

## APPENDIX D.

### **E-mail and Telephone Objections, Questions and Responses to Newport SLL Consultation**

**Please note: The SLL e-mail inbox had the following automated response:** Thank you for taking the time to respond to the Selective Landlord Licensing consultation. Please note at this time we will not be responding to individual e-mails.

The consultation is for a 10 week period starting on 2nd January 2024, 9am and ending on 12th March 2024, 12 noon.

You can get more information about the scheme, including the full proposal, on the Council's website [www.middlesbrough.gov.uk/SLLconsultation](http://www.middlesbrough.gov.uk/SLLconsultation)

The Council will make a final decision on Selective Landlord Licensing after it has fully considered the responses to the consultation.

<b>Ref No /Type of response</b>	<b><u>Summary of Response</u></b>	<b><u>Response from the Selective Licensing Team</u></b>
1/response from Resident	To whom it may concern, I have lived in the area all my life. The licence fee should go ahead due to the amount of badly rented homes. Many times I've reported pest issues and the council have not responded as they don't deal with it anymore. Landlords are not getting the pest issues sorted as it their responsibility! Landlords with cash aren't using proper channels to get the rent ie..you can see the tenant paying cash on the doorstep. Houses are in a poor state. HMO make it impossible for people like me to get parked outside my own house. Landlords who Have multiple properties should be made to pay the fee and the proposed areas should also be licensed. Too many properties bought by cash should be investigated and why a particular landlord has been able to buy so many.	Comments noted

	<p>More tighter restrictions and more fees should be put on the Landlords.. they've earned cash and not looked after the houses. It's created an area of filth and antisocial behaviour/crime is off the scale. They should pay the price for making it like that. Good residents don't feel safe because of the homes and tenants in their properties. Whilst these so called Landlords fill their pockets and behave like its not their problem and they call it their "business"... when really they're making this area more of a mess. The licence fee should be thousands not hundreds!! Kindest Regards</p>	
2/response from Landlord	<p>Dear Sir/ Madam, I rent out a property in the Newport ward and have been part of the selective licensing scheme for the last four/five years. In that time I have had to spend approximately £750 for the pleasure- there was no choice or investigation into how I rented and looked after my property and tenants. As such, I feel that it is, in many respects, a flawed scheme, as it is targeting both irresponsible and responsible landlords with no differentiation between the two. My property is fully managed a managing agent and meet all the expected requirements laid out by your scheme. As a result, I feel that being made to have a selective licence is of no benefit to me or indeed my tenants and this has been borne out over the last few years having little to no contact with the SL team. In addition, I pay over £1000 per year to</p>	Comments noted

	have my property professionally managed so feel particularly aggrieved to have to pay extra, to ensure something that i already have in place.	
3/response from Councillor	It needs to be rolled out in more than just Newport.	Comments noted
4/response from Councillor	"Good afternoon, I'm in favour of the roll out however, I do feel that Central wards University area is well overdue.	Comments noted
5/response from Unknown	It is quite incredible that MBC pats itself on the back when talking about the Selective Landlord Licensing scheme, and the alleged impact that it has had on Newport and North Ormesby. When was the last time one of your team visited Percy Street to see what impact the scheme has had? It has had zero impact and the street and surrounding streets are as worse as they have ever been. That is the reason why images from the street were published in a national newspaper highlighting just how bad things have become. Whatever you are using the licence fee for, it is not on improving the lives of residents living in these streets.	The team carry out regular walkabouts in the area of Newport along with other Middlesbrough Council departments including Environmental teams.
6/response from Councillor	In my experience there is little buy to let in my ward so I'm happy to go to the back of the queue.	Comments noted
7/response from Councillor	this should be rolled out throughout the whole of Middlesbrough, my ward Pallister/Berwick hills does have lots of private landlords whose tenant's cause issues , there is also a fair few landlord's who do not care what living conditions	Comments noted

	the tenants are living in .so this just doesn't affect Newport and North Ormesby it all so effects a wider scale .	
8/response from Landlord	<p>Hello, I have read with interest your plans to extend the selective licensing scheme in the Newport ward. It says there is a questionnaire on the council website but I cannot find this. Do you have a link? First of all, as a landlord, I whole heartedly support the scheme and, although I think it is funded by already credible and law abiding landlords I thinks its benefits to improving the area are worthwhile. However, one issue: I paid for my license 1.5 years ago on a property I purchased in July 2022 . The license expires in June 2024 as this is when the scheme was due to expire. I find it very unfair that I should be asked to pay another £1000 when my last payment only lasted for such a short time. I urge the consolation committee to consider whether this will be taken into consideration. Many thanks and best wishes.</p>	<p>Comments noted, and e-mailed the link to the online questionnaire:</p> <p>Good morning, Please see below link to the Newport Consultation website page, you will find a link to complete the online questionnaire.</p> <p><a href="https://www.middlesbrough.gov.uk/housing/landlords/selective-landlord-licensing-scheme/newport-consultation/">https://www.middlesbrough.gov.uk/housing/landlords/selective-landlord-licensing-scheme/newport-consultation/</a></p> <p>Applications for licences in the last twelve months of the designation will be eligible for a reduced fee of 50% of the second payment, where properties have not been licensable prior to the 12 month deadline.</p>
9/response from Landlord	<p>"I agree with the principle of the scheme but not with the method of finance. We purchased a property that had already paid for a license and had to apply and pay again, now we will have to pay again for the same property again within 2 years. Could the license not be issued for the property and be transferable between landlords on sale, or be refunded if the property is sold before the end of the scheme. "</p>	<p>Unfortunately it is stipulated in the Housing Act 2004, Part 3, 91 (6)A licence may not be transferred to another person.</p> <p>Applications for licences in the last twelve months of the designation will be eligible for a reduced fee of 50% of the second payment, where properties have not been licensable prior to the 12 month deadline.</p>
10/response from Landlord	<p>What is selective landlord licensing?</p>	<p>Comments noted</p>

The Housing Act 2004 gives councils the power to introduce selective landlord licensing (SLL) for privately rented properties in areas experiencing low housing demand or significant and persistent anti-social behaviour.

Newport is an area of low housing demand with high and persistent levels of antisocial behaviour.

Selective landlord licensing aims to improve standards of property management in the private rented sector. We can designate an area for SLL if we believe it will, when combined with other work, lead to improved social and economic conditions in the area.

Or in other words:

A gateway to allow Local Authorities to throw a pebble in the in the pothole of the budget deficit from the lack of funding from central government.

Meanwhile persecuting Landlords (whom clearly deserve it as they are all bad apples with millions of pounds) with yet another, time and financial burden.

The results of which will be a lack of engagement with the PRS, spiralling rents, evicted tenants and absolutely no 'improved social and economic conditions'.

The inevitable results will obviously be no fault of the Gov.uk or the LA, it will be, no doubt, down

	<p>to those greedy grabbing landlords again, those that are left in the PRS, that is.</p> <p>We're running a 10-week consultation to get people's views on our plan to extend the selective landlord licensing scheme in part of Newport. The consultation will start on 2 January 2024 at 9am. It will close on 12 March 2024 at 12pm. Once the consultation has ended, the results will be published on this website.</p> <p>Call me a physic, I'm hearing voices from the spirit world that are shouting, screaming and wailing... "It will be introduced as proposed; the consultation process is dead and lives amongst us".</p>	
<p>11/response from Owner Occupier</p>	<p>Hi Team</p> <p>I know that I have already given feedback As a home owner I am absolutely in favour of this . Landlords who are not present do not or are not interested in who or what goes on in their properties.</p> <p>We are plagued by revolving tenants, which comes with its own issues Excessive amounts of house hold rubbish items being put in the alley when tenants move out , move in . All people are entitled to live in a property but it feels sometimes they get evicted from one property only for the problem to be moved to another area. I agree with the reasons why there is the need for the selective licensing. Middlesbrough/</p>	<p>Comments noted</p>

	Newport council really do need to think about the people who have to constantly put up with these challenges.	
12/response from Landlord	<p>Dear Sir or Madam</p> <p>Subject: NEWPORT 1</p> <p>As a landlord in Teesside I object to the redesignation proposal.</p> <p>The analysis you have provided is not specific to Newport 1.</p> <p>You are using old and irrelevant statistics used to licence Newport 2.</p> <p>Newport 1 has improved greatly since 2019 with lower ASB and higher housing demand.</p> <p>The basis of your proposed redesignation is completely flawed.</p> <p>You should move to Hemlington or a different area of Middlebrough that NEEDS licensing; your work is done in Newport 1 and not required anymore.</p>	<p>The proposal document explains why the Council believes Selective Licensing is still needed in Newport, how it will operate alongside and complement other measures, the improvements it will bring about and why alternative remedies are insufficient. This proposal presents information on a full Newport ward basis, where we have been able to present granular data for the smaller Newport 1 area we have used it.</p> <p>The report looks at a summary of findings from an evaluation of the current Newport 1 scheme.</p>
13/response from Landlord	<p>Dear Sir/Madam</p> <p>I object to the consultation.</p> <p>I have seen no benefit to licensing and all it has done has cost me money.</p>	<p>Evaluation of Newport 1 scheme and it's achievements was included in the consultation documents.</p>

	<p>I cannot believe you want to charge £1000 a licence now.</p> <p>I find the way in which you have combined data for the whole ward absurd and clearly wrong. Newport 1 is much better than Newport 2 which was licensed last year. You had Newport 1 for 4 years before Newport 2. You do not need Newport 1 to keep working on Newport 2. They are separate schemes and originally you only justified licensing for Newport 1 demonstrating this. You now want to combine the two and suggested when arguing for Newport 2 that if it didn't come in it could undermine Newport 1 - this is all wrong.</p> <p>The fact is you just want money off landlords given the position of the Council and intend licensing to continue indefinitely.</p> <p>We pay Council Tax already and that should cover these services.</p> <p>I doubt you will do it in Hemlington, where help is needed, because most houses are owner/occupied or social.</p> <p>We have all now had enough of it.</p>	<p>The Council is not permitted to make a profit from the introduction of a Selective Landlord Licensing scheme and any surplus must be ring-fenced to the scheme. The fees should, however, take account of all costs incurred in carrying out all duties under this part of the Act.</p> <p>This fee has been calculated based on the cost to run the various elements of work needed to administer and enforce the scheme; the number of officers required to fulfil these tasks and the officer time needed to complete them were identified and then costed.</p>
14/response from landlord	Dear Licensing Officers Newport Consultation	Any properties that meet the exemptions as specified in The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 would not require to be licensed.



	<p>I object to the consultation.</p> <p>The suggestion that landlords should pay £1000 fee is ridiculous.</p> <p>If you do bring it in, again, landlord will grant 21 year leases to avoid signing up, or let people sign up as lodgers to avoid the charge.</p> <p>Licensing is nothing more than income generation for a council strapped for cash.</p> <p>If you bring this in, then landlords will have to apply for exceptional financial support as well.</p>	
<p>15/response from Tenant</p>	<p>Dear Sirs</p> <p>I object to the new proposed scheme.</p> <p>You have already done the scheme for 5 years so why do you need it again?</p> <p>If it has been effective then why do it again? If it hasn;t been then why try more?</p> <p>I am a pensioner and these schemes increase the rent for tenants as the landlords pass them on.</p> <p>This amounts to collective punishment as good people have to pay when they are doing nothing wrong.</p>	<p>The reasons for the designation are detailed in the proposal document.</p> <p>The proposal document explains why the Council believes Selective Licensing is still needed in Newport, how it will operate alongside and complement other measures, the improvements it will bring about and why alternative remedies are insufficient. This proposal presents information on a full Newport ward basis, where we have been able to present granular data for the smaller Newport 1 area we have used it.</p>

	<p>I have seen no benefits at all as a resident in Wylam Street</p> <p>It is about time you moved the scheme to somewhere where it was needed more.</p> <p>Just because the Council cannot manage its own financial affairs is no reason to raise more money through innocent people like this.</p> <p>Re-doing the scheme is an abuse of your powers.</p> <p>The scheme should end this summer and not start up again.</p> <p>All the scheme has done is move people to the other side of Parliament Road and now that has had to be licensed. Selective licensing is not a real solution - it leads to displacement</p> <p>All the figures you have relate to the whole ward but this is only part of it. Where do you have evidence that this area needs it? Your figures include the new Newport 2 area which was licensed for the reasons given last year. It is wrong to use those figures again for this part of the ward. You have not justified the need for it in the papers presented and it all seems a bit unnecessary.</p>	
16/response from landlord	Licensing Team Middlesbrough Council	Comments noted

	<p>Dear Licensing team,</p> <p>As a recently established property company committed to providing affordable and safe housing to recent migrants and international students, we take with great interest your consultation for expansion of the Newport licensing scheme .</p> <p>Unfortunately, the consultation form placed a limit of about two short paragraphs on the ability to provide general views on the scheme, therefore I am writing to set out these views based on our experiences as a small landlord, with properties on Percy Street (TS3) and Russell Street (TS1) and cumulatively over a decade of experience working with tenants, agents, landlords, and recent arrivals in the area.</p> <p>Firstly, needless to say, the overall goals of improving the standards in the area for tenants and the local community are admirable and widely supported by all those committed to the area. It is not an easy task and it is commendable that the council is willing to pursue innovative measures for the betterment of the area.</p> <p>Despite the obviously admirable motives, it is regrettable to say that the scheme has clearly not taken the time to consult landlords and</p>	<p>Unfortunately it is stipulated in the Housing Act 2004, Part 3, 91 (6)A licence may not be transferred to another person.</p> <p>Applications for licences in the last twelve months of the designation will be eligible for a reduced fee of 50% of the second payment, where properties have not been licensable prior to the 12 month deadline.</p> <p>The Council is not permitted to make a profit from the introduction of a Selective Landlord Licensing scheme and any surplus must be ring-fenced to the scheme. The fees should, however, take account of all costs incurred in carrying out all duties under this part of the Act.</p> <p>This fee has been calculated based on the cost to run the various elements of work needed to administer and enforce the scheme; the number of officers required to fulfil these tasks and the officer time needed to complete them were identified and then costed.</p> <p>Information on the broad findings of inspections is included in the report. However, specific inspection reports are not a public document. Every Local authority must establish and maintain a register of all licences granted, all temporary exemptions and all management orders, this is a public document.</p>
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property professionals on the effects that it is likely to have on investment in the area.

As the Scheme documentation explains (see Appendix 4), the license fee has been determined by the cost of the council's workload to administer the scheme. It can be inferred from this, and from the multitude of limitations with the scheme (lack of transferability, lack of open data, lack of multi-property efficiencies), that the council has not considered how to avoid pushing responsible landlords and investors away from the region.

The property sector remains a primary driver of Britain's free market economy (employing over 12 million people), and continuing regeneration of a post-industrial North-East will depend on the attractiveness of the area to investors. Making the area unattractive to investors will unfortunately have the effect of turning Middlesbrough's inner-city residential areas into post-apocalyptic streets of abandoned properties left in disrepair.

## **Appendix**

### **1.Problem: Non-transferrable licenses harm low-income tenants**

The selective license is non-transferrable. This means that buyers of a property in the area must

purchase a new license even in cases when the property has only recently been approved for a license and has met all of the necessary criteria. The effect of this will be to push up costs to landlords, which in turn will lead to higher rents for low-income tenants.

**Solution**

Licenses should be transferrable so that properties of a high standard can be rented at affordable rates. Where there are costs to the Council associated with 'fit and proper persons tests', such tests can be associated with independent landlord registers or licenses so that this does not need to be duplicated for each property.

**2. Problem: The cost of licenses are not proportionate**

The proposed increase in the cost of the licenses from £836 to £998 is extremely disproportionate given rents in the area and is not in line with typical HMO license fees (currently £722.20 over 5 years), which apply to properties of 5 or more bedrooms. Median rents in Middlesbrough are £575pcm . After agency fees, typically in the region of 10-12%, the cost of licenses will equate to two months of gross income for landlords, at a time of extreme pressure due to high interest rates . The effect of this will be to further harm the local property market and reduce sales in a

region where many sales prices remain below pre-2008 recession levels, ultimately disincentivising much-needed investment in the housing stock required to raise the quality of rental properties.

**Solution**

Licenses should be set at figures that are proportionate to rents, through close consultation with local housing providers, such that licenses are a net positive for local investment rather than undermining the sector. It is unlikely that a figure greater than one month's rent can be justified given the average cost of HMO licenses.

**3. Problem: License findings and registers are not transparent**

Buyers of properties within the licensing area are currently unable to access a record of licenses, license holders and findings of inspections, reducing transparency of the scheme and making it difficult for property buyers (and prospective buyers) to know ahead of time what work is required to maintain licensing standards.

**Solution:**

Property inspections for licenses should be made public if the purpose of the licensing scheme is to improve the quality and safety of housing and to benefit tenants and residents. This is another reason for why licenses should

be transferrable. Doing so would bring them in line with current EPC reporting and with the government's plans for public landlord registers, ultimately incentivising investment in the area and boosting the local property sector.

#### **4. Problem: High cost of the licensing scheme**

The Council's proposed fee structure (Appendix 5 of the consultation ) states that the license fee has been "calculated based on the cost to the run the various elements [of the scheme]". Clearly this is one legitimate way of setting the license fee, however it is also one that does not consider the effects that this will have on landlords and on investment in the region. As an area that is widely recognised to be in need of regeneration, the attractiveness of the area to private sector investment should be a critical concern. As such, there is a need to strike a balance between the needs of a licensing scheme and the capacity of private landlords to pay for it without being forced to invest in other regions instead.

#### **Solution:**

The Council should be working with responsible private landlords and housing providers to find the right balance between the needs of the scheme and the need for it to be low cost. This consultation is a start, however it should be a

	<p>basic precondition of the scheme that the workload required to administer it is capped at a level that allows costs to be passed on to landlords without harming investment and affordability to tenants and residents.</p>	
<p>17/response from Stakeholder invested in the welfare of both landlords and tenants</p>	<p>To whom it may concern,  Thank you for providing me with the opportunity to share my views on the selective landlord licensing scheme. As a stakeholder invested in the welfare of both landlords and tenants, I am keen to advocate for improvements that ensure fairness, effectiveness, and compliance with legal standards.  I have outlined four key points for your consideration, some of which may have legal implications. I believe that addressing these points will not only refine the scheme but also uphold principles of fairness and justice.  <b>Firstly</b>, I wish to address the issue of fairness in the licensing scheme's charging system. It is essential that charges are tailored to reflect the diverse nature of properties within the scheme. Currently, a one-size-fits-all approach fails to account for the diversity in property sizes and rental values. Drawing parallels with the council tax system, which bases charges on property value to ensure fairness, highlights the need for a similar approach in licensing fees. The council tax system sets a precedent which emphasizes the importance of fairness in regulatory frameworks and supports the argument for tailored charges based on property type.</p>	<p>The Council is not permitted to make a profit from the introduction of a Selective Landlord Licensing scheme and any surplus must be ring-fenced to the scheme. The fees should, however, take account of all costs incurred in carrying out all duties under this part of the Act.</p> <p>This fee has been calculated based on the cost to run the various elements of work needed to administer and enforce the scheme; the number of officers required to fulfil these tasks and the officer time needed to complete them were identified and then costed.</p> <p>Applications for licences in the last twelve months of the designation will be eligible for a reduced fee of 50% of the second payment, where properties have not been licensable prior to the 12 month deadline.</p> <p>The fee is divided into two payments the second only becoming payable when it is decided the landlord is fit and proper to be issued with the licence. The first £499, will be used to administer the application and fit and proper process. The second £499 will be used for the ongoing administration and the enforcement of the legislation associated with the scheme.</p> <p>Unfortunately it is stipulated in the Housing Act 2004, Part 3, 91 (6)A licence may not be transferred to another person.</p>



**Secondly**, the current fee structure appears exorbitant when compared to the value of properties and rental prices in the area. This discrepancy becomes even more apparent when compared to similar schemes implemented by councils within our capital, London. It is evident that the council has accumulated funds well beyond what is necessary to sustain the scheme. Therefore, I advocate for a substantial reduction in selective landlord licensing fees. This reduction should align with the scheme's original purpose of improving living standards rather than generating revenue. Furthermore, implementing a varied fee structure based on property type would ensure a more equitable distribution of costs among landlords.

**Thirdly**, offering flexibility in fee payment options is crucial to accommodate landlords facing financial constraints. A rigid lump-sum payment requirement disregards the realities of individuals who may be willing to comply but unable to make immediate payments due to financial difficulties. Legal principles of reasonableness and fairness, necessitate that regulatory bodies adopt flexible payment arrangements to support compliance while upholding individual rights.

Lastly, it is imperative to streamline the transition process for landlords already holding selective landlord licenses. Requiring them to undergo the same registration process as new applicants is unnecessary and burdensome. Instead, existing

	<p>license holders should be able to seamlessly transfer to the new scheme by paying the appropriate fee. This would eliminate redundancy and ensure a smoother transition for all parties involved.</p> <p>In conclusion, I believe that implementing these proposals will significantly enhance the selective landlord licensing scheme and contribute to its long-term success. I trust that the council will carefully consider these suggestions before finalizing any decisions regarding the future of the scheme. Please note that these proposals are being shared within the consultation period and through designated consultation channels, ensuring transparency and inclusivity in the decision-making process.</p> <p>Thank you for your attention to this matter, and I look forward to your response.</p>	
<p>18/response from Councillor</p>	<p>Selective Landlord Licensing consultation on Newport 1 Submitted by Jill Ewan, councillor for Newport Ward</p> <p>I agree that the council should renew the Selective Landlord Licensing (SLL) scheme in Newport 1 for another five years, however I would like to suggest a number of changes, as follows:</p>	<p>This fee has been calculated based on the cost to run the various elements of work needed to administer and enforce the scheme; the number of officers required to fulfil these tasks and the officer time needed to complete them were identified and then costed. A £100 late fee is charged for any late applications.</p> <p>All properties are re-visited following the initial inspection were Category 1 hazards have been identified.</p> <p>Unfortunately it is stipulated in the Housing Act 2004, Part 3, 91 (6)A licence may not be transferred to another person.</p>

	<p>Measures so that bad landlords pay more than good landlords because they make more work for the SLL staff:</p> <ol style="list-style-type: none"> <li>1. Start with a higher headline licensing fee. Maybe £1200 including, say, £200 for application fee and processing.</li> <li>2. Give a fee discount for application within, say, a month of the scheme's commencement, to both the landlords currently registered, who you will presumably e-mail or write to about the extension. Maybe £200. Make it worthwhile for the landlord to act quickly and volunteer, rather than have to be chased.</li> <li>3. Give a fee discount for application to new landlords who have bought a house and who submit an application within one month of purchase or before first letting it out, whichever is earlier. A good estate agent and a good conveyancing solicitor would probably tell a client that there is a SLL scheme in force, especially if they are buying on a buy to let mortgage. Maybe £200. Again, make it worthwhile to volunteer and not wait to be tracked down.</li> <li>4. Give a fee discount for being and remaining NRLA accredited, for which an annual certificate is awarded. An accredited member with a certificate, not just a paid-up member. Maybe £100.</li> <li>5. A house is lettable with an EPC of E, or if an exemption had been given. Give a fee</li> </ol>	<p>Applications for licences in the last twelve months of the designation will be eligible for a reduced fee of 50% of the second payment, where properties have not been licensable prior to the 12 month deadline.</p> <p>The fee is divided into two payments the second only becoming payable when it is decided the landlord is fit and proper to be issued with the licence. The first £499, will be used to administer the application and fit and proper process. The second £499 will be used for the ongoing administration and the enforcement of the legislation associated with the scheme.</p> <p>This fee is divided into two payments the second only becoming payable when it is decided the landlord is fit and proper to be issued with the licence. The first £499, will be used to administer the application and fit and proper process. The second £499 will be used for the ongoing administration and the enforcement of the legislation associated with the scheme.</p> <p>All properties are inspected thorough the inspection programme and officers go through a tenants checklist of useful information and support needs.</p> <p>A quarterly update to all Selective licensing landlords is sent.</p> <p>Tenant referencing includes if a tenant has left a property with rent arrears, the personal financial position of persons in rented accommodation is not something the council can seek information on. The tenancy referencing is to deem if the tenant has a history of poor behaviour or adverse impact on</p>
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	<p>discount for an EPC of D, maybe £100, and a discount for C or above, maybe £200. This is a small recognition of the efforts that the landlord has made to make the house more comfortable and cheaper to run.</p> <p>6. Where a house that has been inspected is sufficiently substandard that you decide to re-inspect it, rather than just require evidence such as invoices and photographs to prove that the work has been done, levy a reinspection charge, maybe £100.</p> <p>7. In fairness to landlords who sell the home during the five years and landlords who buy during that period, the balance of the charge, after the application and processing costs, should be apportioned in accordance with the number of months out of 60 that the home is owned as an investment property.</p> <p>A measure to make it easier for landlords to pay the fee:</p> <p>Preferably allow landlords to pay the balance of the fee, after the application fee, by monthly direct debit over the period of the scheme, possibly adding interest at a modest rate, not less than the council's borrowing rate, to take into account that those who pay later, pay less. The council will have the same level of staffing to deal with SLL over the five years. They and costs such as their office and transport costs are</p>	<p>rental properties which prospective new landlord wish to take into consideration when renting out their properties.</p> <p>Empty properties are exempt from Selective Licensing but other Council departments have ongoing work in relation to empty boarded up properties.</p>
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paid monthly. Why shouldn't the landlord pay the fee monthly, especially as the landlord will probably want to charge the fee to the tenants by including it in the rent? I recognise that if a landlord sells a property, it would be difficult or impossible to recover the balance of the fees, but, in that case, someone else may buy the home and if they are letting out the home, the council will get a new SLL fee from the new owner.

Measures to encourage landlords and justify the scheme to them

Landlords on online communities often seem to think that they get nothing for their licence fees and that licensing is effectively just a tax on landlords to provide services that councils have the power to provide anyway. They often suggest that they get nothing for their money. In particular, they will say, "We have had SLL for four years and they haven't even inspected my properties". The SLL report refers to 600 inspections outstanding in October 2023 which is disappointing as it is more than half of the properties, most of the way through the scheme.

1. Inspect as many properties as possible as soon into the scheme as possible. As well as the HHSRS aspects, inspection should include ensuring the tenant has been provided with

	<p>access to alley bins, by a back yard gate key or, for those without back alley access, an alley gate key, where applicable and recycling bags and instructions.</p> <p>2. Provide a regular free e-mail newsletter to the landlords with statistics such as: number of dwellings in the SLL area, owner-occupied, exempt, licensed and not yet classified. Also number of home inspections and % of homes inspected in the month and in the licensing period to date. Also details of any landlord prosecutions, eg for an unsafe house or for fly tipping, and of any landlords who have had their licences taken away. Also details of number and type of action taken by the SLL team in connection with antisocial behaviour, drug dealing, abandoned vehicles etc. Include details of any changes in the area, eg alterations to waste collection arrangements.</p> <p>3. Continue to provide free tenant referencing but include financial referencing if not already included.</p> <p>4. Provide them with an entitlement to a free bulky waste collection annually and on each change of tenancy.</p> <p>5. Do something about all the empty and abandoned properties in the ward. An empty house, especially if boarded up, gives a bad impression of the area.</p>	
19/Response from Landlord	Detailed response was submitted objecting on a number of grounds to the proposed scheme,	Ground 1 – The designation of the scheme has not been pre-determined, following the consultation the proposal along with

	<p>which the key points have been summarised below:</p> <p>Ground 1 - Pre-Determination</p> <p>Ground 2 - Errors of Law and Fact / Material Misdirection's as to the lawful basis of the proposed Re-designation based on inaccurate statistics / Use of Combined Date for an Improper Purpose.</p> <p>Ground 3 - Failure to Consider Alternatives / Misdirection as to the drawbacks of Accreditation based on irrelevant or incorrect analysis / Failure to provide evidence for why Accreditation would not be acceptable following conclusion of the current scheme / Failure to properly consult existing licence holders/landlords as to "Accreditation" as an alternative to a further scheme / Misdirection as to financial risk in respect of a re-designated selective licensing scheme.</p> <p>Ground 4 - Procedural Errors in Relation to Time / Failure to Properly Consult</p>	<p>consultation responses will be presented to Executive for consideration and decision.</p> <p>Ground 2 - The proposal document explains why the Council believes Selective Licensing is still needed in Newport, how it will operate alongside and complement other measures, the improvements it will bring about and why alternative remedies are insufficient. This proposal presents information on a full Newport ward basis, where we have been able to present granular data for the smaller Newport 1 area we have used it.</p> <p>Ground 3 – careful consideration was given to the introduction of an accreditation scheme but it was considered that an accreditation scheme would not fulfill the Council's objectives, which would be sought through a Selective Licensing scheme.</p> <p>Ground 4 – The evaluation of the scheme has included 4 years of delivery, which provided and effective evaluation of the scheme. The consultation has ran for a full 10 weeks.</p>
20/Response from Landlord	<p><b>Subject: Newport consultation</b> Dear Middlesbrough council,</p> <p>I object to the consultation. The suggestion that landlords should pay £1000 fee is ridiculous.</p>	<p>Any properties that meet the exemptions as specified in The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 would not require to be licensed.</p>

	<p>If you do bring it in, again, landlord will grant 21 year leases to avoid signing up, or let people sign up as lodgers to avoid the charge.</p> <p>Licensing is nothing more than income generation for a council strapped for cash.</p> <p>If you bring this in, then landlords will have to apply for exceptional financial support as well.</p>	
<p>21/Response from unknown</p>	<p>Dear Sir /Madam</p> <p>I am disappointed with the idea of licensing newport again.</p> <p>You destroyed Gresham in 2005 - 20 years on, the land on Union Street and the Jewel Streets is still not built on and up and running.</p> <p>The Council should stop meddling in private industry</p> <p>Also you even charge purpose built accommodation the charge - landlord licensing was never meant for this.</p> <p>The scheme is money making and it is wrong.</p> <p>When I think how much harm Middlesbrough Council has caused Gresham, and now it is trying to use the area to get money from landlords.</p>	<p>Comments noted</p>



	<p>I am disgusted.</p> <p>I hope you make the correct decision and listen to our concerns about this matter.</p> <p>Many thanks</p>	
<p>22/Response from Landlord Association</p>	<p>Selective Licensing Proposals</p> <p>The NRLA is an association following the merger of the National Landlords Association and the Residential Landlords Association. Our membership represents over 100,000 landlords and agents, the largest organisation in the sector.</p> <p>Thank you for the opportunity to respond to the above consultation regarding the introduction of selective licensing in Middlesbrough. The NRLA objects to the relevance of the introduction of Selective licensing by Local Authorities. Although we sympathise with the aims of Middlesbrough council, we believe that selective licensing does not align with the successful completion of these objectives.</p> <p>The NRLA seeks a fair legislative and regulatory environment for the private rented sector while ensuring landlords know their statutory rights and responsibilities.</p>	<p>We have found that by having a Selective Landlord Licenising scheme and the licence condition (see below), landlords and enforcement officers work jointly in relation to anti-social behaviour issues identified this has a quicker and more pro-active response to the issues identified.</p> <p>c) co-operate with Middlesbrough Council, Cleveland Police and other agencies in resolving complaints of anti-social behaviour or criminal activity. The Licence holder and/or their nominated Managing Agent must not ignore or fail to take action against any complaints regarding their tenants. Written records of action taken, shall be maintained and made available for inspection by an authorised officer of Middlesbrough Council on request.</p> <p>A dedicated Neighbourhood Safety Officer is funded through the scheme and works with landlords to tackle issues with anti-social tenants.</p> <p>The scheme as part of it's housing inspections works with tenants to address any issues/support needs they have that could impact on them sustaining a tenancy.</p>

	<p><b>Main Objections</b> Antisocial behaviour and low housing</p> <p>Landlords are not experienced in managing antisocial behaviour when it comes to resolving tenants' mental health issues or drug and alcohol dependency. Suppose there are any allegations about a tenant causing problems, and a landlord ends the tenancy. In that case, the landlord will have fulfilled their obligations, even if the tenant has any of the above issues.</p> <p>This moves the problems around Middlesbrough but does not help the tenant, who could become lost in the system, or worst, move towards the criminal landlords. They will also blight another resident's life.</p> <p>Furthermore, the overcrowding issue is complicated for a landlord to manage if the tenant has overfilled the property. A landlord will tell a tenant how many occupants are permitted to live on the property and that the tenant is not to sublet it or allow additional people to live there. It is impractical for landlords to monitor tenants' everyday activities or sleeping arrangements.</p> <p>Regarding reducing antisocial behaviour and those landlords must tackle such activity within their properties, landlords and agents can only enforce a contract; they cannot manage behaviour.</p>	<p>Middlesbrough Council offer a FREE bulky waste collection service to collect bulky items. The service is available to all residents of Middlesbrough, and is offered in addition to their usual rubbish and recycling collections.</p> <p>Examples of bulky waste are:</p> <p>kitchen items - for example: fridge, freezer, cooker, microwave electrical items - for example: TV, computer, washing machine furniture - for example: bed, sofa</p>
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### Existing Enforcement Powers and Activity

Middlesbrough council has many existing enforcing powers that can rectify the identified problems as part of the council's housing strategy. These include:

1. Criminal Behaviour Orders
1. Crime Prevention Injunctions
1. Interim Management Orders
1. Empty Dwelling Management Orders
1. Improvement Notices (for homes that do not meet the Decent Homes Standard)
1. Litter Abatement Notices (Section 92 of the Environmental Protection Act 1990)
1. Fixed Penalty Notices or Confiscation of equipment (Sections 8 and 10 of the Noise Act 1996)
1. Directions regarding the disposal of waste (for example, Section 46 of the Environmental Protection Act 1990)
1. Notices to remove rubbish from land (Section 2-3 of the Prevention of Damage by Pests Act 1949)

The council also has a wealth of housing enforcement legislation that can be used to enforce against poor standards in the PRS, such as the Housing, Health, and Safety Rating System (HHSRS), Improvement Notices, Hazard Awareness Notices, Prohibition Orders and Emergency Remedial Action, civil penalties, and

	<p>criminal prosecutions. These powers are available to the local authority now and do not need consultation to use.</p> <p>Waste management</p> <p>The council references anti-social behaviour as one of the grounds to introduce further licensing in Middlesbrough, with fly tipping and waste being a problematic issue within PRS properties.</p> <p>Often when tenants are nearing the end of their contract/tenancy and are moving out, they will dispose of excess household waste by a variety of methods. These include but are not limited to putting waste out on the street for the council to collect. This is in the hope of getting their deposit back and made worse when the council does not allow landlords access to municipal waste collection points. Local authorities with many private rented properties need to consider a strategy for collecting excess waste at the end of a tenancy in place of selective licensing.</p> <p>Would the council consider a free/low-cost service for private landlords to remove numerous bunk items for when tenants vacate the property and not dispose of such waste beforehand if such a service is not already offered?</p> <p>Conclusions and alternatives</p>	
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	<p>The NRLA advocates using council tax records to identify tenures used by the private rented sector and those landlords in charge of those properties. Unlike discretionary licensing, landlords do not require self-identification, making it harder for criminal landlords to operate under the radar. With this approach, the council would not need to consult and implement changes immediately.</p> <p>Should the scheme be approved and implemented, the council should provide an annual summary of outcomes to demonstrate to tenants and landlords' behaviour improvements and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall.</p> <p>The NRLA has a shared interest with Middlesbrough in ensuring a high-quality private rented sector but strongly disagrees that the introduction of further selective licensing is the most effective approach to achieve this aim both in the short term and long term.</p>	
23/Response from Landlord	<p>Detailed response was submitted objecting to the proposed scheme, which the key points have been summarised below:</p> <ol style="list-style-type: none"> <li>1. The area does not have low housing demand</li> <li>2. Low levels of anti-social behaviour in the designated area and specifically to the respondent's property.</li> </ol>	<ol style="list-style-type: none"> <li>1. The data provided in the report by Middlesbrough Council shows evidence that there is low demand in the proposed area.</li> <li>2. The information presented in the proposal shows all anti-social behaviour incidents reported to the Council and Police.</li> <li>3. The specific property data such as the incidents or lack thereof, anti-social behaviour linked to that property is</li> </ol>

		not indicative of the anti-social behaviour in the designated area, and therefore individual properties in the designated area would not be exempt from the scheme on this basis.
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