



**Proposed Extension of Selective  
Licensing in Wirral to four  
designation areas within Wirral  
Council**

Report of Public and Stakeholder  
Consultation

September 2018

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## **Executive Summary**

### **Introduction**

Wirral's Cabinet gave approval on 27<sup>th</sup> November 2017 for the Council to undertake a minimum of 10 weeks consultation on proposals to extend selective licensing into four further areas of Birkenhead and Wallasey which are experiencing low demand and poor property conditions, and to amend the existing licence conditions. These areas are:

Birkenhead Central  
Birkenhead West  
Hamilton Square  
Seacombe St Paul's

Individual addresses and maps were made available on the Council's website so that landlords and residents were able check whether their property lies within the boundaries of these proposed scheme areas.

If a Selective Licensing Scheme is declared in an area, all private rented sector properties (who do not already hold a mandatory HMO license) will be required to hold a license for 5 years with the aim of improving the management standards, property condition and ultimately the stability in these communities which currently have a high level of transient tenants and empty properties. Landlords who rent a property in the area will be required to be a 'fit and proper person' and will be required to conform to a set of license conditions. Revised draft Licensing Conditions were also available via the website for comment.

A Selective License Business Case was prepared giving the reasons why the Council is looking to extend selective licensing. This document also provides the evidence base used to identify proposed areas. This document has been revised following the completion of the consultation exercise to reflect the views expressed by stakeholders.

Various consultation methods were used for different stakeholder groups such as specific meetings with residents, landlord associations and local managing agents. In total 621 people and organisations have responded to the consultation, broken down as follows:

- 529 responses received to the on line survey and hard copy questionnaires
- 10 written submissions (eight emails and two letters)
- 6 landlords and agents attended three Selective Landlord meetings
- 44 landlords attended four focus groups
- 32 residents attended five open forums

Wirral Council was aware at the outset that there would be strong feelings both for and against these proposals and acknowledges that the critical considerations are the

strength of the arguments and evidence submitted by supporters and critics for their respective positions. It is for this reason that in addition to the on-line survey, the Council invested significant resources in face to face consultation and discussion groups where qualitative responses could be recorded.

Throughout this document general responses have been provided to queries raised through the various consultation mechanisms. To avoid repetition, the first response provided to a query (which may be repeated elsewhere in the consultation) should be considered as having answered all subsequent queries of the same nature.

Officers and Elected Members are invited to review the considerations emerging from the wide ranging consultation which has taken place whilst taking account of other relevant evidence including the Business Case and Evidence Base. Any final decision on the extension of selective licensing and the operation of any further scheme will depend on the assessment of the merits of licensing as public policy.

### **Summary of Key Messages from Consultation Findings**

- From the on-line survey, the overwhelming majority (76.55%) of respondents either strongly agreed or agreed with selective licensing proposals compared to 11.53% who either strongly disagree or disagreed.
- 51 of the respondents to the on-line questionnaire, and many of the landlords and agents who attended the workshops made comments in support of the proposal. A common view was that whilst good landlords were already meeting these requirements, there were unscrupulous landlords that were neglecting their responsibilities and selective licensing would provide greater protection for tenants. Landlords also expressed their opinions that extending selective licensing will improve more areas, help average landlords perform better and allow landlords to receive support.
- There were a significant number of respondents to the on-line questionnaire who thought that the scheme should be extended to further areas or across Wirral as a whole rather than being limited to small areas. In addition, several written responses received supported these views and also suggesting specific areas that could be included.
- There were 38 general comments submitted via the on-line questionnaire against the proposal to extend the Selective Licensing scheme. A number of reasons were highlighted for this including unnecessary regulation; it is penalising good landlords while not addressing the bad; the Council already has existing powers to tackle poor landlords, there are few benefits for landlords and it will increase rents as landlords will have to pass the costs on to tenants. These views were also supported to some extent by those attending the landlord and agent workshops, and further included issues such as the extension of the scheme

would be discriminatory to good landlords, and specific blocks of flats or roads should be excluded as there are no issues were also highlighted.

- A number of landlords who are against the scheme being both introduced and extended further, suggested the existing landlord accreditation scheme was adequate for good landlords and as they were accredited, they should not have to pay an additional selective licensing fee.
- In addition to the general comments against selective licensing, there were a substantial number written comments received to the on-line questionnaire as well as comments made during workshops, relating specifically to fees. Many of the comments suggested the scheme was a 'money making exercise' for the Council and that landlords would sell their properties rather than pay the fee associated with selective licensing. Others said that they were already operating at reduced margins due to changes in tax relating to letting properties and increased regulation at a national level and they felt that selective licensing fees were therefore not affordable. Many of the comments referred to the fee as an additional tax on landlords.
- 64 respondents made neutral comments through the on-line questionnaire that were neither in support of nor against selective licensing but offered wide-ranging suggestions or observations about how the scheme should operate on a practical level. These suggestions have been considered in the revised fee structure, draft conditions and other operational considerations.

## **Overall conclusions**

Opposing opinions on licensing cannot be reconciled in a policy that is equally acceptable to all. Therefore whilst this document sets out all views it is not set out to make recommendations. All of the above responses have informed the proposals and changes to the scheme which have been incorporated in the final Business Case.

Wirral's consultation exercise for selective licensing has been designed to be sufficiently robust and wide ranging to ensure that all affected residents, landlords and other stakeholders had a reasonable opportunity to participate and feedback their views. Overall more than 22,000 stakeholders were directly invited to respond to the consultation exercise via direct e-mails, letters and postcards through doors. In addition a bespoke web-page was created, adverts placed in local press, information presented on social media, presentations run on a loop on plasma screens in the one-stop shops, posters put up in the proposed selective licensing areas, community drop-in events and landlords forums held.

There is a clear mandate for extending selective licensing into four further areas, which is supported by the majority of those who completed the on-line questionnaire, and reflected in their comments. Despite this, many landlords oppose the licensing fee on

the basis that they are meeting the requirements already, they consider the existing regulatory powers are adequate, only poor landlords should have to cover the costs of the scheme and that they have limited resources to be able to pay this additional charge and therefore will pass on additional costs to tenants or they will have difficulty paying for essential repairs if licensing is introduced.

## **Landlords and Agents Views**

### **Forums**

Four landlord and agent groups were initially set up to capture views of landlords and agents, and provide an opportunity for discussion and engagement about the proposals.

To enable as many landlord and agents to attend as possible, the groups were set over two days, more than two weeks apart. The first day of workshops was planned for Monday 15<sup>th</sup> January. 16 landlords and agents attended.

Specific notification of the sessions was:

- Placed in the Landlord Link-Up newsletter (an electronic newsletter sent to 1019 accredited landlords, developers and those who have expressed an interest in receiving Landlord information from Wirral Council),
- An email sent to 1019 landlords who are known to receive Housing Benefit, or who have signed up to receive relevant information from the Council.
- placed on the Council's website ([www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing)),
- Tweeted to all those who follow Wirral Council's twitter account,
- Placed on Facebook,
- Specific invitation.

For the second arranged day, Thursday 1<sup>st</sup> February, 15 landlords attended the morning workshop with a further six attending the evening.

All landlords who wanted to raise issues were accommodated, and those unable to attend a workshop on either day, were invited to speak with officers individually in order to have views recorded and included with other comments for the consultation report.

Following the completion of the workshops, and as the consultation continued, some landlords and agents requested a further opportunity to attend a workshop, so a further session was arranged for Tuesday 13<sup>th</sup> March. This was attended by six landlords and agents.

In total, 44 landlords and agents attended the workshops over the three days which were facilitated by staff members from the Council's Housing Services team and points raised during the sessions were noted. The notes for all sessions are attached as Appendix 1 to this report.

The key points and comments landlords and agents made were captured and collated as per the information below. As well as providing views for this report, in order to capture quantitative data, landlords were requested to complete an online survey to express their agreement or disagreement with the different elements of the proposals. In general, the vast majority of the landlords and agents who attended the workshops felt that extending selective licensing into four new areas was a good idea, especially if landlords were able to utilise Council services to assist with their tenants or properties,

with typical comments expressed including ‘fully support the scheme’ and ‘understand why these particular areas were selected’, and others who expressed that they feel the scheme has made landlords perform better which included comments such as:

*“Licensing is a good idea.”*

*“selective licensing can only be good for the areas.”*

*“I agree with the scheme in general and feel fees are reasonable. I believe the scheme has made average landlords perform better.”*

*“The scheme is a good idea as long as landlords receive support.”*

Not all landlords supported the proposals for various reasons but some expressed it was because not all of the areas need to be improved or because they believe the scheme is unfair, with comments such as:

*“We are paying for the poor landlords.”*

*“There is a distrust of Council because no-one’s going to benefit!”*

*“The scheme feels discriminatory against good landlords.”*

*“[specific road] should not be included in the scheme as it has no issues.”*

*“[my property] is in a purpose built block and is intensively managed so there are no benefits to selective licensing for us.”*

**Response:**

The existing scheme clearly demonstrates that poor landlords are being prosecuted and fined which creates a more level playing field for those good landlords operating in these areas. Experience of operating Wirral’s accreditation scheme has demonstrated that poor landlords are unlikely to join a voluntary scheme, which is why the mandatory approach using Selective Licensing powers is needed as an additional tool to address poor standards in the private rented sector as a whole.

The evidence base has been developed through analysis of a range of data sets using Lower Super Output Areas (LSOAs) which are the smallest geographical areas where national data sets can be obtained which is why particular streets have been included and whilst some consultees may not think their road has any issues, it is important to recognise that not all issues are visible to local residents. Any evidence that has been sent in for particular exclusions or additions has been fully considered as part of this consultation.

The scheme benefits areas as a whole by enabling:

- improved communication with council services ensuring residents and stakeholders views are considered and they have the opportunity to be involved in what is being done in their area
- access to targeted Tenancy Support Services when required
- access to targeted support from the Anti-Social Behaviour Team when required
- targeted interventions to address fly tipping, poor household waste management and litter
- access to enhanced grant funding for empty property grants.
- a better understanding from landlords and managing agents of their statutory responsibilities through appropriate training and briefing sessions
- improved reputation of private landlords
- improved confidence in local housing markets and potential growth in property values in the area
- Improvements to peoples quality of life, along with the image and desirability of an area
- reduction in the number of empty properties and associated blight in an area
- producing more settled communities

Information and access to future Government Initiatives to fund improvements to areas and properties can be targeted to Landlords who are part of the scheme.

Landlords and agents who attended the workshops were keen to understand the impacts and outcomes of the existing scheme and suggested regular correspondence and news articles to promote good news stories and prosecutions of landlords with properties in poor condition. Some of the comments received included:

*“To what extent has the existing scheme affected empty properties in the areas.”*

*“What has been the impact of the existing scheme generally and is there any evidence of the existing scheme working?”*

*“Will the existing Scheme automatically run on when the five year period is up?”*

*“Why are we rolling out the scheme now when we said we wouldn’t for at least five years.”*

*“There should be greater promotion of the benefits of the scheme and good news stories”.*

*“Regular correspondence is needed from the SL team regarding updates on the scheme; [as one landlord was not aware of the Healthy Homes team and the work they do].”*

**Response:**

There was a small reduction in empty properties early on in the scheme however until a full review of the existing scheme will be carried out in autumn 2019, it is difficult to be clear on the scheme impact on this. Clearly there is still work to be done and the introduction of enhanced grant funding for empty property grants will enhance this further.

It is still too early to assess whether or not Selective Licensing has had its intended impact of reducing low housing demand, however an initial review of the scheme was undertaken in 2017 along with a residents and landlord survey to gauge some initial views on progress. Whilst feedback showed that after 18 months residents did not yet see big changes in Selective Licensing Areas, feedback was positive in many aspects such as a high overall satisfaction with the areas and improving property conditions. In year five both the existing and proposed schemes will be reviewed. Following the full review of the existing scheme, a decision will be made to either allow the scheme to finish at the end of the term, or whether a new consultation exercise should be undertaken to re-designate a new scheme in the same area for a further 5 years. The evidence base that was used in the original Business Case will be refreshed to measure the impact of the scheme since it was first introduced.. The expansion of the existing selective licensing scheme was requested at Cabinet on 18th July 2016 when the Council leader requested they would like to see selective Licensing operating in more areas over the next 5 years (minutes refer). An action to take forward a feasibility study to explore extending Selective Licensing was subsequently incorporated into Wirral’s Housing Strategy, published in July 2016 as an action to be taken forward.

Wirral Council recognises the need to improve awareness of the Selective Licensing scheme and promote success, so will ensure this happens more proactively moving forward. In particular a newsletter will be regularly produced in the areas to support this.

Another landlord shared his experiences of having to licence 38 properties across the scheme area in particular the fact that he had to complete 38 licence applications to have his properties licensed. He requested that this is considered before the scheme is extended.

**Response:**

This suggestion has been actioned with a new software system that has been procured for HMO Licensing that could be used for the proposed new Selective Licensing Scheme. This will introduce a more streamlined system so that landlords with multiple properties only need to input their details once.

Overall, landlords and agents were supportive of the intentions of selective licensing, however there was concern that the Council was not doing enough to support landlords with poor tenants in these areas. In some workshops, landlords said they had seen the impacts of reductions to front line services e.g. police, mental health services and social workers on their tenants. They were increasingly having to take on the role of social workers or tenancy support officers and seemed to be letting to an increased number of tenants with mental health, drug or alcohol addictions, and for example tenants hoarding which is difficult for landlords to address.

*“The mental health of some tenants is a big problem.”*

*“Landlords have to deal with tenants with additional support needs, such as alcoholism that the landlords do not get paid for.”*

**Response:**

Wirral Council recognises some of the complex issues landlords are dealing with in relation to their tenants. The scheme offers the benefit of ongoing improved communication with Council services and in particular, access to free targeted tenancy support services and where required, support from Wirral's Anti-social Behaviour Team to address issues. In addition conditions are in place to ensure landlords have a clear framework to help them manage their properties. .

Landlords and agents discussed in detail the issues they had experienced with tenants and felt the scheme would benefit from responsibilities being placed on tenants as well as landlords.

There were discussions about tenants damaging properties and the Council then carrying out enforcement action against the landlord for poor property condition.

*“Tenants are responsible for 60% of the poor property condition in rented properties, and they should already be able to report any issues to the Council.”*

*“Will selective licensing insist that the tenant will keep the property in a good condition?”*

*“Landlords can bring properties up to required standards however sometimes the tenant damages the property, with licensing expecting the landlord to carry out and pay for the repairs – sometimes this can be a never-ending cycle and affects the landlord's return on investment.”*

**Response:**

Landlords are obliged to regularly inspect their properties to ensure that they are being kept to a decent standard. Wirral's conditions are clear this should be done at least every twelve months. Landlords may wish to carry out more frequent checks, however it is important that when breaches of Tenancy are identified these are acted upon promptly.

Conditions are in place to ensure landlords have a clear framework to help them manage their properties and support is available to address issues in relation to their tenants' ability to manage and maintain their homes. When inspecting properties, officers have regard to lifestyle issues associated with individual tenancies and will consider this when determining what course of action to take in addressing disrepair.

During the workshops, several Landlords and Agents said they felt that selective licensing conditions which stipulate the landlord is responsible for the behaviour of tenants; being a nuisance to neighbours and also their anti-social behaviour were not fair to landlords as they considered that tenant behaviour was not their responsibility.

There was also a concern that the Police don't share information on problem tenants as landlords were aware the Police had been involved with their tenants but they had been unable to find out what trouble they had been in.

Comments included::

*"tenants should be held accountable for their behaviour not landlords."*

*"Big complaint is that licensing doesn't take account of tenants, there is no accountability for them, getting away with murder. I will probably sell-up as it's too expensive to keep repairing property due to tenants' behaviour."*

*"Tenants get away scot-free."*

**Response:**

Landlords should ensure their Tenancy Agreement provides conditions to allow the property to be managed effectively and any breaches of the tenancy enforced. This should include conditions such as:

- a requirement to report any necessary repairs
- access rights for inspection and repair
- requirement to allow access for improvements
- dealing with any tenant damage
- anti-social behaviour, including that caused by visitors

Landlords and agents must emphasise the terms of the tenancy to new tenants at sign up along with making the tenant aware of any possible enforcement action that can be taken when the tenant signs the tenancy agreement.

The official Government guidance states that: *“A landlord has responsibility to ensure persons he has permitted to reside at a property do not cause an annoyance or nuisance to other persons residing in it, or other persons living, working or visiting the immediate neighbourhood. If anti-social behaviour is being carried out within the immediate vicinity of the property and is being caused by the occupiers of it, then it would be reasonable to expect a landlord to ensure that those persons are not conducting themselves in a way that is adversely impacting on the local community. This applies equally to visitors to the property.”*

Landlords must manage their tenancies and ensure that anti-social tenants are given warnings about their conduct and where necessary terminate tenancies for persistent anti-social behaviour issues. One of the many benefits of the Selective Licensing scheme is that when required Wirral Council can enable access to targeted support from its Anti-social Behaviour Team for landlords and residents to help address issues relating to anti-social behaviour. This can include access to mediation services and also case management services where enforcement action is not appropriate ensuring tenants and landlords can contribute to addressing these issues as quickly and effectively as possible.

Some thought the Council should do more to help:

*“Will the Council work with the landlord to assist in evicting a tenant if required?”*

*“Where tenant is receiving HB and not paying the rent, the LA needs to take word of landlord, tenant’s word is always taken as the truth. More assistance in general needed from HB team”.*

*“Landlords asked why the Council could not keep a register of bad tenants as they had been asking for this for years, and they considered it was the one thing that would make a major difference to improving these areas if the Council could stop these tenants from moving round every 6 months to another unsuspecting landlord.”*

**Response:**

The Council will not take action to assist with evicting tenants, however the aim of Selective Licensing is to assist tenants at a much earlier stage before eviction is considered as the only option. Currently the Healthy Homes Scheme will engage with both landlords and tenants in Selective Licensing areas whether there is a potential at risk eviction and signpost to a range of services for example floating tenancy support or benefits / debt advice or the ASB team. We are not able to keep a public register of bad tenants for legal reasons, but equally the Council has a duty assist anyone who is homeless or in housing priority need and therefore our preferred approach is to work with tenants with more complex needs and put in appropriate support so that they can maintain tenancies going forward.

Whilst discussing the issues landlords have with tenants, landlords talked of tenants not wanting to let landlords or agents into the property. Several landlords were not aware of the Healthy Homes Team or how they can often assist by mediating between landlord and tenant to gain access, support changes in behaviour and address any issues relating to problem neighbours and antisocial behaviour. It was acknowledged by landlords and agents this was a good service and would be useful as some tenants do not even want the inconvenience of improvements or do not report repairs to landlords which could become a problem if the property did not meet the required standard:

*“How do tenants view Healthy Homes? As part of the authority or as help?”*

*“Some tenants do not want the bother of improvements, so this could be a problem if the property did not come up to the required standard.”*

*“Properties may be decent, but if you haven’t got tenants in who want to look after them, they will end up in poor condition”.*

*“Sometimes landlords cannot get into their properties to carry out repairs; this means that the property may not meet the required standard. How will the Council deal with this?”*

*“How will inspectors gain access to properties?”*

*“There are many examples of poor tenants and poor communication – landlords are often not advised if repairs are needed.”*

**Response:**

Wirral’s Healthy Homes Scheme has been very successful in engaging with tenants and working with them for example to allow access to the property so their landlord can carry out essential repairs or routine safety checks. They will also work with tenants and engage specialist help to ensure that tenants who put their tenancy at risk understand their tenancy obligations.

Landlords may wish to obtain a disclaimer where improvements are refused by a tenant and kept as evidence. If however the improvement relates to Health and Safety or is a recognised danger to the tenant, then necessary enforcement should be taken by the landlord to complete the improvement.

There were also discussions around rents, with some landlords noting there has been no increase in the level of LHA rates for some time. Many landlords therefore charge a top up to the rent which has a cost implication when collecting it. One landlord shared his experience that 20% of his tenants in the Birkenhead area are in rent arrears, noting

that this is becoming a major problem for him and it is very costly to evict for non-payment of rent.

**Response:**

Local Housing Allowance Rates are informed by the Valuation Office Agency. How much tenants receive is based on where they live, household size,, income and circumstances. Wirral Council Healthy Homes Team which operates in the Selective Licencing areas, can refer tenants on for benefits advice as well as budgeting advice where tenant have expressed difficulty with their rent payments and other household bills.

The majority of landlords would like to see good tenants living in their property who want to stay long term and with whom they can engage, and were interested to hear about the services offered in selective licensing areas by the Healthy Homes team. This team work with tenants, landlords and other key agencies to address behaviour issues not just in the home, but also the local area to improve communities and hopefully encourage tenants to stay long term.

The requirement for a landlord or agent to obtain references for tenants was generally felt to be a good thing, especially where tenants cause problems, but bad experiences have given several landlords and agents a lack of trust in the references obtained which they felt were given so that the existing landlord can 'get rid' of a problem tenant:

*"Landlords don't give fair references even if they have difficult tenants as they just want them to move on. The landlords agreed that they were guilty of this as well as the Registered Providers (RPs) - Housing Associations."*

*"Under the proposed scheme, would tenants require a guarantor?"*

**Response:**

While it is acknowledged that not all references are adequate, Licence conditions require that references are requested for any potential tenants and landlords should be discouraged from taking tenants with a poor reference up to individual landlords to decide whether new tenants would require a guarantor.

During the workshops, landlords and agents discussed the proposed fees and fee structure of a licence, and asked many general operating questions over payments for licence fees and discounts. Landlords and agents were split about the cost of the licence, as some thought the fee was reasonable whilst other felt it was expensive.

During the workshops, landlords and agents were keen to find out what discounts were available and whether they could pay the fee in staged payments but others did not see the discounts as a positive thing, comments and suggestions included:

*"I agree with the scheme and feel the fees are reasonable."*

*"I think fee is high and current discounts are definitely required to bring the fee down. Agreed with current discounts but there should be more than just a £50 discount for licence holders with more than one property. Landlord stated that discounts were irrelevant but if thought was getting value for money from the scheme would be fine."*

*“Rentsmart in Wales £200 for their whole scheme and I cannot understand why Wirral’s fees are so high in comparison.”*

*“Landlords would be interested in the discount, what is going to be offered?”*

*“Will there be a facility to pay the licence fee by direct debit over a period of time.”*

*“I don’t want properties accredited. There should be one blanket charge across all properties with no discount.”*

*“Discounts should not apply to landlords who have been prosecuted previously.”*

*“Does it cost the tax payer or is the scheme fully funded through the licensing fee.”*

*“Fees should be set with no discounts.”*

*“Salford gives exemptions for 3 months.”*

Suggestions for further discounts included:

*“There should be a discount for membership of national body (eg NLA/RLA) without the need for the property to also be accredited.”*

*“Discount for landlords who take tenants on through Housing Options and PPP.”*

*“Discount based on individual property condition.”*

*“Discounts for attending courses and holding professional memberships.”*

*“Whether accredited or not, if the landlord is good, they should get a discount.”*

Several landlords and agents who attended the workshops believe that some landlords may increase rents to recoup the cost of licences, and the scheme may result in an increase in empty properties, or alternatively landlords will sell their properties.

**Response:**

The Housing Act 2004 stipulates that local authorities may charge for the introduction and administration of a Selective Licensing Scheme; however they cannot make a profit from such a scheme. The existing Selective Licensing scheme is subsidised by Council funding, however efficiencies gained from the processes of the existing scheme, which are now well established, means a reduction in the amount of funding required by the Council can be achieved while passing on savings where possible to landlords.

The Council has been reluctant to pass on increases in staffing and associated costs to landlords since the first scheme was introduced, however a new software system has been acquired for the extended HMO Licensing Scheme (due to go live in October 2018) which could also be used for Selective Licensing. This will further streamline the application process and generate a small saving to the overall cost of the license which will be passed on to landlords.

It is difficult making comparisons on fee levels for much larger schemes, as schemes are not being compared on the same basis, however Wirral's fees compare favourably with other similar sized selective licensing schemes Landlords can also apply for a Temporary Exemption for 3 months as with Salford's scheme providing there is evidence that the property is being actively marketed for sale.

The overall license fee for the proposed scheme has reduced to £645 per property for the five year duration of the scheme. Discounts on the fee include:

Accredited with the Council or a national landlord association scheme	£100 discount.
Early Bird Discount (for applications within 3 months)	£100
Multi-property discount for 2nd and subsequent properties	£50 discount

There will be an additional charge of £50 per property for payments by instalments and £50 per application for landlords who make paper applications or request assistance to make an on-line application in Council Offices.

Increasing rents will be a commercial decision by the landlord, however the benefits of the scheme will help to increase demand for housing and help to reduce the rate of long term empty dwellings. In turn this will help landlords recover the cost of the license fee without passing the cost on to the tenant.

This was not always considered a bad thing, as other landlords were interested in buying properties from those who did not want to be part of the scheme. This was at odds with other landlords and agents who felt that selective licensing puts off prospective landlords from buying properties in the area and comments were also made about money that would have been invested into the properties would now be diverted to pay for a licence fee:

*"I believe the scheme may free up cheaper properties which have been poorly managed in the past, which I would be interested in purchasing and manage well."*

*"Council needs to understand landlords have made an investment. If a house needs a lot of money to meet licensing conditions, the landlords will get rid of the property."*

*"The scheme would be a disincentive to invest."*

*"Can be pushing decent landlords out as wont be prepared to invest."*

*“£695 could be better spent on the property rather than the license fee.”*

Some landlords and agents expressed concerns about the cost to the Council, and whether or not the council will extend the scheme borough-wide.

*“Are Councillors concerned as the Council will have to part fund a new scheme as it cannot afford to pay for itself entirely, and the Council’s income has been cut.”*

*“I have concerns about Wirral carrying out a borough wide scheme as Liverpool has done.”*

**Response:**

There are currently no plans for selective Licensing to be a borough wide scheme as in some local authority areas.

Any decision on Council funding will be a matter for the Council’s cabinet and subsequently full Council to decide.

There is currently no evidence that landlords are not investing in their properties in the current Selective Licensing areas as a result of the scheme; rather there is evidence that properties continue to be bought in these areas and investments in improved property condition following compliance checks. The full review of the scheme in 2019 will look at this evidence more closely.

There were many general discussions about the scheme across the four workshops, about how landlords were operating in an increasingly difficult environment with increased regulation from central government and less favourable tax changes and welfare reforms, which included the introduction of Universal Credit which has limited direct payments and delays in payments. Landlords and agents repeatedly wanted to know what the Council would provide for the licence fee, and why the scheme was good for landlords, sometimes offering suggestions as to what they would like to see:

*“Landlords don’t evict easily due to loss of income: when notice to quit is given, the tenant stops paying rent immediately, landlord goes to court, 56 days with no rent, if tenant refuses to leave landlord has to pay for bailiff too. No help from the LA in these circumstances.”*

*“No margin in property; no relief on interest and landlords need 10% returns to make it worthwhile due to the need to intensively manage many tenancies.”*

*“Several landlords would like to see group repair ‘façade grants’ that the Council has delivered in Birkenhead in the past rolled out as these had been very successful.”*

*“I would like confidence in the Council improving street-scenes which will make roads and areas more desirable, as poor external decoration has a detrimental effect on tenants.”*

There were discussions around how difficult it was for tenants to know who is responsible for specific issues, where a landlord uses an agent. This could be addressed by having a licensee who then must take responsibility. Comments included:

*“Managing Agents pass the buck to landlords and take no responsibility.”*

*“Problems in the area with absentee landlords, some living abroad. Sometimes agents don’t care.”*

**Response:**

Whoever is responsible for the management of a property should hold the License. This can be the Management Agent. A License will be issued to the most appropriate person, i.e. the person responsible for the day to day management of the property whether the landlord or the agent. The licensee will be responsible for complying with the license conditions and will be the person committing the offence if found to be in breach of conditions. The Council has prosecuted both landlords and agents for non-compliance to date.

Some landlords were unhappy because the scheme doesn’t include homeowners or Registered Providers, *“because if selective licensing relates to certain areas, all properties in those areas should be subject to the conditions, not just private rented”*, and further felt it was unfair when they received the explanation that Registered Providers are outside the scope of the legislation.:

*“Registered Housing Providers aren’t regulated to the same degree in selective licensing Areas as private landlords and some of their properties are in a very bad condition.”*

*“I feel it is unjust that Registered Provider properties are exempt – some of these properties are also in severe disrepair.”*

**Response:**

Registered Providers of Social Housing are not required to apply for a licence as they are already regulated by the government’s Homes England.

If any issues of concern regarding how Registered Providers are operating in Wirral are raised, officers would in the first instance encourage tenants to contact their landlord direct. If however the matter is not addressed, tenants should contact the Regulator of Social Housing. The Regulator objectives are clearly set out in the Housing and Regeneration Act 2008. <https://www.gov.uk/government/publications/a-guide-to-regulation-of-registered-providers/a-guide-to-regulation-of-registered-providers>

Four key consumer standards are monitored; Tenant involvement and empowerment; Home standard; Tenancy standard; Neighbourhood and Community standard. The regulator role is responsive and reactive to referrals or any other information received. It will intervene where failure to meet the standard has caused or could have caused serious harm to tenants.

## **Licensing Conditions**

Amendments to the current licence conditions also formed part of the consultation, and landlords were keen to understand the changes, what has prompted them and how the existing scheme licence conditions were working.

Landlords accepted that the mandatory changes did need to be made, and landlords were encouraged to read the documents which formed part of the consultation in more detail, in order to be informed about what the changes were.

*“What are the proposed changes to licence conditions?”*

*“Will new licence conditions apply to existing licences?”*

*“I would like to know about the proposed changes to the fire regulations of HMO properties.”*

*“Concerns over new EPC regulations coming into force from April 2018.”*

On the whole, the proposed property conditions were felt to be reasonable and landlords did not believe they would pose an issue if introduced. Two particular issues divided landlords and agents:

- tenants not dealing with their own rubbish and the licence conditions regarding waste where the license holder could be penalised for the tenants behaviour
- the proposal to require an annual electrical certificate, when is not yet a legal requirement.

**Response:**

A copy of the proposed revised licence conditions (amended July 2018) can be found in the Councils web library.

New licence conditions will apply to all existing and future licences. It is important to note that the scheme will not include conditions that exceed statutory requirements, however when legislation changes landlords will be expected to comply accordingly

Any changes to legislation including for example HMO fire safety regulations will be publicised when relevant via e-bulletins and landlords newsletter.

The majority of landlords felt that the required visit to the property of once every 12 months was lenient, but understood that this was a minimum requirement of the licence conditions and they could carry out as many visits as their businesses required. One landlord or agent explained that they visit vulnerable tenants more often than annually if they feel it is beneficial, and another landlord informed the group that they inspect their properties every 12 weeks.

## **Landlords Selective Licensing Working Group**

In March 2014 prior to the commencement of the consultation of existing Selective Licence scheme, landlords were invited to participate in a Landlords selective licensing Working group via the landlords newsletter and Wirral's Landlord Forum. As a result the first 10 landlords and agents came forward to sit on the working group. Representatives ranged from agents with several hundred properties to smaller landlords with just a few of their own properties. Similar to the process of the existing scheme landlords/managing agents were asked via Landlords Link up newsletter whether they wish to participate in a steering group to discuss the introduction of selective licensing in to further areas of the Wirral. However, no representations were received from landlords or agents to join the group although members of the existing Steering Group agreed to reconvene meetings to discuss new proposals .

Subsequently three selective licensing Working Group meetings were held during the formal consultation period on 16th January 2018, 2<sup>nd</sup> March 2018 and 19<sup>th</sup> March 2018, the minutes of which were published on the web-site during the consultation period. During these meetings the rationale of the extension of selective licensing into four additional areas was discussed, together with discussions of proposals to change the existing licence conditions and potential fee structures/discounts.

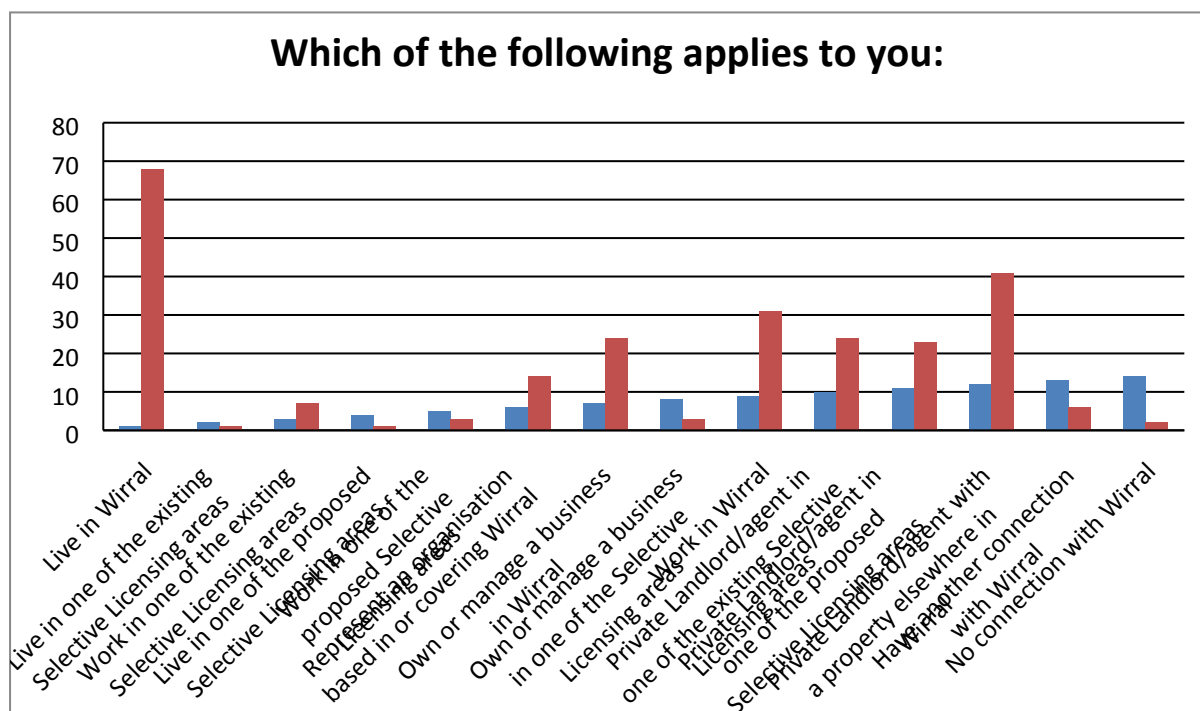
These minutes can be found in Appendix 2 of this report

## Consultation Questionnaire Feedback from Landlords and Managing Agents

The questionnaire was composed of eleven questions to which the respondent could strongly agree, agree, neither agree nor disagree, disagree and strongly disagree. There was also an option to tick 'don't know' and the ability to leave the question blank and move on through the form.

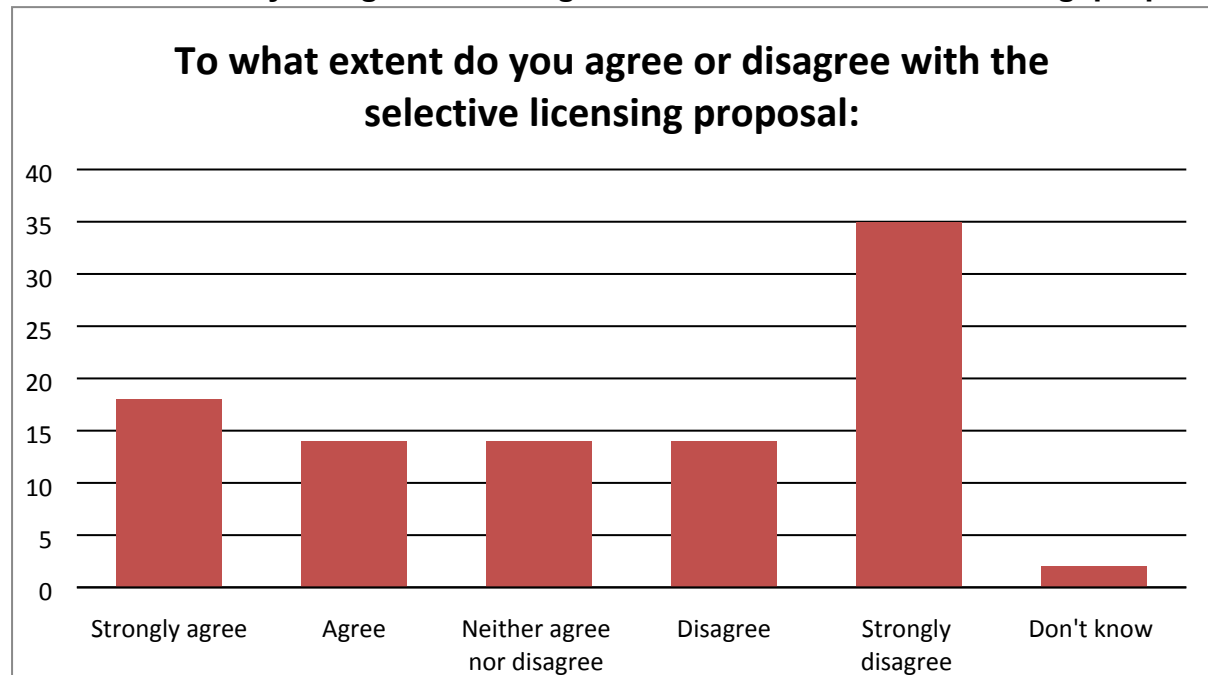
The questionnaire was provided online, but paper copies were made available and those received were entered into the online system on behalf of the respondent. All paper copies have been kept for audit. A blank copy of the questionnaire can be found as Appendix 3.

In total 529 online questionnaires were completed, of which 111 indicated they were landlords or agents of private rented properties. Of the 111, 68 also live in Wirral, 24 have property in an existing selective licensing area and 23 have property in the proposed selective licensing area (one landlord/agent could tick both boxes so this does not necessarily represent 47 landlords).



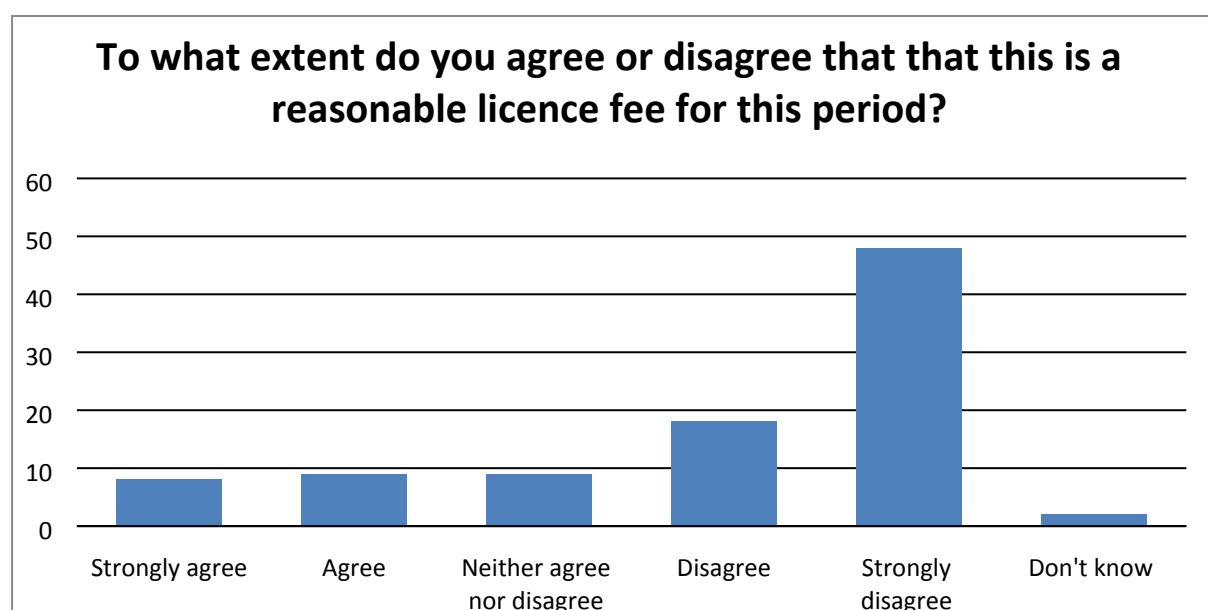
The following section details each question and information on the responses from landlords/agents, and includes their comments where appropriate.

**Wirral Council proposes to extend selective licensing into four new areas; to what extent do you agree or disagree with the selective licensing proposal?**



28% agreed or strongly agreed with the proposal, 44% disagree or strongly disagree to the proposal and 17% either did not know or neither agreed or disagreed with the proposal. 14 landlord/agents did not respond to this question.

**To what extent do you agree or disagree that that this [estimated between £500-£695 over a five year period] is a reasonable licence fee for this period**



18% agreed or strongly agreed, whilst a majority of 54% disagreed or strongly disagreed with the fee, and some landlords/agents further elaborated by providing comments.

*"Fees suggested are absurdly high."*

*“...however I believe that the costs involved with applying for a license is astronomical...”*

Several landlord/agents felt that this was simply a money making exercise for the Council, and that the Council does nothing for the licence fee, with comments such as:

*“... primarily a REVENUE RAISING EXERCISE. Another tax that, if anything, actually makes the issues of disrepair and the housing standard worse...”*

*“Council’s provide nothing for the licence fee.”*

*“Licensing is a scam by the Council to extort money from landlords.”*

**Response:**

The Housing Act 2004 stipulates that local authorities may charge for the introduction and administration of a Selective Licensing Scheme; however they cannot make a profit from such a scheme. The existing Selective Licensing scheme is subsidised by Council funding, however efficiencies gained from the processes of the existing scheme, which are now well established, means a reduction in the amount of funding required by the Council can be achieved while passing on savings where possible to landlords.

The Council has been reluctant to pass on increases in staffing and associated costs to landlords since the first scheme was introduced, however a new software system has been acquired for the extended HMO Licensing Scheme (due to go live in October 2018) which could also be used for Selective Licensing. This will further streamline the application process and generate a small saving to the overall cost of the license which will be passed on to landlords.

The Council will only recoup the costs of operating the scheme and is fully funded by the license fee with no extra cost to the local tax payer.

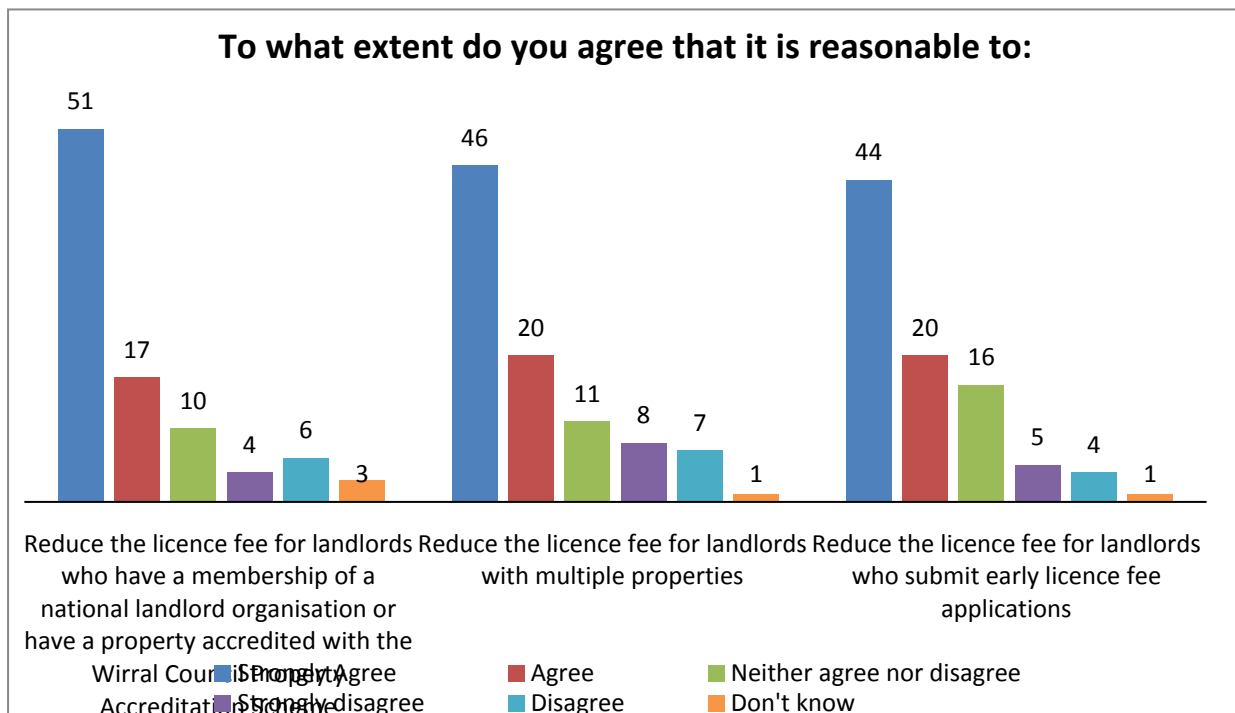
One respondent suggested that the licence fee should include an annual Council inspection so that the landlord would not have to carry out an inspection, and another suggested that the fee should apply only to the first property with all additional properties incurring no charge for the five year period. Another respondent suggested the fee should be means tested based on the income from the property.

Some landlords/agents felt that the scheme was a good idea but that expensive fees would impact on the rent for tenants, and another felt that the tenant should pay for the licence:

*“Good idea, but don’t make it expensive, it will just make the rents go up.”*

*“Any charges must be to the tenants account not the landlords...”*

**To what extent do you agree or disagree that it is reasonable to reduce the licence fee for landlords who have a membership of a national landlord association or an accredited property, reduce the licence fee for those with multiple properties and those who apply for a licence early?**



61% of landlord/agent respondents agreed or strongly agreed to reduce the licence fee for those who have a membership of a national landlord association or an accredited property with just 11% disagreeing to this proposal.

75% of landlord/agent respondents agreed that the licence fee should be reduced for landlords with multiple properties, although 13% disagreed or strongly disagreed with this reduction.

57% agreed with the proposal to reduce the licence fee for landlords who submit early licence fee applications, with just 8% disagreeing with this proposal.

Since the previous licence conditions were published, the Government has included additional mandatory requirements for landlords which need to be reflected in the new licences, but the Council has the power to include additional conditions and wanted to include the changes to the conditions in the consultation so that all stakeholders were able to give their views.

Questions six to nine allowed landlords to give their opinion on specific licence condition proposals which are detailed in the table below.

30 landlord/agents, which represent 27% did not feel strongly enough to respond to any of the questions on licence conditions.

For the 73% of landlords who did respond to these questions, the table below shows how many landlords agreed and strongly agreed, and those who disagreed and strongly disagreed.

<b>The licence holder must:</b>	<b>Agree s/agree</b>	<b>Disagree s/disagree</b>
Provide operating instructions for any fixed form of heating, cooking, washing and or electrical appliance where provided as part of the tenancy.	45%	14%
Carry out Right to Rent checks in accordance with home office requirements prior to agreeing a tenancy	47%	13%
Carry out an inspection of the premises at least once per year to ensure it is free from disrepair	61%	3%
Ensure the provision of adequate kitchen facilities for the safe storage and preparation of food within the premises	59%	4%
Ensure emergency works necessary to protect the security of the premises are undertaken within 24 hours of notification	52%	9%
Keep records of any complaints received and action taken relating to anti-social behaviour	49%	8%
Keep the property in a good state of repair	67%	1%
Keep any outside areas clean and tidy	30%	32%
Keep the property secure	58%	6%
Provide keys for any window locks and instructions on how to use burglar alarm if fitted	60%	6%
Have an electrical safety certificate for the property	56%	6%
Fix any faults identified by an electrical inspection	36%	1%
Deal with any pests and infestations	42%	16%
Fix any repairs identified when a new tenant moves in	63%	1%
Provide information about mandatory tenancy deposit protection	65%	2%
Provide information about refuse collection	41%	16%
Have arrangements for reporting repairs including in an emergency	65%	0
Give 24 hours written notice before entering a property, except in an emergency	62%	5%
Keep a copy of all references received for every occupier	48%	9%
Not allow more people to live in the property than specified by the tenancy agreement	54%	8%
Make sure that the tenant and their visitors don't cause a nuisance to their neighbours	45%	9%
Deal with any complaints of anti-social behaviour in a proper and timely manner	50%	8%
Make sure that the tenant complies with other conditions about living in the property	58%	6%

The table shows that most landlords/agents agree with the majority of the conditions set out, and have further made the following comments and suggestions:

*"The conditions to the license should be basic requirements for any landlord to adhere to and much of the information is already provided by landlords."*

*"...I've had a property licensed for 2 years. The conditions are essentially things I would see as standard in all my properties."*

*"We agree an information pack should be provided, but if a letting agent manages the property, their contact details should be included instead of the landlord's."*

*“The conditions should be the basic conditions all landlords have to adhere to We already have all the obvious conditions you have stated.”*

*“...The scheme however is a step in the right direction to safe, well maintained rental properties, some consideration on damage caused by tenants should be considered by the council when enforcing work on landlords...”*

Some comments provided did disagree with the license conditions. They included the following:

*“Electrical reports are not a legal requirement and as such should not be forced upon landlords.”*

**Keeping outside areas clean and tidy** was the only one of the proposed new condition not agreed with by the majority of respondents with 32% disagreeing with the statement. The following points were raised regarding this issue:

*“How can the landlord be held responsible for the behaviour of tenants eg rubbish dumped outside.”*

*“all HOMEOWNERS and tenants in the selective areas need to keep the outside (front and back) in a tidy order e.g. bins, rubbish and not let plants and shrubs overgrow and make it look unsightly.”*

*“As far as outside areas are concerned, it should not be the responsibility for the landlord to keep these areas clean & tidy. It is part of the Tenancy Agreement for the tenant to undertake this.”*

*“Duties for the tenant to discharge eg maintaining property and environs in good order as received are lacking.”*

*“Matching conditions should be placed on tenants to look after the property.”*

It is acknowledged that tenants are responsible for disposing of their household waste properly but the landlord is responsible for providing appropriate facilities for the storage of household waste (bins) at the start of the tenancy and instructing the tenant on collection dates, not leaving the bins on the street too long prior to and after collection and instructing their tenants on keeping external areas clean and tidy.

Three further conditions met with a higher level of disagreement than others. These included **the License Holder must deal with any pests and infestations** (16%), **provide operating instructions for any fixed form of heating, cooking, washing and or electrical appliance where provided as part of the tenancy** (14%) and **carry out Right to Rent checks in accordance with home office requirements prior to agreeing a tenancy** (13%). Several comments were received about some of these issues:

### **Pests and infestations**

*“Pest control, tenant refuses access.”*

*“How can the landlord be made to be liable for dirty tenant.”*

*“How can landlords control the personal hygiene that can lead to infestation.”*

*“Similarly infestations are the tenants responsibility, they should alert the landlord to the problem and then any 'good' landlord will assist the tenant to remedy the problem.”*

*“Pests must be managed by the tenant re payment for any service that deals with them re exterminate them.”*

### **Provide operating instructions**

*“I am a responsible landlord but the emphasis should be on the tenants as I have provided in the past full instructions on heating / boilers / washing machines and I have tenants default on their obligations and then when I eventually access the property all information is lost ! - tenants should be made responsible not landlords.”*

*“Some proposals infantilising tenant.”*

Many comments were received in relation to some of the conditions, several of which have been included below:

References are an often commented on condition, and there were many comments made in relation to references and the lack of reassurance they provide. One landlord/agent requested a list of bad tenants that can be accessed by landlords.

*“[Tenant] References are meaningless.”*

*“References are harder for first time tenants.”*

*“References are not always adequate to protect from bad tenants.”*

*“The council should have a list of bad tenants which is accessible by landlords.”*

Comments on disagreement with some of the conditions have been included below, with a strong feeling from the landlord/agents which responded to the questionnaire and commented that there should be more emphasis on the tenant to keep the property in good repair:

*“...24 hours to fix a “broken window” as you quote in one of your questions above us unrealistic...”*

*“Landlord can provide perfect kitchen and bathroom that can be allowed to deteriorate very rapidly by some tenants.”*

*“Most of the conditions are not the responsibility or business of the landlord”*

*“Tenants should be responsible for damage and disturbance.”*

*“It is the tenants’ responsibility to report issues.”*

*“Tenants should bear responsibility for the damage they cause eg broken window.”*

*“If the tenant breaks the window - they need to pay for a new one.”*

*“The tenant by law should be made to have home insurance - to cover damage to their 'home'. I am providing the house, they need to respect it and pay for any damage caused.”*

Although the majority of respondents agreed with the proposed conditions to **Make sure that the tenant and their visitors don’t cause a nuisance to their neighbours** and **Deal with any complaints of anti-social behaviour in a proper and timely**

**manner**, several landlords/agents commented on these conditions, and their comments have been included below:

*“According to Merseyside Police, the council have the most powers to deal with anti-social behaviour tenants/neighbours in privately rented property, but Wirral council simply mitigate that responsibility to landlords.”*

*“The license holder should not be held fully responsible for the actions of the tenant on anti-social behaviour and other things listed above.”*

*“The landlord is not responsible for tenant behaviour.”*

*“Tenants need to be responsible for their own behaviour.”*

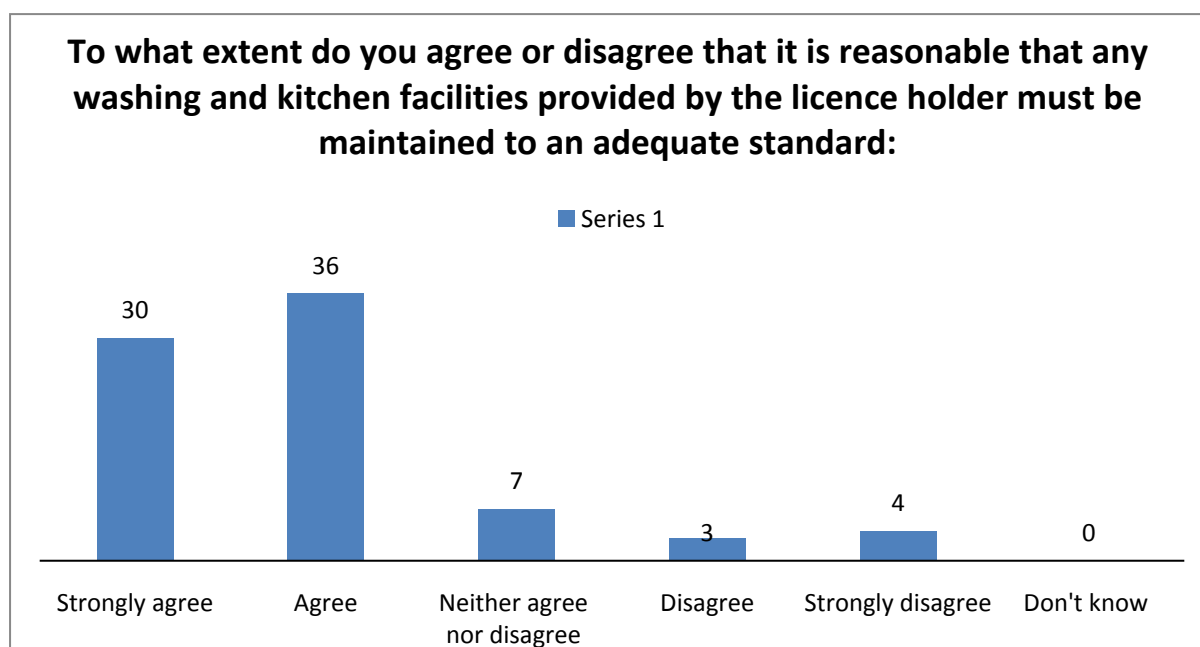
*“Tenant is responsible for own anti-social behaviour.”*

*“...Also, as a landlord, I feel a bit hopeless when asked to do things like: 'make sure that the tenant and their visitors don't cause a nuisance to their neighbours'. How can I, or my agent, do any more than you? If we worked as a team I would be happier.”*

*“Many of these situations are difficult or impossible for the licence holder to enforce! Where are the duties on the tenant to treat the property, neighbours etc. with respect.”*

*“For some circumstances i.e. removal of an anti-social tenant. the landlord cannot force the tenant to do anything - The landlord is at mercy of the law via the courts. It should not be the landlords responsibility to cover costs or adhere to permit compliance under conditions such as these.”*

**To what extent do you agree or disagree that it is reasonable that any washing and kitchen facilities provided by the licence holder must be maintained to an adequate standard**



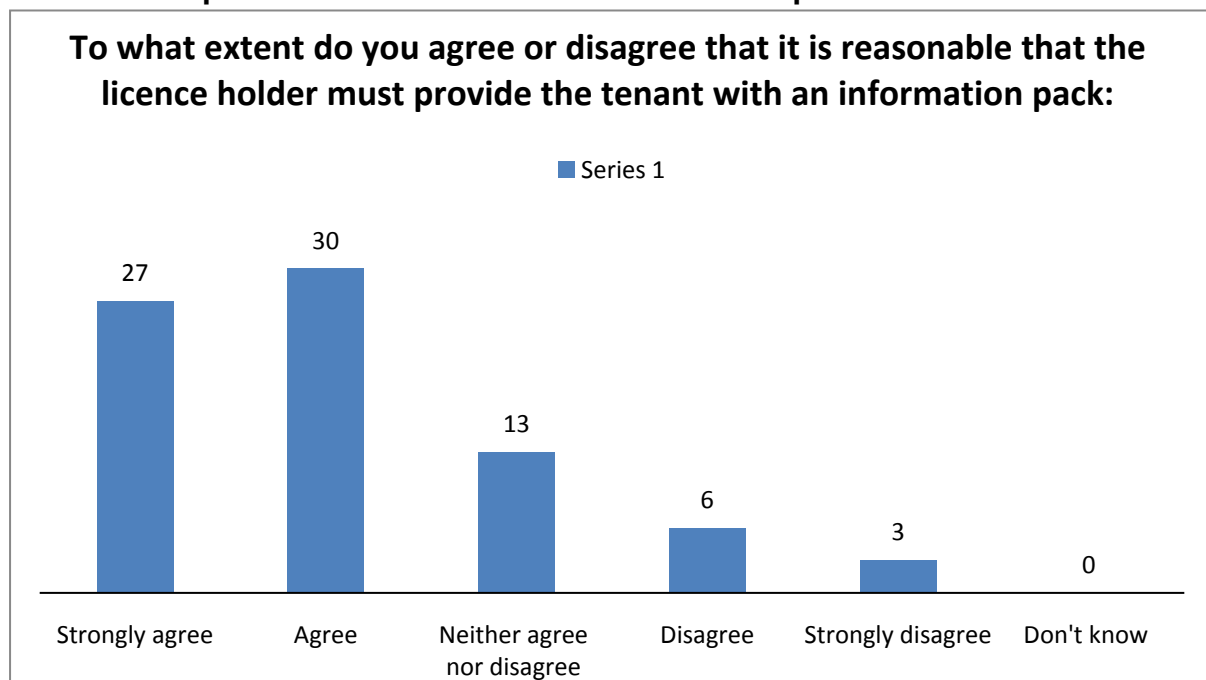
59% agreed or strongly agreed with this proposal whilst 6% disagreed or strongly disagreed. Two comments made about this have been included below:

*“...in my experience when cookers and fridges are included in the property, in too many cases these are not looked after and are left by the outgoing tenant in a disgusting state, often needing to be scrapped. Sometimes I have found the incoming tenant has their own appliance which they wish to use & the one supplied must then be removed. If the price of these items is added to the rent this can mean the rent is unaffordable. In the case of high rental properties these items are normally included in the property. If they are not kept clean then the high rent will provide for the replacement. I think it is really important that tenants are given the choice.”*

*“The statements I've disagreed to are ones I feel the tenant should comply with, not the license holder. If I visit the property once a year I can't be responsible for maintaining the kitchen facilities. I also have no problem with a tenant moving a partner into my property without their partner becoming named on the tenancy.”*

*“Selective licensing is an added cost to good landlords that provide the things required anyway. Additionally, the facilities provided should only be maintained to an adequate standard provided the tenant has ensured they have not misused the facilities i.e. through damage, poor household hygiene etc.”*

**To what extent do you agree or disagree that it is reasonable that the licence holder must provide the tenant with an information pack?**



60% agreed or strongly disagreed that it was reasonable to provide this information, whilst 8% disagreed or strongly disagreed. A further 28% or respondents did not feel strongly enough to agree or disagree to this question.

## GENERAL COMMENTS FROM LANDLORDS

Landlords had strong views and provided comments to support those view regarding the proposals to extend selective licensing into four new areas, both supportive and non-supportive. Examples of those views are detailed below:

### Supportive

*"I'm a very supportive agent and believe the council are doing the best thing for the local area."*

*"Selective licensing should be Wirral-wide."*

*"The license is a good idea to improve the quality of properties."*

*"Landlords have a responsibility, there is no doubt about that,, but the level of responsibility should be flexible dependent upon the tenant, such as if the tenant is compliant with the terms of the tenancy i.e. look after the property, pay rent on time etc."*

*"I thoroughly agree with what Wirral council are trying to achieve with introducing the selective licenses."*

### Non supportive

*"I am concerned at the big brother approach to a commercial contract funded by the owner."*

*"Most cost effective way to improve areas is for the Council to use existing legislation and enforcement powers."*

*"I can't understand how charging landlords an extra £100 per year per property is going to improve living standards for tenants."*

*"Selective licensing is an obstacle to investment."*

*"Selective licensing makes good landlords pay for the bad."*

*"Accreditation is adequate."*

*"The selective licencing scheme is deterring mortgage lenders which I imagine will contribute to further problems. Certain lenders completely refuse to lend on property in these areas which will lead a stagnation of the housing market in these areas as people will be unable to sell. Furthermore, the designation of certain areas could move the problems to other areas."*

*"Areas have in many cases benefited from the investment of private landlords for example Patten Street was previously a row of boarded up houses. It would be easier and fairer if the charge was administered per annum and it applied to all property in the borough but at a lower rate. Just because a property is in a licencing area does not mean the electrics for instance are safe."*

Some comments further suggested that the extension of selective licensing into four new areas will result in landlords leaving the market,

*"It will dissuade good landlords from owning properties in these areas, contribute to vacancy and cause disreputable ones to go 'underground'. Poorly thought out, misguided, and non-evidence based change."*

*"If provision of renting becomes burdensome, the landlord will cease to provide it."*

*"Should these changes move to the area I have houses I will certainly sell them and buy in an area with better tenants such as Chester."*

*"If my property is included, I will sell it."*

*"I will increase rent or sell the property which will reduce the number of properties for rent."*

*"...but I will sell up when the council starts interfering."*

Many landlords have commented that an extension of selective licensing into four new areas will have a knock on effect of increasing rents and costs to tenants.

*"...some landlords who maintain their houses well and others who don't. This won't change that. All this will do is cost more money which will just end up in more empty houses and higher rents for tenants as landlords will be forced to push this cost to the tenants and will leave them with less money to keep properties in a good state of repair."*

*"This scheme will result in nothing more than higher rents hurting both landlords and tenants."*

*"I will increase rent or sell the property which will reduce the number of properties for rent."*

*"Why should landlords that keep their properties to a high standard be subject to this extra costing. I would have to put my rent up for my tenants as having several properties this would cost a lot of money."*

*"When I was charged a licence fee, I doubled the fee and added it to the rent the tenant has to pay me."*

Some of the comments received are perceptions by landlords that the scheme will hold no benefit to them, and therefore, specific properties should not be included. One suggestion was to inspect properties on a complaint system

*"Perhaps a better way to police the private rented sector would be for the council to investigate each property as and when the tenant makes a complaint to the council."*

*"Why not bring this in if tenants complain about the property they are in and make that landlord of that property have to join this scheme. Leave the landlords that are doing a good job alone or is it yet again the few ruin it for the many."*

*"I own a one bed leasehold apartment in the selective licensing area. The site is managed via service charge and I pay a managing agent. All proposals in selective licensing are met by the two layers of management. I therefore do not feel a benefit to my property."*

*"my property that falls into the new area is priory wharf in Birkenhead, this should be excluded from the licence area it is a very good development and doesn't need to be improved."*

## **EXISTING SELECTIVE LICENSING SCHEME VIEWS FROM LANDLORDS**

Landlords did provide views and comments regarding the existing selective licensing scheme. This included complaints that the Scheme doesn't work due to the lack of information or evidence available to show the impact that the existing selective licensing scheme has had.

*“Licensing doesn’t work, adjoining property has furniture in garden and has since 2015 when SL licensing was introduced.”*

*“Can you publish information about properties found to be substandard, and the penalties attached.”*

*“The areas that the licence is currently in place have not changed, there are still rent arrears and the surrounding areas still have anti-social tenant issues. The only person that this will have an impact on is Landlords who will end up either not being able to afford their mortgage payments with the added costs implemented or having to sell due to the extra costs.”*

*“I would be supportive as a landlord if you provided evidence for how the existing scheme is benefiting tenants, flushing out rogue landlords and improving the communities. I have not been given a link to such research in the consultation which leaves me a bit uneasy.”*

*“Where are the supposed improvements from the existing licencing areas?? “As the results of the existing areas have not been proven to achieve the objectives set out, why is it being expanded. The Council need to focus its attention on the existing areas.”*

## **Residents Views**

An integral element of the consultation was to engage with members of the community, specifically those who would be directly affected by the proposed Scheme. Five drop-in events were organised in various locations across the proposed selective licensing areas to give residents from each of the four areas an opportunity to attend an event in their locality. Residents were able to discuss the proposals and make any comments which would be recorded. Paper copies of the on line questionnaire were printed and made available where required. The events were held in Charing Cross Methodist Church, Birkenhead Town Hall, St Paul's Children's Centre, Birkenhead YMCA and Wallasey Town Hall.

Notification of these sessions was undertaken by:

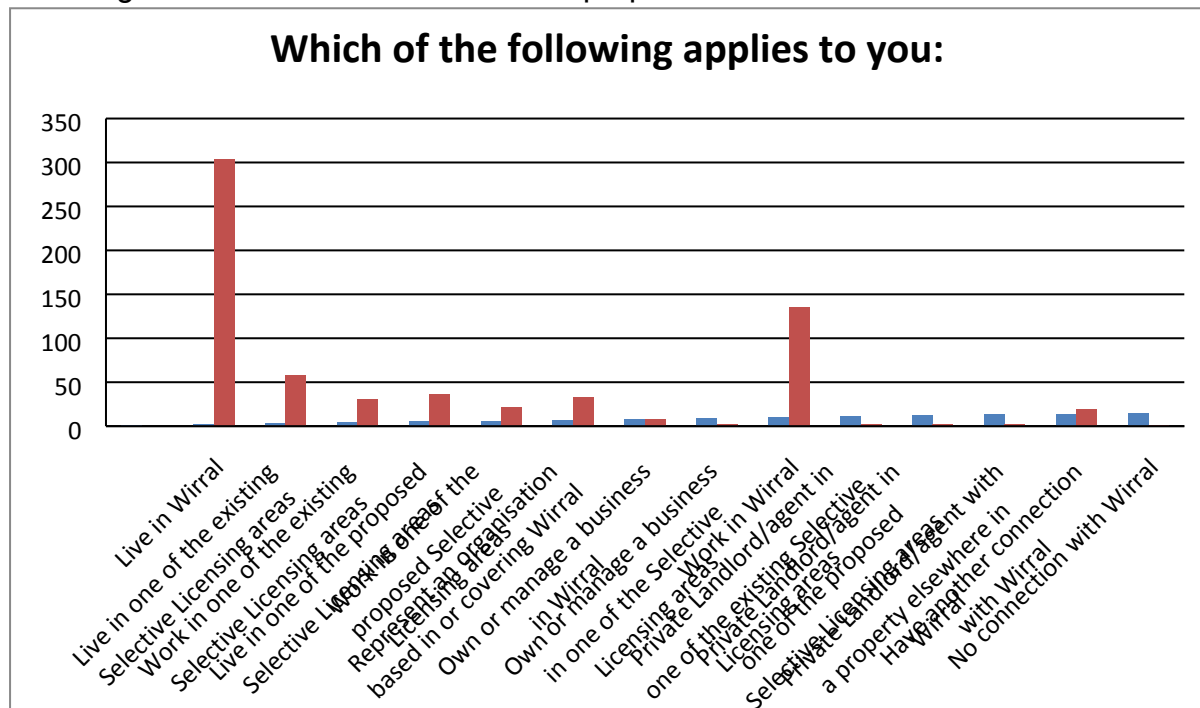
- Leaflets posted through the door of every property within the proposed four areas and in the existing four areas.
- Advertising on the Council's website ([www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing))
- Posters with the information detailing the drop in sessions were placed in and around the four areas in shops and local businesses who agreed to display them,
- Tweeted to all those who follow Wirral Council's twitter account,
- Posted on Facebook,
- Specific invitations to tenants when visited by Council officers.

32 residents attended the drop-in sessions. Council Officers explained the reasons why the proposals had been put forward for consultation, showed the extent of the areas for potential inclusion and also respond to any issues or questions about the proposals directly. All those who attended the drop-in sessions were invited to complete a questionnaire in order to quantify and record their views.

## Consultation Questionnaire: Summary of Residents Views

Of the 529 completed online questionnaires, 79% indicated that they were not landlords or agents of private properties.

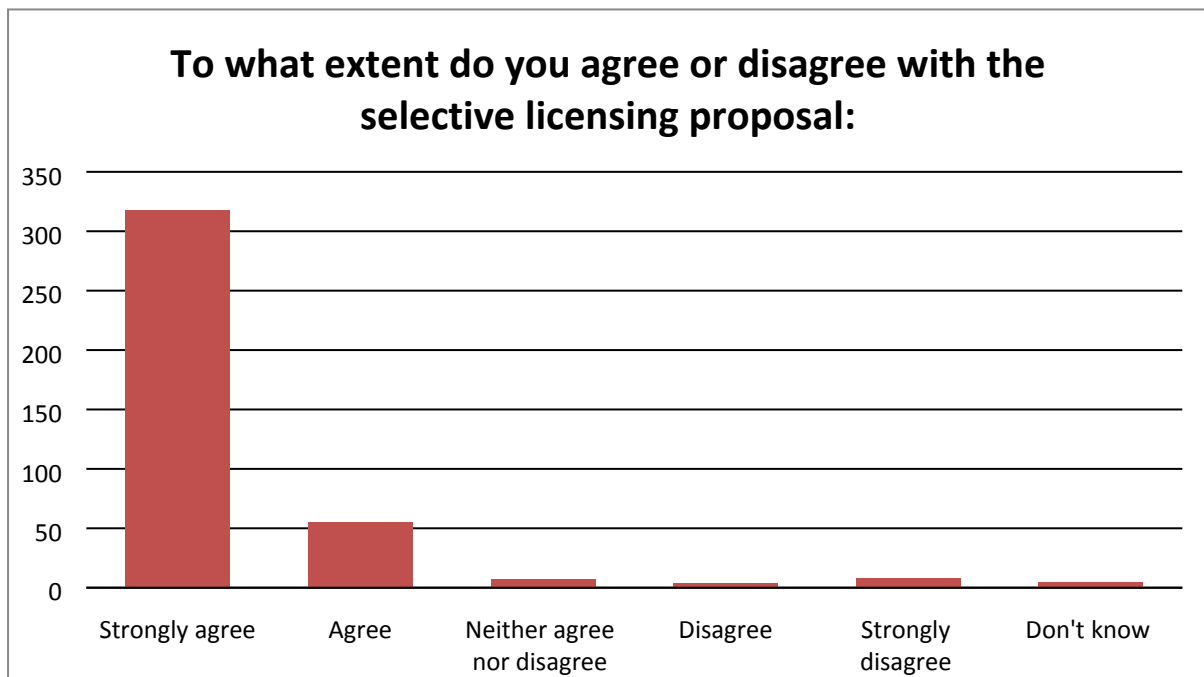
72.7% respondents live in Wirral, and of those, 19% live in one of the existing selective licencing areas and a further 11.8% in a proposed area.



The following section details feedback on the questions from residents, and includes their comments where appropriate.

**Wirral Council proposes to extend selective licensing into four new areas . . . to what extent do you agree or disagree with the proposal.**

A majority of 89.2% either agreed or strongly agreed, with just 2.8% who disagreed or strongly disagreed.



Of those 58 respondents who live in a current selective licensing area, 55 were in agreement with the proposals whilst just two disagreed or strongly disagreed, and of the 36 who live in one of the proposed selective licensing areas, 33 agreed or strongly agreed whilst just three disagreed or strongly disagreed.

From the majority of residents who agreed with the proposals, many provided explanations for their view, including:

*"I live in an existing licensing area. This scheme is fantastic. The council inspectors found multiple fire and electrical safety faults which would have serious consequences. I had previously been asking the landlord to carry out the repairs which had been ignored until forced by the council. This scheme must be introduced in all areas available!"*

*"It really is about time these conditions were brought into play as some Landlords think they are doing People a favour rather than having an income, agreements between Landlord and tenant are very important so I am in favour of Licences. Thank you."*

*"This is long overdue."*

*"Glad something had been proposed - I'm fed up of being a tenant in several houses/flats when the landlord does little or nothing to keep his/her property safe."*

*"This should of happened years ago to protect vulnerable people from falling victim to scum bag landlords and living in squalor that housing benefit pay for. All landlords should be registered and be checked on."*

*"It should be implemented"*

*"It's an excellent idea"*

*"Rights of renters need to be protected. Any initiative to promote/require responsible behaviour from landlords deserves support"*

*"Please, please, please crack down on absentee landlords who allow their properties to become blights on the neighbourhoods they are within. It is a huge problem".*

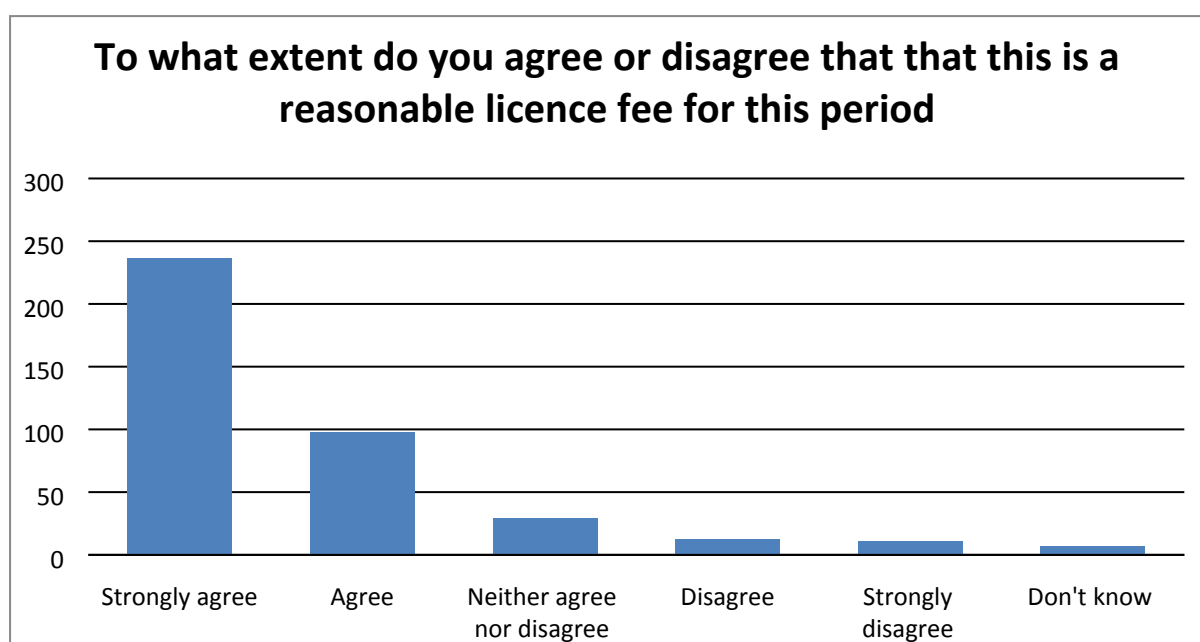
From the 2.8% who disagreed with the proposals, some provided explanations for their views why they disagreed, including:

*"I find the whole scheme to be intrusive, financially a money grab by the council, and the scheme is not warranted or fit for those with less than two properties to let."*

*"Everything seems to be the responsibility of the landlord and licencing is just another scam for the council to make money. Seems a good reason not to become a landlord. All of the costs will end up back with the tenant."*

*"It is very sad that private landlords who look after their tenants and the rented properties are having to pay this license because of very bad landlords. I would like to know where this license money is going!!!"*

79.9% of those who responded to the questionnaire agreed or strongly agreed that the suggested fee was reasonable, with just 5.5% who thought it was unreasonable.

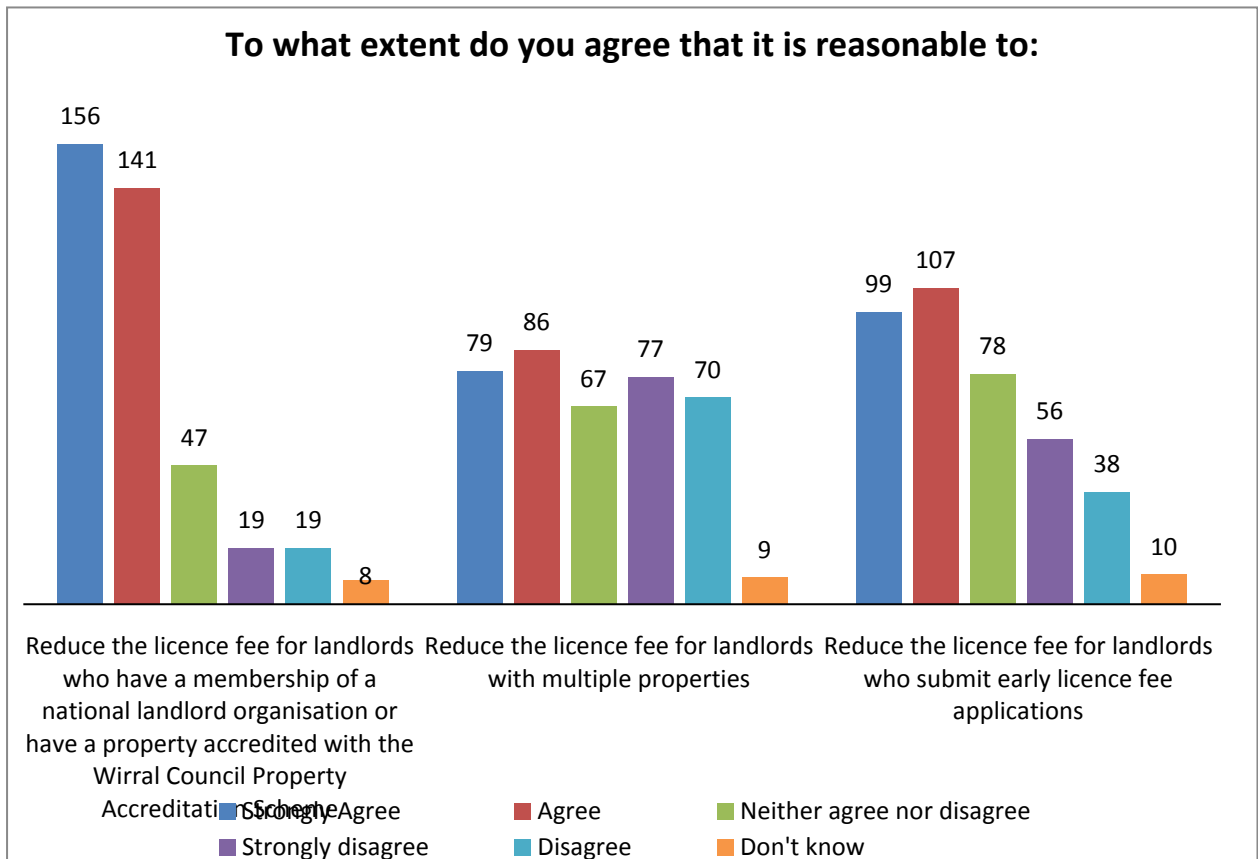


71% of respondents also thought it was reasonable to offer a discount for those with membership of a national landlord organisation or an accredited property with Wirral Council's Property Accreditation Scheme with a further 9% disagreeing and 11.2% who had no strong feelings and selected neither agree or disagree.

There were only two comments provided regarding fees:

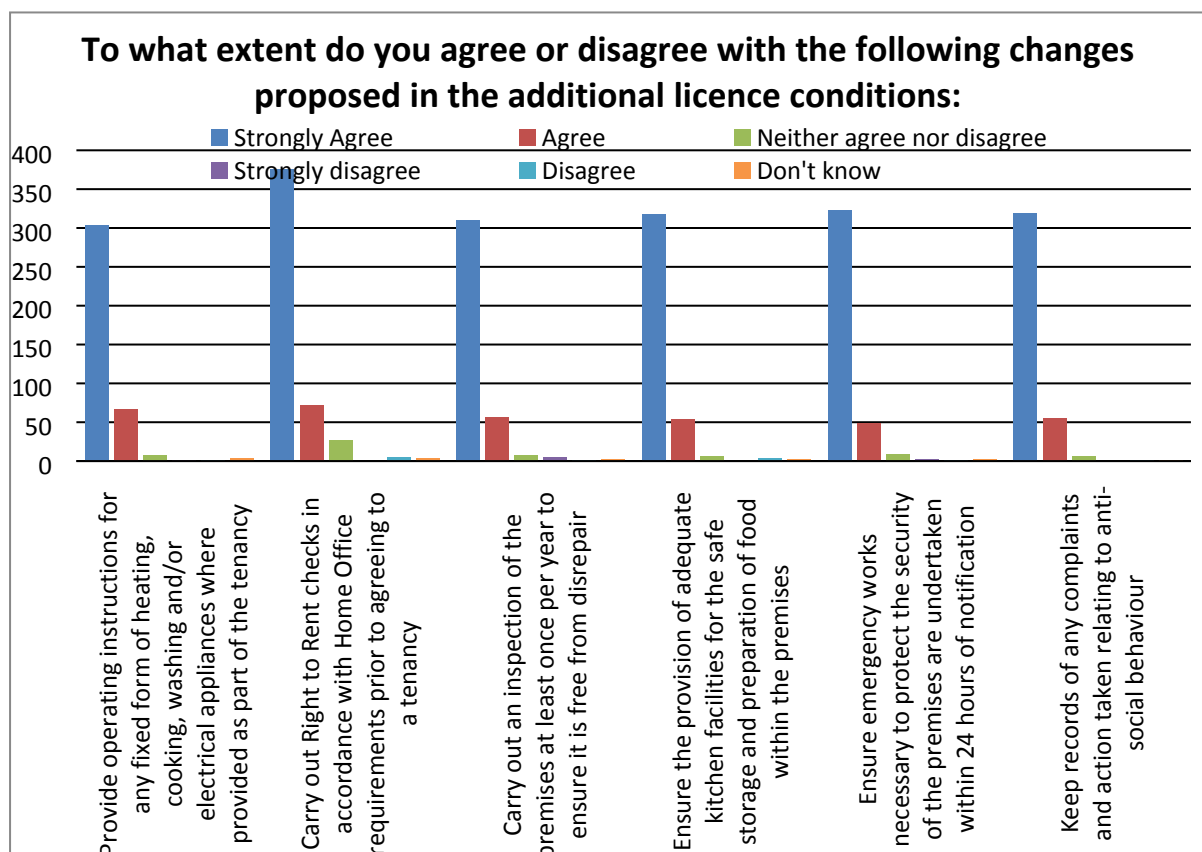
*"If landlords feel the fee is the problem, they should add the weekly fee onto the tenants rent."*

*"I think they should get discounts if proved to be a good landlord."*



There was a more even split between those who felt it was reasonable to reduce the licence fee for landlords with multiple properties with just 39.4% who felt it was reasonable and 35.2% who disagreed, with one respondent leaving the following comment:

*"I don't think it's fair that if you have more properties you pay less as they make more money and landlords with 1-2 properties will lose out and from experience these landlords are best as they don't treat as a moneymaking venture who are always too busy. "*



When responding to the licence conditions, the vast majority strongly agreed or agreed with all conditions.



The following comments however were provided for consideration and inclusion in the consultation report:

*"[tenants] Need out hours emergency number."*

*"Landlords should be held accountable for the condition of the property , nobody should have to live in unfit conditions wherever they are from or whoever they are and should not be discriminated against due to circumstance."*

*"Being a retired joiner I have worked in many rented properties most of which were unfit for human habitation."*

*"24 hours notice before entering a property is not enough"*

*"Landlords must bear a certain responsibility should they move in anti-social people (drug users, criminals, louts) to quiet areas."*

*"Information on boiler service etc should be readily available to prospective tenants. As should meter types, ie prepayments or available via direct debits."*

**Response:**

Selective Licensing contributes to addressing the need for quality, affordable and safe homes which in turn assists in driving forward improvements to the quality of life, health and levels of achievement for our residents. The above points have all been considered within the licensing conditions, however notice of entry is a legal requirement.

Selective Licensing will help increase property standards within the private rented sector as a whole helping to create attractive and desirable neighbourhoods with stable communities where people will chose to live.

Encouraging landlords not to take tenants with a poor reference improves the choice for tenants with good references.

Respondents also made some suggestions regarding what they would expect to see in the selective licensing scheme, some of which are already in place. Other suggestions included.

*"Landlord details to be on a public register and any complaints regarding their tenants' behaviour be recorded within a log which forms part of the inspectable documents - the number and level of complaints should be taken into account when the licence is due to be renewed."*

*"As we lived as a tenant for several months and all of these conditions were not met, then I think that all of these proposals are essential for the tenant and the Landlord, and are reasonable."*

*"A Hotline number to the council should also be provided in the pack in the event the landlord is not adhering to the conditions for purposes of making a complaint."*

*"The council need to provide tenant and landlord with complaint support contact details"*

*"Managing agents should have to prove they have passed on a complaint about a tenant to the landlord when it is made by one of the neighbours."*

*“Neighbours of a rented house must have a way of having the tenant removed if they are causing a disturbance in the area - Most managing agents don't do a thing about this.”*

**Response:**

Tenants can make a complaint about a privately rented property or landlord at any time if there are problems at the property, or you believe that the owner or manager is no longer a ‘fit and proper’ person.

Private tenants fly-tipping or leaving rubbish which has an effect on other neighbours in the area was a popular topic with lots of views. Some respondents suggested ways in which the Council could deal with this, including:

*“Landlords could pay council for full membership that supports landlord with waste issues and discounted Eric service to reduce fly-tipping.”*

*“Possible landlord discounts if they join a council run scheme were they can get a reduced cost Eric collection when clearing their property, or tenants have bulky items to get rid of This would also help reduce instances of fly tipping.”*

*“TO PROVIDE ALL WHEELIE BINS EVEN AFTER THEFT, DAMAGE ETC.”*

*“The landlord must pay for extra wheelie bins as required.”*

*“Deal with fly tipping more efficiently and faster.”*

The following comments were made at Question 12 **[Are there any other comments that you would like to make about the proposed extension of selective licensing to other areas or changes to the licence conditions?]** which respondents wanted the consultation to take into account.

*“Not sure how much it [selective licensing] has improved standards in existing areas, but as proposed areas are low-value properties, landlords should be held responsible for being 'interested' in the effect any tenants, and associated behaviours, are having on both home owners and long term renting tenants, as traditionally itinerant population generally associated with low-value tenanted properties causes further detriment to property prices.”*

*“I feel strongly that there should be reasonable rates imposed upon private landlords based on how much they pay in mortgage/fees and the size of the property.”*

*“I do strongly believe all landlords need to be partly responsible for who they let these properties too. Many simply do not care and will put in anyone.”*

## **Representations and Letters**

In total, ten written submissions were received from landlords, partner agencies, Councillors, Members of Parliament and organisations representing both tenants and landlords.

Three of those (two emails and one letter) received were in relation to the inclusion of Priory Wharf in the proposals for the Hamilton Square area. Two of these were from landlords with properties in the development, and the third from the management company of the development. All three submissions request that the Priory Wharf development is removed from the areas; mainly due to the following points:

- The development is a mixture of both owner occupied and private rented accommodation, and the private rented accommodation is not difficult to let and therefore not low demand.
- The majority of the private rented properties on the development are let to long term tenants and there is not a high turnover of residents.
- It is a good quality development and there is a continuing programme of maintenance and repair.
- The development is professionally managed with 24 hour security, so anti-social behaviour is not an issue.
- The majority of private rented units in the development already exceed the proposed standards of selective licensing.

Supportive written submissions were received from two Councillors and one local Member of Parliament in relation to extending selective licensing into one specific area in North Birkenhead to tackle issues of property disrepair, fly-tipping and dog fouling. Local organisations have lobbied their councillors and MP in order to raise this issue, which will be looked at and considered if the scheme is to be extended further.

Three further emails were received from landlords of private rented property, two commenting on the cost of licence fees with one of those further expressing disagreement with the scheme and informing the Council that they will sell their property.

The third email received was from a landlord who informed the Council he has issued Section 21 notices to all tenants in the proposed areas as he does not wish to be a landlord if selective licensing is introduced there. Reasons for this included the existing areas became worse following the introduction of selective licensing and both landlords and clients in the areas see no positives and have in fact noticed an increase in anti-social behaviour.

One pertinent and important representation was received from the National Landlords Association (NLA) which exists to protect and promote the interests of private residential landlords.

With more than 50,000 individual landlords from around the United Kingdom and over 100 Local Authority associates, the NLA role is to provide a comprehensive range of benefits and services to members and strive to raise standards within the private rented sector.

The NLA seeks a fair legislative and regulatory environment for the private rented sector while aiming to ensure that landlords are aware of their statutory rights and responsibilities.

The National Landlords Association (NLA) full letter of representation can be seen in Appendix 4 however the overview which has been taken direct from their letter states:-

*Having considered the evidence presented, and having undertaken our own evaluation of the circumstances faced by the residents/landlords of Wirral, our position can be summarised by the following brief points:*

- Landlords have very limited authority when dealing with matters related to antisocial behaviour, especially if it happens outside the curtilage of the property. We welcome the council's approach that will work with landlords and tenants to resolve these issues.*
- The proposed scheme will help reduce waste, with landlords being able to access facilities at the end of a tenancy.*
- Support in mental health as well as drugs and alcohol issues which affect tenants will reduce issues within the wards affected.*
- The support being made available to help landlords with problem tenants will reduce the problems being moved around the borough.*
- We welcome that those landlords that have joined trade associations and look to keep up-to-date with the law will receive acknowledgement in the fee.*

*Licensing is a powerful tool. We support the proposed introduction of licensing schemes that benefit landlords, tenants and the community. In this case we are minded to support the proposal if the council follows through on the proposals that they have indicated. The way the council has made efforts to support the good landlords will help resolve specific issues.*

### **Petitions**

No petitions were received as part of the consultation process.

## **Appendices**

Appendix 1	Notes of Landlord and Agent consultation workshops
Appendix 2	Minutes of Landlord Working Group
Appendix 3	Consultation Questionnaire
Appendix 4	Email to landlords & agents with accredited agents
Appendix 5	E-mails to Stakeholders notifying of consultation
Appendix 6	Press Release Selective Licensing scheme
Appendix 7	Content of Plasma Screen Messages in Council One Stop Shop
Appendix 8	Website Consultation
Appendix 9	Selective Licencing postcard distributed to all residents in existing and proposed areas
Appendix 10	Poster placed in all local Council offices and shops and public buildings in and around the existing and proposed areas.
Appendix 11	Selective Licensing Adverts for press
Appendix 12	Written responses
Appendix 13	Landlord Linkup Spring 2018 edition
Appendix 14	Evidence of Social Media
Appendix 15	Letter to neighbouring local authorities
Appendix 16	Evidence of email sent to all landlords on the Housing Benefit recipient list, and all members of the public who have expressed a wish to be contacted in relation to housing matters.

## **Appendix 1 – Notes from landlord workshops**

The following notes have been taken from the landlord and agent workshops, and express the views of the landlords and agents present. All comments and discussions have been anonymised.

### **Workshop 1**

- Landlords can bring properties up to required standards however sometimes the tenant damages the property, with licensing expecting the landlord to carry out and pay for the repairs – sometimes this can be a never-ending cycle and affects the landlord's return on investment.
- One other issue which may lead to standards not being met is the landlord not being able to access the property.
- Didn't realise property accreditation was an ongoing scheme (thought it was just a way to get a discount on the licence). Will get properties accredited within next few months if in proposed new areas to get ahead of the game.
- Asked if there was any evidence of the existing scheme working.
- Licensing puts off prospective landlords / investors from buying properties in the areas.
- Council needs to understand landlords have made an investment. If a house needs a lot of money to meet licensing conditions, the landlords will get rid of the property.
- "Big complaint" is that licensing doesn't take account of tenants, there is no accountability for them, "getting away with murder". I will probably sell-up as it's too expensive to keep repairing property due to tenants' behaviour. "Tenants get away scot-free".
- Landlords don't evict easily due to loss of income: when notice to quit is given, tenant stops paying rent immediately, landlord goes to court, 56 days with no rent, if tenant refuses to leave landlord has to pay for bailiff too. No help from the LA in these circumstances.
- Where tenant is receiving HB and not paying the rent, the LA needs to take word of landlord, tenant's word is always taken as the truth. More assistance in general needed from HB team.
- Thought fee was high and current discounts were definitely required to bring the fee down. Agreed with current discounts but there should be more than just a £50 discount for licence holders with more than one property. Landlord stated that discounts were irrelevant but if thought was getting value for money from the scheme would be fine.
- Agreement for annual electric certificates.
- Thought there should be greater promotion of the benefits of the scheme.

### **Workshop 2**

- Concerned that the licence requires an electrical certificate when this is not a current legal requirement.
- Will there be a facility to pay the licence fee by direct debit over a period of time.
- Landlords would be interested in the discount, what is going to be offered?

- Concerned that money that would have previously been invested in the property will now be diverted to pay for the licence fee.
- Some tenants do not want the bother of improvements, so this could be a problem if the property did not come up to the required standard.
- Suggested there should be a discount for RLA members without the need for the property to also be accredited.
- What are the proposed changes to licence conditions?
- When the new scheme comes in, will existing direct debit payments go down?
- Concerns about the introduction of Universal Credit and its impact on landlord income stream.
- Tenants should be held accountable for their behaviour not landlords.
- Will new licence conditions apply to existing licences?
- Some landlords present believe that some landlords may increase rent to recoup the licence costs.
- The required visit of once per 12 month is lenient.
- Would like to know about the proposed changes to the fire regulations of HMO properties.
- Why is the Council encouraging people to stay in and fight a fire by requiring fire blankets and fire extinguishers when Fire Safety advice is get out and stay out?
- Will the inspectors pick up on issues such as damp in properties?
- How will inspectors gain access to properties?
- Managing Agents pass the buck to landlords and take no responsibility.
- Property inspections should be carried out, but they cost a lot of money.
- Concerns over new EPC regulations coming into force from April 2018.

### Workshop 3

- Landlord has a property in [redacted] Road (he is in the process of having his current tenant evicted due to the condition of the property) thinks the road has improved over the past two years and is not against the scheme, but the costs involved. Landlord would like to know if under the proposed scheme, would tenants require a guarantor. Officer confirmed they would not, but under the new conditions, references would be mandatory; ideally from the previous landlord.
- Landlord queried whether or not the scheme would include homeowners and Registered Providers. Officer explained the RPs are already subject to the HCAs own legislation. Landlord made the point that if selective licensing relates to certain areas; *all* properties in those areas should be subject to the conditions, not just private rented.
- Landlord made reference to 'Rentsmart' in Wales; they charge £200 for their whole scheme and he cannot understand why ours are so high in comparison. Officer explained the various potential discounts being looked at as part of the proposals and asked if there were other incentives for discounts the landlords thought could be included. Landlord suggested discounts for landlords who take tenants on through Housing Options and PPP. Landlord suggested discounts on individual property condition. Landlord also suggested discounts for attending courses and holding professional memberships.

- Landlord believes discounts should not apply to landlords who have been prosecuted previously
- “Properties may be decent, but if you haven’t got tenants in who want to look after them, they will end up in poor condition”. Officer explained about the work the Healthy Homes team do and gave examples of working with tenants in the current areas to support changes in behaviour and to address any issues relating to ‘problem neighbours’ and ASB.
- Regular correspondence is needed from the selective licensing team regarding updates on the scheme; Landlord was not aware of the Healthy Homes team and the work they have already done in the current selective licensing areas.

#### **Workshop 4**

- Overall, landlords in the group were supportive of the intentions of selective licensing however there was concern that the Council was not doing enough to support landlords with poor tenants in these areas.
- Landlords don’t give fair references even if they have difficult tenants as they just want them to move on. The landlords agreed that they were guilty of this as well as the Registered Providers (RPs) - Housing Associations e.g. Magenta Living)
- There was concern that Registered Housing Providers aren’t regulated to the same degree in selective licensing Areas as private landlords and some of their properties are in a very bad condition.
- There was concern that the Police don’t share information on problem tenants as landlords were aware that they had been involved with their tenants but they had been unable to find out what trouble they had been in.
- Landlords asked why the Council could not keep a register of bad tenants as they had been asking for this for years, and they considered it was the one thing that would make a major difference to improving these areas if the Council could stop these tenants from moving round every 6 months to another unsuspecting landlord.
- Landlords said they had seen the impacts of reductions to front line services e.g. police, mental health services and social workers which was having an impact on their tenancies. They were increasingly having to take on the role of social workers and seemed to be having an increased number of tenants with mental health, drug or alcohol addictions.
- Landlords raised a question about how many absentee landlords there were in an area and asked if the landlord needed to reside in the UK to hold a license.
- Landlords asked if a license was revoked if the landlord was not a fit and proper person, then could they just ask a friend to manage the property.
- Landlords said they were operating in an increasingly difficult environment with increased regulation from central government and less favourable tax changes. They said they appreciated it wasn’t the Council doing this, but nevertheless it made their operating environment much more difficult.
- The changes to the licensing conditions were discussed and landlords encouraged to read these in more detail.

- Landlords made the comment that the Council did not publicise enough the good news stories that had been discussed at the workshop and these should be publicised on a regular basis.
- Landlords asked if group repair 'façade grants' that the Council had delivered in Birkenhead could be rolled out as these had been very successful.

### **Workshop 5**

- We [good landlords] are paying for the poor landlords
- The mental health of tenants is a big problem
- Rents – there has been no increase in rents for some time, therefore need to charge a top up
- In Birkenhead, 20% of tenants are behind with their rent
- Tenants with additional support needs that the landlords do not get paid for.
- Distrust of Council – no-one's going to benefit
- Peel Holdings – need to build out to help employment as jobs are needed desperately. He has many unemployed tenants.
- No margin in property; no relief on interest and landlords need 10% returns to make it worthwhile due to the need to intensively manage many tenancies.
- Had to fill in 38 forms for the first scheme; this needs to be a more streamlined system next time.
- Gas safety checks are completed on demand.
- Landlord queries why there is a legal requirement to have a name on a licence?
- Rent arrears are becoming a massive problem and very costly to evict for non-payment of rent.

### **Workshop 6**

- Landlords of a property in one of the proposed areas were present. They have a tenant who has been in for some time now, but find it difficult to engage with her, officer explained about the services the Healthy Homes team can offer to assist landlords and tenants to work together.
- Landlord asked what is expected from landlords with properties in the selective licensing areas. Officer explained the mandatory conditions. Landlords also wanted to know how long they had to meet the conditions and the costs associated with the scheme. Officer explained the selective licensing procedure in terms of paperwork and property inspections; risky inspections are visited first and any works required will be given a reasonable timescale to be completed. Officer also explained that fees are still subject to the consultation process.
- Officer asked what they, as landlords, would like to see from the scheme. Two landlords agreed they would like to see good tenants living in their property who want to stay long term, a tenant they can engage with. Officer explained that the Healthy Homes team and officers from the selective licensing team work with tenants, landlords and other key agencies to address behaviour issues not just in the home, but also the local area to improve communities and hopefully encourage tenants to stay long term.

- Officer explained more about fee structures; discounts and instalments would be available. Landlords did not feel the fees were as bad once you broke it down year by year.
- Landlord asked if an officer would be able to come out to their property to advise what works would need to be done to bring it up to the standard required if it did not meet it already. Officer explained about Landlord Accreditation and further resources available to landlords, such as online training. Compliance checks will also be carried out by inspectors to advise what needs to be done and an improvement notice will be issued with a reasonable timescale.

### **Workshop 7**

- Comment on tenant's hoarding, difficult for landlords to deal with.
- Licensing is a good idea.
- Generally, has made average landlords perform better.
- Question on why some properties in a street are in and some are out of areas (officers explained LSOAs).
- Selective licensing can only be good for the areas.
- Current fee is a bit steep – thinks if properties are good then it's too expensive (I think he meant they should pay less if they're in a good state of repair and well managed).
- Whether accredited or not, if the landlord is good, they should get a discount. Doesn't want to get properties accredited. Should be one blanket charge across all properties.
- Good idea if there is a discount for membership of national body (NLA/RLA).
- Problems in the area with absentee landlords, some living abroad. Sometimes agents don't care.
- Thinks proposed licensing conditions are needed, especially the one about reasonable decoration post-works.
- Only issue is tenants not dealing with rubbish (in respect of having a licence condition regarding waste where the license holder could be penalised for the tenant's behaviour re: waste).

### **Workshop 8**

- Many examples of poor tenants and poor communication – landlords are often not advised if repairs are needed etc.
- Discussion around tenancy support provided for free in the selective licensing area if landlords feel their tenants would benefit from support to maintain their property.
- The majority of landlords would like to be able to keep a good tenant and would like tenants to stay long-term.
- The most common problem is dumping in the rear yard.
- The scheme is a good idea as long as landlords receive support.
- Licensing conditions are difficult to understand, and landlords would like help.
- Tenants not in when gas safety check is due which is frustrating for landlords when they have organised and notified tenants.

- Some streets in the selective licensing area are ok and don't need to be licensed.
- Who lives in the properties and how will a licence make a property better?
- Does it cost the tax payer or is the scheme fully funded through the licensing fee.
- £695 could be better spent on the property rather than the license fee.
- Can be pushing decent landlords out as won't be prepared to invest.
- Feels discriminatory against good landlords
- Fees should be set
- Salford gives exemptions for 3 months
- Ongoing consultation throughout
- Craven and Paterson Streets should be included.
- Landlords want to avoid poor tenants.

## **Workshop 9**

- To what extent has the existing scheme affected empty properties in the areas.
- Why are we rolling out the scheme now when we said we wouldn't for at least five years.
- What has been the impact of the existing scheme generally.
- Will the existing Scheme automatically run on when the five year period is up?
- Tenants are responsible for 60% of the poor property condition in rented properties, and they should already be able to report any issues to the Council.
- Will selective licensing insist that the tenant will keep the property in a good condition?
- Will the Council work with the landlord to assist in evicting a tenant if required?
- How do tenants view Health Homes? As part of the authority or as help?
- Sometimes landlords cannot get into their properties to carry out repairs; this means that the property may not meet the required standard. How will the Council deal with this?
- Questions over payments for licence fees and discounts.
- Are Councillors concerned as the Council will have to part fund a new scheme as it cannot afford to pay for itself entirely, and the Council's income has been cut.
- A consequence of selective licensing will be increased rent.
- New EPC legislation may lead to empty homes if a landlord cannot afford to make it compliant.
- Concerns about Wirral carrying out a borough wide scheme as Liverpool has done.
- Landlord believes the scheme may free up cheaper properties which have been poorly managed in the past, for other landlords to purchase and manage well.
- Confidence in the Council improving streetscenes which will make roads and areas more desirable, as poor external decoration has a detrimental effect on tenants.
- How were areas selected?

## **Workshop 10**

- There was discussion around repairs and some of the issues seen in the shared photographs from existing cases being prosecuted.
- The group agreed that if tenants cause problems, then referencing becomes more important
- Landlord has no issues with what the proposals are and understands why these areas were selected.
- Landlord informed the group only 30% of properties in the area are compliant based on existing areas and inspections carried out.
- Landlord feels it is unjust that Registered Provider properties are exempt – some of these properties are also in severe disrepair.
- Landlord feels that in some areas such as Hamilton Square, this will put investors off.
- Discussion around how Healthy Homes can help tenants sustain a tenancy.
- Landlord believes bad properties attract bad tenants and it is all area based.
- Landlord agrees with the scheme and feels fees are reasonable.
- There were questions over some licence conditions details
- Landlord visits vulnerable tenants more often than annually if they feel it would be beneficial, and another Landlord inspects properties every 12 weeks.
- Following a discussion around tenants not wanting to let landlords in, Officer explained how Health Homes are sometimes able to gain access to the property by engaging with the tenant. Whilst in the property, officers are able to identify hazards under the HHSRS which the tenant might not be aware of as a hazard.

## **Workshop 11**

- 2/3 in favour of the extension to the scheme.
- Lots of landlords underestimate what is needed
- Landlords and agents like the accreditation scheme.
- The scheme would be a disincentive to invest
- CO as mandatory on each floor – all agreed
- Reasonable to decorate where there has been disrepair.
- If landlords are not checking the property regularly then they are not managing the property well. Damage such as mould can occur in a matter of weeks!
- Group felt records should be kept of all inspections as they are required already for property insurance conditions.

## Appendix 2 - Minutes of the Selective Licensing Steering Group

### Landlords Selective Licensing Steering Group Minutes

Wallasey Town Hall

Tuesday January 16<sup>th</sup> 2018, 2.00pm

#### In Attendance:

Emma Foley	Wirral Council
Ian Gordon	Wirral Council
Steve Bowers	Wirral Council
Helen Evans	Landlord
Karen Spearing	Landlord
Peter Davies	Landlord

#### Apologies:

Jason Abbott	Landlord
Joe Bindley	Landlord
Stephen Mathieson	Landlord
Carole Donnelly	Landlord

#### 1.0 Welcome & introductions

- 1.1 Everyone introduced themselves and EF explained that the aim of these meetings were to steer the development of the proposals to roll out Selective Licensing to other areas of the borough. She confirmed that the consultation exercise will run until 22nd March 2018 will inform whether the scheme is introduced or not. Anything agreed at these meetings with landlords would be captured in the consultation and fed back to other landlords. EF asked the group if they were happy for the minutes to go on the Council's website. This was agreed.

#### 2.0 Rational for Consulting on Extending Selective Licensing in Wirral

- 2.1 The reasons for extending Wirral's Selective Licensing Scheme were discussed. EF said that Cabinet asked Housing Officers to explore the feasibility of extending SL in June 2016 as evidence emerged from the existing Selective Licensing scheme of the very poor compliance rates with licensing conditions so far – less than 1 in 4 comply with conditions. EF noted that since implementation of the current scheme DCLG had refreshed their guidance for local authorities looking to implement Selective Licensing Schemes.
- 2.2 Wirral's Public Health Intelligence Team were commissioned to produce independent study to look at low housing demand and poor property condition in Wirral. This **Evidence Base** was completed in September 2017 and showed that the initial 4 areas remained in top 10 of problem areas along with identifying additional areas which exhibited problems in relation to the housing market and property conditions etc.

- 2.3 This report formed the basis of a **Business Case** that was taken to Cabinet on 27<sup>th</sup> Nov 2017 when it was agreed to do a statutory consultation on extending SL to 4 more areas which started in mid Dec 2017-March 2018.
- 2.4 There has **not** been a decision made to extend, it will depend on the consultation feedback.
- 2.5 All landlords present supported the principle of Selective Licensing but said that the fees needed to be looked at so that good landlords were not penalised as a result of the poor landlords. They also said that more landlords needed to be made aware of the benefits of the scheme.
- 2.6 EF noted the good work undertaken in current licencing areas by the Healthy Homes Team through signposting and support provided to tenants providing additionality to the current scheme. Successes included a number of new tenants and residents groups, clean-up days and empowerment of residents to address Anti-Social behaviour was a sign that residents were keen to improve their neighbourhood. She also said financial assistance for landlords such as empty property grants and cosy-homes heating grants had made an impact on property condition in these areas.

### **3.0 Consultation**

- 3.1 The various consultation methods were discussed which included the following:
- Leaflets to all residents in proposed areas – hand delivered
  - Landlord drop-in sessions
  - Survey, available electronically and paper copies
  - Landlord Link-up newsletter
  - E-mail to all known landlords
  - Landlord associations including accredited and licensed landlords & landlords on the HB database
  - Press releases
  - One Stop Shops
  - Posters in proposed areas
  - Local press & Wirral View magazine
- 3.2 Landlords suggested that we should also liaise with local estate agents and possibly arrange a meeting.

### **4.0 Licensing Fees**

- 4.1 EF Explained how the licensing fees are they set. They are based on the actual costs to administer the scheme – The Council cannot make a profit. Wirral's fees are similar to other similar sized Council schemes e.g. Sefton. Wirral will not set its fees until after the consultation has closed as the final fee will depend on how many discounts are offered. If landlords favour discount schemes similar

to the existing schemes, then this has an impact on the overall fee income brought in to the Council. The proposed fee structure, discounts / additional charges are all subject to consultation and they will be discussed in more detail at the next meeting. EF stated the ability to pay the licence fee by instalments which was suggested by the previous Selective Licensing Steering group has been a positive of the current scheme to which the group agreed.

## **5.0 Licensing Conditions**

5.1 SB explained the proposed changes to the Selective Licensing conditions. Some of the mandatory changes to the Licensing conditions have been proposed as a result of Legislative changes from Government. These include:

- Minimum EPC rating of E.
- Co2 alarms
- Right to rent checks-Immigration act

5.2 Other changes are proposed which reflect some problems that the Selective Licensing team have encountered with the current scheme. These include:

- Requirement to ensure properties are secure when vacant.
- Reasonable internal decoration after repairs
- LL must inspect a minimum once per 12 month period.
- HMO properties- provide Fire Risk Assessment when temporary battery smoke alarms are fitted.

5.3 The proposed changes will be circulated with these minutes and landlords will have a further opportunity to discuss the changes in more detail at the next steering group meeting. EF stated that the Council is looking for landlords input to ensure the licence conditions are suitable and achievable.

5.4 There was a consensus from landlords present that the requirement for electrical certificates should be included in the licensing conditions, as this legislation is likely to be brought in as a mandatory requirement in the near future anyway.

**6.0 Date of next meeting: TBC.**

**Landlords Selective Licensing Steering Group Minutes**  
**Wallasey Town Hall**  
**Friday 2<sup>nd</sup> March 2018**

**In Attendance**

Emma Foley	Wirral Council
Ian Gordon	Wirral Council
Steve Bowers	Wirral Council
Peter Davies	Landlord
Jason Abbott	Landlord
Carole Donnelly	Landlord
Stephen Mathieson	Landlord

**Apologies**

Helen Evans	Landlord
Karen Spearing	Landlord
Joe Bindley	landlord

**1.0 Welcome & Introductions**

EF welcomed the new members of the group and explained the purpose of the group and what had been discussed so far at the previous meeting.

**2.0 Minutes of last meeting and matters arising**

2.1 Minutes of last meeting were agreed as a true record. SM commented on the previous minutes particularly that landlords were in agreement with the principles of the scheme. He said that many professional landlords were struggling making their profit margins due to difficulties with HB benefit caps & Universal Credit and other regulations that had been introduced by Government in recent years. He said that Wirral hadn't had long enough with the current scheme to be able to properly evaluate if the scheme was working, and the Council didn't spell out what the scheme was achieving. JA stated that although he backed rationale for SL areas, he asked for clarification why after 2.5 years of current scheme the decision been taken to declare new areas before initial 5 years are up? EF said that Councillors had been concerned from the compliance inspections, of which there have now been over 500, that the property condition in these areas is a major concern with only around 30% of properties complying.

2.2 EF agreed that the Council needs to do more to publicise the positive aspects of the scheme for landlords such as the free assistance on offer for tenancy support, healthy homes, cosy-homes heating and empty property grants. CD suggested a newsletter would be useful and EF confirmed that the Council would look at this. JA and CD said that they were also in favour of the scheme.

2.3 CD agreed that the correct proposed areas have been selected to consult on. She would like to see the scheme addressing issues such as Alley-gates and fly-tipping.

**3.0 Consultation**

3.1 SB explained the consultation that had taken place already. Consultation Update – 300 online forms completed. He said that following the last steering

group meeting a landlords and agents session had been arranged of 13<sup>th</sup> March. There had also been meetings with both the NLA and RLA who had made some recommendations which the Council were looking into such as parking permits for landlords which inspecting properties with residents parking schemes and permits for tipping waste when a tenant has left huge amounts of rubbish at a property. There was a discussion about co-regulation and whether we should offer discounts for those who were accredited with a national landlords body such as the NLA or RLA.

- 3.2 EF said that following the first steering group meeting, one landlord had approached her to say that landlords on the group should be able to represent all landlords in Wirral and had asked for their contact details to be publicised. All steering group participants did not agree to their email addresses being disclosed to other landlords.
- 3.3 CD commented that cost of fees seems to have been spent on neglected properties with poor landlords. SB discussed the enforcement approach to current SL areas, focus has been on properties where issues identified, while many of the accredited properties have still not had an inspection. He said that the cost of enforcement is not included in the license fee, the Council has to pay for this separately and where necessary recover the costs through the courts.
- 3.4 EF outlined good work being done by HH Team to support tenants and owner occupiers and the additional benefits being brought to areas which is funded through Public Health.

#### **4.0 Fees**

- 4.1 EF requested thoughts on discounts offered through original scheme and asked if they were appropriate, fair and provided an incentive for landlords to voluntarily license their properties. She said the Council would listen to all reasonable proposals. CD asked if possible to review the cost of accrediting properties against the saving offered against the fee?
- 4.2 SM asked if the money received through financial penalties for landlords could be offset against fee costs. SB stated that only costs recovered from legal proceedings are received by the Council.
- 4.3 JA queried the multi property discount structure and whether it's possible to review level of discounts for landlords with numerous properties and how this is offered? EF said that the discount was based on the actual cost to the Council of doing a 'fit and proper person check' but that this could be reviewed. Consensus of participants agreed that multi property discounts should be increased possibly offering larger discount to landlords with large portfolios of properties.
- 4.4 SM stated difficult to make a judgement of what level of discount is suitable without knowing the amount needed to cover council costs. EF confirmed that original scheme had been subsidised by Council but no funding is available for any subsequent areas declared therefore the likely fee will be based on calculated cost of scheme. She said that the fee could only be fixed once the number of discounts was agreed so the fee structure needed to be fixed first.

SM commented that for landlords difficulties will be encountered finding income for cost of scheme as low rental income obtainable in SL areas and LHA does not provide any flexibility for increase in rentals with levels having been stagnant for a long period of time.

- 4.5 SM noted that in respect of comment that payment by instalments has been a positive, this should be taken as a given for the proposed scheme.

## **5.0 License Conditions**

- 5.1 SB explained the operational reasons for amendment of conditions following initial 2 years of original scheme. SB highlighted the main changes to the new conditions and specifically alerted the group to changes in respect of 3.3 alley-gates and also 3.10 HMO's and smoke detection amongst others. There were proposed changes to re-decorating after plastering and securing a property if it was open to access.
- 5.2 CD queried condition whereby LL address details etc. has to be displayed in property, SB stated this condition only relates to HMO's.
- 5.3 SB requested the groups' thoughts on condition regarding location of bins (condition 3.7d) After discussion it was agreed to amend the conditions so that tenant is required to contact council should replacement bin be required and also amount of time allowed to be left out for collection restricted to 18 hours. JA expressed concern over ability of licence holder to police how long the tenant leaves bins on the kerbside causing an obstruction. CD commented that section 3.7 a - the licence holder to be responsible for garden / hedges is unreasonable as some responsibility should be taken by tenants to care for gardens within properties.
- 5.4 There was discussion of the Brown v Hyndburn BC case of how it could impact on licence conditions. SB/EF advised that we would consult Council legal services with regards to the issue and action accordingly.
- 5.5 Proposed Licence condition 3.2 (k) Emergency board-ups all agreed that this is a good inclusion.
- 5.6 Proposed Licence condition 3.10.1 (e) and (f). Fire Risk assessments majority agreed.
- ## **6.0 Date of next Meeting**
- 6.1 It was suggested that a final Steering group meeting would be useful for final comments and any further suggestions about the fee structure.

## **Landlords Selective Licensing Steering Group**

### **Minutes of Meeting**

**19<sup>th</sup> March 2018, 14:00 – 15:00, Wallasey Town Hall**

#### **Present:**

Ed Kingsley	Wirral Council
Steve Bowers	Wirral Council
Peter Davies	Private landlord
Carole Donnelly	Private landlord
Stephen Mathieson	Private landlord
Helen Evans	Private landlord

#### **Apologies**

Emma Foley	Wirral Council
Ian Gordon	Wirral Council
Jason Abbott	Private landlord
Karen Spearing	Private landlord
Joe Bindley	Private landlord

#### **1.0 Minutes of last meeting and matters arising**

- 1.1 The minutes of the previous meeting held on 2<sup>nd</sup> March 2018 were agreed as a true record.
- 1.2 Minute 2.2 – SB reported that the Council will be producing a newsletter.
- 1.3 Minute 4.2 – SM sought clarification on where costs went that were recovered from Court cases. SB said that the Council don't charge for enforcement within the Selective Licensing fee, except for the cost of prosecuting for not having a licence. General enforcement costs come out of the main Council budget and any court costs would be offset against this general budget. SM thought it unfair that they couldn't be used to financially support Selective Licensing and to reduce the costs of the scheme.

#### **2.0 Consultation**

- 2.1 SB reported that there had been a further consultation workshop for landlords and agents which had taken place on 13<sup>th</sup> March 2018 at Wallasey Town Hall. Five attendees were present and the extension of Selective Licensing to further areas was broadly welcomed.
- 2.2 EK reported that around 450 consultation questionnaires had been submitted as of last week and the Healthy Homes Team were busy encouraging further people to complete questionnaires through their day-to-day work prior to the consultation deadline of 21<sup>st</sup> March 2018. EK also reported that one last publicity drive was taking place this week through social media.
- 2.3 EK stated that the results of the consultation were to be taken to the Council's Cabinet in late June with either a recommendation to introduce or a recommendation not to introduce into the new areas, depending on the

consultation outcome. If the outcome was the former and Cabinet agreed, the decision would need to be approved at the meeting of full Council in early July.

### **3.0 Fees**

- 3.1 SB asked the group if they had any further thoughts on fees since the last meeting. SM thought there could be better discounts for multiple properties, for example a discount for 1-5 more properties, a higher discount for 6-10 properties and so on. SM also wondered if there was a way to offer discounts for better landlords. SM and HE both made the point that costs for landlords with multiple properties can be substantial and they have to come off the bottom line as rents couldn't be increased due to LHA rates which were actually decreasing.
- 3.2 CD suggested a discount for landlords with accredited properties in the current selective licensing areas.
- 3.3 SM wondered if overall scheme costs could be lowered, and therefore fees, by using a risk-based approach to inspections. SM gave an example of the monitoring regime for EPC surveyors where every twelfth EPC was verified by the accreditation company with a property inspection. If the EPC carried out by the surveyor didn't match the EPC by the accreditation company then more frequent inspections were carried out. Something similar could operate within Selective Licensing; instead of carrying out an inspection of every property, landlords with more than one property could have one of their properties inspected and if all licence conditions were met then their other properties wouldn't need inspecting, or just a percentage. If licence conditions weren't met then the inspection rate would be higher.
- 3.4 The group agreed that the "early bird" discount was a good idea.
- 3.5 SB asked for thoughts on a discount for RLA or NLA membership. There was a feeling amongst the group that it would be better if the discount was kept to properties accredited under the Wirral Council scheme as standards and conditions for membership of the national bodies were unclear and perhaps not as stringent and that it was better to support a local scheme.
- 3.6 SM asked if the proposed fee structure could be brought back to the group for discussion once drafted. SB to check with EF. *(EF has confirmed since the meeting that this can be done.)*

### **4.0 Licence conditions**

- 4.1 Having reviewed the conditions at the last meeting, all present thought they were reasonable.
- 4.2 SB stated he would be reviewing all proposed licence conditions with a Council solicitor to ensure none have to be removed in light of the Court of Appeal ruling on some of Hyndburn Council's licence conditions.
- 4.3 CD suggested that on the licensing documentation for landlords there should be some wording to reflect the fact that the LA didn't need to give notice to access properties as it may prompt landlords to get a licence who may otherwise avoid licensing.

Closing Date:  
21st March 2018

## Selective Licensing Questionnaire

### HAVE YOUR SAY!

and be entered into a prize draw to win **£100 of high street vouchers!**

Before any final decisions are made, Wirral Council would like to hear your views on the proposals, so whether you are a resident, landlord or business we would like you to complete a questionnaire which provides an opportunity for you to **HAVE YOUR SAY** about the proposals and be entered into a prize draw to win £100 of High Street vouchers.

The feedback received will help Wirral Council to decide if and how the extension of the Selective Licensing should go ahead and what the final licence conditions will be.

This questionnaire should only take 10 minutes to complete and can be found online at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing) or at any Wirral One Stop Shop or Library.

Please ensure your name and contact details are completed below in order to be entered to the prize draw.

**NAME:**

**CONTACT DETAILS:**

Please complete this questionnaire online at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)

If you do not have access to a computer then please post it back to:

Selective Licensing Consultation, PO Box 290, Brighton Street, Wallasey CH27 9FQ  
or hand in to any Wirral Council One Stop Shop or Library.

[wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)

# Selective Licensing

## Tell us what you think!

Wirral Council is proposing to extend Selective Licensing into four new areas in Wirral as well as making some changes to conditions of licences and would like to know what you think about:

### 1. Extending Selective Licensing in Wirral

Extending Selective Licensing to other areas aims to improve living standards in the following four proposed areas:

- Hamilton Square
- Seacombe St Paul's
- Birkenhead West
- Birkenhead Central

Documents relating to the proposal, including detailed maps and address lists showing those properties included in the extended areas are available online at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing) or alternatively by emailing: [SLconsultation@wirral.gov.uk](mailto:SLconsultation@wirral.gov.uk)

### 2. Making Changes to the Licence Conditions

Licence conditions for the current scheme were previously consulted on and agreed in 2015. Since then, there has been some new legislation introduced by Government on things like the use of carbon monoxide alarms and Right to Rent checks, so it is proposed that the licence conditions are updated with some additional clauses.

For all proposed additions and amendments to the licence conditions, please see the full document on [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing).

## BACKGROUND INFORMATION

### What is a Selective Licensing Scheme?

These are schemes where owners or managers of private rented homes in designated areas are legally required to get a licence for each property they rent out in those areas.

The Scheme has been running in four areas of Wirral since 2015, and has had a great response, resulting in 1300 licences issued and over 340 property inspections being carried out. Of those 340 inspections, almost 70% of the properties needed some works or improvements to management practices in order to meet the required standards.

### Why is it being extended?

Wirral has areas of low housing demand and almost one in three properties in Wirral's private rented sector fails to meet the decent homes standard, which can have a terrible impact on the health and welfare of tenants and the wider communities. This scheme aims to improve homes in these areas by ensuring private landlords meet satisfactory standards of tenancy and property management. The pilot, which focussed on the four worst areas for low housing demand, has been running now for over two years and resulted in improvements to more than 238 properties.

Wirral Council would now like to widen efforts in improving private rented homes in more areas suffering the same low housing demand issues as well as poor property condition.

### How were the areas identified?

The four new areas were identified in a similar way as the original areas, using research by the Council's Intelligence Team which identified key areas suffering from low housing demand and poor property condition, as well as higher than average rates of private rented homes. A full breakdown of the evidence, methodology and findings is included in the Business Case which can be found on the Council's website at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing).

### What benefits will it have?

Poor property management has a very negative effect on areas where the housing market is already weak and contributes to high numbers of empty properties, high turnover of tenants and depressed rental and sale values. Selective Licensing will tackle poor management and is expected to deliver lots of benefits, including:

### Benefits for landlords

- Improved confidence in the market and potential growth in property values
- A level playing field where all landlords in the area are required to operate to the same decent standard
- Improved communications with Council services
- Better understanding of their statutory responsibilities through training and briefing sessions
- Improved reputation of private landlords

### Benefits for tenants

- Improve the quality of housing and management conditions
- Better understanding of the standards they should expect
- Better understanding of their responsibilities
- Written tenancy agreements, inventories and protected deposits
- Confidence that the Council will help if licence conditions are not met

### Benefits for the wider community

- Landlords encouraged not to take tenants with poor references
- Shorter void periods and less tenant turnover
- Improved quality of life, image and desirability of the area
- Fewer empty properties and blight
- Less anti-social behaviour
- Increase in the length of tenancies resulting in more settled communities
- Dedicated Healthy Homes Team to improve health for the wider community

### Will landlords have to pay for a licence?

The Council proposes to recover some costs by charging a Licensing Fee. The cost of the licence will be determined following the consultation. It is also proposed to offer the following discounts on licence fees:

- Applications made during the first three months of the scheme for each property
- Landlords with multiple properties
- Landlords who have a membership of a national landlord organisation or have the property accredited with the Wirral Council property accreditation Scheme

The following charges are also proposed:

- Charge for yearly direct debits
- Variation Fee
- A Temporary Exemption Notice Fee
- Assisted completion of application forms

The licences issued under the existing scheme will continue to apply until 30th June 2020.

### **Changes to the Licence Conditions**

The licence contains a series of conditions the licence holder would need to comply with, including property management, fire safety and anti-social behaviour.

As part of this consultation, the existing licence conditions will be updated to reflect mandatory changes in legislation which must be implemented, and also the additional conditions that Wirral Council would like to introduce.

A document showing all of the suggested changes to the Licence Conditions can be found at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing).

### **What would happen to private landlords who let their property without a licence or don't meet the licence conditions?**

Failure to apply for a licence or meet licence conditions could lead to an unlimited fine and a criminal conviction.

### **What are the next steps?**

If feedback from the consultation supports the introduction of a Selective Licensing scheme in a further four areas, and Members approve a final scheme, it is hoped that it will be introduced late in 2018.

More information about the consultation process, including how to get involved, is available via:

Online: [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)

Email: [SLconsultation@wirral.gov.uk](mailto:SLconsultation@wirral.gov.uk)

By post: Selective Licensing Consultation  
PO Box 290  
Brighton Street  
Wallasey  
CH27 9FQ

**1. If you are responding as a private landlord or a letting or managing agent, please answer the three questions below:**

How many licensed properties do you own or manage in Wirral?  
(HMO or Selective Licence)

How many other private rented properties do you own or manage in Wirral?

How many properties do you own or manage elsewhere in the UK?

**2. Which of the following apply to you? (Please tick all boxes that apply)**

- ☐ Live in Wirral
- ☐ Live in one of the existing Selective Licensing areas
- ☐ Work in one of the existing Selective Licensing areas
- ☐ Live in one of the proposed Selective Licensing areas
- ☐ Work in one of the proposed Selective Licensing areas
- ☐ Represent an organisation based in or covering Wirral
- ☐ Own or manage a business in Wirral
- ☐ Own or manage a business in one of the Selective Licensing Areas
- ☐ Work in Wirral
- ☐ Private Landlord/agent in one of the existing Selective Licensing areas
- ☐ Private Landlord/agent in one of the proposed Selective Licensing areas
- ☐ Private Landlord/agent with a property elsewhere in Wirral
- ☐ Have another connection with Wirral
- ☐ No connection with Wirral

**3. Wirral Council proposes to extend Selective Licensing into four new areas which are experiencing low housing demand and poor property condition. Selective Licensing will require all landlords to have a licence in order to let out homes in these areas.**

**To what extent do you agree or disagree with the Selective Licensing proposal?**

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

**4. Wirral Council proposes to charge a fee estimated between £500-£695 over a 5 year period depending on any discounts that can be applied. (See below)**

**This would be £100-140 per year or between £2-£3 per week before any discounts are applied.**

**To what extent do you agree or disagree that this is a reasonable licence fee for this period?**

- ☐ Strongly agree
- ☐ Agree
- ☐ Neither agree nor disagree
- ☐ Disagree
- ☐ Strongly disagree
- ☐ Don't know

**5. To what extent do you agree or disagree that it is reasonable to:**

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Reduce the licence fee for landlords who have a membership of a national landlord organisation or have a property accredited with the Wirral Council Property Accreditation Scheme.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reduce the licence fee for landlords with multiple properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reduce the licence fee for landlords who submit early licence fee applications?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**6. The Housing Act 2004 requires that every licence must include certain mandatory conditions which are outside of the Council's control and therefore no questions have been included about these changes.**

Since the previous licence conditions were published, the Government has included requirements for landlords to install a carbon monoxide alarm where there is a solid fuel burning combustion appliance, and demand references from potential tenants.

Wirral Council does however have the power to include additional conditions to those set by Government. A full copy of the amended conditions can be found at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing).

Wirral Council would like your views and comments on the proposed licence conditions.

**To what extent do you agree or disagree with the following changes proposed in the additional licence conditions?**

**The licence holder must:**

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Provide operating instructions for any fixed form of heating, cooking, washing and/or electrical appliances where provided as part of the tenancy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carry out Right to Rent checks in accordance with Home Office requirements prior to agreeing to a tenancy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carry out an inspection of the premises at least once per year to ensure it is free from disrepair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensure the provision of adequate kitchen facilities for the safe storage and preparation of food within the premises	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensure emergency work is necessary to protect the security of the premises is undertaken within 24 hours of notification (eg broken window)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keep records of any complaints received and action taken relating to anti-social behaviour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**7. To what extent do you agree with the conditions around the following issues and principles about the property?**

**The licence holder must:**

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Keep the property in a good state of repair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keep any outside areas clean and tidy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keep the property secure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide keys for any window locks and instructions on how to use any burglar alarm	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have an electrical safety certificate for the property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fix any faults identified by an electrical inspection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deal with any pests and infestations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**8. To what extent do you agree with the following conditions about the relationship with the tenant?**

The licence holder must:

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Fix any repairs identified when a new tenant moves in	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide information about mandatory tenancy deposit protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide information about refuse collection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have arrangements for reporting repairs, including in an emergency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Give 24 hours written notice before entering the property, except in an emergency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**9. To what extent do you agree or disagree with the following conditions about the way in which the property is managed?**

The licence holder must:

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Keep a copy of all references received for every occupier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Not allow more people to live in the property than specified by the tenancy agreement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Make sure that the tenant and their visitors don't cause a nuisance to their neighbours	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deal with any complaints of anti-social behaviour in a proper and timely manner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Make sure that the tenant complies with other conditions about living in the property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**10. Wirral Council is proposing that the licence holder must keep all washing and kitchen facilities in the premises in a safe condition, in good working order and reasonable repair as far as reasonably practicable.**

**To what extent do you agree or disagree that it is reasonable that any washing and kitchen facilities provided by the licence holder must be maintained to an adequate standard?**

- |                                         |                                            |                                                     |
|-----------------------------------------|--------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Strongly agree | <input type="checkbox"/> Agree             | <input type="checkbox"/> Neither agree nor disagree |
| <input type="checkbox"/> Disagree       | <input type="checkbox"/> Strongly disagree | <input type="checkbox"/> Don't know                 |

**11. Wirral Council is proposing that the licence holder must provide information to the tenant at the start of the tenancy, for example, a copy of the licence, a notice with the name, address and emergency contact number of the licence holder, copies of current gas/electric safety certificates, energy performance certificate, tenancy agreement and details of the arrangements for waste disposal.**

**To what extent do you agree or disagree that it is reasonable that the licence holder must provide the tenant with an information pack?**

- |                                         |                                            |                                                     |
|-----------------------------------------|--------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Strongly agree | <input type="checkbox"/> Agree             | <input type="checkbox"/> Neither agree nor disagree |
| <input type="checkbox"/> Disagree       | <input type="checkbox"/> Strongly disagree | <input type="checkbox"/> Don't know                 |

**12. Are there any other comments that you would like to make about the proposed extension of selective licensing to other areas or changes to the licence conditions?**

Please return this questionnaire to **Selective Licensing Consultation, PO Box 290, Brighton Street, Wallasey, CH27 9FQ** or hand in to any **Wirral Council One Stop Shop** or **Library**.

## Appendix 4 - Email to landlords and agents

From: Meek, Sarah A. on behalf of regen-selectivelicensing

To: SLConsultation

Cc:

Subject: Notification of Wirral Council Consultation on Proposals to Extend Selective Licensing in Wirral

Sent: Tue 12/12/2017 15:04

Dear landlords and agents,

**Council consultation on proposals to extend selective licensing in Wirral**

On 27<sup>th</sup> November 2017, Wirral's Cabinet agreed to consult on proposals to extend selective licensing to four new areas and to consult on some changes to the existing licence conditions. The consultation will run from 11<sup>th</sup> December 2017 until 21<sup>st</sup> March 2018.

The proposed new areas are:

Birkenhead Central  
Birkenhead West  
Hamilton Square  
Seacombe St Paul's

For more information about the areas, including a full list of properties and maps, please go to [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing)

The Council can only introduce a scheme if following a consultation exercise, there is support to do so. The Council therefore is consulting with everyone who may be affected to invite them to have their say on the proposals by completing a questionnaire. As a landlord, we would also like to invite you to attend one of the following landlord workshops where you can discuss the proposals and what they mean for you:

<b>Monday 15<sup>th</sup> January</b>	<b>10am-12pm</b>	<b>OR</b>	<b>5pm-7pm</b>
<b>Thursday 1<sup>st</sup> February</b>	<b>10am-12pm</b>	<b>OR</b>	<b>5pm-7pm</b>

If you would like to attend, please book a place by contacting us by email [SLconsultation@wirral.gov.uk](mailto:SLconsultation@wirral.gov.uk) or phone 0151 691 8156.

As with the previous scheme, the Council wants your views and comments. To have your say, please complete the online questionnaire at [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing) and as well as the workshops, accredited landlords will be asked to participate in a steering group to discuss the proposed scheme in more detail. If you are an accredited landlord and would like to put your name forward for the steering group, please contact us with your details by emailing [SLconsultation@wirral.gov.uk](mailto:SLconsultation@wirral.gov.uk).

There are separate drop-in events for residents who live in the existing areas or the proposed new areas to find out more. We will be contacting them directly with information and an invitation to attend, but all information, including drop-in event dates is available on the website [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing).

Licence conditions for the current scheme were previously consulted on and agreed in 2015. Since then, there has been some new legislation introduced by Government on things like carbon monoxide alarms and the Right to Rent, so it is proposed that the licence conditions are updated with some additional clauses. Please see the full document with all proposed changes on [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing).

## Appendix 5 - E-mails to Stakeholders notifying of consultation

From: Brannan, Andrew J.  
To: Edwards, Stella  
Cc: Hetherington, Lisa  
Subject: RE: Wirral Council Selective Licensing

Sent: Tue 02/01/2018 10:57

### Council to consult on proposals to tackle poor standards of private rented housing in Wirral

Wirral's Cabinet has given the go ahead for a consultation on plans to extend selective licensing for private landlords to a further four proposed areas in the Borough, and to amend the current licence conditions.

The extension to selective licensing in specific, targeted areas would help to stabilise these neighbourhoods by declaring an intention to drive up property management practice and property standards in the private rented sector as well as helping to solve other issues contributing to low demand within a neighbourhood.

The proposed areas are Birkenhead Central, Birkenhead West, Hamilton Square and Seacombe St Paul's. For details of the areas, please look at the maps available on the [Council website](#) or call into one of the following drop in events:

**Tuesday 16<sup>th</sup> January 2018**  
(4pm-7pm)  
Charing Cross Methodist Church,  
Claughton Rd, Birkenhead

**Wednesday 17<sup>th</sup> January 2018**  
(4pm-7pm)  
Birkenhead Town Hall,  
Hamilton Square, Birkenhead

**Monday 22<sup>nd</sup> January 2018**  
(3pm-6pm)  
St Paul's Children's Centre  
St Paul's Road, Seacombe

**Thursday 25<sup>th</sup> January 2018**  
(4pm-7pm)  
Birkenhead YMCA  
Whetstone Lane, Birkenhead

**Friday 26<sup>th</sup> January 2018**  
(4pm-7pm)  
Wallasey Town Hall  
Brighton Street, Wallasey

The extension to selective licensing would legally require landlords in the proposed areas to apply for a licence from the Council to rent their property out to tenants. Licences can be revoked if properties are not up to a good standard.

Licence conditions for the current scheme were previously consulted on and agreed in 2015. Since then, there has been some new legislation introduced by Government on things like carbon monoxide alarms and Right to Rent, so it is proposed that the licence conditions are updated with some additional clauses. This will not incur any additional licence cost to existing licenced landlords.

The consultation is open until 21<sup>st</sup> March 2018 and we would like to invite you to complete a questionnaire which can be found on the [Council website](#) so that your views can be taken into account.

For more information and to complete the questionnaire, please go to [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing). If you would like a paper copy of the questionnaire, please contact us on 0151 691 8156 or attend one of the drop in sessions above.

## Appendix 6 - Press Release Selective Licensing scheme

### **Council to consult on proposals to tackle poor standards of private rented housing in Wirral**

Wirral's Cabinet has given the go ahead for a comprehensive consultation on plans to extend selective licensing for private landlords to a further four proposed areas in the Borough, and to amend the current licence conditions.

The proposed areas are Birkenhead Central, Birkenhead West, Hamilton Square and Seacombe St Paul's.

Cabinet Members were advised that so far, in the existing scheme areas, 1300 licences have been granted, and 340 properties have received a compliance check. Of those properties which have been inspected, over 70% have required improvements to the property or management practices to bring them up to the required standard. Homes that fail to meet the required standard have a detrimental impact on the health and welfare of those who live in them, which impacts on local communities.

The proposal also aims to help tackle low housing demand. The suggested areas have a vulnerable housing market with high numbers of vacant properties and low house prices and rental values.

The extension to selective licensing would legally require landlords in the proposed areas to apply for a licence from the Council to rent their property out to tenants. Licences can be revoked if properties are not up to a good standard.

Licence conditions for the current scheme were previously consulted on and agreed in 2015. Since then, there has been some new legislation introduced by Government on things like carbon monoxide alarms and Right to Rent so it is proposed that the licence conditions are updated with some additional clauses. This will not incur any additional licence cost to existing licenced landlords.

The extension to selective licensing in specific, targeted areas would help to stabilise these neighbourhoods by declaring an intention to drive up property management practice and property standards in the private rented sector as well as helping to solve other issues contributing to low demand within a neighbourhood.

The Council will start consulting on the proposal on **11<sup>th</sup> December** and will engage with a range of stakeholders including tenants, residents, landlords, service providers, Council staff and Members and National and Regional Landlord organisations. The consultation will include more detailed and direct targeting with landlords, tenants and other stakeholders who live or operate in the proposed selective licensing areas and their immediate surroundings.

More information on this consultation is available on the Council website at [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing)

## Evidence of press release news article on Wirral Council homepage 11/12/17

**But first, he needs a loving foster family in Wirral.**

youcanfoster.org

### News

**Consultation begins on extending Selective Licensing scheme**  
11 December 2017

**Residents from New Ferry and Port Sunlight come together for Christmas lights switch-on.**  
11 December 2017

**Community Grant fund supporting local projects in Pensby and Thingwall**  
08 December 2017

**New Ferry regeneration details published ahead of public meeting**

### What's on

**West Kirby Christmas Trail 2017**  
Sat 2nd Dec - Fri 22nd

**Wirral Shares Reading(Shakespeare Group) at Birkenhead Central Library**  
Mon 11th Dec 1:00pm - 3:30pm

**Easygoing Pilates**  
Mon 11th Dec 2:00pm - 3:00pm

**Young at Heart Club**  
Mon 11th Dec 2:00pm - 4:00pm

**Storytime at Bromborough Library**  
Mon 11th Dec 2:15pm - 2:45pm

## Have Your Say about Selective Landlord Licensing

...and be in with the  
chance to win £100  
High Street vouchers!



Wirral Council is proposing to improve living standards by making changes to the Selective Landlord Licensing scheme, including extending the areas it covers.

This means that the landlord or manager of a private rented home in these areas would need to apply for a licence to rent out their property.

You can view maps and addresses all of the properties affected and tell us what they think about the proposals online at **[wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)**

Or ask for a paper copy at any Wirral library or One Stop Shop.

All questionnaires will be entered into a **prize draw for £100 of High Street vouchers!**

For more information:

Email: [slconsultation@wirral.gov.uk](mailto:slconsultation@wirral.gov.uk)

Call: (0151) 691 8156

Visit any of these special resident drop-in sessions:

**Tuesday 16th January 2018 (4pm-7pm)**

Charing Cross Methodist Church, Claughton Road, Birkenhead

**Wednesday 17th January 2018 (4pm-7pm)**

Birkenhead Town Hall, Hamilton Square, Birkenhead

**Monday 22nd January 2018 (3pm-6pm)**

St Paul's Children's Centre, St Pauls Road, Seacombe

**Thursday 25th January 2018 (4pm-7pm)**

Birkenhead YMCA, Whetstone Lane, Birkenhead

**Friday 26th January 2018 (4pm-7pm)**

Wallasey Town Hall, Brighton Street, Wallasey

## Appendix 8 - Website Consultation

The original text below was replaced by the text in the image when the consultation ended

*Wirral Council is proposing to extend Selective Licensing into four new areas in Wirral, as well as making some changes to conditions of licences, and would like to know what you think.*

*Please complete the online questionnaire to tell us what you think about the proposals, and be in with a chance to win £100 High Street Vouchers.*

[Link to Questionnaire](#)

### Selective Licensing consultation

**Monday 11 December 2017 to Wednesday 21 March 2018**


The Selective Licensing consultation is now closed. The outcome of the consultation, will be reported to Cabinet at the end of June 2018.


#### Extending Selective Licensing in Wirral

The four proposed areas are:

 [Birkenhead Central](#)

 [Birkenhead West](#)

 [Hamilton Square](#)


 [Seacombe St Paul's](#)

Please click on each area for a detailed map and list of addresses included in the proposed areas.

#### Background

Wirral has areas of low housing demand and almost one in three properties in Wirral's private rented sector fails to meet the decent homes standard, which can have a huge impact on the health and welfare of tenants and wider communities. Selective Licensing aims to improve homes in these areas by ensuring private landlords and agents meet satisfactory standards of tenancy and property management.

The four new areas were identified in a similar way as the original areas (please click [here](#) for more information on the existing scheme), using research by the Council's Intelligence Team which identified key areas suffering from low housing demand and poor property condition, as well as higher than average rates of private rented homes. A full breakdown of the evidence, methodology and findings is included in the Business Case below.

 [Selective Licensing Business Case – November 2017](#)

## Find Out More

### Residents

Drop-In events have been arranged for residents to find out more about the scheme and how the proposals may affect them:

- Tuesday 16th January 2018, 4pm to 7pm at Charing Cross Methodist Church, Claughton Rd, Birkenhead
- Wednesday 17th January 2018, 4pm to 7pm at Birkenhead Town Hall, Hamilton Square, Birkenhead
- Monday 22nd January 2018, 3pm to 6pm at Seacombe Children's Centre, St Paul's Road, Seacombe
- Thursday 25th January 2018, 4pm to 7pm at Birkenhead YMCA, Whetstone Lane, Birkenhead
- Friday 26th January 2018, 4pm to 7pm at Wallasey Town Hall, Brighton Street, Wallasey


### Landlords

Workshops have been arranged for landlords to discuss the details of the scheme and how the proposals may affect them:


- Thursday 1 February 2018, 10am – 12pm or 5pm – 7pm

If you are a landlord or agent, and would like to attend one of the workshops, please email [SLconsultation@wirral.gov.uk](mailto:SLconsultation@wirral.gov.uk) to book a place, stating the date and time you would like to attend.

Once the booking is confirmed, all details, including the venue will be provided.

 Minutes of the Landlord Steering Group 2 March 2018


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 Minutes of the Landlord Steering Group 16 January 2018

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## Making Changes to Licence Conditions

Licence conditions for the current scheme were previously consulted on and agreed in 2015. Since then, there has been some new legislation introduced by Government on things like the use of carbon monoxide alarms and Right to Rent checks. It is therefore proposed that the licence conditions are updated with some additional clauses. Please see the document below which shows all proposed additions and amendments to the licence conditions.

 Proposed Licence Conditions

---

## Appendix 9 - Selective Licencing postcard distributed to all residents in existing and proposed areas

Front



**Have Your Say about Selective Landlord Licensing... and be in with a chance to win £100 of High Street vouchers!**

Wirral Council is proposing to improve living standards by extending Selective Landlord Licensing to four new areas of Wirral.

This means that the landlord or manager of a private rented home in your neighbourhood would need to apply for a licence in order to rent out their property.

**WIRRAL**

Back

You can view maps and address lists showing all of the properties in the current and the proposed selective licensing areas online at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)

We are asking people to tell us what they think about the proposed extension of selective licensing in Wirral as well as changes to the current selective licence conditions, by completing the online questionnaire at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)

Paper copies of the questionnaire are also available from any Wirral library or One Stop Shop\*.

If you would like to speak to someone about the proposals, or would like more information before you complete the questionnaire, please email: [slconsultation@wirral.gov.uk](mailto:slconsultation@wirral.gov.uk) call: **(0151) 691 8156** or visit a drop-in session.

To find out more visit any of these special drop-in sessions:

**Tues 16 January 2018 (4-7pm)**  
Charing Cross Methodist Church  
Cloughton Road, Birkenhead

**Wed 17 January 2018 (4-7pm)**  
Birkenhead Town Hall  
Hamilton Square, Birkenhead

**Mon 22 January 2018 (3-6pm)**  
St Paul's Children's Centre  
St Pauls Road, Seacombe

**Thurs 25 January 2018 (4-7pm)**  
Birkenhead YMCA  
Whetstone Lane, Birkenhead

**Fri 26 January 2018 (4-7pm)**  
Wallasey Town Hall  
Brighton Street, Wallasey

*\*All completed online and paper questionnaires will be entered into a prize draw for £100 of High Street vouchers.*

3870x175x

Appendix 10 - Poster placed in all local Council offices and shops and public buildings in and around the existing and proposed areas.

## Have Your Say about Selective Landlord Licensing...and be in with a chance to win £100 of High Street vouchers!

Wirral Council is proposing to improve living standards by making changes to Selective Landlord Licensing in Wirral, including extending the areas it covers.

This means that the landlord or manager of a private rented home in these areas would need to apply for a licence to rent out their property.

To find out more visit any of these special drop-in sessions:

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**Fri 26 January 2018 (4-7pm)**  
Wallasey Town Hall  
Brighton Street, Wallasey

You can view maps and addresses all of the properties affected and tell us what you think about the proposals online at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing) or ask for a paper copy of our questionnaire at any Wirral library or One Stop Shop\*.

**For more information:**  
**email:** [sconsultation@wirral.gov.uk](mailto:sconsultation@wirral.gov.uk)  
**call:** (0151) 691 8156

*\*All completed questionnaires will be entered into a prize draw for £100 of High Street vouchers!*

**WIRRAL**



## Appendix 11 - Selective Licensing Adverts for press

# Landlord Licensing

Wirral Council is proposing to improve living standards by extending Selective Landlord Licensing to four new areas in Wirral.

This means that the landlord or manager of a private rented home in these areas would need to apply for a licence to rent out their property:

- Birkenhead Central
- Birkenhead West
- Hamilton Square
- Seacombe St Paul's

Maps of each area and a full list of the properties affected are available at  
[wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)

Wirral Council is consulting with everyone who may be affected, to invite them to have their say on the proposals. The consultation is open until **21 March 2018**.

For more information about the consultation process, including how to get involved:  
Visit: [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)  
Email: [slconsultation@wirral.gov.uk](mailto:slconsultation@wirral.gov.uk)  
Write: Selective Licensing Consultation  
Wallasey Town Hall,  
Brighton Street  
Wirral, CH44 8ED



NEWS 13

# Landlord Licensing

Wirral Council is proposing to improve living standards by extending Selective Landlord Licensing to four new areas in Wirral.

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Email: [slconsultation@wirral.gov.uk](mailto:slconsultation@wirral.gov.uk)  
Write: Selective Licensing Consultation  
Wallasey Town Hall,  
Brighton Street  
Wirral, CH44 8ED



## Advert placed in Your Move (Property Magazine)

Simply call our dedicated team on 0333 202 6391  
or E-Mail us on [liverpool@clarriots.co.uk](mailto:liverpool@clarriots.co.uk)

---

### Landlord Licensing

Wirral Council is proposing to improve living standards by extending Selective Landlord Licensing to four new areas in Wirral.

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Wirral Council is consulting with everyone who may be affected, to invite them to have their say on the proposals. The consultation is open until **21 March 2018**.

For more information about the consultation process, including how to get involved:

Visit: [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)  
Email: [alconsultation@wirral.gov.uk](mailto:alconsultation@wirral.gov.uk)  
Write: Selective Licensing Consultation  
Wellaway Town Hall,  
Brighton Street,  
Wirral, CH44 8DD

## Appendix 12 - Written responses

19.2.2018

Dear Sirs

Re: Priory Wharf, Birkenhead.

I am writing in response to your request for comment regarding the proposal to introduce selective licensing in four specified areas.

I own two flats at Priory Wharf, off Church Street, Birkenhead which I note fall just within the proposed Hamilton Square zone. These flats have been rented out successfully for the past sixteen years. There have been no issues at all which would have benefited from my holding a licence.

One of the flats was let, until three years ago, to a lady who left only because she was getting married. She was very sorry, indeed rather emotional, at having to leave and had previously commented that she saw the flat as her home for life. The gentleman who now lives there is also very happy with the accommodation.

The other flat is currently occupied by a lady who has been living there happily since 2009.

Even a cursory inspection of Priory Wharf will show that it is a good quality residential development. Many of the properties are owner occupied.

The management of Priory Wharf is carried out by Keppie Massie who are, as you may know, a leading national firm of surveyors and property consultants with offices in Liverpool, Manchester, London and Glasgow. They conduct their responsibilities in a highly professional manner.

There is a continuing programme of maintenance and repair. For example, all the windows of the properties have either been replaced recently or are scheduled to be replaced in the near future. Keppie Massie even arrange security for the entire development and anti-social behaviour is virtually unknown.

The legislation introducing SELECTIVE licensing clearly envisages that local authorities may introduce it in problem areas. Priory Wharf is clearly not such an area.

As Priory Wharf lies just on the edge of the proposed Hamilton Square zone, may I respectfully suggest that the boundary of the zone be amended so that it stops at Church Street itself and thereby excludes Priory Wharf.

I look forward to hearing from you.

RECEIVED

Can somebody please review the Hamilton square area, it really does not need to include priory wharf development, this is a good development of properties that has its own security measures and does not need to be included in the selective licence programme

thanks

Dear George Davies, Re proposed new L/Ord licencing areas. Sorry to bother you but I've tried to find out where the new area boundaries are but can't so would you be able to help? Two sides to every story, I'm 72 and suffered epileptic seizures for 25 yrs so I went into rentals and own a property in Birkenhead and rent out at £85pw but after finance, exp's, tax etc I'm left with just £40pw (if rents paid) most s/employed earn that in just 1 hr and I'm considering selling up as the license fee is so high plus so many rules and reg's therefore need to know where. Can't deny I'm not as keen as I was, give them a palace they give back a ruin! I keep rent lower than average so 'working' people can afford it. Thanks for your time. Yours [redacted]

11

Dear George/Lisa

☺

Please see the attached email from [REDACTED], manager of the St James Centre, which I believe is self-explanatory.

Please let me know whether there is any possibility of the Selective Licensing Areas being extended, as suggested by Anna.

Please let me know if you require any further details.

Many Thanks.

☺

Brian Kenny

Labour Councillor for Bidston & St. James

Wirral Labour Group Vice Chair

Email: [briankenny@wirral.gov.uk](mailto:briankenny@wirral.gov.uk)

Tel: 0151 638 5488

Mobile: 07850 091517

☺

From: [REDACTED] <mailto:anna@nbd.org.uk>

Sent: 24 January 2018 05:30

To: [REDACTED]

Cc: [REDACTED]

Subject: Fwd: Proposals to improve neighbourhoods in parts of Birkenhead and Wallasey - what do you think?

☺

Morning,

We have been out and about in the Norman Street area over the last week or so and as [REDACTED] has shown, and as you are aware, there are considerable issues with fly tipping/alleyway rubbish and dog fouling. We are also aware of issues tenants face living in privately rented accommodation especially with black mould. We've been in touch with the Councils Healthy Homes team for advice to pass back to residents but more needs to be done.

☺

I was aware of the consultation (below) and wondered if there was an opportunity for the selective licensing areas to be extended to cover 2 particular areas within a North Birkenhead - that of the Triangle and Gaulty Road areas including Townsend Street. What lobbying can we do to request this? [REDACTED] is going to raise this at the BNNA meeting on Thursday night too.

☺

We look forward to working with you to improve our community.

☺

Thanks for your support.

☺

Best wishes,

☺

[REDACTED]

Hi George & Lisa,

I wish to lodge my support of the views of my fellow Cllr Brian Kenny, normally we would not double up on emails, but the strength of feeling is running high in the areas noted. Many thanks

Julie McManus

Cllr Julie McManus

Labour Councillor for Bidston & St. James

Email: [Juliemcmanus@wirral.gov.uk](mailto:Juliemcmanus@wirral.gov.uk)

Telephone: 0151 677 3660

Mobile: 0754 902 2697

Sent: 23 January 2018 16:50

To: SLConsultation

Subject: Consultation

Good afternoon

Before I can make comment as part of this consultation can you tell me how often this licence fee would become payable by a landlord?

PAT testing is on an annual basis etc and tenants change so how would this work?

At present it seems a very high charge to the landlords. What does the Council provide to the landlord for this fee?

Are costs the same in every local authority?

Many thanks

Good afternoon

We are the managing agents on behalf of Priory Wharf Management Co Ltd. We have a very hands on approach to management and we are actively involved with the site on a daily basis.

Residents mainly have one contact which is myself as the surveyor, they are not passed around to different members of our team as we prefer to keep consistency.

Our contact details are provided to all residents, we also arrange 24/7 security and CCTV monitoring.

For out of hours emergencies and repairs, Proguard are instructed.

Following your proposal to introduce Landlord Licensing within the Hamilton Square area covering the Priory Wharf site, we have been discussing the plans with Directors and Leaseholders.

We asked Leaseholders to come forward with any points or suggestions they would like to make in relation to this proposal, please find the reasons against the introduction of the Licensing Scheme on Priory Wharf below;

- Priory Wharf is a private complex of relatively new (20-28 year old) leasehold properties. It has a single entrance from Church Street and is bounded by railings and fences down to the Mersey.
- It is a well-managed complex (award winning Keppie Massie – members of the RICS) in partnership with resident directors and board). It has attractive gardens, landscaping and ample parking. The site - enjoys 24 hour security monitoring, ongoing and anticipatory maintenance of both buildings and grounds. It has an onsite gym, is well lit during hours of darkness, and has a mixture of tenanted and owner occupied accommodation.
- The amenities are funded by the not insignificant Service Charge payable by every leaseholder.
- Some tenanted properties are also managed by a property agents at an additional cost to ensure tenants are suitable and in turn have any repairs/maintenance attended to in a timely fashion.
- Priory Wharf is desirable and popular place to live and does not suffer from any of the negative criteria for selective licensing - in fact it already exceeds the proposed standard.
- It should be removed from the mapped area, as its inclusion would be detrimental, removing its reputation as an 'oasis' in a downtown area, drive down property prices and may even leave properties vacant. In fact create the situation that the licensing scheme is designed to avoid.
- Amendment of the map would not be difficult as Priory wharf is the only residential area on the tail end of the map going down to the Mersey, which encompasses the child support agency and wasteland. It is also noticeable that the area includes many non-residential areas e.g. docks.
- There are many one bed apartments at Priory Wharf and other newly built purpose built blocks so rents are lower than for a 3 bed property thereby bringing down the rent averages.
- Directors of Priory Wharf have always worked closely alongside local counsellors and wish to improve the area.

We look forward to receiving your response.

Dear Sirs

It is with regret that today we have issued section 21 notices to all our tenants in the new proposed areas. The reason for this decision is the areas where we have tried to work with you have become worse and both us and our clients can see no positives and are concerned by the increase in anti social behavior. We do not wish to continue to be a landlord in the proposed expansion of the scheme and it is with regret that family's that our customers in the new proposed area will be forced to find new homes clearly this is not a decision that has been taken lightly.

And of course I am available should you wish to enter into further dialogue.

**Response to Wirral Council's proposal for selective licensing**

**March 2018**

- 1.→ The National Landlords Association (NLA) exists to protect and promote the interests of private residential landlords.
- 2.→ The NLA represents more than 72,000 individual landlords from around the United Kingdom. We provide a comprehensive range of benefits and services to our members and strive to raise standards within the private rented sector.
- 3.→ We seek a fair legislative and regulatory environment for the private rented sector, while aiming to ensure that landlords are aware of their statutory rights and responsibilities.
- 4.→ We thank Wirral Council for providing us with the opportunity to comment on the selective licensing proposal, which we are minded to support.
- 5.→ Having considered the evidence presented, and having undertaken our own evaluation of the circumstances faced by the residents/landlords of Wirral, our position can be summarised by the following brief points:
  - Landlords have very limited authority when dealing with matters related to antisocial behaviour, especially if it happens outside the curtilage of the property. We welcome the council's approach that will work with landlords and tenants to resolve these issues.
  - The proposed scheme will help reduce waste, with landlords being able to access facilities at the end of a tenancy.
  - Support in mental health as well as drugs and alcohol issues which affect tenants will reduce issues within the wards affected.
  - The support being made available to help landlords with problem tenants will reduce the problems being moved around the borough.
  - We welcome that those landlords that have joined trade associations and look to keep up-to-date with the law will receive acknowledgement in the fee.
- 6.→ Licensing is a powerful tool. We support the proposed introduction of licensing schemes that benefit landlords, tenants and the community. In this case we are minded to support the proposal if the council follows through on the proposals that they have indicated. The way the council has made efforts to support the good landlords will help resolve specific issues.

Submission from Frank Field MP to Wirral Council's consultation on Selective Licensing

**Recommendation 1:** Birkenhead North (between Norman Street and Laird Street) should be established as a Selective Licensing area with immediate effect.

A central recommendation of this submission is that the group of roads between Norman Street and Laird Street, in particular Dundonald Street and Methuen Street, should be established as a Selective Licensing area with immediate effect.

Much of the older terraced housing stock in this area is let to tenants by private landlords, often via letting agents. It has been reported to me that there is a high turnover of tenants in the area. This is partially due to the poor condition of the housing stock, the struggle that some tenants face to get repairs done, and the resulting feeling that landlords are unaccountable for the state of their properties.

In and around Dundonald Street alone, it has been reported from various properties that there is:

- a hole in the roof that has been there for two years, letting in water whenever there is rain;
- an infestation of rats and mice;
- thick black mould on the walls despite the property being well ventilated;
- wood rot on the front and back doors, letting cold air into the property, with the tenant attempting to make do by stuffing paper into the largest gaps;
- furniture, including cupboards and radiators, hanging off the walls;
- widespread damp; and
- piping that leaks water and sewage in and around the property.

It strikes me that in such cases, particularly when much of the rent is covered by housing benefit, landlords may well be running down the value of the capital base and trying to avoid investing any money in the asset. Tenants feel powerless in such situations to take action against the landlord.

A group of us will be meeting with tenants in and around Dundonald Street later this week, to gain further evidence on the condition of the private accommodation in the area.

**Recommendation 2:** Individual clusters of streets should automatically be considered for Selective Licensing, as soon as evidence comes to light of poor housing conditions within those clusters.

The second recommendation of this submission seeks to shape the future rollout of the Selective Licensing scheme, so that greater accountability gradually becomes the norm in the relationship between private landlords and tenants across Wirral.

Several constituents have reported to me the impact of poor housing conditions on their health. Indeed, such conditions are widely known to trigger, or exacerbate, physical illnesses which include eczema. Respiratory health has been shown to be particularly affected in both adults and children.

In one recent case, a constituent and her five children had to sleep in one room because each of their other bedrooms was plastered with mould. The children's breathing had suffered because of the mould. The property was described as 'a death trap' due to the hazardous state of the electrics, and neither the heating system nor the cooker had been fixed by the landlord.

A second constituent reported similarly that their children's breathing began to suffer, after their calls and messages to the landlord about severe damp went unanswered for six months.

In a third case, a constituent living above a takeaway had to put up with a strong smell of gas for several weeks after significant maintenance works had been carried out on the ground floor premises. The landlord, in this case, had also refused for nine months to address the broken boiler in the property which had left my constituent without heating or hot water over the Christmas period. My constituent was driven to their wit's end by this episode and, as a result, moved out of the property.

Just as poor conditions trigger a deterioration in tenants' physical and mental health, they should trigger also an automatic consideration of Selective Licensing in that area as soon as they come to light.

# Selective Licensing Have your Say

ON 27th November 2017, Wirral's Cabinet agreed to consult on proposals to extend Selective Licensing to four new areas and to consult on some changes to the existing licence conditions.

## The proposed new areas:

- Birkenhead Central
- Birkenhead West
- Hamilton Square
- Seacombe St Paul's

For more information about the areas, including a full list of properties and maps, please go to [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing).

The Council can only introduce a scheme if following a consultation exercise, there is support to do so. The Council therefore is consulting with everyone who may be affected to invite them to have their say on the proposals by completing a questionnaire, and would also like to invite you to attend one of the following landlord workshops where you can discuss the proposals and what they mean for you:

**Thursday 1st February,  
10am - 12pm or 5pm - 7pm**

As with the previous scheme, the Council wants your views and comments. To have your say, please complete the online questionnaire at [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing) and as well as the workshops, accredited landlords will be asked to participate in a steering group to discuss the proposed scheme in more detail. If you are an accredited landlord

and would like to put your name forward for the steering group, please contact us with your details by emailing [SLconsultation@wirral.gov.uk](mailto:SLconsultation@wirral.gov.uk)

Paper copies of questionnaires can be found in any Wirral One Stop Shop or Library, or contact us by email [SLconsultation@wirral.gov.uk](mailto:SLconsultation@wirral.gov.uk) or phone 0151 691 8156 to ask for a copy.

If you would like to attend, please book a place by contacting us by email [SLconsultation@wirral.gov.uk](mailto:SLconsultation@wirral.gov.uk) or phone 0151 691 8156.

There are separate drop-in events for residents who live in the existing areas or proposed new areas to find out more. We will be contacting them directly with information and an invitation to attend, but all information, including drop-in event dates is available on the website [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing).

Licence conditions for the current scheme were previously consulted on and agreed in 2015. Since then, there has been some new legislation introduced by Government on things like carbon monoxide alarms and the Right to Rent, so it is proposed that the licence conditions are updated with some additional clauses. Please see the full document with all proposed changes on [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing).

**The consultation closes on  
21st March 2018.**

## Appendix 14 – Evidence of Social Media

### Facebook Post Evidence 18/01/2018

The screenshot shows the Facebook profile of Wirral Council. The profile picture is a stylized 'W' logo. The cover photo features a house and the text: "Have Your Say about Selective Landlord Licensing ...and be in with the chance to win £100 High Street vouchers!". The main post, dated yesterday at 12:48pm, states: "Wirral Council wants to improve living standards in parts of Birkenhead and Seacombe by extending Selective Landlord Licensing in those areas. This means that the landlord or manager of a private rented home would need to apply for a licence to rent out their property. Find out more and tell us what you think by visiting the Wirral Council website at: <http://socs.in/NaGJ...> See More". The post has 1 share and 3 comments. The right-hand sidebar shows a list of contacts and pages liked by the council, including "Stop Hate UK", "Merseyside Recycling...", and "Liverpool Echo News".

### Evidence of Tweet 11/12/17

The screenshot shows the Twitter profile of Wirral Council (@WirralCouncil). The profile picture is the same stylized 'W' logo. The header image is a night photograph of a classical building with columns, illuminated by warm lights. The profile statistics show 15K tweets, 535 following, 16K followers, 712 likes, and 1 list. The bio reads: "News from Wirral Council in northwest England. This account is monitored Mon-Fri 9am-5pm. For services or to report a fault visit [wirral.gov.uk](http://wirral.gov.uk)". The "Tweets" tab is selected, showing a tweet from 12m ago: "Have your say on plans to extend landlord licensing scheme to four more areas of Wirral... [socs.in/DvZ9E](http://socs.in/DvZ9E)". Below it is a tweet from 15m ago: "Has your child had their #flu vaccination? Statistics show that fewer children have been vaccinated against flu than at this time last year. #StayWellThisWinter". A retweet from PHE North West is also visible. The right-hand sidebar shows "Who to follow" with accounts like "Wirral Globe", "Wirral Talk", and "Wirral Chamber", and "Trends for you" including "Keith Chegwin" and "#InternationalMountainDay".

## Appendix 15 – Letter to neighbouring local authorities



Wirral Council

David Ball  
Assistant Director  
Environmental Services  
PO Box 290  
Brighton Street  
Wallasey  
CH27 9FQ

[www.wirral.gov.uk](http://www.wirral.gov.uk)

Date: 20 February 2018

Our Ref:  
Service: Housing Services

Tel No: 0151 691 8156

Dear Colleague,

### Consultation on Selective Licensing Proposals

Wirral Council is currently consulting on proposals to extend Selective Licensing into four new areas and as part of that consultation we are required to consult with anyone who may be affected by the proposals. We are therefore inviting views from neighbouring authorities.

The proposed areas are Birkenhead Central, Birkenhead West, Hamilton Square and Seacombe St Pauls, all of which have higher than average numbers of private rented properties, low demand and poor property condition. Further details including the business case for selecting the areas and address lists and maps can be found at [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing).

To participate in the consultation, we would ask you to complete a questionnaire which can be found on the website link above, or respond in writing with your comments directly to me before the end of the consultation period on 21st March 2018.

To ensure the consultation is publicised as widely as possible, we would also appreciate it if you could share this information with any private landlords that you work with and have contact details for.

I would like to thank you for any assistance you can provide in sharing the consultation and for participating on behalf of your local authority, and look forward to hearing from you. If you have any queries or require further information, please do not hesitate to contact my officer on 0151 691 8697 or email [stellaedwards@wirral.gov.uk](mailto:stellaedwards@wirral.gov.uk).

Your sincerely

A handwritten signature in black ink, appearing to read "Emma Foley".

Emma Foley  
Strategic Housing Services Senior Manager


**Appendix 16 – Evidence of email sent to all landlords on the Housing Benefit recipient list, and all members of the public who have expressed a wish to be contacted in relation to housing matters.**

Proposals to improve the standard of private rented accommodation. [View this email in your browser](#)

## Selective Licensing

### Have Your Say

...on proposals to improve property management standards



Wirral Council is proposing to improve living standards by extending Landlord Licensing into the following areas:

- [Birkenhead Central](#)
- [Birkenhead West](#)
- [Hamilton Square](#)
- [Seacombe St Paul's](#)

Selective Landlord Licensing aims to improve these areas by ensuring that owners or managers of private rented properties meet satisfactory standards for the condition of their property and its management, by legally requiring them to get a licence for each property that they rent out in the proposed areas.


You can view map and full list of the properties in each area by clicking the links above.

More information, including a link to a short questionnaire to tell us what you think of the proposal, is available at [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing).

The consultation is open until 21st March 2018.

For more information about the consultation process, including how to get involved:

- visit: [wirral.gov.uk/selectivelicensing](http://wirral.gov.uk/selectivelicensing)
- email: [elcconsultation@wirral.gov.uk](mailto:elcconsultation@wirral.gov.uk)
- write: Selective Licensing Consultation, Wallasey Town Hall, Brighton Street, Wirral CH44 8ED.



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