

DRAFT REPORT CABINET

DATE	20 th August 2025
REPORT OF	Councillor Swinburn, Portfolio Holder for Housing, Infrastructure and Transport
RESPONSIBLE OFFICER	Carolina Borgstrom
SUBJECT	Selective Licensing
STATUS	Open
FORWARD PLAN REF NO.	CB 07/25/03

CONTRIBUTION TO OUR AIMS

The recommendations in this report will support the strategic aims as set out in the Council Plan by supporting a Stronger Economy and Stronger Communities. Selective Licensing will enable the conditions for good and sustainable homes, living a healthy life, nurturing our children and building their future, supporting our adults and contributing to clean and safe streets.

EXECUTIVE SUMMARY

This report, supported by the attached appendix “Selective Licensing Consultation Findings/Evaluation Report” provides details and recommendations following the recent wide ranging consultation exercise undertaken in a defined area of the East Marsh ward to consider the introduction of Selective Licensing.

RECOMMENDATIONS

It is recommended that Cabinet:

- i. Approve the Introduction of Selective Licensing of private rented accommodation within parts of the East Marsh ward as detailed in Appendix 1 and aligning to the Safer Streets geographical area.
- ii. Publish a Public Notice of designation under Section 80 and 83 of the Housing Act 2004. This Notice shall allow for the designation of the chosen area for the introduction of a Selective Licensing Scheme.
- iii. Publicise the Selective Licensing consultation results.
- iv. Approve a flexible fee structure for Selective Licensing.

REASONS FOR DECISION

The Council undertook an evidence-based business analysis exercise that considered East Marsh eligibility for Selective Licensing. In December 2024, Cabinet approved a decision to undertake consultation with stakeholders who may be affected. The subsequent consultation considered the views of those stakeholders. Whilst there was opposition from Landlords, there was broad support from tenants and residents to introduce a Selective Licensing Scheme. Selective Licensing can support a balanced housing market, improve the standards of housing management and address problems affecting residents living in private rented properties.

1. BACKGROUND AND ISSUES

- 1.1 The Council has powers available under provisions within Part 3 of the Housing Act 2005, to implement a discretionary selective licensing scheme. Selective licensing would mean all private sector landlords would require a licence within the designated area.
- 1.2 Selective licensing in privately rented homes is aimed at tackling problems in areas caused by:
 - low housing demand (or is likely to become such an area) and/or
 - a significant and persistent problem caused by anti-social behaviour
 - poor housing conditions
 - high levels of migration
 - high level of deprivation
 - high levels of crime.
- 1.3 On the 11th December 2024, Cabinet approved the commencement of a consultation exercise on a proposal to introduce a selective licensing scheme in parts of the East Marsh ward.
- 1.4 Selective Licensing will enable the local authority to regulate landlords and manage the sector more effectively. There are several factors through which selective licensing helps to achieve effective change:
 - Improves housing conditions within the targeted area
 - The scheme allows the Council to concentrate resources into a specific area and recover costs.
 - Landlords and tenants have a better understanding about housing standards and legal obligations.
 - It provides landlords with a clear understanding of what constitutes an offence and the enforcement process.
 - The Council can enter properties without giving a minimum of 24 hours' notice. (Officers will be able to enter properties where the landlord is intentionally operating without a licence). This is important where a 'rogue' landlord is operating. For example, an illegal house of multiple occupancy.
 - Licensing will provide a clear direction for landlords to provide improved management practices and improve awareness of Landlords responsibilities.
 - Designating an area can instigate a more co-ordinated approach between the local authority and other agencies to work better in partnership, focusing on the issues.
 - It can improve intelligence gathering, to reduce criminal and anti-social behaviour.
 - It can further develop joint working arrangements with the authority and other agencies including Humberside Fire and Rescue, Humberside Police, Border Control/Immigration, Social Care, His Majesty's Revenue & Customs and others.

1.5 Proposed Outcomes

- 1.6 The evidence-based business case identified some high-level outcomes in considering whether to make a selective licensing designation. As part of the consultation the outcomes were refined and are set out below:

Objective	Actions	Target Outcome	Benefits
Reduce low housing demand	<p>Implement a scheme of Selective Licensing and monitor progress and compliance against the predicted number of licensable addresses.</p> <p>Conduct licence compliance checks of properties licensed under the Selective Licensing Scheme.</p> <p>Take both formal and informal action to ensure landlords apply for a licence and properties meet the required standard.</p> <p>Provide web-based information, advice and guidance to enable landlords to deal with anti-social tenants/occupiers.</p> <p>Provide relevant information to tenants and signpost to relevant agencies to ensure tenants are supported to maintain their</p>	<p>Improve the local environment, make the area more attractive for residents to live there.</p> <p>Reduce the number of empty and long-term empty residential properties through general area improvement.</p>	<p>Stronger relationships between the Council and private landlords through providing information, advice and guidance and tackling rogue landlords.</p> <p>Tenants stay longer in properties providing an opportunity to create a more cohesive community.</p> <p>Create a vibrant and sustainable private rented housing market.</p> <p>Fewer empty properties in the long term.</p>

	tenancy.		
Reduce levels of anti-social behaviour (ASB)	<p>Through the use of robust licence conditions and by holding landlords to account ensure action is taken to reduce ASB incidents in private rented properties.</p> <p>Provide web-based information, advice and guidance to enable landlords to deal with anti-social tenants/occupiers.</p> <p>Ensure robust licence conditions, the provision of information, advice and guidance and holding landlords and tenants to account to act and enforce the terms of the tenancy agreement.</p> <p>Provide information, advice and guidance so tenants understand the consequences of unacceptable and anti-social behaviour.</p>	<p>A reduction in ASB, including environmental ASB in the area.</p> <p>Tenants have improved understanding of their responsibilities.</p>	<p>Stronger relationships between the Council and private landlords through providing information, advice and guidance and tackling rogue landlords who fail to address ASB.</p> <p>Reduce incidents of ASB.</p> <p>Reduce number of evictions for ASB.</p> <p>Tenants improve their behaviour and meet the requirements of their tenancy agreement.</p> <p>A vibrant and sustainable housing market in the proposed area.</p>
Improve Poor Housing Conditions	<p>Take proportionate enforcement action where properties do not meet the required standard as set out in the licence.</p> <p>Provide web-based information, advice and</p>	<p>Improve property conditions in the area.</p> <p>Landlords and tenants understand the required standards when a property is let.</p>	<p>Reduced costs of poor housing to the NHS and society with HHCC - Housing Health Cost Calculator</p> <p>Improved health outcomes by tenants living in better homes,</p>

	<p>guidance to ensure landlords are aware of their responsibility to improve the energy performance of their properties.</p> <p>Signpost landlords that have properties with an Energy Performance Certificate of E or below, to schemes that may contribute to the cost.</p>	<p>Tenants know how to raise concerns about property standards and know what they can expect from the Council.</p> <p>The number (%) of privately rented properties with an EPC of C or above increases.</p>	<p>contributing to longer life expectancy for residents.</p> <p>Reduced carbon emissions.</p> <p>Reduction in the number of households living in fuel poverty.</p> <p>Provide a vibrant and sustainable housing market in the proposed area.</p>
Reduce levels of crime in the area.	<p>Signpost to information, advice and guidance to ensure Landlords, tenants and residents can take steps to deter and report criminal activity.</p> <p>Work in a coordinated way with relevant partners to deter and respond to criminal activity.</p> <p>Tenancy support is available for tenants in crisis to help maintain a tenancy.</p> <p>A quarterly residents forum to enable residents to feedback on issues in their community</p>	<p>Landlords understand their obligations to deter criminal activity either conducted by or experienced by their tenants</p> <p>Intelligence is shared between partners to ensure criminal behaviour is identified and actioned.</p>	<p>Reduction in the number of crimes</p> <p>A safer and more desirable living environment.</p>
Increased access to education and	Working with partners and	Tenants are aware of local health and	Higher attainment at school and work

health facilities	employing the 'Every Contact Counts' principal tenants have greater awareness of wider support services	education facilities within their communities.	through better housing conditions leading to better long term health outcomes. Services collaborate to identify and support individuals and families to ensure appropriate support.
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1.7 Secondly, the Council considered whether there were any other courses of action available to it that would achieve the same objective or objectives as the proposed scheme without the need for the designation to be made.

1.8 It was considered that there had been a number of schemes over recent years, including:

- During 2015, officers visited properties in the area to ensure that all were compliant with Smoke and Carbon Monoxide Alarm (England) Regulations 2015. This campaign also found several properties that contained Category One and Two Hazards.
- During 2019 officers completed various door knocking campaigns, speaking to residents and found several illegal Houses of Multiple Occupancy in the East Marsh area. The activity included early morning visits and formal action taken against landlords.
- During 2022, the local Community Safety Partnership (the statutory partnership made up of North East Lincolnshire Council, Humberside Police, National Probation Service, Humberside Fire & Rescue Services and Health Colleagues) received £749,500 of Home Office Funding, from the Safer Streets Fund. Whilst the scheme did have some impact, crime figures show there has been an increase in crime and anti-social behaviour since the scheme finished.

1.9 Consultation Methodology

1.10 The Council undertook the consultation following Government guidance. The minimum consultation period required by legislation is 10 weeks. Consultation took place from 23rd January 2025 to the 7th of April 2025.

1.11 The Housing Act 2004, Section 80(9) requires a Local Authority to widely consult prior to considering designating an area of Selective Licensing within its Borough with two points enshrined within law, these are.

- To take reasonable steps to consult persons who are likely to be affected by the designation
- To consider any representations made in accordance with the consultation and not withdrawn. Section 6 of the Selective Licensing in the private rented sector: a guide for local authorities document, published by the Department for Levelling Up, Housing and Communities outlines the consultation requirements for any considered scheme. The guidance document outlines that the Council must undertake a full consultation for a period of at least 10 weeks.

1.12 Letters and emails were sent out to all key stakeholders including residents, landlords and businesses in the area affected, with information posted on the 'Have your Say' page on Council website. Paper copies of the consultation were made available on request for the digitally disadvantaged.

1.13 The following engagement approach was undertaken: -

- Resident face to face consultation events within the community
- Landlord face to face consultation events.
- Online consultation events
- The Council also had a direct email address for respondents to send their queries to, selectivelicensing@nelincs.gov.uk
- Information on the Council website www.nelincs.gov.uk.
- Email to all elected members and MP's
- Email to relevant Council partners, stakeholders and other potential interested parties.
- Publicised address for letters to be sent to.
- Attendance at the East Marsh Involve meeting to present to residents and respond to any queries.

1.14 Consultation Findings

1.15 Over the 10-week consultation period the council received 202 responses to its consultation.

Consultation Event	Responses
Online completed surveys	131
Emails	18
Landlord face to face sessions	30 attended
Resident face to face sessions	13 attended
Online Events	10 attended
Total	202

1.16 As part of the online consultation, we asked respondents to state if they considered the Council had looked at suitable alternative approaches. Overall residents were satisfied that the Council had looked at other options, whereas landlords did not consider all options had been considered.

1.17 Overall, 60.45% residents were in support of the outcomes of the scheme, whereas the vast majority of landlords were not.

- 1.18 We asked if respondents agreed with the proposed area. There was a mixed response to this question, with Landlords commenting they were concerned it included the area beyond Durban Road, including Columbia Road, Cooper Road and Fairmont Road. Residents in this area were in support of the introduction of the scheme, which reinforced the outcome from a previous petition to introduce selective licensing. Others said it should include the whole of the East Marsh.
- 1.19 The scheme is designed to collaborate with landlords and tenants to help residents live in their homes longer, by working towards making it a better place to live. Overall, 29% said they strongly agreed and 33% said they agreed with this approach.
- 1.20 We also responded to all specific concerns raised via face to face and on-line sessions and via email.
- 1.21 **Summary**
- 1.22 The consultation exercise into the suitability of the proposal to adopt Selective Licensing under Part 3 of the Housing Act 2004, within parts of the East Marsh was extensively and robustly undertaken in the proposed area enabling tenants and residents to take part. Engaging with the estate, lettings and managing agents ensured Landlords were able to engage with the process and also have opportunity to make their views heard.
- 1.23 Tenants and residents were broadly supportive of the introduction of Selective Licensing.
- 1.24 The majority of Landlords were not supportive of the introduction of Selective Licensing.
- 1.25 Based on the feedback received there is a strong case to introduce Selective Licensing in the defined area of the East Marsh
- 1.26 Following comparative analysis of both property values and rental incomes in the area south of Durban Road which includes Cooper Road, Fairmont Road and Columbia Road (including interconnecting streets), it was evident that this geographical area benefited from higher property values and rental incomes when compared to the wider Safer Streets East Marsh area consulted on. Further analysis of similar terrace housing areas in Heneage, Sidney Sussex and West Marsh wards also indicated that both property values and rental incomes were lower in those areas compared to the area south of Durban Road.
- 1.27 Anti-Social Behaviour and Crime data also indicates that whilst the area south of Durban Road does experience higher levels of crime and antisocial behaviour than the borough average, it is lower when compared to the East Marsh Safer Streets geographical area with reported anti-social behaviour being particularly lower.
- 1.28 It is therefore recommended that these streets are removed from the Selective

Licensing footprint. This would mean Durban Road creates the boundary.

- 1.29 It is also proposed that a review of the fee structure and delivery mechanisms is undertaken to ensure the scheme delivers value for money and operates on a cost recovery basis following consultation feedback.

2. RISKS, OPPORTUNITIES AND EQUALITY ISSUES

- 2.1 In Cabinet deciding to introduce Selective Licensing there is a risk that the Council could face a judicial review. Throughout the process, officers have ensured that due process has been followed and has also sought external advice to provide check and challenge as an additional safeguard.
- 2.2 There is a risk that landlords may exit the market following the introduction of Selective Licensing.
- 2.3 There also remains a risk that if the Council do not introduce Selective Licensing then the area will not experience an improvement in housing conditions which will continue to impact tenants and wider residents.
- 2.4 The scheme has been equality impact assessed and there were no issues highlighted.

3. OTHER OPTIONS CONSIDERED

- 3.1 **Do nothing/continue as we are** – the evidence supports that a “do nothing” option i.e. continue with the current approach, will not bring about the improvements required.
- 3.2 **Increase enforcement activity** – this is already supported through our Housing Strategy. Increased activity is often thwarted by current legislation only allowing officers to use powers of entry and powers of access. This means that officers have to be invited into a house, unless they have a court warrant. Selective licensing allows officers the opportunity to work proactively with landlords to bring properties up to a good standard, before a licence is issued. Therefore, negating the lengthy enforcement process and problems gaining access to properties and taking action where properties have category one and two hazards.
- 3.3 **Encourage landlords to join an accreditation scheme on a voluntary basis** – this is already supported through our Housing Strategy. It is considered that a voluntary scheme is unlikely to deliver a significant improvement in housing conditions in the proposed designated area. Parts of the East Marsh ward were previously consulted during early 2020 about implementing a Selective Licensing scheme. This was put on hold due to Covid-19 and in the interim we have not seen any sustained improvement in the area.
- 3.4 **Implement Selective licensing in the area proposed in the consultation including the area south of Durban Road (Cooper Road, Fairmont Road**

and Columbia Road and interconnecting streets) – Consultation feedback from landlords about the area south of Durban Road prompted the Council to conduct further comparative analysis of both property values and rental incomes in this area and wider ward areas with similar properties. It was evident that this area attracts higher property values and rental incomes and is therefore recommended that it is not included within the Selective Licensing area as it would be difficult to evidence low demand. This would mean Durban Road creates the southern boundary.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1 There are potential positive/negative reputational implications for the Council resulting from the decision. An action plan will be agreed with the Council's Communications Team covering statutory communication requirements, and wider information requirements around the mobilisation and implementation of the scheme to ensure Landlords, Tenants and Residents are informed. A range of communication channels will be utilised including social media, online and face to face meetings.

5. FINANCIAL CONSIDERATIONS

- 5.1 Selective licensing should be delivered at nil cost to the Council. Licence fees should pay for all revenue costs including staffing and associated costs.
- 5.2 The Council will be required to invest in upfront costs which will be recovered during the term of the scheme. This will require an initial investment from Council reserves. We anticipate that most fees will be received within the first two years of the scheme, with funding ring fenced for future years.
- 5.3 The proposal should help to improve quality of housing, improve health inequalities, support households to maintain a tenancy and reduce the levels of transiency experienced in the area currently. This will help to reduce the burden the public spend in future years.

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

- 6.1 The introduction of Selective Licensing supports the Council outcome around nurturing our children and building their future and will lead to improved outcomes for children and their families.

7. CLIMATE CHANGE, NATURE RECOVERY AND ENVIRONMENTAL IMPLICATIONS

- 7.1 The introduction of a Selective Licensing scheme has the potential to deliver improvements in local environmental quality and home energy efficiency. Whilst this may only deliver small changes in carbon emissions it can help reduce fuel poverty.
- 7.2 The energy efficiency of properties may be improved during the scheme, as property management improves, along with the standard of accommodation.

8. CONSULTATION WITH SCRUTINY

- 8.1 This report will be heard at a joint Communities and Transport, Infrastructure & Strategic Housing Scrutiny Meeting on 21st July 2025 where feedback will be considered ahead of the final Cabinet Report submission.

9. FINANCIAL IMPLICATIONS

- 9.1 (To be completed by Officer consulted)

10. LEGAL IMPLICATIONS

- 10.1 (To be completed by Officer consulted).

11. HUMAN RESOURCES IMPLICATIONS

- 11.1 (To be completed by Officer consulted)

12. WARD IMPLICATIONS

- 12.1 The Decision to introduce Selective Licensing will affect the East Marsh ward.

13. BACKGROUND PAPERS

[12.-Selective-Licensing-Cabinet-Report.pdf](#) **CONTACT OFFICER(S)**

1472 324775

- 14.2 Spencer Hunt, Assistant Director Safer & Stronger Place, 01472 313131

CLLR STEWART SWINBURN, PORTFOLIO HOLDER FOR HOUSING<
INFRASTRUCTURE AND TRANSPORT



Selective Licensing Consultation Findings/Evaluation Report Appendix 1

July 2025

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1. EXECUTIVE SUMMARY

- 1.1 This report is an appendix to the August 2025 Cabinet Report which will consider the adoption of a Selective Licensing Scheme for areas of the East Marsh.
- 1.2 In order to consider the introduction of a discretionary selective licensing scheme, North East Lincolnshire Council undertook a wide-ranging consultation exercise with all those who would be potentially affected if it was to be introduced. This involved following Government Guidance and legislation whereby a consultation period of a minimum of 10 weeks was undertaken. Prior to consultation, a thorough analysis was undertaken which identified the East Marsh as an area that both met the statutory requirements and could benefit from a selective licensing scheme.
- 1.3 North East Lincolnshire's consultation ran from January 23rd to April 7th 2025.
- 1.4 The consultation consisted of: -
- 1.5 **Online Consultation:** A total of 245 responses were received, with 131 responses fully completed. The remaining 114 completed part of the questionnaire. Out of the total of 245 responses, 45 were received from landlords with properties in the designated area, 45 were received from residents living in other areas of the borough, 41 from residents living in the area and 12 other responses were received which were not specified as either living in the designated area or specified as a landlord or tenant.
- 1.6 **Online Consultation Events** – 10 people attended the online consultation events.
- 1.7 **Face to face Events** – 43 people attended the Face-to-Face events.
- 1.8 **Direct emails received** – 18 people emailed with queries.
- 1.9 **Key Findings**
- 1.10 There was support from residents and tenants for selective licensing in the East Marsh.

- 1.11 There was strong opposition from landlords.
- 1.12 There was concern about the cost of the selective licensing fee from landlords.
- 1.13 There was concern about cost of the selective licensing fee from tenants who felt that the costs could be passed onto them as part of the rent.
- 1.14 There was concern from landlords around the introduction of selective licensing around the streets to the South of Durban Road.
- 1.15 In conclusion, the initial background analysis and consultation evidence contained within this report supports the introduction of a selective licensing scheme and meets the essential criteria required: -

2. RECOMMENDATIONS

- 2.1 To seek Cabinet Approval: -
 - i. Approve the Introduction of Selective Licensing of private rented accommodation within parts of the East Marsh ward as detailed in Appendix 1 and aligning to the Safer Streets geographical area.
 - ii. Publish a Public Notice of designation under Section 80 and 83 of the Housing Act 2004. This Notice shall allow for the designation of the chosen area for the introduction of a Selective Licensing Scheme.
 - iii. Publicise the Selective Licensing consultation results.
 - iv. Approve a flexible fee structure for Selective Licensing.

3. BACKGROUND

- 3.1 On the 11th of December 2024, Cabinet approved the commencement of a consultation exercise on proposals to introduce a selective licensing scheme in parts of the East Marsh ward. The proposed scheme if introduced would aim to support a balanced housing market to effect social and economic improvements. The scheme aims to improve the standards of property management and address problems affecting residents living in Private Rented Sector properties.
- 3.2 The Selective Licensing consultation investigated the value of introducing Selective Licensing in parts of the East Marsh, Grimsby. Selective Licensing is permissible under the Housing Act 2004.
- 3.3 Selective Licensing requires all private landlords who let properties in a defined area to have a licence before they can let the property out. The licence can have conditions attached to ensure the property is safe and well managed.
- 3.4 The Local Authority have powers to introduce selective licensing of privately rented homes to tackle problems in their areas, or any part or parts of them, caused by:
 - low housing demand (or is likely to become such an area) and/or

- a significant and persistent problem caused by anti-social behaviour
- poor housing conditions
- high levels of migration
- high level of deprivation
- high levels of crime.

3.5 Selective Licensing is an additional tool that local authorities can seek to use alongside normal enforcement powers, to target specific issues that are affecting the area and its community

3.6 Selective Licensing enables the local authority to regulate landlords and manage the sector more effectively. There are several factors through which selective licensing helps to achieve effective change:

- Improves housing conditions within the targeted area
- The scheme allows the Council to concentrate resources into a specific area and recover costs.
- Landlords and tenants have a better understanding about housing standards and legal obligations.
- It provides landlords with a clear understanding of what constitutes an offence and the enforcement process.
- The Council can enter properties without giving a minimum of 24 hours' notice. (Officers will be able to enter properties where the landlord is intentionally operating without a licence). This is important where a 'rogue' landlord is operating. For example, an illegal house of multiple occupancy.
- Licensing will provide a clear direction for landlords to provide improved management practices and improve awareness of Landlords responsibilities.
- Designating an area can instigate a more co-ordinated approach between the local authority and other agencies to work better in partnership, focusing on the issues.
- It can improve intelligence gathering, to reduce criminal and anti-social behaviour.
- It can further develop joint working arrangements with the authority and other agencies including Humberside Fire and Rescue, Humberside Police, Border Control/Immigration, Social Care, His Majesty's Revenue & Customs and others.

3.7 **Proposed Outcomes**

3.8 The evidence-based business case identified some high-level outcomes in considering whether to make a selective licensing designation. As part of the consultation the outcomes were refined and are set out below:

Objective	Actions	Target Outcome	Benefits
Reduce low housing demand	Implement a scheme of Selective Licensing and	Improve the local environment, make the area more	Stronger relationships between the Council

Objective	Actions	Target Outcome	Benefits
	<p>monitor progress and compliance against the predicted number of licensable addresses.</p> <p>Conduct licence compliance checks of properties licensed under the Selective Licensing Scheme.</p> <p>Take both formal and informal action to ensure landlords apply for a licence and properties meet the required standard.</p> <p>Provide web-based information, advice and guidance to enable landlords to deal with anti-social tenants/occupiers.</p> <p>Provide relevant information to tenants and signpost to relevant agencies to ensure tenants are supported to maintain their tenancy.</p>	<p>attractive for residents to live there.</p> <p>Reduce the number of empty and long-term empty residential properties through general area improvement.</p>	<p>and private landlords through providing information, advice and guidance and tackling rogue landlords.</p> <p>Tenants stay longer in properties providing an opportunity to create a more cohesive community.</p> <p>Create a vibrant and sustainable private rented housing market.</p> <p>Fewer empty properties in the long term.</p>
Reduce levels of anti-social behaviour (ASB)	<p>Through the use of robust licence conditions and by holding landlords to account ensure action is taken to reduce ASB incidents in private rented properties.</p> <p>Provide web-based information, advice and guidance to</p>	<p>A reduction in ASB, including environmental ASB in the area.</p> <p>Tenants have improved understanding of their responsibilities.</p>	<p>Stronger relationships between the Council and private landlords through providing information, advice and guidance and tackling rogue landlords who fail to address ASB.</p> <p>Reduce incidents of ASB.</p>

Objective	Actions	Target Outcome	Benefits
	<p>enable landlords to deal with anti-social tenants/occupiers.</p> <p>Ensure robust licence conditions, the provision of information, advice and guidance and holding landlords and tenants to account to act and enforce the terms of the tenancy agreement.</p> <p>Provide information, advice and guidance so tenants understand the consequences of unacceptable and anti-social behaviour.</p>		<p>Reduce number of evictions for ASB.</p> <p>Tenants improve their behaviour and meet the requirements of their tenancy agreement.</p> <p>A vibrant and sustainable housing market in the proposed area.</p>
Improve Poor Housing Conditions	<p>Take proportionate enforcement action where properties do not meet the required standard as set out in the licence.</p> <p>Provide web-based information, advice and guidance to ensure landlords are aware of their responsibility to improve the energy performance of their properties.</p> <p>Signpost landlords that have properties with an Energy Performance Certificate of E or below, to schemes that may contribute to the cost.</p>	<p>Improve property conditions in the area.</p> <p>Landlords and tenants understand the required standards when a property is let.</p> <p>Tenants know how to raise concerns about property standards and know what they can expect from the Council.</p> <p>The number (%) of privately rented properties with an EPC of C or above increases.</p>	<p>Reduced costs of poor housing to the NHS and society with HHCC - Housing Health Cost Calculator</p> <p>Improved health outcomes by tenants living in better homes, contributing to longer life expectancy for residents.</p> <p>Reduced carbon emissions.</p> <p>Reduction in the number of households living in fuel poverty.</p> <p>Provide a vibrant and sustainable housing</p>

Objective	Actions	Target Outcome	Benefits
			market in the proposed area.
Reduce levels of crime in the area.	<p>Signpost to information, advice and guidance to ensure Landlords, tenants and residents can take steps to deter and report criminal activity.</p> <p>Work in a coordinated way with relevant partners to deter and respond to criminal activity.</p> <p>Tenancy support is available for tenants in crisis to help maintain a tenancy.</p> <p>A quarterly residents forum to enable residents to feedback on issues in their community</p>	<p>Landlords understand their obligations to deter criminal activity either conducted by or experienced by their tenants</p> <p>Intelligence is shared between partners to ensure criminal behaviour is identified and actioned.</p>	<p>Reduction in the number of crimes</p> <p>A safer and more desirable living environment.</p>
Increased access to education and health facilities	Working with partners and employing the 'Every Contact Counts' principal tenants have greater awareness of wider support services	Tenants are aware of local health and education facilities within their communities.	<p>Higher attainment at school and work through better housing conditions leading to better long term health outcomes.</p> <p>Services collaborate to identify and support individuals and families to ensure appropriate support.</p>

3.9 Secondly, the Council must also consider whether there are any other courses of action available to it that would achieve the same objective or objectives as the proposed scheme without the need for the designation to be made. For example, if the area is suffering from poor housing conditions, is a programme of renewal a viable alternative to making the designation? In areas with anti-social behaviour, where landlords are not

taking appropriate action, could an education programme or a voluntary accreditation scheme achieve the same objective as a selective licensing designation?

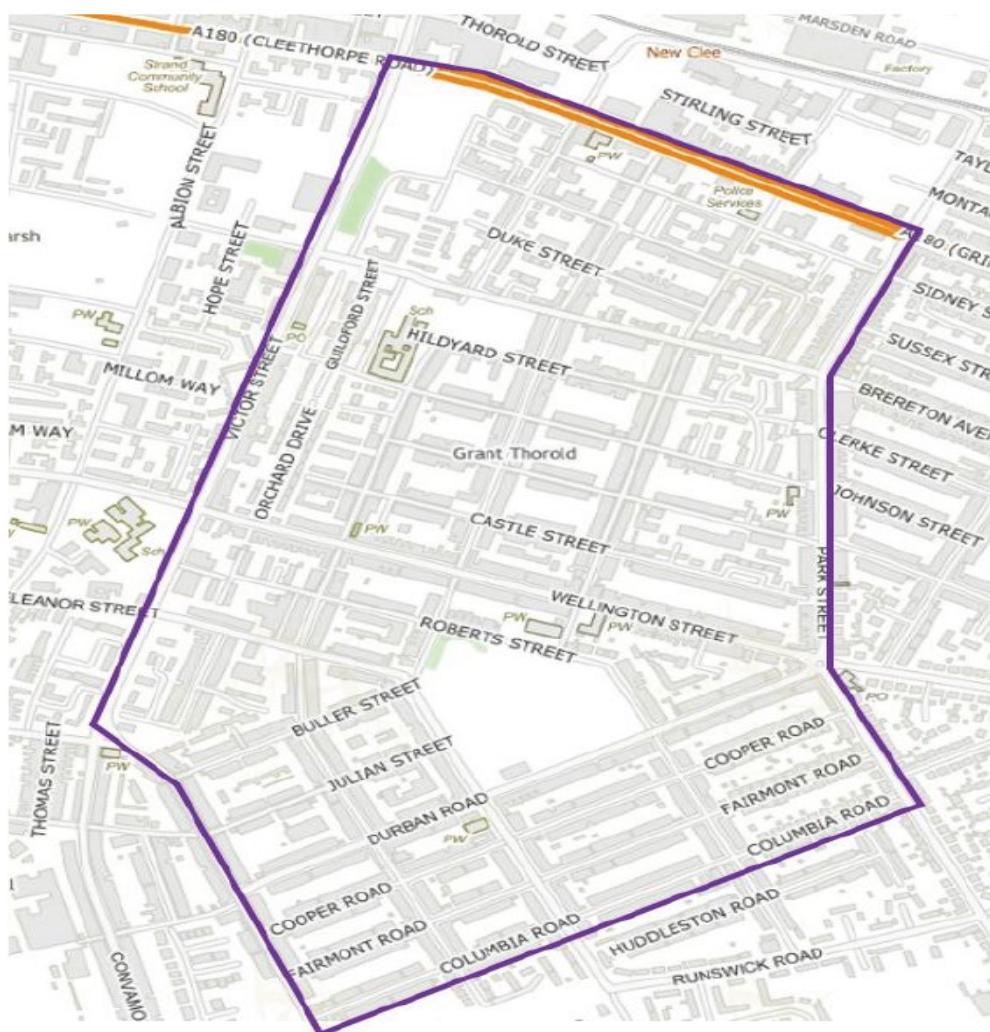
3.10 If the problems of anti-social behaviour are only associated with a small number of properties, a local housing authority should consider making a *Special Interim Management Order*, rather than a Selective Licensing designation covering properties with regards to anti-social behaviour. Only where there is no practical and beneficial alternative to a designation should a selective licensing scheme be made.

3.11 It was considered that there had been several schemes over recent years, including:

- During 2015, officers visited properties in the area to ensure that all were compliant with Smoke and Carbon Monoxide Alarm (England) Regulations 2015. This campaign also found several properties that contained Category One and Two Hazards.
- During 2019 the Rogue Landlord Team completed various door knocking campaigns, where officers went street to street to speak to residents, talking to them about their properties, checking they had fire detection and acting where appropriate, and where the tenant was willing. Many didn't want to report issues as they were afraid the landlord would evict them; however, some did. The door knocking campaign included officers from Humberside Police, Humberside Fire and Rescue, Environmental Services and Elected Members.
- The Rogue Landlord Campaign also found several illegal Houses of Multiple Occupancy in the East Marsh area. The action included early morning raids and formal action taken against landlords.
- During 2022, the local Community Safety Partnership (the statutory partnership made up of North East Lincolnshire Council, Humberside Police, National Probation Service, Humberside Fire & Rescue Services and Health Colleagues) received £749,500 of Home Office Funding, from the Home Office Safer Streets Fund. This specific area of the East Marsh was chose due to the high levels of crime and anti-social behaviour. The project repaired and replaced alley gates, provided target hardening improvements in local properties including outdoor security lights, alarms and window locks, improved street lighting. Around 10 tonnes of waste and bulky items were also removed from alleyways. In addition, the scheme saw the installation of 11 new CCTV cameras which are connected to the Council's Public Facing CCTV system. Whilst the initiative saw some immediate improvements in the area, it is clear more needed to be done to maintain the momentum on an ongoing basis. Figures show there has already been an increase in crime and anti-social behaviour since the scheme finished.

3.12 **Geographical Area**

3.13 The designation for consultation was consistent with the overall local housing strategy, considering wider homelessness, empty properties and anti-social behaviour. The Proposed area comprised of 3961 properties as shown in the map below: -



4. THE NEED FOR SELECTIVE LICENSING

- 4.1 Access to decent affordable housing is essential to support good health and wellbeing and a good quality of life. Overall, housing standards in North East Lincolnshire are good, however there is a high level of deprivation in some parts of the borough, where there are high levels of fuel poverty and poor-quality housing.
- 4.2 The BRE Housing Stock Model (2019) showed those areas with the worst managed housing, where properties contain multiple hazards. These tend to be areas where there is a predominance of Private Rented Sector housing that is being poorly managed by some landlords, a number of community issues can emerge that lead to the decline or feeling of decline within an area. Such decline can be seen physically and reflected in the movement of people into and out of an area, these issues do not encourage a sense of well-being and belonging within communities.
- 4.3 The types of issues that impact on communities from poorly managed private rented stock include fly tipping, issues regarding bins being left on streets, noise nuisance, unkempt and filthy gardens leading to potential vermin infestations and other types of Anti-Social Behaviour. Not only do these matters relate to environmental health concerns they also have an interplay with how people view and feel about the area they live in.

- 4.4 Such environments may show a high churn in tenancies and therefore provide a reduced chance for a sense of community that builds community cohesion amongst its residents. Conversely well managed Private Rented Sector properties can provide an attractive residence that adds value to areas and encourages behaviours that sustain peoples interest and desire to stay, invest and raise their families within an area.
- 4.5 Actions to improve the standard of Private Rented Sector housing within an area, can encourage sustainable communities to thrive for the betterment of the overall locality and its surrounding environs. Local authorities have an obligation under the Housing Act 2004 to keep housing conditions in their area under review. This includes all tenures of housing.
- 4.6 The Council Plan 2025-28 is committed to ensuring the borough is a place where people want to live with quality homes.
- 4.7 North East Lincolnshire Council approved its most recent Housing Strategy in 2024. The strategy takes an approach to improving property conditions in the private sector.
- 4.8 Whilst the Council has an obligation to enforce statutory minimum standards in housing, enforcement powers (Housing Act 2004 Part 1) require the occupier's consent. Tenants are often too afraid to report repairs the Council. Further mandatory and nonmandatory powers are available to the Authority under the Housing Act 2004 (Part 3) which provides enforcement powers that don't require the tenant to make a formal complaint and thereby protect the tenant from the threat/fear that the landlord will evict them.
- 4.9 Selective Licensing is part of a wider set of measures to ensure landlords provide good quality housing within their communities and can: -
 - Support the Council tackle a neighbourhood rather than ad-hoc/individual properties
 - Give a clear message to landlords and tenants that bad practice and behaviour is not acceptable and will not be tolerated
 - Improve property conditions and management, tackle issues of low demand and anti-social behaviour
 - Help to reduce tenancy turnover and void rates, by providing sustainable tenancies
 - Ensure properties are managed appropriately
 - Support empty homes being brought back into use
 - Support landlords to attract and retain good tenants whilst those who continue to allow occupation by irresponsible tenants may attract enforcement action
 - Make a direct and tangible difference to deprivation factors driven by anti-social behaviour, high crime and poor housing conditions
 - Enable the Council to put in more resources into an area and recover costs through the charging of a licence fee to cover the costs of Licensing and enforcement
 - Develop communities as tenants so they can begin to take pride in their local area following the improvement to properties and removal of Anti-Social Behaviour/enviro crime issues

- 4.10 The Council will also look to support the physical regeneration of the area when funding is made available. This includes a current £2.9m investment into the area, which will provide improvements to 60 properties.

5. CONSULTATION METHODOLOGY

- 5.1 The Council undertook a consultation following the Government guidance. The minimum consultation period required by legislation is 10 weeks. Consultation commenced on the 23rd of January 2025 and closed at midnight on the 7th of April 2025.
- 5.2 It is required that the consultation must be robust and reach as many people as possible. Through a communications matrix all actions were logged, and methods of communications were recorded.
- 5.3 Officers ensured that the public and those affected by any possible changes as a result of selective licensing were reached and encouraged to respond to the consultation and make their views known.
- 5.4 In order to ensure that the above was undertaken in a comprehensive manner a communication plan was produced. The document was live and included an additional online event in response to comments that some respondents were unable to make previous planned consultation events.
- 5.5 **Communications and Consultation Plan**
- 5.6 The Housing Act 2004, Section 80 (9) requires a Local Authority to widely consult prior to considering designating an area of Selective Licensing within its Borough with two points enshrined within law, these are.
- To take reasonable steps to consult persons who are likely to be affected by the designation
 - To consider any representations made in accordance with the consultation and not withdrawn. Section 6 of the Selective Licensing in the private rented sector: a guide for local authorities document, published by the Department for Levelling Up, Housing and Communities outlines the consultation requirements for any considered scheme. The guidance document outlines that the Council must undertake a full consultation for a period of at least 10 weeks.
- 5.7 Consultation commenced on the 23rd of January 2025, following Cabinet approval on the 11th of December 2024 and a subsequent call in on the decision.
- 5.8 Consultation included the following groups.
- Local residents within the proposed designated area and immediate surrounding area.
 - Tenants
 - Landlords
 - Managing Agents
 - Business Operators within the designated area

5.9 Further to the groups included within the guidance document the Council also consulted with the following groups to ensure that the consultation was as comprehensive as possible. In most cases, the Council were already working with these partners.

- Humberside Police
- Humberside Fire and Rescue Services
- North East Lincolnshire Adult and Children services
- Local Council Elected Members
- Member of Parliament for Greater Grimsby & Cleethorpes
- Community Safety Partnership
- Integrated Care Board
- Navigo
- Registered Providers
- Local Community Housing Organisations
- Local Charities supporting residents

5.10 Information on the consultation was posted on the Council website on the 'Have your Say' page. Paper copies were made available on request for the digitally disadvantaged.

5.11 Residents, local businesses and landlords were made aware of the consultation, and how they could respond by the following methods.

- Letters were sent out to inform interested parties of the consultation and how they could participate. This included a leaflet with information, a QR code so they could directly access the information and a link to the website.
- Letters were sent to every resident within the designated area.
- Letters were sent to every landlord within the designated area.
- Letters were sent to every business in the area
- Letters were sent out to all letting agents in the area
- Letters were sent out to 3,310 residents in nearby streets
- There were press releases in the local media/press
- There was an online social media campaign with regular posts on the council sites Facebook/X/Instagram/LinkedIn
- Information was provided on the Council website www.nelincs.gov.uk.

5.12 The following engagement approach was undertaken: -

- 2 resident face to face consultation events within the community at the Shalom Community Centre, Rutland Street, Grimsby on the 11th of February and 18th of March 2025. Both events opened at 1pm and closed at 7pm.
- 2 landlord face to face consultation events. These were held at Grimsby Town Hall and the Doughty Learning Centre on the 21st of February and the 13th of March 2025 respectively. Both events opened at 1pm and closed at 7pm.
- Online consultation events were held on the; 12th, 17th and 19th of February and on the 1st of April 2025.
- The Council also had a direct email address for respondents to send their queries to, selectivelicensing@nelincs.gov.uk
- Information on the Council website www.nelincs.gov.uk.
- Email to all elected members and MP's

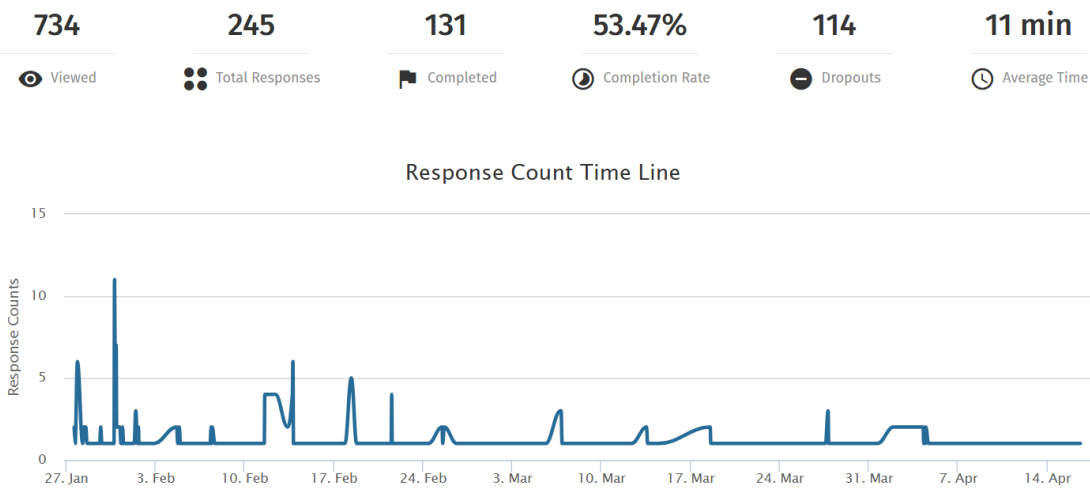
- Email sent to relevant Council partners, stakeholders and other potential interested parties.
- Letters could be addressed to the Municipal Offices; however none were received during the consultation period.
- Attendance at the East Marsh Involve meeting to present to residents and respond to any queries.

6. CONSULTATION FINDINGS

6.1 Over the 10-week consultation period the council received 202 responses to its consultation.

Consultation Event	Result
Online completed surveys	131
Emails	18
Landlord face to face sessions	30
Resident face to face sessions	13
Online Events	10
Total	202

6.2 Response Count Timeline



6.3 Online responses showed most activity at the start of the consultation period, showing a spike in activity in the time period from 27th January 2025 to 3rd February. This is when the original letters would have been received by interested parties. Whilst 734 viewed the survey questions, only 245 participants responded to the survey. 131 completed the survey with a further 114 participants part completing the survey.

6.4 Information on Respondents

6.5 Responses to the consultation were recorded in terms of whether the consultee was responding in the role of tenant, landlord or interested party. The highest proportion of responses came from:-

Tenure	Number	%
Resident of the East Marsh	41	25%
Resident outside of the East Marsh	45	27.5%
A business that could be affected	5	3%
A landlord who has a property/properties in the proposed designated area	45	27%
A landlord who has property/properties within other areas of North East Lincolnshire	16	10%
Other	12	7%

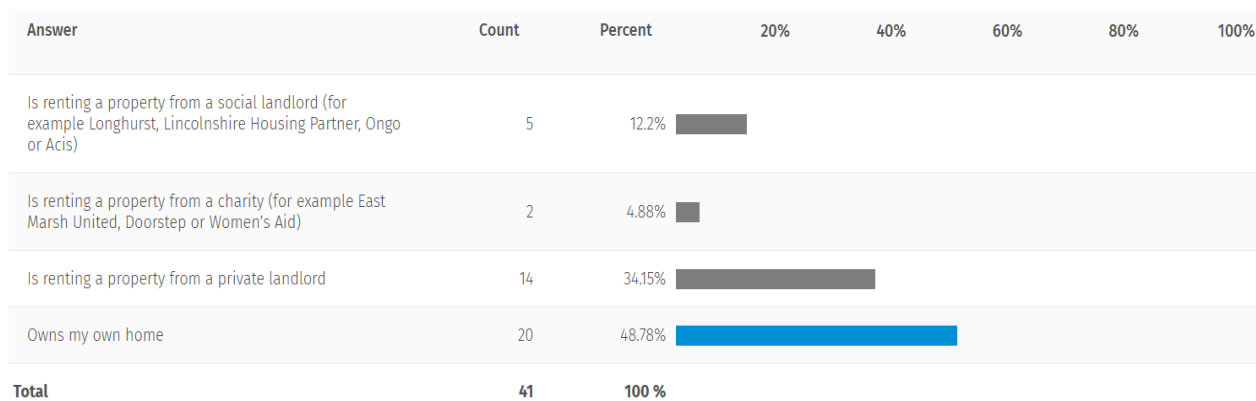
6.6 Of the respondents, 161 out of 230 people (70%) answered this first question, asking about the status of the respondent. 69 respondents did not complete this question preventing in depth analysis of how respondents might be affected by the scheme, or their particular interest in the scheme.

6.7 Those answering as “Other”, gave the following reasons.

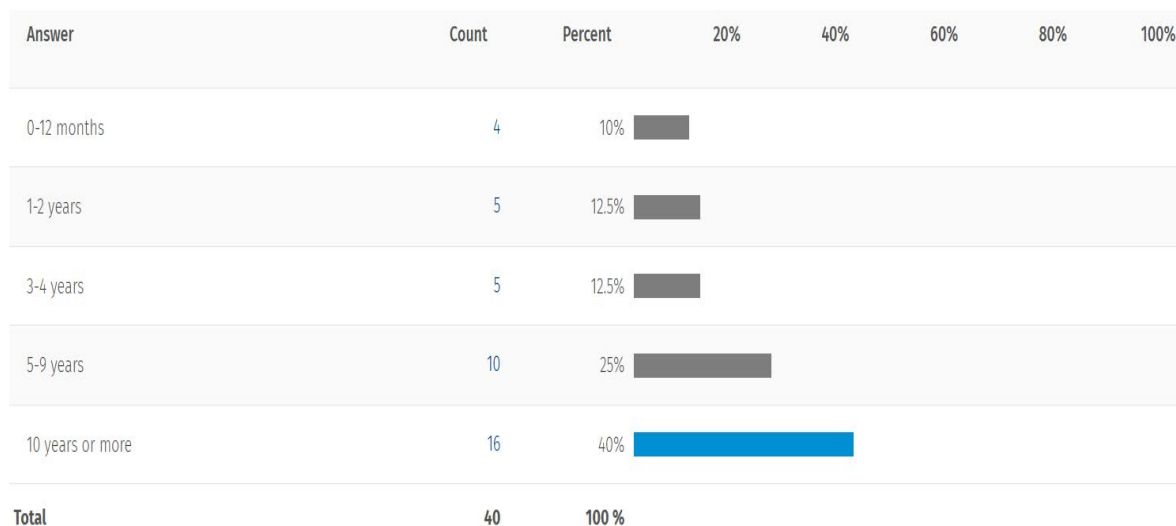
- Landlord and tenant
- a person who has a family member living in property in very poor condition
- Adult child of a landlord with a property on the East Marsh
- Resident
- DN37
- Grimsby resident
- A resident of North East Lincolnshire

6.8 **Post Codes** - When asked for respondents post codes, most responses were received from outside of the designated area. 116 out of 249 (incomplete) responses did not provide their postcode data. When we looked at the regions where people had responded, these ranged from Birmingham (13 responses) to Leeds, Sheffield and Bradford.

6.9 **Rented/Owner Occupier** - The consultation also asked local residents to confirm if they were renting, or if they were an owner occupier as shown below which indicates that over 48% (20) were owner occupiers and 34% (14) were private sector rented tenants.

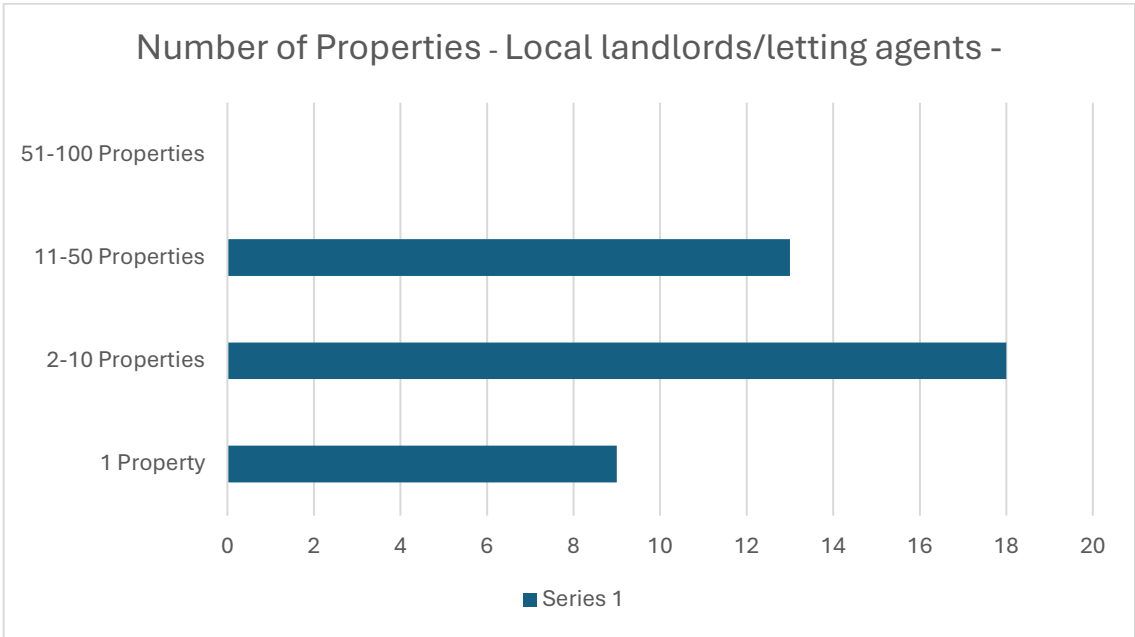


- 6.10 Intention to live in the area** - When respondents were asked how long they intended to live in the area as per the graph below, responses indicated that there were a number of residents who were unsure about staying in the area. A number mentioned anti-social behaviour, drug use and neighbours who were impacting on the lives of residents living nearby. Four responses mentioned landlords who didn't maintain their properties and another mentioned the area and the fact that the property needed repairs. Two respondents mentioned they needed to move due to age and/or mobility issues as the property was no longer suitable. Other responses mentioned the fact that the area is run down and there is open drug use.
- 6.11** Wider data showed that where people had lived in the area for ten years or more, this was more reflective of homeowners, who were more likely to set up a home and stay there.



6.12 Landlords Responding

6.13 We looked at the demographics of those landlords’ letting properties in the area. These are as follows:

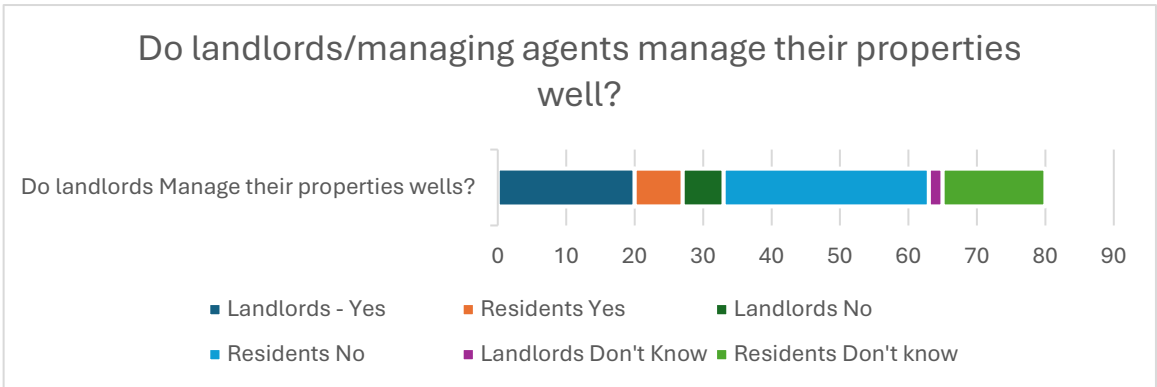


6.14 Of the 38 landlords who responded, 18 said they owned between 2 –10 properties equating to 47% of landlords who responded. No landlords had over 51 properties.

6.15 **Do Managing Agents/Lanlords mange their properties well** - When respondents were asked if they considered that Managing Agents and Landlords managed their properties well in the proposed designated area of the East Marsh, this received a mixed response with 27.14% of those surveyed indicating yes and 52.86% disagreeing, with a further 20% saying they didn’t know. Over half of the people surveyed believed Managing Agents and Landlords do not manage their properties well in the proposed area.

6.16 When this was broken down further, to local landlords/agents and residents we found the following.

6.17 Most residents on the online survey felt that landlords did not look after their properties, whereas local landlords felt they did. This was echoed in the face-to-face consultation however more landlords attended than tenants.



6.18 **Experienced Problems** - When asked if they had experienced problems, most responded as follows:-

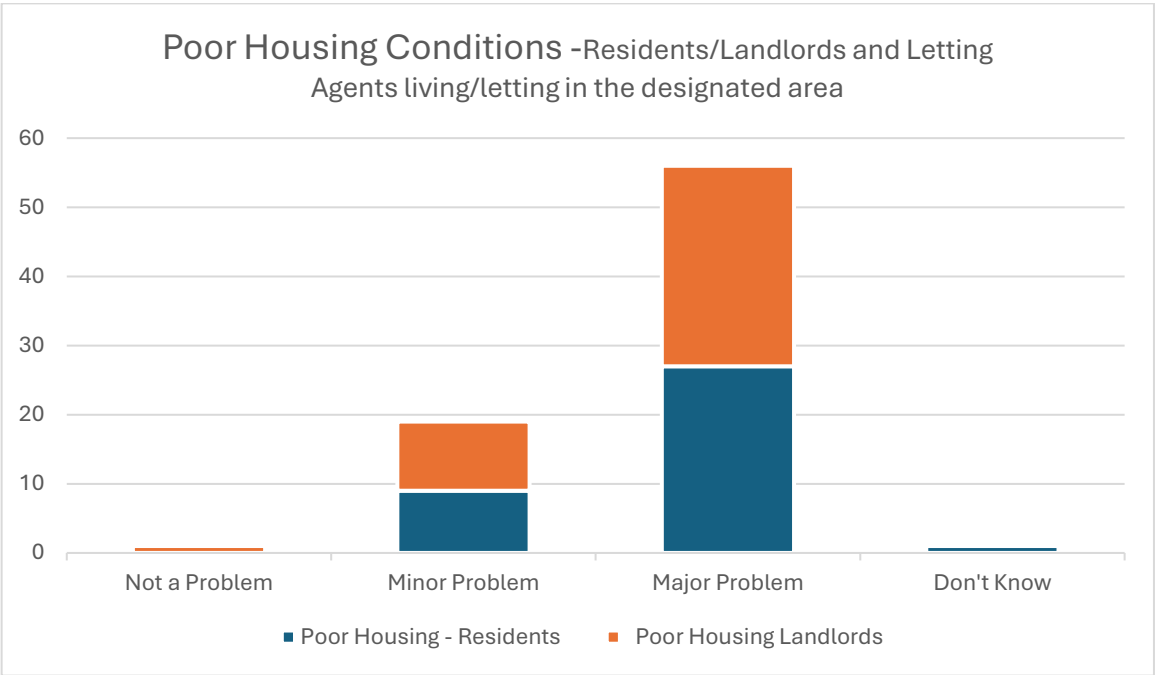
Statement	Not a problem	Minor Problem	Major Problem	Don't know	Overall
Poor housing conditions	6 4.41%	29 21.32%	82 60.29%	19 13.97%	136 100%
Empty houses	9 6.52%	33 23.91%	73 52.9%	23 16.67%	138 100%
Tenants don't stay in a property long	17 12.5%	35 25.74%	51 37.5%	33 24.26%	136 100%
Properties are poorly managed	13 9.56%	22 16.18%	73 53.68%	28 20.59%	136 100%
High levels of fly tipping	4 2.9%	15 10.87%	105 76.09%	14 10.14%	138 100%
High levels of crime	2 1.47%	20 14.71%	95 69.85%	19 13.97%	136 100%
High levels of anti social behaviour	6 4.38%	18 13.14%	97 70.8%	16 11.68%	137 100%

MinMax

6.19 This was further split down to determine what it meant to local residents, landlords and letting agents. This is what was found.

6.20 **Poor Housing**

6.21 The below chart indicates that both local residents and landlords/letting agents felt that poor housing conditions was a major problem in the designated area.

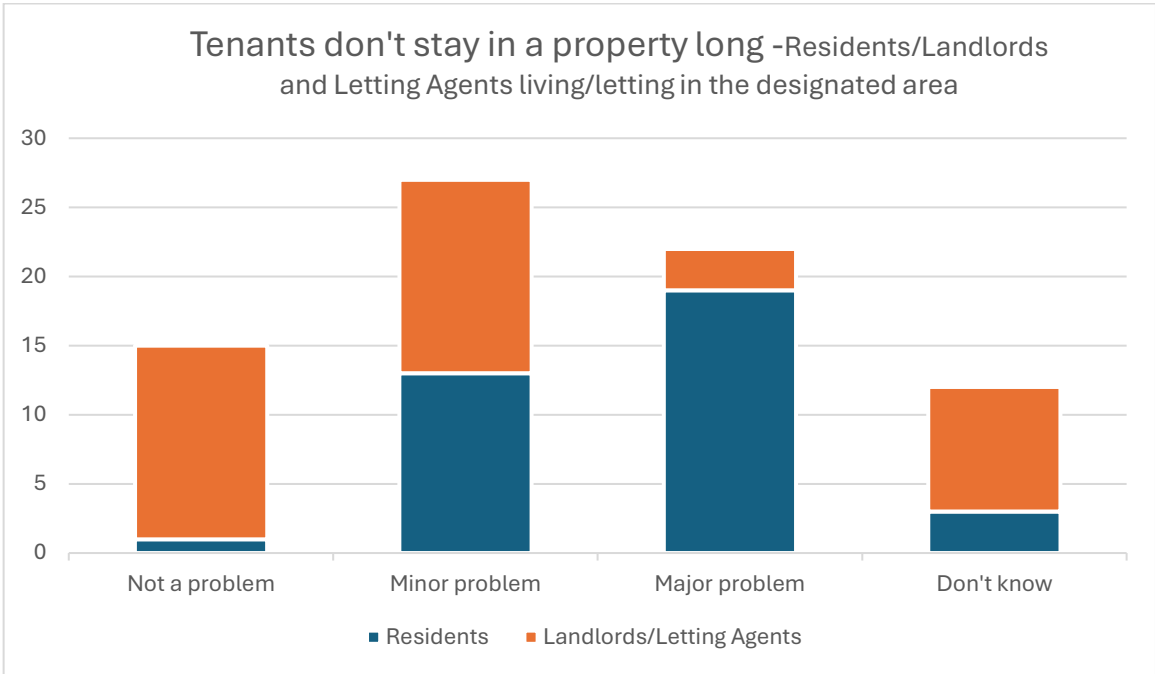


6.22 **Empty Houses** 70% of residents felt empty homes were a major problem, with a further 27% stating it was a minor problem. In comparison, only 9% of landlords felt that empty homes were a major problem, with 39% stating it was a minor issue. 33 % stated they didn't know if empty homes were an issue and 18% said they weren't a problem.

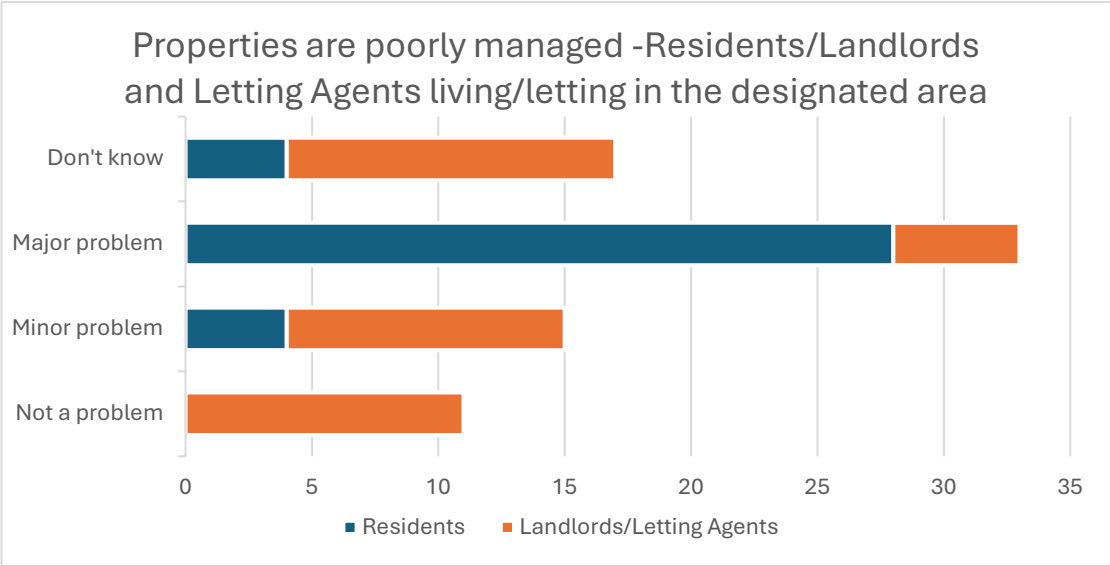


6.23 **Tenant Transiency** - We asked if tenants stay in properties long, responses were as follows:

6.24 51% of residents stated that tenants do not stay in a property long and this was a major problem. A further 36% felt this was a minor problem. Landlords/letting agents felt it was not a problem, with an equal number of landlords stating it was a minor problem.

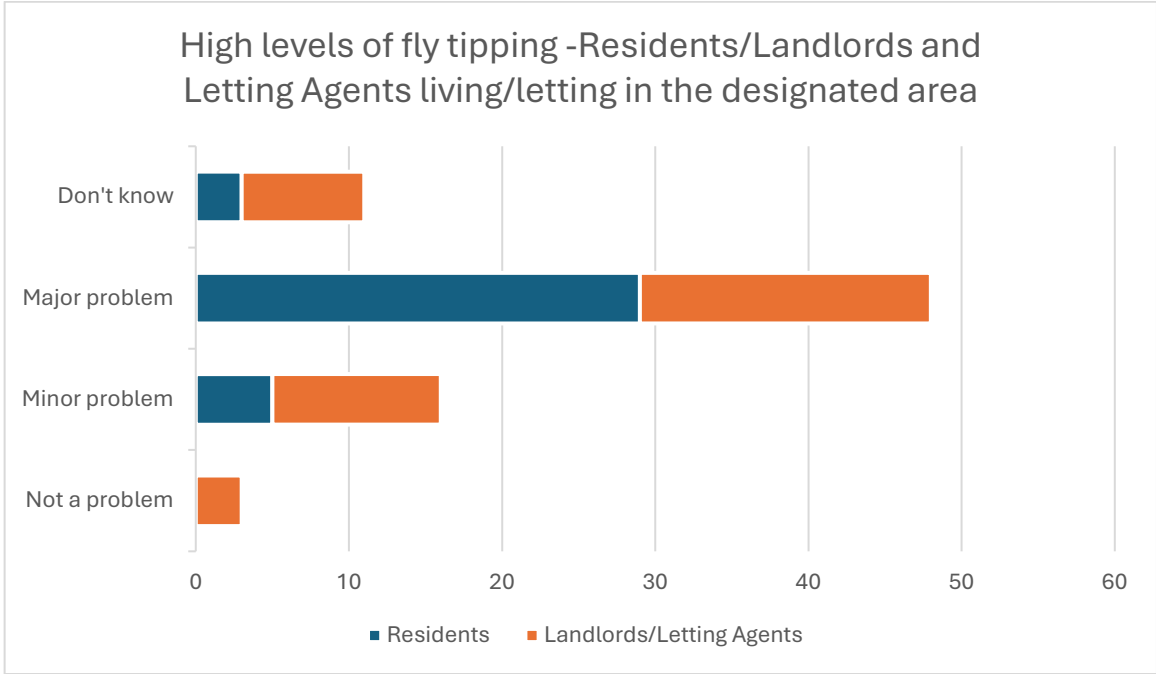


6.25 **Poorly Managed Properties** - We asked if properties were poorly managed in the area.



6.26 The responses from residents stated clearly that properties were poorly managed in the proposed designated area. Only 11% stated it was not a problem. Responses from landlords contradicted this with only 13% stating that poor housing management was a problem.

6.27 **Fly Tipping** - We asked residents/landlords opinion on levels of fly tipping in the proposed designated area. 78% of residents felt this was a major problem, with andlords acknowledging there is an issue stating it is either a major/minor problem.



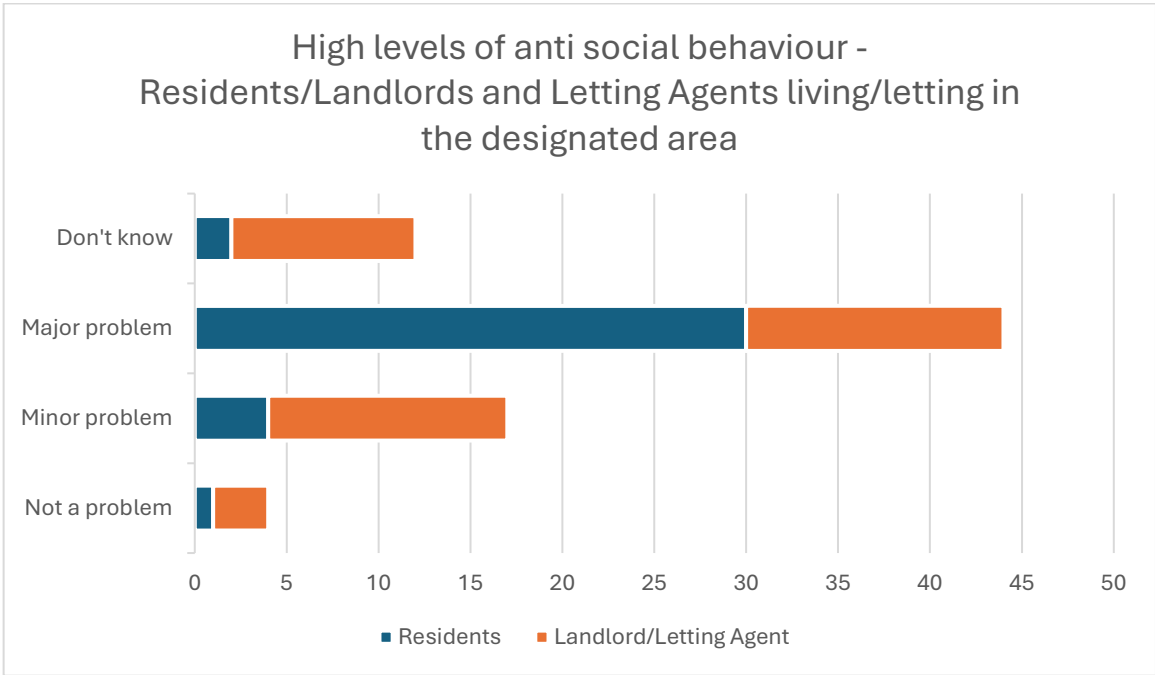
6.28 **Crime**

6.29 We asked if crime was an issue in the area. Overall, both landlords and residents felt that crime was an issue in the area.



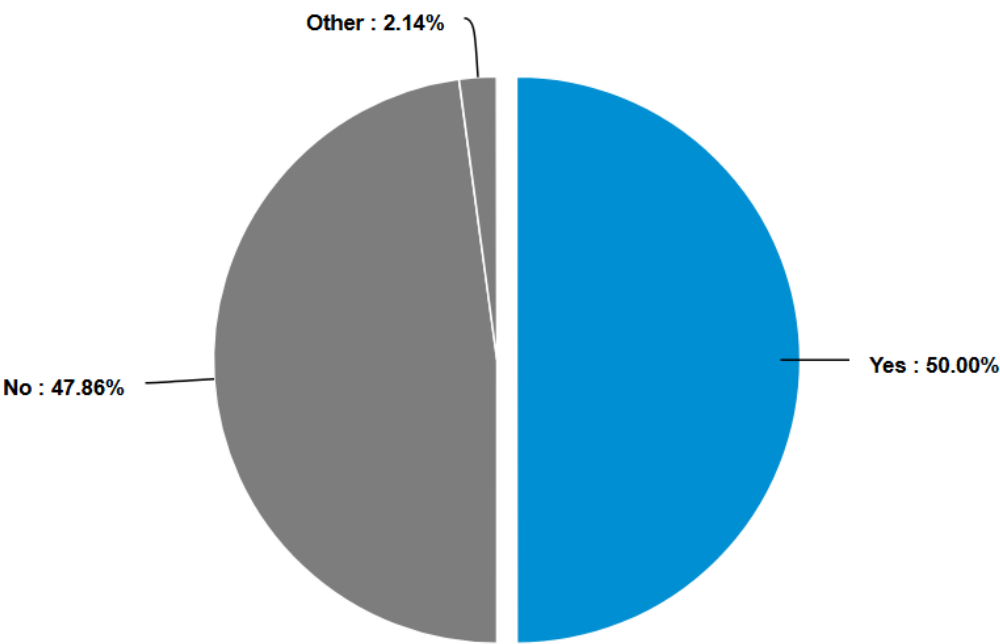
6.30 **Anti-Social Behaviour**

6.31 We asked if anti-social behaviour was an issue in the area. Most responses from residents indicated that anti-social behaviour was a major problem within the East Marsh. Landlords/letting agents felt it was major/minor problem, and some respondents said they did not know.



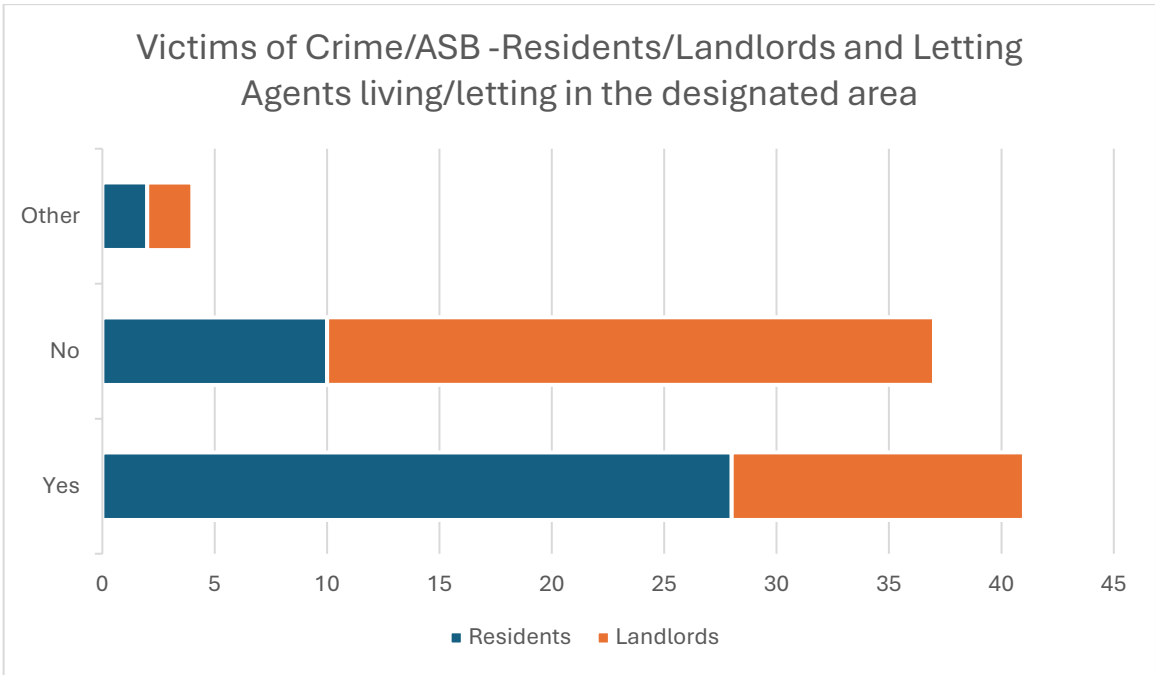
6.32 **Victim of Crime/Anti-Social Behaviour**

6.33 We asked if respondents had been a victim of crime with half of respondents indicating they had.

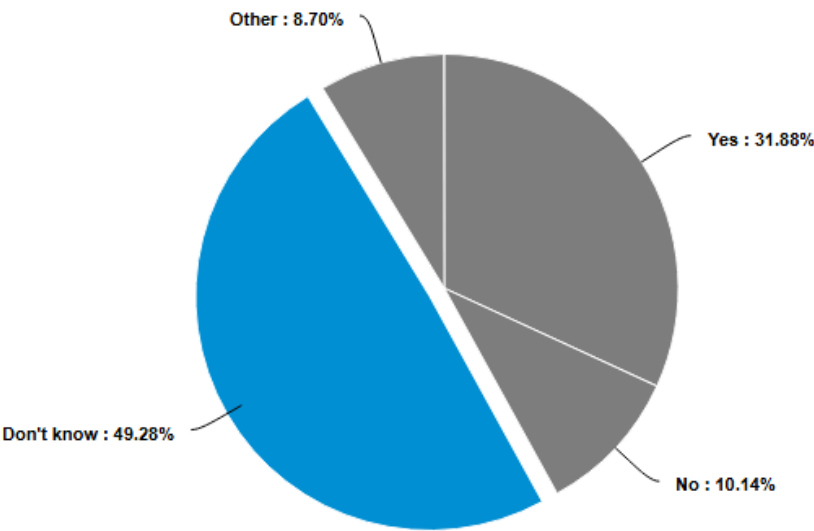


6.34 **Witnessed/Been a Victim of Crime**

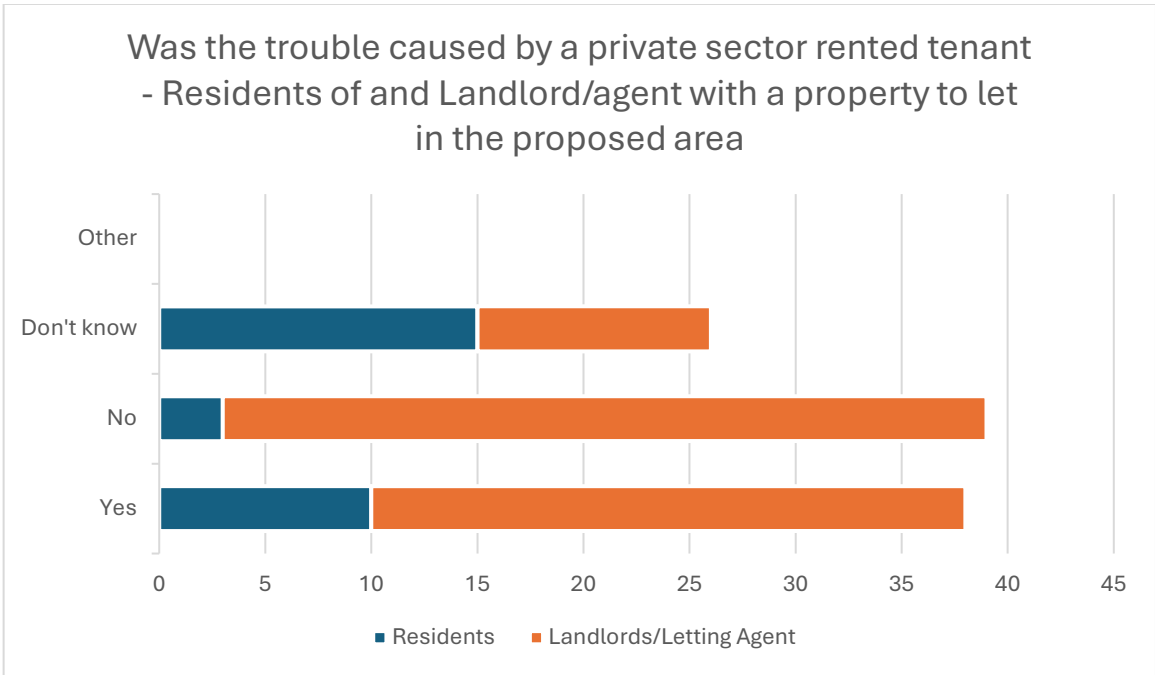
6.35 We broke this down further to local residents and landlords/letting agents. The responses were quite different. The chart below shows the response from local residents living in the proposed area. Here we can see that 70% said that they had witnessed/been a victim of crime. Twenty-five percent said they had not, and 5% said other. Landlords stated that most landlords had not witnessed or been a victim of crime.



6.36 **Problem Caused by Tenant** - We asked if the trouble was caused as a result of a tenant living in private sector rented accommodation. The response to this indicated the views were more mixed.



6.37 We looked at this at a local level, with local landlords and residents responding as follows:-

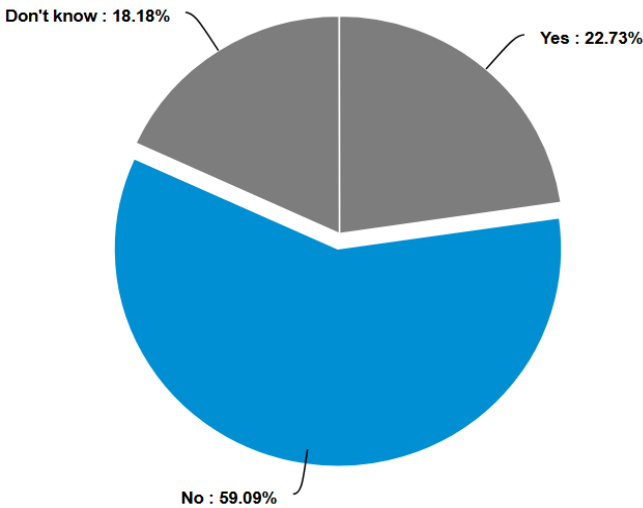


6.38 Thirty-six percent of local residents stated that the crime/ASB originated from a tenant in privately rented accommodation, with 54% stating they didn't know. Only 11% said it wasn't caused by privately rented tenants.

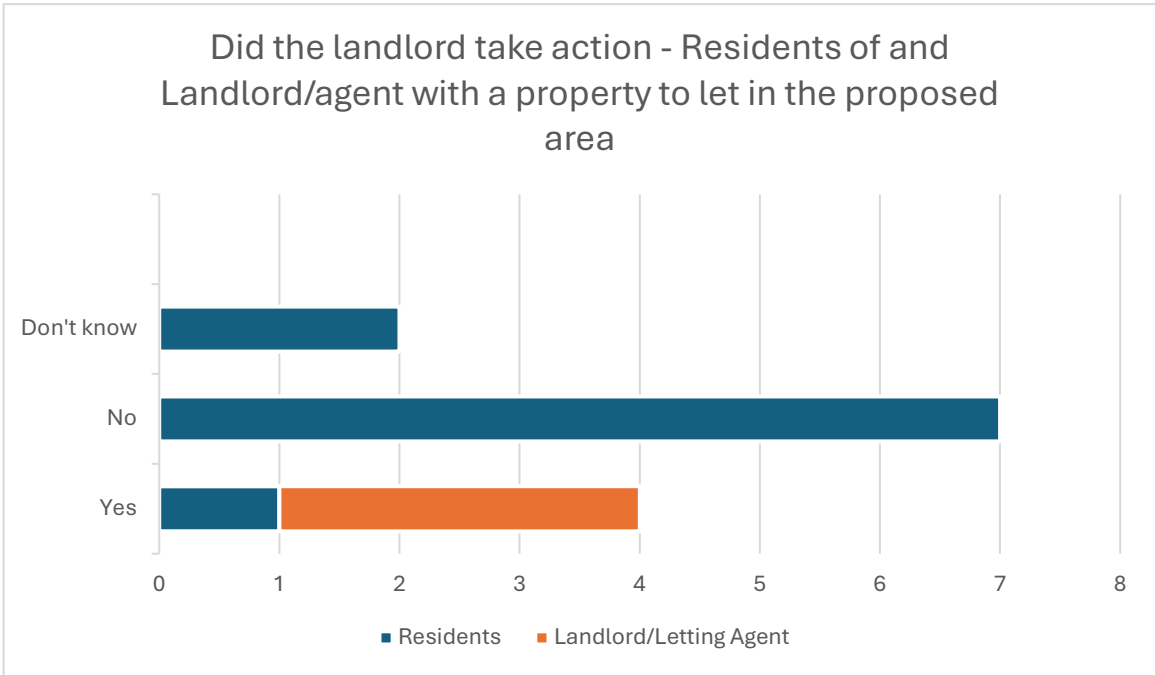
6.39 Forty-eight percent of landlords felt that the crime/anti-social behaviour was not caused by a tenant from a privately rented home. Thirty-seven percent stated it was and 15% said they did not know.

6.40 **Did the Landlord take Action**

6.41 We asked if crime/anti-social behaviour had been caused by a privately rented tenant, did the landlord take action. Overall, the response was as follows;



6.42 Overall, there was a majority of 59% that said the landlord did not take action. We looked at this in detail, and the impact on local residents/landlords and letting agents. The response was as follows.




6.43 When we looked at the local landlord/letting agent responses, the 3 responses indicated that the landlord/letting agent acted, however seven residents felt that the landlord did not act.

6.44 Landlord and Tenant Responsibilities

6.45 We asked respondents to agree or disagree with the following statements.

Statement	Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree	Overall
Landlords have a good reputation in the area	4 2.9%	14 10.14%	56 40.58%	41 29.71%	23 16.67%	138 100%
Landlords take action when a tenant causes anti-social behaviour and/or there's criminal activity in their homes	5 3.62%	19 13.77%	51 36.96%	35 25.36%	28 20.29%	138 100%
Provide a good standard of accommodation for tenants to live in	14 10.29%	20 14.71%	38 27.94%	37 27.21%	27 19.85%	136 100%
Maintain the outside of their properties	8 5.8%	17 12.32%	35 25.36%	43 31.16%	35 25.36%	138 100%
Tenants have a good reputation in the area	5 3.62%	10 7.25%	52 37.68%	45 32.61%	26 18.84%	138 100%
Tenants cause anti-social behaviour and criminal activity	23 16.79%	36 26.28%	51 37.23%	18 13.14%	9 6.57%	137 100%
Tenants look after properties well	4 2.9%	16 11.59%	52 37.68%	44 31.88%	22 15.94%	138 100%
Tenants are responsible for fly tipping	40 29.2%	33 24.09%	44 32.12%	13 9.49%	7 5.11%	137 100%



6.46 Here we can see that overall, 3% strongly agree, and 10% agree that landlords had a good reputation in the area. 3% strongly agree and 14% agree that landlords take action when their tenants cause anti-social behaviour and/or criminal activity in their homes. Ten percent strongly agree and 15% agree that landlords provide a good standard of accommodation for tenants to live in.

6.47 Six percent strongly agree and 12% agree that they maintain the outside of their properties.

6.48 Three percent strongly agree and 7% agree that tenants have a good reputation. Seventeen percent strongly agree and 26% agree that tenants cause anti-social behaviour and criminal activity.

6.49 Three percent strongly agree and 11% agree that tenants look after their properties well.

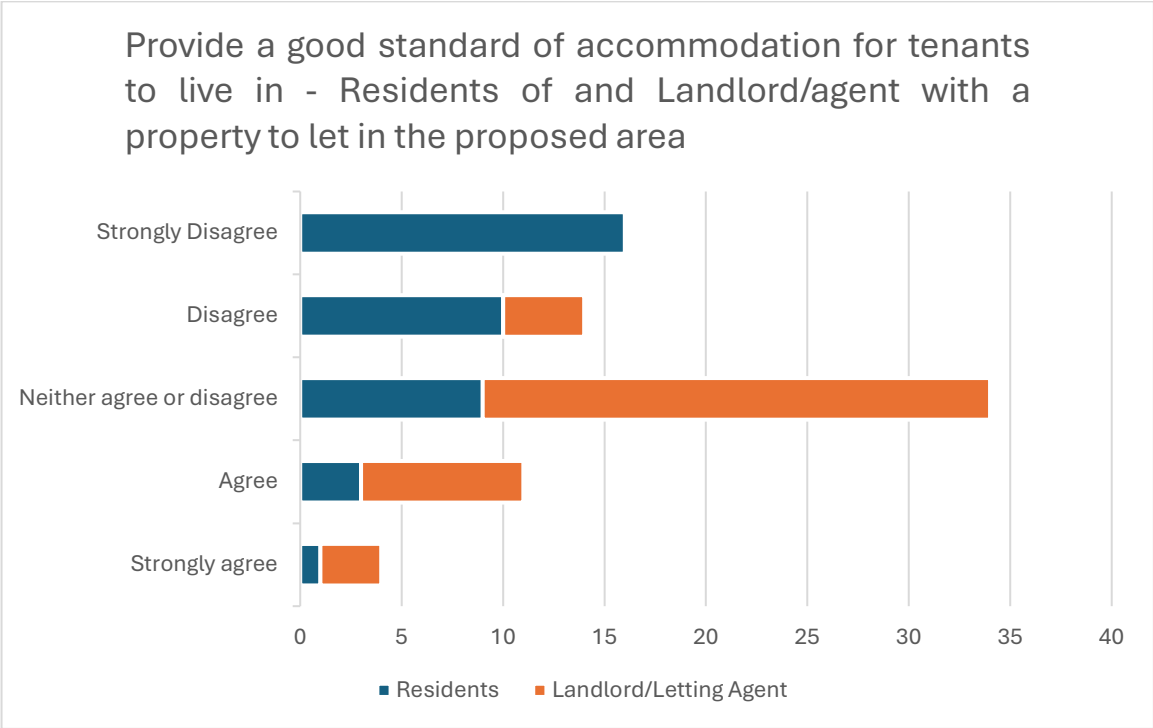
6.50 Twenty-nine percent strongly agree and 24% agree that tenants are responsible for fly tipping. The majority of responses came in the “do not know” category.

6.51 Most responses received stated they neither agreed nor disagreed with the statements. This could be down to landlords and residents who don't live in the area being unsure, and/or landlords who feel they don't have trouble in their own properties and are unable to comment on other properties.

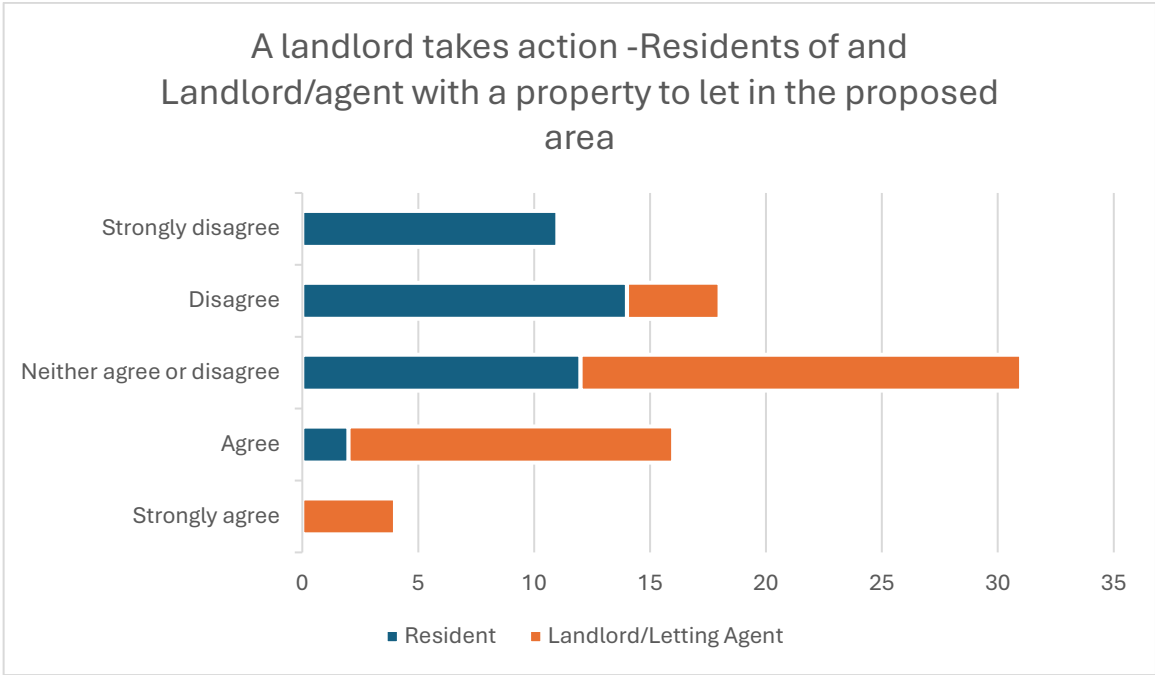
6.52 Landlords Provide a Good Standard of Accommodation

6.53 Local residents responded with 41% stating they strongly disagreed and 26% stating they disagreed with this statement.

6.54 Local landlords/letting agents responded with the majority neither agreeing nor disagreeing with the statement. Twenty-eight percent said they strongly agreed and 26% said that they agreed.

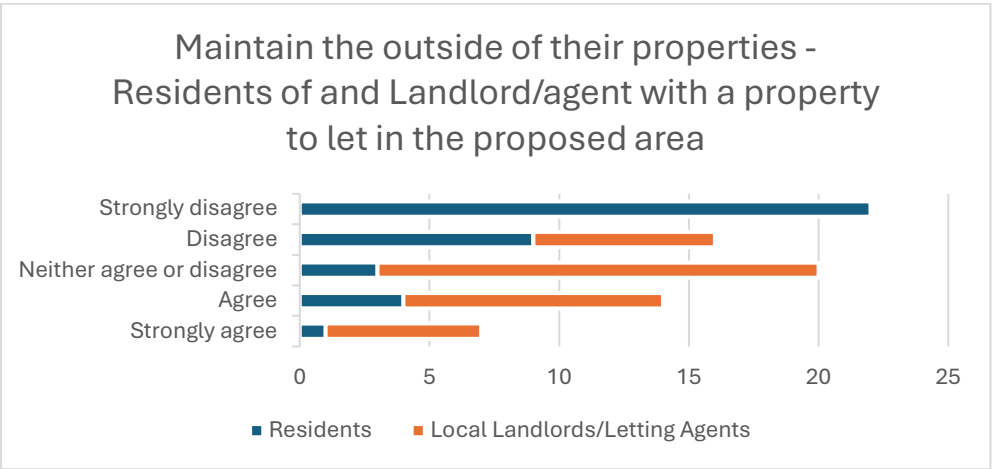


6.55 Landlords take action when a tenant reports issues of disrepair or

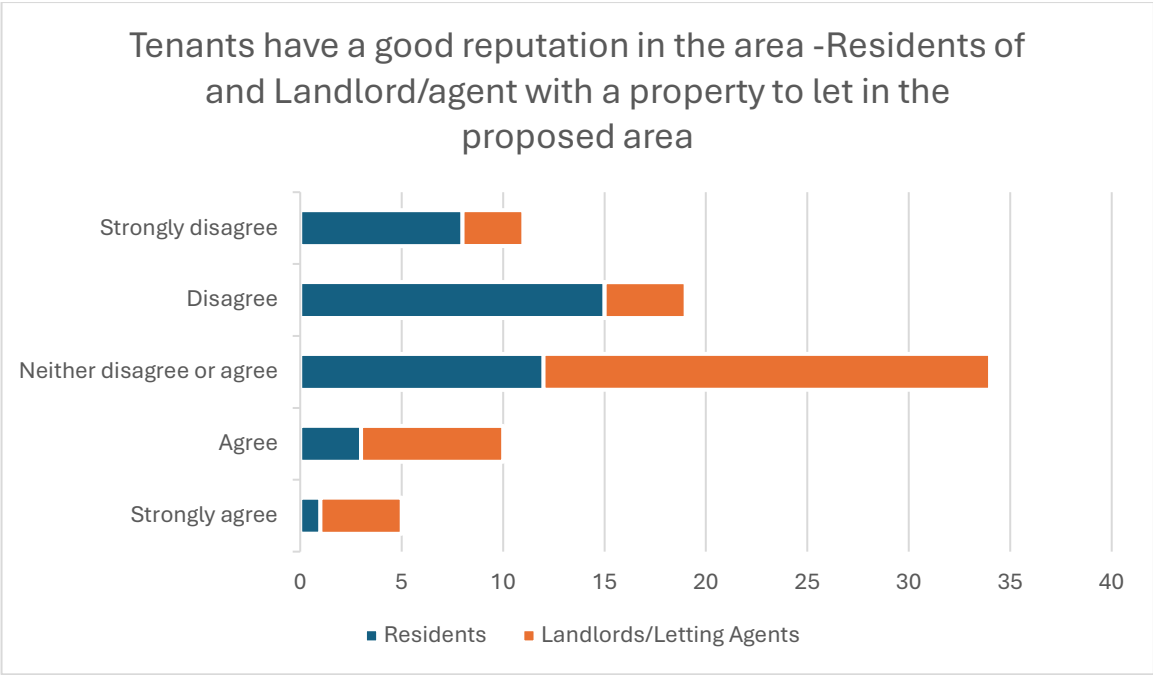


- 6.56 We asked if they agreed/disagreed with the statement that landlords take action when a tenant causes anti-social behaviour and/or criminal activity in their homes.
- 6.57 When we looked at local residents responses, they strongly disagreed/disagreed (28% and 36%) that landlords did not take action.
- 6.58 When we looked at local landlords/letting agents, their responses would indicate that they feel they do take action, with (36% strongly agree and 5% agree), however 31% neither agreed/disagreed which would indicate again that landlords look after their own properties but aren't sure what other landlord/letting agents do. Interestingly 28% disagreed with this comment that would suggest that not all landlords agree that action is taken.

6.59 **Properties are Maintained Outside**

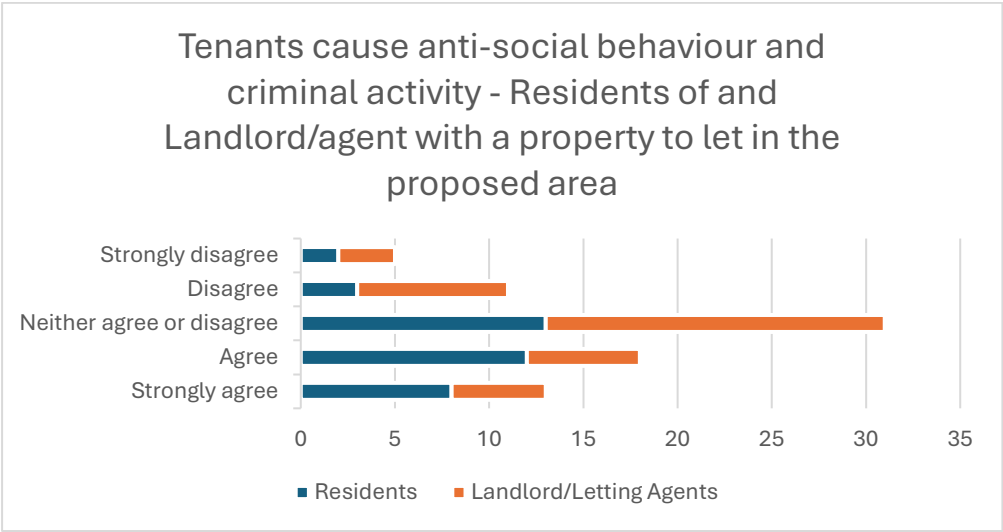


- 6.60 Most local residents felt that properties were not maintained outside with 56% strongly disagreeing. Most local landlords/letting agents felt they could neither disagree or agree with the statement. No landlords strongly disagreed with the statement and 18% disagreed.
- 6.61 **Tenants have a good reputation in the area**
- 6.62 We asked if tenants have a good reputation in the area. Local residents disagreed/strongly or disagreed with this statement, with local landlords/letting agents predominantly neither disagreeing nor agreeing.



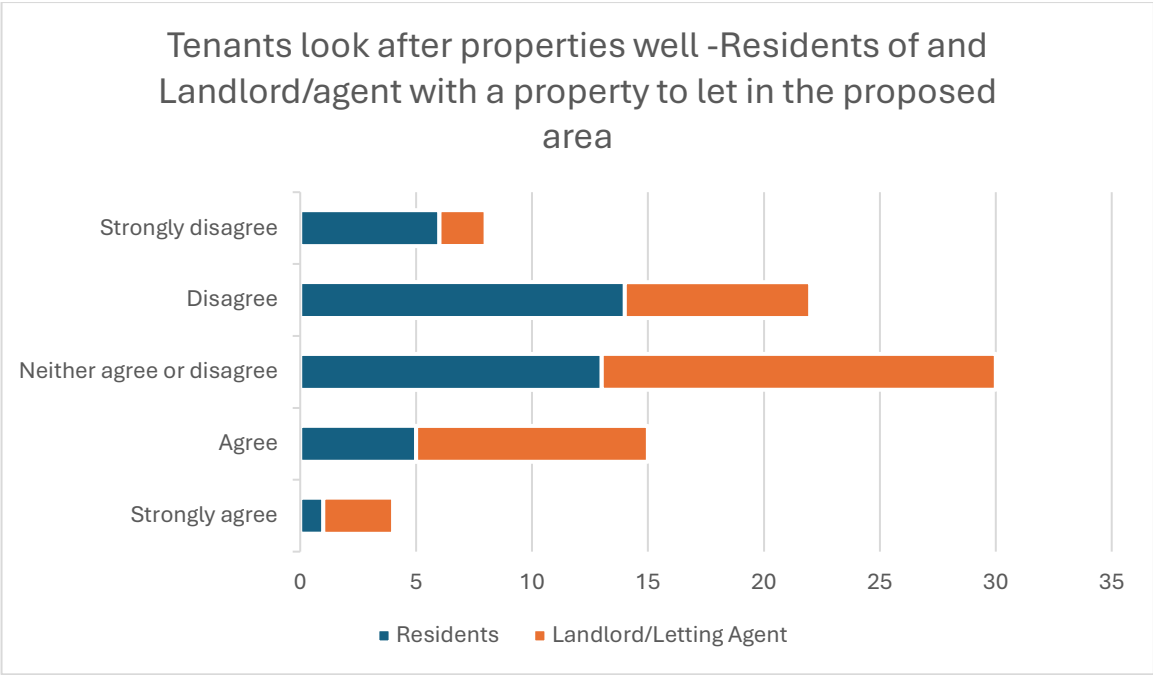
6.63 **Tenants cause anti-social behaviour and criminal activity**

6.64 We asked if tenants cause anti-social behaviour and criminal activity. Local residents strongly agreed/agreed (21% and 32% respectively) that tenants caused this, however 45% of local landlords/letting agents neither agreed nor disagreed.



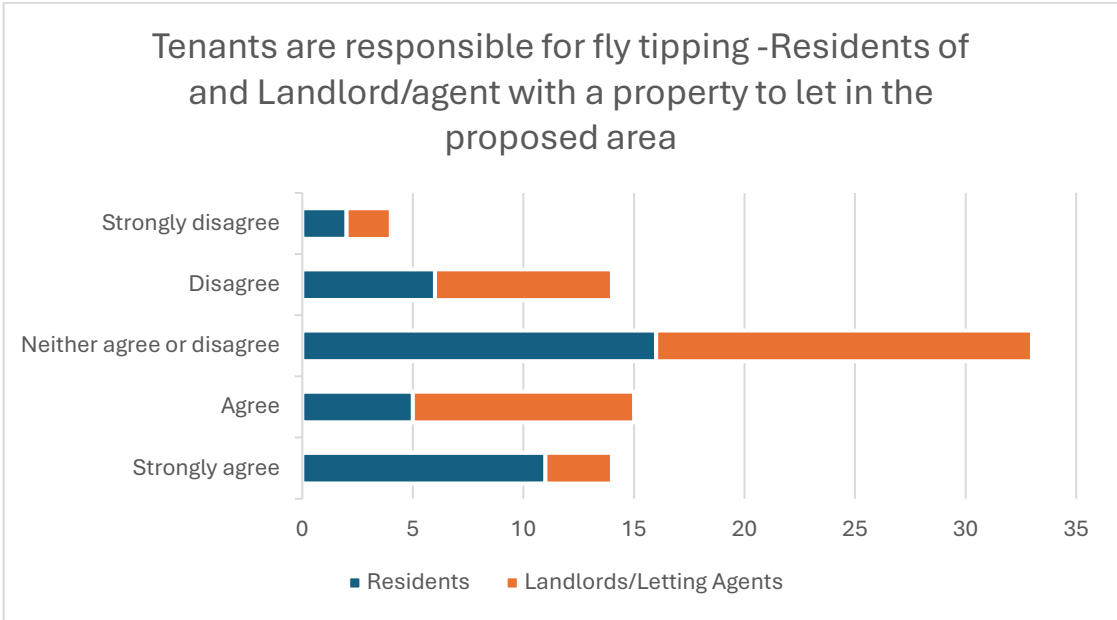
6.65 **Tenants look after properties well.**

6.66 Most local residents strongly disagreed/disagreed with this statement (15% and 36% respectively). Whereas 43% of landlord/letting agents neither agreed nor disagreed and 25% agreed with this statement.



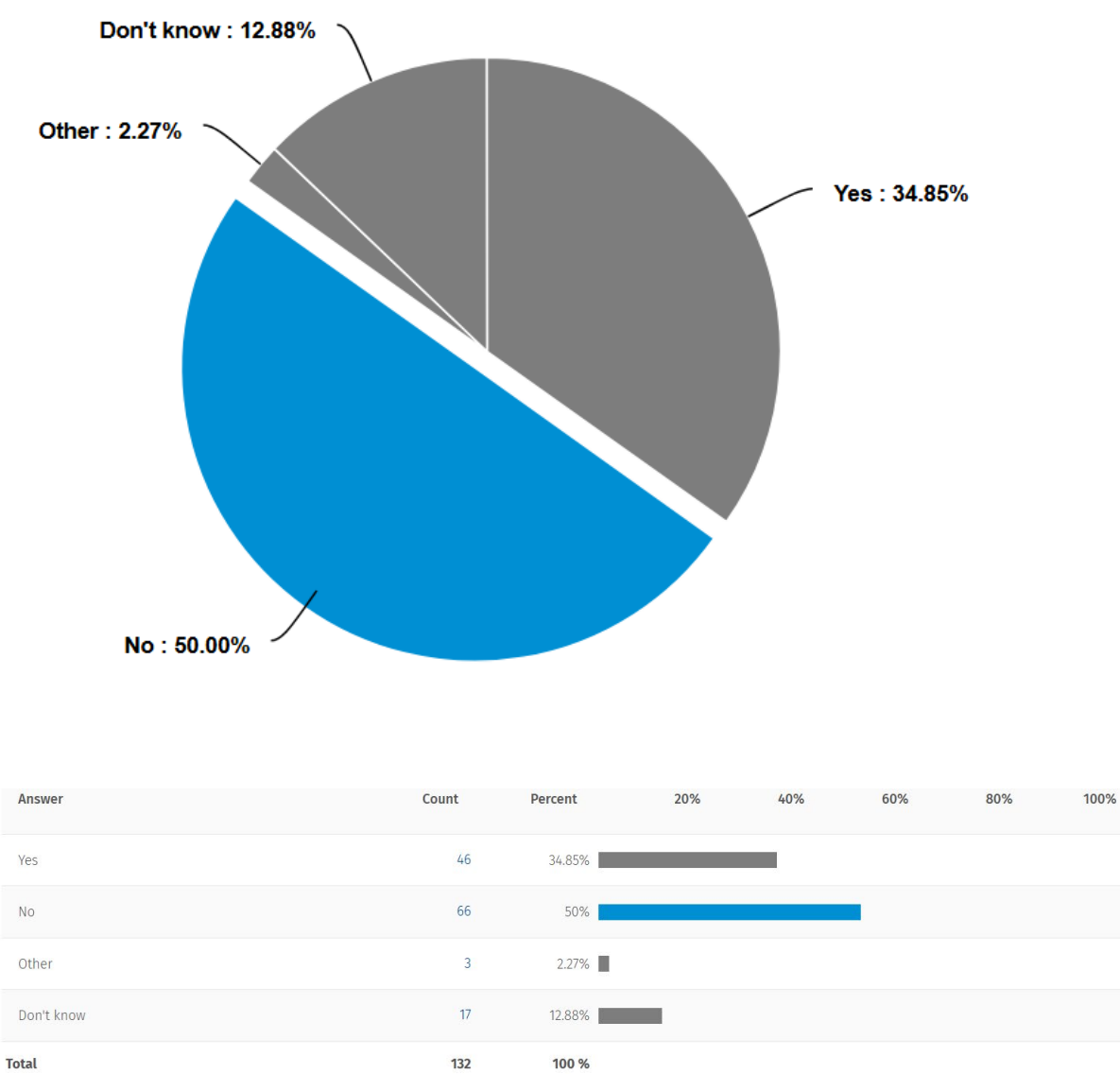
6.67 **Tenants are responsible for fly tipping.**

6.68 40% of local residents neither agreed nor disagreed with this statement. Results were similar for local landlords/letting agents as 43% of them also neither agreed nor disagreed with the statement.

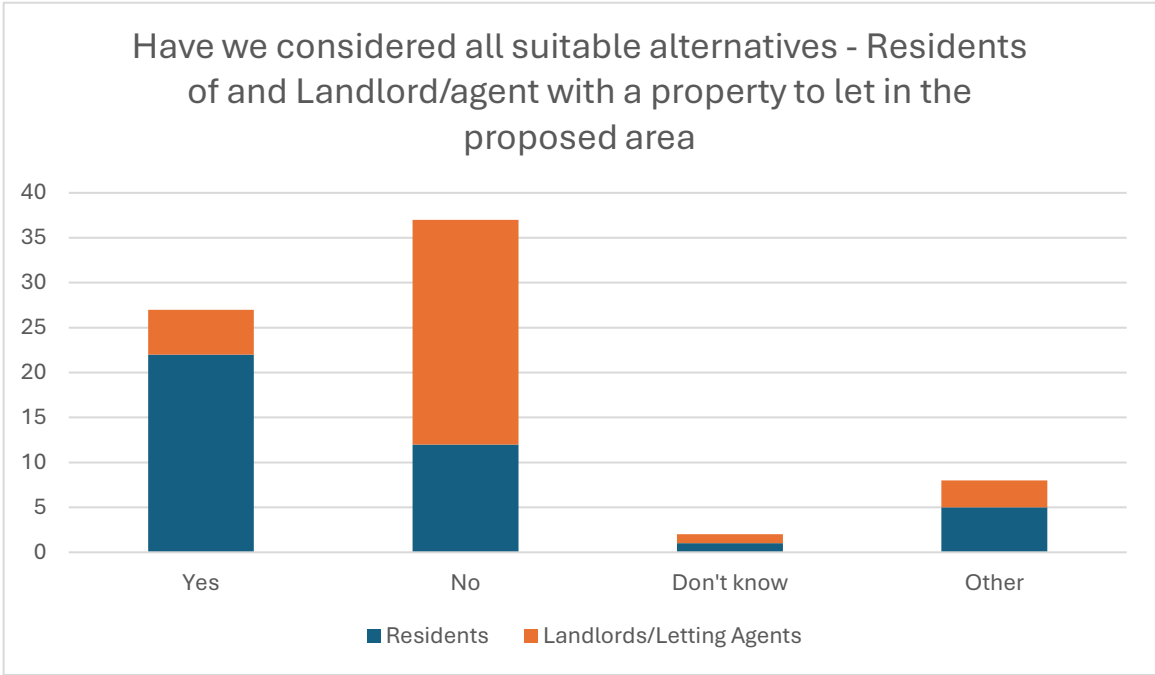


6.69 **Alternative Approaches**

6.70 In the next question, we asked respondents to state whether the Council had considered suitable alternative approaches to tackle the issues in this area.



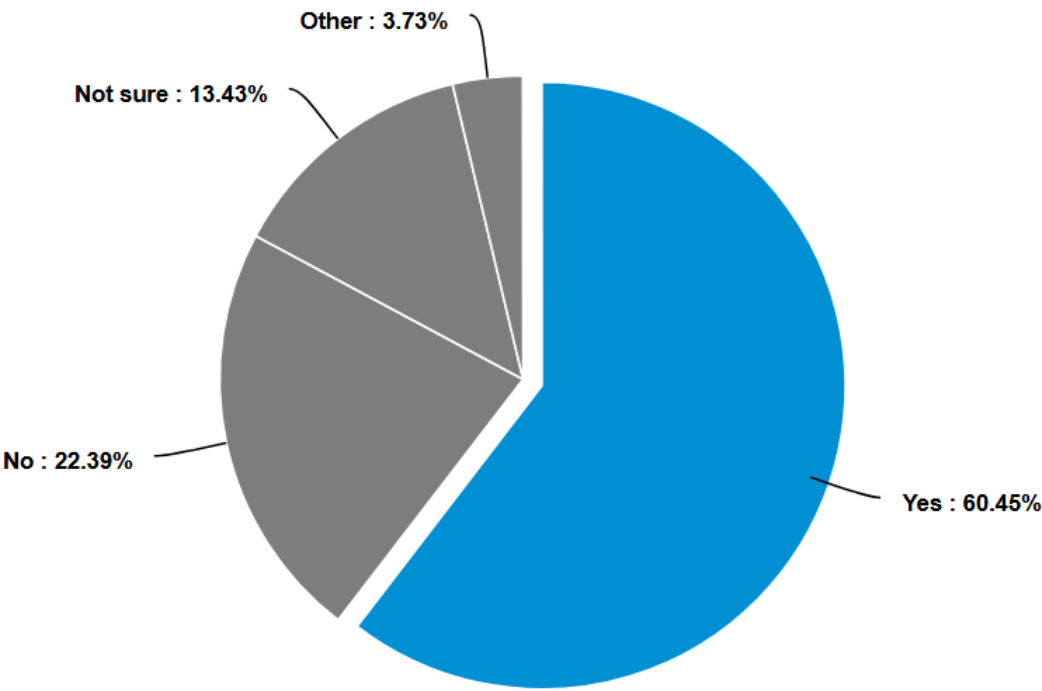
- 6.71 We can see that more responses were received for this question. Overall, the response was no (50%) with 34% agreeing that the Council had looked at other suitable alternatives.
- 6.72 We narrowed this down to local residents and landlords/letting agents to see what people who were living/letting property felt.



6.73 Residents were satisfied that we had looked at other options, whereas landlords did not consider all options had been considered. Most of the feedback from landlords is that they consider the Council already has the powers, and that the powers were not being used. Also, landlords wanted to see a voluntary scheme.

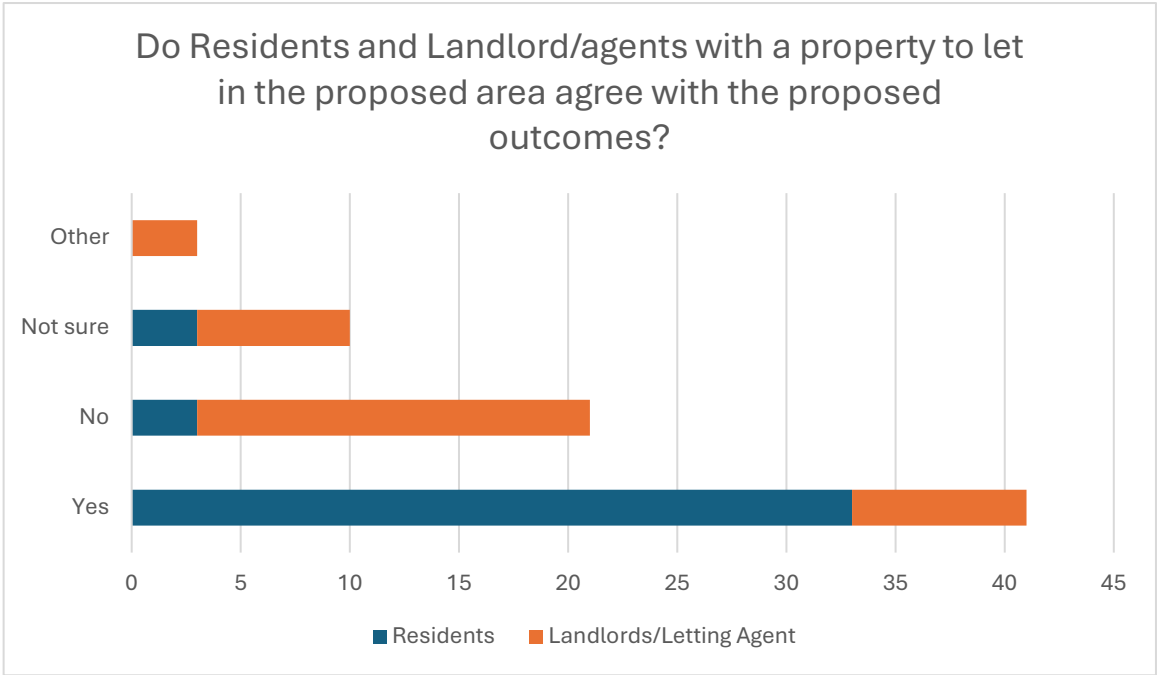
6.74 **Did respondents agree with the proposed outcomes for the scheme?**

6.75 Overall, the response was supportive of the outcomes proposed.



Answer	Count	Percent	20%	40%	60%	80%	100%
Yes	81	60.45%	<div><div></div></div>				
No	30	22.39%	<div><div></div></div>				
Not sure	18	13.43%	<div><div></div></div>				
Other	5	3.73%	<div><div></div></div>				
Total	134	100 %					

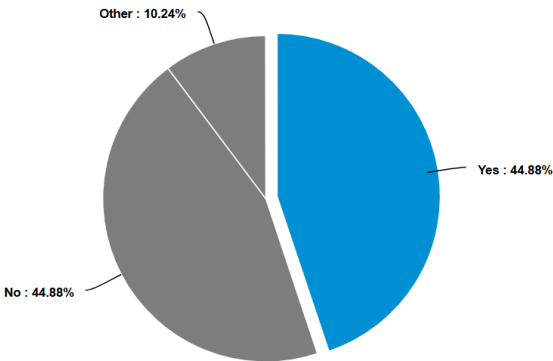
6.76 We broke this down to a local resident/landlord/letting agent response level.



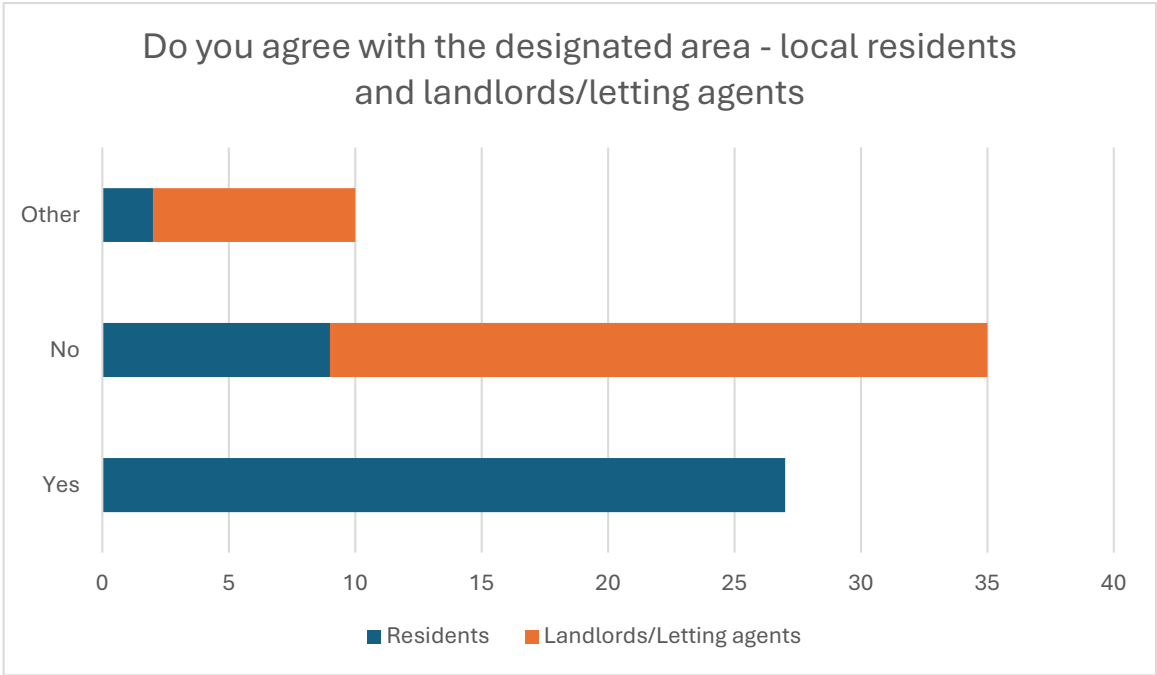
6.77 Residents are in support of the outcomes of the scheme, whereas landlords were not.

6.78 **Did respondents agree with the proposed area?**

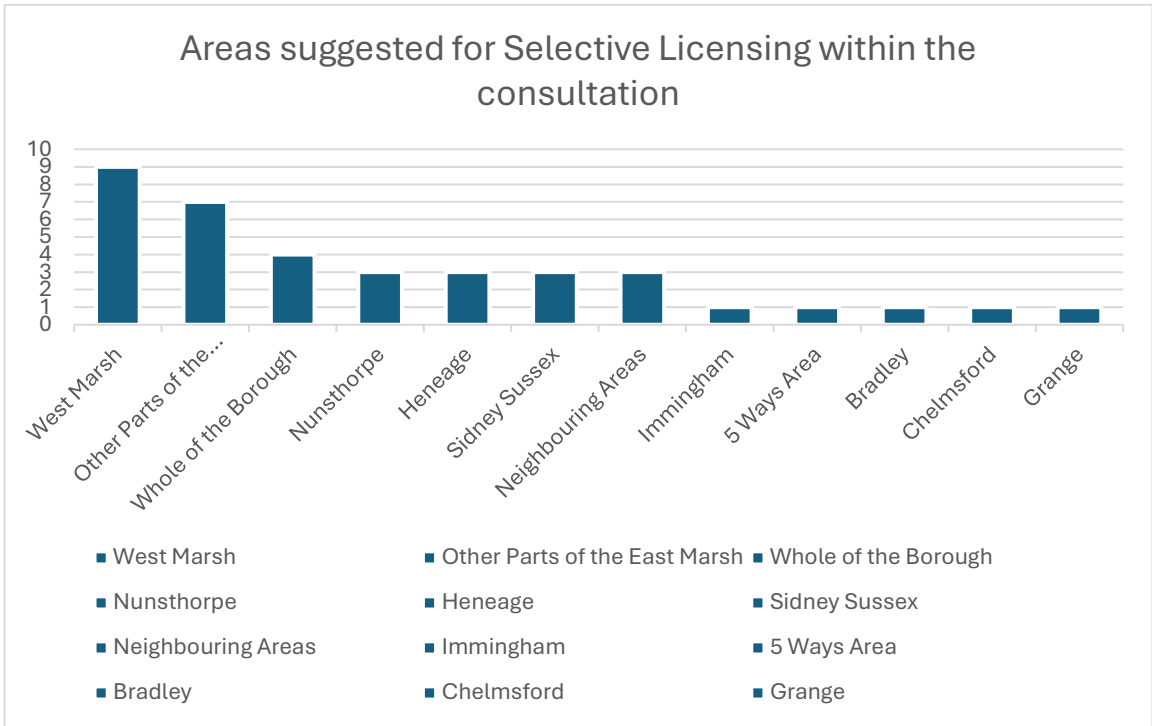
6.79 Overall, there was a split response to the proposed area with concerns raised about the area extending beyond Durban Road and into Columbia Road, Cooper Road and Fairmont Road.



6.80 Looking at the figures at a local resident and landlord/letting agent level, we can see that twenty-seven residents agreed with the area and nine disagreed. Twenty-six landlords / letting agents disagreed.

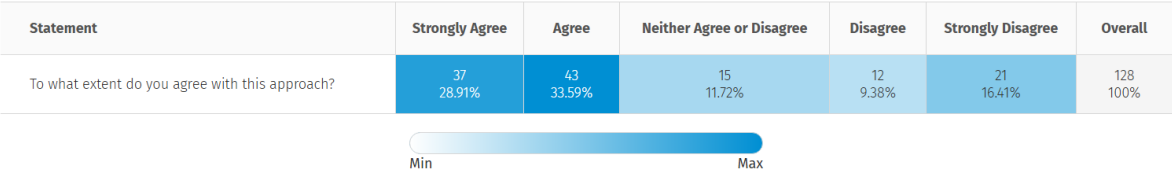


6.81 Looking at the comments we saw that many comments included extending the area further, and recommendations for other areas.



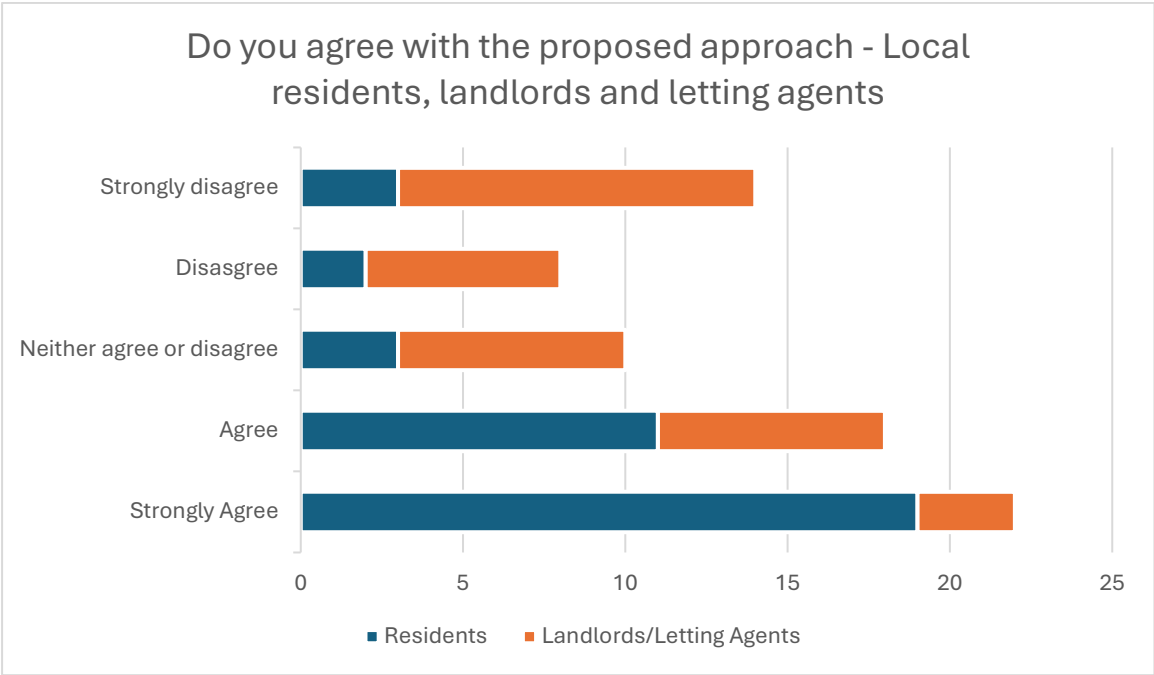
6.82 **To what extent did respondents agree with this approach?**

6.83 The scheme is designed to collaborate with landlords and tenants to help residents live in their homes longer, by working towards making it a better place to live. We asked respondents if they agreed/disagreed with this statement.



6.84 Overall, respondents agreed with the approach (29% and 33% respectively) out of the 128 who completed this question. Twenty-five percent disagreed/strongly disagreed and 12% neither agreed nor disagreed.

6.85 Looking at the responses from local residents and landlord/letting agents, we found that overall, the majority of respondents strongly agreed or agreed with the proposed approach.



7. RESPONSES – GENERAL VIEWS RE INTRODUCING SELECTIVE LICENSING

7.1 In summary these were the main points;

Question/Comment	Response
Landlords have said that they will sell up if a scheme is approved.	The introduction of Selective licensing in an area may influence a landlords' decision to remain or exit the rental market, however this is only one of many factors that may affect a landlord's decision.
Will the introduction of Selective Licensing move the problem to other areas.	Other Council's operating similar schemes, confirm there is no evidence that displacement has occurred following scheme implementation. Furthermore, the 2019 MHCLG review of Selective Licensing also supported this view.
Rents are likely to increase due to the licensing scheme. This will lead to tenants being unable to pay their rent and increase homelessness.	<p>The fee structure must cover only the costs of running the proposed scheme on a cost recovery basis. The Council is mindful of the impact of the licence fee on landlords and will seek to operate the scheme as efficiently as possible. The licence is valid for a five year period with the proposed fee being tax deductible. Some discounts are also being considered.</p> <p>The Council has considered the risk of homelessness as an unintended consequence but is satisfied that it will not result in increased levels of homelessness. Selective Licensing aims to stabilise tenants in better managed homes, reducing the high turnover that can contribute to homelessness.</p> <p>The Core Cities Report 2018 states "The reality is that the Private Rented Sector is a competitive market. Rents are set at what the market will bear and can respond quickly to market conditions e.g., if a property is hard to let the rent will be adjusted down, and vice versa. There is no conclusive evidence that licensing fees increase rents. Core_Cities_UK_Metastreet_licensing_report_Oct_2018.pdf</p>
Landlords are currently struggling with increased costs and low rents. This is another burden on costs for landlords.	<p>The Council is aware that many costs have increased including construction, staffing and borrowing interest rates. The scheme is intended to improve the standard of rental accommodation in the private rented sector and improve the local environment.</p> <p>In turn this should encourage tenants to remain longer in their properties, reduce turnover and have a positive impact for landlords, minimising void times.</p> <p>The average time between tenancies is 21 days. (information from Voids costing landlords hundreds more over the past year - Landlord Today). The average cost of a</p>

	void is estimated to be around £1,085 LATEST: Landlords and agents hit by 19% jump in void costs - The Negotiator .
Why are other areas for example; those in Sidney Sussex, Heneage and West Marsh wards not included?	<p>Selective Licensing is often implemented in areas designated as Lower Layer Super Output Areas (LSOA). LSOA data provides a strong evidence base to implementation of Selective licensing schemes and address problem areas within neighbourhoods allowing for a targeted focus.</p> <p>The East Marsh has had several projects including the Safer Streets campaign, which placed investment into the area to make improvements. These schemes improved outcomes for during the project but did not deliver sustainable change once the investment ended.</p> <p>The Council may consider Selective Licensing in other areas in the future.</p> <p>Other areas highlighted in the consultation feedback include; Nunsthorpe and the West Marsh area. Nunsthorpe has a high percentage of properties owned by a registered provider (Lincolnshire Housing Partnership) whose properties would not be covered by the scheme.</p>
Why penalise good landlords for the shortcomings of the minority.	<p>Selective Licensing is a strategic area-based intervention, based on evidence. A local authority may designate their whole district or an area (or a number of areas) within its district for the purposes of Selective Licensing. Once made, a local authority has no power to determine its own exemptions within a designated area.</p> <p>Landlords who are proactive and wish to join the scheme early will receive a discount.</p>
Why was social housing not included in the scheme.	Section 79(3) of the Housing Act 2004 exempts socially let properties (both Local Authority and Housing Association tenancies) from the scheme. Selective Licensing only applies to private rented properties. Social housing is regulated through separate legislation.
Why aren't charitable landlords exempt from licensing.	A local authority has no power to determine its own exemptions within a designated area. Only dwellings subject to statutory exemption, as set out in the Housing Act 2004 and The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 (SI 2006/370) are exempt. However, a discount may be applied to assist organisations. The exemptions may be viewed by following the links The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 and Title

<p>Selective Licensing won't deal with ASB and Landlords won't make their tenant's behave</p>	<p>Selective Licensing by itself will not completely tackle ASB but it has been proven to improve persistent issues with ASB through the implementation of licence conditions and partnership working to ensure issues are effectively addressed.</p> <p>Whilst the Council recognises that landlords cannot be held solely responsible for the actions of their tenants, the Council strongly believes that landlords can, more often than not, have significant influence on the behaviour of their tenants.</p> <p>The Council believes that a reasonable landlord should take steps to engage with their tenant to resolve the situation, once they became aware that their tenants are engaged in unacceptable activities that have a detrimental effect on neighbours. Options include giving verbal and written warnings and in extreme cases evicting the tenant(s). However, the threat of eviction may, in some circumstances, bring about a resolution. Clearly, the council wishes to see landlords engaging with their tenant to avoid such an outcome.</p> <p>The Council proposes to use its discretionary power to incorporate an ASB condition within the proposed Selective Licensing Designation. It would require the licence holder to take reasonable steps to try and deal with any ASB caused by their tenants and to cooperate with the Council and Police as necessary.</p> <p>A mandatory condition of Selective Licensing requires tenant referencing. All licence holders, in any Selective Licensing scheme, must require a reference from any person wishing to take up occupation in one of their licensed dwellings.</p>
<p>Some respondents were not satisfied that ASB was always caused by private sector tenants and that unsupported assumptions about the level of anti-social behaviour and the status of home occupiers whether renting or not. These also seems to be an assumption that</p>	<p>The area proposed for Selective Licensing has the highest number of private rentals, high levels of poor housing conditions, highest levels of ASB and crime and is the most deprived area in the borough.</p>

landlords can be responsible for the behaviour of their tenants.	
<p>Respondents raised concerns that the additional costs of compliance with Selective Licensing and loss of income as tenants with limited income, relying on benefits are unable to pay top ups to get to a market rent. This cost could lead to more landlords selling up and/or raising rents even further. This could lead to an increase in the number of homelessness cases in a time where social and low rent properties are in short supply.</p>	<p>One of the aims of Selective Licensing is to improve the area, property conditions and management thereby strengthening the community. Making the area more attractive to tenants which also benefits landlords. It is not expected that fees will be passed to tenants.</p> <p>The Council acknowledges that there may be some cases where landlords sell some or all of their property portfolio in areas where Selective Licensing is introduced, due to being unwilling, or unable to comply with the scheme requirements. However, research shows that where this happens, properties are often bought by other landlords who see properties in designated areas as a good, safe investment, as they understand that capital values of properties and rental yields are likely to increase over time as an outcome. Therefore, any impact on service (for example Homelessness) will be short term, as properties will remain within the private rented sector. Government guidance provides advice on rent increases how and when the rent can be reviewed. Private renting: Rent increases - GOV.UK.</p> <p>For a periodic tenancy (rolling on a week-by-week or month-by-month basis) a landlord can't normally increase the rent more than once a year without the tenant's agreement. For a fixed-term tenancy (running for a set period) a landlord can only increase the rent if the tenant agrees. If the tenant does not agree, the rent can only be increased when the fixed term ends. For all tenancies, a landlord must get the tenants permission if they want to increase the rent by more than previously agreed and the rent increase must be fair and realistic, i.e., in line with average local rents. A tenant can apply to a tribunal to decide on certain rent disputes in England. Whilst the Council does not approve of licensing fees being passed to tenants it is anticipated that the fee and discounts will ensure that any rent increase would be minimal.</p>
How will the scheme be managed and will it bring in additional staff.	<p>During the consultation, concerns were raised around the Council's ability to manage the scheme, how it will be delivered and will it be sufficiently resourced. The Council acknowledges that the scheme needs to be sufficiently resourced, and information will be provided on how the scheme will be delivered at implementation stage (pending approval).</p> <p>The Council is currently working with other authorities delivering selective licensing, to gain best practice and</p>

	<p>learn from their experiences. It is acknowledged that the scheme would need to efficiently process licence applications, to allow more time to concentrate on finding those landlords who fail to apply.</p> <p>It is also acknowledged that the scheme needs to act as a link between landlords, tenants and other council departments/stakeholders. Communication will be key to a successful scheme.</p>
How will the council find landlords who fail to apply for a licence?	The Council recognises that it will be challenging to determine the exact number of landlords who do not proactively licence their properties. Collaborating with the community and using the council's investigatory powers, the council intend to identify those landlords who fail to engage at the earliest opportunity.
Why can't the council use existing enforcement powers to deal with Rogue Landlords?	<p>Enforcement of housing standards under the Housing Act 2004 Part 1 are a reactive intervention and not a strategic response. This means the council is unable to act beyond tenants reporting issues and inviting officers into their home. Many tenants are afraid to report issues as they fear they could be evicted and could be made homeless. Powers under Housing Act 2004 Part 1 also take time, from working informally, formally, and then sometimes the threat of formal action. This is resource intensive and leaves the tenant living in a property that can impact on their health for the duration.</p> <p>The Housing Act 2004 (Part 2 & 3) provides licensing powers to enable local housing authorities to work with the community, to be proactive, providing a quicker route to ensure that management and standards of accommodation are satisfactory. The Council does not need to receive a complaint to inspect a property, and landlords are required under the terms of their licence to adhere to the scheme's licence conditions or face enforcement action. Licensing also promotes further engagement with landlords and agents and will enable the Council to communicate effectively with the sector. All enforcement measures to tackle housing offences will be used alongside licensing to achieve the objectives of the scheme.</p>
It's not a landlord's job to tackle ASB, can the council and police make better use of existing enforcement powers?	Whilst tenants are responsible for their own behaviour, landlords should take reasonable steps to prevent, identify and manage anti-social behaviour caused by tenants in their properties. Landlords should report serious issues once they have exhausted all other options and work with the Safer NEL where there are problems. Safer Communities is a partnership between Humberside Police, North East Lincolnshire Council, Humberside Fire & Rescue, National Probation Service and Health. Information

	<p>can be found via the link. SaferNEL Community Safety Partnership (CSP) - SaferNEL</p> <p>Selective Licensing is a powerful and unique legislative tool that can have a tangible impact on problematic areas with higher levels of privately rented accommodation. It provides additional powers to the council to ensure management standards are sufficiently maintained.</p> <p>The use of licence conditions would enable the Council to impose responsibilities on landlords that would otherwise be unavailable. Where there are overlapping legislative provisions, the use of Selective Licensing can make for quicker and more efficient resolutions to housing related problems. As Selective Licensing enhances and widens the range of enforcement options, the Council is of the opinion that it is an effective means of promoting good management standards, better housing conditions, and wider regeneration in the area. The Government introduced Selective Licensing to help Councils increase their chance of successfully tackling social and environmental issues in areas such as those proposed for designation.</p>
The Renters Rights Bill will mean that there is no need for Selective Licensing.	<p>This refers to the proposed new rented homes database being introduced under the Renters Rights Bill. The Government has confirmed that this will not replace Selective Licensing. Selective licensing is a valuable tool to target enforcement activity. The database and new legislation will not provide this.</p> <p>For more information on the progress of the Renters Rights Bill, please follow the link Renters' Rights Bill 2024-25: Progress of the bill - House of Commons Library</p>
Many licensing schemes fail due to the lack of adequate resources needed to undertake the necessary enforcement activity	<p>Enforcement, especially of unlicensed properties, is key to delivering an effective licensing scheme. The Council will ensure that sufficient resource is available to deliver the proposed scheme.</p>
A number of comments included problems with Houses of Multiple Occupancy in the proposed area. This is how Selective Licensing can help with this issue.	<p>The Council currently enforces the mandatory licensing of Houses of Multiple Occupancy (HMO's) for properties with 5 or more households requiring a licence. Small HMO's with four separate households do not need a licence. The property would however need to meet current legislative requirements for housing standards.</p> <p>Selective Licensing provides a legal framework in which the Council can work in partnership with landlords to drive up property standards and reduce ASB. Licenses come with</p>

	<p>conditions that landlords must adhere to, which include but are not limited to maintaining property standards, managing tenants responsibly, and addressing anti-social behaviour.</p> <p>Licensing income will support the recruitment and retention of competent staff to undertake the work over the life of the scheme.</p>
There is already enough legislation in place for Landlords to comply with; gas and electrical safety, smoke alarms, energy performance certificates, deposit protection and so on.	These examples are not all enforced by the same regulatory body e.g., gas safety is regulated by the HSE (Health & Safety Executive). One of the benefits of Selective Licensing is that these can be enforced by one authority under a clear framework rather than by a patchwork of different regulatory bodies. Selective Licensing brings these all under one umbrella and requires the documents to be produced on request which ensure all these are in place.
Future energy efficiency standards will increase costs for letting properties. This is an additional burden.	<p>In February, the government announced it's intended to accelerate its plan for warm homes and cheaper bills. The intention is to lift half a million households out of fuel poverty by 2030 in a major boost to standards in the private rental sector. The government states that 48% of private rented homes in England already have an Energy Performance Certificate of C or above. Ministers now want to extend this to all properties in the private rented sector. Warm homes and cheaper bills as government accelerates Plan for Change - GOV.UK</p> <p>The majority of homes in the designated area were built before 1919 and are terraced houses with 71% of homes rated at an EPC D. There are government grants available to support landlords for example ECO4 to upgrade the property to an EPC C.</p>
A voluntary scheme should be offered first before forcing this upon landlords and tenants who have not requested this	This is considered as an option, however voluntary schemes attract compliant landlords, who are willing to work with the council. Rogue landlords will still operate, and the council will not have the necessary powers to take action to find them.
Currently, landlords evict tenants using a Section 21 'no fault' eviction notice, if they cause anti-social behaviour.	<p>Selective licensing will enhance the level of information, advice and guidance to both tenants and landlords. This means both parties will be able to liaise with relevant agencies to increase their knowledge of available options.</p> <p>The Renters Rights Bill is likely to come into effect during October 2025, which is earlier than any proposed selective</p>

<p>If the Renters' Rights Bill becomes law, it will remove the Section 21 notice and landlords will need to go to court for an eviction which will take time.</p>	<p>licensing scheme. Under the new legislation, a mandatory ground (7A) Severe ASB/Criminal Behaviour is proposed. This is where the tenant has been convicted of a type of offence listed in the ground, has breached a relevant order put in place to prevent anti-social behaviour or there is a closure order in place prohibiting access for a continuous period of more than 48 hours. Under this ground the landlord can begin proceedings immediately.</p> <p>There are Discretionary Grounds under Section 14 for ASB, where the tenant or anyone living at the property has been guilty of behaviour causing or likely to cause a nuisance. Again the landlord can begin proceedings immediately. Further details can be found using the following link: Guide to the Renters' Rights Bill - GOV.UK</p> <p>In these cases, where all other avenues have failed, the Council may support the landlord to take action.</p>
<p>You will force poor landlords to improve their properties only to get tenants wrecking it all. Its the behaviour of the tenants that needs to be addressed. I have neighbours to some of my properties who behave dreadfully and they have been put in by Letting Agents, who then don't bother to visit and check what is going on.</p>	<p>Selective Licensing gives the council powers to tackle letting agents who provide poor management practices. This should reduce the impact of tenants who live in properties and are not accountable for their actions.</p>
<p>I didn't know about an accreditation scheme.</p>	<p>An accreditation scheme is a voluntary scheme available to landlords.</p>
<p>A targeted plan on specific properties and landlords would be better. There is a lot of work to be done with uneducated and lazy landlords but this proposal does not help good landlords.</p>	<p>There have been schemes in the past where officers deliberately targeted streets, door knocking and engaging with residents. Whilst there was an increase in enforcement activity, a number of residents refused to engage. Over the years there have been other similar campaigns where officers have been out to properties. Unfortunately, this never had a lasting impact on the neighbourhood.</p> <p>Selective Licensing provides the opportunity to act proactively with landlords and ensure that landlords/letting agents provide adequate management practices.</p>

Other	Other suggestions included having a monthly skip service to reduce fly tipping, and a reduction in the charges made to dispose of waste in the refuse depot.
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7.2 **Proposed Area**

7.3 Many landlords advised that the area south of Durban Road, including Cooper Road, Fairmont Road and Columbia Road should not be included within the scheme. Landlords stated that there was no low housing demand in these streets, and that property values were much greater than those in other parts of the proposed area.

7.4 A comparison of sold and rental prices in this area relative to the former Safer Streets area is set out below. The sale and rental value of a property indicates people's desire to live in the area, with higher values indicating people wish to live in the area.

7.5 **Sold Property Price Comparison**

7.6 **Area South of Durban Road**

Cooper Road	2 bed terrace	Sold	£75,000
Julian Street	2 bed terrace	Sold	£68,500
Columbia Road	2 bed terrace	Sold	£65,000
Fairmont Road	2 bed terrace	Sold	£68,500
Columbia Road	3 bed terrace	Sold	£99,950
Cooper Road	3 bed terrace	Sold	£109,000

Average Price: £80,991

7.7 **Area formerly identified for the Safer Streets Campaign**

Weelsby Street	3 bed terrace	£46,000
Rutland Street	3 bed terrace	£56,000
Harold Street	3 bed terrace	£45,000
Harold Street	3 bed terrace	£40,000
Stanley Street	3 bed terrace	£69,000
Castle Street	3 bed terrace	£39,999

Average Price: £49,333

7.8 We compared the two average valuations against similar 3 bedroom terrace houses in other parts of the borough. These areas experience similar issues with regard to fly tipping, anti-social behaviour and all are in the top 10 – 20% areas scoring highly for multiple deprivation. Valuations in the Sidney Sussex ward are taken from the proposed Area for Action, and all prices are based on Land Registry data which provides sold prices.



7.9 This chart shows that whilst property values in the former Safer Streets area of the East Marsh remain the lowest, the area South of Durban Road is higher than the West Marsh, Sidney Sussex and Heneage Ward areas.

7.10 Rental Price Comparison

7.11 Area South of Durban Road

Columbia Road	3 bed terrace	£750pcm
Columbia Road	2 bed terrace	£595pcm
Columbia Road	3 bed terrace	£695pcm
Columbia Road	2 bed terrace	£650pcm
Columbia Road	2 bed terrace	£650pcm

Average price: £668pcm (£722 for a 3 bed property).

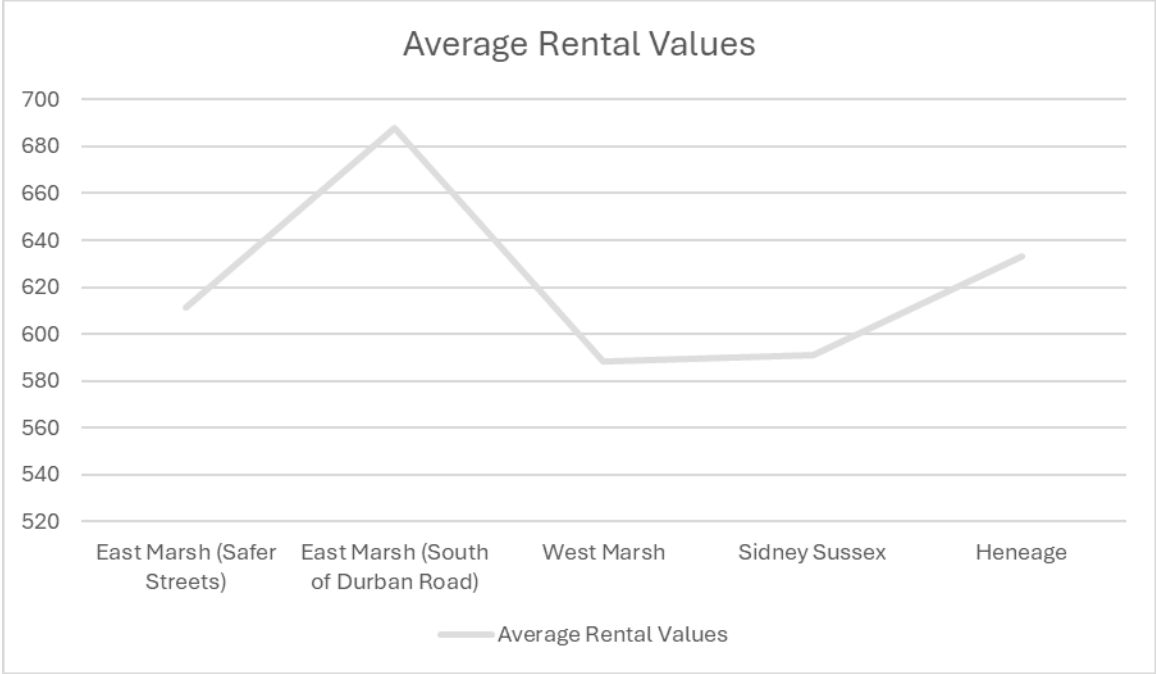
7.12 Area formerly identified for the Safer Streets Campaign

Weelsby Street	3 bed terrace	£585 pcm
Tunnard Street	2 bed terrace	£550 pcm
Castle Street	3 bed terrace	£650pcm
Rutland Street	2 bed terrace	£575pcm
Weelsby Street	3 bed terrace	£600pcm

Average Price: £592pcm (£611 for a 3 bed property)

7.13 Average Sold prices in the in the former Safer Streets area are **39%** less than those in the Columbia, Fairmont, and Cooper Road areas. [figures based on last 12 months sales – Land Registry data]

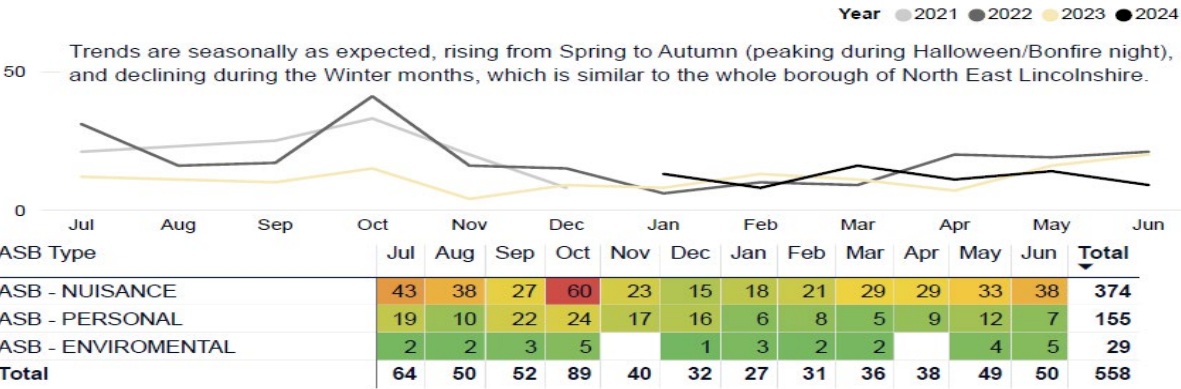
- 7.14 Average Rental prices are **15% less for a 3 bed property**, than those advertised (Rightmove 11 June 2025) in the Columbia, Fairmont, and Cooper Road areas.
- 7.15 We looked at similar areas, comparing 3 bedroom rental values, to those achieved in the East Marsh.



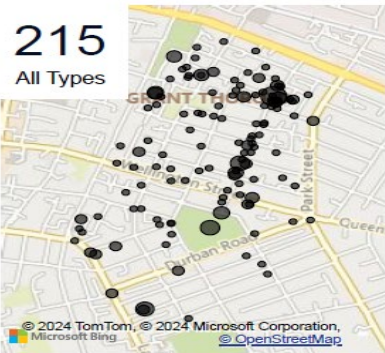
The chart above evidences south of Durban Road obtains higher rent returns than those in the East Marsh (former safer streets area), West Marsh, Sidney Sussex (proposed area for action only) and Heneage Ward of similar properties. These values were taken from www.rightmove.co.uk on the 9 July 2025.

- 7.16 **Crime and Anti-Social Behaviour**
- 7.17 As indicated in the below graphs and charts, anti-social behaviour and crime data also indicates that whilst the area south of Durban Road does experience higher levels of crime and antisocial behaviour than the borough average, it is lower when compared to the East Marsh Safer Streets geographical area with reported anti-social behaviour being particularly lower.

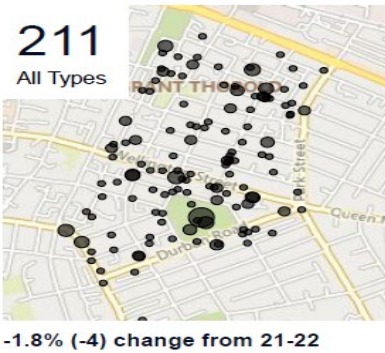
Anti Social Behaviour (ASB) Monthly Trend between 01/07/2021 and 30/06/2024



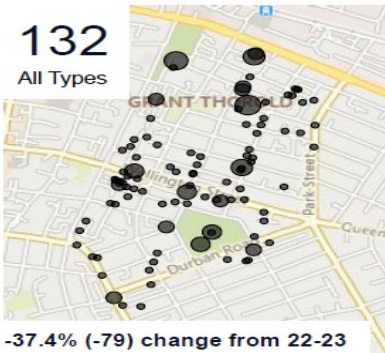
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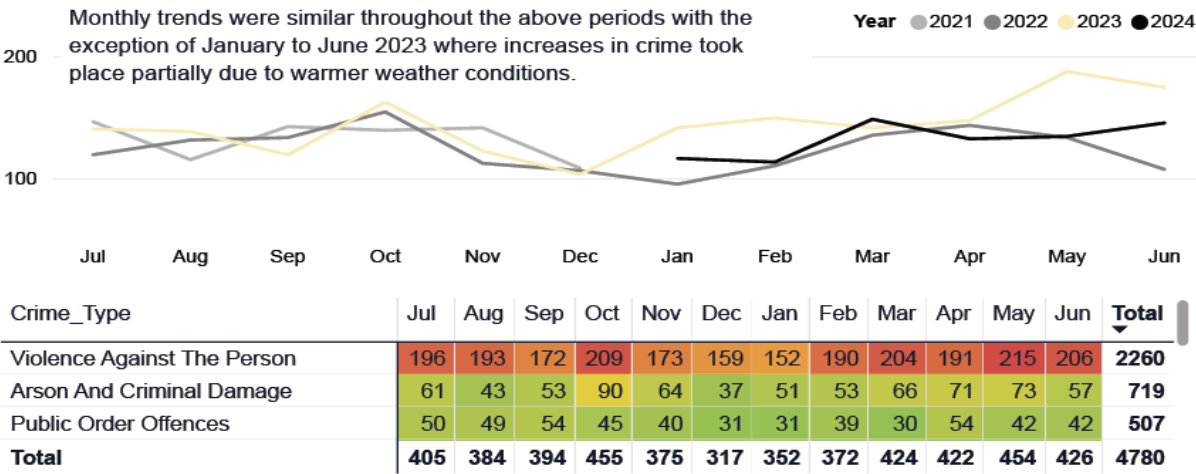
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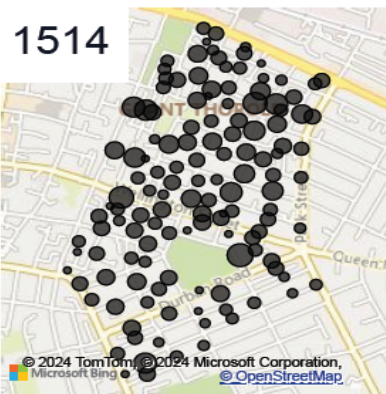
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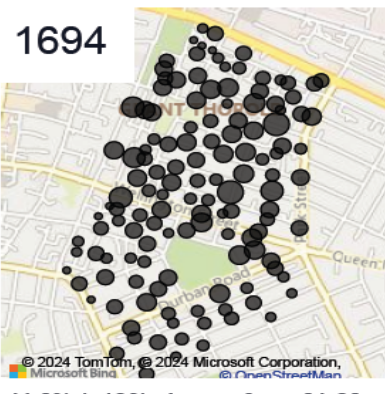
Reported Crime Monthly Trend between 01/07/2021 and 30/06/2024



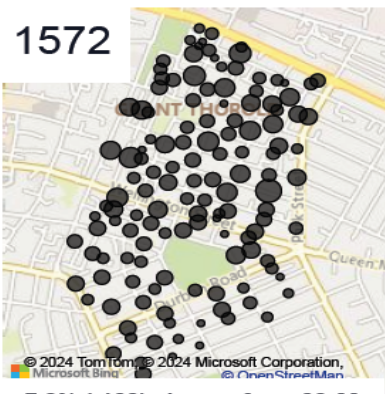
01/07/2021 to 30/06/2022



01/07/2022 to 30/06/2023



01/07/2023 to 30/06/2024



8. SELECTIVE LICENSING FEES

8.1 The fees for selective licensing are recovered under the Housing Act 2004. The local housing authority may (subject to any regulations made under subsection (5)) take into account;

- a. all costs incurred by the authority in carrying out their functions under this Part, and
- b. all costs incurred by them in carrying out their functions under Chapter 1 of Part 4 in relation to Part 3 houses and HMOs (so far as they are not recoverable under or by virtue of any provision of that Chapter). The funds raised from selective licensing are ring fenced, so the Local Authority cannot fund other services through the licence fee.

8.2 The licence fee is calculated on the costs of staffing the selective licensing team including administrative and support costs including Legal, Human Resource, Information, Community and Technology and the supply of equipment to undertake the duties of the team.

8.3 The Council is therefore mindful of the costs of the licence fee and ensuring value for money. However, the licence fee must cover the costs of the service.

8.4 The fee proposed within the consultation received a negative response and most respondents said the fee was too expensive. This was echoed by tenants who felt the charge would be handed down to them, as landlords will increase their rent.

8.5 Landlords were receptive to having discounts, however felt that the original fee was too expensive. Some landlords asked if they could pay the licence fee on a monthly basis. The council considered this option and received advice that the fee should be split into two elements.

- **Stage 1 payment** - would cover the cost of processing the application and would be an upfront payment that is non-refundable. The council already do this for its mandatory HMO licensing scheme.
- **Stage 2 payment** - would cover the rest of the application process. The council sought advice regarding opportunity for stages payments or instalments, however unless the Stage 2 payment is received in full, the application is not considered “duly made” and therefore the Council are unable to grant a licence. There would also be implications if a landlord failed to fully pay for the licence, with costs incurred sending statements and chasing arrears.

8.6 Case Law

8.7 On 31 July 2018, the High Court, as a result of R (Gaskin) v Richmond-upon Thames LBC [2018] EWHC 1996 (Admin), held that schemes for the licensing of houses in multiple occupation ('HMOs') under Part 2 of the Housing Act 2004 ('the 2004 Act') are authorisation schemes, within the meaning of EU Directive 2006/123/EC ('the Directive') and regulations incorporating the Directive in domestic law: the Provision of Services Regulations 2009 ('the 2009 Regulations').

8.8 The consequence of the above decision is that the fee for a licence under Part 2 and Part 3 of the Housing Act 2004, must be levied in two, separate parts, in accordance with the type A scheme endorsed by the Supreme Court in *R (Hemming, t/a Simply Pleasure Ltd) v Westminster CC* [2015] UKSC 25; [2015] AC 1600 (referred to as a ‘Hemmings’ fee structure);

- Part 1 – a fee levied at the point of application, to cover the costs of the scheme’s ‘authorisation procedures and formalities’, i.e. the costs of processing the application; and
- Part 2 – if the application is successful, a further fee to cover the costs of running and enforcing the scheme.

8.9 **Anticipated costs**

8.10 Proposed costs were included as part of the consultation exercise ranging from £899 to £1284 for a five year period. Respondents responded that the proposed fees were too high. Therefore, it is recommended that a discount is applied for early bird landlords which is subsidised by landlords who fail to apply in a timely way.

9 **CONCLUSIONS**

9.1 The consultation exercise into the suitability of the proposal to adopt selective licensing (Selective Licensing) under Part 3 of the Housing Act 2004, within parts of the East Marsh was extensively and robustly undertaken. Consultation occurred with all residential properties in the proposed area alongside engaging with the private sector through estate, lettings and managing agents which ensured Landlords were able to engage with the process and put their point of view across.

9.2 The holding of online and face to face meetings enabled a cohort of landlords to attend the sessions. The majority of these landlords were not supportive of the scheme.

9.3 Residents were supportive of selective licensing and have for several years campaigned for this or a similar scheme.

9.5 A further review of the fee structure and delivery mechanisms will ensure value for money, efficiency and that the scheme operates on a cost recovery model. A number of discounts, listed below are also proposed for incorporation into the fee payment approach:

- “early bird applications be applied up to 6 months after the commencement date at 10% discount.
- Charities discounted an additional 10% up to the late penalty date.
- Accredited landlords discounted by 10% up to the late penalty date.
- Landlords with multiple applications be discounted after the first application by 10% up to the late penalty date.
- The maximum number of discounts applicable to a licence will be two.

- A late penalty fee be added to the licence fee of 20% for those properties that are not registered within 18 months of the commencement date of the scheme.

- 9.6 There was strong agreement from all parties that the area does need to improve.
- 9.7 It was expected that there would be strong opposition to the scheme from landlords who are concerned about the costs of the scheme. Conversely the consultation demonstrated broad support from tenants and residents who want to see change in this area. With this in mind, the recommendation that will be presented following this consultation is that a scheme for Selective Licensing is adopted within a revised area and aligning to the Safer Streets boundary as shown below.
- 9.8 Consultation feedback from landlords about the area south of Durban Road prompted the Council to conduct further comparative analysis of both property values and rental incomes in this area and wider ward areas with similar properties. It was evident that this area attracts higher property values and rental incomes and is therefore recommended that it is not included within the Selective Licensing area as it would be difficult to evidence low demand. This would mean Durban Road creates the southern boundary.

10. Revised Selective Licensing Area Boundary Map

