to identify those rogue landlords and tackle them head on.

I would urge you to reconsider implementing these licences for the good off both landlords that obey the law and tenants that will end up paying higher rents. I would urge you to stop spending public money on a marketing campaign to justify what you are doing and focus the money on ways or targeting rogue landlords that will genuinely benefit tenants who are suffering in appalling conditions.

(25) Dear Adrian,

You guys are really taking advantage of landlords.

It's ridiculous what level the city council will go down too to make money from hard working people.

This is my pension !! I have great families and look after my homes, your a bunch or white tie theives !

(26) Dear Adrian,

Thank you for your reply. I did find the meeting useful and your e-mail has clarified things for me in relation to how it would impact [REDACTED].

Although I can understand landlords concerns regarding additional costs they will incur, I do think that any measure designed to raise the standard of rented accommodation in the City and address issues around ASB has to be a good thing.

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Houses in Multiple Occupation Licensing Policy

JANUARY 2020

COVENTRY CITY COUNCIL – PLANNING AND REGULATORY SERVICES

1 | Page

Coventry HMO Licensing Policy and Procedures

Contents

Introduction.....	3
HMO Licensing in Coventry	3
Licence Fees.....	4
Processing the application.....	7
Tests for fitness etc. and satisfactory management arrangements.....	7
The fit and proper test	9
Consideration of 'Persons Associated or Formerly Associated' with the Proposed Licence Holder or Manager.....	12
Issuing a Licence.....	12
Renewal Applications	13
Application for a revocation or variation of a licence	14
Licence Criteria.....	14
One year Licences	189
Licence Renewal	199
Fire Risk Assessments for Licensed HMOs.....	19
Coventry Landlord Accreditation Scheme (CLAS).....	19
Will Tacit Consent Apply?	20
Public Registers.....	20
Appeals.....	20

Introduction

Under Part 2 of the Housing Act 2004 there are two types of licensing schemes that relate to Houses in Multiple Occupation (HMOs), the national Mandatory HMO Licensing scheme and Additional Licensing of HMOs.

Under the national Mandatory HMO Licensing scheme all properties that meet the following criteria will require a mandatory HMO licence:

- Is occupied by five or more persons;
- Is occupied by persons living in two or more separate households; and meets—
- The standard test under section 254(2) of the Act;
- The self-contained flat test under section 254(3) of the Act but is not a purpose-built flat situated in a block comprising three or more self-contained flats; or
- The converted building test under section 254(4) of the Act.

Additional Licensing of HMOs covers those HMOs that are not licensed under the Mandatory Scheme but where the Council has used its power to designate areas of the city subject to Additional Licensing of HMOs.

This document sets out the structure of the scheme and the fees and charges and criteria Coventry City Council will apply to all licences in relation to the Mandatory and Additional HMO Licensing schemes.

HMO Licensing in Coventry

Coventry City Council has a responsibility under Section 55 of the Housing Act 2004 to secure the licensing of all Mandatory HMOs and has been implementing its scheme in response to this duty since 2006.

On the 4th May 2020 Coventry City Council also designated the whole of its area subject to Additional Licensing in respect of the following types of HMOs:

- HMOs of any size of building that are occupied by three or four persons; and
- S.257 HMOs where all of the self-contained flats are let and occupied by tenants.

The HMO Licensing schemes in operation in Coventry therefore cover all HMOs and all licence applications are to be accompanied with a fee determined by the Council. Once a licence is issued it is not transferable.

The Council has exercised its powers to charge under Section 63(3) and (7) of the Housing Act 2004 and does so taking into account the Provision of Services Regulations 2009, which themselves implement the EU Services Directive.

Under Part 2 of the Housing Act 2004, an HMO is required to be licensed unless:

- a temporary exemption notice is in force in relation to it under section 62, or

- an interim or final management order is in force in relation to it under Chapter 1 of Part 4.

The Council must take all reasonable steps to secure that applications for licences are made to them in respect of HMOs in their area which are required to be licensed under this Part but are not.

In the event that a building has multiple units of accommodation i.e. in the case of student 'cluster' flats, contained within it the Council will require a separate application and fee for each of the units within the building that constitute an HMO. The Council will consider each application on its own merits and will take the following factors into account before deciding to issue an HMO licence or not;

- The level of occupancy and the ratio of sharing one or more basic amenity i.e. a kitchen, toilet or bathroom;
- Whether each of the HMOs within the same building are within common ownership and management control.

Where it is identified that each "cluster" is an HMO within a building with other similar units of accommodation then the Council may decide that individual HMO licences should be granted for all of them. It will give notice of this to the applicant and every relevant person and there is a right to appeal this decision, notwithstanding the grant of these licences.

In cases of a registered 'not for profit' charity i.e. Cyrenians or an individual housing provider, such as a private landlord or organisation who is assisting the Council by offering permanent accommodation to meet our homelessness duties applications will be accepted, for the particular property being provided without a fee being payable. An assessment of the organisation will then be carried out and if appropriate the Council will determine the application and issue a licence without requiring any fee. Each case will be considered on its merits based on the type of individual or organisation submitting the application and the removal of the fee requirement will only be applied to the licence for the house being provided for homelessness purposes.

Licence Fees

Section 63 of the Housing Act 2004 permits the Council to require any application for a licence under Part 2 is accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

In developing its fee structure the Council has had regard to the European Court of Justice ruling in *R (Hemming) V Westminster City Council* (Case C-316/15) and the High Court decision in *R (Gaskin) v LB Richmond Upon Thames* (2018) EWHC 1996 (Admin) which held that the EU's Provision of Services Directive, which is enshrined in UK law as the Provision of Services Regulations 2009 should apply to property licensing fees and the processes involved in implementing and delivering such schemes.

Coventry HMO Licensing Policy and Procedures

The Services Directive in particular should be interpreted as precluding charging in advance for costs other than those directly related to the authorisation process of the scheme. In other words, the Council is not permitted to demand fees in advance for anything other than the costs of administering the application for a licence even if it makes it clear that unsuccessful applicants are provided with a refund of the remaining part of the fee. The Council may legitimately recover its wider costs, over and above those relating to the administration of applications, but this should be at the point at which the Council has determined that a licence is to be granted.

The judgements in *Hemming* and *Gaskin*, which require the overall licence fee to be paid in two stages, has therefore had the effect the fee for an Additional Licence under Part 2 of the 2004 Act must be levied in two separate parts.

The Council is not allowed to demand fees in the Stage 1 process for anything other than the costs of administering and processing the application for a licence. Furthermore, this element of the fee is non-refundable should the application be unsuccessful.

In the case of Stage 2 payments these can only be requested if the initial application is successful and will be charged to cover the costs of running and enforcing the scheme.

As such the Council, when setting its fees, has adopted the two-stage approach. All fees and charges will be reviewed on an annual basis and the following tables set out those fees for the period commencing 1st April 2019. Fees and charges will be reviewed on an annual basis.

Table 1- Fees and Charges

Stage	Type of Licence	Fee
Stage 1 Fee – Payable at the time of making the application	1-year licence (Category A)	£ 450.00
Stage 2 Fee – Payable once the Council has determined to Grant a Licence.	1-year licence – where landlord has been found to be operating an unlicensed HMO.	£ 800.00
Total Fee		£ 1,250
Stage	Type of Licence	Fee

Coventry HMO Licensing Policy and Procedures

Stage 1 Fee – Payable at the time of making the application	1-year licence (Category B)	£ 450.00
Stage 2 Fee – Payable once the Council has determined to Grant a Licence.	1-year licence – where the landlord is licensing a new HMO without being identified as part of the Council proactive enforcement regime.	£ 605.00
Total Fee		£ 1,055.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	2-year licence – subject to criteria (Category C)	£ 450.00
Stage 2 – Payable once the Council has determined to Grant a Licence.	2-year licence.	£ 255.00
Total Fee		£ 705.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	5-year licence – subject to criteria (Category D)	£ 450.00
Stage 2 – Payable once the Council has determined to Grant a Licence	5-year licence.	£ 190.00
Total Fee		£ 640.00
Stage	Type of Licence	Fee

Coventry HMO Licensing Policy and Procedures

Stage 1 – Payable at the time of making a Renewal Application.	Renewal of licence – subject to criteria for 2- and 5-year licences (Category E).	£ 450.00
Stage 2 – Payable once the Council has determined to Grant a Renewal of a Licence	Renewal of licence.	£ 95.00
Total Fee		£ 545.00

Under Section 67 (5) of the Housing Act 2004 the Council has the power to impose a restriction/ obligation on a particular person (with their consent). In accordance with this power the Council will require the licence holders consent to pay the Stage 2 fee in advance of the licence being issued, this will be required as part of the application process.

In addition, the Council will attach a condition to all HMO licences requiring this obligation to be met i.e. to pay the Stage 2 fee. This approach is consistent with that set out in the *Hemming* case.

Failure to make the Stage 2 payment will result in the Council taking action through, either the revocation or refusal of the licence or by enforcing the non-compliance of the licence condition associated with the making of the Stage 2 payment.

Processing the application

Under the Housing Act 2004 the Council can either grant or refuse a licence. In determining whether to grant or refuse a licence the Council must satisfy itself of the following:

- That the proposed licence and manager of the HMO is a fit and proper person and the most appropriate person to hold the licence; and
- That there are satisfactory management arrangements in place or that such arrangements can be put in place by the imposition of conditions in the licence.

Tests for fitness etc. and satisfactory management arrangements.

Coventry City Council must be satisfied that “the proposed management arrangements are satisfactory” before granting an HMO licence. Those arrangements include (but are not limited to) consideration of whether:

- the persons proposed to be involved in the management of the premises has a sufficient level of competence to be involved;

Coventry HMO Licensing Policy and Procedures

- the persons proposed to be involved with the management of the premises are actually involved in the management
- those persons are 'fit and proper' (which is discussed above) and
- the proposed management structures and funding arrangements are suitable.

If there are concerns about the competencies and structures in place to manage the HMO then conditions can be imposed on the licence to ensure that the necessary arrangements are in place. However, if such conditions will still not be possible or practical to impose then it may be necessary to refuse to grant a licence.

It is for a Council to determine whether a person has sufficient competence to be involved in the management of HMOs and, of course, the level of competence required will in some measure be determined by the complexity of the management challenges posed. The Council will, therefore, be looking at the applicant's experience and track record of managing HMOs and, in particular where he/she is the existing manager, the premises to which the application relates. In most cases landlords who belong to a recognised trade association or are members of an accreditation scheme will be regarded as having the necessary competence to be involved in the management of the premises because, at least such organisations can be called upon for advice and assistance where necessary.

The management structures must be such that the manager is able to comply with any licence conditions and deal with the day to day operation management issues that arise as well as being able to deal with longer term management issues. In considering whether the structures are appropriate the Council may take account of the following:

- evidence as to whether the systems in place are sufficient to enable the manager to comply with any condition of a licence or if such systems can be put in place through a condition of a licence to ensure compliance;
- evidence of the systems for dealing with:
 - i) emergency repairs and other issues
 - ii) routine repairs and maintenance to the premises and its curtilage
 - iii) cyclical maintenance
 - iv) management and the provision of services (if any) to the building and its curtilage
 - v) management of tenancies or occupants
 - vi) management of the behaviour of tenants, occupants and their visitors to the premises
 - vii) neighbourhood issues (including disputes)
- evidence of structures for engagement with the local authority, police and other agencies, where appropriate

In order to be able to demonstrate much of the above evidence it is likely that the manager will need to operate within a reasonable proximity to the HMO, so that he/ she can attend to matters promptly and retain an overview on the condition of the premises and the management of the tenancies.

The Council must also be satisfied that the financial arrangements relating to the HMO are suitable. In that regard the manager must be sufficiently funded or have access to funding to carry out his obligations under the licence and his/her general management functions.

Coventry City Council can vary or revoke a licence at any time during the licence period if there is sufficient evidence to support these decisions. Unannounced visits of licensed properties will therefore be undertaken during the licence period to check for compliance with the licensing and management regimes which apply. This is consistent with the powers provided under Section 239 of the Housing Act 2004.

Breach of any such legislation is a strict offence for which further action will be taken. The Housing, Health and Safety Rating System (HHSRS) also applies to rented properties and (if appropriate) remedial works can be enforced via this legal mechanism separately to the powers provided under the licensing scheme.

The Fit and Proper Test

In deciding to grant a licence Coventry City Council must be satisfied that the proposed licence holder “is a fit and proper person to be the licence holder ...” and that “the proposed manager of the house is a fit and proper person to be the manager of the house ...”

This requirement is to ensure that those responsible for operating the licence and managing the HMO are of sufficient integrity and good character to be involved in the management of the particular residential premises to which the application relates and as such they do not pose a risk to the health, safety or welfare of persons occupying and visiting the HMO.

When considering whether a person is ‘fit and proper’ Coventry City Council will have regard to any misdemeanours (wrong doings) of the relevant person concerned. This is evidence that the person has:

- committed any offence involving fraud or other dishonesty, violence or drugs and certain types of sexual offences;
- practised unlawful discrimination on the grounds of sex, colour, race, ethnic or national origins or disability, in connection with the carrying out of business;
- contravened any provision of housing or landlord and tenant law; or
- acted otherwise than in accordance with an approved code of practice.

Coventry HMO Licensing Policy and Procedures

The above list is not exhaustive, and Coventry City Council can and will consider whether a relevant person has committed other relevant misdemeanours, for example, discrimination under Regulation 5 of the Equality Act (Sexual Orientation) Regulations 2007. A relevant person will not be deemed unfit, simply because of poor management, although this is highly relevant to determining any question of suitability or competence.

Coventry City Council do not adopt a blanket policy with its consideration of factors under a fit and proper person test. Each case will be considered on its own merits and regard will be had to information provided / omitted from an application form; historical information already held by Coventry City Council relating to the premises and / or any relevant person connected with the licence application.

In an application for a licence the applicant must provide details of the following in relation to him/herself and the proposed manager (if the applicant is not to be the licence holder):-

- unspent convictions;
- any findings of a court/tribunal that the person has practised unlawful discrimination;
- any judgement entered against that person in relation to a contravention of housing or landlord and tenant law (and, in so far it relates to the housing or landlord and tenant law, any contravention of any enactment relating to public or environmental health);
- any control order made in respect of any HMO under his/her management or ownership (and in respect of any former HMO he/she owned or managed);
- any enforcement action in respect of any house or HMO under his/her management or ownership (and any former HMO or house he/she owned or managed) under the housing health and safety rating system in Part 1 of the Housing Act 2004 so far as that enforcement action related to a category one hazard;
- details of any refusal to grant a licence, or details of the revocation of a licence granted for non-compliance of a condition or conditions in respect of any house or HMO under his/her management or ownership (and in relation to any former HMO or house he owned or managed);and
- details of any interim or final management orders made by an LHA in respect of any house or HMO under his management (and in respect of any former HMO or house he owned or managed).

An applicant for a licence must disclose any misdemeanours which relate to themselves, the proposed manager and any other relevant person, if any. Coventry City Council should therefore have sufficient information to decide a person's fitness based on the application.

If Coventry City Council are not satisfied that it has sufficient information (being that supplied in connection with the application) to make a determination, it may require the applicant to provide further details and / or undertake their own further enquiries with other relevant Council departments and external bodies as it deems necessary, including for example Disclosure & Barring Service checks (DBS).

The completion and signing of the Licence application form will be taken as an agreement to any such action and the sharing of information between other Local Authorities for all relevant persons associated with the property and application.

Checks will also be made internally with other Council departments such as Licensing, Trading Standards, Planning, Building Control, Council Tax and Housing Benefit.

Coventry City Council are also able to request information on criminal convictions, and although this is not undertaken as a matter of routine a Police National Computer (PNC) check will be requested where there is sufficient evidence that this is necessary. A PNC check may also be requested for the purposes of officer safety during the course of the licensing application should this also be considered necessary.

Such reasons for a PNC check may include that:

- Coventry City Council have evidence of a history of complaints or problems with the landlord (which in themselves might not amount to 'evidence' of unfitness to meet the test), but further investigation may be required;
- the applicant has been evasive or untruthful in their application for a licence;
- the applicant, or proposed manager, is unknown to Coventry City Council and has not demonstrated any history or competence of managing HMOs or other private rented properties;
- Coventry City Council has reasonable grounds to suspect that the applicant, or the proposed manager, has committed an offence which is relevant to the determination of any question of his/her fitness; or
- The premises provide accommodation mainly to vulnerable persons. In deciding whether a misdemeanour (including a criminal offence) is relevant to the determination of a person's fitness a Council may wish to consider the following factors:
 - i) the relevance of the misdemeanour(s) in relation to the person's character and integrity to manage residential premises and in particular the type of premises to which the licence relates;

- ii) the seriousness of the misdemeanour(s) in terms of impact, or potential impact, upon the residents and the wider community, including if more than misdemeanour has been carried out the cumulative impact;
- iii) the length of time since any misdemeanour; and
- iv) any mitigating circumstances.

Consideration of 'Persons Associated or Formerly Associated' with the Proposed Licence Holder or Manager.

If there is evidence that a person associated, or formally associated, with the person proposed to be the licence holder or manager of the HMO, has committed any misdemeanours, that evidence may be taken into account in determining the proposed licence holder's or manager's fitness (even if that person has himself or herself an unblemished record).

The purpose of this requirement is to ensure that only fit and proper persons hold licences or are in any way involved in the management of licensed HMOs. It would not be appropriate for a licence to be granted to someone, or for someone to be the manager of a property, if that person was merely acting as a 'front' for someone else who, if he or she were not unfit, would be entitled to be the manager or licence holder.

An example might be that of a husband and wife, where the husband is the landlord (or indeed both he and his partner are joint landlords), but only the wife has applied for the licence. If there is evidence that the husband has committed misdemeanours and those misdemeanours are relevant to the wife's management of the property or licence, then the Council may refuse to grant her a licence.

Likewise, if a landlord with an unsatisfactory record nominated a "manager" who had a clean record but had acted for him whilst the misdemeanours were committed, Coventry City Council may consider the managing agent by association to be unfit too.

Issuing a Licence

All HMOs subject to licensing will be inspected prior to the issuing of a draft licence to ensure that the HMO is reasonably suitable for occupation by the number of people being requested on the licence application and to ensure that there are satisfactory management arrangements are in place.

All HMOs will also remain subject to further inspections during the lifetime of the licence to check compliance with licence conditions, management responsibilities and minimum standards. In certain cases, the Council may decide to carry out such inspections without prior notice being given to the owner, licence holder and /or manager. This is consistent with the powers set out in Section 239 of the Housing Act 2004.

Coventry HMO Licensing Policy and Procedures

Failing to comply with any conditions on a licence is an offence under Section 72(3) of the Housing Act 2004 and, if found guilty the licence holder could face a prosecution or issued with a Civil Penalty of up to £30,000.

In cases where the licence is being issued to or on behalf of a landlord who has been found to be operating an unlicensed HMO the first licence will run for one (1) year and the licence must be renewed before it expires. After the first year, the opportunity will be provided to apply for a longer licence, provided all the relevant criteria is met.

The Council considers this approach is justified in furtherance of the overriding public interest of improving the standard of rented properties and their management.

Where the inspection has been pre-arranged then all applicants will be required to provide access to all rooms in the HMO at a suitably arranged appointment.

All contact with the licence holder and relevant person(s) will be made using the contact information provided by the applicant on the original application. Accordingly, it is the licence holder's responsibility to ensure that all contact details are up to date and you must notify the Property Licensing Team of any change in details. The Property Licensing Team will not be held responsible for any delay in communication if it is as a result of any contact information changing.

A draft licence with conditions will be issued based on the findings from this inspection. The draft licence (known as an Intention Notice) will be emailed to all relevant persons and other interested parties for consultation.

The relevant persons will have an opportunity to make any representations, which will be considered by a Senior Officer.

When this process is complete a full licence with the conditions (known as the Decision Notice) will be issued. Again, copies will be sent to all interested parties.

If the licence holder is still dissatisfied with the conditions of the licence, they will have an opportunity to appeal to the First-tier Property Tribunal. The details of how this appeal can be made will be provided with the Licence.

Renewal Applications

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012 set out amendments to "renewal applications", which reduces the burden on landlords applying for the renewal of a licence.

In the case of renewal applications and applicant must provide a complete application form and sign the declarations provided.

It is important to note that the regulations define a "renewal application" as "*an application for a licence under section 87 of the Act where, at the time the application is made a licence of the kind applied for is already held by the applicant and has effect in respect of the HMO or house*".

The effect of this part of the Regulations is that order for the Council to treat any application as a “renewal” the application must be made during the active period of the current licence. If a renewal application is received on or after expiry of the current licence, then the application will be treated as a new application and the appropriate fees above will apply.

Application For a Revocation or Variation of a Licence.

If circumstances regarding the HMO change during the licence period, for example a change in the number of letting units, the licence holder must notify the Property Licensing Team directly so the licence can be re-assessed and varied if the HMO is considered suitable to accommodate the variation request.

Similarly, if the HMO is no longer going to be occupied as an HMO or the licence holder changes, then the licence holder must make an application for the licence to be revoked. Any remaining period of the licence will be forfeited and there will be no right to refund of the original payment.

Licence Criteria

A valid application consists of:

- An application form submitted
- Fee payment
- Signed declaration returned

Once a valid application is received the Council will assess each application on its own merits against relevant criteria. The Council has discretion to offer any length of licence it considers appropriate and upon receiving a valid application will take account of the following factors before a decision on the length of licence is made:-

- Previous history (if any) - timely licence applications; compliance with previous licence conditions; outstanding licence conditions; satisfactory certificates provided; history of non-compliance with other council departments i.e. planning;
- Management and maintenance of the HMO – history of previous formal action taken by the Council where there have been concerns about management or poor property conditions;
- EPC Rating – minimum rating of EPC E or above is a legal requirement;
- Provision of a Fire Risk Assessment;
- Accreditation; and
- Adherence to the principles set out in the [Private Rented Sector Code of Practice](#)

In the case of Managing Agents (with sole or joint management responsibility) the following criteria will also apply:-

- 50% or more of the company’s employees are suitably qualified in property management;
- All employees carry out regular continued professional development; and

Coventry HMO Licensing Policy and Procedures

- The company is registered with a recognised professional association

Should any issues arise, or new information be discovered after the licence is issued, Coventry City Council reserves the right to revoke the licence. If any relevant person is found to have provided false or misleading information or made a false declaration, we may take enforcement action against them separately.

It is the responsibility of the proposed licence holder and manager(s) to meet all the eligibility criteria for the licence and provide all necessary evidence when requested. If all requested documentation is not provided in time, the Council will automatically assess the application based on the evidence we hold and issue a licence accordingly.

Table 2 provides a summary of the key requirements.

Table 2- HMO Licence Criteria

Factor	1 year If one criteria applies, then will get 1-year licence	2 year Must meet all criteria to obtain 2- year licence	5 year Must meet all criteria to obtain 5- year licence
Experience	<ul style="list-style-type: none"> • Entry level for new landlord - no previous history to allow judgement on management practice. • Poor management – see below 	<ul style="list-style-type: none"> • The agent must have full management control to be the licence holder • Where the landlord wishes to be the licence holder and has an agent, the agent must have full management control to take advantage of the two-year licence • Good management – see below 	<ul style="list-style-type: none"> • Accredited Landlord or Agent • Sign up and adhere to the Private Rented Sector Code of Practice • Arrangements in place for regular maintenance / repairs i.e. British Gas Homecare or similar • Cleaning contracts • Cyclical maintenance programme i.e. similar to requirements

		<ul style="list-style-type: none"> • Introduce pathway to accreditation – attend one day training 	<p>of decent homes standard</p> <ul style="list-style-type: none"> • 50% of agents employees have approved qualifications • Evidence of CPD for employees • Membership of other professional association – RICS, ARLA
Application history	<ul style="list-style-type: none"> • Application history is poor – application, fee, documents not submitted on time. • 1 or more reminder needed after initial reminded to renew • Referral to enforcement to obtain certificates • Referral to enforcement to chase application 	<ul style="list-style-type: none"> • Good application history • All documents submitted on time • No subsequent reminders needed after initial reminder • Clean 'Bill of Health' from other internal and external depts... planning, Building Control, Police, HMRC, Immigration (BA) 	<ul style="list-style-type: none"> • No reminders needed - Agent or Landlord takes full responsibility for ensuring certs are uploaded/ provided on an annual basis i.e. gas. Part of 'dip' check • Provide copy of management arrangement and terms of business • Provide DBS check if landlord to be licence holder and agent only management responsibility

Coventry HMO Licensing Policy and Procedures

<p>Certificates required during licence</p>	<ul style="list-style-type: none"> • Certificates not submitted on time • Referral to enforcement to obtain certificates 	<ul style="list-style-type: none"> • Certificates submitted as per licence conditions 	<ul style="list-style-type: none"> • Agreed audit approach • As above in application re: submitting certs without reminders and sign to accept that 'dip' check can be carried out on cases without notice.
<p>Licence conditions</p>	<ul style="list-style-type: none"> • Conditions not completed on time (either at revisit but before new licence or conditions carried over) 	<ul style="list-style-type: none"> • Conditions completed on revisit 	<ul style="list-style-type: none"> • No additional conditions / no need to revisit. • No properties with EPC F or below
	<ul style="list-style-type: none"> • Fire Safety conditions on licence 	<ul style="list-style-type: none"> • No fire safety conditions 	
	<ul style="list-style-type: none"> • Amenity conditions on licence (bathroom or kitchen works) 	<ul style="list-style-type: none"> • No amenity conditions 	
	<ul style="list-style-type: none"> • Serious health and safety / disrepair conditions e.g. trip / fall hazards; heating requirements; windows need replacing 	<ul style="list-style-type: none"> • No additional conditions minor issues e.g. decorations, damp due to tenant lifestyle may be accepted if being addressed 	
	<ul style="list-style-type: none"> • Repeated requests to extend time to complete work 		

Coventry HMO Licensing Policy and Procedures

Service requests	<ul style="list-style-type: none"> • 3 or more justified service requests 	<ul style="list-style-type: none"> • 1 or 2 justified service requests 	<ul style="list-style-type: none"> • No justifiable service requests
Inspections	<ul style="list-style-type: none"> • Missed appointments or over 10 mins late • Difficult to arrange inspections – keep changing date / time • Access prevented to some rooms – need to go back 	<ul style="list-style-type: none"> • No missed appointments • Where running late, Council is informed • No difficulty arranging appointments • All rooms available to inspect 	<ul style="list-style-type: none"> • Carry out themselves every 6 months and at beginning and end of tenancy. • Council required to inspect through audit process • 'Dip' check to look at Fire Log book
Fire Risk Assessment completed	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • Yes 	<ul style="list-style-type: none"> • Yes
Benefits to landlords	<ul style="list-style-type: none"> • Yearly inspections from Council to ensure property is maintained (increased inspection fee) 	<ul style="list-style-type: none"> • Reduced fee • Reduced inspection regime 	<ul style="list-style-type: none"> • Reduced fee • Reduced inspection regime • Audit / spot check scheme to check compliance – reduced workload • Self-regulation monitored by LA • Included on Council approved agent list?

One-year Licences

Annual licences will normally be issued to those landlords who are found to be operating an unlicensed HMO through proactive visits carried out by the Council. In cases such as these it is likely that the landlord may also be subject to a formal investigation by the Council – given that they have been found to be operating an unlicensed property. This may affect their eligibility as licence holder or manager so

they will be required to nominate an alternative competent person to be licence holder/manager.

Licence Renewal

It is important that a renewal application is submitted before expiry of the current licence otherwise it may be determined that this is a new application and additional information will be required. A different fee may also apply to reflect the increased time involved in processing the application.

Fire Risk Assessments for Licensed HMOs

Having a fire risk assessment for a licensed HMO is a legal requirement under the Regulatory Reform (Fire Safety) Order 2005, which is enforced by West Midlands Fire and Rescue Authority.

The duty is placed on the 'responsible person' who could be the landlord/licence holder or an agent with full management control. The assessment must be 'suitable and sufficient', and assistance from an appropriately competent person should be sought as necessary to achieve this.

The Council will accept a signed self-certification forms declaring that a suitable and sufficient fire risk assessment is in place for the HMO, however the Council may request and audit the fire risk assessment and other records at any time during the lifetime of the licence. If any documents requested cannot be provided within 7 days of the request, the Council may revoke the licence.

The acceptance of a fire risk assessment/self-declaration does not protect the responsible person from any action required by West Midlands Fire and Rescue Authority.

Further information and guidance on completing a fire risk assessment is available from the [Chief Fire Officers Association](#) and the [Gov.uk website](#).

Coventry Landlord Accreditation Scheme (CLAS)

The Council has developed its own accreditation scheme called Coventry City Council Landlord Accreditation Scheme (CLAS).

Being accredited by the Council is one step toward being eligible for a five-year licence.

Further details of the Council's accreditation scheme can be found here www.coventry.gov.uk/landlordaccreditation or you can email the Property Licensing Team to find out more information clas@coventry.gov.uk for further information on becoming accredited.

Will Tacit Consent Apply?

In deciding whether tacit consent applies the Council has taken into consideration the recent High Court decision in the case of *R(Gaskin) v Richmond LBC* [2018] EWHC 1996 (Admin).

The *Gaskin* case says that the Provision of Services Directive applies to licensing schemes in full and that regulators should set out how long it will take to carry out a licensing approval process and if they do not meet that timeline then approval (tacit consent) should happen automatically.

Upon receiving a valid application, the Council will aim to provide a decision as soon as is reasonably practicable, however each case will require different processes to be completed before issuing you with a decision. This could therefore extend the time it takes to process your application.

It is therefore the Council's aim to process all valid applications and provide the relevant persons with a decision within 20 weeks of receipt. This will require the full co-operation of the applicant with the Council's requirements for determining a licence application.

If a decision about a licence application has not been received after this period, then tacit approval will apply from the date the application was made. It is therefore lawful for a property to operate as a licensable HMO.

As mentioned the target completion period for issuing a decision and a licence is subject to many factors and as such applicants should check with the Council on the status of their application.

By the Council setting out and displaying publicly their licensing processing time, the Council considers this will instil confidence in local landlords and help to keep them informed about the process.

Public Registers

A register of HMO licences is available online and details of this can be obtained by sending a formal, written request to the Property Licensing Team.

Appeals

If an application for an HMO Licence is refused, there is a right to appeal this decision within 28 days to the First-tier Tribunal (Property Chamber - Residential Property). The details of this will be provided with the Decision Notice.

Appendix 2 - HMO Licensing Fees and Charges

Section 63 of the Housing Act 2004 permits the Council to require any application for a licence under Part 2 is accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

In developing its fee structure the Council has had regard to the European Court of Justice ruling in *R (Hemming) V Westminster City Council* (Case C-316/15) and the High Court decision in *R (Gaskin) v LB Richmond Upon Thames* (2018) EWHC 1996 (Admin) which held that the EU's Provision of Services Directive, which is enshrined in UK law as the Provision of Services Regulations 2009 should apply to property licensing fees and the processes involved in implementing and delivering such schemes.

The Services Directive, in particular should be interpreted as precluding charging in advance for costs other than those directly related to the authorisation process of the scheme. In other words, the Council is not permitted to demand fees in advance for anything other than the costs of administering the application for a licence even if it makes it clear that unsuccessful applicants are provided with a refund of the remaining part of the fee. The Council may legitimately recover its wider costs, over and above those relating to the administration of applications, but this should be at the point at which the Council has determined that a licence is to be granted.

The judgements in *Hemming* and *Gaskin*, which require the overall licence fee to be paid in two stages, has therefore had the effect the fee for an Additional Licence under Part 2 of the 2004 Act must be levied in two separate parts.

The Council is not allowed to demand fees in the Stage 1 process for anything other than the costs of administering and processing the application for a licence. Furthermore this element of the fee is non-refundable should the application be unsuccessful.

In the case of Stage 2 payments these can only be requested if the initial application is successful and will be charged to cover the costs of running and enforcing the scheme.

As such the Council, when setting its fees, has adopted the two stage approach. All fees and charges will be reviewed on an annual basis and the following tables set out those fees for the period commencing 1st April 2019. Fees and charges will reviewed on an annual basis.

Table 1- Fees and Charges

Stage	Type of Licence	Fee
-------	-----------------	-----

Stage 1 Fee – Payable at the time of making the application	1 year licence (Category A)	£ 450.00
Stage 2 Fee – Payable once the Council has determined to Grant a Licence.	1 year licence – where landlord has been found to be operating an unlicensed HMO.	£ 800.00
Total Fee		£ 1,250
Stage	Type of Licence	Fee
Stage 1 Fee – Payable at the time of making the application	1 year licence (Category B)	£ 450.00
Stage 2 Fee – Payable once the Council has determined to Grant a Licence.	1 year licence – where the landlord is licensing a new HMO without being identified as part of the Council proactive enforcement regime.	£ 605.00
Total Fee		£ 1,055.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	2 year licence – subject to criteria (Category C)	£ 450.00
Stage 2 – Payable once the Council has determined to Grant a Licence.	2 year licence.	£ 255.00
Total Fee		£ 705.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	5 year licence – subject to criteria (Category D)	£ 450.00

Stage 2 – Payable once the Council has determined to Grant a Licence	5 year licence.	£ 190.00
Total Fee		£ 640.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making a Renewal Application.	Renewal of licence – subject to criteria for 2 and 5 year licences (Category E).	£ 450.00
Stage 2 – Payable once the Council has determined to Grant a Renewal of a Licence	Renewal of licence.	£ 95.00
Total Fee		£ 545.00

Under Section 67 (5) of the Housing Act 2004 the Council has the power to impose a restriction/ obligation on a particular person (with their consent). In accordance with this power the Council will require the licence holders consent to pay the Stage 2 fee in advance of the licence being issued, this will be required as part of the application process.

In addition, the Council will attach a condition to all HMO licences requiring this obligation to be met i.e. to pay the Stage 2 fee. This approach is consistent with that set out in the *Hemming* case.

Failure to make the Stage 2 payment will result in the Council taking action through, either the revocation or refusal of the licence or by enforcing the non-compliance of the licence condition associated with the making of the Stage 2 payment.

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PRIVATE RENTED SECTOR CODE OF PRACTICE

Updated July 2015



Private rented sector code of practice

Updated July 2015

This code of practice, originally published in September 2014, has been revised to reflect more recent changes in legislation.

Published by the Royal Institution of Chartered Surveyors (RICS)
Parliament Square
London
SW1P 3AD
UK
www.rics.org

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ISBN 978 1 78321 063 3

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Association of Residential Letting Agents

Association of Residential Managing Agents

British Property Federation

Chartered Institute of Housing

Institute of Residential Property Management

National Approved Letting Scheme

National Landlords Association

National Association of Estate Agents

Residential Landlords Association

Royal Institution of Chartered Surveyors

The UK Association of Letting Agents

Ombudsman Services: Property

Property Redress Scheme

The Property Ombudsman

Deposit Protection Service

My Deposits

Tenancy Deposit Scheme

With thanks to the Department for Communities and Local Government and those who contributed to the wider stakeholder consultation.



Contents

Acknowledgments	ii
Foreword	v
1 Introduction	1
1.1 Scope.....	1
1.2 How to use this Code	1
2 Lettings and management	3
2.1 For landlords only: selecting an agent	3
2.2 For agents only: accepting instructions from a landlord.....	3
3 Lettings	5
3.1 Marketing and advertising.....	5
3.2 The Green Deal.....	6
3.3 Viewings	6
3.4 Agreeing the letting	6
3.5 References and checks	6
3.6 Inventory.....	6
3.7 Formal agreement.....	7
3.8 Tenancy deposits for assured shorthold tenancies	7
3.9 Company lets	7
4 Property management	9
4.1 General arrangements	9
4.2 Financial management.....	9
4.3 Tenancy management.....	10
5 Terminating a tenancy	16
5.1 Bringing a tenancy to an end	16
5.2 Once the property has been vacated	16
6 Tenancy renewals and changes	17
7 Additional responsibilities for the management of multi-let buildings and common parts	18
7.1 Health and safety.....	18
7.2 Disposal of waste and recycling	19
7.3 Staff management	19
7.4 Noise.....	19
7.5 Mixed tenure schemes.....	19

7.6 Disputes	20
7.7 Security	20
Appendices	21
Appendix A: Glossary of terms	21
Appendix B: Landlord’s checklist	25
Appendix C: Legislation referred to in this Code	26

Foreword

We are committed to building a bigger and better private rented sector. The private rented sector provides valuable flexibility within the housing market, with increasing numbers of tenants choosing to rent as a matter of choice. We want to support it and see it grow.

A key part of this is our commitment to minimising excessive regulation of the sector, which would force up rents and reduce choice for tenants. We have put in place measures to create greater choice, professional services and higher quality properties for tenants. That is why we are financing the construction of up to 10,000 new homes specifically for private rent through our £1 billion Build to Rent Fund, while our Private Rented Sector Housing Debt Guarantee Scheme will support up to £3.5 billion of investment in private rented projects, plus a potential share of £3 billion held in reserve.

We know that the majority of tenants are satisfied with the performance of their landlords and that the majority of landlords and letting agents provide a good service. However, the small minority of rogues or criminals who exploit tenants drag the reputation of the sector down. We are cracking down on these landlords using a range of tools from legislation, funding and other support to local government.

It is important that tenants and landlords are able to choose letting agents who do operate to best practice. That's why, in October 2013, we asked the Royal Institution of Chartered Surveyors to work with other leading sector organisations to develop a Code of Practice.

I am delighted that the leading organisations representing landlords, letting agents and property managers have come together to create this comprehensive Code that may be used by anyone involved in the letting and management of private rented property.

Where this Code is particularly valuable is that it not only explains what is legally required, but provides a model for best practice. Members of any organisations which have signed up to this Code agree to abide by its contents, giving tenants assurance of a good service, driving up standards in the sector.

I am delighted, therefore, to introduce this Code of Practice. I truly believe it will lead to an even better and more professional private rented sector in England.



Brandon Lewis, Minister of State for Housing and Planning



1 Introduction

1.1 Scope

This Code is intended to promote best practice in the letting and management of *private rented sector* housing in England. The aim of the Code is to ensure:

- Good-quality homes for rent.
- Consistent and high standards of management.
- Choice for the *consumer*.

The Code is intended for use by landlords and lettings and management agents in the private rented sector (PRS).

Whether you are a landlord or an *agent*, if you are responsible for the letting and management of homes you have a minimum duty to achieve basic compliance required by law. However, landlords and agents should aspire to a standard above minimum legal requirements and in line with industry best practice as set out in this Code. If you are unsure of what you should do or what is required of you, seek professional advice. Ignorance or inexperience is not an acceptable defence for poor practice.

A useful checklist has been provided for inexperienced landlords at the back of this Code of Practice – see [Appendix B](#).

1.2 How to use this Code

Terms shown in italics are defined in a [glossary](#) at the end of the Code.

Landlords are responsible for ensuring that they comply with the law when letting and managing residential property. When a landlord engages an agent, the tasks and responsibilities of letting and managing property will be allocated between them. It is for the landlord and the agent to decide and to understand who is responsible for which tasks and responsibilities.

This Code uses the words ‘you’ and ‘responsible person’ to refer to whoever is responsible for a particular task or responsibility. Where items in the Code are aimed *only* at agents or landlords, this is indicated where required.

In the Code:

- The word ‘*must*’ indicates a legal requirement.
- The word ‘*should*’ indicates best practice. Where you should do something and have not, you ought to be able to justify reasons for not doing it.

Where procedures are recommended for specific tasks, these are intended to represent ‘best practice’; that is, procedures that, in the opinion of the property management industry, meet a high standard of competence.

When an allegation of professional negligence or a breach of obligation is made against a responsible person, a court or tribunal is likely to take account of the contents of the Code in deciding whether or not you have acted with reasonable competence.

The principles on which this Code is based are:

- 1 To comply with all laws relating to the letting and management of residential private rented sector property.
- 2 To meet all other legal requirements and relevant codes of practice.
- 3 To let and manage properties in an honest, fair, transparent and professional manner.
- 4 To manage properties with due skill, care and diligence, and ensure that, where staff are employed, they have the skills and training needed to carry out their tasks.
- 5 To do their best to avoid conflicts of interest and, where they do arise, to deal with them openly, fairly and promptly.

- 6 You must not discriminate on the basis of age, gender, race, language, sexuality or any other factor that might place an individual at a disadvantage.
- 7 To ensure that all communications and dealings with *clients* and tenants are fair, clear, timely and transparent.
- 8 To ensure that all relevant information is provided to clients and tenants, including publicising fees, prior to them committing to a *transactional decision*.
- 9 To ensure that all advertising and marketing material is accurate and not misleading.
- 10 To take steps to look after *client money* and to hold this separately from other funds.
- 11 To behave ethically and responsibly at all times.

The Code contains some principles aimed specifically at letting and management agents, as follows:

- To ensure that landlords and tenants are given details of complaints-handling procedures and the redress scheme to which the agent belongs.
- To ensure client money is covered by client money protection.

2 Lettings and management

2.1 For landlords only: selecting an agent

Landlords should only engage agents who:

- are members of an accredited body
- are members of an independent redress scheme
- protect client money by way of a *clients' money protection scheme*; and
- have appropriate insurance such as public liability and professional indemnity insurance.

2.2 For agents only: accepting instructions from a landlord

2.2.1 Conflict of interest

Before confirming instructions, agents and contractors must check that they will not have any *conflict of interest*. If they do, they must declare it and get written permission from the landlord that they can continue to act.

If the landlord gives permission then, at the earliest practical opportunity, and definitely before negotiations begin, the agent or contractor must give details of the conflict of interest, *in writing*, to the prospective tenant.

2.2.2 Giving correct advice

An agent must provide truthful, accurate and unbiased advice to a landlord.

Where an agent advises a landlord about a letting a realistic rental assessment must be made, reflecting current market conditions. It should be supported by comparable market evidence, if available.

2.2.3 Consumer Protection from Unfair Trading Regulations 2008

When offering services to a landlord:

- An agent must comply with the:
 - *Consumer Protection from Unfair Trading Regulations 2008* (CPRs)
 - *Business Protection from Misleading Marketing Regulations 2008* (BPRs)
 - *Unfair Terms in Consumer Contracts Regulations 1999* (UTCCRs)
 - *Supply of Goods and Services Act 1982* (SGSA); and
 - *Unfair Contract Terms Act 1977* (UCTA).
- An agent must not engage in any unfair commercial practice by saying, doing or omitting to do something which causes, or is likely to cause, the *average consumer* to take a different transactional decision.
- An agent should refer to the Competition and Markets Authority's [Guidance for lettings professionals on consumer protection law](#) for further information and guidance on the regulations.

2.2.4 Confirming identity

Agents should make every reasonable effort to confirm a landlord's identity before accepting instructions.

If the landlord operates as a business, the agent should identify and confirm who within the business has the authority to act on its behalf.

2.2.5 Agreeing the scope of work

The agent should agree the scope of work and then issue terms of engagement, which should detail the duties the landlord expects the agent to perform.

2.2.6 Terms of engagement

Agents must give landlords written confirmation of their instructions to manage a property on their behalf. This must include details of:

- fees and expenses
- business terms
- the duration of their instructions; and
- the extent of the agent's financial authority to authorise expenditure such as essential repairs/maintenance.

The agent must give these details to the landlord before the landlord is committed or has any liability towards them. The landlord should be given sufficient time to read and understand the agreement before signing.

Terms of engagement must clearly state the scope of the work the agent will carry out and any additional responsibilities. The terms must be fair and must be written in plain and intelligible language.

The terms of engagement should state that a copy of the agent's complaints-handling procedure is available on request, together with details of the redress scheme to which the agent belongs.

If a landlord signs a contract:

- with the agent present at their home; or
- at another location away from the agent's premises; or
- by post or online; or
- without having met the agent

the landlord must be given a right to cancel that contract within 14 calendar days from the date of signing.

If the landlord requires the contract to start before the end of this cancellation period the agent must obtain confirmation of this in writing.

Both parties should sign and date the terms of engagement. Any subsequent changes to terms of engagement must be confirmed in writing and signed by both parties.

2.2.7 Fees, charges and taxes

Agents must provide clearly defined details of their fees and expenses which may become payable. All fees, charges and penalties applicable to both landlords and tenants need to be displayed inclusive of VAT. This is in accordance with the [Advertising Standards Authority](#), the *Consumer Rights Act 2015* and *Consumer Protection from Unfair Trading Regulations 2008* requirements. Agents must prominently display these on their website and at each office where they deal face-to-face with those using or proposing to use their services. They must also state whether or not they are a member of a client money protection scheme and which redress scheme they belong to.

If the agent does not know the exact amount at the time, they should give details of how it will be calculated. This should include any renewal commission and the method of calculation, making clear that this will only arise where the agent is instructed to renew the tenancy or the landlord has specifically agreed to the agent's entitlement. The intention of the legislation is that both tenants and landlords are able to understand what a service or cost is for and why it is being imposed.

Agents should state all fees inclusive of tax, a legal requirement where the landlord is not a business.

Agents must include any contractual right to interest on late payment in the terms of engagement. The terms of engagement should set out which party retains any interest accruing from client money held.

2.2.8 Using subagents

Agents who want to appoint a subagent must first obtain the landlord's authorisation. Appointing a subagent without authorisation may be considered a breach of duty unless it is contained within the agent's terms of engagement.

2.2.9 Commissioning other documentation

You must follow legislative requirements about documentation to be provided at the point of marketing, during the marketing process or on completion. This must include an Energy Performance Certificate (EPC) and, where gas is provided at the property, a current Gas Safety certificate.

3 Lettings

As described in [section 2.2.5](#), landlords who use an agent will have agreed the scope of work that the agent will provide. If the landlord has not instructed an agent to carry out the following tasks then the landlord is responsible.

3.1 Marketing and advertising

You must always act in good faith, with the standard of care and skill that is in accordance with honest market practice.

Before letting, you must obtain any consent needed – for example, joint owner, lender, insurance company, *superior landlord*, freeholder and local authority. You must also comply with the obligations and requirements of the various safety legislation, standards and regulations that apply to rented property.

If the owner of a leasehold property wishes to let, they must consider the terms of that property's lease to the immediate landlord and any covenants or other obligations that will need to be included in the tenancy agreement. You must draw these to the attention of potential tenants at the earliest appropriate opportunity.

You must not exert undue pressure on any potential tenant.

You must comply with the *Consumer Protection from Unfair Trading Regulations 2008* and the *Consumer Rights Act 2015*.

You should treat all tenants, prospective tenants, landlords and prospective landlords as consumers for the purposes of the regulations, unless they are clearly not, such as in the case of a limited company landlord or tenant.

You should refer to the Competition and Markets Authority's [Guidance for lettings professionals on consumer protection law](#) for further information and guidance.

You must take reasonable steps to ensure that all statements made about a property, whether oral, pictorial or written, are correct and are not misleading. The information must be provided in a clear and timely manner and must not omit or hide *material information*.

You must not engage in any unfair commercial practice by saying, doing or omitting to do something which causes, or is likely to cause, the *average consumer* to take a different transactional decision.

You must not engage in any of the 31 specific practices that the *Consumer Protection from Unfair Trading Regulations 2008* ban outright (see [Regulation 3 and Schedule 1 of the Regulations](#)).

Advertisements must comply with the Committees of Advertising Practice (CAP)'s [UK Code of non-broadcast advertising, sales promotion and direct marketing](#).

You must ensure that the property particulars and any advertisements include the alphabetical [Standard Assessment Procedure \(SAP\)](#) rating from the EPC.

You should explain all the possible tenancy options to the prospective landlord and tenant, including any potential for longer term lets. You should also explain that longer agreements may include rent review clauses to allow for changes in rent during longer fixed-term tenancies. If the agreement is for a fixed term of three years or more, the agreement must be executed as a deed. If you know that the property is only available in the short term, you should advise prospective tenants of this at the earliest opportunity, preferably before viewing.

'To let' boards must comply with [planning requirements](#).

For agents only

If asked to let a leasehold property, the agent must ask the *leaseholder* for full details of all covenants or obligations that may apply to the tenant and which must be incorporated in any tenancy agreement.

3.2 The Green Deal

You must disclose the existence of a *Green Deal* charge to a potential tenant at the earliest appropriate opportunity using the prescribed wording in the [Statutory Instrument](#). You must obtain confirmation in writing from the tenant that they understand they will be:

- liable to pay the Green Deal plan and instalments; and
- bound by the terms of the Green Deal Plan.

3.3 Viewings

You must advise tenants of all material information and ensure that there are no misleading omissions from the information provided. This includes responses to questions from potential tenants.

When arranging for a potential tenant to view an already tenanted property, you must ensure that the existing tenant is given appropriate and reasonable notice (24 hours recommended) of the appointment and in accordance with any provisions within the tenancy agreement, unless other arrangements have been made with the agreement of the tenant.

When accompanying a potential tenant on a viewing, you should take appropriate steps to ensure the [personal safety](#) of all involved.

3.4 Agreeing the letting

You should ensure you understand the requirements of potential tenants and the flexibility on tenancy length offered by the *assured shorthold tenancy* to meet these requirements. Consideration should be given to the granting of longer tenancy agreements where this is appropriate for both parties.

You should provide tenants with a copy of [How to rent – the checklist for renting in England](#).

When negotiations are concluded, you should send written confirmation to the potential tenant setting out:

- the tenancy terms
- the costs that the tenant will be responsible for
- the deposit
- any holding deposit, clearly stating the basis of such a deposit and all associated terms and conditions
- the total sum required on signing
- any guarantor requirements, if applicable
- the methods of payment that could apply; and
- the procedure to follow when the tenant comes to sign the tenancy agreement.

3.5 References and checks

You must obtain the prospective tenant's consent before seeking a reference or carrying out a credit check.

You should take references that are in accordance with the individual circumstances of the tenant and should take care in validating their authenticity. You should keep a record of the steps you take to do this. You should ensure that you understand any additional requirements around obtaining a reference for a tenant in a selective licensing area.

You must make reasonable endeavours to check the lawful immigration status of any potential tenant or other persons living at the property where required to do so by law (*Immigration Act 2014*).

3.6 Inventory

Prior to the commencement of the tenancy, an appropriate inventory should be prepared. The principle items to be included in the inventory must be made clear to the potential tenant at the earliest convenient opportunity.

You can find further guidance about inventories in [A guide to best practice for inventory providers](#) published jointly by RICS, APIP, ARLA, Asset Skills and NAEA.

3.7 Formal agreement

The tenancy agreement should be written in plain, intelligible language. You must give a prospective tenant enough time to read and understand the agreement before signing. You must give the tenant the opportunity to raise queries to clarify the rights and obligations of the tenancy agreement.

An appropriate payment method for the rent should be agreed with the tenant.

The tenancy agreement must be signed by the landlord or their representative. The counterpart tenancy agreement must be signed and dated by all of the tenants in order to come into effect. The tenant should be given the signed tenancy agreement. The landlord should retain the counterpart agreement.

Where letting to joint tenants, you should ensure that all tenants sign the tenancy agreement wherever possible. If this is not practical, someone else can sign on their behalf so long as they are duly authorised to do so and you have clear evidence of this authority.

Any guarantors must sign a written deed of guarantee that clearly states their obligations.

You should ensure the inventory is signed by or on behalf of the parties and dated.

You should provide the tenant with at least one complete set of keys that is recorded in the inventory.

You should consider identifying a lead tenant to whom key correspondence and enquiries are directed and who arranges rent payments. However, some legal documents need to be served on all tenants.

3.8 Tenancy deposits for assured shorthold tenancies

Tenancy deposits for assured shorthold tenancies must be protected in a Government-authorised scheme within the statutory timescale and otherwise in accordance with the [relevant scheme rules](#).

You should consider the amount of a deposit based on what is fair in relation to the potential liability the tenant has in relation to the property.

The tenancy agreement must make provision for the holding of any deposit, specifying:

- how the deposit is to be held; and
- who keeps any interest earned on it.

The tenancy agreement must also state why the deposit is being held and the circumstances in which it is to be released, in whole or in part.

The tenancy agreement should also state which tenancy deposit protection scheme the deposit is held under.

You must make *prescribed information* regarding the tenancy deposit protection scheme available to the tenant(s) within the statutory timescale of receiving the deposit. See www.gov.uk for further information. The tenant(s) must be given an opportunity to check and sign the prescribed information.

Where a deposit is held by an agent, this should be held as a 'stakeholder' on behalf of both parties. These matters should be made clear to the prospective tenant before the deposit is paid and the tenancy agreement is signed.

Where a deposit is held by an agent, deposit money must be dealt with in the same way as other client money (see [section 4.21](#)). The letting commission or other charges owed by the landlord to an agent must not be taken from the deposit.

The deposit must be released only in compliance with the terms under which it was originally held.

3.9 Company lets

Where residential properties are let to a company rather than an individual, the company is responsible for all of the tenant's obligations under the terms of the tenancy agreement in the same way an individual tenant would be. Company tenants are not treated as consumers under the relevant legislation. Agreements will not be an assured shorthold tenancy.

You should request sufficient details to legally identify the company, such as the company registration number and who may legally contract on behalf of the company.

You should be informed of the identity of the licensee of the tenant company. The tenancy agreement should allow the property to be occupied by the permitted occupier together with their family.

The tenancy agreement should include a clause making clear that money paid by the licensee towards the rent will be paid as an agent on behalf of the company and will not give the licensee rights as a company tenant.

4 Property management

4.1 General arrangements

You should always manage properties in a professional manner. If you are unsure what this entails then consider either undertaking accreditation or similar qualification yourself or using an accredited agent.

You should always manage properties in an open and transparent way, subject to maintaining confidentiality in respect of personal information.

You should advise tenants of your contact details for day-to-day tenancy management matters and should be available:

- to be contacted during normal working hours
- to meet tenants; and
- to inspect the property at reasonable times and intervals.

If requested, you should assist tenants in understanding their tenancy agreement or other terms of occupation by explanation or by referring them to www.gov.uk and to the [Citizen's Advice Bureau](#) for independent advice. You should not give advice about the tenant's legal rights, and should avoid a conflict of interest when giving any advice.

You should maintain appropriate records relating to the building and decide how long to keep them, taking account of periods of statutory limitation of action.

You should take steps to keep informed of developments in legislation affecting residential management to keep wholly within the law.

So far as it is reasonably practicable and consistent with statutory and contractual obligations, personal information must be kept confidential and must not be disclosed to other people without consent. It may be permissible to disclose information without consent in accordance with the advice of the Information Commissioner's Office (ICO). However, a privacy notice to the tenant may be required. You are required to register with ICO if you hold any personal data electronically (this would include holding a tenant's phone number in your own phone) or pass personal information to someone else, such as carrying out an immigration check with the Home Office. Almost all agents and landlords who do not use agents need to register with the ICO. Landlords who use agents for some or all of the letting and management process may need to register depending on personal information held and/or passed on. See www.ico.org.uk.

You should be aware of the local private rented sector licensing requirements in the area of the premises. This includes additional licensing, selective licensing and mandatory *Houses in Multiple Occupation* (HMOs) licensing and planning consent requirements (see [Licensing of houses in multiple occupation in England: a guide for landlords and managers](#) and [Selective licensing in the private rented sector: a guide for local authorities](#)).

You must ensure that the property and all equipment meet the requirements of the relevant regulations and licensing.

You must not cause or permit a dwelling to be overcrowded.

4.2 Financial management

4.2.1 Client's money

Money held, deposits or rent collected for and on behalf of an applicant, tenant or ex-tenant, client or ex-client landlord is considered as client money.

You should keep adequate accounts and records to show all dealings with client money.

Client money should be held separately from landlord or agent money and you must be able to account immediately for all money held on behalf of a client or a tenant.

Clients' money should only be withdrawn from an account:

- where it is properly required for payment to, or on behalf of, the person entitled to it
- when meeting agreed costs
- for payment of any remuneration or reimbursement of expenses in carrying out services to which the landlord or agent is entitled, with the written agreement of the client
- in the exercise of any *lien* to which the landlord or agent is entitled
- for transfer to another client account; and
- when non-client money was used to open or maintain the account.

Otherwise, no deductions should be made from clients' money without that client's prior written permission. You should give sufficient notice prior to the deduction so they are able to object to it.

You should advise clients or tenants in writing that you are not liable to repay lost money through bank failure.

4.2.1.1 For agents only: client's money

You should keep adequate and up-to-date accounts and records to show that money has been paid into a dedicated client account and to explain all dealings with that money.

You should advise your client or tenant that the monies will be held in a designated client account and provide them with details of this account.

A client account should be in credit at all times. There must not be any borrowing from one client's fund to pay another client or those entitled to receive money from the latter's account.

The clients' money should be deposited into a [Financial Conduct Authority \(FCA\)](#)-authorised bank or building society.

Unless the client or tenant has agreed otherwise in writing you should credit interest earned on any client bank accounts to the appropriate client or tenant.

The letting commission or other charges due to the agent from the client must not be taken from a tenant's deposit. You must ensure at all times that the deposit is released only in compliance with the terms under which the deposit was originally held.

You should be a member of a clients' money protection scheme and you must clearly display, in your offices and on your website, whether or not you are a member of such a scheme.

4.2.2 Proceeds of crime

You must report any suspicion that another person is engaged in money laundering or other related financial crime to the National Crime Agency (NCA) before proceeding with any transaction with that person.

4.2.3 Taxes

Landlords should ensure that HMRC is aware of rental income and deductions and that they pay the appropriate tax.

4.3 Tenancy management

You must levy rents and other charges and manage the property in accordance with the law and the clauses of the relevant tenancy agreement.

You must include the landlord's name and address on any written rent demand. Until such information is provided, rent is deemed not to be lawfully due from the tenant. If that address is not in England or Wales then you must notify the tenant of an address in England and Wales to which notices may be served.

You must give the tenant the landlord's name and address within 21 days of any written request. If the landlord is a company and the tenant requests more information after receiving the name and address of the landlord, the name and address of the directors and the secretary of the company must also be given to the tenant within 21 days of that request.

You should communicate promptly with the tenant, and any client as appropriate, on any important issues or obligations relating to the use and occupation of the property, including material breaches of the tenancy agreement that you become aware of.

You should respond promptly to reasonable written requests from tenants for and, where appropriate, consents required under the tenancy agreement should be granted promptly. Where applicable under the terms of the tenancy when an application is refused, reasons should be given. Unless authorised by the tenancy or lease or, in the case of certain transactions accepted by the courts (e.g. subletting), you should not charge the tenant for considering an application or granting permission.

4.3.1 Actions following a new letting

You should assist the tenant with the necessary information to ensure that the tenant registers as the customer for services from the commencement of the letting in accordance with their obligations under the tenancy agreement.

Where utilities are metered, meter readings should be taken and recorded. The local authority should be informed of the date the letting commences for council tax and utility companies should be similarly advised for water, sewerage, gas and electricity, as appropriate.

4.3.2 Rent

4.3.2.1 Rent payments and review of rent

Rent demands (if used) should be clear and easily understandable by tenants. Avoid using codes and abbreviations if possible; if you do use them, they should be clearly explained.

You must provide a rent book if the rent is paid weekly and ensure that any rent book is kept up to date. Where payment of rent is handed over in cash, a receipt should be given. In other cases, a receipt should be given if requested. An annual statement of rent payments received should be made available to tenants on request.

Where rent review clauses are included in the tenancy agreement you must follow those procedures for any review of rent.

4.3.2.2 Local housing allowance and rent

Where appropriate, you should co-operate with a tenant's claim for local housing allowance/housing benefit/ Universal Credit and supply any necessary information promptly to ensure that the claim can be processed as quickly as possible.

You should ensure the tenant is made aware before signing any agreement that they are committed to pay the rent, whether or not they are entitled to receive local housing allowance/housing benefit and that they will be required to make up any shortfall of local housing allowance/housing benefit.

4.3.2.3 Arrears

Where rents are not received when due, you should communicate promptly with the tenant. Where housing support is being paid directly to the tenant, for example local housing allowance (LHA) or as part of Universal Credit, and payments cease or are varied, you should inform the local housing authority or the Department for Work and Pensions as soon as possible. Where housing support is paid directly to you and payments cease or are varied, you should notify the tenant as soon as possible.

You should keep channels of communication open with your tenants and encourage tenants to let you know if they are under financial difficulties. You should maintain contact with tenants in cases where arrears continue to accumulate and recommend that they seek independent advice (e.g. from the Citizens Advice Bureau, the [Money Advice Service](#), or a legal adviser).

A tenant must not be evicted without a possession order and following due process. If tenants are facing eviction and are threatened with homelessness (especially if they are vulnerable or there are children living with them) you should suggest they contact their local authority housing team for support in accessing alternative accommodation.

For agents only

If you are retained to collect rent, you should have a system in place to notify a client landlord promptly if rent becomes overdue. In the event of arrears, you must notify any rent warranty insurers promptly and ensure that the timescale for any rent warranty notification is met.

4.3.3 Service charge

If administering a service charge, refer to the RICS *Service charge (residential) management code* for guidance, as this is outside the scope of this Code.

4.3.4 Repairs and maintenance

You must take all reasonable measures to provide housing that is safe and without risks to health.

The duties of the parties should be stated in the tenancy agreement, as set out in relevant legislation.

You should be aware of repairing obligations imposed by statute and common law.

You must ensure a safe and healthy environment for the tenants and act upon demands for improvements by the local housing authority under the [Housing Health and Safety Rating System \(HHSRS\)](#).

You must be prudent in the selection of persons who are competent to perform repairs and maintenance on the property. You should take reasonable steps to ensure such contractors have:

- public liability insurance
- professional indemnity insurance, if appropriate
- relevant trade qualifications where required; and
- appropriate health and safety risk assessments and adopt safe systems of work.

You must also pass over any relevant health and safety information you hold to any contractor/designer, including regarding asbestos.

Matters of disrepair should be dealt with promptly and in a timely manner appropriate to their urgency, placing a priority on reducing any risk to people.

You should ensure tenants know how to report repair and maintenance issues and have an established procedure for dealing with urgent requests for repair work, particularly for out-of-office hours.

Tenants must never be evicted for simply requesting repairs to the property.

Landlords must keep the structure and exterior of the property in repair. If an agent is charged with this duty then, in the event that the agent is unable to carry out this duty for any reason, the duty must return to the landlord or otherwise provisions must be put in place for keeping the structure and exterior of the property in repair.

You must repair and keep in proper working order the installations for space heating and water heating, together with the installations for the supply of gas, water, electricity and drainage.

You must take reasonable care to maintain and repair paths, driveways and car parking areas so that they are safe to use. You must maintain and repair gutters, downpipes, drains and gullies.

You should ensure that tenants are [aware of their responsibility](#) to act in a *tenant-like manner* and to carry out minor repairs, such as replacing bulbs or clearing pipes or drains they have blocked.

When arranging repair and maintenance work on a let property, you must be aware that tenants are entitled to the quiet enjoyment of their homes and you must seek to minimise disruption.

You should consult tenants on the details and programme for carrying out such works, unless urgency or the tenancy agreement dictates otherwise. Works must be carried out to a reasonable minimum standard so that they do not need to be repeated within a short period of time relative to their nature and reasonable expectations.

You should maintain accurate and complete records of all maintenance and insurance of the property and hold records safely for the required period of time.

For agents only

You should ensure that sufficient funds from the landlord are available prior to instructing a contractor. The method of payment should be agreed between all parties prior to works commencing.

You should disclose any commission you might receive from the contractor at the time that estimates are provided to the landlord.

For landlords only

If you use a managing agent, you should ensure that the agent is provided with sufficient funds to be able to commission agreed repairs/maintenance once an estimate has been accepted.

4.3.5 Health and safety and contractor management

You should inspect the property at appropriate intervals to identify whether or not there are any hazards or repairs that require attention. You should maintain a record of the inspections and any action required and taken.

You should seek to reduce any unacceptable health and safety risks that are identified.

4.3.6 Services

4.3.6.1 Fire safety and testing

You should have regard to the Local Government Association (LGA) LACORS [Housing – Fire safety](#) guidance. For larger buildings such as HMOs and buildings with common parts, you should have regard to the Department for Communities and Local Government (DCLG) document [Fire safety risk assessment: sleeping accommodation](#).

Where recommended in accordance with the above guidance, fire extinguishers and fire blankets should be provided and must comply with current British Standards. Where they are required they must be provided, including complying with HMO licence conditions.

Where required (any building where there are *common parts*) you must ensure that a fire risk assessment is carried out to identify and evaluate all fire risks to which anyone legally allowed on the premises could be exposed.

You must ensure that any furniture provided by the landlord complies with current regulations for fire safety.

All properties should be fitted with smoke detectors. Properties built after 1992 must be fitted with smoke detectors. With effect from 1 October 2015 all properties must be fitted with a smoke alarm on every floor ([The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)).

Detectors must:

- comply with current British Standards
- be installed in accordance with the manufacturer's recommendations; and
- be kept in working order and tested at the beginning of each tenancy.

Tenants may be made responsible for replacing batteries by prior written agreement made at the start of the tenancy.

4.3.6.2 Carbon monoxide alarms

Carbon monoxide detectors should be provided in all properties where a gas or solid fuel appliance is present. Detectors must comply with current British Standards and be installed in accordance with the manufacturer's recommendations. The fitting of carbon monoxide detectors is mandatory when a new solid fuel burning appliance is installed and it will become mandatory for all rooms with an existing solid fuel appliance from 1 October 2015 ([The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)). Alarms must be tested at the start of all new tenancies.

4.3.6.3 Electrical

You should ensure that a competent electrician undertakes a full-fixed wiring test within 10 years of installation for new properties/full installations and it is recommended every five years thereafter. For HMOs the test must be undertaken every five years or as recommended by an electrician.

On any change of tenancy, you should check the fixed wiring installation for defects that are visually obvious to a non-qualified layman, including checking leads and plugs (unless the plug is of the moulded type).

You should provide an appropriate electrical certificate to the tenant.

You must ensure that all alterations/repairs/improvements to the fixed electrical system comply with the latest edition of Part P of the Building Regulations and the latest Institution of Engineering and Technology (IET) Wiring Regulations.

A competent person should undertake a portable appliance test (PAT) of all moveable electrical items or equipment provided by the landlord; for example, kettles, fridges, etc. as recommended in the HSE publication [Maintaining portable electrical equipment in low-risk environments](#), or at more frequent periods recommended by a competent person or as a result of a risk assessment.

If you are informed of a fault that could compromise safety, this should be dealt with immediately.

4.3.6.4 Gas

All gas appliances, flues, installation pipework etc. must be maintained in a safe condition in accordance with the *Gas Safety (Installation and Use) Regulations 1998*.

A gas safety check must be carried out every 12 months by a Gas Safe-registered engineer, and a record kept for two years. You must issue a copy of this safety check to each existing tenant within 28 days of the check being completed and to any new tenants before they move in.

You should ensure that new tenants understand how to turn off the gas supply in case of an emergency. If a fault is reported, this must be dealt with immediately.

4.3.6.5 Solid fuel

You must ensure the safety of solid fuel heating installations and carry out appropriate routine maintenance. You should maintain a record of servicing and work carried out.

4.3.7 Access

The tenancy agreement may stipulate the procedure for the routine inspection of the property by the landlord or agent. If this is not stated in the tenancy agreement, the property must be visited at normal times of the day, provided that reasonable written notice (at least 24 hours) has been given to the tenant.

If the tenant refuses access, you have no right to enter the property without a court order. To enter the property against the wishes of the tenant may be considered harassment.

The tenancy agreement should contain provision for entry in emergencies. In the event that you hold a spare key, entry should only be with the express consent of the tenant or in the case of a genuine emergency.

Forced entry should only be considered:

- if it is an emergency event such as a fire
- in the event of problems with gas, electrics or escape of water that pose real risk of injury or significant damage to the property or adjoining properties; or
- in the event that the tenant is unavailable or does not respond and you have genuine reason to believe the property has been abandoned.

4.3.8 Harassment and unlawful eviction

Tenants are entitled to quiet and peaceable enjoyment of the property. You must not interfere with this right except with the tenants' agreement or in the event of an emergency. Locking the tenant out of the property, cutting off services or otherwise interfering with the tenants' right to quiet and peaceable enjoyment is an offence.

4.3.9 Insurance

The insurance obligations of the parties should be set out in the tenancy agreement. The tenant should be made aware of their responsibilities and the scope and limitations in respect of any insurance held by the landlord in respect of the property.

Insurers should be notified of claims or potential claims at the earliest opportunity. Claim settlements should be treated as belonging to the persons suffering damage. Unless otherwise agreed, you should not deduct arrears or other payments due when passing them on to the claimant.

Any arrangements regarding payment of any excess should be clearly set out in the tenancy agreement.

Agents dealing with insurance issues should be mindful of the insurance regulations on regulated activities. See the Financial Conduct Authority (FCA) website (www.fca.org.uk) for further guidance. When a claim arises it should be processed promptly and appropriately. Agents may charge for this service, depending on the terms of engagement.

5 Terminating a tenancy

5.1 Bringing a tenancy to an end

On giving or receiving notice to bring a tenancy to an end, you should provide a tenant with general written guidance as to what steps need to be taken to prepare the property for the final checkout, handover of keys and other matters. You should draw the tenant's attention to any specific clauses or obligations within the tenancy agreement relating in particular to proposed deductions from the tenancy deposit but also, for example, to specified standards of cleaning etc.

If you serve a notice on a tenant to terminate a tenancy you must ensure that the deposit has been protected and that the tenant has, at the appropriate time, been given the correct prescribed information relating to the protection of their deposit. The property must also have a valid EPC and CP12 Gas Safety Certificate. There should be a system in place to monitor the response from a tenant regarding the vacation of a property when notice has been served.

For agents only

You should inform a client landlord, promptly and in writing, of the receipt of a lawful notice from a tenant.

Where a tenant does not vacate a property on the due date, you should make reasonable efforts to ascertain the tenant's intentions as soon as practicable and before instigating possession proceedings through the courts.

For agents only

Where a tenant does not vacate a property on the due date, you should advise the client landlord promptly and co-operate fully and promptly with legal advisers acting for, or appointed on behalf of, client landlords.

Where appropriate, you must take steps to notify any legal protection or expenses insurer.

All keys and fobs relating to the tenanted property should be received or collected on the day the tenancy terminates.

5.2 Once the property has been vacated

The vacated property should be inspected within 24 hours of vacation, or on the next working day, to establish whether it has been returned to the landlord in the condition specified in the tenancy agreement. The tenant should be given a reasonable opportunity to attend the inventory checkout.

The local authority and utility companies should be notified of the change in, or discontinuance of, occupation.

In obtaining estimates for restoring the property and contents, all actions should be duly recorded. You must make proper allowance for fair wear and tear and no claim can be made for any deterioration which is fairly attributable to fair wear and tear. You should seek guidance from the relevant tenancy deposit scheme.

The tenant's deposit should not be refunded until the final inspection has taken place and you are satisfied that the deposit should be refunded. Deposit sums not in dispute should be refunded to the tenant within a reasonable time (in accordance with the scheme rules) from the end of the tenancy. Any balance remaining should be refunded within a reasonable time (in accordance with the scheme rules) after reaching agreement between the parties of what is to be refunded or after the decision of the tenancy deposit scheme adjudicator.

The grounds for any retention from the deposit must be provided to the former tenant in writing, if requested, and in compliance with tenancy deposit legislation and the requirements of the relevant tenancy deposit protection scheme.

You should refer disputes about the return of tenancy deposits to the relevant tenancy deposit protection scheme.

6 Tenancy renewals and changes

If necessary, you should seek legal advice in connection with company tenancies, as the legal requirements will differ from lettings to individuals.

You must be clear and transparent about all fees payable and potentially payable to you by a tenant in all and any circumstances prior to that tenant making a transactional decision to enter into a contractual relationship with you in the first place, i.e. before the tenancy is entered into.

For agents only

Where a tenancy is to be renewed you should satisfy yourself that all the necessary consents including from lenders and superior landlords have been obtained.

You must be clear and transparent to the client about all fees payable and potentially payable on any tenancy renewal or change to a tenancy prior to that client making a transactional decision to enter into a contractual relationship with you in the first place.

Where the tenancy is to be renewed by contract, a procedure should be in place for consulting the landlord well in advance of serving statutory notices.

For landlords only

Where a tenancy is to be renewed you should obtain all the necessary consents including from lenders, superior landlords.

7 Additional responsibilities for the management of multi-let buildings and common parts

7.1 Health and safety

Note: In sections 7.1.1–7.1.6 the terms ‘responsible person’ and ‘you’ do **not** refer to the person responsible for the maintenance and management of the building but are defined by the *Health and Safety at Work etc. Act 1974* as being the person responsible for all health and safety matters in regard to the building.

7.1.1 Health and safety risk assessment and policy

Health and safety risk assessments and policies vary significantly in scope and proportionality depending on the building and individual circumstances. While legal responsibilities and liabilities are absolute, the required actions to ensure compliance should be proportionate to the individual circumstance.

A competent ‘responsible person’ as defined by the *Health and Safety at Work etc. Act 1974* must be appointed and that person must be clear as to their responsibilities and liabilities.

A health and safety risk assessment of any common parts must be carried out by a suitably competent person.

The risk assessment and the subsequent health and safety policy must be proportionate in scope to the property and circumstances. You must continually ensure the scope of the risk assessment has not changed; for example, if the building is let to individuals who are unusually vulnerable or have special needs. The health and safety policy must address lone worker safety.

All recommendations of the risk assessment and policy must be carried out, with appropriate records kept safely to demonstrate compliance.

You should put a monitoring process in place to ensure the requirements of the risk assessment and policy are being met at all times and that suitable training is provided to individuals to ensure and demonstrate that they are competent to carry out their duties to satisfy the requirements of the assessment.

The risk assessment and policy must be reviewed at the appropriate intervals as recommended by the risk assessment author.

You must put in place a system of contractor control to ensure that all hazards and requirements identified in the risk assessment and policy are drawn to the attention of any party that needs to know that information; for example, staff or contractors working at the building. You must instigate an appropriate system of ensuring contractor compliance with the building’s health and safety risk assessment and policy.

Where appropriate you must ensure that contractors carry out their own risk assessments and maintain their own health and safety policies.

7.1.2 Risks specific to common area management

Risk assessments must be considered for:

- the operation of mixed use areas, including waste disposal and car parking
- car park and personnel gates, both in terms of operational safety and means of escape in the event of fire
- gym, pool, leisure and common rooms
- cycle parking or bike stands; and
- lifts including maintenance and operation in the event of fire.

7.1.3 Asbestos

An asbestos risk assessment must be carried out to common parts. You should take reasonable measures to identify the presence and assess the risk of asbestos to let areas. If appropriate, depending on

circumstances such as the age and history of the building, an asbestos survey should be carried out with all recommendations adhered to. You must draw the attention of occupiers, contractors and others at potential risk to the presence of any asbestos and take all necessary measures to ensure the risk is managed safely.

7.1.4 Fire safety

You must carry out a fire risk assessment and implement all recommendations.

You must formulate and maintain a method of monitoring that all recommendations are continually adhered to, for example maintaining clear escape routes and signage. You must be vigilant to any change in on-site conditions that may require a re-assessment of risk, for example the loss of an assembly area.

7.1.5 Water safety

You should clearly understand the ownership and maintenance responsibilities of the water supply(ies) to the building. Where you are responsible for the maintenance of the supply, you must instigate a programme of maintenance in accordance with your health and safety risk assessment to ensure the supply is clean and fit for its intended purpose. A risk assessment for the control of legionella bacteria must be carried out and all recommendations should be adhered to.

7.1.6 Crisis management

You should develop an appropriate policy and procedure for dealing with emergencies and crisis management. In addition to procedures to follow in the event of an emergency, this should include:

- record keeping
- reporting lines
- insurers' details
- press and communication procedures; and
- counselling.

7.2 Disposal of waste and recycling

You should provide adequate means of storage of waste so as to prevent a risk to health and hygiene.

You should, as required by the local authority or waste removal contractor, provide adequate means of separation of waste by type, including for recycling, and provide clear signage and guidance for tenants on the requirements for waste separation as appropriate.

7.3 Staff management

You should notify tenants of any change in staff who are the tenants' main point of contact.

7.4 Noise

You should seek to reduce disturbance to residents from noise; for example, noisy mechanical and electrical installations or hard surface floors in inappropriate locations.

You should ensure that the right to quiet and peaceable enjoyment of the accommodation is incorporated into the tenancy agreement and that the agreement imposes that obligation on tenants for the benefit of other residents.

7.5 Mixed tenure schemes

Where properties include affordable or social housing alongside private housing, arrangements should be established with the registered provider (of the social housing) for exchange of information and your attendance at joint management meetings.

7.6 Disputes

You should put in place policies and procedures for handling disputes and complaints of nuisance between occupiers. These procedures should be made available, their existence made known and the response times for their various stages included. All parties should be dealt with fairly.

Disputes should be resolved by informal means where possible before turning to any formal provision in the tenancy agreement. Where not provided for in the tenancy agreement, *alternative dispute resolution methods* may be suggested, rather than litigation, as a means of settling particular disputes.

7.7 Security

You should provide adequate security measures, procedures and systems to common parts and living spaces for the protection of residents, visitors and possessions.

You should make reasonable efforts by way of referencing and vetting procedures to ensure that staff and workers employed in a building are fit and proper persons appropriate to their role and level of responsibility and supervision.

You should provide appropriate means of holding mail and deliveries until collected by the tenant.

Appendix A: Glossary of terms

This glossary gives definitions of key terms used in the Code.

Agent	A company or individual employed to let or manage residential property on behalf of a landlord.
Alternative dispute resolution methods	This can include mediation, conciliation and arbitration.
Assured shorthold tenancy	As defined by Chapter II of the <i>Housing Act 1988</i> (as amended).
Average consumer	<p>A consumer who is reasonably well informed and reasonably observant and circumspect, taking into account social, cultural and linguistic factors. It is someone who takes reasonable care of their own interests.</p> <p>This definition can change depending on the target of a particular business or of a marketing campaign. The average consumer will then relate to a member of that target group. A full definition can be found in regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations 2008</i>.</p>
Client	A person or organisation who has instructed you or your organisation to act on its behalf.
Client's money	Money held on behalf of client landlords and deposits or money held for and on behalf of tenants or potential tenants.
Clients' money protection scheme	A compensation scheme to protect client's money.
Common parts	Any part of a building containing the property and any land or premises which the tenant is entitled under the terms of the tenancy to use in common with the owners or occupiers of other dwellings.
Company let	When a company rather than an individual takes on a tenancy or a tenancy agreement as the 'tenant'. An employee of the company then occupies the premises as a licensee of the tenant.
Conflict of interest	Where an agent acts for clients who have competing interests or where an agent's personal interests conflict, or could potentially conflict, with those of the client or tenant.
Consumer	Anyone who is acting outside their trade, business or profession. This can include clients, potential clients, landlords, potential landlords, tenants, potential tenants and others identified within regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations 2008</i> .
Green Deal	A Government initiative to encourage the take-up of energy efficiency measures in existing properties by a loan repaid through the energy bill for a property.

House in Multiple Occupation (HMOs)	A property such as a shared house, bedsits or a hostel, where three or more unrelated individuals share any of the basic amenities (kitchen, bathroom or WC). It includes a block of converted flats not complying with the 1992 or later Building Regulations if more than one-third of flats are rented out. Larger HMOs are subject to mandatory licensing and others may be designated for additional HMO licensing.
In writing or written	Typed or handwritten text, email, fax or in Braille.
Leaseholder	A tenant of a long leasehold property.
Letting agent	A company or individual employed to let or manage residential property.
Lien	A right to keep possession of property belonging to another person until a debt owed by that person is discharged.
Material information	The information that the average consumer needs according to the context to take an informed transactional decision (as defined in section 6(3) of the <i>Consumer Protection from Unfair Trading Regulations 2008</i>).
Misleading omissions	Omissions which cause the average consumer to make a different transactional decision.
Must	Required by law.
Prescribed information	This includes: <ul style="list-style-type: none"> • the name of the deposit protection scheme • the address of the property • the amount of the deposit • a leaflet explaining the scheme • the scheme's procedures for payment and repayment • dispute procedures; and • dispute resolution facilities available.
Private rented sector Definition from the English housing survey 2011–12 administered by DCLG	'Households are typically grouped into three broad categories known as tenures: owner occupiers, social renters and private renters. The tenure defines the conditions under which the home is occupied, whether it is owned or rented, and if rented, who the landlord is and on what financial and legal terms the let is agreed. <ul style="list-style-type: none"> • owner occupiers: households in accommodation which they either own outright, are buying with a mortgage or are buying as part of a shared ownership scheme. • social renters: this category includes households renting from Local Authorities (including Arms Length Management Organisations (ALMOs) and Housing Action Trusts) and Housing Associations, Local Housing Companies, co-operatives and charitable trusts.

	<p>A significant number of Housing Association tenants wrongly report that they are Local Authority tenants. The most common reason for this is that their home used to be owned by the Local Authority, and although ownership was transferred to a Housing Association, the tenant still reports that their landlord is the Local Authority. There are also some Local Authority tenants who wrongly report that they are Housing Association tenants. Data from the EHS for 2008-09 onwards incorporate a correction for the great majority of such cases in order to provide a reasonably accurate split of the social rented category.</p> <ul style="list-style-type: none"> • private renters: this sector covers all other tenants including all whose accommodation is tied to their job. It also includes people living rent-free (for example, people living in a flat belonging to a relative). <p>In places, the report differentiates between market and non-market renters:</p> <ul style="list-style-type: none"> • market renters: households with assured or assured shorthold private tenancies. Under the 1988 Housing Act, all tenancies starting after the 14th January 1989 are Assured (including Assured Shorthold) unless they fall into one of the excluded categories, for example business lettings or lettings by resident landlords. Before March 1997, tenants had to be given a notice in writing to say that a tenancy was an Assured Shorthold. From March 1997, the rules changed and all new tenancies were Assured Shortholds unless the agreement specifically stated that they were not. Assured Shorthold lettings are for a fixed period of six months or more. The landlord can regain possession of the property six months after the beginning of the tenancy provided that two months notice is given. In the case of an assured letting the tenant has the right to remain in the property unless the landlord can prove grounds for repossession. The landlord does not have an automatic right to repossess the property when the tenancy comes to an end. • non-market renters: households with all other types of private rental tenancies including those with rent-free tenancies and tied accommodation (that is tied to employment).’ <p>Crown copyright material is reproduced under the Open Government Licence v2.0 for public sector information: www.nationalarchives.gov.uk/doc/open-government-licence/version/2/</p>
Residential property	Property used as living accommodation.
Responsible person	Person with the responsibility for the letting or management of a residential property. This could be the landlord, managing agent or letting agent.
Should	Recommended best practice.
Stakeholder <i>(Definition from Tenancy deposit scheme for lettings agents and corporate landlords membership rules, TDS, 2012)</i>	‘Any person or body who holds the Deposit at any time from the moment it has been paid by the Tenant until its allocation has been agreed by the parties to the AST, determined by the ADR process, or ordered by the court.’

Superior landlord	An entity that owns the interest in the premises, which gives that entity the right to possession of the premises at the end of the landlord's lease. Sometimes called a head lessor or freeholder.
Subagency	Instruction of a separate or related firm to provide agency services to the landlord on behalf of the principle agent.
Tenant	A leaseholder on a short lease (usually assured shorthold or assured tenancy).
Tenant-like manner	<p>In <i>Warren v Keen</i> 1953, Lord Justice Denning said the tenant is under an obligation:</p> <p>'to use premises in a tenant-like manner [...] the tenant must take proper care of the place. He must, if he is going away for the winter, turn off the water and empty the boiler. He must clean the chimneys, when necessary, and also the windows. He must mend the electric light when it fuses. He must unstop the sink when it is blocked by his waste. In short, he must do the little jobs about the place which a reasonable tenant would do. In addition, he must, of course, not damage the house, wilfully or negligently; and he must see that his family and guests do not damage it; and if they do, he must repair it. But apart from such things, if the house falls into disrepair through fair wear and tear or lapse of time, or for any reason not caused by him, then the tenant is not liable to repair it.'</p> <p>Crown copyright material is reproduced under the Open Government Licence v2.0 for public sector information: www.nationalarchives.gov.uk/doc/open-government-licence/version/2/</p>
Transactional decision	A decision by a consumer relating to a potential or actual transaction and the decision points relating to this. Examples include decisions to accept an offer, view a property or commission a survey (defined in regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations</i> 2008).
You	The responsible person.

Appendix B: Landlord's checklist

The following checklist is provided for inexperienced landlords to give a summary of some of the key aspects of this Code that they should follow. However, it is important that you read the whole Code to be familiar with all its suggested best practice and legal requirements.

- 1 Only use an agent that is accredited. This will provide valuable protections to you and your tenants (see [section 2.1](#)).
- 2 Be clear about all fees that tenants will have to pay you and your agents, and be proactive in making tenants aware of these in advance of them making a decision to take or renew a tenancy (see [section 2.2.6](#) and [section 2.2.7](#)).
- 3 You, or your agent, will have to provide tenants with various documents at different stages of letting the property. This must include an Energy Performance Certificate (EPC) and, where gas is provided at the property, a current Gas Safety Certificate (see [section 2.2.9](#)).
- 4 Make sure you advertise your property honestly and in accordance with the law. Do not mislead prospective tenants (see [section 3.1](#)).
- 5 Provide tenants with a clear written tenancy agreement, agree an inventory, and if you are taking a deposit make sure it is taken in accordance with the law and that relevant documents are served on time. (see [sections 3.6 to 3.8](#)).
- 6 Provide tenants with contact details, including a telephone number they can use in case of an emergency (see [section 4.1](#)).
- 7 Keep informed of developments in legislation affecting residential management so you keep wholly within the law (see [section 4.1](#)).
- 8 Be clear who is responsible for various bills and co-operate with your tenant to ensure they are only getting charged for their usage of the property (see [section 4.3.1](#)).
- 9 It is your responsibility to keep the property you rent out safe and in good repair. Be proactive in maintaining your property. You or your agent should let your tenant know how they can report repairs and should respond promptly and prioritise according to urgency (see [section 4.3.4](#)).
- 10 Houses in Multiple Occupation may require additional services/standards (see [section 4.3.6](#)).
- 11 You must provide working smoke and carbon monoxide alarms, a mandatory requirement from 1 October 2015. You should test electrical wiring at least every 10 years. You must test the electrical wiring every five years for certain Houses in Multiple Occupation, You must arrange an annual gas safety check (CP12) where gas is present (see [section 4.3.6](#)).
- 12 You cannot enter your tenant's home unless invited or with prior permission. You should give at least 24 hours' notice. Be specific in the tenancy agreement about what will happen in an emergency if you need access (see [section 4.3.7](#)).
- 13 Provide your tenant with clear instructions on what they should do at the end of a tenancy. Inspect the property within a day if possible. Make sure any deposit is released in accordance with the rules of the tenancy deposit scheme it is held under (see [sections 5.1 to 5.2](#)).
- 14 Monitor health and safety according to occupation. If one of your tenants is a vulnerable member of society, for example they are elderly or very young, it may mean you have to consider additional health and safety requirements (see [section 7.1](#)).
- 15 Provide tenants with a clear means of making complaints, including any dispute resolution schemes or mechanisms you are a member of. Ensure tenants are aware of the standards of behaviour they should follow and how they will be dealt with if they fail to meet such standards (see [section 7.6](#)).

Appendix C: Legislation referred to in this Code

Business Protection from Misleading Marketing Regulations 2008

Consumer Protection from Unfair Trading Regulations 2008

Consumer Rights Act 2015

Deregulation Act 2015

Gas Safety (Installation and Use) Regulations 1998

Health and Safety at Work etc. Act 1974

Housing Act 1988

Housing Act 2004

Immigration Act 2014

Supply of Goods and Services Act 1982

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (subject to Parliamentary approval)

Unfair Contract Terms Act 1977

Coventry City Council Equality and Consultation Analysis (ECA) Form

In line with the principles of decision making outlined in the City Council Constitution, the Council will ensure that its decision making is open and transparent, and that due regard is given to the Council's obligations and desire to promote equality of opportunity and equal treatment.

Form 1

This part must be completed and before formal consultation is undertaken and must be available during the consultation stage.

Author of this document: Adrian Chowns

Name of ECA and Service: Additional Licensing

Head of Service: Andrew Walster

Date of completion: September 2019

Background to the planned changes

1. What is the background to the planned changes? Why is this change being considered?

The Housing Act 2004 gave Local Housing Authorities the power to introduce Additional Licensing of Houses in Multiple Occupation (HMOs) within part or all of their area.

Coventry is well known nationally and internationally as the city of peace of reconciliation. It has also recently been awarded the City of Culture for 2021. However there have long been serious problems, especially around housing. For thousands of people coming to study the condition of accommodation for rent can be very poor. In addition, due to the problems associated with a lack of housing supply many people are forced to rent privately. This is particularly relevant for young professionals and migrant workers. The large numbers of people looking to rent, and the lack of affordable housing available to buy have conspired to present failures in the operation of the housing market.

For many years the Council has been looking for effective means of assisting and encouraging improvements in the quality of houses in multiple occupation (HMOs) let out in Coventry. The HMO sector is a substantial element of the private rental market.

These informal approaches met with a degree of success, but the scope of such intervention is very limited and many wards across the city still present significant problems with HMOs. The other tools available remain an option but prosecution for breaches of Regulations is a cumbersome procedure and one that is essentially negative – albeit appropriate in the right circumstances.

The mandatory licensing of HMOs has been effective in regulating and improving the standard of accommodation offered to let in Coventry. Licensing encourages a

Coventry City Council Equality and Consultation Analysis (ECA) Form

positive interaction with landlords and allows for the problems presented by each house to be managed on an individual basis through a bespoke set of licence conditions.

Additional Licensing spread over the whole of the city will allow for those positive effects to be extended and for the benefits to be available to everybody. The Council believes that licensing all HMOs is essential for bringing about improvements in Coventry's rental stock. There is a very strong commitment from the Council for this development and the licensing of all HMOs is an indispensable element in that work.

HMOs make a considerable contribution to the vibrancy of the city's economy and the Council appreciates the work good landlords do in providing decent living accommodation. It is imperative that all landlords in the city are encouraged to operate minimum standards that anyone should be able to expect when renting such accommodation.

The significance of HMOs in Coventry is only likely to increase. The pressures on the city's housing market are such that house prices are likely to continue to rise restricting further those households who cannot access the property ladder. In turn, this will mean that for a greater number of people who live in the Private Rented Sector (PRS), the only chance of a decent home is in a properly managed and well regulated, licensed house in multiple occupation.

In areas where Additional Licensing applies, landlords must apply for a licence if they want to rent out a HMO that is not currently subject to the Mandatory HMO licensing regime. This means the Council can check whether they are a "fit or proper person" to be a landlord, as well as making other stipulations concerning management of the property and appropriate safety measures.

An Additional Licensing scheme can be introduced if the Council is satisfied that a significant proportion of the HMOs are being poorly managed and are giving rise, or likely to give rise, to problems affecting the occupiers or members of the public.

Coventry City Council is proposing to designate the whole of its area as subject to Additional Licensing for HMOs under Part 2 of the Housing Act 2004.

2. Who do you need to consider as part of this ECA?

- Accredited landlords/letting agents
- Cabinet Member
- CABs
- Community Safety
- Council for the disabled/access groups
- Disability Forums
- Existing tenants
- Landlords
- Lead Party Members
- Local media
- Local people
- Members of Parliament

Coventry City Council Equality and Consultation Analysis (ECA) Form

- National and Regional landlord agencies, Eg. National Landlord Association, Guild of Residential Landlords, Association of Residential Rights, Residential Landlord Association
- Opposition Members
- Public Health
- Registered Social Landlords
- Resident Associations
- Specialist press
- Statutory stakeholders
- Students
- Universities
- Voluntary Action Coventry
- Voluntary/community organisations
- West Midlands Combined Authority
- West Midlands Fire Service
- West Midlands Police

Pre-Consultation Engagement

This section refers to any activities that took place (such as briefings, meetings, workshops, scoping exercises etc) with stakeholders before the formal consultation period.

3. What engagement activities took place prior to formal consultation and what feedback (if any) was received in relation to equality issues?

None yet. A formal stakeholder and public consultation will take place between 9 January 2019 and 20 March 2019. The responses provided during the consultation are set out in Form 2 on page 7 onwards.

Analysis of Impact

4. Outline below how this proposal/review could impact on protected groups positively or negatively, and what steps/mitigations (if any) could be taken to reduce any negative impact that has been identified.

The common inequalities in respect of protected characteristic groups are shown below. The proposals recognise that one of the city's strengths is its diversity and to ensure that there is equality and fairness for all. In this regard, we will adopt an inclusive and principally locality driven approach to the implementation of the licensing as well as focusing on the issues faced by protected characteristic groups.

As part of the licence application process, landlords will need to show that when carrying out their business they have not (amongst other things) practised unlawful discrimination and must meet licence conditions on how they manage their properties. The licensing scheme should have a positive effect on anti-social behaviour, and this may have a positive impact for protected characteristic groups

Coventry City Council Equality and Consultation Analysis (ECA) Form

and those who may be persecuted or their race, religion, sexual orientation or gender.

Coventry is the second largest city in the region by population, with a population estimated to be in excess of 366,800. The city is also the 9th largest in England, and its population places it as the 12th largest in the UK.¹

Between 2012 and 2013, the city's population increased by over 2%. A significant number of migrants have contributed to the city's population, which is expected to continue into the future as Coventry will see steady population increases.

Census 2011 data suggests that Coventry's population has a much younger age profile than England in general; it is the younger population that is on the increase with a decline in the over 75's.

Age – The English Housing Survey 2016/17 (EHS) reported, that the PRS has now grown to 20%, up from 19% in 2013-14 and 11% in 2003 and that a larger proportion of 25- to 34-year-olds now rent their home.

So the Additional Licensing will have a positive effect on young people especially as rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which acknowledges that *“While the under 35s have always been overrepresented in the private rented sector, over the last decade or so the increase in the proportion of such households in the private rented sector has been particularly pronounced. In 2006-07, 27% of those aged 25-34 lived in the private rented sector. By 2016-17 this had increased to 46%. Over the same period, the proportion of 25-34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25-34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-13. As with those aged 35-44, the proportion of 25-34 year olds in the social rented sector did not change”*.

The average age of Coventry's residents is 33 years, notably lower than the England average of 40 years, and is falling. In 2007 when the Coventry population started to grow the average age was 36 years. The young average age is partly because the City is home to two large universities - Coventry is one of the top 20 towns and cities in the UK in terms of the proportion of the population who are students (source: Census 2011).

Disability – The Additional Licensing will have a positive effect on tenants with disabilities who often face particular problems when renting properties. They may particularly have problems with security of tenure. Landlords are reluctant to facilitate property adaptations. Tenants with health issues are also much more likely to be affected by problems with damp and housing disrepair issues and may face problems with getting repairs done more quickly. Disabled tenants are much more impacted by the cold and issues such as no heating or hot water affect them more. Disabled tenants who have assistance dogs also have more problems renting

¹ <https://www.ukpopulation.org/coventry-population/>

Coventry City Council Equality and Consultation Analysis (ECA) Form

properties as these are seen as pets.

Gender reassignment - Although the proposals are not believed to have adverse impacts on this group, we do know that this is a group that experiences discrimination, and this may impact on their ability to rent property

Marriage/Civil Partnership – There is not believed any impact on this group.

Pregnancy/Maternity – Although it is not believed there is any significant impact on this group.

Race – Property investment by the Asian community is widespread and often a means to support their families both within the UK and in Pakistan and India. There may be a negative impact on this group as the cost of the scheme may affect their property portfolios.

The Office for National Statistics (ONS) reported in 2014 that overall for the UK as a whole, the proportion of the population born outside of the UK was 13% (8.3 million of 63.7 million). In Coventry the figures for 2014/15 were reported to be 24% non UK born, almost twice the national average.

According to the 2011 Census, Coventry as a local authority has experienced the greatest migration since 2001 - second only to London. (not relevant to this ECA
The Additional licensing will have a positive effect on race as the 2011 Census tells us that 1 in every 5 people living in Coventry (21%) were born outside the UK. People move in and out of the city every year, including students studying at the city's two universities from both the UK (37,580) as well as an estimated 19,160 overseas students (2016-2017 figures)². 14,035 students enrolled from Non-EU countries and 5,125 from EU countries. The condition of rented housing will be more suitable for habitation for people from all communities by reducing inequalities within the city and addressing migrant health as a clear priority.

Religion/belief –. Some religions are unable to receive interest from investments and this proposal may impact on members of those religions.

Sex – There are not believed to be any specific impacts on this group. However, if landlords increase rents to cover the cost of the licence, this will impact all renters.

Sexual orientation - Although the proposals are not believed to have adverse impacts on this group, we do know that this is a group that experiences discrimination, and this may impact on their ability to rent property.

² <https://www.hesa.ac.uk/news/11-01-2018/sfr247-higher-education-student-statistics/location>

Coventry City Council Equality and Consultation Analysis (ECA) Form

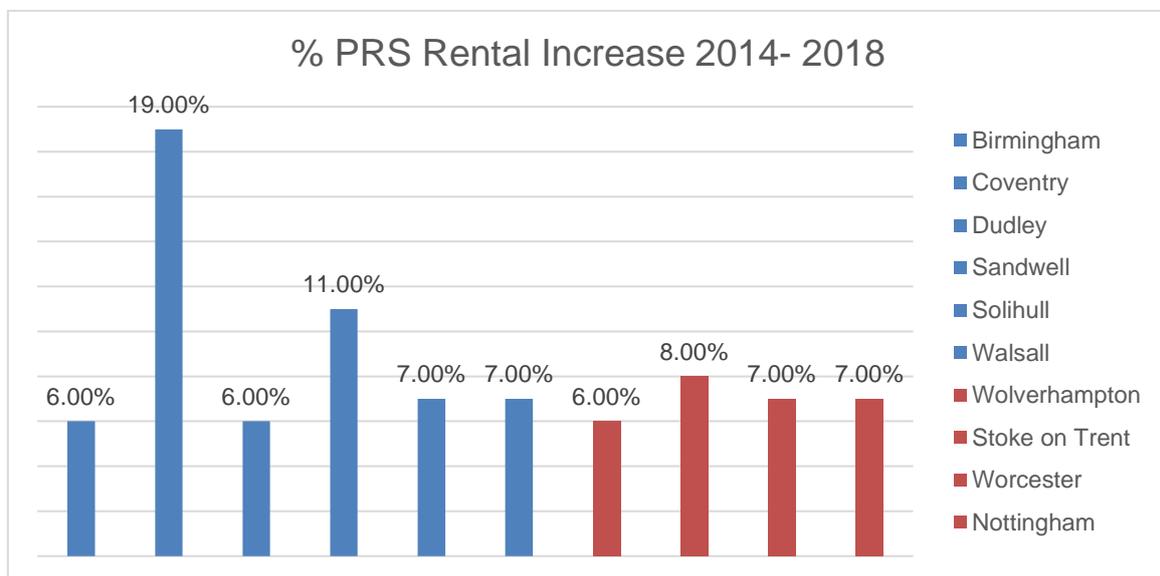
5. Are there any other vulnerable groups that could be affected?

Socio-economic - people in lower socio-economic groups, those in routine/semi routine jobs and those who are long term unemployed or have never worked are often those most impacted by poor quality accommodation and the additional licencing will have a positive effect in this area They are also more likely to live in private rented accommodation. However, this group will be significantly affected if landlords increase rent to cover the cost of the licence or improvements required to comply.

The Council has conducted some research into this area and made a comparison of rents from 2014- 2018 between areas in England that had discretionary licencing schemes and those that did not, in order to establish if there was any evidence to show that discretionary licencing increases rent.

As can be seen from Figure 2 below rental values increased in Coventry, on average by 19% between 2015 and 2018 compared to 11% in the West Midlands and 8% England over the same period. The increases in rent occurred in Coventry without the existence of a licencing scheme whilst lesser increases occurred across areas of the West Midlands where licencing is in operation – those shown in red (Wolverhampton 6%, Stoke 8%, Worcester 7% & Nottingham 7%). The evidence therefore suggests that despite the perception that licencing increase rents it is **not** the main contributing factor.

Figure 2 - Comparison of Rents in Areas with and without Licencing



Health – The Additional Licencing will have a positive effect on health as it is well reported that poor housing conditions, including overcrowding and homelessness, are associated with an increased health risk, specifically of cardiovascular diseases, respiratory conditions and mental health problems. In Coventry, as of the 2011 census, 61% of homes were owner occupied (69% in 2001) and 17% were rented from the

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Housing Association or a Social Landlord (18% in 2001). In addition, 9.5% of housing was deemed overcrowded.

6. What are the gaps in evidence? Can this be addressed during the consultation stage?

There is limited data on inequalities in the private rented sector related to marriage/civil partnership issues. It is unlikely that additional data will be gathered on this during the consultation stage, this will be considered as part of future information gathering exercises.

7. What are the likely impacts of this project/review on staff from protected groups? None (this would relate to staff from the equality groups losing their jobs)

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Form 2

This section should be completed AFTER any consultation has been concluded.

Author of this document:

Date of completion:

Potential Impacts – further information

- 8. Referring to the information detailed in question 4 of ECA Form 1, state if the potential impacts have been confirmed. Also detail below any additional information about potential impacts that has been highlighted during any consultation.**

A consultation was carried out for a period of 10 weeks between the 19 January 2019 and the 20 March 2019. The consultation incorporated a range of methods for conducting the consultation, including:

- Online questionnaires – 137 responses
- Drop in sessions – attended by 119 people
- Focus Groups – attended by 29 people
- Tenants and residents groups – attended by 17 people
- Landlords Forums – attended by 245 people
- Flyers and questionnaires were handed out at various locations

No specific equalities issues were raised during the consultation. It was recommended that an easy to read version of the policy is produced and that consideration is given for Landlords to have a DBS check as part of the Additional Licensing scheme.

The consultation resulted in support for the proposed citywide Additional Licensing scheme, with 62% in agreement. It has also identified that there are a significant number of HMOs that cause problems for both occupiers and residents and by introducing Additional Licensing there will be positive impact for tenants and neighbours.

Outcome of equality impact

- 9. Indicate which of the following best describes the equality impact of this project/review:**

There will be **no** equality impact if the proposed option is implemented

There will be **positive** equality impact if the proposed option is implemented

There will be **negative** equality impact if the proposed option is implemented but this can be objectively justified

Coventry City Council Equality and Consultation Analysis (ECA) Form

There will be both **positive and negative** impacts if the proposed option is implemented

Summary of ECA

The Housing Act 2004 gave Local Housing Authorities the power to introduce Additional Licensing of Houses in Multiple Occupation (HMOs) within part or all of their area.

There have long been serious problems, especially around housing. For thousands of people coming to study the condition of accommodation for rent can be very poor. In addition, due to the problems associated with a lack of housing supply many people are forced to rent privately. This is particularly relevant for young professionals and migrant workers. The large numbers of people looking to rent, and the lack of affordable housing available to buy have conspired to present failures in the operation of the housing market.

The common inequalities in respect of protected characteristic groups have been analysed in this report. The proposals recognise that one of the city's strengths is its diversity and to ensure that there is equality and fairness for all. In this regard, we will adopt an inclusive and principally locality driven approach to the implementation of the licensing as well as focusing on the issues faced by protected characteristic groups.

As part of the license application process, landlords will need to show that when carrying out their business they have not (amongst other things) practised unlawful discrimination and must meet license conditions on how they manage their properties. The licensing scheme should have a positive effect on anti-social behaviour, and this may have a positive impact for protected characteristic groups and those who may be persecuted or their race, religion, sexual orientation or gender.

A consultation carried out between January and March showed 62% of those who responded are in support of the proposal.

It is expected that the introduction of Additional Licensing in the city will have a positive equalities impact.

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Approvals from Director and Cabinet Member

Name of ECA Author: Adrian Chowns

Date: October 2019

Director: Andrew Walster

Cabinet Member: Councillor Tariq Khan

Please detail below any committees, boards or panels that have considered this analysis.

Name	Date	Chair	Decision taken
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Next steps

Please send this completed ECA to the Insight Team as follows:

Wendy Ohandjanian (wendy.ohandjanian@coventry.gov.uk tel. 7683 2939)

Jaspal Mann (jaspal.mann@coventry.gov.uk tel. 7683 3112)

**THE COVENTRY CITY COUNCIL DESIGNATION OF AN AREA FOR
ADDITIONAL LICENSING OF HOUSES IN MULTIPLE OCCUPATION 2020 –
SECTION 56, HOUSING ACT 2004.**

Coventry City Council in exercise of its powers under Section 56 of the Housing Act 2004 (“the Act”) hereby designates for Additional Licensing of Houses in Multiple Occupation (“HMOs”) the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the Coventry City Council Designation for an Area for Additional Licensing of Houses in Multiple Occupation 2020.
2. This designation is made on the 14th January 2020 by the Council and shall come into force on the 4th May 2020.
3. This designation will cease to have effect on the 3rd May 2025 or earlier if the Council revokes the scheme under Section 60 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. This designation shall apply to the whole of the area in Coventry City Council’s district as delineated and edged red on the map at Appendix A.

APPLICATION OF THE DESIGNATION

5. This designation applies to all HMOs of the description specified in Appendix B within the area described in paragraph 4 unless;
 - a. The building is of a description specified in Appendix C (Buildings that are not HMOs for the purpose of the Act – other than Part 1);
 - b. The HMO is subject to an Interim or Final Management Order under Part 4 of the Act;
 - c. The HMO is subject to a Temporary Exemption Notice under Section 62 of the Act; or
 - d. The HMO is required to be licensed under Section 55 (2) (a) of the Act (Mandatory Licensing of HMOs).

EFFECT OF THE DESIGNATION

6. Subject to sub paragraph 5(a) to (d) above, every HMO in the area specified in paragraph 4 that is occupied under a tenancy or a licence shall be required to be licensed under Section 61 of the Act.

Coventry City Council will comply with the notification requirements contained within Section 59 of the Act and shall maintain a register of all houses registered under this designation, as required by Section 232 of the Act.

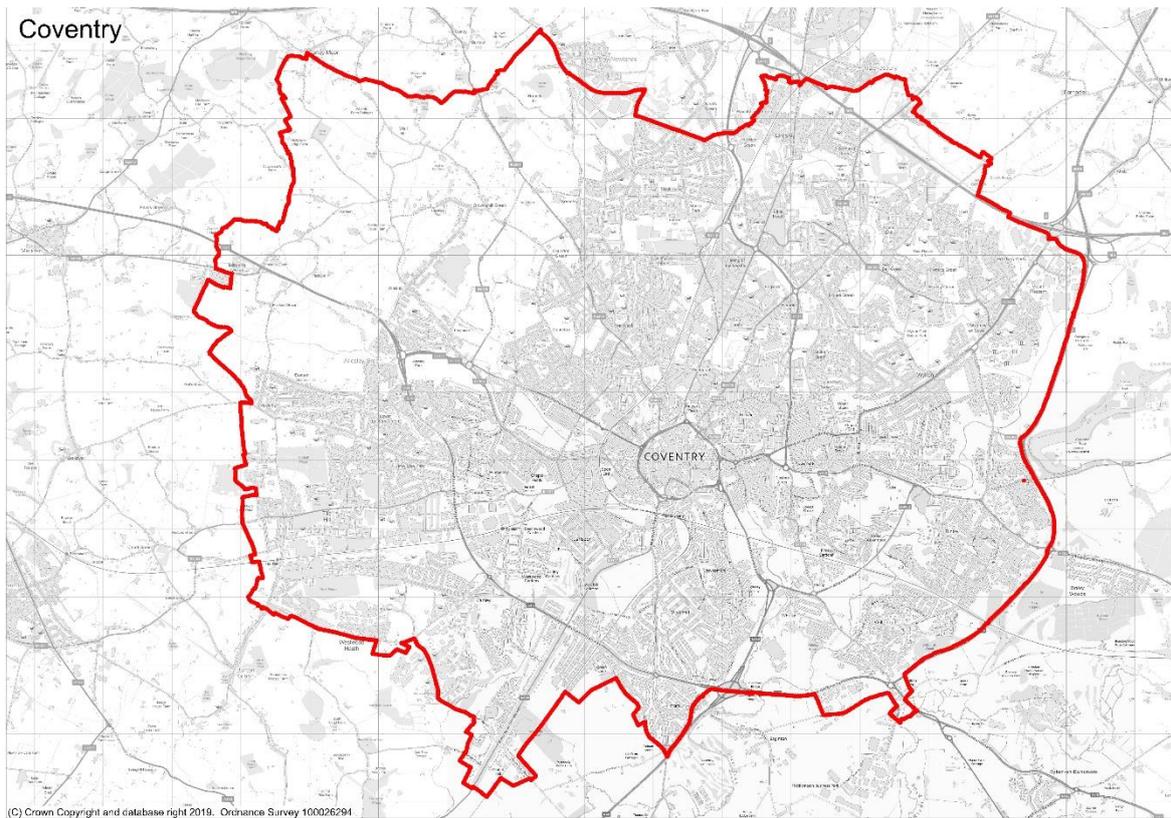
This designation falls within a description of designations in relation to which the Secretary of State has given general approval under Section 58 of the Act, namely the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing



Coventry City Council

of Other Residential Accommodation (England) General Approval 2015 which came into force on the 1st April 2015.

APPENDIX A – Paragraph 4: Map of Designated Area



APPENDIX B – Paragraph 5: HMOs subject to the designation

The designation applies to all HMOs as defined by Section 254 of the Act that are occupied by 3 or more persons comprising two or more households, and HMOs as defined in Section 257 of the Act.

APPENDIX C – Buildings which are not HMOs for the purposes of this designation

The following paragraphs list buildings which are not houses in multiple occupation for any purposes of this Act other than those of Part 1.

In this Schedule “building” includes a part of a building.

Buildings controlled or managed by public sector bodies etc.

A building where the person managing or having control of it is:-

- a) a local housing authority;
- b) a non-profit registered provider of social housing;
- c) a body which is registered as a social landlord under Part 1 of the Housing Act 1996;
- d) a police and crime commissioner;
- e) the Mayor's Office for Policing and Crime;
- f) a fire and rescue authority under the Fire and Rescue Services Act 2004; or
- g) a health service body within the meaning of section 9 of the National Health Service Act 2006.

A building: -

which is social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, and where the person managing or having control of it is a profit-making registered provider of social housing.

Buildings controlled or managed by a co-operative society

A building where:-

the person managing or having control of it is a co-operative society whose rules are such as to secure that each of the conditions set out in sub-paragraph (2) is met, and no person who occupies premises in the building does so by virtue of an assured tenancy, a secure tenancy or a protected tenancy.

The conditions are:-



Coventry City Council

- a) that membership of the society is restricted to persons who are occupiers or prospective occupiers of buildings managed or controlled by the society;
- b) that all management decisions of the society are made by the members (or a specified quorum of members) at a general meeting which all members are entitled to, and invited to, attend;
- c) that each member has equal voting rights at such a meeting; and
- d) that, if a person occupies premises in the building and is not a member, that person is an occupier of the premises only as a result of sharing occupation of them with a member at the member's invitation.

“co-operative society” means a body that is registered as a co-operative society under the 2014 Act or is a pre-commencement society (within the meaning of that Act) that meets the condition in section 2(2)(a)(i) of that Act, and is neither:-

- a) a non-profit registered provider of social housing; nor
- b) registered as a social landlord under Part 1 of the Housing Act 1996.

In this paragraph: -

“the 2014 Act” means the Co-operative and Community Benefit Societies Act 2014;

“assured tenancy” has the same meaning as in Part 1 of the Housing Act 1988;

“protected tenancy” has the same meaning as in the Rent Act 1977; and

“secure tenancy” has the same meaning as in Part 4 of the Housing Act 1985.

Buildings regulated otherwise than under this Act

Any building whose occupation is regulated otherwise than by or under this Act and which is of a description specified for the purposes of this paragraph in regulations made by the appropriate national authority.

Buildings occupied by students

Any building: -

- a) which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at a specified

educational establishment or at an educational establishment of a specified description; and

- b) where the person managing or having control of it is the educational establishment in question or a specified person or a person of a specified description.

In sub paragraph a) “specified” means specified for the purposes of this paragraph in regulations made by the appropriate national authority.

Sub-paragraph (4) below applies in connection with any decision by the appropriate national authority as to whether to make, or revoke, any regulations specifying:-

- a) a particular educational establishment; or
- b) a particular description of educational establishments.

Sub Paragraph (4) The appropriate national authority may have regard to the extent to which, in its opinion: -

- a) the management by or on behalf of the establishment in question of any building or buildings occupied for connected educational purposes is in conformity with any code of practice for the time being approved under section 233 which appears to the authority to be relevant; or
- b) the management of such buildings by or on behalf of establishments of the description in question is in general in conformity with any such code of practice, as the case may be.

In sub-paragraph (4) above “occupied for connected educational purposes”, in relation to a building managed by or on behalf of an educational establishment, means occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at the establishment.

Buildings occupied by religious communities

Any building which is occupied principally for the purposes of a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering.

This paragraph does not apply in the case of a converted block of flats to which section 257 applies.

Buildings occupied by owners

Any building which is occupied only by persons within the following paragraphs:-

- a) one or more persons who have, whether in the whole or any part of it, either the freehold estate or a leasehold interest granted for a term of more than 21 years;
- b) any member of the household of such a person or persons; and
- c) no more than such number of other persons as is specified for the purposes of this paragraph in regulations made by the appropriate national authority.

This paragraph does not apply in the case of a converted block of flats to which section 257 applies, except for the purpose of determining the status of any flat in the block.

Buildings occupied by two persons

Any building which is occupied only by two persons who form two households.



**Cabinet
Council**

7th January 2020
14th January 2020

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor T Khan
Cabinet Member for Policing and Equalities – Councillor A S Khan

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

All

Title: Selective Licensing in Coventry – Consultation Results

Is this a key decision?

No – although the recommendations in the report affect the whole City, the impact is not expected to be significant

Executive Summary:

The Housing Act 2004, Part 3, provides a discretionary power, subject to carrying out consultation and the approval of the appropriate national authority, for Local Housing Authorities to licence all private landlords in a designated area with the intention of ensuring that a minimum standard of management is met.

On the 8 January 2019 Cabinet considered the Selective Licensing Feasibility Report (attached as Appendix 1) and authorised Officer's to proceed with a citywide 10-week consultation beginning on the 9 January 2019 and ending on the 20 March 2019.

Citywide consultation was undertaken in the form of on-line questionnaires, ward drop in sessions, focus groups and Member meetings. There were a mix of responses with the highest number being from landlords and residents. Notably, there was an even balance between those in support and those against introducing selective licensing. However, detailed investigation revealed the strength of the views conveyed more were in strong disagreement than those strongly supporting. Furthermore, a much higher proportion of respondents disagreed that the fee structure was reasonable and proportionate. Notwithstanding, the response to the principle of the scheme there was generally support for mechanisms within the proposed scheme which includes fee reduction criteria, higher fees for non-compliant landlords, longer licences for compliant landlords and conditions around property condition and management. Generally, there was a concern around how the areas had been selected, the use of data from the 2011 Census, and, in particular Ward Councillors raised concern with some areas not being included where they considered there to be problems which brought the issue of out of date data into question further. The consultation results are provided in full at Appendix 2.

It should be noted that in April 2018 the Government Select Committee completed research which included evaluating Selective Licensing. More recently in July 2019 the Government published findings from an independent review of the use and effectiveness of Selective Licensing Schemes. This review resulted in several recommendations which included looking at the criteria applied to engage validation by the Secretary of State for designations and the data sources used to specify the designated area. How the Government proposes to move forward is currently unknown, it is anticipated that changes to the current legislation will be implemented in due course.

This report now provides a summary and analysis of the consultation results and a recommendation.

In addition, a petition bearing 14 signatures has been received objecting to Selective Licensing, as detailed in paragraph 3.25.

Recommendations:

Cabinet is recommended to: -

1. Note the matters raised by the petitioners.
2. Consider the consultation results attached at Appendix 2 and request that Council approve the following: -
 - a) That the proposed Selective Licensing scheme not be progressed at this time
 - b) That officers are instructed to review the conclusions of the Independent Review of Selective Licensing once these are published by Government and conduct an accurate, up to date statistical assessment, once appropriate evidence becomes available and report the findings to Cabinet at a future meeting.

Council is requested to: -

1. Consider the consultation results attached at Appendix 2 and approve the following: -
 - a) That the proposed Selective Licensing scheme not be progressed at this time.
 - b) That officers are instructed to review the conclusions of the Independent Review of Selective Licensing once these are published by Government and conduct an accurate, up to date statistical assessment, once appropriate evidence becomes available and report the findings to Cabinet at a future meeting.

List of Appendices included:

Appendix 1 – Selective Licensing Feasibility Report
Appendix 2 – Selective Licensing Consultation Results
Appendix 3 – Selective Licensing Policy
Appendix 4 – Equalities Impact Assessment

Background papers:

None

Other useful documents:

1. Cabinet Meeting Minutes 8 January 2019
<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=124&MId=11776&Ver=4>
2. Housing Act 2004.
<http://www.legislation.gov.uk/ukpga/2004/34/contents>
3. Additional and Selective Licensing in the Private Rented Sector - A Guide for Local Authorities published by the MHCLG in March 2015.
<https://www.gov.uk/government/publications/selective-licensing-in-the-private-rented-sector-a-guide-for-local-authorities>
4. English Housing Survey Private Rented Sector Report 2014-15
<https://www.gov.uk/government/statistics/english-housing-survey-2014-to-2015-private-rented-sector-report>
5. General Approval April 2015 <https://www.gov.uk/government/publications/selective-licensing-in-the-private-rented-sector-a-guide-for-local-authorities>
6. Chartered Institute Environmental Health Report - Licence to Rent
<http://www.cih.org/resources/PDF/Policy%20free%20download%20pdfs/A%20Licence%20to%20Rent%20-%20selective%20licensing.pdf>
7. Ministry for Housing, Communities and Local Government Independent Review of Selective Licensing July 2019
<https://www.gov.uk/government/publications/selective-licensing-review>
8. House of Commons publication, Housing, Communities and Local Government Committee. Private Rented Sector 17th April 2018.
<https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/440/440.pdf>
9. Scrutiny Coordination Committee, 6 February 2019
<https://edemocracy.coventry.gov.uk/documents/g11747/Printed%20minutes%2006th-Feb-2019%2010.30%20Scrutiny%20Co-ordination%20Committee.pdf?T=1>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes: 14th January 2020

Report title: Selective Licensing in Coventry

1. Context (or background)

- 1.1. The Housing Act 2004 allows Local Authorities to apply Selective Licensing of privately rented properties in areas which are experiencing: -
 - Low housing demand (or is likely to become such an area);
 - A significant and persistent problem caused by anti-social behaviour;
 - Poor property conditions;
 - High levels of migration;
 - High levels of deprivation; or
 - High levels of crime.
- 1.2. Selective Licensing requires that any person wishing to rent out a property in the designated area must first obtain a licence from the Council. Licensed properties are subject to inspections to ensure they comply with the licence conditions which cover property and management standards such as gas safety, electrical safety, free of category 1 hazards (such as damp and mould), energy efficiency, security and refuse storage.
- 1.3. During the 2014/15 municipal year, a task and finish group was established by the Business, Economy and Enterprise Scrutiny Board (3) to consider the practicalities and implications of introducing a licensing scheme for the Private Rented Sector (PRS).
- 1.4. On 27 January 2016, Business, Economy and Enterprise Scrutiny Board (3) considered the recommendations of the task and finish group and instructed officers to carry out a public consultation for Selective Licensing in the St Michael's Ward (minus the city centre).
- 1.5. That period of public engagement began on 22 August 2016 and ran until 6 November 2016 and the consultation responses raised a number of queries mainly around fee structure and the fairness of a scheme that proposed to treat all landlords the same whether compliant or non-compliant. Members therefore asked for further work to be carried out to not only look at the fee structure but also to look at the evidence base for considering a wider area for the scheme.
- 1.6. The additional work was carried out in December 2018, but a city-wide scheme could not be justified on the evidence available. As such, on 8 January 2019 Cabinet considered a feasibility report on the potential for a Selective Licensing scheme within 37 Lower Super Output Areas (LSOAs) across the city and instructed officers to carry out a public consultation on the proposal (Appendix 1). The consultation ran between 9 January 2019 and 20 March 2019.
- 1.7. This report provides a summary of the consultation approach and findings of this citywide consultation alongside other evidence used by the Council in deciding whether to implement Selective Licensing in the city.

2. Options considered and recommended proposal

Do nothing and continue with existing legal powers

- 2.1. Existing powers available to the Council have been extended by National legislation in the past 18 months and in line with the Council commitment to 'improve the quality of life for Coventry people', a reactive and proactive service has been developed with the

appointment of two new full-time members of staff. There has been progress in the Council implementing its existing enforcement powers with the development of a new Private Sector Housing enforcement policy and numerous enforcement actions since its implementation in November 2018 including, 251 legal notices and 12 civil penalties. However, due to available resources the extent of this work is limited.

Voluntary Accreditation

- 2.2. Complimenting these existing powers are voluntary accredited landlord schemes in operation, nationally and locally, that promote well managed private rented accommodation e.g. the Midland Landlord Accreditation Scheme and the National Landlord Accreditation (NLA) Scheme. The schemes all oblige landlords to agree to abide by a code of conduct but vary in their requirements with many not involving property inspections. Accreditation has recently been introduced by the Council which has provided a vehicle for those landlords and agents who are experienced and knowledgeable in their profession to seek training and advice from the Council. This scheme takes local issues into consideration within the training programme.

Management Orders

- 2.3. The Housing Act 2004 gives Local Authorities powers to use Management Orders for addressing comprehensive and serious management failures. These powers are available for use where a property is not licensed and there is no realistic prospect of it being licensed. The Order removes the property from an irresponsible landlord and using these powers is considered to be a last resort. Individual properties would have to be considered separately creating a disjointed approach to the overall improvement of the management of the housing stock in the private rented sector. Furthermore, there is no ability to self-finance this approach.

Selective Licensing

- 2.4. Selective Licensing would require all landlords to licence their properties within the designated area and adhere to licence conditions. Advice and support would be made readily available for all landlords and as such this would create a level playing field with criteria attached to licence applications that reflect the difference between compliant and non-compliant landlords. Fees and charges would also be structured to provide incentives for compliant landlords. Selective Licensing has clear regulations requiring an evidence base to justify the extent of the scheme and as discussed in the feasibility report at Appendix 1 the evidence currently available to Coventry indicates that only selected areas of the city could be justified.
- 2.5. The Council is required to consider any representation made as a result of the consultation before deciding upon the proposals for Selective Licensing. As part of the response to the consultation the Council has considered the learning outcomes from other Local Authorities that have introduced similar schemes and those that have not. It has also considered the findings and recommendations set out in the recently completed Independent Review of Selective Licensing completed by a consultant on behalf of Government in July 2019. These are discussed further in section 4.
- 2.6. Having looked at the options and considered the consultation responses, the Independent Review of Selective Licensing, and learning from other Local Authorities, as discussed later in this report, it is considered that officers should keep Selective Licensing under review, alongside the implementation of the Additional Licensing scheme, which is subject to a separate report and recommendations, until such time as the conclusions of the Independent Review of Selective Licensing are published by Government. Once the results of the review by Government are published officers should be in a better position

to apply a more accurate, up to date statistical assessment, using appropriate evidence that should also become available. As such the non-HMO private rented housing would continue to be managed using our existing powers detailed above in paragraphs 2.1; 2.2 and 2.3, however it should be noted that if the Additional Licensing scheme is progressed as recommended in the separate report the resource available in the team will increase and the existing staff will be able to concentrate solely on the management of the non-HMO private rented housing using the relevant powers that we currently have.

3. Consultation

- 3.1. The Housing Act 2004 requires the Council to take reasonable steps to consult persons who are likely to be affected by the designation; and consider any representations made in accordance with the consultation. The Department of Communities and Local Government Selective Licensing Guidance recommends that any consultation on a scheme is for a minimum of 10 weeks. The consultation was carried out for a period of 10 weeks between the 19 January 2019 and the 20 March 2019. The consultation focused on two schemes – one for Additional Licensing and one on Selective Licensing. There is a separate report detailing the results relating to Additional Licensing which is being considered alongside this scheme.
- 3.2. Throughout the period of engagement, officers have worked jointly with the Communications team to ensure that a comprehensive communications strategy has been delivered. This has been carried out in full accordance with the Council's Statement of Community Involvement and included an Equalities and Consultation Analysis. A consultation plan was developed which incorporated a range of methods for conducting the consultation, including:
 - Online questionnaires;
 - Drop in sessions;
 - Focus Groups;
 - Forums; and
 - Flyers
- 3.3. The following provides a precis of the results which are provided in full at Appendix 2.
- 3.4. A total of 301 responses were received to the online questionnaire with the majority (46%) indicating that they lived in Coventry. 42% of respondents indicated that they were a private landlord in Coventry or a letting or management agent in Coventry.
- 3.5. A total of 48% of respondents disagreed in some way with the proposals - 38% strongly disagreeing and 10% tending to disagree, whilst a total of 47% agreed in some way – 30% strongly agreed and 17% tended to agree.
- 3.6. When asked whether the proposed fees and charges were reasonable and proportionate 53% disagreed and 39% agreed. The general principle of having reduced fees subject to criteria was agreed by 61% of respondents with a slightly higher number (69%) also agreeing that higher fees should be paid by non-compliant landlords.
- 3.7. 72% of respondents agreed that longer licences should be provided to compliant landlords whilst 69% agreed that shorter licences should be provided to non-compliant landlords. Generally, respondents also agreed to the proposed licence conditions.
- 3.8. There were 178 general comments made by respondents that were framed around matters such as unnecessary financial burden, pointless bureaucratic exercise and the implications for tenants with costs being passed onto them i.e. increased rents. Those in

support of the proposals agreed that the areas should be larger and possibly the whole of the city.

- 3.9. The validity of the data used to determine the areas was also challenged and concerns about the lawfulness of the proposed fee structure were raised.
- 3.10. A number of events/meetings were held that gave a variety of stakeholders the opportunity to discuss and question officers on both schemes: Additional Licensing and Selective Licensing. Across the board there was certainly far less support for Selective Licensing than Additional Licensing.
- 3.11. 18 drop in sessions were carried out in various locations across the city covering every ward. These were attended by 119 people made up of landlords and residents. The focus of these sessions was to provide attendees with further information and advice. During the sessions there were several issues raised all of which were then followed up in emails. In summary these were framed around the following themes:
 - Unnecessary financial burden;
 - Pointless bureaucratic interference;
 - Threats of increased rents; and
 - Costs being passed onto tenants.
- 3.12. Several focus groups were held with a variety of stakeholders, including landlords, agents, universities, tenants, residents, and voluntary organisations.
- 3.13. 9 landlords attended their focus group, despite 30 being invited and raised similar concerns to those identified during the drop-in sessions and through the questionnaires, namely that this is a money-making exercise, rogue landlords won't comply and remain hidden and that the Council has sufficient powers already to deal with rogue landlords.
- 3.14. One particular landlord, who was sceptical of the proposals before the meeting did acknowledge afterwards that *"I actually agree with what you are doing 100% - We need to raise standards and this will do that; Rogue agents and landlords need addressing, this will do that; and you need more staff, the current levels are ridiculous and your staff are doing a glowing job with limited resources. I appreciate now it's not an income for profit generator and the funds raised will go towards funding the department to make this happen. I do however strongly disagree with landlords having to fund it. We already pay tax for services to be provided"*.
- 3.15. 20 agents attended their focus group and there was general agreement with the proposals with most accepting that this was "key to making a difference" and "needed for a while".
- 3.16. The tenants and residents group meeting was attended by 17 people who had varied experiences of landlords in the PRS, with some reporting an "excellent experience" to others having experienced problems with unfair evictions, poor property maintenance and threatening behaviour. Generally, there was support for the proposals but there were several reservations around the potential impact this could have on the cost of accommodation. It was clear that tenants felt there was a need to retain cheap accommodation even if it meant that it was slightly below standard as this was the only option for some. There was also some confusion about why certain areas had been included/excluded.
- 3.17. Both Universities were in support of the proposals but clearly with more interest in the proposed Additional Licensing of HMOs rather than Selective Licensing.

- 3.18. Voluntary organisations, such as the Frontline Network and Citizens Advice were in support of the aim of Selective Licensing but had reservations about whether this could be delivered effectively, the validity of the data and whether the Council had a contingency plan if the scheme was not successful.
- 3.19. A total of 4 landlord forums were held with 245 attendees from the property sector. Licence fees were discussed extensively with many raising concerns that the cost would be passed onto tenants through rent increases. Several objections were put forward about the proposals citing the fact that the Council already has sufficient powers to deal with rogue landlords. Several landlords were also disappointed that the Council had not considered multiple property discounts or other discounts for compliant landlords.
- 3.20. Meetings were held with Ward Councillors from each Ward in the City and generally there was support for some form of licensing but, many had concerns about the boundary of the scheme and that it included/excluded key parts of the city. Some took the view that the area should be smaller to focus on the most problematic areas whilst others thought that it should be wider, possibly citywide. Significant concern around the data used to determine the boundary was raised, it was considered that more up to date data was needed to more accurately identify the problem areas and the boundary for the scheme.
- 3.21. The following recommendations were made by the Scrutiny Coordination Committee as part of the consultation:
- Review data in 12 months' time to check Stage 2 criteria for areas currently outside of the proposed Selective Licensing area;
 - The number of prosecutions and enforcement actions taken as part of the scheme should be reported back to Members on a regular basis;
 - Ensure that the complaints process for tenants is not onerous;
 - That a poster or sign displaying the tenants' rights and responsibilities be part of the licence requirements;
 - Consider including Disclosure and Barring Service (DBS) checks as part of the licensing process, as with Taxi Licensing; and
 - Officers to continue working with Ward Members if the scheme is implemented.
- 3.22. Several formal submissions were also received from large portfolio and professional organisations i.e. the Residential Landlords Association (RLA) and the National Landlords Association. Most applauded the Council's intentions, but re-iterated comments made by others - that it is unfair in its application to compliant landlords. There were also issues raised about the evidence and whether it was valid or would achieve the aims set out for the scheme. Many respondents also cited that the Council already has the necessary tools to target non-compliant landlords.
- 3.23. The RLA also raised concerns regarding the methodology for granting licences and the charging provisions for them. They essentially considered that it would be unlawful for the length of licence to be decided in advance of considering the application.
- 3.24. To put it another way, it would improperly fetter discretion to decide in advance that only those who have obtained pre-approval through a specific accreditation scheme, or have some other specified history with the Council, will get a full-term licence.
- 3.25. A petition was received on the 7th August 2019 setting out the following:
- We the undersigned wish to register our opposition to the imposition of selective licensing and additional licensing schemes.

Coventry Council want to initiate selective licensing and additional licensing schemes that will affect 9000 homes. The Council claim that these schemes will improve the condition of housing, tackle anti-social behaviour of tenants and address environmental issues.

The truth is, anti-social behaviour and fly-tipping caused by some tenants are out of the control of landlords. The tenants should be fined, not landlords in the name of licensing fees. The rental market is very competitive now due to the purpose built properties in city centre areas. Landlords are updating their properties to attract tenants. The new laws are ever stricter. The proposed licencing schemes will not add value to relevant stakeholders, other than getting more income for the Council. Intervention by the Council is unnecessary and we should let the market play its role here.

We request the Council to release the consultation results related to the licensing schemes and make the information public.

We also request to stop the proposed licensing schemes.

4. Response to consultation

- 4.1. As can be seen there was a mixed view on the introduction of Selective Licensing, with particular concern around the data used being out of date and the resultant boundary not including all areas necessary.
- 4.2. The Council has considered the learning outcomes from other Local Authorities that have introduced similar schemes and the findings from the Government Select Committee review of Selective Licensing 2019.
- 4.3. The research found that as of the 1 January 2019, 44 Local Authorities had one or more active Selective Licensing schemes in operation. 4 of those schemes cover the whole of the local area and a further 9 had schemes that covered more than 20% of the areas and as such required approval from Government.
- 4.4. Most Local Authorities reported that their schemes were, at least “fairly effective” in tackling one or more of the issues licensing was introduced to address.
- 4.5. Several factors that can impede the effectiveness of Selective Licensing were also identified and included:
 - a) Local Authorities are not permitted to include conditions on the licence relating directly to property conditions, despite that often being the key reasons for designation.
 - b) Identifying the true extent of the private rented sector. Virtually all Local Authorities reported finding more privately rented properties than anticipated, with consequent pressure on resources causing delays and other difficulties.
 - c) To be effective, any scheme must maintain a focus on identifying unlicensed properties; the research highlighted a high correlation between failure to licence and unsatisfactory management and property conditions. An effective policy for identifying such properties (with intelligence gathering a key factor) should be developed at the planning stage.
 - d) The need for examples of best practice in a range of areas and for formal guidance in respect of evidence requirements, fee setting, enforcement policy, licence conditions, etc.
 - e) The process of making a designation is perceived to be highly complex and unnecessarily bureaucratic, requiring significant time, money and other resources.

- f) The importance of thorough consultation was stressed by numerous stakeholders.
- g) Size of the scheme - as schemes get larger, any problems caused by unanticipated circumstances are magnified. Many costs cannot be set directly against the licence fee (e.g. landlord training, tenant support, increased workload for the legal department) and the larger a scheme is, the more problematic resourcing such services can prove. Larger schemes also tend to suffer particular difficulties with recruitment and retention of staff. Any inadequacies in initial fee setting can be severely exposed.
- h) Inflexible licence fees - most licence fees take no account of the remaining time of the licensing designation, with landlords required to pay the full cost of re-licensing after holding a licence for a short time only. This can result in understandable resentment and increased non-compliance from landlords.
- i) Genuinely self-supporting (no subsidy) schemes are in the minority and typically have higher licence fees.
- j) The largest single cost of operating a scheme is staffing; setting a fee too low can have significant consequences – usually a reduction in the percentage of properties inspected, delays in issuing licences etc.
- k) The 20% criterion was criticised by some contributors for the disproportionate impact it can have on small Local Authorities. There is also a perceived lack of clarity about the process of validation itself, along with concerns about potentially significant delays.
- l) Several respondents reported that completion of the application form was often undesirably onerous, with a typical application form comprising 15-25 pages.
- m) Currently the only legal mechanism available to challenge a designation is an application for Judicial Review. This is a complex and extremely expensive process and, limits the opportunity for external review, whilst the threat of such action in some cases is enough to dissuade authorities from introducing licensing even where there is a legitimate need.

It is clear through this research that the effectiveness of Selective Licensing schemes is varied.

- 4.6. In terms of the size of schemes it is apparent that there are a number of Local Authorities that have considered Selective Licensing in defined areas but very few that have adopted citywide schemes. Liverpool City Council adopted a citywide Selective Licensing scheme in 2015. This was however, at a time when the criteria relating to the designation of such schemes was less prescriptive, namely that there was no requirement to meet the first test relating to the 20% threshold.
- 4.7. Liverpool's scheme was solely based on low demand and the Council is currently in the process of renewing their scheme, but it is unclear whether they will retain the citywide status with the introduction of the additional requirement to show that the areas included have over 20% of private rented houses.
- 4.8. A similar comparative example of a scheme that has been affected through the introduction of the 20% threshold is that of the London Borough of Newham who also had a citywide licensing scheme in 2012 before the new criteria was introduced. Newham recently renewed their scheme but was unable to include all parts of the city because of these changes and the lack of evidence to justify a citywide designation.
- 4.9. The availability and accuracy of data is therefore a key consideration in deciding on the size of any scheme. This was recognised in the Government's review of 2019 when it was acknowledged that:

- a) The 20% criterion creates a disproportionate impact on small local authorities. There is a perceived lack of clarity about the process of validation itself, along with concerns about potentially significant delays; and
 - b) Government should consider reviewing this threshold to ensure:
 - i. That it relates to up-to-date data sources in the absence of a recent census;
 - ii. That smaller authorities are not disadvantaged by the criteria; and
 - iii. That it is not based on the current size of the private rented sector in a local authority, given the difficulties inherent in enumerating this accurately.
- 4.10. The current criterion places a responsibility on the Council to show that its area has above national average's of private rented accommodation and where this cannot be proven then the scheme is likely to be fragmented and not citywide. This will remain the case until new evidence can be found to support a larger scheme or until the outcomes of the Government's review are concluded.
- 4.11. To consider the proposals in more detail an analysis of schemes that did not proceed was also carried out and is provided below.
- 4.12. Bournemouth Borough Council rejected selective licensing because they were concerned costs would be passed on to tenants in higher rent.
- 4.13. Manchester City Council, which decided to withdraw their selective licensing scheme after five years, stated: "Members and landlords have criticised the scheme as being overly bureaucratic, with too much effort focused on the paperwork and administration and not enough on tackling the poorer landlords through enforcement.
- 4.14. Rochdale Council which, despite having had selective licensing for 10 years, continued to have problems of "poor quality landlords offering very poor quality and often illegal properties for rent".
- 4.15. The concerns regarding the granting of licences and different fees (as detailed in paragraphs 3.22 to 3.24 above) has been reviewed and although it is entirely plausible for the Council to adopt this approach it must be done to ensure that the decision about the amount of the fee is not made before the decision about the actual terms (length) of the licence.
- 4.16. If an applicant gets a full-length licence because he or she has established through accreditation or something similar that the licence is unlikely to create compliance costs, then it would be proper for the fee to be less than that for a licence which is anticipated to create compliance costs. So, where the Council has such concerns that it imposes conditions or grants what is effectively a probationary licence, it is rational to charge more for the compliance component.
- 4.17. The Council therefore set out an approach by which it would decide on the length of the licence having decided whether to grant it, that in doing so it will take into account all the information which it has on the applicant, and that evidence of competence such as accreditation or a known history of compliance with the Council, would weigh in favour of a longer licence.
- 4.18. This approach is entirely consistent with the powers provided and the requirements placed upon the Council by caselaw in the recent Hemming case.

- 4.19. In order to address the final issue pertaining to the restriction on training for the accreditation scheme the Council will be introducing webinars and online training so that participants can access this from any location and receive the training electronically. This issue is relevant to mandatory licensing and additional licensing, as such the change to the scheme will be made whatever the outcome of Selective Licensing.

5. Conclusions

- 5.1. The mixed response to the consultation has enabled the Council to review the proposals taking into consideration the findings of the Government review and the experiences of other Local Authorities.
- 5.2. The recent Government review identified a number of factors that can impede the effectiveness of Selective Licensing as mentioned in paragraph 4.5 above, that are directly applicable to the Council's proposals, for example – the Council is not permitted to include conditions on the licence relating to property conditions; the process of making a designation is highly complex and unnecessarily bureaucratic; the size of the scheme and the associated structure required to deliver it effectively – larger schemes tend to suffer particular difficulties with recruitment and retention of staff; and self-supporting schemes typically have higher licence fees.
- 5.3. The Council's aim includes the need to improve living conditions in the private rented sector and whilst it is confident that this could be achieved it is unlikely that licensing would be the main contributory factor because such requirements cannot be included as licence conditions.
- 5.4. The criticisms of the validity of the data being relied upon to designate the scheme is also a concern with this being such a complex area it is important that the data reflects the most up to date situation.
- 5.5. Furthermore, the size of the scheme would mean that satisfactory resources are secured to deliver it effectively. The fees and charges have been structured to ensure that the scheme is completely self-financing to ensure no additional financial burden is placed upon the Council's budgets. There is a risk that the licence fees would be passed onto tenants through rent increases and the Council has limited ability to prevent this.
- 5.6. The consultation has raised concerns about the methodology adopted in arriving at the areas likely to be affected as detailed in report.
- 5.7. This has raised some important considerations for the Council and moving forward officers would like to keep Selective Licensing under review alongside the implementation of the Additional Licensing scheme which is subject to a separate report and recommendations until the conclusions of the Independent Review of Selective Licensing are finalised. Once the results of the review by Government are published officers should be in a better position to apply a more accurate, up to date statistical assessment, using appropriate evidence that should also become available.
- 5.8. In addition, the implementation of only Additional Licensing will not only address the quality of HMOs but will also enable existing resources to be used more effectively to enforce and drive up quality within the non HMO private rented sector through the use of the existing powers.

6. Comments from Director of Finance and Corporate Services

6.1. Financial implications

The recommendation is to not implement Selective Licensing, at this stage, so there are no direct financial implications. The costs associated with the process so far have been absorbed within existing budgets. Moving forward these will also be covered by existing budgets. Should the Council be minded to proceed with Selective Licensing then the costs associated with the scheme would be covered by the fees and charges set out in the attached Selective Licensing Policy (Appendix 3).

6.2. Legal implications

As the proposal is to not implement Selective Licensing, at this stage, there are no legal implications.

7. Other implications

7.1. How will this contribute to achievement of the Council's Plan?

The continued work by the Housing Enforcement team will contribute to the achievement of the Council's Plan i.e. enforcement – proposed Additional Licensing, Mandatory Licensing.

7.2. How is risk being managed?

The consultation was designed to ensure compliance with legislation and the statutory guidance, thereby minimising the risk of legal challenge. The recommendations have very limited/ no risk of challenge.

7.3. What is the impact on the organisation?

The approval of the recommendations of this report should have limited impact on the organisation. There is no human resource, financial or ICT implications.

7.4. Equalities / EIA

The report makes links to the Council's Equality and Diversity Policies and a specific Equalities Assessment has been completed for this report and is attached at Appendix 4.

7.5. Implications for (or impact on) the environment?

None.

7.6. Implications for partner organisations?

None.

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Coventry City Council

Selective Licensing in Coventry

FEASIBILITY REPORT
CHOWNS, ADRIAN

PLANNING AND REGULATORY SERVICES

Contents

EXECUTIVE SUMMARY	4
1. Introduction	5
1.1 Selective Licensing	5
1.2 Why is the Selective Licensing Scheme being proposed?	6
2. Methodology	8
3. Supporting Information	9
3.1 National Picture	9
3.2 Local Context	10
3.3 Strategic Context	12
3.4 Housing in Coventry	14
3.5 The Private Rented Sector (PRS)	14
3.6 Ward Profiles	15
3.7 Low Housing Demand	19
3.8 House Prices	19
3.9 Crime	22
3.10 Proportion of Families on Low Income	27
3.11 Anti - Social Behaviour	29
3.12 Property Conditions	35
3.13 Non Decent Homes	37
3.14 HHSRS	38
3.15 Disrepair	40
3.16 Modern Facilities	40
3.17 Thermal Comfort	41
3.18 Energy Performance	42
3.19 Fuel Poverty	44
3.20 Private Sector Residents	45
3.21 High Levels of Migration	46
3.22 High Levels of Deprivation	49
3.23 High Levels of Crime	51
4 The Proposed Selective Licensing areas	57
5 Option Appraisal	59
Appendix A – LSOA Maps of the Proposed Selective Licensing Areas	64
Appendix B – List of Streets	82

Table of Figures

Figure 1- Population profile for Coventry 2016	11
Figure 2- % households in PRS in West Midlands area 2011	15
Figure 3- % households in PRS in West Midlands region 2015.....	15
Figure 4- % PRS by Ward 2011	16
Figure 5- Average price by property type in Coventry 2011 to 2018	19
Figure 6- Average Houses Prices Coventry 2018	20
Figure 7- Average House Prices 2015 to 2018	20
Figure 8- Crime Rates for Coventry 2017-2018	23
Figure 9- Criminal damage by ward 2017-18.....	23
Figure 10- Burglary by ward 2017-18.....	24
Figure 11- Poverty levels after housing costs by ward	28
Figure 12- ASB crime rates by Ward	29
Figure 13- Public Order crime rates by ward	30
Figure 14- Dwelling Age in Coventry 2012/13	36
Figure 15- Dwelling type in Coventry 2012.....	36
Figure 16- Non decent homes in Coventry PRS	37
Figure 17- Ward profiles for non decent homes.....	38
Figure 18- Cat 1 hazards in PRS Coventry	39
Figure 19- Cat 1 hazards by ward.....	39
Figure 20- Disrepair by ward.....	40
Figure 21- Modern facilities failure by ward.....	41
Figure 22- Thermal comfort failure by ward.....	42
Figure 23- EPC ratings by tenure in Coventry	43
Figure 24- Energy performance by ward	44
Figure 25- Fuel poverty levels by ward	45
Figure 26- Non EU Migrants by ward.....	47
Figure 27- EU Migrants by ward	48
Figure 28- Residents time in area by ward	49
Figure 29- IMD by LSOA	50
Figure 30-Crime rate per 1000 population by region	52
Figure 31- Proposed Selective Licensing in Coventry	58
Figure 32- Maps of the proposed Selective Licensing areas.....	64

Tables

Table 1 - % PRS by LSOA.....	16
Table 2- Comparison of House Prices by LSOA	21
Table 3- Change in criminal damage rates for 2016/17 & 2017/18	24
Table 4- Change in Burglary rates between 2016/17 & 2017/18	26
Table 5- LSOA ranking for Low Demand	28
Table 6- Change in ASB rates between 2016/17 and 2017/18.....	31
Table 7- Increase in Public Order rates between 2016/17 and 2017/18.....	32
Table 8- Increase in Rubbish complaints between 2016/17 and 2017/18	33
Table 9- ASB Occurrences by LSOA.....	35
Table 10- Non Decent in PRS in Coventry.....	37
Table 11- Criteria failure for non decent homes.....	38
Table 12 – Index of Multiple Deprivation (IMD) 2015 Ranks.....	50

Table 13- Total crime rate per 1,000 population by LSOA.....	53
Table 14- Increase in Crime rates between 2016/17 and 2017/18 by LSOA.....	55
Table 15- Crime rate analysis by LSOA.....	56
Table 16- Proposed Selective Licensing Areas by LSOA.....	57
Table 17- Option appraisal.....	60
Table 18 - List of Streets in Proposed Selective Licensing Areas	82

EXECUTIVE SUMMARY

The growth of the Private Rented Sector (PRS) has been a significant change in the housing market in Coventry.

In 2001 there were approximately 15,000 households living in the PRS which according to Census information rose to 26,503 in 2011. This equates to a 77% increase in ten years. Furthermore the Office of National Statistics (ONS) reported in 2015 that there were an estimated 34,326 households in the PRS in Coventry.

The Council has produced a housing strategy which recognises that, amongst other things, there is limited social affordable housing available in the City making it clear that the private rented sector will need to play a greater role in meeting housing needs in the City.

The key priorities within the Housing Strategy that will address issues in the PRS include:

- Bringing long-term empty private properties back into use
- Working with the Council's Benefits Service and Registered Providers to increase the supply of larger family homes by addressing the issue of under occupation.
- Improving the condition of the existing stock by prioritising properties in the worst condition and assisting the most vulnerable people.
- Working with landlords and tenants to support the increasing role of the private rented sector to provide high quality, professionally managed accommodation.
- Aiming to reduce energy bills and make homes warmer by identifying opportunities for installing energy efficiency and renewable energy measures and maximising funding from external sources.

Landlord licensing is part of a wider set of measures to enable landlords to provide good quality housing within their communities and to address issues of anti-social behaviour (ASB), crime, and low demand within areas.

Should Selective Licensing schemes be introduced, it would mean that all private landlords with residential property in designated areas of the City would need to apply for a licence for each property before they can be let to tenants. In order to become a licence holder a landlord would have to meet certain standards.

1. Introduction

The Housing Act 2004 provides the Council with the power to introduce Selective Licensing of privately rented properties to improve conditions for tenants and the local community in certain circumstances.

In April 2015 the Secretary of State for Communities and Local Government gave Local Authorities general approval regarding the approval steps for selective licensing designations in England.

1.1 Selective Licensing

In order to introduce Selective Licensing the council **must demonstrate that an area (or areas) have a high level of privately rented housing stock and that one or more of the following criteria are met:**

- 1) That the area is, or is likely to become, an area of low housing demand; and that making a designation will, when combined with other measures taken in the area by the Council, or by other persons together with the Council, contribute to the improvement of the social or economic conditions in the area; or
- 2) That the area is experiencing a significant and persistent problem caused by anti-social behaviour and that some or all of the private sector landlords who have let premises in the area are failing to take action to combat the problem that it would be appropriate for them to take; and that making the designation will, when combined with other measures taken in the area by the Council, or by other persons together with the Council, lead to a reduction in, or elimination of, the problem; or
- 3) That the area is suffering from poor property conditions. Local housing authorities can address poor property conditions through their powers in Part 1 of the Act, which are extensive. As mentioned below a local housing authority should not use its Part 3 powers (selective licensing) where it is appropriate to tackle small numbers of properties which are in disrepair directly and immediately under Part 1. There may, however, be circumstances in which a significant number of properties in the private rented sector are in poor condition and are adversely affecting the character of the area and/or the health and safety of their occupants. In that case, as part of wider strategy to tackle housing conditions, the local housing authority may consider it appropriate to make a Selective Licensing scheme so that it can prioritise enforcement action under Part 1 of the Act, whilst ensuring through licence conditions under Part 3 that the properties are properly managed to prevent further deterioration; or
- 4) That the area has high levels of migration. Migration refers to the movement of people from one area to another. It includes migration within a country and is not restricted to migration from overseas. A Selective Licensing designation can be made, as part of a wider strategy, to preserve or improve the economic conditions of the area to which migrants have moved and ensure people (including migrants) occupying private rented properties do not live in poorly managed housing or unacceptable conditions; or
- 5) That an area has high levels of deprivation. A local housing authority may make a designation if the area is experiencing a high level of deprivation. It must, however, be clear that by making the scheme it will, together with other

measures as part of a wider strategy, improve housing conditions in the private rented sector in that area; or

- 6) That an area has high levels of crime. In considering whether an area suffers from a high level of crime the local housing authority may wish to have regard to whether the area has displayed a noticeable increase in crime over a relatively short period, such as in the previous 12 months, whether the crime rate in the area is significantly higher than in other parts of the local authority area or that the crime rate is higher than the national average. In particular the local housing authority may want to consider whether the impact of crime in the area affects the local community and the extent to which a selective licensing scheme can address the problems.

In considering whether to designate an area for selective licensing on the grounds set out above the local housing authority may only make a designation if the area has a high proportion of property in the private rented sector. Local Authorities are entitled to consider areas as 'high' if the proportion of private rented stock exceeds the national average. Nationally the private rented sector currently makes up 20% of the total housing stock in England.

When considering the feasibility of introducing Selective Licensing the Council has had regard to the guidance provided by Government and determined that in Coventry, only those areas that meet one or more of the above conditions and have high proportions of privately rented housing will be considered.

1.2 Why is the Selective Licensing Scheme being proposed?

The Council acknowledges that many landlords provide decent well-managed and well maintained accommodation, which does not cause any problems for the local community.

There are, however, also properties that are poorly managed, suffer from overcrowding, or provide unsafe accommodation. These properties have a negative effect on their local area.

The problem of anti-social behaviour, poor quality rented housing and irresponsible and unscrupulous landlords can have a detrimental effect on the community. This, combined with vandalism and other antisocial behaviour can cause people to move. Rapid and continuous churn within the housing market creates unstable communities.

As the area becomes less attractive, owner occupiers also move and properties are either left empty or bought by speculative landlords. These landlords often have no interest in the community and often rent to tenants who are not properly vetted, leading to further anti-social behaviour, poor property management and decline.

During the Municipal year 2013/14, Scrutiny Co-ordination Committee established a Task and Finish Group to look at the issue of Houses in Multiple Occupation. One of the outcomes of this review was that licensing for private rented sector housing be looked at in more detail.

Through the review into Houses in Multiple Occupation (HMO's), it was recognised that there were issues with the private rented sector generally in the City, not just those

in multiple occupation. Concern has been raised from residents as to the quality of some of the housing provided by the sector and residents in some areas of the city have also experienced anti-social behaviour, fly-tipping and noise nuisance in areas where there are large numbers of rented property.

Members therefore agreed to consider selective licensing in a targeted area of the city. It is expected that the any scheme introduced will provide the following benefits for all:

To the local authority:

- Reduce environmental costs
- Reduced homelessness costs
- Better knowledge of the private rented sector
- Improved physical standards and management of private rented stock
- Quick and easy contact with landlords
- Easier to involve landlords in wider strategies
- Support the local Housing and Homelessness Strategy 2013-18
- Reduce health inequalities

To the Neighbourhood and Community:

- Increase in environmental quality and sense of security
- Less antisocial behaviour
- Less fly tipping etc.
- More responsive landlords
- Increase in choice of good quality and well managed housing
- Reduction in health inequalities.

To tenants:

- Improvements to the quality and management of property and protecting vulnerable groups who are often occupiers of poorly managed privately rented accommodation.
- Improvements to the neighbourhood e.g. security and sense of community.
- Reduce incidence of unplanned moves and homelessness
- Economic benefits e.g. regaining deposits/less moving costs
- Improvement in health due to improved housing conditions

To Landlords:

- Creates a level playing field
- Enhance the reputation of the private rented sector and marginalise bad landlords
- Expectations are clear
- Better tenants; less turnover; less voids
- Support for landlords in tackling tenants who commit Anti-social Behaviour

Selective Licensing will give the Council the power to make landlords accountable for the management of their property and tenants. All landlords who rent a property in these areas would need to apply for a licence.

2. Methodology

For the Council to introduce a Selective Licensing scheme within the City a number of criteria must be met as set down in the Housing Act 2004 and subsequent guidance documents issued by the Department of Communities and Local Government (DCLG) “Selective Licensing in the Private Rented Sector - A Guide for Local Authorities”, published by the DCLG in March 2015.

The guidance sets out the criteria for making a Selective Licensing scheme and suggests the type of evidence needed to support a designation. A new general approval also came into force with effect from 1 April 2015, which requires the Council to obtain confirmation from the Secretary of State for any Selective Licensing scheme that would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the local authority area.

A wide range of data has been analysed to provide an objective geographical appraisal of the city and those areas which may benefit from the implementation of a Selective Licensing scheme using the criteria set out in the guidance provided by Government for designating selective licensing areas. This detailed analysis is based on the following themes set around the criteria mentioned earlier.

Low Housing Demand

- Lack of Mixed Communities – Proportion of tenure mix
- Average House Sale Price
- Count of Empty Properties
- Count of Total Crimes
- Count of Criminal Damage
- Count of Burglary
- Count of Robbery
- Count of Theft
- Count of Vehicle Crime
- Proportion of families on Low Income.

ASB

- Count of Total ASB
- Count of Nuisance ASB
- Count of Personal ASB
- Count of Environmental ASB
- Count of Flytipping
- Count of Rubbish Accumulations
- Count of Graffiti cleared

Property Conditions

- Proportion of Private Rented Sector Stock with a Category 1 hazard
- Proportion of Private Rented Sector Stock with a Category 2 hazard
- Count of Housing Complaints

Migration

Count of Population change between 2011 to 2013

Count of New build Completions

Deprivation – 2015 Indices of Multiple Deprivation

Lack of Mixed Communities – Proportion of tenure mix

Overall Deprivation score

Employment Deprivation score

Income Deprivation score

Health Deprivation score

Access to Education, Training and Other Services score

Indoors Sub Domain score

Living Environment score

Levels of Crime score

Crime

Lack of Mixed Communities – Proportion of tenure mix

Count of Total crime

Count of Criminal Damage

Count of Burglary

Count of Robbery

Count of Theft

Count of Vehicle Crime

Rate of Crime per 1000 population

% Comparison to National Average

In order to determine which areas should be subject to Licensing officers have undertaken a detailed analysis of the data available at both Ward and Lower Super Output Area (LSOA) level using census information. An analysis of the Ward data has been carried out to support the development of specific areas where the Selective Licensing designation would be best implemented whilst the LSOA data has been used to identify those succinct areas which are experiencing one or more problems identified in the criteria mentioned earlier.

There are 195 LSOAs in Coventry with an average of population of 1,700 residents per LSOA. These form the 18 Wards that make up the City.

3. Supporting Information

3.1 National Picture

The Office for National Statistics (ONS) projections indicates that there will be a population increase in the UK by 11 million over the next two decades. People are growing older and living longer. It is estimated that over the next 2 years the over 65's will increase by 7 million.

2.9 million people aged 20-34 are currently living with parents and for many home ownership is no longer a tenure of choice or aspiration resulting in the PRS being the only viable housing option for most newly forming households.

The English Housing Survey 2016/17 (EHS) reported, that the PRS has now grown to 20%, up from 19% in 2013-14 and 11% in 2003 and that a larger proportion of 25- to 34-year-olds now rent their home.

Rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which acknowledges that *“While the under 35s have always been overrepresented in the private rented sector, over the last decade or so the increase in the proportion of such households in the private rented sector has been particularly pronounced. In 2006-07, 27% of those aged 25-34 lived in the private rented sector. By 2016-17 this had increased to 46%. Over the same period, the proportion of 25-34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25-34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-13. As with those aged 35-44, the proportion of 25-34 year olds in the social rented sector did not change”*. In 2016-17, 5% of households in the private rented sector (231,000) were living in overcrowded accommodation.

The rental market has also changed considerably. After stalling in 2013, rents charged by private landlords increased by 8.2% in 2014 across England with the average weekly rent climbing from £163 to £176.40.

3.2 Local Context

Coventry is the second largest city in the region by population, with a population estimated to be in excess of 350,000. The city is also the 9th largest in England, and its population places it as the 12th largest in the UK.¹

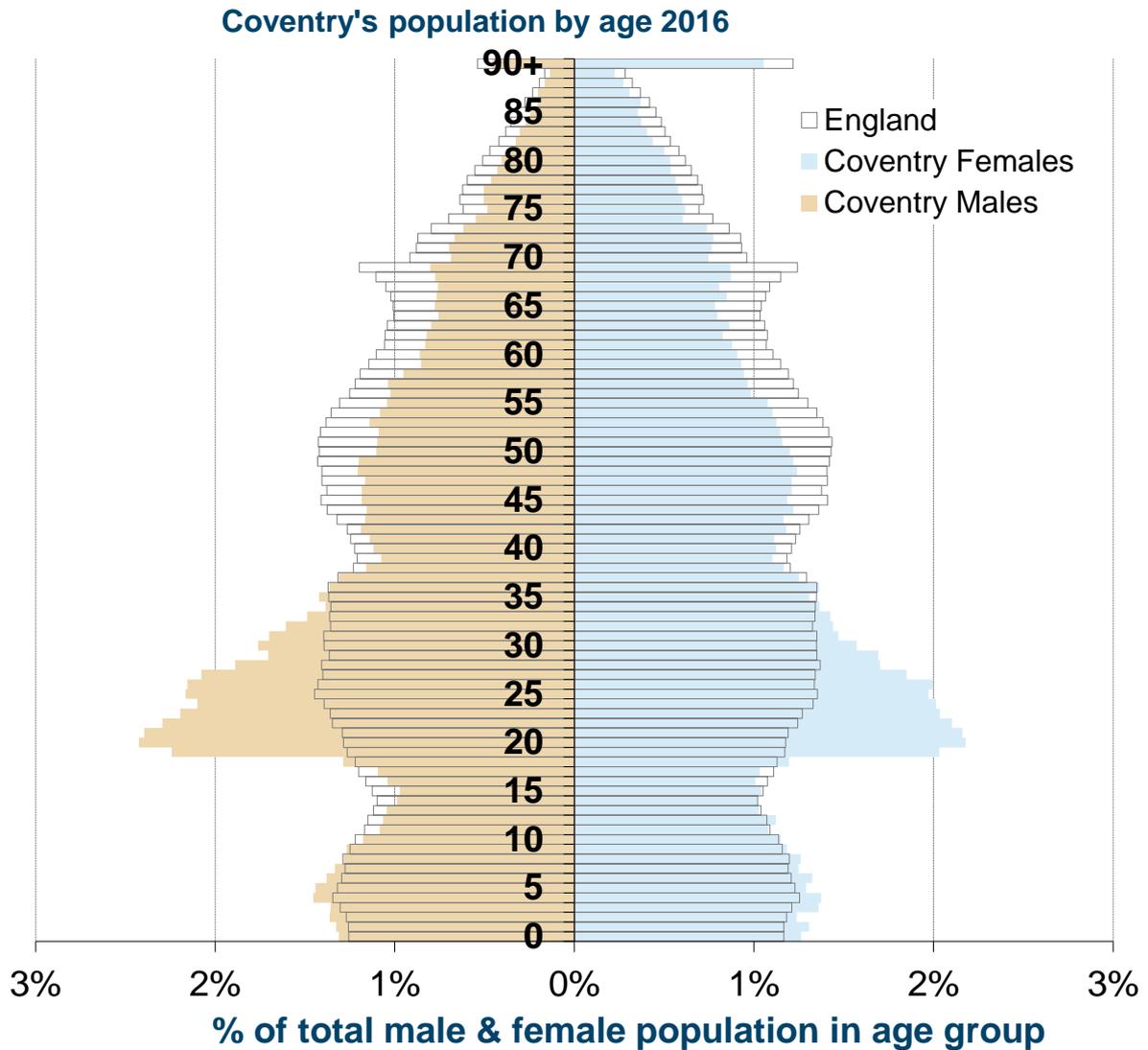
Between 2012 and 2013, the city’s population increased by over 2%. A significant number of migrants have contributed to the city’s population, which is expected to continue into the future as Coventry will see steady population increases.

Census 2011 data suggests that Coventry’s population has a much younger age profile than England in general; it is the younger population that is on the increase with a decline in the over 75’s.

The average age of Coventry’s residents is 33 years, notably lower than the England average of 40 years, and is falling. In 2007 when the Coventry population started to grow the average age was 36 years. The young average age is partly because the City is home to two large universities - Coventry is one of the top 20 towns and cities in the UK in terms of the proportion of the population who are students (source: Census 2011). Figure 1 below provides the population profile for Coventry during 2016.

¹ <https://www.ukpopulation.org/coventry-population/>

Figure 1- Population profile for Coventry 2016



The student population means there is continually a large population aged 18 – 24, this age group makes up 14.3% of the population compared to the England average of 8.8%.

There are other reasons why Coventry is a relatively young city;

- A number of European economic migrants, who are more likely to be younger, have moved and are moving to the city;
- In the 1970s and 1980s many young people left the city looking for work meaning that there are relatively fewer older people today than might be expected;
- Up until five years ago the annual number of births was increasing as a trend. The number of births has now stabilised and has fallen from a high of around 4,800 to around 4,600; and
- Some established middle aged residents moved out of Coventry to more rural areas.

Continuing a recent trend, the average age of Coventry's residents reduced between mid-2015 and mid-2016.

The population of 0-15 year olds increased by 1.9%, 16-64s increased by 2.6% and older people aged 65 and over by 0.6%. However, with life expectancy increasing the population of residents aged 65+ is likely to increase faster than younger age groups in the future. The working age population increased by the most, particularly due to growth amongst 18-24s and 25-34s; partly the result of the growing universities. Coventry University in particular has been growing and the number of full-time students enrolled there continued to increase between 2015 and 2016.

3.3 Strategic Context

The Council Plan takes forward the main themes agreed by the Council in recent years. It reaffirms the Council's ambition – developed with the Strategic Partnership and partners to make Coventry: A Top Ten City.

This ambition is driven through three corporate priorities which directly address the needs of the city:

- 1) Promoting the growth of a sustainable Coventry economy by:
 - Supporting businesses to grow;
 - Creating the infrastructure for the city to grow and thrive;
 - Developing the city centre for the 21st century;
 - Raising the profile of Coventry;
 - Helping local people into jobs;
 - Reducing the impact of poverty;
 - Increasing the supply, choice and quality of housing; and
 - Increasing access to arts, sports & cultural opportunities including leisure, music and events.
- 2) Improving the quality of life for Coventry people by:
 - Creating an attractive, cleaner and greener city;
 - Making communities safer together with the police, to reduce crime and anti-social behaviour;
 - Improving educational outcomes by working with schools to continue to improve standards;
 - Improving the health and wellbeing of local residents;
 - Protecting our most vulnerable people; and
 - Reducing health inequalities.
- 3) Delivering our priorities with fewer resources by:
 - Making savings so that we can support frontline services;
 - Support the regeneration of Coventry's economy;
 - Change how we work to become more flexible and adaptable;
 - Empowering citizens and encouraging active communities; and
 - Working together with neighbours and partners across the voluntary, public and private sectors.

The priorities of the Council Plan are delivered through key strategies – of which the Health and Wellbeing Strategy is one.

The Health and Wellbeing Strategy 2016-19 recognises that creating health, wealth and happiness requires more than simply managing people's health problems. The

health and wealth being of people can be improved if people have jobs, good housing, and are connected to families and communities.

By working together to deliver three priority areas Coventry Health and Wellbeing Strategy will make the biggest difference to the lives of Coventry people.

Coventry is part of the Coventry and Warwickshire Housing Market Area. Based on the most recent population projections, the housing requirement for Coventry and Warwickshire from 2011-2031 is for just over 88,000 dwellings – including 42,400 to meet Coventry’s need. An assessment of land availability indicates that Coventry has enough land for just 24,600 houses; so the Council has entered into formal agreements with the Warwickshire districts to redistribute the remaining 17,800 houses required outside of the city’s boundaries. Of the 24,600 houses, around 17,000 can be accommodated on brownfield sites, with the remaining 7,000 needing to be on previously undeveloped, greenfield land.

The Council’s Housing Strategy 2013-2018 affirms the Council’s view that housing plays a crucial role in the economic growth of the City. The ambition for Coventry is **“to ensure decent homes, housing choice and support for Coventry citizens”** through various themes including:

- 1) Increase the supply, choice and quality of new housing;
- 2) Prevent and tackle homelessness;
- 3) Strive for a healthier and more sustainable City by improving the quality and use of stock; and
- 4) Encourage balanced, stable and sustainable communities.

Beneath these themes are a number of key priorities, most notable for this report being:

- Regenerate neighbourhoods where poor quality, low demand housing exists;
- Improve energy efficiency and affordable warmth across all tenures;
- Improve property condition and management standards in the private rented sector; and
- Improve the quality of our neighbourhoods to support safe, inclusive and cohesive communities.

The Housing Strategy links into the Council Plan and the Health and Wellbeing Strategy by contributing to the delivery of the key corporate priorities but also in supporting the local economy through ensuring communities have stable and safe places to live.

Regulatory Services is responsible for improving conditions and management of properties in the Private Rented Sector and embraces a range of service areas used by people, businesses and organisations. Through this work profile the service **“seeks to ensure that the public, visitors, workers and residents of Coventry have a healthy and safe work and domestic environment”** using education, persuasion and enforcement activities. The teams within the service are responsible for ensuring properties and landlords in the PRS meet minimum legal requirements.

3.4 Housing in Coventry

There is a housing shortage in Coventry with an estimated 14,000 households on the waiting list for housing, there is a particular need for larger 3 and 4 bedroom properties. Affordability is also a major concern.

In 2011, the vast majority (82%) of the 133,185 homes in Coventry were in private ownership, while around one in five (18%) of homes in 2011 were considered affordable housing and were mainly owned by registered providers. Affordable housing is strongly concentrated in areas such as Tile Hill, Hillfields, Willenhall, Bell Green and Alderman's Green and there was over-provision of housing in council tax bands A and B (71% of the total housing stock) and an under-provision of properties in bands E and above.

An over-representation of terraced housing is also reported and this is supported by the 2011 Census where it is noted that 43% of housing in Coventry is terraced. In contrast, 10% of households in the city are detached and over a quarter (28%) are semi-detached.

It is well reported that poor housing conditions, including overcrowding and homelessness, are associated with an increased health risk, specifically of cardiovascular diseases, respiratory conditions and mental health problems. In Coventry, as of the 2011 census, 61% of homes were owner occupied (69% in 2001) and 17% were rented from the Housing Association or a Social Landlord (18% in 2001). In addition, 9.5% of housing was deemed overcrowded.

Overcrowding is defined as those households that have at least one less room than required based on the size and profile of the household.

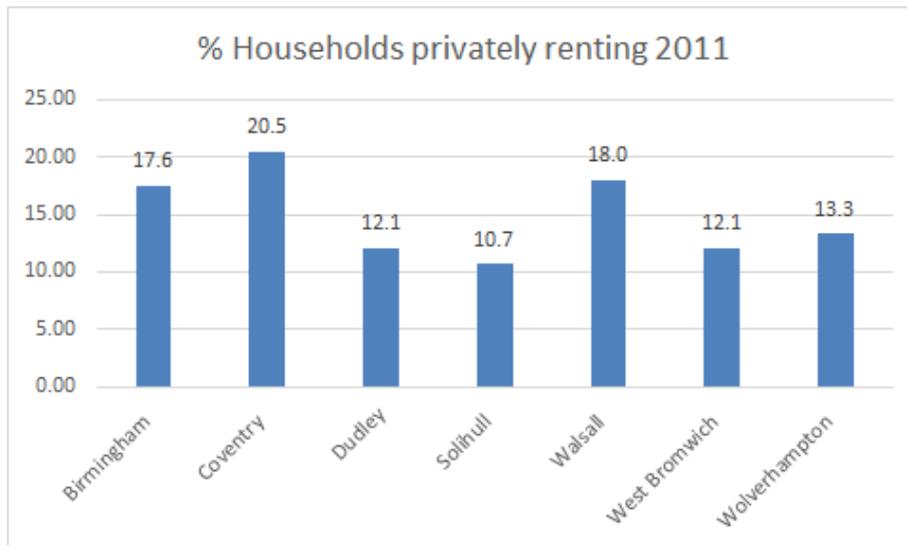
Increasing the supply, choice and quality of housing is a key priority of the Council set out in the Council Plan, and while it is unable to build its own housing, the Council is supportive of developers to build larger family homes in the city.

3.5 The Private Rented Sector (PRS)

The Private Rented Sector in Coventry has seen considerable growth over the past 20 years or so. In 2001 the sector was reported to be around 13% - Census 2001 and had increased to around 21% by 2011, making Coventry the region in the West Midlands with the largest PRS.

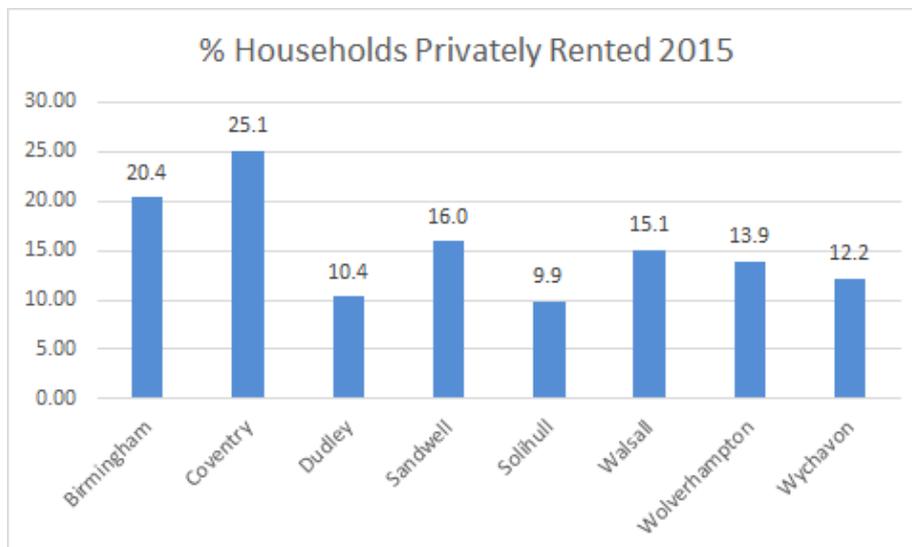
Figure 2 below provides the comparison of the percentage of PRS in the West Midlands and surrounding areas for 2011.

Figure 2- % households in PRS in West Midlands area 2011



In 2015, the Office for National Statistics released tenure estimates by Local Authority for owner occupied and private rented dwellings. These estimates indicated that the PRS had increased since the 2011 census to 34,326 (25.06%) and although these were estimates and not 'official' statistics' this provides a clear indication that the PRS in Coventry is expanding year on year. Figure 3 below provides the comparison for the local area.

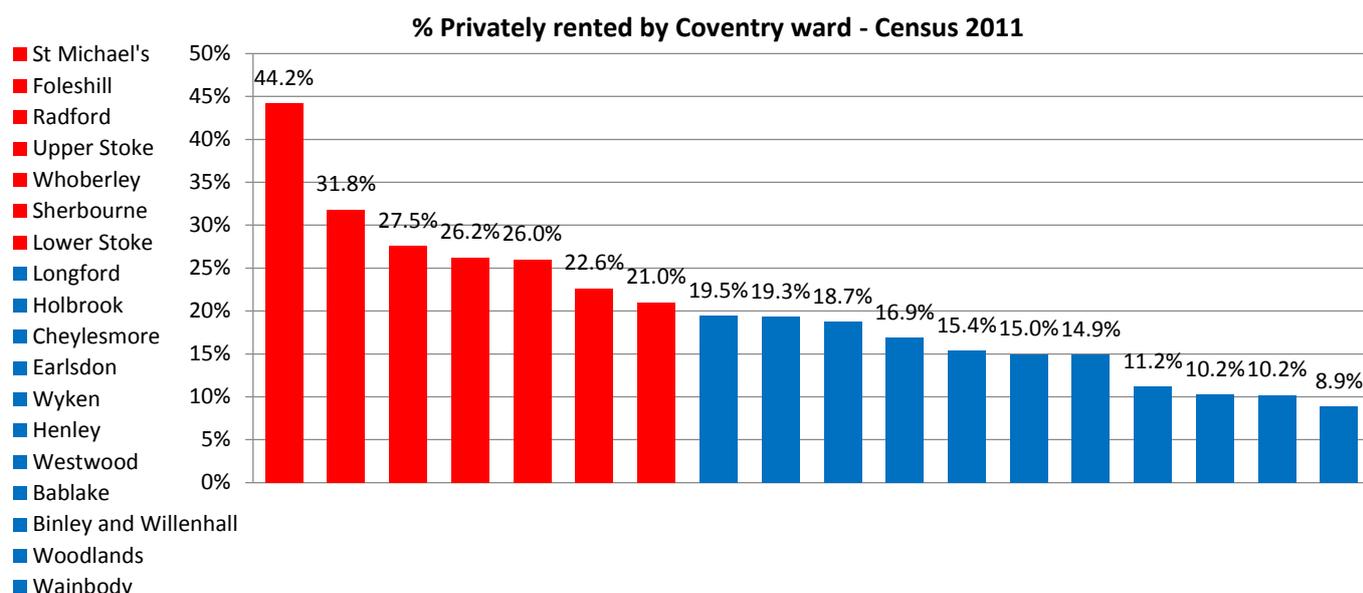
Figure 3- % households in PRS in West Midlands region 2015



3.6 Ward Profiles

It is clear that in order for an area to be proposed for selective licensing it must also have a 'high level' of private rented housing. The criteria used to demonstrate a 'high level' is for an area to have above national average levels. Average levels in England are 20% thus any area of 20% or above can be considered. Figure 4 provides the percentage of PRS in each ward in Coventry and those shown in red are the wards that have 'high levels' of private rented housing.

Figure 4- % PRS by Ward 2011



Within the 7 wards the highest proportion of PRS is in the St Michaels Ward, which is almost two and half times higher than the national average and that for Coventry.

The table below shows the percentage of dwellings in the PRS in each LSOA. Where the % of privately rented properties is higher than the city average this indicates a lack of mixed communities. All LSOAs in Table 1 have above average PRS levels.

Table 1 - % PRS by LSOA

LSOA	Ward	Total Households	PRS	% PRS
Gosford & Gulson Roads	St Michael's	886	562	63%
Central Six Retail Park - Queens Road	St Michael's	687	404	59%
The city centre within the ring road	St Michael's	963	564	59%
Upper Holyhead Road – Minster Road	Sherbourne	790	462	58%
Hillfields - Swans Lane Thacknall Street	St Michael's	967	511	53%
Gosford Green - Kingsway	Upper Stoke	793	419	53%
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	717	365	51%
London Road - Acacia Northfields Roads	St Michael's	679	332	49%
Charterhouse - St Georges Road	St Michael's	713	329	46%
Hillfields - Canterbury Raglan Streets	St Michael's	902	415	46%
Earlsdon – Broomfield Road – Sovereign Road	Whoberley	631	285	45%
Hearsall Common – Highland Road	Whoberley	660	296	45%

Peugeot, Dominion Plaza & Humber Road North	Lower Stoke	831	370	45%
Chapelfields - Queensland Road	Whoberley	601	264	44%
Daimler Green – Electric Wharf	Radford	1,079	451	42%
Foleshill – Courtaulds Guild Road	Foleshill	569	233	41%
Nauls Mill Park - Canal Basin	Radford	943	375	40%
Friargate & Parkside –Technology, N. Cheylesmore	St Michael's	1,038	405	39%
Little Heath – King Georges Avenue	Foleshill	587	226	39%
Barras Heath - West of Clay Lane	Upper Stoke	765	287	38%
Hillfields - Coronation Road Swanswell Basin	St Michael's	707	265	37%
Stoke Church End - Shakespeare Street	Upper Stoke	658	245	37%
Stoke Park	Lower Stoke	678	251	37%
Foleshill - Broad Street	Foleshill	596	217	36%
Foleshill - Paragon Park Red Lane	Foleshill	797	276	35%
Longford Village & Longford Park	Longford	994	343	35%
Earlsdon Street Beechwood Avenue South	Earlsdon	772	264	34%
Edgwick - Canal Road	Foleshill	660	224	34%
Holbrooks N - Whitmore Park Dunster	Holbrook	564	184	33%
Jubilee Crescent	Radford	622	200	32%
City Farm North	St Michael's	545	174	32%
Stonebridge Highway, Industrial & Housing Estates	Cheylesmore	693	221	32%
Edgwick - Gallagher Retail Park Cross Road	Foleshill	494	157	32%
Whitmore Park - Burnaby Road	Holbrook	572	181	32%
Earlsdon - Broadway Albany Roads	Earlsdon	643	191	30%
Parting of the Heaths - Durbar Avenue	Foleshill	541	159	29%
Hillfields - Cambridge Street	St Michael's	481	141	29%
Cross Point, A46 West & University Hospital	Henley	547	159	29%
Arena Retail Park - Arbury	Foleshill	481	138	29%
Alvis Retail Park - Moseley Avenue	Sherbourne	785	224	29%
Earlsdon - Newcombe Clarendon & Shaftsbury Roads	Earlsdon	571	162	28%
Paradise - Awson Street	Foleshill	673	190	28%
Radford - Lawrence Saunders Roads	Radford	708	195	28%
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	634	171	27%

Barker Butts - Bablake School Thomson Avenue	Radford	577	154	27%
Radford Village	Radford	712	189	27%
Henley College - Gresley Road	Henley	607	157	26%
Foleshill - Churchill Avenue	Foleshill	458	118	26%
Cheylesmore N - The Mount	Cheylesmore	770	197	26%
Bishopgate - George Elliot	Foleshill	525	134	26%
Daimler Green - North Capmartin Road	Radford	632	161	25%
Stoke Heath - Mercer Crescent– Barras Heath	Upper Stoke	713	178	25%
Swanswell - Leicester Causeway	Foleshill	559	136	24%
Sidderley Avenue	Lower Stoke	536	129	24%
Middle Stoke - Church Lane	Lower Stoke	608	142	23%
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	672	156	23%
Radford - Middlemarch Road South	Radford	867	199	23%
Torrington - Templar Avenues	Westwood	600	136	23%
Holbrook Lane – Lythalls Lane	Holbrook	642	143	22%
Courthouse Green – Sewall Highway North	Upper Stoke	578	124	21%
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	588	126	21%
Stoke Heath - Dane Road North Allotments	Upper Stoke	585	125	21%
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	911	194	21%
Radford - Beak Avenue Central	Radford	678	143	21%
Ricoh Arena & Wilsons Lane	Longford	591	124	21%
Holbrooks N – Masser Kirkdale Roads	Holbrook	640	134	21%
Hearsall Common - Maudslay Road	Whoberley	600	123	21%
Wyken - Ansty Road North	Wyken	620	126	20%
Hall Green North	Longford	566	115	20%
Manor Farm	Henley	429	87	20%
Earlplace Business Park - Middlecotes	Westwood	560	113	20%
Courthouse Green North	Longford	637	126	20%
Caludon Castle - Bodmin Belgrave Roads	Wyken	521	103	20%
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	852	167	20%
Holbrooks - Parkville – Roland Avenue	Holbrook	633	124	20%

As can be seen from Table 1 there are 67 of the 195 LSOAs that have 'high levels' of PRS. These represent 34% of the all the LSOAs in the City and accounts for 15,909 (60%) of all the housing stock in the PRS.

3.7 Low Housing Demand

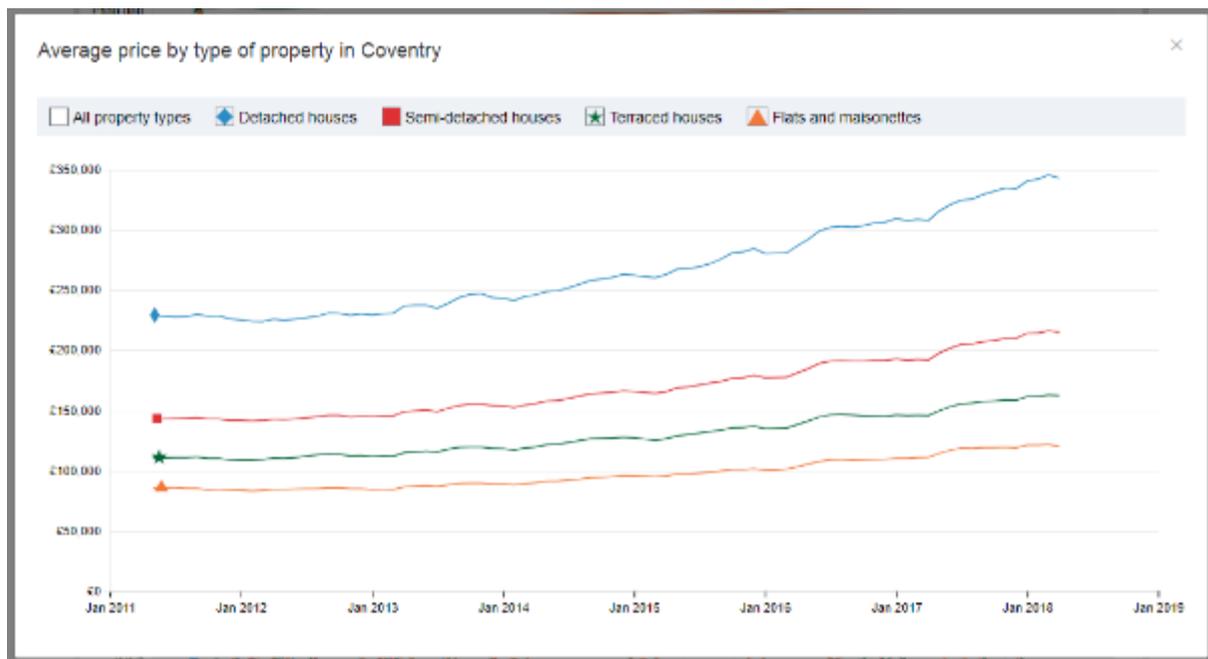
When considering if an area is suffering from, or likely to become, an area of low housing demand, the Council should consider the value of residential properties in comparison to the value of similar properties in other areas within their area, which the authority considers to be comparable.

3.8 House Prices

Low house prices in areas of low demand have resulted in an influx of unprofessional landlords purchasing properties to rent. These people frequently show no interest in managing their properties properly, often letting to anti-social tenants who cause a range of problems. This, in turn, can create misery for the local community and cause further destabilisation of these areas.

Figure 5 below provides the average price by type of property for Coventry between 2011 and 2018 and shows that there has been a steady increase in house prices for all types of property over this period.

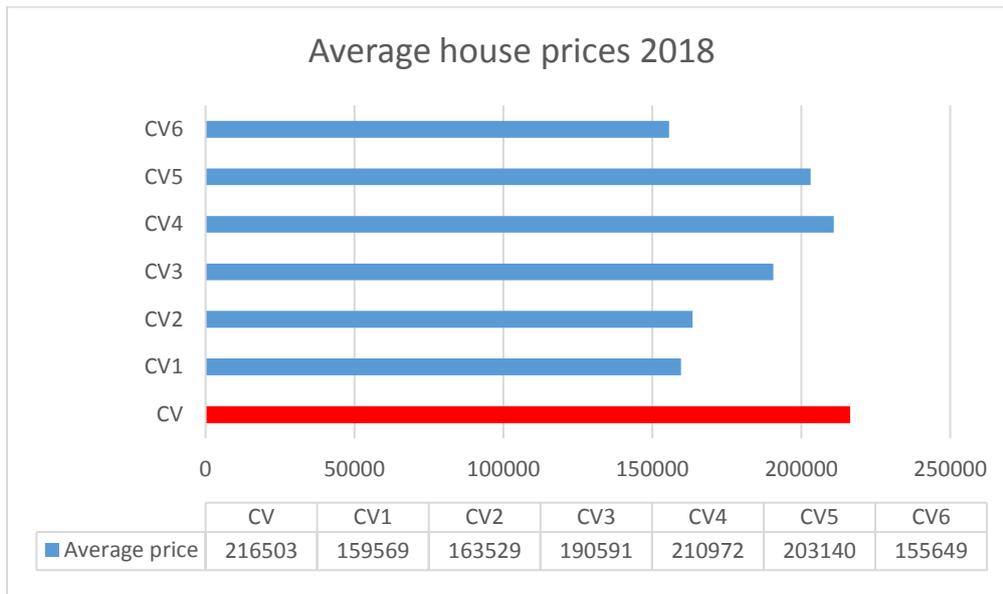
Figure 5- Average price by property type in Coventry 2011 to 2018



According to HM Land Registry figures the current average house price in Coventry is approximately £216,000 with the lowest average house prices found in the CV1, CV2 and CV6 postcode areas.

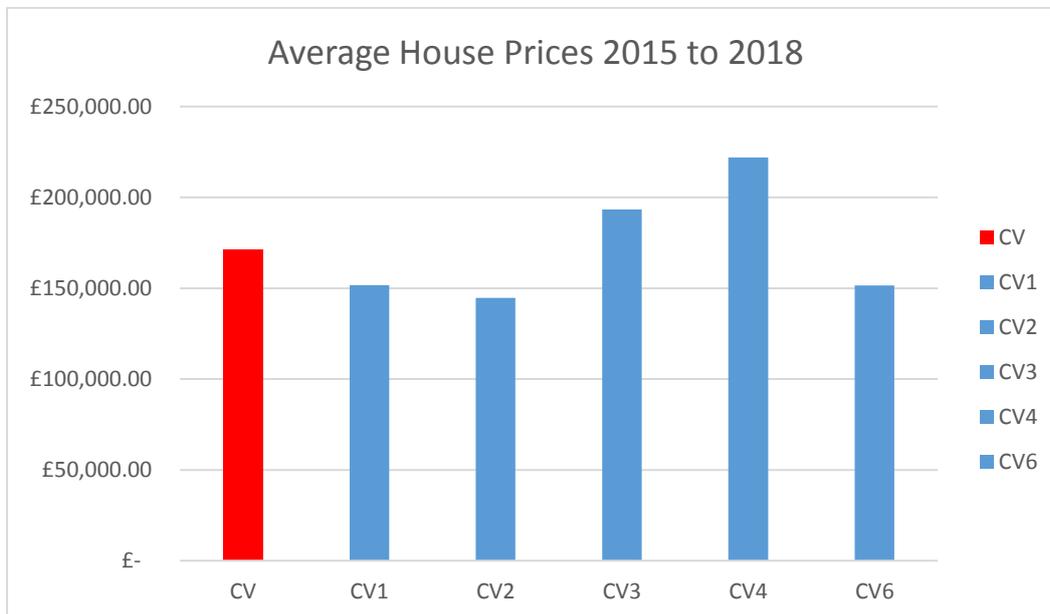
Figure 6 below provides the average house price during 2018 for Coventry and all postcode areas within the city.

Figure 6- Average Houses Prices Coventry 2018



Further analysis of HM Land Registry prices shows that between 2015 and March 2018 the average sold price in Coventry was £171,274.00, which represents an increase across the City of around 26% in the past three years. Figure 7 provides the averages across this period.

Figure 7- Average House Prices 2015 to 2018



In the West Midlands house prices rose by 5.8% for the year ending 2018, with Coventry experiencing an above average increase of around 9%.

An analysis of LSOA for Coventry using the West Midlands average of 5.8% as the baseline figure was carried out to identify which areas had suffered a decline in house prices. Table 2 below provides the median house prices for year ending 2017 and 2018 and shows the difference as a percentage for each of the LSOAs that

experienced a decrease in house prices. A decline in house prices is a key consideration for low housing demand.

Table 2- Comparison of House Prices by LSOA

LSOA name	LSOA mainly within Ward:	Year ending Mar 2017	Year ending Mar 2018	%Diff
Hawkes End & countryside	Bablake	442,200	357,000	-19.27%
Coundon – Norman Place Road	Bablake	195,000	180,000	-7.69%
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	135,000	142,000	5.19%
Willenhall - Yarningale	Binley and Willenhall	151,000	136,750	-9.44%
Binley Oak Farm – Skipworth Road	Wyken	276,500	276,250	-0.09%
Central Six Retail Park - Queens Road	St Michael's	144,000	143,600	-0.28%
Earlsdon - Newcombe Clarendon & Shaftsbury Roads	Earlsdon	280,250	213,000	-24.00%
Westwood Gardens - Sir Henry Parkes, Burnsall Roads	Earlsdon	327,250	286,500	-12.45%
Earlsdon - Broadway Albany Roads	Earlsdon	262,500	244,000	-7.05%
Finham North Festival & Fenside	Cheylesmore	249,950	244,500	-2.18%
Foleshill - Paragon Park Red Lane	Foleshill	169,995	157,995	-7.06%
Arena Retail Park - Arbury	Foleshill	112,000	109,000	-2.68%
Potters Green - Woodway	Henley	158,000	135,500	-14.24%
Potters Green Triangle - Wigston Road	Henley	195,000	205,000	5.13%
Potters Green - Narberth Way	Henley	178,000	162,500	-8.71%
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	171,200	167,500	-2.16%
Whitmore Park - Burnaby Road	Holbrook	186,995	122,000	-34.76%
Ricoh Arena & Wilsons Lane	Longford	224,995	146,000	-35.11%
Holbrooks – Penny Park Lane	Holbrook	209,995	179,000	-14.76%
Wyken - Ravensdale Road	Lower Stoke	169,250	169,000	-0.15%
Stoke Green - New Century Park	Lower Stoke	162,375	158,750	-2.23%
Radford - Beake Avenue South	Radford	131,500	130,000	-1.14%
Radford - Middlemarch Road South	Radford	162,500	148,250	-8.77%
Radford - Banks Road	Radford	137,000	141,000	2.92%
Daimler Green – Electric Wharf	Radford	162,995	155,500	-4.60%
Gosford & Gulson Roads	St Michael's	142,500	128,000	-10.18%

Hillfields Village & Motor Museum	St Michael's	:	:	
City Farm North	St Michael's	130,750	124,000	-5.16%
Stoke Church End - Shakespeare Street	Upper Stoke	131,125	130,000	-0.86%
Kenilworth Rd & Gibbet Hill - Central Campus	Wainbody	770,000	621,000	-19.35%
Canley - Torrington Prior Deram Walk	Westwood	245,000	205,000	-16.33%
Earlplace Business Park - Middlecotes	Westwood	167,495	150,100	-10.39%
Earlsdon Hearsall Lane - Melbourne Road North, The Butts	Whoberley	200,950	174,950	-12.94%
Broad Lane Central - Stonebury Avenue	Woodlands	215,000	213,000	-0.93%
Bannerpark East - Tile Hill Woods, Hawthorn Lane	Woodlands	209,000	137,000	-34.45%
Jardine Shopping Centre - Limbrick Wood Tile Hill Lane	Woodlands	129,975	125,500	-3.44%
Clifford Bridge South	Wyken	180,000	171,000	-5.00%
Manor Farm	Henley	:	:	
River Sowe - Clifford Bridge - Henley Park Industrial Estate	Wyken	170,000	162,500	-4.41%
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	160,000	154,500	-3.44%
Ernesford Grange - Willenhall North - South Willenhall Lane & St James Lane	Binley and Willenhall	154,000	113,000	-26.62%
Westwood Heath	Westwood	500,000	472,000	-5.60%
Longford Village & Longford Park	Longford	119,995	118,000	-1.66%
Holbrooks N- Fallowfield - Briscoe	Holbrook	156,625	143,600	-8.32%
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	305,000	282,567	-7.36%

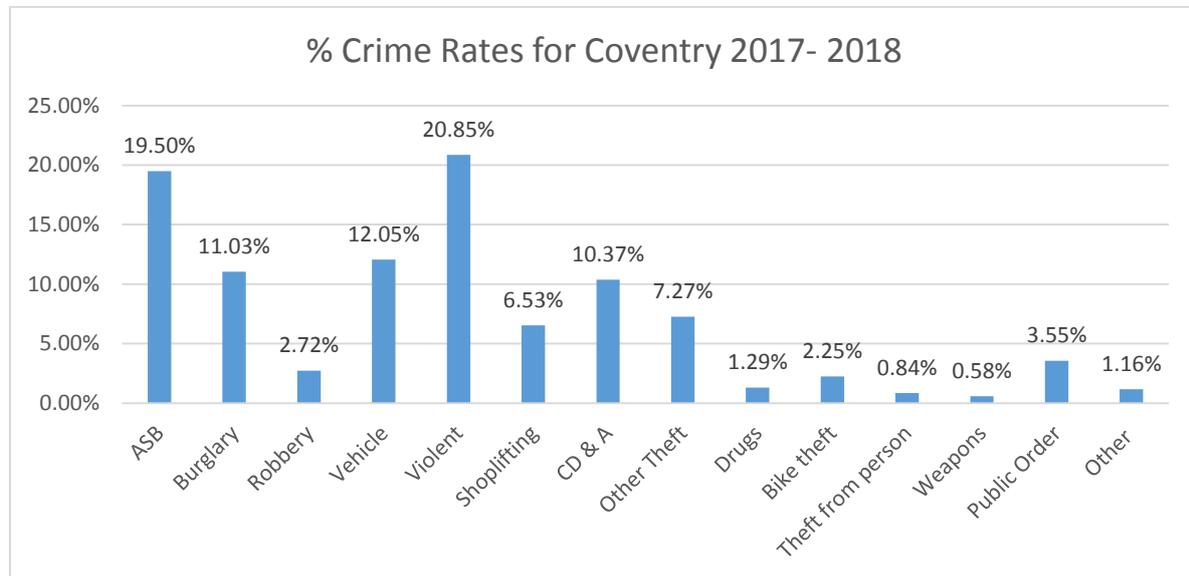
In addition to property prices when there is a lack of mixed communities and/or a high turnover of occupants within an area it is difficult to build strong and supportive communities and people are more likely to have less pride and interest in their neighbourhoods. A lack of mixed communities in terms of tenure is an indication of an area suffering or likely to suffer from low demand.

3.9 Crime

Consideration has been given to the impact the rented sector has in the local community, for example poor property conditions, anti-social behaviour and criminal activity.

Over the period from March 2017 to April 2018 there was a total of 37,045 reported crimes in Coventry. Figure 8 below provides the breakdown of categories of crime².

Figure 8- Crime Rates for Coventry 2017-2018



The type of crime can have a bearing on low demand considerations and in particular where there are high levels of “property” based criminal activities, such as criminal damage, arson and burglary, as opposed to “people” type activity the demand for property is likely to be lower in these areas. Figures 9 & 10 below provide the levels of activity for these “property” based crimes during 2017-2018 in wards across the City. The chart represents those that were above the Coventry average of 10% for criminal damage and 11% for burglary.

Figure 9- Criminal damage by ward 2017-18

² <http://www.ukcrimestats.com>

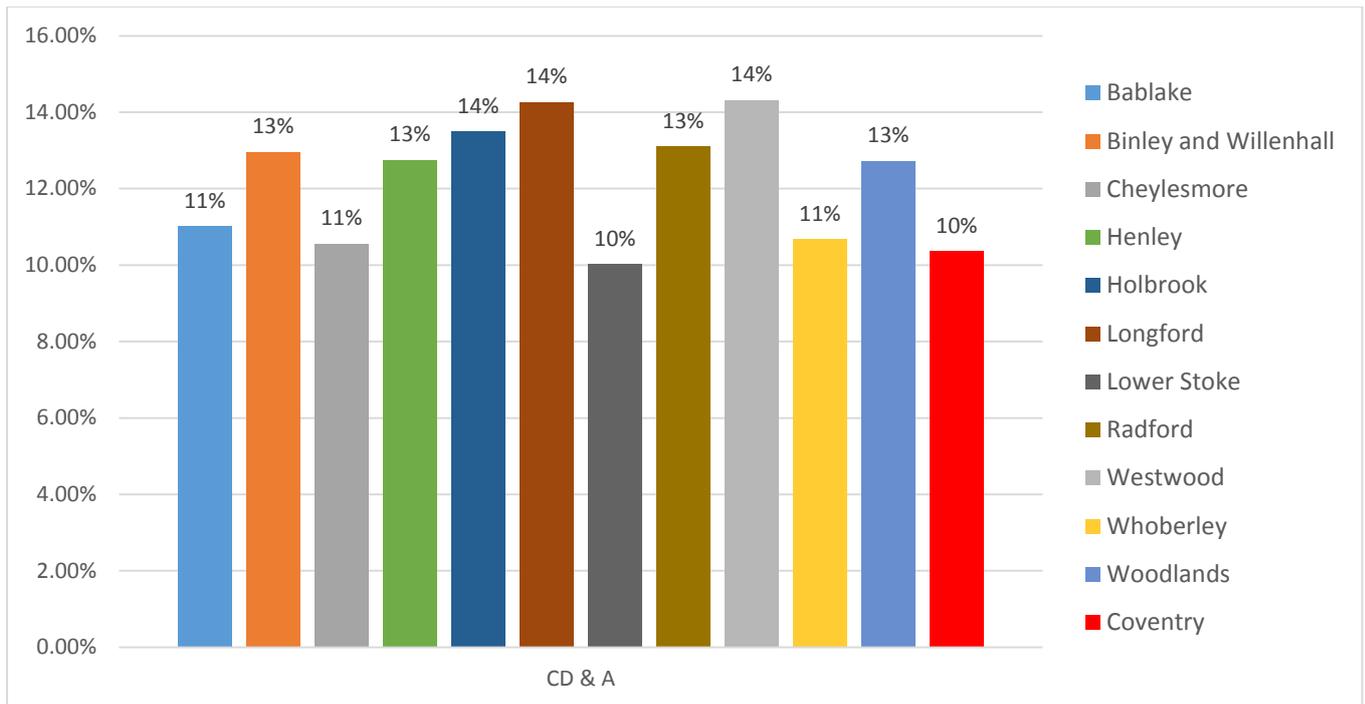
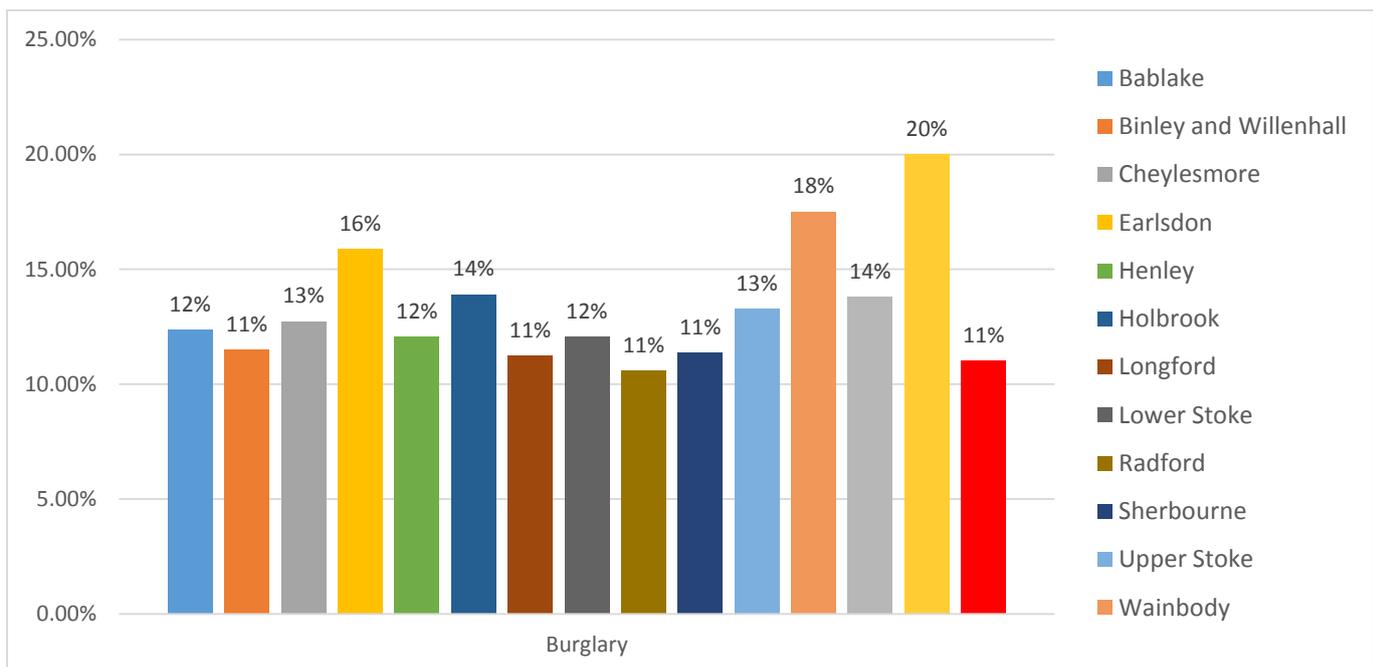


Figure 10- Burglary by ward 2017-18



Analysis of criminal damage and burglary rates were considered further through the LSOA data. This identified those LSOAs that had suffered an increase in these crime activities between 2016-17 and 2017-18. Table 3 and 4 provide the details.

Table 3- Change in criminal damage rates for 2016/17 & 2017/18

LSOA Name	LSOA Ward	Increase
Allesley Village	Bablake	6.3

Binley Business Park - Bredon Avenue	Binley and Willenhall	5.8
Binley - Quorn Way Bredon Avenue	Binley and Willenhall	7.1
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	19.8
Willenhall Wood - Middle Ride	Binley and Willenhall	3.7
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	3.3
Friargate & Parkside –Technology, N. Cheylesmore	St Michael's	3.2
Earlsdon - Newcombe Clarendon & Shaftsbury Roads	Earlsdon	2.8
Westwood Gardens - Sir Henry Parkes, Burnsall Roads	Earlsdon	3.2
Canley Gardens – Hearsall Golf course	Earlsdon	10.2
Foleshill - Churchill Avenue	Foleshill	4.7
Foleshill - Paragon Park Red Lane	Foleshill	3.1
Bishopgate - George Elliot	Foleshill	6.8
Arena Retail Park - Arbury	Foleshill	7.2
Aldermans Green - Deedmore Road W	Henley	5.9
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	4.6
Wood End – Hillmorton Road	Henley	12.6
Potters Green – Diana Drive	Henley	4.8
Whitmore Park - Burnaby Road	Holbrook	5.5
Keresley - Prologis	Holbrook	8.9
Hall Green North	Longford	8.9
Manor House - Privet Rd	Longford	4.9
Daimler Green - North Capmartin Road	Radford	4.5
Radford - Lawrence Saunders Roads	Radford	3.9
Gosford & Gulson Roads	St Michael's	4.6
Hillfields - Cambridge Street	St Michael's	5.0
Hillfields - Canterbury Raglan Streets	St Michael's	8.4
Barras Heath - West of Clay Lane	Upper Stoke	3.9
Finham Green - Lane Erithway	Wainbody	3.6
Hearsall Common - Maudslay Road	Whoberley	7.4
Mount Nod – Alderminster Road	Woodlands	4.5
Manor Farm	Henley	10.9
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	2.8
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	4.1
Ernesford Grange - Langbank Avenue, rail line & Tarquin Close North	Binley and Willenhall	6.9
Tile Hill - Cromwell Lane Station Road	Westwood	4.1

Hawkesbury, M6 & Foxford School, Anderton Road	Longford	3.8
Silverdale Estate & Hurst Road	Longford	3.5
Longford Village & Longford Park	Longford	5.7

Table 4- Change in Burglary rates between 2016/17 & 2017/18

LSOA Name	LSOA Ward	Increase
Binley - Quorn Way Bredon Avenue	Binley and Willenhall	5.2
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	25.2
Willenhall Wood - Middle Ride	Binley and Willenhall	6.7
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	6.5
Willenhall - Yarningale	Binley and Willenhall	11.3
Cheylesmore - Quinton Park Ulverscroft	Cheylesmore	11.5
Central Six Retail Park - Queens Road	St Michael's	7.7
Canley Gardens – Hearsall Golf course	Earlsdon	5.8
Earlsdon - Broadway Albany Roads	Earlsdon	10.1
Cheylesmore East -Dilloford Road	Cheylesmore	6.9
Little Heath – King Georges Avenue	Foleshill	9.7
Foleshill - Broad Street	Foleshill	5.9
Bishopgate - George Elliot	Foleshill	6.8
Arena Retail Park - Arbury	Foleshill	5.2
Aldermans Green - Deedmore Road W	Henley	10.4
Cross Point, A46 West & University Hospital	Henley	9.6
Aldermans Green Industrial estate	Henley	13.9
Wood End – Hillmorton Road	Henley	8.0
Potters Green – Diana Drive	Henley	5.4
Keresley –Penny Park Halford Roads	Holbrook	5.1
Holbrooks N - Whitmore Park Dunster	Holbrook	9.7
Bell Green - Roseberry Ave	Longford	5.9
Radford - Beake Avenue South	Radford	4.6
Charterhouse - St Georges Road	St Michael's	5.0
Hillfields Village & Motor Museum	St Michael's	4.7
Holyhead, Lake View & Batsford Roads	Sherbourne	4.3
Upper Holyhead Road – Minster Road	Sherbourne	5.3
Coundon - Dallington – Gaveston Roads	Sherbourne	6.3
Gosford Green - Kingsway	Upper Stoke	4.5
Chapelfields - Queensland Road	Whoberley	15.3

Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	6.8
Earlsdon – Broomfield Road – Sovereign Road	Whoberley	24.3
Tile Hill North -Limbrick East Mount Nod	Woodlands	6.8
Caludon South - Mayflower Road	Wyken	5.9
Manor Farm	Henley	5.9
Ernesford Grange –Willenhall North - South Willenhall Lane & St James Lane	Binley and Willenhall	5.5
Ernesford Grange - Langbank Avenue, rail line & Tarquin Close North	Binley and Willenhall	5.0
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	6.4

3.10 Proportion of Families on Low Income

According to the End Child Poverty Coalition³ in Coventry, there is an estimated 21% of children in poverty in the area before housing costs are included. The estimate after housing costs increases the amount to 33%.

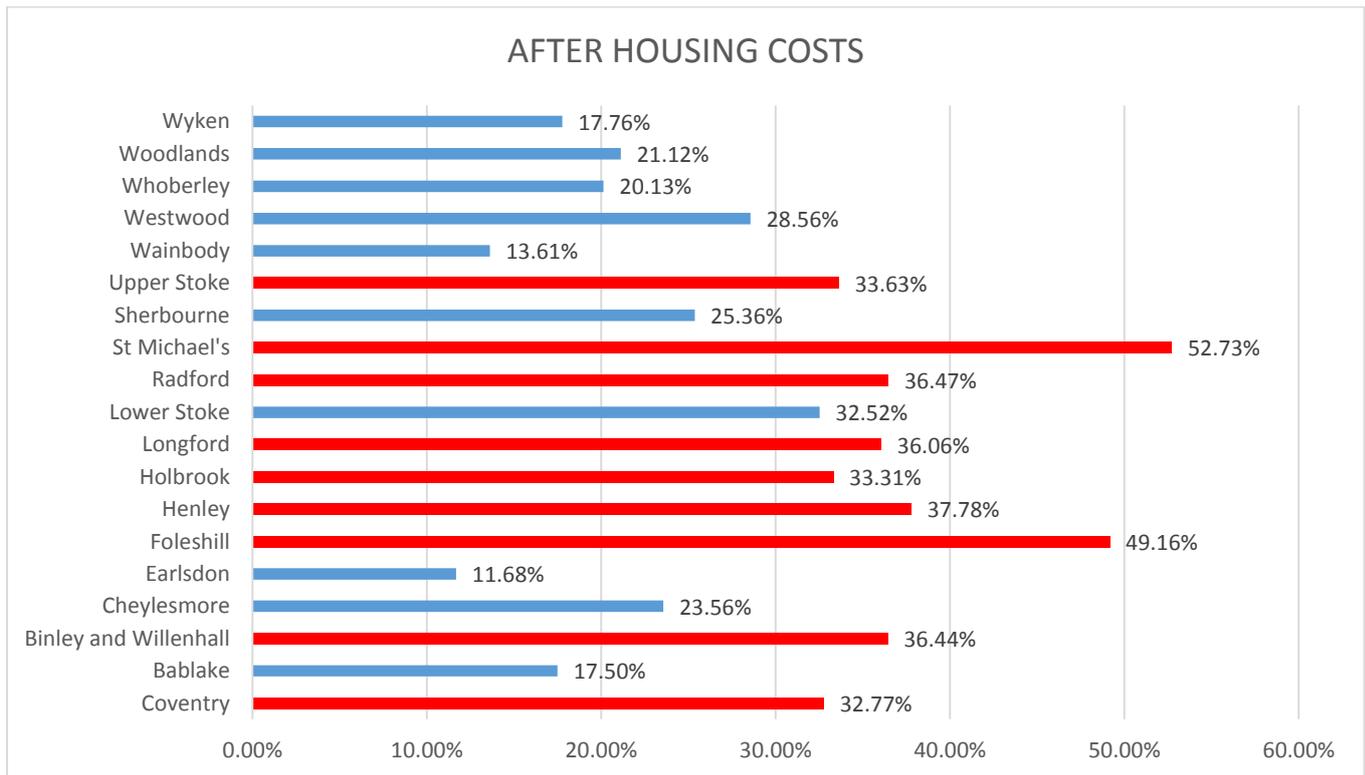
Households are living in poverty if their household income (adjusted to account for household size) is less than 60% of the average.

The ward with the highest level of child poverty is St Michael's, where there is an estimated 37% of children in poverty in the area before housing costs are considered. This increases to 53% when housing costs are included. In contrast, the ward with the lowest level of child poverty is Earlsdon, where there is an estimated 7% of children in poverty before housing costs. The estimate after housing costs is 12%.

For the purposes of this study it is important to take into account all costs when determining poverty levels. Figure 11 below provides the percentage of households with children in each ward that are considered to be in poverty. Those shown in red are above the average for the city.

³ <http://www.endchildpoverty.org.uk/poverty-in-your-area-2018/>

Figure 11- Poverty levels after housing costs by ward



In order to define clearer areas for Selective Licensing designations a comparison of these results was carried out for the LSOAs using the PRS percentage as the baseline. Each LSOA was scored on the number of times it appeared in each of the datasets for % of PRS, house prices, and crime rates as shown in Table 6 below. The LSOAs with 3 or more occurrences clearly show signs of low demand and would be the areas to focus any activity.

Table 5- LSOA ranking for Low Demand

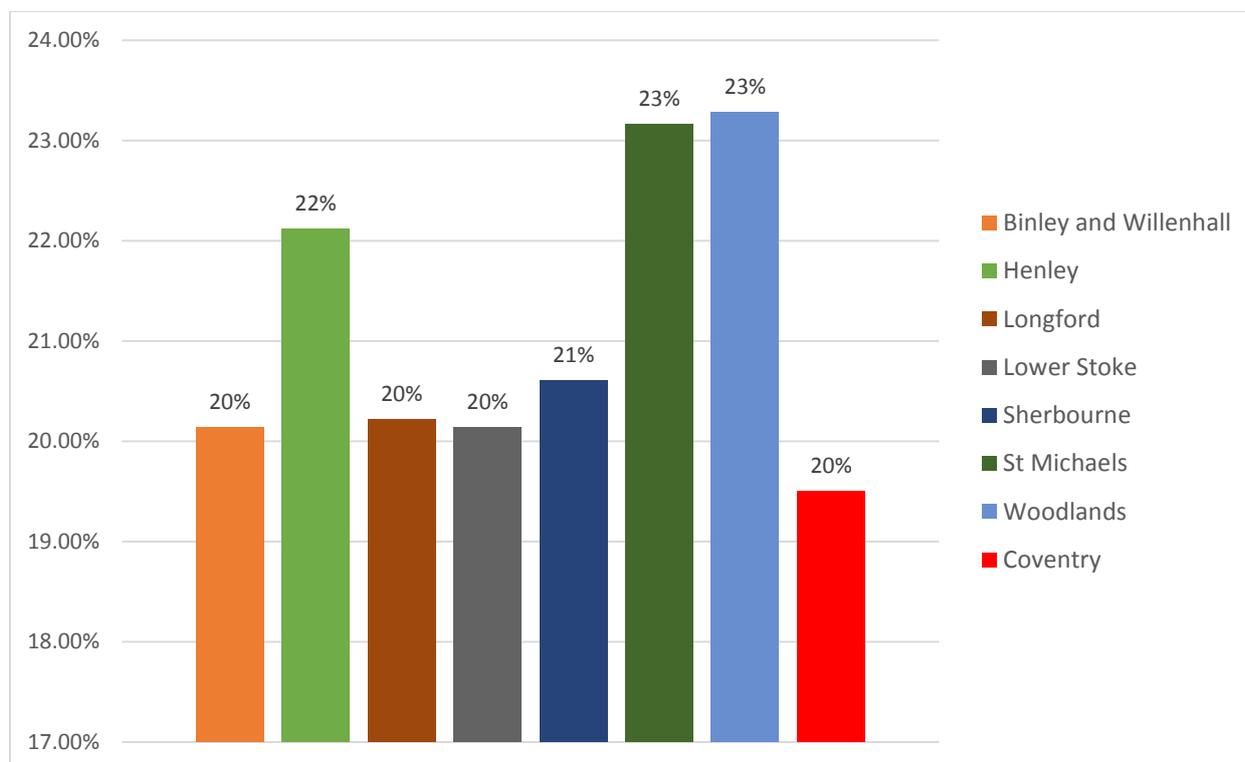
LSOA Name	Mainly in Ward	Number of occurrences
Central Six Retail Park - Queens Road	St Michael's	3
Earlsdon - Broadway Albany Roads	Earlsdon	3
Foleshill - Churchill Avenue	Foleshill	3
Foleshill - Paragon Park Red Lane	Foleshill	3
Bishopgate - George Elliot	Foleshill	3
Arena Retail Park - Arbury	Foleshill	4
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	3
Whitmore Park - Burnaby Road	Holbrook	3
Hall Green North	Longford	3
Gosford & Gulson Roads	St Michael's	3
Hillfields - Cambridge Street	St Michael's	3

Hillfields - Canterbury Raglan Streets	St Michael's	3
Upper Holyhead Road – Minster Road	Sherbourne	3
Gosford Green - Kingsway	Upper Stoke	3
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	3
Manor Farm	Henley	4
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	3
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	3
Longford Village & Longford Park	Longford	3
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	3

3.11 Anti - Social Behaviour

When deciding whether areas are suffering from anti-social behaviour (ASB) which a landlord should address, regard must be given as to whether the behaviour is being conducted within the curtilage of the rented property or in its immediate vicinity and include acts of: intimidation and harassment of tenants or neighbours; noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity; animal related problems; vehicle related nuisance; illegal drug taking or dealing; graffiti and fly posting; litter and waste within the curtilage of the property. ASB crime rates are shown in Figure 12 below.

Figure 12- ASB crime rates by Ward

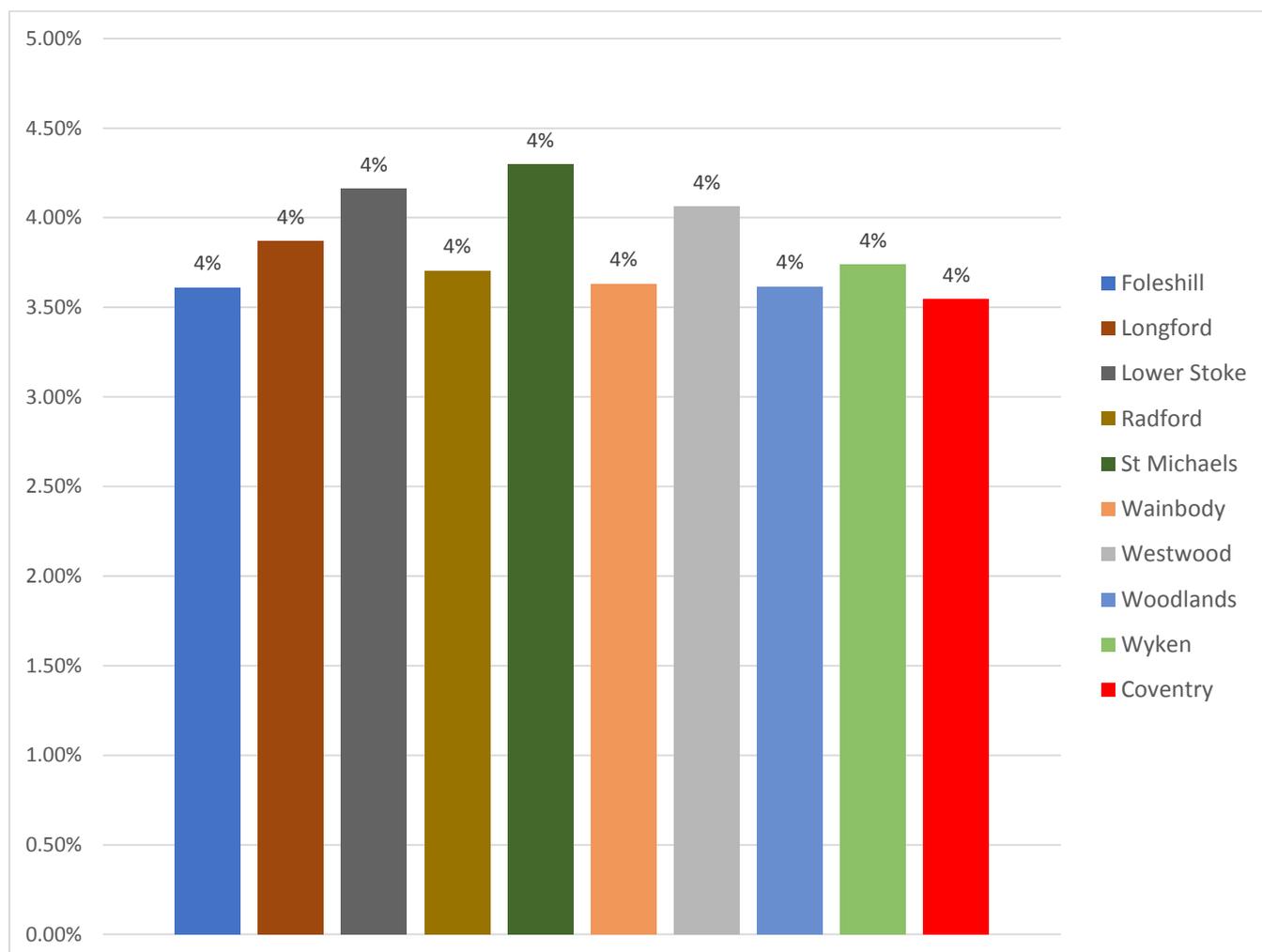


Based on ASB crime rates reported during 2017 and 2018 the average for Coventry is 20% of all crime. Analysis of ward figures revealed that Binley and Willenhall, Henley, Longford, Lower Stoke, Sherbourne, St Michaels, and Woodlands were all above or had similar ASB crime rates to the City as a whole.

Public Order is defined as "crime which involves acts that interfere with the operations of society and the ability of people to function efficiently", i.e., it is behaviour that has been labelled criminal because it is contrary to shared norms, social values, and customs, in other words 'anti- social'.

Figure 13 below provides the public order crime rates average for Coventry during 2017/18 and as can be seen Foleshill, Longford, Lower Stoke, Radford, St Michael`s, Wainbody, Westwood, Woodlands and Wyken all have similar averages to those of the City at 4%. The worst area for public order crime is St Michaels ward at 4.3% closely followed by Lower Stoke at 4.2%.

Figure 13- Public Order crime rates by ward.



Analysis of ASB rates were considered further through the LSOA data. This identified those LSOAs that had suffered an increase in ASB rates between 2016/17 and 2017/18. Table 6 provides the breakdown for each LSOA.

Table 6- Change in ASB rates between 2016/17 and 2017/18

LSOA Name	LSOA Ward	Increase
Coundon - Scots Lane	Bablake	5.4
Allesley Village	Bablake	5.6
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	22.8
Willenhall - Chace Stretton	Binley and Willenhall	5.0
Canley Gardens – Hearsall Golf course	Earlsdon	2.9
Earlsdon - Broadway Albany Roads	Earlsdon	2.7
Little Heath – King Georges Avenue	Foleshill	5.4
Arena Retail Park - Arbury	Foleshill	2.6
Aldermans Green - Deedmore Road W	Henley	27.4
Cross Point, A46 West & University Hospital	Henley	3.0
Wood End – Hillmorton Road	Henley	4.7
Whitmore Park - Burnaby Road	Holbrook	4.5
Keresley –Penny Park Halford Roads	Holbrook	6.5
Poets Corner	Lower Stoke	7.1
Stoke Park	Lower Stoke	10.8
Binley Road - central Church Lane	Lower Stoke	2.4
Radford - Middlemarch Road South	Radford	3.5
Charterhouse - St Georges Road	St Michael's	6.3
Hillfields - Cambridge Street	St Michael's	8.1
Hillfields Village & Motor Museum	St Michael's	11.1
Holyhead, Lake View & Batsford Roads	Sherbourne	4.9
Lower Spon Street	Sherbourne	9.3
Stoke Church End - Shakespeare Street	Upper Stoke	7.3
Courthouse Green – Sewall Highway North	Upper Stoke	4.4
Finham - Schools Green Lane	Wainbody	2.4
Whoberley Artists' Corner (Rembrandt Close)	Whoberley	3.9
Whoberley - Glendower Avenue	Whoberley	4.6
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	7.4
Hockley Broad Lane West	Woodlands	3.8
Broad Lane Central – Stonebury Avenue	Woodlands	2.5
Upper Eastern - Green Hockley Lane North	Woodlands	5.2
Manor Farm	Henley	16.0
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	5.6
Wyken Croft – Sewall Highway South	Wyken	9.4

Stonebridge Highway, Industrial & Housing Estates	Cheylesmore	5.9
Canley - Charter Avenue & Robert Mountford Way	Westwood	7.7
Tile Hill - Cromwell Lane Station Road	Westwood	3.4
Westwood Heath	Westwood	4.7
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	6.2

A similar exercise was carried out for Public Order and Table 7 provides the breakdown for each LSOA that had experienced an increase in Public Order rates between 2016/17 and 2017/18.

Table 7- Increase in Public Order rates between 2016/17 and 2017/18

LSOA name	LSOA mainly within Ward:	Crime rate per 1,000 population: Public order
Keresley Green East	Bablake	3.6
Browns Lane	Bablake	2.4
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	2.7
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	3.7
Willenhall - Yarningale	Binley and Willenhall	3.9
Willenhall - Chace Stretton	Binley and Willenhall	3.4
Earlsdon Street Beechwood Avenue South	Earlsdon	3.7
Finham North Festival & Fenside	Cheylesmore	3.0
Foleshill – Courtaulds Guild Road	Foleshill	2.1
Edgwick - Canal Road	Foleshill	2.6
Paradise - Awson Street	Foleshill	2.2
Bishopgate - George Elliot	Foleshill	3.1
Aldermans Green - Deedmore Road W	Henley	3.7
Potters Green Triangle - Wigston Road	Henley	5.1
Potters Green - Narberth Way	Henley	2.8
Holbrooks N - Whitmore Park Dunster	Holbrook	2.5
Foleshill – Elkington Street	Longford	2.5
Stoke Aldermoor Village	Lower Stoke	3.4
Binley Road - central Church Lane	Lower Stoke	5.5
Stoke Green - New Century Park	Lower Stoke	3.0
Radford - Beake Avenue South	Radford	2.1
Radford - Beak Avenue Central	Radford	2.9
Radford Village	Radford	4.0

Barker Butts - Bablake School Thomson Avenue	Radford	4.9
Hillfields Village & Motor Museum	St Michael's	4.1
City Farm North	St Michael's	3.5
Hillfields - Canterbury Raglan Streets	St Michael's	2.4
Upper Holyhead Road – Minster Road	Sherbourne	2.9
Stoke Heath - Bartons Meadway	Upper Stoke	2.3
Barras Heath - West of Clay Lane	Upper Stoke	2.5
Gosford Green - Kingsway	Upper Stoke	2.0
Finham - Wainbody Avenue South	Wainbody	2.2
Coventry Business Park	Earlsdon	4.4
Tile Hill North - Jardine Delius	Woodlands	2.2
Wyken Croft – Sewall Highway South	Wyken	3.1
Sowe Valley - Dorchester Road South	Wyken	4.7
Ernesford Grange –Willenhall North - South Willenhall Lane & St James Lane	Binley and Willenhall	2.5
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	2.4
Silverdale Estate & Hurst Road	Longford	2.0

ASB can also refer to any situation where someone does something which has a harmful effect on another person or group's quality of life. These actions can sometimes affect whole communities and impact on the levels of confidence in the places where people live and work.

Acts which are thought of as being anti-social such as fly tipping and rubbish can have an impact on communities and their levels of confidence.

For these reasons consideration was also given to the level of rubbish complaints received and whether those complaints had increased over the past twelve months. Table 8 shows the LSOAs where there has been such a change in rubbish related complaints.

Table 8- Increase in Rubbish complaints between 2016/17 and 2017/18

LSOA name	LSOA mainly within Ward:	Rate - refuse complaints per 1,000 population
Friargate & Parkside –Technology, N. Cheylesmore	St Michael's	6.8
Central Six Retail Park - Queens Road	St Michael's	8.1
Little Heath – King Georges Avenue	Foleshill	11.3
Edgwick - Canal Road	Foleshill	13.8
Parting of the Heaths - Durbar Avenue	Foleshill	11.9

Edgwick - Gallagher Retail Park Cross Road	Foleshill	15.6
Foleshill - Broad Street	Foleshill	14.7
Paradise - Awson Street	Foleshill	19.0
Foleshill - Paragon Park Red Lane	Foleshill	21.1
Bishopgate - George Elliot	Foleshill	11.7
Swanswell - Leicester Causeway	Foleshill	16.6
Arena Retail Park - Arbury	Foleshill	10.5
Aldermans Green - Deedmore Road W	Henley	6.7
Bell Green - Roseberry Ave	Longford	7.1
Stoke Park	Lower Stoke	23.2
Peugeot, Dominion Plaza & Humber Road North	Lower Stoke	19.7
Jubilee Crescent	Radford	9.7
Daimler Green - North Capmartin Road	Radford	12.3
Daimler Green – Electric Wharf	Radford	7.9
Radford - Lawrence Saunders Roads	Radford	8.9
Barker Butts - Bablake School Thomson Avenue	Radford	8.4
Charterhouse - St Georges Road	St Michael's	27.0
London Road - Acacia Northfields Roads	St Michael's	15.8
Hillfields - Swans Lane Thacknall Street	St Michael's	25.7
Hillfields - Cambridge Street	St Michael's	10.0
Hillfields Village & Motor Museum	St Michael's	8.2
City Farm North	St Michael's	13.2
Hillfields - Coronation Road Swanswell Basin	St Michael's	11.5
Hillfields - Canterbury Raglan Streets	St Michael's	12.0
Upper Holyhead Road – Minster Road	Sherbourne	10.6
Lower Spon Street	Sherbourne	6.7
Stoke Heath - Dane Road North Allotments	Upper Stoke	8.4
Stoke Church End - Shakespeare Street	Upper Stoke	12.5
Gosford Green - Kingsway	Upper Stoke	16.0
Wainbody - Cannon & Cannon Park Roads	Wainbody	7.0
Earlplace Business Park - Middlecotes	Westwood	10.4
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	9.5

In order to define clearer areas for Selective Licensing designations a comparison of these results was carried out for the LSOAs using the PRS percentage as the baseline. Each LSOA was scored on the number of times it appeared in each of the datasets

for % of PRS, ASB, Public Order and Rubbish complaint rates as shown in Table 9 below. The LSOAs with 3 or more occurrences clearly show signs of ASB and would be the areas to focus any activity.

Table 9- ASB Occurrences by LSOA

LSOA Name	Mainly in Ward	Number of ASB occurrences
Little Heath – King Georges Avenue	Foleshill	3
Edgwick - Canal Road	Foleshill	3
Paradise - Awson Street	Foleshill	3
Bishopgate - George Elliot	Foleshill	3
Arena Retail Park - Arbury	Foleshill	3
Stoke Park	Lower Stoke	3
Barker Butts - Bablake School Thomson Avenue	Radford	3
Charterhouse - St Georges Road	St Michael's	3
Hillfields - Cambridge Street	St Michael's	3
City Farm North	St Michael's	3
Hillfields - Canterbury Raglan Streets	St Michael's	3
Upper Holyhead Road – Minster Road	Sherbourne	3
Stoke Church End - Shakespeare Street	Upper Stoke	3
Gosford Green - Kingsway	Upper Stoke	3
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	3
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	3

3.12 Property Conditions

Local authorities have an obligation under the Housing Act 2004 to keep housing conditions in their area under review. This includes all tenures of housing, not just stock that may be owned by the local authority.

To meet this obligation, Coventry City Council commissioned a survey on a random sample of housing within the city in 2012/13.

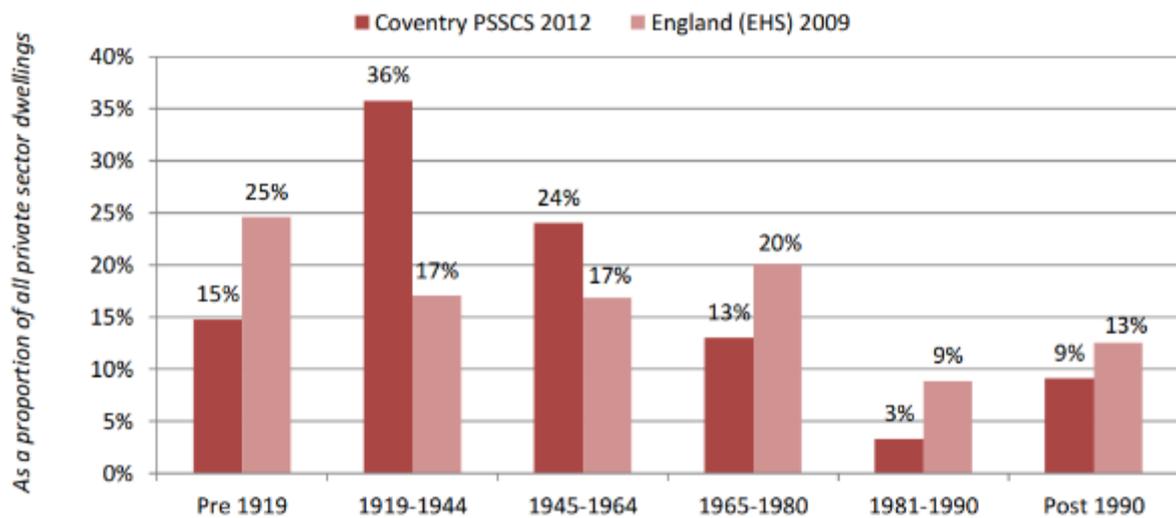
Councils have an obligation to enforce certain statutory minimum standards in housing and have powers that they can use to do this, while further non-mandatory powers are available to the Authority under the Housing Act 2004.

The Council has also developed a number of policies and strategies to further develop its overall approach to the housing stock and the Stock Condition Survey forms an important contribution to the full evidence base which underpins local policies and strategy towards housing standards.

The figures below provide relevant information regarding the stock and conditions in the Private Rented Sector by Ward. The Council does not hold information relating to LSOAs for this category, however it has analysed the data at ward level to support the proposals to designate certain areas subject to Selective Licensing at LSOA level.

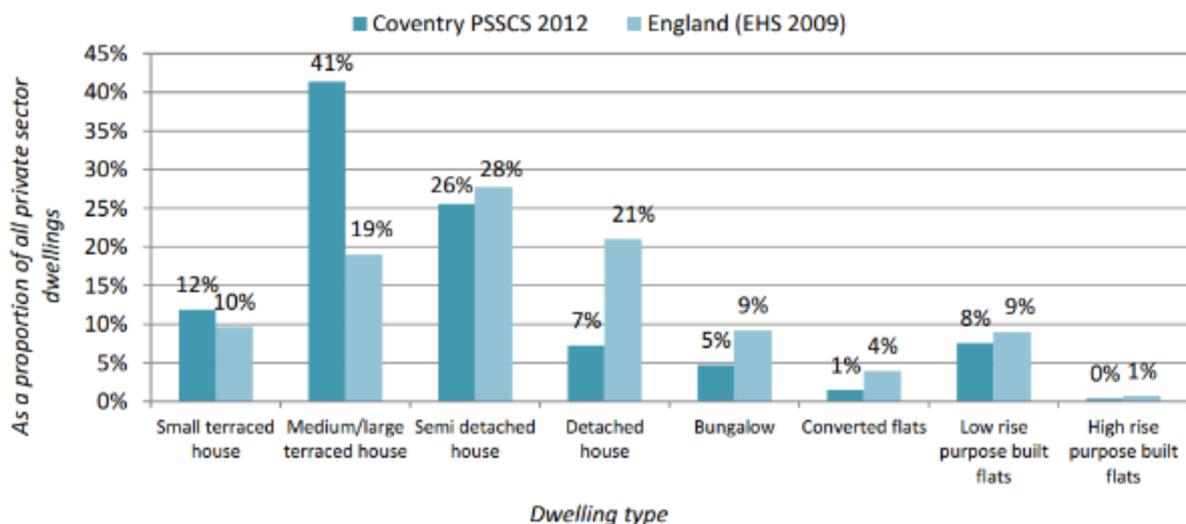
The age of dwellings in the PRS is an important consideration due to the well reported fact that the worse conditions are present in older stock types. As can be seen from Figure 14 below the highest proportion of properties in the PRS are pre 1919 terraced type houses and inter war properties, which are present at over twice the national average.

Figure 14- Dwelling Age in Coventry 2012/13



Dwelling type is also an important consideration and correlates with the issue of poor property conditions. In Coventry almost half of all the stock in the PRS is a medium or large type terraced house, which again is double to that found in England. Figure 15 below provides the profile across the whole of the PRS for different property types.

Figure 15- Dwelling type in Coventry 2012



3.13 Non Decent Homes

The Decent Homes Standard is a minimum standard under which all homes must: be free from any hazard that poses a serious threat to health or safety; be in a reasonable state of repair; have modern facilities; and have adequate levels of thermal comfort.

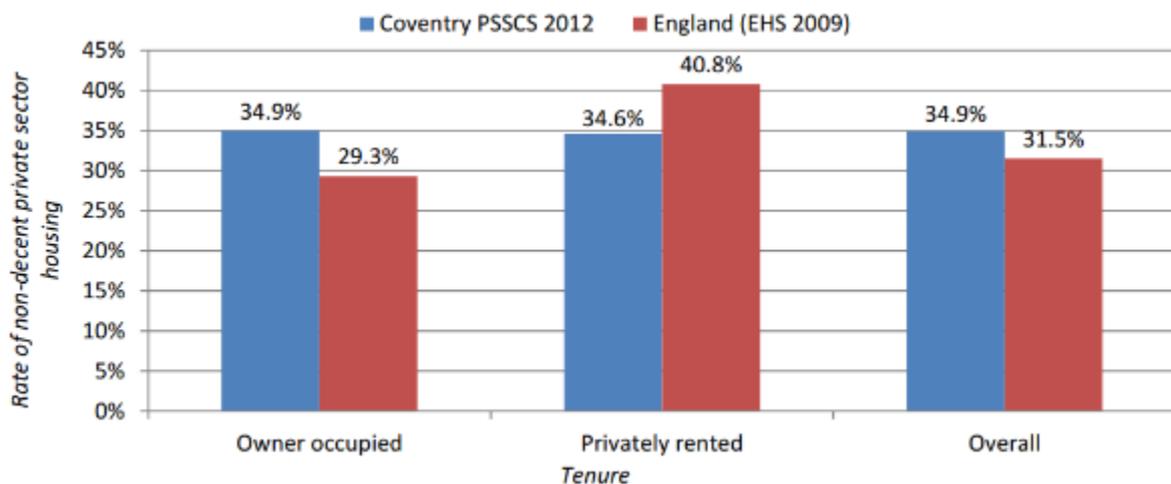
It is estimated that there are 38,400 private sector dwellings (34.9%) that are non-decent in Coventry. This compares to 31.5% of private sector stock (owner occupied and privately rented) for England as a whole. Table 10 below provides the overall figures.

Table 10- Non Decent in PRS in Coventry

Reason	Dwellings	Per cent (of non-decent)	Per cent (of stock)	England per cent (EHS 2009)
Category 1 hazard dwellings	22,100	58.6%	20.1%	22.0%
In need of repair	10,800	28.6%	9.8%	6.3%
Lacking modern facilities	4,200	11.3%	3.9%	2.8%
Poor degree of thermal comfort	11,300	29.9%	10.3%	10.9%
Non decent*	38,400	100.0%	34.9%	31.5%

Figure 16 provides the tenure breakdown for non-decent homes and shows that in the PRS 35% of properties were non decent which is slightly below the national average for England at 41%.

Figure 16- Non decent homes in Coventry PRS



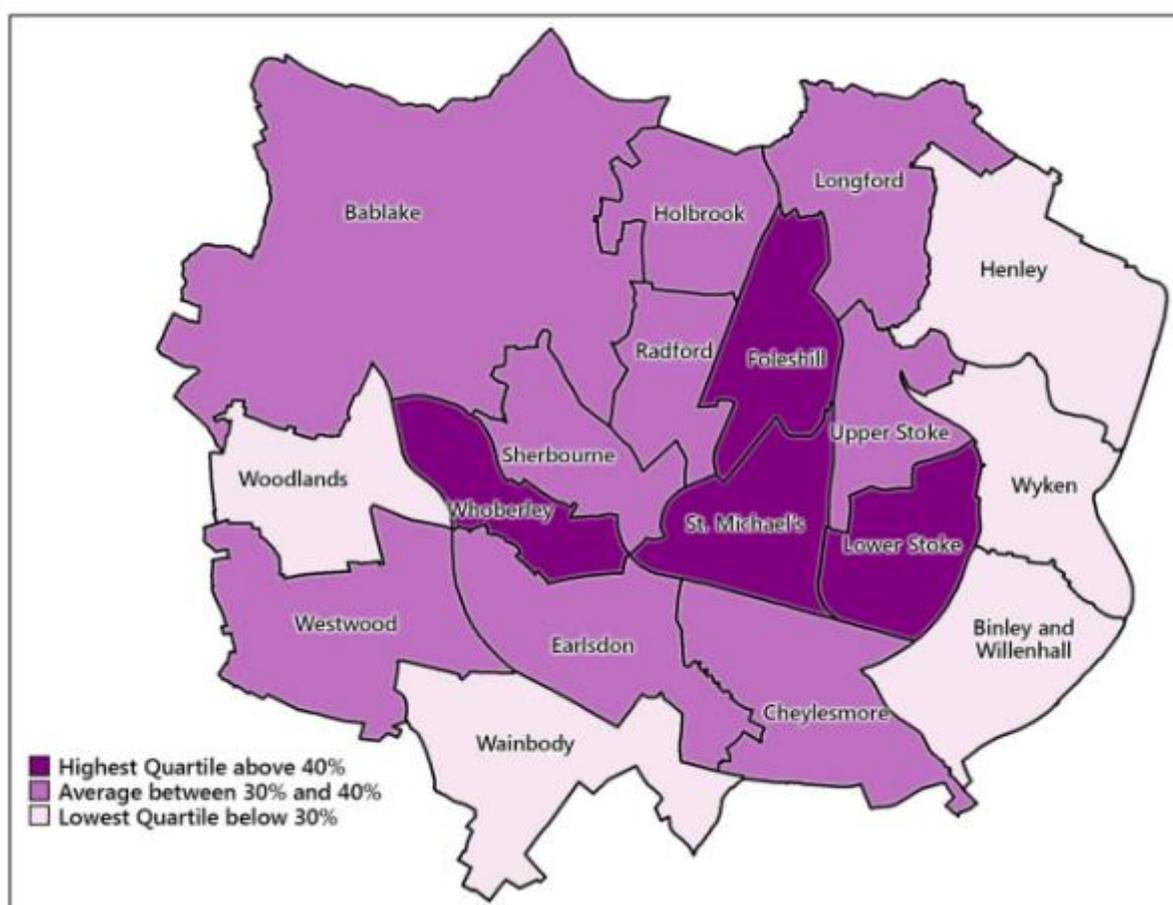
The reasons for non-decency were identified as part of the survey and showed that most prominent failure was due to HHSRS with 17% of properties in the PRS failing this element of the criteria. As can be seen from Table 11 below disrepair was also an issue in the PRS.

Table 11- Criteria failure for non decent homes

Reason	HHSRS failure	Disrepair failure	Modern facilities inadequate	Thermal Comfort inadequate
Owner occupied	21.1%	9.4%	4.3%	9.4%
Privately rented	17.2%	10.8%	2.3%	12.8%
Overall	20.1%	9.8%	3.9%	10.2%

Figure 17 below provides the profile of non-decent homes across the wards that make up the area of Coventry. The worst wards include Whoberley, St Michael's, Foleshill and Lower Stoke. To a lesser extent, there are also issues with non-decent homes in Bablake, Sherbourne, Radford, Holbrook, Longford, Upper Stoke, Cheylesmore, Earlsdon and Westwood.

Figure 17- Ward profiles for non decent homes

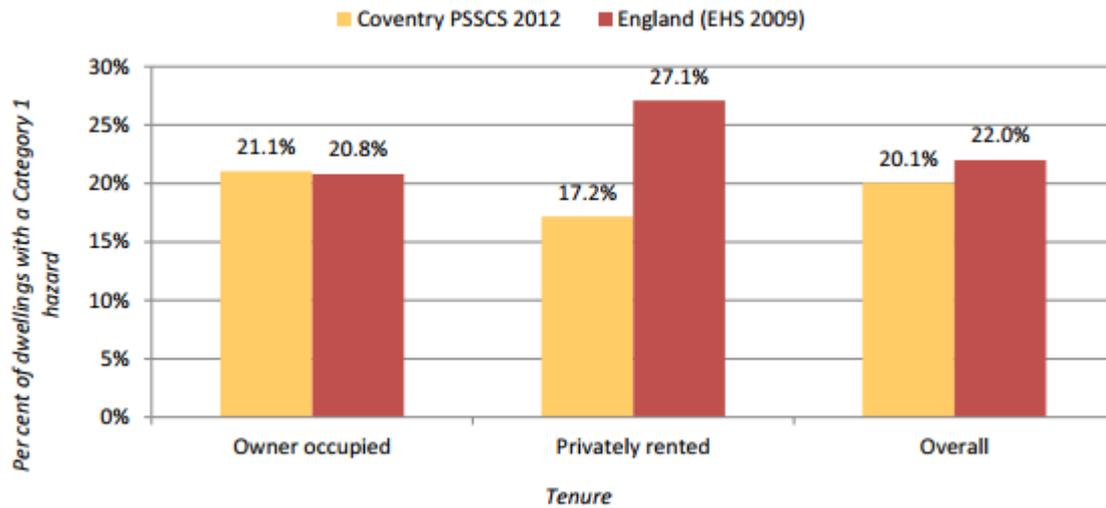


3.14 HHSRS

The Housing Health and Safety Rating System (HHSRS) provides the minimum standard for housing, in that a property should be free from a category 1 hazard.

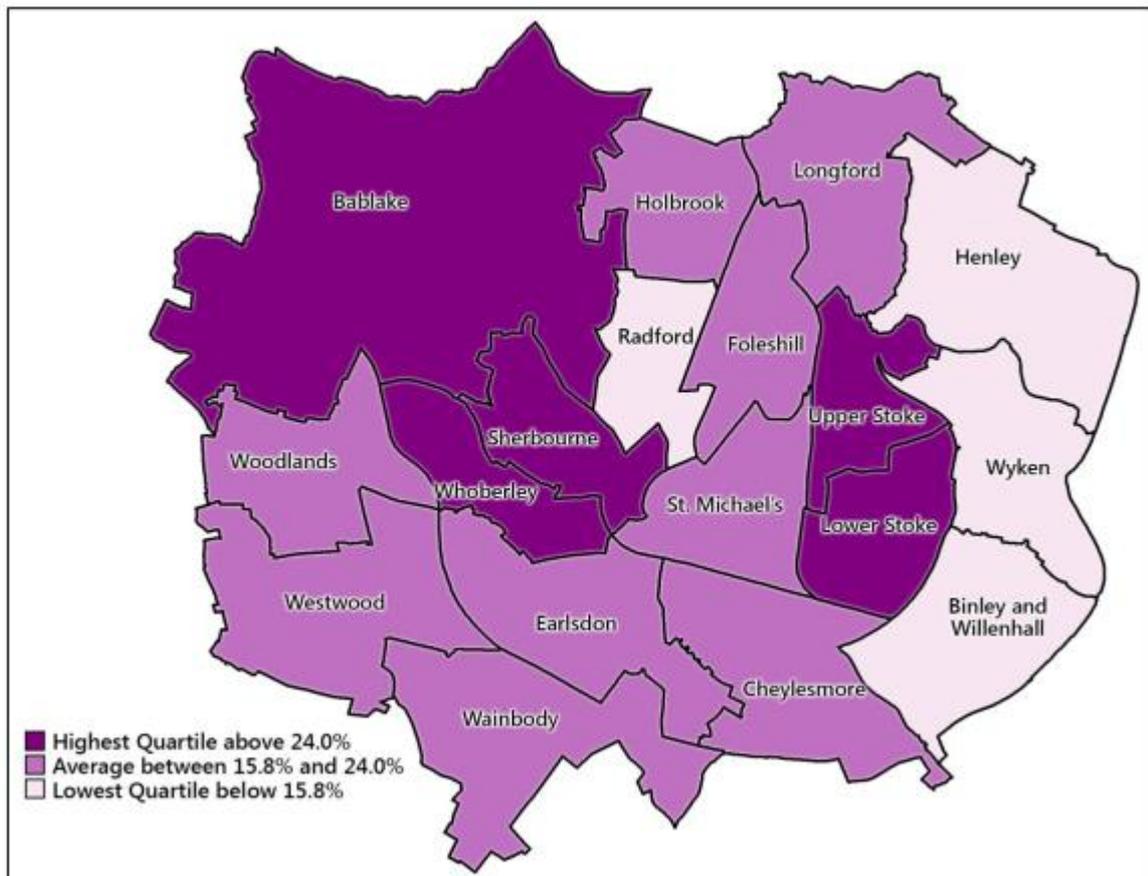
As can be seen from Figure 18 below the stock condition survey reported that there were 17% of properties in the PRS that had a Category 1 hazards, slightly below the national average.

Figure 18- Cat 1 hazards in PRS Coventry



Category 1 hazards were identified on a ward basis, shown in Figure 19. The most serious concerns for addressing this element of the Decent Homes Standard are in Bablake, Sherbourne, Whoberley, Upper Stoke and Lower Stoke. Less concern but still of significance are the levels identified in Longford, Holbrook, Foleshill, St Michael’s, Cheylesmore, Earlsdon, Wainbody, Westwood and Woodlands.

Figure 19- Cat 1 hazards by ward



3.15 Disrepair

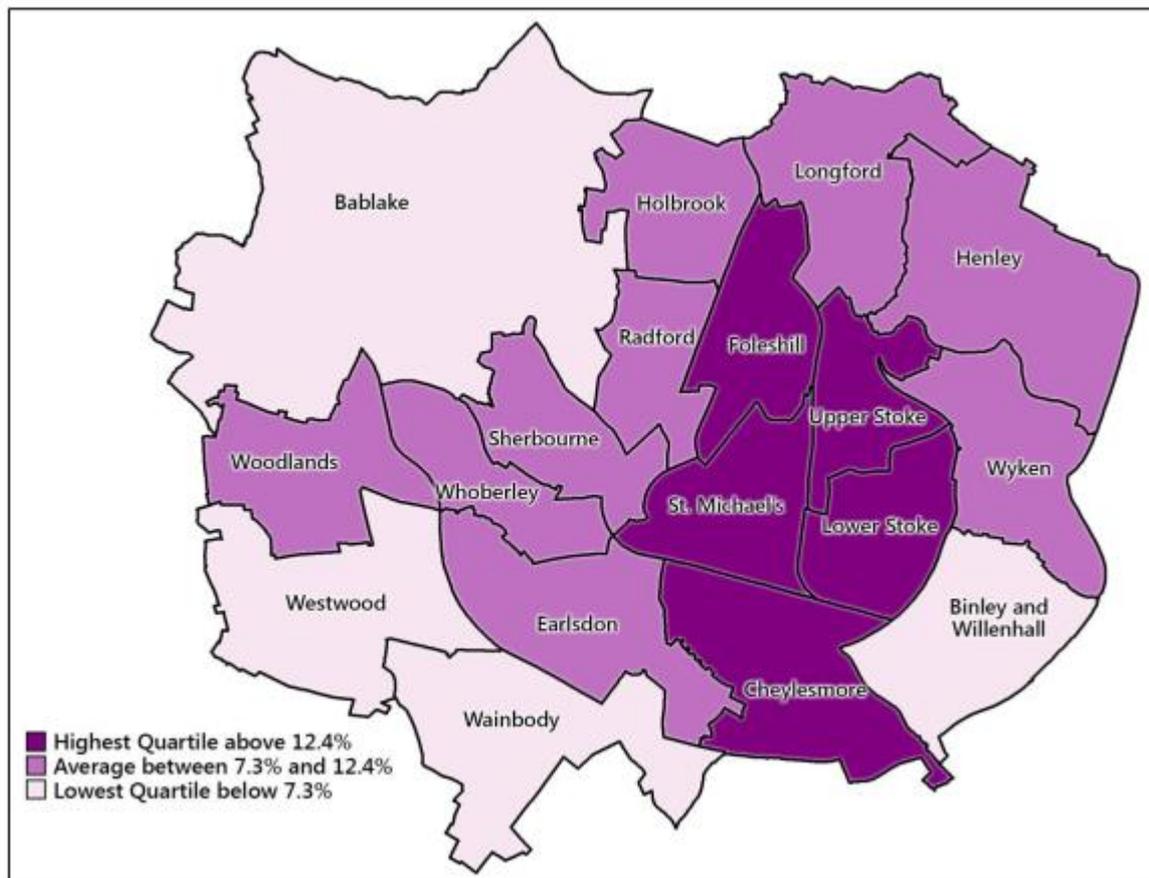
Criterion B of the Decent Homes Standard looks at the issue of the state of general repair of a dwelling which will fail if it meets one or more of the following:

- One or more key building components are old (which are specifically defined in the criteria) and, because of their condition need replacing or major repair; or
- Two or more other building components are old and, because of their condition need replacing or major repair.

A building that has component failure before the components expected lifespan does not fail the decent homes standard. A dwelling will be considered to be in disrepair if it fails on one or more major element or two or more minor elements.

Figure 20 below shows that there are issues with disrepair in Foleshill, Upper Stoke, St Michael's, Lower Stoke and Cheylesmore. Earlsdon, Longford, Henley, Holbrook, Radford, Sherbourne, Whoberley, Woodlands, and Wyken also have problems with disrepair but of less concern than these already mentioned.

Figure 20- Disrepair by ward



3.16 Modern Facilities

The third criterion of the Decent Homes Standard is that a dwelling should have adequate modern facilities.

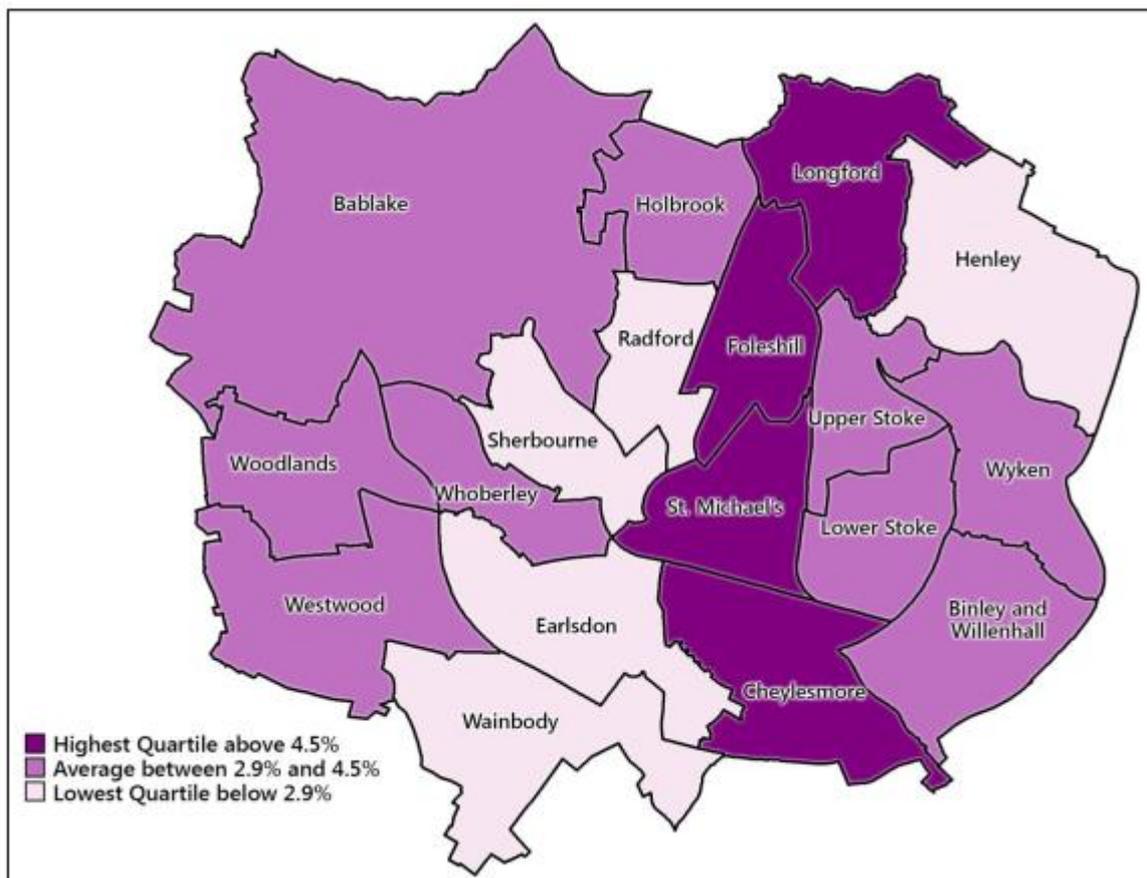
A dwelling fails the modern facilities test only if it lacks three or more of the following:

- A kitchen which is 20 years old or less;
- A kitchen with adequate space and layout;
- A bathroom that is 30 years old or less;
- An appropriately located bathroom and WC;
- Adequate noise insulation; and/or
- Adequate size and layout of common parts of flats.

For example, if a dwelling had a kitchen and bathroom older than the specified date, it would only fail the modern facilities test if it also failed another of the identified criteria (e.g. the kitchen had a poor layout or the bathroom was not properly located).

Figure 21 below shows the wards where there is concern relating to this element of the Decent Homes Standard with Longford, Foleshill, St Michael's and Cheylesmore ranking the worst.

Figure 21- Modern facilities failure by ward



3.17 Thermal Comfort

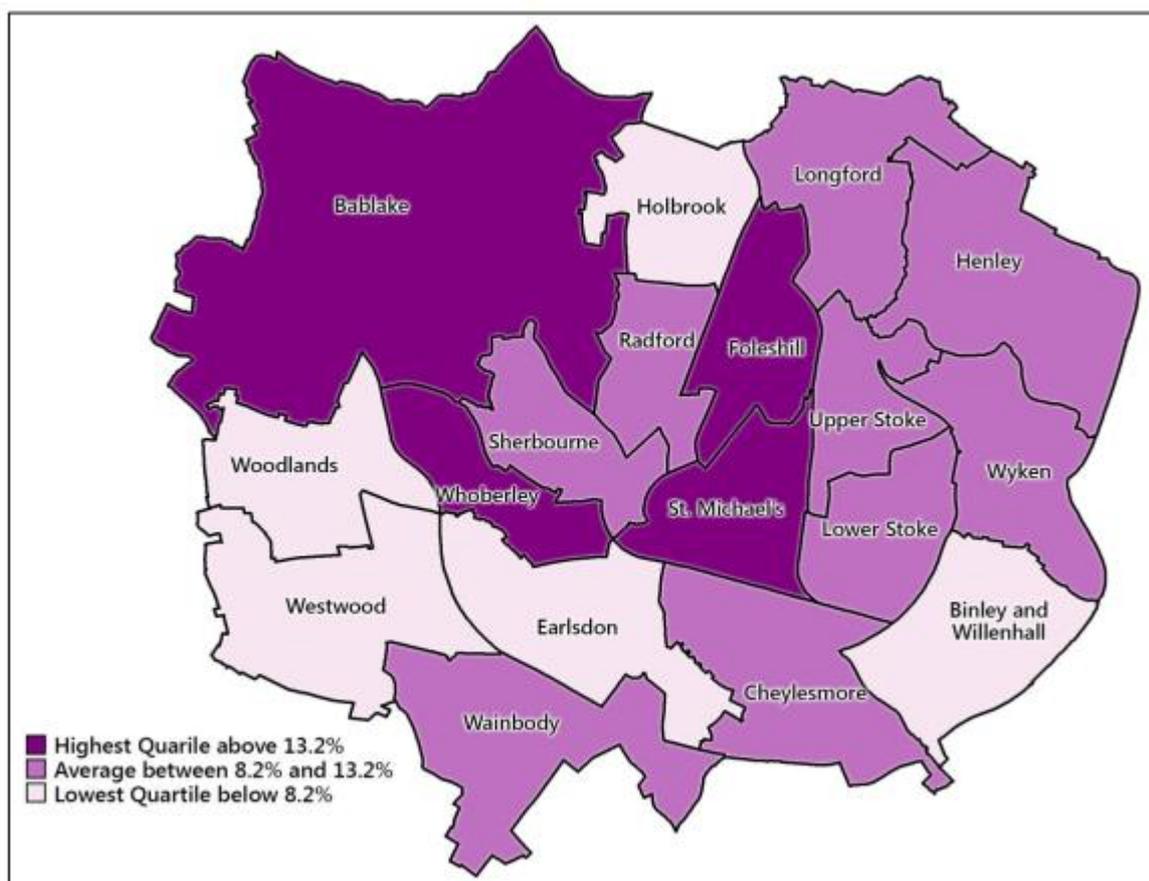
Failure of the thermal comfort criterion, and consequently the work required to remedy that failure, is based on the combination of heating system type and insulation present within a dwelling.

The following are the three requirements under the thermal comfort criterion of the Decent Homes Standard:

- For dwellings with gas/oil programmable heating, cavity wall insulation (if there are walls that can be insulated effectively) or at least 50mm loft insulation (if there is a loft space) is an effective package of insulation.
- For dwellings heated by electric storage heaters/ LPG/ programmable solid fuel central heating a higher specification of insulation is required: at least 200mm of loft insulation (if there is a loft) and cavity wall insulation (if there are walls that can be insulated effectively).
- All other heating systems fail (i.e. all room heater systems are considered to fail the thermal comfort standard).

As can be seen from Figure 22 below the worst areas affected by this element of the criteria are Bablake, Whoberley, St Michaels and Foleshill.

Figure 22- Thermal comfort failure by ward



3.18 Energy Performance

The Standard Assessment Procedure or SAP is a government rating for energy efficiency. When reporting on energy efficiency it is used in conjunction with annual CO₂ emissions figures, calculated on fuel consumption, and the measure of that fuel consumption in kilo Watt hours (kWh).

The calculation assumes a standard occupancy pattern, derived from the measured floor area so that the size of the dwelling did not strongly affect the result. It is expressed on a 0-100 scale. The higher the number the better the energy rating for that dwelling.

Figure 23 shows the energy performance distribution by tenure incorporating the same banding system used since the EHCS 2007.

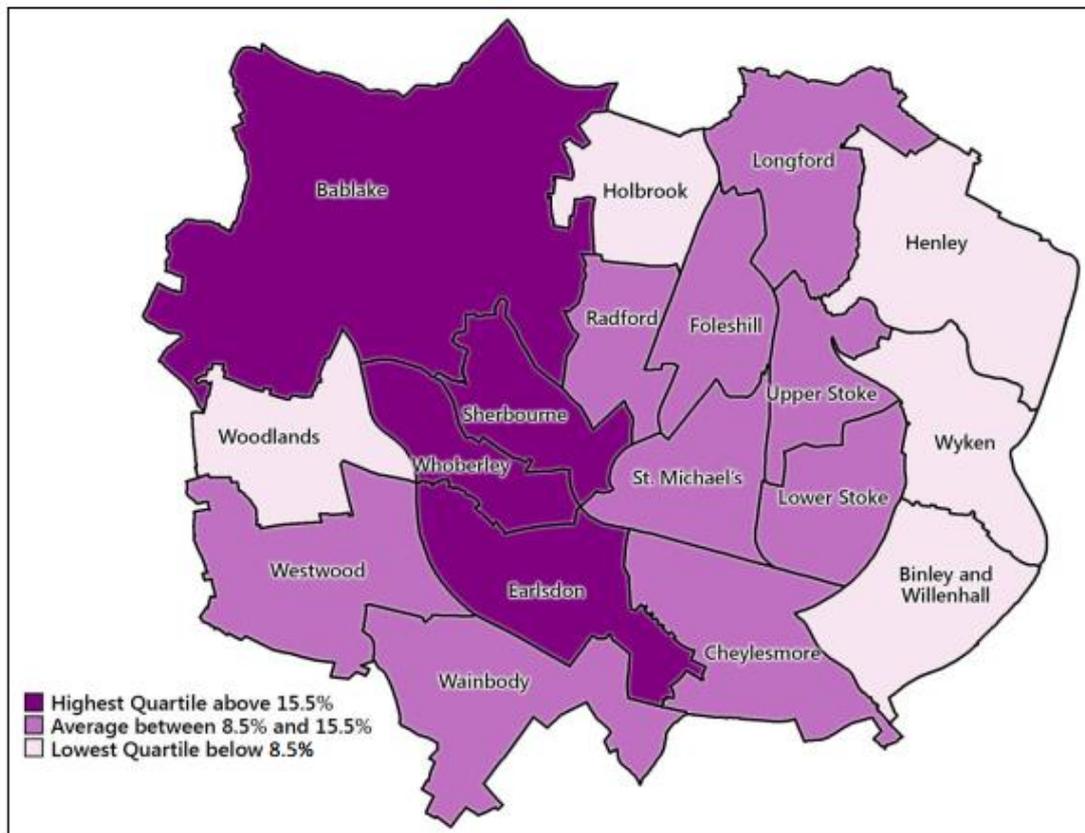
In Coventry the majority for each tenure group were in Bands D and E (39-68): 81% of the privately rented stock. The overall stock rate is 79% within those bands, which is above the national rate (73%).

Figure 23- EPC ratings by tenure in Coventry

EPC SAP Range Banded	Owner occupied	Privately rented	Whole Stock	EHS 2009
Band A (92-100)	0.0%	0.0%	0.0%	0.0%
Band B (81-91)	0.1%	0.2%	0.1%	0.1%
Band C (69-80)	2.4%	7.8%	3.8%	5.0%
Band D (55-68)	32.1%	34.6%	32.7%	30.4%
Band E (39-54)	46.7%	45.5%	46.4%	42.8%
Band F (21-38)	16.6%	9.7%	14.9%	17.3%
Band G (1-20)	2.1%	2.3%	2.1%	4.4%
Total	100.0%	100.0%	100.0%	100.0%

Energy performance levels across the city varied considerably in the PRS with the worst being in Bablake, Sherbourne, Whoberley and Earsldon. As can be seen in Figure 24 below there were also concerns in Longford, Foleshill, Radford, Upper Stoke, St Michaels, Lower Stoke, Cheylesmore, Wainbody and Westwood.

Figure 24- Energy performance by ward



3.19 Fuel Poverty

Fuel poverty is closely linked to property condition and the energy efficiency of a property. Fuel poverty in England is measured using the Low Income High Costs (LIHC) indicator. Under the LIHC indicator, a household is considered to be fuel poor if:

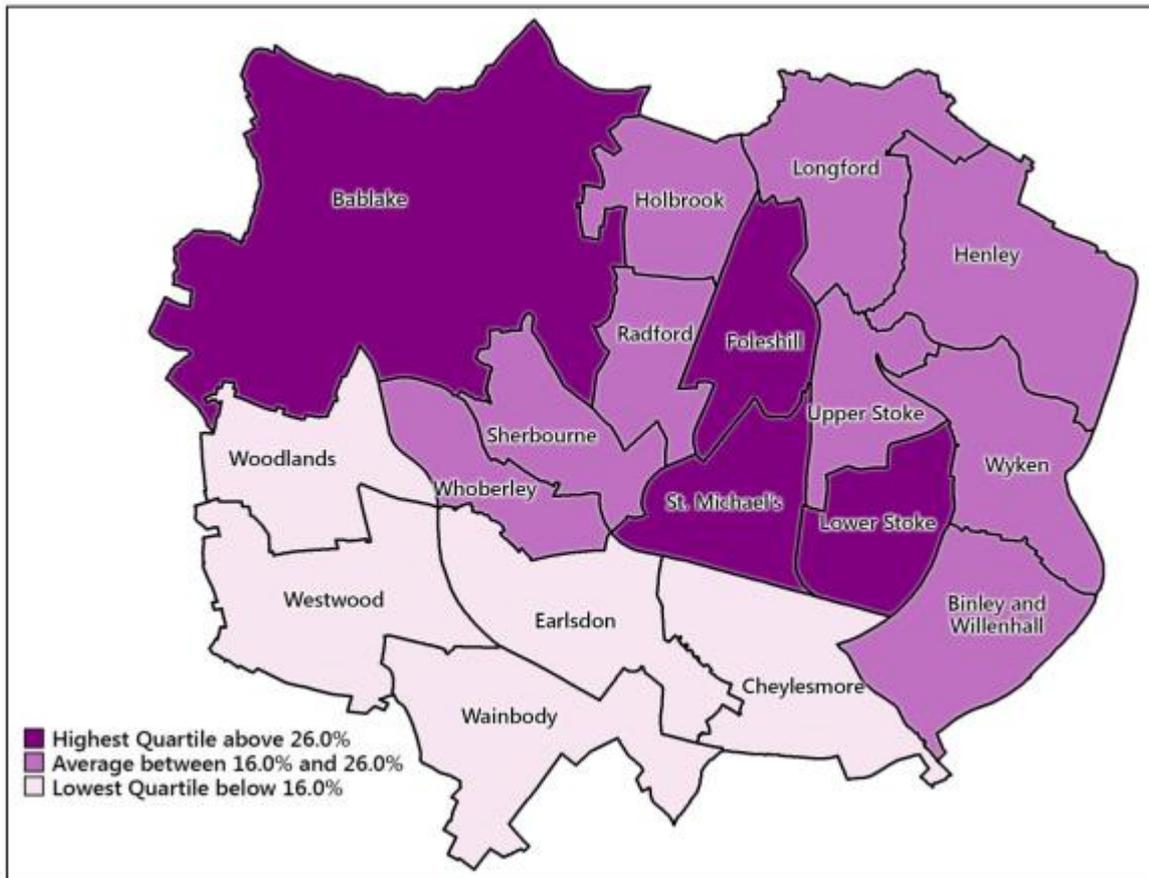
- they have required fuel costs that are above average (the national median level)
- were they to spend that amount, they would be left with a residual income below the official poverty line.

There are 3 important elements in determining whether a household is fuel poor:

- household Income
- household energy requirements
- fuel prices

Figure 25 shows the wards which are most affected by fuel poverty.

Figure 25- Fuel poverty levels by ward



It is clear that Coventry has an above average proportion of privately rented dwellings and this tenure has seen rapid growth in the past ten years. Private renting is more common in pre 1919 and post 1990 dwellings and small, medium and large terraced houses are more common than the national average, with all other dwelling types occurring less frequently.

Private renting is far more common in all flat types and in small terraced houses when compared to owner occupied dwellings, which are more common in medium and large terraced houses and semi-detached houses.

3.20 Private Sector Residents

The age profile of heads of household in Coventry is split with proportionately more heads of household aged under 25, more aged 65 or over and fewer in between these ages.

Coventry shows the usual strong association between private renting and heads of household aged under 35 compared to owner occupation where the majority of heads of household are aged 45 or over.

A higher proportion of households in the 35 to 44 age band rent as opposed to owning their properties, indicating potential issues with housing affordability and restrictions on homeownership.

Although it has not been possible to identify specific LSOAs which would benefit from Selective Licensing to address property conditions it is clear that there are considerable issues within St Michaels, Foleshill, Longford, Lower Stoke, Radford, Sherbourne, Longford and Cheylesmore as all of these wards showed high property condition indicators.

4.21 High Levels of Migration

A designation can be made to preserve or improve the economic conditions of areas to which migrants have moved and ensure people (including migrants) occupying private rented properties do not live in poorly managed housing or unacceptable conditions.

Robustly establishing the impact of migration on an area is challenging. There are limited sources of accurate data that can be utilised, however, there are certain sources that can provide indicative information.

The ONS reported in 2014 that overall for the UK as a whole, the proportion of the population born outside of the UK was 13% (8.3 million of 63.7 million). In Coventry the figures for 2014/15 were reported to be 24% non UK born, almost twice the national average.

According to the 2011 Census, Coventry as a local authority has experienced the greatest migration since 2001 - second only to London. The increasing diversity of populations in Coventry is creating new challenges for health and social care systems, which need to adapt in order to remain responsive and ensure delivery of effective and culturally sensitive services while promoting equity, social cohesion and inclusiveness. To achieve the City's aim of reducing inequalities within the City, and in response to the City's Marmot role, addressing migrant health was a clear priority. This work was well-timed to take into account and respond to the effects of welfare reform, European Economic Area and NHS structural changes.

The 2011 Census tells us that 1 in every 5 people living in Coventry (21%) were born outside the UK. People move in and out of the city every year, including students studying at the city's two universities from both the UK (37,580) as well as an estimated 19,160 overseas students (2016-2017 figures)⁴. 14,035 students enrolled from Non-EU countries and 5,125 from EU countries.

Coventry is one of the top 10 cities in the country for jobs growth, patents granted and business growth over the past decade⁵. With this in mind it becomes an attractive city for migrants from all walks of life. A significant number of people come from various countries such as India, Pakistan, Bangladesh, Somalia, Sudan, Afghanistan, Albania, Poland, Romania, Iraq, Kurdistan, and Jamaica, and new and emerging countries like Eritrea and Syria. Coventry's vibrant economy means that people continue to arrive here to work mostly from within the UK and European Union Countries.

⁴ <https://www.hesa.ac.uk/news/11-01-2018/sfr247-higher-education-student-statistics/location>

⁵ http://www.coventry.gov.uk/info/13/invest_in_coventry/2422/why_do_business_in_coventry/2

Between 2015 and 2016 the West Midlands saw the biggest year on year increase in international migration in the country. Over the last 5 years Coventry has seen year on year increases in the numbers of international migrants moving into the city, and overall the second highest number of international arrivals after Birmingham. This is thought to be a key contributor to Coventry's growing population.

Between 2012 and 2015, there were higher numbers of EU migrants than non-EU migrants moving into the city, although this trend has now reversed.

The highest number of EU arrivals to Coventry in 2016 were from Romania and Poland, with the highest number from outside the EU from China, India and Nigeria.

The 2011 information shows us that areas around the city centre and to the south east of the city were the most popular places for EU migrants to live, while the city centre and areas to the North East and South West are the most popular for non-EU migrants. Figures 26 and 27.

Figure 26- Non EU Migrants by ward

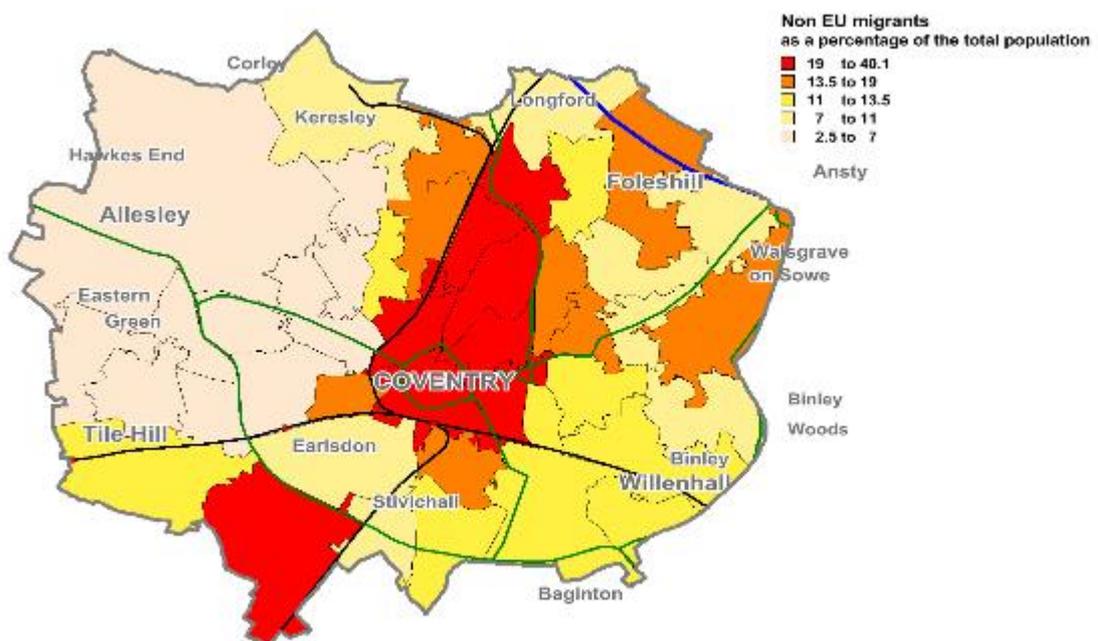
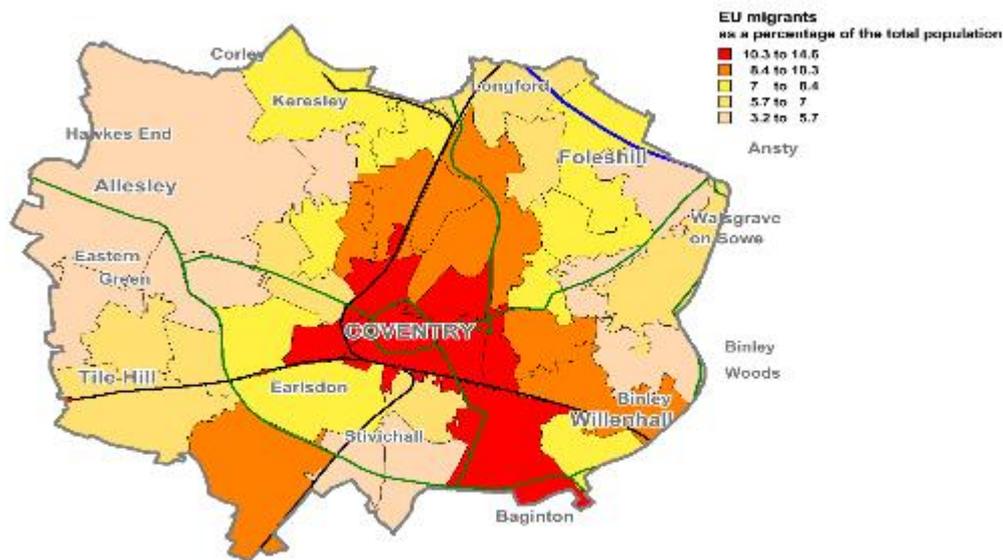


Figure 27- EU Migrants by ward



The City has experienced high levels of migration into certain wards and as a result, has seen a rise in the number of food businesses, shisha bars, scrap metal itinerants and convenience stores being run by a range of migrants. Coventry currently has 10,065⁶ active businesses in the city⁷ therefore the increase in issues from businesses that are non-compliant causes further demand on already stretched public services.

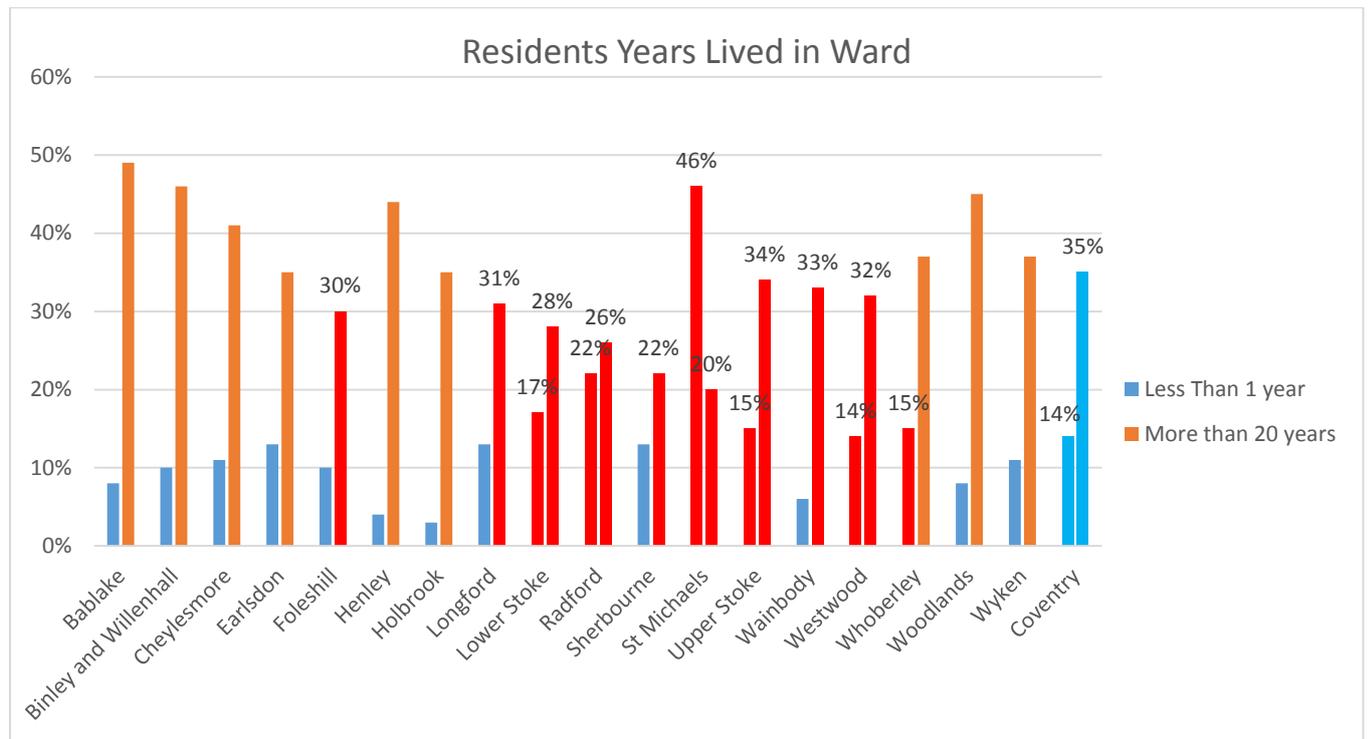
Smaller numbers also come to Coventry as asylum seekers or refugees fleeing civil war and violence and fearing for their and their family's safety in their home country. Through data collected as part of the resident's survey we have been able to analyse the migration changes further by considering two elements – the number of people who have lived in area for 20 years or more and those for less than one year.

In Coventry 14% of residents have lived in their ward for a year or less and 35% for more than 20 years. As can be seen from Figure 28 this indicates that in Whoberley, Upper Stoke, St Michaels, Radford, and Lower Stoke there are a higher proportion of residents that have lived in these areas for less than a year. In the case of Westwood, Wainbody, Upper Stoke, St Michaels, Sherbourne, Radford, Lower Stoke, Longford, and Foleshill there are a lower proportion of households that have lived in the area for 20 years or more.

⁶ file:///C:/Users/cvpoo439/Downloads/Coventry_Headline_Statistics_Jul_2018.pdf

⁷ file:///C:/Users/cvpoo439/Downloads/Coventry_Headline_Statistics___Mar_2018.pdf

Figure 28- Residents time in area by ward



St Michaels ward has the highest proportion of residents living in the area for less than a year (46%) and the lowest number of residents living in the area for more than 20 years (20%) suggesting that there has been a considerable amount of “migrant” activity in this area. Similar comparisons can be seen in the Upper Stoke, Radford, and Lower Stoke wards.

Although it has not been possible to identify specific LSOAs which would benefit from Selective Licensing to address migration it is clear that there are considerable issues within the City and in 6 wards in particular (St Michaels, Lower Stoke, Sherbourne, Foleshill, Radford and Upper Stoke).

3.22 High Levels of Deprivation

In deciding whether the wards in Coventry are suffering from high levels of deprivation the Council has considered the English Indices of Deprivation 2015, provided by the Department for Communities and Local Government in comparison to other similar neighbourhoods in the area or within the region.

This data measures overall multiple deprivation experienced by persons living in geographical areas at LSOA levels. Each LSOA in England is ranked according to its level of deprivation relative to that of other areas. There are multiple domains and sub-domains that make up the overall deprivation level.

Coventry ranks as 38th most deprived – a slight improvement from 37th in the IMD 2010. This summary measure tends to highlight those local authority areas with very highly deprived Lower-layer Super Output Areas.

Looking at the proportion of Coventry's neighbourhoods (LSOAs) that are amongst the most deprived 10% in England, Coventry is the 46th most deprived local authority in England. Figure 29 below provides the overall IMD rankings by LSOA.

Figure 29- IMD by LSOA

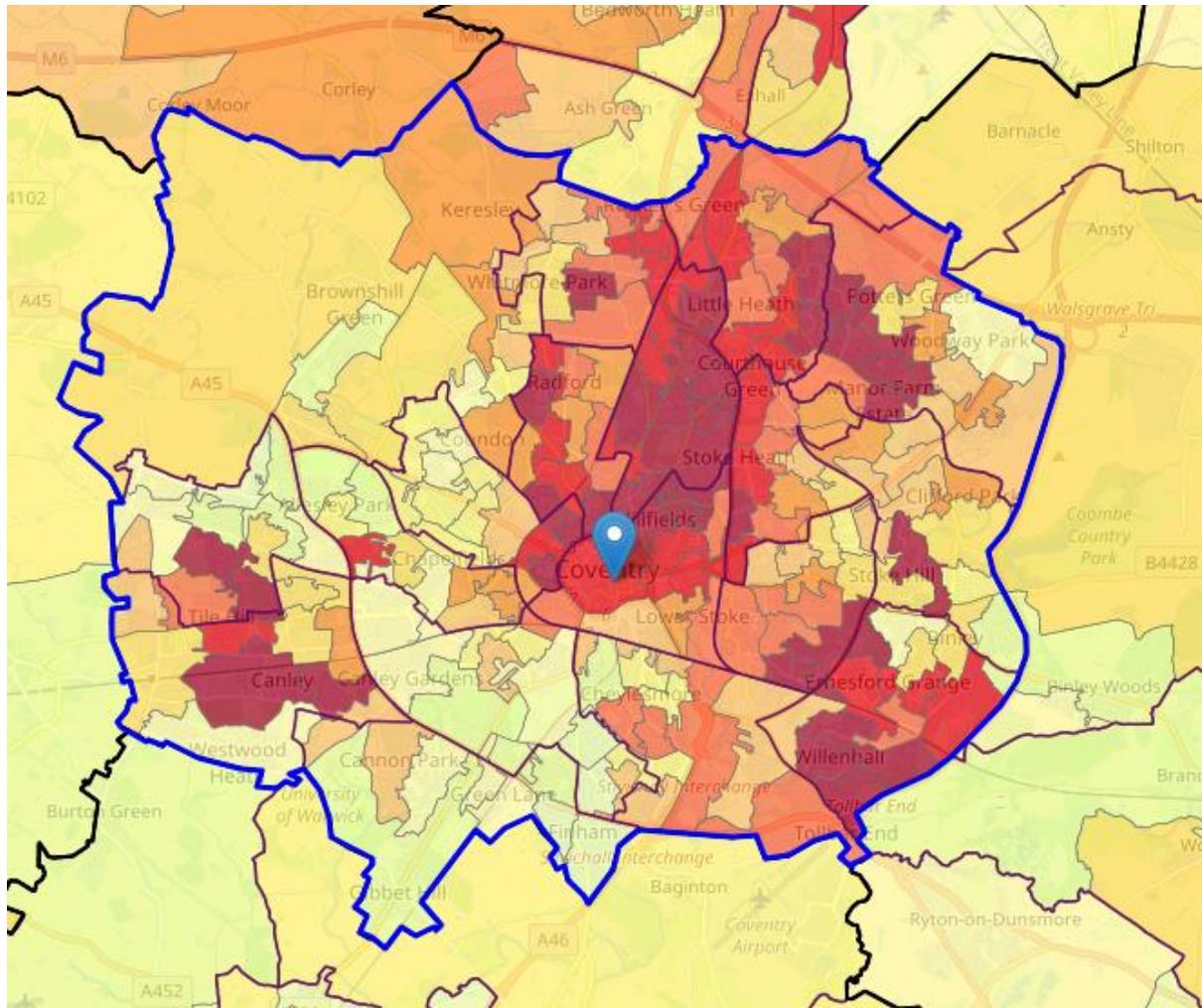


Table 12 below provides the details of each of the LSOAs that are within the top 10% most deprived. These areas are most likely to benefit from Selective Licensing as there are multiple issues that need to be addressed.

Table 12 – Index of Multiple Deprivation (IMD) 2015 Ranks

LSOA Name	Mainly in Ward
585 Wood End – Hillmorton Road	Henley
638 Hillfields Village & Motor Museum	St Michael's
709 Manor Farm	Henley
577 Aldermans Green - Deedmore Road W	Henley
607 Bell Green - Roseberry Ave	Longford
539 Willenhall Wood - Middle Ride	Binley and Willenhall

542 Willenhall - Chace Stretton	Binley and Willenhall
540 Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall
651 Lower Spon Street	Sherbourne
579 Henley Green West	Henley
571 Paradise - Awson Street	Foleshill
700 Tile Hill North - Jardine Delius	Woodlands
605 Manor House - Privet Rd	Longford
574 Swanswell - Leicester Causeway	Foleshill
640 Hillfields - Coronation Road Swanswell Basin	St Michael's
637 Hillfields - Cambridge Street	St Michael's
718 Attoxhall Road	Wyken
572 Foleshill - Paragon Park Red Lane	Foleshill
631 Barker Butts - Bablake School Thomson Avenue	Radford
32531 Canley - Charter Avenue & Robert Mountford Way	Westwood
570 Foleshill - Broad Street	Foleshill
567 Edgwick - Canal Road	Foleshill
569 Edgwick - Gallagher Retail Park Cross Road	Foleshill
581 Henley Green East	Henley
632 Nauls Mill Park - Canal Basin	Radford
566 Foleshill – Courtaulds Guild Road	Foleshill
612 Stoke Aldermoor Village	Lower Stoke
564 Little Heath – King Georges Avenue	Foleshill
659 Barras Heath - West of Clay Lane	Upper Stoke
702 Jardine Shopping Centre - Limbrick Wood Tile Hill Lane	Woodlands
639 City Farm North	St Michael's
679 Canley - Torrington Prior Deram Walk	Westwood
622 Radford - Beake Avenue South	Radford
588 Holbrooks – Monks Park	Holbrook
541 Willenhall - Yarningale	Binley and Willenhall
611 Stoke Aldermoor North & East	Lower Stoke

3.23 High Levels of Crime

When considering whether areas suffer from high levels of crime a local authority may wish to have regard to whether the area has displayed a noticeable increase in crime over a relatively short period, whether the crime rate in the area is significantly higher than in other parts of the local authority area or that the crime rate is higher than the national average. In particular the local authority may want to consider whether the

impact of crime in the areas affects the local community and the extent to which a selective licensing scheme can address the problems.

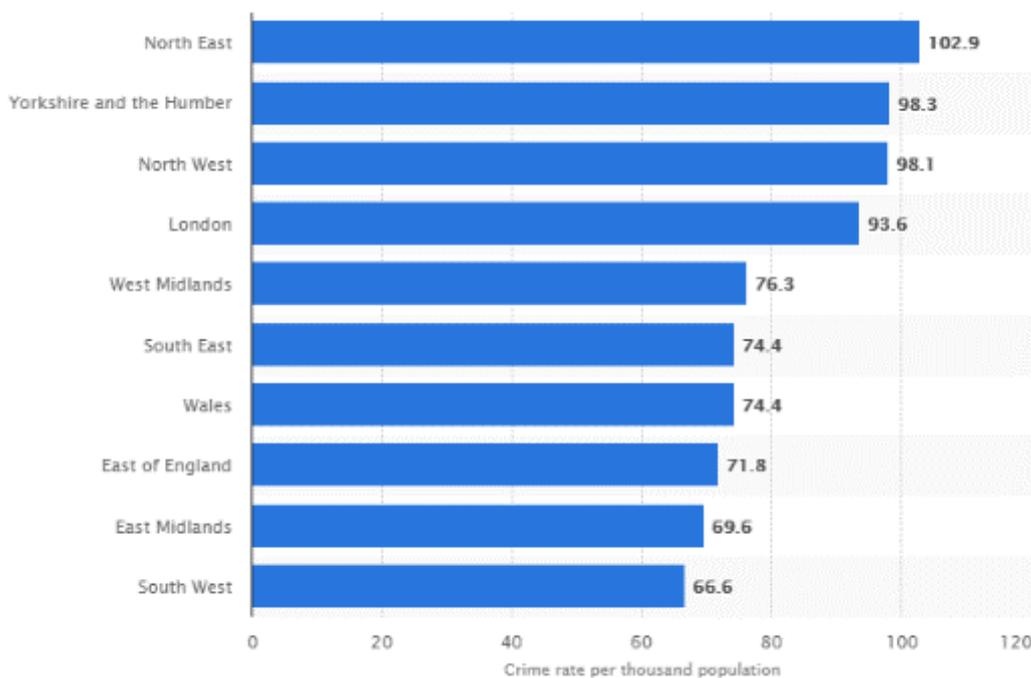
Licensing must be part of a wider strategy to address crime in the designated areas and can only be made if a high proportion of properties in that area are privately rented.

The authority should consider:

- Whether the criminal activities impact on some people living in privately rented accommodation as well as others living in the areas and businesses
- The nature of the criminal activity, e.g. theft, burglary, arson, criminal damage, graffiti
- Whether some of the criminal activity is the responsibility of some people living in privately rented accommodation

Figure 30 shows the crime rate per thousand population in England and Wales for 2017/18, by region.

Figure 30-Crime rate per 1000 population by region



The crime rate for the West Midlands is currently 76.3. Coventry's overall rate of crime per 1000 population is significantly higher at 90.8 for the same period.

Within the last 12 months, across Coventry there was a total of 32,058 recorded crimes. Table 13 represents the LSOAs that have experienced crime rates above those for Coventry.

Table 13- Total crime rate per 1,000 population by LSOA

LSOA name	LSOA mainly within Ward:	Total recorded crime rate per 1,000 population (inc. ASB) Jul17-Jun18
Coundon Wedge	Bablake	132.0
Binley - Quorn Way Bredon Avenue	Binley and Willenhall	154.8
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	169.2
Willenhall Wood - Middle Ride	Binley and Willenhall	104.6
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	165.3
Willenhall - Yarningale	Binley and Willenhall	139.9
Willenhall - Chace Stretton	Binley and Willenhall	132.4
Binley Oak Farm – Skipworth Road	Wyken	164.0
Central Six Retail Park - Queens Road	St Michael's	189.6
Canley Gardens – Hearsall Golf course	Earlsdon	147.3
Little Heath – King Georges Avenue	Foleshill	96.0
Foleshill – Courtaulds Guild Road	Foleshill	132.6
Edgwick - Canal Road	Foleshill	105.5
Edgwick - Gallagher Retail Park Cross Road	Foleshill	190.0
Foleshill - Broad Street	Foleshill	149.7
Foleshill - Paragon Park Red Lane	Foleshill	99.8
Swanswell - Leicester Causeway	Foleshill	167.5
Arena Retail Park - Arbury	Foleshill	291.5
Aldermans Green - Deedmore Road W	Henley	236.7
Potters Green Triangle - Wigston Road	Henley	157.4
Henley Green West	Henley	130.6
Cross Point, A46 West & University Hospital	Henley	97.5
Henley Green East	Henley	106.6
Potters Green - Narberth Way	Henley	99.6
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	149.5
Aldermans Green Industrial estate	Henley	102.3
Wood End – Hillmorton Road	Henley	197.1
Ricoh Arena & Wilsons Lane	Longford	147.5
Keresley - Prologis	Holbrook	128.9
Holbrooks N – Masser Kirkdale Roads	Holbrook	102.5
Holbrook Lane – Lythalls Lane	Holbrook	101.1

Hall Green North	Longford	97.6
Manor House - Privet Rd	Longford	90.9
Bell Green - Roseberry Ave	Longford	191.6
Stoke Aldermoor North & East	Lower Stoke	108.6
Stoke Park	Lower Stoke	122.7
Jubilee Crescent	Radford	121.3
Daimler Green – Electric Wharf	Radford	92.3
Radford - Lawrence Saunders Roads	Radford	92.5
Barker Butts - Bablake School Thomson Avenue	Radford	138.9
Nauls Mill Park - Canal Basin	Radford	112.7
Gosford & Gulson Roads	St Michael's	102.9
Hillfields Village & Motor Museum	St Michael's	485.4
City Farm North	St Michael's	117.3
Hillfields - Coronation Road Swanswell Basin	St Michael's	91.9
Hillfields - Canterbury Raglan Streets	St Michael's	113.7
The city centre within the ring road	St Michael's	503.4
Alvis Retail Park - Moseley Avenue	Sherbourne	166.8
Upper Holyhead Road – Minster Road	Sherbourne	100.0
Lower Spon Street	Sherbourne	100.7
Stoke Heath - Mercer Crescent– Barras Heath	Upper Stoke	111.9
Stoke Church End - Shakespeare Street	Upper Stoke	134.5
Courthouse - Green Retail Park	Upper Stoke	177.4
Canley - Torrington Prior Deram Walk	Westwood	92.9
Earlplace Business Park - Middlecotes	Westwood	90.1
Coventry Business Park	Earlsdon	132.1
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	97.4
Tile Hill North - Jardine Delius	Woodlands	125.8
Jardine Shopping Centre - Limbrick Wood Tile Hill Lane	Woodlands	125.8
Manor Farm	Henley	196.5
Wyken - Ansty Road North	Wyken	198.7
Caludon Castle - Bodmin Belgrave Roads	Wyken	108.5
Sowe Valley - Dorchester Road South	Wyken	101.7
Attoxhall Road	Wyken	108.9
Whitley East & Seven Stars	Cheylesmore	107.3

Canley - Charter Avenue & Robert Mountford Way	Westwood	130.1
Tile Hill - Cromwell Lane Station Road	Westwood	96.6
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	91.6
Longford Village & Longford Park	Longford	117.7

The following table (Table 14) represents those LSOAs that have experienced a noticeable increase in crime over the past twelve months. This in itself is indicative of a growing and significant crime problem.

Table 14- Increase in Crime rates between 2016/17 and 2017/18 by LSOA

LSOA name	LSOA mainly within Ward:	Total recorded crime rate per 1,000 population (including ASB)
Coundon - Scots Lane	Bablake	24.4
Allesley Village	Bablake	42.0
Binley Industrial Estate South - Willenhall Lane Central	Binley and Willenhall	52.5
Willenhall - Robin Hood & Mary Slessor	Binley and Willenhall	50.8
Willenhall - Yarningale	Binley and Willenhall	30.5
Willenhall - Chace Stretton	Binley and Willenhall	17.9
Binley Oak Farm – Skipworth Road	Wyken	27.7
Friargate & Parkside –Technology, N. Cheylesmore	St Michael's	22.0
Central Six Retail Park - Queens Road	St Michael's	18.6
Earlsdon - Newcombe Clarendon & Shaftsbury Roads	Earlsdon	25.8
Canley Gardens – Hearsall Golf course	Earlsdon	21.9
Earlsdon - Broadway Albany Roads	Earlsdon	24.3
Little Heath – King Georges Avenue	Foleshill	22.7
Edgwick - Gallagher Retail Park Cross Road	Foleshill	60.4
Paradise - Awson Street	Foleshill	17.3
Bishopgate - George Elliot	Foleshill	17.9
Arena Retail Park - Arbury	Foleshill	35.9
Aldermans Green - Deedmore Road W	Henley	93.9
Potters Green Triangle - Wigston Road	Henley	42.3

Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley	22.5
Wood End – Hillmorton Road	Henley	51.9
Ricoh Arena & Wilsons Lane	Longford	18.3
Henley College - Gresley Road	Henley	20.3
Hall Green North	Longford	18.4
Bell Green - Roseberry Ave	Longford	19.5
Stoke Green - New Century Park	Lower Stoke	23.8
Daimler Green - North Capmartin Road	Radford	19.0
Charterhouse - St Georges Road	St Michael's	18.0
Hillfields - Cambridge Street	St Michael's	30.0
Hillfields Village & Motor Museum	St Michael's	70.1
Hillfields - Canterbury Raglan Streets	St Michael's	21.3
Stoke Church End - Shakespeare Street	Upper Stoke	28.1
Gosford Green - Kingsway	Upper Stoke	17.6
Courthouse Green – Sewall Highway North	Upper Stoke	23.4
Earlsdon – Broomfield Road – Sovereign Road	Whoberley	19.8
Manor Farm	Henley	22.7
Tile Hill - Cromwell Lane Station Road	Westwood	22.3
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	39.1
Longford Village & Longford Park	Longford	25.3

A comparison of LSOA that experienced both crime rates above the average for Coventry and an increase in crime between 2016/17 and 2017/18 was carried out to identify the specific LSOAs which would benefit the most from any Selective Licensing designation. Table 15 provides the details.

Table 15- Crime rate analysis by LSOA

LSOA Name	Mainly in Ward
Central Six Retail Park - Queens Road	St Michael's
Little Heath – King Georges Avenue	Foleshill
Edgwick - Gallagher Retail Park Cross Road	Foleshill
Arena Retail Park - Arbury	Foleshill
Walsgrave on Sowe – Mount Pleasant & Walsgrave Gardens	Henley
Ricoh Arena & Wilsons Lane	Longford
Hall Green North	Longford
Hillfields - Canterbury Raglan Streets	St Michael's
Stoke Church End - Shakespeare Street	Upper Stoke

Manor Farm	Henley
Hawkesbury, M6 & Foxford School, Anderton Road	Longford

4 The Proposed Selective Licensing areas

In section 2.1 we discussed the criteria for designating areas subject to Selective Licensing and how the council **must demonstrate that an area (or areas) have a high level of privately rented housing stock and that one or more of the criteria are met.**

By comparing the data for each of the LSOAs and the criteria set out by Government the Council has been able to identify those areas. Table 16 below shows there are 37 LSOAs that fail one or more of the criteria with 15 failing two or more. Maps setting out the areas have been provided at Appendix A to this report and Appendix B provides the full list of affected streets.

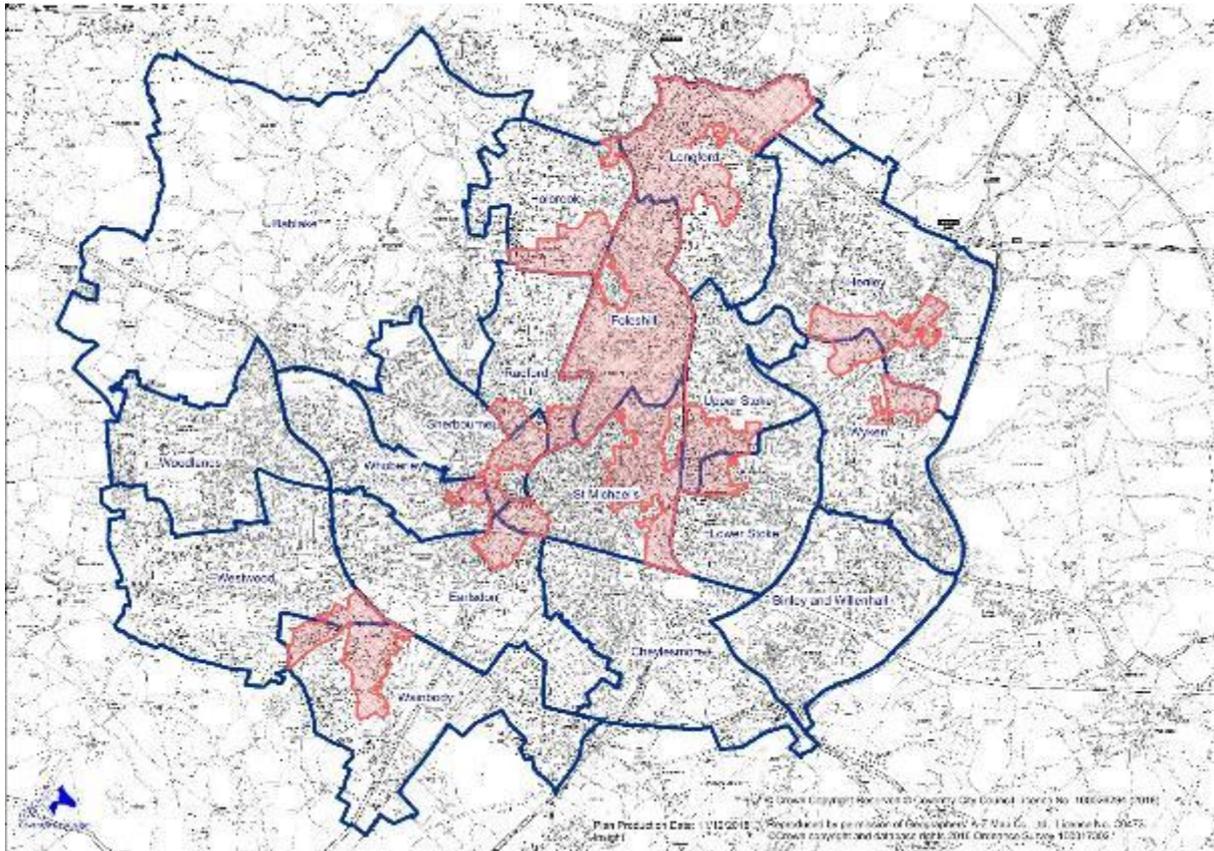
Table 16- Proposed Selective Licensing Areas by LSOA

LSOA Name	Mainly in Ward	Total Households	PRS in LSOA	% PRS
Central Six Retail Park - Queens Road	St Michael's	687	404	63%
Earlsdon - Broadway Albany Roads	Earlsdon	643	191	30%
Little Heath - King Georges Avenue	Foleshill	587	226	39%
Foleshill - Churchill Avenue	Foleshill	458	118	26%
Foleshill - Courtaulds Guild Road	Foleshill	569	233	41%
Edgwick - Canal Road	Foleshill	660	224	34%
Edgwick - Gallagher Retail Park Cross Road	Foleshill	494	157	32%
Foleshill - Broad Street	Foleshill	596	217	36%
Paradise - Awson Street	Foleshill	673	190	28%
Foleshill - Paragon Park Red Lane	Foleshill	797	276	35%
Bishopgate - George Elliot	Foleshill	525	134	26%
Swanswell - Leicester Causeway	Foleshill	559	136	24%
Arena Retail Park - Arbury	Foleshill	481	138	29%
Walsgrave on Sowe - Mount Pleasant & Walsgrave Gardens	Henley	672	156	23%
Whitmore Park - Burnaby Road	Holbrook	572	181	32%
Ricoh Arena & Wilsons Lane	Longford	591	124	21%

Hall Green North	Longford	566	115	20%
Stoke Park	Lower Stoke	678	251	37%
Barker Butts - Bablake School Thomson Avenue	Radford	577	154	27%
Nauls Mill Park - Canal Basin	Radford	943	375	40%
Charterhouse - St Georges Road	St Michael's	713	329	46%
Gosford & Gulson Roads	St Michael's	886	562	63%
Hillfields - Cambridge Street	St Michael's	481	141	29%
City Farm North	St Michael's	545	174	32%
Hillfields - Coronation Road Swanswell Basin	St Michael's	707	265	37%
Hillfields - Canterbury Raglan Streets	St Michael's	902	415	46%
Upper Holyhead Road – Minster Road	Sherbourne	790	462	58%
Barras Heath - West of Clay Lane	Upper Stoke	765	287	38%
Stoke Church End - Shakespeare Street	Upper Stoke	658	245	37%
Gosford Green - Kingsway	Upper Stoke	793	419	53%
Earlsdon Hearsall Lane – Melbourne Road North, The Butts	Whoberley	717	365	51%
Manor Farm	Henley	429	87	20%
River Sowe – Clifford Bridge - Henley Park Industrial Estate	Wyken	634	171	27%
Clifford Bridge Road, Abbey Estate & Dorchester Road North	Wyken	588	126	21%
Hawkesbury, M6 & Foxford School, Anderton Road	Longford	852	167	20%
Longford Village & Longford Park	Longford	994	343	35%
Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road	Wainbody	911	194	21%

Figure 31 below provides details of the proposed areas (shaded pink) and clearly demonstrates there are 4 zones that would benefit from a Selective Licensing designation. The areas comprise 37 LSOAs and lie within 12 adjoining wards, mainly centred around Longford, Foleshill, and St Michaels wards.

Figure 31- Proposed Selective Licensing in Coventry



The proposed areas cover 1,329 hectares and the total number of privately rented properties across the 37 LSOA's being considered for selective licensing is 8752.

A total of 13% of the geographical area of Coventry and 33.02% of the Citywide Private Rented Stock is therefore contained within the areas shown.

5 Option Appraisal

The Council's aim is to achieve and sustain long-term improvements in the quality of private rented sector accommodation within the proposed scheme boundaries. It understands the need to ensure a balance is achieved between the rights and responsibilities of landlords and those rights and responsibilities of their tenants.

As part of the proposed designation the Council has therefore carefully considered whether there are any other courses of action available that would provide an alternative effective method of achieving the objectives set for the proposed designation.

The alternative approaches are considered below in Table 17 and represent a valuable tool for dealing with the identified issues in the areas proposed for Selective Licensing. The Council acknowledges that there is no single solution and each alternative solution will have its limitations. None of these alone, including Selective Licensing,

can solve the problem and therefore a co-ordinated strategy is required which links a full range of agencies and services using various interventions appropriately.

Table 17- Option appraisal

Option	Outcome	Barriers	Risks	Resource intensity
Housing Act Enforcement	<p>Repair of individual private rented houses.</p> <p>Effective tools for dealing with health and safety hazards.</p> <p>Allows focus of activities to be targeted at the worst properties complained about.</p>	<p>Effective tools but do not go far enough to tackle the scale of the problems across the proposed areas.</p> <p>Not all problems are reported to the Council. If tenants do report problems there is a risk of illegal eviction and/or harassment by their landlord.</p> <p>Relies upon the tenant complaining, some of whom may be too scared to do so.</p> <p>Not carried out on a proactive area basis.</p> <p>Does not tackle anti-social behaviour by tenants or management standards.</p>	<p>Taking action to tackle hazards is complicated and can be time consuming.</p> <p>Landlords can be obstructive and dealing with the worst problems can mean the Council taking action through the Courts which is time consuming and resource intensive.</p>	<p>Very High.</p> <p>No ability to self-finance.</p>
Town and Country Planning Act 1990 - section 215	<p>Discretionary council power to tackle derelict land or property adversely affecting the visual amenity of an area.</p>	<p>Can only be used to tackle the external fabric of a building in an area where the majority of the properties are in a good condition.</p> <p>No formal action can be used for internal works or management standards.</p>	<p>Will not improve the overall impact of the PRS.</p>	<p>High.</p> <p>No ability to self-finance.</p>
Management Orders	<p>Removes the property from an irresponsible landlord.</p> <p>Improves management standards.</p> <p>Draconian approach.</p>	<p>Application process to First Tier Tribunal required.</p> <p>The Council no longer manages its own housing stock and would require an external agency to deliver tenancy and property management services.</p> <p>Individual properties would have to be considered separately creating a disjointed approach.</p>	<p>Does not provide a long term solution to poor management or PRS.</p> <p>Management Order only lasts for 5 years then property is returned to original owner.</p>	<p>Very high.</p> <p>No ability to self-finance.</p>

Accreditation	<p>Shows commitment from landlords to be recognised as good.</p> <p>Encourages landlords to go beyond legal standards.</p> <p>Improves property conditions and management.</p>	<p>Voluntary so cannot compel landlords to join or improve property condition/ standards of management.</p> <p>Experience across schemes shows limited support by landlords.</p> <p>Reluctance to participate over long term period.</p>	<p>Limited effect on wide areas – isolated to landlord portfolios.</p> <p>Only the “good” landlord are likely to be willing to participate.</p>	<p>Medium.</p> <p>Funding required at time of severe resource constraints.</p>
Housing and Planning Act Enforcement	<p>Allows focus of activities to be targeted at worst properties.</p>	<p>New powers for individual cases.</p> <p>Not particularly beneficial for area based intervention.</p> <p>Not all problems are reported to the Council.</p> <p>Not carried out on a proactive area basis.</p> <p>Does not tackle anti-social behaviour by tenants or management standards</p>	<p>Taking formal action using the new powers is likely to be complicated and can be slow.</p> <p>Landlords can be obstructive and dealing with the worst problems can mean the Council taking action through the First Tier Tribunal and all the way up the legal system to the Court of Appeal which is time consuming and resource intensive.</p>	<p>High.</p> <p>Intensive preparation of cases and recovery of monies owed arising from civil penalties unpaid.</p>
Selective Licensing	<p>All landlords required to adhere to licence conditions.</p> <p>Advice and support readily available for all landlords.</p> <p>Creates a level playing field.</p> <p>Criteria can be set to reward good and punish bad.</p> <p>Improved reputation of</p>	<p>Potential resistance from landlords.</p> <p>Licence fee is an additional cost for landlords.</p> <p>Rents could increase.</p>	<p>May drive some landlords out of the area.</p>	<p>Medium.</p> <p>Fee can be charged to recover the revenue costs of the scheme.</p> <p>Scheme is permitted to be self-financing.</p>

	landlords. Improved tenancy and tenant management. Positive impact on anti-social behaviour of tenants.			
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The alternative options to selective licensing:

- Would also require some, if not all, of the finance from the Council, which in turn comes from everyone paying Council Tax. Selective Licensing will continue to be entirely self-financing, paid for by the licence holders and not the wider community.
- Do not compel a landlord to address tenant behaviour or ensure landlords seek references when allocating their properties. Landlords will be able to continue to access advice and support from the Council to deal with problematic tenant behaviour.
- Do not provide a long-term solution to the training of inexperienced landlords. Through access to training landlords have an opportunity to improve their business operation that in turn can benefit the community from improved management practices.
- Are not area based and can only tackle a small number of properties. Selective Licensing tackles all privately rented properties in the proposed designation area. There are a significantly high number of the private rented properties within the area. To improve the conditions, standards of management and reputation of the private rented properties in the designation area a collective approach is required; dealing with a small number of private rented properties will not assist in improving conditions.

In bringing this proposal forward, alternative options available to address problems in the private rented sector have been considered. It is recognised that landlord accreditation is an alternative option, but also clear that a voluntary scheme would not have the required impact as a regulated scheme. Other options such as Management Orders and enforcement powers were also considered but despite these being powerful tools that remain available to the Council they are too narrow in addressing management standards in the private rented sector. The options of the enforcement of property standards and management orders will be used not as an alternative to selective licensing but as support tools as part of an integrated programme of measures to improve the social and economic conditions of the area.

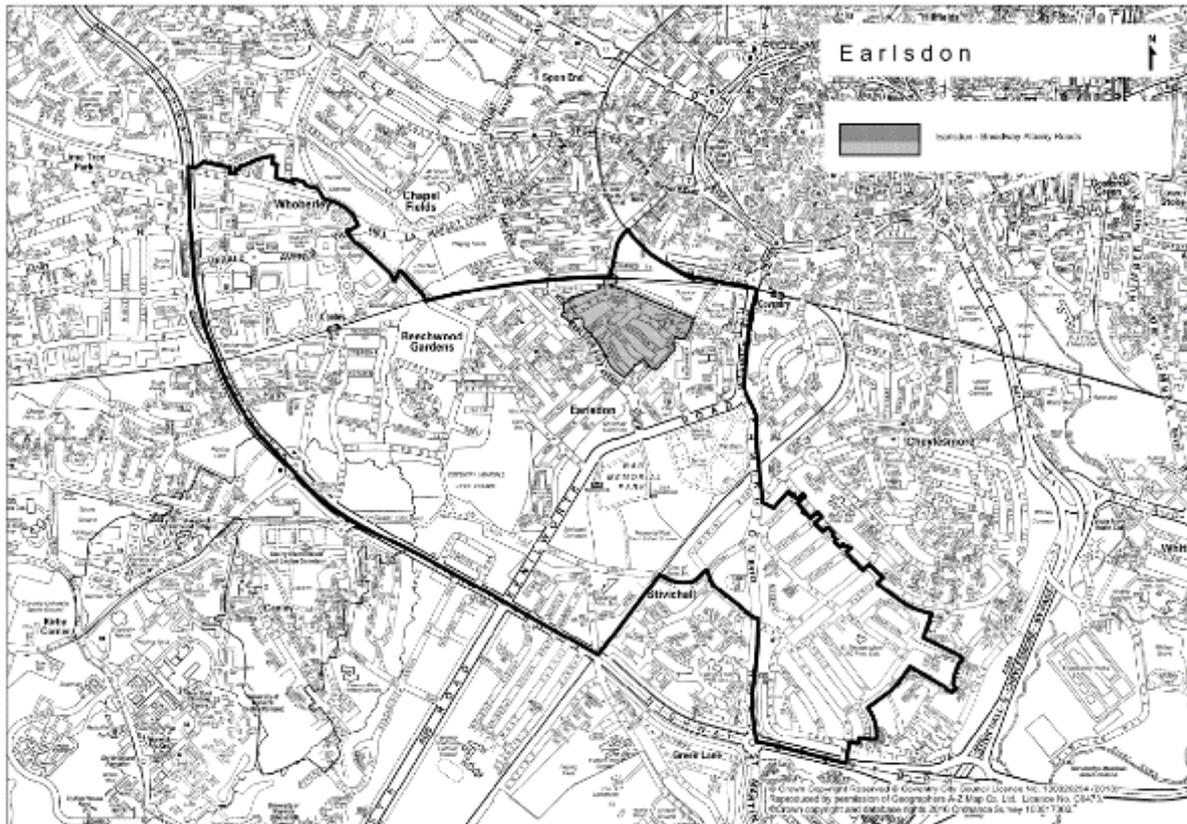
In conclusion, it is clear from this report that the other courses of action available will not will bring about the scale of improvements necessary in the private rented sector.

If long term sustainable improvements are to be achieved in the PRS then the strategic approach provided by a selective licensing designation is required and when delivered alongside the other measures considered will be more effective in addressing the causes of the issues identified in this report.

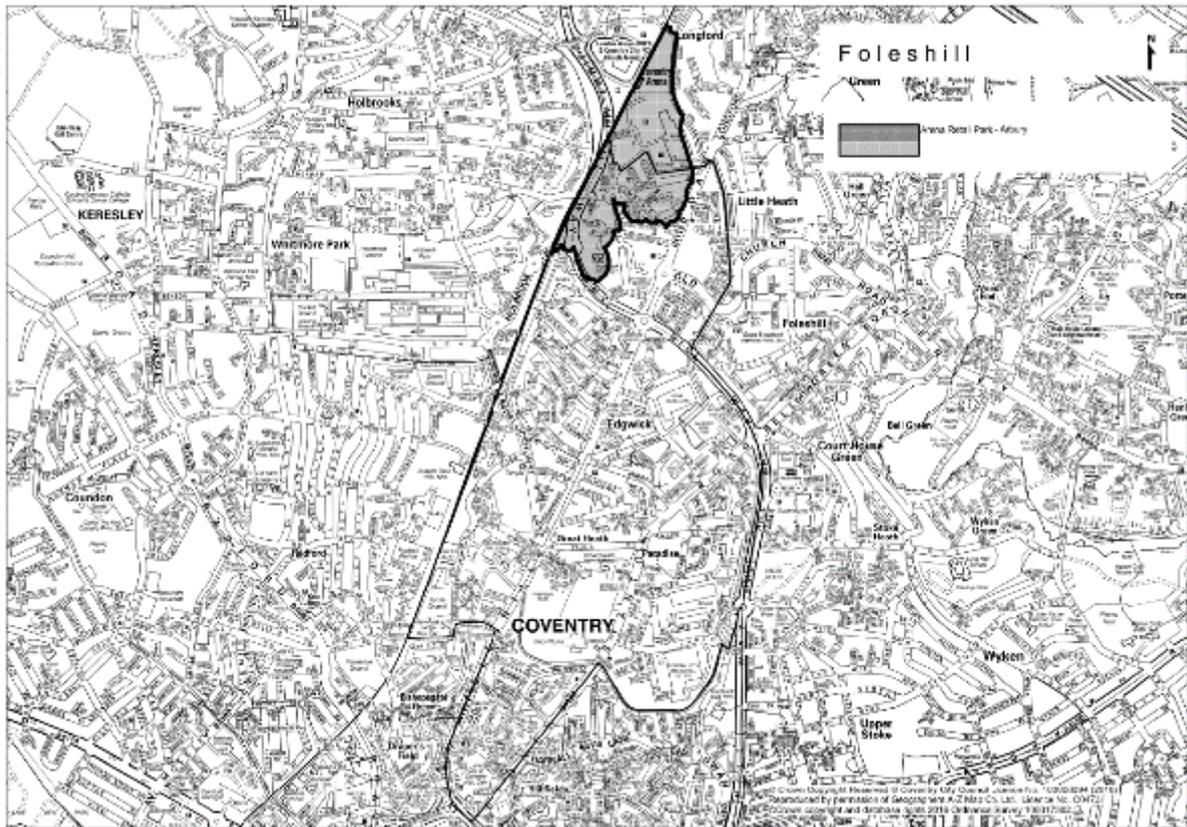
Appendix A – LSOA Maps of the Proposed Selective Licensing Areas

Figure 32- Maps of the proposed Selective Licensing areas

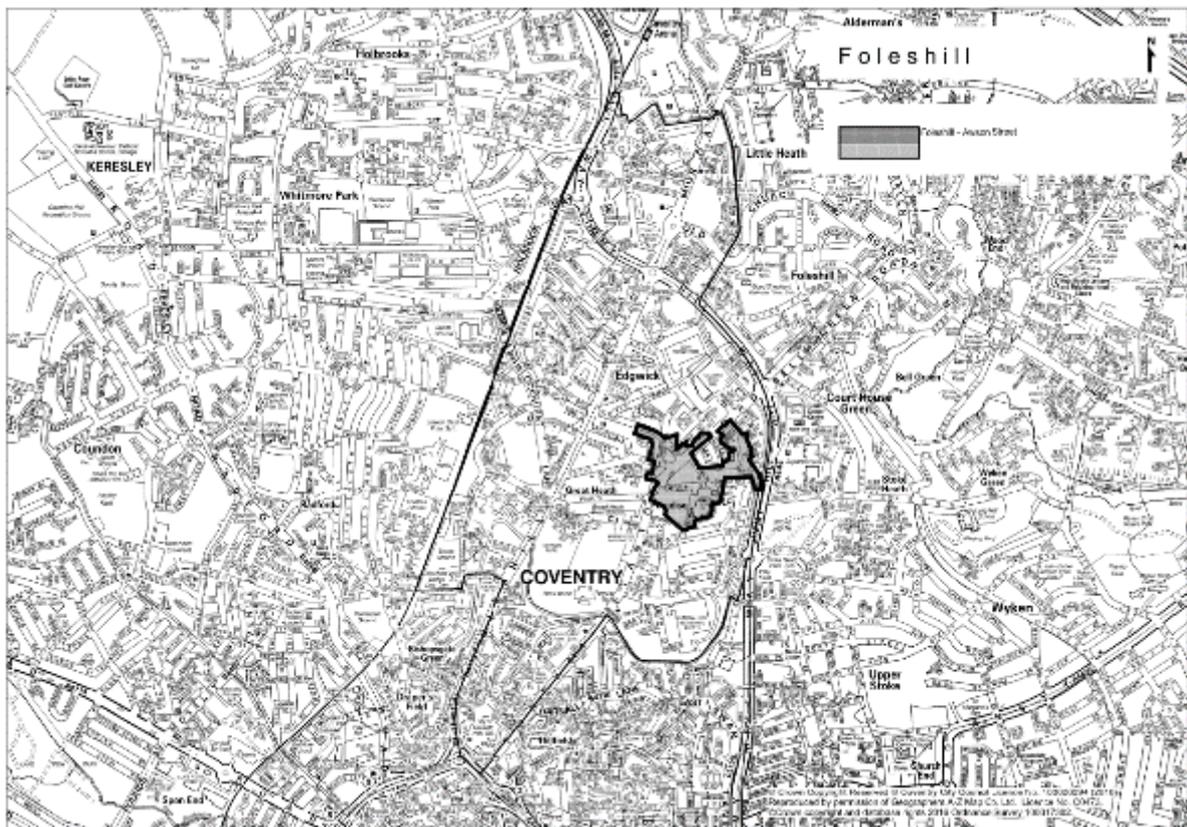
Earlsdon – Broadway Albany Roads



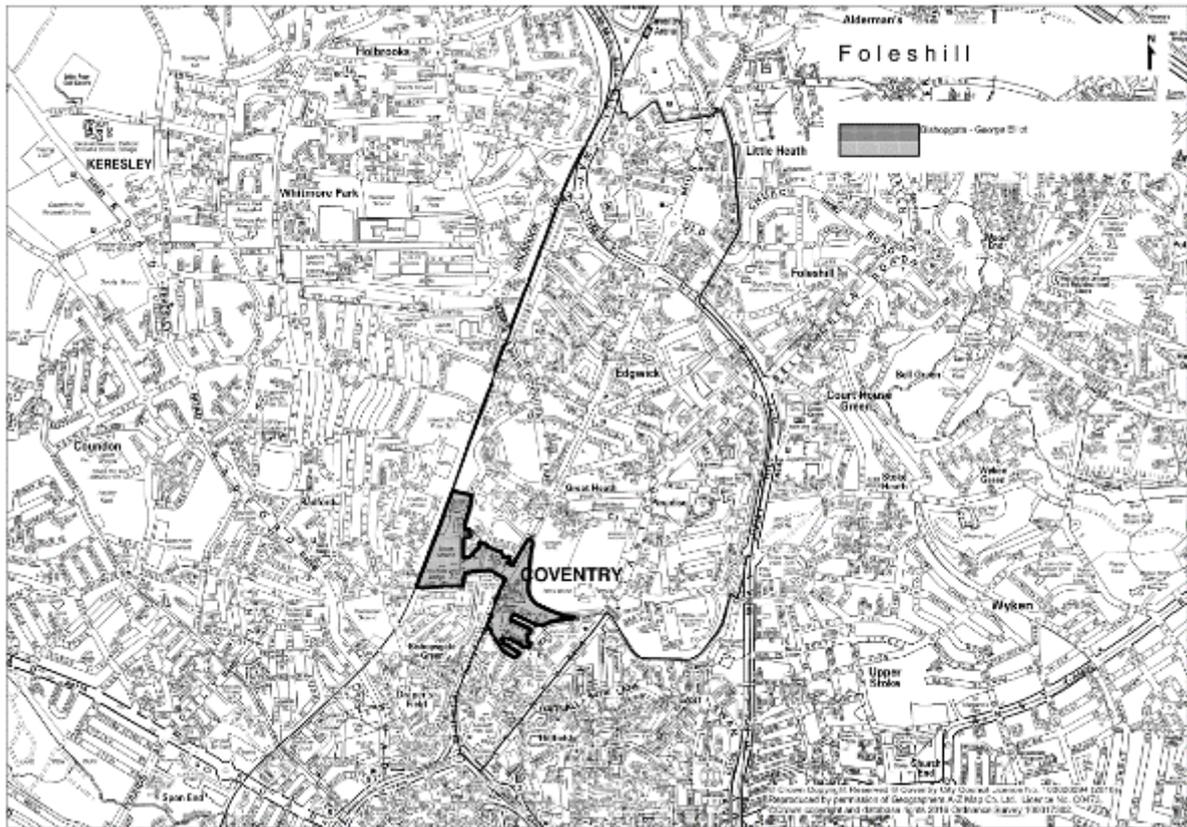
Foleshill – Arena Retail Park / Arbury



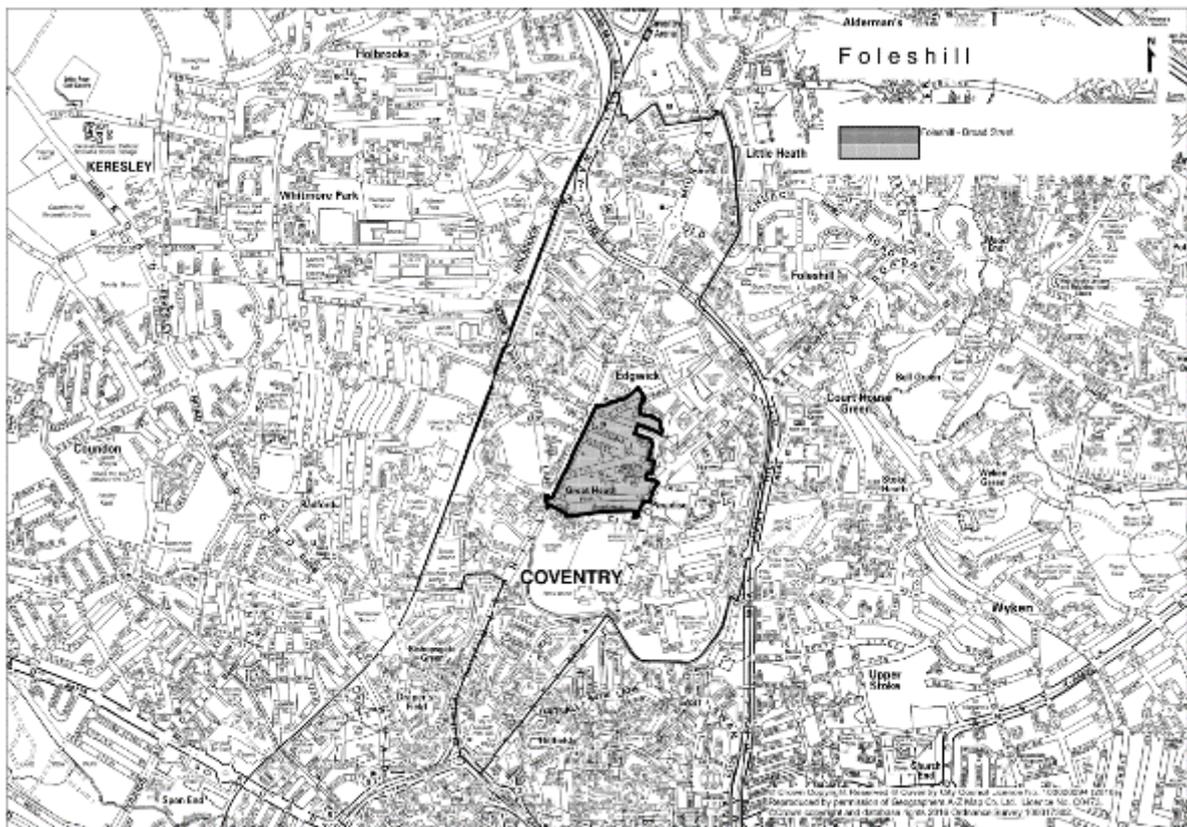
Foleshill – Awson Street



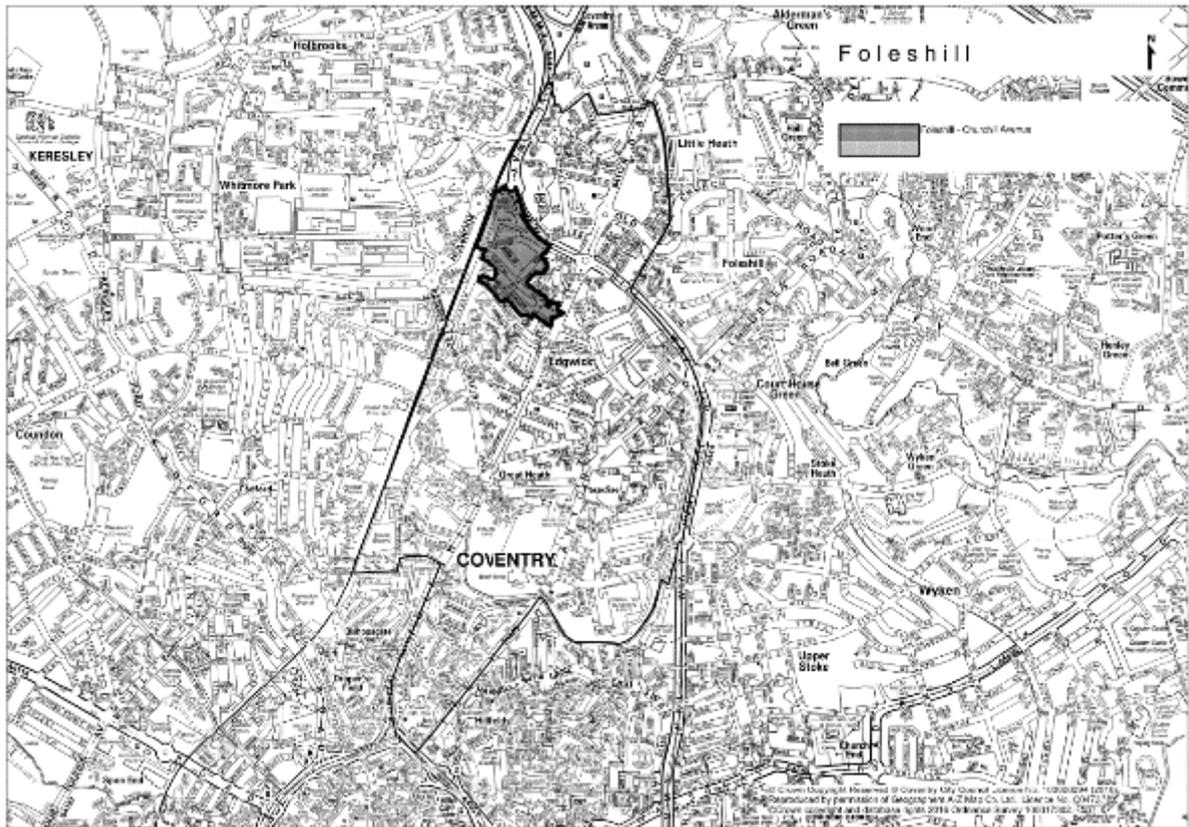
Foleshill – Bishopgate/ George Road



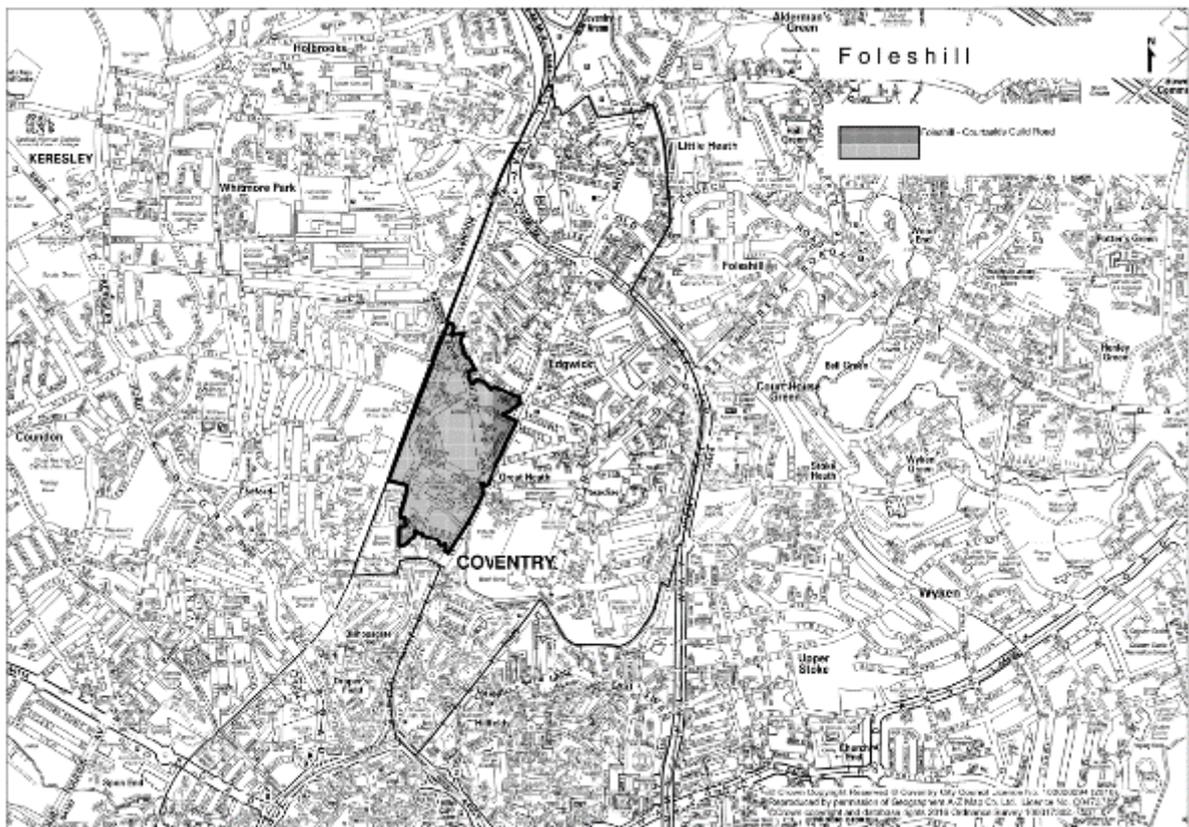
Foleshill – Broad Street



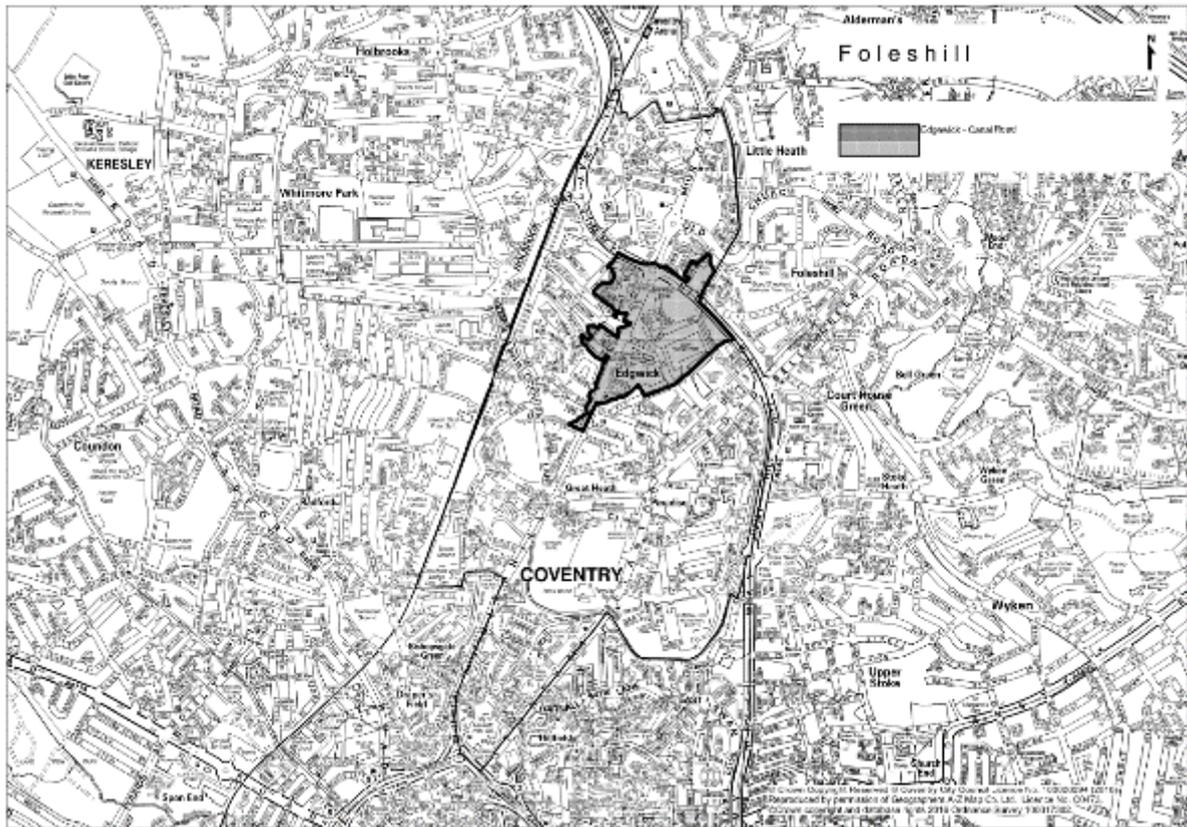
Foleshill – Churchill Avenue



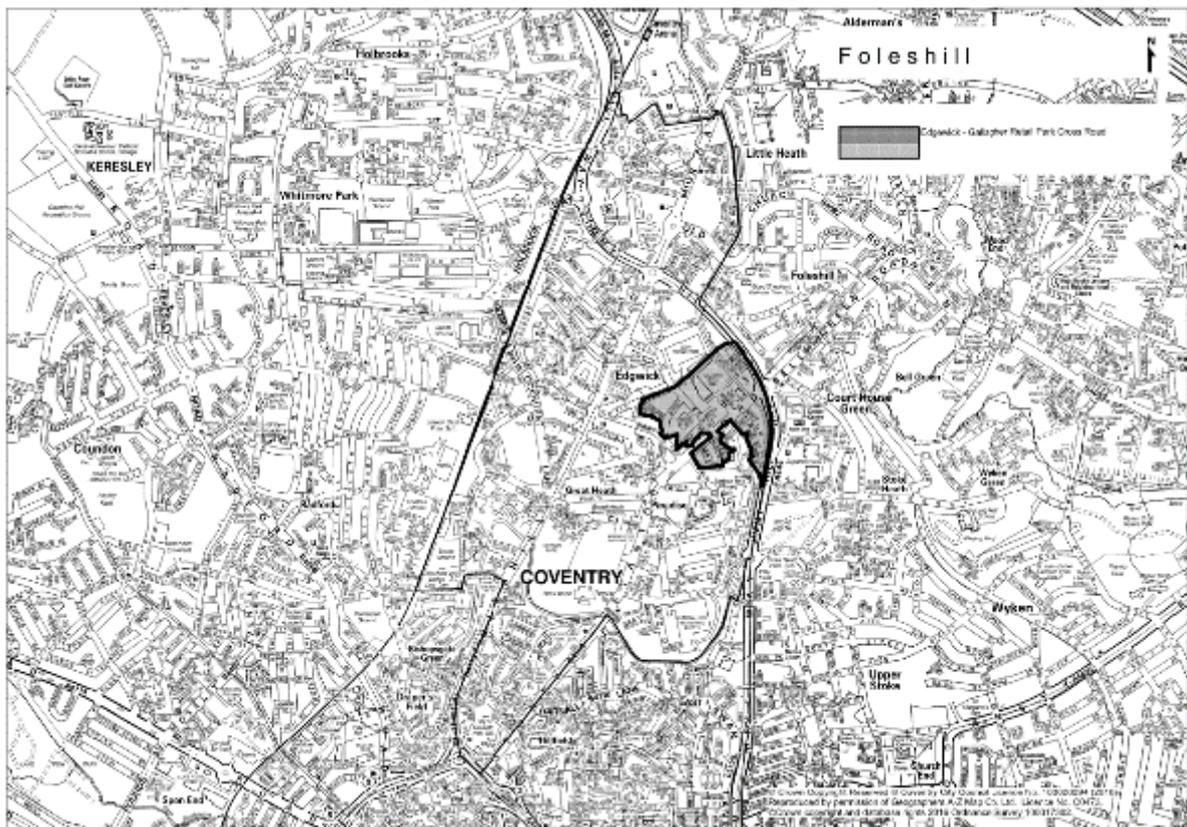
Foleshill – Courtaulds Guild Road



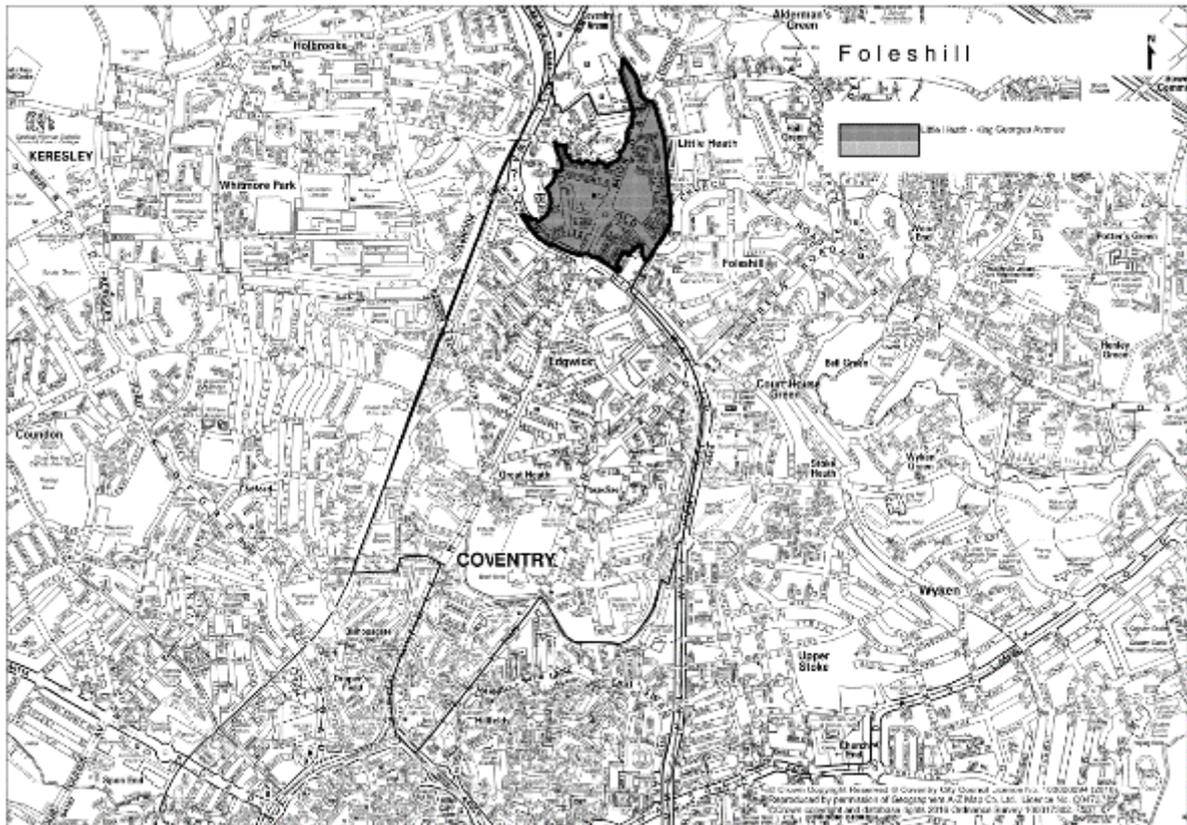
Foleshill – Edgewick/ Canal Road



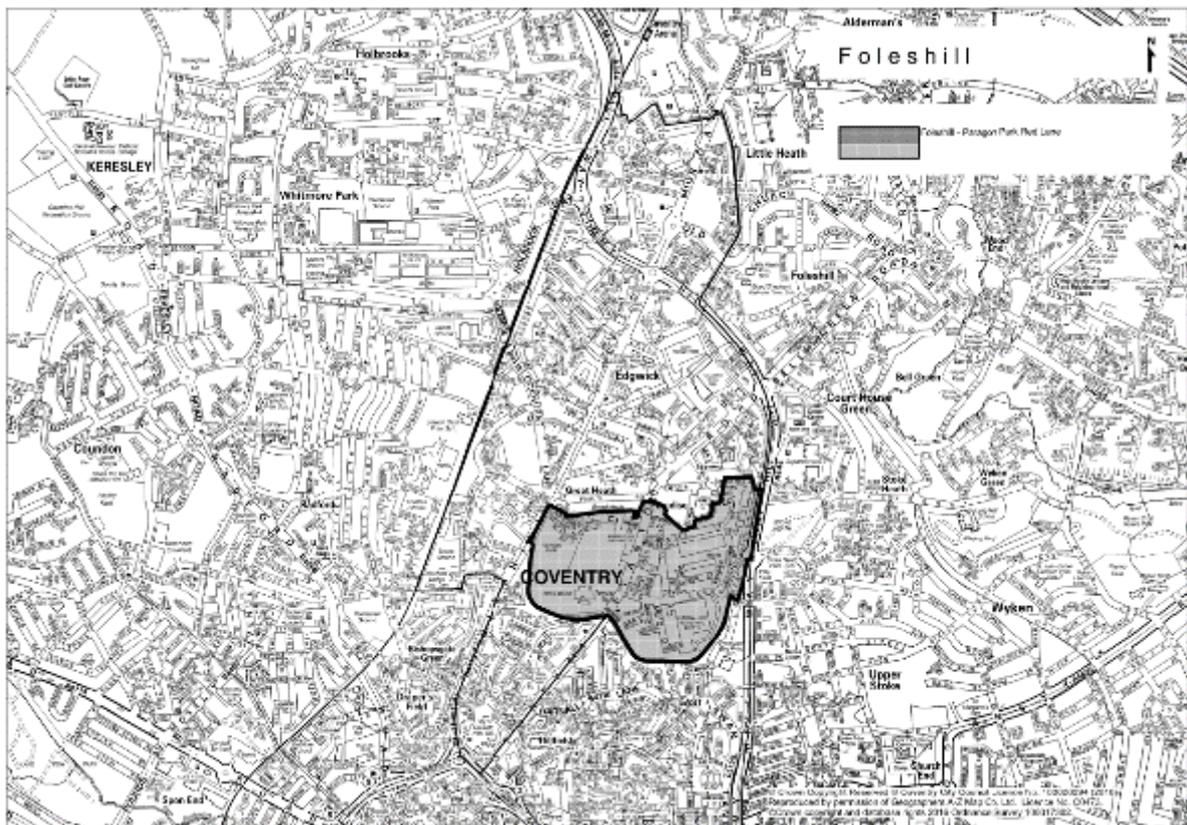
Foleshill – Edgewick/Gallagher Retail Park Cross Road



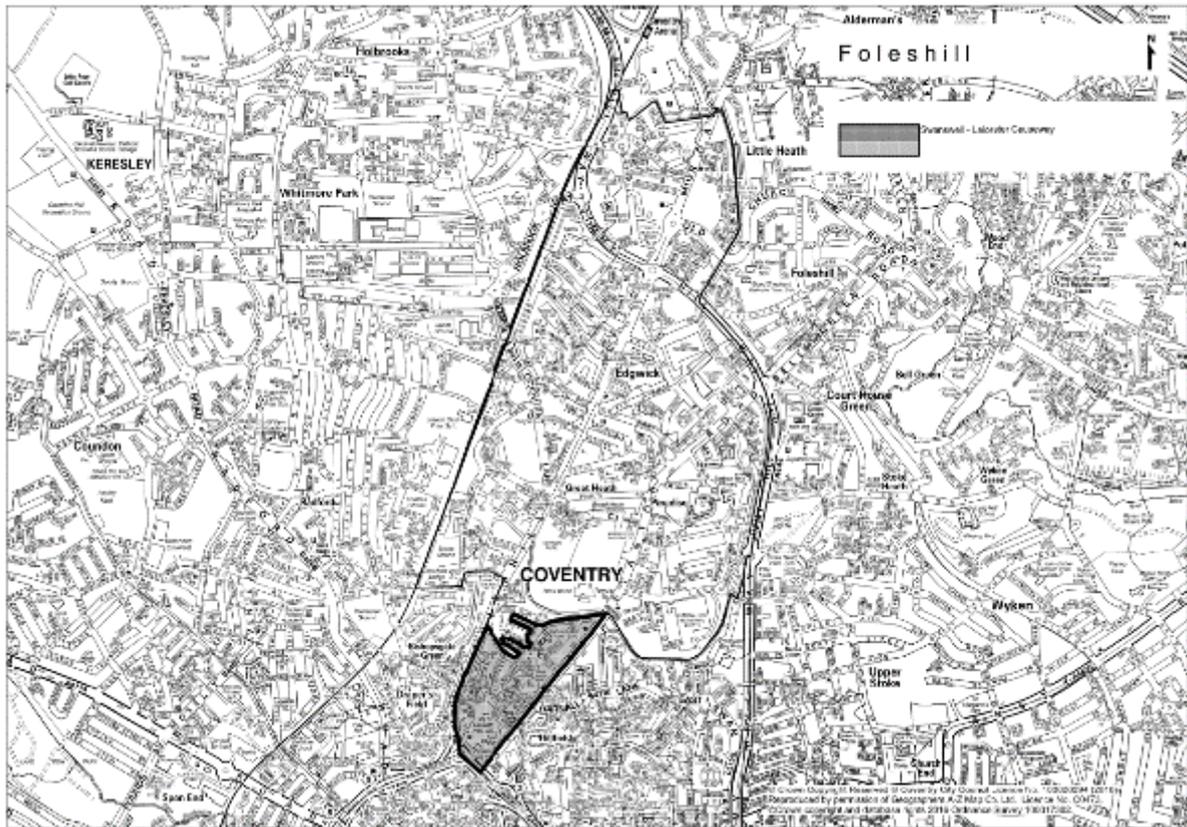
Foleshill – Little Heath/ King Georges Avenue



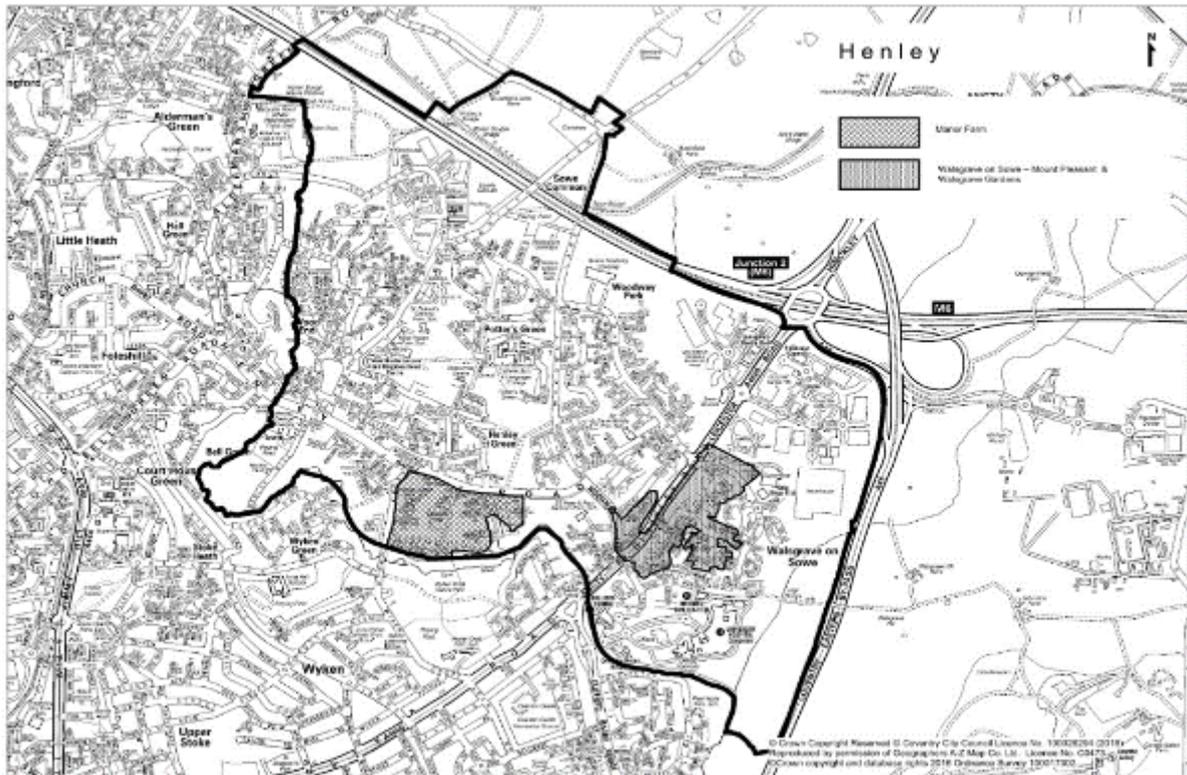
Folesill – Paragon Park Red Lane



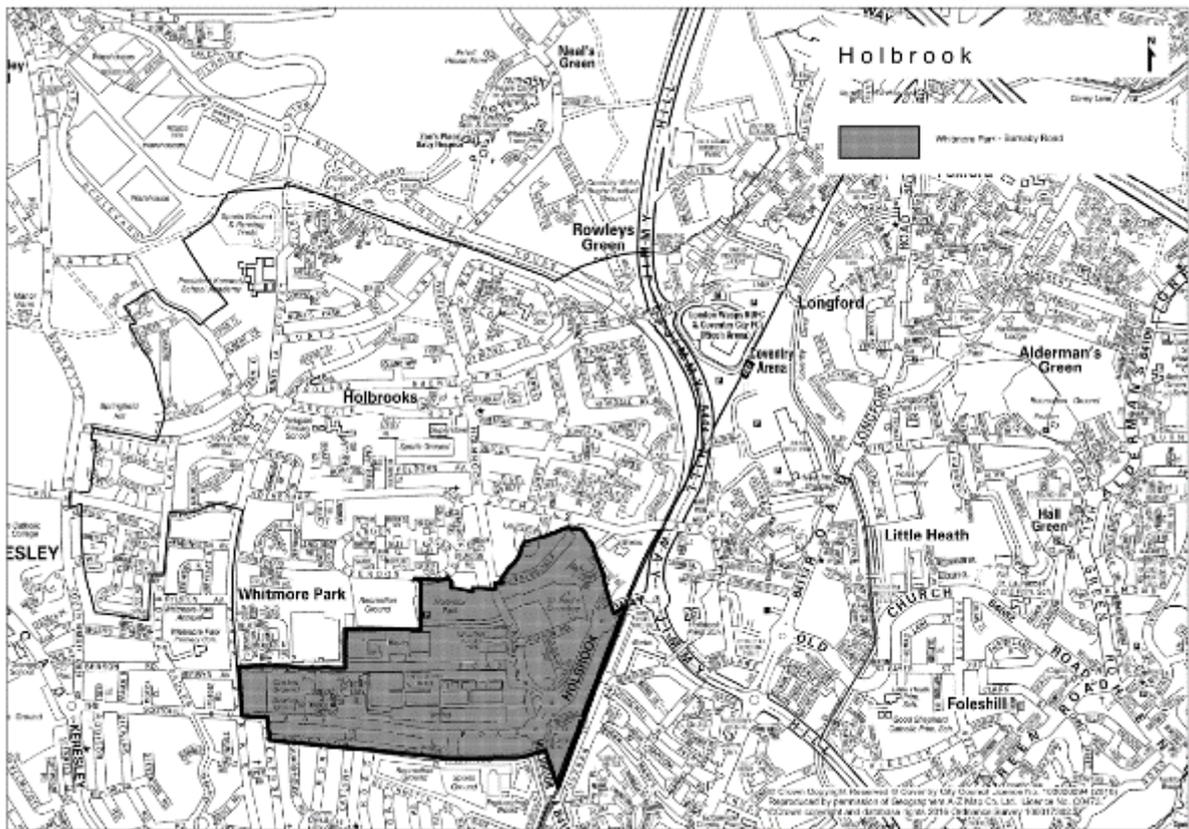
Foleshill – Swanswell/ Leicester Causeway



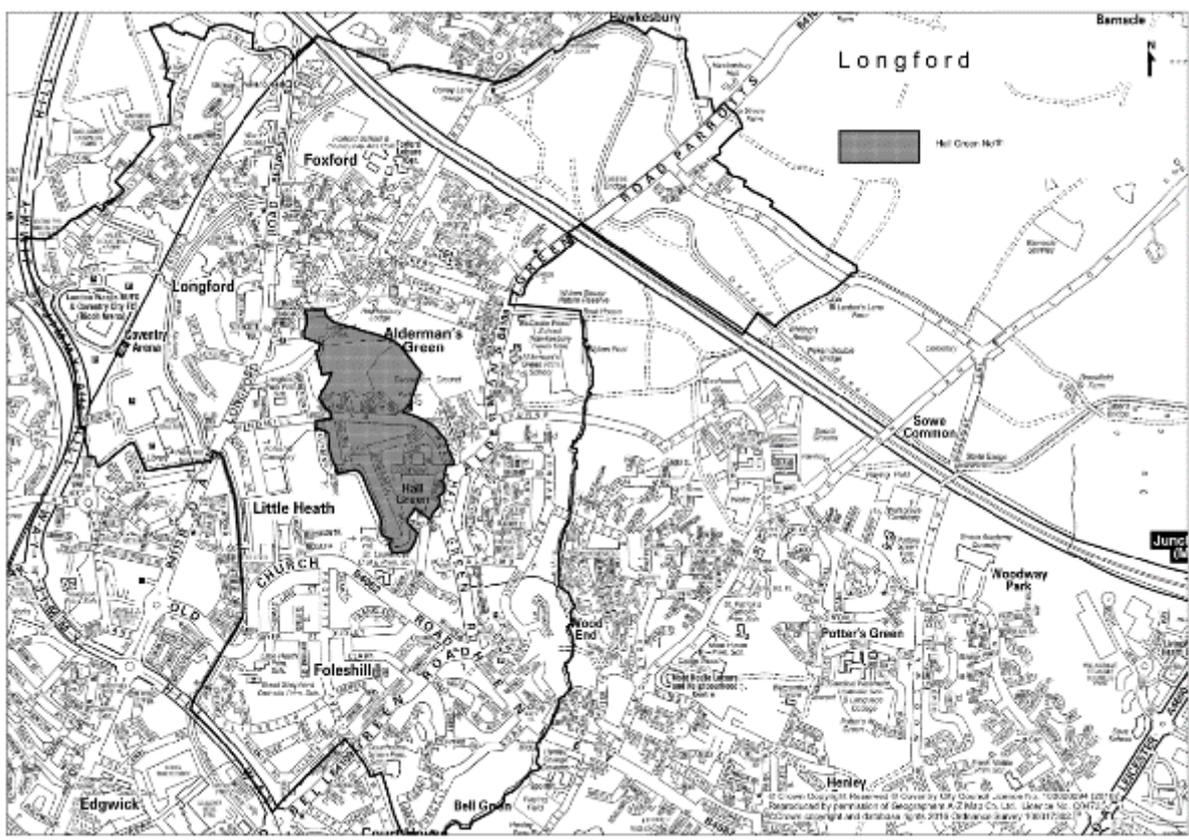
Henley – Manor Farm and Walsgrave on Sowe (Mount Pleasant and Walsgrave Gardens)



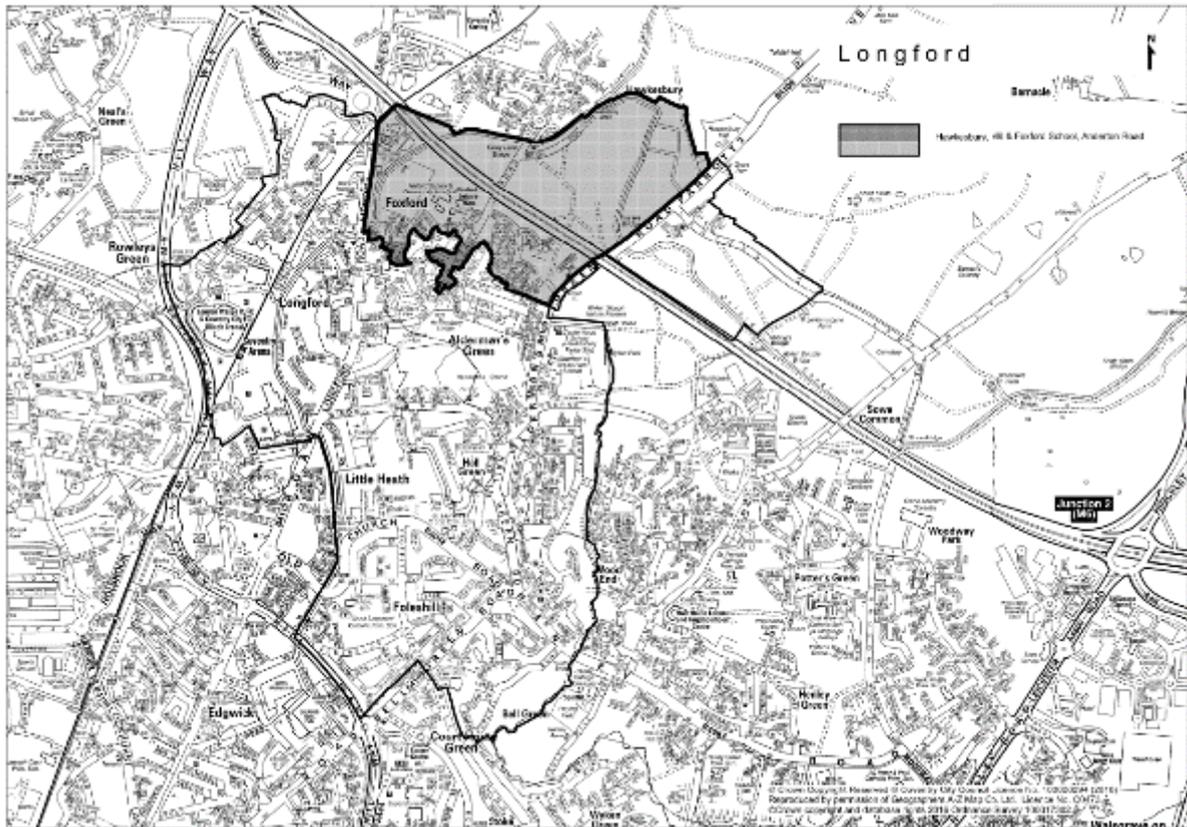
Holbrook – Whitmore Park/ Burnaby Road



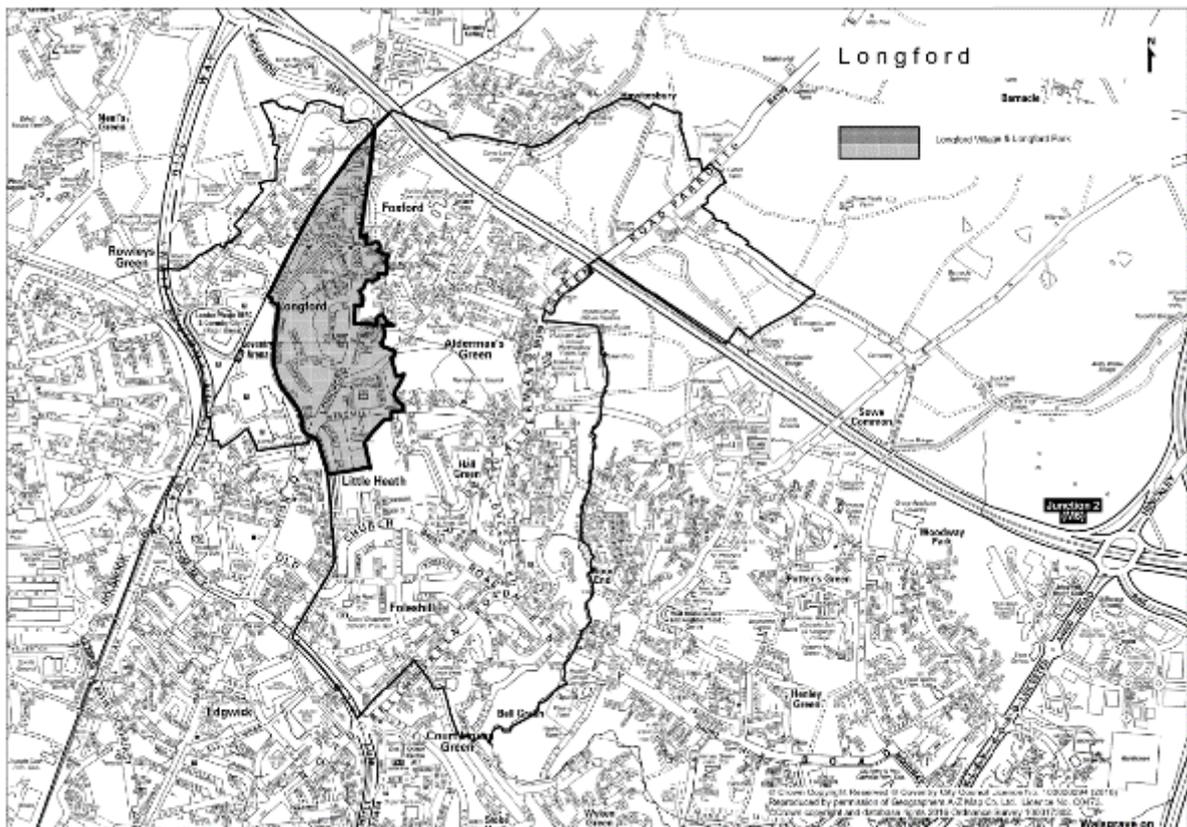
Longford – Hall Green North



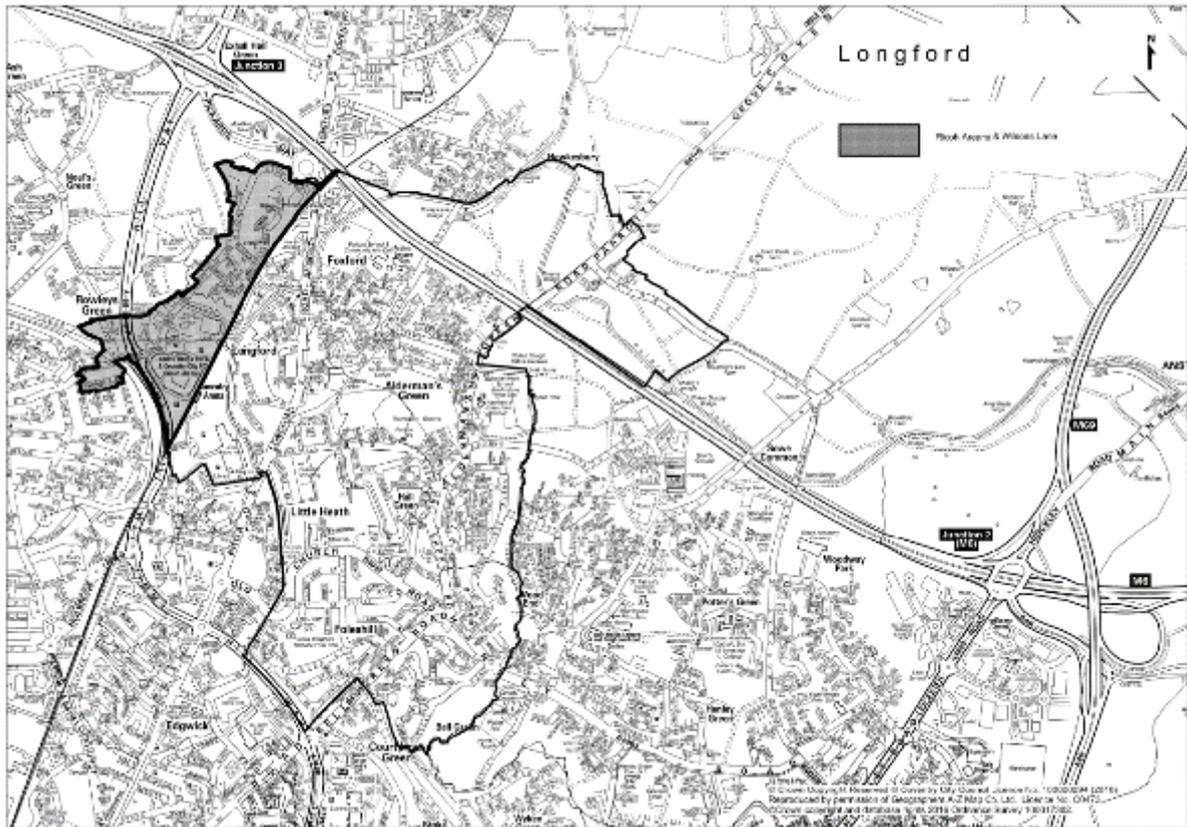
Longford – Hawkesbury, M6 & Foxford School, Anderton Road



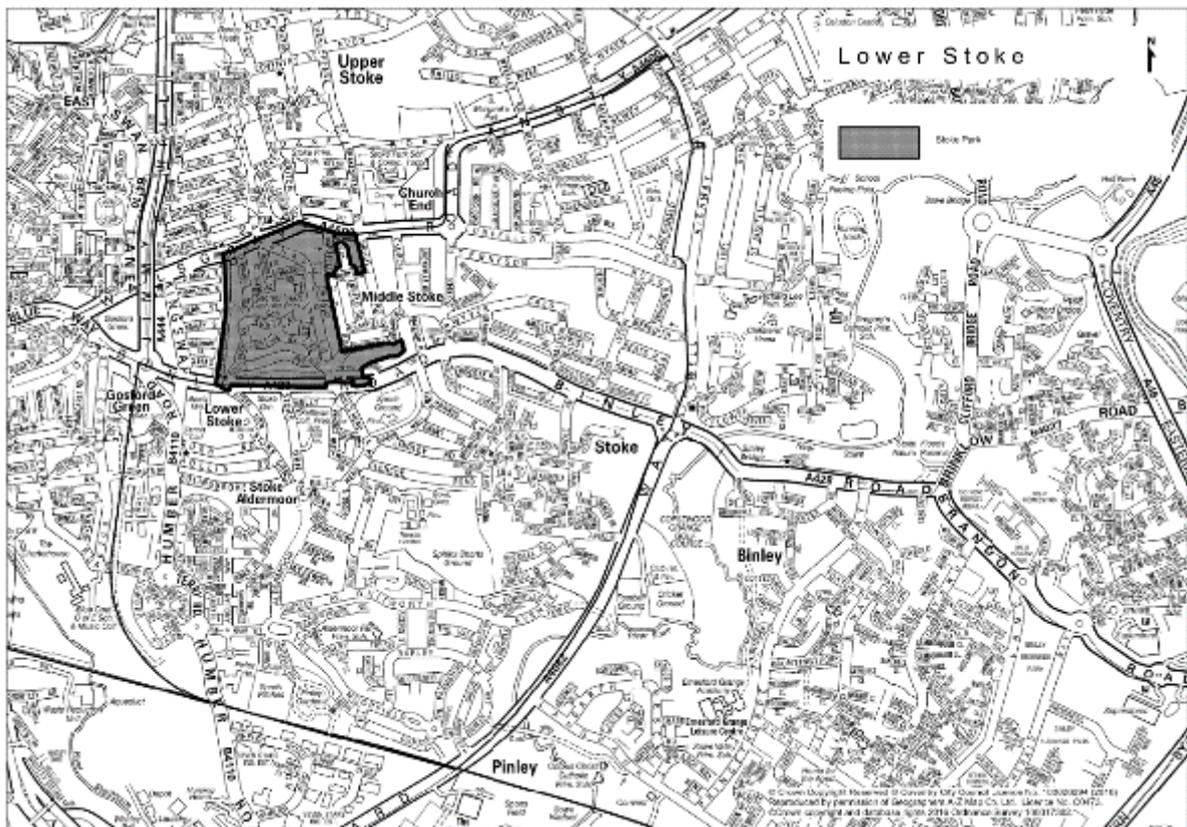
Longford – Longford Village & Longford Park



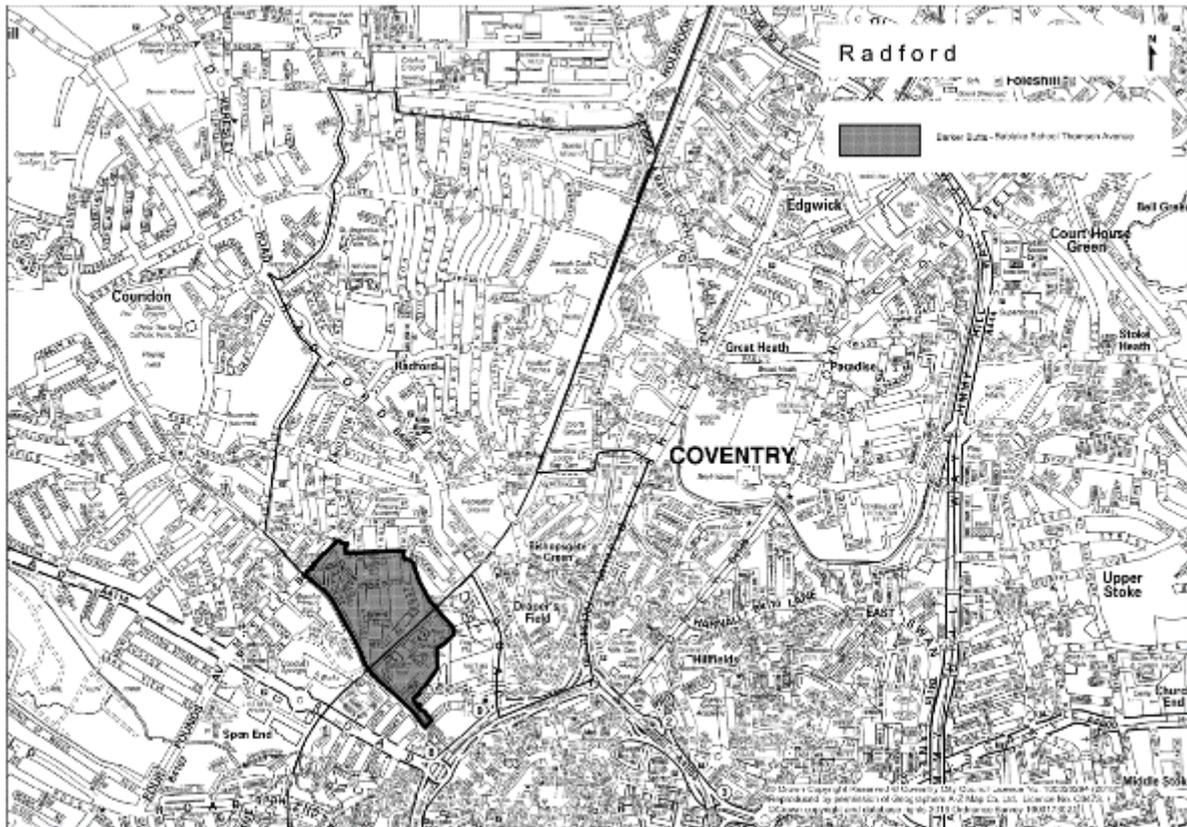
Longford – Ricoh Arena & Wilsons Lane



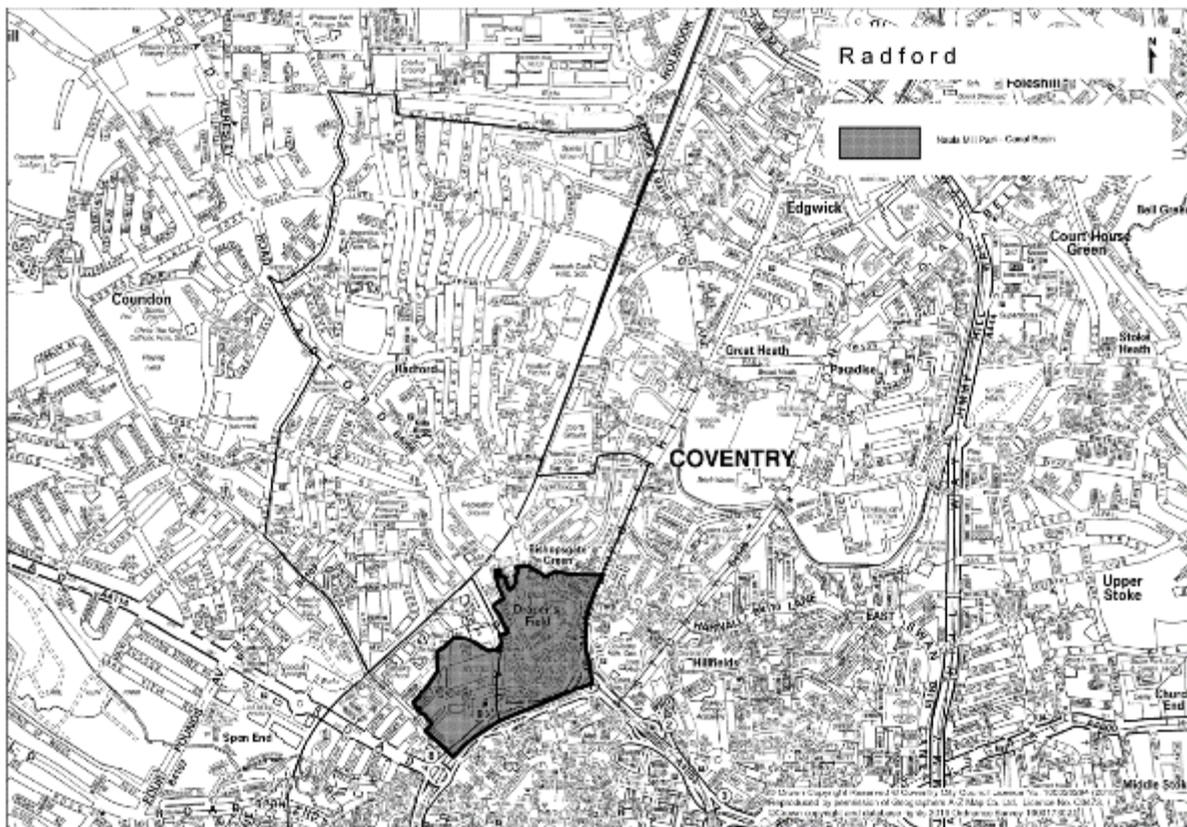
Lower Stoke – Stoke Park



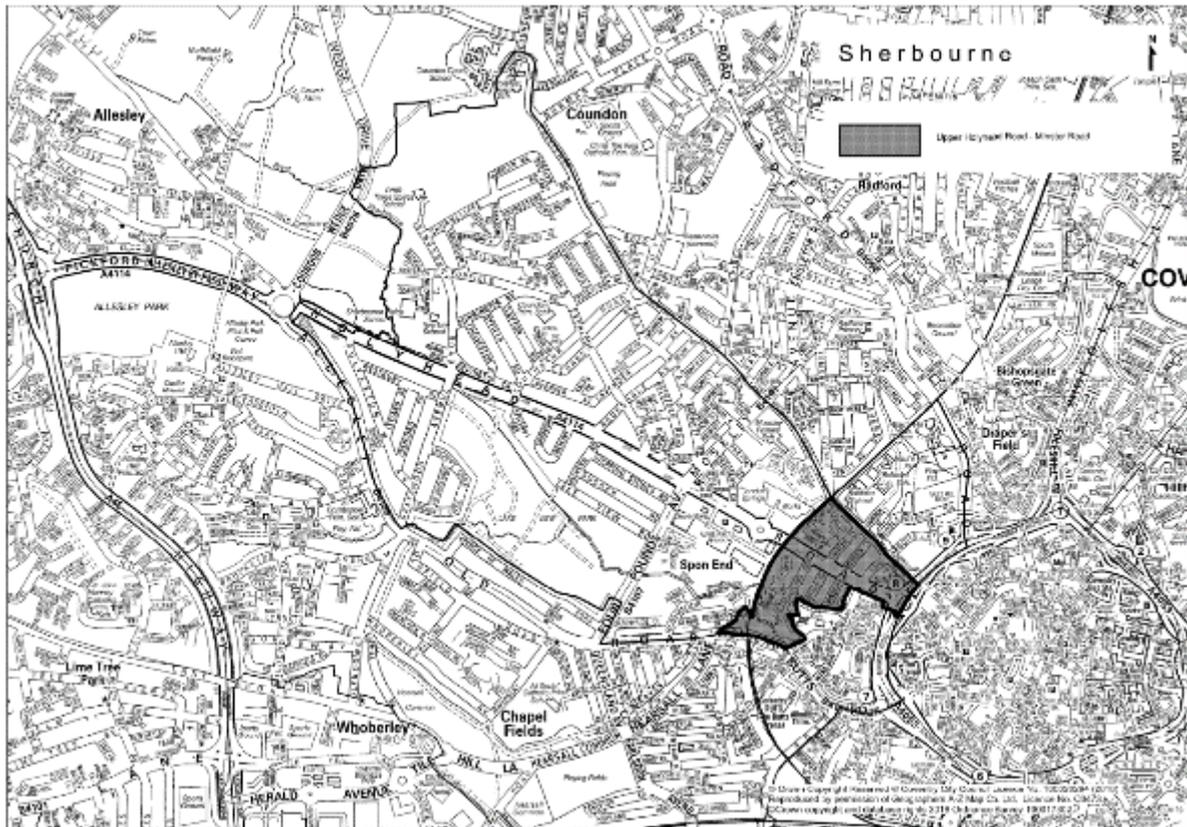
Radford – Barker Butts/ Bablake School Thomson Avenue



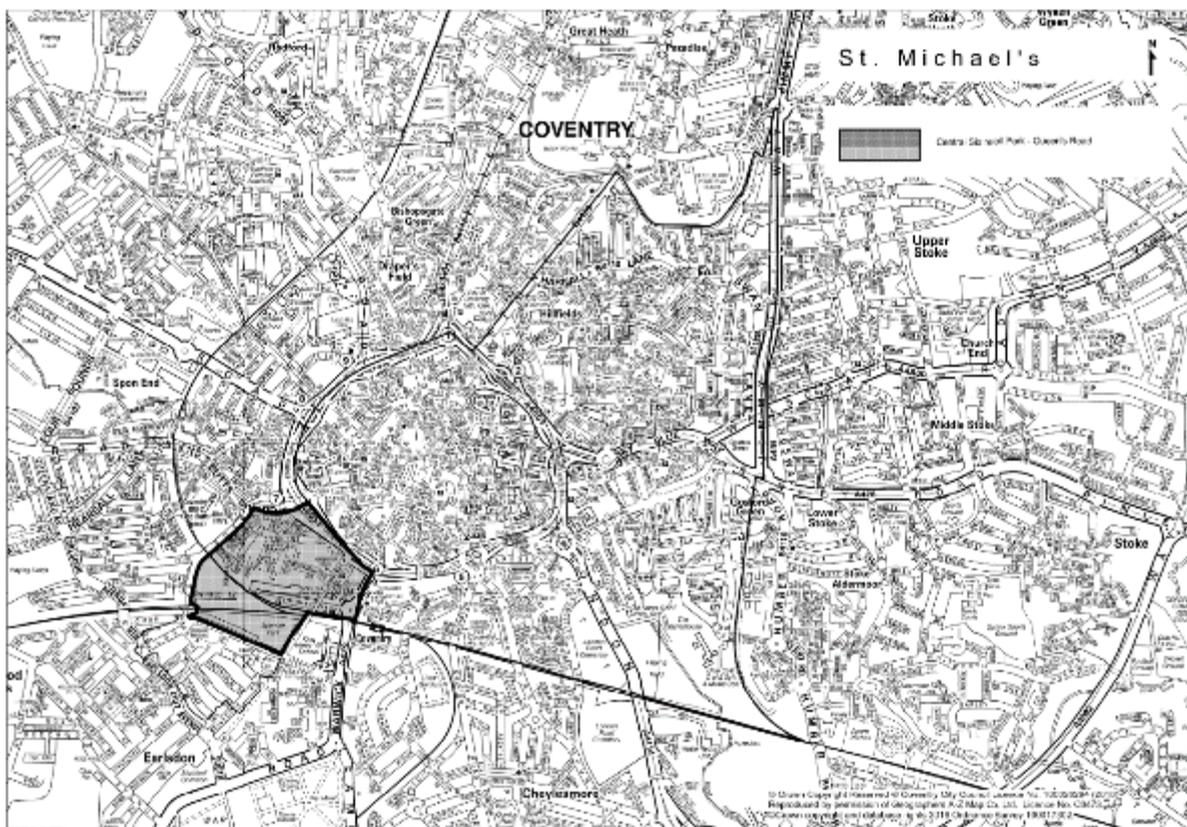
Radford – Nauls Mill Park/ Canal Basin



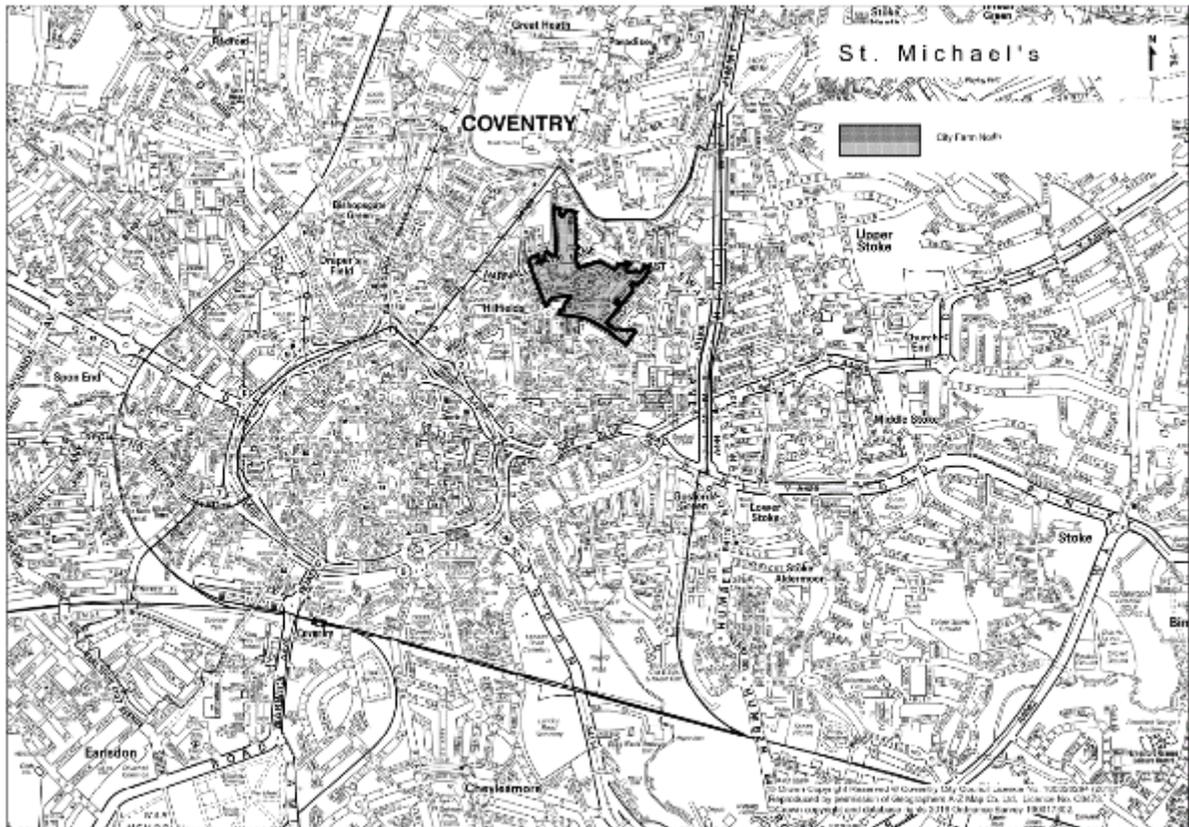
Sherbourne – Upper Holyhead Road/ Minster Road



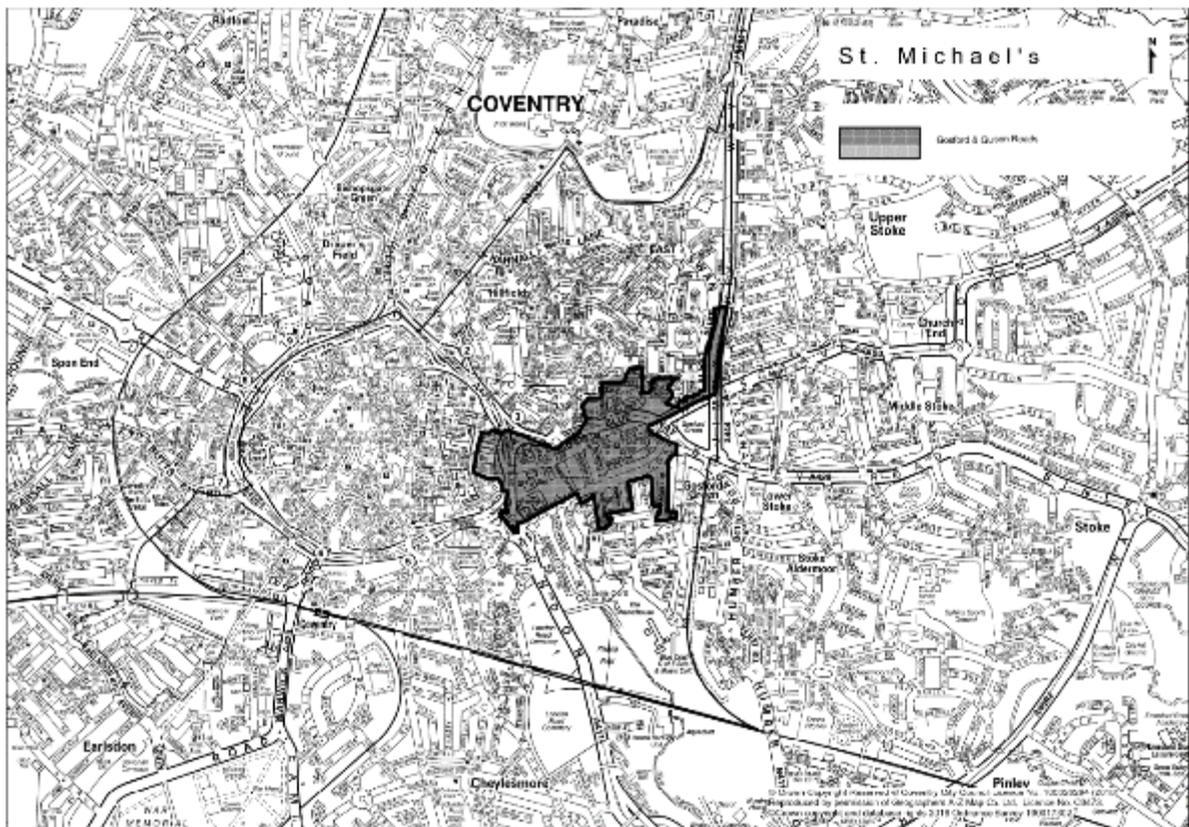
St Michaels – Central Six Retail Park / Queens Road



St Michaels – City Farm North



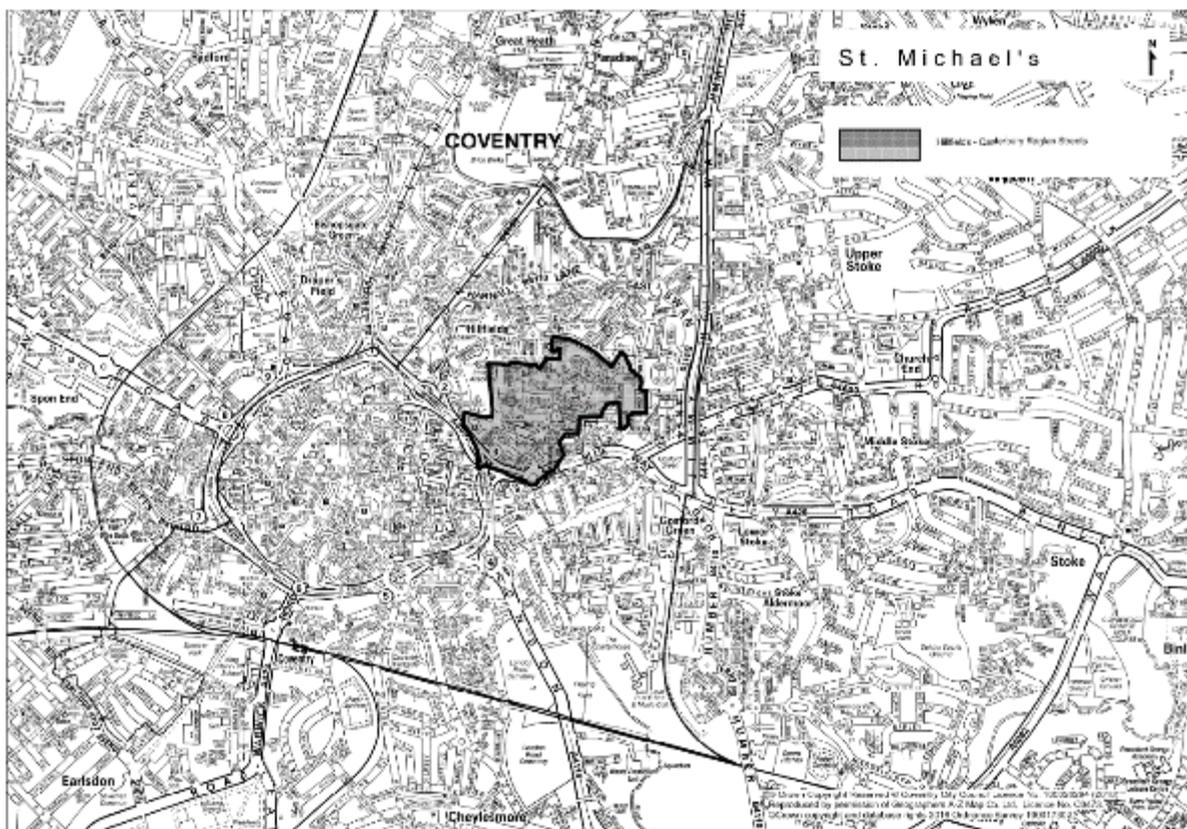
St Michaels – Gosford & Gulson Roads



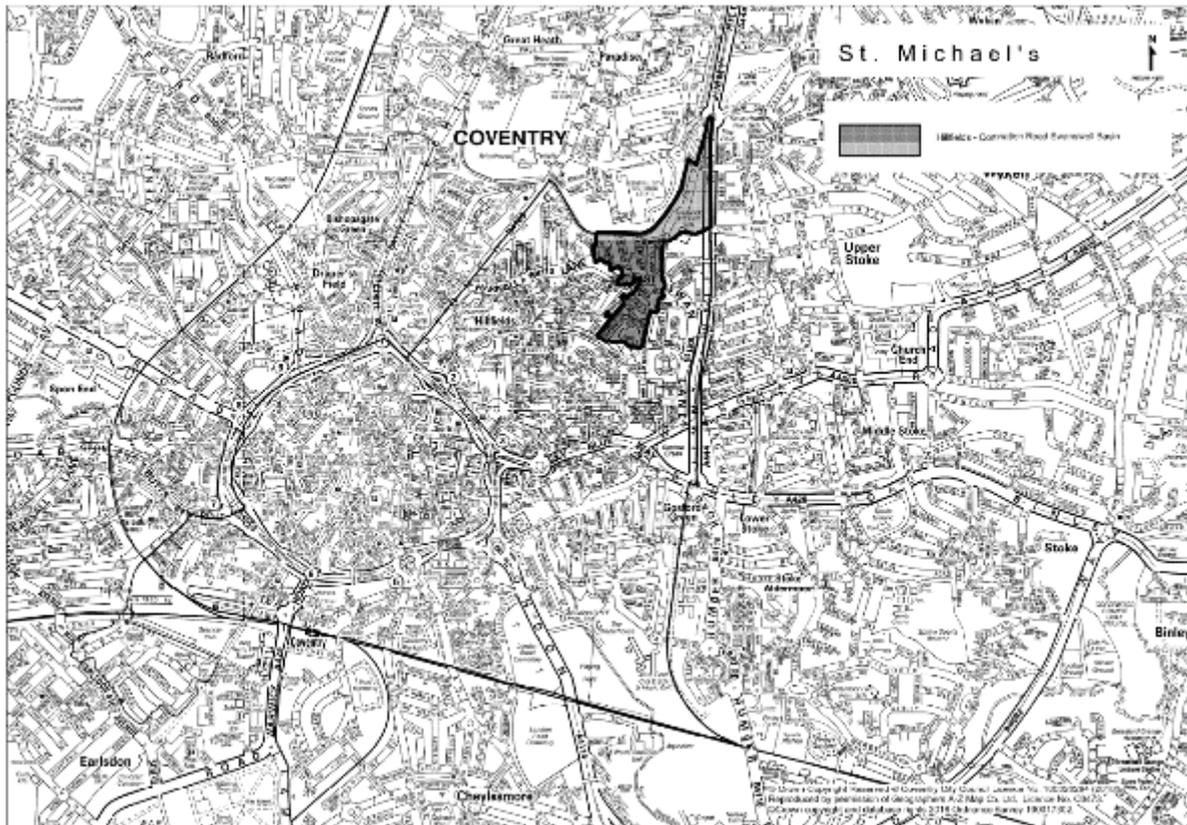
St Michaels – Hillfields/Cambridge Street



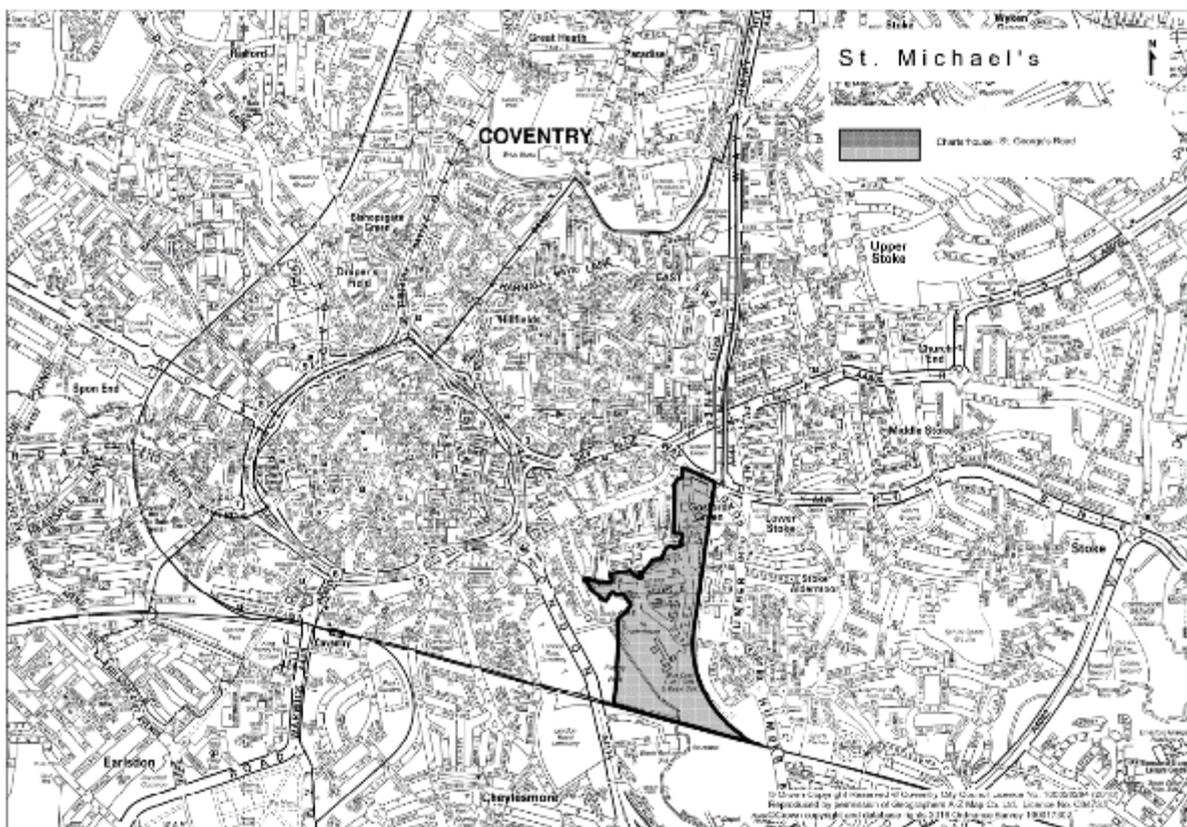
St Michaels – Hillfields/ Canterbury Raglan Streets



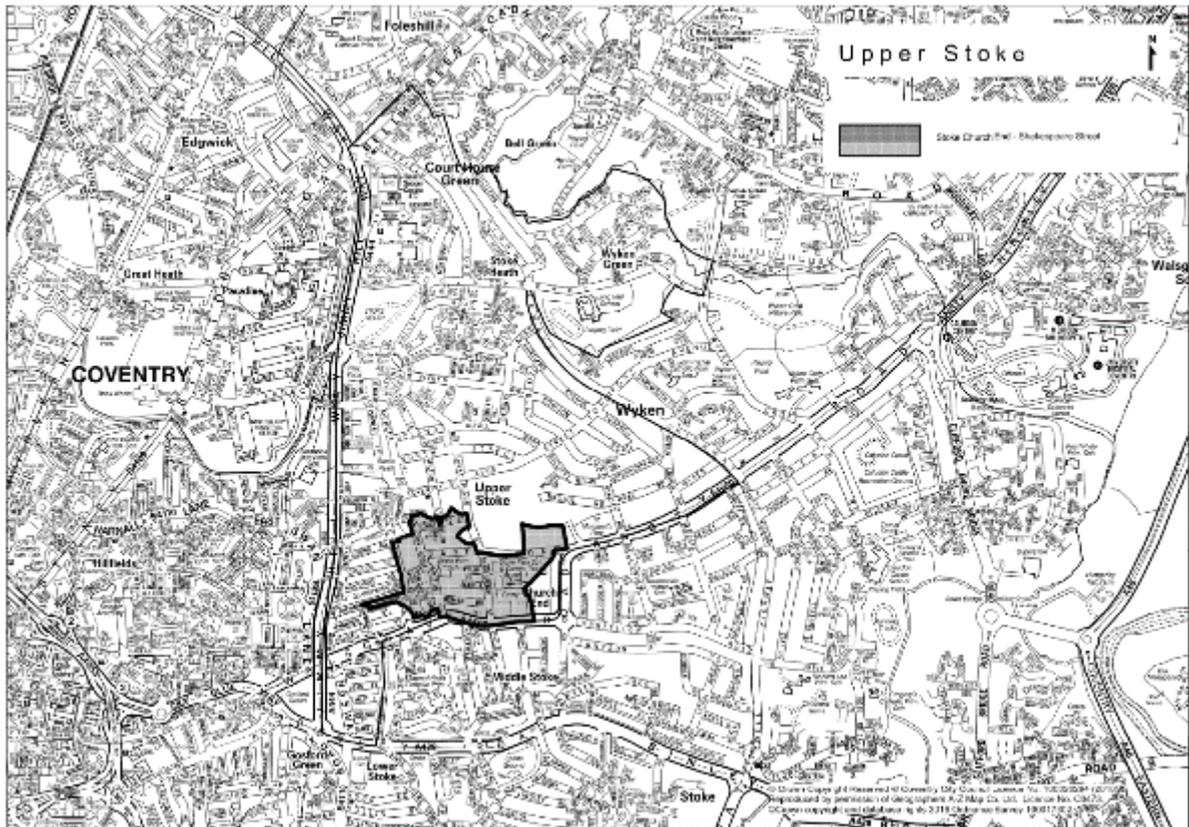
St Michaels – Hillfields/Coronation Road Swanswell Basin



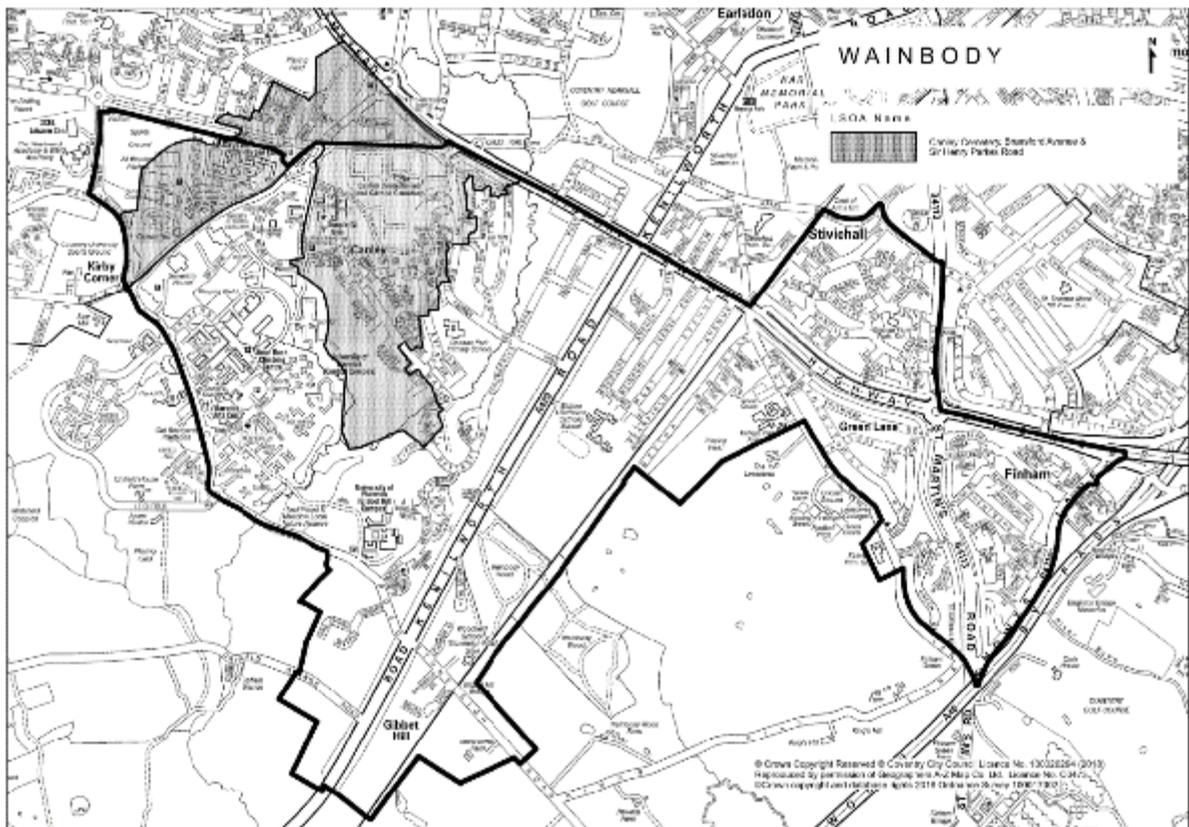
St Michaels – Charterhouse/St George`s Road



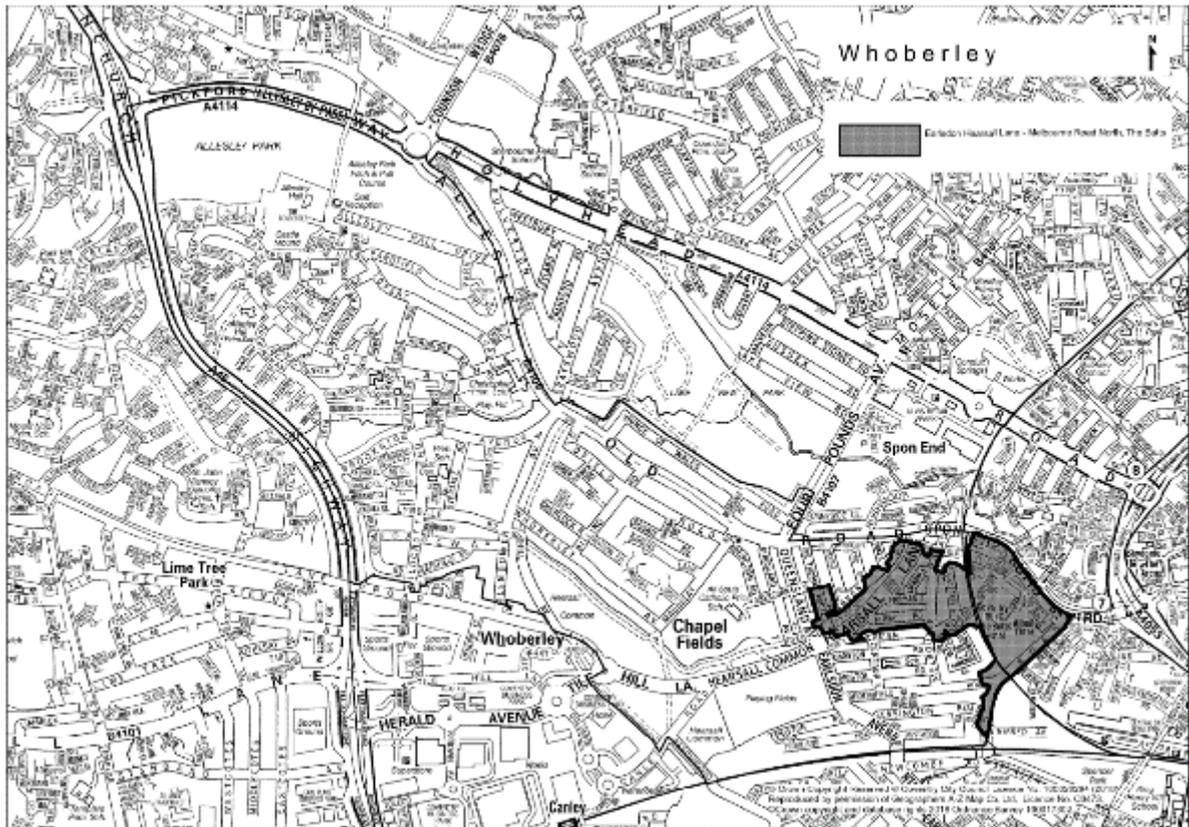
Upper Stoke – Stoke Church End/Shakespeare Street



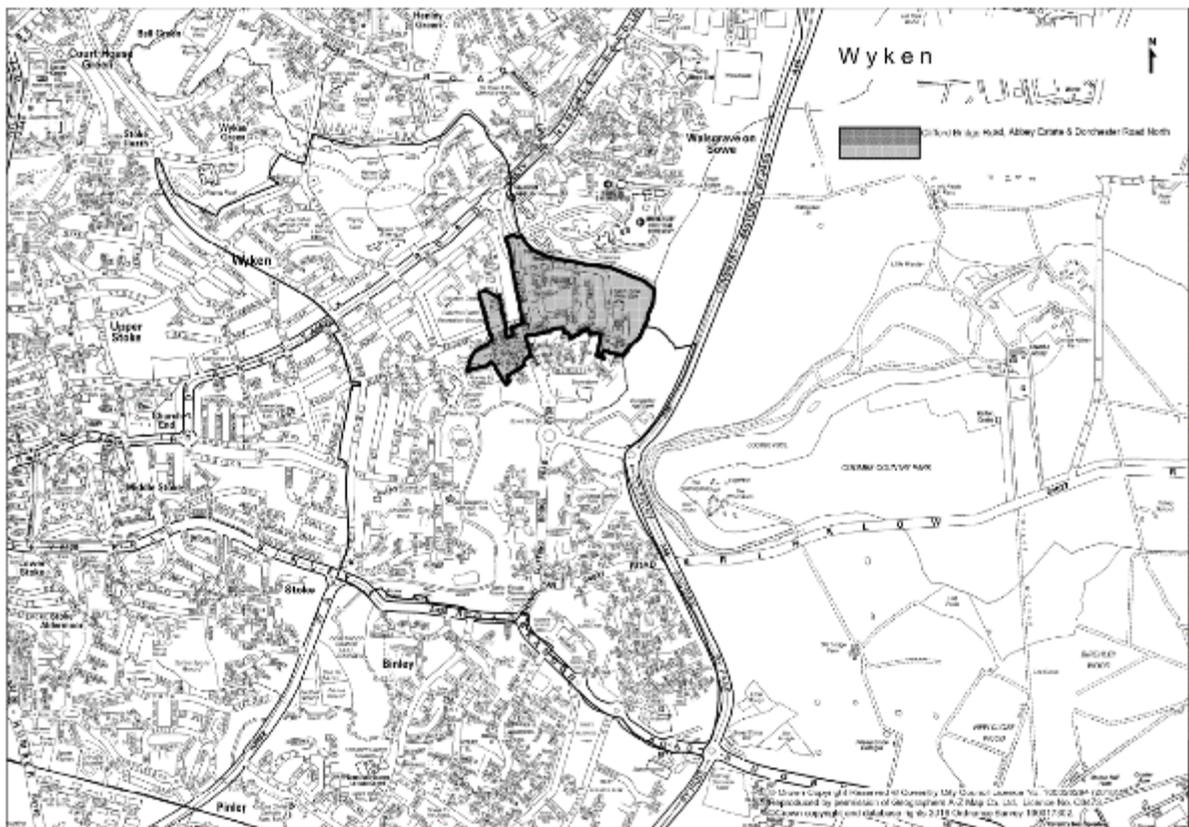
Wainbody – Canley Cemetery, Bransford Avenue & Sir Henry Parkes Road



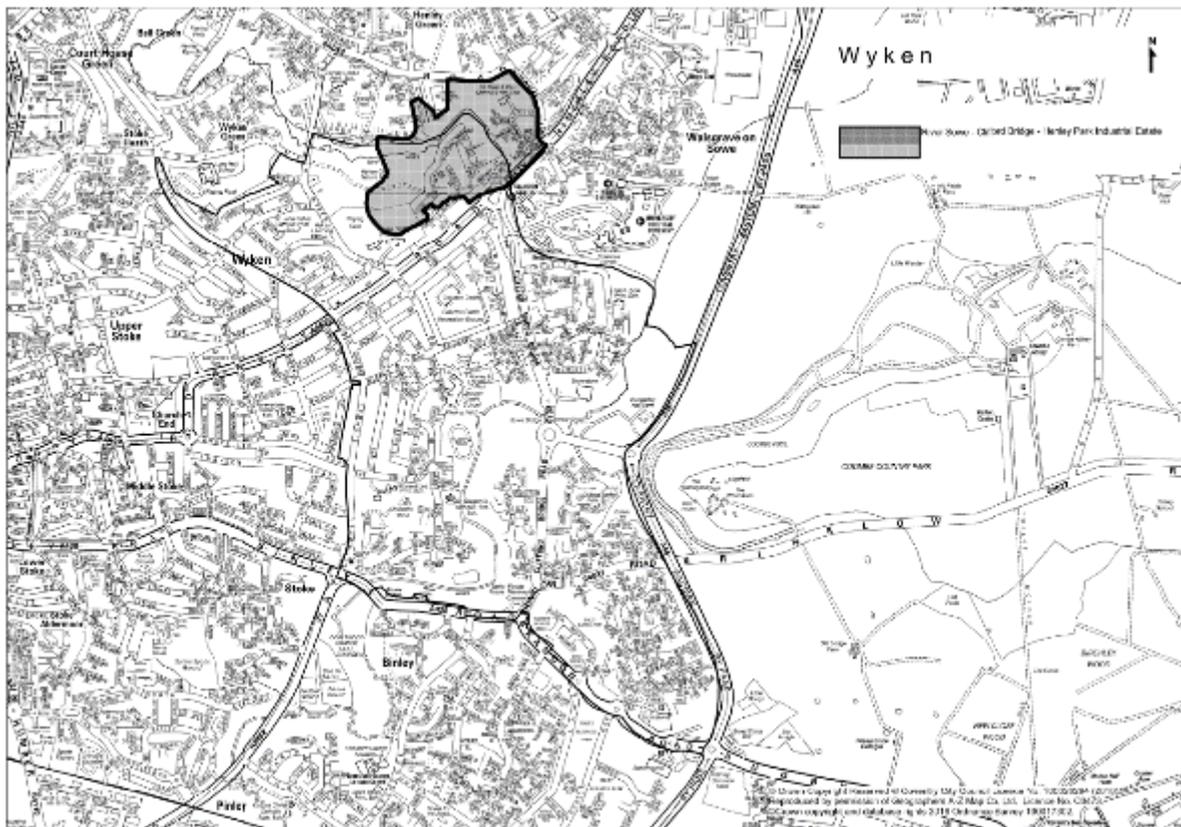
Whoberley – Earlsdon Hearsall Lane/Melbourne Road North, The Butts



Wyken – Clifford Bridge Road, Abbey Estate and Dorchester Road North



Wyken – River Sowe, Clifford Bridge & Henley Park Industrial Estate



Appendix B – List of Streets

Table 18 - List of Streets in Proposed Selective Licensing Areas

ABBOTSBURY CLOSE	EAGLE STREET	OAKLEY CLOSE
ABBOTTS LANE	EAST AVENUE	OAKMOOR ROAD
ACHAL CLOSE	EAST STREET	OAKS PLACE
ADAM ROAD	EDEN STREET	OLAF PLACE
ADDERLEY STREET	EDGWICK ROAD	OLD CHURCH ROAD
AINSDALE CLOSE	EDMUND ROAD	OLD FARM LANE
ALBANY ROAD	EDWARD STREET	OLD MILL AVENUE
ALBERT FEARN GARDENS	ELD ROAD	OLIVER STREET
ALDER ROAD	ELLERMAN GARDENS	ONLEY TERRACE
ALDERMANS GREEN ROAD	ELMSDALE AVENUE	ORDNANCE ROAD
ALDRIN WAY	ENA ROAD	ORLESCOTE ROAD
ALEXANDRA ROAD	ETHELFIELD ROAD	ORWELL ROAD
ALFRED ROAD	EVELYN AVENUE	OSLO GARDENS
ALMA STREET	EVESHAM WALK	OXFORD STREET
ALVERSTONE ROAD	FAIRBANKS CLOSE	PARK STREET
AMY CLOSE	FAIRVIEW WALK	PARKSTONE ROAD
ANDERTON ROAD	FAR GOSFORD STREET	PARROTTS GROVE
ANSELL DRIVE	FARMAN ROAD	PAYNES LANE
ANSTY ROAD	FARMCOTE ROAD	PEARSON AVENUE

ARBURY AVENUE	FARNDALE AVENUE	PEEL CLOSE
ARENA AVENUE	FEILDING CLOSE	PEEL STREET
ARGYLL STREET	FENWICK CLOSE	PEMBURY AVENUE
ARKLE DRIVE	FINBARR CLOSE	PENSILVA WAY
ARTHUR STREET	FIRE Drake CROFT	PERSHORE PLACE
ASHMORE ROAD	FISHER ROAD	POPPLETON CLOSE
ASTLEY AVENUE	FLETCHAMSTEAD HIGHWAY	POWELL ROAD
ATHERSTON PLACE	FOLESHILL ROAD	PRIDMORE ROAD
AUGUSTUS ROAD	FOWLER ROAD	PRINCESS STREET
AWSON STREET	FRAMPTON WALK	PRIORS HARNALL
AYLESFORD STREET	FRANCIS STREET	PRIORSFIELD ROAD NORTH
BALMORAL CLOSE	FREEBURN CAUSEWAY	PRIORSFIELD ROAD SOUTH
BARKER BUTTS LANE	FREEHOLD STREET	QUARRYWOOD GROVE
BARRAS GREEN	FREEMAN STREET	QUEEN MARYS ROAD
BARRAS LANE	FRETTON CLOSE	QUEENS ROAD
BARSTON CLOSE	GATESIDE ROAD	RADFORD CIRCLE
BARTLETT CLOSE	GEORGE ELIOT ROAD	RAGLAN STREET
BARTON ROAD	GEORGE STREET	RANDLE STREET
BASFORD BROOK DRIVE	GILBERT CLOSE	RANSOM ROAD
BAYLISS AVENUE	GLENEAGLES ROAD	RAYMOND CLOSE
BEACONSFIELD ROAD	GLENMORE DRIVE	RECREATION ROAD
BEAKE AVENUE	GLENMOUNT AVENUE	RED LANE
BECKBURY ROAD	GLENRIDDING CLOSE	REDCAR ROAD
BEDFORD STREET	GOLDRICK ROAD	REGENT STREET
BEDLAM LANE	GORDON STREET	REGINA CRESCENT
BEDWORTH ROAD	GORING ROAD	REGIS WALK
BELGRAVE ROAD	GOSFORD STREET	REPTON DRIVE
BELMONT ROAD	GRAFTON STREET	RICHMOND STREET
BELVEDERE ROAD	GRANGE ROAD	ROLLASON CLOSE
BENTHALL ROAD	GREENODD DRIVE	ROLLASON ROAD
BERESFORD AVENUE	GREENWOOD PLACE	ROLLASONS YARD
BERKELEY ROAD NORTH	GRESHAM STREET	ROMAN ROAD
BERKSWELL ROAD	GRESSINGHAM GROVE	ROWLEYS GREEN LANE
BERRY STREET	GREYHOUND ROAD	RUDGARD ROAD
BINLEY ROAD	GRINDLE ROAD	RUNCORN WALK
BIRD GROVE COURT	GROSVENOR ROAD	RUSSELL STREET NORTH
BLACKSHAW DRIVE	GUILD ROAD	SANDOWN AVENUE
BLACKTHORN CLOSE	GULSON ROAD	SANDY LANE
BLANDFORD DRIVE	HAMILTON ROAD	SAPCOTE GROVE
BLYTHE ROAD	HAMPTON CLOSE	SAXON ROAD
BOOTH'S FIELDS	HAMPTON ROAD	SEAFORD CLOSE

BOSTON PLACE	HANSON WAY	SEVERN ROAD
BOSWELL DRIVE	HAREFIELD ROAD	SHAKESPEARE STREET
BRACKNELL WALK	HARLEY STREET	SHAKLETON ROAD
BRAEMAR CLOSE	HARLOW WALK	SHORTRIDGE DRIVE
BRAMBLE STREET	HARMER CLOSE	SHULTERN LANE
BRAMWELL GARDENS	HARNALL LANE EAST	SILVERTON ROAD
BRANSFORD AVENUE	HARNALL LANE WEST	SIR HENRY PARKES ROAD
BRAYS LANE	HAROLD RAFFERTY CLOSE	SIR THOMAS WHITES ROAD
BRIDGE STREET	HARROW CLOSE	SMITH STREET
BRIDPORT CLOSE	HARTLEPOOL ROAD	SOUTH AVENUE
BRIGHT STREET	HARTLEY CLOSE	SOUTH STREET
BRIGHTMERE ROAD	HASTINGS ROAD	SOVEREIGN ROAD
BRIGHTON STREET	HAVENDALE CLOSE	SPARKBROOK STREET
BRILL CLOSE	HAWKSWORTH DRIVE	SPENCER AVENUE
BRINDLEY PADDOCKS	HAYDOCK CLOSE	SPINDLE STREET
BRITANNIA STREET	HEARSALL LANE	SPON END
BRITON ROAD	HEATH ROAD	SPRING CLOSE
BROAD STREET	HEN LANE	SPRINGFIELD PLACE
BROADWAY	HENLEY ROAD	SPRINGFIELD ROAD
BROOK CLOSE	HENRIETTA STREET	SQUIRES WAY
BROOKLYN ROAD	HERMES CRESCENT	ST AGATHAS ROAD
BROOMFIELD PLACE	HERTFORD PLACE	ST ANNS ROAD
BROOMFIELD ROAD	HEWITT AVENUE	ST COLUMBAS CLOSE
BRUNEL CLOSE	HIGHWAYMANS CROFT	ST ELIZABETHS ROAD
BRUNSWICK ROAD	HINCKLEY ROAD	ST GEORGES ROAD
BRYANSTON CLOSE	HOLBROOK LANE	ST LAWRENCES ROAD
BRYN ROAD	HOLLYBUSH LANE	ST MARGARETS ROAD
BURBAGES LANE	HOLMSDALE ROAD	ST MARYS PRIORY ROAD
BURLINGTON ROAD	HOLYHEAD ROAD	ST MICHAELS ROAD
BURNABY ROAD	HONEYFIELD ROAD	ST NICHOLAS STREET
BUTTS	HOOD STREET	ST OSBURGS ROAD
CALICO WAY	HORNSEY CLOSE	ST PAULS ROAD
CALUDON ROAD	HORSE SHOE ROAD	ST THOMAS ROAD
CAMBRIDGE STREET	HOWARD STREET	STANIER AVENUE
CAMDEN STREET	HUMBER AVENUE	STANWAY ROAD
CANAL ROAD	HUNTINGDON ROAD	STARE GREEN
CANAL VIEW	HURN WAY	STATION STREET EAST
CANBERRA ROAD	HURST ROAD	STATION STREET WEST
CANNOCKS LANE	IDEN ROAD	STEPNEY ROAD
CANNON HILL ROAD	ISAMBARD DRIVE	STEVENAGE WALK
CANTERBURY STREET	IVOR ROAD	STOCKTON ROAD
CARADOC CLOSE	IVY FARM LANE	STOKE ROW

CARGILL CLOSE	JACKERS ROAD	STONEY STANTON ROAD
CARLTON ROAD	JACKSON ROAD	STRATFORD STREET
CARMELITE ROAD	JACOB DRIVE	SULGRAVE CLOSE
CASHS LANE	JAMES FULLARTON WAY	SUNNINGDALE AVENUE
CATHERINE STREET	JENNER STREET	SUTTON STOP
CAWTHORNE CLOSE	JESMOND ROAD	SWALEDALE
CENTENARY ROAD	KEPPEL STREET	SWAN LANE
CENTRAL AVENUE	KILBY MEWS	SWANAGE GREEN
CHANCELLORS CLOSE	KILDALE CLOSE	SYDNALL FIELDS
CHANDOS STREET	KING EDWARD ROAD	SYDNALL ROAD
CHARTER AVENUE	KING GEORGES AVENUE	TARRANT WALK
CHARTERHOUSE ROAD	KINGFIELD ROAD	TENERIFFE ROAD
CHELTENHAM CROFT	KINGSWAY	TERRY ROAD
CHESFORD CRESCENT	KIRBY CLOSE	THAMLEY ROAD
CHESTER STREET	KIRBY CORNER ROAD	THE CHANTRIES
CHILDER CLOSE	KIRBY ROAD	THE CHEVIOT
CHURCH STREET	KITCHENER ROAD	THE CROFT
CHURCHILL AVENUE	KNIGHT AVENUE	THE MOORINGS
CLARA STREET	LADY LANE	THE OLD YARD
CLAY LANE	LAMBETH CLOSE	THIMBLER ROAD
CLEMENTS STREET	LANCASTER GARDENS	THORNHILL ROAD
CLEVELAND ROAD	LANCIA CLOSE	THREADNEEDLE STREET
CLINTON ROAD	LANSBURY CLOSE	TIVEYCOURT ROAD
CLOUD GREEN	LANSDOWNE STREET	TOCIL CROFT
COBDEN STREET	LARKIN GROVE	TOLLARD CLOSE
COLCHESTER STREET	LATHAM ROAD	TOM MANN CLOSE
COLLETT WALK	LAWRENCE SAUNDERS ROAD	TOMSON AVENUE
COLSTON WALK	LEAM GREEN	TORCASTLE CLOSE
COMRIE CLOSE	LEEMING CLOSE	TOWNLEY WALK
CONGLETON CLOSE	LEICESTER CAUSEWAY	TRAFALGAR MEWS
CONISBROUGH KEEP	LEICESTER ROW	TRENTHAM ROAD
COOK CLOSE	LEIGH STREET	TURLANDS CLOSE
COPE ARNOLDS CLOSE	LEOPOLD ROAD	UNION PLACE
COPPER BEECH CLOSE	LEWIS ROAD	UPPER HILL STREET
CORFE CLOSE	LICHEN GREEN	UPPER YORK STREET
CORONATION ROAD	LIGHT LANE	VAUXHALL CLOSE
COTTON WAY	LILACVALE WAY	VAUXHALL STREET
OUNDON ROAD	LINSTOCK WAY	VECQUERAY STREET
OUNDON STREET	LITTLE LAWN CLOSE	VERNON CLOSE
COURTELLE ROAD	LIVINGSTONE ROAD	VICTORY ROAD
CRABMILL LANE	LOACH DRIVE	VILLIERS STREET

CRAMPERS FIELDS	LOCKHURST LANE	VINE STREET
CRANBORNE CHASE	LOCKSIDE PLACE	VINECOTE ROAD
CRANERS ROAD	LOMBARD CLOSE	VIRGINIA ROAD
CRATHIE CLOSE	LONGFORD ROAD	VOGUE CLOSE
CRAVEN STREET	LONGFORD SQUARE	WALSGRAVE GARDENS
CRESSAGE ROAD	LOWER FORD STREET	WALSGRAVE ROAD
CROMWELL STREET	LUNAR CLOSE	WAREHAM GREEN
CROSS ROAD	LYNCHGATE ROAD	WARNER ROW
CROWMERE ROAD	LYNTON ROAD	WATERLOO STREET
CROWN GREEN	LYTHALLS LANE	WAVELEY ROAD
CUBBINGTON ROAD	MANFIELD AVENUE	WEBSTER STREET
CULWORTH COURT	MANSEL STREET	WELFORD PLACE
CULWORTH ROW	MAPLE WALK	WELLAND ROAD
CUMBERNAULD WALK	MARION ROAD	WELSH ROAD
CUMBRIA CLOSE	MARLBOROUGH ROAD	WEST AVENUE
CURZON AVENUE	MARLWOOD CLOSE	WEST STREET
DALTON GARDENS	MASON ROAD	WESTMINSTER ROAD
DALWOOD WAY	MATLOCK ROAD	WESTMORLAND ROAD
DANE ROAD	MAY STREET	WILLIAM ARNOLD CLOSE
DARNFORD CLOSE	MAYCOCK ROAD	WILSONS LANE
DAWES CLOSE	MAYFIELD ROAD	WINCHESTER STREET
DAWLEY WALK	MEDINA ROAD	WINDMILL ROAD
DAYS CLOSE	MELBOURNE ROAD	WINIFRED AVENUE
DE MONTFORT WAY	MELVILLE ROAD	WOODROFFE WALK
DEAN STREET	MERIDEN STREET	WOODSHIRES ROAD
DELAGE CLOSE	MICKLETON ROAD	WOODWAY LANE
DERSINGHAM DRIVE	MIDDLEBOROUGH ROAD	WOOLGROVE STREET
DODGSON CLOSE	MILL HOUSE COURT	WORSDELL CLOSE
DOE BANK LANE	MILL RACE LANE	WREN STREET
DONCASTER CLOSE	MINSTER ROAD	WRENBURY DRIVE
DOONE CLOSE	MOAT HOUSE LANE	WRIGHT STREET
DORCHESTER WAY	MODULAR MEWS	WYKEN CROFT
DOVEDALE AVENUE	MONKS ROAD	YELVERTON ROAD
DOVER STREET	MOREY STREET	
DRAKE STREET	MOSELEY AVENUE	
DRAKELEY CLOSE	MULLINER STREET	
DRAPERS FIELDS	NETHERMILL ROAD	
DRUID ROAD	NEWCOMBE ROAD	
DUNLOP CLOSE	NEWDIGATE MEWS	
DUNSHAW ROAD	NEWDIGATE ROAD	
DYSART CLOSE	NEWLAND ROAD	
	NEWMARKET CLOSE	
	NEWNHAM ROAD	

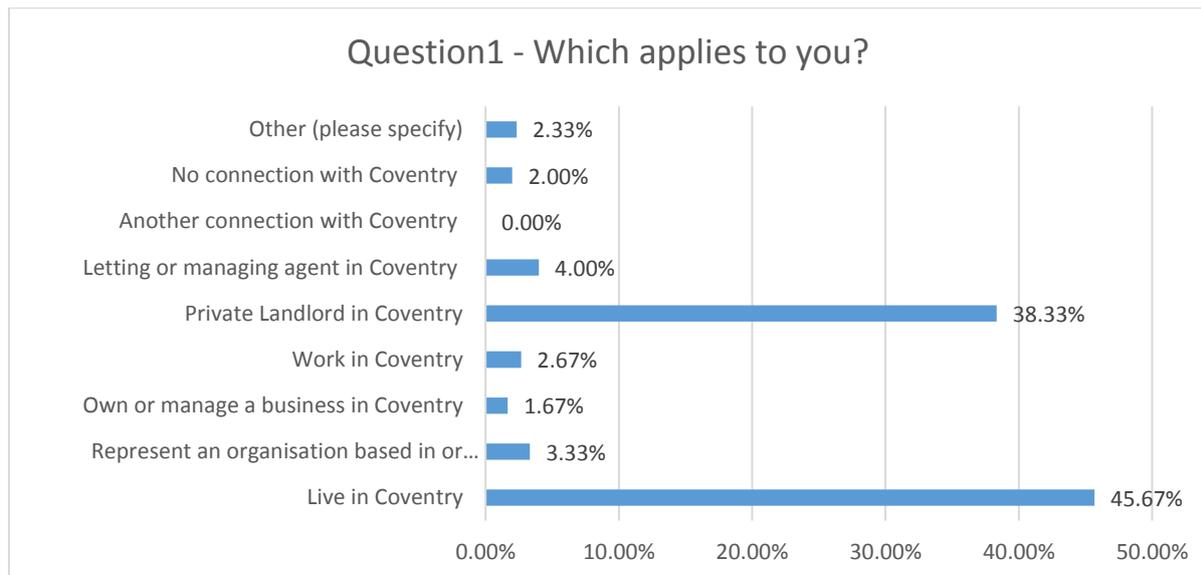
	NICHOLLS STREET	
	NORDIC DRIFT	
	NORTH AVENUE	
	NORTHEY ROAD	
	NORTHFIELD ROAD	
	NORTHFOLK TERRACE	
	NORTHUMBERLAND ROAD	
	NORTON HILL DRIVE	

Appendix 2 - Selective Licensing Consultation Results

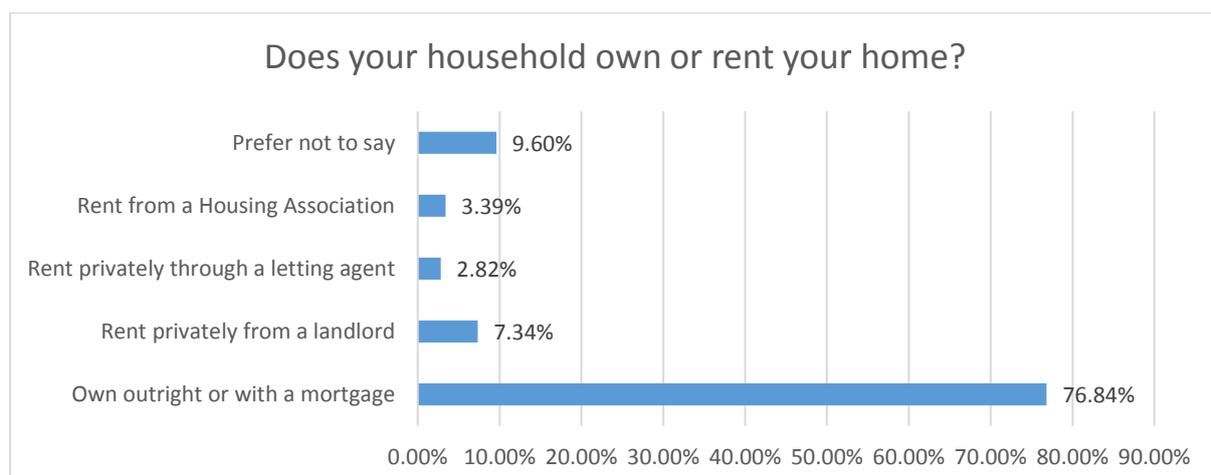
Online Questionnaires

The Council received a total of 301 responses to the Selective Licensing online questionnaire. The questionnaire consisted of 20 questions, 8 of which related to the specific proposals about Selective Licensing.

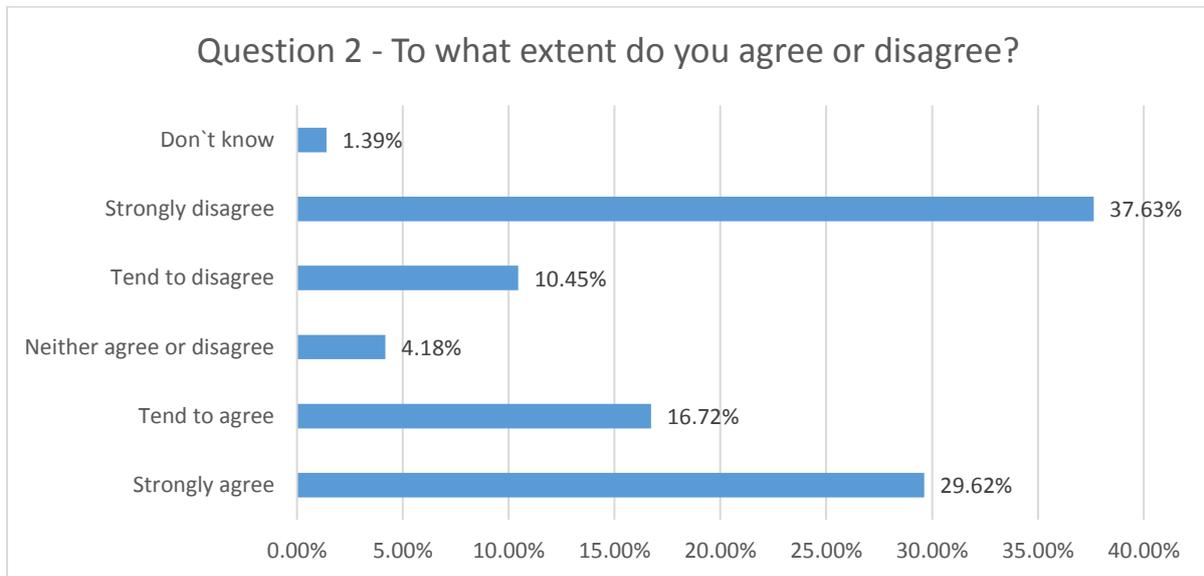
Question 1 – Which applies to you?



To understand further who responded to the consultation it is worth considering Question 20 at this point which asked, “**Does your household own or rent your home?**”.

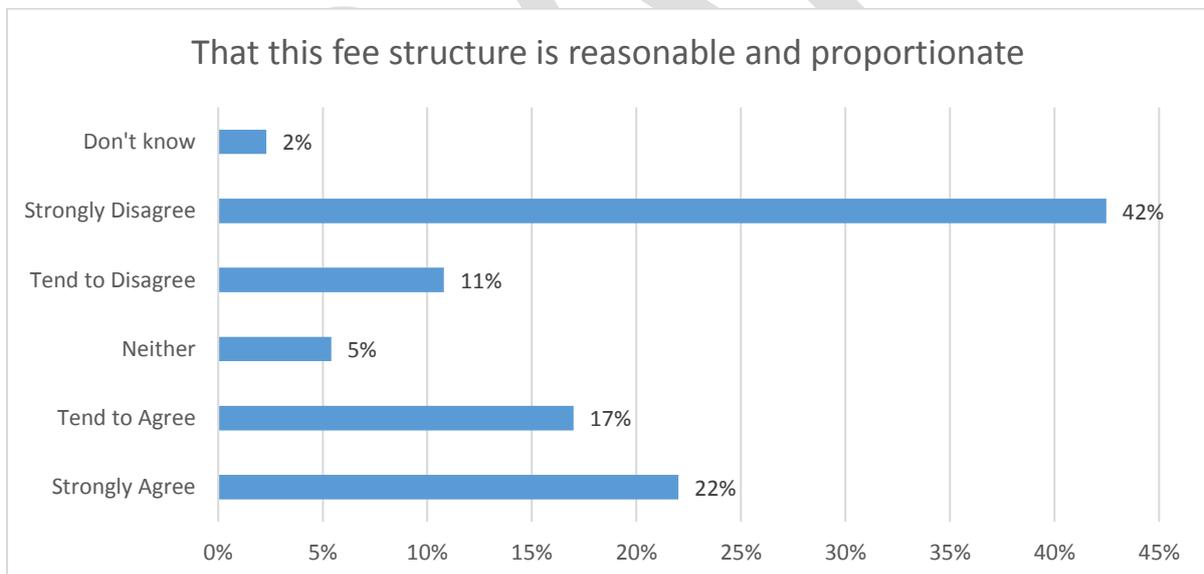


Question 2 – To what extent do you agree or disagree with the proposed Selective Licensing Scheme?

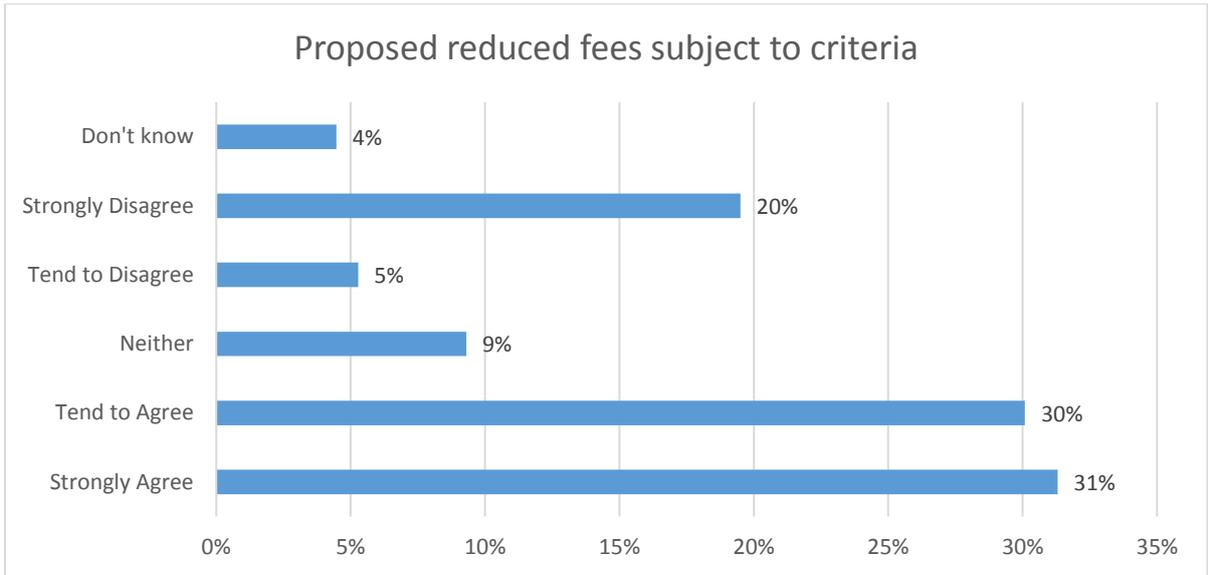


Question 3 – To what extent do you agree or disagree with the following?

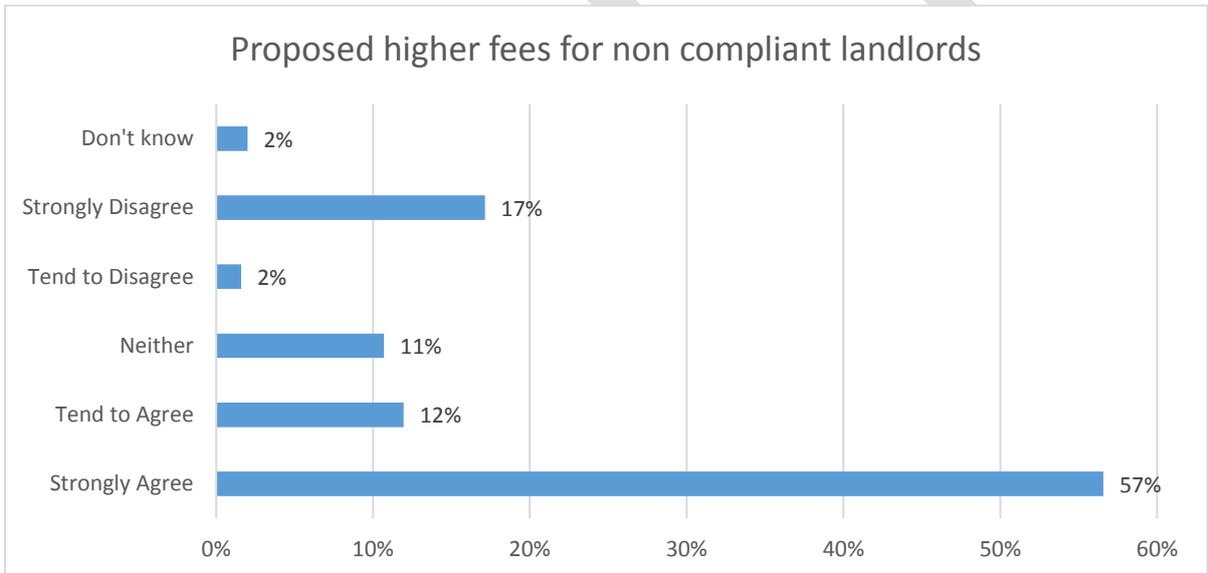
3a – That this fee structure is reasonable and proportionate.



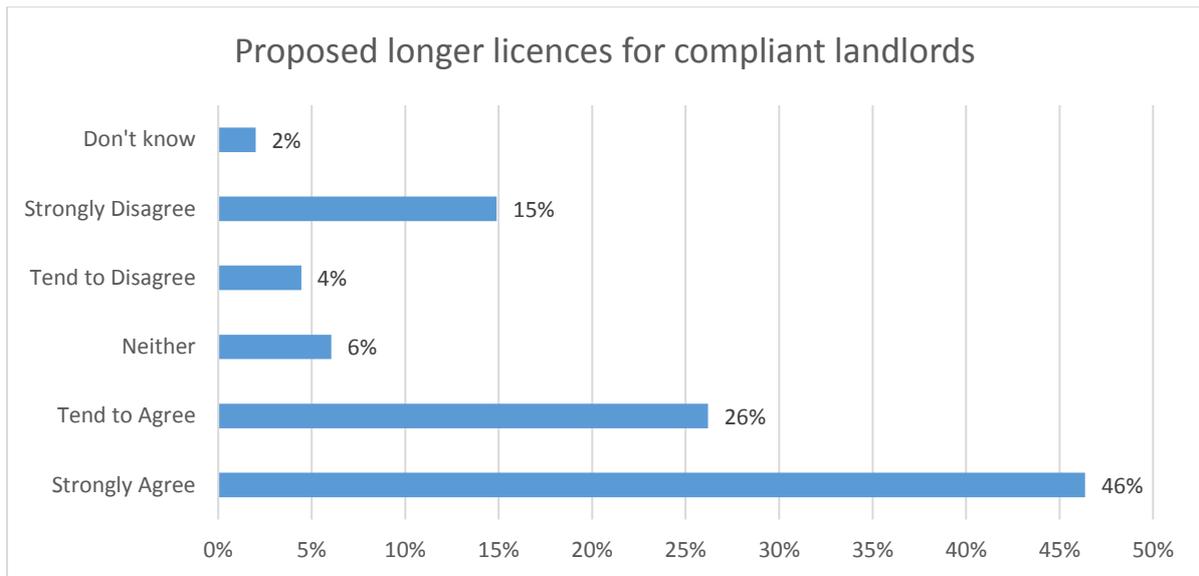
3b – Proposed reduced fees subject to criteria



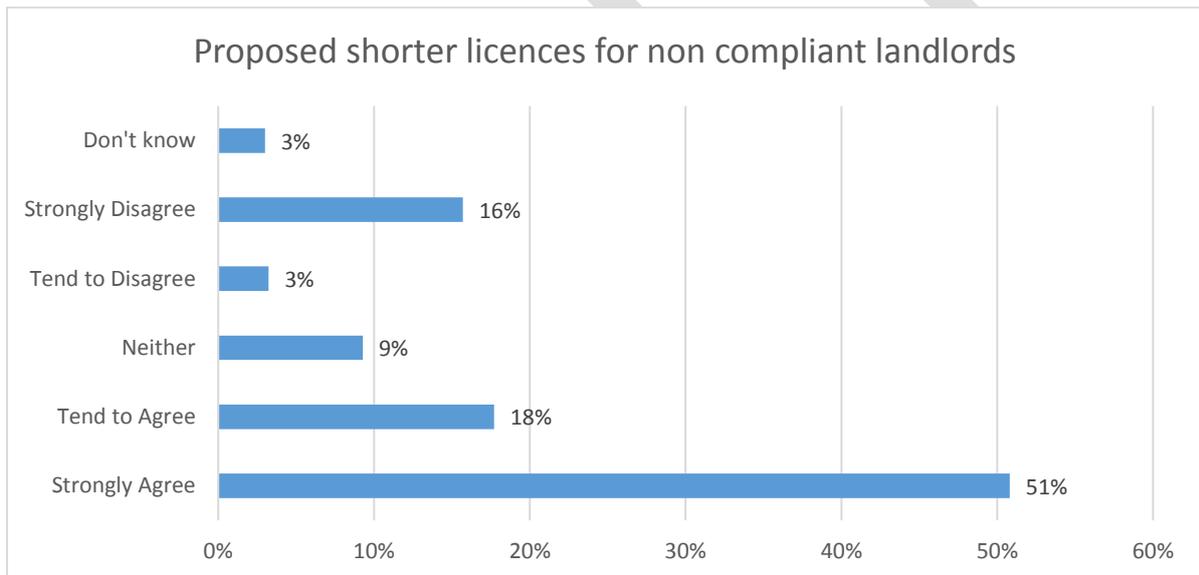
3c – Proposed higher fees for non-compliant landlords



3d – Proposed longer licences for compliant landlords

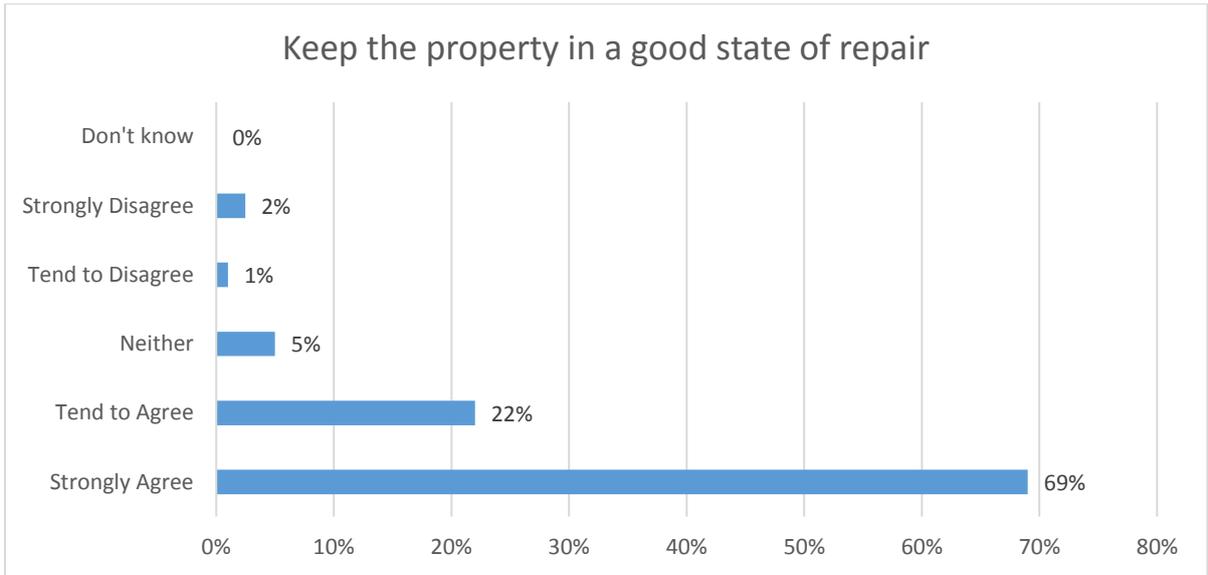


3e – Proposed shorter licence for non-compliant landlords

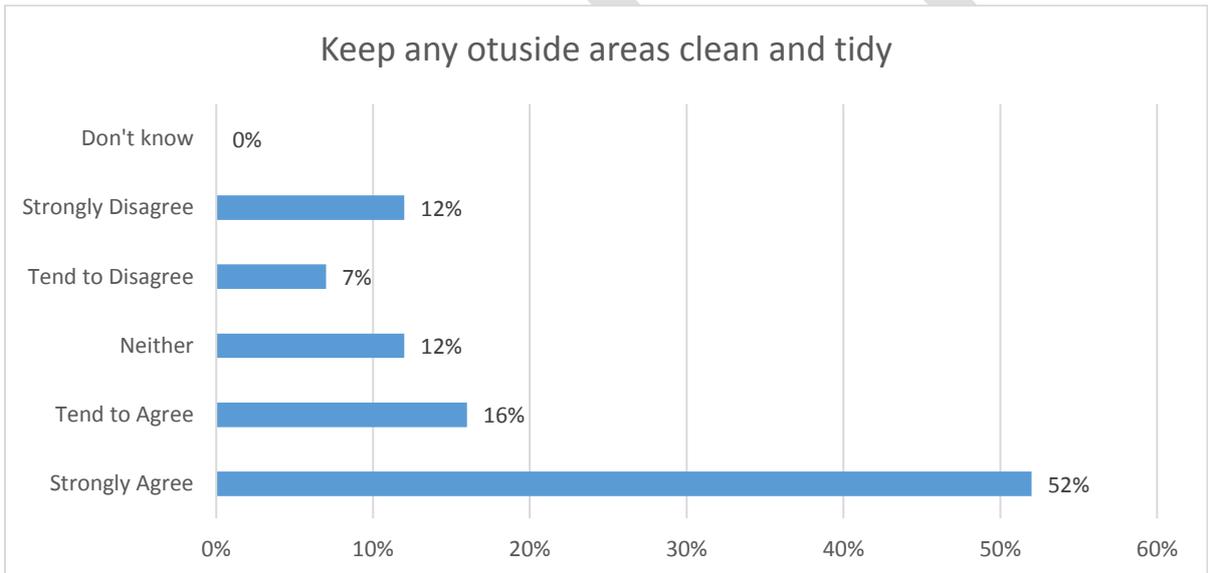


Question 4 – To what extent do you agree or disagree with conditions around the following issues and principles about the way in the property is managed; The Licence Holder MUST...

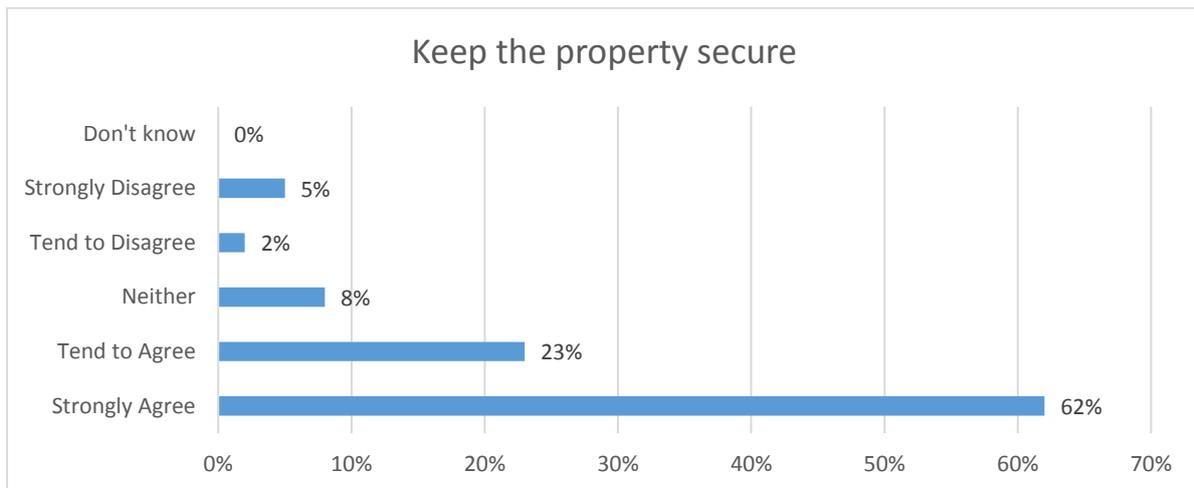
4a – Keep the property in a good state of repair



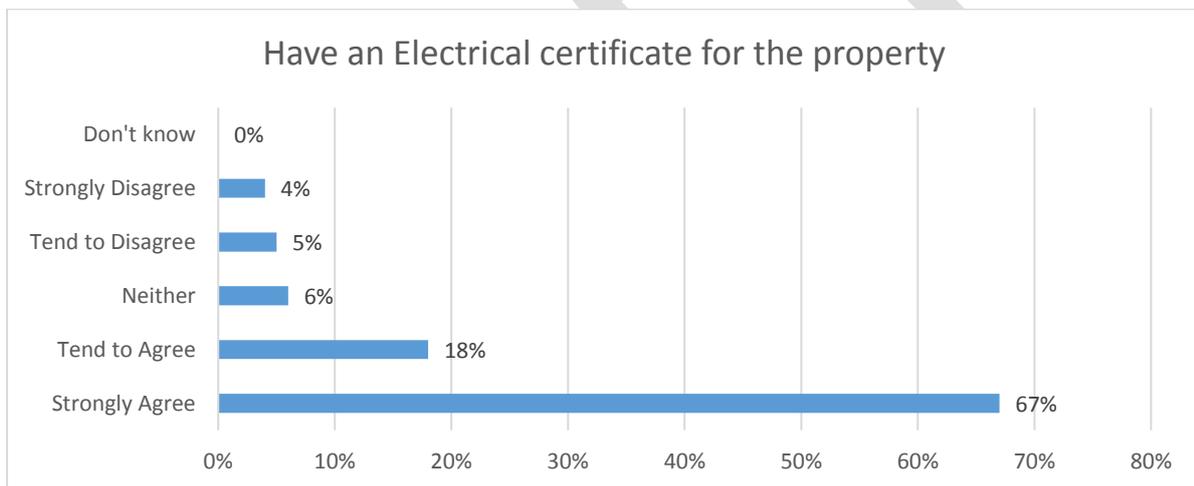
4b – Keep any outside areas clean and tidy



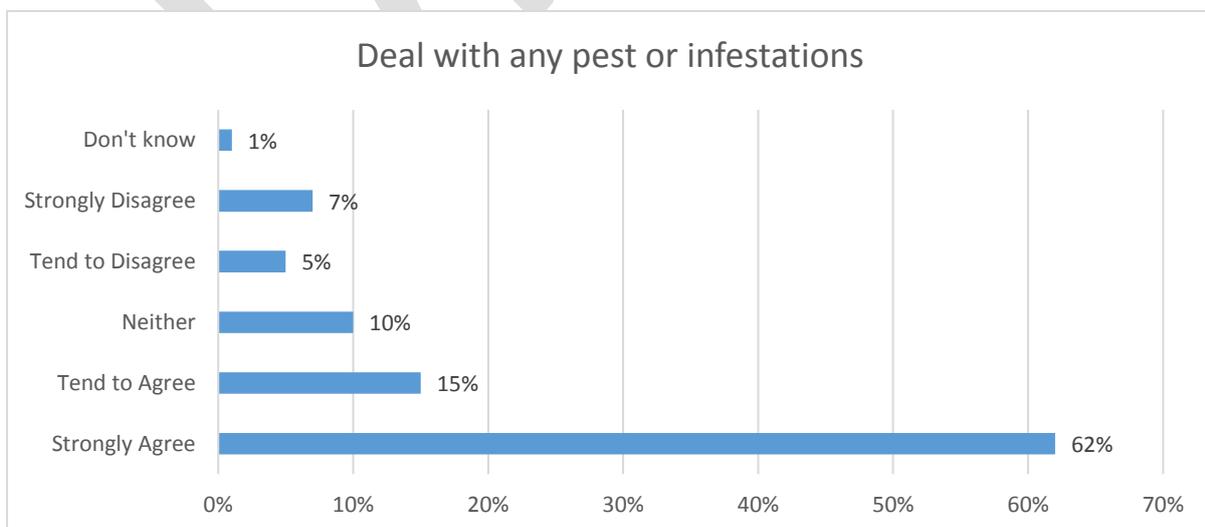
4c – Keep the property secure



4d – Have an Electrical certificate for the property

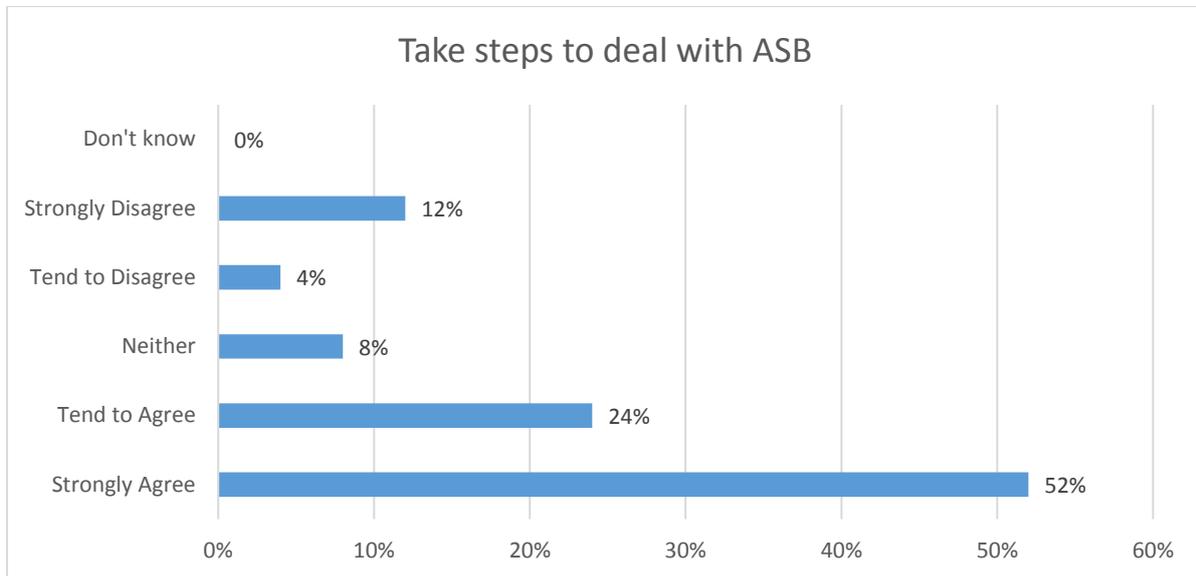


4e – Deal with any pests or infestations

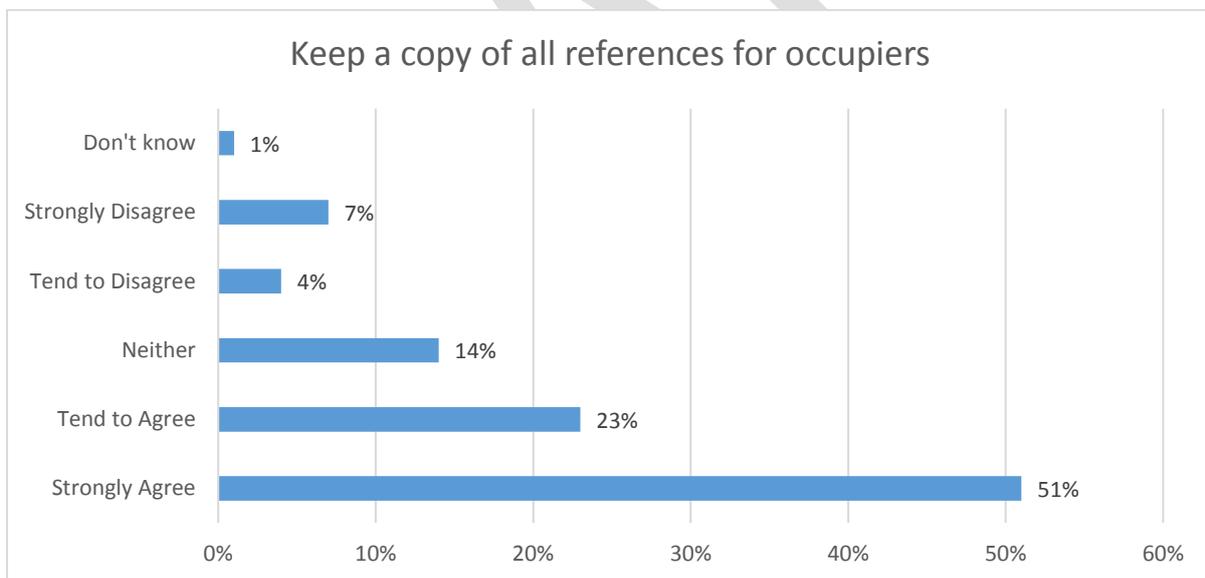


Question 5 – To what extent do you agree or disagree with the following conditions about the way in which the tenancy is managed?

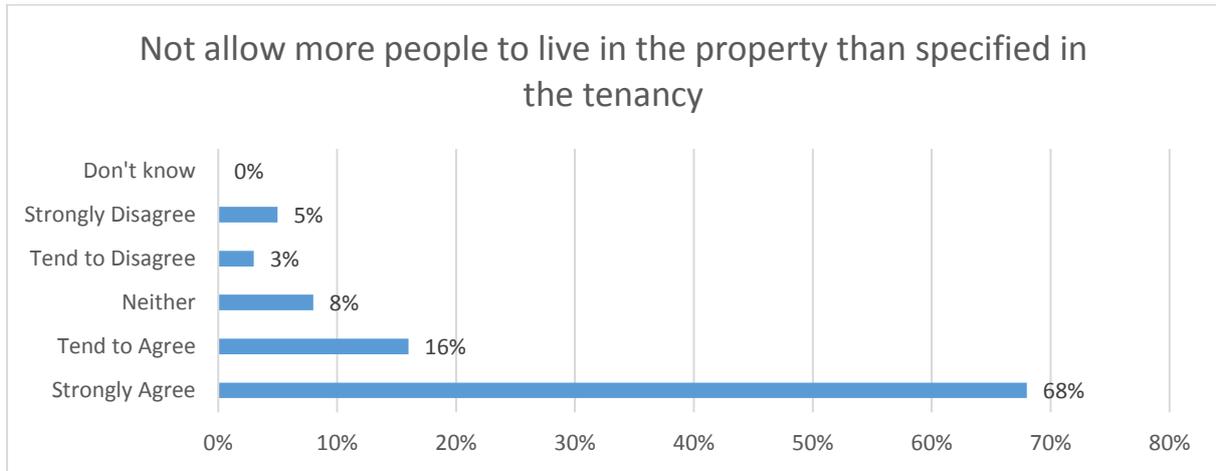
5a – Take steps to deal with anti-social behaviour (ASB)



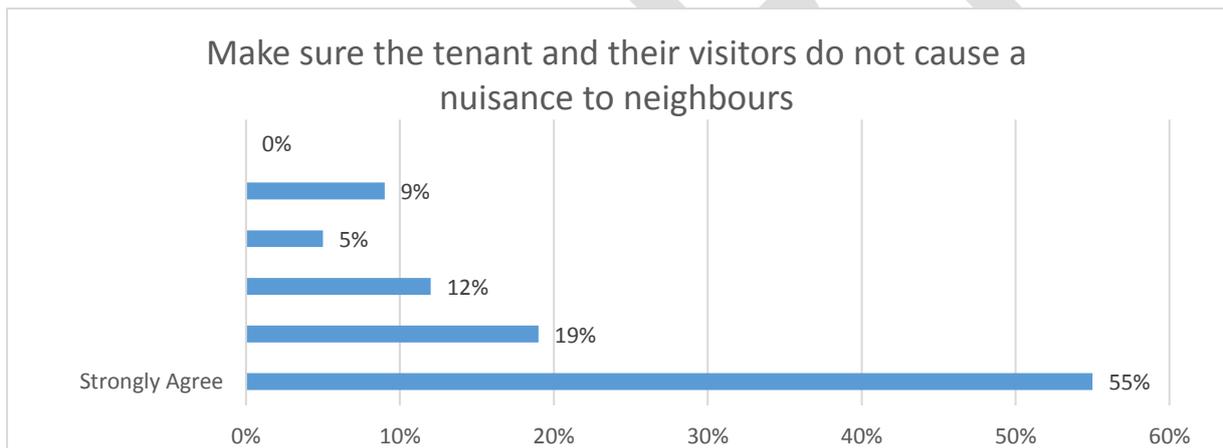
5b – Keep a copy of all references received for every occupier



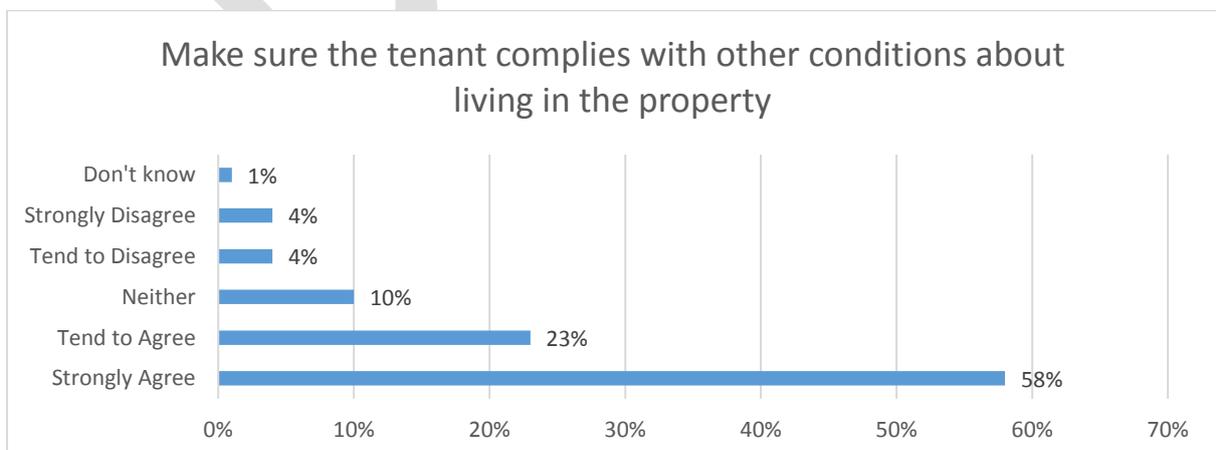
5c – Not allow more people to live in the property than specified in the tenancy agreement



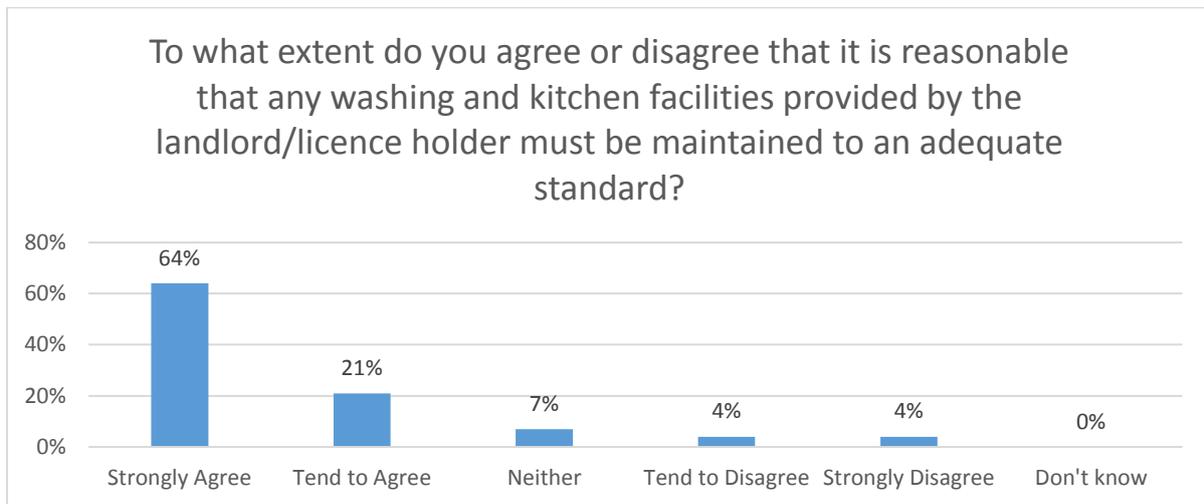
5d – Make sure the tenant and their visitors do not cause a nuisance to neighbours



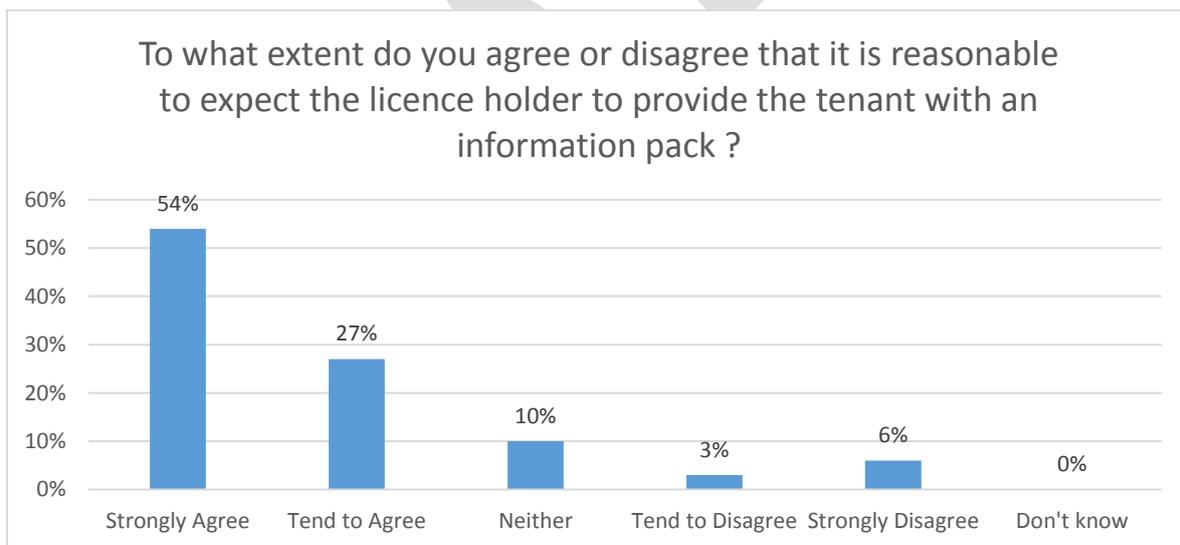
5e – Make sure the tenant complies with other conditions about living in the property



Question 6 - To what extent do you agree or disagree that it is reasonable that any washing and kitchen facilities provided by the landlord/licence holder must be maintained to an adequate standard?



Question 7 - To what extent do you agree or disagree that it is reasonable to expect the licence holder to provide the tenant with an information pack?



Comments From the Online Questionnaire

- 1) The council has failed to make any of the arguments that are claimed in the report published for the purposes of the consultation. The data do not support the conclusions drawn and have been misrepresented in some cases in order to obscure the facts. To proceed with this scheme therefore would constitute an act of fraud and of malfeasance. The council has: 1. Failed to make the case that there are specific problems with private rented properties or HMO's. 2. Failed to make the case that a licensing scheme would result in any improvement either for tenants, businesses or the wider population of the city. 3 failed to consult with relevant parties in any meaningful way 4. Failed to consider any alternatives to licensing 5. Made no attempt to collect any actual data which might help to

analyse the market and support any conclusions 6. Failed to meet their own stated aim of 'working in partnership' with stakeholders And in so doing has failed to meet the requirements of the legislation (housing act (2004)). 3/21/2019 9:22 PM

- 2) I do not believe in making any more charges where the landlord is concerned. This will only increase the rate landlords will charge. Although i appreciate what you are trying to do, charging landlords who already ensure their properties are good, should not be penalised. I think it would be an idea to charge a landlord who is in breach of making sure their properties are fit for habitation. 3/21/2019 8:06 PM
- 3) Should be countrywide 3/21/2019 4:03 AM
- 4) Mind your own business! 3/20/2019 11:14 PM
- 5) I fundamentally disagree that such a scheme WILL "lead to a reduction/elimination of significant and persistent ASB" - or improvement of the areas (as proven in other SL regions!) A Voluntary Landlord's Forum - and/OR the proposed free CLAS is a better means of improving standards, where they may fall short. The proposed 22 F/T additional staff could be vastly decreased if Intelligence was targeted purely at rogue landlords! The majority of those proposed resources would be WASTED purely on administration of responsible landlords only, for the sake of it! Rogue landlords won't register! You already have the legal powers to prosecute them, without doing so on grounds of a technicality (i.e. because they didn't register!) I disagree that responsible PRS L/Lords should face such SL FINANCIAL costs - for L/A's to deal with a minority of rogue L/Lords! It's unrealistic to think Tenants won't suffer increased rents somewhere along the line as a direct consequence of additional costs to L/Lords. Certainly in recent years with such additional taxation, inc'g UNFAIR taxing of 'gross' income! ALL Cov. C/Tax payers have to contribute to the Council's overall costs in dealing with rogue Social/other tenure tenants, plus the shortfall % of C/Tax NOT paid. Why should ALL suffer because of a few? The huge number of additional properties now added (above just St. Michael's ward, originally proposed) are not all justified within the criteria put forward! E.G. Walsgrave - Mount Pleasant. This is an area of HIGH demand, NOT low (in view of UHCW staff demand) and property prices are relatively much higher as a result. Also, its Crime rates include Shoplifting reports related to Asda - reported as "at or close to Turlands Close". The criteria within Govn't regulations specifically refer to CRIMES COMMITTED BY TENANTS, hence Police figures do not distinguish - and, therefore are not an accurate reflection of such crimes, so such raw data should not be used. ASB - Unless you can break down such actions between Social/PRSTenants, Owner/Occupiers or other tenures, it is not acceptable to ASSUME that such an area is automatically down to PRS Tenants. IF the scheme goes ahead, I strongly disagree with at least one of the "discretionary" criteria which the Council are considering for 5 yr Licence Applicants - i.e. that, if you apply Co-Regulation (at a discounted Fee) with a

Landlords Association, that the L/Lord must not only be a member of it but must be an ACCREDITED member of such. This will entail yet FURTHER additional wasted costs - when all relevant knowledge is freely and easily accessible to responsible landlords - and they are likely to be at least of the same, if not a higher, knowledge level as Accredited L/lords! I strongly agree with Licence Holder's responsibilities WHILST the property is empty. They can't be held responsible for ASB by Tenants/visitors IF they're not aware of it! Also, if L/Lords identify pest/infestations NOT there at outset of tenancy, they should be able to reclaim costs from irresponsible Tenants to remedy this, IF down to Tenant's failure to maintain property as received. Coventry Council has chosen to use the Census 2011 for it's PRS rentals ratio of all properties per LSOA, as allowed by Gov'n't. However this is ludicrous when a) it's SO outdated, in view of the massive increase in student numbers alone now residing in Coventry since 2011 b) it already holds more recent information from Tenure Intelligence gathered within annual updates. Re: the thousands of students residing here. They are not legally obliged to pay C/Tax yet they cost taxpayers here £1000's in regular clean up operations, dedicated free furniture collections, etc. Cov Council chose NOT to levy all the developers of tailored student blocks/skyscrapers which have and are shooting up around the C/Centre - because it didn't 'bother' getting around to resourcing the task! This revenue could have contributed £m's towards the reduced coffers in it's hands! Poor decisions which the Council face no accountability over! There is NO transparency within the figures you've produced per LSOA, should the public try to audit them. A FOI submission was dismissed with "the data already being available" - this isn't so, since LSOA's can be split by postcodes or between streets themselves. No prosecutions were made over the previous years when the Council DID have the financial/staff resources to deal! For such a high ratio of areas in the city now being included in the proposals. it would be more sensible to await the outcome of the current Government Review on SL, due to report very shortly! 3/20/2019 7:52 PM

- 6) This is a welcome if long overdue initiative. It is very necessary given the number of rogue landlords operating in this city. On behalf of the local residents' association of which I am chair I wholeheartedly endorse this scheme. 3/20/2019 5:54 PM
- 7) Houses are not the problem, people are the problem. If licencing goes ahead - it should be per-landlord not per-property. Licencing each property a good landlord owns is not going to make any positive difference to the quality of private housing. The council already has enforcement powers to prosecute 'bad landlords' and licencing good landlords will not stop the bad ones. They do not come to the meetings, they do not get gas safety certificates, they will not licence their properties either. Last year I attended a meeting on homelessness with the council and now we're talking about a licencing good landlords which will cause many to exit and will increase homelessness. Before licencing is considered, landlords need to be provided with better support from the council on matters such as anti-social behaviour - we simply can't control our tenants behaviour with

the toothless legal system we have. I have shared accommodation for working people, where tenants sometimes end up being untidy, start smoking or have their TV on loud. s8 needs evidence which is practically impossible to gather. We can threaten to evict them with a s21 but then the Citizens Advice tell the tenant to wait until a court balliff comes to evict them. Don't do this please. 3/20/2019 12:17 PM

- 8) it is unreasonable to expect landlords to be able to deal with antisocial behaviour, pests and rubbish when these are tenant issues. 3/20/2019 11:14 AM
- 9) A lot of the things you are asking are often out of the control of the landlord. For example he/she can make provision for the property to be secured with a front door and key, but they cannot be held responsible if the tenant does not lock it... or in the case of infestations... if the tenant throws bread out and it attracts rats or cockroaches, why should that be the responsibility of the landlord? I have known the council not collect rubbish weeks on end... rubbish gets everywhere with the bins full... including food... without leaving a reason on the bin. Our street is often in a right state because of this. Leave bin collection rules on the bin! I am sure tenants agree that I am a good landlord. They are always keen to stay another year. There is a fine line between traipsing around for inspections all the time and their right to quiet enjoyment of the property. I am very against the proposals you have regarding licenses. It will mean rents will need to go up... or if they can't go up... then less rented accommodation. How about employing more bin men instead... or at least holding them accountable for not collecting bins? There is no need for extra red tape... just act on complaints from tenants... If you don't get many, there can't be many rogue landlords. If you are getting a lot of complaints, put your energies into fining the rogue landlords instead, and help those poor tenants, instead of putting the vast majority of excellent landlords backs up. By the way... Are you proposing to do anything for the good landlords to protect them from unscrupulous tenants? I have a letting agent to make sure I comply with the law. It is getting necessary with the extra rules and regulations. Some will be going to the wall with the inability to charge fees. Will you be taking their place and acting on our behalf? You are certainly going to be just as expensive... so no thanks... I pay for being vetted already... don't need duplication of effort... what a waste of time! How about a hotline instead for both victims of rogue landlords and victims of rogue tenants? This would be a good service... helping those in need would potentially make you very popular instead. 3/19/2019 11:37 PM
- 10) I own two rental properties in Coventry, both are 2 bed terrace properties in Waveley Road and were built in the 1990s. They are managed through a letting agent as I live near Guildford and I pay a management fee for this. I have spent thousands of pounds ensuring the properties are well maintained which have included new kitchen, bathroom, carpets, windows, front door, heaters, fencing etc. I have been told that I spend too much on them but I wouldn't expect anyone to rent somewhere I wouldn't myself call home. Whilst I welcome a tighter control on rogue landlords (and there are quite a few in Coventry from when I used to

rent there) I do feel that I'm paying money for something that I'm paying my letting agent to do. They ensure I comply to the regulations, got an electrical certificate, deal with any issues with the properties and keep a check they are being looked after by the tenants. Could the council not look at doing spot checks via letting agents and look at imposing licenses to those landlords that don't use them? If I look at how much rent I've received against how much money I've spent on the usual outgoings (mortgage, insurance etc) along with what I've spent ensuring the properties are well maintained I know I've made very little (especially when you look at the changes with tax). Changes to fees and the introduction of this license will see an increase in rent as landlords and letting agents try to see how they can make it worth while continuing. For some parts of the survey I didn't feel that what you were asking a landlord to be responsible for was fair. For example a tenant when renting a property is responsible for ensuring the outside space is looked after (grass cut, borders maintained) along with cleaning the windows. The outside of the houses I own were tidy before they were let and I expect them to be returned that way. I'd like to know what the council intend to do to help landlords with rogue tenants? What about a register for tenants? They pay a one off small fee to register, a landlord at the end of the tenancy can give feedback on rental payment and how the property was left. Likewise the tenant can give feedback on the landlord/agency on how efficient they were in resolving any issues etc. Will the license fee go up each year if the council find they are having to carry out more work in relation to rogue landlords therefore penalizing compliant landlords who will end up carrying the cost. I don't believe the immediate area my properties are in are in a deprived or high crime area which seemed to be part of the criteria for being chosen. The housing stock isn't old and the vast majority of properties are very well maintained. I will watch with interest to see what happens next but fear that I'll have no choice but to increase rents to help cover the increase cost landlords are facing. 3/19/2019 10:54 PM

- 11) Resources must be allocated to maintain standards. Adequate car parking facilities conditions to stop congested road parking that cause traffic hazards for pedestrians and other road users. Follow up on shopping trolleys at HMO'S. Proper Management of Bicycle Parking. Window curtains must be presentable and in keeping with a residential area. 3/19/2019 10:22 PM
- 12) If this is something Council wishes to implement it should impact every landlord and not only selected areas. Also as this is a proposal Council believe is needed there should be no charge/fee for gaining a licence. Currently there is too many additional costs to landlords and less support given (tax reduction scheme). In my opinion this all will impact further rent increase. 3/19/2019 10:06 PM
- 13) I don't agree with a licence fee. Have a licence for landlords to keep up with all checks and paper work but if a landlord keeps up to date why pay a fee. If they fail then yes fine landlords 3/19/2019 9:15 PM

- 14) I totally disagree with this ridiculous scheme. 1) most suggested criteria of the license is already covered by other legislation. 2) why should landlords have to pay for this? 3) Coventry Council squeezing money from hard working people yet again. 4) why is it only certain areas? No consistency. Why can landlords outside the highlighted areas not be penalised too? Post code lottery. All on all a total joke of a policy. Hang your heads in shame. 3/19/2019 8:45 PM
- 15) It most definitely needs to be extended geographically to include significantly more of the Hearsall area, including Bristol Road (my road), Kingston Rd, Sovereign Rd, Centaur R, Broomfield Rd, Collingwood Rd, Ludlow Rd, Kesington Rd, Westwood Rd and the entirety of Melbourne Rd, not just some of it and possibly Coniston and Highland Rd too. Basically all other roads in Hearsall area. There are a good number of houses of multiple occupation throughout this area including one a couple of doors down from me. Virtually all the houses in a complete row of them surrounding mine have been turned into buy to let or are now let out. This is vastly different to how it was just ten years ago when I first purchased my house when the majority were then owner occupied like mine. Some of these have been converted to increase occupancy dramatically, meaning what were small two bedroom terraced houses are now five bed but within the same existing structural space. There are a few decent landlords but the majority just do not seem to care about their properties as long as they are raking in the money and tenants and neighbouring property owners are left to pick up the pieces, putting up with squalor and forking out both in terms of time and money. Far too many landlords are basically deplorable. I witness it all the time and am surrounded by their ineptitude and all too often, total lack of care and consideration. 3/19/2019 7:55 PM
- 16) Agree with the principle but landlords are not the problem with anti social behaviour in high rental areas I also don't think landlords should be paying more stealth taxes I pay tax on my earnings from rent this is just another tax so the council can pay for the 40 people they will employ to run housing enforcement shocking 3/19/2019 5:42 PM
- 17) It seems to be an additional cost for compliant landlords, stringer checks on landlords not fulfilling their duties would be better 3/19/2019 3:32 PM
- 18) We are not happy that Hugh road is not included on the map. We have seen an increase in rentals with currently 10 to 15 let boards being on the rd. We have found these properties bring a lot of rubbish fly tipping and issues with parking. Hugh rd has just seen 2 properties since Christmas changed from large family homes into HMOs. I request that our road and surrounding roads that also suffer be added onto the map. 3/19/2019 3:10 PM
- 19) I am confused as to why Hugh rd, Hollis, Bollingbrook and Humber rd are NOT included in the map. I live in Hugh rd and since buying our property 12 years ago we have seen so many family homes ripped apart from investors turning them

into rentals. Since Christmas alone 2 have been turned into hmo's. The street is full of rental properties and this brings a lot of litter, flytipping and a mess of the bins and zero parking. I would request that these streets are included on the map. Residents are not happy with the current situation. I believe you are using figures from the census from 2011 which is so out of touch with how the area currently is. 3/19/2019 2:41 PM

20) Totally disagree with this selective licensing scheme 3/19/2019 12:46 PM

21) These activities are being undertaken by our agents anyway. There is no necessity for the council to duplicate the process. Perhaps, it should be recognised that some agents will ensure that this happens (trusted agents) and exclude them. The process could then concentrate on landlords who do not use agents or use non-trusted agents. This should make the process more manageable and cheaper. It is better for landlords to be spending money improving their properties than purchasing licenses. 3/19/2019 12:45 PM

22) The licencing scheme should consider the difference between individuals renting out say 1 property versus those with a large portfolio. In cases with 1 property the landlord could be just starting up and in my opinion requires support and doesn't necessarily fall into "rogue landlord territory" 3/19/2019 12:09 PM

23) The basis of the scheme seems fair enough, however the pricing is done on a basis that makes it look like it is a revenue raising scheme, RATHER than a scheme to actually improve the standard of housing in the area. There are also inadequate resources for enforcement and indeed anti-social behaviour prevention, and thus a lot of this will be lip service rather than make a difference, which is what is needed. Bad landlords need to be removed from the PRS - Bad landlords need to pay for this privilege with fines and confiscation/charging orders as necessary. Good landlords should not be subsidising enforcement, bad landlords have assets and these assets should be confiscated if necessary. 3/19/2019 9:35 AM

24) Coventry city centre maybe, outskirts no will ruin people's homes and make tenants homeless. 3/19/2019 8:10 AM

25) Seems unfair that this is at the cost of the landlord. 3/19/2019 7:32 AM

26) There are better methods to highlight rogue landlords. No help is given with rogue tenants, which will ruin the landlords credibility. This destroys affordable housing in the selective areas. 3/19/2019 7:27 AM

27) I am against the proposed scheme as I believe it punishes compliant and good landlords. The good landlords will be the ones that end up applying for the licence and will end up paying the high fee. I believe that rogue landlords will not end up registering for the licence and this will need to be enforced at the expense

of good landlords. Due to this I believe that if you do bring in this scheme that the proposed fee and penalty should be higher for unlicensed and non-compliant landlords. If you increase the fee for non-compliant landlords it means you can decrease the fee for compliant landlords which I feel at £380 is too high. There should be discounts for compliant landlords with multiple properties - please consider doing this. I believe you should licence the landlord rather than the property so the landlord only has to obtain one licence. It should not be 1 licence per property. 3/18/2019 11:49 PM

28) I am against the proposed scheme as I believe it punishes compliant and good landlords. The good landlords will be the ones that end up applying for the licence and will end up paying the high fee. I believe that rogue landlords will not end up registering for the licence and this will need to be enforced at the expense of good landlords. Due to this I believe that if you do bring in this scheme that the proposed fee and penalty should be higher for unlicensed and non-compliant landlords. If you increase the fee for non-compliant landlords it means you can decrease the fee for compliant landlords which I feel at £380 is too high. There should be discounts for compliant landlords with multiple properties - please consider doing this. I believe you should licence the landlord rather than the property so the landlord only has to obtain one licence. It should not be 1 licence per property. 3/18/2019 11:08 PM

29) It is penalising good landlords. 3/18/2019 10:25 PM

30) Scrap the rip off scheme and concentrate on rogue landlords 3/18/2019 8:38 PM

31) It seems that 'good' landlords are being asked to pay for the policing of 'bad' landlords. It is difficult to answer some of the questions due to lack of detail of the proposal. All of the things that are being identified that the licence is going to cover (gas cert., electrical safety etc) are already, or soon to be legal requirements anyway so there seems to be duplication. Why should housing associations such as Whitefrairs be exempt? Some of the quality of their housing is terrible. It sounds very complicated and almost impossible to police and will add pressure to council's resources. Rouge landlords won't bother so you will be targeting those that register, which will be the reputable landlords so just sounds like a stealth tax Any increases in costs forced upon landlords will just be passed directly to tenants in the form of rent increases, so again, those that have the least will be asked to pay up. Plus it will put even more upward pressure to increase LHA levels to cope with the increase in rents. 3/18/2019 7:17 PM

32) This is punishing all landlords for the sake of a few bad ones. I object vehemently to be forced to pay for a full time team of 40 Staff who's sole purpose in life adds no value to me as a landlord. Demanding EPC D is over and above our legal obligations also. The area covered by this scheme is massive, it should be targetted at a few specific problem streets within problem Wards. The costs to landlords of implementing all of the requirements of this scheme is unacceptable

in my opinion. I also disagree with the way the deadline for responses has been promoted. Reminders should have been issued with direct links to this survey. It's almost as if being given the opportunity to attend the presentation meetings was being deliberately promoted as being the official method of feedback. 3/18/2019 6:31 PM

33) The aim of improving the quality of private rented accommodation (PRA) is a good one and I support this. I echo all the points that the Residential Landlords Association has made in its response to this Consultation. The Council has plenty of powers already it can use to enforce standards. Legislation is constantly imposing further regulation on landlords and giving tenants greater powers. For example, the Fitness for Human Habitation Act comes into force on the date that this consultation closes. It is not clear to me what the Council wants to do that is not already provided for in legislation, or likely to be forthcoming shortly. I do not support the approach of selectively licensing specific areas. This is because it does nothing to improve the quality of PRA outside of those selected areas. This approach may lead, over time, to an increase in poor quality properties in non-selected areas. A consistent approach over the whole city that treats all landlords and tenants fairly, is better. The justification for linking PRA to other goals of reducing ASB, crime and deprivation is tenuous. What evidence is there that it is landlords or tenants from PRA that are causing this. For example, many of the selective areas identified also have high incidence of social housing. It is not the role of a landlord to reduce these impacts and it is not appropriate that a licensing regime, with its attendant sanctions, could be imposed on landlords for tenant behaviour that they cannot control. We have recently seen the Government's unnatural imposition of the 'right to rent' check defeated in the courts. Further, the identification of areas that are to be covered by selective licensing and those that are not seems to be rather arbitrary. Taking Foleshill as an example, some streets with a high proportion of PRA are excluded. The costs for a new licensable property are significant, especially for a one year license, and it is not realistic for landlords to absorb this. This will negatively impact the affordability of rental housing stock. It may also lead to some landlords selling up, which will reduce the available rental stock and put greater pressure on rental prices. It is also a deterrent to bringing unused stock and new rental housing stock into use. The Council should acknowledge that it is likely that licensing will push up rental costs in the City. How would the Council measure success of the scheme. I understand from the drop in session that the Council intends to create a team of 40 to administer the scheme. This is a large cost base and the Council should consider how it will justify this cost which will probably be borne by tenants. It will also be administratively burdensome for the Council and for landlords. Can the Council point to other cities where schemes have been implemented and show how these have improved standards. While I recognise that it is outside the scope of this consultation I feel it is important like to understand what the Council is doing to address issues with social rented sector properties. Also, for leasehold properties, what is the Council doing about regulation and enforcement action against freeholders that are responsible for common areas. In my experience

poor freeholder property management is often a cause of ASB, crime and flytipping. I do support education initiatives. To this end, the Coventry Landlord Accreditation Scheme (CLAS) could be a force for good, and give tenants confidence that they are dealing with quality landlords and property managers.
3/17/2019 10:10 PM

34) Strong object. 3/17/2019 8:45 PM

35) I own and rent out just two modest properties. One is rent controlled and occupied by elderly and very long-standing tenants who do not wish the upheaval of modifications to the property. I hope such factors will be taken into account in determining compliance. 3/16/2019 10:54 PM

36) Anything that would make private landlords accountable for the behaviour of their tenants is to be welcomed. We have suffered the blight of litter and noise nuisance for long enough. 3/16/2019 8:21 PM

37) That the council make sure any reports of antisocial behaviour are acted on immediately and not left to simmer for years 3/16/2019 11:24 AM

38) Not necessary and is a money making, vote catcher for the council 3/14/2019 12:13 PM

39) I don't understand when one part of Repton Drive is under the pink zone, but another part of the SAME road is not! How could anti-social behaviour and other aspects of Selective Licencing Government criteria be split part of the same road?! Also, Burnaby Road is not easy to rent out due to it being a very busy road. How is increasing the cost of rental (whereby the rent would increase as the cost of the licence would be passed onto the tenants) be beneficial for all concerned? How come Owner / occupier properties are not under the same criteria of waste management and infestations as landlords. We, as landlords are sitting ducks and this is "free" money for the council"! Landlords cannot be held responsible for the behaviour of tenants and how they live (in a messy or neat way). It is the tenants' human right (up to a point) to live as they like. You are making landlords become "police" and "headteachers"-like for tenants. Tenancy holders are adults and not children to be managed by landlords. 3/14/2019 11:51 AM

40) The current scheme has a deeply flawed methodology, would not work with, but penalise some good landlords, would be unfair in its application and would not achieve its objectives. 3/14/2019 10:30 AM

41) the council takes enough of the local population's money, they should send officers out to each individual private rented property and inspect it then decide whether the landlord is taking advantage of tenants or not and they should be not be allowed to have a licence until it is rectified. Up to spec rented properties

should automatically receive a license as a stamp of approval but not at the stupid prices you have proposed. Most are not criminals why don't you spend more time fighting real crime like the problem with knives and violence at the moment instead of finding ways to make easy money. It's ludicrous and obviously, I know the majority of people will feel this way. Protect your local communities and don't punish those who are trying the help with the housing crisis you have created. 3/12/2019 6:01 PM

42) I have a couple of issues. The evidence for meeting the criteria for selective criteria seems to be largely based on 2011 Census returns. Much has changed in some areas over eight years. I am surprised that very little of Lower Stoke has been designated whereas Stoke Park in Upper Stoke has. This seems so absurdly wrong (as any visit to either of these areas will immediately demonstrate) as to be almost ludicrous. If evidence for anti social behaviour is gathered by counting complaints from residents then it should not really need pointing out that articulate, first language English speaking, well educated permanent resident members of the community are far more likely to go through the processes of complaining to the council than temporary residents in rented accommodation or those whose first language is not English. Apart from that, this is a splendid move and one that should have been made years ago. The Council has had powers to do this (and other things) since 2004 - shortly before complaints starting being made about the disintegration of communities and the slumification of neighbourhoods. I was one making those kinds of complaints.. What kept you? Still, better late than never and if this move is a direct result of Mr Chowns' appointment, then what a good appointment it obviously was. Get to it as soon as possible. 3/12/2019 4:03 PM

43) It is essential that it is enforced. Badly run rented properties make life a misery for other residents and it is really difficult to get any response from tenants landlords or agents or the universities the universities need to be forced to take more responsibility for the behaviour of their students 3/12/2019 9:41 AM

44) It shouldn't be selective. All rented properties should be licensed 3/12/2019 7:51 AM

45) Badly managed rental properties pose an increasingly serious threat to the welfare of local communities. The scheme is an excellent and long-overdue move. BUT will there be enough resources devoted to enforcing it? 3/11/2019 4:48 PM

46) I am a landlord and a resident of Coventry. Not just a landlord. I am responding as someone who manages a tenancy and who lives next door to a rented student house in multiple occupation. I think the scheme is very good in principle. But the boundaries of the scheme should be extended. I believe that the whole of the city should be included. This will ensure fairness, hopefully raise standards, and avoid stigmatising certain areas. 3/11/2019 10:50 AM

47) It does not cover Lower Stoke 3/10/2019 5:04 PM

48) Make sure it is viable and works!!! 3/10/2019 11:18 AM

49) I am disappointed that it does not apply city-wide. Just because an area is deemed to be of a better standard it doesn't mean that individual rented houses are in a good condition or that the residents are not causing a nuisance. 3/9/2019 11:57 AM

50) This, like many council schemes is badly worked out making the responsible person pay for the irresponsible, it is only likely to push rental prices up, the council must be mad if they imagine that landlords can afford to hand out the sort of money that is being asked for for these licences, let alone the extra costs that will surely be incurred to ensure the licence is granted. How will landlords be judged? I'm sure that many good landlords There must be many responsible landlords like myself who rely weekly on the income from their ONE rented property, I am on benefits & can not afford to pay out £400 or more in one lump sum, it is disgraceful to charge in this way. What will the council be doing with the expected lump sudden lump sum, just putting in the bank to pay the wages of another 22 employees for 5 years!! In all the documents I have read from the council on this matter there is no consideration shown for landlords, no suggestion that the money being proposed could be difficult for many landlords to find. This is a political decision driven by Labour's view of landlords as greedy, mean, rich, villains, taking advantage of the poor, & the disadvantaged in society. The council officials live in another world with their high salaries, benefits, & comfy chairs! Maybe they consider £400 or more to be 'pocket money' but for many people it is a lot of money. If the council consider that a licence would work out to be only £6 a month then there should be that option, to pay £6 a month. There should be some provision for lower payments for poorer landlords, like council tax. Where should I get £400 from, just take it out of my child tax credits?? This is the same as 'congestion charging' where richer landlords & large companies can have a chance of paying these outrageously high fees, but the many who rely on rent from just one property will struggle to pay. The unfairness of the scheme is highlighted by the fact that responsible poor landlords like me who are providing good accommodation in certain areas are expected to pay hundreds of pounds but bad, rich landlords with properties in other areas of Coventry won't need to pay anything!! Clearly the council has other options to address the various problems outlined in the Feasibility Report, but it is clear that the council sees the selective licencing as the cheaper option, shifting responsibility for fairly vague problems to landlords, whilst abdicating its own responsibility to the public. The report acknowledges that Selective licencing in itself will not 'cut burglary rates' or 'stop criminal damage', neither can landlords stop people fly tipping!! The council, & the police clearly already have the regulatory facilities to address the social issues that are highlighted in the report, this is not the job of landlords, & it's hard to see how licencing landlords will

address the problem of 'fly tipping' . Overall this is a disgraceful random attack on many people for no good reason, & reminds me of the phrase "taking a sledgehammer to crack a nut" My property is in fact in Manor farm , which has recently undergone extensive improvements to the properties both private & housing association owned, & also thousands of pounds spent on the roads, & public areas, so why would it be included in this selective licence ? 3/7/2019 5:53 PM

- 51)I welcome the Scheme and hope it will have the desired effects on the housing stock in the city. 3/7/2019 1:39 PM
- 52)I think its just another way of victimising landlords who in the main are providing housing to many individuals and families in coventry. The council do not have enough housing stock of there own and would be in dire straights without these landlords. If there are rogue landlord reports to the council they should deal with them on an individual basis. If the council did not waste monies in other areas such as problematic godiva festival and else where in the city they would have the resources for staff to help track down and prosecute rogue landlords out there. Maybe a small campaign to highlight to tenants in Coventry to contact the council if they feel the landlord is being rogue in any way, but at the same time don't come down on landlords for petty issues. Don't forget that without the private landlords in Coventry (In the main "NOT ROGUE") the council would be in a much worse housing situation than at the moment. 3/7/2019 11:20 AM
- 53)Will email Adrian Chowns 3/7/2019 9:41 AM
- 54)There should be a controlling body that tenants can go to for a quick resolution if the land lord fails in their duties. This department should ensure that the land lord cannot bully or intimidate the tenant for reporting them. 3/6/2019 8:31 PM
- 55)what about people already in accommodation, will they get a visit to see if their property is safe. 3/6/2019 7:55 PM
- 56)Anti social noise 24/7 is a big issue for home owners especially from student lets in residential areas-emphasis on restrictions and penalties to such should be maximised as a priority 3/6/2019 7:34 PM
- 57)I believe that Bolingbroke, Hugh and Hollis and parts of the Ball Hill area should definitely be included based on more recent statistics which would more than adequately fulfil the criteria. There have been a major increase the lettings in these areas since 2011, not to mention Bolingbroke voted as worst street for fly tipping in Coventry and currently 12 student let signs visible. 3/6/2019 11:17 AM
- 58)I have to look at an upturned telephone kiosk in the rented accommodation across the road. They breed dogs which bark day and night. Have already been taken to court. Stoke park residence complain continually. It's a disgrace.

Landlord has been approached to no avail. Skips overflowing..smell horrendous.
3/6/2019 8:54 AM

- 59) It is suggested the council will help out with difficult tenants, but there is nothing in your documents to support this. e.g. tenants who fail to properly heat homes and cause defects by this. 3/6/2019 12:32 AM
- 60) There are problem rental properties outside the areas on map.. Why don't the proposals apply to the whole city? 3/5/2019 9:17 PM
- 61) Provide access to selective scheme for tenants 3/5/2019 7:40 PM
- 62) This is an excellent idea, but should only be a start. I used to live on Humber Avenue but had to sell and move area due to the almost constant antisocial behaviour and unneighbourly conduct from the occupants of HMOs on the street. Rubbish left out on the street, loud parties until 5am, students speeding in cars, crime, police not interested. The landlords do not care and the proposed fees / fines will make no difference to them. I sold my small 2 bed house and I understand it has now become another HMO, after building a huge rear extension it is now a 6 bed HMO. Cov council refused planning twice but the landlord has built it anyway and it is now fully occupied. The landlord receives c£36,000 pa income from this letting so a charge or fine equal to 1 or 2% of annual turnover makes no difference. 3/5/2019 7:08 PM
- 63) I would like to see the Scheme extended to worse hit areas, all of st michael's ward, lower stoke and upper stoke. Without implementing this properly the council are missing some of the most effected residents! 3/5/2019 6:04 PM
- 64) We live with student noise a lot, gladly not this year, but Landlords usually just ignore our complaints, as do the Council too. It can be hell on earth sometimes and no one cares. 3/5/2019 5:52 PM
- 65) There is no doubt that a minority of landlords in Coventry have not been looking after their properties, or giving tenants a fair deal. The licensing system, properly enforced, will go a long way to improving the city's rental housing stock. It's long overdue. 3/5/2019 5:35 PM
- 66) I am a private landlord in Coventry. I have always kept my property in an excellent condition and provided an excellent service to my tenants. I deal with all issues promptly. The tenants are fully checked and I always respond to their calls within a few hours. I feel as though I am being unfairly penalised because my property is within the boundary of your scheme, and other landlords are more unscrupulous. I don't think it's proportional to my own experience as a landlord. The Council has other sanctions within its power for all the issues you are referring to such as anti social behaviour, noise, HHSRS and these should be used first rather than charging responsible landlords. There is little evidence to

show that this type of intervention improves housing conditions and long term behavior of landlords and as such should not be introduced. I am not happy and if this charge is introduced I will pass it directly to my tenants. I suspect other landlords will do the same. The unintended consequence of this is that vulnerable residents will have their rent increased, and may not be able to afford their homes. Even £10 per week increase can put families into poverty which most landlords won't care about, and may lead to homelessness. I feel you have not considered these issues, and do not understand landlords. Please consider using your existing enforcement powers first. 3/5/2019 4:12 PM

67) Do you have plans, as regards the number of unoccupied properties in the proposed areas for the Selective Scheme 3/5/2019 2:40 PM

68) Landlords should be responsible and accountable for everything concerning their properties and their tenants including security, safety, hygiene, maintenance, appearance, cleanliness etc 3/5/2019 1:43 PM

69) The sooner it is actioned the better 3/5/2019 1:34 PM

70) Very pleased to see licensing introduced, hope it's extended to other parts of the city after a trial period. Landlords are having difficulty letting property, one says it's no longer worth letting a 3-bed house, over 5,000 purpose-built student rooms are being built around the city centre, so I hope to see many privately-let houses being sold back to private family owners. 3/5/2019 1:03 PM

71) No 3/5/2019 1:02 PM

72) Quicker it's applied the better, 3/5/2019 12:38 PM

73) N/A 3/5/2019 12:00 PM

74) The area and roads around and including Bolingbroke Road in Stoke are always subject to fly tipping and lots of student lets which are very messy and not looked after. With overcrowded properties and constant local press for its general state. Most caused by poor landlords/landlord control. Can discussion please be opened as why this area is not covered. It is one of the worst areas in the city for poor management of rental properties. Thank you. 3/5/2019 11:52 AM

75) It shouldn't be selective - it should be every single HMO. They are turning areas into complete and utter dumps. They should all be licenced AND a bond of £10k placed with the council - if they do not upkeep the property or the surroundings, money should be taken from this bond to rectify the issue. If the bond money is used, compulsory purchase the property. HMOs have turned many areas of Coventry into stinking dumps with absent landlords. 3/5/2019 11:04 AM

- 76) Disposal of cigarette butts is a huge problem as HMOs tend to have smokers who smoke outside and drop their butts on the pavement outside, causing a build up over time. 3/5/2019 10:59 AM
- 77) Being a Landlord is not something to take lightly, it impacts on peoples lives and if you wish to make your living from being a landlord you must be aware of this. As with any other line of business it should be about balance not just profit, if rents are set high then the standards should match them for everybody not just those in work but also those on benefits and assistance. 3/5/2019 10:10 AM
- 78) Yes. I live at the start of Melbourne Rd. Though the rest of the road is in the Licensing area it stops before it reaches my end. I've asked why but haven't been given a satisfactory answer. The licensing would help with the occasional poor landlords or clients. I would like a real reason as this can be a stressful experience for neighbours when inconsiderate tenants or neglectful landlords cause problems. Why licence half the street ? 3/4/2019 12:04 PM
- 79) I am a tenant of a property in Coventry and the property I live in is not in the selective area. Why should I not have the same standard as other tenants. You should either licence all or none. The landlords will pass the cost on to tenants. Why is it so expensive 3/3/2019 6:27 PM
- 80) Good landlords already comply with what standards are expected within the Selective Licensing Scheme. Bad landlords will continue to flout the rules. The scheme introduces another layer of bureaucracy for decent small landlords and will no doubt also increase rents to tenants to cover the additional costs involved. Surely it would be better to have some sort of scheme whereby landlords could pay a set amount each year per property (say £100) and this money could be used to fund and enforce the rules that are already in place such as gas safety certificates, electrical certificates, etc. Action could then be concentrated on the problem areas of the city. We have been a small private conscientious landlord in Coventry for 10 years and this is just another layer of admin for us that now leads us to conclusion that we would prefer to get out of the rental sector. If this feeling is replicated it will potentially reduce the number of good landlords in the city and the number of good quality rental properties and do nothing to reduce the problems associated with rogue landlords who will continue to operate. 2/27/2019 12:18 PM
- 81) If these two schemes are introduced I will have to increase rent at my property or sell it. I will not be able to afford to keep the rent at the property the same if I have major expenses to pay for. I think the council should recognise that tenants will either have to pay more to rent, or will be evicted from their homes. If this is what the council wants, then fine; if not, the council should abandon these schemes immediately. 2/26/2019 5:37 PM

- 82) Immediate neighbours should be supplied with the landlords name or at least a contact person in the council with that information should be publicised 2/26/2019 4:43 PM
- 83) The questionnaire seems to be bias to block answers e.g. Copies of licences etc only has comment for all licences and not individual ones. Also does not have any comments about tenant responsibilities e.g. The tenant should also be responsible for vermin control 2/23/2019 7:52 PM
- 84) Already experiencing issues with neighbours in rented property 2/23/2019 4:29 PM
- 85) I live in an area with many privately rented properties and many are well looked after but there are some where the property is not maintained by the owner and the tenants do not behave well. Rubbish in gardens is a common issue and noise is another. A way for the Council to monitor landlords is very welcome. 2/23/2019 9:24 AM
- 86) Would the list of landlords who have a licence plus any related issues (ie if they are compliant or not with the requirements of the licence) be available to the public.? I live in stoke and am having my life blighted by a neighbour who a) was growing drugs at the property and b) has now rented the property out to tenants who inflict anti- social behaviour on the neighbours and run a huge dog breeding business from the back garden - I welcome these proposals and the sooner they are introduced the better 2/20/2019 7:51 AM
- 87) Yes! When does it come into play as our attached neighboured house is let out and isnt safe. Fire alarm battery has been beeing for over a year, boiler hasnt been checked since we moved in three years ago ect. 2/19/2019 8:26 AM
- 88) I think it needs to cover more of the student lets in Earlsdon. This proposal barely affect Earlsdon but there are large properties in sat Earlsdon Avenue North or Kensington that could do with falling under the proposed licencing scheme 2/18/2019 9:41 PM
- 89) This is an awful proposal. This is being done knowing full well that landlords will increase rents to cover the costs involved and will make even more people homeless. 2/18/2019 3:06 PM
- 90) This scheme and the additional HMO scheme are an absolute disgrace and will devastate renting in the city. I am a tenant living in a 3 bedroom house with 2 other tenants. The property currently does not require a HMO licence. The landlord has already told the tenants that if he has to pay for both these schemes, he will transfer the cost to the tenants or sell the property. Therefore, I will have to pay for these schemes or I will lose my home. Thank you very much Coventry Council, you are an absolute disgrace! 2/17/2019 2:42 AM

- 91) In order for a landlord to comply with the licensing terms, the landlord may now be open to accusations of harassment, for example how can a landlord ensure the outside areas are clean and tidy or deal with antisocial behaviour. When he/she does not reside in Coventry. This is a money grabbing scheme as you are now charging landlords for services they already provide. Granted there are a few bad eggs, why lump everyone together now. Also there is no provision to protect landlords from non-paying tenants. 2/16/2019 2:13 PM
- 92) Good landlords who work through Estate Agents will now be paying twice to be regulated. Rents will increase to pay these extra fees. Landlords cannot be held liable for the anti-social behaviour of their tenants - that is a job for the police. 2/16/2019 12:14 AM
- 93) Many areas have far, far too many student lets. It changes the whole area in a detrimental way. Especially if the landlords do not take care of the properties to maintain them and the gardens and surrounding areas. Many students choose not to live on campus in halls of residence as they are more expensive and restrictive. 2/14/2019 9:23 PM
- 94) Future plans to roll out to the whole city would be good 2/14/2019 5:35 PM
- 95) I disagree with the Selective Licensing Scheme in the way it is designed: I'd rather suggest that non-compliant landlords should not be allowed to hold a license at all. To increase the license fees wouldn't change the behaviour of such "bad" landlords at all. Rather, this could lead to the landlords passing the higher fees on to the tenants which would actually mean that tenants would still suffer from bad behaviour of their landlords, plus paying a higher rent. Also, I don't think it should be the obligation of a landlord to police the behaviour of her/his tenants. To me this is highly problematic, also, as there is no definition provided as to what "unsocial behaviour" exactly means. In any case, dealing with these kind of things should be a private matter of neighbours or, in the worst case, it should be up to the police to deal with. 2/14/2019 5:02 PM
- 96) The plan only covers areas where there is currently a problem it does not look to protect adjoining areas from the impact of the new restrictions. It would appear to be shutting the stable door after the horse has bolted. We should do the right thing and apply the regulation across the whole city 2/14/2019 3:29 PM
- 97) The RLA opposes the majority of licensing schemes throughout the country. The RLA argue that local authorities already have enough powers to enforce standards in the private rented sector. Licensing does not empower them further and often misses out on capturing the very people it looks to sanction. Selective Licensing cannot be used to raise the standards of privately rented properties by funding enforcement or training and engagement courses as it is not permissible for a council to make a profit on costs of licences. A council can only charge the actual administrative cost of processing licence applications which means that

the majority of the time will be spent on bureaucratic procedures rather than monitoring and enforcement. In addition, the RLA stance is that Selective Licensing is ineffective at reducing incidents of anti-social behaviour. Landlords are not responsible for the behaviour of tenants and attempting to impose a licensing scheme on them to resolve anti-social behaviour will not work; a stance that the House of Commons echo. A Selective Licensing designation may denote one or more of the following issues in an area: · low housing demand (or is likely to become such an area) · a significant and persistent problem caused by anti-social behaviour · poor property conditions · high levels of migration · high level of deprivation · high levels of crime Funds and resources should be directed at identifying and managing landlords are who not abiding by legislation and at the regeneration or improvement of the relevant areas. The identified problems could well mean it would be harder to obtain a mortgage to buy a property in these areas and therefore good rental properties are important in these areas. Expecting lawful landlords to pay for expensive licences will alienate lawful landlords as it burdens them with additional costs. Good landlords will apply for licences and may need to pass the cost on to tenants in the form of increased rents, doing nothing to address affordability, while the worst landlords who are operating criminally will continue to operate without a licence, below the radar. As an alternative to Selective Licencing, the Council should fully use the enforcement powers already granted to them by the Housing and Planning Act 2016, ranging from civil penalties, rent repayment orders and banning orders, rather than rely on Licensing Schemes to regulate landlords in addition to these powers. 2/14/2019 1:32 PM

98) Landlords are required to do these things already. This is a bit onesided what about rogue tenants? I know of a case where they only paid 1 months rent but it took 6 months before they were evicted by bailiffs. It took a skip to clear out the house. Cleaning estimated at over £300. Considerable damage to the property broken doors windows and toilet. All blinds will need replacing. & months worth of household refuse in a shed. Cost of making the house habitable will be thousands. No chance of recovering unpaid rent. They also didnt pay council tax, gas electric or water. 2/14/2019 12:49 PM

99) Selective Licensing has not proved to be successful in removing bad landlords from the market, but penalising good landlords for following their legal obligations. Parts of Selective Licensing put tenant obligations to the landlord. Selective Licensing is very expensive for landlords and is another reason for good landlords supplying good quality properties to exit the market which in turn reduces much needed affordable housing. Licensing Landlords is a great in concept, but does not do what its supposed to do. 2/14/2019 12:15 PM

100) I think there is potential for this to extend to other areas outside of the proposed boundaries. i.e parts of Upper Stoke & upper Wyken. 2/14/2019 10:19 AM

- 101) The evidence base for choosing the areas selected is relatively old. The evidence base should be reviewed as soon as more up-to-date evidence is available. 2/11/2019 10:20 AM
- 102) The scheme is not necessary as the Council already has powers to deal with rogue landlords. 2/8/2019 11:15 PM
- 103) I am disappointed and annoyed that I have not received any information regarding this latest proposal from the council, despite completing previous questionnaires, making applications for HMO's, attending meetings and registering details. The council have managed to contact me previously in connection with being a landlord. It is only because I am a member of the NLA that I came across the information. How on earth are the majority of landlords expected to be reached and have their say? It looks very unprofessional and badly thought through. I have serious doubts that there will be enough qualified and experienced staff to competently implement the licensing within a satisfactory timescale and address those that need to be made compliant, ie, the rogue/unresponsible landlords. I fear the brunt of the costs will fall to the already compliant and responsible landlords. There should be no upper cost limit for non compliant landlords trying to evade the license or breaching requirements. 2/8/2019 3:54 PM
- 104) If the scheme is to be brought in it needs to cover the whole of the city, not just small areas. If these are standards you think should be implemented they should be implemented across the whole city as a basic standard. 2/8/2019 3:42 PM
- 105) Please include proposals that protect the landlord from tenants who don't pay their rents and make eviction easier when tenants breach their AST contract. Not quite sure how Landlords are to prevent tenants from antisocial behaviour. 2/7/2019 7:26 PM
- 106) The licence fee is too high and is simply going to lead to higher rent for tenants. Rented property is already highly regulated by central government and rogue landlords will continue on an unlicensed basis. The proposed boundary makes no sense. 2/6/2019 8:30 AM
- 107) I believe this fee would be a further burden on private landlords who are not all wealthy and could drive many to sell properties or not rent at all anymore. Those of us who are maintaining good properties seem to be penalised with those landlords who do not. 2/5/2019 6:38 PM
- 108) I look forward to seeing the results of Selective Licensing in Coventry. How will you ensure it is managed and enforced robustly as possible,? Will tenancy agreements and the conditions of Selective Licensing for the Landlords be made available in different languages due to the diversity of this city?. Any agreements

for tenants should be in hard copy as many people still do not have access to computers. Also it maybe worth considering supporting landlords to provide some of the basic tenancy information/tenancy conditions in a pictorial format and in very simple plain English as there are many people who cannot read and write or understand English. The simpler the information the better as there is more chance they will adhere to the agreement, It might be worth considering providing this to the landlords too for the same reason, I am very supportive of the scheme as landlords do need to take responsibility for their properties and be made to provide a good standard of accommodation for their tenants. Will you be considering any othr areas of the city? As some of the areas located on the edge of t he pink circle may not be maintained as well. Some landlords may take advantage of this and gradually creep into these areas. I am supportive,

- 109) 2/5/2019 1:44 PM A lot of the proposed measures are already in place, especially if the property is lent through agency. 2/4/2019 5:37 PM
- 110) No 2/2/2019 1:39 PM
- 111) Think about this - landlords can't control the behaviour of other human beings (tenants) like make sure there is no rubbish in the floor - which may be the cause of other problems. People living in HMO's do not need to see the rents go up further . Why don't the council come down on unlicensed properties not complying rather than taxing the landlords who do comply - easy money right ? 2/1/2019 11:49 AM
- 112) A very good idea. It will help improve standards and protect tenants from poor accommodation. 1/31/2019 4:32 PM
- 113) I am concerned that the proposed map does not include ALL of Cannon Hill Rd. nor Cannon Park Road. Cannon Hill Rd. has many HiMO's that are not looked after very well. 1/30/2019 4:50 PM
- 114) The area on Charter avenue does not cover the whole street fairly. This will lead to landlords either selling or buying houses that fall outside of the proposed zones and have a negative effect on private residents. 1/28/2019 1:52 PM
- 115) The license requires the landlord to do exactly what is already required by law! I think you should spend time / resources enforcing the existing legislation rather than re-creating duplicate regulations! Decent landlords will comply, the rogue ones wont register and will continue to flaunt the rules 1/28/2019 9:34 AM
- 116) Another way to penalise good landlords. How about transferring the full financial burden to the rogue landlords? Expecting landlords to be responsible for their tenants' behaviour is utterly unfair. We are not their parents. A good landlord might be unfortunate enough to get antisocial tenants. It is impossible for

landlords to control a tenant's behaviour and micromanage them. 1/26/2019 9:19 AM

- 117) I think the real purpose of the license is to raise revenue for Coventry City Council. It's not about tenant welfare. Most landlords are already providing the best they can for their tenants. My tenants live better than me! I strongly object to having to pay for a license. It just increases the cost of being a landlord and in the end it's the tenant that suffers because someone has to absorb all or part of the cost. All we end up with is housing conditions that we already have! 1/25/2019 3:47 PM
- 118) the fees you propose are far too high 1/25/2019 1:18 PM
- 119) The vast majority of landlords are already compliant. There are other, more effective ways to target rogue landlords than a blanket licencing scheme. A selective licencing scheme of such a scale will probably cause a lot of financial burden for portfolio landlords who will inevitably pass on some of the cost to tenants. Random checks on properties and intelligence based targeting if rogue landlords specifically is likely to yield better results. 1/25/2019 1:15 PM
- 120) Disappointed that my property falls in the area however houses behind my road of Farndale Avenue , dont, however its those houses too with tenants and lots more anti social behaviour and multi occupancy by Romanian families. I am planning to rent my house out as due to be working abroad. Landlords on my roads particularly no. 26 has scant regard for his property and the tenants live in terrible conditions. My property has had some major changes to ensure it is ready for a tenant ready for renting and now I feel penalised for now having to pay for extra fees. I hope that the scrupulous landlords on Farndale Avenue are challenged and I think you should extend the area to include all of the dales as you will only shift the tenants down the road and create more anti social behaviour. 1/24/2019 8:04 PM
- 121) I think the new licensing scheme is good and needed in many situations. However I feel that this may impose more responsibility on the Land Lord, and could be used by a tenant to avoid maintaining a clean property themselves. Also any disruption should be reported to the Council to enforce and not be the overall responsibility of the Land Lord. There responsibility will be in terms of responding to any breaches found. 1/24/2019 10:05 AM
- 122) I think it is wrong to select certain areas which potentially penalise good landlords. The fees are excessive and I would have to pass these on to the tenants. It would be better to ensure that all tenants are aware of the council environmental health service. I can not see that this will result in an improvement in standards. Licences should only be required when an issue has been raised by a tenant and the property is found to be in disrepair. A license should then be

required to allow the property to continue to be let privately. You should penalise the rogue landlords not all landlords. This isn't fair 1/23/2019 10:08 PM

123) Dear Sir / Madam 1. The selective map areas need to be further defined as they currently split certain rental hotspots. Also, HMO properties formerly managed by the Universities and now coming into private ownership by local landlords should be exempt from having to re-apply for planning permission. 2. Landlords / license holders with multiple properties / portfolios (e.g. 0-10, 11-50, 51-100, 101+) should be given discounted rates on all licenses. 3. Finally, tenants should also be made responsible for the upkeep of the property, as landlords / managing agents mostly live elsewhere and can be difficult to continuously monitor the property. A similar approach should be taken for tenants. Best of luck with the programme. 1/23/2019 1:31 PM

124) I dont think the Licensing scheme will make any difference to the standard of tenancies. This is an additional cost that will lead to a rent increase. The way to improve standards of tenancies is to ensure that private tenants are aware of the procedures that they can take with Council Health and Enforcement team to raise standards. Letting Agents should also be more proactive in this process 1/22/2019 4:51 PM

125) I don't think CCC are going down the right route, this will only lead to greater Homelessness, as Landlords are forced to remove Tenants for any reason in order to protect their license. The Landlord has little control 'How a Tenant lives and looks after the property' unless they actually move in with them or sit outside watching them all the time. Based on this scheme, rents will be forced up to pay for yet more needless bureaucracy, that wont actually improve the PRS as the majority of Landlords provide good accommodation. While Councils only decide to attack the landlords, and not deal with Poor tenants, you will not improve the PRS, but in this case, you will have more and more bad tenants forced towards the council as landlords sell up and accommodation disappears. I think the council should think very carefully about the 'Cause & Effect' of their actions and the bigger cost of homeless bills they will face as a result of this. I for one think its time to sell out of Coventry now, Landlords are facing such a big increase in Bureaucracy, costs, and taxation through Section 24, the PRS is becoming untenable as an investment. I had considered looking at further housing in the future to support Jaguar Land Rover, but now that investment is dead as a result of this licensing decision. 1/22/2019 2:16 PM

126) As a landlord in the centre of Coventry renting to students, i have witnessed both compliant and non compliant landlords. And i welcome that all landlords should be all abide by the standards proposed. However it will still not be a level playing field. The reason being is that the past few years, we have experienced problem tenants from 2 houses in particular, anti social behaviour, rubbish in gardens causing a rat infestation etc. These two properties are owned by housing associations. What are you doing to enforce that? 1/22/2019 11:05 AM

- 127) Assuming the landlord can control the exterior condition and anti social behaviour is ludicrous. How tenants use bins, drop litter, slam doors, cannot be controlled by landlords. We're not police. Condition of provided furniture... How?! You can't prove secondhand furniture is, for example, fire safe. And you don't provide new furniture with every tenancy. The electrical certificate... This is just another expense. Unless there's a history of fires in properties due to landlord neglect of electrical appliances, it's excessive. This doesn't go far enough to protect and respect landlords who much look after tenants, as their tenants would insist. But you do need to penalise dangerous and unscrupulous, illegal landlord practices. Please don't alienate the careful ones among us. 1/21/2019 10:53 PM
- 128) this pure racism as the areas covered are where there are the most foreign people and immigrants. 1/20/2019 3:29 PM
- 129) Some of the questions are mixed and therefore cannot be agreed with i.e. gas and electrical certificates - the former is a requirement but the latter is not 1/20/2019 3:14 PM
- 130) This proposal would be well received by residents living in areas where we have a (disproportionate) number of HMIOs. In particular withy regard to the maintenance of the property and the correct disposal of household refuse where, if the tenants are students, no Council Tax is paid and the costs are carried by residents not in rented accommodation. 1/20/2019 10:40 AM
- 131) The Councils ability to inspect and enforce any failure to comply with the agreed standards. 1/17/2019 11:02 PM
- 132) Restrictions in the number of licenses issued in any given area should be limited to reduce studentification of any residential area 1/17/2019 8:25 PM
- 133) Having to have true copies of the EPC etc rather than a photocopy seems a bit arduous. The licence is too expensive - equivalent often to a whole month's rent. This will push up costs for tenants. 1/17/2019 12:47 PM
- 134) The fees collected should also be used to enforce the conditions of the licence e.g maintenance should be carried out. Land loads should be provided with clear guidelines as to what constitutes a good state of repair. Tenants should feel protected and safe to report landlords Inspectors should have a good knowledge of where tenants can get additional support eg family hubs 1/17/2019 10:44 AM
- 135) another money making scheme by Coventry council. Area in Wavely road CV12pq selected is a modern housing estate. The run down area of Victorian houses in the same road not in highlighted area Why!!!!!!!!!!!!!! Oh perhaps we can get more money out of this bit. 1/17/2019 8:12 AM

136) Where to start everything you have listed in this "licence" is what is required by law and therefore should not need further applications to a council which have nothing to do with the landlord the fee is a ridiculous amount and should be no more than £100 it should cover ALL areas if this is going ahead because its discrimination for one council to make some areas pay and others not 1/16/2019 12:59 PM

137) Overall the scheme suggested would improve the standards of some of the properties within the area and the rough ideas are sufficient. I work within the residential letting of properties and general deal with standard lets on ASTs rather than HMOs. Our company has a high standard with our Landlords and Tenants to assure the property conditions but one of the main issues is finding suitable contractors who are responsible, reliable and understand the risks if they do not carry out the works to the agreed standard so perhaps there is a way that a further scheme could be set to ensure contractors are certified with the council too as well as their regulatory bodies? 1/16/2019 12:31 PM

138) you do not say how you will support landlords with antisocial and troublesome tenants, which is heavily promoted in the advertising of this survey. there is little about how you will get tenants to be good tenants. sometimes there is little a landlord can do legally or it takes a long time if tenants are a nuisance. i don't feel the landlord should pay for pest removal if it is caused by lack of hygiene of the tenants eg not putting rubbish out properly. there are also criteria you raise as possibilities of having a reduced fee eg if you are a professional member of a organisation, accreditation. I am considering becoming a landlord but would be a sole person with one property. I would not be joining any professional registration. they seems nothing about support for landlords with problem tenants. They can be just as much of a problem as bad landlords with poor properties. What will you do to enforce more poor tenant behaviour? I live next door to a rented house and they are no problem at all. It could be a different story altogether. There should be some sort of 'black list' or sharing of information on problem tenants to landlords to protect them and the property and neighbourhood before renting it out to anyone. anyone can falsify references. Also if you wanted to rent out to a member of your family or a friend, would you be expected to get references? I think this survey is heavily weighted towards bad landlords and not bad tenants as your information suggests you are also interested in views on. i agree that tighter controls are needed for bad landlords to improve housing. I think the fees (except £380) are quite a lot. you don't say what the stage 1 fee and stage 2 fee covers. 1/14/2019 10:03 PM

139) I totally agree with the Licensing Scheme but the fees seem excessive and will result in price increases to tenants which is not a good thing. 1/14/2019 4:32 PM

140) No 1/14/2019 1:20 PM

- 141) Fees is too high and the process is cumbersome 1/14/2019 12:16 PM
- 142) I already have one HMO which is licensed by you. I have paid for this by 1st October 2019 and haven't heard a thing since. Why should I now be in this scheme? Why should I pay you more for nothing? I am not a Police Officer, so why are you putting antisocial behaviour responsibilities on me? 1/14/2019 10:13 AM
- 143) Coventry needs more of its own social housing as an equal or near equivalent to the number of private landlords. This should be applied to residents of Coventry rather than yet more student accommodation. 1/13/2019 6:56 PM
- 144) Strongly against the selective licensing scheme. Rents will rise as result. Another Corrupt City Council initiative. This will add approx. £20 per room per month to most property rents. It will also lead to more rogue landlords as the requirements and costs of being a landlord increase. More landlords which will not declare being so. Short sightedness by this council as usual. This is a joke. 1/12/2019 7:29 AM
- 145) The council needs to be mindful that landlords often see a tenanted property as an investment. Tenants want to live in a decent home and be able to live in their home in safety and without harassment from their landlord. It is important that this scheme does not create hostility between landlords and their tenants. 1/11/2019 9:39 PM
- 146) how will CCC identify non compliant landlords and be able to penalise them? SLSs in other parts of the country have not generally improved areas, nor anti social behaviour. i CANNOT control my tenants behaviour in any way. i can include the legal consequences of any illegal behaviour they indulge in as part of my tenancy agreement, but i cannot affect their behaviour. I am not allowed inside a property without the tenant's permission. if they refuse permission many of your idealistic aims will be impossible to achieve. You do not know how many landlords there are in these areas, (bad landlords know how to hide) how have you arrived at these huge license fees which the 2004 Act stipulated you cannot make a profit on the fee structure. 1/11/2019 6:38 PM
- 147) Not sure this is the way forward. If it's too draconian Coventry may lose private rental stock due to landlords selling off houses that become unprofitable or in the case of accidental landlords, too problematic. This may also be seen as a way of persuading small landlords to give up by putting up as many barriers as possible to make life difficult. I can't see how a landlord can control the behaviour of any tenant or their guests. If they are antisocial how are they suppose to remedy this. Yes they can threaten eviction, but this is basically all they can do. It seems the council is intent on passing as many liabilities on to the landlord as possible and to collect money to not provide a service. In bringing selective

licensing you seem to declare all landlords are bad landlords when this doesn't seem to be the case unless you have figures to prove otherwise. 1/11/2019 5:40 PM

- 148) The scheme proposes landlords be responsible for the actions of tenants when keeping the property tidy and secure and keeping the property in good repair. This sounds fine if you have no practical experience of being a landlord. Tenants need an EQUAL obligation to report defects in a timely manner and maintain the property (ie ventilation to prevent mould, use of shower curtains/fans etc). The survey only proves that you live in a fantasy world where tenants are good and landlords are bad. 1/11/2019 4:55 PM
- 149) I feel it's unfair to charge landlords that have one or a couple of properties that don't run this as a business. I feel the fees are way too expensive 1/11/2019 4:01 PM
- 150) They should include that the landlords provide enough waste bins and let their tenants know what waste should go in what bin. 1/11/2019 2:38 PM
- 151) You expect landlords to do all this, but they have no real power to do any of it. if a tenant is being anti-social there is very little i as a landlord can do about it. I've been trying to get an antisocial, non paying tenant out of my property since they stopped paying rent (i last received payment on the 29th June). I've done everything in my power to get them out. they are a nuisance to the occupants of nearby houses, but there is nothing more i can do! 1/11/2019 2:16 PM
- 152) As a self employed contractor (electrician) in Coventry I regularly attend properties that are simply not fit for habitation. Many are extremely dangerous electrically and otherwise or simply do not comply with regulations. I would like to see it expanded further especially around student accommodation. 1/11/2019 1:47 PM
- 153) It will only work if the enforcement team is adequately financed, manned and equipped to do the job 1/11/2019 1:42 PM
- 154) None 1/11/2019 12:35 PM
- 155) do not agree with it at all. I am a responsible landlord. the cost will be passed onto the tenants that are probably struggling anyway. Far more expensive than areas of London. Too much money ..rogue landlords will be ignored and the ones in Coventry who live here will be paying for the absent ones and those who do not care, 1/11/2019 12:33 PM
- 156) We pay Agents a high fee for these checks and supply certificates and only on their approval they allow us to take in tenant's. The Council clearly does not follow or understand the current legislation. The Council should be fined heavily if

they proceed to simply duplicate a current legislation practice. You need to target landlords that do not follow the procedure carried out by legal letting Agents. You are penalising good landlords and the Council is not dealing with known offenders. It's called getting a grip and not getting others to do your work!
1/11/2019 11:04 AM

157) I think this is just another scheme by council to make more money and penalise private landlords. Council has already destroyed Coventry city centre by making so much students accommodation to benefit the council and big companies just to destroy smaller landlords. Then they say they would like to see entrepreneurs. Soon as someone Starts to do well. Council come out with ideas to punish those and divert profits into their own coffers. I think this selective license is nothing else but money making scheme by Coventry city council. I have seen this council waste so much tax payers money due to lack of sensible planning, one example is creat bus lanes and spent millions and got rid of them spend more millions. What nonsense. 1/11/2019 10:23 AM

158) No 1/11/2019 9:48 AM

159) I think it unreasonable that fees are not lower for second and subsequent properties owned and managed by the same landlord. I also think that where properties are managed by an accredited agent that the costs of an annual inspection by the council are unnecessary. 1/11/2019 9:05 AM

160) I use an agency for my renting out and they deal with lots of the issues contained in the survey. I may have missed the info, but can't see any reference to properties that are managed properly like that. I pay a fee to the agent, I dont think its fair to also pay for a licence. I only have one property. 1/11/2019 8:45 AM

161) This is just simply a new tax to cover up for Council propping up failing developments they keep investing in. 1/10/2019 6:31 PM

162) I do not believe this scheme is necessary or justified. This scheme relies on landlords pro-actively making themselves known to their local authority. Criminal landlords who fail to provide secure and safe accommodation to their tenants will not come forward. 1/10/2019 4:59 PM

163) Scheme needs to include other areas of Coventry eg around Gerrard Avenue, Sheriff Avenue etc 1/10/2019 4:55 PM

164) Another money making scheme by the council attacking landlords, the majority of who do a good enough job. This will drive landlords away and the bad ones further underground. By default, the council will already know the poor landlords. Why not spend resources and concentrate on going after them.
1/10/2019 4:17 PM

- 165) Whilst understanding the reasoning behind this proposal, it also places a considerable extra financial load on landlords who are frequently not making huge profits from their investments. I fear that it will cause some landlords to sell their properties and thus reduce the PRS stock, unfortunately this is likely to be the better landlords. 1/10/2019 4:07 PM
- 166) It is a total waste of time and another opportunity for the council to raise extra revenue there is no other purpose for this and by having selective licensing you will not solve anti social behaviour and the like. 1/10/2019 3:45 PM
- 167) I think it should be extended to the whole of Coventry and not just selected areas, there are private rented properties in every area of the city 1/10/2019 3:26 PM
- 168) Far too expensive for the landlord. 1/10/2019 2:22 PM
- 169) I am concerned that the costs incurred by the landlord will be passed onto the tenants. I have read the report and am extremely concerned by the levels of child poverty revealed and do not want this to be exacerbated by this which is something landlords should be doing anyway! 1/10/2019 1:50 PM
- 170) The information pack should also contain information about how to complain, as a tenant, if the license holder is not maintaining the conditions. 1/10/2019 1:07 PM
- 171) As a previous private tenant to a negligent landlord I feel I can put a lot of input into this consultation. I also sit on 2 expert panels that cover some of the issues mentioned 1/10/2019 12:59 PM
- 172) Would licensing properties only in certain areas not push problems into areas not covered? Is there adequate resources to enforce this? The numbers, and grading, of officers working to enforce this leaves a bit to be desired. 1/10/2019 12:05 PM
- 173) extra rubbish produced by incoming and leaving tenants must be disposed of timely by the landlord - and not flytipped or left for council to dispose of (eg mattresses etc) Also - tenants must conduct themselves in appropriate manner to the environment they are living in - ie anti social behaviour. Also many rentals allow tenants to park on front garden with no dropped kerb - this also needs addressing. 1/10/2019 11:14 AM
- 174) Unfortunately, if you charge me for having a licence I will have no option to put the rent up for my tenants. I am a very good landlord and do everything possible to keep my tenants happy. I deal with all issues within 24 hours. I feel as though I am being penalised for the other bad landlords in Coventry which isn't

fair. In the end it is only the tenants that will suffer due to increased rent as I have to cover my costs. 1/10/2019 10:06 AM

175) The increase in the number of poorly managed/un-managed privately rented properties has had a significant impact on the look and feel of certain areas within the city, anything that addresses this is very warmly welcomed (and overdue). I have knowledge of the rented sector & am therefore aware that profits are significantly more than a landlord's mortgage/expenses, therefore the fees proposed, by comparison, are quite modest. 1/10/2019 9:53 AM

176) I think the most useful outcome of this scheme would be if it were able to limit the apparently uncontrolled conversion of swathes of houses being converted to HMOs. (not just for students) This has an impact on neighbourhoods because of the huge increase in car numbers parked in the street (thinking of long streets of Victorian terraces) 1/10/2019 7:48 AM

177) This is a sledgehammer to crack a nut. Intelligent targeting of poor landlords through adequate data collection and then taking court action against them would be far more effective. The scheme as proposed will result in far too much effort focused on processing already compliant landlords. By introducing licence fees (however much reduced) you are effectively penalising landlords who already do a decent job. Why not work more closely with agents like Futurlets to identify problem landlords and deal with them directly. This just smacks of another cash generating scheme. 1/10/2019 12:35 AM

178) Whole streets not parts of street should be covered and support should be given to landlords who need help with unruly tenants 1/9/2019 5:34 PM

Drop in sessions

18 drop in sessions were held in various locations across the city covering every ward. The table below provides the location and the number of people who attended each session. In total these sessions were attended by 84 people.

Ward	Venue	Date	Number attended
Bablake	Hawkes Mill Sports and Social Club	13 th March 4.30pm to 6.30pm	2
Binley and Willenhall	John White Community Centre	21 st January 4.30pm to 6.30pm	1

Cheylesmore	Cheylesmore Community Centre	22 nd January 4.30pm to 6.30pm	4
City Centre	Central Library	21 st January 10am to 12.30pm	11
Earlsdon	Gilbert Richards Centre	28 th January 4.30pm to 6.30pm	5
Foleshill	St Pauls Church	11 th March 4.30pm to 6.30pm	4
Henley	Moathouse Leisure and Neighbourhood Centre	29 th January 4.30pm to 6.30pm	3
Holbrook	Holbrook Community Care Association	5 th March 4.30pm to 6.30pm	None
Longford	Bell Green Community Centre	4 th February 4.30pm to 6.30pm	7
Lower Stoke	Aldermoor Life Centre	7 th March 4.30pm to 6.30pm	None
Radford	Jubilee Crescent Community Centre	12 th March 4.30pm to 6.30pm	1
Sherbourne	Coundon Social Club	15 th January 4.30pm to 6.30pm	4
St Michaels	St Peters Centre	5 th February 4.30pm to 6.30pm	13
Upper Stoke	Stoke Heath Community Centre	18 th February 4.30pm to 6.30pm	6
Wainbody	St Joseph's Church Hall	14 th March 4.30pm to 6.30pm	9
Westwood	Canley Community Centre	25 th February 4.30 to 6.30pm	8
Whoberely	St Mary Magdalen	19 th February 4.30pm to 6.30pm	5
Woodlands	St John Vianney Church	11 th February 4.30pm to 6.30pm	None
Wyken	Wyken Community Centre	12 th February 4.30pm to 6.30pm	1

Most attendees were landlords with the remaining being tenants and residents. The main issues for those who attended related to the proposed Selective Licensing scheme and not Additional Licensing. Generally, attendees were there to seek further advice and information about the proposals whilst a small number also wanted to raise their concerns about, and support for the proposals which, in a few cases were also followed up by email.

There was a laptop made available for those who wanted to complete an online questionnaire.

In addition, officers distributed an information flyer (see below) to the members of the general public in the main city centre shopping areas for two consecutive days on the 8th and 15th March. A total of 35 people indicated that they would be responding to the consultation.

The flyer has a blue background. At the top, the title 'Have your say on property licensing proposals for HMOs and privately rented homes in Coventry' is written in large, bold, white text. Below the title, there are three paragraphs of white text. The first paragraph states the Council's goal to improve the quality of privately rented homes and HMOs. The second paragraph asks for input on selective licensing and HMO licensing. The third paragraph explains that both schemes will impose tighter controls on landlords and tenants. To the right of the text is a white silhouette of two houses with a plus sign between them, and a group of white human figures below. At the bottom left is the Coventry City Council logo, and at the bottom right is the website URL.

Have your say on property licensing proposals for HMOs and privately rented homes in Coventry

The Council wants to improve the quality of privately rented homes and HMOs in the private rented sector.

Have your say on plans for Selective Licensing of privately rented homes and Additional Licensing of Houses in Multiple Occupation (HMOs).

Both schemes would place tighter controls on the standards of private sector landlords and the behaviour of tenants in neighbourhoods throughout Coventry.

For details visit www.Coventry.gov.uk/propertylicensing

Focus Groups

Several focus groups were held with different stakeholders. The details of these events and comments made is provided below.

Landlord's Focus Group

A focus group was held on the 31st January 2019 at the Council House.

30 landlords who had previously expressed an interest in being involved in any consultation events run by the Council were invited to this event and 9 attended.

The clear majority raised more concerns about the proposals relating to Selective Licensing and were not too concerned about Additional Licensing.

Agent's Focus Group

An Agent's focus group was organised with a flyer being sent to all registered Agents in the city. The event was held on the 21st February 2019 at the Council House and 18 representatives from the following letting and managing agent businesses across the city attended:

Loveitts

Bairstow Eves

Payne

Matthew James Property Services

Vesta Properties

Whitegates

Connells

Alternative Estates

Cloud9 Estates

Suttons Estates

Coventry Refugee centre

Brian Holt Estate Agents

Allsop and Allsop

In the main the group were generally supportive of the proposals. There were several agents who thought the proposals were the key to making a difference. One particular agent commented in an email later that

"I think the Coventry area has needed this for a while, with properties in poor condition, and landlords wanting premium rents without the premium properties.

I went through a similar process some years back with the implementation of the decent homes standard for Social Housing tenants, and the private sector has needed to play catch up for a long time".

Coventry University Focus Group

3 representatives from Coventry Uni attended the meeting and submitted the following response – *"Your proposal and rational appears to attempt to address both issues as it holds landlords more accountable which is to be enforced by the team that would be created if the outcome of the consultation is in favour of the proposal that has been tabled.*

As a significant employer in the city the University is equally keen to ensure more high-quality properties are made available to our many staff who require them and I hope as a result of this, we will see an improvement not only in student let properties but in professional let properties too."

Warwick University Focus Group

4 representatives from Warwick Uni attended the meeting and submitted a detailed response.

The University provided the following response to the consultation.

DRAFT

13 March 2019

Mr A Chowns
Property Licensing Manager
Place Directorate
Regulatory Services
One Friargate
Coventry
CV1 2GN

Sent via email: adrian.chowns@coventry.gov.uk

Dear Adrian

Coventry City Council Proposed Selective & Additional Licensing Schemes

I am writing in support of Coventry City Council's proposals to introduce Selective Licensing and Additional Licensing in order to improve the quality of private rented housing in the City.

The University of Warwick has a student community of over 26,000 students and over 6,000 staff. Around 6,000 of our students chose to live in private rented accommodation in Coventry. We believe good quality, safe and secure housing is fundamental to our student experience and positively impacts on students' academic performance and wellbeing.

Warwick Accommodation, the University of Warwick's property management agency manages over 2,300 student bed spaces in private rented accommodation in Coventry, Kenilworth and Leamington. We ensure all the properties we manage are compliant and that all of our landlords are operating under the required regulations. We have a "Standard Requirements for All Properties Managed by the University" document and "Service & Compliance Standards", along with our detailed contract that states the high standards we expect before entering into an agreement. Our Property Managers undergo compulsory training in areas ranging from NEBOSH to fire risk assessment.

We are pleased to be working with Coventry City Council this academic year on our Student Housing Enforcement Pilot in Canley and Cannon Park. Through the University's grant contribution this project has allowed resource to carry out proactive inspections of student HMOs, helping to advise student tenants but also advising and helping landlords to achieve and maintain acceptable standards and taking enforcement action when appropriate. This work has shown some good quality student HMOs and professional landlords but has also provided evidence that some of the private rented sector accommodation our students are living in does not meet health and safety standards as well as highlighting environmental and management issues. We have received positive feedback from our students and also our local residents that this project is improving conditions in individual properties but also in the community as a whole.

Professor Simon Swain FBA
Pro-Vice-Chancellor (External Engagement)
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The proposed Additional Licensing Scheme is of particular interest to the University as this covers some of the smaller HMOs our students live in that fall outside of the current national Mandatory Licensing Scheme. HMO licensing is key to improving facilities, management and safety and by extending this to HMOs occupied by 3-4 people there will be a consistent approach and our students living in these smaller properties will have the same protection as those in licensed HMOs.

The University recognises that current Council austerity resources have resulted in prioritising reactive inspections. We have clearly seen the benefits of pro-active inspections from the work on our pilot housing project in Canley and Cannon Park. This pilot has also provided a single point of contact at the Council allowing for quick responses when dealing with concerns and we hope a similar model will be considered within new structures and resource. We are pleased to see that both proposed schemes will provide the Council with additional resources allowing for proactive management of private sector housing in the City.

Affordability of student accommodation is a key concern of ours and we worry that the cost associated with licensing fees will be passed onto our students by an increase in rent. We note from the research the Council has conducted in this area that rental values in Coventry have increased on average by 19% between 2015 and 2018 compared to 11% in the West Midlands and 8% in England over the same period. We ask the Council to do all they can to actively monitor and use their influence on rising rent costs in the City.

It is positive to see that landlord management of antisocial behaviour by tenants is part of the proposed schemes. We work hard, hand in hand with our Students' Union and local partners, to help our students to understand their responsibilities as local residents and how to be a good neighbour. We do from time to time receive complaints and concerns from local residents about antisocial behaviour from our students. We investigate each complaint received and speak directly with any of our students identified and take appropriate action. Of course, landlords also have a role to play here and a responsibility to take reasonable steps to prevent or reduce ASB by managing their property and tenants effectively but will need advice and support with this. Warwick Accommodation deal with all incidents of antisocial behaviour in the properties they manage on behalf of landlords/owners.

We are aware that the Council is looking at introducing a voluntary landlord accreditation scheme alongside licensing. We feel this will play an essential part in improving the standards of private rental accommodation complementing existing and proposed HMO licensing. Such a scheme would give our students confidence that landlords will act professionally, offer good standards and allow them to make more informed choices. The University would like to work with the Council on developing proposals around this scheme.

We would be happy to provide more input during and following the consultation if it can be of further help so please do not hesitate to contact us.

Yours sincerely

Professor Simon Swain FBA
Pro-Vice-Chancellor (External Engagement)

Landlord Forums

A total of four landlord forums were held at the Council House between 6pm and 8pm. Spaces on the 6th, 13th, 14th, and 18th March. Spaces were limited to 75 per event so that everyone attending would have the opportunity to be involved and despite each event being sold out 207 out of the potential 300 attended.

Table below provides the number of attendees for each event.

Date	Number of Attendees
6 th March 2019	58
13 th March 2019	50
14 th March 2019	47
18 th March 2019	52

Many attendees were landlords, agents and property professionals and during these sessions a presentation was provided (attached as appendix 1). The proposals for Selective Licensing were of more concern than those relating to Additional Licensing.

The suggested licence fee levels were discussed extensively in all the landlord forums and the principle of any kind of fee was raised many times in the context of the increased cost burden on landlords and possible increased rent levels for tenants.

The proposed scale of fees and different length of licence for non-compliant and compliant landlords led to many questions and requests for clarification about what type of property/landlord would qualify for these – and in particular whether, say, a landlord who, has more than one property would be eligible for a discount on multiple applications. There were also several comments along the lines of: *why do good landlords have to pay for rogue landlords*.

Ward Member's Sessions

Comments made by respondents regarding the selected areas for Selective Licensing were of more concern than the proposals for Additional Licensing. There appeared to be a consensus that Additional Licensing of HMOs can only be a good thing.

The following feedback was provided by Members during these sessions:

- An easy online form for reporting rented properties/HMOs should be developed
- A register of all licensed properties should be available online
- Please to see cluster flats for students are being looked at
- In favour but in the case of Selective Licensing would like to extend the areas
- Can we provide access to the 'tip' for landlords at the end of the Uni year to clear out – this could help reduce fly tipping
- Additional Licensing welcomed but see little need for Selective Licensing
- Charities should not be free – exempt
- Likely to be issues with family properties being rented to each other – cultural behaviours
- Concerned about areas not being included but supportive of both schemes overall
- Could the fee be related to property sizes

Scrutiny Coordination Committee

Officers presented to proposals to the Scrutiny Coordination committee and provided the outline proposals for the group to consider and respond to as part of the consultation process.

The Committee were generally supportive of the proposed scheme and put forward the following recommendations:

- Review data in 12 months' time to check Stage 2 criteria for areas currently outside of the proposed Selective Licensing area;
- The number of prosecutions and enforcement actions taken as part of the scheme should be reported back to Members on a regular basis;
- Ensure that the complaints process for tenants is not onerous;
- That a poster or sign displaying the tenants' rights and responsibilities be part of the licence requirements;
- Consider including Disclosure and Barring Service (DBS) checks as part of the licensing process, as with Taxi Licensing; and
- Officers to continue working with Ward Members if the scheme is implemented.

Letters, Emails and Other Responses

A series of emails and letters were sent to people who had registered their details with the Council on the Gov.uk website and an email was also sent to Council employees as part of the daily intranet round up.

Letters /Emails Submitted in response to the consultation

(1) Public Health

The right home environment is essential to health and wellbeing, throughout life. Key features of a healthy home include:

- 1) *Warm and affordable heat*
- 2) *Free from hazards, safe from harm*
- 3) *Enables movement around the home and is accessible*
- 4) *Promotes a sense of security and stability*
- 5) *Support available if needed*
- 6) *Healthy neighbourhood community*

Disrepair and cold homes can cause immediate health issues to residents (such as respiratory conditions, hypothermia, risk of falls and death) and also negatively affect children's educational attainment, emotional wellbeing and resilience and put adolescents at five times more risk of suffering from multiple mental health problems. In addition, families living in overcrowded housing can be at an increased risk of mental health problems, infectious disease, injuries, breathing problems and exposure to tobacco harm.

The physical and mental effects of poor housing disproportionately affect vulnerable people; however the mental health effects are made worse for older people living isolated lives, the young, those without a support network and adults with disabilities.

For this reason, Public Health are pleased to see that the supporting information in the Selective Licensing Feasibility Report (2018) has considered areas such as fuel poverty, energy performance, thermal comfort, modern facilities, disrepair, HHSRS (Housing Health and Safety Rating System), the Decent Homes Standard, property conditions, amongst others, when identifying the geographic areas (that have poor property conditions) to be included in the selective licensing areas.

The Selective Licensing Feasibility Report (2018) identifies that selective licensing in a targeted area of the city is expected to improve physical standards and management of private rented stock which will help to reduce the health issues caused by poor quality homes mentioned above (and therefore reduce health inequalities). Public Health also support the other benefits mentioned in the feasibility report, in particular the benefits to tenants of:

- Reducing incidence of unplanned moves and homelessness*
- Economic benefits e.g. regaining deposits/less moving costs*
- Improvements to the neighbourhood e.g. security and sense of community*

The areas identified in the proposal are some of the more deprived areas in Coventry. As mentioned, improving the condition of poor quality housing in these areas will improve the health of some residents in these deprived areas and therefore contribute towards lowering health inequalities in Coventry.

Selective licensing presents itself as an ideal opportunity for CCC to ensure that all private rented properties in the specified areas will be inspected to ensure that they reach the minimum national legislation (through mandatory conditions) and in some cases, as per discretionary conditions, to go above and beyond these requirements. Ensuring that landlords achieve certain standards of management and maintenance will help to bring about better quality housing in the PRS (and therefore improve health outcomes).

The proposed Additional Licensing Scheme is expected to address the impact of poor quality HMOs that fall outside of the mandatory licensing HMO definition and address management issues and poor property conditions. This will include minimum room sizes in HMOs in addition to other areas (such as fire safety) being improved to a minimum standard. Public Health welcomes acknowledgement in the Additional Licensing Feasibility Report that additional Licensing will extend and continue the process of upgrading of HMO rental stock already begun by the Mandatory scheme. Additional licensing will add a significant portion of the Coventry HMO market to the list of those houses where the Council currently is involved with licensing (and therefore, by default, involved with improving their quality). As already described above, improving the condition of the property will contribute to improving the health and wellbeing of residents of Coventry.

In the case of both proposed licensing schemes, there is theoretical risk that some rogue landlords will disproportionately increase the rent to say they are covering their extra charges. Public Health are pleased to see acknowledgement of the risk of increased rent in the consultation paperwork, along with a breakdown of the true

monthly increase if the exact cost of the license was passed on to the tenant through rent.

Taking into account all of the above information, Public Health are in support of both of the proposed licensing schemes (Selective Licensing and Additional Licensing of HMO's).

In the case of both licensing proposals, if approved, Public Health would welcome the opportunity to work with the property licensing team to enable officers, during property inspections, to identify potentially vulnerable tenants in the properties. These vulnerable tenants may benefit from services such as the WMFS Safe and Well check.

(2) Dear Mr Chowns,

Selective and Additional Licensing Scheme – Consultation

In the light of the current Consultation on Selective and Additional Licensing, we are responding with these comments, rather than completing the online questionnaires which do not cover the ground we wish to cover.

We applaud the Council's intention to improve the quality of the private rented housing stock in Coventry and to remove bad landlords and we support the key priority, as outlined in the Feasibility Report, of working with landlords to provide high quality, professionally managed accommodation. However, we feel that the scheme as proposed has a deeply flawed methodology, would not work with, but penalise large private landlords such as ourselves, would be unfair in its application and would not achieve its objectives.

To put our comments into context, as a private landlord [REDACTED] now operates some 360 housing units based in the East of the City, meeting local housing needs, some let at social rents and many at considerably lower than market rents, which we regard as part of our corporate social responsibility. We provide a good level of maintenance and generally tenant satisfaction is high. Not all our stock is in the currently declared boundary for the scheme, but some 120 units are.

1. Fairness

First, the scheme is based on the principle that all landlords pay for the cost of the scheme, whether they are classified as good or bad. This is manifestly unfair. Why should good landlords pay for the cost of a scheme that is designed to police bad landlords and from which they obtain no effective benefit? Good landlords would apply for a licence, just because they are good landlords. Bad landlords would keep under the radar for years, continue to offer substandard accommodation and eventually move to other areas, which has been the experience where similar schemes have been introduced. Thus, most of the cost of the scheme would be borne by the good landlords.

Second, much greater clarity is required on the issue of "multi-property" licences. Where one landlord operates a block of apartments, all of similar design, the only

difference between them is the behaviours of the tenants. For example, [REDACTED] operates eighty-six apartments in six separate blocks on a site known [REDACTED]. This falls within the currently designated area. As the scheme is presently written, the bill for the initial application would be nearly £20,000. Would this be refunded if a multi-property licence were issued and what would be the eventual cost? Is it feasible that each one of these units would be inspected, with all the attendant problems of access etc., just to show that we are a respectable landlord? Most of these tenants are good, respecting the property and the neighbourhood, but a small minority are bad – creating problems and scarcely paying their rent. To emphasise the point – the only difference in these circumstances is the quality of the tenants.

2. Effectiveness – Area Selection

The scheme is designed to eliminate bad landlords and improve the quality of housing in the private rented sector. We are surprised about the designation of some areas within the scheme. Taking, again, the example of The Old Yard, we would want to know which of the six required criteria for inclusion (low demand, anti-social behaviour, poor property, high level of migration, high deprivation or high level of crime) it is said to meet? If this is typical of area selection it suggests that the process has not been carried out to sufficiently local level. A further example is the inclusion of Turlands Close, a quiet residential area in Walsgrave, which may have been included because of the proximity of the Asda supermarket with its attendant problems of shoplifting etc.

• Effectiveness – Tenants

It is generally agreed that much anti-social behaviour stems from bad tenants. This particularly can apply to student lets, when bad behaviours occur even in properties which are managed by the universities – yet these are exempt from the scheme. Our dealing with some of these agencies suggests that they have little or no control over the activities of their student tenants and can lead to some very disturbing situations.

4. Effectiveness - Rents

If the cost of the scheme is to be borne entirely by landlords one of the major effects would be to increase rents or reduce maintenance. Both are obviously undesirable.

So in general, we think that the scheme, as it is proposed, is unfair and will be ineffective in curbing the problems that it is attempting to address. We feel that a scheme should be developed to license landlords, not properties, through a landlord register. This would reduce inspection costs to random sampling and give broader control over landlords' activities.

Furthermore, from the perspective of [REDACTED], if this scheme is implemented in its present form, we would have no alternative but to let properties at full market rents rather than to needy local people, something that we are very reluctant to do.

If you would like further discussion on these matters, we are available to provide any assistance that we can.

(3) NATIONAL APPROVED LETTING SCHEME (NALS)

INTRODUCTION

NALS www.nalscheme.co.uk is a licensing scheme for lettings and management agents operating in the Private Rented Sector. NALS agents are required to:

- deliver defined standards of customer service
- operate within strict client accounting standards
- maintain a separate client bank account
- be included under a Client Money Protection Scheme

Agents must provide evidence that they continue to meet NALS criteria on an annual basis, in order to retain their licence. The scheme operates UK wide and has 1500 firms with over 2000 offices.

NALS also administers the SAFEagent campaign www.safeagents.co.uk the purpose of which is to raise consumer awareness of the need to ensure that landlords and tenants should only use agents who are part of a Client Money Protection Scheme, which offers reimbursement in the event that an agent misappropriates their money. The campaign is recognised by Government and our logo appears in their How to Rent guide [How to Rent](#)

We are an accredited training provider under the Rent Smart Wales scheme and recognised by the Scottish Government as offering training which meets the requirements for agents to be included under regulation on the Scottish Register. We are also a co-regulation partner with Liverpool City Council. Recently, we have been approved by Government as a provider of the mandatory Client Money Protection arrangements that will soon come into force.

NALS AND LICENSING

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

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

The same note sets out how important it is for licensing schemes to avoid being burdensome. We believe that promoting voluntary schemes, by offering discounted licence fees to accredited landlords and agents, can help to achieve this. Voluntary schemes often require members to observe standards that are at least compatible with (and are often over and above) those of licensing schemes. We believe, therefore, that if Coventry City Council were to allow discounts based on membership of NALS (and other similar bodies) implementing and policing the licensing scheme would ultimately be less costly and more effective, allowing resources to be concentrated in the areas where they are most needed.

This is a commonly accepted approach by many English Local Authorities. We would further point out that, in Wales, the Welsh Government has recently recognised the

importance of membership of specified bodies such as NALS and is offering discounted fees to members as a consequence <https://www.rentsmart.gov.wales/en/>

PROMOTING PROFESSIONALISM IN THE PRS - THE ROLE OF AGENTS

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

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

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

COVENTRY CITY COUNCIL'S PROPOSALS - SPECIFIC ISSUES

Proposed Licensing Area

We welcome the targeted nature of the licensing proposals.

Licence Term

We note that "reduced term licences (annual licences) will normally be issued to new landlords where they have recently acquired or converted their property into a licensable property"

In our view, very careful consideration needs to be given to the term "new landlord" when applying this rule. Is a new landlord one who is letting property for the very first time? Is a landlord letting their second property a new landlord or not?

Furthermore, a landlord could be new to the Coventry area, but not new to the profession. In our view, experienced landlords who acquire or convert a property in the licensable area should not be subject to a "probationary period of 12 months".

Additionally, we do not think that new landlords who engage an accredited agent should be subject to a probationary period of 12 months. In our view, a longer license should be issued if an accredited agent is managing the property, regardless of whether or not the agent is the license holder.

Changes in License Holder

Our experience around the country suggests that the lack of flexibility in most license fee structures can militate against efforts to establish “an alternative competent person to be licence holder/ manager” in cases where problems have been identified, often by the council. This is because accredited agents still have to pay the full fee when they take on management from a landlord (or agent) part way through the license period.

Whilst we understand that licenses cannot be “transferable” from one person to another, we would suggest that more flexibility is required than just 5 year or 1 year terms. For example, agents taking on properties part way through a 5 year term should only have to pay the 5 year fee “pro rata”.

Fee Structure - Accreditation

We note that although “all parties actively involved in managing the property (i.e. joint or sole management responsibility) must be accredited with Coventry City Council’s Landlord Accreditation Scheme (CLAS)” no discount is offered to landlords engaging agents thus accredited. As set out above, it is our view that discounts can be an important incentive to landlords who are considering engaging a reputable agent. We would urge Coventry City Council to offer such discounts.

We are also unclear as to whether membership of industry bodies such as NALS provides a “passport” to CLAS accreditation. In our view, if license holding agents are to be required to be “registered with a recognised professional association”, it would be onerous to insist on CLAS accreditation as well, unless straightforward passporting arrangements are in place.

We would urge Coventry City Council to consider offering fee discounts to:

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

We would urge Coventry City Council to passport NALS members to CLAS accreditation.

Lastly, we would ask that NALS be added to the list of recognised professional associations.

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

In our detailed comments below we point out some of the areas where compliance with key standards is an inherent part of the NALS scheme. These are the areas where we think promotion of NALS membership through license fee discounts could ultimately save the Council money, as well as increase the take up of voluntary accreditation.

Fee Waiver – Tackling Homelessness

We welcome the proposal that, in cases where “a private landlord...is assisting the Council by offering permanent accommodation to meet...homelessness duties applications will be accepted, for the particular property being provided without a fee being payable”

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

COMMENTS ON THE LICENCE CONDITIONS

Tenant Referencing

We are strongly supportive of any requirement to obtain references for prospective tenants, as NALS is actively involved in promoting good practice in tenant referencing.

Tenancy Management

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

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

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

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

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

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

NALS agents are also required to:

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

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

Licence Conditions Relating to the Property

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

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

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

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

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

Tenants will be fully aware of access arrangements. NALS agents are expected to arrange in advance a time for access, in order to inspect the condition of the property in accordance with the tenancy agreement. NALS agents will arrange to have routine maintenance work carried out, up to a limit agreed with the landlord. The agent will refer expenditure above that limit to the landlord.

Training

We welcome the scheme requirement that agents who are license holders should undergo training.

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

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

One advantage of this approach is that it makes it easy to ascertain (through on line monitoring) that participants have in fact undertaken the required training, prior to or immediately after accreditation.

Modules available cover:

- *Pre-tenancy issues*
- *Responsibilities and liabilities*
- *Setting up a tenancy*
- *During a tenancy*
- *Ending a tenancy*
- *General law concepts, statute vs contract*
- *Relationships*
- *Obligations*
- *Process*
- *Considerations for corporate tenants*
- *Continuing Professional Development (CPD)*

In addition, NALS provides mini online courses designed to cover a number of elements in more detail, as appropriate to the learner's role, include topics such as:

<i>Assured Shorthold Tenancies (ASTs)</i>
<i>Client Money</i>
<i>Consumer Protection Regulations (CPRs)</i>
<i>Deposits</i>
<i>Disrepair</i>
<i>Electrical Appliances & Safety</i>
<i>Gas Appliances & Safety</i>
<i>Houses in Multiple Occupation (HMOs)</i>
<i>Housing, Health & Safety Rating System (HHSRS)</i>
<i>Inventories and schedules of condition</i>
<i>Joint Tenancies</i>
<i>Notice Requiring Possession</i>

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

Anti-Social Behaviour

We note that there are distinctive issues around crime and Anti-Social Behaviour (ASB) in the licensing area. However, we do have concerns about the assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB.

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

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

Suitability of Licence Holder

We note the requirement that the council would only issue a licence if it is satisfied that the proposed licence holder is a 'fit and proper' person and that there are suitable management arrangements in place. We believe that this requirement highlights the importance of lettings and management agents belonging to recognised accrediting bodies like NALS, who themselves apply a fit and proper person test.

All principals, partners and directors of a NALS firm are asked to make the following declaration on application:

"I confirm that: for a period of 10 years prior to this application I have had no conviction for any criminal offence (excluding any motor offence not resulting in a custodial sentence) nor have I been guilty of conduct which would bring the Scheme or myself into disrepute; I am not an undischarged bankrupt nor is there any current arrangement or composition with my creditors; I am not nor have I been a director of a company which has within the period of 10 years prior to this application entered into liquidation whether compulsory or voluntary (save for the purpose of amalgamation or reconstruction of a solvent company) nor had a receiver appointed of its undertaking nor had an administration order made against it nor entered into an arrangement or composition with its creditors; nor have I at any time been disqualified from acting as a Director of a company nor subject to a warning or banning order from the Consumer Markets Authority or the Department for Business, Enterprise and Regulatory Reform.

If I am subject to any current claim or am aware of any impending claim for professional negligence or loss of money or if I have been the subject of any investigation by the Consumer Markets Authority and/or local Trading Standards Office, full details of the circumstances are set out in a report enclosed with the application; all information provided by me in connection with this application is, to the best of my knowledge, correct"

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

Complaints

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

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

Under co-regulation schemes elsewhere in the UK, NALS has undertaken to review any complaints that have been adjudicated upon by any of the redress schemes.

Under such an arrangement, NALS can report to the Council on the number of complaints reaching this stage and on the adjudications made. Non-compliance with a redress scheme's adjudication would eventually lead to disqualification of the agent from NALS. We would be happy to come to a similar arrangement with Coventry City.

CONCLUSION

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

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

APPENDIX 1 – COMPATIBILITY OF NALS SERVICE STANDARDS WITH TYPICAL SCHEME CONDITIONS

Example Scheme Conditions	NALS Service Standard Requirements
<i>Fees</i>	<i>NALS promotes complete transparency in agency fees. Members provide landlords with a statement of account as often as agreed.</i>
<i>Rent Liabilities and Payments</i>	<i>NALS agents collect the rent and pass it on every month or as otherwise agreed. The agent will keep a separate clients' account to hold all monies.</i>
<i>Contact Details</i>	<i>NALS agents are expected to respond to tenant and other legitimate enquiries in a timely manner. Up to date contact details will enable them to respond to tenants' requests for maintenance or repairs which might in some cases have to be referred to the landlord for approval.</i>
<i>State of Repair</i>	<i>NALS agents visit the property with landlords and advise on any action needed before letting the property. This includes any repairs and refurbishments needed to put it into a fit state for letting. They will also go with possible new tenants to view unoccupied property. Tenants can be confident that NALS agents have provided advice to</i>

Example Scheme Conditions	NALS Service Standard Requirements
	<i>the landlord concerning any repairs or refurbishments which are necessary.</i>
<i>Access and Possession arrangements</i>	<i>NALS agents will visit the property periodically during the course of the tenancy as often as agreed with the landlord. Tenants will be fully aware of access arrangements. At the end of a tenancy, they will always serve the tenant with the correct period of notice as set out in the tenancy agreement.</i>
<i>Repairs and Maintenance</i>	<i>NALS agents will arrange to have routine maintenance work carried out, up to a limit agreed with the landlord. The agent will refer expenditure above that limit to the landlord.</i>
<i>Access, Cleaning and Maintenance of Common Parts</i>	<i>NALS agents will arrange in advance a time for access to the property in order to inspect the condition of the property in accordance with the tenancy agreement.</i>
<i>Level of Facilities</i>	<i>NALS agents ensure that tenants are provided with copies of safety certificates on gas and electrical appliances before you commit to the tenancy. They provide details of the condition of the property, plus a list of its contents. The property will have undergone all required safety checks on furnishings, and gas and electrical services.</i>
<i>Deposits</i>	<i>NALS agents provide and fill in a tenancy agreement and take a deposit to protect against possible damage. They will explain the basis on which it is being held and the purpose for which it is required</i>
<i>References</i>	<i>NALS agents choose a tenant in a way agreed with the landlord, taking up references or checking the tenant's rent payment record.</i>
<i>Complaints & Dispute Handling</i>	<i>NALS agents explain both the landlord's and the tenant's the rights and responsibilities. To guard against misunderstandings, they will arrange for the</i>

Example Scheme Conditions	NALS Service Standard Requirements
	<p><i>preparation of a schedule of the condition of the property.</i></p> <p><i>During the tenancy, they will arrange to check the condition of the property and draw up a schedule to outline any deductions to be made from the tenant's initial deposit. They will return the deposit as soon as possible, less any appropriate deductions.</i></p>

Residents Landlord Association (RLA)

Thank you for the opportunity to respond to the above consultation.

We have read through your consultation documents, and though we appreciate the issues that the Council have mentioned and the effect they can have on tenants, landlords and the housing market in areas proposed, the RLA is opposed to the scheme and has many general objections to Licensing overall.

The council has failed in its documents to prove sufficiently that private rented sector houses are the main perpetrators of anti-social behaviour and crime. The council has very similar issues in predominantly council/social housing estates with their highly regulated housing management and property standards. Clearly not solely a landlord issue. It is more about concentrated need. To identify a particular area for the introduction of licensing highlights a belief that the area has numerous issues, potentially blighting the reputation of the area. There is also a danger that the issues that the scheme seeks to address are simply moved elsewhere, as difficult or vulnerable tenants are moved on.

Raising Standards

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

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources wasted processing applications, it should continue to direct these limited resources at identifying private rented properties and taking effective enforcement action, where necessary.

Fees

The worst landlords – the criminal operators – will simply ignore the scheme, as they do many other regulations. The high licence fees for both Selective & Additional licences will place a large financial burden on a lot of landlords, and as the council has already stated in the consultation documents that fees will not be able to be paid in instalments, this could lead to landlords selling up and exiting the sector, thus depriving Coventry of much needed housing.

Fee Structure & Transparency

The council has proposed an unfeasibly complicated fee structure, with several tiers for one, two- & five-year licences for both Additional and Selective licences. Generally, property licences should be granted for the maximum period - five-years – unless there are grounds for not doing so. Local authorities must have a good reason to grant a shorter licence, for example: previous convictions, civil penalties or notices served. To issue a one-year licence for being unlicensed for 3 months could be seen as being heavy handed.

There is also the issue of the varying Stage one licence charges, as the processing fee varies from licence to licence. For example, for a one-year Additional Licence, the Stage one fee is £599.00, compared to £413.00 for a two-year Additional Licence for Stage one. It is difficult to see why it would cost the council £186.00 more to process a one-year licence for a landlord, as the licence application process itself will be the same for all the licences except renewal applications. The council should clarify why there are varying costs to process Stage one licence applications, in order to increase transparency.

Existing Enforcement Powers

There are over 150 Acts of Parliament and more than 400 regulations affecting landlords in the private rented sector.

Councils should use the enforcement powers already granted to them by the Housing and Planning Act 2016, ranging from civil penalties, rent repayment orders, banning orders and the introduction of a database for rogue landlords and letting agents, to their full extent, rather than rely on Licensing Schemes to regulate landlords in addition to these powers. The Council has also not taken into consideration the amount of informal enforcement activity undertaken between local authorities and private landlords.

Additionally, Coventry City Council has access to the Controlling Migration Fund, which allows local authorities to tackle local service pressures associated with any recently increased migration, which includes tackling rogue landlords and driving up standards.

The Tenant Fees Bill will also introduce a lead enforcement authority to provide guidance and support to local authorities regarding the enforcement of letting agent requirements, which comes into force later on this year.

PEARL Research on Local Authority Enforcement

Our Research Lab PEARL recently published a report on the level of enforcement at local authority level and analysis found that when it comes to complaints and enforcement, data shows that there was no significant difference in the before or after the introduction of the scheme. The criteria for Enforcement include: Improvement Notices served, prosecutions of private landlords commenced, HHSRS Inspections, complaints received, Hazard Awareness Notices served, and Emergency Remedial Action order served.

The findings indicate that Selective Licensing schemes do not support local authorities to improve standards or increase enforcement activities against criminal landlords. Rather, we argue that these schemes are to the detriment of good landlords and tenants, and local

authorities need to engage in targeted enforcement against the criminals that provide unsafe housing. <https://research.rla.org.uk/wp-content/uploads/post-code-lottery-enforcement-prs.pdf>

Government review on Selective Licensing

On 20th June 2018, the government formally announced that they will be carrying out a review of Selective Licensing to assess its use and effectiveness by a independent commissioner to gather evidence on the effectiveness of the scheme. The results of this review will be published in the Spring. Taking this into consideration, the council should await the outcome of this review.

Conclusion

There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement. More information can be supplied if required. We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for criminals to operate under the radar.

Ti provides local authorities with a new tool to help differentiate between properties which are privately rented, HMO and those that are owner occupied or socially rented. Ti can also be used to pinpoint properties that are likely to have serious hazards. The technology can be used to assist with policy makers and managers to understand the 'make up' and changes in housing stock across a borough and how it relates to other policy areas, such as anti-social behaviour, and provides a vital insight into landlord behaviour and helps prevent crime and fraud, such as council tax evasion. It is developed in partnership with council teams to ensure the maximum benefits of Ti are delivered, and to ensure compliance with GDPR, no sensitive data is taken away and all analysis can be completed within the council's digital environment.

Such a scheme can be used as an alternative for Selective & Additional Licensing for Coventry City Council, as it could be used as more of an effective tool to identify and target properties in bad conditions and act against criminal landlords.

Further information can be found at this link: <https://metastreet.co.uk/blog/tenure-intelligence-to-predict-tenure-and-housing-issues.html>

Should licensing be approved by the council, the option of co-regulation with the RLA could be considered. Liverpool City Council introduced city wide licensing in 2015; as part of this the RLA were allowed to introduce a co-regulation scheme for landlords in the city. Co-regulation involves a full written code of conduct, which details the procedures and processes in place to deal with contractual and other matters as part of the overall scheme. The benefits of co-regulation for a local authority is targeted enforcement making the best use of more limited resources, reduced workload due to reduced number of complaints being managed by the authorities, easier identification of bad/criminal landlords, control over the scheme requirements to suit local needs and stronger links with the landlord community.

(5) Dear Adrian,

Happy New Year!

Firstly, can I say I appreciate what is done by the Council and its staff for the City, and as a former employee of a local authority I understand it is often a thankless task...and generally unappreciated by the general public.

Secondly,

Thank you for the information sent regarding the Forum and the proposals for licensing the rental properties within the areas indicated. I am sure there are many properties which ought to be of a far better standard, and there are landlords who ought to be far better in their responsibilities towards their tenants. It is the same across the nation.

Thirdly (and in no way a contradiction to my genuine thanks expressed above)

Having done a quick speed read...my conclusion is....what on earth is this about? I am not an ignorant person but I am having real difficulty reading and understanding over 130 pages of information. It is not the easiest of packages of information I have ever come across. I would wonder if the average landlord will pay the slightest attention to the mass of information here.

My own situation is that I am landlord of a student property with only 4 tenants on a single tenancy agreement. I have previously understood from contact with CCC that this scenario exempts me from any prospective licensing plan. All I need to know is...is this still the case? I am a landlord with an excellent reputation for care and due diligence for my tenants. My attention to their care is one of the USP's the letting agents give prospective student tenants, but I do know that this is not normal...sadly.

Could you simply confirm what I have been previously told, that is I am not part of the criteria this new proposal is intended for...or otherwise? It is not clear or easy to ascertain this from the documents I have downloaded.

(6)Dear Adrian,

Thank you for the clarification. What is the point of having a link in your recent letter to Landlords, which takes you to a map which is unreadable and then a Road checker which doesn't work!

I really do hope this consultation will not be a re-run of the consultation conducted over two years ago, where meetings were only attended by responsible landlords, who it became clear, already meet all the legal requirements and more.

It also became clear the scheme was a blatant money generating measure, designed to extract more money from good landlords, while failing to use the Council powers that do exist, to tackle poor and negligent landlords. What action are you taking to direct your current resources at effective enforcement activity?

What evidence do you have that Licensing Schemes improve Housing standards? How much of the income generated will be spent on creating a new, huge bureaucracy to administer the scheme, rather than spending money on the ground, flushing out criminal Landlords?

How many cases have you taken against criminal landlords over the last three years? How many cases were successful and what were the outcomes i.e. improvements made or fines obtained? How was income used?

Why is [REDACTED] included in this scheme? What criteria has been used?

What improvements do the Council plan to make to [REDACTED] if this Scheme is implemented? Resurfacing the road would be a good start, which is a disgrace, due to the neglect of the Council.

Your scheme has now blighted [REDACTED], while incredibly, nearby roads are outside the scheme! How do you justify these decisions?

I look forward to receiving answers to these questions and to hearing how the Council justifies introducing an outdated and ineffective Scheme.

(7) Dear Adrian,

I am somewhat alarmed that it is being proposed that we will now have two separate criteria running. One existing criteria at a national level, and one at a local level. How does the city plan to correctly attribute the different criteria? It will be a nightmare for Landlords (who, like me, don't fit one national criteria but apparently will now fit the localised criteria)...and a headache for the administration of both schemes. How are the City going to administer both sets simultaneously? It is a recipe for error. I would have thought that aiming the local to match the national (at least in the first instance) to catch those landlords who are having high numbers of tenants in totally unsuitable accommodations would be the priority. These are usually not managed by letting agents, who are legally required to make sure properties are up to standard before they let them. It is the very private (under the radar) landlords where the worse abuse is happening, then the illegal sub-letting which seems to be an increasing market – especially amongst vulnerable tenants (often migrant workers). Perhaps licensing the letting agents to do their job properly could be a place to start.

To have two simultaneous and, in parts, contradictory criteria operating makes no sense. I don't know how CCC are going to administer this without high levels (both time consuming and revenue costly) of appeal. I would have thought that fully and robustly implementing the national license in the first instance would be administratively higher performing. THEN (if it is found that there are still abuses) widen the catchment.

If CCC is like every other authority then central revenues are falling heavily and there are increasing pressures on services and the need to "get creative" with revenue streams. I do hope this is not a stream in the making. I would have thought that CCC already have enough powers to deal with HMO under current licensing rules.

I shall read more intently the documents you suggest., and complete the questionnaire also. I will keep a keen eye on this proposal. As I live away from the area I would struggle to get to public meetings.

Thank you for the dialogue. It is helpful.

(8) Dear Adrian,

I will look at the information provided about this Scheme.

Please clarify one point. Is the Consultation to decide on introducing a Selective Licensing Scheme or not, or has the Council already decided to proceed and therefore the Consultation is purely to fine tune some aspects of the proposals within the scheme?

(9) Dear Adrian,

I understand you are inviting comments on the property licensing proposal.

Scotland has a system for licensing properties and landlords and as far as I know this works well. This process together with other quality, health and safety requirements certainly makes landlords focus on ensuring that their property meets a high, regulated standard. However, although the licensing charges are modest, Scotland requires that the individual landlords are personally licensed as well as their properties. They also require that this licence is renewed every three years.

Although this is a good thing, it does penalise good landlords and factor in additional, increasing costs which inevitably pass down to tenants.

I believe that the process for improving substandard let properties could be more quickly attained, if the Council also considered licensing letting agencies.

If properties that were let through 'Licensed Agencies' were automatically approved and enrolled into the scheme, this would consolidate the responsibilities and liabilities Leasing Agents already have in this area. A Licensed Agency would be able to use their influence with landlords to speed up the implementation of any necessary property improvements. Letting Agencies usually undertake a 12 monthly inspection of properties, so they would be well placed to interact with the landlord In the event of any deterioration to a property over the previous 12 months and in the event of non cooperation from the Landlord organise any necessary repairs/improvements by withholding rental payments.

In this way Licensed Agencies would be able to take a great number of properties out of the equation and allow the Council to focus on the remaining properties and landlords.

It would also mean that responsible landlords who already employ a reputable agency to administer and monitor their property would not suffer further bureaucracy and costs.

(10) Dear Adrian,

My apologies for the delay in responding, but have been away.

Thank you for the update on the proposed licensing scheme and whilst I am strongly in favour of Council controls over all rental properties in Coventry, unfortunately I will be unable to attend this workshop.

I wish you every success in setting up the scheme and only hope that it results in the eradication of the many poorly run and maintained rental properties in Coventry.

Thank you for the prompt response.

(11) Dear Adrian,

I note your assurance, but it does seem at odds with the following paragraph on page 13 of the policy:

In cases where the licence is being issued to or on behalf of a new landlord who has never licensed a property before the first licence will run for one (1) year, and the licence must be renewed before it expires. After the first year, the opportunity will be provided to apply for a longer licence, provided all the relevant criteria is met.

By definition, none of us will have ever licenced a property in Coventry before. Because of the huge financial relevance of this point, I'd imagine it will be frequently raised at the consultations.

Can I also ask you, where does the data come from on percentages of rented properties, and how recent is it?

Also, how was the decision made on the perimeters of each proposed area? Including or excluding one or two streets could well completely change the statistical justifications.

I should declare my particular interest - we rent ten properties in Coventry, all relatively (20/30 years) recently built, all one or two bed purpose built flats/maisonettes. Five of these are outside the designated areas and five (not really of different quality of build decoration or surroundings) are on the [REDACTED] [REDACTED]). That area is designated, although the % PRA at 19.6% is below the 20% cut-off.

(12)Dear Adrian

Thank you for taking the time to provide such a detailed reply. The map you gave me a link to is so much better, I suggest you provide this to all interested parties.

Regarding the licensing scheme, your clarifications make sense. I can see that tenants would be reluctant to complain for fear of eviction - although in my experience, eviction is a long drawn out process, even for non-payment of rent, costing the landlord even more money in court fees!

I hope the scheme is a success, and that it will achieve what it sets out to do. The material you sent out is complicated, and I would recommend that a simple summary of the scheme and its purposes and the different levels of fees would be a good idea,

with the more comprehensive documentation available for those who want further information.

(13) Dear Adrian,

Thank you for the slides of yesterday's meeting by E mail.

We think we should thank you for organising and holding the meeting which was very informative under sometimes difficult circumstances.

We will continue to participate by filling in the questionnaire and in other further consultations and would like to suggest you consider further Landlords Forums in order to improve the Landlord capability in Coventry.

Best wishes

(14) Dear Adrian,

We will be away these dates.

but you need to know I am totally against this as you make it so difficult for us to evict bad tenants(anti-social) you advise them to stay put in there house until the landlord has paid thousands of pounds in the courts to get the bailiffs round and give them notice to vacate ..then they can move ?????? .it cost me £5000

Then your housing dept sent me a letter saying I was over paid by something like £50 .when this Romanian gypsy who completely trashed my house costing me nearly £20000 to put right .and £5000 in court fees and rent arrears.

This fee you will be demanding will take a whole years profit from me so I am beginning to think being a landlord to help with my retirement is no longer an option .

(15) Dear Adrian,

Thank you for that. On the video whatever points I'm wrong about (other than my opinion) I'm happy to amend.

I actually agree with what you are doing 100 %

- We need to raise standards and this will do that*
- Rogue agents and landlords need addressing, this will do that*
- You need more staff, the current levels are ridiculous and your staff doing a glowing job with limited resources*

I appreciate now it's not an income for profit generator and the funds raised will go towards funding the department to make this happen.

I do strongly disagree with landlords having to fund it. We already pay tax for services to be provided.

(16) Dear Adrian,

Thanks for your reply

That may be so if we are allowed to pay it over 5 years otherwise it is very expensive especially when we will getting nothing and no help..

(17) Dear Adrian,

I have two questions which I wish to ask you.

Firstly, it is not clear to me on the documentation I've seen, if a landlord has a HMO license, will they need another license on top of this or is it a case, of as long as you have a form of applicable licensing this is suffice.

In addition, a number of my landlords wish to give their opinion on your proposals, how can they do this ensuring their opinion is taken note of and considered in your decision of whether to introduce the new licensing.

Thank you for your time in this matter.

(18) Dear Adrian,

Thank you for your presentation, of February 4th, on the proposals being put forward by the city council for the selective licensing of private rented accommodation, and HMOs not covered under existing regulation.

I have briefed senior management within [REDACTED] as to the strengths and weaknesses of these proposals from our perspective; as an independent advice agency dealing daily with the issues to which these proposals are addressed.

I am happy to say that, speaking on behalf of [REDACTED], we endorse the proposals put forward for both schemes as a positive and timely step in raising standards in both landlord behaviour and the private rented properties they rent.

This endorsement, though, comes with three qualifications. However well-intentioned these schemes are, we believe they cannot succeed unless:

Housing Enforcement can effectively meet the challenge set it,

Areas chosen for the selective schemes are subject to review once more up-to-date data becomes available, and

The council has a contingency plan ready to assess the short term impact of either proposal and respond effectively should that impact (on the availability of affordable rented properties for the homeless) be negative.

Selective licensing of non-HMO private rented accommodation and additional licensing of HMO properties is not a panacea. However, together with a strong commitment to housing enforcement, we believe it can make a real difference to the affordable housing market in Coventry; moving the city closer to a time when struggling tenants don't have to live in fear of losing the roof over their (and their children's) heads due to an arbitrary decision made by an unscrupulous landlord, or being forced to live in desperate housing conditions which generate or exacerbate health problems with all the consequences for work, school and quality of life.

(19) Dear Adrian,

Thank you for your e-mail - I have decided not to attend the meeting as to be honest i see it as a pointless exercise but i understand that as part of the criteria that it has to be carried out. i do however realise that this scheme will be implemented no matter what will be said at the meeting by the landlords - with the council having to self fund and with the scheme given the go ahead - i myself a landlord very much see the importance of all tenants having a high standard and well maintained property to live in - for them tenants to also feel part of the wider community and for them tenants to also live within that property correctly keeping the outside area clean and tidy with no anti social behaviour for the community. i myself only deal with tenants who are of this standard and correct any issues with tenants if and when they arise - hope that the same can be said for social housing sector and we are not bearing the costs of them not dealing with issues - i am sure that you are fully aware over the last few years of how hard it has become being a landlord with the consent changes and on going implementation of costs through tax, licensing etc - within some cases the landlords having to now sell the properties and sadly having to make tenants homeless who you the council have to try and house with no houses for them - i understand the government is trying to bring houses back to the market maybe one day they will understand that not everyone wants or feels the need to be a home owner and now with the council having little or no properties sadly the matter is only to get worse with regards to homelessness - your reasons for having the scheme are correct by sadly being done in the wrong manner - the landlords and tenants that are causing the issues should be the ones only being penalized - when other landlord and tenants are working hard to make sure that everything is done in the right way - i also understand and have calculated the amount of money that the council could be making on this scheme which i believe far out ways the money that will go back into that scheme and once this goes ahead i will be taking a great interest in how the scheme is running and on how the funding of the money of the scheme has been spent - unfortunately most landlords now have taken the stand that any extra cost put on them by councils/ government/tax etc this will now be forwarded on to the tenant with the rent being put up - sadly yet again in most cases it will be the tenant that loses out and if they do have a dream of owning their own home this is moving further away from them - not all landlords want to make a lot of money some landlords just want to provide people with good homes

I apologise for the quick writing of this e-mail and for any missing spelling or grammar - but i just felt i had to put my point across

(20) Dear Adrian,

With reference to the licencing consultation

I fear what the council are not taking into consideration certain points.

By the end of 2019 the following will be in place by UK Law :

- All Landlords must join a redress scheme. 2019*
- 5 year electrical testing will be mandatory 2019*
- Client money protection for all estate agents to be in place 2019*

- *Human Habitation act setting clear standards for housing March 2019*

We already have:

- *Gas safe certification*
- *UK immigration Right to Rent checks*
- *EPC standards*

All of the above I feel is essential for a robust PRS

So what extra value will licencing bring when in reality the above points will already be UK legislation and will be followed by the majority of law abiding TAX paying landlords. Also if they utilise a regulated agency they will be covered by regulation.

Also landlords general costs are escalating with :

- *Section 24 tax changes meaning increased tax bills On going*
- *Tenant fee ban resulting in increased agency fees June 2019*

So rents will escalate with the above , add to this mandatory licensing and its simple to see where rents are heading. At a recent meeting with Mr Chowns some TEN landlords who represent over 1500 let properties all agreed they would be increasing rents

On the point of anti-social behaviour where the council feels this is directly linked to the private rental sector. If the police can't resolve it how do the council think Landlords will ?

Anti-social behaviour when linked to PRS often also equates to rent arrears. Consequently the council will then have to house tenants who have been evicted a cost they can not afford. The insulting point of this is the clear direction by Coventry Benefits team that ALL tenants will be deemed INTENTIONALLY HOMELESS if they move out on a court order, they are made to stay in situ until a bailiff is instructed.

All the Landlords agreed that the council need to be enforcing the law and tenants' rights. What we don't agree with is good landlords funding a department to do so.

(21) Dear Adrian,

Could you please explain how Landlords in [REDACTED] have 'failed to take steps to control anti-social behaviour by their tenants?' What evidence do you have to support this assertion, which has resulted in St. Margaret Road being included in the proposed SLS?

St. Michael's Ward includes Coventry City Centre. What are the respective crime figures for [REDACTED] compared to Coventry City Centre for the years 2016-2018? How do these figures support the Council's decision to include [REDACTED] PRS properties (and other nearby streets) in the SLS?

How many prosecutions have the Police brought for crimes recorded in [REDACTED], (or nearby) between 2016-18? Which of the following crimes listed below do

you see as a) the responsibility of Private Sector Landlords to address personally, b) the responsibility of the Police and c) crimes which will be reduced by landlords forced to take part in the SLS? How will the Council monitor success in crime reduction? Which figures will you use as your Base Line?

Types of Crime: ASB/Bicycle theft/Burglary/Criminal damage and arson/Drugs/other crime/other theft/Possession of weapons/Public order/Robbery/Shoplifting/Theft from the person/Vehicle crime/Violence and sexual offences.

At the meeting we attended you mentioned properties built by Coventry City Council. How many properties have been built by the Council and where? Have these properties been built to rent and aimed at the starter/affordable housing sector? Does the Council have any plans to refurbish empty properties within the City and make them available to rent? If so, when and where? How many empty properties are there in Coventry as of February 2019?

Low Housing demand Points 3.7/3.8. The Council's case is that Low Housing Demand/price falls = poor Landlords = anti-social tenants = ASB, is not proven. All but 2 areas listed in Table 2 on p.20 experienced a decline in house prices! Council information states 2015-18 average house prices in Coventry were £171,274 compared to £150,000 in CV1 and £159,000 on [REDACTED]. This proves little other than confirming house prices are different across the City due to local and National events e.g. since 28.1.19 houses prices fell at the fastest rate in 6 years and unsurprisingly Brexit is causing unprecedented turmoil and uncertainty in all sectors, particularly housing. Hardly a good time to introduce SL & AL Schemes based on such dubious data sources. Also, to include roads like St Margaret in a Ward as big as St. Michael's (using the 'mainly in ward' catch all heading) to reinforce the outcome wanted by the Council i.e. that all figures point to an 'influx of unprofessional Landlords' in these wards, is a nonsense.

Please explain what a 'Mixed Community' is and demonstrate how such Communities lead to low or high demand? Please give an example of a perfect 'mixed community' in Coventry. Would a student population in e.g. CV1 lead to figures showing a 'high turnover'? Is this deemed bad? What action have you taken to ensure such 'raw' figures do not distort the CV1 Ward data? St Michael's Ward has both EU/Non-EU Migrants and students due to the University. Isn't this a strength?

We look forward to receiving answers to the questions raised, as all the evidence we have seen points to a flawed Scheme, designed simply to raise money to employ more staff (40!) engaged in administering a Licence Scheme, leaving PRS Landlords, if what was said at the meeting is correct, to be responsible for enforcement!

Just in case the points we made at the meeting were not recorded:

1. The Scheme should be scrapped because it targets all PRS Landlords, regardless of whether they already comply with current laws/legislation, or not. Why should good landlords pay for a scheme to manage bad landlords?

2. *The Scheme is simply about raising money to fund administration of a new scheme, rather than enforcing existing laws.*
3. *The scheme charging structure is ridiculous. Comply and you will still be charged £380 for something you do not need! Other Authorities are sensible e.g. Peterborough - £50 (instead of £550) is charged for Landlords who are already members of either NLA or RLA.*
4. *Figures from large wards e.g. St Michael's Ward are deliberately used to draw in as many properties as possible e.g. no attempt to separate out City Centre figures from streets with very low crime figures, within the same ward. All have to be in the SLS. Why?*
5. *Why is the Council now making Private sector Landlords responsible for ASB? Dealing with ASB must ultimately be the role of the Police. You appeared to be the only person present who didn't appreciate this point.*
6. *How will you administer Licences for 8,752 properties, visit each property and complete each licence application within 12 weeks?*
7. *In Year 1, how much income will be generated from 1) SL and 2) AL Scheme Fees? How will this income be allocated?*
8. *What qualifications, training etc. will new staff have? What do they have to do to make sure we are 'fit and proper persons'?*
9. *It is not acceptable for Council staff to make unannounced visits to my property. We would not do this to our tenants. Why should you?*
10. *Why if the SLS & ALS are so good, are the NLA & RLA against these schemes?*
11. *Why in the space of just over 2 years have Coventry City Council discovered the SLS needs to be introduced in to 13 wards, rather than 1 in 2016?*
12. *Why is more of the 5 year Licence fee spent on Administration than enforcement? This illustrates perfectly the distorted priorities of these Schemes.*
13. *How many 'rogue' landlords have the Council fined in the last 3 years?*
14. *What Laws or Regulations have Coventry City Council used to make sure Landlords comply with Housing Laws, regulations etc?*
15. *Many of the statistics quoted are from the 2011 Census. How can these figures be relevant in 2019?*
16. *What has Coventry City Council (CCC) done to reduce the 14,000 housing waiting list?*
17. *Why is CCC alienating Private sector Landlords when they are the only sector providing substantial numbers of properties, by investing their own money to make properties habitable, increasing the Housing stock?*
18. *How will the SLS lead to regeneration of for example [REDACTED]?*

19. Housing is a whole City issue. Why not create funds raised through Council Tax income, to both pay to refurbish empty/repossessed properties to tackle the housing shortage (money paid back over several years through rents) and fund enforcement, which through the council Tax registration process will identify private rented properties and Landlords, making it harder for 'rogue' landlords to continue to operate undetected.

20. Use existing Laws to target and send a message to criminal Landlords. Table 17 is presented as reason **not** to use existing Laws! CCC need to Fund enforcement not more administration.

21. The First Tier Tribunal process quoted under Housing and Planning Act Enforcement as a reason not to use this approach, as the Tribunal process is "time consuming and resource intensive," is the very process to be used to resolve SLS Appeals! How do you justify this contradiction?

22. "Criteria can be set to reward good and punish bad Landlords." Criteria appears to be given more importance than using the Law. As Landlords how will 'criteria' be used to rewarded or punish us under the proposed SLS?

23. Point 3.8 reveals the Council does know when criminal Landlords move in to an area, but appear to do nothing about it. Why?

24. £6/mth x 5yrs = £360, so why is £380 quoted? There is no cap on the fee charged. CCC can charge what they want from year to year. Want more administrators - fee increased. Not acceptable.

25. Figure 14 - admits CCC does not have LSOA data on PRS by Ward. It is assumed the PRS Housing sector stock is worse due to age. We have replaced, roof, windows, heating, insulation etc, therefore this sweeping assumption cannot be correct.

26. Bureaucracy gone mad. As well as having to join the SLS (on top of our existing RLA membership) we will have to join the CCC Landlord Accreditation Scheme (cost?) and follow the principles of the Private Rented sector Code (if have an Agent) and join the Government Redress Scheme! Also read 148 pages plus of information associated with these schemes, so we know what the Council want to do! How many people will have the time to do this?

27. Selective Licensing Questionnaire - Questions asked apply to owners of **all** types of properties. whether they have a connection with Coventry or not and does not seek to establish the views of Landlords or tenants about e.g. alternatives to a SL Scheme, process, value for money, efficiency, use of existing Housing Laws, enforcement etc. Where is the question, should compliant Landlords have to pay anything or be responsible for ASB? The Licence holder questions apply to **all** property owners! Re: Management of a property, again some of these points apply to all owners. Kitchen facilities - refers to H & S issues, common to all property owners. Of course these are all 'reasonable' expectations, so all returns will be positive, producing the desired outcome for CCC! Information Pack - the replies are irrelevant, as tenants should receive this information now!

28. CCC asked to check all gender designations listed are appropriate.

In what tangible way will anything said by ourselves and everyone else who attends the consultation meetings, have on influencing the proposed Licensing Schemes? All the CCC text is written in terms of, the schemes are going ahead regardless of what you think. We just want to have your 'input on the way the schemes could operate', but then take exception or appear to ignore points made, when we do not agree with what is proposed!

Yours sincerely

(22) Dear Adrian,

I think the Coventry area has needed this for a while, with properties in poor condition, and landlords wanting premium rents without the premium properties. You are more than welcome to use any comment you feel necessary. I went through a similar process some years back with the implementation of the decent homes standard for Social Housing tenants, and the private sector has needed to play catch up for a long time.

Looking forward to working with you in the future – exciting times ahead.

(23) Dear Adrian,

I have read, albeit quickly, the information regarding proposed property licensing for private landlords in Coventry. I live in [REDACTED]. I have completed the questionnaire but would like some further points to be taken into account.

I am amazed that only part of [REDACTED] is to be included in the designated area for licensing. I live in the part of the estate that is not covered and clearly we do have problems too. Why do you consider that a portion of the estate should be licence free? We are one area surrounded by [REDACTED] and as such should be treated as one estate. As soon as owner occupiers move or die the landlords swoop into our street to purchase these homes because they are mainly smaller properties which landlords can rent out cheaply so these properties attract those on lower incomes. I moved to this property after a divorce in 1993 and decided I would need to live in a smaller property which I could afford to run in my retirement. Now half of this street is tenant occupied. Households used to be single occupiers or elderly or childless older couples. Now we have younger community and some families of 4-7 people trying to live in a tiny two bedroom houses because that is all they can afford at the extortionate rents being charged. I strongly object to our small area not being included in the whole designated area of Clifford Park Estate.

Sadly to say in most cities often the tenant doesn't report things to landlord because he's not bothered because it's not his property. When things are reported the Estate Agent doesn't address the situation and certainly not quickly and very often the landlord doesn't want to address the problem as it may require money to fix and that would eat into his monthly profit. So tenant, agent and landlord don't care, as long as

the rent is being paid, which leaves the householders on either side of tenanted property to suffer the consequences.

The property licence fee should not just be to protect tenants it should work to protect neighbours of those properties too so that everyone on the estate can live in harmony and enjoy a good and equal quality of life.

If the licence fee was to be afforded by the Coventry Council Tax payer then I would expect all areas of Coventry to be included in this programme; after all all taxpayers would be contributing. There is no point having a licence fee if you cannot compel the landlord to address the tenant's behaviour. This would ensure that the City as a whole had improved standards and conditions.

It may be tenant agreements differ but I think most contracts require the tenants to cut lawns, weed gardens, clear rubbish, put out their bins regularly and trim bushes and keep area free of rubbish. However these people don't always seek to live such a tidy life. With many of the tenants that have lived next door to me they only cut the grass once during the season and that is before they leave the property so they can get their deposits back. Weeding is a definite no-no so grass grows into the flowerbeds and even the weeds grow over the footpaths on some properties in this street. Rubbish is left at the property when tenants leave; they usually fill the recycling bin with none recyclable stuff just to get rid of it which is left in the street or in the back garden. I know one new tenant asked the landlord to get the bins emptied so he could use them and the landlord refused and said it wan't his rubbish and the new tenant was left to sort the bins and dispose of the rubbish at the tip. (The landlord could have driven once to the tip - problem solved and respect between landlord and tenant would have prevailed).

As we have said many tenants are on low incomes so if the landlord wishes the grass to be cut then surely he has to provide a lawnmower? If the tenant took the lawnmower with him when he vacated the property then the landlord would have every right to delete the cost of that item from the return deposit. Why do tenants have such low I.Q. that they think it is acceptable to leave bottles, cans and paper rubbish lying outside of the garden gate when a wheelie bin is provided, this is just laziness and a disregard for neighbours quality of life.

I have to say the standard of repairs when carried out leave a lot to be desired. These repairs are done at the cheapest cost by people clearly having no relevant experience and add to the downgrade of the property. WHY OR WHY do landlords think that tenants should live in properties where the paint is peeling off, the wood rotting and the plastic windows and doors are filthy? Surely the licence should stipulate that properties are to be painted every ten years at least!

*I do hope my points will be taken into consideration and hopefully addressed because it didn't take your report for us to know that our house prices are not keeping pace with inflation because the area is declining. **Again, it is the less well off in society that suffer the consequences of social change.***

(24) Dear Adrian,

The vast majority of people want to live in a safe, predictable world and will do right by others. There however always going to be some that wish to do harm to others, not live up to their social or legal obligations and flout the law. Fortunately over the years the various departments that help organise and run the country have been given the powers to tackle these problems and, in reference to our particular discussion, prosecute rouge landlords.

I have a number of issues with your proposed licensing scheme:

- 1) The problems you are proposing it will tackle you already have the powers to tackle. What you don't have is the ability to identify the rouge landlords in the first place and tackle them head on. Even when you have a route to identifying them you do nothing. Earlier this year I read the following: "Exclusive figures were obtained by CoventryLive from Freedom of Information requests made by the Residential Landlords Association. Experts have warned that "landlords are breaking the law" and "getting away with murder" following the revelation that a total of 675 complaints were made to [Coventry City Council](#) against rogue landlords in 2017/1 but that there were no prosecutions".
- 2) You state it will be cost neutral. Your spreadsheet might well be structured in such a way to show that but clearly as you and your department already exist, and has existed for a long time, and you already have the powers to do the things stated under the heading of "benefits a licensing scheme" the budgeted allocated to run your team has clearly been identified as an area where a cut can be made but recouped elsewhere. Where do you recoup the cut from? You target the easy to identify, law abiding landlords to replace your shortfall and low and behold it is cost neutral.
- 3) You claim rents will not go up and that market forces will prevail. I think your timing on this is clever as I think in the short term rents will stagnate and may even drop slightly but it will be nothing to do with your licence. Rents will stagnate for the short term due to the influx of purpose built student accommodation blocks with approximately 10,000 new rooms are coming online over the next couple of years. However with the population of Coventry expanding and with both universities planning on growing by 13,000 students the demand for accommodation will once more outstrip supply and rents will rise. Why will they rise? Because all of these landlords, including the ones that have been purpose built, don't just have costs to meet but a margin that they need to make. When that margin is eaten away by higher costs then the market will respond, not as one and not as one lump sum directly mirroring your licence but make no mistake as costs go up rents will go up. Your licence is one of those costs and rents will rise as a direct result of the costs you are putting on accommodation in Coventry.
- 4) As I read it you are planning on charging two fees on some properties in certain areas if they are HMOs. How the in god's name is that fair? The majority of the points on both licences are identical so why are you charging some landlords twice? See point 2 for the answer.
- 5) Has this scheme worked elsewhere? No. I speak from personal experience as I have property in Newham as well as in Coventry and it has not changed

anything about how I operate, what I do for my tenants or how they work with me. What has it done? The rent has gone up. Why does she stay when there are cheaper places in London without a licence? Because it's a good property, well maintained, in a good area with landlord that cares and that she can communicate with. Has it made any difference to the tenants and the neighbours of rouge landlords in Newham? Not one bit because like you Newham already had the powers to tackle rogue landlords and what they lack is the ability to identify those rogue landlords and tackle them head on.

I would urge you to reconsider implementing these licences for the good off both landlords that obey the law and tenants that will end up paying higher rents. I would urge you to stop spending public money on a marketing campaign to justify what you are doing and focus the money on ways or targeting rogue landlords that will genuinely benefit tenants who are suffering in appalling conditions.

(25) Dear Adrian,

You guys are really taking advantage of landlords.

It's ridiculous what level the city council will go down too to make money from hard working people.

This is my pension !! I have great families and look after my homes, your a bunch or white tie theives !

(26) Dear Adrian,

Thank you for your reply. I did find the meeting useful and your e-mail has clarified things for me in relation to how it would impact [REDACTED].

Although I can understand landlords concerns regarding additional costs they will incur, I do think that any measure designed to raise the standard of rented accommodation in the City and address issues around ASB has to be a good thing.

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Selective Licensing Policy.

VERSION 1 – DECEMBER 2018

COVENTRY CITY COUNCIL – PLANNING AND REGULATORY SERVICES

1 | Page

Coventry Selective Licensing Policy and Procedures

Contents

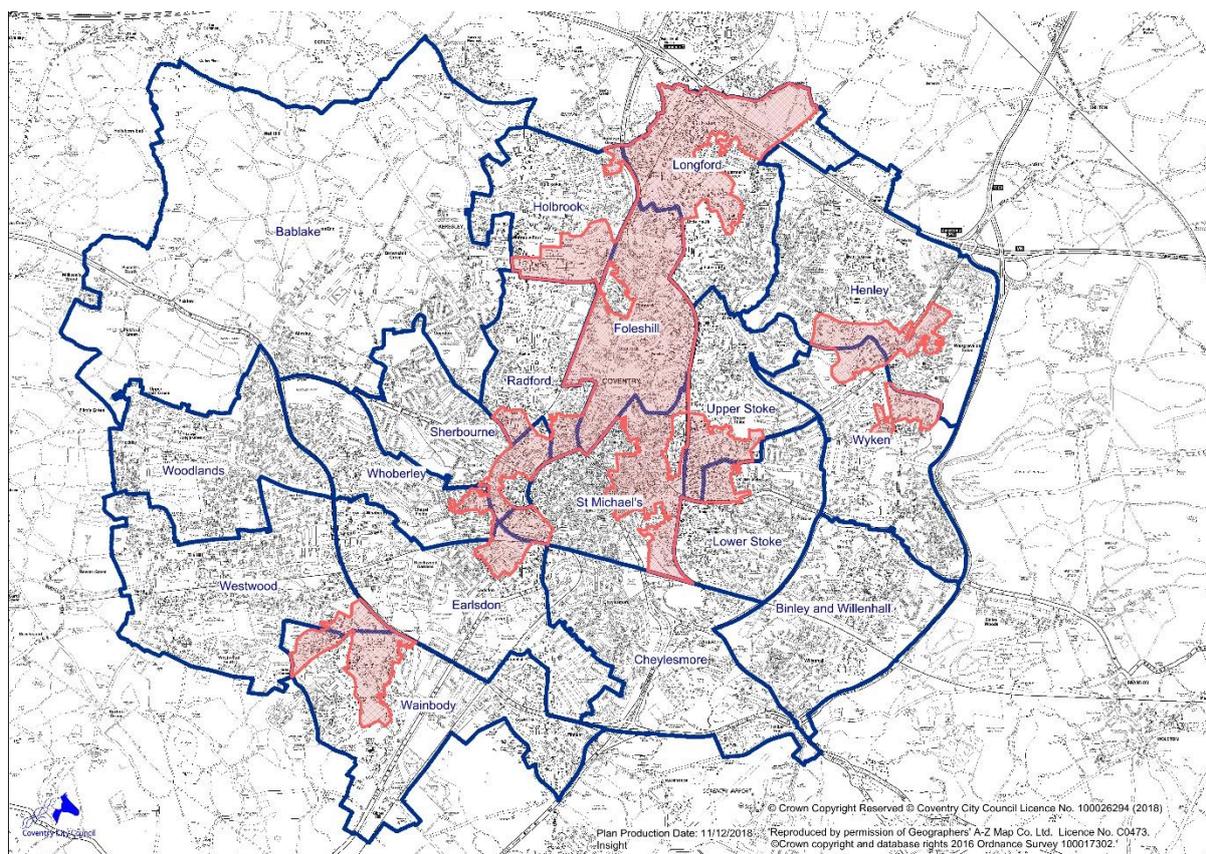
Introduction.....	3
Selective Licensing in Coventry	4
Licence Fees.....	4
Processing the application.....	7
Tests for fitness etc. and satisfactory management arrangements.....	7
The fit and proper test	9
Consideration of ‘persons associated or formerly associated’ with the proposed licence holder or manager.....	11
Issuing a Licence.....	12
Renewal Applications	13
Application for a revocation or variation of a licence	14
Licence Criteria.....	14
One year licence application criteria	14
Five year / End of Scheme licence application criteria.....	15
Coventry Landlord Accreditation Scheme (CLAS).....	16
Will tacit consent apply?.....	17
Public registers	17
Appeals.....	17

Introduction

Under Section 80 of the Housing Act 2004 Coventry City Council has the power to designate areas of the City subject to Selective Licensing of certain types of rented houses.

Coventry City Council has exercised this power and designated the following areas of the City as subject to Selective Licensing.

Figure 1 - Map of Selective Licensing areas.



Selective Licensing covers all private rented houses within the designated areas and all licence applications are to be accompanied with a fee determined by the Council. Once a licence is issued it is not transferable.

This document sets out the structure of the scheme and the fees and charges and criteria Coventry City Council will apply to all licences in relation to its Selective Licensing schemes.

Selective Licensing in Coventry

Under the “Coventry City Council Areas (TBC) Designation for Selective Licensing 2019” which will come into force on the (DATE), most privately rented homes in the City are required to have a property licence.

The Council has exercised its powers to charge under Section 87(3) and (7) of the Housing Act 2004 and does so taking into account the Provision of Services Regulations 2009, which themselves implement the EU Services Directive.

Under Part 3 of the Housing Act 2004, a house is required to be licensed if:

- The whole of it is occupied under a single non-exempt tenancy or licence; or
- The whole of it is occupied under two or more non-exempt tenancies or licences in respect of different separate dwellings within the building.

In the event that a building has multiple dwellings contained within it the Council will require a separate application and fee for each of the dwellings within the building. The Council will consider each application and will take the following factors into account before deciding to issue a multi property licence or not:

- Each of the dwellings are separate dwellings (usually self-contained flat,) which are contiguous to one another in the same building;
- Each of the dwellings are occupied under non-exempt tenancies; and
- Each of the dwellings within the same building are within common ownership and management control.

Where the Council is satisfied that individual property licences should be granted, it will give notice of this to the applicant and every relevant person. There is a right to appeal this decision to the First Tier Tribunal (Residential Property Chamber), notwithstanding the grant of these licences.

In cases of a registered `not for profit` charity i.e. Cyrenians or an individual housing provider, such as a private landlord or organisation who is assisting the Council by offering permanent accommodation to meet our homelessness duties applications will be accepted, for the particular property being provided without a fee being payable. An assessment of the organisation will then be carried out and if appropriate the Council will determine the application and issue a licence without requiring any fee. Each case will be considered on its merits based on the type of individual or organisation submitting the application and the removal of the fee requirement will only be applied to the licence for the house being provided for homelessness purposes.

Licence Fees

Section 87 of the Housing Act 2004 permits the Council to require any application for a licence under Part 3 to be accompanied by a licence fee and that this fee may properly cover all costs incurred by the Council in carrying out its functions.

Coventry Selective Licensing Policy and Procedures

In developing its fee structure the Council has had regard to the European Court of Justice ruling in *R (Hemming) V Westminster City Council* (Case C-316/15) and the High Court decision in *R (Gaskin) v LB Richmond Upon Thames* (2018) EWHC 1996 (Admin) which held that the EU's Provision of Services Directive, which is enshrined in UK law as the Provision of Services Regulations 2009 should apply to property licensing fees and the processes involved in implementing and delivering such schemes.

The Services Directive, in particular should be interpreted as precluding charging in advance for costs other than those directly related to the authorisation process of the scheme. In other words, the Council is not permitted to demand fees in advance for anything other than the costs of administering the application for a licence even if it makes it clear that unsuccessful applicants are provided with a refund of the remaining part of the fee. The Council may legitimately recover its wider costs, over and above those relating to the administration of applications, but this should be at the point at which the Council has determined that a licence is to be granted.

The judgements in *Hemming* and *Gaskin* has therefore had the effect that the fee for a Selective Licence under Part 3 of the 2004 Act must be levied in two separate parts.

The Council is not allowed to demand fees in the Stage 1 process for anything other than the costs of administering and processing the application for a licence. Furthermore this element of the fee is non-refundable should the application be unsuccessful.

In the case of Stage 2 payments these can only be requested if the initial application is successful and will be charged to cover the costs of running and enforcing the scheme.

As such the Council, when setting its fees, has adopted the two stage approach. All fees and charges will be reviewed on an annual basis and the following tables set out those fees for the period (DATE TBC).

Table 1- Fees and Charges

Stage	Type of Licence	Fee
Stage 1 Fee – Payable at the time of making the application	1 year licence	£ 251.32
Stage 2 Fee – Payable once the Council has determined to grant a Licence.	1 year licence – where landlord has been found to be operating an unlicensed property	£ 488.59

Coventry Selective Licensing Policy and Procedures

Total Fee		£ 740.00
Stage	Type of Licence	Fee
Stage 1 Fee – Payable at the time of making the application	1 year licence	£ 251.32
Stage 2 Fee – Payable once the Council has determined to grant a Licence.	1 year licence – where the landlord is licensing a new property without being identified as part of the Council proactive enforcement regime.	£ 290.54
Total Fee		£ 540.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making the application	5 year licence – subject to criteria	£ 221.52
Stage 2 – Payable once the Council has determined to grant a Licence	5 year licence	£ 160.00
Total Fee		£ 380.00
Stage	Type of Licence	Fee
Stage 1 – Payable at the time of making a Renewal Application.	Renewal of a licence – subject to criteria	£ 191.72
Stage 2 – Payable once the Council has determined to Grant a Renewal of a Licence	Renewal of a licence	£ 225.10
Total Fee		£ 415.00

Coventry Selective Licensing Policy and Procedures

Under Section 90 (6) of the Housing Act 2004 the Council has the power to impose a restriction / obligation on a particular person (with their consent). In accordance with this power the Council will require the licence holders consent to pay the Stage 2 fee in advance of the licence being issued, this will be required as part of the application process.

In addition, the Council will attach a condition to all licences requiring this obligation to be met i.e. to pay the Stage 2 fee. This approach is consistent with that set out in the *Hemming* case.

Failure to make the Stage 2 payment will result in the Council taking action through, either the revocation or refusal of the licence or by enforcing the non-compliance of the licence condition associated with the making of the Stage 2 payment.

Processing the application

Under the Housing Act 2004 the Council can either grant or refuse a licence. In determining whether to grant or refuse a licence the Council must satisfy itself of the following:

- That the proposed licence and manager of the property
- That there are satisfactory management arrangements in place or that such arrangements can be put in place by the imposition of conditions in the licence.

Tests for fitness etc. and satisfactory management arrangements.

Coventry City Council must be satisfied that “the proposed management arrangements are satisfactory” before granting a licence. Those arrangements include (but are not limited to) consideration of whether:

- the person(s) proposed to be involved in the management of the premises has/have a sufficient level of competence to be involved;
- the person(s) proposed to be involved with the management of the premises is/are actually involved in the management;
- the person(s) is/are ‘fit and proper’ (which is discussed above); and
- the proposed management structures and funding arrangements are suitable.

If there are concerns about the competencies and structures in place to manage the premises then conditions can be imposed on the licence to ensure that the necessary arrangements are in place. However, if such conditions will still not be possible or practical to impose then it may be necessary to refuse to grant a licence.

It is for a Council to determine whether a person has sufficient competence to be involved in the management of premises and, of course, the level of competence

Coventry Selective Licensing Policy and Procedures

required will in some measure be determined by the complexity of the management challenges posed. The Council will, therefore, be looking at the applicant's experience and track record of managing residential premises and, in particular where he/she is the existing manager, the premises to which the application relates. In most cases landlords who belong to a recognised trade association or are members of an accreditation scheme will be regarded as having the necessary competence to be involved in the management of the premises because, at least such organisations can be called upon for advice and assistance where necessary.

The management structures must be such that the manager is able to comply with any licence conditions and deal with the day to day operational management issues that arise as well as being able to deal with longer term management issues. In considering whether the structures are appropriate the Council may take account of the following:

- evidence as to whether the systems in place are sufficient to enable the manager to comply with any condition of a licence or if such systems can be put in place through a condition of a licence to ensure compliance;
- evidence of the systems for dealing with:
 - i) emergency repairs and other issues;
 - ii) routine repairs and maintenance to the premises and its curtilage;
 - iii) cyclical maintenance;
 - iv) management and the provision of services (if any) to the building and its curtilage;
 - v) management of tenancies or occupants;
 - vi) management of the behaviour of tenants, occupants and their visitors to the premises; and
 - vii) neighbourhood issues (including disputes)
- evidence of structures for engagement with the local authority, police and other agencies, where appropriate.

In order to be able to demonstrate much of the above evidence it is likely that the manager will need to operate within a reasonable proximity to the premises, so that he/she can attend to matters promptly and retain an overview on the condition of the premises and the management of the tenancies.

The Council must also be satisfied that the financial arrangements relating to the premises are suitable. In that regard the manager must be sufficiently funded or have access to funding to carry out his obligations under the licence and his/her general management functions.

Coventry City Council can vary or revoke a licence at any time during the licence period if there is sufficient evidence to support these decisions. Unannounced visits of licensed properties will therefore be undertaken during the licence period to check for

Coventry Selective Licensing Policy and Procedures

compliance with the licensing and management regimes which apply. This is consistent with the powers provided under Section 239 of the Housing Act 2004.

Breach of any such legislation is a strict offence for which further action will be taken. The Housing, Health and Safety Rating System (HHSRS) also applies to rented properties and (if appropriate) remedial works can be enforced via this legal mechanism separately to the powers provided under the licensing scheme.

The fit and proper test

In deciding to grant a licence Coventry City Council must be satisfied that the proposed licence holder “is a fit and proper person to be the licence holder ...” and that “the proposed manager of the house is a fit and proper person to be the manager of the house ...”.

This requirement is to ensure that those responsible for operating the licence and managing the premises are of sufficient integrity and good character to be involved in the management of the particular residential premises to which the application relates and as such they do not pose a risk to the health, safety or welfare of persons occupying and visiting the premises.

When considering whether a person is ‘fit and proper’ Coventry City Council will have regard to any misdemeanours (wrong doings) of the relevant person concerned. This is evidence that the person has:

- committed any offence involving fraud or other dishonesty, violence or drugs and certain types of sexual offences;
- practised unlawful discrimination on the grounds of sex, colour, race, ethnic or national origins or disability, in connection with the carrying out of business;
- contravened any provision of housing or landlord and tenant law; or
- acted otherwise than in accordance with an approved code of practice.

The above list is not exhaustive and Coventry City Council can and will consider whether a relevant person has committed other relevant misdemeanours, for example, discrimination under Regulation 5 of the Equality Act (Sexual Orientation) Regulations 2007. A relevant person will not be deemed unfit, simply because of poor management, although this is highly relevant to determining any question of suitability or competence.

Coventry City Council do not adopt a blanket policy with its consideration of factors under a fit and proper person test. Each case will be considered on its own merits and regard will be had to information provided / omitted from an application form; historical information already held by Coventry City Council relating to the

Coventry Selective Licensing Policy and Procedures

premises and / or any relevant person connected with the licence application.

In an application for a licence the applicant must provide details of the following in relation to him/herself and the proposed manager (if the applicant is not to be the licence holder):

- unspent convictions;
- any findings of a court/tribunal that the person has practised unlawful discrimination;
- any judgement entered against that person in relation to a contravention of housing or landlord and tenant law (and, in so far it relates to the housing or landlord and tenant law, any contravention of any enactment relating to public or environmental health);
- any control order made in respect of any HMO under his/her management or ownership (and also in respect of any former HMO he/she owned or managed);
- any enforcement action in respect of any house or HMO under his/her management or ownership (and also any former HMO or house he/she owned or managed) under the housing health and safety rating system in Part 1 of the Housing Act 2004 so far as that enforcement action related to a category one hazard;
- details of any refusal to grant a licence, or details of the revocation of a licence granted for non-compliance of a condition or conditions in respect of any house or HMO under his/her management or ownership (and also in relation to any former HMO or house he owned or managed); and
- details of any interim or final management orders made by an LHA in respect of any house or HMO under his management (and also in respect of any former HMO or house he owned or managed).

An applicant for a licence must disclose any misdemeanours which relate to themselves, the proposed manager and any other relevant person, if any. Coventry City Council should therefore have sufficient information to decide a person's fitness based on the application.

If Coventry City Council are not satisfied that it has sufficient information (being that supplied in connection with the application) to make a determination, it may require the applicant to provide further details and / or undertake their own further enquiries with other relevant Council departments and external bodies as it deems necessary, including for example Disclosure & Barring Service checks (DBS). The completion and signing of the Licence application form will be taken as an agreement to any such action

Checks will also be made internally with other Council departments such as Licensing, Trading Standards, Planning, Building Control, Council Tax and Housing Benefit.

Coventry Selective Licensing Policy and Procedures

Coventry City Council are also able to request information on criminal convictions, and although this is not undertaken as a matter of routine a Police National Computer (PNC) checks will be requested where there is sufficient evidence that this is necessary. A PNC check may also be requested for the purposes of officer safety during the course of the licensing application should this also be considered necessary.

Such reasons for a PNC check may include that:

- Coventry City Council have evidence of a history of complaints or problems with the landlord (which in themselves might not amount to 'evidence' of unfitness to meet the test), but further investigation may be required;
- the applicant has been evasive or untruthful in their application for a licence;
- the applicant, or proposed manager, is unknown to Coventry City Council and has not demonstrated any history or competence of managing HMOs or other private rented properties;
- Coventry City Council has reasonable grounds to suspect that the applicant, or the proposed manager, has committed an offence which is relevant to the determination of any question of his/her fitness; or
- the premises provides accommodation mainly to vulnerable persons.

In deciding whether a misdemeanour (including a criminal offence) is relevant to the determination of a person's fitness a Council may wish to consider the following factors:

- the relevance of the misdemeanour(s) in relation to the person's character and integrity to manage residential premises and in particular the type of premises to which the licence relates;
- the seriousness of the misdemeanour(s) in terms of impact, or potential impact, upon the residents and the wider community, including if more than one misdemeanour has been carried out the cumulative impact;
- the length of time since any misdemeanour; and
- any mitigating circumstances.

Consideration of 'persons associated or formerly associated' with the proposed licence holder or manager.

If there is evidence that a person associated, or formally associated, with the person proposed to be the licence holder or manager of the property, has committed any misdemeanours, that evidence may be taken into account in determining the proposed licence holder's or manager's fitness (even if that person has himself or herself an unblemished record).

Coventry Selective Licensing Policy and Procedures

The purpose of this requirement is to ensure that only fit and proper persons hold licences or are in any way involved in the management of licensed properties. It would not be appropriate for a licence to be granted to someone, or for someone to be the manager of a property, if that person was merely acting as a 'front' for someone else who, if he or she were not unfit, would be entitled to be the manager or licence holder.

An example might be that of a husband and wife, where the husband is the landlord (or indeed both he and his partner are joint landlords), but only the wife has applied for the licence. If there is evidence that the husband has committed misdemeanours and those misdemeanours are relevant to the wife's management of the property or licence then the Council may refuse to grant her a licence.

Likewise if a landlord with an unsatisfactory record nominated a "manager" who had a clean record, but had acted for him whilst the misdemeanours were committed, Coventry City Council may consider the managing agent by association to be unfit too.

Issuing a Licence

All properties subject to an annual property licence will be inspected prior to the issuing of a draft licence to ensure that the property meets the required standards and the necessary and appropriate management arrangements are in place.

Where the licence holder and manager has satisfied the requirements for a longer licence the licence will be issued after an initial inspection being completed. All properties will however remain subject to further inspections during the lifetime of the licence to check compliance with licence conditions, management responsibilities and minimum standards. In certain cases the Council may decide to carry out such inspections without prior notice being given to the owner, licence holder and /or manager.

Where the inspection has been pre-arranged then all applicants will be required to provide access to all rooms in the house at a suitably arranged appointment.

All contact with the licence holder and relevant person(s) will be made using the contact information provided by the applicant on the original application. Accordingly, it is the licence holder's responsibility to ensure that all contact details are up to date and you must notify the Property Licensing Team of any change in details. The Property Licensing Team will not be held responsible for any delay in communication if it is as a result of any contact information changing.

A draft licence with conditions will be issued based on the findings from this inspection. The draft licence (known as an Intention Notice) will be emailed to all relevant persons and other interested parties for consultation.

Coventry Selective Licensing Policy and Procedures

The relevant persons will have an opportunity to make any representations, which will be considered.

When this process is complete a full licence with the conditions (known as the Decision Notice) will be issued. Again, copies will be sent to all interested parties.

If the licence holder is still dissatisfied with the conditions of the licence, they will have an opportunity to appeal to the First-tier Property Tribunal. The details of how this appeal can be made will be provided with the Licence.

All properties will be inspected at least once during the period of the licence to check conditions have been complied with. Failing to comply with any conditions on a licence is an offence under Section 95(2) of the Housing Act 2004 and, if found guilty the licence holder could face a prosecution or issued with a Civil Penalty of up to £30,000.

In cases where the licence is being issued to or on behalf of a new landlord who has never licensed a property before the first licence will run for one (1) year, and the licence must be renewed before it expires. After the first year, the opportunity will be provided to apply for a longer licence, provided all the relevant criteria is met.

The Council considers this approach is justified in furtherance of the overriding public interest of improving the standard of rented properties and their management.

Renewal Applications

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012 set out amendments to “renewal applications”, which reduces the burden on landlords applying for the renewal of a licence.

In the case of renewal applications the applicant must:

- supply with the application, completed and signed declarations in the form specified in paragraph 4 of Schedule 2 of the Housing Act 2004;
- supply in addition a completed and signed declaration in the form specified in paragraph 5 of that Schedule; and
- in either case, sign the application.

The form of declaration mentioned above will be available for applicants to sign as part of any renewal application.

The regulations define a “renewal application” as “*an application for a licence under section 87 of the Act where, at the time the application is made a licence of the kind applied for is already held by the applicant and has effect in respect of the HMO or house*”.

The effect of this part of the Regulations is that in order for the Council to treat any application as a “renewal” the application must be made during the active period of the

current licence. If a renewal application is received on or after expiry of the current licence then the application will be treated as a new application and the appropriate fees above will apply.

Application for a revocation or variation of a licence.

If circumstances regarding the property change during the licence period, for example a change in the number of letting units, the licence holder must notify the Property Licensing Team directly so the licence can be re-assessed and varied if the premises is considered suitable to accommodate the variation request.

Similarly, if the premises are no longer going to be occupied as a rented property or the licence holder changes, then the licence holder must make an application for the licence to be revoked. Any remaining period of the licence will be forfeited and there will be no right to a refund of the original payment.

Licence Criteria

One year licence application criteria

Annual licences are normally issued to new landlords where they have recently acquired or converted their property into a licensable property. This licence will be issued for a probationary period of 12 months and will be subject to the inspections process described earlier.

Upon renewal the landlord/licence holder will be able to apply for a longer licence and, subject to meeting the relevant criteria, may be issued with a 5 year or “end of scheme” licence. In cases where the landlord/licence holder is not able to meet the qualifying criteria an annual licence will be issued as a renewal.

It is important that a renewal application is submitted before expiry of the current licence otherwise it may be determined that this is a new application and additional information will be required. A different fee may also apply to reflect the increased time involved in processing the application.

Annual licences will automatically be issued to those landlords who are found to be operating an unlicensed property through proactive visits carried out by the Council. In cases such as these it is likely that the landlord may also be subject to a formal investigation by the Council – given that they have been found to be operating an unlicensed property. This may affect their eligibility as licence holder or manager so they will be required to nominate an alternative competent person to be licence holder/manager.

Upon renewal the landlord/licence holder will be able to apply for a longer licence and, subject to meeting the relevant criteria, may be issued with a 5 year or “end of scheme” licence. In cases where the landlord/licence holder is not able to meet the qualifying criteria an annual licence will be issued as a renewal.

In all cases the applicant must:

Coventry Selective Licensing Policy and Procedures

Complete a valid application within 12 weeks of the property being licensable; and

Comply with all licence conditions before the licence is due for renewal.

Five year / End of Scheme licence application criteria

All applicants that meet the criteria set out below will be eligible for a 'five-year' licence (granted for 5 calendar years or up to the expiry date of the operating scheme).

The criteria for such a licence is as follows:

- Valid renewal application completed promptly before or within 2 weeks of being sent the first renewal reminder;
- In the case of new applications, a complete application form;
- Fee paid;
- Declaration signed; and
- Five-year licence self-certification forms signed by the licence holder and (if applicable) managing agent.

All parties actively involved in managing the property (i.e. joint or sole management responsibility) must be accredited with Coventry City Council's Landlord Accreditation Scheme (CLAS). See *Additional Notes* below for details.

All parties involved in the licensing and management of the property must also have a good history with the Council. When determining the compliance with this element of the criteria the Council will take the following into account:

- All licence applications made on time;
- No outstanding licence conditions;
- No recent complaints about the property we have taken action to resolve;
- All certificates provided up to date and satisfactory;
- No issues with other departments within the council i.e. planning/highways;
- Have suitable maintenance arrangements in place with suitably qualified and competent tradespeople for the upkeep of the property; and
- Adhere to the principles set out in the **Private Rented Sector Code of Practice**;

Managing Agents (with sole or joint management responsibility) must meet the following additional criteria:

- 50% or more of the company's employees are suitably qualified in residential property management;
- All employees carry out regular continued professional development (CPD); and
- The company is registered with a recognised professional association.

Should any issues arise or new information be discovered after the licence is issued, Coventry City Council reserves the right to revoke the licence. If any relevant person

Coventry Selective Licensing Policy and Procedures

is found to have provided false or misleading information or made a false declaration, we may take enforcement action against them separately.

It is the responsibility of the proposed licence holder and manager(s) to meet all of the eligibility criteria for the licence and provide all necessary evidence when requested. If all requested documentation is not provided in time, the Council will automatically assess the application based on the evidence we hold and issue a licence accordingly, which will generally be an annual licence.

Coventry Landlord Accreditation Scheme (CLAS)

All parties actively involved in managing the property must be accredited with Coventry City Council Landlord Accreditation Scheme (CLAS) to be eligible for five-year licences. Read the (WEB PAGE LINK TBC) or contact (EMAIL TBC) for further information on becoming accredited.

The licence holder **does not** need to be CLAS accredited if the managing agent has CLAS accreditation and full management responsibility.

The landlord **does not** need to be CLAS accredited if the managing agent is the licence holder, has CLAS accreditation, and full management responsibility.

The licence holder and managing agent **both** need to be CLAS accredited if they have joint management responsibility.

The licence holder **only** needs to be accredited if they have full management control and their agent has **no** property management responsibility (i.e. agent is used only for finding tenants and/or rent collection.)

The licence holder must complete a self-certification form in all cases, even when full management control has been given to a managing agent (who in that case must also complete the form).

'Suitable maintenance arrangements' means having arrangements in place with suitably qualified and competent tradespeople to carry out maintenance and emergency repairs. For example, having ready details of a Gas Safe Registered plumber, a NICEIC registered electrician and reputable builder/handyman; or having a comprehensive emergency cover plan for your properties.

'Recognised professional associations' for agents include: ARLA, ARMA, IRPM, NAEA, and RICS.

A Disclosure and Barring Service (DBS) check may be requested from the landlord in cases where the agent has full management control (irrespective of whom the licence holder is).

Will tacit consent apply?

In deciding whether tacit consent applies the Council has taken into consideration the recent High Court decision in the case of *R(Gaskin) v Richmond LBC* [2018] EWHC 1996 (Admin).

The *Gaskin* case says that the Provision of Services Directive applies to licensing schemes in full and that regulators should set out how long it will take to carry out a licensing approval process and if they do not meet that timeline then approval (tacit consent) should happen automatically.

Upon receiving a valid application, the Council will aim to provide a decision as soon as is reasonably practicable, however each case will require different processes to be completed, for example if an inspection of the property is necessary then the Council will be required to complete this before issuing you with a decision. This could therefore extend the time it takes to process your application.

It is therefore the Council's aim to process all valid applications and provide the relevant persons with a decision within 12 weeks of receipt. This will require the full co-operation of the applicant with the Council's requirements for determining a licence application.

If a decision about a licence application has not been received after this period, then tacit approval may apply but the proposed licence holder should not assume they will automatically have been granted a licence.

As mentioned the target completion period for issuing a decision and a licence is subject to many factors and as such applicants should check with the Council on the status of their application.

By the Council setting out and displaying publicly their licensing processing time, the Council considers this will instil confidence in local landlords and help to keep them informed about the process.

Public registers

A register of property Licences is available online and details of this can be obtained by sending a formal, written request to the Property Licensing team.

Appeals

If an application for a property Licence is refused, there is a right to appeal this decision within 28 days to the First-tier Tribunal (Property Chamber - Residential Property). The details of this will be provided with the Decision Notice.

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**Coventry City Council
Equality and Consultation Analysis (ECA) Form**

In line with the principles of decision making outlined in the City Council Constitution, the Council will ensure that its decision making is open and transparent, and that due regard is given to the Council's obligations and desire to promote equality of opportunity and equal treatment.

Form 1

This part must be completed and before formal consultation is undertaken and must be available during the consultation stage.

Author of this document: Faye Griffiths

Name of ECA and Service: Selective Licensing

Head of Service: Andrew Walster

Date of completion: December 2018

Background to the planned changes

1. What is the background to the planned changes? Why is this change being considered?

The Housing Act 2004 gave Local Housing Authorities the power to introduce Selective Licensing within part or all of their area.

The Council has produced a Housing Strategy which recognises that, amongst other things, there is limited social affordable housing available in the city, and that therefore the Private Rented Sector (PRS) will need to play a greater role in meeting housing needs in the city. We know that often, people from protected characteristic groups live in the PRS and therefore are affected by the issues related to this.

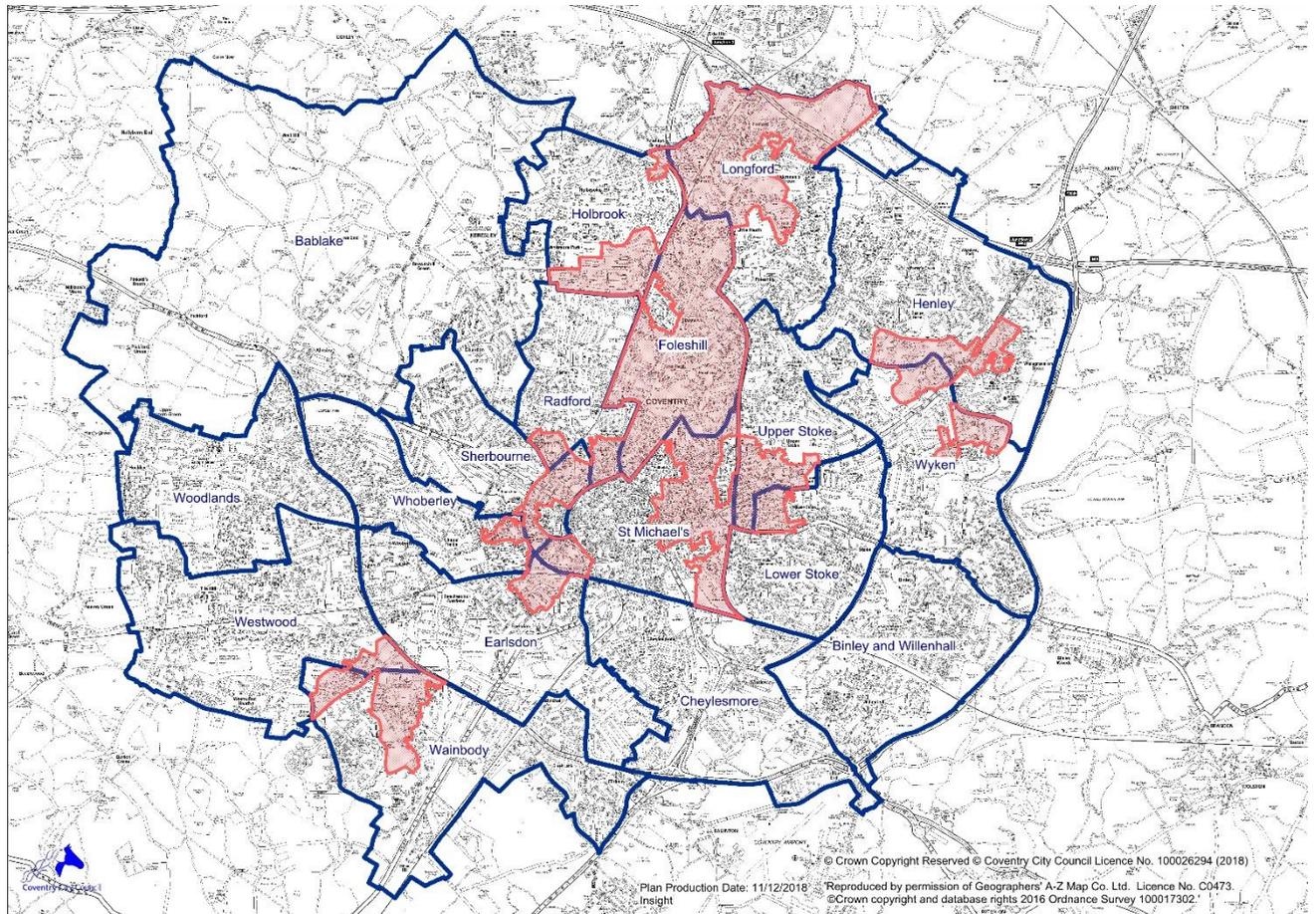
In areas where Selective Licensing applies, landlords must apply for a licence if they want to rent out a property. This means the council can check whether they are a "fit or proper person" to be a landlord, as well as making other stipulations concerning management of the property and appropriate safety measures.

The Council acknowledges that many landlords provide decent, well-managed and well maintained accommodation, which does not cause any problems for the local community. There are, however, also properties that are poorly managed, suffer from overcrowding, or provide unsafe accommodation. These properties have a negative effect on the local area.

Coventry City Council is proposing to designate the areas identified in pink shown in Figure 1 (over), subject to Selective Licensing.

Coventry City Council Equality and Consultation Analysis (ECA) Form

Figure 1



2. Who do you need to consider as part of this ECA?

- Accredited landlords/letting agents
- Cabinet Member
- CABs
- Community Safety
- Council for the disabled/access groups
- Disability Forums
- Existing tenants
- Landlords
- Lead Party Members
- Local media
- Local people
- Members of Parliament
- National and Regional landlord agencies, Eg. National Landlord Association, Guild of Residential Landlords, Association of Residential Rights, Residential Landlord Association
- Opposition Members
- Public Health

Coventry City Council Equality and Consultation Analysis (ECA) Form

- Registered Social Landlords
- Resident Associations
- Specialist press
- Statutory stakeholders
- Students
- Universities
- Voluntary Action Coventry
- Voluntary/community organisations
- West Midlands Combined Authority
- West Midlands Fire Service
- West Midlands Police

Pre-Consultation Engagement

This section refers to any activities that took place (such as briefings, meetings, workshops, scoping exercises etc) with stakeholders before the formal consultation period.

3. What engagement activities took place prior to formal consultation and what feedback (if any) was received in relation to equality issues?

None yet. A formal stakeholder and public consultation will take place between 9 January 2019 and 20 March 2019.

A wide range of data has been analysed to provide an objective geographical appraisal of the city and those areas which may benefit from the implementation of a Selective Licensing scheme using the criteria set out in the guidance provided by Government for designating selective licensing areas. The detailed analysis was based on the following themes set around the criteria set by Government.

Low Housing Demand

Lack of Mixed Communities – Proportion of tenure mix
Average House Sale Price
Count of Empty Properties
Count of Total Crimes
Count of Criminal Damage
Count of Burglary
Count of Robbery
Count of Theft
Count of Vehicle Crime
Proportion of families on Low Income.

ASB

Count of Total ASB
Count of Nuisance ASB
Count of Personal ASB
Count of Environmental ASB

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Count of Flytipping
Count of Rubbish Accumulations
Count of Graffiti cleared

Property Conditions

Proportion of Private Rented Sector Stock with a Category 1 hazard
Proportion of Private Rented Sector Stock with a Category 2 hazard
Count of Housing Complaints

Migration

Count of Population change between 2011 to 2013
Count of New build Completions

Deprivation – 2015 Indices of Multiple Deprivation

Lack of Mixed Communities – Proportion of tenure mix
Overall Deprivation score
Employment Deprivation score
Income Deprivation score
Health Deprivation score
Access to Education, Training and Other Services score
Indoors Sub Domain score
Living Environment score
Levels of Crime score

Crime

Lack of Mixed Communities – Proportion of tenure mix
Count of Total crime
Count of Criminal Damage
Count of Burglary
Count of Robbery
Count of Theft
Count of Vehicle Crime
Rate of Crime per 1000 population
% Comparison to National Average

Analysis of Impact

- 4. Outline below how this proposal/review could impact on protected groups positively or negatively, and what steps/mitigations (if any) could be taken to reduce any negative impact that has been identified.**

The positive and negative impacts in respect of protected characteristic groups are shown below. The proposals recognise that one of the city's strengths is its diversity and to ensure that there is equality and fairness for all. In this regard, we will adopt an inclusive and principally locality driven approach to the implementation of the licensing as well as focusing on the issues faced by protected characteristic groups.

Coventry City Council Equality and Consultation Analysis (ECA) Form

As part of the licence application process, landlords will need to show that when carrying out their business they have not (amongst other things) practised unlawful discrimination and must meet licence conditions on how they manage their properties. The licensing scheme should have a positive effect on anti-social behaviour, and this may have a positive impact for protected characteristic groups.

Coventry is the second largest city in the region by population, with a population estimated to be in excess of 366,800. The city is also the 9th largest in England, and its population places it as the 12th largest in the UK.¹

Between 2012 and 2013, the city's population increased by over 2%. A significant number of migrants have contributed to the city's population, which is expected to continue as Coventry will see steady population increases.

Census 2011 data suggests that Coventry's population has a much younger age profile than England in general; it is the younger population that is on the increase with a decline in the over 75's.

Age – The English Housing Survey 2016/17 (EHS) reported, that the PRS has now grown to 20%, up from 19% in 2013-14 and 11% in 2003 and that a larger proportion of 25- to 34-year-olds now rent their home.

Selective Licencing will have a positive effect on young people as rising house prices have seen many young people priced out of buying a home which is apparent from the results of the EHS which acknowledges that *“While the under 35s have always been overrepresented in the private rented sector, over the last decade or so the increase in the proportion of such households in the private rented sector has been particularly pronounced. In 2006-07, 27% of those aged 25-34 lived in the private rented sector. By 2016-17 this had increased to 46%. Over the same period, the proportion of 25-34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25-34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-13. As with those aged 35-44, the proportion of 25-34 year olds in the social rented sector did not change”*.

The average age of Coventry's residents is 33 years, notably lower than the England average of 40 years, and is falling. In 2007 when the Coventry population started to grow the average age was 36 years. The young average age is partly because the city is home to two large universities - Coventry is one of the top 20 towns and cities in the UK in terms of the proportion of the population who are students (source: Census 2011).

Disability – Selective Licensing will have a positive effect on disabled people as tenants with disabilities often face problems when renting properties. They may particularly have problems with security of tenure. Landlords are reluctant to facilitate property adaptations. Tenants with health issues are also much more likely to be affected by problems with damp and housing disrepair issues and may face

¹ <https://www.ukpopulation.org/coventry-population/>

Coventry City Council Equality and Consultation Analysis (ECA) Form

problems with getting repairs done more quickly. Disabled tenants are much more impacted by the cold and issues such as no heating or hot water affect them more. Disabled tenants who have assistance dogs also have more problems renting properties as these are seen as pets. Selective licencing will help to overcome these issues.

Gender reassignment - Although the proposals are not believed to have adverse impacts on this group, we do know that this is a group that experiences discrimination and this may impact on their ability to rent property.

Marriage/Civil Partnership – There is not believed any impact on this group.

Pregnancy/Maternity – Although it is not believed there is any significant impact on this group, people with children can find renting a property an issue.

Race – Property investment by the Asian community is widespread and often a means to support their families both within the UK and in Pakistan and India. There may be a negative impact on this group of Landlords as the cost of the scheme may affect their property portfolios.

However, Selective Licensing will have a positive effect on race as rented accommodation will be improved in the areas of Selective licensing. This is significant as the Office for National Statistics (ONS) reported in 2014 that overall for the UK as a whole, the proportion of the population born outside of the UK was 13% (8.3 million of 63.7 million). In Coventry the figures for 2014/15 were reported to be 24% non UK born, almost twice the national average.

According to the 2011 Census, Coventry as a local authority has experienced the greatest migration since 2001 - second only to London.

The 2011 Census tells us that 1 in every 5 people living in Coventry (21%) were born outside the UK. People move in and out of the city every year, including students studying at the city's two universities from both the UK (37,580) as well as an estimated 19,160 overseas students (2016-2017 figures)². 14,035 students enrolled from Non-EU countries and 5,125 from EU countries. Therefore, Selective Licensing will have a positive effect on those living in Coventry who were born outside the UK from different ethnic minorities and will add to measures that address migrant health issues that is a clear priority for the city's Marmot role.

Religion/belief –Some religions are unable to receive interest from investments and this proposal may impact on members of those religions.

² <https://www.hesa.ac.uk/news/11-01-2018/sfr247-higher-education-student-statistics/location>

Coventry City Council
Equality and Consultation Analysis (ECA) Form

Sex – There are not believed to be any specific impacts on this group. However, if landlords increase rents to cover the cost of the licence, this will impact all renters.

Sexual orientation - Although the proposals are not believed to have adverse impacts on this group, we do know that this is a group that experiences discrimination and this may impact on their ability to rent property.

5. Are there any other vulnerable groups that could be affected?

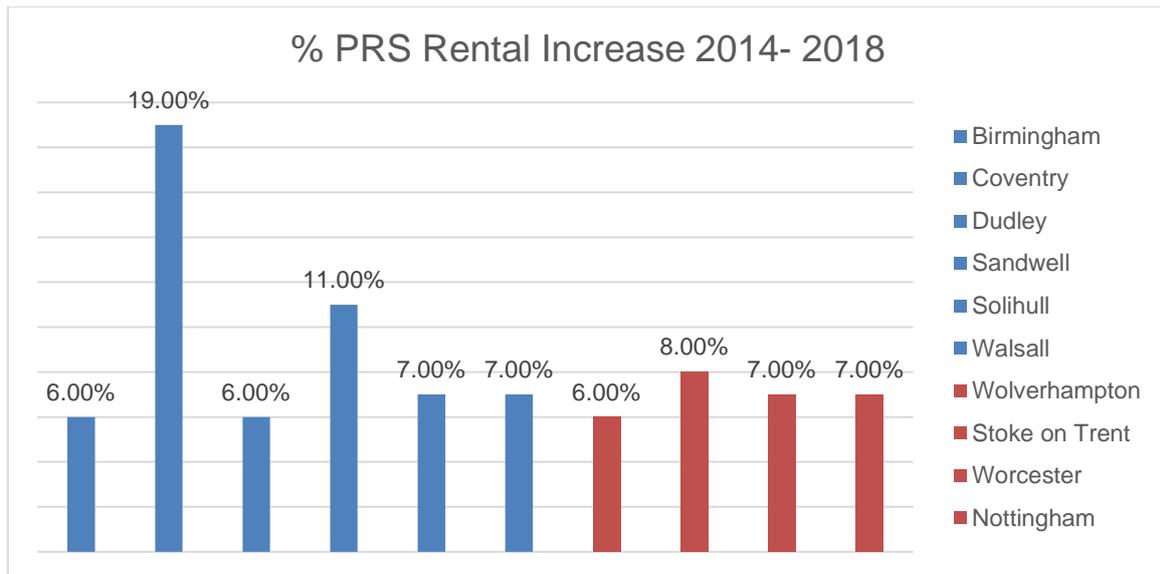
Socio-economic - Selective Licensing will have a positive effect on people in lower socio-economic groups, those in routine/semi routine jobs and those who are long term unemployed or have never worked are often those most impacted by poor quality accommodation. They are also more likely to live in private rented accommodation.

However, this group could be negatively affected if landlords increase rent to cover the cost of the licence or improvements required to comply. the Council has conducted some research into this area of increased rents and has made a comparison of rents from 2014- 2018 between areas in England that had discretionary licensing schemes and those that did not, in order to establish if there was any evidence to show that discretionary licensing increases rent.

As can be seen from Figure 2 below rental values increased in Coventry, on average by 19% between 2015 and 2018 compared to 11% in the West Midlands and 8% England over the same period. The increases in rent occurred in Coventry without the existence of a licensing scheme whilst lesser increases occurred across areas of the West Midlands where licensing is in operation – those shown in red (Wolverhampton 6%, Stoke 8%, Worcester 7% & Nottingham 7%). The evidence therefore suggests that despite the perception that licensing increase rents it is not the main contributing factor.

Figure 2 - Comparison of Rents in Areas with and without Licensing

**Coventry City Council
Equality and Consultation Analysis (ECA) Form**



Health – Selective Licensing will have a positive effect on health. It is well reported that poor housing conditions, including overcrowding and homelessness, are associated with an increased health risk, specifically of cardiovascular diseases, respiratory conditions and mental health problems. In Coventry, as of the 2011 census, 61% of homes were owner occupied (69% in 2001) and 17% were rented from the Housing Association or a Social Landlord (18% in 2001). In addition, 9.5% of housing was deemed overcrowded.

6. What are the gaps in evidence? Can this be addressed during the consultation stage?

There is limited data on inequalities in the private rented sector related to marriage/civil partnership issues. It is unlikely that additional data will be gathered on this during the consultation stage, this will be considered as part of future information gathering exercises.

7. What are the likely impacts of this project/review on staff from protected groups? None

**Coventry City Council
Equality and Consultation Analysis (ECA) Form**

Form 2

This section should be completed AFTER any consultation has been concluded.

Author of this document: Adrian Chowns

Date of completion: September 2019

Potential Impacts – further information

8. Referring to the information detailed in question 4 of ECA Form 1, state if the potential impacts have been confirmed. Also detail below any additional information about potential impacts that has been highlighted during any consultation.

A consultation was carried out for a period of 10 weeks between the 19 January 2019 and the 20 March 2019. The consultation incorporated a range of methods for conducting the consultation, including:

- Online questionnaires – 301 responses
- Drop in sessions – attended by 119 people
- Focus Groups – attended by 29 people
- Tenants and residents groups – attended by 17 people
- Landlords Forums – attended by 245 people
- Flyers and questionnaires were handed out at various locations

No specific equalities issues were raised during the consultation.

Generally, there was support for the proposals but there were several reservations around the potential impact this could have on the cost of accommodation. It was clear that tenants felt there was a need to retain cheap accommodation even if it meant that it was slightly below standard as this was the only option for some. There was also some confusion about why certain areas had been included/excluded. There was also concern regarding the fee structure.

Voluntary organisations, such as the Frontline Network and Citizens Advice were in support of the aim of Selective Licensing but had reservations about whether this could be delivered effectively, the validity of the data and whether the Council had a contingency plan if the scheme was not successful.

Following consultation, it has been recommended that Selective Licensing is not introduced in the city at the current time and this will be considered by Cabinet.

Outcome of equality impact

Coventry City Council
Equality and Consultation Analysis (ECA) Form

9. Indicate which of the following best describes the equality impact of this project/review:

There will be **no** equality impact if the proposed option is implemented

There will be **positive** equality impact if the proposed option is implemented

There will be **negative** equality impact if the proposed option is implemented but this can be objectively justified

There will be both **positive and negative** impacts if the proposed option is implemented

Summary of ECA

Write a paragraph below which summarises the key aspects of this ECA.

The Council has produced a Housing Strategy which recognises that, amongst other things, there is limited social affordable housing available in the city, and that therefore the Private Rented Sector (PRS) will need to play a greater role in meeting housing needs in the city. We know that often, people from protected characteristic groups live in the PRS and therefore are affected by the issues related to this.

In areas where Selective Licensing applies, landlords must apply for a licence if they want to rent out a property. This means the council can check whether they are a “fit or proper person” to be a landlord, as well as making other stipulations concerning management of the property and appropriate safety measures.

The analysis suggests that the introduction of Selective Licensing would have a positive impact on those in protected characteristic groups who may often face particular problems when renting properties. They may particularly have problems with security of tenure.

Consultation showed general support for the proposal but concern regarding the data and the suggested locations and the proposed fee structure.

It will be recommended to Cabinet that the scheme is not implemented at the current time.

**Coventry City Council
Equality and Consultation Analysis (ECA) Form**

Approvals from Director and Cabinet Member

Name of ECA Author: Adrian Chowns

Date: 16th October 2019

Director: Andrew Walster

Cabinet Member: Councillor Tariq Khan

Please detail below any committees, boards or panels that have considered this analysis.

Name	Date	Chair	Decision taken
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Next steps

Please send this completed ECA to the Insight Team as follows:

Wendy Ohandjanian (wendy.ohandjanian@coventry.gov.uk tel. 7683 2939)

Jaspal Mann (jaspal.mann@coventry.gov.uk tel. 7683 3112)

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Cabinet

7 January 2020

Name of Cabinet Member:

Cabinet Member for Strategic Finance and Resources – Councillor J Mutton

Director approving submission of the report:

Director of Finance and Corporate Services

Ward(s) affected:

All

Title:

The 2020/21 Council Tax Base Report

Is this a key decision?

Yes – this report deals with income in excess of £1m

Executive summary:

The main purpose of this report is to establish the 2020/21 Council Tax base for tax setting purposes.

The Council Tax base is the measure of the taxable capacity of an area, for the purpose of calculating an authority's Council Tax. It represents the estimated number of Band D equivalent chargeable dwellings for the year. It also takes into account the authority's estimated Council Tax collection rate.

This report does not set the actual level of Council Tax in Coventry; that will be set by Council on the 25th February 2020.

Recommendations:

The Cabinet is recommended to:

1. Approve that the Council Tax collection rate for 2020/21 be set at 98.3%
2. That, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amounts calculated by the City Council for 2020/21 shall be:

a net tax base of **83,905.5** for the whole of the City Council area made up as follows:

Allesley Parish	337.6
Finham Parish	1552.2
Keresley Parish	239.7
All Other Coventry City Council Wards	81,776.0
TOTAL	83,905.5

3. That the following grant payments should be made to parish councils to reflect the impact in 2020/21 of Council Tax reductions on their tax bases.

Allesley Parish	£895
Finham Parish	£2,983
Keresley Parish	£953
TOTAL	£4,831

List of Appendices included:

- Appendix A Tax Base Calculation for 2020/21 Tax Setting (Coventry)
- Appendix B Tax Base Calculation for 2020/21 Tax Setting (Allesley)
- Appendix C Tax Base Calculation for 2020/21 Tax Setting (Finham)
- Appendix D Tax Base Calculation for 2020/21 Tax Setting (Keresley)
- Appendix E Grant payments to parish councils

Other useful background papers:

None

Has it or will it be considered by scrutiny?

No

Has it, or will it be considered by any other council committee, advisory panel or other body?

No

Will this report go to Council?

No

**Report title:
The 2020/21 Council Tax Base Report**

1. Context

1.1 Council tax base

- 1.1.1 The Council tax base is the measure of the taxable capacity of an area, for the purpose of calculating an authority's Council Tax. It represents the estimated number of Band D equivalent chargeable dwellings for the year. It also takes into account the authority's estimated Council Tax collection rate.
- 1.1.2 This report makes the necessary calculations in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 to establish the Council Tax base for the City Council and its parishes. These regulations apply to financial years beginning 1 April 2013 onwards, and include the impact of the change from awarding Council Tax benefit to the introduction of a Council Tax Support Scheme (also known as the Council Tax Reduction Scheme).
- 1.1.3 The Council Tax base for the City Council will be used by major preceptors when setting their precepts.
- 1.1.4 Under the Reduction Scheme, the Council Tax base is reduced according to the amount of reductions awarded under the scheme, as the authority will be foregoing the relevant Council Tax income, and instead will receive partial compensation via an adjustment within the Local Government Finance Settlement calculations. These reductions are reflected in the calculation of the Council Tax base, in order to calculate the correct amount of Band D Council Tax for the billing authority (Coventry City Council), the major preceptors (West Midlands Police and Crime Commissioner, the West Midlands Fire and Rescue Authority and the West Midlands Combined Authority), and the local precepting authorities (Allesley Parish Council, Finham Parish Council and Keresley Parish Council).
- 1.1.5 It is estimated that the effect on the tax base of the Support Scheme will be to reduce it by 13.4%. The financial impact of the reduction in tax base will be partially offset by an element of the overall funding settlement from Government.
- 1.1.6 The tax bases for the parishes of Allesley, Finham and Keresley will also be reduced by 13.4% as a result of the Council Tax Support Scheme. It is proposed that the Council transfers an element of the compensation described above to offset the impact of the reduced tax base on tax income for the parish councils. Recommendation 3 proposes that Allesley, Finham and Keresley receive payments of £895, £2,983 and £953 respectively to offset the effect of the tax base reduction. These payments have been calculated to offset 90% of the effect of the tax base reduction, in keeping with the compensation percentage adopted when the scheme was first introduced. The details of the calculations are provided in Appendix E.
- 1.1.7 This report does not set the actual level of Council Tax in Coventry; that will be set by Council on the 25th February 2020. The determination of the tax base is one part of the process and must occur before 31st January each year.
- 1.1.8 The technical nature of this report reflects the fact that the tax base calculation is prescribed by statute. The tax base measures all properties in an area, relative to a band D property even though this is not representative of the typical domestic property in

Coventry. In fact, 87% of properties in Coventry fall into Bands A to C, which attract lower bills than Band D properties.

2. Options considered and recommended proposal

2.1 Calculation of the Council tax base

2.1.1 The regulations specify in detail the calculations required. The basic formula is $A \times B$, where:

- 'A' is the number of "Band D equivalent" properties estimated to be applicable for the forthcoming financial year. This is referred to as the 'gross tax base'. The calculation and exact definition are explained in section 2.1.3 below.
- 'B' is the City Council's estimate of the Council Tax collection rate for those Band D equivalent properties as explained in section 2.2 below.

2.1.2 The calculation of the number of Band D equivalent properties is set out in full in Appendix A. This provides a gross tax base figure (**A**) of **85,356.6** for the City of Coventry.

2.1.3 The gross tax base is derived for each band by taking the valuation list as at the 30th November in the current financial year, adjusted for the effect of exemptions, discounts and reliefs claimed on that day, as well as estimated changes throughout the year. The tax base is also adjusted for the estimated effect of reductions that have replaced the previous Council Tax benefits. The calculation of each band is then weighted to the equivalent of a Band D property and added together to give the gross tax base.

2.1.4 Calculation of the gross tax base considers an estimate of the change in tax base that is likely to occur during the forthcoming financial year. This includes the anticipated effect of retrospective amendments. Most of these amendments relate to properties that are exempt from Council Tax (e.g. student accommodation), where the exemption is only made known to the Council at a later date.

2.1.5 For the purposes of calculating the 2020/21 tax base, an adjustment of **-1.0%** has been made, based on existing experience, to consider the anticipated effect of these amendments. This adjustment is at the same level as that made in the determination of the 2019/20 tax-base.

2.2 The Calculation of the Collection Rate

2.2.1 The City Council also has to estimate the likely rate of collection of Council Tax (referred to as 'B' in 2.1.1 above). This determines the amount of tax due which the Council believes it can collect after allowing for bankruptcies, absconders and other non-collectable sums. The collection rate is applied to the gross tax base to give the net tax base, used for the purpose of setting Council Tax.

2.2.2 Reductions or increases in the collection rate lower or raise the net tax base and hence the amount of Council Tax available to fund services. A 0.25% variation in the collection rate would reduce or increase the amount of Council Tax to meet the budget requirement by approximately £0.3m.

2.2.3 Balancing recent arrears collection performance and the pattern of write offs, it is recommended that an assumed eventual collection rate of 98.3% is adopted for 2020/21.

This maintains the same level used in setting the 2019/20 Council tax base. Analysis of collection rates across the age profile of debts suggests that an eventual collection rate of 98.3% remains realistic and prudent in the current economic climate. Collection performance will be monitored throughout the forthcoming year and the rate reviewed as part of the determination of 2021/22 tax base.

- 2.2.4 Multiplying the gross tax base (A) of 85,356.6 by the collection rate (B) of 98.3% gives a recommended net tax base of **83,905.5** for the City Council.

2.3 Calculation of Tax Base for the Parish Councils

- 2.3.1 The City Council is also required to calculate a tax base for each part of its area on which parish precepts are to be levied. Accordingly, the net tax bases for Allesley (Appendix B), Finham (Appendix C) and Keresley (Appendix D) parishes have been calculated as 337.6, 1552.2 and 239.7 respectively.

3. Results of consultation undertaken

None

4. Timetable for implementing this decision

The tax base assumed within this report relates to financial year 2020/21.

5. Comments from the Director of Finance and Corporate Services

5.1 Financial Implications

- 5.1.1 The contents of this report are driven by a statutory framework and as such the Council is governed by this framework in relation to the contents of the report. Our Council Tax collection performance is the key area that will dictate whether the Council achieves the eventual collection rate of 98.3% assumed within this report. This matter is subject to regular performance monitoring.

- 5.1.2 The net tax base directly influences the level of Council Tax levied and therefore the resources available to the City Council. This will be dealt with as part of the Tax setting and Budget Requirement Report that will be considered by Council on 25th February 2020.

5.2 Legal Implications

- 5.2.1 As stated in section 1 above, the tax base calculations for a particular financial year must comply with the Local Authorities (Calculation of Council Tax Base) Regulations 2012 and be determined by no later than 31st January in the preceding financial year. These regulations have been made under the Local Government Finance Act 1992, as amended (LGFA 1992).

- 5.2.2 The Local Government Finance Act 2012 (LGFA 2012) includes several amendments to the LGFA 1992 that affect the calculation of the Council Tax base. These amendments require councils to operate a Council Tax Support Scheme (as a replacement of Council Tax benefit) and gave powers to determine further discounts and set premiums.

5.2.3 The Tax Base for the City Council will be used by the West Midlands Police and Crime Commissioner, the West Midlands Fire and Rescue Authority and the West Midlands Combined Authority when setting their 2020/21 precepts in February 2020. It will also be used to set the City Council's element of the Council Tax for 2020/21, at the full Council meeting on 25th February 2020.

6. Other implications

6.1 How will this contribute to achievement of the Council's Plan?

This report is technical in nature and its implications do not have any direct bearing on these matters.

6.2 How is risk being managed?

Regular monitoring of performance will ensure that the Council can take appropriate management action in the area of Council Tax collection.

6.3 What is the impact on the organisation?

The report affects the potential Council Tax resources available to the City Council and, as such, impacts on the 2020/21 budget setting process.

6.4 Equalities / ECA

None.

6.5 Implications for (or impact on) climate change and the environment

No impact

6.6 Implications for partner organisations?

The Council Tax base for the City Council will be used by the by the West Midlands Police and Crime Commissioner, the West Midlands Fire and Rescue Authority and the West Midlands Combined Authority when setting their 2020/21 precept.

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www.coventry.gov.uk/meetings

Appendix A Tax Base Calculation for 2020/21 Tax Setting (COVENTRY)									
Band	A	B	C	D	E	F	G	H	TOTAL
	Entitled To Disabled Relief								
Properties on Valuation List	59,555	42,828	24,216	9,948	4,839	2,462	1,409	174	145,431
Percentage of Total	41.0%	29.4%	16.7%	6.8%	3.3%	1.7%	1.0%	0.1%	100.0%
Adjustments:									
Exempt Dwellings (B to W)	(5,941)	(1,689)	(1,133)	(549)	(207)	(189)	(35)	(51)	(9,794)
Disabled Persons Relief	286	181	86	56	37	28	20	20	846
Deletions	(152)	(286)	(181)	(86)	(56)	(37)	(28)	(20)	(846)
Number of Chargeable Dwellings on Valuation List	152	41,034	22,988	9,369	4,613	2,264	1,366	103	135,637
Percentage of Total	0.1%	30.3%	16.9%	6.9%	3.4%	1.8%	1.0%	0.1%	100.0%
25% Discounts									
Single Person Discount (25%)	37	12,896	6,129	2,086	784	331	150	8	47,020
Dwellings entitled to 25% discount due to all but one resident being disregarded for council tax purposes	5	796	374	102	48	21	10	0	2,047
Total no. of dwellings with 25% discount	42	13,587	6,503	2,188	832	352	160	8	49,067
50% Discounts									
Dwellings entitled to 50% discount due to all residents being disregarded for council tax purposes	4	70	23	45	26	16	30	12	274
Dwellings classed as empty homes and entitled to 50% discount	0	3	0	0	0	0	0	0	3
Total no. of dwellings with 50% discount	4	70	23	45	26	16	30	12	277
Total equivalent number of chargeable dwellings after discounts, exemptions and disabled persons relief [Calculation: I-(II x 0.25) - (III x 0.5)]	139.50	47,364.25	21,350.75	8,799.50	4,392.00	2,168.00	1,311.00	95.00	123,231.75
Anticipated change in taxbase during the year including the effect of retrospective amendments									-1.0%
Change in equivalent number of chargeable dwellings as a result of estimated tax base change during the year	V	(473.64)	(376.12)	(88.00)	(43.92)	(21.68)	(13.11)	(0.95)	(1,232.33)
Total equivalent number of dwellings after accounting for retrospective amendments [Calculation: IV + V]	VI	46,890.61	37,235.63	21,137.24	8,711.50	2,146.32	1,297.89	94.05	121,999.42
Estimated Effect of Council Tax Support Scheme Change in equivalent number of chargeable dwellings as a result of estimated Effect of Council Tax Reduction scheme	VII	(6,283.34)	(4,989.57)	(2,832.39)	(1,167.34)	(582.64)	(173.92)	(12.60)	(16,347.92)
Total equivalent number of dwellings after accounting for retrospective amendments [Calculation: VI + VII]		40,607.27	32,246.06	18,304.85	7,544.16	1,858.71	1,123.97	81.45	105,651.50
Ratio of Band to Band D (where Band D = 9)		5	6	7	8	9	11	15	18
Gross Tax Base (to 1 decimal place)		66.4	27,071.5	25,080.3	16,271.0	7,544.2	4,602.2	1,873.3	162.9
Collection Rate									98.30%
Net Tax Base (to 1 decimal place)									83,905.5

Appendix B Tax Base Calculation for 2020/21 Tax Setting (ALLESLEY)									
Band	A	B	C	D	E	F	G	H	TOTAL
	Entitled To Disabled Relief								
Properties on Valuation List	39	7	10	30	63	92	84	3	328
Percentage of Total	11.9%	2.1%	3.0%	9.1%	19.2%	28.1%	25.6%	0.9%	99.9%
Adjustments:									
Exempt Dwellings (A to W)	(2)	(1)	0	0	0	0	0	0	(3)
Disabled Persons Relief	0	0	0	1	0	2	1	0	4
Deletions	0	0	0	0	(1)	0	(2)	(1)	(4)
Number of Chargeable Dwellings on Valuation List	37	6	10	31	62	94	83	2	325
Percentage of Total	11.4%	1.8%	3.1%	9.5%	19.1%	29.0%	25.5%	0.6%	100.0%
25% Discounts									
Single Person Discount (25%)	17	0	1	3	9	28	7	0	65
Dwellings entitled to 25% discount due to all but one resident being disregarded for council tax purposes	0	1	0	0	1	1	0	0	4
Total no. of dwellings with 25% discount	18	1	1	3	10	29	7	0	69
50% Discounts									
Dwellings entitled to 50% discount due to all residents being disregarded for council tax purposes	0	0	0	0	0	0	1	1	2
Dwellings classed as empty homes and entitled to 50% discount	0	0	0	0	0	0	0	0	0
Total no. of dwellings with 50% discount	0	0	0	0	0	0	1	1	2
Total equivalent number of chargeable dwellings after discounts, exemptions and disabled persons relief [Calculation: I-(II x 0.25) - (III x 0.5)]	32.50	5.75	9.75	30.25	59.50	86.75	80.75	1.50	306.75
Anticipated change in taxbase during the year including the effect of retrospective amendments									-1.0%
Change in equivalent number of chargeable dwellings as a result of estimated tax base change during the year	0.00	(0.06)	(0.10)	(0.30)	(0.60)	(0.87)	(0.81)	(0.02)	(3.09)
Total equivalent number of dwellings after accounting for retrospective amendments [Calculation: IV + V]	32.17	5.69	9.65	29.95	58.90	85.88	79.94	1.48	303.66
Estimated Effect of Council Tax Support Scheme Change in equivalent number of chargeable dwellings as a result of estimated Effect of Council Tax Reduction scheme	0.00	(4.31)	(1.29)	(4.01)	(7.89)	(11.51)	(10.71)	(0.20)	(40.69)
Total equivalent number of dwellings after accounting for retrospective amendments [Calculation: VI + VII]	27.86	4.93	8.36	25.94	51.01	74.37	69.23	1.28	262.97
Ratio of Band to Band D (where Band D = 9)	5	6	8	9	11	13	15	18	
Gross Tax Base (to 1 decimal place)	0.0	18.6	7.4	25.9	62.3	107.4	115.4	2.6	343.4
Collection Rate									98.30%
Net Tax Base (to 1 decimal place)									337.6

Appendix C Tax Base Calculation for 2020/21 Tax Setting (FINHAM)									
Band	A	B	C	D	E	F	G	H	TOTAL
	Entitled To Disabled Relief								
Properties on Valuation List	3	221	584	597	249	225	50	1	1,930
Percentage of Total	0.2%	11.5%	30.3%	30.9%	12.9%	11.7%	2.6%	0.1%	100.2%
Adjustments:									
Exempt Dwellings (A to W)	0	(4)	(12)	(12)	(3)	(4)	(1)	0	(36)
Disabled Persons Relief Additions	2	1	4	3	3	0	0	0	13
Disabled Persons Relief Deletions	0	(2)	(1)	(4)	(3)	(3)	0	0	(13)
Number of Chargeable Dwellings on Valuation List	0	216	575	584	246	218	49	1	1,894
Percentage of Total	0.0%	11.4%	30.4%	30.7%	13.0%	11.5%	2.6%	0.1%	100.0%
25% Discounts									
Single Person Discount (25%)	0	88	138	148	54	35	7	0	473
Dwellings entitled to 25% discount due to all but one resident being disregarded for council tax purposes	0	1	8	9	2	0	2	0	22
Total no. of dwellings with 25% discount	0	89	146	157	56	35	9	0	495
50% Discounts									
Dwellings entitled to 50% discount due to all residents being disregarded for council tax purposes	0	1	0	1	0	0	0	0	2
Dwellings classed as empty homes and entitled to 50% discount	0	0	0	0	0	0	0	0	0
Total no. of dwellings with 50% discount	0	1	0	1	0	0	0	0	2
Total equivalent number of chargeable dwellings after discounts, exemptions and disabled persons relief	0.00	193.25	538.50	544.25	232.00	209.25	46.75	1.00	1,769.25
[Calculation: I-(II x 0.25) - (III x 0.5)]									
Anticipated change in taxbase during the year including the effect of retrospective amendments									-1.0%
Change in equivalent number of chargeable dwellings as a result of estimated tax base change during the year	0.00	(1.93)	(5.39)	(5.44)	(2.32)	(2.09)	(0.47)	(0.01)	(17.69)
Total equivalent number of dwellings after accounting for retrospective amendments	0.00	191.32	533.11	538.81	229.68	207.16	46.28	0.99	1,751.56
[Calculation: IV + V]									
Estimated Effect of Council Tax Support Scheme									-13.4%
Change in equivalent number of chargeable dwellings as a result of estimated Effect of Council Tax Reduction scheme	0.00	(25.64)	(71.44)	(72.20)	(30.78)	(27.76)	(6.20)	(0.13)	(234.71)
Total equivalent number of dwellings after accounting for retrospective amendments	0.00	165.68	461.67	466.61	188.90	179.40	40.08	0.86	1,516.85
[Calculation: VI + VII]									
Ratio of Band to Band D (where Band D = 9)	5	6	7	8	9	11	13	15	18
Gross Tax Base (to 1 decimal place)	0.0	128.9	410.4	466.6	243.1	259.1	66.8	1.7	1,579.0
Collection Rate									98.30%
Net Tax Base (to 1 decimal place)									1,552.2

Appendix D Tax Base Calculation for 2020/21 Tax Setting (KERESLEY)									
Band	A	B	C	D	E	F	G	H	TOTAL
Properties on Valuation List	97	42	110	40	26	13	9	6	343
Percentage of Total	28.3%	12.2%	32.1%	11.7%	7.6%	3.8%	2.6%	1.7%	100.0%
Adjustments:									
Exempt Dwellings (A to W)	(3)	(1)	(1)	0	0	0	0	0	(5)
Disabled Persons Relief	0	1	1	0	1	0	1	0	4
Deletions	0	0	(1)	(1)	0	(1)	0	(1)	(4)
Number of Chargeable Dwellings on Valuation List	94	42	109	39	27	12	10	5	338
Percentage of Total	27.8%	12.4%	32.2%	11.5%	8.0%	3.6%	3.0%	1.5%	100.0%
25% Discounts									
Single Person Discount (25%)	46	24	24	6	4	1	1	1	107
Dwellings entitled to 25% discount due to all but one resident being disregarded for council tax purposes	1	1	3	0	0	0	0	0	5
Total no. of dwellings with 25% discount	47	25	27	6	4	1	1	1	112
50% Discounts									
Dwellings entitled to 50% discount due to all residents being disregarded for council tax purposes	0	1	0	1	0	0	0	0	2
Dwellings classed as empty homes and entitled to 50% discount	0	0	0	0	0	0	0	0	0
Total no. of dwellings with 50% discount	0	1	0	1	0	0	0	0	2
Total equivalent number of chargeable dwellings after discounts, exemptions and disabled persons relief [Calculation: I-(II x 0.25) - (III x 0.5)]	82.25	35.25	102.25	37.00	26.00	11.75	9.75	4.75	309.00
Anticipated change in taxbase during the year including the effect of retrospective amendments	0.00	(0.82)	(1.02)	(0.37)	(0.26)	(0.12)	(0.10)	(0.05)	-1.0%
Change in equivalent number of chargeable dwellings as a result of estimated tax base change during the year	0.00	(0.35)	(1.02)	(0.37)	(0.26)	(0.12)	(0.10)	(0.05)	(3.09)
Total equivalent number of dwellings after accounting for retrospective amendments [Calculation: IV + V]	81.43	34.90	101.23	36.63	25.74	11.63	9.65	4.70	305.91
Estimated Effect of Council Tax Support Scheme Change in equivalent number of chargeable dwellings as a result of estimated Effect of Council Tax Reduction scheme	0.00	(10.91)	(13.56)	(4.91)	(3.45)	(1.56)	(1.29)	(0.63)	-13.4%
Total equivalent number of dwellings after accounting for retrospective amendments [Calculation: VI + VII]	70.52	30.22	87.67	31.72	22.29	10.07	8.36	4.07	264.92
Ratio of Band to Band D (where Band D = 9)	6	7	8	9	11	13	15	18	
Gross Tax Base (to 1 decimal place)	47.0	23.5	77.9	31.7	27.2	14.5	13.9	8.1	243.8
Collection Rate									98.30%
Net Tax Base (to 1 decimal place)									239.7

Appendix E - Grant payment to Parish Councils

		Allesley	Finham	Keresley
a	Tax Base without the effect of Council Tax reductions	389.8	1,792.4	276.8
b	Effect of Council Tax reductions	-13.4%	-13.4%	-13.4%
c	Tax Base change as a result of Council Tax reductions a x b	-52.2	-240.2	-37.1
d	Tax Base a + c	337.6	1,552.2	239.7
e	Band D parish precept from previous year	£19.03	£13.80	£28.56
f	Loss of Income from Council Tax reductions c x e	-£994	-£3,314	-£1,059
g	Grant payment (90% of lost income) f x 90%	<u>£895</u>	<u>£2,983</u>	<u>£953</u>

Cabinet

7 January 2020

Name of Cabinet Member

Cabinet Member for Education - Councillor Maton

Director Approving Submission of the report:

Deputy Chief Executive (People)

Ward(s) affected:

All

Title:

Outcomes of the Fair Funding Consultation 2020-21

Is this a key decision?

Yes – the proposals in the Fair Funding Consultation 2020-21 will affect all schools and all providers of funded early years education in the city.

Executive Summary:

This report sets out the results of the consultation on proposed changes to the Fair Funding Scheme of Delegation ("the Scheme") and seeks approval for recommended changes to the Scheme and the Fair Funding Formula.

Recommendations:

Cabinet is requested to:

- (1) Approve the recommended changes to the Fair Funding Formula and Fair Funding Scheme of Delegation, which are summarised in section 3 of the report.
- (2) Delegate authority to the Cabinet Member and Director of Education and Skills to make any necessary amendments to the final detail of these recommended changes, in order to comply with the School Finance (England) Regulations 2019 once full detail of the schools funding settlement has been published by the Department for Education for 2020/21. Any changes will be made following discussion with the Schools Forum as appropriate.

List of Appendices included:

Appendix 1 - Fair Funding Consultation 2020-21: Summary of Responses
Appendix 2 - De-delegation levels approved for 2019-20
Appendix 3 - Fair Funding Consultation 2020-21

Background papers:

None

Other useful documents:

Draft Fair Funding Scheme of Delegation available on the Coventry City website:

<http://www.coventry.gov.uk/ffsd-consultation>

Has it or will it be considered by Scrutiny?

No

Has it, or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title:

Outcomes of the Fair Funding Consultation 2020-21

1 Context (or background)

- 1.1 Under Section 48 of the School Standards and Framework Act 1998, Local Authorities (LAs) are required to have schemes of delegation which set out the financial controls and arrangements that will operate between schools and the LA. Any proposed revisions to these schemes and/or the Fair Funding Formula must be the subject of consultation and require approval by the Schools Forum.
- 1.2 The Department for Education (DFE) published the "Schools Revenue Funding 2020 to 2021: Operational Guide" which sets out the school revenue funding arrangements for 2020-21.
- 1.3 The DFE introduced its National Funding Formula (NFF) for LAs in 2018-19, whereby allocations for LAs were determined under the NFF approach, but LAs retained control over how they chose to distribute that funding amongst their schools. In Coventry the decision was made in 2018-19 and 2019-20 to mirror the NFF allocation for schools as far as possible as this provided all schools with a minimum 0.5% increase in funding per pupil.
- 1.4 There have not been any significant changes to the operation of the local school funding formula for 2020-21; with the main changes aimed at providing flexibility to allow LAs to deliver the Funding Floor (a net 1.84% per pupil funding increase compared with 2019-20) as set out in the NFF (see section 2 for further detail). In this report we are proposing to make some corresponding changes to the funding formula and are seeking approval of the Fair Funding Scheme of Delegation.
- 1.5 The consultation document was circulated on the 14th November 2019 to Head Teachers including Academy Head Teachers/Principals, Chairs of Governing Bodies, relevant Councillors, Trade Unions, Diocesan authorities, the Coventry Governors Association, members of the Schools Forum and Early Years Free Entitlement providers in the private, voluntary and Independent (PVI) sectors. The consultation period ended on 1st December 2019. This was a shorter consultation time than usual, as allowed by the DFE due to their delay in publishing some of the key funding information to LAs.
- 1.6 Stakeholder groups were briefed throughout the consultation period. These included Primary, Secondary and Special School Head Teacher Partnerships, Primary Finance representative head teachers, the Schools Trade Union representatives, and the Schools Forum. The consultation document also seeks to act as an information document to school stakeholders regarding anticipated local budget pressures.
- 1.7 **Context of the National Funding Formula**
 - 1.7.1 The National Funding Formula continues to be in a 'soft' phase. This means that the DFE will run the NFF for each individual school and the total of Coventry schools' allocations will become the total budget available for schools in Coventry. The LA is still required to go through the usual budget setting process and run the local schools funding formula to distribute the resource.
 - 1.7.2 The national announcements surrounding the 1.84% increase, and the publication of individual school allocations, set a level of expectation that all schools would see at least a 1.84% per pupil increase in their funding vs 2019-20 allocations.

- 1.7.3 It remains the case that the pure NFF (without any protection) delivers significantly less resource for Coventry schools. The estimated value of protection in 2020-21 for Coventry schools is estimated to be £5.8M. It is not clear what protection arrangements will be in place after 2020-21 although we do not anticipate that these will be significantly reduced. Any changes will be subject to further DFE announcements around the distribution of the 2nd and 3rd years of the recent DSG funding settlement.
- 1.7.4 Further background on the National Funding reform and full details of the following proposals can be found in the Fair Funding Consultation 2020-21 which is included in this report at appendix 3.

2 Options considered and recommended proposal

2.1 Fair Funding Formula options

- 2.1.1 As a result of the continued application of the National Funding Formula (NFF), and following detailed work carried out with the Schools Forum and its sub-group we consulted on a preferred option in relation to the application of the schools funding formula:

Proposal) Continue to mirror, as closely as possible, the allocations and protection arrangements set out in the NFF; meaning the majority of schools will see a ca. 1.84% per pupil increase (subject to affordability)¹ compared with 18-19.

Under this option all schools would receive at least a 1.84% per pupil increase in formula funding between 2019-20 and 2020-21 (as per the NFF funding floor), with a further 18 schools receiving an increase between +1.84% and +4.88% as these schools would be on the NFF (i.e. above the floor).

- 2.1.2 The consultation document asked stakeholders whether they agreed with the proposal and to feedback any general comments. The consultation responses received were unanimously in favour of the recommended option. Please see appendix 1 for a summary of the responses.

2.2 De-delegated Services

- 2.2.1 The previous school funding reforms have required a number of former centrally held budgets within the Schools Block to be delegated to schools through the funding formula. Maintained schools then have the option to 'de-delegate' these amounts back to the Local Authority, pooling this resource to allow continued delivery of a service centrally. The areas covered by Coventry's de-delegation are listed below;

- administration of free school meals eligibility;
- staff costs or supply cover;
- support for minority ethnic pupils or underachieving pupils;
- school improvement

- 2.2.2 In 2019-20 Primary maintained schools opted to pool resources for most of the de-delegated services offered. Trade Union Facility was not de-delegated by secondaries. The same de-delegation arrangements are available in 2020-21 although these will only now be

¹ For a number of factors within the NFF, the funding for LAs is based upon historic cost – our ability to fund the additional 1.84% in full will depend on the extent to which our future costs are higher or lower than the historic funding. It will also depend on the level of change in overall pupil eligibility for formula factors based on the Oct-19 census data.

available for maintained primary schools as there are no longer any maintained secondary schools.

- 2.2.3 De-delegation items must be approved by Schools Forum with Primary maintained member representatives deciding for their own phase. The table within appendix 2 shows the values approved for de-delegation in 2019-20. Approval was given by the Schools Forum for 2020-21 in November 2019 when maintained primary representatives voted unanimously to de-delegate all areas previously de-delegated.
- 2.2.4 The consultation document asked stakeholders whether they agreed with the proposal and to feed back any general comments. The responses were unanimously in favour de-delegating funding for these services. Please see appendix 1 for a summary of the responses.

2.3 Minimum Funding Guarantee Disapplications

- 2.3.1 As part of the schools funding formula the LA is required to apply a Minimum Funding Guarantee (MFG) protection mechanism to provide funding stability to schools on a per pupil basis.
- 2.3.2 A disapplication was proposed in order to allow agreed one-off reserve funding to be delegated to schools without affecting their calculated protection level.
- 2.3.3 The consultation document asked stakeholders whether they agreed with the proposal and to feed back any general comments. The responses received were unanimously in favour of all the proposed disapplications. Please see appendix 1 for a summary of the responses.

2.4 Growth Fund Approach

- 2.4.1 Local Authority (LA) Dedicated School Grant (DSG) allocations contain an amount for LAs to use in supporting the growth of pre-16 pupil numbers at their schools and academies. Prior to 2019-20 this allocation has been fixed at a historic level for the past several years.
- 2.4.2 For 2019/20 the Department for Education (DfE) introduced a formulaic approach to calculating LA's growth allocations. This linked the change in LA wide pupil numbers to the level of DSG allocated for growth for the first time. This created an affordability risk that in some years the DSG allocation for growth may not be enough to support schools' pupil number growth as calculated under the existing growth methodologies.
- 2.4.3 At its March 2019 meeting the Schools Forum agreed to a review of Coventry's Growth Fund in light of the national change to growth allocations, and the subsequent affordability problems this could create.
- 2.4.4 To ensure that the LA's Growth Fund methodologies could remain affordable within a changing DSG allocation for growth, the Schools Forum establish a sub-group to review each element of the growth fund with the aim of ensuring funding could be used as effectively and efficiently as possible. The sub-group then reviewed the overall growth fund to determine what approach should be taken in years when there was a funding shortfall or a funding surplus.
- 2.4.5 Following this review the sub-group reported back its findings and recommendations to the June 2019 Schools Forum. The Schools Forum approved the conclusions of the sub-group and the inclusion of those recommendations as a proposal in this Fair Funding Consultation document. The full feedback report of the Schools Forum sub-group can be found at

https://www.coventry.gov.uk/meetings/meeting/504/schools_forum including appendices with minutes of each of the sub-group's meetings.

2.4.6 This proposal highlights the recommended areas of change to Coventry's Growth Fund and gives an indication of the financial impact of these changes on individual schools. It also sets out establishing a 50% protection for schools compared with the allocations they would have received under the previous arrangements.

2.4.7 The consultation document asked stakeholders whether they agreed with the proposal and to feed back any general comments on the proposal. The responses were unanimously supportive of the proposal. Please see appendix 1 for a summary of the responses.

2.5 Early Years Funding

2.5.1 The Department for Education (DFE) announced an increase to Coventry's Early Years Dedicated Schools Grant (DSG) of an additional 8p per child per hour for 2020-21.

2.5.2 A Schools Forum sub-group was convened in 2018/19 to review Coventry's early years formula for allocating funding to local providers of funded early education. The sub-group concluded that the operation of the formula should not be modified and that any additional early years DSG funding received by the LA should be used to proportionately increase the existing base rate and deprivation rate.

2.5.3 This proposal requests that the announced increase in early years funding for 2020-21 be distributed under this same approach.

2.5.4 The consultation document asked stakeholders whether they agreed with the proposal and to feed back any general comments. The responses were unanimously in favour of the proposal. Please see appendix 1 for a summary of the responses.

2.6 Fair Funding Scheme of Delegation

2.6.1 Section 48 of the School Standards and Framework Act 1998, and Schedule 14 to the Act set out that Local Authorities (LAs) should have a Scheme of Delegation. LAs are required to publish schemes for financing schools setting out the financial relationship between the LA and the schools they maintain.

2.6.2 In making any changes to their schemes, local authorities must consult all maintained schools in their area and receive the approval of the members of their Schools Forum representing maintained schools. Local authorities must take this guidance into account when they revise their schemes, in consultation with the Schools Forum.

2.6.3 The proposed changes to the scheme for 2020-21 include;

- Expanding the previous scheme guidance to provide clarity on the process through which schools must seek the LA's consent for any proposed works.
- Clarifying that the Devolved Formula Capital (FDC) threshold is set at £3k, not the LA's main £20k threshold. This is not a change to current practice.
- Setting out the circumstances under which a school may enter into a licensed deficit, the approach, and limits of the licensed deficit arrangement. This is a significant change from the previous scheme that prohibited all deficits – it does not, however, remove the prohibition on schools planning for a deficit budget.
- Amending various weblinks to refer to the latest versions of guidance.

2.6.4 The link to the consultation version of the Fair Funding Scheme of Delegation is www.coventry.gov.uk/FFSD-Consultation

2.6.5 The fair funding consultation document asked stakeholders to feed back any general comments on the revised scheme. The responses were unanimously in favour of the proposal. Please see appendix 1 for a summary of the responses.

3 Results of consultation undertaken

3.1 The Fair Funding Consultation is an annual consultation. All Local Authorities are required by the Department for Education (DfE) to consult with all relevant stakeholders on the proposed changes to the local fair funding formula.

3.2 The consultation document was circulated on the 14th November 2019 to Head Teachers including Academy Head Teachers/Principals, Chairs of Governing Bodies, relevant Councillors, Trade Unions, Diocesan authorities, the Coventry Governors Association, members of the Schools Forum and Early Years Free Entitlement providers in the private, voluntary and Independent (PVI) sectors. The consultation period ended on 1st December 2019.

3.3 In addition, where possible, stakeholder groups were briefed throughout the consultation period. These included Primary and Secondary Head Teacher Partnerships, Primary Finance representative head teachers, the Schools Trade Union representatives, and the Schools Forum.

3.4 The result of the consultation is set out in Appendix 1.

4 Timetable for implementing this decision

4.1 We are required to submit a proforma to the Education and Skills Funding Agency (ESFA) by 21st January 2020 setting out the draft Fair Funding Formula, including proposed changes. Once the proforma is checked for compliance and approved by the ESFA, the proposed changes will then be implemented from April 2020.

4.2 We are not required to submit details of our high needs top-up rates for special schools to the ESFA, however we are required to inform all special schools of the top-up rates that will apply to them in 2020-21 by the end of February 2020.

4.3 Any changes to the Early Years hourly funding rates will be informed to providers before the beginning of the 2020-21 financial year.

5 Comments from the Director of Finance and Corporate Services

5.1 Financial Implications

Financial implications on schools

5.1.1 Schools will face significant cost pressures in 2020-21 as a result of price inflation and increasing staffing costs which still be more than the extra 1.84% increase to pupil led funding. These pressures are likely to be exacerbated in schools where there are surplus places or falling rolls.

- 5.1.2 Mainstream schools will continue to be subject to the minimum funding guarantee (MFG) protection arrangements in 2020-21. The MFG seeks to protect schools against historical levels of pupil led funding for the purposes of stability. The level of the MFG in 2020-21 will be set at positive 1.84%, which means all schools will see a per pupil funding increase of at least 1.84% per pupil (subject to affordability)². Despite this increase schools may still see a significant cash reduction if they are experiencing falling pupil numbers.
- 5.1.3 Proposed changes to the Growth Fund are a necessary response to the national changes made to the LA level allocation methodology and aim to ensure that growth funding is affordable and continues to be able to support those schools that need it most. The proposal will result in differing financial impacts for individual schools, with Class Size changes (affecting large primary schools) having the most significant impact. A one-year 50% funding protection is being provided for all affected schools.
- 5.1.4 Within the National Funding Formula (NFF) there is a significant level of protection (ca. £5.8M) being applied to school budgets compared with the pure NFF allocations. It is not clear what protection arrangements will be in place for schools after 2020-21 as these will be subject to a future announcements. We do not anticipate that the full protection will be immediately removed, but schools must be made aware of the level of protection included within their funding allocations, so that they can begin to scenario plan and manage vacancies so that they are prepared to take swift informed decisions should the level of protection reduce in 2021-22 or beyond.

Financial Implications on the LA

- 5.1.5 The DfE's School Funding Reform requires Local Authorities (LA)s to delegate some centrally spent dedicated schools grant (DSG) to schools. Maintained schools can then agree to pool funding and return to the LA to be spent on their behalf. Areas that this includes are Minority Group Support Services (new arrivals), maternity & Trade Union staffing. This is reviewed and approved by the Schools Forum on an annual basis. Maintained schools opted to reduce the contribution that they de-delegate for the Trade Union service from September 2019, and this is resulting in a budgetary control problem. It is expected that this will continue in the 20/21 financial year and will be managed as part of the budgetary control process.
- 5.1.6 Should the significant level of protection funding in schools (see 6.1.3) be quickly reduced after 2020-21 this could result in a number of schools needing to carry out restructures and potential staffing redundancies. This could create a financial pressure for the LA, as in some circumstances we are required to fund these costs for maintained schools. Work to mitigate this is continually discharged through the LA's Schools Finance function, working with schools on scenario planning and vacancy management in order to reduce the likelihood that redundancies are required; although given the potential level of funding change that may occur, coupled with falling pupil numbers in the primary sector, some of these costs may be unavoidable.

5.2 Legal implications

- 5.2.1 s 48(1) of the School Standards and Framework Act 1998 requires Local Authorities (LA)s to maintain and publish schemes connected with the financing of maintained schools. Regulations made under the Act (School and Early Years Finance (England) (No.2) Regulations 2018) specify the functions which the LA is and is not required to delegate to

² For a number of factors within the NFF, the funding for LAs is based upon historic cost – our ability to fund the additional 1.84% in full will depend on the extent to which our future costs are higher or lower than the historic funding. It will also depend on the level of change in overall pupil eligibility for formula factors based on the Oct-19 census data.

schools, and the factors which the LA considers when delegating funding and the consultation requirements. A scheme maintained by the LA may be revised in whole or in part, the LA is required to take into account guidance issued by the Secretary of State (Schools Revenue Funding 2020 to 2021: Operational Guide) in respect of the provisions that the Secretary of State regards as appropriate for inclusion into any revised scheme. The LA is required to consult the governing body and head teacher of every school maintained by the authority and to submit the proposals for approval to the School's Forum.

- 5.2.2 Public authority decision makers are under a duty to have due regard to 1) the need to eliminate discrimination: 2) advance equality of opportunity between people who share a protected characteristic and those who do not: 3) foster good relations between persons who share a relevant protected characteristic and people who do not (public sector equality duty - s 149(1) Equality Act 2010). The applicable protected characteristics are disability, gender reassignment; race, religion or belief, sex; sexual orientation, pregnancy or maternity.
- 5.2.3 Decision makers must be consciously thinking about these three aims as part of their decision-making process with rigour and with an open mind. The duty is to have “due regard”, not to achieve a result but to have due regard to the need to achieve these goals. Consideration being given to the potential adverse impacts and the measures needed to minimise any discriminatory effects.

6 Other implications

6.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

- 6.1.1 A clear and transparent financial infrastructure is key to ensuring that schools can focus on improving educational outcomes.
- 6.1.2 We also want to ensure that the financial relationship between the City Council and the schools it maintains is clear and transparent, and this is set out in the Fair Funding Scheme of Delegation.

6.2 How is risk being managed?

- 6.2.1 The consultation document is sent to all relevant stakeholders within the city.
- 6.2.2 The City Council has a statutory responsibility to ensure maintained schools can balance their budget, and the Education and Skills Funding Agency (ESFA) has a statutory responsibility to ensure Academies are setting balanced budgets. The City Council also has a moral obligation to support all Coventry's children and young people.
- 6.2.3 Any potential school deficit or long-term sustainability issues will be reported back to the City Council as early as possible to ensure plans are put in place for balanced budgets. This will include liaison with the ESFA where the school is an academy and the problem is brought to our attention.
- 6.2.4 The updated Fair Funding Scheme of Delegation will enable schools and City Council officers to clearly understand and uphold the financial responsibilities of each organisation.

6.3 What is the impact on the organisation?

- 6.3.1 The proposals will continue the theme of mirroring the National Funding Formula protection mechanism and allocations in schools, as well as per pupil funding stability in schools as provided by the Minimum Funding Guarantee.

6.3.2 If as a consequence of implementing some of the proposals there is the need to make staffing structure changes then full consultation will be undertaken with both Coventry City Council staff and the trade unions in accordance with city council policies.

6.4 Equality and Consultation Analysis (ECA)

6.4.1 The DfE carried out an Equality Impact Assessment on the significant changes introduced by the National Funding Formula. The majority of proposals included in this report are the result of the National Funding Formula changes therefore the DfE equality impact assessment should equally apply to Coventry. The details of this EIA can be obtained via the link below:

<https://www.gov.uk/government/publications/national-funding-formula-for-schools-and-high-needs-equalities-impact-assessment>

6.4.2 In our assessment the proposal in relation to the Growth Fund does not have an impact on groups with protected characteristics.

6.5 **Implications for (or impact on) climate change and the environment**

None

6.6 **Implications for partner organisations?**

None

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Directorate:

Place (Finance)

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This report is published on the council's website: <http://democraticservices.coventry.gov.uk>

Fair Funding Consultation 2020/21 - Summary of Responses

1 Introduction

- 1.1 This Appendix provides a summary of responses received to the consultation paper that was issued to all schools and other stakeholders on 14th November 2019. All responses that were received have been analysed and the results are summarised in this paper.
- 1.2 A total of 7 responses were received, with 3 of those received from groups and therefore representing multiple stakeholder views.

Respondent	Responses Received
Primary	3
Secondary	2
Special	0
Early years	0
Other	2
Total	7

- 1.3 The results and comments are summarised below. Some of the responses included further detail relating to connected issues within specific schools, and some responses highlighting concern in relation to overall funding levels. These raise general concerns, but do not relate specifically to the proposals and so have not been included in full in this report. The full responses can be made available on request.

2 RESULTS

2.1 Proposal 1 – Fair Funding Formula options

- 2.1.1 This proposal recommends that Coventry continues to use the local funding formula in 2020/21 to mirror the National Funding Formula protection levels as closely as possible.
- 2.1.2 We asked stakeholders whether they agreed with this proposal and for general comments.

Sector	Agree	Disagree	Blank or N/A
Primary	3	0	0
Secondary	2	0	0
Special	0	0	0
Early Years	0	0	0
Other	2	0	0
Total	7	0	0

Respondents	General Comments
Primary (2)	Agree: happy with the option to mirror the NFF
Secondary (1)	Agree: agree with the proposal to continue to mirror the National Funding Formula protection levels as closely as possible in order to maximise the amount of funding that can be passed out to schools
Other (2)	Agree: The local funding formula should mirror the NFF protection levels as close as possible as recommended to Schools Forum

2.2 Proposal 2 – De-delegated Services

2.2.1 Funding for some centrally provided services must be allocated direct to schools through the formula but can then be returned to the LA by maintained schools via local de-delegation agreement. This Proposal highlights the de-delegation decision will need to be agreed by Schools Forum.

2.2.2 We asked stakeholders for general comments on this proposal.

Respondents	General Comments
Primary (2)	Agree: We believe that de-delegated services allows the continuation of services that benefit the whole of the city, and not just local schools
Secondary (2)	Agree: We are supportive of continuing the Education Improvement Strategy Fund.
Other (2)	Agree: Pooling resources through de-delegation means that services can continue to be delivered to maintained schools

2.3 Proposal 3 – Minimum Funding Guarantee approach

2.3.1 The Local Authority retains the ability to set the level of the Minimum Funding Guarantee (MFG) protection for schools in 2020/21, although the direction taken in proposal 1 determines the appropriate MFG approach this year. This proposal highlights the MFG exemption that will need to be agreed by Schools Forum.

2.3.2 We asked stakeholders whether they agreed with this proposal and for general comments.

Sector	Agree	Disagree	Blank or N/A
Primary	3	0	0
Secondary	2	0	0
Special	0	0	0
Early Years	0	0	0
Other	2	0	0
Total	7	0	0

Respondents	General Comments
Primary (2)	Agree: happy with the MFG proposal
Secondary (2)	Agree: It is essential that the MFG can be managed to support all schools.
Other (2)	Agree: It makes sense to utilise the one-off reserve funding to ensure schools can contribute to the school improvement provision. Applying for the exception will mean that all schools can be delegated the one-off funding at the rate required to contribute to this provision.

2.4 Proposal 4 – Growth Fund Approach

2.4.1 The Local Authority proposes to amend several elements of the operation of the Growth Fund, in line with recommendations by the Schools Forum sub-group, in order to ensure the future affordability and operation of the Growth Fund.

2.4.2 We asked stakeholders whether they agreed with this proposal and for general comments.

Sector	Agree	Disagree	Blank or N/A
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Primary	3	0	0
Secondary	2	0	0
Special	0	0	0
Early Years	0	0	0
Other	2	0	0
Total	7	0	0

Respondents	General Comments
Primary (2)	Agree: We are generally supportive of the growth fund changes
Secondary (2)	Agree: We are supportive of the proposal to re-focus the growth fund in view of the affordability risk created by the DFE's formulaic approach. Agree: I believe this to be a timely and necessary adaptation of the growth fund.
Other (2)	Agree: We agree with the proposals put forwards.

2.5 Early Years National Funding Formula

2.5.1 In line with the recommendations of the Early Years Single Funding Formula review in 2018/19 it is recommended that any additional Early Years DSG funding for 2020/21 is distributed on the same basis as the current formula.

2.5.2 We asked stakeholders for general comments on this proposal.

Sector	Agree	Disagree	Blank or N/A
Primary	3	0	0
Secondary	1	0	1
Special	0	0	0
Early Years	0	1	0
Other	2	0	0
Total	6	0	1

Respondents	General Comments
Primary (2)	Agree: Agree but there's still not enough money
Other (2)	Agree: We agree with the suggested proposal to keep the existing model of funding formula outlined

2.6 Fair Funding Scheme of Delegation

2.6.1 This section covers changes that are being made to the Fair Funding Scheme of delegation to reflect updated national and local policies.

2.6.2 We asked stakeholders for general comments on this proposal.

Respondents	General Comments
Primary (1)	Agree: We support these changes.
Other (2)	Agree: The changes appear to be in line with updated and national policies. We do have concerns that schools may have no choice but to set deficit budgets if the cuts to schools continues.

2019-20 De-delegated Services & Amounts			
	Primary	Secondary	Total
Free school meal eligibility	15,402	1,007	16,410
Licences/subscriptions	0	0	0
Maternity	524,470	45,782	570,253
Trade Union facility	89,584	0	89,584
School Improvement*	202,402	17,668	220,070
EMAS (new arrivals fund)	298,018	6,469	304,487
Behaviour support services	0	0	0
Total	1,129,877	70,927	1,200,804

* Coventry Education Improvement Strategy commissioning pot

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Cabinet
Council

7th January 2020
14th January 2020

Name of Cabinet Member:

Cabinet Member for Jobs and Regeneration – Councillor O’Boyle

Director Approving Submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

All

Title:

UKBIC Additional Grant Funding Award from Innovate UK

Is this a key decision?

Yes – income/additional funding is in excess of £1m.

Executive Summary:

The UK Battery Industrialisation Centre is a cutting-edge research facility which will bridge the gap between battery research in universities and large-scale manufacturing. The project is funded through Innovate UK alongside an £18m loan from the WMCA which was accepted by Cabinet and Council in the report “UK Battery Industrialisation Centre: Loan from WMCA” in October 2019.

Following further industry engagement and technological developments, Innovate UK have offered a further £3.1m in order to fund and cover the increased costs and future proof against technology changes.

It is likely that between now and the end of the project there will be further adjustments needed and more funding will be forthcoming which will ensure that the battery facility is able to adapt to technological changes. Therefore, this report seeks authority to accept up to a total of £15m of additional funding from Innovate UK if additional cash beyond the £3.1m currently offered to the becomes available between now and the end of the project.

The UKBIC programme is part-way through development and progressing well. The programme is due for completion in March 2020 when the UKBIC facility will open for business. The shell core of the building has now been completed and handed over and a team of 50 has been recruited to date to work for the new company UKBIC Ltd.

Recommendations:

Cabinet is asked to recommend that Council:

- 1) Authorise the Council to act as Accountable Body and accept £3.1m from Innovate UK and also to make the necessary adjustment to the Capital Programme.
- 2) Should further grant funding be made available by Innovate UK, authorise the Council to act as Accountable Body and accept up to a total sum of £15m and make the necessary adjustment as required to the Capital Programme.
- 3) Delegate authority to the Director of Business Investment and Culture, the Finance Manager (Corporate Resources) and the City Solicitor and Monitoring Officer, following consultation with the Cabinet Member for Jobs and Regeneration and the Cabinet Member for Strategic Finance and Resources, to undertake the necessary due diligence, negotiate the terms and conditions of the funding agreement with Innovate UK and enter into the necessary agreement to bring into legal effect the recommendations set out in (1) and (2) above.

Council is asked to:

- 1) Authorise the Council to act as Accountable Body and accept £3.1m from Innovate UK and also to make the necessary adjustment to the Capital Programme.
- 2) Should further grant funding be made available by Innovate UK, authorise the Council to act as Accountable Body and accept up to a total sum of £15m and make the necessary adjustment as required to the Capital Programme.
- 3) Delegate authority to the Director of Business Investment and Culture, the Finance Manager (Corporate Resources) and the City Solicitor and Monitoring Officer in consultation with the Cabinet Member for Jobs and Regeneration and the Cabinet Member for Strategic Finance and Resources, to undertake the necessary due diligence, negotiate the terms and conditions of the funding agreement with Innovate UK and enter into the necessary agreement to bring into legal effect the recommendations set out in (1) and (2) above.

List of Appendices included:

None

Background papers:

None

Other useful documents

Faraday Challenge: <https://youtu.be/TGFRbGj29E>

UK Battery Industrialisation Centre: Loan from WMCA
Cabinet 8th October 2019

<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=124&MId=11943&Ver=4>

National Battery Manufacturing Development Facility - Faraday Challenge Paper

Cabinet 28th November 2017

<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=124&MId=11478&Ver=4>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes – 14th January 2020

Report title: UKBIC Additional Grant Funding Award from Innovate UK

1 Context (or background)

- 1.1 The Cabinet Report “UK Battery Industrialisation Centre: Loan from WMCA” in October 2019 secured the acceptance of an £18m loan from the West Midlands Combined Authority as part of a total project cost of £126m project with the rest of the funding coming from Innovate UK.
- 1.2 Through ongoing engagement with industry and government, there is now a need for further enhancements with the latest technology to attract top-tier automotive manufacturers and research and development companies. In addition, the West Midlands region continues to seek to secure further investment in the sector and establish larger multi-gigawatt-scale annual production of batteries in the UK (a “Gigafactory”).
- 1.3 To secure these opportunities and meet industry need, additional funding is needed to ‘pull forward’ delivery of a manufacturing development facility which is fully specified to industry leading standards. Innovate UK have currently offered an additional £3.1m and there is likely to be more funding awarded before the end of the project.
- 1.4 This report therefore seeks authority to accept the additional £3.1 million as well as a further authority to accept up to a total of £15m through Innovate UK to deliver a cutting-edge facility that meets industry needs and unlocks future investment and development.
- 1.5 The 18,000m² facility, which is due for completion in March 2020, will initially employ an estimated 100 people once fully operational. Additional jobs will also be generated in the supply chain, and further employment and training opportunities will be created in the future.
- 1.6 The UKBIC programme is part-way through development with the construction of the shell core of the facility having been practically completed and handed over to the Council. Construction work is ongoing on the site on the outskirts of Coventry alongside the procurement of machinery and a team of c50 has been recruited to date, including UKBIC Managing Director Jeff Pratt. This team has extensive and valuable experience in both industrial battery production and delivering complex, large scale manufacturing projects.

2 Options considered and recommended proposal

2.1 Not accept the grant award from Innovate UK (Not Recommended)

The option to not accept the funding would result in a facility which does not deliver what industry needs and does not unlock further investment and opportunities within the automotive sector.

2.2 To accept the grant award from Innovate UK (Recommended)

For the reasons outlined within the report, it is recommended that the additional funding from Innovate UK is accepted.

3 Results of Consultation Undertaken

No consultation has been undertaken.

4 Timetable for implementing this decision

- 4.1 The project needs to make commitments based on the additional funding in early 2020. It is therefore critical that a decision is made as soon as possible.

5 Governance Arrangements

- 5.1 The UKBIC CCC Programme Board comprises senior management from relevant services and is chaired by the Deputy Chief Executive (Place). This Board meets monthly to monitor progress and ensure that the best interests of the Council are maintained.
- 5.2 The Director of Property and Project Management and the Director of Finance and Corporate Services have been appointed directors of the new company UKBIC Ltd and also attend the UKBIC CCC Programme Board as observers. The directors of the company must ensure that the company does everything it is obliged to do by law and that any decisions they make are in the best interests of the company.

6 Comments from Director of Finance and Corporate Services

6.1 Financial implications

- 6.1.1 The additional grant funding will ensure that a facility is delivered which is fit for industry needs and future proofed for changes in technology.
- 6.1.2 The additional £3.1m grant will bring the updated project cost to a revised total of £129.1m, of which £111.1m is grant funded through Innovate UK, the remaining £18m via a loan from the WMCA. Any additional Innovate UK grant funding successfully awarded beyond the initial £3.1m and up to the approval limit requested in this report would increase these levels further.
- 6.1.3 To date, over £69m has been spent and claimed from Innovate UK in grant by Coventry City Council and the project has been successfully audited by Grant Thornton demonstrating the robust governance and financial management in place.

6.2 Legal implications

- 6.2.1 This report seeks authority to accept a grant award by Innovate Agreement and to enter into a grant agreement with Innovate UK. There is also a delegated authority being sought to accept (where offered by Innovate UK) further grant awards up to a total sum of £15 million pounds.
- 6.2.2 s1 Localism Act 2011 gives the Council a general power of competence and as such the Council has the power to receive grant funding and enter into a grant agreement.
- 6.2.3 The Council will need to ensure that the terms of and conditions of the grant award as set out by Innovate UK are adhered to. The Council's Economic Development Service will be responsible for ensuring that the grant is managed correctly, and Legal Services will provide the necessary support to address any legal issues associated with the acceptance of the grant awards.

7 Other implications

- 7.1 **How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?**

7.1.1 The establishment of the UKBIC will make a significant contribution to the Council Plan. Coventry is already a focal point for the UK auto industry and securing the UKBIC will make the area hugely attractive to investors from the industry. The manufacture in Internal Combustion Engines is expected to decline steadily over the next twenty years as more and more car manufacturers plan to move towards electric fleets. It is expected that the market for battery technology in the EU will be worth as much as EUR50Bn during this period, and with the UKBIC operating in Coventry this will provide an excellent incentive for inward investment and job creation, in line with the aims of the Council Plan.

7.2 How is risk being managed?

7.2.1 With a project as large and complex as this one, detailed work on risk management is ongoing, and the joint CCC-CWLEP-WMG project team has devoted considerable resources to assessing risks and planning mitigation actions.

7.2.2 In any project that uses public funding to support private businesses, particularly with a grant as large as this one, it is important to assess any state aid risks created as a result on an ongoing basis. A specialist firm, Oxera Consulting, is on board to advise partners on the state aid implications of the UKBIC proposals.

7.3 What is the impact on the organisation?

7.3.1 Two new posts have been created within the Economic Development Service and officer time from existing staff in Finance, Legal and Procurement teams will continue to be required. The costs for both the new posts and existing officer time will continue to be recovered from the grant.

7.4 Equality and Consultation Analysis (ECA)

7.4.1 This project is not expected to have any negative equalities impacts. CCC and CWLEP will place requirements upon the new company to ensure that appropriate equalities impact assessment work takes place as it begins to run its services.

7.5 Implications for (or impact on) climate change and the environment

7.5.1 This project has the potential to have a positive environmental impact. As the UK auto industry moves to electrification there will be a huge reduction in emissions from road vehicles on the country's road. The work of the UKBIC aims to speed up this transition, and therefore have a positive environmental impact.

7.6 Implications for partner organisations?

7.6.1 Establishing the UKBIC here will allow the University of Warwick and WMG to cement their position among the top universities in the world for advanced engineering and automotive R&D. In turn this will lead to further benefits for the city.

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