

Private Housing Service



Proposals To Introduce New Property Licensing Schemes – Consultation Report 2023

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1 Executive Summary

1.1 Proposal to introduce new property licensing schemes in Bristol

Bristol City Council is proposing to introduce a citywide Additional licensing scheme for HMOs (Houses in Multiple Occupation) and a Selective Licensing in Bishopston and Ashley Down, Cotham and Easton wards.

1.2 The consultation

The consultation was open between 29th August 2023 and 7th November 2023 and sought views from the public (including private landlords and private tenants, managing agents and residents, local universities, businesses, and organisations which represent private landlords and tenants) about the proposal.

The consultation sought feedback on:

- the level of support for the proposal
- the licensing fees and proposed rewards
- respondents' experience of any poor management and poor conditions in the scheme area.

The consultation comprised an online consultation survey. Paper copies of the survey and alternative accessible formats were available on request.

The consultation was widely publicised through media, social media and direct communications with the known private landlords and agents and their tenants and other stakeholders, such as residents, landlord and tenant organisations and councillors.

Posters were put up in all libraries and in community centres across Bristol.

Comments, requests, and suggestions received in letters and emails during the consultation were reviewed and considered alongside the survey results.

2 Scope of this report

This report describes the methodology and presents the findings of the consultation. It includes:

- Quantitative data and analysis of free text comments from the xx completed surveys which were received by 7th November 2023.
- Other relevant correspondence by email and petition received between 29th August and 7th November 2023.

This report does not contain the council officers' assessment of the feasibility of any of the suggestions received nor officers' proposals for the delivery of future services, having considered the consultation feedback.

3 How the report will be used

This report will be considered as final proposals are developed by officers. The result of this consultation will be taken into consideration in developing the final proposal that will be considered by the Mayor and Cabinet when they make those decisions. Cabinet decisions will be published through normal procedures for Full Council and Cabinet decisions at democracy.bristol.gov.uk.





4 Consultation - Key findings

4.1 Response rate

1,562 completed surveys were received. 1,559 respondents self-completed it online and 3 completed the survey on paper. 247 emails and 5 organisational submissions were also received.

Of the 1,562 responses about respondent category 570 (36.49%) were private landlords or agents with property in the area, 384 (24.58%) private tenants living in the area, 453 (29%) owner-occupiers and other residents living in the area, and 302 (19.33%) from other interested parties (including councillors, landlords and tenants living outside of the area and landlord organisations).

Figure 1: Respondent category






18. Which of the following best describes your situation? (Please tick all that apply)				
Answer Choices			Response Percent	Response Total
1	A private landlord or managing agent who lets property affected by this proposal (This option includes landlords who live in the property they let)		36.49%	570
2	A private tenant who is living, or has lived, in property affected by this proposal, or someone responding on behalf of a tenant		24.58%	384
3	An owner-occupier or other resident currently living near properties affected by this proposal		29.00%	453
4	Other interested party (e.g. landlord with property outside the proposed areas, landlord organisation, councillor, etc.)		19.33%	302
			answered	1562
			skipped	0

4.2 Views on the proposal to introduce an additional licensing scheme

Of the 1,554 respondents who expressed a view on the proposal to introduce a citywide additional licensing scheme, 817 (52.57%) strongly agreed or agreed, 609 (39.19%) disagreed and 128 (8.24%) neither agreed nor disagreed.

Breaking that down by respondent type – 28.6% of respondents who identified as landlords or agents, 63.8% private tenants, 76.15% owner occupiers and 40.4% Other category agreed or strongly agreed with the additional licensing proposal.

Figure 2: Views on the proposal to introduce an additional licensing scheme






Do you agree or disagree with the proposal for scheme 1 – a citywide additional licensing scheme covering all smaller HMOs?				
Answer Choices			Response Percent	Response Total
1	Strongly agree		34.36%	534
2	Agree		18.21%	283
3	Neither agree nor disagree		8.24%	128
4	Disagree		8.88%	138
5	Strongly disagree		30.31%	471
			answered	1554
			skipped	8

4.3 Views on the proposal to introduce a selective licensing scheme in Bishopston and Ashley Down, Cotham and Easton wards.

Of the 1550 respondents who expressed a view on the proposal to introduce a selective licensing scheme, 604 (38.96%) agreed, 794 (51.22%) disagreed and 152 (9.81%) neither agreed nor disagreed.

Breaking that down by respondent type – 13.86% of respondents who identified as landlords or agents, 53.9% private tenants, 60.71% owner occupiers and 29.47% Other category agreed or strongly agreed with the selective licensing proposal.

Figure 3: Views on the proposal to introduce a selective licensing scheme in Bishopston and Ashley Down, Cotham and Easton wards.

Do you agree or disagree with the proposal for scheme 2 – targeted selective licensing in three wards (Bishopston and Ashley Down, Cotham, and Easton)?				
Answer Choices			Response Percent	Response Total
1	Strongly agree		24.19%	375
2	Agree		14.77%	229
3	Neither agree nor disagree		9.81%	152
4	Disagree		13.74%	213
5	Strongly disagree		37.48%	581
			answered	1550
			skipped	12

4.4 Views on whether introducing an additional licensing scheme would help to resolve the poor management and poor conditions of the private rented properties in the city.

Of the 1550 respondents who expressed a view on whether the proposal to introduce an additional licensing scheme would improve poor management and poor conditions in private rented properties in the city, 749 (48.33%) agreed or strongly agreed, 591 (38.13%) disagreed or strongly disagreed and 210 (13.55%) neither agreed nor disagreed.

Figure 4: Views on whether introducing an additional licensing would help to resolve the poor management and poor conditions of private rented properties in the city.

Do you agree or disagree that scheme 1 would help to resolve the poor management and poor conditions of private rented properties in the city?				
Answer Choices			Response Percent	Response Total
1	Strongly agree		21.68%	336
2	Agree		26.65%	413
3	Neither agree nor disagree		13.55%	210
4	Disagree		14.58%	226
5	Strongly disagree		23.55%	365
			answered	1550
			skipped	12

4.5 Views on whether introducing a selective licensing scheme would help to resolve the poor management and poor conditions of private rented properties in the city.

Of the 1553 respondents who expressed a view on whether the proposal to introduce a selective licensing scheme would improve poor management and poor conditions in private rented properties in the city, 592 (38.12%) agreed, 752 (48.42%) disagreed and 209 (13.46%) neither agreed nor disagreed.

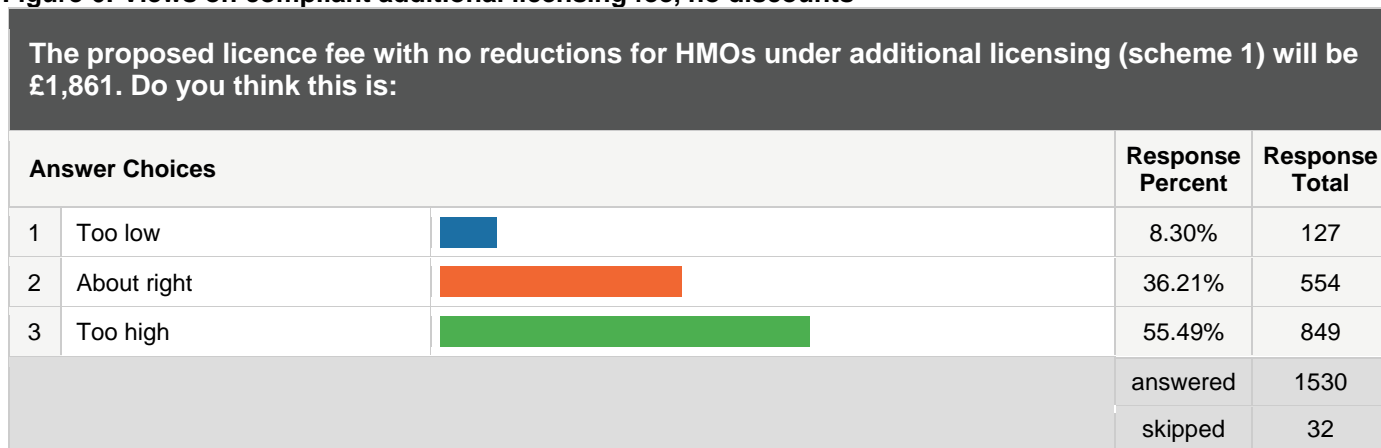
Figure 5: Views on whether introducing a selective licensing would help to resolve the poor management and poor conditions of private rented properties in the city.

Do you agree or disagree that scheme 2 would help to resolve the poor management and poor conditions of private rented properties across the city?				
Answer Choices			Response Percent	Response Total
1	Strongly agree		18.48%	287
2	Agree		19.64%	305
3	Neither agree nor disagree		13.46%	209
4	Disagree		17.00%	264
5	Strongly disagree		31.42%	488
			answered	1553
			skipped	9

4.6 Views on the additional licence fee of £1,861 (without reductions) to license on time

Of the 1530 respondents 127 (8.3%) thought the fee was too low, 554 (36.21%) thought it was about right and 849 (55.49%) thought it was too high.

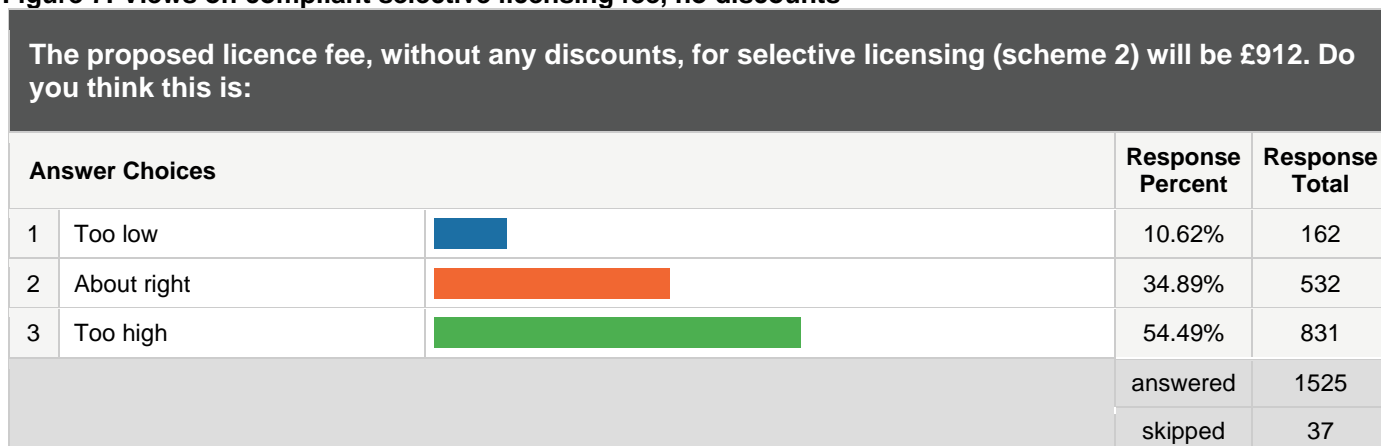
Figure 6: Views on compliant additional licensing fee, no discounts



4.7 Views on the selective licence fee of £912 (without reductions) to license on time

Of the 1525 people who responded to this question, 162 (10.62%) thought the fee was too low, 532 (34.89%) thought it was about right and 831 (54.49%) thought it was too high.

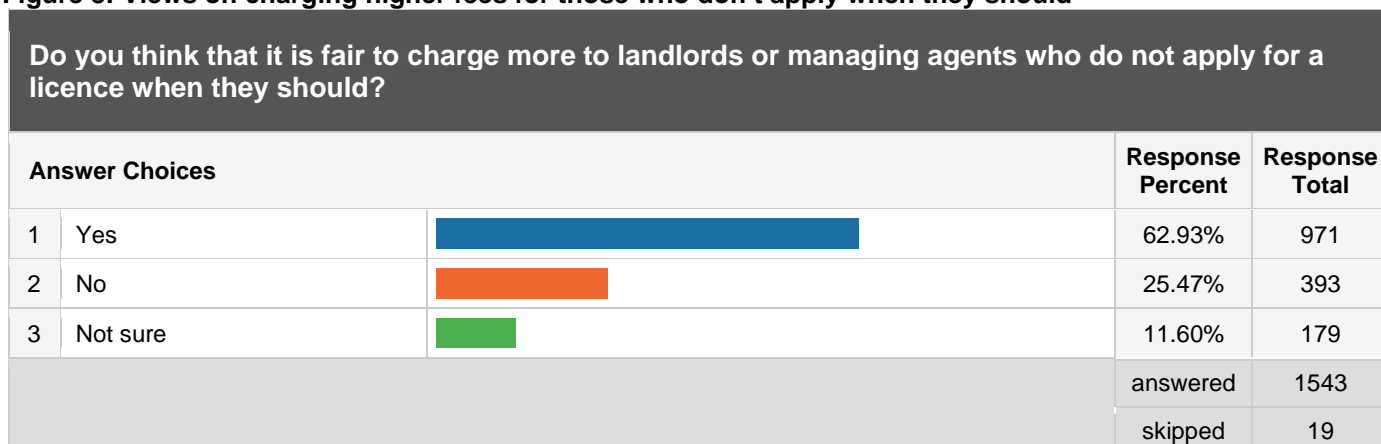
Figure 7: Views on compliant selective licensing fee, no discounts



4.8 Views on whether it is fair to charge more to landlords / agents who don't apply when they should?

Of the 1543 people who responded to this question, 971 (62.93%) said yes it was fair, 393 (25.47%) said no and 179 (11.60%) were not sure.




Figure 8: Views on charging higher fees for those who don't apply when they should



4.9 Views on whether the £140 ‘found fee’ is fair for landlords/agents who do not licence their property on time

Of the 1,376 people who responded to this question, 532 (38.66%) said it was too low; 530 (38.52%) said it was about right and 314 (22.82%) it was too high.




Figure 9: Views on £100 Finder’s Fee for those who do not licence their property on time

Do you think the ‘found fee’ of £140 proposed for landlords/agents who do not license their property on time is:				
Answer Choices			Response Percent	Response Total
1	Too low		33.70%	515
2	About right		34.49%	527
3	Too high		31.81%	486
			answered	1528
			skipped	34

4.10 Views on a discount of £150 for those landlords who provide satisfactory gas safety certificates, electrical condition reports/installation certificates, fire safety (alarm and emergency lighting) and EPCs (where appropriate) on time.

Of the 1536 respondents who expressed a view on whether we should give a discount for satisfactory certificates, 1028 (66.93%) said yes, 349 (22.72%) said no and 159 (10.35%) weren’t sure.




Figure 10: View on discounts for satisfactory certificates submitted on time

Do you agree or disagree that there should be a discount of £150 for those landlords who provide satisfactory certificates on time?				
Answer Choices			Response Percent	Response Total
1	Yes		66.93%	1028
2	No		22.72%	349
3	Not sure		10.35%	159
			answered	1536
			skipped	26

4.11 Views on the proposed discount of £150 for a landlord accredited under an approved Rent with Confidence scheme

Of the 1521 respondents who expressed a view on whether we should give a discount for being an accredited member under the Rent with Confidence scheme, 800 (52.60%) said yes, 410 (26.96%) said no and 311 (20.45%) weren’t sure.

Figure 11: View on discounts for landlords accredited under Rent with Confidence scheme.

Do you agree or disagree that there should be a discount of £150 for a landlord who is accredited under one of our approved Rent with Confidence schemes?			Response Percent	Response Total
Answer Choices			Response Percent	Response Total
1	Yes		52.60%	800
2	No		26.96%	410
3	Not sure		20.45%	311
			answered	1521
			skipped	41

5 Context

The council has a statutory duty to consult for a minimum period of 10 weeks¹ with all people, organisations and businesses that would be affected by the proposal. The consultation was open between 29 August 2023 and 7 November 2023 and sought views from the public (including private landlords and private tenants with property in the proposal area, managing agents and residents, local universities, businesses, and organisations which represent private landlords and tenants) about the proposal.

6 Bristol Corporate Strategy 2022-27

The Corporate Strategy recognises that a warm, secure and affordable home provides a springboard to achieving a high-quality life. It acknowledges that the private rented sector continues to grow, bringing issues such as the insecurity of short-term tenancies and for some poor conditions or tenancy management. The strategy brings together representatives of different housing sectors at the Bristol Homes Board to provide leadership across a range of housing issues, including making improvements to the private rented sector.

7 Bristol's One City Plan – Raising Standards in the Private Rented Sector

Under the One City Plan there is the aim to raise standards in the PRS through the introduction of discretionary licensing schemes.

8 Scope of this report

This consultation report describes the methodology and results of the consultation. It summarises and quantifies the views expressed in the consultation survey responses and in other written correspondence received between 29th August and 7th November 2023.

¹ Duty to consult Section 56 of the Housing Act 2004

9 Methodology

9.1 The Survey

An online consultation survey was available on the city council's Ask Bristol consultation hub. (<https://www.ask.bristol.gov.uk/property-licensing-2023>) between 29th August and 7th November 2023. The online survey pages contained:

- an overview of the consultation proposal.
- links to the Proposal Consultation Information Booklet and the survey questions.
- options to request alternative formats (Easy Read, Audio, Braille large print, language translations and British Sign Language).

The survey questions included six sections:

- Section A: questions for all respondents
- Section B: questions for private landlords and managing agents who let property in the proposal area.
- Section C: questions for private tenants who are living or have lived in the proposal area.
- Section D: questions to owner-occupiers or other residents currently living in the proposal area.
- Section E: questions to other interested parties.
- Section F: equalities monitoring and next steps – all respondents.

Respondents could choose to answer some or all the questions in any order and save and return to the survey later.

9.2 Paper copies

The proposal survey form (questionnaire) and information booklet were produced which together provided all the information that was available online and were made available with Freepost return envelopes by request.

9.3 Alternative formats

The following alternative formats were made available on request:

- Braille
- Large Print
- Easy Read
- Audio file
- British Sign Language (BSL) videos
- Translation to other languages. (No translations were directly requested by citizens)
- Accessible

9.4 Other correspondence

247 emails and 5 submissions from organisations were received and responded to during the consultation.

9.5 Publicity

9.5.1 Objective

The following programme of activity was undertaken to publicise and explain the consultation. The primary objective was to ensure that information was shared across a wide range of channels, reaching as broad a

range of audiences as possible to maximise response rates, including feedback by groups that are often under-represented in surveys.

9.5.2 Bristol City Council channels

Copy and electronic material were shared via the following council and partner channels and networks:

- Item on the mayors blog on 29th August 2023 [Improving the quality of private rented properties across Bristol - The Bristol Mayor](#)
- Ask Bristol newsletter
- Press release to local print, TV, radio media and specialist publications
- Emails to all ward Councillors with publicity material attached
- 20,119 letters were sent to known private landlords, letting agents, private tenants living in the proposed area
- Email to 31,947 private landlords, letting agents and private tenants and 30,066 to owner occupiers.
- Emails sent to all local councillors with publicity material to disseminate to their communities.
- Emails sent to the two Bristol universities and to landlord and tenant organisations including Bristol CAB, CHAS, ACORN, Shelter, BALMA, North Bristol Advice Centre and Bristol City Council's Private Renting Team.
- Emails sent to neighbouring West of England Local Authorities – South Gloucestershire, Bath & North East Somerset, and North Somerset.
- Article in the Landlord Newsletter sent on 30th August 2023 to 6,924 landlords and agents and follow up reminder in the next issue to 7,632 landlords and agents.
- Article in the Tenant Newsletter sent to 35 tenant organisations on 30th August and follow up reminder in next issue.
- Discussion at the Landlord Panel meeting 20th September 2023
- Discussion with Shelter and Acorn tenant organisations
- Discussion with Living Rent Commission tasking group and its members also asked to share details on the consultation
- Link to consultation from property licensing pages of Bristol City Council website throughout 10-week consultation period.
- Posters put up in all 27 libraries and distributed by the Community Development Team to community centres across Bristol and shared electronically through their network to other organisations such as the Community Exchange Network (over 100 organisations) and Avon Task groups
- Social media posts were made throughout the ten-week consultation.

9.5.3 Social Media – posts, outreach, and advertising

Regular posts on Bristol City Council's social media channels (Twitter and Facebook and Nextdoor) were made for the duration of the consultation.

- **Press release 29th August 2023**
- **BBC news item 30th August 2023 - Bristol City Council propose tighter measures for private renting** <https://www.bbc.co.uk/news/uk-england-bristol-66648129>
- **Nextdoor social media:** targeted to the 3 wards had a total of 131 impressions.
- **Paid Facebook and Instagram advertising:** cost £48.47 got 243 clicks and 16,203 impressions .
- **Twitter:** 13 clicks and 3,700 impressions

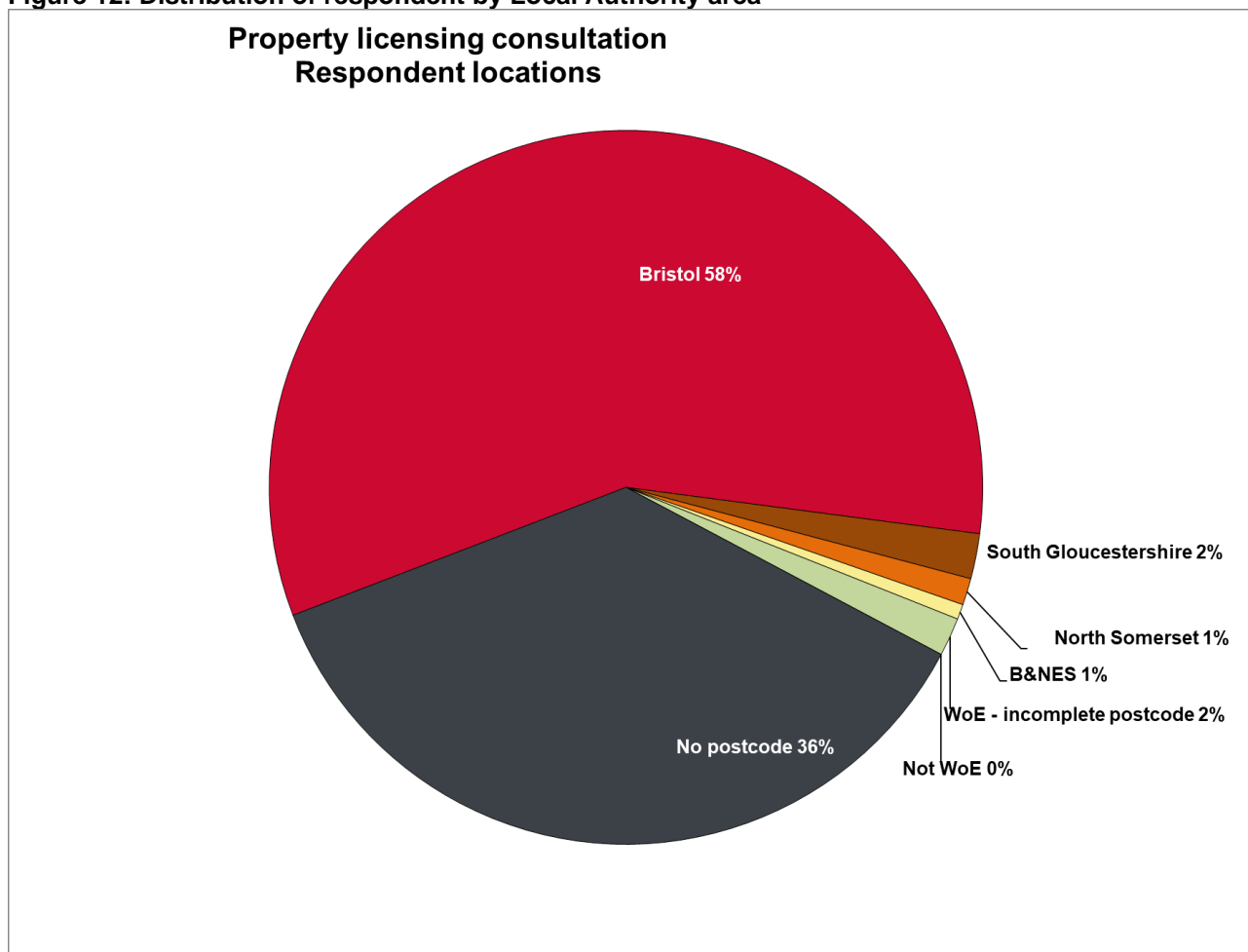
10 Survey Response rate and Respondent characteristics

1,562 completed surveys were received. 1,559 respondents self-completed it online and 3 completed the survey on paper. 247 emails and 5 organisational submissions were also received.

10.1 Geographic distribution of responses

58% of responses were received from postcodes within the Bristol City Council area, 2% were from South Gloucestershire, 1% were from North Somerset, and 1% were from Bath & North East Somerset (B&NES). 2% response was from outside the West of England region and 36% did not provide a postcode.

Figure 12: Distribution of respondent by Local Authority area



10.2 Responses by post codes within Bristol City Council area

Of the 58% responses from within the Bristol City Council area who provided full or partial postcodes from which the ward of origin could be identified.

Figure 13: Geographic distribution of responses

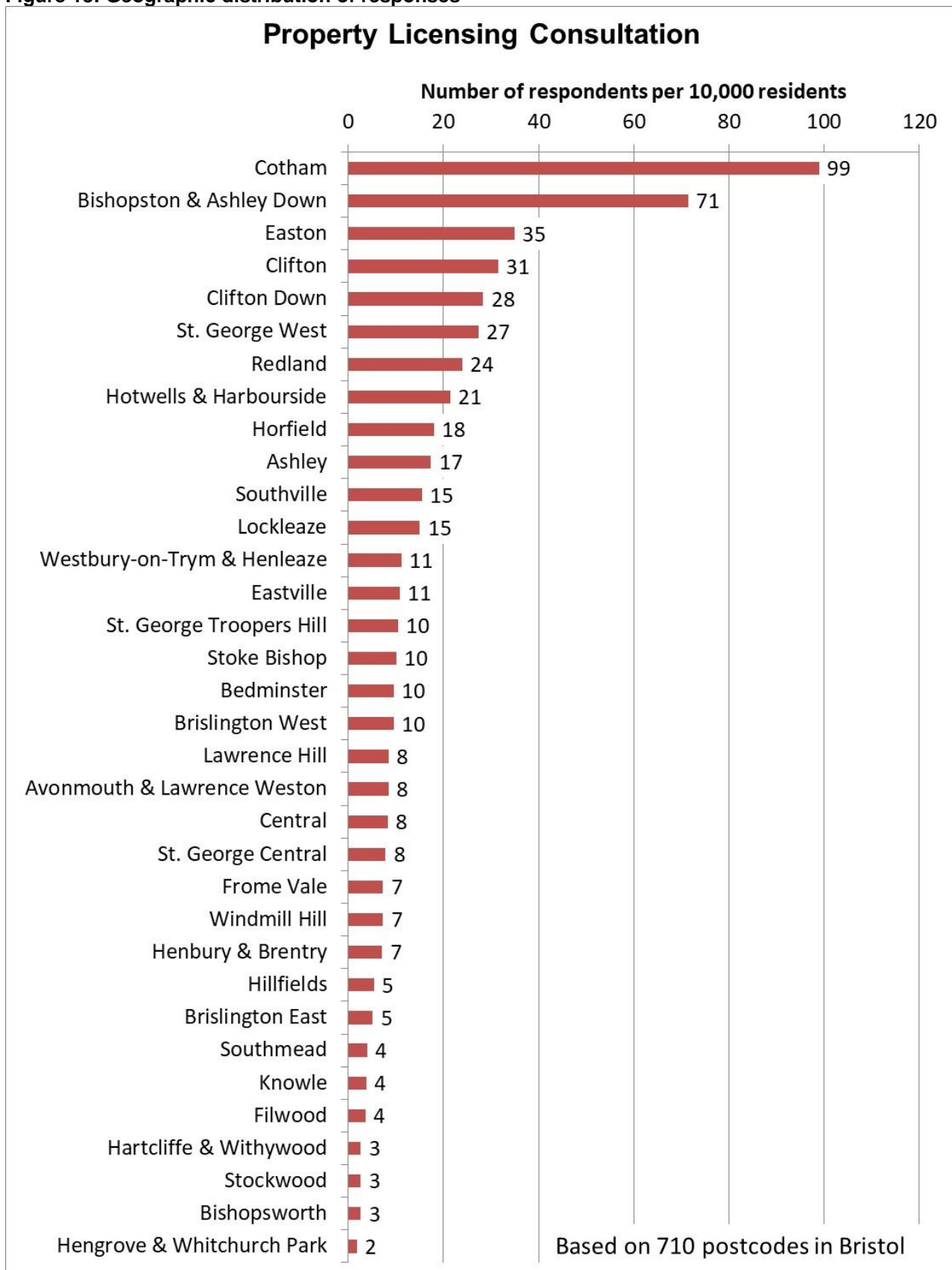
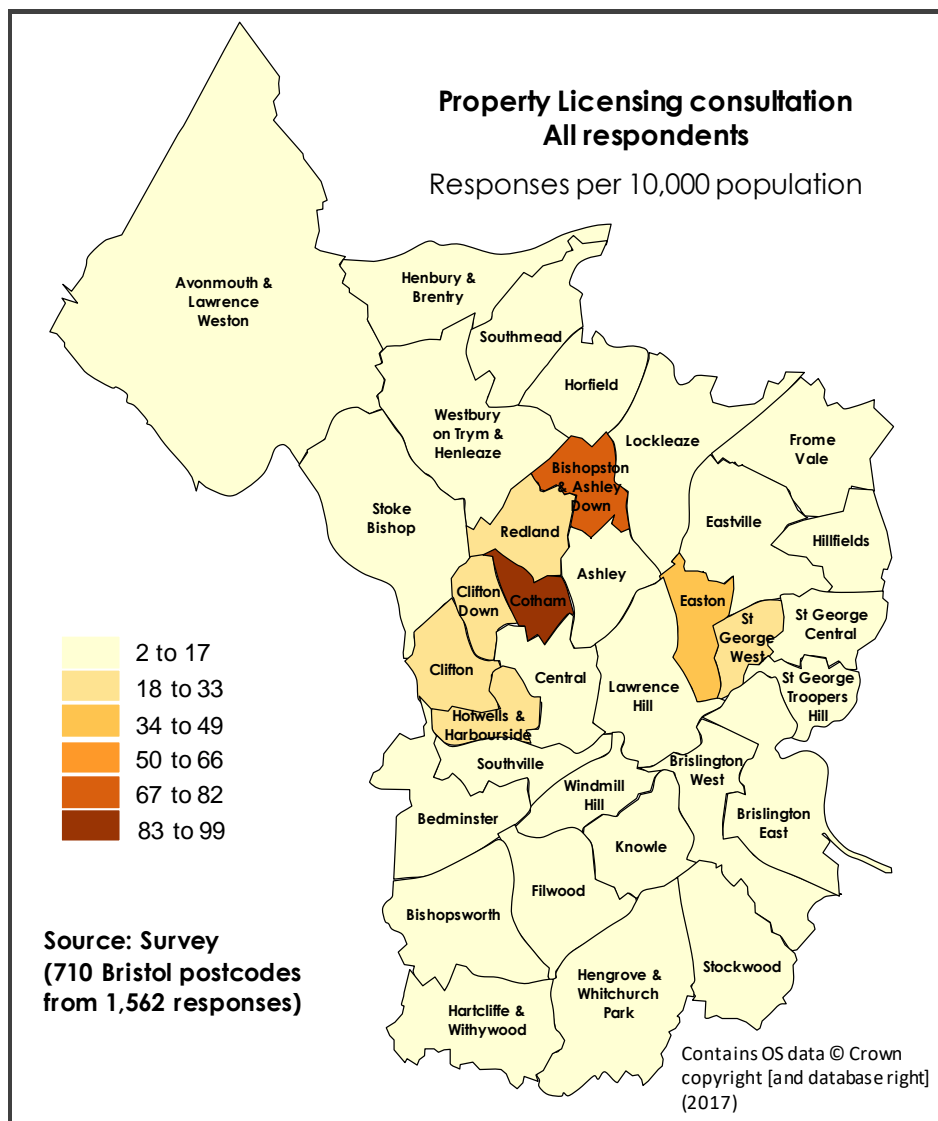


Figure 14: of the 58% of responses from Bristol post codes – distribution by ward



10.3 Characteristics of respondents

Of the 1562 survey responses to this question, 570 (36.49%) described themselves as private landlords or agents with property in the area, 384 (24.58%) private tenants living in the area, 453 (29%) owner-occupiers and other residents living in the area, and 302 (19.33%) from other interested parties (including councillors, landlords and tenants living outside of the area, local businesses, and landlord organisations). Obviously, some respondents identified under more than one category i.e. a landlord who is also an owner occupier living in Bristol.

10.4 Equalities monitoring information

The following Figures 15 - 23 show the equalities characteristics of the respondents, where provided.

Figure 15: What is your age?

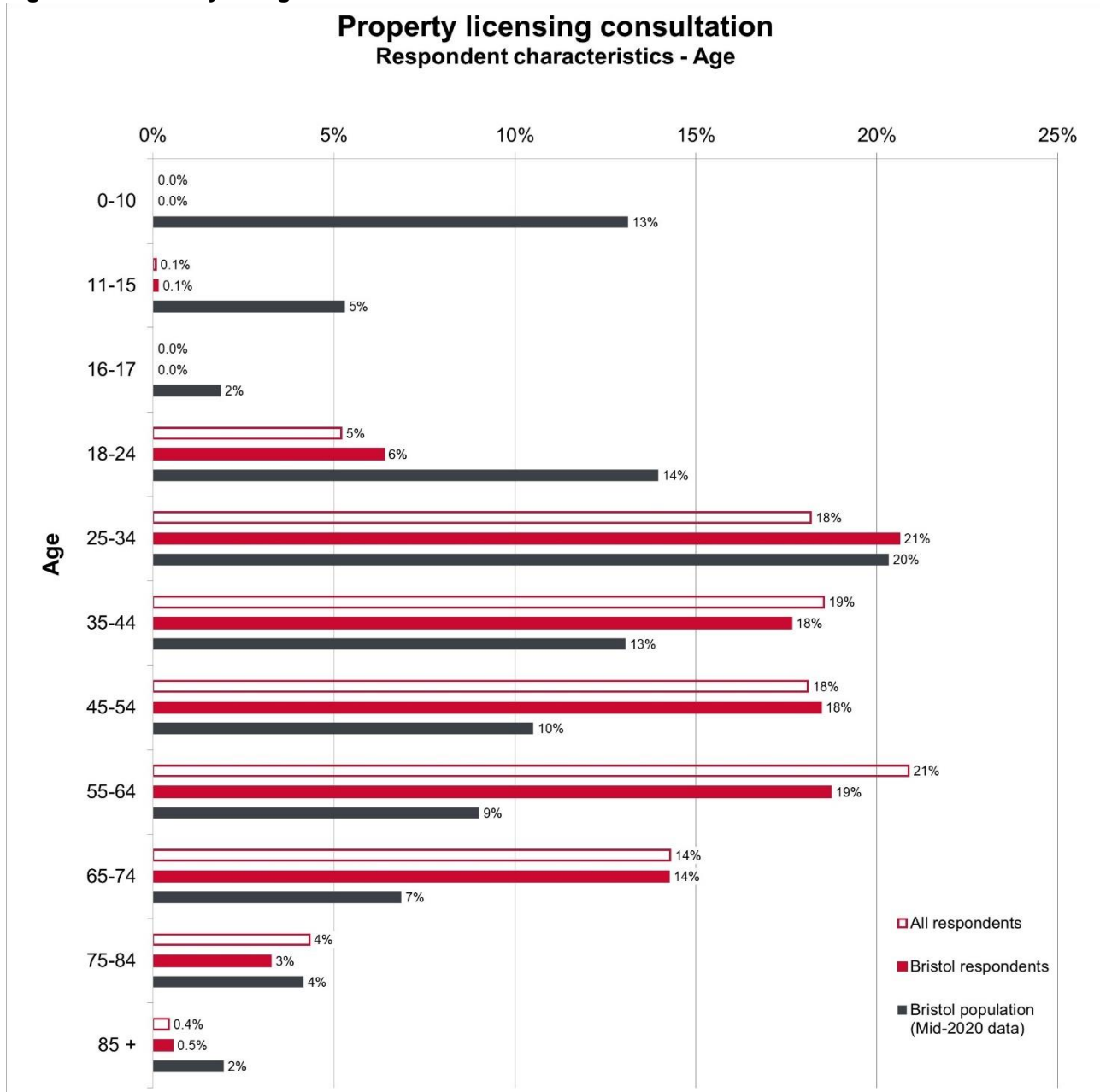


Figure 16: Do you consider yourself to be a disabled person

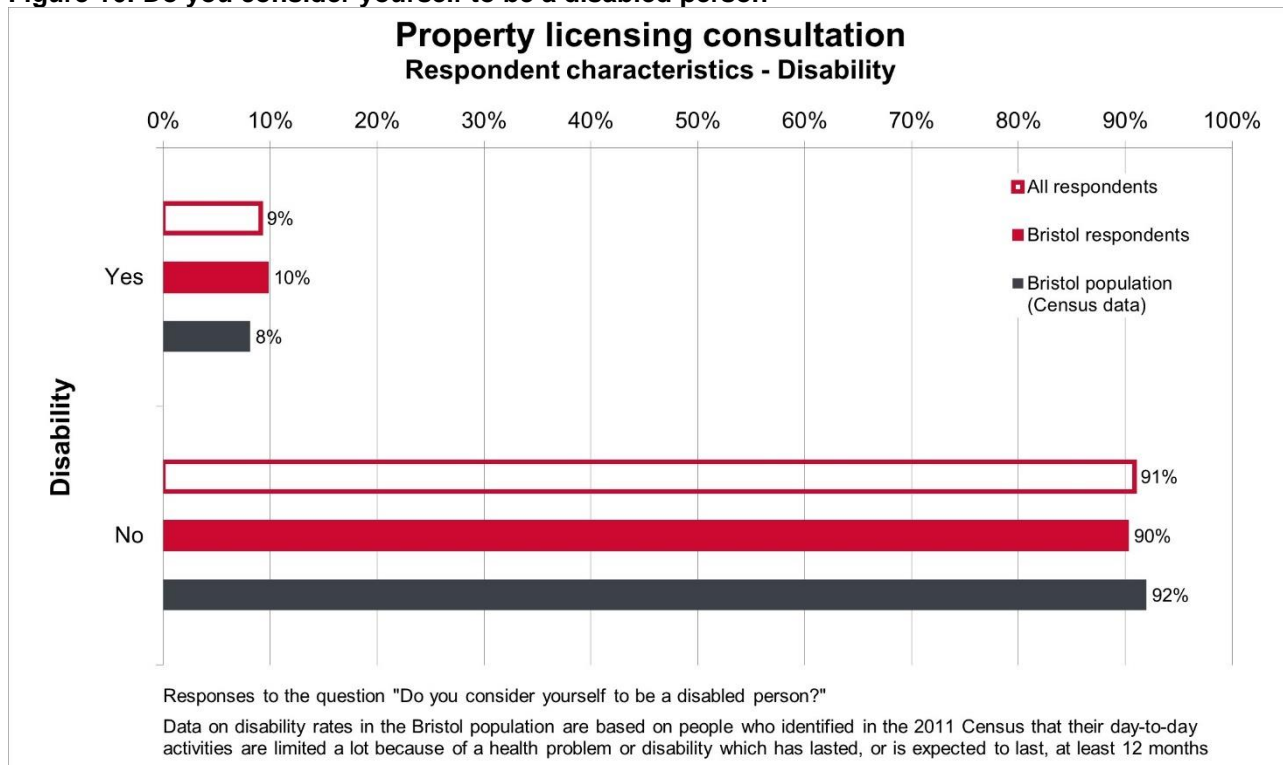


Figure 17: What is your sex?

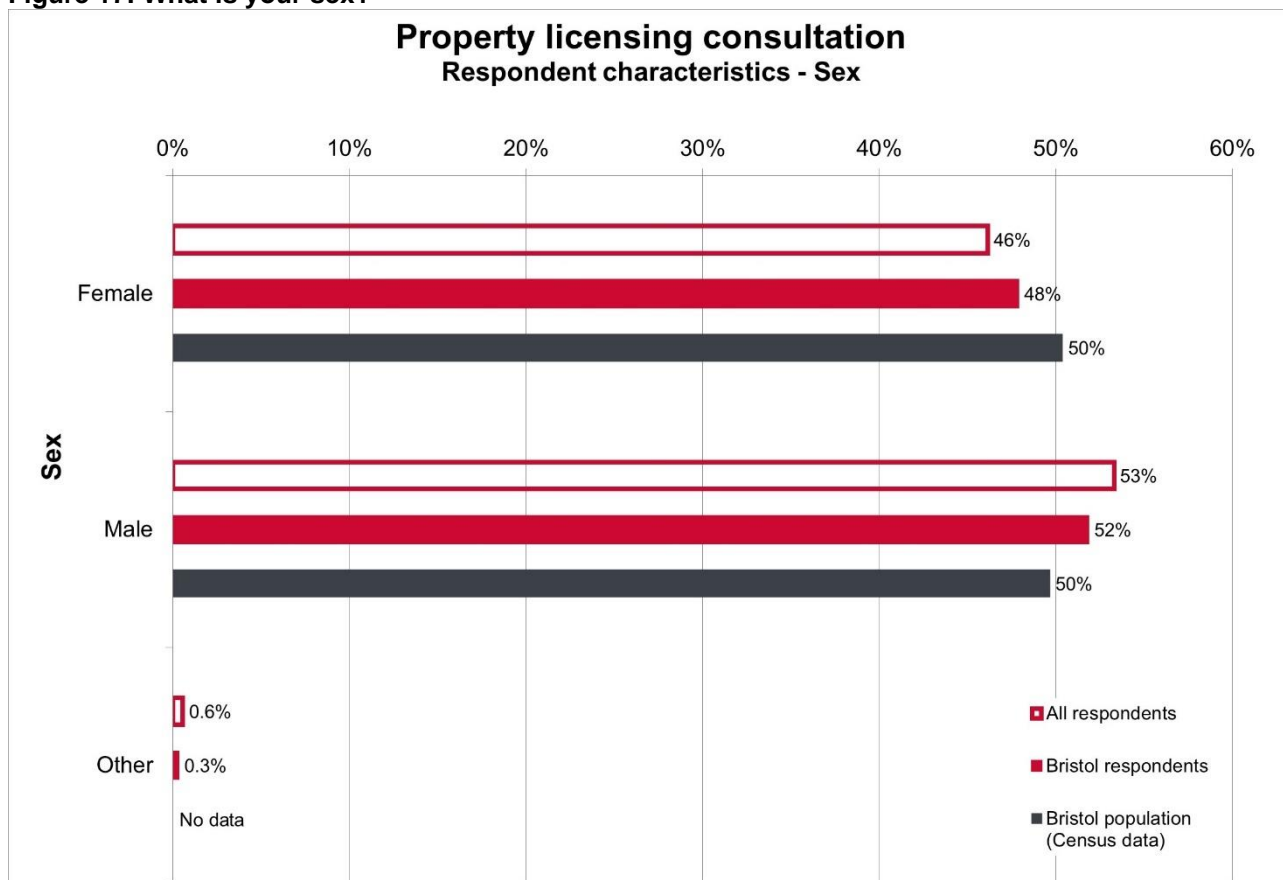


Figure 18: Have you gone through any part of a gender reassignment process, or do you intend to?

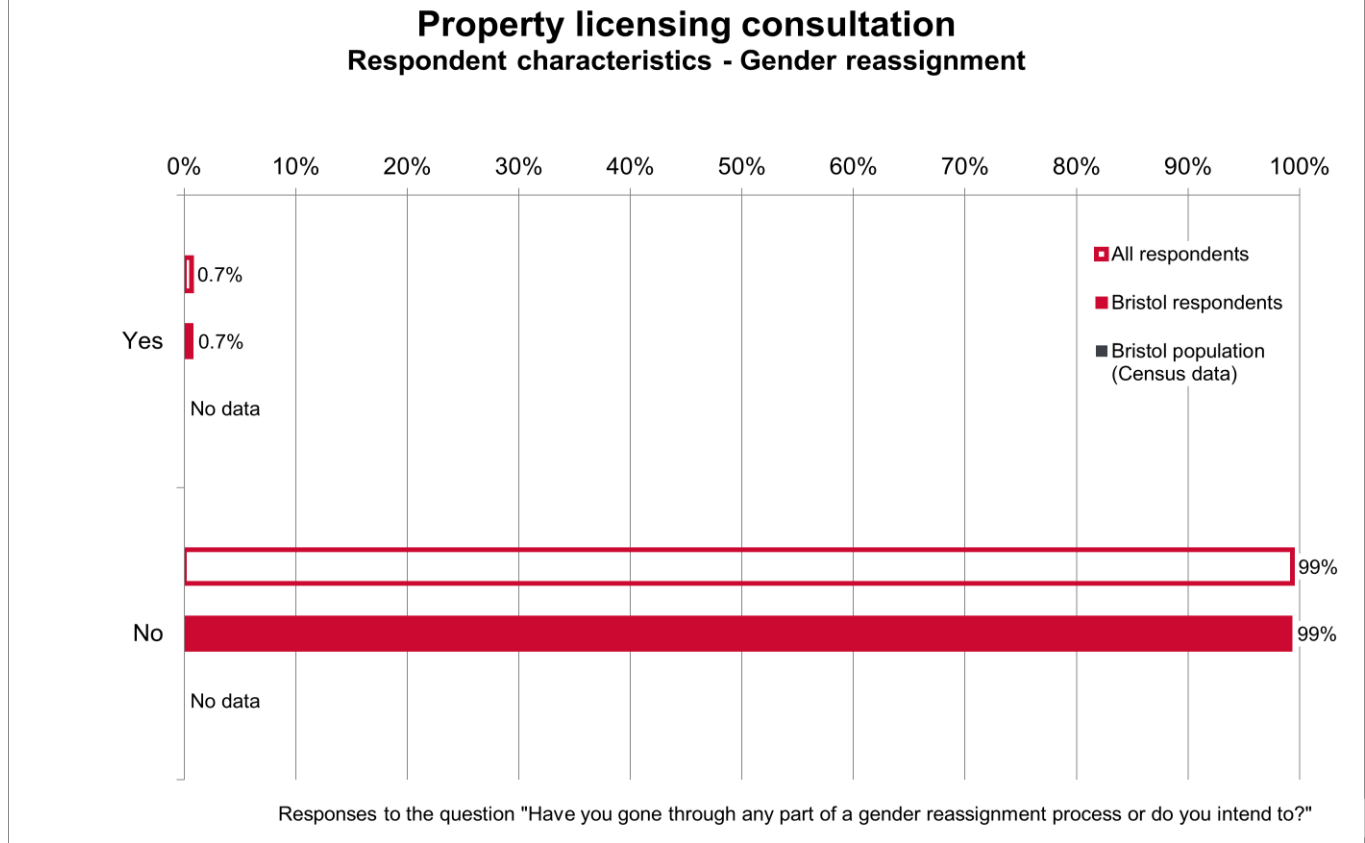


Figure 19: What is your ethnic group?

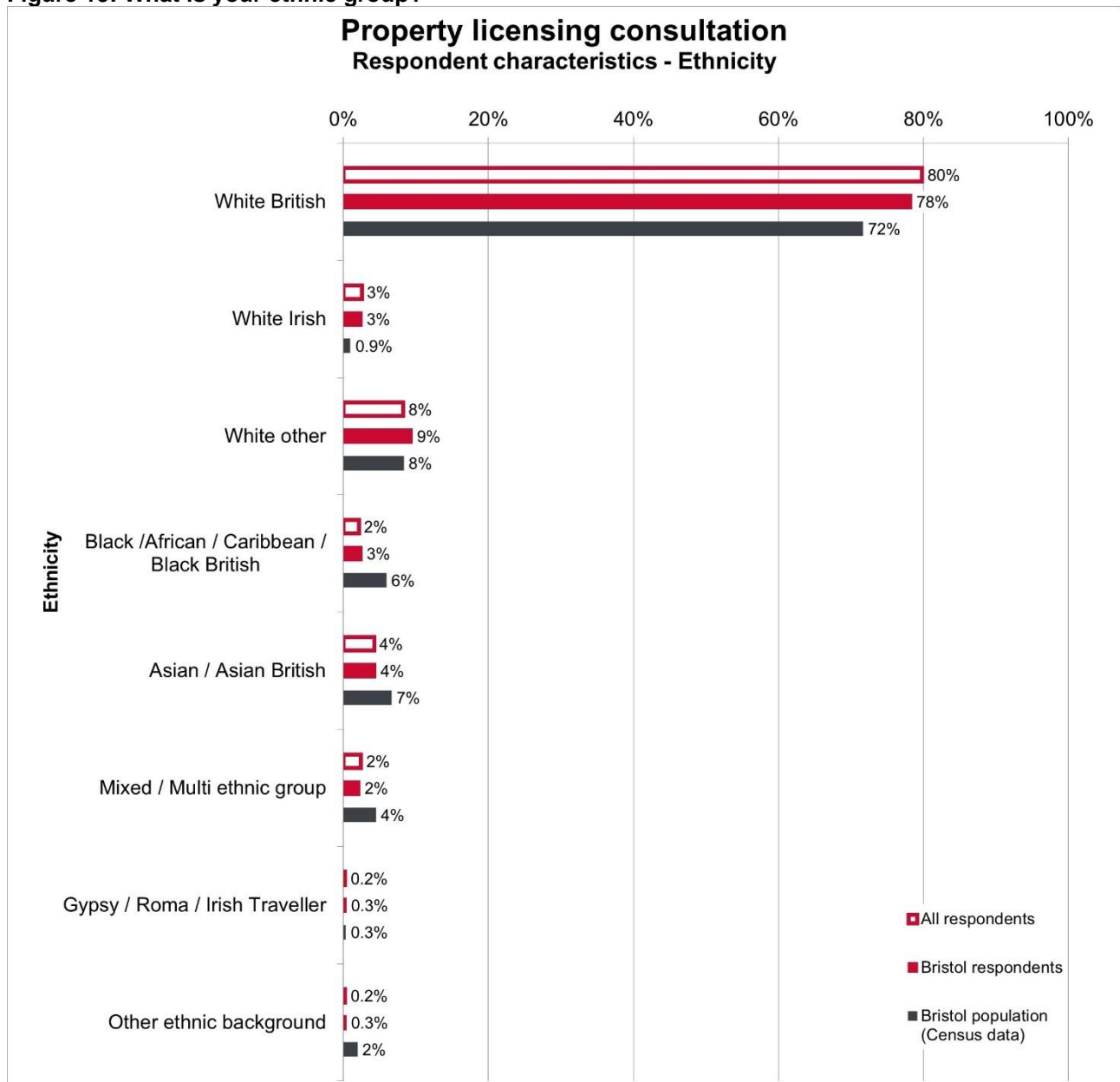


Figure 20: What is your sexual orientation?

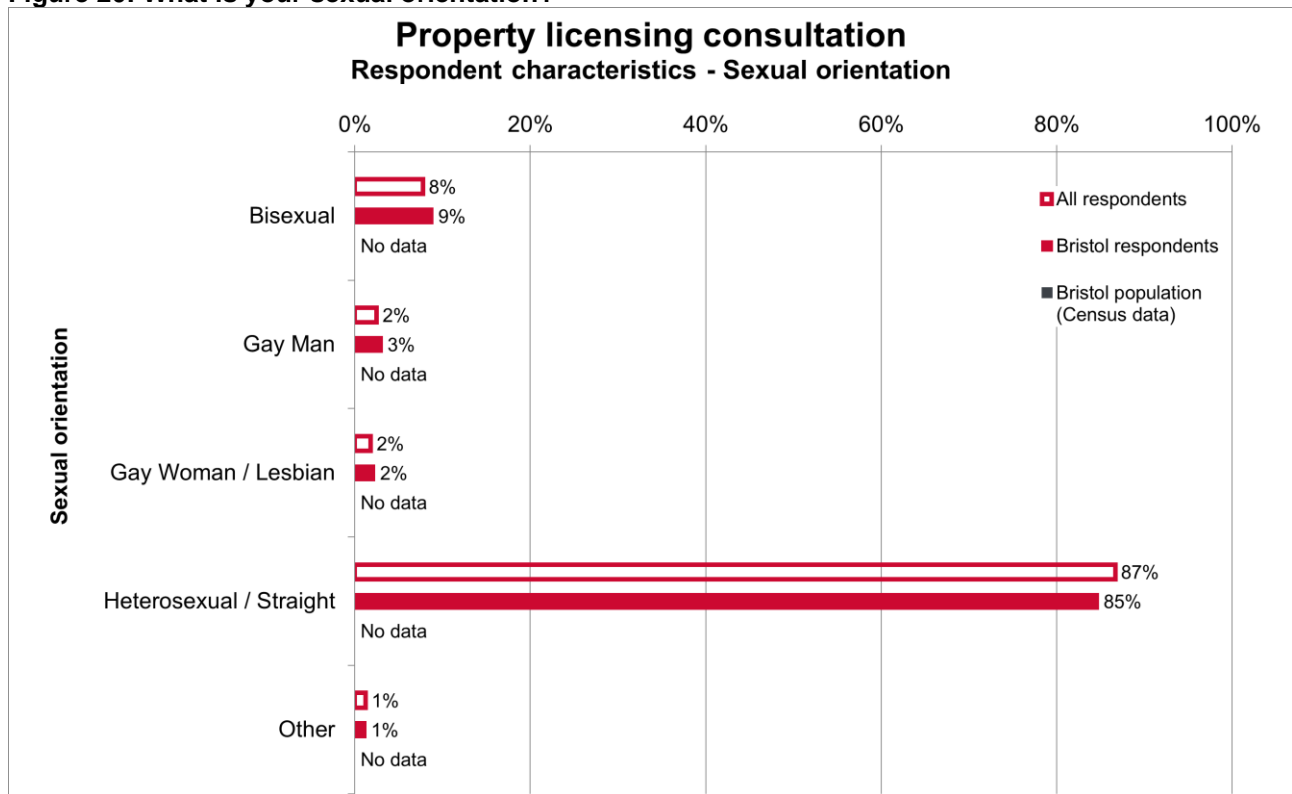


Figure 21: What is your religion / faith?

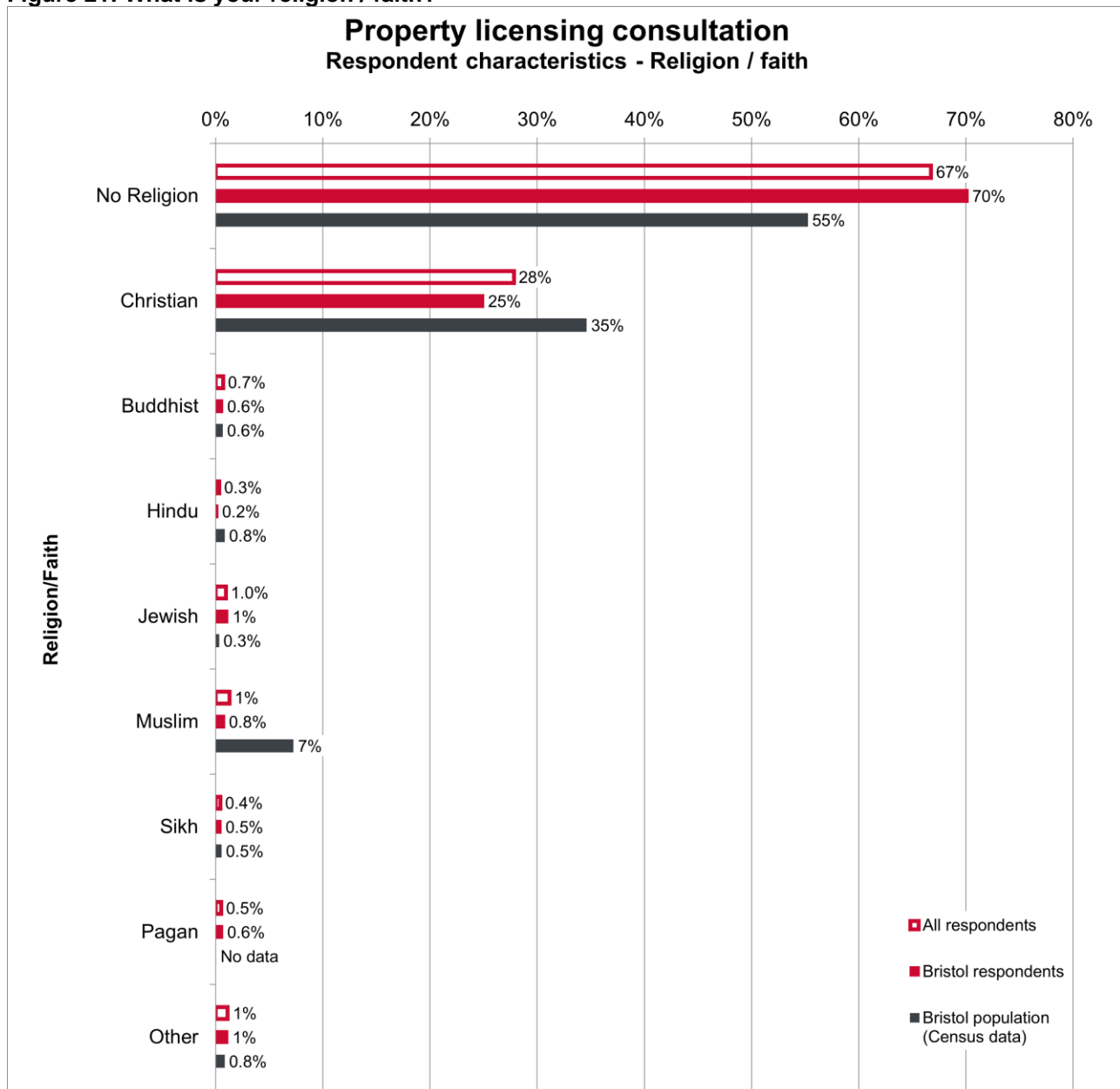


Figure 22: Are you pregnant or have you given birth in the last 26 weeks?

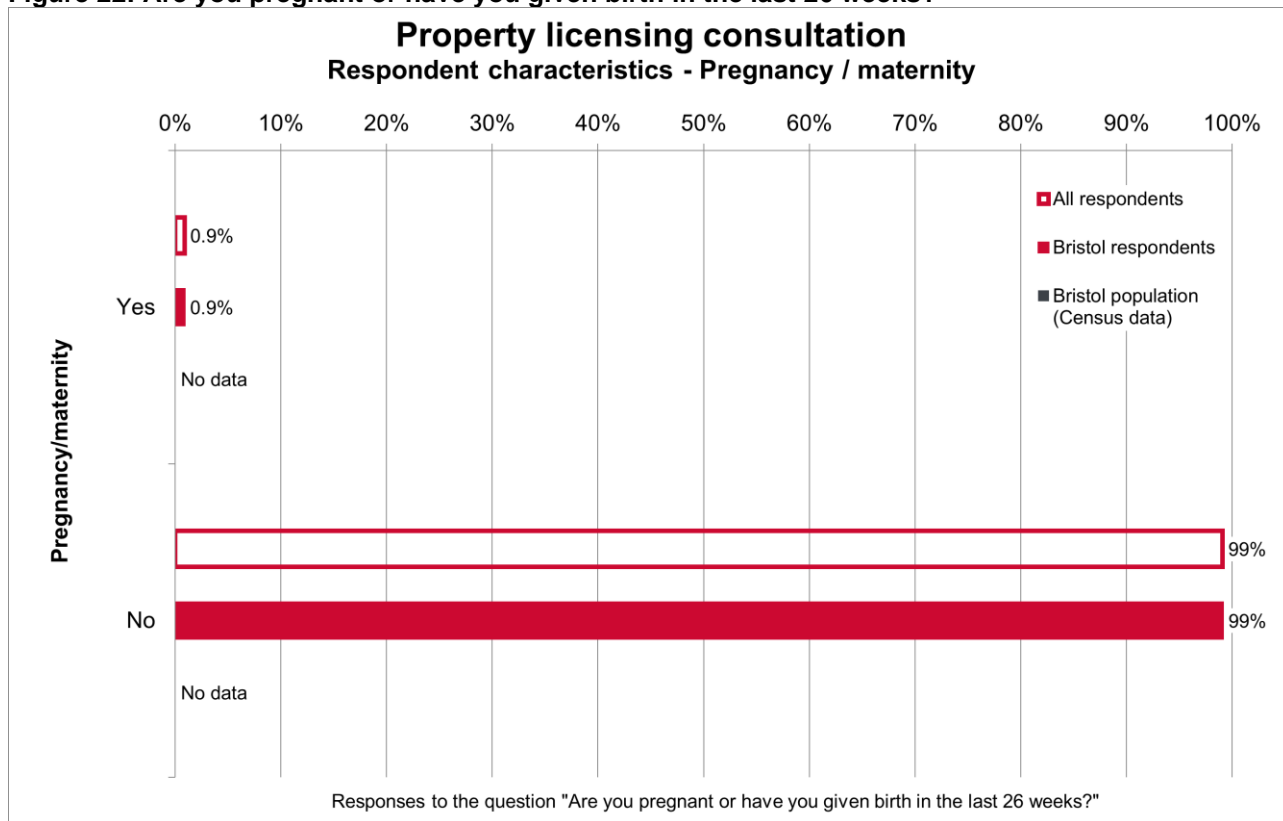
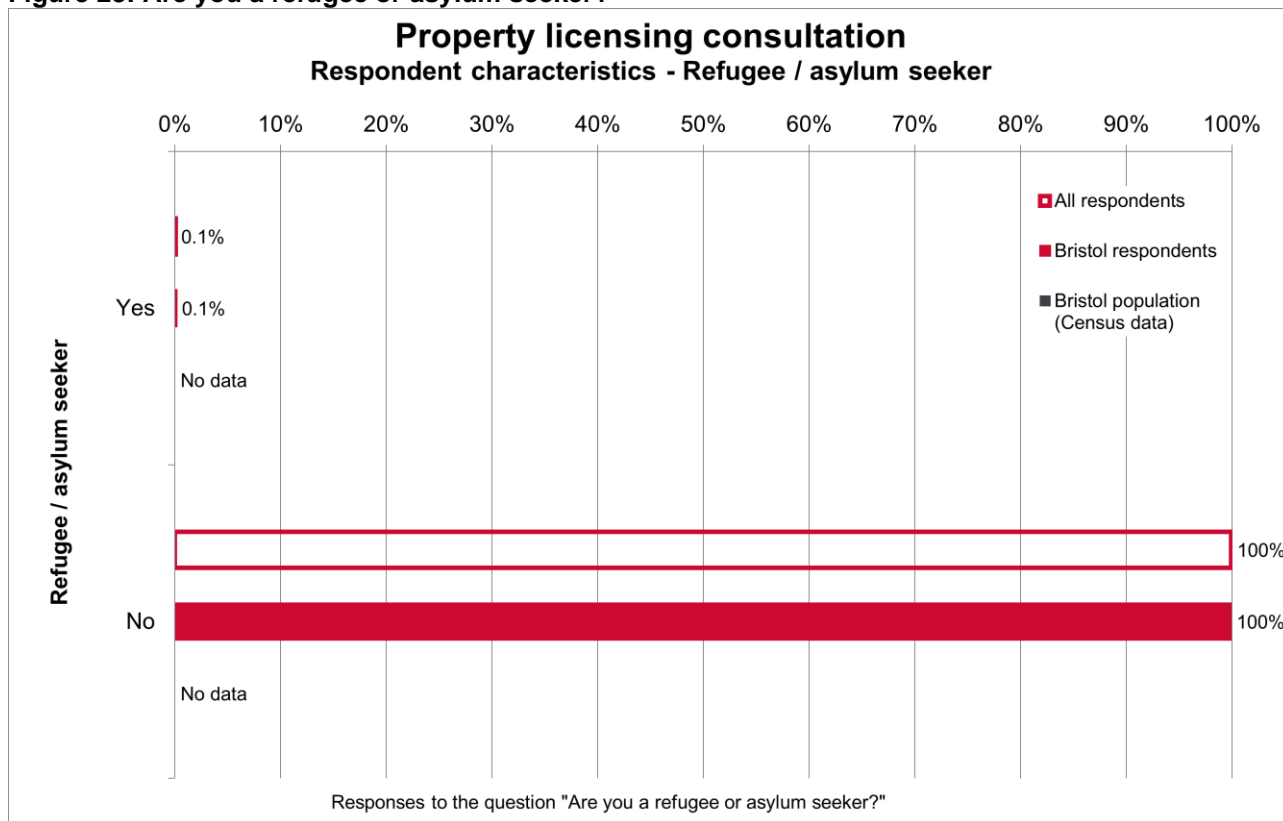


Figure 23: Are you a refugee or asylum seeker?



11 Survey results: Overall views on the proposal






Survey respondents were asked to provide their views on the key commitments using a five-point scale from 'strongly agree' to 'strongly disagree'.

11.1 Respondents were asked if they agreed with the proposal to introduce a citywide additional licensing scheme.

Of the 1554 respondents who expressed a view, 817 (52.57%) agreed or strongly agreed, 609 (39.19%) disagreed or strongly disagreed and 128 (8.24%) neither agreed nor disagreed. 8 skipped the question.

Breaking that down by respondent type – 28.6% of respondents who identified as landlords or agents, 63.8% private tenants, 76.15% owner occupiers and 40.4% Other category agreed or strongly agreed with the additional licensing proposal.

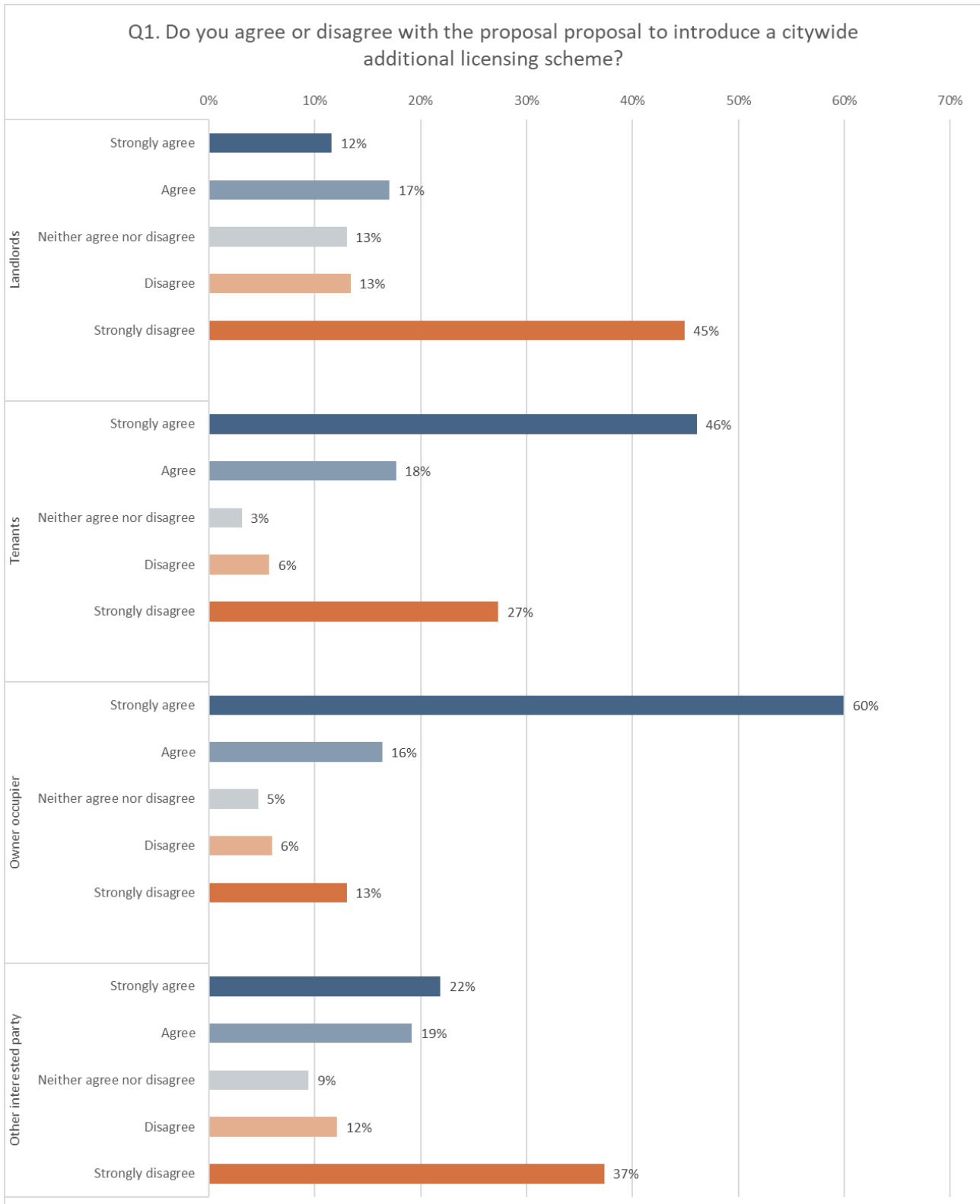
Figure 24: Do you agree or disagree with the proposal for scheme 1 – a citywide additional licensing scheme covering all smaller HMOs?

Do you agree or disagree with the proposal for scheme 1 – a citywide additional licensing scheme covering all smaller HMOs?				
Answer Choices			Response Percent	Response Total
1	Strongly agree		34.36%	534
2	Agree		18.21%	283
3	Neither agree nor disagree		8.24%	128
4	Disagree		8.88%	138
5	Strongly disagree		30.31%	471
			answered	1554
			skipped	8

11.2 Breakdown of views by respondent category on the question do you agree or disagree with the proposal to introduce a citywide additional licensing scheme?

- 12% of landlords / agents with property in the area strongly agreed with the proposal, 17% agreed, 13% neither agreed nor disagreed, 13% disagreed and 45% strongly disagreed.
- 46% of private tenants living or have lived in the area strongly agreed with the proposal, 18% agreed, 3% neither agreed nor disagreed, 6% disagreed and 27% strongly disagreed.
- 60% of owner occupier or other resident living in the area strongly agreed with the proposal, 16% agreed, 5% neither agreed nor disagreed, 6% disagreed and 13% strongly disagreed.
- 22% of other interested parties strongly agreed with the proposal, 19% agreed, 9% neither agreed nor disagreed, 12% disagreed and 37% strongly disagreed.






Figure 28: Breakdown of whether respondents support proposal or not for an additional licensing scheme by respondent category



11.3 Views on whether introducing an additional licensing scheme would help to resolve the poor management and poor conditions of the private rented properties in the city.

Of the 1550 respondents who expressed a view, 749 (48.31%) agreed or strongly agreed, 591 (38.13%) disagreed and 210 (13.55%) neither agreed nor disagreed.

Figure 26: Views on whether introducing an additional licensing scheme would help to resolve the poor management and poor conditions of private rented properties in the city.






Do you agree or disagree that scheme 1 would help to resolve the poor management and poor conditions of private rented properties in the city?				
Answer Choices			Response Percent	Response Total
1	Strongly agree		21.68%	336
2	Agree		26.65%	413
3	Neither agree nor disagree		13.55%	210
4	Disagree		14.58%	226
5	Strongly disagree		23.55%	365
			answered	1550
			skipped	12

11.4 Views on the proposal to introduce a selective licensing scheme in Bishopston and Ashley Down, Cotham and Easton wards.

Of the 1550 respondents who expressed a view, 604 (38.96%) agreed or strongly agreed, 794 (51.22%) disagreed or strongly disagreed and 152 (9.81%) neither agreed nor disagreed.

Breaking that down by respondent type – 13.86% of respondents who identified as landlords or agents, 53.9% private tenants, 60.71% owner occupiers and 29.47% Other category agreed or strongly agreed with the selective licensing proposal.

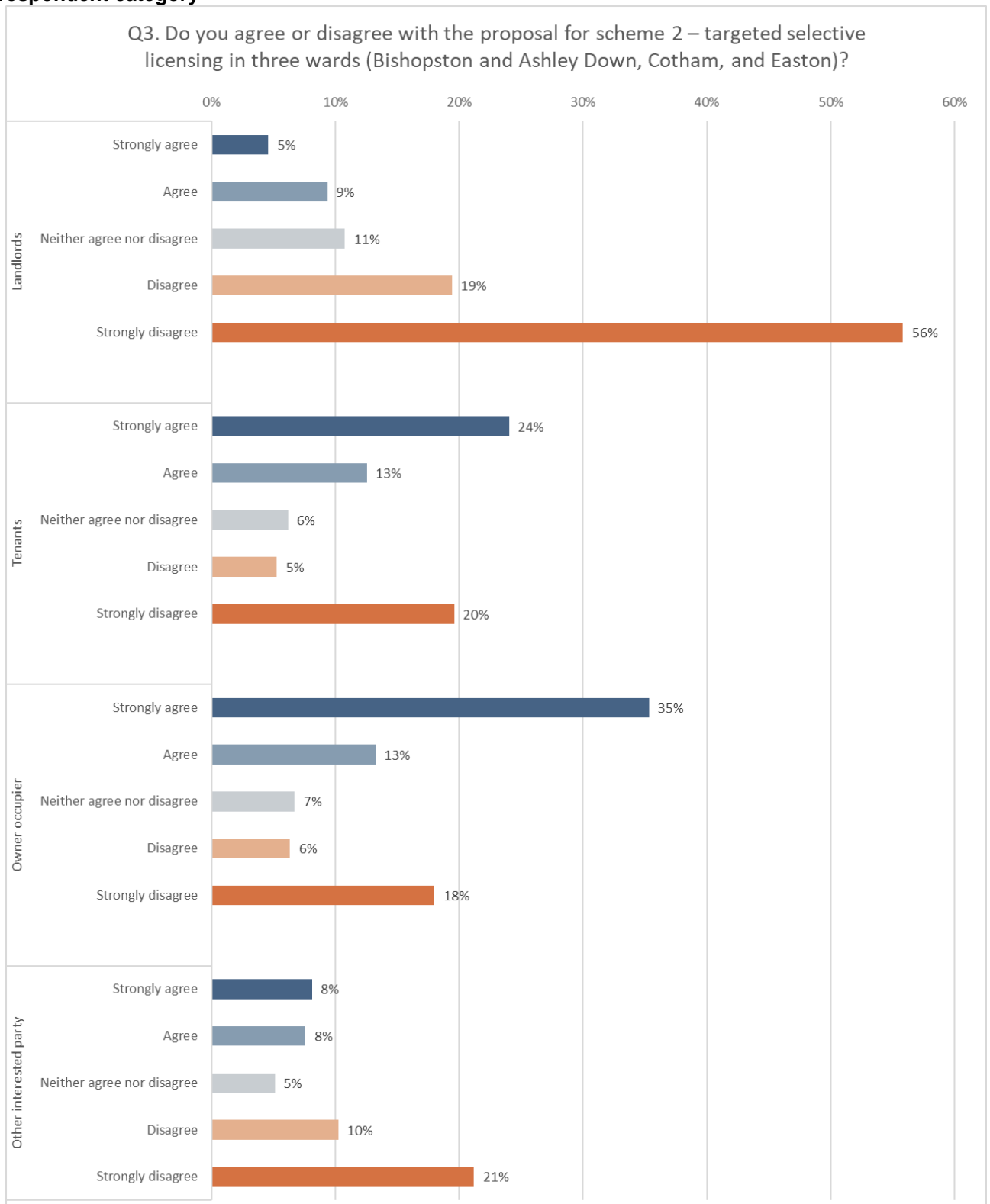
Figure 25: Views on the proposal to introduce a selective licensing scheme in Bishopston and Ashley Down, Cotham and Easton wards.

Do you agree or disagree with the proposal for scheme 2 – targeted selective licensing in three wards (Bishopston and Ashley Down, Cotham, and Easton)?				
Answer Choices			Response Percent	Response Total
1	Strongly agree		24.19%	375
2	Agree		14.77%	229
3	Neither agree nor disagree		9.81%	152
4	Disagree		13.74%	213
5	Strongly disagree		37.48%	581
			answered	1550
			skipped	12

11.5 Breakdown of views by respondent category on the question do you agree or disagreed with the proposal to introduce a targeted selective licensing scheme?

- 5% of landlords / agents with property in the area strongly agreed with the proposal, 9% agreed, 11% neither agreed nor disagreed, 19% disagreed and 56% strongly disagreed.
- 36% of private tenants living or have lived in the area strongly agreed with the proposal, 19% agreed, 9% neither agreed nor disagreed, 8% disagreed and 29% strongly disagreed.
- 44% of owner occupier or other resident living in the area strongly agreed with the proposal, 17% agreed, 8% neither agreed nor disagreed, 8% disagreed and 23% strongly disagreed.
- 16% of other interested parties strongly agreed with the proposal, 15% agreed, 10% neither agreed nor disagreed, 20% disagreed and 41% strongly disagreed.

Figure 29: Breakdown of whether respondents support proposal or not for a selective licensing scheme by respondent category



11.6 Views on whether introducing a selective licensing scheme would help to resolve the poor management and poor conditions of private rented properties in the city.

Of the 1553 respondents who expressed a view on whether the proposal to introduce a selective licensing scheme would improve poor management and poor conditions in private rented properties in the city, 592 (38.12%) agreed, 752 (48.42%) disagreed and 209 (13.46%) neither agreed nor disagreed.

Figure 5: Views on whether introducing a selective licensing would help to resolve the poor management and poor conditions of private rented properties in the city.

Do you agree or disagree that scheme 2 would help to resolve the poor management and poor conditions of private rented properties across the city?				
Answer Choices			Response Percent	Response Total
1	Strongly agree		18.48%	287
2	Agree		19.64%	305
3	Neither agree nor disagree		13.46%	209
4	Disagree		17.00%	264
5	Strongly disagree		31.42%	488
			answered	1553
			skipped	9

11.7 Views on the additional licence fee of £1,861 (without reductions) to license on time

Of the 1530 respondents 127 (8.3%) thought the fee was too low, 554 (36.21%) thought it was about right and 849 (55.49%) thought it was too high.

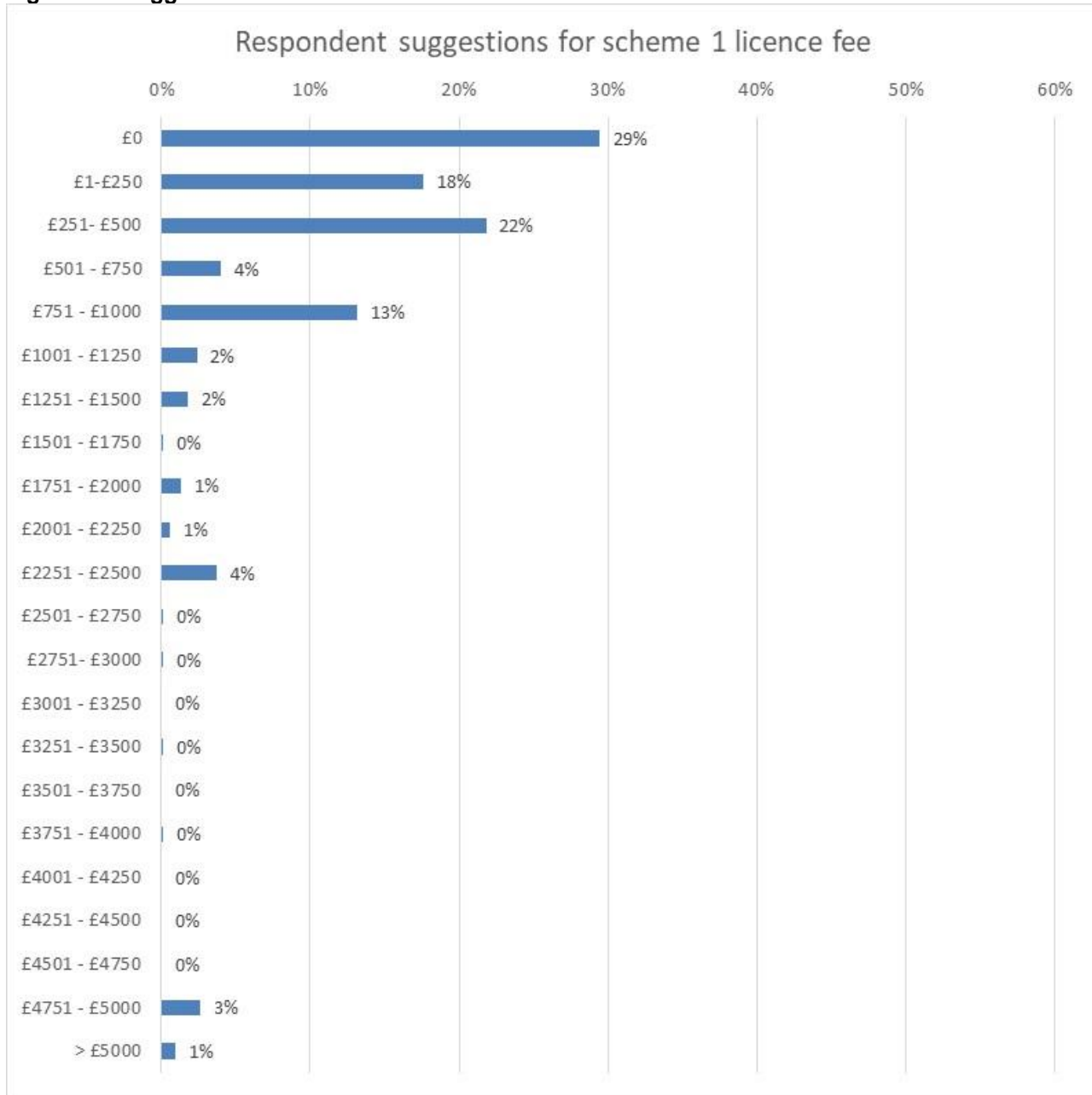
Figure 30: Views on compliant additional licensing fee, no discounts

The proposed licence fee with no reductions for HMOs under additional licensing (scheme 1) will be £1,861. Do you think this is:				
Answer Choices			Response Percent	Response Total
1	Too low		8.30%	127
2	About right		36.21%	554
3	Too high		55.49%	849
			answered	1530
			skipped	32

11.8 Views on alternative fee levels for additional licence applications

911 responded offering an alternative fee level as in the table below.




Figure 31: Suggestions on alternative fee levels



11.9 Views on the selective licence fee of £912 (without reductions) to license on time

Of the 1525 people who responded to this question, 162 (10.62%) thought the fee was too low, 532 (34.89%) thought it was about right and 831 (54.49%) thought it was too high.

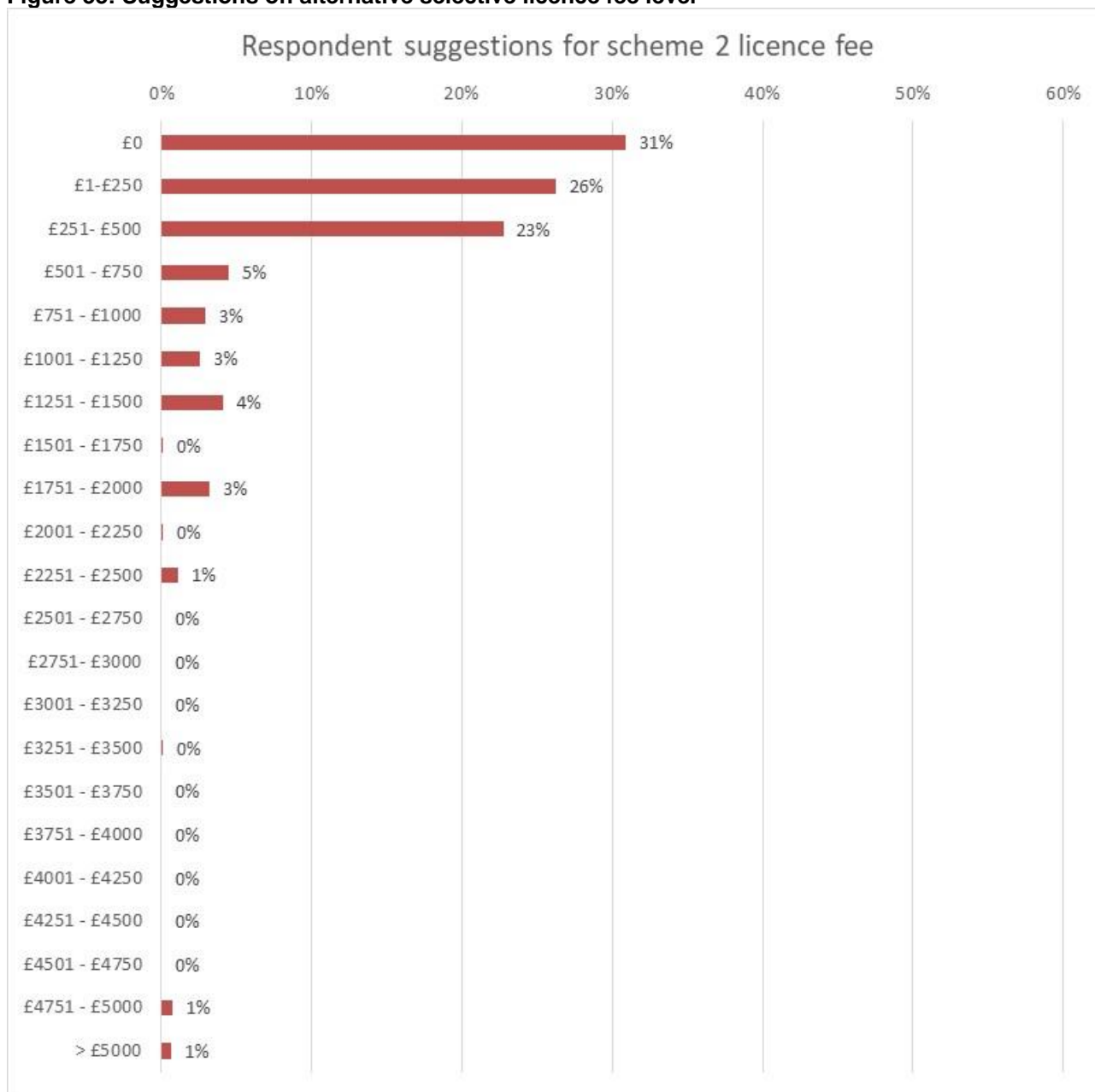
Figure 32: Views on compliant selective licensing fee, no discounts

The proposed licence fee, without any discounts, for selective licensing (scheme 2) will be £912. Do you think this is:				
Answer Choices			Response Percent	Response Total
1	Too low		10.62%	162
2	About right		34.89%	532
3	Too high		54.49%	831
			answered	1525
			skipped	37

11.10 Views on alternative fee levels for selective licence applications

943 responded offering an alternative fee level as in the table below.

Figure 33: Suggestions on alternative selective licence fee level



11.11 Views on whether it is fair to charge more to landlords / agents who don't apply when they should?

Of the 1543 people who responded to this question, 971 (62.93%) said yes it was fair, 393 (25.47%) said no and 179 (11.6%) were not sure.

Figure 34: Views on charging higher fees for those who don't apply when they should

Do you think that it is fair to charge more to landlords or managing agents who do not apply for a licence when they should?				
Answer Choices			Response Percent	Response Total
1	Yes		62.93%	971
2	No		25.47%	393
3	Not sure		11.60%	179
			answered	1543
			skipped	19

11.12 Views on whether the £140 'found fee' is fair for landlords/agents who do not licence their property on time

Of the 1528 people who responded to this question, 515 (33.7%) said it was too low; 527 (34.49%) said it was about right and 486 (31.81%) it was too high.

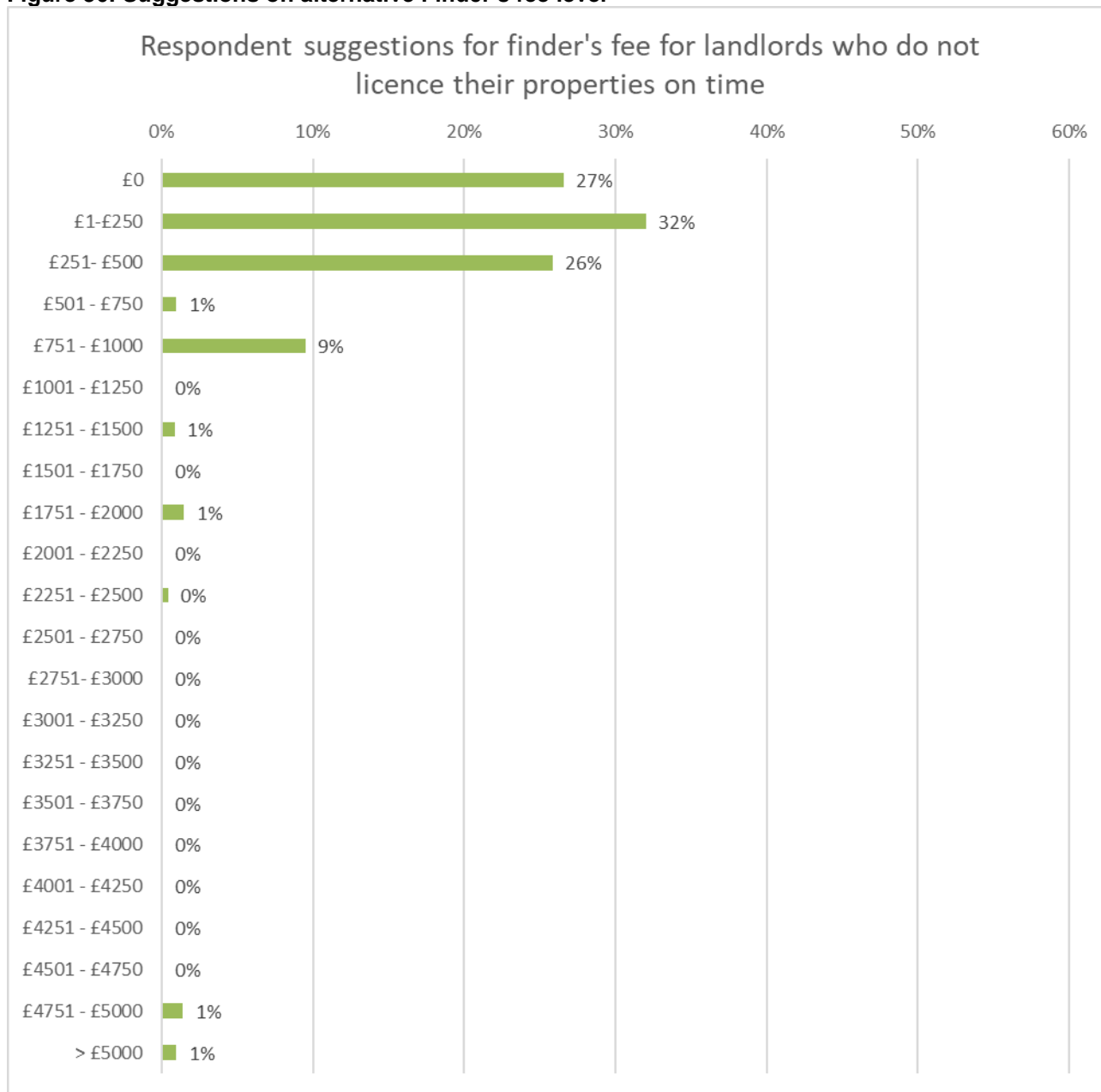
Figure 35: Views on £140 Finder's Fee for those who do not licence their property on time

Do you think the 'found fee' of £140 proposed for landlords/agents who do not license their property on time is:				
Answer Choices			Response Percent	Response Total
1	Too low		33.70%	515
2	About right		34.49%	527
3	Too high		31.81%	486
			answered	1528
			skipped	34

11.13 Views on alternative finder's fee levels

943 responded offering an alternative finder's fee level as in the table below. 27% suggested that no fee should be payable, 32% suggested that the fee should be between £1 to £250, 26% suggested between £251 and £500; 1% suggested between £501-£750, 9% suggested between £751 - £1,000. The other 5% ranged from £1,251 to more than £5,000




Figure 36: Suggestions on alternative Finder's fee level



11.14 Views on a discount of £150 for those landlords who provide satisfactory gas safety certificates, electrical condition reports/installation certificates, fire safety (alarm and emergency lighting) and EPCs (where appropriate) on time.

Of the 1536 respondents who expressed a view on whether we should give a discount for satisfactory certificates, 1028 (66.93%) said yes, 349 (22.72%) said no and 159 (10.35%) weren't sure.

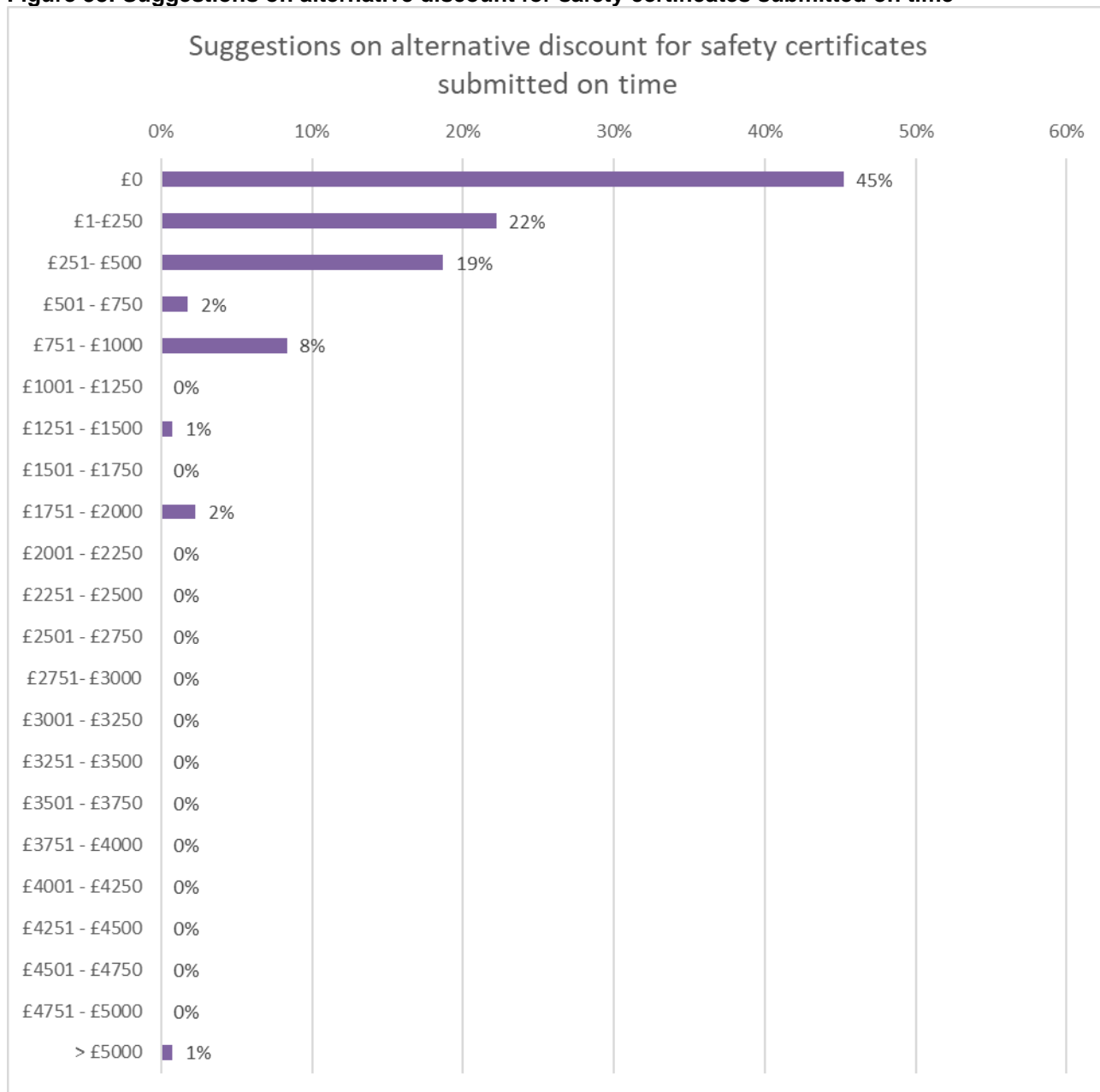
Figure 37: View on discounts for satisfactory certificates submitted on time

Do you agree or disagree that there should be a discount of £150 for those landlords who provide satisfactory certificates on time?				
Answer Choices			Response Percent	Response Total
1	Yes		66.93%	1028
2	No		22.72%	349
3	Not sure		10.35%	159
			answered	1536
			skipped	26

11.15 Views on alternative fee levels for discount for submitting safety certificates on time

398 responses as per the table below offering an alternative discount. 45% of those who suggested an alternative discount for submitting safety certificates on time said there should be no discount, 22% said the discount should be between £1 and £250, 19% said between £251 and £500, 2% said between £501 and £750, 8% said the discount should be between £751 and £1,000. The remaining 4% said discounts should be ranging from £1,251 to over £5,000.




Figure 38: Suggestions on alternative discount for safety certificates submitted on time



11.16 Views on the proposed discount of £150 for a landlord accredited under an approved Rent with Confidence scheme

Of the 1521 respondents who expressed a view on whether we should give a discount for being an accredited member under the Rent with Confidence scheme, 800 (52.60%) said yes, 410 (26.96%) said no and 311 (20.45%) weren't sure.

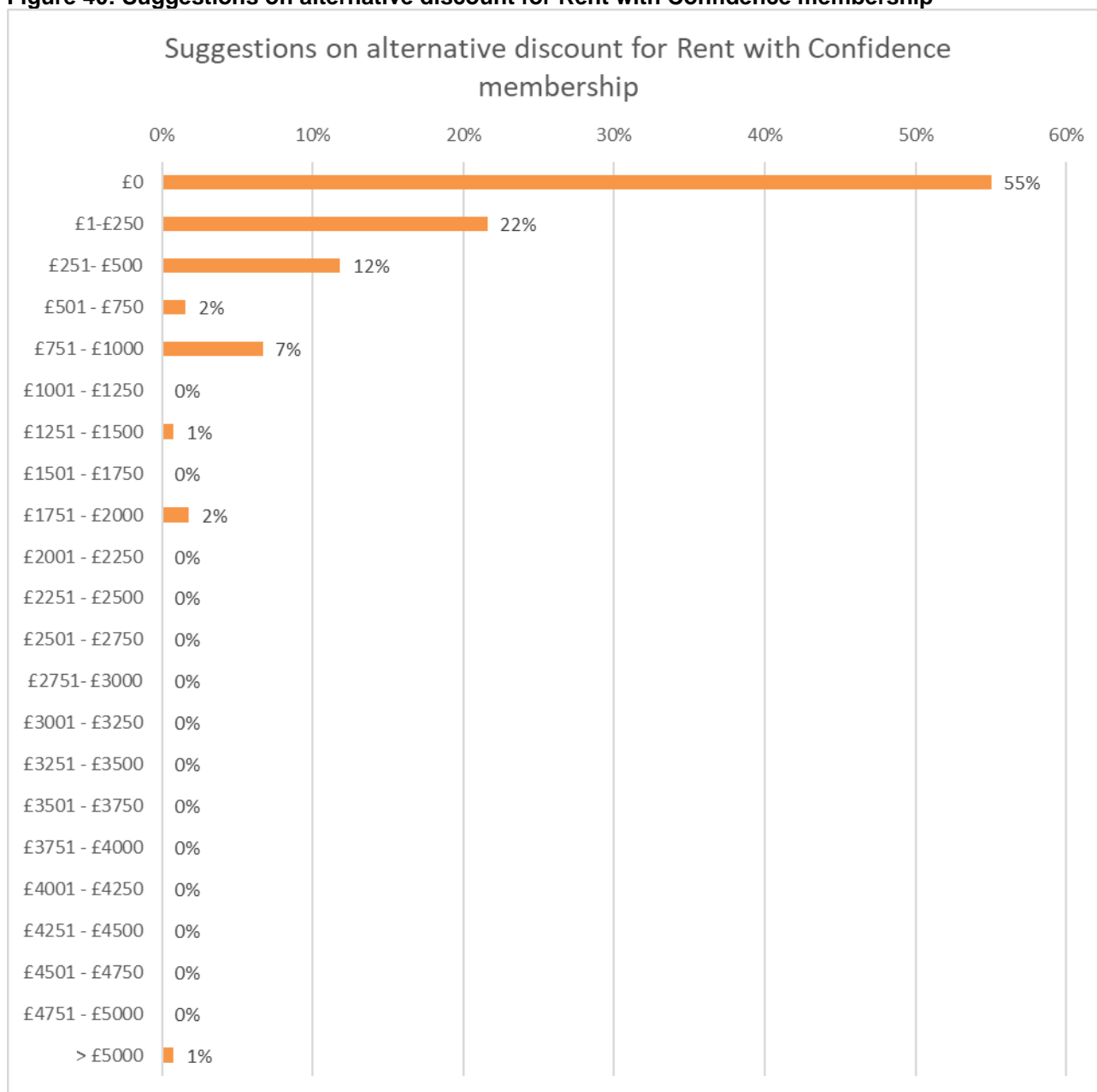
Figure 39: View on discounts for landlords accredited under Rent with Confidence scheme

Do you agree or disagree that there should be a discount of £150 for a landlord who is accredited under one of our approved Rent with Confidence schemes?			Response Percent	Response Total
1	Yes		52.60%	800
2	No		26.96%	410
3	Not sure		20.45%	311
			answered	1521
			skipped	41

11.17 Views on alternative discount for Rent with Confidence membership

390 responded as per the table below offering an alternative discount.

Figure 40: Suggestions on alternative discount for Rent with Confidence membership



11.18 Any other comments about the proposals?

All respondents were asked if they had any other comments to make about the proposal for additional licensing. Of the 1562 people who responded to the consultation, 926 (59%) respondents left free text comments about the Additional Licensing scheme proposal and 976 (62%) about the selective licensing scheme proposal which are categorised and summarised together below:

11.18.1 Against the proposals – 47% of all Additional licensing comments and 57% of selective licensing comments were on this subject with such comments as:

- It's unnecessary
- The council should use existing powers to deal with rogue landlords
- Licensing punishes good landlords just to deal with rogue landlords
- Licensing is stifling the rental market
- Rogue landlords will operate HMOs below the radar to avoid paying a licence fee
- Tenants are most badly affected by this
- It's a waste of time
- It's simply increases the costs for landlords which are passed on to tenants
- A citywide scheme will negatively impact the rental market and increase homelessness
- Completely anti landlord
- Bureaucratic overkill to licence non-HMOs
- This is out of touch with the needs of the public

11.18.2 Support the proposals – 23% of all Additional licensing comments and 12% of selective licensing comments were on this subject with comments such as:

- A welcome scheme especially for HMOs
- All private rented properties should be licensed
- Landlords should be forced to make their properties habitable
- Rogue landlords put up rent but don't look after the property
- Expansion of licensing schemes seems beneficial
- I agree with the premise, but worried landlords will put the rent up
- I think it's a wonderful idea
- HMOs need particular attention as they contribute to urban blight through low standards
- I fully support rooting out bad landlords
- This needs to be enforced and bad landlords held accountable
- HMOs are associated with anti-social behaviour and need licensing
- Makes total sense
- We need more safe homes for families
- Poor quality accommodation is not just a problem in HMOs
- Anything to prevent sub-standard rental accommodation is a good thing

11.18.3 Licensing is forcing landlords to leave the market – 28% of all Additional licensing comments and 27% of selective licensing comments were on this subject with comments such as:

- This is the final straw for landlords who have had enough of government bureaucracy and the additional costs of letting a property
- This will lead to increased homelessness as more landlords leave the market

- I would rather now let as an Airbnb as private renting is no longer worth the hassle
- I will sell all my properties in Bristol and buy elsewhere
- This is not the right time to be doing this and will result in negatively impacting the market as landlords sell up
- The PRS is already contracting at an alarming rate, and this will just make it worse
- Landlords are already struggling financially and will leave the market as it is no longer viable
- The council should be helping landlords not driving them away
- This will lead to more evictions and homelessness
- Before Bristol Council extends this scheme, it needs to look closely at the impact this has had on the supply : demand ratio.

11.18.4 This will lead to increased rents - 36% of all Additional licensing comments and 37% of selective licensing comments were on this subject such as:

- Tenants are already struggling with high rents, and this will make it worse
- Tenants who cannot afford the likely higher rents will be made homeless
- Renters will be significantly harmed if landlords are forced to get a licence as they would inevitably pass the costs on to the tenant
- This will lead to less homes available to rent and those that are left will increase rent as demand will increase even more

11.18.5 Fees are too high - 11% of all Additional licensing comments and 12% of selective licensing comments were on this subject such as:

- The fees are unreasonable
- Landlords get nothing out of this but have to pay such a high fee
- These fees are unfair on compliant landlords who already meet standards
- The costs will be passed on to tenants as landlords cannot absorb them
- These fees will force landlords to leave the market
- There shouldn't be discounts to landlords for doing the bare minimum
- Those who comply with the law are being penalised by being made to pay for those who don't
- It's impossible to comment on these fees without more information
- Fees should be based on property size not a blanket fee
- One of the highest fee rates in England
- The cost of new licences should be higher but renewals much lower
- The council needs to be more efficient to keep the costs down
- You should be lobbying central government for more funding to do this job
- It would be better if payment of the fees could be staggered to make them more affordable

11.18.6 This is a council money-making scheme - 11% of all Additional licensing comments and 8% of selective licensing comments were on this subject such as:

- The council trying to raise funds and nobody else benefits from it except the council
- The council will take the cash but not fix the problem
- This is a cash driven activity
- Another money-making initiative by Bristol City Council. Totally ridiculous

- It just feels like a way make money but will result in less housing
- This is just another revenue raising exercise by the council
- Licensing schemes are only supposed to cover costs, but you will make a profit.
- This is purely a self-funding distraction
- This is clearly an outrageous council money making scheme targeting private landlords
- Money for old rope for the council

11.18.7 Private Housing will not be able to deliver this scheme — 11% of all Additional licensing comments and 9% of selective licensing comments were on this subject such as:

- This scheme is too big, and you won't be able to deliver it properly
- You need to employ properly qualified officers to inspect properties
- There are not enough staff to properly enforce these schemes
- You still haven't licensed previous scheme applications
- You should just employ an agency to do this – it's bound to be cheaper and more efficient
- If the council did their job properly and monitored the PRS, such schemes would not be necessary
- I do not trust BCC to do anything with common sense
- I have concerns about how the council will be able to resource the schemes
- Council already appears to be overwhelmed with workload from the introduction of previous schemes

11.18.8 The standards are set too high – 3% of all Additional licensing comments and 3% of selective licensing comments were on this subject such as:

- The high standards are difficult for landlords to afford and seem unnecessary
- With fee and these costs, it is very expensive for landlords many of whom are already struggling, so the cost will be passed on as higher rents
- Rather than paying such huge costs for fire doors etc. most landlords will change their operating methods and only let to families or couples, adding to pressures on the rental market
- Some of these works have been caused by bad tenants
- The relentless pressure to try to bring older housing up to standard expected for new build is unrealistic

11.18.9 The council are not doing enough to enforce standards – 3% of all Additional licensing comments and 2% of selective licensing comments were on this subject such as:

- One inspection is not enough to stop rogue landlords
- Nothing being done to those landlords breaching standards nor chasing those operating below the radar
- BCC should focus on being more responsive to investigating tenant complaints
- Council seems unwilling to anything about landlords who increase rent but do not look after the property
- Bad landlords always dodge the licence and if fined, just don't bother to pay
- Concerns about how this will be communicated to landlord and whether they will all be "found"?
- The council needs to spend its money on searching and ousting the bad landlords

- Local authorities have more than enough legislation to prosecute poor landlords without the need for licensing. Money would be better spent on enforcement of current legislation
- Instead of ignoring complaints from tenants in the private rental sector, how about the council investigates them
- Resources would be better used to enforce existing legislation
- You only have to view HMO properties for sale around Bristol to understand that the council is grossly failing their responsibility to enforce their existing licensing schemes.
- Meaningless without rent controls and registering landlords who continuously evict and harass tenants. This is rife in Bristol, and no-one does anything about it.

11.18.10 There should be a large discount or fees should not apply when landlords employ managing agents to oversee their properties etc. - 2% of all Additional licensing comments and 2% of selective licensing comments were on this subject such as:

- Tenancy through a reputable agency should be exempt from this scheme
- Landlords have already paid the Agents to be inspected and check standards, so why should they pay twice for same service
- Council should satisfy itself with letting standards of agents and give more credit for this
- This scheme means that landlords who manage their properties well are in effect paying for those who don't.
- The level of discount is not enough for those landlords letting through ARLA agents and already meet high standards
- I believe the licensing fee should only apply to those not already managed by an agent

11.18.11 Focus your efforts on your own stock first - 4% of all Additional licensing comments and 4% of selective licensing comments were on this subject such as:

- get our own houses in order before pushing these scheme on landlords, the hypocrisy of council
- BCC should be building more council housing not pushing away those landlords willing to help the council cover for the lack of affordable housing in the city
- Why is social housing exempt?
- The tragedy of all of this is the lack of social housing, if Bristol had more social housing, this would have kept property prices and therefore private rents more affordable
- BCC should use the £12m to build more social housing
- BCC is driving away private landlords who are filling the gap that social housing should have provided, the council is making the housing crisis even worse than it already is
- seems ironic to charge private landlords when the problems are in social housing

11.18.12 There is no evidence that licensing works nor that it is necessary – 4% of all Additional licensing comments and 3% of selective licensing comments were on this subject such as:

- We see NO EVIDENCE that these schemes are of any benefit at all, so why expand them
- Is your evidence for targeting those wards robust
- I would be interested to see any evidence that licensing has improved HMOs
- The council's figures for justifying the scheme are not very convincing

- Falls hazards and excess are not especially relevant for houses occupied by sharers who tend to be young and able bodied
- Im surprised that Cotham has worse housing than any other areas of the city
- Is there evidence from other cities that this scheme will actually work
- There is no evidence that private housing is more dangerous to live in than council or social housing, quite the opposite
- The areas in question really don't strike me as having an issue
- Why citywide when Bristol City Council have failed to raise standards with targeted schemes which have been withdrawn i.e. Stapleton Road
- The evidence to support this scheme is speculative and not based on ward surveys
- This is not just a building issue as you suggest but very dependent on the behaviours of the tenants
- Why are you re-licensing Easton when you said the previous scheme would improve the area.

11.18.13 Comments on choice of three wards –11% of selective licensing comments were on this subject such as:

- Should be citywide or not all
- Other areas of the city are far worst
- You should not be targeting Cotham
- It's really unfair to target some areas – you will push the problem to other areas
- Why not Avonmouth?
- I don't see why there should be any difference in these schemes
- Discrimination – it is just as important to protect one tenant as several living together
- I object to the fact that because my properties are 200 meters inside Cotham ward (rather than Redland) I am being forced to spend thousands of pounds to show the council that I already comply with all relevant legislation
- Focusing on one area will just move the problem, bad landlords will move their operations to avoid the regulations
- This will lead to an unfair two-tier system
- If all private let properties require a licence, the overall quality of private renting will increase
- All private housing needs to be the same or ghettos are formed
-

11.18.14 Comments on Consultation – 1% of all Additional licensing comments and 1% of selective licensing comments were on this subject such as:

- Question 14 does not make sense 0- you have asked if we agree or disagree but given us the answer choices yes or no
- The font is too small
- This consultation is another farse, at the end of the day BCC is going to charge whatever they want regardless of what landlords, tenants or anybody else says
- It's easy to establish that Bristol City Council has already decided on these schemes
- The survey is just a formality that had to be completed
- The survey is poorly worded as it doesn't allow clear answers
- You have written too much text about scheme 2 and not enough on Scheme 1

11.18.15 Miscellaneous comments - 9% of all Additional licensing comments and 5% of selective licensing comments were on this subject such as:

- Why does an HMO have a licence where there is no record of planning approval for an HMO
- An HMO shouldn't be three people sharing only 4 and above
- This does not address the situation of lodgers
- Why do I have to licence property where my mother lives
- There were already too many HMOs in the area causing problems in the community
- There should not be discounts for the certificates that are already mandatory
- Standards should include limits on number of cars
- This doesn't deal with temporary landlords who just let for a year
- Sort out the Planning system
- Licensing should only apply to landlords letting HMO property to young people
- A system should be put in place where a licence cannot be re-newed if they are persistently causing issues and complaints in the neighbourhood
- This misses the short-term market altogether – these hotels in residential streets are a nuisance
- Look at the dreadful state of the Planning Department
- Raise the council tax on empty properties before you do this

12 Responses to questions directed to private landlords or managing agents who let property in the area.

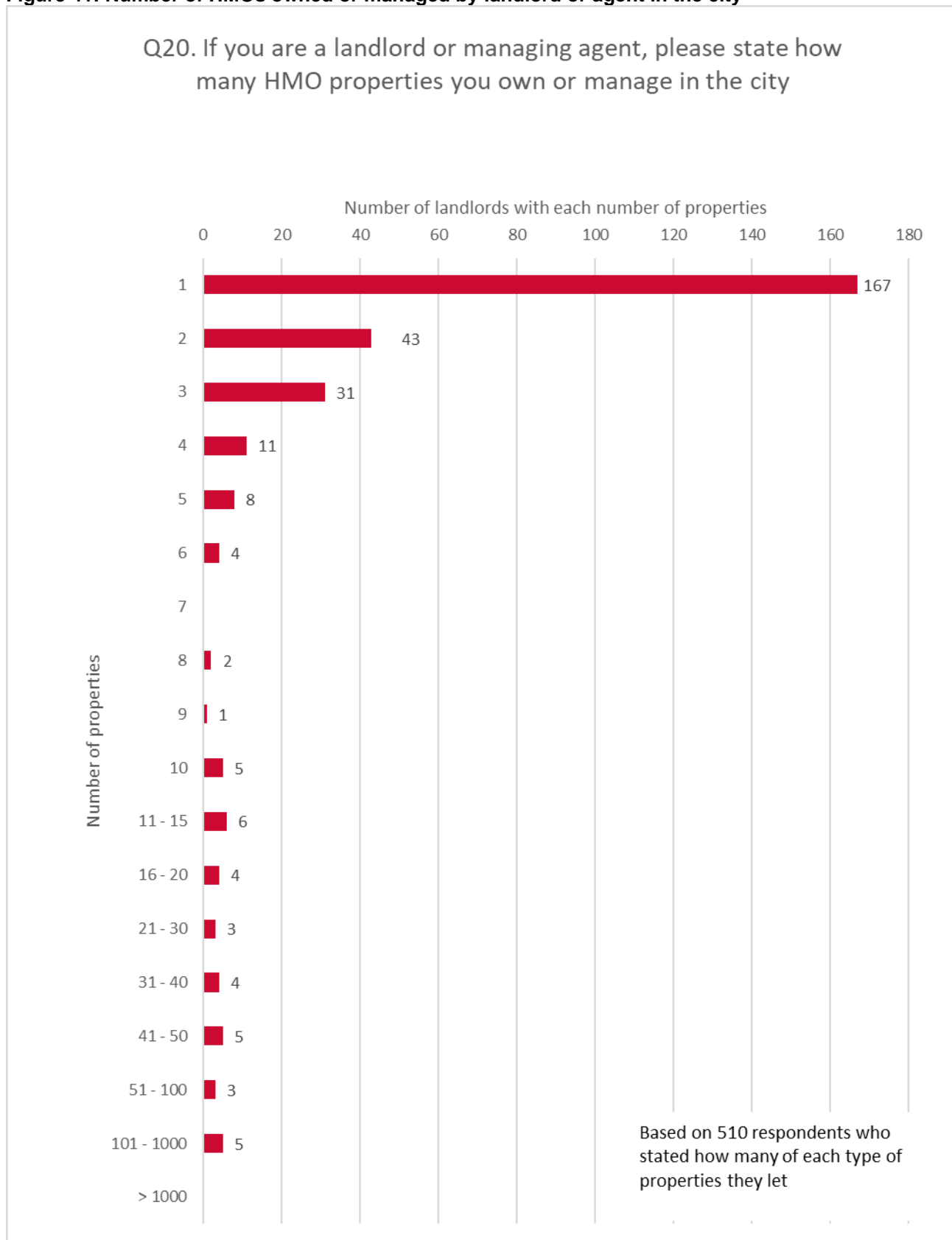
12.1 Which of the following best describes your situation?

570 respondents identified themselves as landlords or managing agents with properties in the area. This accounted for 36.49% of the 1562 respondents who answered this question.

12.2 How many HMO properties do you own or manage in the city?

510 responded as per the table below on the number of HMOs they own or manage. 167 respondent said he/she owned or managed only one HMO, 43 had 2 HMOs, 31 had 3HMOs, 11 had 4 HMOs, 8 had 5 HMOs, 4 had 6 HMOs, 2 had 8 HMOs, 1 had 9 HMOs, 5 had 10 HMOs, 6 had 11-15 HMOs, 4 had 16-20 HMOs, 3 had 21-30 HMOs, 4 had 31-40 HMOs, 5 had 41-50 HMOs, 3 had 51 to 100 HMOs and 5 had between 101 and 1,000 HMOs.




Figure 41: Number of HMOs owned or managed by landlord or agent in the city



12.3 Types of properties the landlord / agent respondents let

Of the 540 respondents who answered this question, 130 (24.07%) said they let HMOs and 320 (59.26%) that they let other rented accommodation and 105 (19.44%) said that they let both HMOs and non-HMOs.

Figure 42: The types of properties let by respondents

Are the properties that you let:				
Answer Choices			Response Percent	Response Total
1	HMOs*		24.07%	130
2	Other rented accommodation		59.26%	320
3	Both		19.44%	105
			answered	540
			skipped	1022

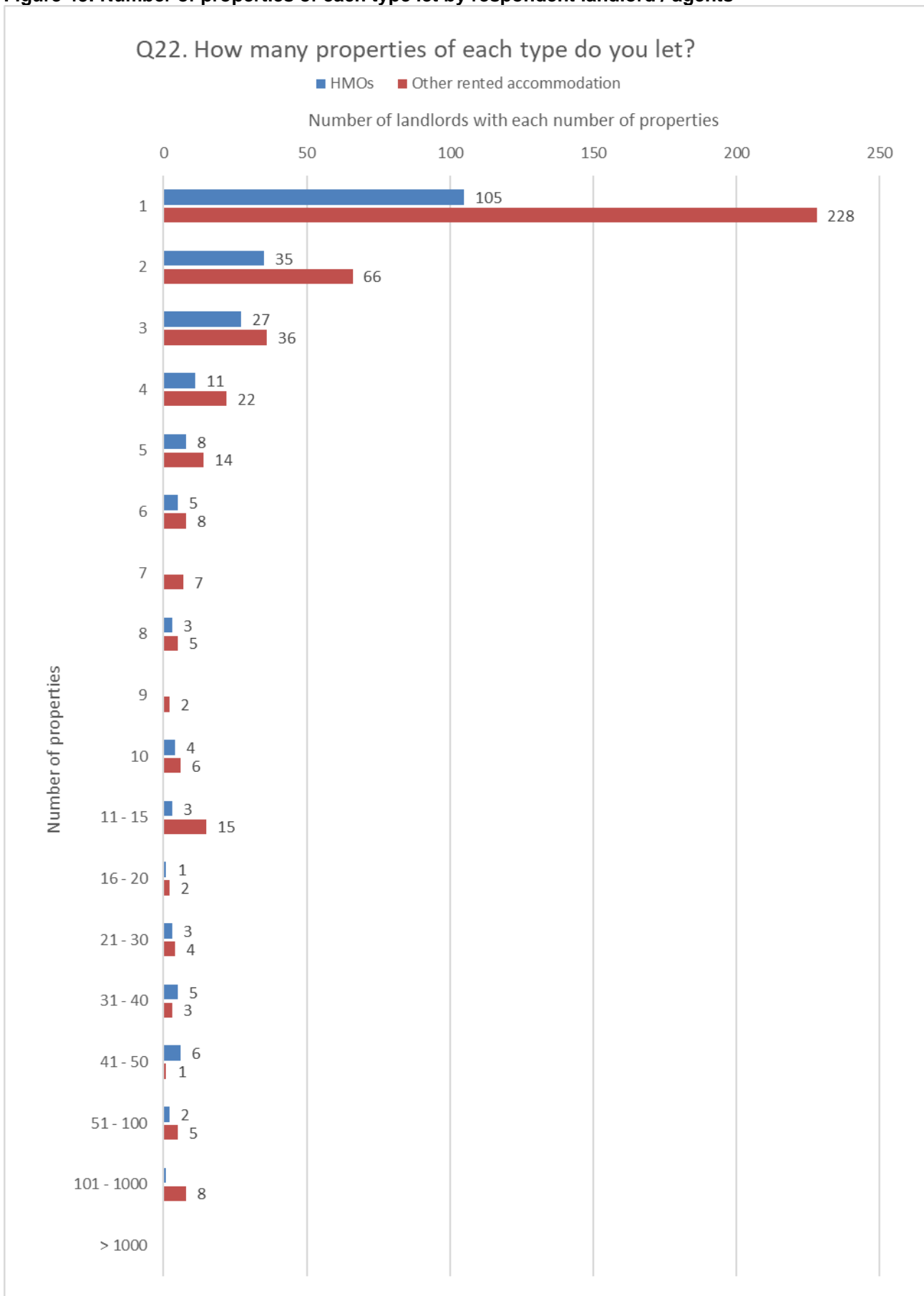
12.4 Number of properties of each type let by respondent landlords/ agents

Based on 540 respondents who stated how many of each type of properties that they let the ranges appear in Figure 43 below.

105 said they had 1 HMO, 35 had 2 HMOs, 27 had 3 HMOs, 11 had 4, 8 had 5, 5 had 6, 0 had 7, 3 had 8, 0 had 9, 4 had 10, 3 had between 11-15 , 1 had between 16—20, 3 had between 21-30, 5 had between 31-40, 6 had between 41-50, 2 had between 51-100 and none had over 100 HMOs.

228 said they had 1non-HMO, 66 had 2, 36 had 3, 22 had 4, 14 had 5, 8 had 6, 7 had 7, 5 had 8, 2 had 9, 6 had 10, 15 had between 11-15 , 2 had between 16—20, 4 had between 21-30, 3 had between 31-40, 1 had between 41-50, 5 had between 51-100 and none 8 had over 100 but less than 1,000 non-HMOs.

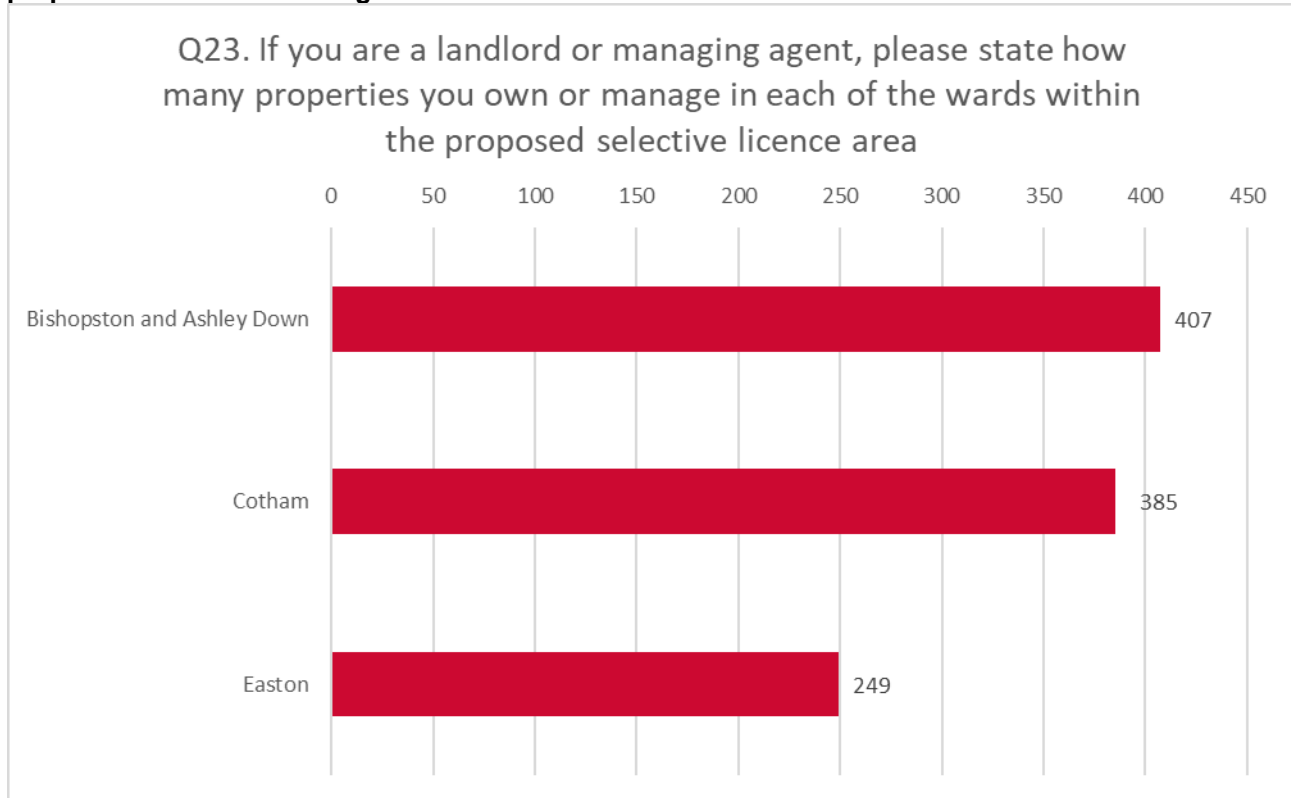
Figure 43: Number of properties of each type let by respondent landlord / agents



12.5 How many properties do you own or manage in each of the wards within the proposed selective licensing scheme?

330 responded as per the table below on the number of properties in the selective licensing wards that they own or manage.

Figure 44: Number of properties owned or managed by landlord or agent in each of wards within the proposed selective licensing scheme



12.6 How often do respondent landlord / agents visit their properties?

Of the 549 responses to this question, 36 (6.56%) said they visited the property annually; 112 (20.40%) visited every 6 months and 202 (36.79%) visited quarterly. 14 (2.55%) were resident landlords. 185 (33.70%) said Other.

Figure 45: How often do you respondent landlords / agents visit their properties?

How often do you visit your properties?				
Answer Choices			Response Percent	Response Total
1	Annually		6.56%	36
2	Every six months		20.40%	112
3	Quarterly		36.79%	202
4	I live at the property		2.55%	14
5	Other (please specify):		33.70%	185
			answered	549

How often do you visit your properties?

skipped

1013

The 185 Other responses included:

- Weekly
- Monthly
- 2 monthly
- Every 2 – 3 months
- Every 2 weeks
- Every 2 years
- 3 times a year
- Several times a year
- Regularly as required by tenant
- Managed and inspected by agents regularly
- At change of tenancy
- As often as necessary
- Often – friends/ family live at property
- I have regular Skype visits
- Talk to tenant a lot and visit if needed
- 3 monthly for HMOs but 6 monthly for non-HMOs
- Not as often as needed as you've introduced CAZ tax
- Infrequently
- Never

12.7 Do landlords / agents comply with their legal responsibilities in relation to gas, electrical and fire safety?

Of the 552 respondents 542 (99.45%) said they provided gas certificates; 548 (99.46%) provided electrical safety certificates and 543 (99.27%) provided fire safety certificates.




Figure 46: Number of respondents who supply relevant safety certificates.

Do you comply with your legal responsibilities in relation to:				
Answer Choices	Yes	No	Don't know	Response Total
Gas	99.45% 542	0.18% 1	0.37% 2	545
Electrical	99.46% 548	0.00% 0	0.54% 3	551
Fire safety	99.27% 543	0.00% 0	0.73% 4	547
			answered	552
			skipped	1010

12.8 Do respondent landlords have a planned maintenance programme for their properties?

Of the 548 respondents 436 (79.56%) said they had a planned maintenance programme, 103 (18.80%) said no and 9 (1.64%) said they didn't know if they had a planned maintenance programme.




Figure 47: Number of landlords who say they have a planned maintenance programme

Do you have a planned maintenance programme for your properties?				
Answer Choices			Response Percent	Response Total
1	Yes		79.56%	436
2	No		18.80%	103
3	Don't know		1.64%	9
			answered	548
			skipped	1014

12.9 Do respondent landlords/agents issue a written tenancy agreement?

Of the 552 respondents, 543 (98.37%) issued a written tenancy agreement, 6 (1.09%) said they didn't and 3 (0.54%) said they didn't know.




Figure 48: Number of respondents who issue a written tenancy agreement

Do you issue a written tenancy agreement?				
Answer Choices			Response Percent	Response Total
1	Yes		98.37%	543
2	No		1.09%	6
3	Don't know		0.54%	3
			answered	552
			skipped	1010

12.10 Do respondent landlords / agents have an agreement of how quickly they respond to requests for repairs etc.?

Of 549 respondents 397 (72.31%) have an agreement for how quickly they respond to requests for repairs, 127 (23.13%) do not have an agreed response time and 25 (4.55%) said they didn't know.




Figure 49: Number of respondents who have an agreed response time for repairs

Do you have an agreement of how quickly you respond to requests for repairs etc.?				
Answer Choices			Response Percent	Response Total
1	Yes		72.31%	397
2	No		23.13%	127
3	Don't know		4.55%	25
			answered	549
			skipped	1013

12.11 Do respondent landlords /agents provide a current Energy Performance Certificate (EPC)?

Of the 552 who responded, 509 (92.21%) said they provide a current EPC, 23 (4.17%) don't provide one and 20 (3.62%) don't know if they provide an EPC.




Figure 50: Number of respondents who provide a current Energy Performance Certificate (EPC)

Do you provide a current Energy Performance Certificate (EPC)?				
Answer Choices			Response Percent	Response Total
1	Yes		92.21%	509
2	No		4.17%	23
3	Don't know		3.62%	20
			answered	552
			skipped	1010

12.12 Do respondent landlord /agents provide emergency contact details?

Of the 551 respondents, 545 (98.91%) provide their tenants with emergency contact details, 1 (0.18%) said that they don't provide contact details and 5 (0.91%) said they didn't know.




Figure 51: Number of respondents who provide emergency contact details

Do you provide tenants with emergency contact details?				
Answer Choices			Response Percent	Response Total
1	Yes		98.91%	545
2	No		0.18%	1
3	Don't know		0.91%	5
			answered	551
			skipped	1011

12.13 Do respondent landlords /agents keep within overcrowding limits?

Of the 540 respondents to this question, 540 (98.18%) said they kept to within overcrowding limits, 3 (0.55%) didn't and 7 (1.27%) didn't know if they did or not.

Figure 52: Respondents who keep to overcrowding limits

Do you keep within overcrowding limits?				
Answer Choices			Response Percent	Response Total
1	Yes		98.18%	540
2	No		0.55%	3
3	Don't know		1.27%	7
			answered	550
			skipped	1012

12.14 Problems experienced by respondent landlords and agents

Of the 550 people who responded to this question, 92 (16.79%) said they had experienced problems with antisocial behaviour from their tenants or their visitors; 170 (31.08%) said there had been damage to their property (more than reasonable wear and tear); 77 (14.15%) had received noise complaints about their tenants; 75 (13.84%) had received complaints about rubbish / waste; 74 (13.63%) had experienced difficulty evicting their tenants; 43 (7.98%) had received other complaints from neighbours and 39 (8.80%) other issues with the tenancy.

Figure 53: Problems experienced by respondent landlords

Have you experienced any of the following problems?			
Answer Choices	Yes	No	Response Total
Antisocial behaviour from your tenants or their visitors	16.79% 92	83.21% 456	548
Damage to your property (more than reasonable wear and tear)	31.08% 170	68.92% 377	547
Noise complaints about your tenants	14.15% 77	85.85% 467	544
Complaints about rubbish/waste	13.84% 75	86.16% 467	542
Difficulty legally evicting your tenants	13.63% 74	86.37% 469	543
Other complaints from neighbours	7.98% 43	92.02% 496	539
Other	8.80% 39	91.20% 404	443
		answered	550
		skipped	1012

12.15 Other problems experienced by respondent landlords / agents (Free Text).

Of the 550 people who responded to the consultation, 52 (0.09%) left comments about other problems experienced by landlords /agents in addition to the issues recorded above. These include:

- Non-payment of rent
- Difficulty evicting tenant with rent arrears
- Council making eviction process so much more difficult forcing landlord to go through court process
- My tenants are extremely happy with their tenancies and have been with me for 5-11 years
- Huge disturbance to tenants installing totally unnecessary safety rails, alarms and doors demanded by Bristol City Council
- I do not think Section 21 should be scrapped. It is very dangerous, and it will reduce landlords' ability to control who lives in their property and may incur enormous court costs
- We have spent over £150,000 in the past year on improving our flats
- Complaints from our tenants about noise from their neighbours
- Freeholder poor support and response
- No help from council when we reported a derelict neighbouring property that was affecting our property causing damp and vermin problems in my flats over the last 10+ years
- Parking issues
- Burglary
- Frequent irrelevant contact from tenants
- Clutter in common parts
- Struggles with protected tenants, abusing his rights over other tenants and myself
- Never had any complaints or issues with my property or tenants
- Complaints about rubbish being dumped at property but not by tenants
- Failure by managing agent to do essential works on property causing issues in my flat.

- Abandonment
- Harassment by youths
- Tenants didn't pay utility bills, left place in a mess and forwarding address was not valid
- Tenants not informing landlord about problems
- Condensation caused by tenant lifestyle
- Unreasonable demands made by Bristol City Council
- Aggressive behaviour from tenants
- Issues to do with support needs of tenants
- Difficulty communicating and getting help from council
- Anti-social neighbours causing problems for tenants
- Drug dealing / cannabis growing
- Damage to property
- Tenants moving in other people without agreement
- Excessive water uses by tenants
- Difficulty collecting rent from tenants on benefits



13 Questions directed to private tenants who are living or have lived in the area

13.1 Status of respondents to tenant questions

Of the 1562 respondents who completed the survey, when asked which best described their situation 384 (24.58%) stated that they were a private tenant living, or had lived, in the proposed licensing area. Types of properties rented by respondents.

Of the 372 respondents to this question 164 (44.09%) said they live or had lived in an HMO and 208 (55.91%) said they live or lived in a non-HMO.

Figure 54: What type of property do you live in (tenants)

Do/did you live in:				
Answer Choices			Response Percent	Response Total
1	an HMO*		44.09%	164
2	Other type of private rented accommodation		55.91%	208
			answered	372
			skipped	1190

13.2 What is the postcode of the rented property where you live or used to live?

Of the 372 who had identified themselves as owner occupiers, 336 answered this question. Of these, 261 respondents provided valid full Bristol postcodes. See Figure 55.

41 tenant respondents live or lived in Cotham ward,

22 in Bishopston & Ashley Down,

14 in Easton or Ashley,

13 in Clifton Down,

11 in Lockleaze,

10 in Clifton,

9 in Southville,

6 in Redland or Horfield,

5 in Eastville or St George West,

4 in Lawrence Hill or Central,

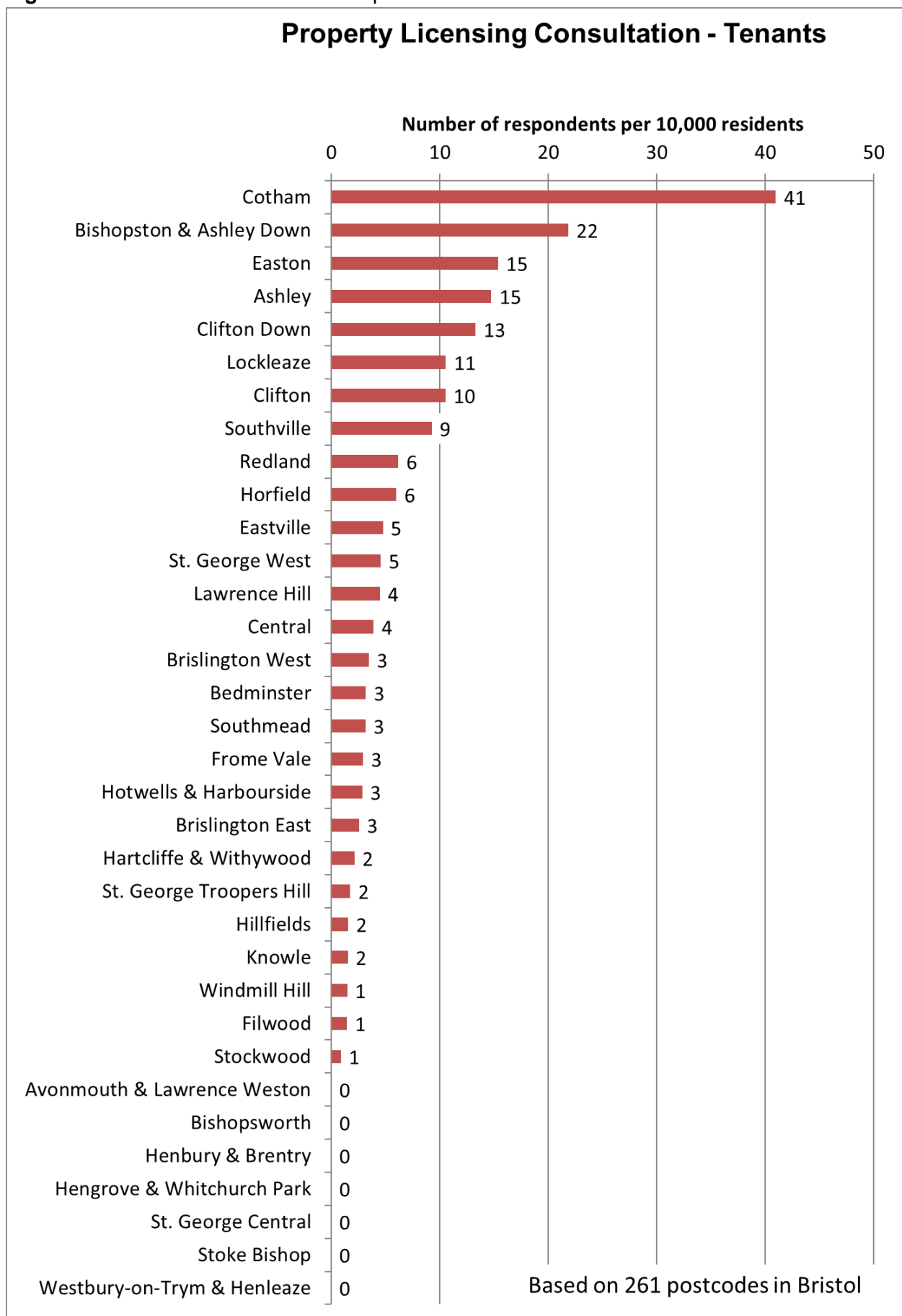
3 in Brislington West, Bedminster, Southmead, Fromevale, Hotwells & Harbourside or Brislington East,

2 in Hartcliffe & Withywood, St George Troopers Hill, Hillfields or Knowle,

1 in Filwood or Stockwood,

None in Avonmouth & Lawrence Weston, Bishopsworth, Henbury & Brentry, Hengrove & Whitchurch Park, St George Central, Stoke Bishop or Westbury on Trym.

Figure 55: Postcode area of tenant respondents



13.3 How often does/did your landlord visit your property?

Of the 367 people who responded to this question, 75 (20.44%) said that their landlords visited annually; 68 (18.53%) visited every 6 months, 65 (17.71%) visited quarterly, 12 (3.27%) had a resident landlord and 147 (40.05%) said other frequency.

Figure 56: How often does your landlord inspect the property

How often does/did your landlord visit your property?				
Answer Choices			Response Percent	Response Total
1	Annually		20.44%	75
2	Every six months		18.53%	68
3	Quarterly		17.71%	65
4	They live at the property		3.27%	12
5	Other (please specify):		40.05%	147
			answered	367
			skipped	1195

The 147 'Other' responses included:

- landlord has never visited (45)
- when asked or as required for obligatory safety checks (24)
- managing agents carry out all inspections etc.(16)
- once a month (11)
- rarely (19)
- regularly (6)
- ad hoc / random (12)
- landlord is resident (2)
- too often (2)
- housing co-operative resident (2)
- my landlord blocked me and refused to do even basic maintenance (1)
- weekly (2)
- landlord lives abroad (1)
- every 2 months (1)
- annually (1)
- not sure (2)

13.4 Do your landlords/agents have current satisfactory safety certificates?

Of the 368 respondents 240 (66.12%) said yes, the landlord has a current gas safety certificate, 26 (7.16%) said no the landlord does not have a current gas safety certificate and 97 (26.72%) said they didn't know.

Of the 368 respondents 225 (61.48%) said yes, the landlord has a current electrical safety certificate , 28 (7.65%) said no the landlord does not have a current electrical safety certificate and 113 (30.87%) said they didn't know.

Of the 368 respondents 192 (52.89%) said yes, the landlord has a current fire safety certificate. 34 (9.37%) said no the landlord does not have a current fire safety certificate and 137 (37.74%) said they didn't know.




Figure 57: Numbers of respondents who said their landlord/agent have relevant certificates

Does/did your landlord have current satisfactory certificates for:				
Answer Choices	Yes	No	Don't know	Response Total
Gas	66.12% 240	7.16% 26	26.72% 97	363
Electrical	61.48% 225	7.65% 28	30.87% 113	366
Fire safety	52.89% 192	9.37% 34	37.74% 137	363
			answered	368
			skipped	1194

13.5 Does the landlord have a planned maintenance programme?

Of 370 respondents 85 (22.97%) said their landlord did have a planned maintenance programme, 141 (38.11%) said they did not have a planned maintenance programme and 144 (38.92%) didn't know.




Figure 58: Numbers of tenants whose landlord has a planned maintenance programme

Does/did your landlord have a planned maintenance programme?				
Answer Choices			Response Percent	Response Total
1	Yes		22.97%	85
2	No		38.11%	141
3	Don't know		38.92%	144
			answered	370
			skipped	1192

13.6 Does your landlord issue a written tenancy agreement?

Of 371 respondents 346 (93.26%) said yes, 19 (5.12%) said no they didn't have a written tenancy agreement and 6 (1.62%) said they didn't know.




Figure 59: Numbers of tenants whose landlord issues a written tenancy agreement

Does/did your landlord issue a written tenancy agreement?				
Answer Choices			Response Percent	Response Total
1	Yes		93.26%	346
2	No		5.12%	19
3	Don't know		1.62%	6
			answered	371
			skipped	1191

13.7 Does your landlord have an agreement of how quickly he/she responds to requests for repairs etc.?

Of 372 respondents 115 (30.91%) said there was no agreement on how quickly a landlord/manager would respond to requests for repairs, 184 (49.46%) said they didn't have an agreement and 73 (19.62%) didn't know.




Figure 60: Numbers of tenants whose landlord has an agreed response time for repairs

Does/did your landlord have an agreement of how quickly they respond to your requests for repairs etc.?				
Answer Choices			Response Percent	Response Total
1	Yes		30.91%	115
2	No		49.46%	184
3	Don't know		19.62%	73
			answered	372
			skipped	1190

13.8 Does your landlord provide emergency contact details?

Of 372 respondents to this question 259 (69.62%) said their landlord / manager did provide them with emergency contact details, 89 (23.92%) said they did not provide contact details and 24 (6.45%) said they didn't know.




Figure 61: Numbers of tenants whose landlord provides them with emergency contact details

Does/did your landlord provide you with emergency contact details?				
Answer Choices			Response Percent	Response Total
1	Yes		69.62%	259
2	No		23.92%	89
3	Don't know		6.45%	24
			answered	372
			skipped	1190

13.9 Does your landlord deal with anti-social behaviour of other tenants and their visitors?

Of 364 respondents, 108 (29.67%) said that their landlord / manager does deal with anti-social behaviour of other tenants or their visitors; 99 (27.20%) said they did not and 157 (43.13%) said they didn't know.

Figure 62: Numbers of tenants whose landlords deal with anti-social behaviour issues

Does/did your landlord deal with anti-social behaviour of other tenants and their visitors?				
Answer Choices			Response Percent	Response Total
1	Yes		29.67%	108
2	No		27.20%	99
3	Don't know		43.13%	157
			answered	364
			skipped	1198

13.10 Tenants were asked if they had experienced any problems with their tenancy.

Of the 367 who responded to this question 44 (12.09%) had experienced harassment by their landlord / manager; 27 (7.46%) had experienced overcrowding; 134 (36.71%) said their landlord had ignored requests for repairs; 35 (9.64%) had unsafe gas appliances, 17 (4.71%) had been illegally evicted; 68 (18.99%) said there was inadequate refuse bins or storage; 56 (15.77%) said there were inadequate amenities and 205 (84%) had experienced other issues.

Figure 63: Numbers of tenants experiencing problems

Have you experienced any of the following problems?			
Answer Choices	Yes	No	Response Total
Harassment from your landlord	12.09% 44	87.91% 320	364
Overcrowding in your property	7.46% 27	92.54% 335	362
No response to requests for repairs	36.71% 134	63.29% 231	365
Unsafe gas appliances	9.64% 35	90.36% 328	363
Illegal eviction	4.71% 17	95.29% 344	361
Inadequate waste/refuse bins and storage	18.99% 68	81.01% 290	358
Inadequate amenities (e.g. washing facilities, toilet)	15.77% 56	84.23% 299	355
Other	29.07% 84	70.93% 205	289
		answered	367
		skipped	1195

Of the 95 respondents who said they had experienced “other” problems, these included:

- Issues with damp and mould (26)
- Ignored reports of disrepair in the property (17)
- Insecure property (4)
- Unreasonable rent increases of 11%, 20%, 25% and 50% (4)
- Poor quality repairs / unqualified contractors used (4)
- Hard to contact landlord – does not answer calls or emails (7)
- Left with no heating, hot water or electricity for long periods, controlled by landlord (2)
- I am a builder - Landlord leaves me to do repairs but in return he doesn't put up my rent
- So many things that made our life hell
- Leaks, lack of hot water, being advised to fiddle with the boiler us to fix the hot water,
- No information on deposit registration
- Landlord fraudulently misrepresented the property (signed us to a different flat than we were shown)
- Incorrect disposal of my own items
- Every property we looked at was subpar and could not be considered fit for independent adults to reasonably cohabit in.
- Landlord references should be scrapped this would prevent landlords from holding undue power over tenants.
- Unsure if the house is a registered HMO but 4 of us live here
- Landlord would let contractors in without telling me (2)
- Failed to provide a carbon monoxide detector for half a year
- F or G rated EPC score (2)

- The house was immaculate and landlord very responsive. Clearly no need for government oversight on quality.
- Being prohibited from entering the property despite paying rent and faced verbal abuse from my student landlord.
- My landlords have all been very fair.
- Dangerous and unsafe electrical appliances (2)
- Illegal occupant in HMO and landlord refused to evict him.
- Illegal entry into property by landlord
- Back garden full of rubbish but landlord won't remove it even though it is a fire hazard
- Inadequate heating (2)
- No fire alarms or means of escape (3)
- Rent increased after repair work done
- Poorly converted property (2)
- Harassment not just from landlord but also from other tenants not dealt with (3)
- Illegal eviction

14 Questions directed at owner-occupiers or other residents currently living in the area

14.1 What is the postcode of the property where you live?

Of the 453 who had identified themselves as owner occupiers, 427 answered this question.

144 came from owner occupiers living in one of the three targeted wards of Bishopston and Ashley Down, Cotham and Easton,

12 from Clifton Down,

11 from St George West,

10 from Redland,

9 from Horfield,

8 from Ashley,

7 from Brislington West,

6 from Lockleaze, Frome Vale and Windmill Hill,

5 from Hillfields, Clifton and Avonmouth and Lawrence Weston,

4 from Stoke Bishop and Knowle,

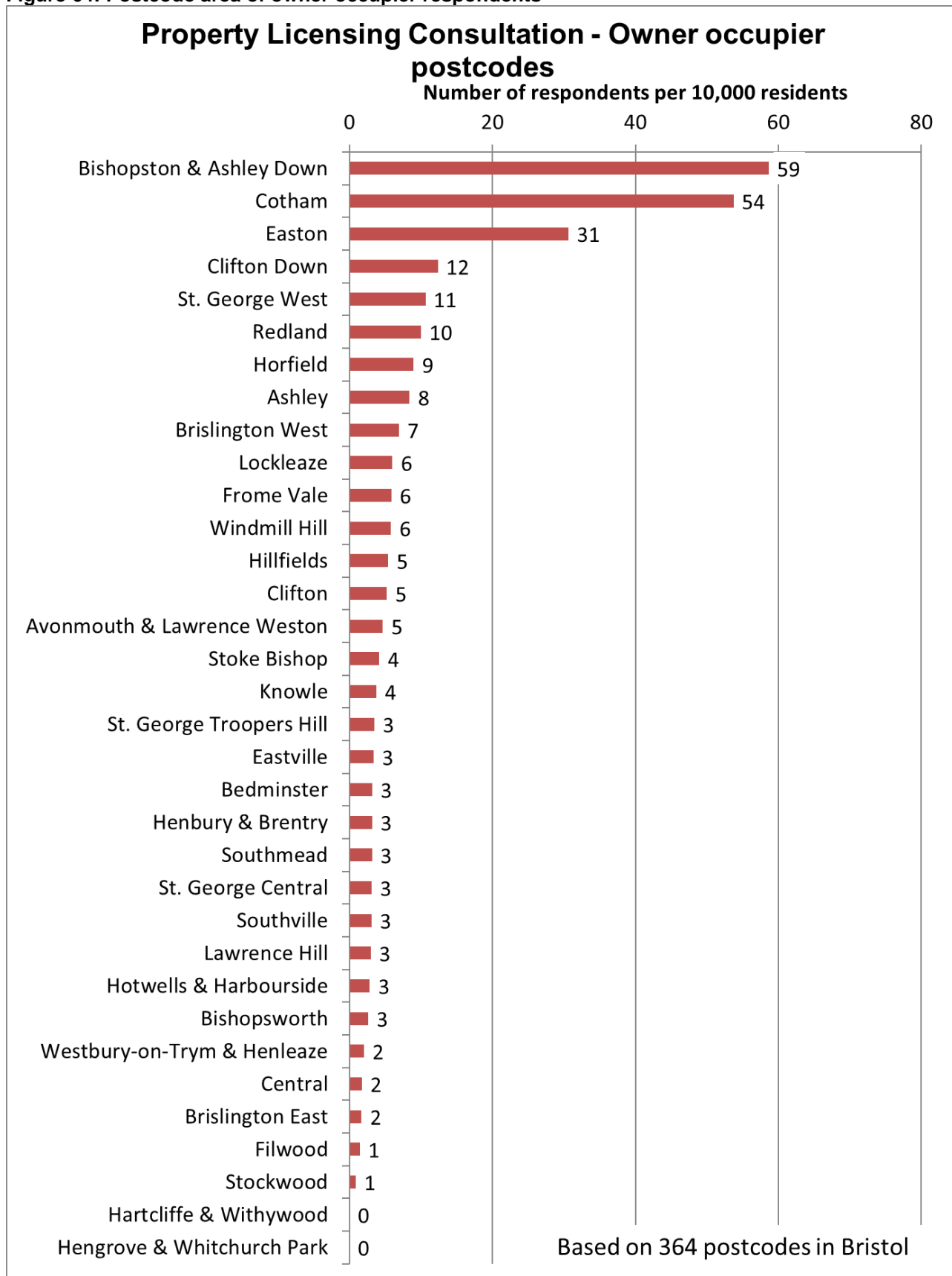
3 from St George Troopers Hill, Eastville, Bedminster, Henbury and Brentry, Southmead, St George Central, Southville, Lawrence Hill, Hotwells and Harbourside and Bishopsworth,

2 from Westbury on Trym and Henleaze, central and Brislington East,

1 from Filwood and Stockwood,

None from Hartcliffe and Withywood and Hengrove and Whitchurch Park wards.

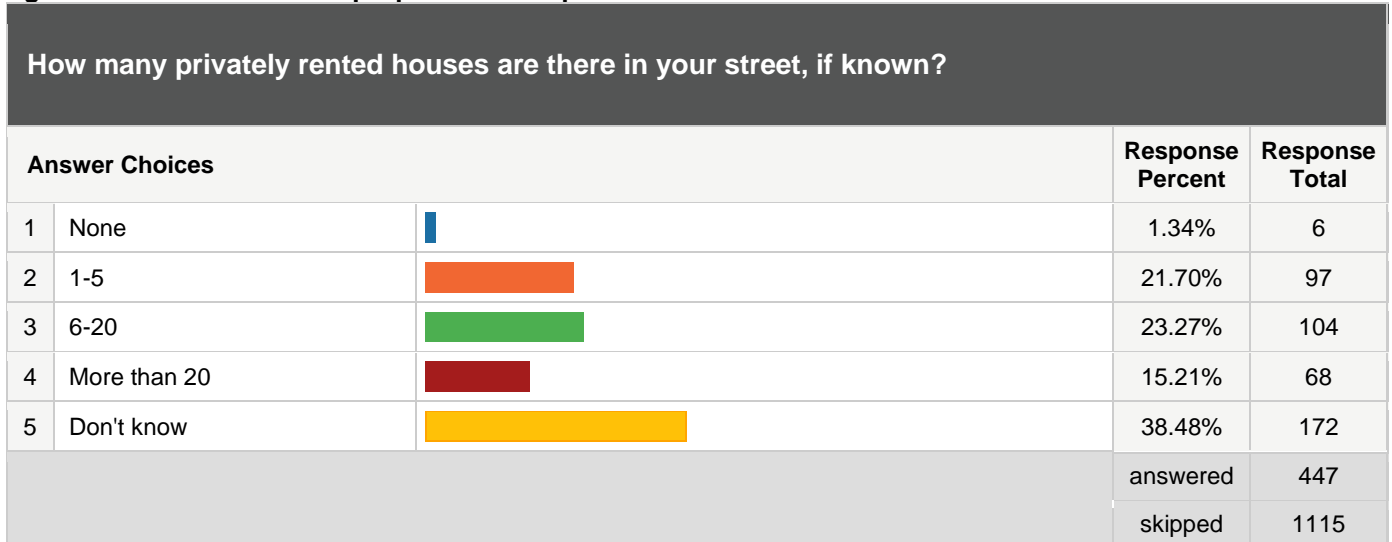
Figure 64: Postcode area of owner occupier respondents



14.2 How many private rented properties are there in your street?

Of 447 respondents who answered this question, 6 (1.34%) said they thought there were none; 97 (21.70%) said there were between 1 and 5, 104 (23.27%) said there were between 6 and 20, and 68 (15.21%) said that there were more than 20 privately rented properties in their street. 172 (38.48%) Didn't know how many private rented properties there were in their street.

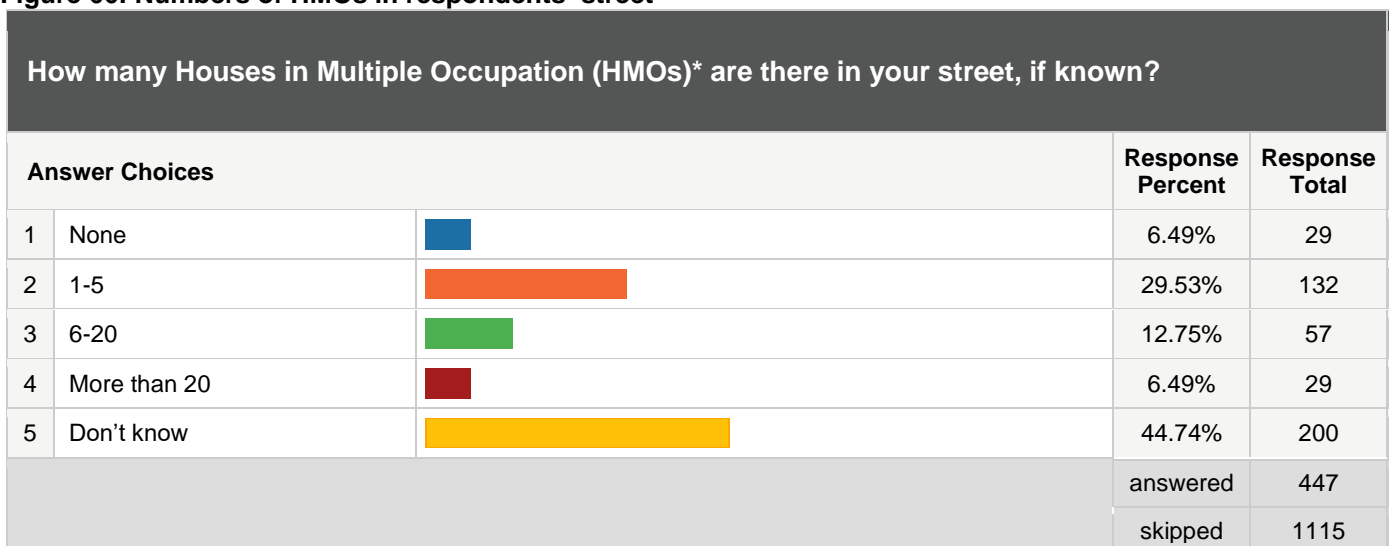
Figure 65: Numbers of PRS properties in respondents' street



14.3 How many HMOs are there in your street?

Of 447 respondents who answered this question, 29 (6.49%) said they thought there were no HMOs in their street; 132 (29.53%) said there were between 1 and 5 HMOs, 57 (12.75%) said there were between 6 and 20 and 29 (6.49%) said that there were more than 20 HMOs in their street. 200 (44.74%) said they didn't know how many HMOs were in their street.




Figure 66: Numbers of HMOs in respondents' street



14.4 Do you know who the landlord /agents of the rented properties are?

Of the 439 who responded to this 22 (5.01%) said they knew who most of the landlords / agents are; 155 (35.31%) said they knew who some of the landlords/agents are and 262 (59.68%) did not know who the landlords or agents of these properties are.



Figure 67: Numbers of owner/occupiers who know who the landlord /agent of rented properties are

Do you know who the landlords/agents of the rented properties are?				
Answer Choices			Response Percent	Response Total
1	Most		5.01%	22
2	Some		35.31%	155
3	None		59.68%	262
			answered	439
			skipped	1123

14.5 Have you ever had to make a complaint about noise from a rented property in your area?

Of the 444 owner-occupiers who have responded to this question 171 (38.51%) had made a complaint about noise from a privately rented property in their area, 273 (61.49%) had not made a complaint and x (x%) did not know if they had made a complaint.

Figure 68: Complaints about noise from PRS property in the area

Have you ever had to make a complaint about noise from a privately rented property in your area?				
Answer Choices			Response Percent	Response Total
1	Yes		38.51%	171
2	No		61.49%	273
			answered	444
			skipped	1118

14.6 If you have made a complaint about noise, how often have you complained?

Of 184 respondents who had made a complaint noise, 20 (10.87%) said they complained most weeks, 46 (25.00%) said they complained once a month 49 (26.63%) said they complained once a year and 69 (37.50%) said other frequency.

Figure 69: How often had owner-occupiers who had experienced problems with noise, complained

If 'Yes', how often have you complained:				
Answer Choices			Response Percent	Response Total
1	Most weeks		10.87%	20
2	Once a month		25.00%	46
3	Once a year		26.63%	49
4	Other (please specify):		37.50%	69
			answered	184
			skipped	1378

Of those who answered “Other”:

23.18% said they frequently complained

10.1% said they had complained only once or twice

21.73% said they occasionally complain

5.79% said it depended on the tenants

15.94% said they never complain

4.34% said they tend to complain when students move in

2.89% said it was a waste of time complaining as nothing gets done

4.34% said they didn't know/ can't remember

1.4% who they didn't know who to complain to?

10.14% said they complain every 3 or 4 months

14.7 Have you ever made a complaint about anti-social behaviour from a privately rented property in your area?

Of the 440 owner-occupiers who have responded to this question 127 (28.86%) had xx (xx%) did not know if they had made a complaint.





Figure 70: Have you ever made a complaint about anti-social behaviour from a privately rented property in your area

Have you ever had to make a complaint about antisocial behaviour from a privately rented property in your area?				
Answer Choices			Response Percent	Response Total
1	Yes		28.86%	127
2	No		71.14%	313
			answered	440
			skipped	1122

14.8 If you have made a complaint, how often have you complained about anti-social behaviour (ASB)?

Of the 142 respondents who had complained about anti-social behaviour 15 (10.55%) said that they complained most weeks, 23 (16.20%) complained once a month; 48 (33.80%) complained once a year and 56 (39.44%) said other.

Figure 71: How often had owner-occupiers who had experienced problems with ASB, complained

If 'Yes', how often have you complained:				
Answer Choices			Response Percent	Response Total
1	Most weeks		10.56%	15
2	Once a month		16.20%	23
3	Once a year		33.80%	48
4	Other (please specify):		39.44%	56
			answered	142
			skipped	1420

Of those who answered “Other”:

21.42% said they frequently complained

17.85% said they had complained only once or twice

21.42% said they occasionally complain

5.35% said it depended on the tenants

10.71% said they never complain

7.14% said it was a waste of time complaining as nothing gets done

10.71% said they didn't know

1.78% said there are issues, but never complain




1.78% said once or twice and would complain more but didn't through fear of reprisals

1.78% said they had complained about council tenant

14.9 Have you ever had to make a complaint about rubbish / waste from a privately rented property?

Of the 439 owner-occupiers who have responded to this question 159 (36.22%) had made a complaint, 265 (60.36%) had not made a complaint and 15 (3.42%) did not know if they had made a complaint.





Figure 72: Have you ever made a complaint about rubbish/waste from a privately rented property in your area

Have you ever had to make a complaint about the rubbish/waste from a privately rented property in your area?				
Answer Choices			Response Percent	Response Total
1	Yes		36.22%	159
2	No		60.36%	265
3	Don't know		3.42%	15
			answered	439
			skipped	1123

14.10 If you have made a complaint, how often have you complained about rubbish/waste?

Of the 173 respondents who said they had complained about rubbish/waste 32 (18.50%) that they complained most weeks, 36 (20.81%) once a month; 60 (34.68%) once a year and 45 (26.01%) said other.

Figure 73: How often had owner-occupiers who had experienced problems with rubbish/waste complained

If 'Yes', how often have you complained:				
Answer Choices			Response Percent	Response Total
1	Most weeks		18.50%	32
2	Once a month		20.81%	36
3	Once a year		34.68%	60
4	Other (please specify):		26.01%	45
			answered	173
			skipped	1389

Of those who answered “Other”:

22.22% said they had complained only once or twice

17.78% said they frequently complained

4.44% said it was an issue but no point complaining as nothing gets done

20.00% said they occasionally complain

8.89% said they never complain

2.22% said they were unable to complain as didn't know who landlord was

2.22% said the tenants never sort rubbish and leave it on the street

2.22% said they were fed up with the response from the council

13.33% said they didn't know

2.22% said it depended on the tenants




2.22% said they were too nervous of complaining to the occupiers

2.22 said situation was unsatisfactory but the landlord wasn't interested

14.11 Do you think there is a problem with overcrowding in any of the privately rented properties in your area?

Of the 442 owner-occupiers who have responded to this question 146 (33.03%) thought there was an overcrowding problem, 119 (26.92%) did not think there was a problem and 177 (40.05%) did not know.






Figure 74: Do you think there is a problem with overcrowding in any of the privately rented properties in your area

Do you think there is a problem with overcrowding in any of the privately rented properties in your area?				
Answer Choices			Response Percent	Response Total
1	Yes		33.03%	146
2	No		26.92%	119
3	Don't know		40.05%	177
			answered	442
			skipped	1120

14.12 If you have made a complaint, who did you complain to?

Of the 222 respondents 91 (40.99%) complained to the landlord; 64 (28.83%) complained to the Letting Agent; 98 (44.14%) complained to the council, 52 (23.42%) complained to the police and 78 (35.14%) said Other.

Figure 75: If an owner occupier made a complaint, who did they complain to?

If you made a complaint, who did you complain to? (please tick all that apply)				
Answer Choices			Response Percent	Response Total
1	Landlord		40.99%	91
2	Letting agent		28.83%	64
3	Council		44.14%	98
4	Police		23.42%	52
5	Other (please specify):		35.14%	78
			answered	222
			skipped	1340

Of those who they complained to “Other”:

- 37.18% complained directly to occupant
- 39.74% complained to the universities
- 1.28% complained to the management company
- 3.85% complained to their local councillor
- 1.28% didn't know how they could complain
- 5.13% never complained
- 2.56% complained to the landlord
- 1.28% complained to Police
- 1.28% complained to Avonmouth Planning group
- 1.28% complained to all of the above but it was ineffective
- 1.28% complained to the refuse collectors
- 1.28% complained to the council
- 1.28% complained to their street group who escalated it
- 1.28% said it was an Airbnb

15 Questions directed to other interested parties

15.1 What is your postcode or if responding on behalf of an organisation, please provide the postcode of the organisation's premises in Bristol?

Of the 241 who responded to this question, 132 provided a full valid Bristol postcode. Broken down by ward as:

9 came from residents of Bishopston & Ashley Down.

8 from Stoke Bishop.

7 from Cotham and Hotwells and Harbourside.

6 from St George West.

5 from Redland, 9 from Horfield.

4 from Clifton, Clifton Down, Westbury on Trym & Henleaze, Lockleaze and Windmill Hill.

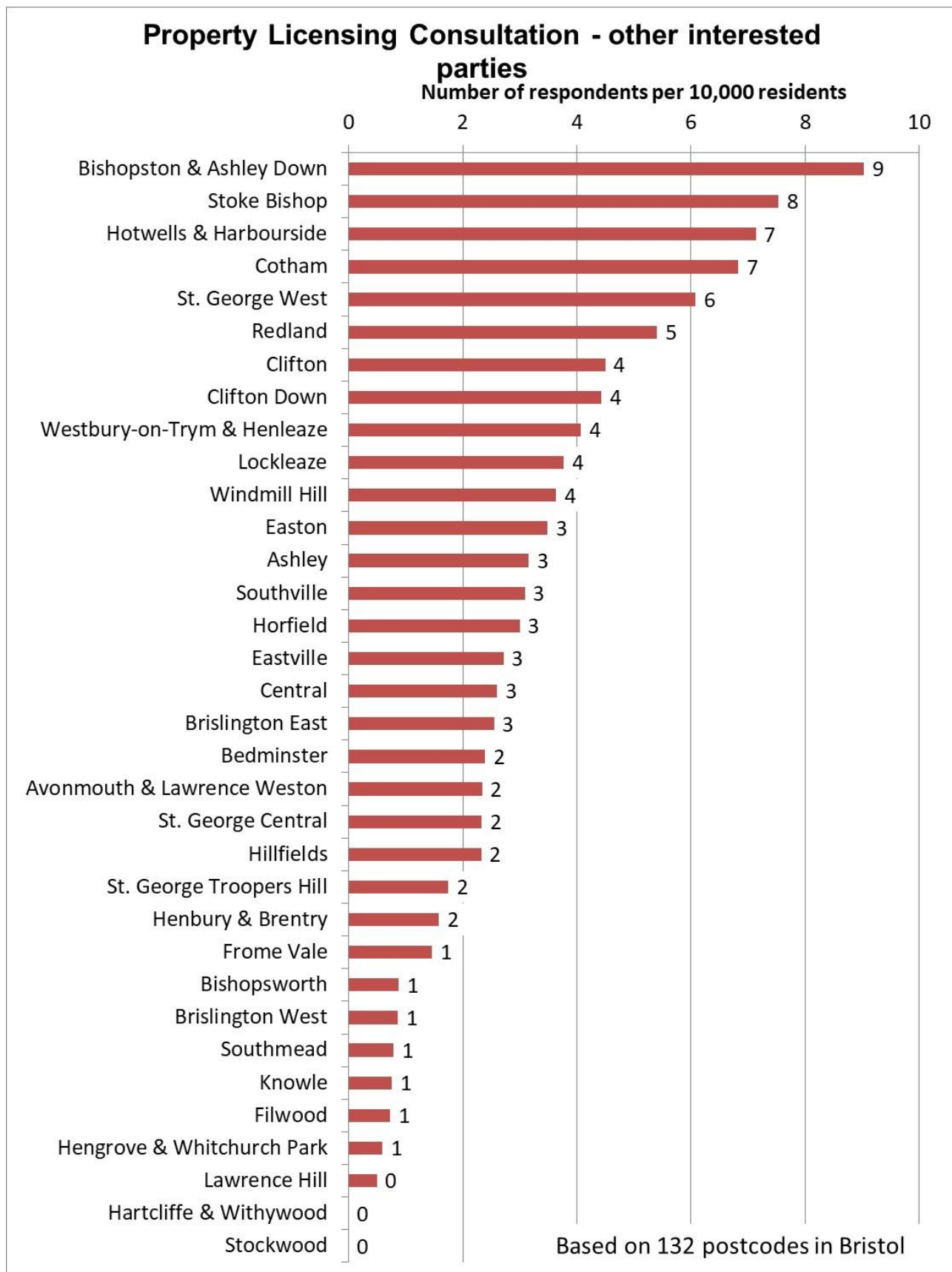
3 from Easton, Ashley, Southville, Horfield, Eastville, Central, Brislington East.

2 from Bedminster, Avonmouth & Lawrence West Weston, St George Central, Hillfields, St George Troopers Hill, Henbury & Brentry.

1 from Fromevale, Bishopsworth, Brislington West, Southmead, Knowle, Filwood and Hengrove & Whitchurch Park.

None from Lawrence Hill, Hartcliffe and Withywood and Hengrove and Stockwood wards.










Figure 76: Numbers of responses from other interested parties by their postcode



15.2 Reason for interest in the consultation in “Other” category

Of 250 respondents who answered this question, 10 (4.00%) have an interest as a Local Councillor, 1 (0.40%) an MP, 147 (58.80%) a landlord with property outside of the area, 7 (2.80%) a Landlord Association, 15 (6.00%) a local business, 4 (1.60%) a tenants organisation, 4 (1.60%) a social housing tenant in the area, 3 (0.80%) a provider of social housing and 89 (35.60%) selected the “Other” category.

Figure 77: Status of ‘Other Interested Party’ respondents

I am interested in the proposed licensing scheme because I am, or represent, a: (please tick all that apply)				
Answer Choices			Response Percent	Response Total
1	Local councillor		4.00%	10
2	MP (Members of Parliament)		0.40%	1
3	Landlord with a property outside of the area		58.80%	147
4	Landlord Association		2.80%	7
5	Local business		6.00%	15
6	Tenants' organisation		1.60%	4
7	Council or housing association tenant in the area		1.60%	4
8	A provider of social housing		0.80%	2
9	Other (please specify):		35.60%	89
			answered	250
			skipped	1312

Of the 89 who stated “Other” included:

- 20 (22.47%) Private Landlord
- 11 (12.36%) Local resident
- 8 (8.99%) Private tenant or former private tenants
- 6 (6.74%) Relatives / Friends of private tenant
- 5 (5.62%) Former landlord
- 5 (5.62%) Housing Charity or Charitable Trust
- 4 (4.49%) Partner / Parent of landlord / landlady
- 2 (2.25%) Planned landlord
- 1 (1.12%) Housing professional
- 1 (1.12%) Member of residents' group
- 1 (1.12%) Interested citizen
- 1 (1.12%) Council Tax payer

- 1 (1.12%) Letting agent
- 1 (1.12.12%) Live with family
- 1 (1.12%) Housing Advice Agency
- 1 (1.12%) Ex housing lawyer now working for housing ombudsman
- 1 (1.12%) Owner occupier previously impacted by an unlicensed HMO
- 1 (1.12%) Living next door to an HMO
- 1 (1.12%) Work in property
- 1 (1.12%) Honorary life official of the TGWU (Unite)
- 1 (1.12%) Council worker – Homelessness prevention
- 1 (1.12%) An organisation representing Lettings & Management Agents
- 1 (1.12%) Prospective councillor
- 1 (1.12%) Former social housing CEO
- 1 (1.12%) Not supportive
- 11 (12.35%) Blank

16 Responses from written communication and free text comments from the survey forms during the consultations

The consultation on the proposal to introduce a citywide additional licensing (of HMOs) scheme and a targeted selective licensing scheme in Bishopston and Ashley Down, Cotham and Easton wards drew 1,562 survey responses. 926 (58%) respondents also left free text comments about the additional licensing scheme and 976 (62%) about the selective licensing scheme. These are summarised in Chapter 5.19.

This section is the summary of the free text comments that were provided by consultation respondents. We have considered all representations made in the consultations and our responses are set out below.

16.1 Consultation comment 1: Against the proposals for additional and selective licensing

47% of all Additional licensing comments and 57% of selective licensing most saying the scheme was unnecessary and the council should use existing powers. Many also felt that not only does licensing penalise good landlords but ultimately the tenants will be most badly affected. Licensing is stifling the private rented market.

BCC Response:

The outcomes from the consultation broadly support the proposal for additional licensing (52.57%) whilst 38.96% support the proposal for selective licensing.

However, when broken down by respondent type, 13.86% of respondents who identified as landlords or agents; 53.9% of private tenants, 60.71% of owner occupiers and 29.47% of Other respondents agreed or strongly agreed with the selective licensing proposal.

For the additional licensing proposal, 28.6% of landlords, 63.8% of private tenants, 76.16% of owner occupiers and 40.4% of Other respondents agreed or strongly agreed with the additional licensing proposal.

The council have powers to deal with non-compliant landlords that have been brought to our attention, however only licensing powers give us the resources to proactively visit every licensable property to assess conditions. In many cases, licensable properties have often been found not to meet minimum legal standards even where a landlord believed he/she had a good property. Licensing legislation also allows us to set standards higher than just a legal minimum.

Many tenants do not report problems for fear of their tenancy being ended but where there is a licensing scheme, we can pro-actively inspect every property which means tenants should not need to fear that their tenancy is at risk.

There are a number of factors which may affect the private rented sector, and there is no evidence that licensing is stifling the market.

16.2 Consultation comment 2: Support the proposals for Additional and Selective Licensing

23% of all Additional licensing comments and 12% of selective licensing comments were on this subject. Most comments welcomed the schemes proposed especially for HMOs and many agreed that there should be safe homes for family accommodation too and not just for HMO tenants as poor-quality accommodation is not just a problem in HMOs.

BCC Response:

The outcomes from the consultation broadly support the proposal for additional licensing (52.57%), whilst 38.96% support the proposal for selective licensing.

See response 16.1

16.3 Consultation comment 3: Licensing is forcing landlords to leave the market

28% of all Additional licensing comments and 27% of selective licensing comments were on this subject with some respondents saying that they would sell up as the rental market was becoming too onerous and too full of bureaucracy. Licensing is stifling the market and landlords leaving the market will lead to an increase in homelessness.

BCC Response:

Licensing is a tool that allows the Council to tackle the issues in the PRS (private rented sector). We must follow the legal process in the administration of the scheme. However, in most cases where standards are not met the landlord will be given the opportunity to remedy this before any other action is considered.

Analysis of numbers in previous areas where licensing has been declared has not led to the numbers of PRS properties being reduced necessarily as a result of licensing. The numbers of the private rented sector are decreasing across England but in the licensing schemes we have declared so far, the numbers of the private rented sector have remained fairly stable and the number of licences we predicted to receive applications for have been achieved. There are a number of factors that may be affecting the private rented sector.

16.4 Consultation comment 4: Licensing scheme will lead to increased rents and hardship for private tenants

36% of all Additional licensing comments and 37% of selective licensing comments were on this subject with many fearing that the fees and costs of making necessary improvements will be passed on to the tenant by way of increased rent. This at a time when rents in Bristol are already very high could lead to some people to be unable to afford the increased rent payable.

BCC Response:

The licensing fees charged cover the costs of processing applications, administration of the scheme and its enforcement. Fees are calculated on a break-even basis (not for profit). We are aware that the cost to the scheme will need to be paid for by the landlord and that it may or may not be passed onto the tenant.

However, this must also be considered with the overall aims and objectives of the scheme and what it will achieve in raising standards of living conditions for many tenants living in the PRS as well as improved management and raise awareness of the landlord's legal responsibilities.

The demand for housing in Bristol is very high. Naturally market rents continue to rise as a result, and this is totally outside of our control and is generally due to market forces rather than licensing. An example of the high demand is the reported numbers of Bristol university students being housed in Bath because they could not find accommodation in Bristol.

Over the life of the five-year scheme the fee payable for an additional licence without discounts is a maximum £1,861 which equates to £26.001 per month / £6 per week per property, with discounts of £300 the licence would cost £1,561 and that equates to £31.01 pm or £7.15 per week. If passed on to each occupant in an HMO of 4 people for example, it would on average cost £6.50 maximum per calendar month.

For a selective licence fee, the cost without discounts is £912 which equates to £15.20 per month / £3.50 per week; with discounts of £300 the selective licensing fee would cost £612 which equates to £10.20 per month or £2.35 per week.

16.5 Consultation comment 5: The fees are too high.

11% of all Additional licensing comments and 12% of selective licensing comments were on this subject with comments such as the fees are unreasonable and unfair on compliant landlords who already meet standards. The council needs to work more efficiently and bring the cost of the fees down.

BCC Response:

The fees are calculated to reflect the resources required to deliver the scheme. The cost of the scheme is based on a 'break-even' basis and does not generate a surplus. They have been signed off by the council's Finance team and meet legal requirements. They are not subsidised from other resources or from Council Tax payments.

16.6 Consultation comment 6: This is a council money making scheme

11% of all Additional licensing comments and 8% of selective licensing comments were on this subject such as the council will take the money, but it will not fix the problem or that this is just a way for the council to raise revenue through the profits.

BCC Response:

The Housing Act 2004 allows local authorities to charge a fee for licensing. Each local council sets its own fees for licensing. The fees are required to only cover the costs of licensing and cannot be used to subsidise other local council work. The scheme cannot make a profit and is ring-fenced for the licensing function only. See response 16.5.

16.7 Consultation comment 7: Private Housing Service will not be able to deliver this scheme

11% of all Additional licensing comments and 9% of selective licensing comments were on this subject saying that the scheme is too big and Private Housing Team will not be able to deliver it properly or there is not enough staff to properly enforce the scheme.

BCC response:

If the scheme or schemes are approved, the council recognises that it will be necessary to recruit additional staff in order to deliver the scheme and this has already been built in to the relevant scheme costs. We have also commissioned new technology to improve efficiency of processing the applications and serving licences which will be in place by the time any new scheme goes live. The Council has committed to inspect all licensed properties.

16.8 Consultation comment 8: The licensing standards are set too high

3% of all Additional licensing comments and 3% of selective licensing comments were on this subject and are difficult for landlords to achieve and cost of necessary works is prohibitive and will be passed on to tenants.

BCC Response:

The licensing standards have regard to regulations which are required to provide safe accommodation for tenants. The standards are naturally higher in Houses in Multiple Occupation as the relationship of the tenants in a shared property of 3 or more individuals means there are higher risks than when let to families or to couples for example.

The Housing Act 2004 sets out mandatory licensing conditions which must be included on a licence, as well as other conditions which the local authority may apply if they satisfy the requirements of the Act. Further, properties are inspected to determine if any hazards exist under the Housing Health and Safety Rating System and any property found with serious hazards in the homes will be required to make the necessary improvements to reduce the risks to the occupants.

16.9 Consultation comment 9: The council are not doing enough to enforce standards

3% of all Additional licensing comments and 2% of selective licensing comments were on this subject such as the council should be using the money to use existing powers to search out and deal with rogue landlords.

BCC Response:

The council have powers to deal with non-compliant landlords that have been brought to our attention, however only licensing powers give us the resources to proactively visit every licensable property to assess conditions. In many cases, licensable properties have often been found not to meet minimum legal standards even where a landlord believed he/she had a good property. Licensing legislation also allows us to set standards higher than just a legal minimum.

Many tenants do not report problems for fear of their tenancy being ended but where there is a licensing scheme, we can inspect every property which means tenants should not need to fear that their tenancy is at risk.

16.10 Consultation comment 10: The Council should give discounts for those with Managing Agents

2% of all Additional licensing comments and 2% of selective licensing comments were on this subject such as landlords should not have to pay a fee where they have a managing agent who is looking after their property. It feels like they are paying twice for the same thing and their properties will already meet standards and been regularly inspected by the agent.

BCC Response:

Membership of other accreditation schemes or having a managing agent does not necessarily mean that the same level of standards is met or that the properties are adequately monitored or have an acceptable complaints procedure etc. for tenants.

Although some landlords have paid managing agents to manage their properties, it does not replace the checks made by qualified council officers regarding housing standards.

Managing agents who have the accredited level of membership with one of the Rent With Confidence (RWC) approved providers when applying for a licence, can claim a discount on their licence fee.

16.11 Consultation comment 11: the council should be focusing on its own stock first

4% of all Additional licensing comments and 4% of selective licensing comments were on this subject such as before pushing these schemes on private landlords the council should sort out the very poor standards in its own stock first.

BCC response:

Registered social housing providers are regulated by the Regulator of Social Housing. Shelter has some useful information on their website: Shelter Legal England - Regulation of social housing providers - Shelter England and more information can be found on the Government website. Part 1 of the Housing Act 2004 also applies to registered social landlords in relation to housing conditions and the Housing Health and Safety Rating System (HHSRS).

16.12 Consultation comment 12: Lack of evidence to support proposal

4% of all Additional licensing comments and 3% of selective licensing comments were on this subject such as there is no evidence that these schemes are needed or that previous schemes have been successful. The figures that the council have produced to justify the proposals are not convincing.

BCC Response:

Under Part 2 of the Housing Act 2004, Section 56 a local authority can designate an area for additional licensing where: -

“A significant proportion of the HMOs ... are being managed sufficiently ineffectively as to give rise to, or likely to give rise to one or more particular problems either for those occupying the HMOs or for members of the public”.

Additionally under their powers in Part 3 of the Housing Act 2004, Section 80 a local authority can designate an area for selective licensing where having carried out a review of housing conditions under section 3(1) of the Act, they consider it would be appropriate for a significant number of the properties to be inspected, with a view to determining whether any category 1 or category 2 hazards exist.

Certain factors have to be met and we believe that there is sufficient evidence. We have set out our reasons for this in the proposal document. Appendix A Chapter 5 and Appendix 5 of the same document. All criteria have been met and checked by our Legal Service. They also appear In our previous schemes the number of hazards found, and formal notices served indicates that a good proportion of poor housing conditions and management practices had not been reported to us and would not therefore had been dealt with outside of a licensing scheme.

In the Stapleton Road scheme 1,207 properties were licensed and 845 (70%) properties were improved to meet licensing conditions; 665 formal and informal notices were served to improve health and safety issues; 10 landlords were prosecuted for 37 offences and 204 referrals were made to other agencies including Bristol Waste, Noise Team and anti-social behaviour team.

In the Eastville / St George scheme 3,316 properties were licensed and 3,019 properties were improved to meet licensing standards; 752 formal and informal notices were served to improve health and safety issues and 675 properties had fire safety improvements made. 4 landlords were prosecuted, and 10 civil penalty notices issued, totalling more than £62,000.

In the Central Area Licensing Scheme which is still running 3,158 properties have been licensed so far and 2,157 inspections undertaken. To date 2,020 (94%) properties were improved to meet licensing standards and 1,644 (76%) were in breach of HMO management regulations; 1,115 properties needed fire safety

improvements and 5 Civil Penalty Notices were served for failure to licence a property, meet the conditions or manage it in accordance with regulations. The scheme will end in July 2024.

In the Bedminster, Brislington West and Horfield scheme we have received 2,424 licence applications so far. It is too early to report outputs.

16.13 Consultation comment 13: Choice of the three wards

11% of selective licensing comments were on this subject such as it will lead to a two-tier system in Bristol and should be citywide or not at all. Also there appear to be areas in Bristol that are far worse than the three selected for targeted action.

BCC Response:

The evidence for why the areas were chosen is based on the [Building Research Establishment report](#) commissioned by the council. Based on the areas with the highest density of private rented stock above the national average level in England (above 19%) and on the wards with the highest level of serious hazards and disrepair. Disregarding areas where we are already operating a selective licence scheme (Bedminster and Brislington West wards), the next 3 wards with the highest levels of the criteria above, and based on the BRE statistical data, is for Bishopston and Ashley Down, Easton and Cotham wards.

16.14 Consultation comment 14: Comments on the consultation itself

1% of all Additional licensing comments and 1% of selective licensing comments were on this subject but mainly that the council have already made up their minds on what they are going to do, and the consultation is just a formality that had to be completed.

BCC Response:

The Government's guidance on consultation for licensing is very clear and has been closely followed by the council. The council has met all its legal obligations to deliver the consultation and has been supported in this by the council's Communications Team who run all the council's surveys. The findings will be included in a report that will be taken to Cabinet in February 2024 for a decision to be made.

16.15 Consultation comment 15: Miscellaneous comments

9% of all Additional licensing comments and 5% of selective licensing comments were on this subject with a focus on Planning performance and challenging the HMO definition mainly. There were quite a few misunderstandings such as asking why it was fair to license where a family member was living in a property or where the landlords was resident. (These were actually included in the proposal document Appendix 1: Types of properties that are exempt from licensing.)

BCC Response:

The Licensing and Planning Legislation are separate and therefore we cannot comment on the performance of Planning as regards approval of HMOs etc.

The definitions we have used for HMOs is a legal definition under the Housing Act 2004.

17 Submissions received from Landlord and Agent Organisations

In addition to the survey and emails, we also received five submissions from organisations - two from the National Residential Landlords Association (NRLA) , Black South West Network (BSWN), SafeAgent and Grainger PLC. Our responses where appropriate, appear below:

17.1 Bristol City Council Response to NLRA Submission #1:

Firstly, I would like to stress that NRLA members share the concerns of local authorities that substandard properties should be prevented by enforcement and that bad landlords should not be allowed to operate in the private rented sector.

However, as we mentioned, at our NRLA meeting last night there were many landlords concerned about the two proposed new licensing schemes. We have impressed upon our attendees how important it is for them to respond directly to the consultation but there are also some pertinent questions which we believe deserve a response and would not necessarily be addressed by any response to consultation feedback.

Question 1

NLRA: Based on BCCs own figures from this proposed, and previous selective licensing schemes, there are an estimated 6005 privately rented properties in the four wards of Bishopston and Ashley Down, Cotham and Easton. The projected cost of implementation of this scheme is quoted as £3.5m with the fee being proposed of £912. This would generate a revenue of £5.48m. Given that the local authority is not permitted to make a profit from any licensing scheme, a) why is the Scheme 2 fee disproportionate to the cost? and b) what will happen to any surplus?

BCC response: There are three wards covered by the scheme 2 proposal: Bishopston and Ashley Down (one ward), Cotham and Easton.

The scheme costs have been calculated based on an estimated 4,354 properties being covered under this proposal. It is important to note that the fee you've quoted is the full fee without any discounts applied. Certain assumptions have been made (based on previous schemes) as to how many properties will pay the full fee and how many will pay a discounted fee – which could be reduced to £612.

When fixing fees, the Local Housing Authority may consider all costs incurred in carrying out their licensing functions. It cannot make a profit from property licensing schemes.

Question 2

NLRA: Given that the projected cost of implementation of Scheme 1 for Additional Licensing is £12.5m, and the proposed fee is £1861, this would suggest the number of currently unlicensed HMOs in these 4 wards to be over 6,700. What is the actual estimated number of small HMOs used in the calculation of the fee?

BCC response: The estimated number of small HMOs that would be covered by an Additional licensing designation, and therefore included in the fee calculation is 8,128. It is important to note that the fee you've quoted is the full fee without any discounts applied. Certain assumptions have been made

(based on previous schemes) as to how many properties will pay the full fee and how many will pay a discounted fee – which could be reduced to £1,170.

When fixing fees, the Local Housing Authority may consider all costs incurred in carrying out their licensing functions. It cannot make a profit from property licensing schemes.

Question 3

NLRA: The “Proposals to introduce new property licensing schemes in Bristol Information Booklet” makes clear in section 8 that BCC have already investigated and disregarded any alternative courses of action to achieve the objective of improving standards in the PRS. If this is the case, how can landlords have any confidence that the outcome of this consultation is anything other than a foregone conclusion that these two new licensing scheme will be introduced?

BCC response: It is a requirement of sections 57 (Additional licensing) and 81 (Selective licensing) of the Housing Act 2004 that a designation of a licensing scheme cannot be made unless they have considered whether there are any other courses of action available to them that might provide an effective method of achieving the objective(s) that the designation would be intended to achieve.

The information booklet reflects that those other courses of action have been considered and seeks people’s views on the licensing scheme proposals.

The consultation is being conducted in line with the requirements of the Housing Act 2004, as well as [Government guidance](#).

Question 4

NLRA: Given that licensing applies only to the private rented sector and that both local authorities and Registered Providers are exempt from licensing and various other aspects of what would be considered essential quality and safety standards in the PRS, how does BCC enforce standards in the social sector and to what standards are third party social housing providers held?

As BCC is unable to take enforcement action against itself, to whom is BCC accountable in terms of inspection and enforcement of standards in its own portfolio of properties?

BCC response: Registered social housing providers are regulated by the Regulator of Social Housing. Shelter has some useful information on their website: [Shelter Legal England - Regulation of social housing providers - Shelter England](#) and more information can be found on the [Government website](#).

The service that is responsible for delivering property licensing schemes is not involved with the social housing sector either as a regulator or in managing the stock.

Question 5

NLRA: As our colleagues from other associations indicated, there is a general feeling that penalising good, conscientious and compliant landlords by imposing license fees on them in order to subsidise the local authority in its obligations to enforce standards is not well-received. We will be making the case for landlords who are forced to obtain licences and found by inspection to be fully compliant, to be refunded their licence fee in full and for those landlords found to be breaching standards and regulations to face increased fees to offset this.

BCC Response: As previously stated, when fixing fees, the Local Housing Authority (LHA) may consider all costs incurred in carrying out their licensing functions. It cannot make a profit from

property licensing schemes. The Act allows an LHA to require the application to be accompanied by a fee fixed by the authority.

The proposed fee structure includes discounts of up to £300 where satisfactory electrical, gas (if applicable) safety and energy performance certificates are submitted before the licence is issued, and where the landlord or agent is a member of an accreditation scheme provided by an approved provider under the West of England Rent with Confidence scheme at the time of the application.

The proposed fee structure also includes an additional fee where a property is found to be unlicensed and those who are found to be unlicensed could also be subject to a Financial Penalty Notice (FPN) of up to £30,000 or a prosecution with an unlimited fine, as well as a Rent Repayment Order for up to 12 months' rent.

The proposed licence fee is based on an overall scheme cost and any licence fee structure will be considered as part of a report that will be taken to Cabinet if a scheme is recommended for approval. If a scheme is designated under the Housing Act 2004 ('the Act'), the fee structure will form part of that scheme. The Act sets out reasons when the licence fee needs to be refunded and does not include where landlords are found to be fully compliant. Regardless of whether a property is fully compliant, there are costs incurred by the Authority in terms of processing the licence, enforcement and general scheme administration.

Where licence holders are found to be in breach of licence conditions or other Regulations, these may be subject to FPNs or prosecution. It would not be appropriate to charge increased licence fees as a result.

17.2 Bristol City Council Response to NRLA Submission #2:

Question 1

NRLA: ...the overcrowding issue is complicated for a landlord to manage if the tenant has overfilled the property. A landlord will tell a tenant how many people are permitted to live on the property and that the tenant is not to sublet it or allow additional people to live there. Beyond that, how is the landlord managing this matter without interfering with the tenant's welfare? Equally, how will the council assist landlords when this problem arises? It is impractical for landlords to monitor tenants' everyday activities or sleeping arrangements.

Regarding reducing antisocial behaviour, landlords must tackle such activity within their properties; it should be highlighted that landlords and agents can only enforce a contract; they cannot manage behaviour.

BCC response: The licence holder is responsible for complying with the conditions of the licence, including in relation to permitted numbers. Quarterly inspections to monitor anti-social behaviour (in the proposed licence conditions) should also help to identify any over-occupation of the property. Where tenants are found to be in breach of their tenancy agreement with the landlord, it is up to the landlord to take appropriate action to enforce the terms of that agreement.

The Housing Act 2004 allows the local housing authority to include licence conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house.

Question 2

NRLA: When tenants are nearing the end of their contract/tenancy and are moving out, they will dispose of excess household waste through various methods. These include but are not limited to putting waste out on the street for the council to collect. This is in the hope of getting their deposit back and is made worse when the council does not allow landlords access to municipal waste collection points. Local authorities with many privately rented properties need to consider a strategy for collecting excess waste at the end of a tenancy in place of selective licensing.

Would the council consider a free/low-cost service for private landlords to remove numerous bunk items when tenants vacate the property and not dispose of such waste beforehand if such a mechanism is not already in place?

BCC response: Bristol Waste is responsible for the collection of household waste in the city and they have frequently asked questions on their website, including what to do with bulky items when tenants move out: [FAQ - landlords and letting agents - Bristol Waste Company](#) Any free/low-cost service for private landlords would need to be subsidised and this question falls outside of the licensing scheme proposals and should be directed to Bristol Waste.

Question 3

NRLA: Proposed additional and selective licence condition 7.3 states “supply to the council on demand the names of all occupants”. If a tenant does not want their name disclosed to the council and refuses permission for the landlord to supply their name, where does this leave a licence holder who would be in breach of a licence condition?

BCC response: Failure to comply with this proposed licence condition could be considered a breach. The Council believes that this proposed condition is appropriate for regulating the management, use or occupation of properties.

Question 4

NRLA: The choice by the council to not consult with public stakeholders for such large proposals that will affect many landlords is counterproductive. Potential licence holders quite rightly want to ask questions whilst the consultation process is live to receive clarity and feedback. Only accepting questions and feedback and addressing them once the formal consultation process is concluded shows a limited amount of engagement, especially important as the proposed additional licensing scheme will be city-wide for example. The NRLA offered to co-host a webinar with Bristol City Council during the consultation process to invite members and landlords to present the proposals and take questions about the licensing consultation. This was rejected by the council.

BCC response: The Council has taken reasonable steps to consult persons who are likely to be affected by the designation and considered any representations made in accordance with the consultation (and not

withdrawn) as required by the Housing Act 2004. It has engaged with a wide range of stakeholders, ensuring that the consultation is widely publicised using various channels of communication.

The Council has had due regard to the requirements set out in Government guidance: [Selective licensing in the private rented sector - A guide for local authorities](#).

Question 5

NRLA: If the scheme is approved, the council should consider providing an annual summary of outcomes to demonstrate to tenants and landlords' behaviour improvements and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall.

BCC response: In accordance with the Housing Act 2004, the Council must from time to time review the operation of any designation made by them. For previous discretionary licensing schemes, the Council has undertaken a review approximately half-way through the designation, and we would propose to do the same for this scheme if it is approved. However, we will also consider the request for providing more regular reports of licensing scheme outputs and outcomes.

17.3 Black South West Network (BSWN) submission:

We thought you would be interested in a new [BSWN Policy Research Briefing: Landlord Licensing Schemes](#) which explores the viability of both landlord licensing schemes proposed by Bristol City Council in their new [community consultation](#).

This briefing explains:

- The regulations behind landlord licensing schemes.
- The effectiveness of previous schemes in the city.
- How landlord licensing schemes relate to regulation in the Private Rented Sector (PRS).

Our recommendation would be to opt for Scheme 1, which provides more protection to a wider variety of individuals in Bristol's PRS.

If you would like further information on the attached, our Senior Policy Officer, [Angelique Retief](#), would be happy to discuss this with you.

An integral part of Black South West Network's policy work aims to support the development of dynamic, independent and strong Black and Minoritised communities, businesses and organisations in the South West. Our work reveals the barriers to accessing opportunities, and highlights local and regional needs, enabling us to design and improve our projects in order to catalyse change and have a tangible impact. If you would like further information on this topic, or if you are interested in other policy briefings, please do not hesitate to get in touch. Sign up here to receive BSWN's newsletters, event information and more.

Kind regards,
Morayo

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17.4 Bristol City Council Response to safeagent submission:

Question 1

Safeagent: We would urge Bristol City Council to work closely with accredited lettings & management agents to ensure that the regulatory effort associated with the licensing schemes is focussed on the greatest risks. The highest priority should be tackling rogue landlords and agents, not policing the compliant.

BCC response: BCC already prioritises inspections of licensed properties, by considering a number of factors. Further, it operates a responsive service for managing and responding to private tenant complaints in non-licensable properties. However, we are also committed to visiting every property during the licence term.

Question 2

Safeagent: We would also suggest that the Council work closely with accredited agents to proactively seek out and identify unlicensed properties.

BCC response: The Council is committed to identifying and investigating unlicensed properties and would welcome any information which assists with this.

Question 3

Safeagent: The "Proposals to introduce new property licensing schemes in Bristol Information Booklet" makes clear at Section 8 that BCC have already investigated and disregarded any alternative courses of action to achieve the objective of improving standards in the PRS. If this is the case, how can landlords have any confidence that the outcome of this consultation is anything other than a foregone conclusion?

BCC response: It is a requirement of sections 57 (Additional licensing) and 81 (Selective licensing) of the Housing Act 2004 that a designation of a licensing scheme cannot be made unless they have considered whether there are any other courses of action available to them that might provide an effective method of achieving the objective(s) that the designation would be intended to achieve.

The information booklet reflects that those other courses of action have been considered and seeks people's views on the licensing scheme proposals.

The consultation is being conducted in line with the requirements of the Housing Act 2004, as well as [Government guidance](#). Any decision to designate an area as subject to additional or selective licensing will be made by Cabinet, who have not yet considered this proposal.

Question 4

Safeagent: As things stand, the proposal document's lukewarm comments about Rent with Confidence seem to undermine the scheme, by dwelling in its current limitations. We would urge the council to make

full use of the scheme, together with passporting for accredited agents. We would be happy to engage positively with discussions about this.

It seems to us that many of the licencing requirements in the Bristol City council scheme highlight how important it is for landlords to work with reputable agents such as safeagent members. Offering a discount to licence holders who work with a safeagent accredited agent would help to promote this.

Safeagent would welcome a collaborative approach with Bristol City Council, based on shared objectives. We believe that agents who are members of a recognised body are more likely to embrace Additional and Selective Licensing and less likely to generate complaints or breaches of their licence. Discounted fees for safeagent members would be a significant incentive to positive engagement by agents. In return, the Council would experience reduced administration and compliance costs.

BCC response: The Council believes that such schemes have a part to play alongside licensing schemes and has outlined the importance of such schemes. We have also acknowledged the limitations in attracting those landlords and agents who continue to mismanage their properties or fail to meet their legal obligations.

The Rent with Confidence scheme was introduced to encourage all accrediting bodies to meet similar standards set by the four West of England local authorities. Those who have applied to become approved providers of accreditation schemes are vetted by the four WoE LAs and pay a fee to join the scheme.

We are aware of Safeagent's business aims to improve how properties are managed in the Private Rented Sector and we welcome them to apply to join the scheme, which if approved would give their clients access to the discount. If approved, the small cost of applying would soon be recovered by refunds on any applications to agents under their membership.

Question 5

Safeagent: The proposed baseline fees of £1,861 (Additional) and £912 (Selective) are unreasonably high. They are far in excess of those charged by most Local Authorities in England.

We note that, as colleagues on the West of England Landlords Panel have pointed out, BCC's figures suggest there are some 6005 privately rented properties in the four wards of Bishopston, Ashley Down, Cotham and Easton. The projected cost of implementation of the selective licensing scheme is quoted as £3.5m. The fee being proposed (£912) would generate a revenue of £5.48m. Given that the local authority is not permitted to make a profit from any licensing scheme, the fee seems disproportionate to the cost, even allowing for the discounts that are available.

There is a danger here that BCC will be perceived to be penalising good, conscientious and compliant landlords by imposing high license fees on them, in order to subsidise the local authority in funding its obligations to enforce standards. We know that some representative bodies will be making the case for landlords who are found by inspection to be fully compliant to be refunded their licence fee, with those landlords found to be breaching standards and regulations facing increased fees to offset this. As an alternative, we would suggest that the fees are lowered and that more focus is put on non-compliant landlords and agents who are not members of recognised industry bodies such as safeagent.

BCC response: There are three wards covered by the scheme 2 proposal: Bishopston and Ashley Down (as one ward), Cotham and Easton.

The scheme costs have been calculated based on an estimated 4,354 properties being covered under this proposal. It is important to note that the fee you've quoted is the full fee without any discounts applied. Certain assumptions have been made (based on previous schemes) as to how many properties will pay the full fee and how many will pay a discounted fee – which could be reduced to £612. The same applies for the scheme 1 proposal.

When fixing fees, the Local Housing Authority may consider all costs incurred in carrying out their licensing functions. It cannot make a profit from property licensing schemes. The Act allows an LHA to require the application to be accompanied by a fee fixed by the authority.

The proposed fee structure includes discounts of up to £300 where satisfactory electrical, gas (if applicable) safety and energy performance certificates are submitted before the licence is issued, and where the landlord or agent is a member of an accreditation scheme provided by an approved provider under the West of England Rent with Confidence scheme at the time of the application.

The proposed fee structure also includes an additional fee where a property is found to be unlicensed and those who are found to be unlicensed could be subject to a Financial Penalty Notice (FPN) of up to £30,000 or a prosecution with an unlimited fine, as well as a Rent Repayment Order for up to 12 months' rent.

The proposed licence fee is based on an overall scheme cost and the licence fee structure will be considered as part of a report that will be taken to Cabinet if a scheme is recommended for approval. If a scheme is designated under the Housing Act 2004 ('the Act'), the fee structure will form part of that scheme. The Act sets out reasons when the licence fee needs to be refunded and does not include where landlords are found to be fully compliant. Regardless of whether a property is fully compliant, there are costs incurred by the Authority in terms of processing the licence, enforcement and general scheme administration.

Where licence holders are found to be in breach of licence conditions or other Regulations, these may be subject to FPNs or prosecution. It would not be appropriate to charge increased licence fees as a result.

Question 6

Safeagent: For our members, dealing with actual and perceived anti-social behaviour in the PRS is a day-to-day activity. However, in general, we have concerns about the assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB.

BCC response: The Council does expect landlords to take responsibility for the management of their properties to make sure as far as is reasonably possible the behaviour of their tenants or their tenants' visitors in the vicinity of the property. The Housing Act 2004 allows the local housing authority to include licence conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house. There is no assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB, however it should also be noted there is evidence of increased ASB in some areas where there are high concentrations of HMOs.

Question 7

Safeagent: We believe that regular information on implementation of the scheme should be made available in a clear and consistent format.

BCC response: A review is normally undertaken halfway through a scheme and reported to Cabinet member, but some key details are shared in the Landlord Newsletter which is distributed to all licensed landlords. Updates on outputs are also provided in the WoE Landlord Forum meetings. This can be expanded so regular updates are given on schemes progress as necessary and we are actively looking at how we can improve the sharing of information in this regard.

17.5 Grainger Plc Submission

Question 1:

Grainger: With licensing schemes now costing Grainger in excess of £1m, the additional cost of licencing is not insignificant and, with additional pressures on construction costs and finance rates, has the ability to have a major impact on project viability and housing delivery. This will likely lead to an increase in viability challenges to s106 and affordable housing contributions, as well as forcing many landlords to increase the rents charged to their customers.

BCC response: When fixing fees, the Local Housing Authority (LHA) may consider all costs incurred in carrying out their licensing functions. It cannot make a profit from property licensing schemes.

The Council does not feel that it is appropriate to introduce a separate fee structure for build-to-rent (BTR) properties. Any reduction in net income would be the same for any property and the Council does not believe that individual finances should be considered when setting licensing fees.

Whilst there would clearly be an increase in costs for properties that require a licence, we do not believe that these costs are disproportionate for BTR properties.

The Selective licensing fee with full discounts is £612 for a five-year licence. This equates to £10.20 per month so should not lead to significant rental increases.

Question 2:

Grainger: For similar reasons, we also do not believe that HMO licensing is suitably applicable to BTR properties, and that it would only serve to disincentivise the future supply of larger rental properties within the city. This is both due to the cost associated with HMO licensing and operational difficulties associated with such licensing. HMO licensing should be targeted toward properties in which tenants hold separate lease agreements and are set up to occupy genuinely separate spaces with shared kitchen and bathroom facilities. By including larger BTR properties within this category, Bristol residents are denied the opportunity occupy larger properties alongside friends or partners – situations in which they can create both a more affordable and enjoyable living experience. We believe provisions should be created within the licensing rules to accommodate such situations.

BCC response: There are currently no exemptions for BTR properties from HMO licensing and this would require legislative change. Further, BTR properties may be operated by a range of organisations and does not guarantee effective management. We do not believe that Bristol residents are denied the opportunity to occupy larger properties, and these may be covered by national mandatory HMO licensing (five or more persons) anyway.

The Housing Act 2004 allows LHAs to designate licensing schemes where certain criteria are met, and Government guidance is followed. These are Additional licensing schemes in relation to HMOs and Selective licensing schemes in relation to other rented properties.

In the absence of legislation which allows for BTR properties to be exempted, these properties must be licensed in accordance with applicable designations.

Question 3:

Grainger: There is however a strong case for BTR to be exempt from selective licensing or, alternatively, for the selective licensing framework to be reformed to make it fit-for purpose for large scale landlords.

BCC response: There are currently no exemptions for BTR properties from Selective licensing and this would require legislative change. Any reforms to the selective licensing framework would need to be made by central Government.

Question 4:

Grainger: Grainger is subject to numerous licensing schemes across different boroughs, however very few local authorities have attended any of our properties to complete inspections and check documentation.

BCC response: All properties subject to licensing under the proposed schemes, will be inspected. This is the same approach taken for previous discretionary licensing schemes.

Question 5:

Grainger: Licensing is a tool for addressing poor quality PRS, which is unnecessarily catching responsible actors and thereby discouraging investment by the very type of landlords we should be encouraging.

BCC response: There are a range of criteria for designating Selective licensing schemes including poor housing conditions and high levels of migration, deprivation or crime. There are defined criteria for designating an Additional licensing scheme in relation to the management of properties.

Question 6:

Grainger: Licensing forms require a named individual – this means that, should that individual leave the business, we are required to re-apply for all licenses associated with that individual. The scheme is not designed for landlord businesses, such as Grainger and other BTR landlords and operators.

BCC response: Although a named individual is the applicant, businesses can be the licence holder for properties. It does not have to be the same individual who applies or re-applies for licences. Further, there is no requirement to re-license for Additional and Selective licensing schemes unless another scheme is designated.

Question 7:

Grainger: In our experience of property licensing requirements around the country, we have found that application requirements for licenses are often overly burdensome and repetitive for large-scale landlords with hundreds of properties within a single building ownership. This is largely due to the inability for any efficiency savings when completing forms for a large number of homes within single buildings where many of the details are identical.

Lack of economies of scale for large-scale landlords – with a form being required for each home, which are repetitive and often paper-based, the administrative time and cost to BTR operators is significant.

BCC response: The information that needs to be supplied as part of a licence applicant is set out in the Housing Act 2004 and The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. Each application must contain the information set out in this legislation. We use an online application system; however, the system does not allow for the pre-population of application forms with landlord details.

Question 8:

Grainger: Due to the fractured and decentralised nature of licensing schemes, there are additional difficulties for largescale landlords to ensure compliance. With Local Authorities rarely directly notifying landlords of their intention to implement licensing schemes and no centralised way of understanding if there is a licensing requirement. At present, we are required to manually search Local Authorities and correlate these to our portfolio and pipeline. Whilst this is not within the gift of Bristol City Council, we would suggest that the council endeavours to notify all landlords of properties which will be subject to licensing ahead of its implementation, and allow time for licenses to be obtained prior to enforcement action being taken in instances whereby landlords are unaware.

BCC response: BCC complies with the notification requirements outlined in the Housing Act 2004, following the designation of Additional or Selective licensing schemes. The Act requires LHAs to publish a notice of the designation once it has been confirmed. An LHA must publish a notice within the designated area within seven days of the designation being confirmed and notify all those consulted on the proposed designation within two weeks of the designation being confirmed. BCC also makes every effort to contact all affected parties throughout the process from consultation, designation and when schemes go live as long as the ownership information is correctly recorded on Council Tax records.

For previously designated schemes, we have allowed a grace period to apply for licences before considering enforcement action.

Question 9:

Grainger: By targeting responsible landlords who are providing high-quality homes we feel this will inadvertently undermine the aims of many local authorities to improve the overall standards of its residents and provide additional affordable homes in the city.

BCC response: BCC does not believe that licensing schemes which includes BTR properties, would undermine the aims of the proposed schemes.

Question 10:

Grainger: ... any such scheme should be brought forward with a fee structure which is reflective of both the high standards and reduced enforcement cost associated with the BTR sector. We are aware of at least one local authority, Nottingham City Council, who offer an alternative fee structure for larger residential blocks.

For landlords accredited with DASH, Unipol or ANUK, there are also reduced fees available. This would bring the cost down to £1,771 per block + £512 per home.

Whilst this structure recognises the reduced administrative burden for enforcement authorities associated with residential blocks, we do not believe it appropriately addresses the significantly increased standards seen in BTR and will continue to discourage residential investment into the city.

We encourage policymakers to engage with industry, and in particular the BTR sector, to agree a way forward which is both of benefit to tenants and supports the future delivery of high-quality rental homes in the city.

BCC response: When designating Additional licensing schemes, the LHA must have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area in question. These codes of practice are in relation to large student accommodation e.g., ANUK. No such codes of practice have been approved in relation to BTR and this would be a decision for Central Government and require legislative change. Further, there are no such codes of practice or considerations in relation to the designation of Selective licensing schemes.

In relation to an alternative fee structure for residential blocks, we are aware of a number of different fee structures operated nationally. However, we believe that our proposed fee structure is fair to all landlords so that the same fee applies to each property, regardless of how many properties are owned. It would be unfair in our view to offer a reduced fee to a landlord who is receiving rent from multiple properties, as opposed to a landlord who owns one or two properties. The licence fee is calculated based on the overall cost of administering the scheme.

18 How will this report be used?

This report will be considered as final proposals are developed by officers to be put to Cabinet for consideration at a Full Council meeting on 6th February 2023.

Cabinet decisions will be published through normal procedures for Full Council and Cabinet decisions at democracy.bristol.gov.uk.

19 How can I keep track?

You can always find the latest consultations online at www.bristol.gov.uk/consultationhub where you can also sign up to receive automated email notifications about consultations.

All decisions related to the proposals in this consultation will be made publicly at the Full Council meeting or future Cabinet meetings.

You can find forthcoming meetings and their agenda at democracy.bristol.gov.uk.

Any decisions made by Full Council and Cabinet will also be shared at democracy.bristol.gov.uk.