



**Consultation on selective
licensing of private rented
property in Southend**

**Southend-on-Sea
Borough Council**

**Final report
January 2021**



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Project details and acknowledgements

Title	Consultation on selective licensing of private rented property in Southend
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Project number	20136
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M·E·L Research would like to thank the Southend-on-Sea Borough Council for their support with the consultation. We would also like to thank residents, tenants, landlords, agents and stakeholders for taking part in the consultation.

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Executive summary

As part of their housing strategies, local councils can choose to require private landlords or their managing agents to have a licence to rent out their property, should no other courses of action be available to meet the licence schemes objectives. The licence conditions state that landlords must keep their property safe and well maintained as well as deal with any problems associated with the property such as dumped rubbish, untidy gardens or anti-social behaviour.

Southend-on-Sea Borough Council believes that introducing a selective licensing scheme for privately rented properties in a defined area of the borough will ensure:

- improve housing conditions for those in the private sector
- reduce significant and persistent problems caused by anti-social behaviour (ASB)
- reduce levels of property related crime
- increase the proportion of good landlords and an elimination of rogue landlords
- develop an improved private rented offer providing higher quality rented accommodation which would result in improved neighbourhoods.

Before making any decision, the Borough commissioned M·E·L Research to gather the views of local people, in particular local landlords, private tenants, agents, residents, businesses and organisations inside Southend and beyond.

The consultation ran for 10 weeks, between 2 November 2020 and 11 January 2021. A variety of consultation methods were used to allow interested parties to share their views on the proposals, including allowances due to the ongoing Covid-19 pandemic.

In total, the consultation generated 1,792 responses to the survey (1,208 postal and 584 online). One neighbouring local authority fed in to an online survey: Rochford District Council. 65 people had registered onto the three public meetings. Eight stakeholders, representing a good range of interests, were interviewed. Finally, 22 individuals or organisations responded with formal written submissions to the consultation. Together, these represent a wide range of interests and views covered during the consultation.

Key headlines from the consultation are provided below.

Table 1: Summary responses on proposal (overall/by respondent group)

	Overall	Residents	Landlords / agents	Private tenants	Other
Base	1,768	1,310	334	250	591
Agree with selective licensing in designated areas	68%	77%	21%	67%	73%
Disagree with selective licensing in designated areas	26%	18%	74%	23%	21%
Base	1,567-1,748	1,145-1,291	319-329	223-251	522-585
Positive impact on proposed areas	68%	76%	21%	67%	72%
Positive impact on nearby areas	55%	62%	16%	54%	58%
Positive impact on you / your business / organisation	47%	54%	11%	46%	50%
Base	1,700-1,744	1,256-1,292	322-324	242-250	566-585
Anti-social behaviour is a problem	84%	88%	68%	78%	86%
Deprivation is a problem	74%	78%	57%	70%	75%
Poor quality housing is a problem	76%	81%	57%	71%	79%
Crime is a problem	80%	84%	65%	78%	82%
Base	1,774	1,303	333	253	588
Agree with level of licence fees	62%	72%	14%	52%	65%
Disagree that level of licence fees	32%	23%	84%	32%	27%
Base	1,774	1,303	333	253	588
Agree with monthly fee payment	56%	56%	63%	52%	55%
Disagree with monthly fee payment	24%	26%	15%	17%	23%
Base	1,717-1,757	1,266-1,294	328-330	240-245	560-582
Agree improve quality of neighbourhood	73%	81%	28%	70%	77%
Agree improve property safety and standards	76%	83%	38%	75%	80%
Agree improve management standards	74%	81%	34%	72%	78%
Base	1,732	1279	322	245	576
Support choice to be monitored by an external non-regulatory body	26%	26%	22%	26%	28%
Opposition for choice to be monitored by an external non-regulatory body	49%	50%	53%	39%	47%

- Support for a **selective licensing in the designated areas** was strong overall with two-thirds (68%) of respondents agreeing with the proposal. Around a quarter disagreed (26%).
 - residents in Southend were most supportive of the proposal, followed by 'other' respondents (77% and 73% agree)
 - landlords/agents were least in favour of selective licensing, with almost three-quarters (74%) disagreeing with the proposal, and just one in five (21%) agreeing
 - the most common reasons for agreeing included improving **living conditions or the local area**, **better monitoring and control** and **protecting tenants** (768 respondents).

- There was general agreement that the scheme would make a **positive impact**, particularly on the proposed area (68%).
 - residents had the strongest feeling overall, mostly about an impact on the proposed area (76%) and nearby areas (62%), similar to feeling among the 'other' respondents
 - landlords/agents were much less likely to believe it would have a positive impact, with many more believing there will be no impact or a negative impact.
- There was widespread agreement that there are **problems with ASB and crime**, with strong feelings about deprivation and poor quality housing also being problems.
 - majorities of all respondent types agreed these were problems in the proposed area.
- Respondents overall supported the level of **licence fee**, with 62% in agreement.
 - support was strongest among residents in Southend (72%) than other groups
 - landlords/agents are again much more negative, with 84% disagreeing
 - the biggest response on fees was that **costs may be passed on to tenants, rents will increase, or some form of rent control is needed** (261 respondents).
- Around three-quarters of respondents (73-76%) agreed that the proposed **selective licensing conditions** would improve the quality of neighbourhood, property safety and standards and management standards.
 - residents were most supportive (81-83% agree they would improve things), followed closely by 'other' respondents (77-80% agree)
 - landlords/agents were most strongly disagreed that the conditions would lead to improvements, with over half disagreeing (56-64%)
 - the highest response around conditions was that the **licensing will not solve issues**, such as those mentioned above, ASB, fly-tipping and cleaning (120 responses), followed by comments that the license conditions were **appropriate, reasonable or will have a positive** effect to improve standards and/or hold landlords to account (118).

At the end of the survey respondents were given the chance to provide any other comments on the proposals or any alternatives Southend Council could consider. The most common was support for the proposed licensing scheme mentioning need for **improving living conditions, standards and safety, better monitoring and control and/or protection for tenants** (104 responses). Following on from this, a similar amount of comments were generally in agreement (103) and the same number mentioned a need for **positive impact on neighbours and the local area** and **get rid of slum landlords**.

There was a lot of overlap between feedback from the public meetings, stakeholder interviews and formal written submissions. These are summarised here:

- Support for licensing was stronger among agencies supporting or advising tenant, with **opposition coming from landlord or agent bodies**. Those opposed generally wanted Southend Council to make better use of existing regulations and to **enforce standards**.

- A lot of landlord/agent interests questioned how far **landlords** should be **responsible** for the **behaviour of tenants**, with many suggesting more input from police or support to tenants with mental health or addiction problems. Others felt the ASB stemmed from HMOs or high-rise social housing blocks, both excluded from this selective licensing scheme.
- Some questioned the **timing** of both the consultation, during the **Covid-19 pandemic**, including the potential knock-on effect if the scheme is implemented. For example, because of a backlog with court cases, it is already taking landlords longer to be able to evict tenants.
- Views differed on whether to **target the licensing area** or to **extend it borough-wide**. Some, however, questioned whether ASB was related to private rented properties or more closely linked to the proposed area being close to the town centre.
- Respondents believed **fees** and added costs to landlords would be **passed onto tenants** in higher rents, potentially leading to rent arrears and later eviction. Some suggested discounts for landlords with multiple properties or those who are members of accredited organisations or schemes. Others wanted to see value for money from their fees.
- A few respondents questioned the amount of **resource allocated to enforcing standards** with selective licensing.
- There were fewer comments about a potential **delivery partner**, although some supported or opposed SEAL taking that role.
- Some also believed that introducing a scheme would **deter landlords** and some would **sell up**, leaving tenants homeless. The scheme could potentially **devalue properties**, some claimed.
- **Alternatives** included greater partnership working with landlords and agents, a stronger focus on ASB and using existing powers. There was a lot of desire for landlord forums to resume.

Introduction

As part of their housing strategies, local councils can choose to require private landlords or their managing agents to have a licence to rent out their property, should no other courses of action be available to meet the licence schemes objectives. The licence conditions state that landlords must keep their property safe and well maintained as well as deal with any problems associated with the property such as dumped rubbish, untidy gardens or anti-social behaviour.

Southend-on-Sea Borough Council believes that introducing a selective licensing scheme for privately rented properties in a defined area of the borough will:

- improve housing conditions for those in the private sector
- reduce significant and persistent problems caused by anti-social behaviour (ASB)
- reduce levels of property related crime
- increase the proportion of good landlords and an elimination of rogue landlords
- develop an improved private rented offer providing higher quality rented accommodation which would result in improved neighbourhoods.

The defined area (shown in Appendix 1) covers parts of the following wards in the Borough:

- Milton
- Kursaal
- Victoria
- Chalkwell.

Before making any decision, the Borough commissioned M·E·L Research to gather the views of local people, in particular local landlords, private tenants, agents, residents, businesses and organisations inside Southend and beyond.

Proposals

The consultation focused on the degree to which respondents agree or disagree with the proposal to introduce this selective licensing scheme. It also looked at any problems in Southend such as ASB, deprivation and property conditions, and the degree to which respondents feel the proposed fees and licensing conditions are reasonable or unreasonable.

Public consultation

The consultation ran for 10 weeks, between 2 November 2020 and 11 January 2021. A variety of consultation methods were used to allow interested parties to share their views on the proposals, including allowances due to the ongoing Covid-19 pandemic. These are detailed below.

The consultation was promoted by Southend Council in several ways to interested parties in Southend and beyond, such as landlords, agents, tenants, residents, local businesses and third sector organisations. This included through press releases, the Echo and various Southend Council channels, such as the website, Twitter, Facebook and Your Say Southend. It was also promoted to neighbouring boroughs and encouraged these to promote the survey to landlords, residents, tenants and other businesses who may wish to take part in the consultation.

Consultation methods

A variety of methods were used to consult with landlords, tenants, residents, businesses, stakeholders and other interested parties. These included an online **survey**, hosted on the Your Say Southend site, along with a postal survey sent to all 11,640 residential and commercial addresses within the proposed licensing area, all 2,841 addresses outside the proposed area, but inside the Kursaal and Milton wards, and then to a random sample to 5,520 residential and commercial addresses in adjacent areas. A total of 1,792 responses were received, 1,208 from the postal survey and 584 from the online version.

As well as the postal and online survey, three **public meetings** were held, all online due to the Covid-19 restrictions. The first one was digitally recorded and then made available for anyone to watch and listen from the main consultation website. These three meetings were held on 17 and 19 November and 9 December 2020. In total, 65 people were registered onto these meetings.

Another way to consult with interested and representative parties was to carry out **stakeholder interviews**. Inviting 12 organisations or Council groups, we spoke to 8 such stakeholders, representing a good range of interests. The list of these organisations is shown in Appendix 4.

An online **survey** was also sent to the four **nearby local authorities**: Thurrock, Rochford, Castle Point and Basildon councils. We received a response from Rochford District Council.

We also accepted **written responses** to the consultation. These came via a dedicated email address and by post. In total, 22 individuals or organisations responded in this way. A list of the organisations that submitted formal written responses is listed in Appendix 5.

Beyond that, there was a freephone telephone number where residents and others were able to ask questions about the consultation.

Survey respondent profile

Of the 1,792 responses to the survey, the vast majority (93%) are based within the borough of Southend. The breakdown of numbers by ward is shown in Appendix 3. Noting respondents' postcodes, we've also been able to map whether they fall inside or outside of the proposed licensing area, as shown below:

Table 2: Whether survey respondents are inside or outside of the proposed licensing area

	Number of respondents	Percentage of total
Inside	804	45%
Outside	901	50%
Unknown	87	5%
Total	1,792	100%

The detailed respondent profile is shown at the end of this report (Appendix 3). Within the body of the report we have combined these groups into the following four (with overlap allowed, e.g. a resident who is also a landlord or private tenant). The 'other' category includes respondents working or running a business in the borough, those stating they have 'no connection' (just 25 responses) plus a range of self-described connections to Southend. Respondents could choose more than one category.

Table 3: Profile of survey respondents by type

	Number of respondents	Percentage of total
Resident	1,313	74%
Landlord / Agent	335	19%
Private tenant	253	14%
Other	593	33%

Reporting conventions

Owing to the rounding of numbers, percentages displayed on charts in the report may not always add up to 100% and may differ slightly when compared with the text. The figures provided in the text should always be used. For some questions, respondents could give more than one response (multiple choice). For these questions, the percentage for each response is calculated as a percentage of the total number of respondents and therefore percentages do not usually add up to 100%.

The number of respondents to each question is presented as 'N=' throughout the report.

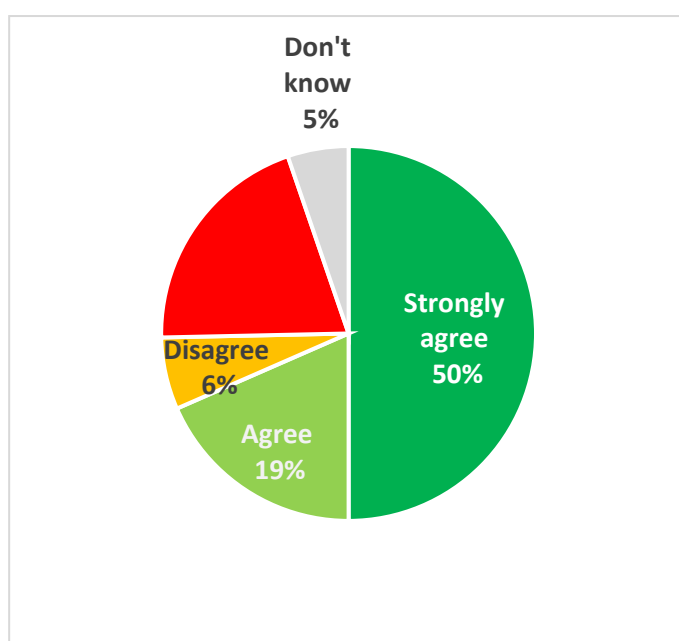
Survey results

In total, we received 1,792 responses, made up of 1,208 from the postal survey and 584 from the online version. The profile of respondents is shown in Appendix 3. Below is a summary of these responses combined.

Selective Licensing Scheme

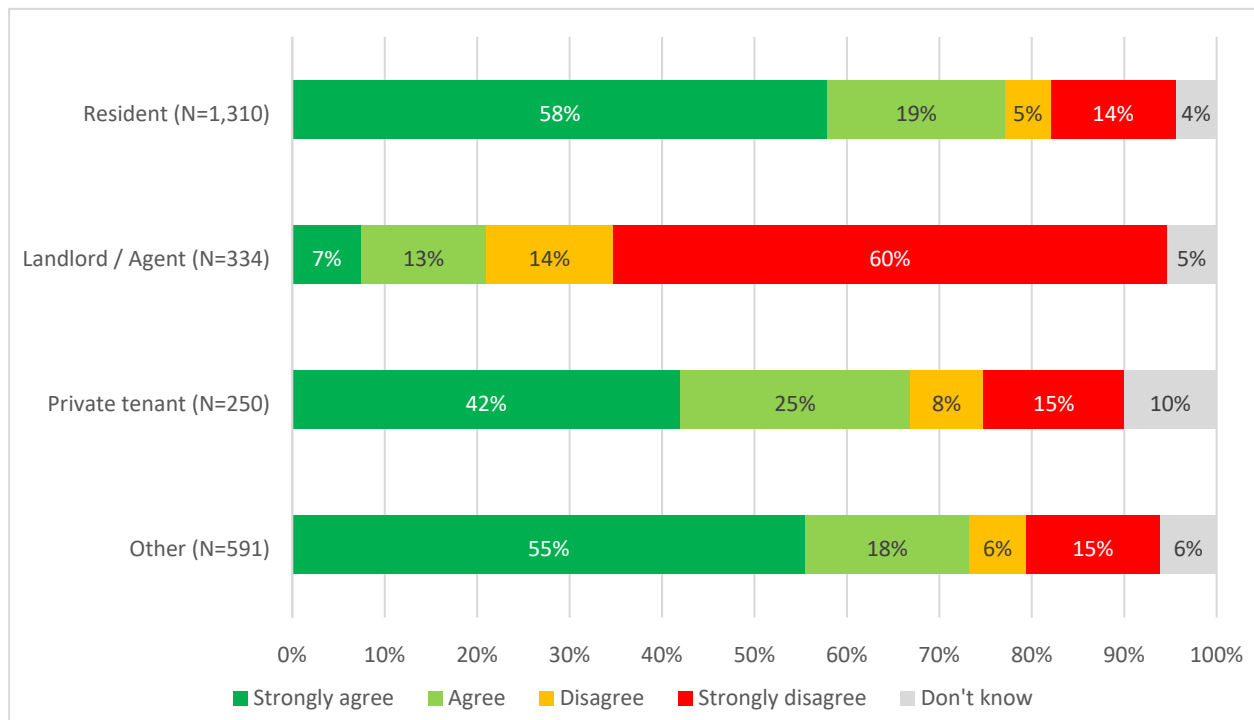
Overall, around two thirds (68%) of survey respondents agreed with the proposal to designate the proposed areas for Selective Licensing, with half (50%) strongly agreeing and a further 19% agreeing. In contrast, a quarter (26%) of respondents didn't agree, mostly strongly disagreeing (20%).

Figure 1: Level of agreement with the proposal to designate the specified areas for Selective Licensing (N=1,768)



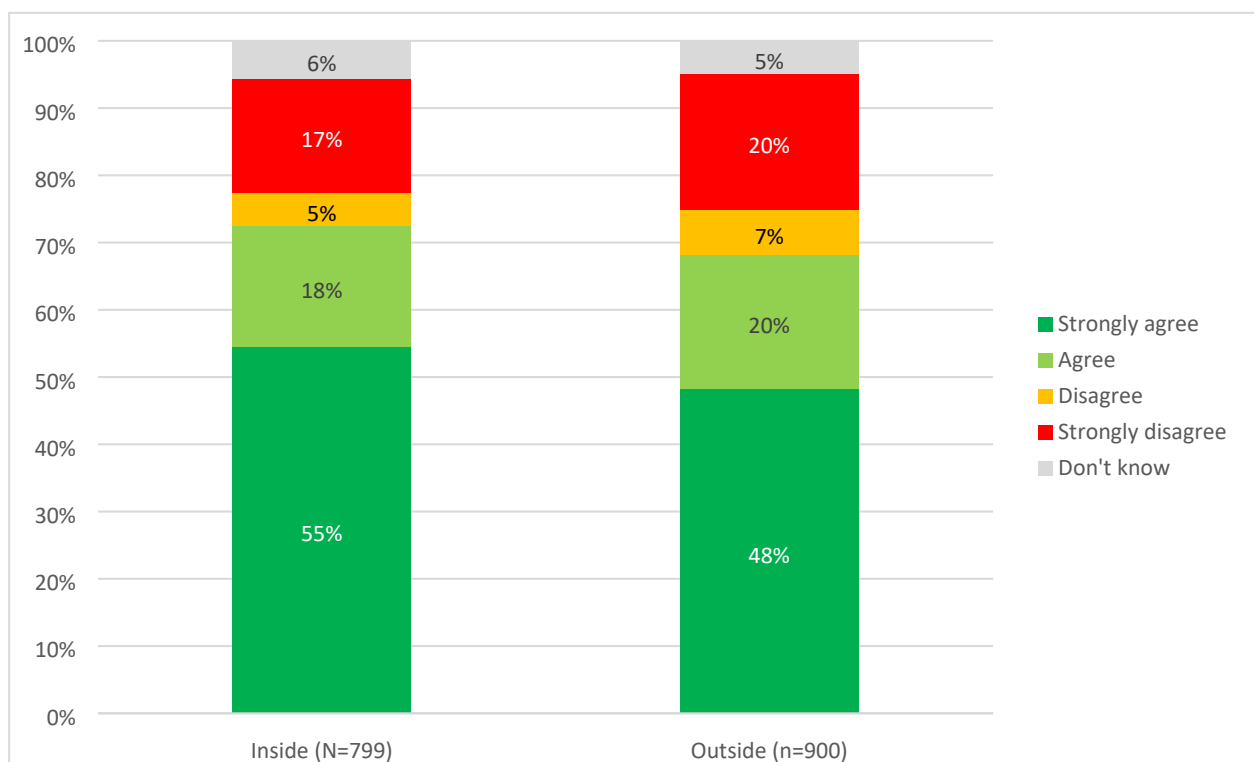
As shown below by respondent type, support for the proposal to designate Selective Licensing was strongest among residents (77%), private tenants (67%) and 'other' respondents (73%). In contrast, the majority of landlords/agents disagreed (74%), with most 'strongly disagreeing'.

Figure 2: Level of agreement with the proposal to designate the specified areas for Selective Licensing by respondent type



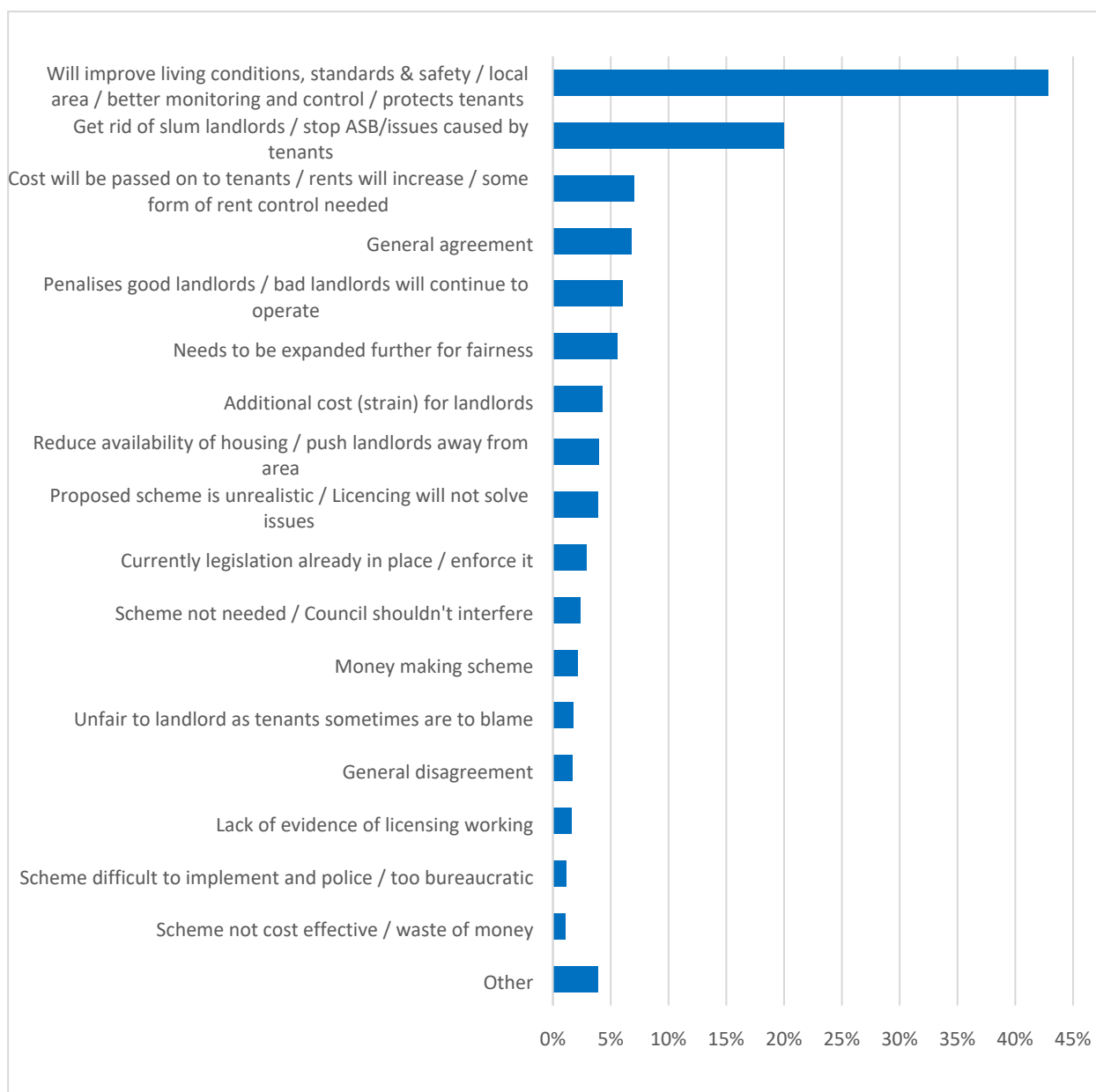
When comparing the response among respondents inside and outside the proposed area, there is slightly greater support for selective licensing from respondents inside the proposed area (72% in support), compared to 68% among those outside the proposed area.

Figure 3: Level of agreement with the proposal to designate the specified areas for Selective Licensing by those inside or outside the proposed licensing area



All respondents were then asked to provide their reasons why they agreed or disagreed with the proposed scheme. Comments show that the most common reasons for agreeing included **improving living conditions or the local area, better monitoring and control and protecting tenants** (768 respondents), followed by **get rid of slum landlords and/or stop ASB or issues caused by tenants** (358). 122 comments also expressed general agreement. The most common reasons for disagreeing included **costs will be passed on to tenants or rent control is needed** (126) and mentions of the scheme **penalising good landlords** with bad landlords continuing to operate (108).

Figure 4: Themed reasons why respondents agreed or disagreed with introducing Selective Licensing



Impact of the scheme

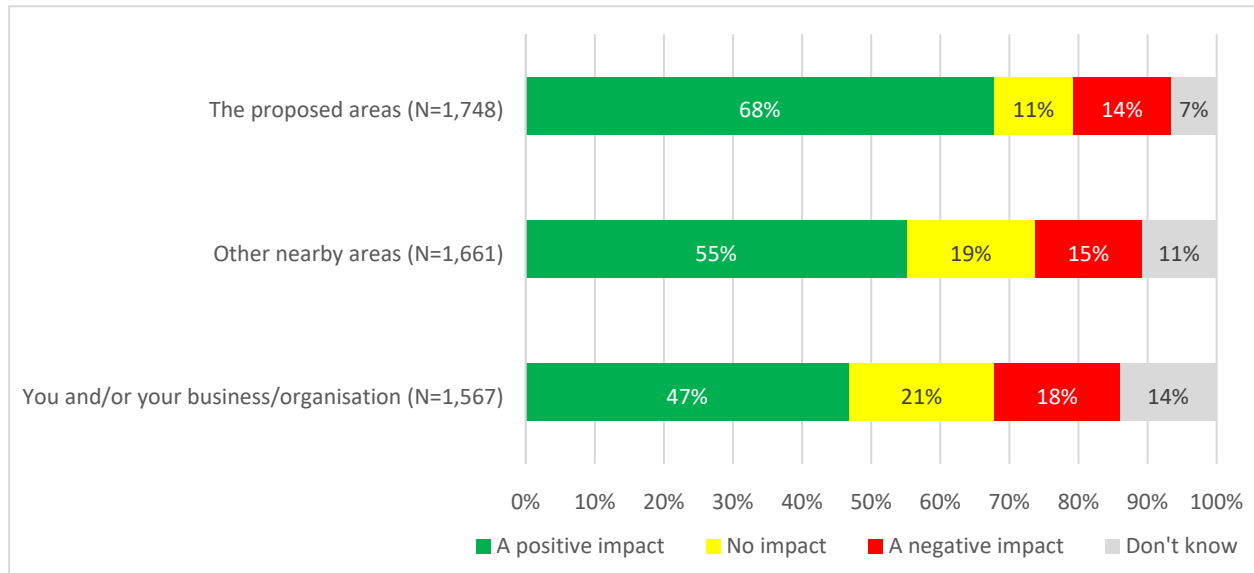
The survey then asked whether respondents felt the proposed Selective Licensing scheme would have an impact (positive, negative or none) on the proposed areas, other nearby areas and them individually and/or their business or organisation.

Two thirds (68%) of respondents felt the proposed scheme would have a positive impact on **the proposed areas**, 14% felt it would have a negative impact and a further 11% felt it would have no impact.

More than half of respondents (55%) felt the proposed scheme would have a positive impact on **other nearby areas**, 15% felt it would have a negative impact. Almost a fifth (19%) felt it would have no impact on other nearby areas.

Finally, fewer respondents felt the proposed scheme would have a positive impact on **themselves and/or their business or organisation** (47%), with 18% stating that they felt it would have a negative impact. 21% felt it would have no impact.

Figure 5: Impact of the scheme



When broken down by type of respondent, the views vary, as shown in the charts below. In summary:

- More **landlords and agents** (combined) believe that the proposals will have either no impact or a negative impact on the proposed areas, other nearby areas and themselves and/or their business or organisation. More felt that the proposals would have a positive impact on the proposed areas compared to other areas and individuals and/or businesses, though more still felt it would have either no impact or a negative one.
- In contrast, **all three** of the **other respondent types** have similar views about the impact of the proposed scheme. The majority of these respondents believe the scheme will positively impact the proposed areas, other nearby areas and individuals and/or organisations. As with landlords and agents, this level of feeling is highest for the proposed areas, with more than two thirds of residents, private tenants and 'other' respondents believing the scheme will have a positive impact here.

Figure 6: Impact of proposed scheme on the proposed areas by respondent type

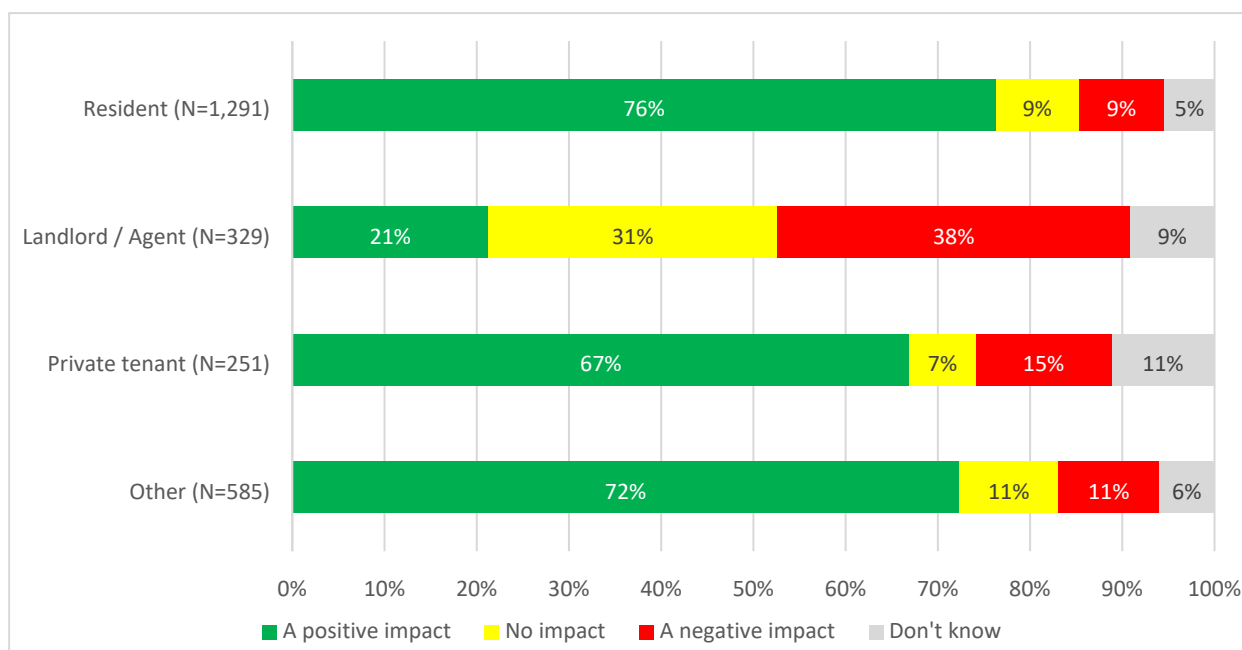


Figure 7: Impact of proposed scheme on other nearby areas by respondent type

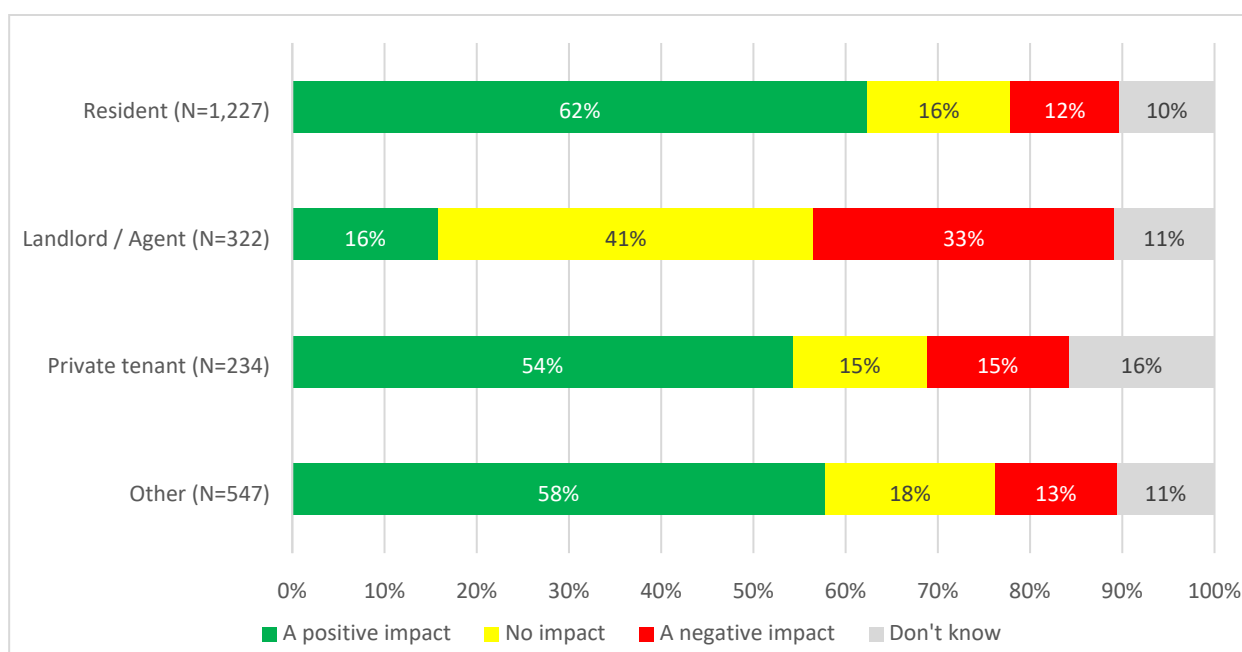
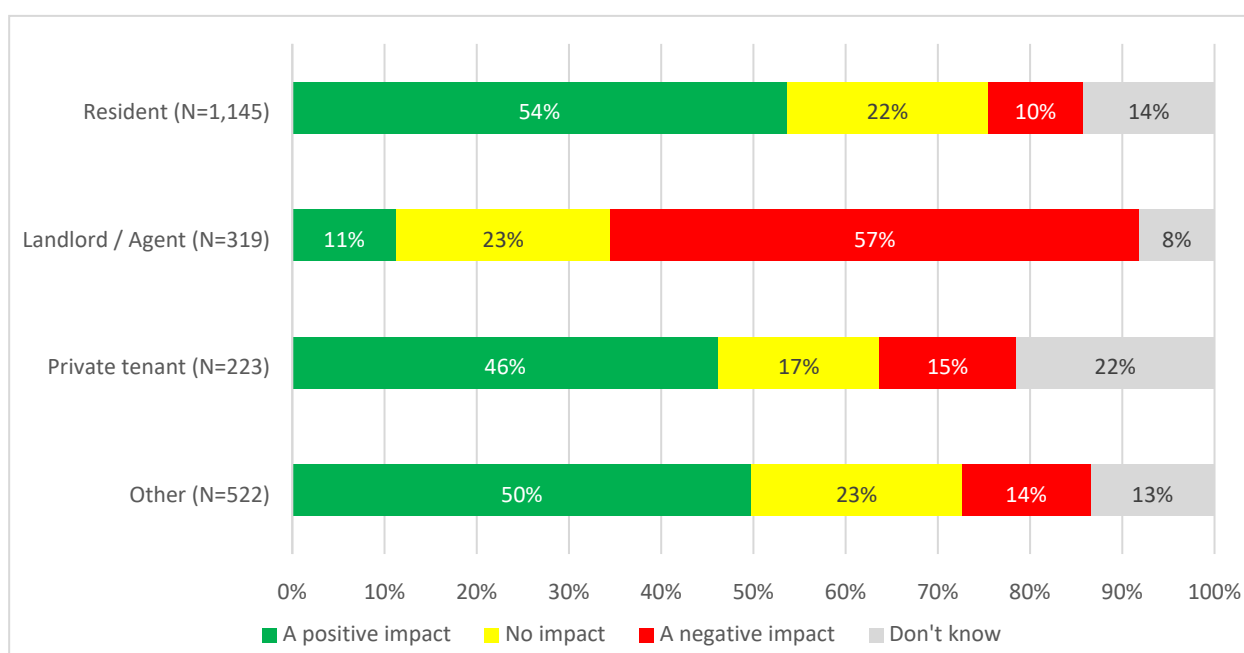


Figure 8: Impact of proposed scheme on you and/or your business/organisation by respondent type



The survey data also tells us whether or not respondents are based in the proposed designation area.

- Similar proportions of respondents **inside** and **outside** the proposed areas believed the proposals will have a positive impact on the proposed areas and other nearby areas. However, more respondents inside the proposed area believed the scheme would have a positive impact on themselves and/or their business or organisation (53%) compared to those outside the proposed areas (43%).

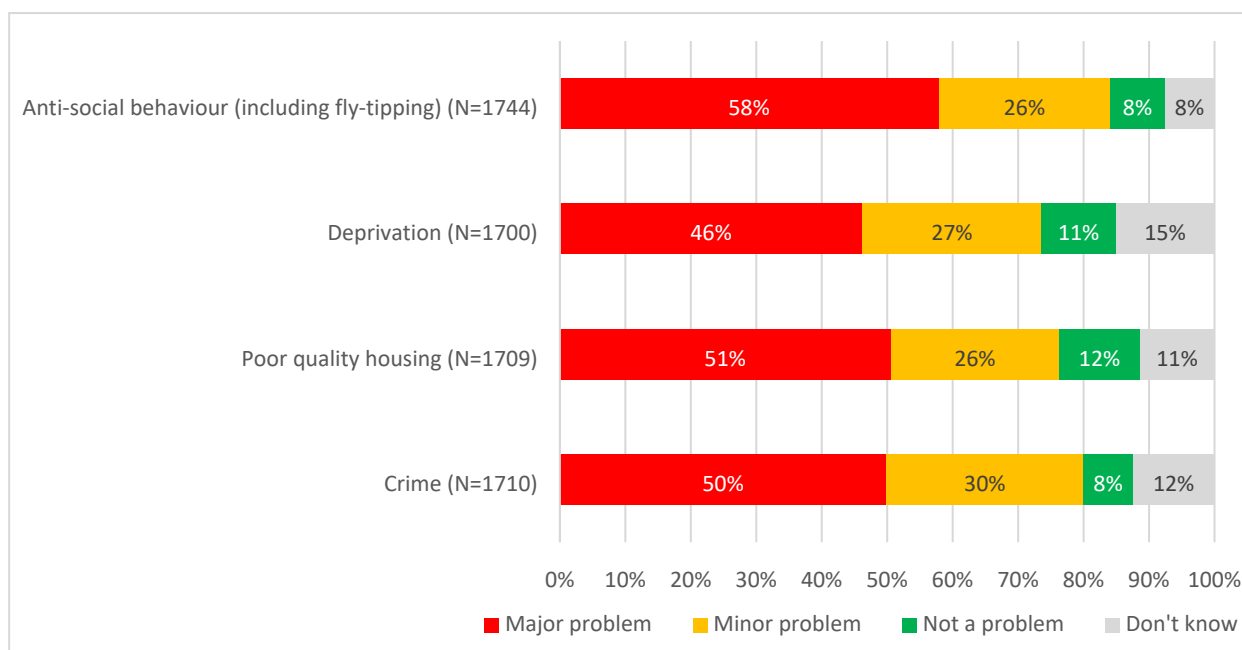
Problems in the proposed areas

The survey then asked whether respondents felt certain issues were a problem in the proposed areas for the Selective Licensing scheme.

Across each of these issues, around three quarters or more of respondents stated them as a problem, ranging from 74% for **deprivation** up to 84% for **anti-social behaviour**, with as many as 58% stating anti-social behaviour as a major problem.

However, 8% stated that **anti-social behaviour** was not a problem. The same proportion (8%) stated **crime** was not a problem, 11% stated **deprivation** wasn't a problem and 12% stated that **poor quality housing** was not a problem in the proposed areas.

Figure 9: Extent of problems within the proposed area



When broken down by type of respondent, the views vary, as shown in the charts below. In summary:

- **Residents, private tenants and 'other' respondents** were more likely to believe that these are major or problems in the proposed areas compared to **landlords and agents**. Greater proportions of these respondents also believed these were major problems as opposed to minor problems.
- More **landlords and agents** believed that these problems were not a problem in the proposed areas or didn't know if they were a problem. The greatest differences were with deprivation and poor quality housing, where fewer landlords and agents believed these were a problem compared to all other respondent types.

Figure 10: Extent of problem with ASB (including fly-tipping) within proposed areas by respondent type

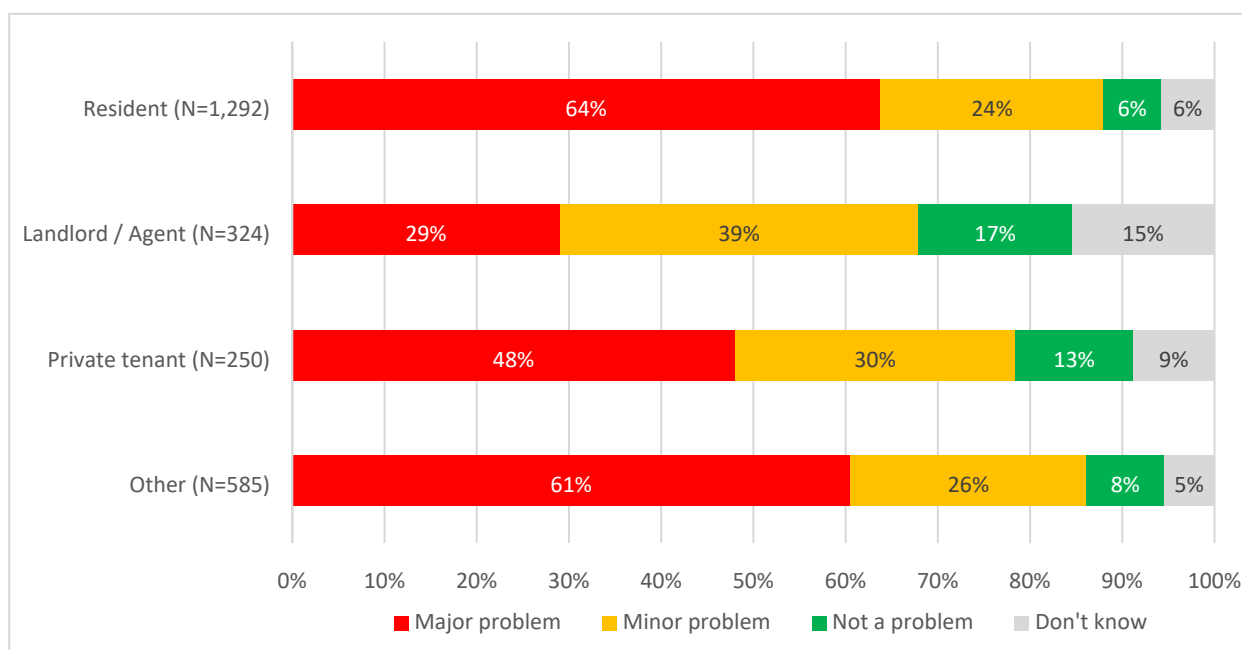


Figure 11: Extent of problem with deprivation within proposed areas by respondent type

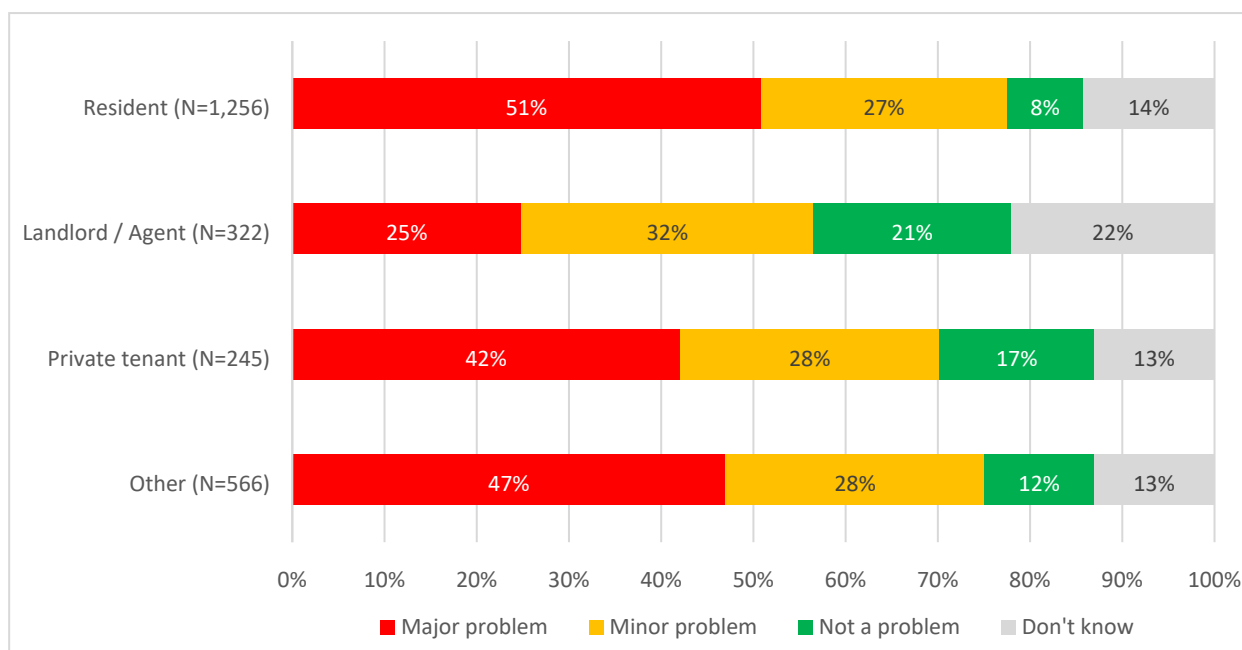


Figure 12: Extent of problem with poor quality housing within proposed areas by respondent type

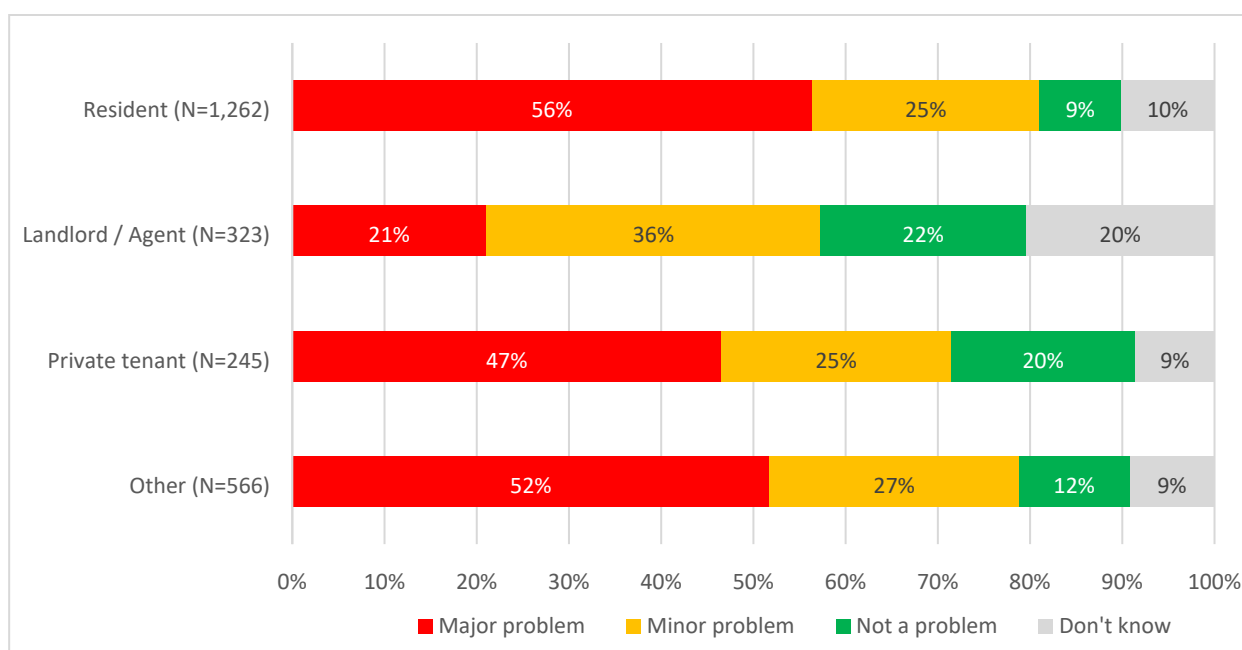
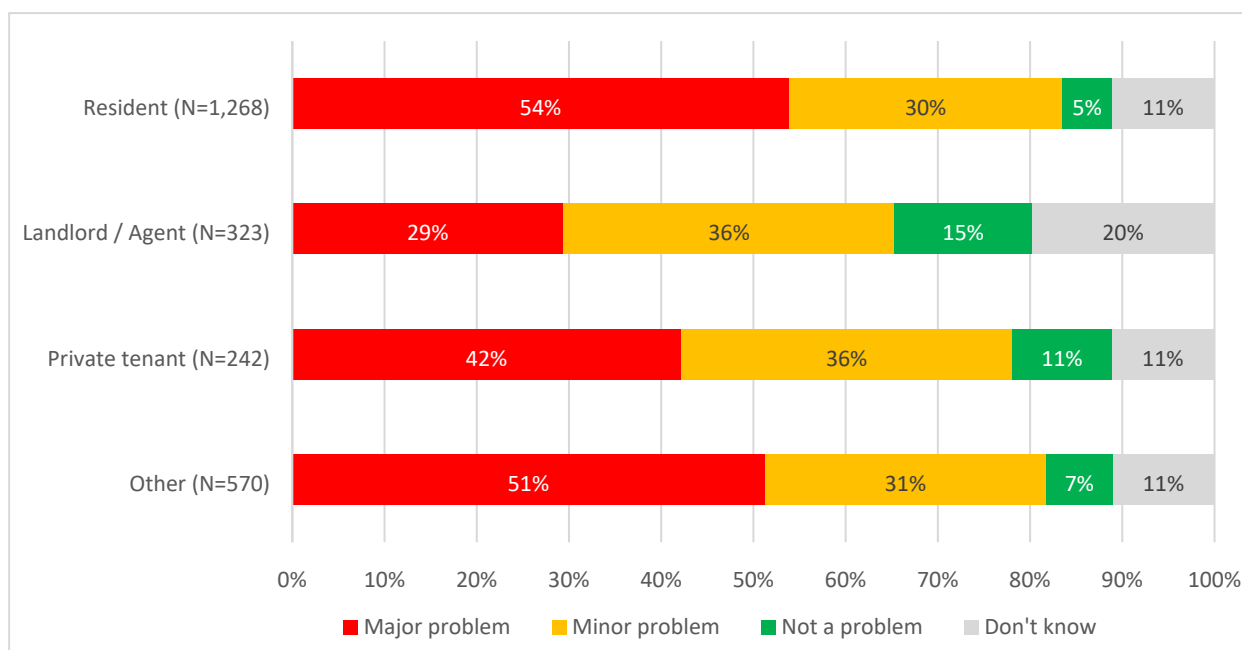


Figure 13: Extent of problem with crime within proposed areas by respondent type



The survey data also tells us whether or not respondents are based in the proposed designation area. There are also some differences between those inside and those outside for these questions:

- Larger proportions of respondents **inside** the proposed area stated that each of these four issues were a problem than respondents **outside** the area. More also believed that anti-social behaviour and crime were major problems in these areas, for example

Licensing fees

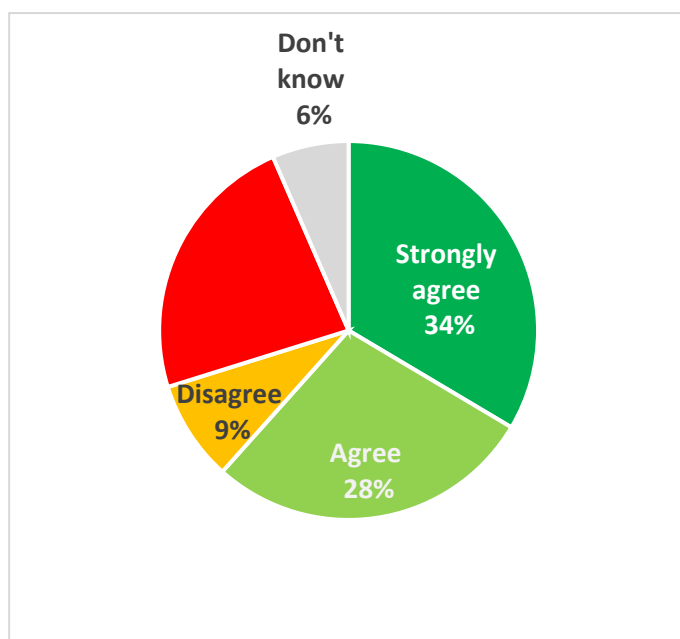
Under the proposed scheme (subject to specified exemptions), all landlords would be required to obtain a licence for each of their properties. The Council would charge a fee for up to a 5-year licence for each property. Based on current costs, the total cost of a 5-year selective licence would be £668 per property. The fee would be payable in two parts:

Part 1: Application fee £162

Part 2: Compliance monitoring fee (payable if the licence is granted) £506

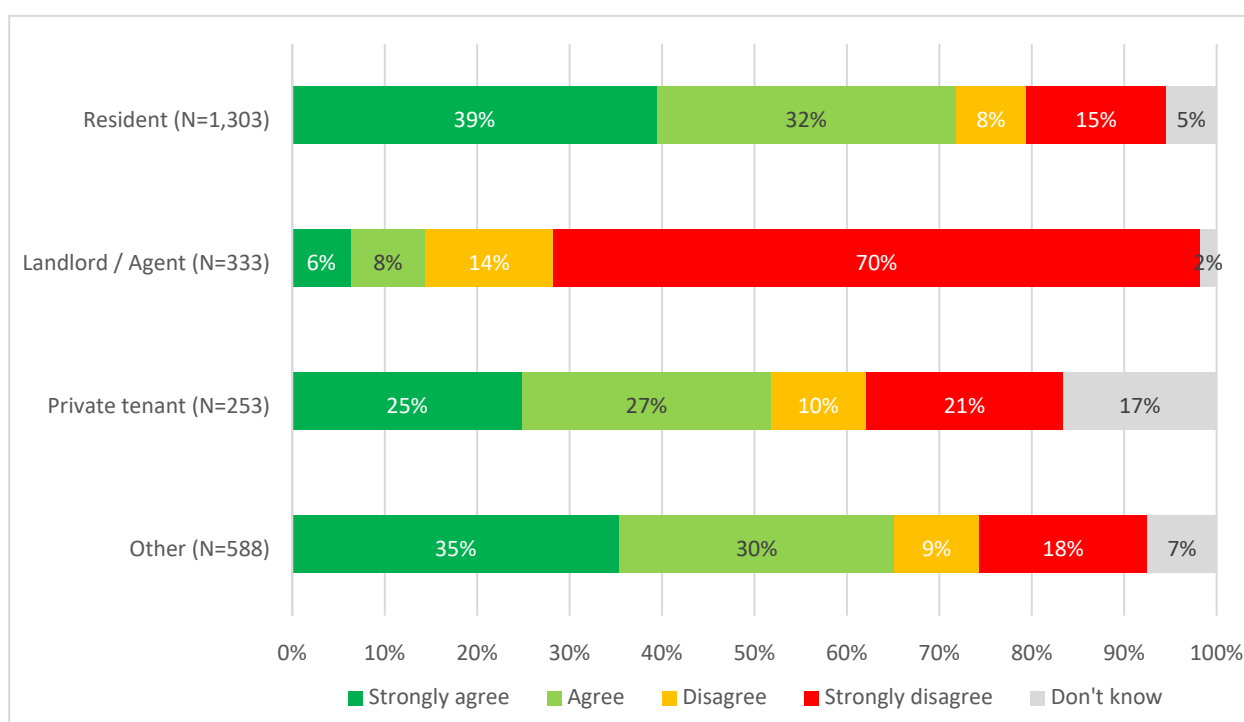
Six in ten (62%) respondents agreed with the proposed fee, with 34% agreeing strongly and 28% agreeing. This compares to 32% of respondents who disagreed, with 23% disagreeing strongly.

Figure 14: Level of agreement with the proposed licensing fees (N=1,774)



By respondent type, a similar picture emerges, with residents, private tenants and 'other' respondents more in agreement over the proposed licensing fees, although a smaller proportion of private tenants agree (52% agree compared to 32% disagreeing). In contrast, landlords/agents disagree most, with seven in ten (70%) disagreeing strongly.

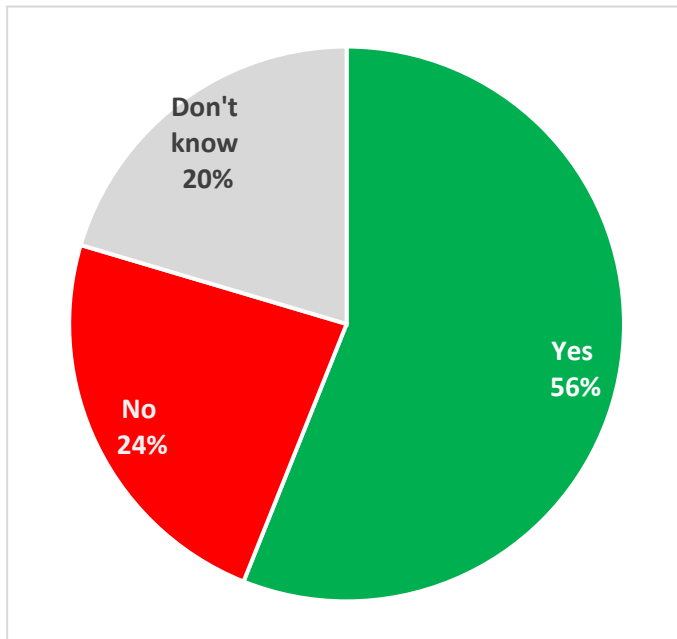
Figure 15: Level of agreement with the proposed licensing fees by respondent type



The survey also asked about allowing the Part 2 compliance monitoring fee to be paid in instalments, on a monthly basis for the duration of the licence, rather than a one off non-refundable fee when the license is granted.

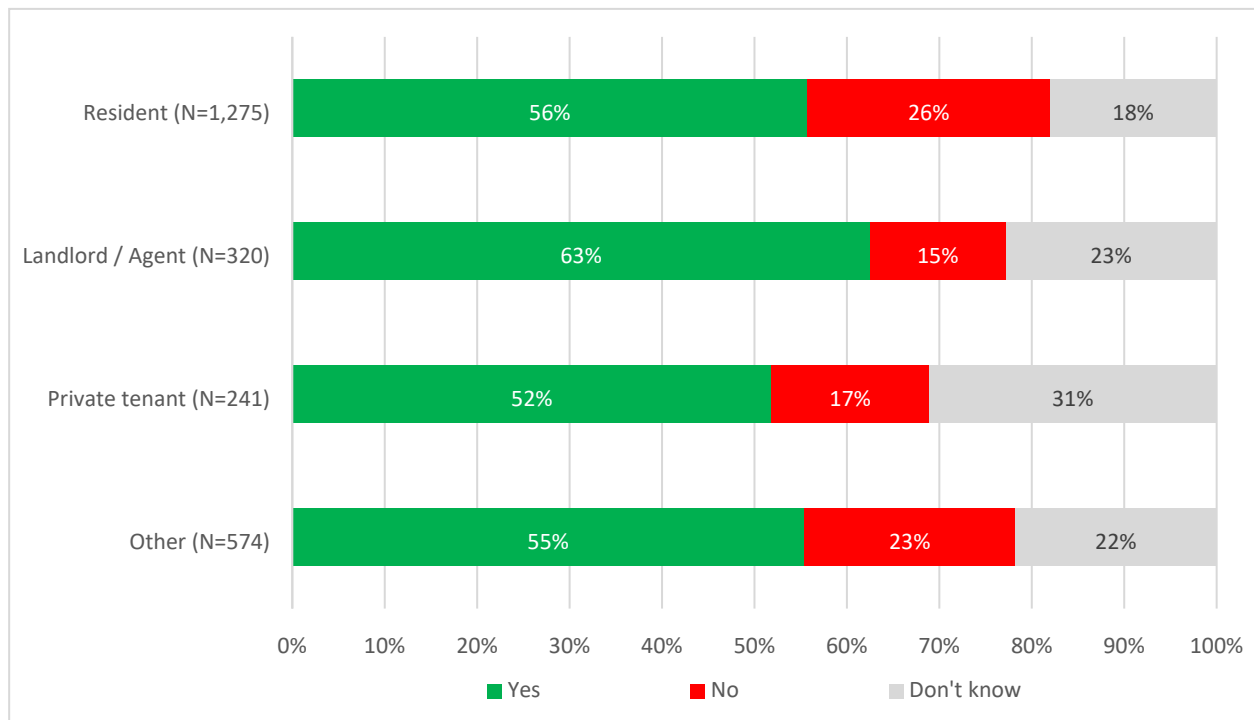
Over half (56%) of respondents thought the Council should allow this whilst 24% didn't. A fifth of all respondents stated don't know.

Figure 16: Should the Council allow the Part 2 compliance monitoring fee be paid in instalments? (N=1,774)



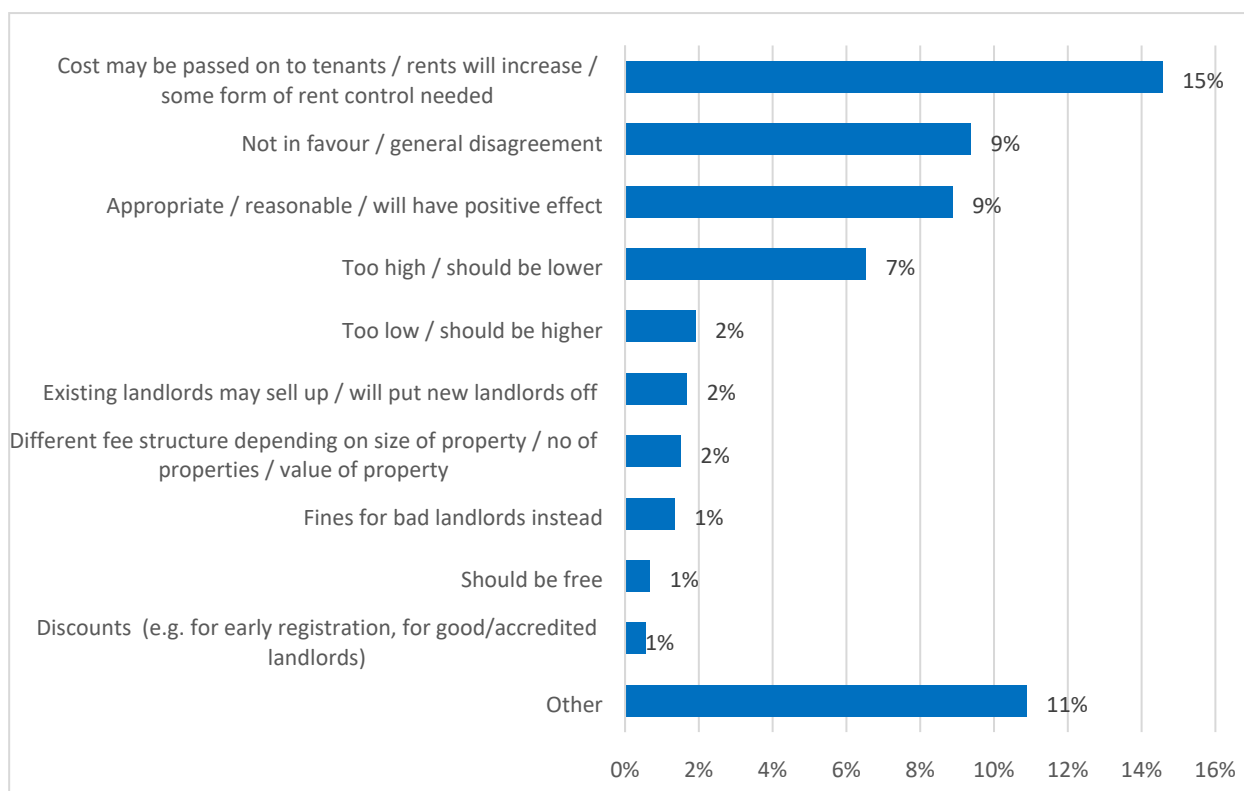
When we look at results by respondent type, we see stronger support for this option from landlords and agents, with 63% in thinking the Council should allow this option. This compares to around half of all other respondent types, who were more likely to think this option should not be offered or didn't know.

Figure 17: Should the Council allow the Part 2 compliance monitoring fee be paid in instalments? by respondent type



The survey then asked respondents if they had any comments about the proposed fees. The biggest response was that **costs may be passed on to tenants, rents will increase, or some form of rent control is needed** (261 respondents). The next most frequent theme was general disagreement (168) closely followed by 159 mentions of the fees being **appropriate, reasonable or having a positive impact**. The 'other' category includes a wider range of miscellaneous comments on fees.

Figure 18: Themed comments about the licensing fees

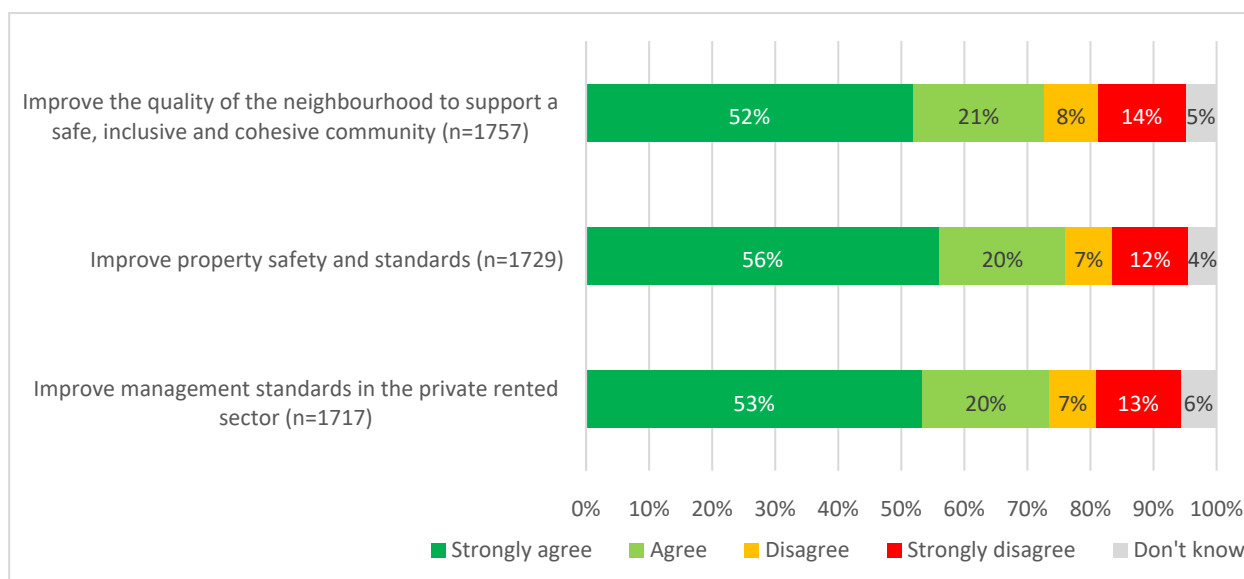


Licence conditions

The proposed Selective Licensing will include conditions aimed at ensuring licensed properties are safe and well managed.

The survey asked respondents their level of agreement with the proposed conditions to **improve the quality of the neighbourhood, improve property safety and standards** and **improve management standards**. Around three-quarters (73-76%) of respondents agreed with the proposed licence conditions to improve these aspects, although around a fifth (19-22%) disagreed, with most strongly disagreeing.

Figure 19: Level of agreement with proposed conditions



When broken down by type of respondent, support for the proposed conditions varies, as shown in the charts below. In summary:

- Support was stronger from **residents, private tenants** and **'other' respondents**, with at least seven in ten in agreement with the proposed conditions to improve the quality of the neighbourhood, property safety and standards and management standards. Looking closer, residents were most in agreement, followed by 'other' respondents and private tenants.
- In contrast, most **landlords and agents** disagreed with the proposed licence conditions, with no more than four in ten agreeing that the proposed conditions will improve these aspects.

Figure 20: Level of agreement with proposed conditions to improve the quality of the neighbourhood by respondent type

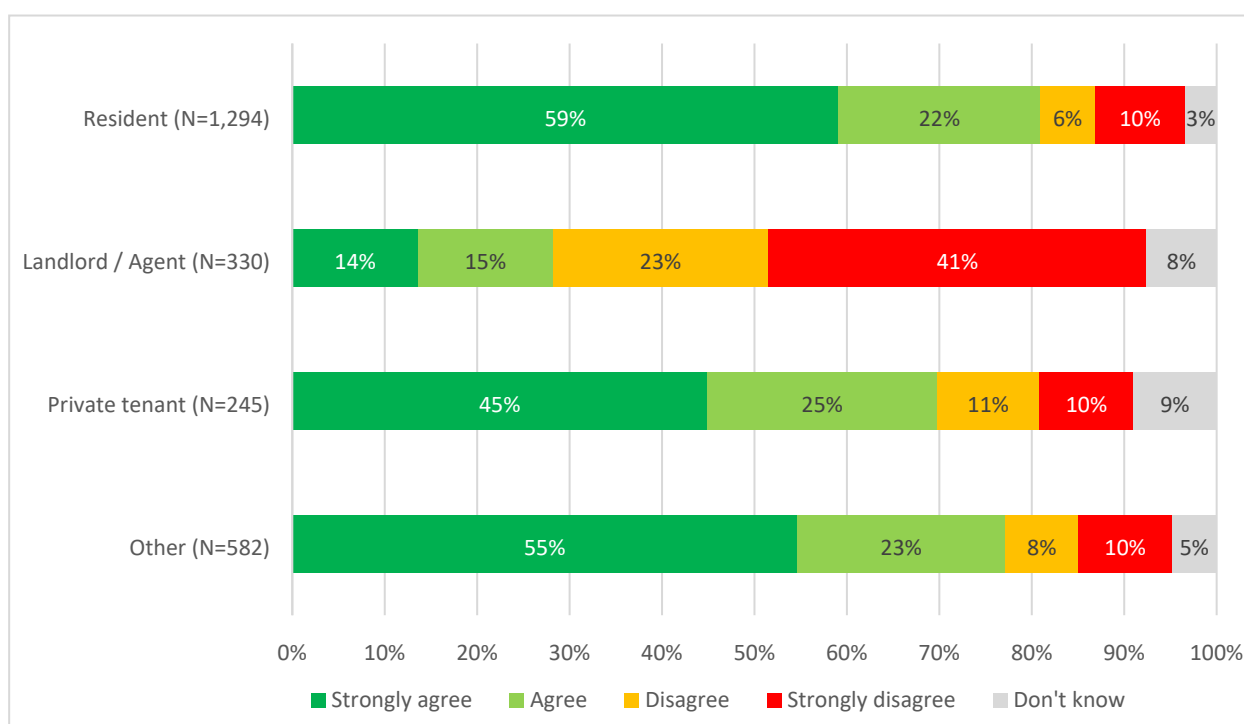


Figure 21: Level of agreement with proposed conditions to improve property safety and standards by respondent type

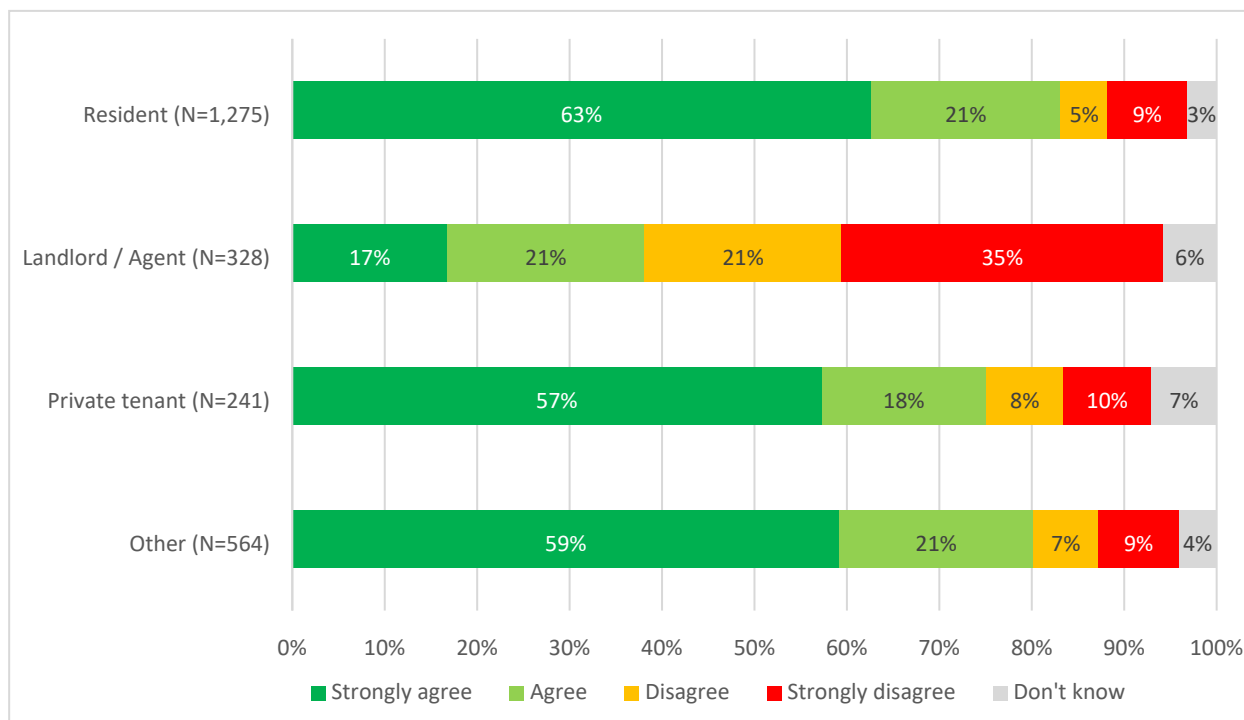
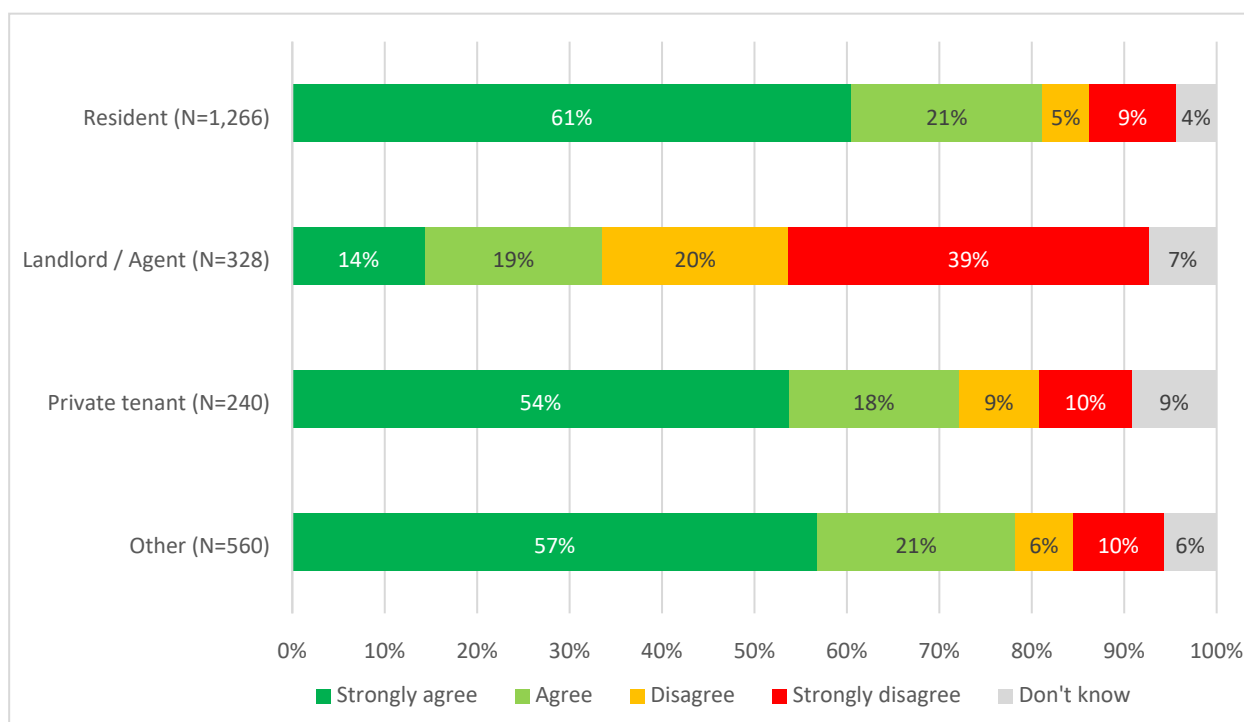


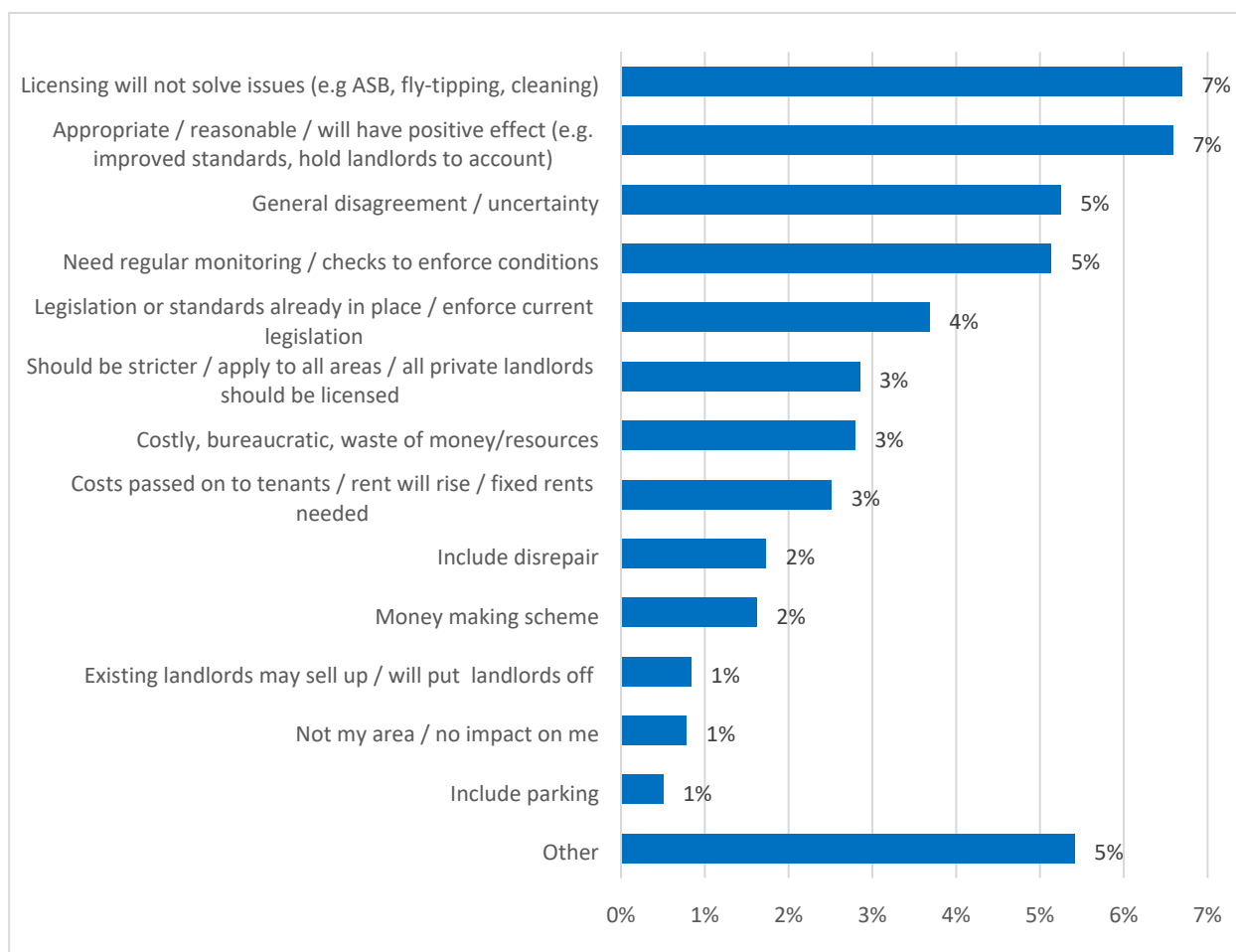
Figure 22: Level of agreement with proposed conditions to improve management standards by respondent type



Respondents were asked if they had any specific comments about the proposed licence conditions or any suggestions for alternative or additional conditions. The highest response was that the **licensing will not solve issues**, such as those mentioned above, ASB, fly-tipping and cleaning (120 responses). A similar number of comments also stated that the license conditions were **appropriate, reasonable or will have a**

positive effect to improve standards and/or hold landlords to account (118). Following this, 94 comments reiterated general disagreement or uncertainty and 92 mentioned a need for **regular monitoring and checks to enforce the conditions** set out in the proposals. The ‘other’ category includes a wider range of miscellaneous comments on fees.

Figure 23: Themed comments about the proposed licence conditions and other suggestions

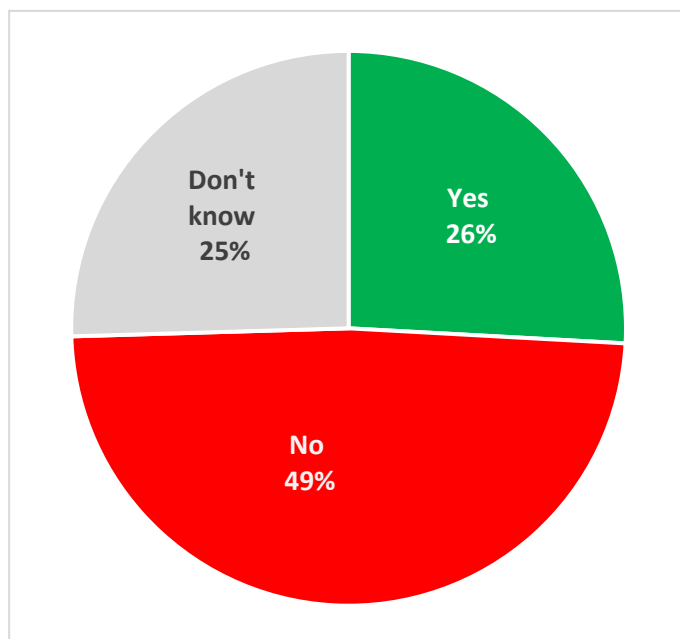


Compliance monitoring and enforcement

One of the ways the Council is looking at introducing the proposed Selective Licensing scheme is through a delivery partner. If this option is adopted, all licenses would be granted by the Council, but landlords would be given the opportunity to apply via and be monitored by an external, non-regulatory, partner organisation. The survey asked whether respondents would like the scheme to include this option.

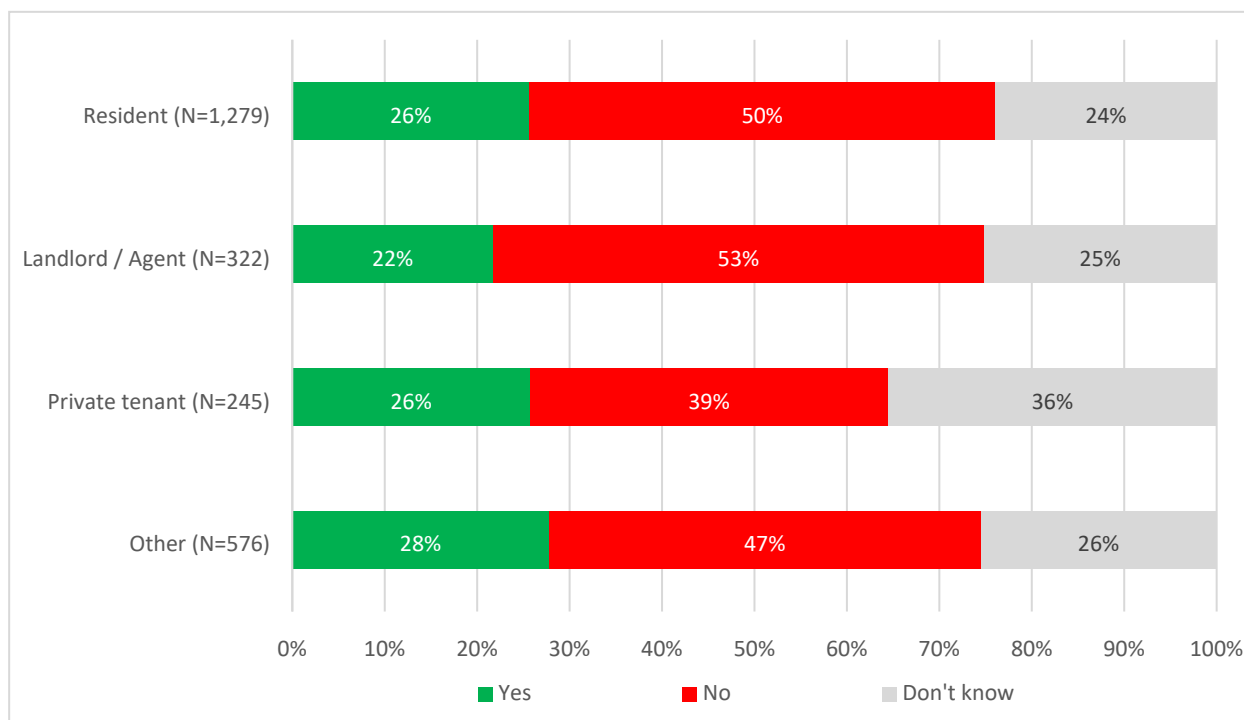
Almost half (49%) of respondents thought the Council should not include this as an option in the proposed scheme, whilst 26% did. A quarter of respondents stated don't know.

Figure 24: Should the scheme allow the option for an external, non-regulatory partner to monitor compliance? (N=1,732)



When we look at results by respondent type, we see slightly more support for this option from residents, private tenants and 'other' respondents. However, there were large proportions of don't know from all respondent types.

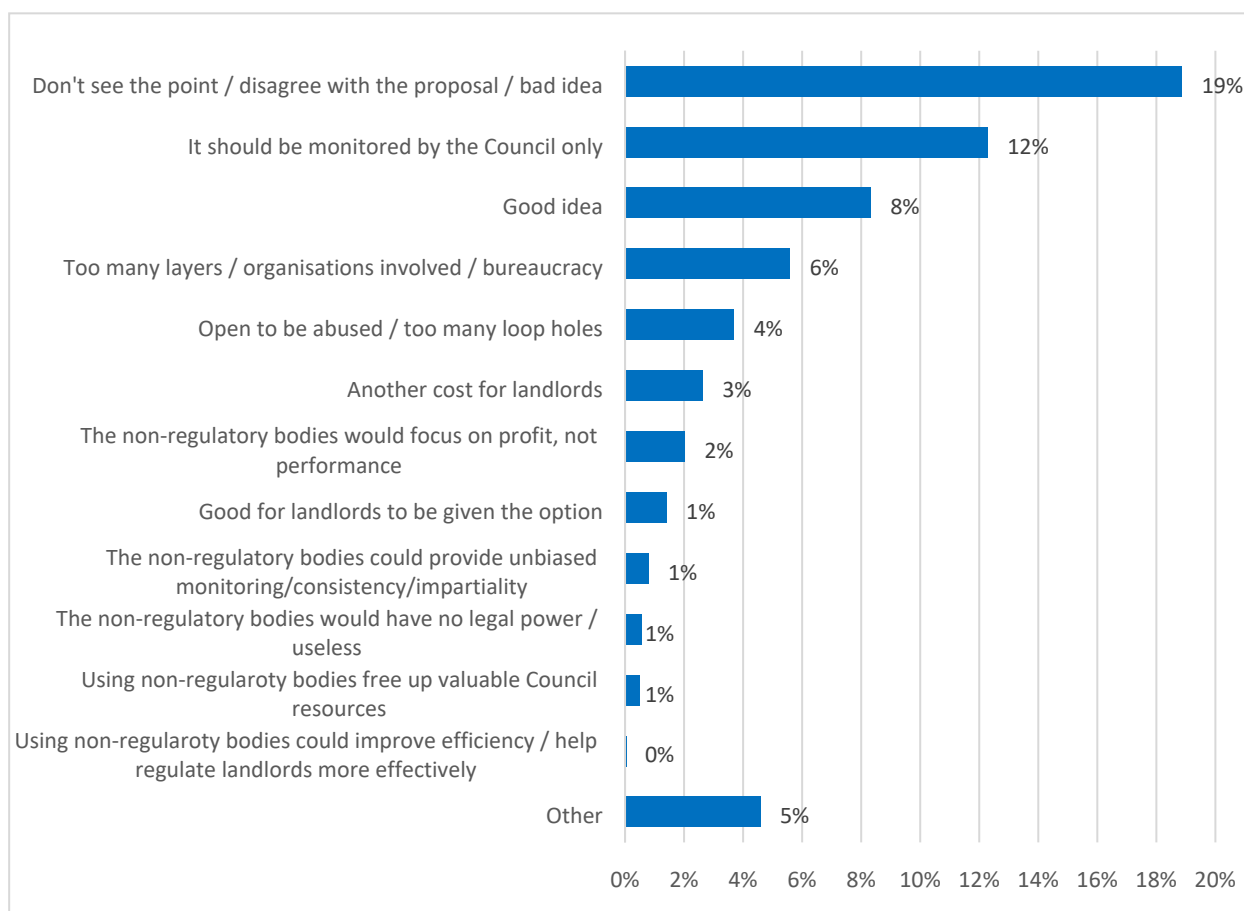
Figure 25: Should the scheme allow the option for an external, non-regulatory partner to monitor compliance? by respondent type



All respondents were then asked to provide their reasons for their answer. In line with the above results, the most common theme was that respondents **don't see the point** or **disagree with the proposal** (338

responses). This was followed by comments stating **it should be monitored by the Council only** (220). In contrast, 149 comments stated it was a **good idea**.

Figure 26: Themed reasons why respondents agree or disagree with option for an external, non-regulatory partner



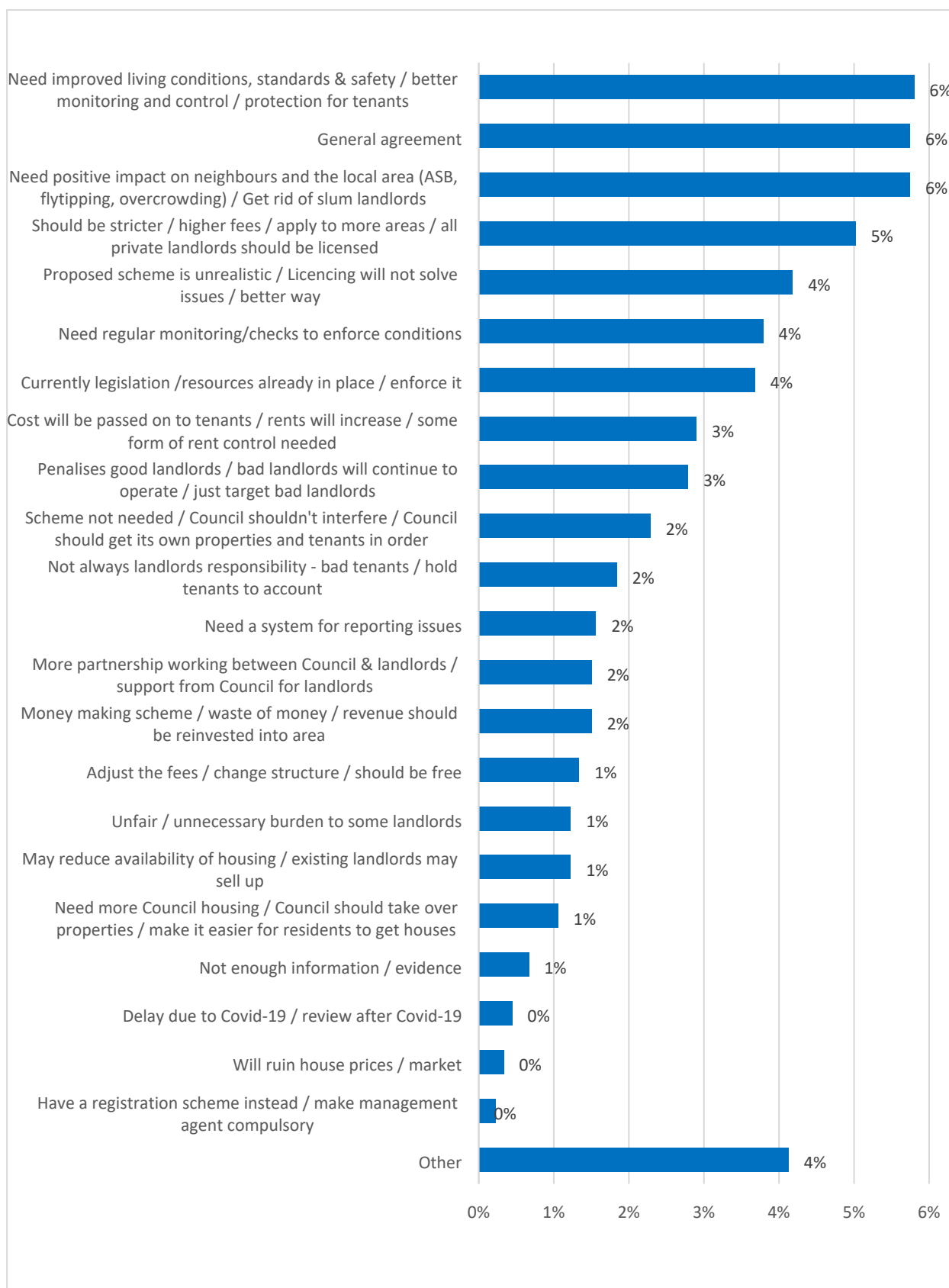
Other comments and suggestions

At the end of the survey respondents were given the chance to provide any other comments on the proposals or any suggestions for alternative ways of dealing with problems in the areas or any ideas for improving the proposed scheme. These are shown below, mirroring many of the open-ended comments already seen in this report.

The most common was support for the proposed licensing scheme mentioning need for **improving living conditions, standards and safety, better monitoring and control and/or protection for tenants** (104 responses). Following on from this, a similar amount of comments were generally in agreement (103) and the same number mentioned a need for **positive impact on neighbours and the local area** and **get rid of slum landlords**.

By respondent type, these themes were most commonly mentioned by residents. The top comments from landlords and agents were that the **proposed scheme is unrealistic** and/or **Licencing will not solve issues** and that the proposed scheme **penalises good landlords and/or bad landlords will continue to operate**.

Figure 27: Themes for any other comments and suggestions



Local authority survey

We also invited the four nearby local authorities to take part in an online survey. We received a response from Rochford District Council, which is summarised here.

- They responded ‘don’t know’ to whether or not to support the scheme, as they are not familiar with the area.
- They believed it would have a positive impact on their borough, stating: “a targeted approach to problem areas can only be a good thing.”
- They ‘agreed’ with the proposed fee.
- They ‘agreed’ that the proposed scheme would improve each of the following:
 - the quality of the neighbourhood to support a safe, inclusive and cohesive community
 - property safety and standards
 - management standards in the private rented sector.
- They did not want the scheme to include an option for the licence holder to be able to choose to be monitored by an external non-regulatory body and to only be referred back to the Council when the licence holder fails to engage with the advisory approach taken by the delivery partner. They felt this approach would not benefit a tenant as it would potentially be too long for eventual enforcement action.

Public meetings

Three public meetings were held as part of this consultation, all online due to the Covid-19 restrictions, on 17 and 19 November and 9 December 2020. These offered people the chance to hear and see the proposals outlined by Southend Council, to ask questions and to put forward their views. In total, 65 people were registered onto these meetings. Here is a summary of the key points.

Scheme overall

- There were more landlords at the meetings than other type of stakeholder. There was generally more opposition to the scheme than support.
- Some questioned the lack of enforcement action to date. Others suggested using existing enforcement powers instead of licensing, particularly to target rogue landlords.
- Some described it as a tax on good landlords. Several SEAL members attended the meetings. They agreed that there are lots of bad landlords but questioned how this scheme would find bad landlords and educate others. Other participants agreed, feeling this was penalising good landlords.
- There were objections to how far landlords are responsible for the behaviour of their tenants, particularly around ASB. Others questioned what support would be offered to landlords over the ASB of their tenants. Others still felt ASB was a police matter. Furthermore, it can take over a year to evict somebody, showing how long it can take for a landlord to resolve such issues.
- Some participants questioned doing this consultation during the Covid-19 pandemic.
- There were some questions into the evidence submitted with the proposal, especially the use of 2011 census data for the size of the private rented sector in Southend.

Proposed area

- Some participants objected to certain roads being included within the proposed licensing scheme, which can stigmatise these areas. Others questioned why it wasn't borough-wide.
- There were questions about whether social housing properties were included within the scheme, as well as exemptions for charities letting out properties.

Fees

- What benefits are the Council proposing to support landlords via the scheme, some asked. They wanted to see value for money from the fees.
- Some questioned how the fees were calculated and therefore the full cost of the scheme. Linked to this, one feared a lack of Council resources to make the scheme work.
- One participant asked if income from the scheme able to be used to follow up people who aren't licensing.
- One landlord questioned the financial impact on landlords due to the scheme.

Impact

- Some believed landlords would leave the sector, leaving tenants homeless. A letting agent said landlords were already poised to do this, with the licensing scheme the final nail in the coffin.
- The cost will be passed onto tenants, some said.

Stakeholder views

We spoke to 8 stakeholders representing a range of organisations and interests in Southend. The list of these organisations is shown in Appendix 4. Here's a summary of their views.

Views overall

- The NRLA are not against the scheme altogether providing it improves the private rented sector as intended. They want to see tangible outcomes, e.g. on tackling property conditions, though want transparency in this, such as by producing an annual report on the effectiveness of the licensing scheme like some other councils have done, e.g. Newham, Leeds and Doncaster.
- HARP were happy to support the proposed scheme in principle, saying it “would be brilliant” if the scheme achieved what it intended, e.g. on standards and properties.
- Peabody supports the scheme, describing it as “a positive move forward”.
- Citizens Advice Southend support the scheme, believing there are benefits to landlords and tenants, particularly around ASB. They do see complaints from tenants about neighbours and others, apparently with landlords not stepping in. However, they want the Council to be proactive with enforcement, not simply “lip service” to be used in political statements. The Council must put its backing behind the scheme for it to succeed. SEAL also spoke about the need for resources to be in place.
- Essex Police like the idea in general.
- SEAL supported measures to improve properties and reduce ASB. However, they believed existing arrangements, such as SEAL themselves, are better than the proposed scheme. They wanted to see a borough-wide approach and enough funding and resourcing to make it work.
- The Conservative Group at Southend Council are not supportive of the proposals. Instead, they preferred a voluntary arrangement and working with SEAL. For them, the problem tends to be with the tenant more than related to the property. They described this proposal as a “sledge hammer to crack a nut”.

Proposed area

- The NRLA believed that local targeted approaches were most effective, especially those based on evidence, like this proposal.
- York Road and nearby roads were repeatedly mentioned by stakeholders as bad examples, described as “notorious”, with prostitution and B&Bs, landlords willing to take on anyone. Another stakeholder said something similar, that tenants with challenging and complex behaviour are often in the worst private rented properties, yet this behaviour can also result in ASB, which encourages mirrored behaviour from others. A third stakeholder spoke about landlords with poor standards in this area, harassment and illegal evictions from landlords, locks changed and belongings thrown out onto the street. This issues brand such areas as poor, a self-fulfilling negative view.

- One stakeholder believed there wasn't the same density of private rented properties in Victoria ward compared to Kursaal or Milton wards, although hotspots of problems within Victoria ward, nonetheless.
- "Blatantly obvious to everyone" the town centre is the problem, said one stakeholder, with Queen's Road and the south seafront, full of old guest houses.
- One tenant advice agency believed the scheme was in the right spots.
- Essex Police stated that the vast majority of crime in Southend occurs in the four wards. Across the borough they have two community policing teams. One focuses just on Kursaal, Victoria and Milton wards, whereas the other team handles the other 14 wards.
- Some felt that there were problems within the proposed area but also some streets that shouldn't be included, plus some streets outside the proposed area that should be included. SEAL, for example, felt that some areas included high concentrations of social housing and therefore deprivation. SEAL felt a borough-wide approach was needed instead.
- One landlord organisation said lots of the ASB came from feed-through roads from town or the station, so not necessarily coming from private tenants.

Fees

- The Labour Group representative said that if landlords, who are running a business, don't pay it then falls on taxpayers to cover the cost.
- One landlord organisation believed the fees are too high, especially compared with £300-£400 from other councils, they said.
- One landlord organisation suggested discounts for multiple properties (e.g. just one fit and proper test), accredited landlords (SEAL, NRLA) and early applications. They also suggested a pro-rata fee for those who license within the five-year period, reduced year on year.
- A landlord organisation felt that good landlords pay, while rogue landlords don't and get away with it.

Licence conditions

- There is a separate, national consultation about having a carbon monoxide alarm in private rented properties. The NRLA already supports this, for example.
- One tenant support agency supported the licence conditions but was concerned about how they would be enforced, such as on landlord harassment and illegal evictions.
- One landlord organisation said the fit and proper person test was "ridiculous". Instead, they wanted to sit down with the Council to set the standards.

Delivery partner

- There was some discussion over SEAL, including by other agencies, not just SEAL itself. Positively, one tenant support agency described improvements in some cases, e.g. Better presented properties. This stakeholder felt there was a degree of accountability with SEAL sticker in property windows. SEAL

themselves believed that the relationship with the Council used to be stronger and that resources more widely to engage landlords had lapsed.

- One organisation didn't see SEAL in this guise, seeing SEAL more as a closed-shop accreditation agency than an independent third party. Another tenant support agency liked the idea of SEAL, especially as landlords didn't have to pay for it. A third stakeholder said SEAL had delivered some good work but, as a voluntary arrangement, hadn't gotten rid of all problems, doesn't represent a large enough chunk of sector and bad landlords won't join it. Another stakeholder felt that because SEAL is voluntary, there is no mandatory enforcement, no sanctions it can apply, a downside. Another stakeholder agreed about this voluntary nature of SEAL, with bad landlords opting out.
- Using a delivery partner allows that agency to focus on the proposed area and the Council to address problems elsewhere in the borough.

Impact of the licensing scheme

- One tenant support agency was a little concerned that the scheme would mean they lose some landlords along the way, even though the organisation was supportive of the scheme. There was some concern about what happens to tenants evicted because of this, potentially increasing homelessness. A similar view from another tenant support agency was if the scheme would alienate landlords and deter them from letting to clients of this agency. A landlord organisation also had concern about landlords selling up, the scheme being the final straw, leading to increased homelessness. The Conservative Group shared similar views. New entrants may also be put off the market.
- Another concern from a few stakeholders was about rents creeping up because of the licence fee. A landlord organisation also felt rents would go up, with costs passed onto tenants. Some landlords had already done this following the introduction of licensing, in places like Great Yarmouth and a 40% rise in rents in Hastings, they said. The Conservative Group also had concerns about costs being passed onto tenants, which would increase their living costs.
- There was recognition among some stakeholders that the current situation with the Covid pandemic was making renting harder. For example, if tenants had been furloughed and then lost their jobs, their income drops and they become reliant on Universal Credit. This was increasing rent arrears for some tenants. Also, another stakeholder described a backlog in court because of Covid, such as with S21 cases, therefore taking 9 to 12 months for landlords to legally evict tenants. A landlord organisation said it can take up to two years to evict tenants who don't pay rent. A landlord organisation said it was difficult to inspect properties because of the pandemic. This would apply to landlords themselves but also if the scheme goes ahead while restrictions are still in place.
- The Labour Group representative believed the scheme would provide extra resources and a proper inspection regime, enable the Council to identify who the landlord is and therefore make it easier for both Council officers and private tenants. They believed the scheme offered the chance to deliver visible improvements and provide a virtuous cycle generally, e.g. littering, fly-tipping and ASB reducing, making the sector and Southend a better place.
- A drawback to introducing the scheme was that it would impair the Council's relationship with landlords, which was important now around when aiming to avoid evictions.
- Rogue landlords take matters into their own hands, such as with evictions, one tenant support agency told us.

- This scheme offers landlords the opportunity to be supported by the Council.
- One tenant support agency recognised landlord frustration if tenants don't pay rent and wreck properties.
- One tenant support agency felt the Council was not doing enough to support tenants now. This agency described retaliatory evictions for tenant complaints but where there was no notice served on landlords by the Council, making these powers "basically redundant". They cited a Freedom of Information request that showed just 13 disrepair notices over a three-year period, amazingly low, they said. A landlord organisation also voiced concern about not enough action taken against rogue landlords, believing instead that the Council is in fact housing bad tenants with such landlords.
- Essex Police hoped for a strong impact, particularly once landlords are identified and to deal with problem premises.
- A landlord organisation believed roads could be stigmatised because of licensing, devaluing properties there by £30-£50k as seen elsewhere where licencing had been introduced. The Conservative Group representative agreed.

Alternatives

- Around ABS, there was a request from the NRLA that the Council supports landlords' efforts on S21 evictions.
- One organisation described landlords as "a feisty bunch", wanting to see how they could be rewarded for being a good landlord. Can properties be promoted like Tripadvisor or Trustpilot, for example, or have approved landlords like universities do?
- Having housing benefit paid directly to landlords would be a help, one tenant support agency suggested, even though this rests with DWP rather than Southend Council.
- Essex Police described work being trialled in Basildon and Southend that focuses on what an area looks like, based on evidence suggesting that if an area looks nice there is less crime. For private renting, this means tackling issues around fly-tipping and keeping private houses up to scratch.
- SEAL believed they were a viable alternative, though needed financial support and more engagement from the Council. They favoured more partnership working, including with teams like the now-disbanded SMART one.
- The Conservative Group believed councils generally hadn't done enough with the changes to HMO licensing introduced in October 2018. They felt existing powers should be used, including prohibition notices or PSBOs for lower level ASB. They suggested more partnership working too, e.g. With PCSOs.

Wider comments

- The NRLA wanted energy efficiency to be incorporated into any licensing scheme, particularly with the proposed national target of private rented properties needing an EPC rating of C or lower from 2025, down from an EPC of E today. With a large number of older properties in the PRS, they wanted a coordinated approach between the Council and the sector, such as retrofitting properties at a community level or providing a support package, such as for internal and external insulation.
- HARP believe it is hard to get close to private landlords, showing a desire for greater work with them.

- A shame that landlord forums, which had started to get going again, had to stop because of the pandemic. There was a desire for more forums like this. A landlord organisation said similar, describing the recent lack of landlord forums, stands, presentations.
- HARP felt that there was currently an under-resourcing of inspection and enforcement. It also felt that communication with Council officers had not been as strong as in the past. A landlord organisation also spoke about reduced resourcing, including the disbanding of the SMART team a few years ago.
- The Labour Group representative believed the “odds [are] stacked against us” on enforcement action.
- One landlord organisation believed that the proposed scheme was a way to raise money, including from fines, akin to how traffic wardens bring in revenue, they said.
- With implementing the scheme, one landlord organisation spoke about a problem with delays with HMO licensing. This can cause problems with mortgages, for example, as a mortgage provider demands a licence to be in place, not just applied for. The delay in processing applications can therefore jeopardise landlords mortgaging or re-mortgaging properties.
- One landlord organisation believed S21 was the only tool landlords had to tackle ASB. There was therefore concern about central government plans to abolish S21. S8 was very hard to prove ASB, almost needing to camp out with police and to gather witness statements from neighbours.
- One landlord organisation questioned the evidence provided as part of this consultation. This included data on the size of the PRS itself, questioning whether in fact the proposed area covers more than 20%. The Conservative Group also questioned whether the case had been made strongly enough to introduce a licensing scheme.

Written responses

We also received written responses from 22 individuals or organisations, some providing multiple responses (e.g. an email plus letter) and a few circulating the same points produced by SEAL. The organisations that submitted formal responses are listed in Appendix 5. We have summarised these into themes below and include the full responses, anonymised for individuals as a separate Appendix 6.

Timing of proposals

- One landlord organisation has requested more time for direct consultation with the Council, giving time to improve the proposals. Another expressed disappointment from its landlord members that the consultation has taken the minimum period necessary, especially during a pandemic.
- One respondent, a landlord and resident, questioned the timing of the proposals: “Right now, people, including landlords are dealing with sickness, loss of staff, loss of income, rent arrears, increased borrowing, and the deaths of friends and family.” Other respondents believed this was not the right time, with the Covid pandemic, to introduce licensing. Several cited government statements suggesting licensing schemes should not be implemented or should be halted. This states that councils should take a common-sense, pragmatic approach to landlord licensing enforcement during these unprecedented times, one letting agency body put.
- An additional point made by one respondent about the current situation is that some letting agents are furloughed or continue to work from home, so are unable to access relevant paperwork and documentation to complete licensing scheme applications and process fees.
- A few respondents also questioned the timing of the consultation itself. One felt that holding no in-person public consultation meetings, because of the pandemic, will have put many at a disadvantage by excluding those who are not internet savvy.

Objections to scheme

- One private landlord objected to the scheme for their property, claiming it “is a blanket and indiscriminate scheme unfair to some landlords”. This landlord felt the property was well maintained, managed by an agent and had a “nice retired gentleman” as a tenant.
- Another landlord also objected, stating: “The council and police already hold all the necessary powers to enforce all current and future legislation.”
- One national letting agency body did not support selective licensing schemes “as they are not an effective method of driving up standards in the private rented sector”, with low enforcement and prosecution.

Proposed area

- Several respondents objected to just parts of Southend being included in the scheme. One landlord felt the selection of areas was “selective penalisation”, feeling it unfair to penalise all landlords in certain areas. Another felt this was “discrimination” and would lead to “negative ramifications”. This

is especially the case if tenants are treated badly outside of the proposed area but not subject to the licensing regime. This landlord instead suggested introducing licensing to the whole of Southend rather than just certain parts. Others agreed that it would be fairer to have a borough-wide approach or to license all landlords.

- One respondent questioned why some streets and wards with ASB and waste problems hadn't been included, while others that don't have problems have been included.
- One national letting agency, which did not agree with the scheme, stated that if it is introduced then it should have a narrower focus rather than be borough-wide. Another national body voiced the same feelings.
- A few respondents linked the ASB in the proposed areas with spill-over from the town centre, "where you will find a high number of pubs and late night entertainment venues such as discos, the new university and its accommodation, plus the late opening take away food venues". One commented that these facilities also "greatly contribute to the financial prosperity of Southend".

Anti-social behaviour

- A few respondents questioned landlords' ability and powers to tackle ASB over their tenants' behaviour. Another, national agency stated that "landlords do not manage their tenants; they manage a tenancy agreement."
- One believed this was a "law enforcement issue". This was particularly the case where tenants' ASB is linked to mental health or narcotic/alcohol abuse, something landlords are not equipped to deal with, one respondent put. Another respondent questioned what support would be available for landlords on this, such as from adult social care along with children's services and housing.
- A few respondents believed a lot of the drug-related issues stemmed from social housing in high-rise blocks, although this type of housing isn't included within the licensing scheme. Some other respondents also suspected ASB came from social housing blocks rather than the PRS.
- A belief that most ASB comes from occupants of HMOs rather than other private rented properties and therefore already under the existing mandatory HMO licensing scheme.
- Another respondent questioned the ability to link ASB to individual private rented properties.
- Another landlord called it "naïve to think that tenants will conform to any anti-social behaviour order within the tenancy agreement", particularly as some tenants already don't pay rent on time and have pets, even though these are included in agreements.
- One respondent suggested the scheme was "stigmatising good tenants", blaming them for ASB.
- Waste management will be difficult for landlords to control, one landlord organisation put, continuing that tenants are adults and responsible for their own actions and behaviour.

Fees

- A few respondents objected to responsible landlords paying an extra fee, especially when this will be used to tackle rogue landlords.

- Lower fees, especially where landlords of multiple properties need only one appropriate person investigation. The remainder of costs should be obtained from fees or fines to those landlords who merit more of your attention.
- Some respondents questioned what they would receive from the licence fee.
- One landlord stated the high level of costs already being introduced to landlords. These include: the introduction of the S24 Landlord/Tenant tax, where interest on borrowings no longer deductible for tax purposes; new legislation introduced to improve properties and management of properties; and EPC rating requirements.
- If a fee is introduced, take it in monthly instalments, one (objecting) landlord suggested.
- One landlord described the scheme as a “punitive tax”. Others said that it would be good landlords paying for work against bad ones, who will continue to operate below the radar.
- One respondent felt the fee seemed unreasonably high, particularly with no discounts offered to those in recognised accreditation bodies like Safeagent.
- One respondent wanted discounts for letting agents who belong to an accredited body such as members of ARLA Propertymark. Another suggested discounts for members of Safeagent or other similar bodies, as “members [have] to observe standards that are at least compatible with (and are often over and above) those of licensing schemes”.
- One letting agency body suggested discounts for properties which go above the legally required EPC rating levels, currently a minimum of EPC E.
- One respondent suggested a waiver to the fee where a landlord is supporting the Council by housing a homeless household that fulfil homelessness duties.
- Using a delivery partner can offer monthly direct debits that, according to one such partner, mean landlords “will pay little or no more by following this route” over the five years. Another respondent, a landlord body, also supported split payments each week or month, which is easier for landlords’ cash flow, particularly after Covid-19.
- One landlord body cited the Gaskin court case that states that both parts of the licence fee are person specific. They wanted reassurance that income will therefore be focused on the individual who has paid it and not used to cross support work with other landlords.
- A respondent suggested fees should be pro-rata if taken within the five-year period of the scheme to offer value for money. They claimed this can be anti-competitive, as it can add cost to the process of engaging or changing a license holding managing agent.

Licence conditions

- Applicants should have an enhanced DBS check, one respondent stated.
- A feeling among some respondents that what is already asked of private landlords is excessive, e.g. EPCs, gas safety certificates, electrical condition reports, smoke alarms and carbon monoxide detectors.
- A few responses provided detailed comments on specific conditions. The full written responses will be included with this consultation report.
- One tenant did not want tenant references being passed onto the Council.

- In Safeagent's response, they included several detailed comments about licence conditions, many stating that their members already meet the proposed standards. The full response attached shows these.

Enforcement

- Some respondents stated that the Council already has powers to tackle these problems. For example, one response stated that the Council had received 596 complaints relating to the condition of PRS properties in 2017/18 but issued just 12 improvement notices.
- One respondent questioned what would happen if they became a bad landlord instead of a responsible one, what actions would be taken against them.
- More should be done to tackle non-compliant landlords, those who do not belong to any association, several respondents put. The focus of regulation should be on rogue landlords who go under the radar.
- Several respondents questioned the lack of information about additional resources needed for enforcement, including the cost of this. Without additional resources for enforcement, criminal operators will continue to ignore their legal responsibilities and avoid the scheme which is designated to target them, penalising lawful landlords and agents with additional cost burdens, one respondent stated.
- One letting agency body claimed that many licensing schemes fail due to the lack of adequate resources needed to undertake the necessary enforcement activity. They state that it is the lack of resources put into enforcement rather than a lack of legislation that limits action on rogue landlords. Another respondent, from a landlord body, reiterated this, highlighting the need for an effective enforcement policy in order to licensing to be successful.

Third party organisation

- One landlord believed SEAL should take this role, as an intermediary between the Council and landlords.
- The Home Safe Scheme expressed their interest in being the delivery partner. It claims to "provide support and development to engaging landlords whilst working with the licensing and enforcing Local Authorities who can focus their efforts on non-engaging and non-compliant landlords". It feels that there should be a single vehicle for landlords to seek a licence, however, to avoid confusion. Such a scheme also offers nominated managing agents to provide evidence of their fit and proper person status and details of their approved redress scheme. The Scheme believes that the first 18 months to two years of a designation concentrates on issuing licences and bringing properties up to an acceptable standard thus encouraging better property management. Thereafter, the focus can move to making a real and lasting difference in communities by delivering local charters to address the worst problems, such as ASB, waste management or tenancy management and sustainment. There are more details about the Home Safe Scheme from their written submission to this consultation.
- Safeagent also wanted the Council to see it as an "equivalent recognised landlord accreditation body". Its response included lots of detail about why membership of Safeagent should be considered adequate in place of licensing.

Impact of scheme

- One respondent felt the scheme was not required at all. This person said they'd sell their entire portfolio in the affected areas, leaving the Council to house their tenants.
- One organisation said letting agents and landlords have got quite enough of their plate with the pandemic, the cladding scandal, evictions being banned and the other changes to electrical safety and energy performance that have all happened in one year. This is already leading to a mass exodus of private landlords due to the unceasing increasing burden in regulation and costs.
- The fees will be passed onto tenants, some respondents stated. Will housing benefit costs increase to match this, one questioned.
- One landlord believed that it was discourage reputable landlords from investing in the selective areas by arbitrarily introducing additional costs.
- A few respondents feared that mortgage lenders would not provide mortgages for properties within the proposed area, based on the assumption that the area has problems with deprivation, ASB etc.
- One response suggested homelessness would increase, with landlords leaving the sector.
- Properties would be devalued, by £30-£50k, one respondent suggested, because of the stigma attached to the area, being associated with deprivation, crime or ineffective waste management (e.g. fly tipping, littering).
- If private tenants causing ASB are evicted, this simply displaces the problems elsewhere, one respondent put.

Alternatives

- Several respondents believed there was enough legislation on the PRS already. For example, one national body stated that: "up to June 2015, there were 145 laws with over 400 regulations that landlords need to abide by to legally let a property in England and Wales."
- One respondent felt that money for this scheme would be better spent recruiting more housing enforcement officers and on providing cheap warden assisted accommodation for the homeless. They said that more homeless hostels are needed in the form of studio flats, container flats or caravan sites instead of private rented properties. When such tenants are in PRS properties, because of their mild mental health/drugs/alcohol problems they can miss appointments and have sanctions on their welfare benefits, with a knock-on effect leading to rent arrears.
- One landlord suggested there should be a register of bad tenants held by either the Council or some body for landlords to check during the referencing process. Another respondent suggested the Council needs a strategy that includes action against any tenants who are persistent offenders, particularly problems caused by mental health or drink and drug issues.
- A rating system for both tenants and landlords, with scores for how the property is cared for, how rents are paid and how the tenant behaves etc. Any negative reviews should be verified in both cases. This was likened to credit ratings, necessary in order to get credit.
- To license all private letter properties through licensed letting agents, suggested one respondent.

- One landlord organisation suggested an efficient, well-trained ASB SWAT team to liaise and educate. Others backed a stronger focus on ASB, including with dedicated officers. One said instead of selective licensing, however.
- There was wider support for greater partnership working between councils, letting agents, landlords and professional bodies to tackle issues within the private rented sector. A landlord organisation suggested regular meetings to build on successful connections and operations delivered in the past. Involving other local agencies – such as the police and fire authority, community safety teams, community and voluntary services, and other housing providers – was also praised. Homestamp in the West Midlands was cited as an example of a collaborative approach. Similar alternatives include the co-regulatory approach in Liverpool or the London Rental Standard or Leeds Rental Standard, all of which involving landlords and agents.
- One respondent suggested a Passport Scheme similar to Stockton-On-Tees PLuSS, whereby members of a landlord organisation are inspected and monitored by the agency, rewarding good compliant landlords. Some other respondents also wanted encouragement of good property and management standards, as well as enforcement action where needed.
- Being members of Safeagent was deemed enough for them, abiding by standards, ensuring deposits and client money is protected and, as agents, offering mediation between landlords and tenants.
- One respondent pointed to the potential for a more adversarial system if S21 changes take place nationally, leaving landlords to become more risk adverse to take tenants that do not have a perfect reference and history.
- In contrast, a tenant respondent wanted more focus on tenants' rights, including lobby against unfair evictions, preventing landlords from cancelling tenancy agreements and other wider suggestions.

Other comments

- A few respondents questioned the level of resourcing needed to implement and administer the scheme, as well as dedicated resources to enforce it.
- Private landlords being blamed for any problem, especially as social housing providers are excluded from this licensing.
- One landlord stressed how long it currently takes to evict somebody because of court delays.
- One respondent questioned whether the scheme would apply to all landlords, including those like this one with just a single property, or only to those with multiple properties and gaining a business income.
- Some have questioned the evidence provided, particularly using 2011 data for the size of the PRS in the town centre, which has “escalated greatly”, according to one respondent. Another response claimed there was no evidence that negative behaviour related to private tenants rather than other tenures. A third questioned wider evidence gaps, such as the link between poorly managed properties resulting in unacceptable levels of ASB. Another stated there was no evidence provided that correlates private tenants and ASB.
- If the scheme does go ahead, one respondent wanted the Council to publish the full results each year, showing items like the number of landlords prosecuted, enforcement notices served etc. Another national agency also wanted regular reporting, including outputs (e.g. number of applications processed) and outcomes (e.g. of inspections) from the scheme.

- A few respondents stated that HMO licensing has been very slow in operating, taking up to two years to issue licences, another claimed.
- One respondent wanted the option of a paper-based application system as well as an online one, to accommodate those landlords who struggle with an online systems. Another respondent reiterated this point, particularly about elderly landlords.
- One respondent wanted the Council to avoid attaching any waste management duties on landlords. This body preferred the Council to talk to tenants in hotspots instead of issuing licences.
- A few respondents asked what support would be available to landlords for a variety of related issues, including around a tenant's ASB or even support to remove tenants causing ASB.
- One landlord agency wanted more support for landlords on energy efficiency, particularly with central government's move to have all PRS properties rated EPC C by 2025.

Appendices

Appendix 1: Map of proposed licensing scheme

Appendix 2: Survey questions

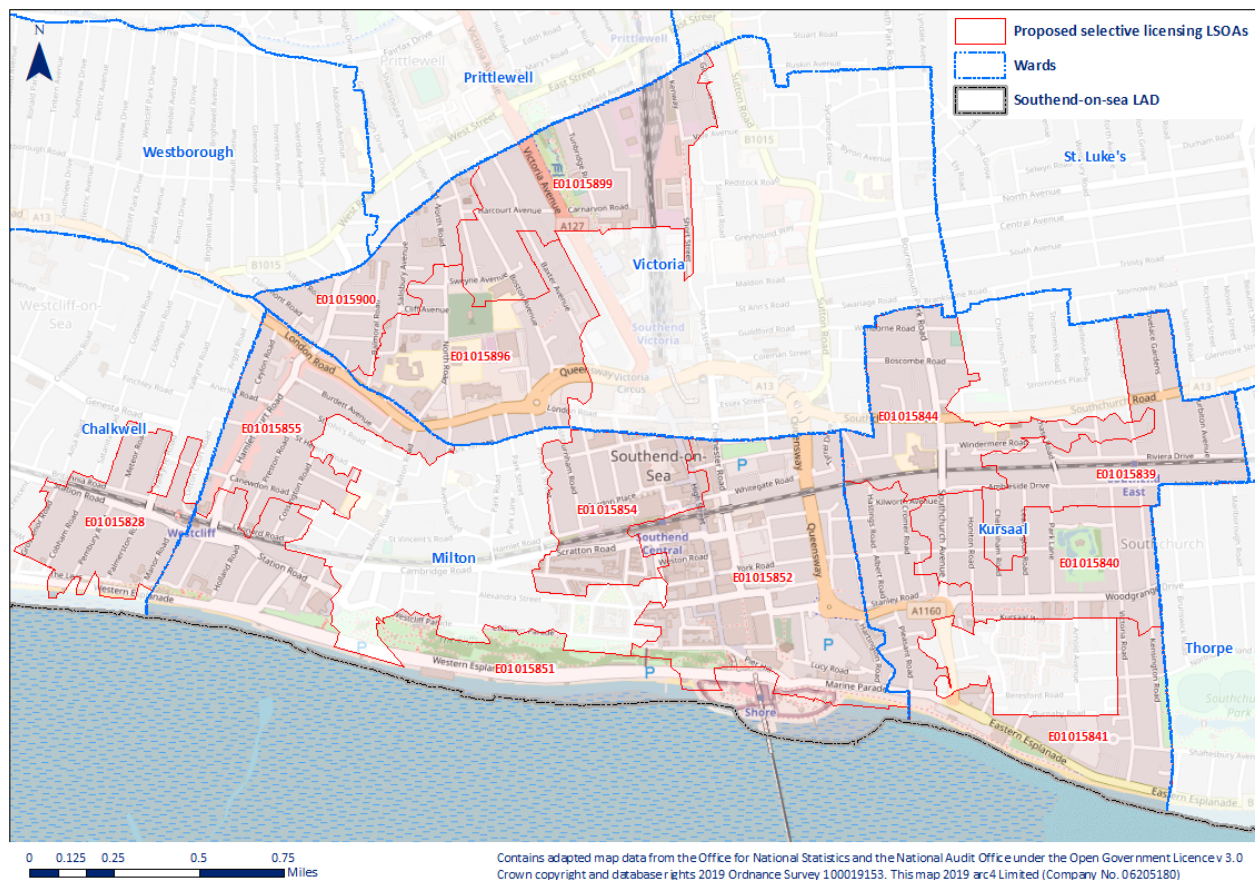
Appendix 3: Demographic profile of respondents

Appendix 4: Stakeholder organisations interviewed

Appendix 5: Organisations submitting written responses

Appendix 6: Written responses to consultation (separate document)

Appendix 1: Map of proposed licensing scheme



Appendix 2: Survey questions

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Consultation on licensing private rented property in Southend

Southend-on-Sea Borough Council is currently considering the introduction of a Selective Licensing scheme within parts of the borough with known anti-social behaviour (ASB), poor property conditions, high crime levels and deprivation.

It is proposed to designate the identified areas in the wards of Milton, Kursaal, Victoria and Chalkwell for Selective Licensing. Selective Licensing is intended to ensure that all properties let in the private rented sector are of a good standard, well maintained and well managed.

Before making a decision, the Council wants to hear your views about the proposal and any alternatives we could consider. The Council would specifically like to hear from private tenants, landlords, letting and managing agents, residents and businesses or organisations operating in Southend and surrounding areas.

Please complete this questionnaire and return it in the pre-paid envelope provided.

You can see full details, including supporting documents, at
<https://yoursay.southend.gov.uk/selective-licensing-southend>

If you have any questions, then please email southendprs@melresearch.co.uk

The closing date for the consultation is 11 January 2021.

The consultation is being run by M·E·L Research, an independent research company. Information you provide will only be used for consultation purposes and you will not be personally identifiable in any reports. All responses to this consultation will be shared with Southend-on-Sea Borough Council. M·E·L Research work to the Market Research Society code of conduct.

You can read about how the Council handles your data at:
<https://www.southend.gov.uk/privacynotice>

Or read M·E·L Research's privacy notice at: <https://melresearch.co.uk/privacypolicy>

Licensing private rented property in Southend

Q1 Which of the following best describes you? *(please tick all that apply)*

- | | |
|--|--|
| Resident..... <input type="checkbox"/> 1 | Work in Southend <input type="checkbox"/> 6 |
| Private landlord..... <input type="checkbox"/> 2 | Business in Southend <input type="checkbox"/> 7 |
| Letting agent..... <input type="checkbox"/> 3 | No connection <input type="checkbox"/> 8 |
| Managing agent <input type="checkbox"/> 4 | Other (please specify)..... <input type="checkbox"/> 9 |
| Private tenant..... <input type="checkbox"/> 5 | |

Q2 What is your full postcode?

This information will not be used to identify you. The information will only be used to help the Council to understand if there are differing views from respondents in different areas.

The proposed area for the Selective Licensing scheme

It is proposed to designate the identified neighbourhoods in the wards of Milton, Kursaal, Victoria and Chalkwell for Selective Licensing.

A map of the proposed area can be found in Appendix 1 of the supporting documents.

Q3 To what extent do you agree or disagree with the proposal to designate the specified areas for Selective Licensing?
(please select one only)

- | | |
|-------------------------|----------------------------|
| Strongly agree..... | <input type="checkbox"/> 1 |
| Agree..... | <input type="checkbox"/> 2 |
| Disagree..... | <input type="checkbox"/> 3 |
| Strongly disagree | <input type="checkbox"/> 4 |
| Don't know..... | <input type="checkbox"/> 5 |

Q4 Please tell us the reason for your answer.

Q5 What impact, if any, do you think the proposed scheme would have on:
(please select one for each row)

	A positive impact	No impact	A negative impact	Don't know
The proposed areas	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
Other nearby areas	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
You and/or your business/organisation	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4

Q6 Thinking about the proposed areas for the licensing scheme, how much of a problem do you think each of the following issues are:
(please select one for each row)

	Major problem	Minor problem	Not a problem	Don't know
Anti-social behaviour (including fly-tipping)	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
Deprivation	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
Poor quality housing	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4
Crime	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4

Proposed licence fees

Under the proposed scheme (subject to specified exemptions*), all landlords would be required to obtain a licence for each of their properties. The Council would charge a fee for a 5-year licence for each property. Fees must be reasonable and must only contribute to the costs of the scheme. The Council cannot make a profit from the fees or use the fees to subsidise other services.

*Details of the exemptions from licensing are detailed in the FAQs and Appendix 2 of the consultation document and evidence based report.

Based on current costs, the proposed fees are:

The total cost of a 5-year selective licence would be £668 per property.

The fee would be payable in two parts

- > Part 1: Application fee £162
- > Part 2: Compliance monitoring fee (payable if the licence is granted) £506

The Council considers the proposed fees to be reasonable and not excessive. The proposed fees are based on an estimate of the actual cost of the scheme, divided by the number of properties estimated to be licensed. Experience from operating previous schemes has been used for the fee setting process. The fees will be subject to review in accordance with the Council's usual fee setting process.

Further details of the fee structure can be found in the Selective Licensing Scheme proposal report and the consultation document.

As part of this consultation, the Council would welcome comments regarding the following fee-related matters.

Q7 To what extent do you agree or disagree with the proposed fee for Selective Licensing?
(please select one only)

- | | | |
|-------------------------|--------------------------|---|
| Strongly agree..... | <input type="checkbox"/> | 1 |
| Agree..... | <input type="checkbox"/> | 2 |
| Disagree..... | <input type="checkbox"/> | 3 |
| Strongly disagree | <input type="checkbox"/> | 4 |
| Don't know..... | <input type="checkbox"/> | 5 |

Q8 Do you think the Council should allow the Part 2 compliance monitoring fee to be paid in instalments on a monthly basis for the duration of the licence, rather than a one off non-refundable fee when the licence is granted? This would be the case if the service delivery partner option is approved following consultation
(please select one only)

- | | | |
|-----------------|--------------------------|---|
| Yes | <input type="checkbox"/> | 1 |
| No..... | <input type="checkbox"/> | 2 |
| Don't know..... | <input type="checkbox"/> | 3 |

Q9 If you have any comments about the fees, please provide these below.

Proposed licence conditions

Selective Licensing conditions can be used for regulating the management, use or occupation of the house concerned. Except so far as they directly relate to a failure to manage the property, matters relating to disrepair cannot be addressed through licence conditions and will continue to be addressed, by the Council, using existing enforcement powers.

The licence will include conditions aimed at ensuring licensed properties are safe and well managed. A copy of the proposed conditions can be found in Appendix C.

Q10 To what extent do you agree or disagree with the draft licence conditions to regulate the following?
(please select one option from each row)

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
Improve the quality of the neighbourhood to support a safe, inclusive and cohesive community	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Improve property safety and standards	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5
Improve management standards in the private rented sector	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5

Q11 Do you have any specific comments about the proposed draft conditions, or any suggestions for alternative or additional conditions?

Compliance monitoring and enforcement

The Council has been working closely with other local authorities who have previously introduced Selective Licensing in order to learn from their experience and also look at ways of delivering the scheme. One of such ways is for the scheme to be delivered through a delivery partner option. If such an option is adopted, all licences would be granted by the Council, but landlords would be given the option to apply via and be monitored by an external, non-regulatory, partner organisation.

The delivery partner would routinely monitor their members' compliance throughout the term of the licence but, as a non-regulatory body, they are unable to enforce the conditions of the licence and address non-compliance in the traditional sense i.e. by formal legal action such as prosecution or financial penalties. In cases where they were unable to secure compliance through their support/advisory role, membership would ultimately be terminated, with the licence holder defaulting back to the Council for compliance monitoring/enforcement as appropriate.

Q12 Would you like the scheme to include an option for the licence holder to be able to choose to be monitored by an external non-regulatory body and to only be referred back to the Council when the licence holder fails to engage with the advisory approach taken by the delivery partner?

(please select one only)

- Yes ☐ 1
- No..... ☐ 2
- Don't know..... ☐ 3

Q13 Please state the reasons for your answer.

Any further comments

- Q14 Do you have any further comments about the Selective Licensing proposals? Please include any suggestions for alternative ways of dealing with problems in the area or any ideas for improving the proposed scheme.

- Q15 **Do you want to hear from the Council?**

If the Council decides to go ahead with Selective Licensing in the proposed areas would you like them to contact you with details of the scheme?
(please select one only)

Yes, by email ☐ 1
No, do not contact me ☐ 2

- Q16 If you have chosen Yes above, please provide your email address

About you

Thank you for providing your feedback on this consultation.

Finally, it would be really helpful to find out a bit more about you.

Q17 What is your gender? *(please select one only)*

Male ☐ 1

Female ☐ 2

I describe myself another way..... ☐ 3

Prefer not to say..... ☐ 4

Q18 Please state your ethnicity *(please select one only)*

White..... ☐ 1

Asian / Asian British..... ☐ 2

Black / Black British ☐ 3

Mixed / multiple ethnic group ☐ 4

Other ☐ 5

Prefer not to say..... ☐ 6

Q19 What age group are you in? *(please select one only)*

18-24..... ☐ 1

25-34..... ☐ 2

35-44..... ☐ 3

45-54..... ☐ 4

55-64..... ☐ 5

65-74..... ☐ 6

75+ ☐ 7

Prefer not to say..... ☐ 8

Q20 Do you consider yourself as a person who has a disability? *(please select one only)*

Yes ☐ 1

No..... ☐ 2

This is the end of the survey. Thank you for your time.

Please return the survey in the pre-paid envelope provided.

Appendix 3: Demographic profile of respondents

By gender

	Number of respondents	Percentage of total
Male	815	45%
Female	818	46%
I describe myself another way	8	0%
Prefer not to say	76	4%
Unknown	75	4%
Total	1,792	100%

By age band

	Number of respondents	Percentage of total
18-24	13	1%
25-34	126	7%
35-44	234	13%
45-54	312	17%
55-64	399	22%
65-74	356	20%
75+	184	10%
Prefer not to say	95	5%
Unknown	73	4%
Total	1,792	100%

By disability

	Number of respondents	Percentage of total
Disabled	241	13%
Not disabled	1,449	81%
Unknown	102	6%
Total	1,792	100%

By ethnic group

	Number of respondents	Percentage of total
White	1,476	82%
Asian / Asian British	38	2%
Mixed / multiple ethnic group	33	2%
Black / Black British	31	2%
Other	17	1%
Prefer not to say	118	7%
Unknown	79	4%
Total	1,792	100%

By respondent type

Respondents could tick more than one option.

	Number of respondents	Percentage of total
Resident	1,313	73%
Private landlord	307	17%
Letting agent	24	1%
Managing agent	26	1%
Private tenant	253	14%
Work in Southend	328	18%
Business in Southend	136	8%
No connection	25	1%
Other	183	10%
Unknown	21	1%
Total	1,792	100%

By district / borough

	Number of respondents	Percentage of total
Southend-on-Sea	1,664	92.9%
Rochford	11	0.6%
Newham	5	0.3%
Castle Point	4	0.2%
Hackney	2	0.1%
Basildon	2	0.1%
Canterbury	2	0.1%
Bromley	1	0.1%
Chelmsford	1	0.1%
Epping Forest	1	0.1%
Havering	1	0.1%
Horsham	1	0.1%
Redbridge	1	0.1%
Sheffield	1	0.1%
Suffolk Coastal	1	0.1%
Tendring	1	0.1%
Thanet	1	0.1%
Thurrock	1	0.1%
Tonbridge and Malling	1	0.1%
Tower Hamlets	1	0.1%
Uttlesford	1	0.1%
Waltham Forest	1	0.1%
Unknown	87	4.9%
Total	1,792	100%

By Southend ward

	Number of respondents	Percentage of total
Belfairs Ward	9	0.5%
Blenheim Park Ward	16	0.9%
Chalkwell Ward	159	8.9%
Eastwood Park Ward	6	0.3%
Kursaal Ward	305	17.0%
Leigh Ward	18	1.0%
Milton Ward	521	29.1%
Prittlewell Ward	87	4.9%
Shoeburyness Ward	11	0.6%
Southchurch Ward	74	4.1%
St. Laurence Ward	11	0.6%
St. Luke's Ward	68	3.8%
Thorpe Ward	99	5.5%
Victoria Ward	198	11.0%
West Leigh Ward	12	0.7%
West Shoebury Ward	12	0.7%
Westborough Ward	58	3.2%
Out of Southend / Unknown	128	7.1%
Total	1,792	100%

By inside / outside proposed licensing area

	Number of respondents	Percentage of total
Inside	804	45%
Outside	901	50%
Unknown	87	5%
Total	1,792	100%

Appendix 4: Stakeholder organisations interviewed

We spoke to 11 stakeholders representing the following range of organisations and interests in Southend:

- Labour Group in Southend Council
- Conservative Group in Southend Council
- Essex Police
- NRLA (landlord agency)
- SEAL (landlords)
- Eastern Landlords Association
- HARP (homelessness support)
- Peabody (floating support)
- Citizen Advice Southend (tenant advice)

Appendix 5: Organisations submitting written responses

Among the 22 formal written responses to the consultation, the following organisations submitted a response:

- ARLA
- Eastern Landlords Association
- Home Safe Scheme
- NRLA
- Property and Commercial Enterprises (PACE) Ltd
- Safeagent
- SEAL.

Appendix 6: Written responses to consultation (separate document)



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