

# Selective Licensing Consultation

November 2021

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## Executive Summary

This survey is based on two online surveys that were developed, one for landlords and one for residents and businesses

In total, 2112 complete responses to the surveys were received (1607 responses from residents and 505 from businesses)

- 64% of respondents to the residents and businesses survey were owner occupiers
- 92% of the respondents to the landlord survey were landlords (with 8% being managing/letting agents)
- Issues such as nuisance and ASB issues and properties in poor condition were common to both residents and businesses and to landlords
- 72% of landlords had had problems with tenants in rent arrears
- 44% of residents and businesses thought that private landlords had a negative contribution to their area
- 97% of residents and businesses thought that landlords should keep properties in a good condition
- 95% thought they should make sure tenants know that anti-social behaviour is unacceptable
- 92% thought they should act against nuisance and anti-social behaviour
- 74% of resident and business respondents thought that the council should have more control over the way that landlords manage their properties
- 58% of residents and businesses thought that selective licensing would improve their area
- 97% of landlords thought there was no benefit to a policy of a Landlord Licensing area

## Background

### About this report

This report focuses on the 2112 responses received via the Community Consultation<sup>1</sup>. All reporting is based on known responses and any cross tabulation based on respondents agreeing to the use of their data in this way (470). Any totals exceeding 100% or total respondents relate to questions with multiple response permitted.

### Methodology

- Two online surveys were developed, one for landlords and one for residents and businesses.
- These were supplemented by a drop and collect of hard copy questionnaires across affected areas. Table one below indicates the method of completion across both surveys. The hard copy questionnaires were sent to all residential and business properties in the areas below. This equates to 18,000 properties.

LSOA area name	LSOA Number	LSOA area name	LSOA Number
Alexandra	E01005322	Medlock Vale	E01005438
St Mary's	E01005431	St Mary's	E01005433
St Mary's	E01005428	St Mary's	E01005429
Werneth	E01005463	Werneth	E01032921
Waterhead	E01005450	Coldhurst	E01005349
Alexandra	E01005320	Medlock Vale	E01005323
Alexandra	E01005321	Shaw	E01005445
Alexandra	E01005434	St James	E01005421
Chadderton South	E01005344	St Mary's	E01005429
Hollinwood	E01005382	Waterhead	E01005448
Waterhead	E01005456		

The survey was sent to 2870 licensed landlords and managing agents under the previous selective licensing scheme and All residents and businesses in the surrounding streets to the proposed selective licensing areas, this equates to 19, 000 properties. For further details regarding the consultation program please see Appendix 10 of the Selective Licensing of Private Landlords report.

- As part of the consultation program one to one discussions and focus groups were promoted. The discussions and focus groups were each given a one-hour time allocation. The focus groups were held for up to ten landlords in each session. Although the sessions were to enable participants to provide information on all aspects of their thoughts on the proposals, the following questions were provided before the session and during the session.
  - Is this the best approach to tackle the problems?
  - What do you think the Council should be doing?
  - What benefits do you want from the scheme?
  - Do the proposed licence conditions help tackle the problems?
  - What do you think about the proposed licensing fee?

The following main concerns were expressed which have been addressed in Appendix 7 Consultation questions and responses.

15 landlords/landlord representatives and 1 resident participated in the one to one discussions. A one to one discussion was carried out with everyone who asked for this. 17 landlords/landlord representatives participated in the focus groups. The majority of landlords/landlord representatives that took part on the focus groups also took part in the one-to-one discussions.

Method of Consultation	Dates of Consultation
One to One Discussions	28/01/2021 18/01/2021 05/02/2021 11/02/2021 18/02/2021 19/02/2021 22/02/2021 25/02/2021 25/02/2021 26/02/2021 26/02/2021 26/02/2021 31/03/2021 08/04/2021 09/04/2021 27/04/2021
Focus Groups	10/03/2021 1pm to 2pm 18/03/2021 6pm to 7pm 23/03/2021 10am to 11am

66 Stakeholders including the National Landlords Residential Association, The Bond Board, Tenants Union, North West Landlords, Citizen Advice Bureau, Housing Solicitors, Housing Associations, Greater Manchester Authorities, Shelter and Greater Manchester Police were contacted regarding the proposals.

We received contact regarding general information and enquiries from approximately 91 landlords/agents, 21 residents and 4 businesses.

From the one-to-one discussions and focus groups private landlords expressed concerns that:

- the introduction of a new licensing scheme is not required,
- that the housing market has changed,
- they are unclear on what the previous scheme has achieved.
- how any new scheme would make a difference.
- the scheme is a money-making exercise for the Council. There is no clear evidence of how the previous fees have been spent.
- they have received no assistance from the Council.
- they object to a new scheme, however if one does happen they want to be part of the development/operation and have a say how the fees are spent.
- they state the Council should be engaging with them rather than enforcing.
- there is no clear justification for the proposed increase in fee from £490 to £650.
- there needs to be more flexibility with the fee structure for example landlords who are compliant, recently obtained a licence, have multiple properties.

Some consultees have stated that licensing should be introduced for all or not at all. Of the general enquiries the majority were regarding where they can apply for a licence, further information regarding the scheme, residents asking for the scheme to be extended to include their street/road.

The National Residential Landlord Association provided the following objections:

Point 3.5 in the consultation documents state that there would be no resources for enforcement or support to occur in the previously designated areas without selective licensing. The NRLA disagrees and provides a list of powers already available to Councils. These are addressed further in the report – Options Appraisal.

1. Criminal Behaviour Orders
2. Crime Prevention Injunctions
3. Interim Management Orders
4. Empty Dwelling Management Orders
5. Improvement Notices (for homes that do not meet the Decent Homes Standard)
6. Litter Abatement Notices (Section 92 of the Environmental Protection Act 1990)
7. Fixed Penalty Notices or Confiscation of equipment (Sections 8 and 10 of the Noise Act 1996)

8. Directions regarding the disposal of waste (for example, Section 46 of the Environmental Protection Act 1990)
9. Notices to remove rubbish from land (Section 2-3 of the Prevention of Damage by Pests Act 1949)
10. Funds generated by the issuing of civil penalties would be a reliable source of revenue the council could use to fund this enforcement activity and more.

### Waste management in tenancies

Often when tenants are nearing the end of their contract/tenancy and are in the process of moving out, they will dispose of excess household waste by a variety of methods. These include but not limited to putting waste out on the street for the council to collect. This is in the hope of getting their deposit back. Local authorities with many private rented properties need to consider a strategy for managing excess waste at the end of a tenancy in place of selective licensing.

As it is required as part of the proposed licence conditions to ensure and take reasonable steps to keep all areas free of rubbish/fly-tipping, would the council consider a free service for private landlords to remove bulk and heavy waste which is left at the end of a tenancy and not been disposed of by the tenant if such a service is not already in place?

### Criminal activity (illegal sub-letting)

The proposal does not consider rent-to-rent or those who exploit people (both tenants and landlords). Criminals will always play the system. For instance, there is no provision for landlords who have legally rented out a property that has later been illegally sublet. The license holder can end the tenancy (of the superior tenant, the subtenants have no legal redress) and support the local authority in criminal prosecution. Often, landlords are victims, just as much as tenants. What support will the council provide for landlords to whom this has happened? Although, as demonstrated, the council can act as a mediator in the case study examples provided, would the council support an accelerated possession order process should the situation of this kind arise?

### Fee structure

Regarding the fee structure, can the council provide a more detailed breakdown of how much is Part One (processing the application) and Part Two (to enforce the licence) so it is clear how the licence fee is divided?

### Conclusions and alternatives

The NRLA advocates using a coordinated approach by utilising council tax records to identify tenures used by the private rented sector and those landlords in charge of those properties. Unlike discretionary licensing, this does not require self-identification by landlords, making it harder for criminal landlords to operate under the radar and continuing to provide a low standard of housing.

Furthermore, the council should consider if the scheme is approved, providing an annual summary of outcomes to demonstrate to both tenants and landlords' improvements of behaviour and the impact of licensing on the designated area over

the scheme's lifetime. This would improve transparency overall.

<b>Method of collection</b>	<b>Resident/Business</b>	<b>Landlord</b>
Web/Desktop PC	25	383
Web/Tablet Device	167	9
Web/Smart Phone	-	113
Paper keyed	1415	0
<b>Total</b>	<b>1607</b>	<b>505</b>

**Table 1: Method of collection summary**

Respondent type

<b>Resident or Business</b>	<b>Count</b>	<b>Percent</b>
Owner occupier	1031	64%
Private tenant	303	19%
Housing association	210	13%
Other	35	2%
Business	17	1%
<b>Total</b>	<b>1596</b>	<b>100%</b>

**Table 2: Respondent Type: Source: Q1 (R&B) - Which of the following are you?**

<b>Landlord Respondent Type</b>	<b>Count</b>	<b>Percent</b>
Landlord	452	92%
Managing/Letting agent	32	6.5%
Other	8	1.5%
<b>Total</b>	<b>492</b>	<b>100%</b>

**Table 3: Landlord respondent type: Source: Q1 (L) - Which of the following are you?**



## Summary of findings

### Sector Issues

Issues such as nuisance, ASB issues and poor quality/condition properties are common to both residents/businesses and to landlords.

Issues for Residents	Count	Percent
Nuisance and anti-social behaviour	763	30%
Badly managed rented houses	666	26%
Poor quality properties	547	21%
People not staying in the area	345	14%
Empty properties	229	9%
Total	2550	100%

**Table 4: Landlord and tenant issues. Source: Q3 (R&B) - Do you think your area has problems with any of the following? Count 1607**

Two third of resident participants reported that they have had a problem with privately rented properties. Examples of the kinds of issues raised included problems with anti-social behaviour and fly-tipping.

Most commonly landlords stated issues around low rent/rent arrears and tenants acting in an anti-social way (Table 5)

Issues for Landlords	Count	Percent
Rent arrears	130	72%
Tenants behaving anti-socially	53	29%
Problems getting references from potential tenants	42	23%
Difficulty finding tenants	30	17%
Over crowding	16	9%

**Table 5: Landlord Issues. Source: Q4 (L) - Have you had problems with any of the following?**

## Perceptions of Landlords

Table three shows that most commonly participants feel that landlords have no impact on an area. However, where an impact was felt, then most commonly (44%) the impact was seen to be a negative one.

Impact of Landlords	Count	Percent
Neutral	530	34%
Negative	434	28%
Very negative	253	16%
Positive	192	12%
Very positive	150	10%
Total	1559	100%

**Table 6: Perceptions of landlords. Source: Q6 (R&B) - Do you think private landlords make a positive or negative contribution to your area? Count 1559**

When asked what action that landlords should take, most commonly respondents felt that landlords should keep properties in good condition and make tenants aware that ASB is unacceptable. When asked how many landlords they thought would take these actions, over half stated that hardly any or no landlords would do so.

Actions to be taken by landlords	Count	Percent
Keep properties in good condition	1553	97%
Make sure tenants know that anti-social behaviour is unacceptable	1524	95%
Act against nuisance and anti-social behaviour	1479	92%
Get References for tenants	1430	89%
Total	1607	100%

**Table 7: Landlord Actions: Source: Q8 (R&B) - Do you agree that private landlords should take the following actions? Response is "Yes" Count 1607**

<b>Perception of landlord to take action</b>	<b>Count</b>	<b>Percent</b>
Hardly any landlords	795	53%
Most landlords	431	29%
No landlords	164	11%
All landlords	102	7%

**Table 8: Perception of landlord acting: Source: Q9 (R&B) - In your experience, how many private landlords will take these actions without these conditions? Count 1492**

## Council Intervention

When asked if the council should have more control over the way that landlords manage their properties, nearly three-quarters of residents and business responded in the positive, most commonly stating that the council should just take targeted enforcement of the worst properties and make environmental improvements (table nine)

	Count	Percent
Yes	1179	74%
No	242	15%
Don't know	176	11%
Total	1597	100%

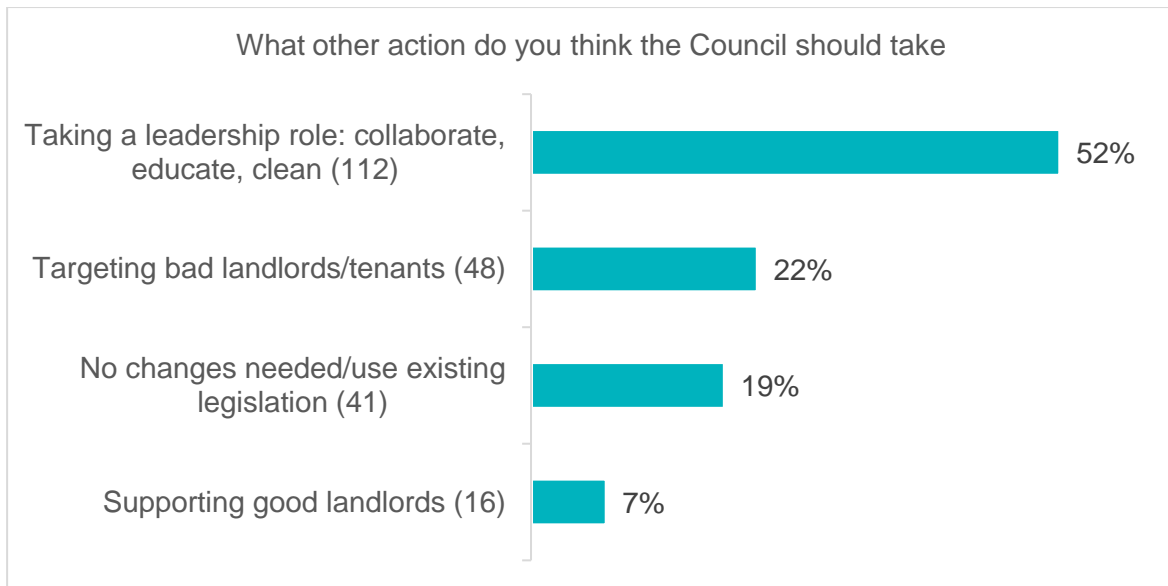
**Table 9: Council control: Source: Q5 (R&B) - Do you think that the council should have more control over the way that private landlords manage their properties? Count 1597**

	Resident/Business	Landlord
Targeted enforcement of the worst properties	43%	42%
Environmental improvements	41%	38%
Other	16%	20%
Total	100%	100%

**Table 10: Other actions. Source: Q14 (R&B), Q16 (L) - What other action do you think the council should take to improve the area? Count 2510**

Both landlords and residents agreed that the council should target enforcement of the worst properties.

When asked if Oldham Council should intervene in areas suffering from issues relating to poorly managed private rented properties, half of landlords agreed. However, 40% did not.



**Figure 1: Key themes in participants' responses on other actions**

### **Awareness of Selective Licensing**

Most commonly, residents did not know if their property was in a selective licensing area. However over 40% participants indicated that their home does lie within a selective licensing area.

	<b>Count</b>	<b>Percent</b>
Don't know	686	44%
Yes	644	41%
No	246	16%
Total	1576	100%

**Table 11: Source: Q13 (R&B) - Is your property in a current landlord licensing area? Count 1576**

Approaching 9 out of 10 Landlords responding indicated their property to be in a selective licensing area. Table 12 below show the areas represented by landlords.

<b>Selective Areas represented</b>	<b>Count</b>	<b>Percent</b>
Hattershaw	138	33%
Waterhead	80	19%
Hollinwood	53	13%
St Mary's	51	12%
Coldhurst	37	9%
Alexandra	30	7%
Oldham Edge	23	5%
Primrose Bank	12	3%
Sub- Total	424	100%
<b>Non-Selected Licensing areas</b>		
Chadderton	20	46%
Shaw	13	30%
Werneth	13	30%
St James	4	9%
Total	50	100%

**Table 12: Source Q6/7 (L) - In which of the following areas is your property located?**

Both landlords and residents/businesses were asked if they felt if/where selective licensing should be introduced. Across both cohorts there was considerable agreement that the scheme should be rolled out boroughwide (even nationally) or not at all.

When asked if they agree with the proposed selective licensing area only 12% landlords indicated a level of agreement

Figure three below summarises the key themes emerging from the 218 landlord responses to the question Are there any other areas where you think landlord licensing should be introduced

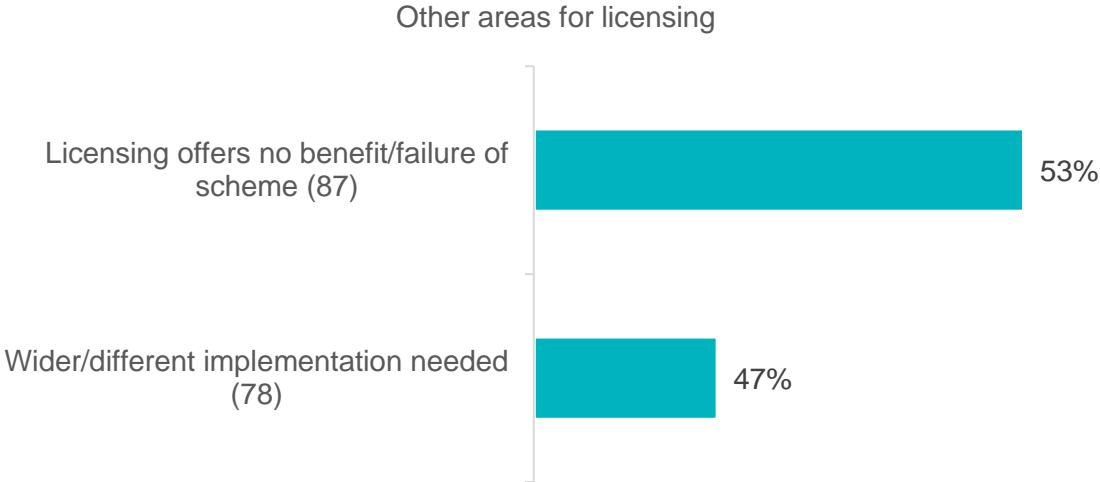
Most respondents (53%) feel that licensing offered no benefit or that the scheme has failed.

*'Licensing does not help - and many areas don't even have any issues to begin with! It makes worse for tenants, as landlords have no choice but to increase rents to cover these extra costs'*

*'It should be scrapped. No evidence it works. No idea where money is going'*

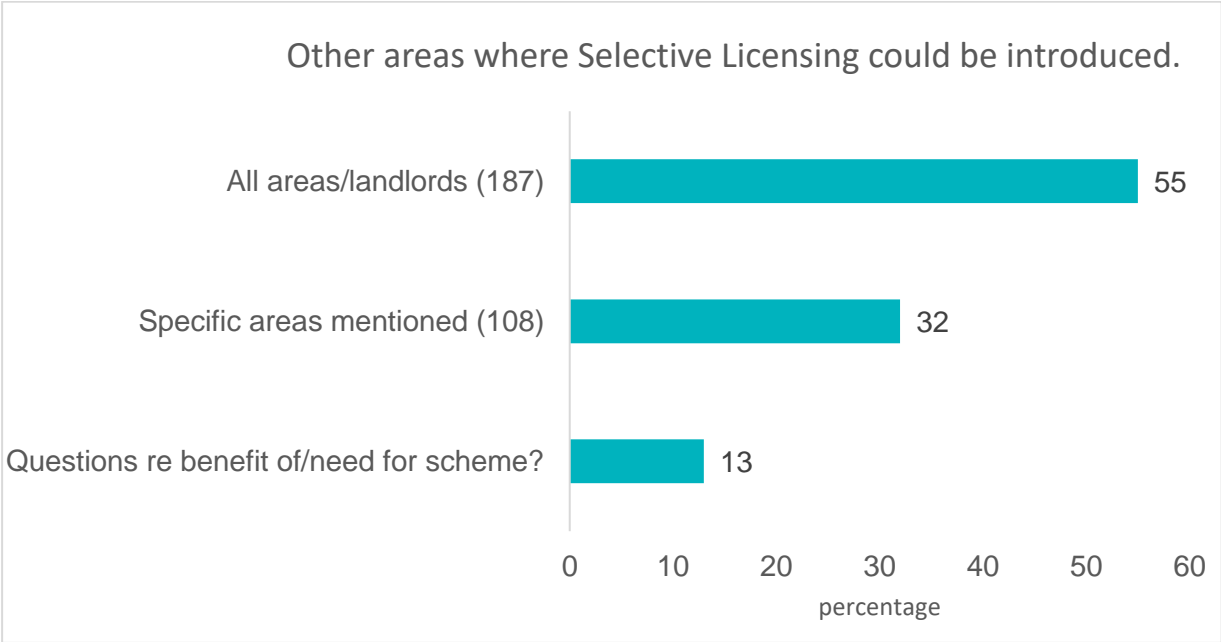
However, 47% state that the scheme should be more widely implemented.

*'All of Oldham area rather than selective licensing'*  
*'Either all the town or no area. Do not discriminate'*



**Figure 2: Key themes in participants' responses on other areas**

Q12 Are there any other areas where you think landlord licensing should be introduced?  
(See website [www.oldham.gov.uk/selectivelicensing](http://www.oldham.gov.uk/selectivelicensing) for maps of all selected areas)



**Figure 3: Key themes in participants' responses**

Most respondents (55%) felt that licensing should be introduced in all areas and apply to all landlords.

Specific areas were mentioned in 32% of responses, with the following most prominent:

<b>Area</b>	<b>Count</b>	<b>Percent</b>
Glodwick	16	15%
Werneth	13	12%
Hathershaw	13	12%
Coppice	13	12%
Clarksfield	13	12%

**Table 13: Prevalence of specific areas mentioned**



### Selective Licensing Impact (known and anticipated)

When asked if they felt that Selective Licensing would improve their area 58% residents or business responded positively.

	Count	Percent
Yes	919	58%
No	330	21%
Don't know	328	21%
Total	1577	100%

**Table 14: Source: Q10 (R&B) - Do you think that licensing private landlords will improve the proposed area? Count 1577**

When asked about the impact of licensing, residents most indicated that they felt no impact. Of the remaining 70%, most commonly participants stated that they felt they were more likely to get help from the council and to feel more secure in their accommodation.

	Count	Percent
None	489	30%
I know I can get help from the council	376	23%
Feel more secure in accommodation	295	18%
Matters are dealt with quicker	294	18%
Landlord has carried out repairs	209	13%
Better relationship with landlord	155	10%
I know who my landlord is	135	8%
I know where to go for advice about my tenancy	134	8%
Total	1607	100%

**Table 15: Source: Q15 (R&B) - What impact do you feel this has had or could have on you? Count 1607**

Only 6 in ten landlords agreed that poorly managed properties lead to the decline of an area.

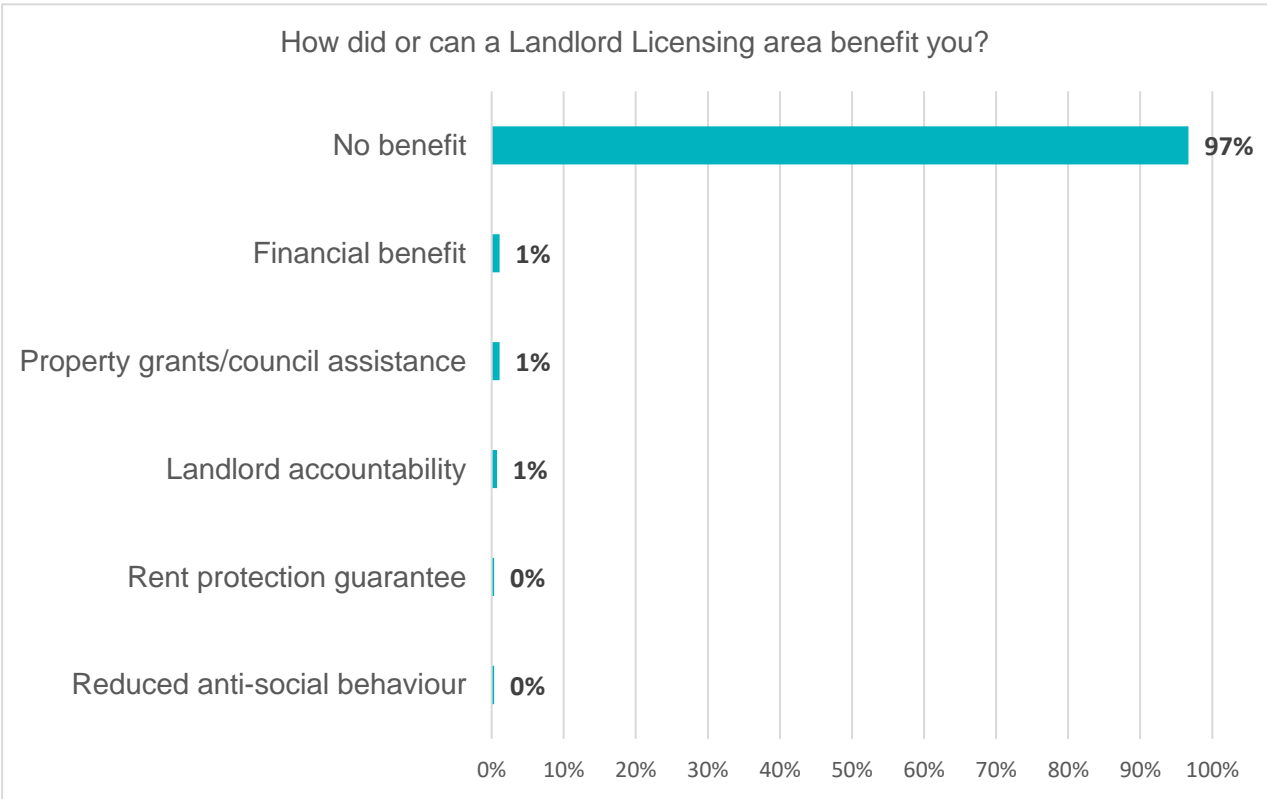
When asked if Landlord licensing can have a positive impact on privately rented properties only 17% landlords agreed compared to 69% who did not. Similarly, over three quarters of landlords disagreed that landlord licensing will help reduce problems of anti-social behaviour and/or criminal activity.

275 landlords indicated one or more benefits of licensing. Table 16 below shows that most commonly landlords felt that benefits other than those listed (figure four). Of those listed, landlords felt that licensing would lead to increased rents and longer tenancies.

	Count	Percent
Something else	155	57%
Increase rents	60	22%
Longer tenancies	38	14%
Reduction in issues from the property	37	14%
Standard documents	36	13%
Consistent advice	32	12%
Education/training opportunities	20	7%
Total	275	100%

**Table 16: Source: Q15 (L) - Selective Licensing benefits**

**How did or can a Landlord Licensing area benefit you?**



**Figure 4: Other benefits to landlords**

When asked how did or can a licensing area benefit you, the rest of the respondents believed that this would, or did, provide no benefit at all:

*“No benefit whatsoever. Most property safety checks & landlord documents are already mandated by law.”*

*“No areas”*

*“I have a good relationship with good long-term tenants. The scheme contributes nothing to me or my tenants”*

*“It does nothing to help us”*

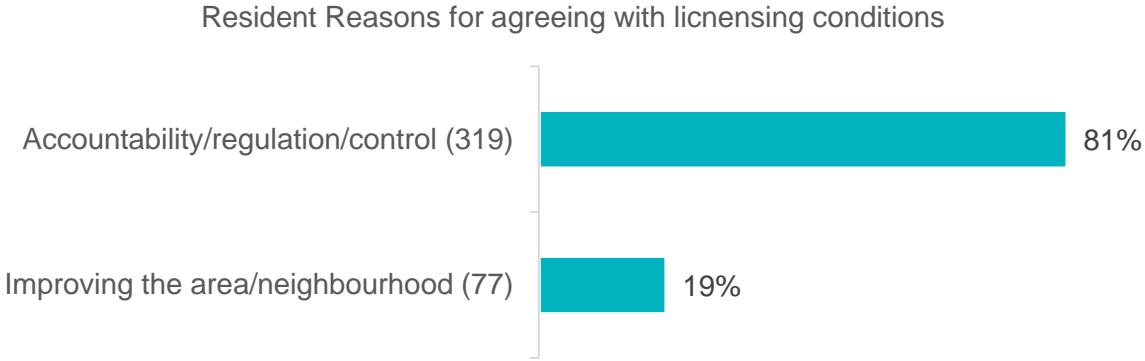
*“It costs me, but it doesn't benefit me at all.”*

*“I have seen no benefit during the last 5 years. Tell me what has been improved”*

*“It did not benefit me. I don't see the use for it”*

**Agreement with proposed licence conditions**

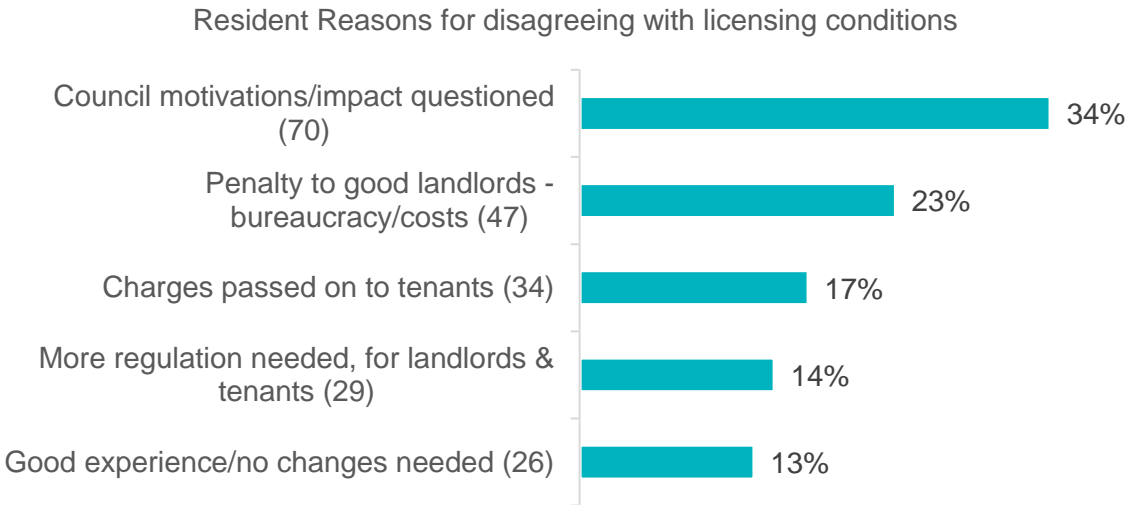
When asked 8 out 10 residents agreed with the proposed licensing conditions. Conversely 70% Landlords do not agree with the proposed conditions. A further 20% are undecided. Reasons for agreement and disagreement across both cohorts can be found below



**Figure 5: Key themes in participants' responses why they agree**

Most respondents (81%) feel that the proposed licence conditions will ensure accountability of landlords, and regulation and control of the rental sector (Figure five)

- 'as it will regulate who owns the houses and their tenants'*
- 'as renting increases, it is to avoid poor properties flooding the market'*
- 'because everyone has right to good quality safe housing'*



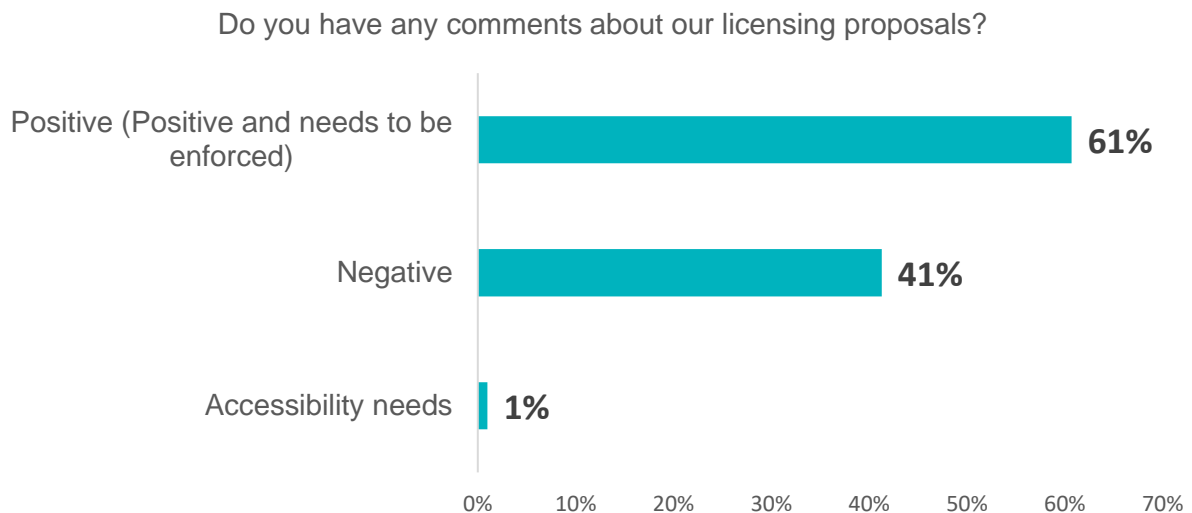
**Figure 6: Key themes in participants' responses why they disagree**

Disagreement with the proposed licence conditions centres on questions regarding the Council's motivations and impact (34%).

*'Another scheme for the council to get more money out of people'*  
*'it will not improve our area'*  
*'not needed and makes no difference'*

23% of respondents feel the proposed licence conditions penalised good landlords, while 17% think the additional charges will be passed on to tenants.

When asked for their views around proposed licensing conditions, over 60% were positive in their response.



**Figure 7: Resident views around proposals**

Of the residents who were asked whether they had comments about the licensing proposals, 61% expressed positive sentiments towards the idea:

*"I hope it will be implemented in my area."*

*"None at all, a serious landlord would welcome this as they are demonstrating their commitment"*

*"Please make it happen as this will contribute to making Oldham a great place to live. It is especially needed in areas that are being faced with problems around litter and*

*fly-tipping where there are lots of short-term rented properties. People come and go leaving behind all rubbish only to be dumped.”*

*“Think it’s needed to encourage responsible landlords”*

*“It will help improve the quality of private rented properties and contribute to sustainable communities”*

*“Should encourage landlords to understand that their duty to provide a decent home for their tenants, and to ensure that their tenants stick to certain standards of behaviour for other residents in the area”*

*“I agree with them”*

*“I Think it will help improve tenant’s behaviour and landlord’s responsibility”*

However, of these who welcomed the proposals, 30% of these were concerned about the need to make sure the proposals were implemented:

*“You have to impose and follow up with punishment”*

*“How is this managed? I live in Hathershaw and the area is flooded with horrendous landlords and tenants, properties in such poor conditions and full streets being decimated. No good charging for a licence if you’re not going to oversee that the conditions are being adhered to, quite clearly not happening.”*

*“No knowledge of such proposals however rogue landlords would not be deterred by licensing. More enforcement is needed instead of pointless charges for the majority. It is evident the unkempt properties by travelling through the town and good landlords will be penalised”*

*“It has to be regulated otherwise it’s just a money-making scheme by yourself and the council don’t have the best rep. It has to be managed correctly and not seen as a money-making scheme for the council.”*

*“The council need to keep up with the conditions and if they are broken the landlords need to face a hefty fine”*

*“As long as they are prescriptive, and the terms have teeth so to speak I will be happy. There will be a great many PL’s whom care for their tenants and many others whom are unscrupulous. I want the latter to be held to a meaningful account. The behaviour/actions of a PL have a massive effect on local communities.”*

Over 40% left comments that were negative in relation to the proposals. Among the concerns brought up were that the costs of the licence would be passed onto tenants in the form of increased rents, and that this would lead to less housing as landlords would be forced to ‘sell up’ or would have less money to improve properties:

*“A landlord has bought an empty property next to me and made it habitable, charging them fees will take money away from them improving the property. The council and police should be responsible for anti-social behaviour and not private landlords, they are not there to police other people’s behaviour.”*

*“Pointless exercise as I can report any issues my landlord does not sort out to environmental health.”*

*“Current and proposed licence condition adds no value to landlord or tenants. It only increases rent.”*

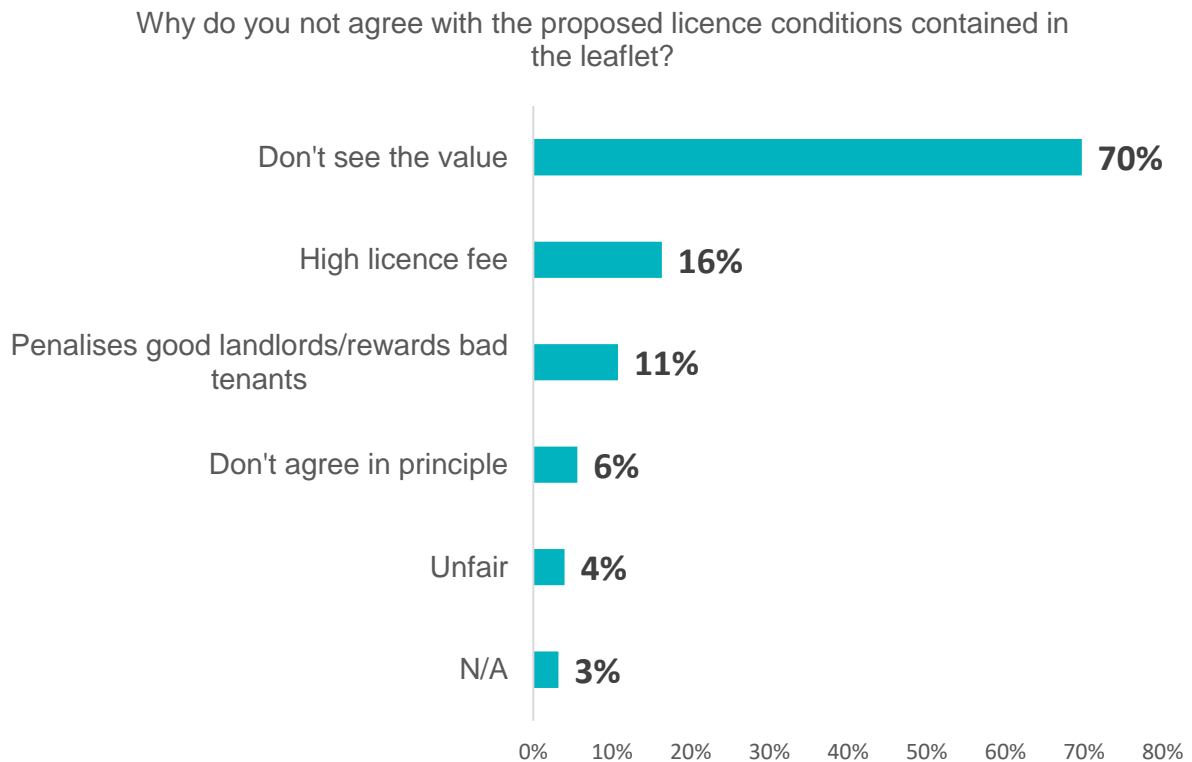
*“Get rid of the licence! It has a detrimental effect on us tenants. Landlord has said it’s not worth the hassle anymore. So, when they sell up, we will end up in a shelter or hotel. Cost of doing that doesn’t stack up as it’s too much pressure on landlord. He will sell 17 properties!”*

*“Extra charges will be passed on to tenants , rent is already too high. Should be dealt with on a one to one basis. If the property is not up to standard them you should be able to report them . But not charge everyone. Some are spending thousands on renovating properties. And we need these property.”*

*“Yes, it does nothing to help the landlord, tenant or community but increases cost without benefiting anyone.”*

*“Scrap it. It has a knock-on effect. You charge them and they pass it on to us people who have hardly any money left. Council not bothered landlords have money social*

*tenants live on the breadline and become poor. Kids grow up in household where there is no money and left behind compared to other children.”*



**Figure 8: Landlord disagreement with licensing conditions**

Of the landlords who stated they didn't agree with the proposed licencing conditions, 70% stated that they failed to see the value of the proposal. Of these, a significant minority believed that the proposals simply represented a way for the council to make money.

*“we don't see the value”*

*“Just think nothing works only money-making landlords should know the law”*

*“Money making scheme by the council. Don't ever come out sort any of the problems out.”*

*“What exactly do you provide? Complete waste of a department.”*



*“No clear evidence to suggest that the licence works and is just a money scheme to obtain funds”*

16% of those who disagreed with the proposals stated they felt this way because the licence fee was too high and should be reduced:

*“Licence fee is very high. Also, the boundaries seem to be very hard to understand.”*

*“My experience: Lengthy application process, high licensing fee, little support from council.”*

*“I think the fee is extortionate and the council has not utilised it correctly to improve the conditions”*

*“It's ridiculously expensive, and is solely focussed on landlords, not bad tenants”*

*“The fees are too high and to provide with a gas safe certificate yearly is too costly”*

*“Cost is excessive for granting of licences”*

*“The costs do not justify the benefits”*

## Miscellaneous

When asked about the method payment they would prefer, over half stated a preference for a reduced fee for an existing license holder.

	Count	Percent
Reduced fee for existing license holder	273	56%
Reduced fee for multiple properties	164	34%
Other	124	25%
None	112	23%
Two Instalments	78	16%

**Table 17: Method of payment**

## Information and Advice

6 in ten landlords have not contacted the Landlord Licensing Team. Of the remaining 20% contacted the team but did not receive assistance and 18% received assistance.

	Count	Percent
Advice	101	55%
Education	2	1%
Joint Visit	13	7%
Referral to another agency	3	2%
Change in policies and procedures	61	33%
Training	3	2%
Total	48	100%

**Table 18: Information and advice**

## Organisation Membership

- Over three quarters of landlords indicated that they are not a member of a landlord/letting agent organisation.
- Half of those stating membership were members of National Residential Landlord Association with a further 10% members of the National Landlord Association.
- A total of 26 different organisations were named

## Mitigation

Who You are asking - Stakeholder Group e.g. residents, businesses, service users etc		How information is received e.g. via questionnaire, focus groups, letter, phone call, email etc.	Feedback (if possible specific details, including any concerns about the proposals)	Action proposed in response to feedback, including any proposals for mitigation
Landlords		Survey	Although not a common theme a small number infer that Selective Licensing is racially motivated	
Landlords		Survey	As above some infer that Selective licensing is a back-door tax	

# Appendices

## Appendix One : Figures

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