



Public Relations, Consultation and Engagement

Consultation on proposal for an additional licensing scheme for houses in multiple occupation 2018

Final Report v2

August 2018

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1 Executive Summary

Proposal to introduce an additional licensing scheme for houses in multiple occupation (HMO)

Bristol City Council is proposing to introduce an additional licensing scheme to 12 central wards in Bristol subject to Cabinet endorsement on 6th November 2018.

1.1 The consultation

The consultation was open between 19th February 2018 and 13th May 2018 and sought views from the public (including private landlords and private tenants with property in the proposal area, managing agents and local 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
- Experience of poor management and poor conditions in these areas.

The consultation comprised an online consultation survey. Paper copies of the survey and alternative accessible formats were available on request. Paper copies of the survey were also available in all libraries and the Citizen Service Point.

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 local residents, businesses and councillors.

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

1.2 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 2746 responses to the survey which were received by 13th May 2018;

Other relevant correspondence by letter, email and petition received between 19 February and 13 May 2018.

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.

1.3 How the report will be used

This report will be taken into account 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 on 6 November 2018. Cabinet decisions will be published through normal procedures for Full Council and Cabinet decisions at democracy.bristol.gov.uk.

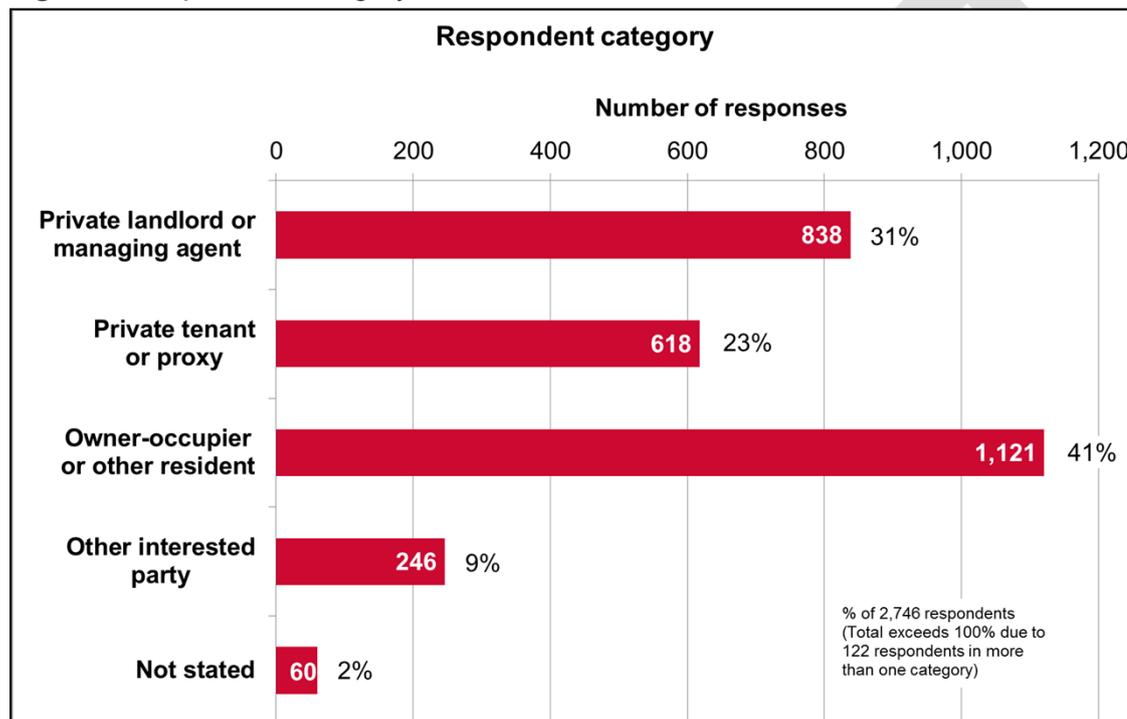
1.4 Consultation - Key findings

Response rate

2746 responses were received to the survey, via the online and paper-based surveys. 67 (2.4%) respondents completed the survey on paper and 2679 (97.5%) self-completed it online. 739 emails, 24 letters and one petition were also received.

Survey responses came from 1121 (41%) owner-occupiers and other residents living in the area, 838 (31%) private landlords or agents with property in the area, 618 (23%) from private tenants living in the area and 246 (9%) from Others (including councillors, landlords and tenants living outside of the area and landlord and tenant organisations), 60 respondents did not give a category.

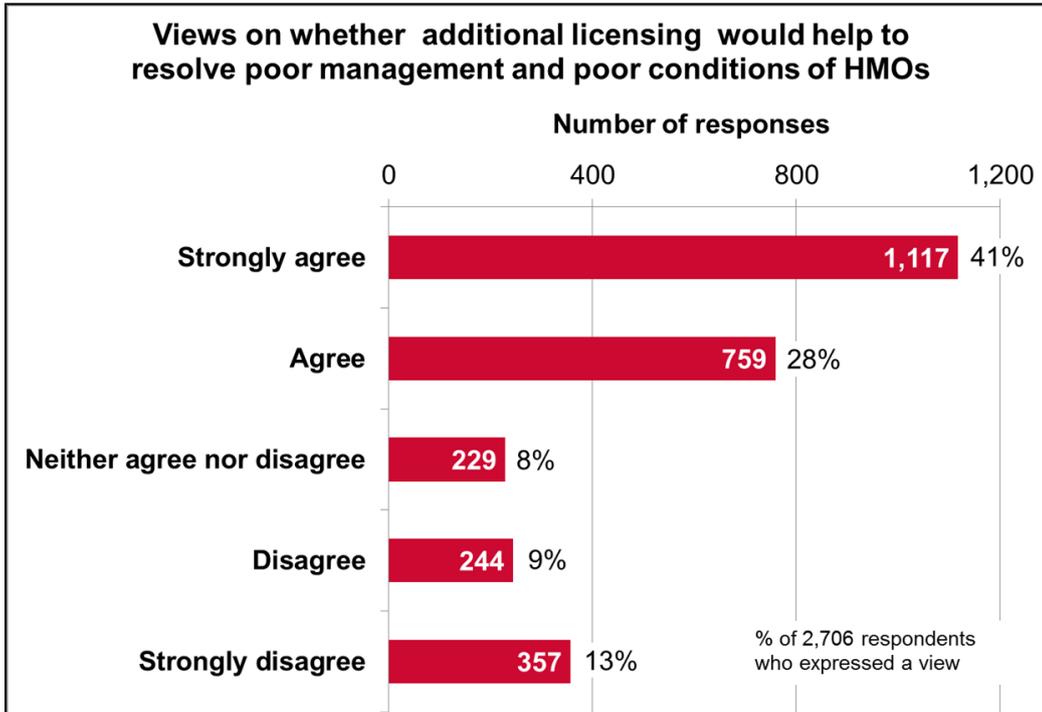
Figure 1 Respondent category



1.5 Views on the proposal

Of the 2706 respondents who expressed a view on whether additional licensing would help resolve the issues of poor management and poor condition conditions in HMOs, 1876 (69%) agreed, 601 (22%) disagreed and 229 (8%) neither agreed nor disagreed.

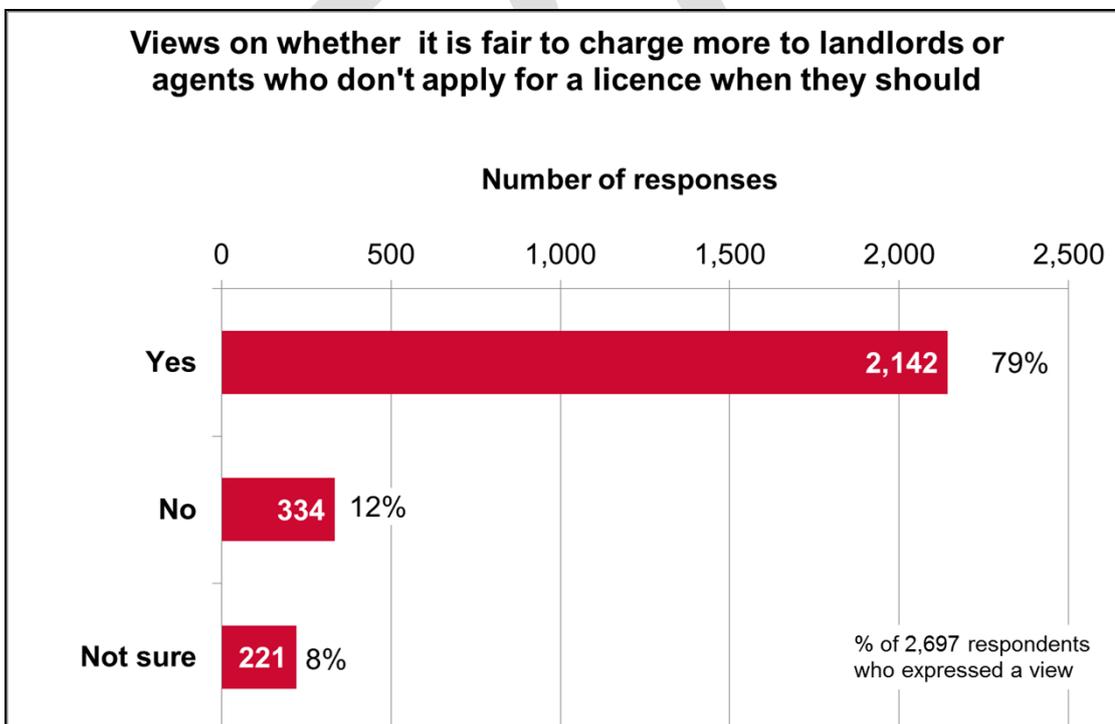
Figure 2 – Views on the proposal



1.6 Views on whether it is fair to charge more to landlords who do not apply for a licence when they should

Of the 2607 people who responded to this question, 2142 (79%) said yes it was fair to charge a higher fee, 334 (12%) said no and 221 (8%) were not sure.

Figure 3 Views on unlicensed fee

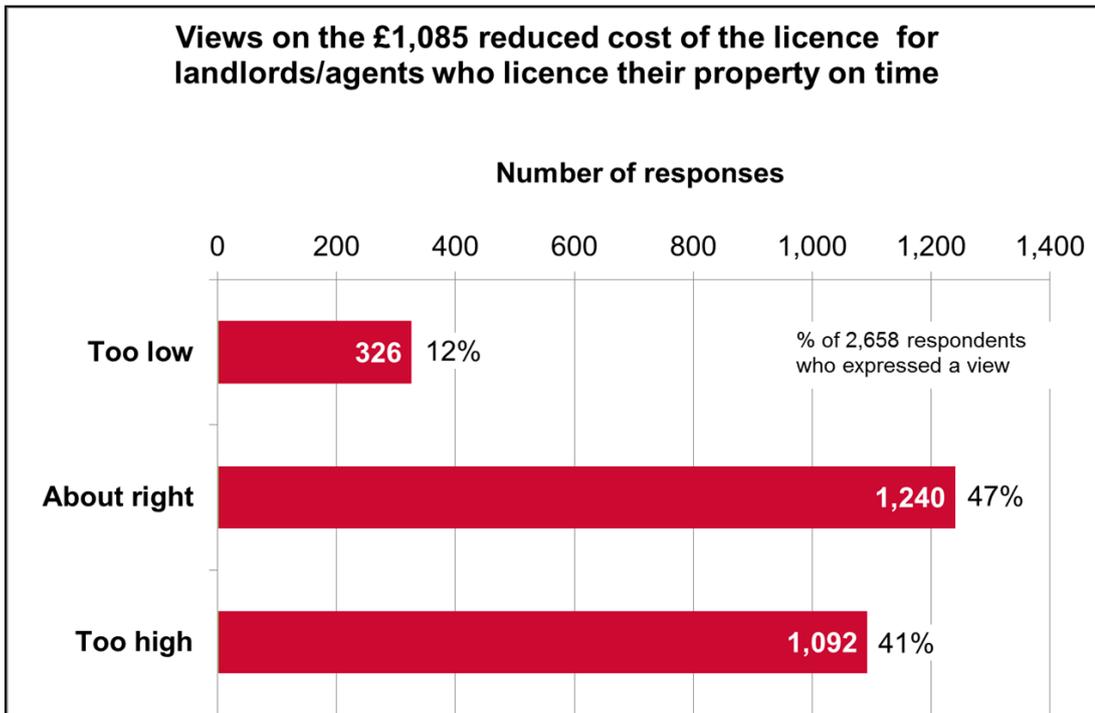


1.7 Views on £1,085 fee to license on time

Of the 2658 people who responded to this question, 326(12%) thought the fee was too low, 1240 (47%) thought it was about right and 1092 (41%) thought it was too high.

Figure 4: Views on compliant fee, no discounts

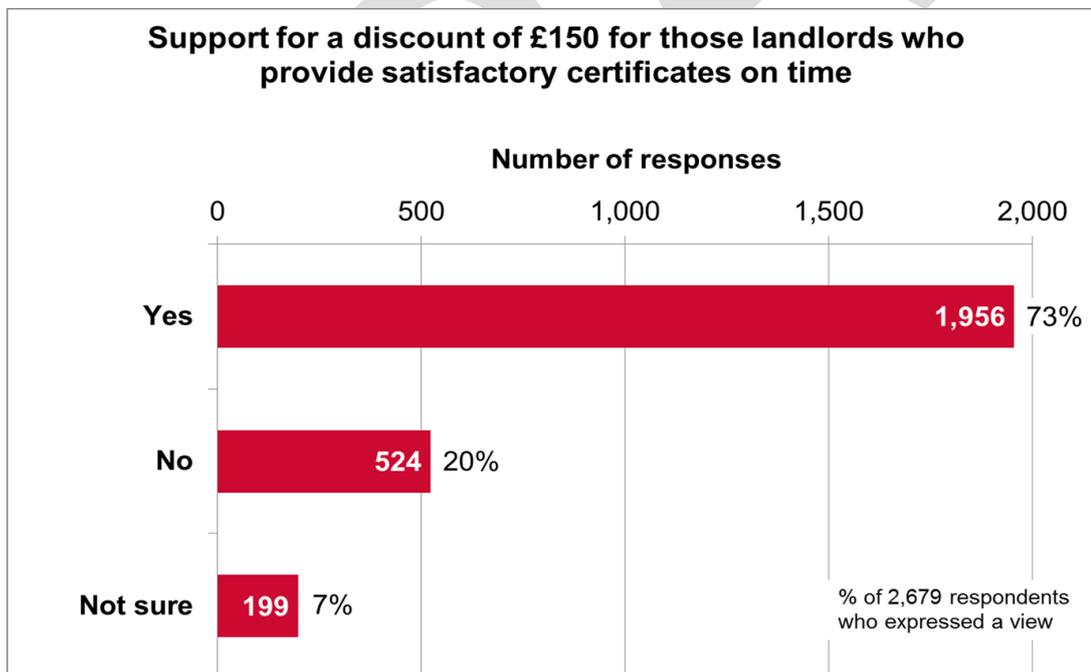
Views on the £1,085 reduced cost of the licence for landlords/agents who licence their property on time



1.8 Views on a discount of £150 for those landlords who provide satisfactory certificates on time.

Of the 2679 respondents who expressed a view on whether we should give a discount for safety and EPC certificates, 1956 (73%) said yes, 524 (20%) said no and 199 (7%) weren't sure.

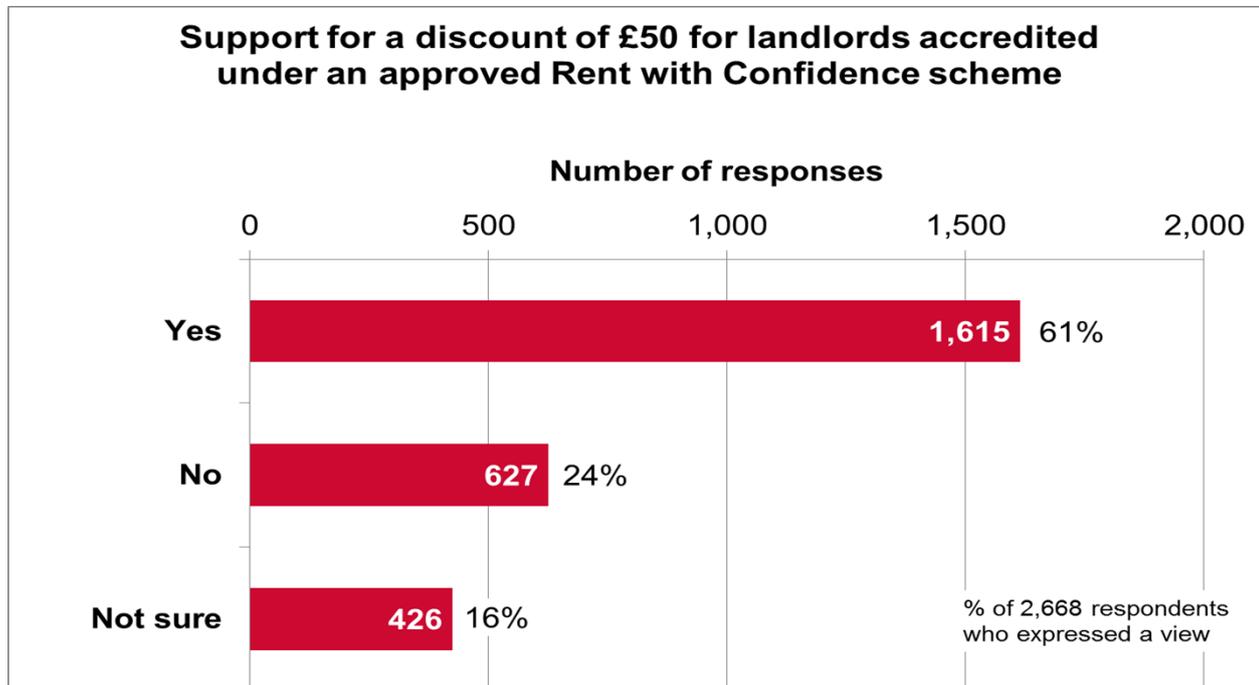
Figure 5: View on discounts for satisfactory certificates submitted on time



1.9 Should we give a £50 discount for landlord accreditation under the Rent with Confidence scheme?

Of the 2,668 respondents who expressed a view on whether we should give a discount for being an accredited member under the Rent with Confidence scheme, 1,615 (61%) said yes, 627 (24%) said no and 426 (16%) weren't sure.

Figure 6: View on discounts for landlords accredited under Rent with Confidence scheme



2 Introduction

2.1 Context

The council has a statutory duty to consult for a minimum period of 10 weeks¹ with all people and organisations and businesses that would be affected by the proposal. The consultation was open between 19 February 2018 and 13 May 2018 (12 weeks) and sought views from the public (including private landlords and private tenants with property in the proposal area, managing agents and local residents, local universities, businesses and organisations which represent private landlords and tenants) about the proposal.

2.2 Bristol Housing Strategy 2015-20 – ‘More Than a Roof’

The Housing Strategy aims to tackle the range of housing issues that affect people who live in Bristol. Due to the economic situation in Bristol many people are increasingly relying on private rented sector accommodation when they would have previously purchased or would have rented social housing. This demand has pushed up rents and some landlords are capitalising on the need people have to find accommodation at a price they can afford by providing an inferior product.

There are three parts to optimising existing housing:

- Raise standards in the Private Rented Sector
- Deliver the best use of existing housing
- Reduce empty homes, particularly in the private sector

2.3 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 19th February and 13th May 2018.

3 Methodology

3.1 The Survey

An online consultation survey was available on the city council's Consultation Hub (www.bristol.gov.uk/consultationhub) between 19th February and 13th May 2018. The online survey pages contained:

- an overview of the consultation proposal;
- links to the Proposal Consultation Information Booklet and the survey questions;
- downloadable alternative formats (Easy Read, Audio and British Sign Language);

The survey questions included six sections:

- Section A: questions for all respondents

¹ Duty to consult Section 56 of the Housing Act 2004,

- 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 of the questions in any order and save and return to the survey later.

3.2 Paper copies

The Proposal survey form (questionnaire) and Information booklet were produced which together provided all the information that was available online.

Paper copies of the consultation documents were made available with Freepost return envelopes in all libraries, in the Citizen Service Point and on request by email and telephone.

3.3 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.)
- Easy Read, Audio and BSL formats were also available at the survey webpages.

3.4 Other correspondence

Emails and letters were logged during the consultation and are summarised in chapter xx.

This feedback will be considered in formulating final proposals.

3.5 Publicity and briefings

3.6 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 in order to maximise response rates, including feedback by groups that are often under-represented in surveys.

3.7 Bristol City Council channels

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

- Item in Our City newsletter (reaching 2,000 people);

- Ask Bristol Bulletin;
- Press release to local print, TV, radio media and specialist publications (in press 2018.02.19)
- Emails to Bristol MPs - Darren Jones, Thangam Debbonaire, Karin Smyth and Kerry McCarthy
- Emails and postcards sent and Briefings held for the relevant ward Councillors;
- Letters to 107,346 to known private landlords and agents; private tenants and residents living in the proposed area.
- Email to 5,136 landlords and agents on the Landlord Liaison database;
- Emails, posters and toolkits sent to the two Bristol universities, and to landlord and tenant organisations including CAB, ACORN, Shelter, BALMA, Ashley Housing ;
- Proposal Information Booklets, survey forms, posters and postcards distributed to libraries around the 12 wards;
- Slide up on the Big Screen at Millennium Square, libraries and Customer Service Points and in the council offices at City Hall and 100 Temple Street (potentially reaching 10,000 people)
- Facebook posts (reached 13,000 people) and 2 x Facebook boosts 20,000 people reached, 77 engagements and 322 link clicks;
- 6 x Twitter tweets from Council account reaching 98,000 people;
- Article and the Landlord Newsletter Members;
- Landlord toolkits and posters sent to Landlord Investment Show (website and publication)
- Half page adverts placed in South Bristol Voice and St George Voice (reaching 20,000);
- Presentation given at All Wessex Landlords meeting @ BAWA Club;
- A briefing was provided to representatives of Bristol Homes Board;
- Presentation and discussion at the west of England Landlord and Agent Panel;
- Copies of all survey materials were provided to the party offices for Members to collect and distribute.
- 20,000 Post cards promoting the survey were distributed to target areas by the Pear Group;
- All members were sent the Member's Social Media Toolkit which included template articles, electronic and social media material to help promote the consultation through their networks.

3.8 Bristol City Council Partners

A marketing tool-kit including template articles, electronic and social media material was shared widely amongst landlord and tenant organisations, universities and Rent with Confidence accreditation providers.

3.9 Social Media – posts, outreach and advertising

Regular posts on Bristol City Council's social media channels (Twitter and Facebook) were made for the duration of the consultation, with increased posts at launch, 'two weeks left' and in the final days.

- 6 tweets in total resulting in 98,000

- Facebook posts reached 13,000 people and 2 x Facebook boosts reached 20,000, 77 engagements and 322 clicks.
- Bitly link created resulting in 460 clicks.

3.10 Materials distribution

Postcards, posters, summary and questionnaire booklets, plus freepost return envelopes were distributed via the following centres and networks:

- Libraries;
- Citizen Service Point.

In addition posters and/or postcards were distributed to:

- City Hall;
- Community groups and community centres;

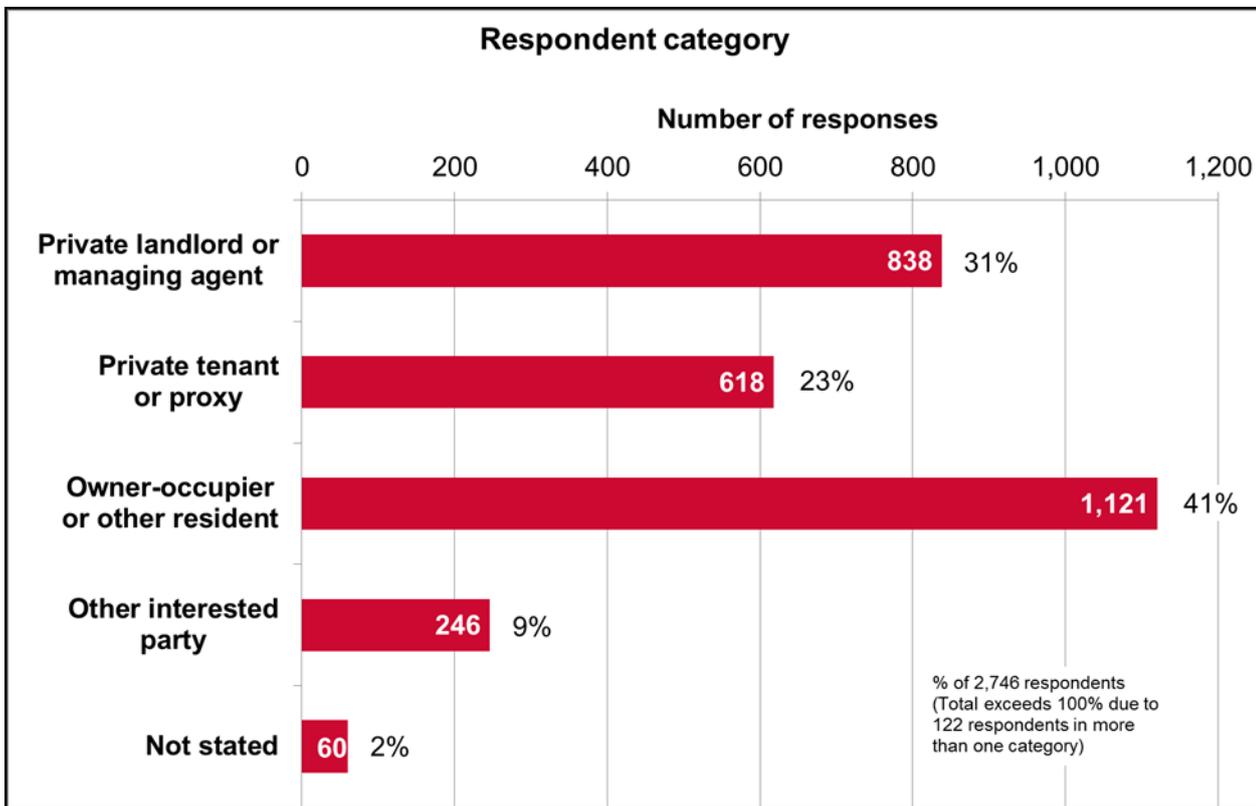
4 Survey response rate and respondent characteristics

4.1 Response to survey

2746 responses were received to the survey, via the online and paper-based surveys. 67 (2.4%) respondents completed the survey on paper and 2679 (97.5%) self-completed it online. 739 emails, 24 letters and one petition were also received.

Survey responses came from 1121 (41%) owner-occupiers and other residents living in the area, 838 (31%) private landlords or agents with property in the area, 618 (23%) from private tenants living in the area and 246 (9%) from Others (including councillors, landlords and tenants living outside of the area and landlord and tenant organisations), 60 respondents did not give a category.

Figure 6 Respondent category



4.2 Overall views on the proposal

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

Respondents were asked if they agreed that the proposed additional licensing scheme would help to resolve poor management and poor conditions of HMOs in the proposed area. 2641 (96%) of respondents provided their views.

Of the 2706 respondents who expressed a view on whether additional licensing would help resolve the issues of poor management and poor condition conditions in HMOs, 1876 (69%) agreed, 601 (22%) disagreed and 229 (8%) neither agreed nor disagreed.

Figure 7: Would additional licensing resolves the problems of poor management and poor conditions in HMOs?

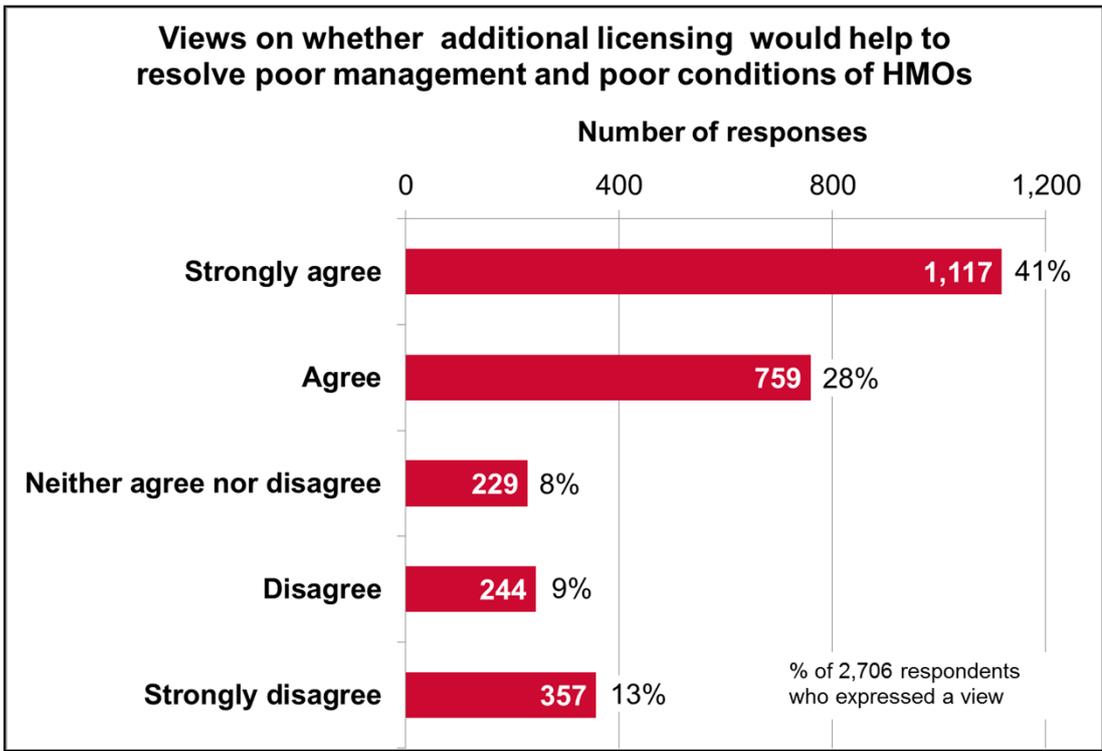
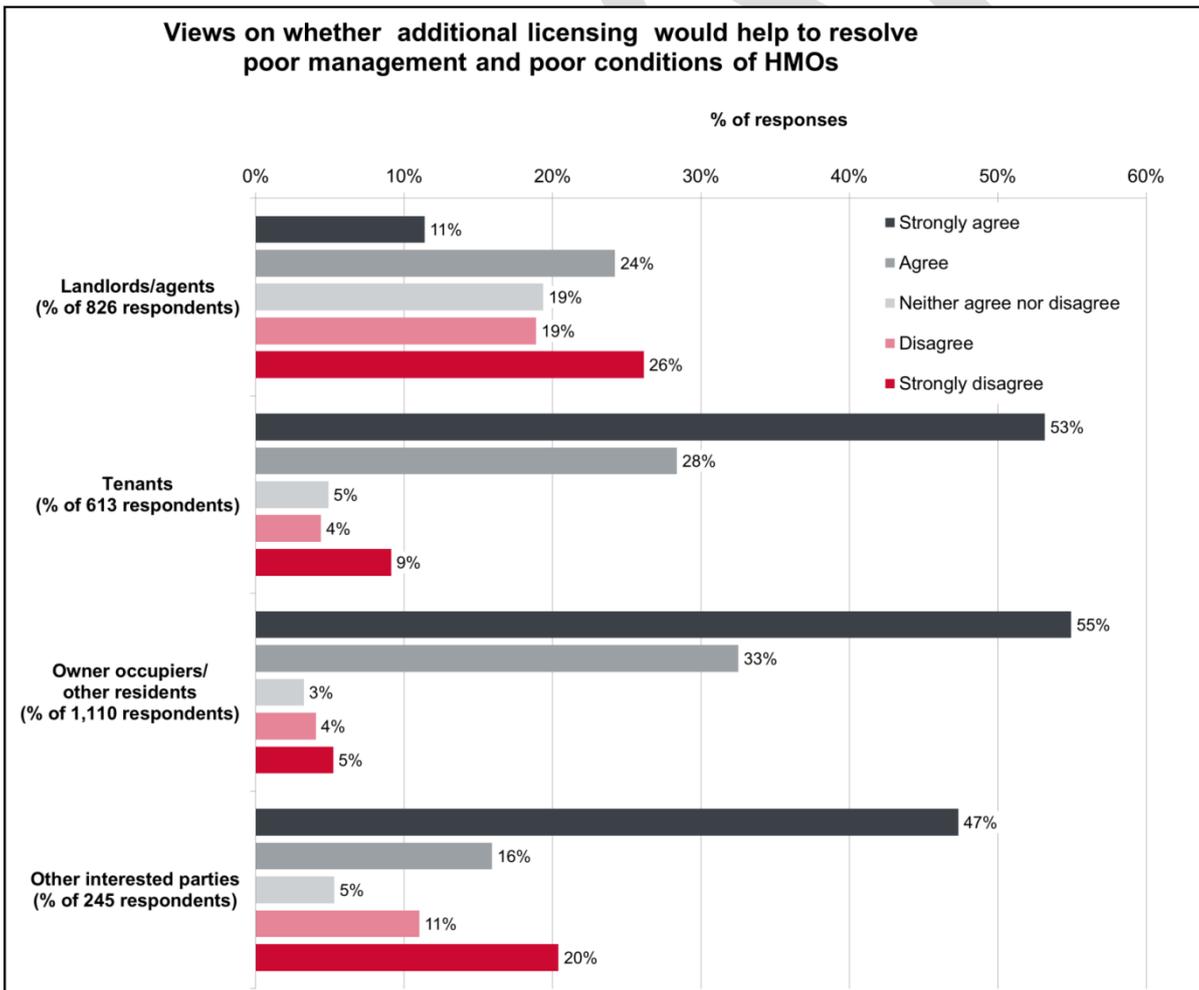


Figure 8: Breakdown by respondent category



4.3 Responses to the fee structure

Of the 2,669 people who responded to the question asking for their views on the proposed licence fee (with no discounts) of £1,660, 327 (12%) thought it was too low, 1,218 (46%) thought it was about right; and 1,124 (42%) thought it was too high.

Figure 9: Views on £1,660 fee without discounts

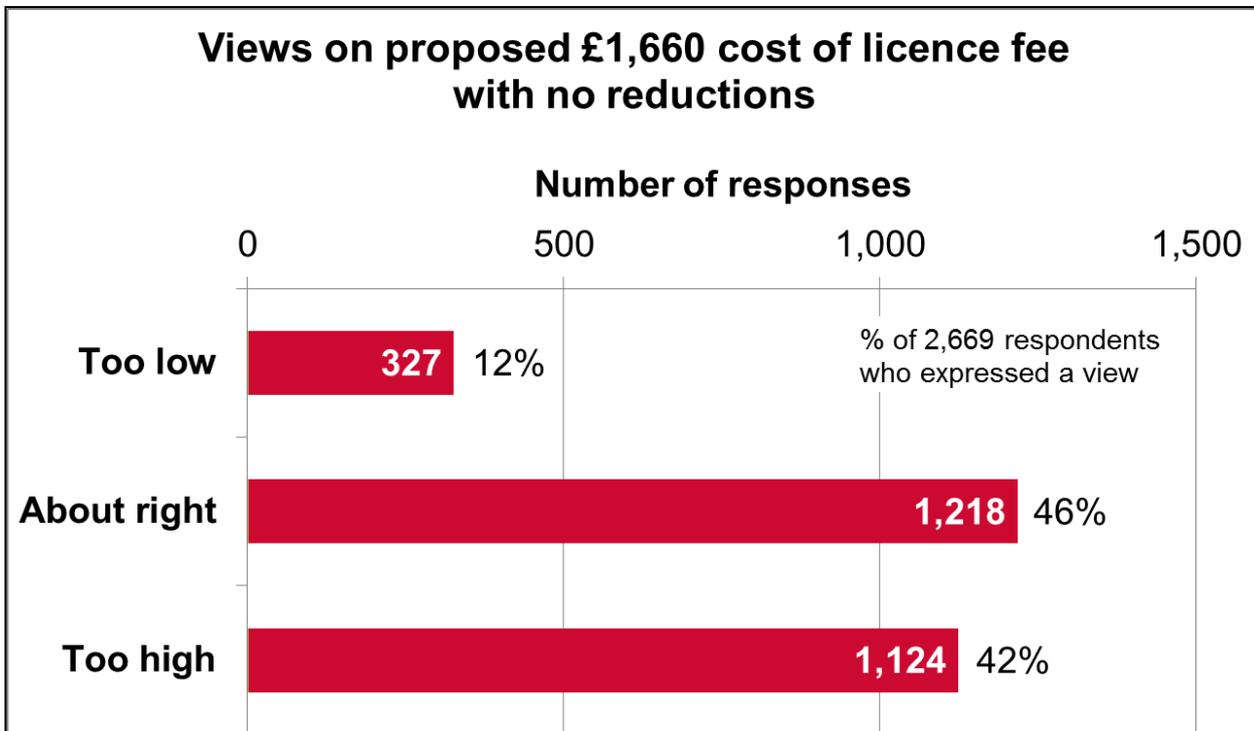
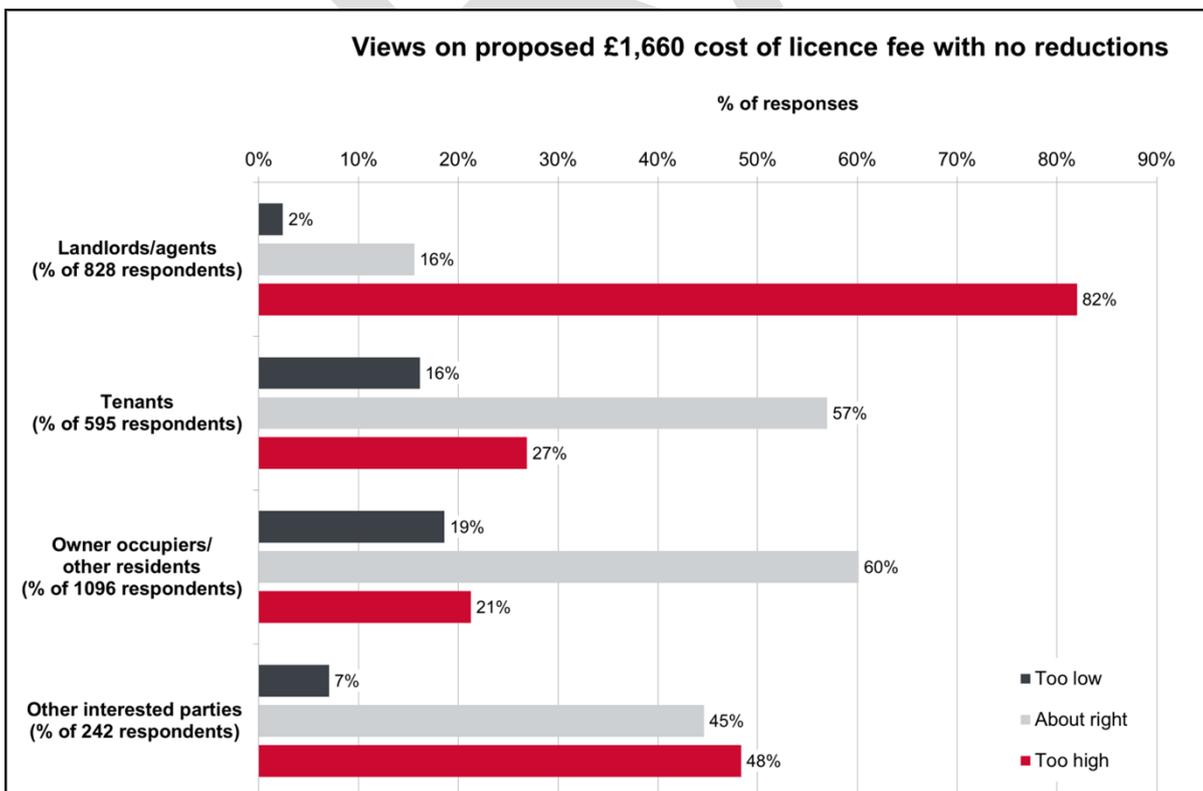
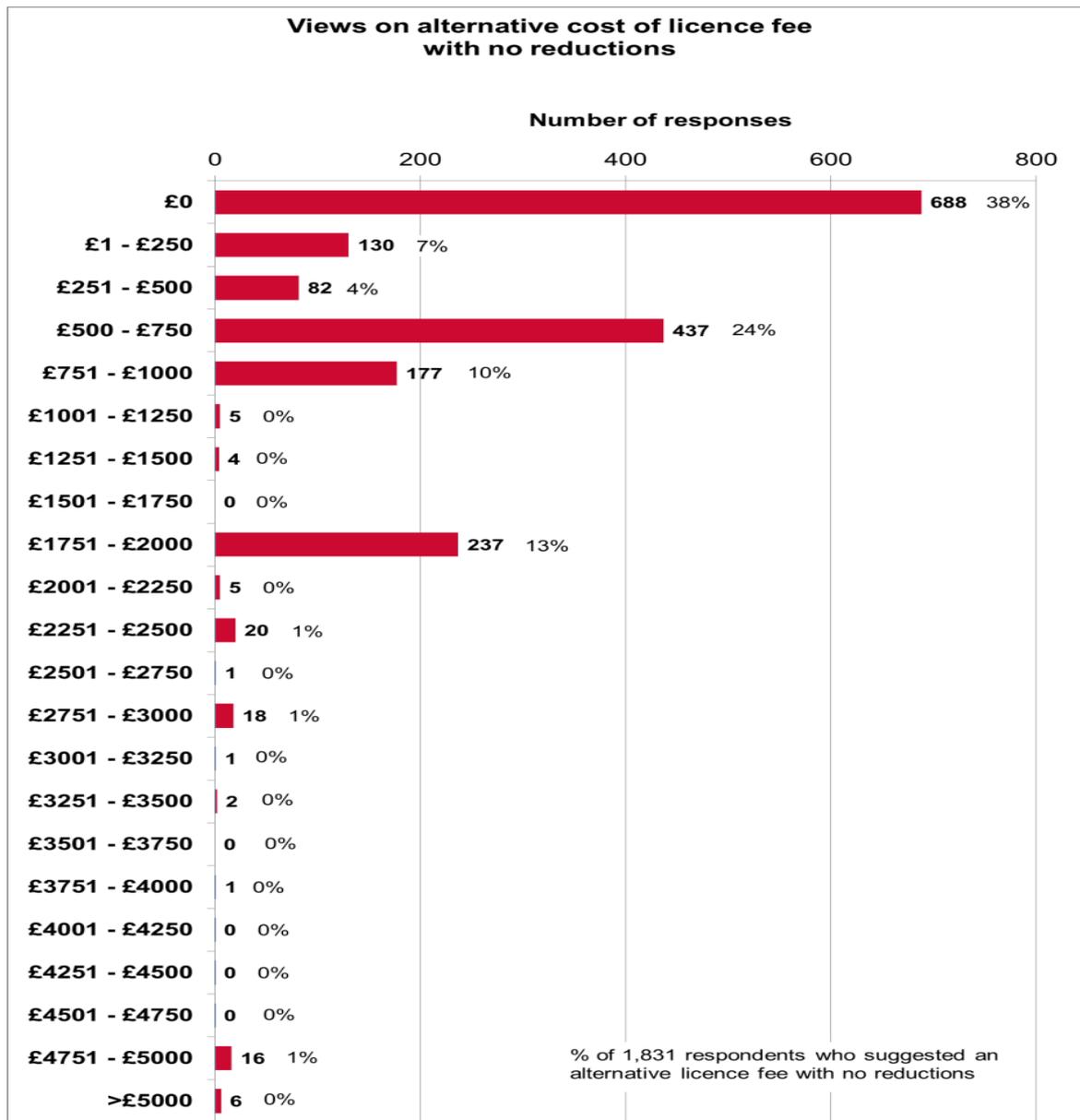


Figure 10: Breakdown by respondent category



Respondents who thought the fee was too high or too low were asked for an alternative figure. 1801 responded as per the table below even though 1218 had already stated that £1,660 was about right in the previous question.

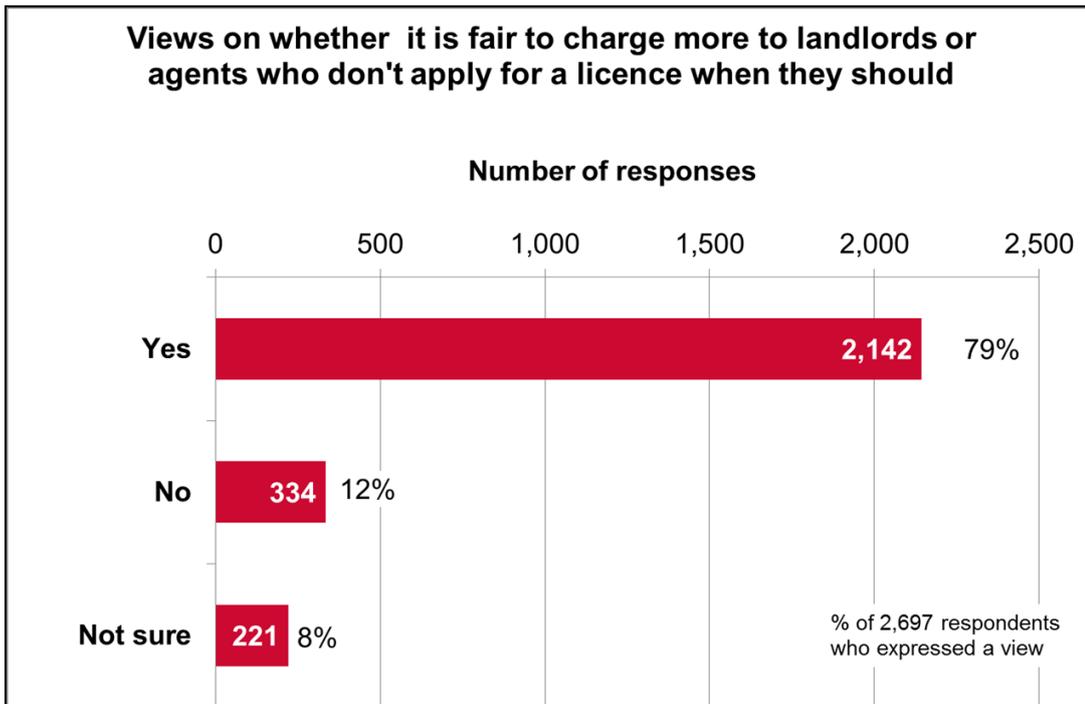
Figure 11 Suggestions on alternative fee levels



4.4 Is it fair to charge more to landlords who do not apply for their licence on time?

Of the 2607 people who responded to this question, 2142 (79%) said yes it was fair to charge a higher fee, 334 (12%) said no and 221 (8%) were not sure.

Figure 12



4.5 Views were asked on the reduced fee of £1,085 for those who license on time.

Of the 268 people who responded to this question, 326(12%) thought the fee was too low, 1240 (47%) thought it was about right and 1092 (41%) thought it was too high.

Figure 13

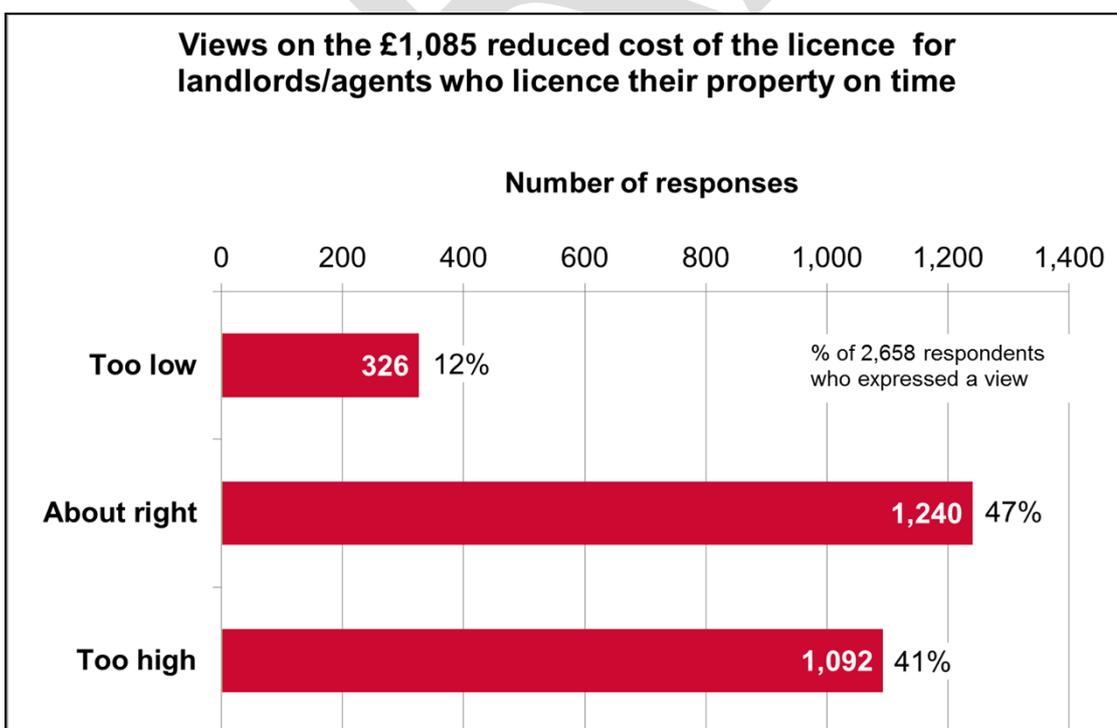
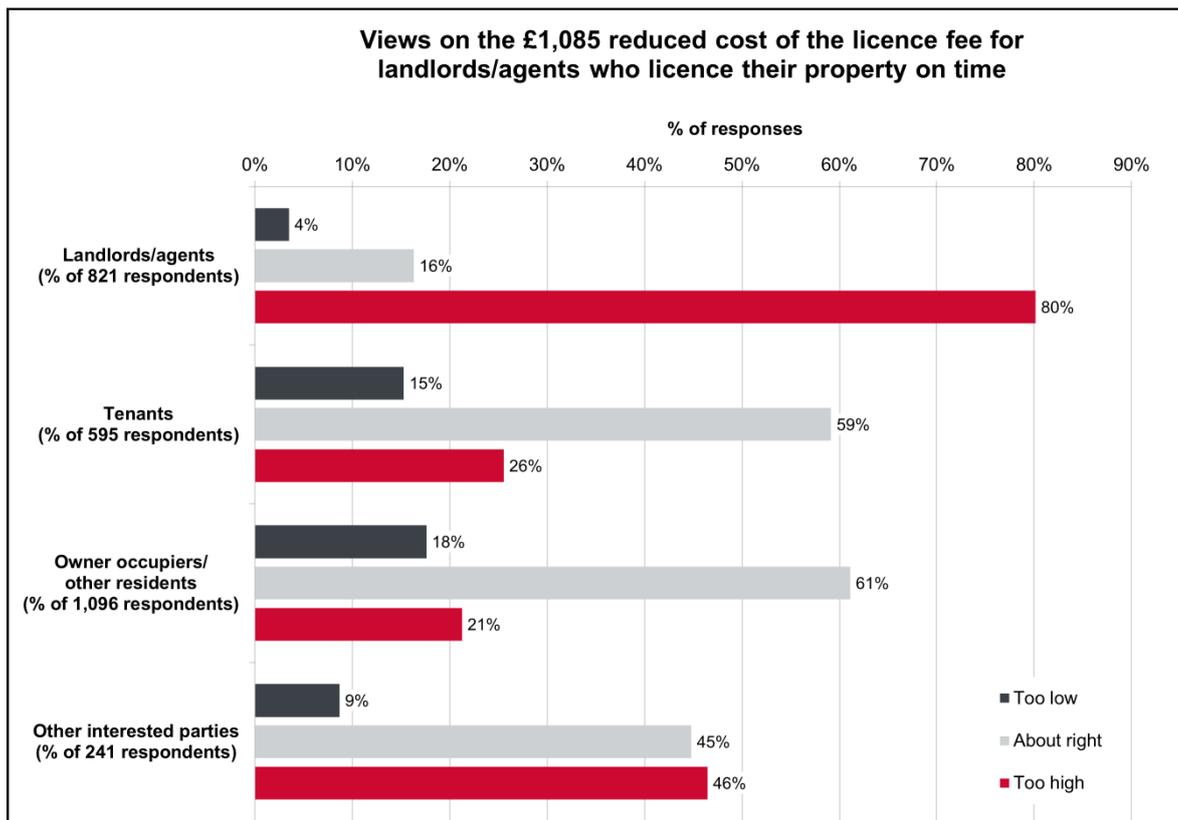


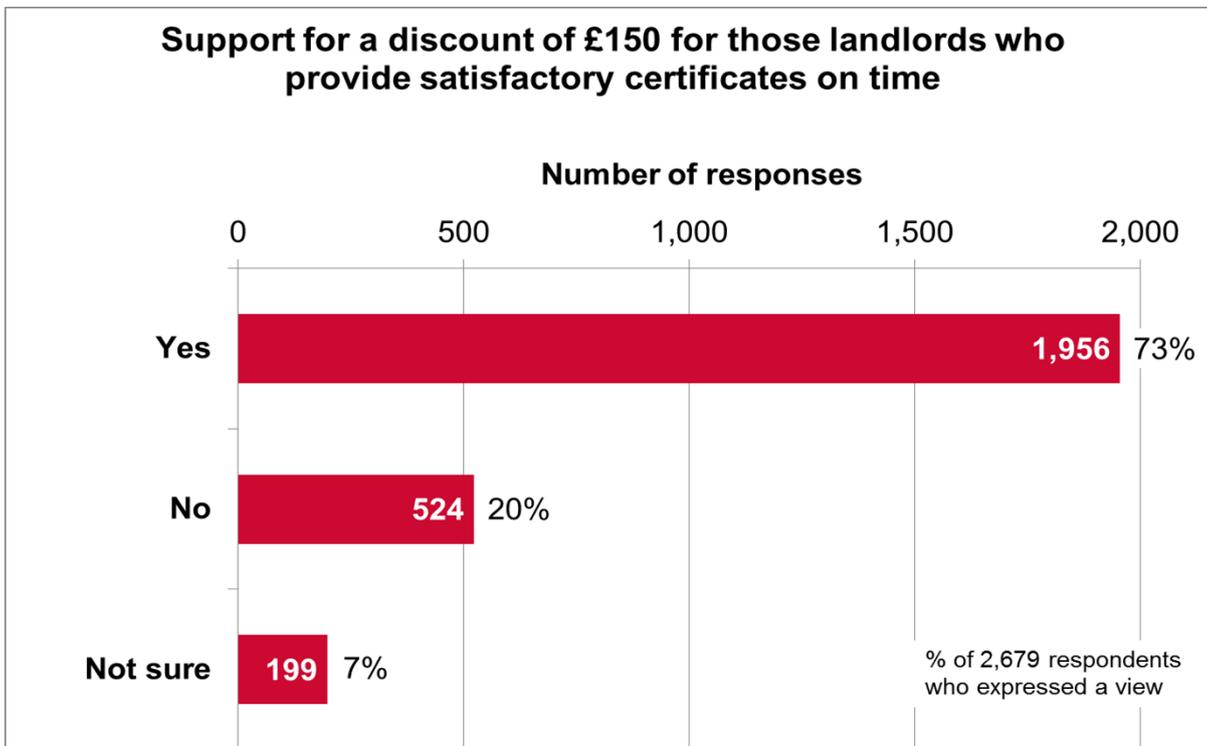
Figure 14



4.6 Views were asked on the proposed discount of £150 discount for satisfactory submission of certificates?

Of the 2679 respondents who expressed a view 1956 (73%) said yes, 524 (20%) said no and 199 (7%) weren't sure.

Figure 15



4.7 Should we give a £50 discount for landlord accreditation under the Rent with Confidence scheme?

Of the 2,668 respondents who expressed a view, 1,615 (61%) said yes, 627 (24%) said no and 426 (16%) weren't sure.

Figure 16



4.8 Responses to questions directed to private landlords or managing agent who let property in the area.

Figures 17 and 18 show the number of properties a landlord or agent owns or manages in each of the wards within the proposed licence area.

Figure 17

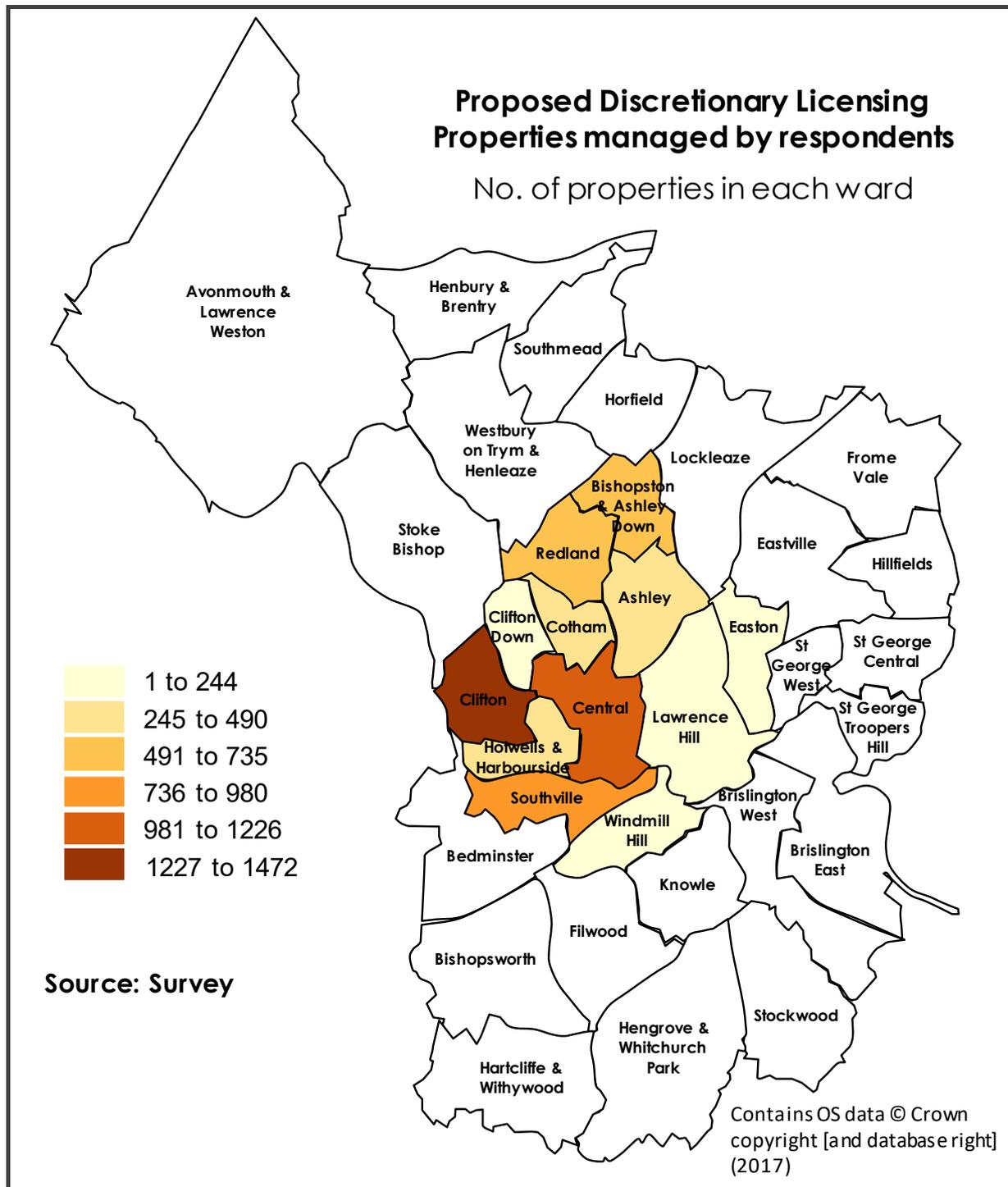
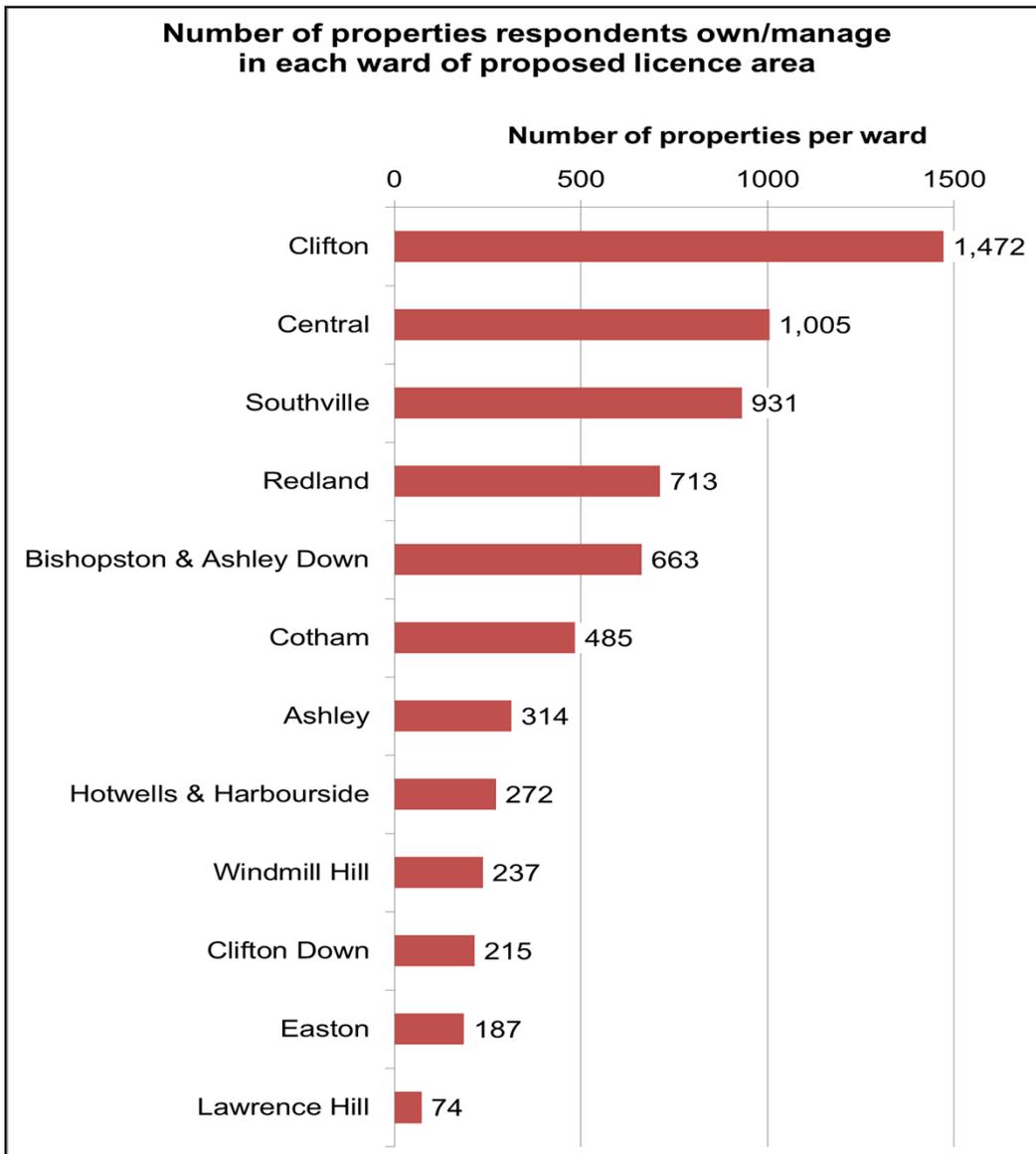
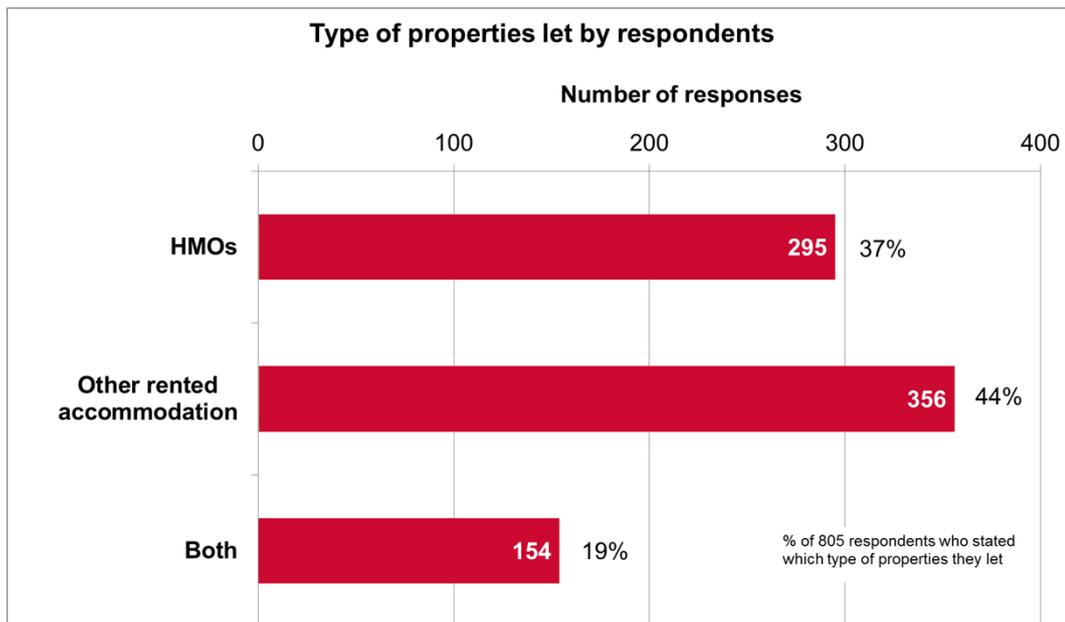


Figure 18



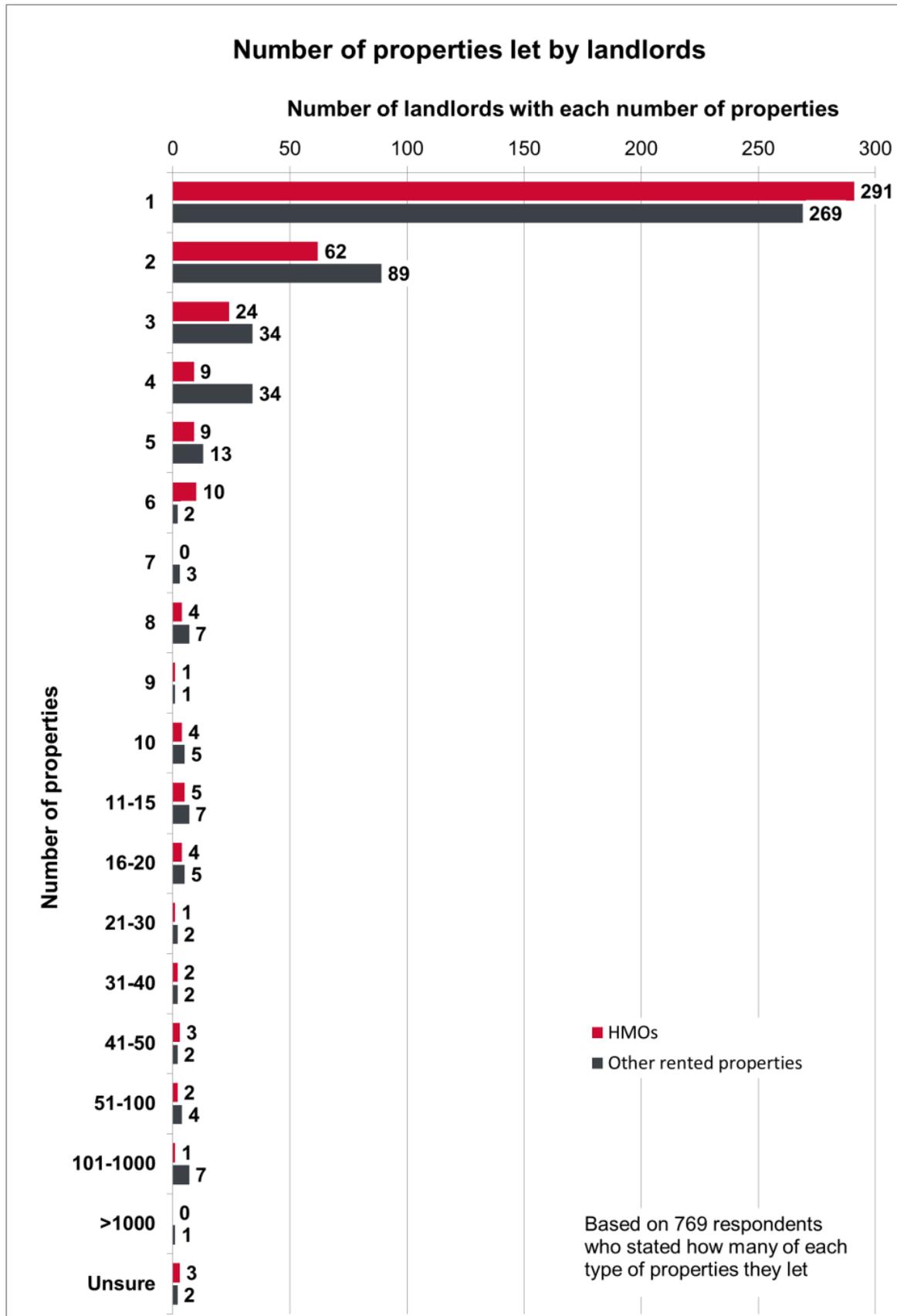
4.9 Types of properties the landlord / agent respondents let

Figure 19



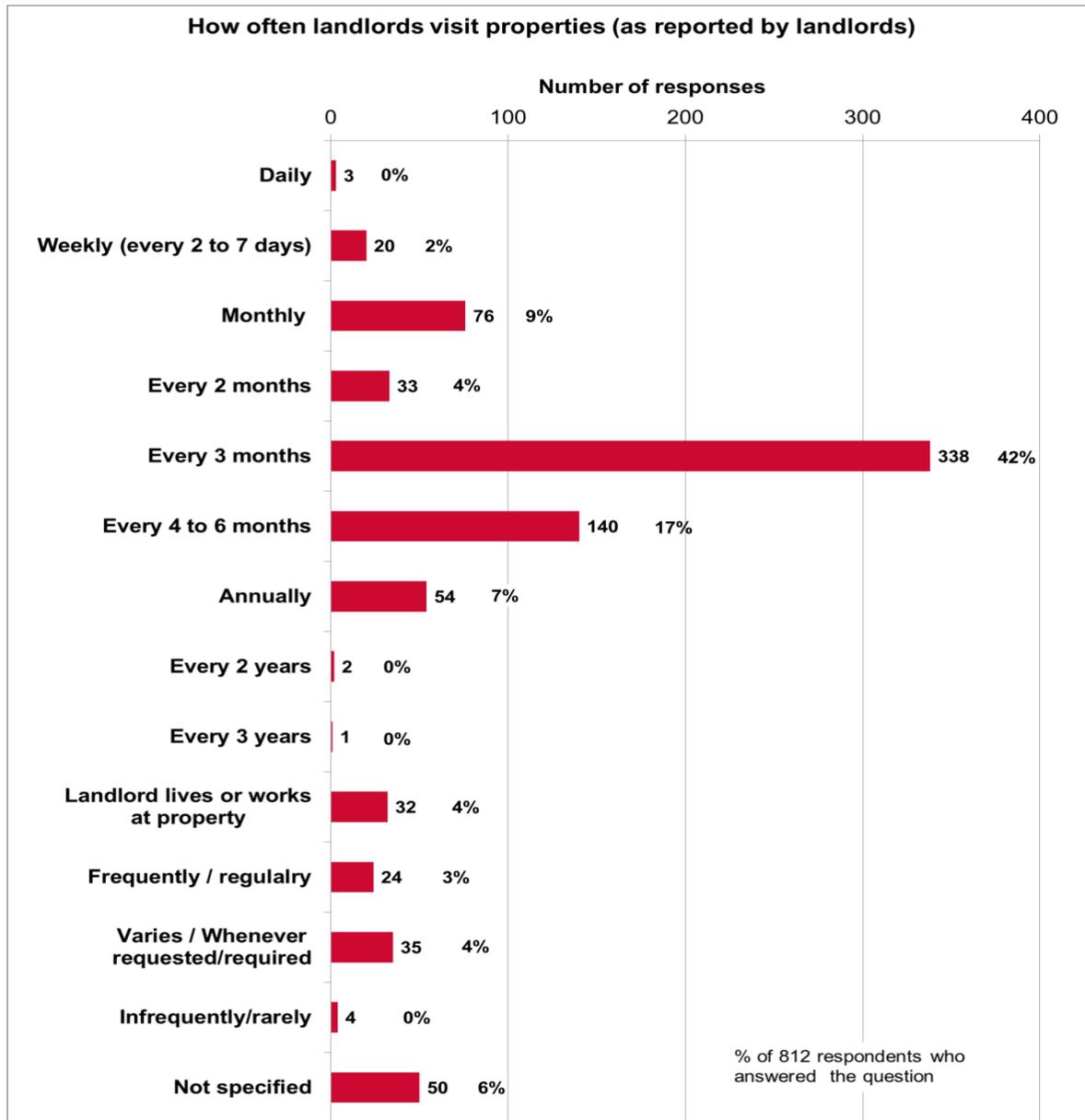
4.10 Number of properties of each type let by respondent landlords/ agents

Figure 20



4.11 How often do respondent landlord / agents visit their properties

Figure 21

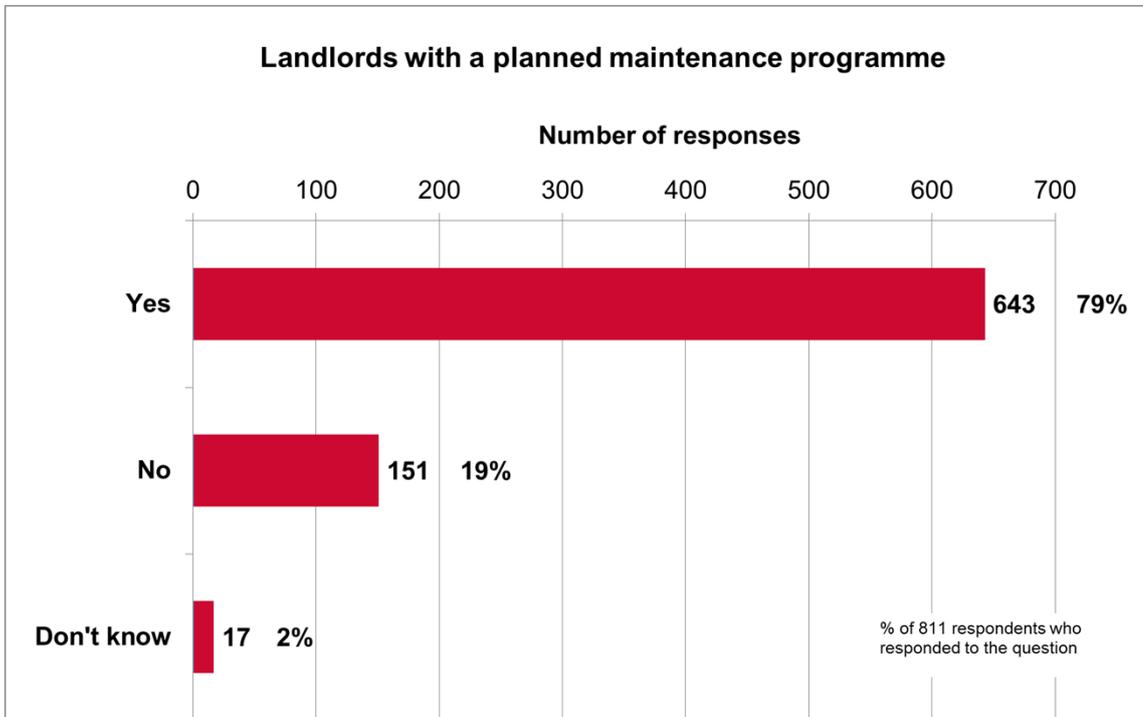


4.12 Do landlords / agents comply with their legal responsibilities in relation to gas, electrical and fire safety?

Number of respondents	Gas	Electrical	Fire Safety
Yes	802	800	786
No	1	1	1
Don't know	3	10	16
Not answered	1940	1935	1943
Total	2746	2746	2746
No. of respondents to question	806	811	803
Response rate to question	29.4%	29.5%	29.2%
% of respondents to the question	Gas	Electrical	Fire Safety
Yes	100%	99%	98%
No	0%	0%	0%
Don't know	0%	1%	2%
Total	100%	100%	100%

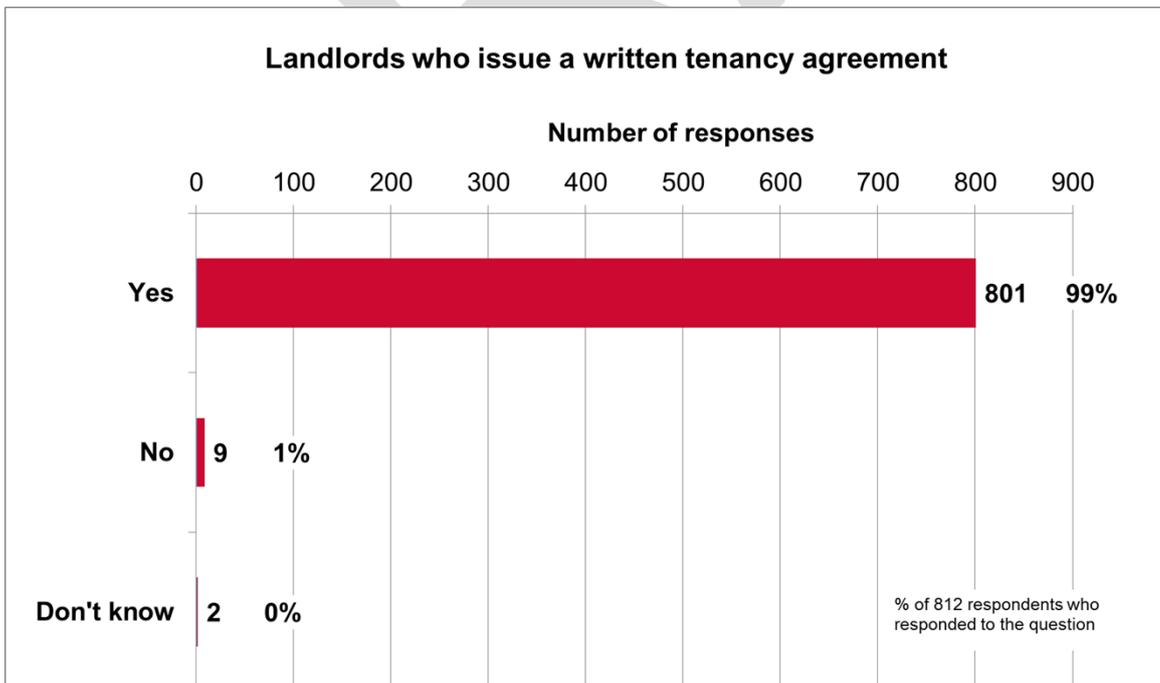
4.13 Do respondent landlords have a planned maintenance programme for their properties?

Figure 22



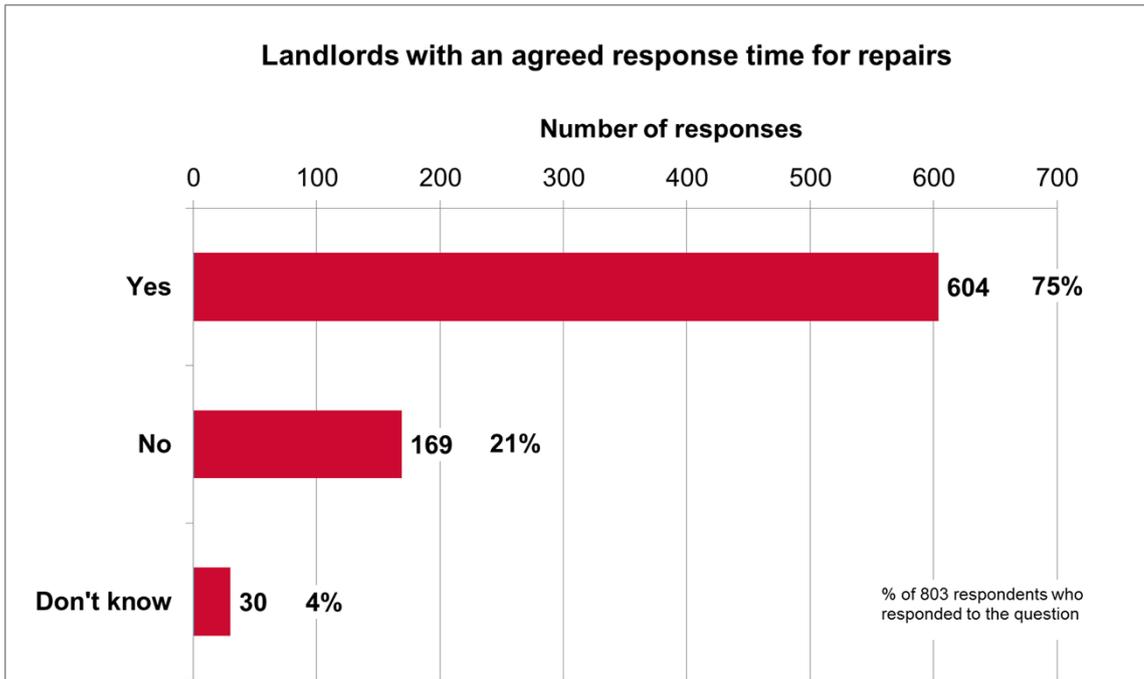
4.14 Do respondent landlords/agents issue a written tenancy agreement?

Figure 23



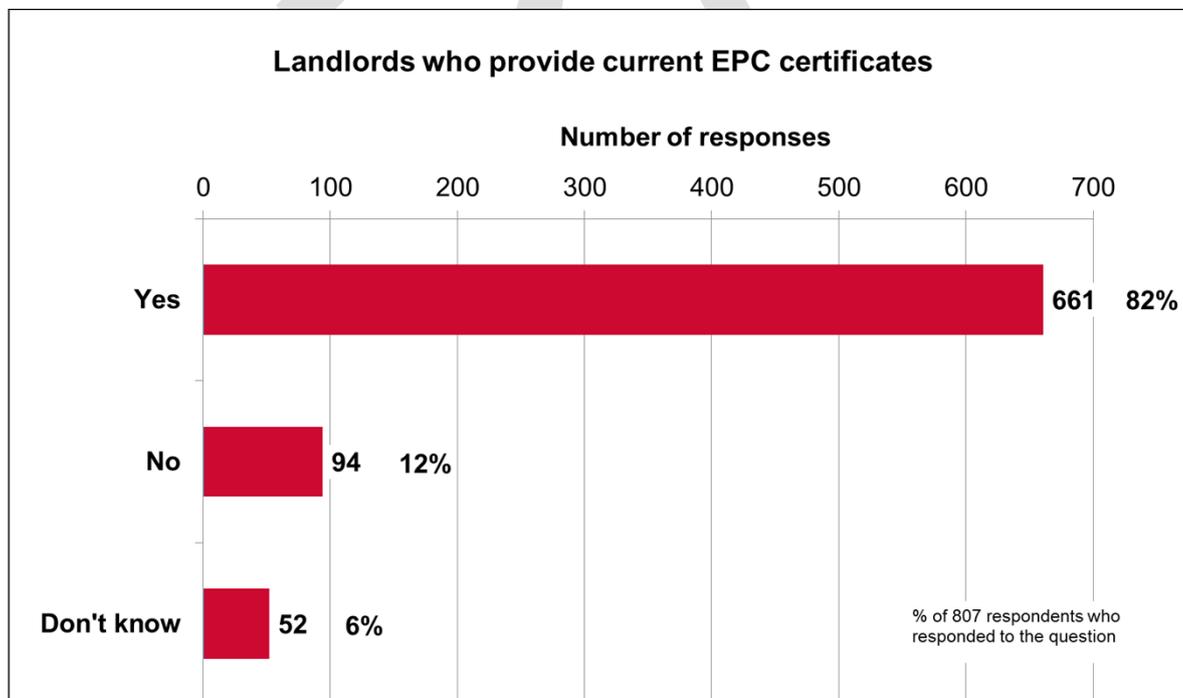
4.15 Do respondent landlords / agents have an agreement of how quickly they respond to requests for repairs etc.?

Figure 24



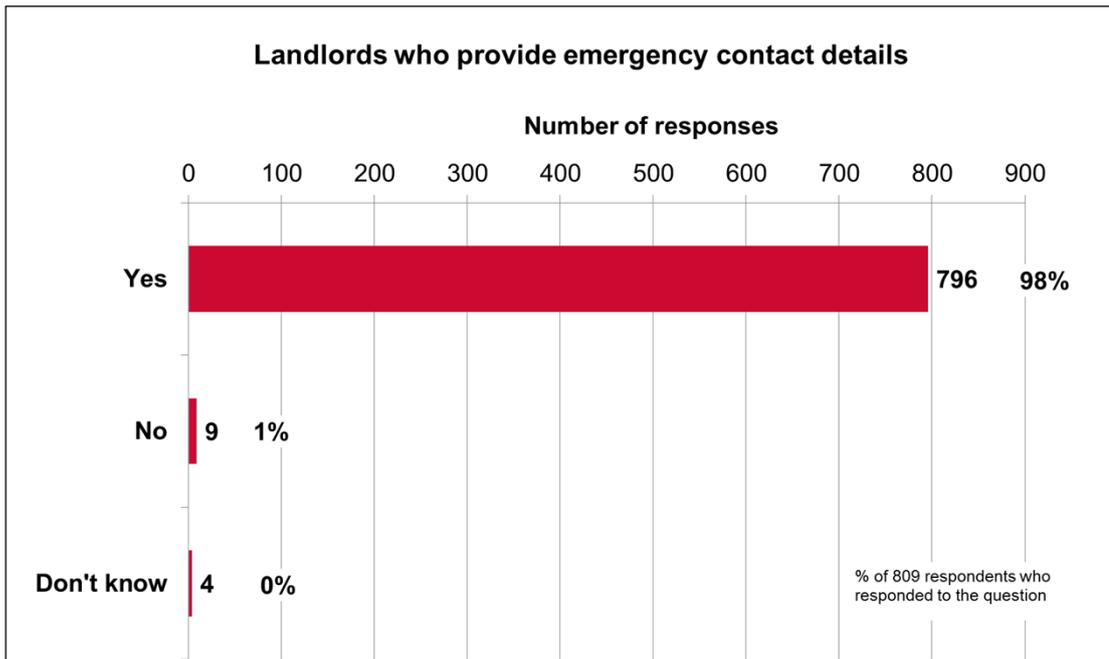
4.16 Do respondent landlords /agents provide a current Energy performance Certificate (EPC)?

Figure 25



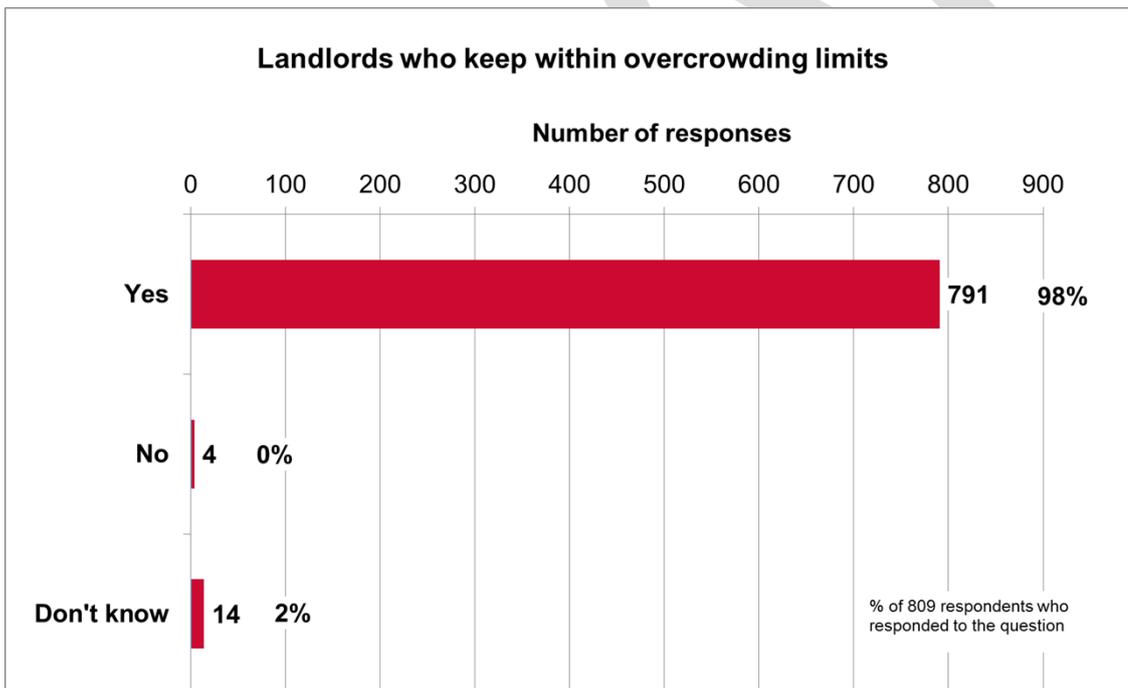
4.17 Do respondent landlord /agents provide emergency contact details?

Figure 26



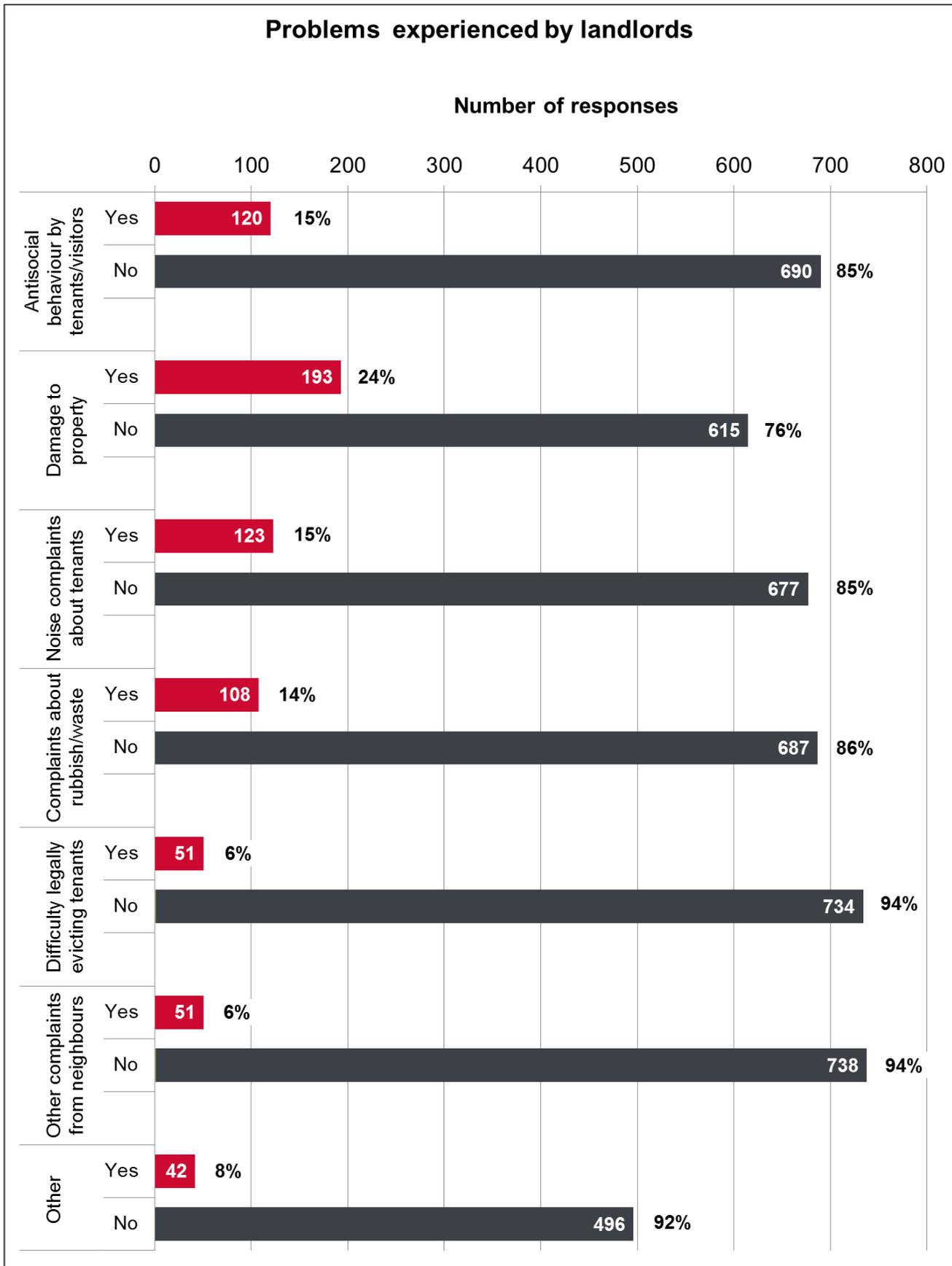
4.18 Do respondent landlords /agents keep within overcrowding limits?

Figure 27



4.19 Problems experienced by respondent landlords and agents

Figure 28



4.20 Other problems experienced by respondent landlords / agents (Free Text). Of the 2746 people who responded to the consultation, 76 (3%) left comments as follows:

1.1.1. Relationships

- 15 (20%) respondents who made comments had none or few problems with tenants;
- 9 (12%) respondents who made comments had problems with non or late payment of rent;
- 3 (4%) respondents who made comments had problems with neighbours or other tenants;
- 2 (3%) had tenants with mental health issues

1.1.2. Anti-Social Behaviour

- 12 (16%) respondents who made comments had problems with rubbish;
- 2 (3%) respondents who made comments had problems with sub-letting;
- 6 (8%) respondents who made comments had problems with noise;
- 5 (7%) respondents who made comments had problems with Anti-social behaviour;
- 4 (5%) respondents who made comments had problems with drugs and smoking against their tenancy agreement;

1.1.3. Damage or Disrepair as a result of tenant behaviour

- 12 (16%) respondents who made comments had problems with damage to property or left in dirty state at the end of the tenancy;
- 1(1%) respondents who made comments had problems with a failure to heat and ventilate appropriately;

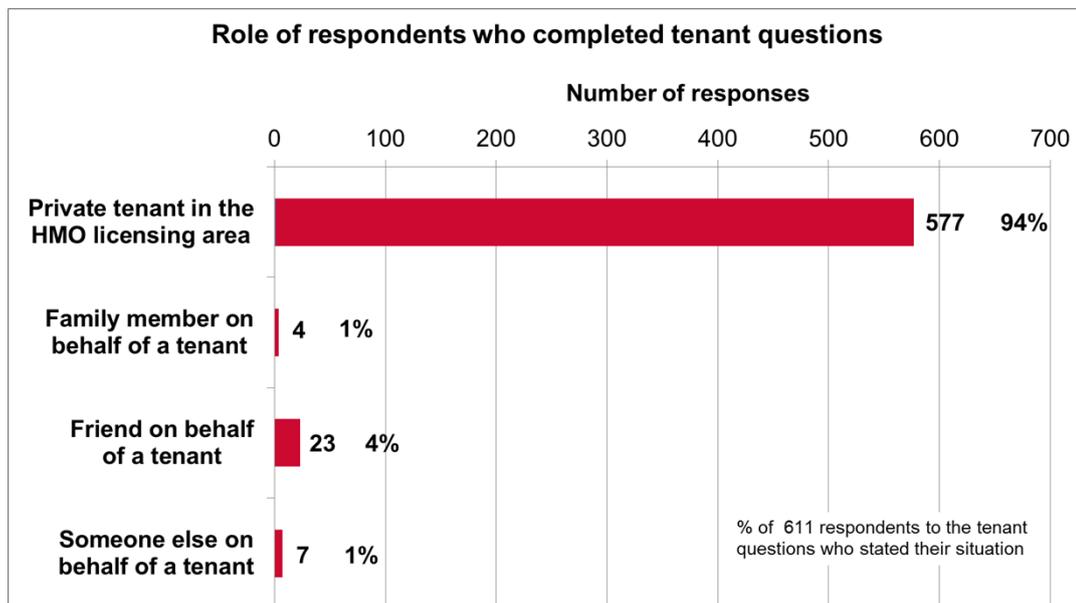
1.1.4. Other

- 1 (1%) respondents who made comments had problems with parking;
- 8 (11%) respondents who made comments that were not relevant to the scheme
- 2 (3%) respondents who made comments that were miscellaneous.

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

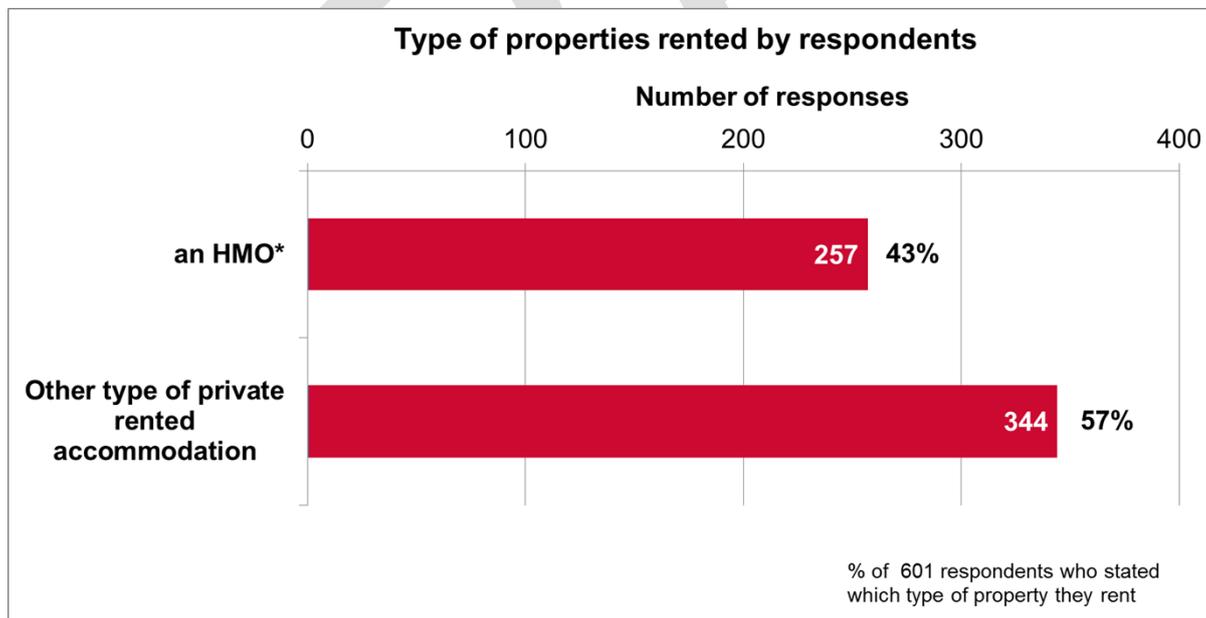
5.1 Status of respondents to tenant questions

Figure 29



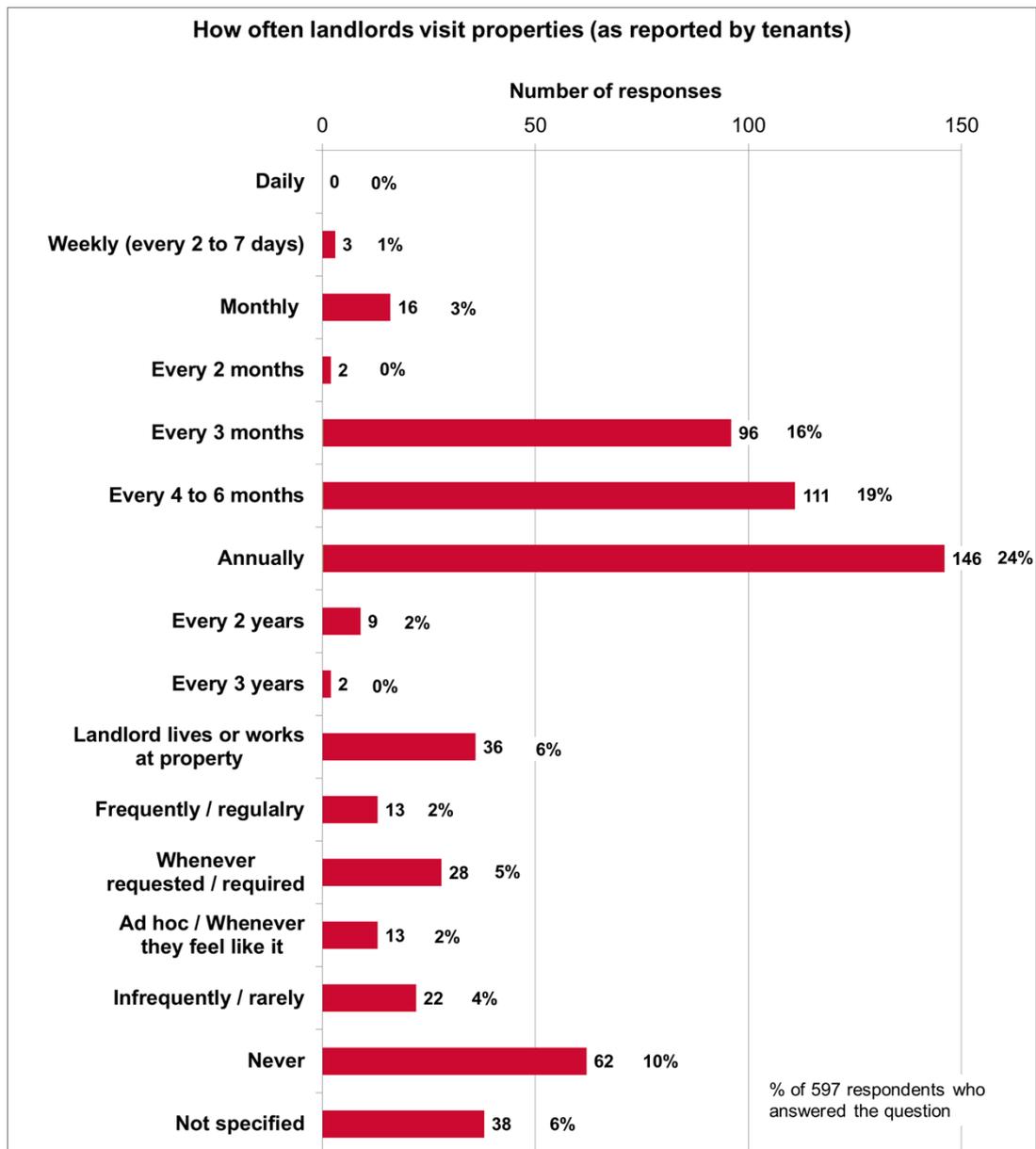
5.2 Types of properties rented by respondents

Figure 30



5.3 How often do landlords /agents visit properties

Figure 31

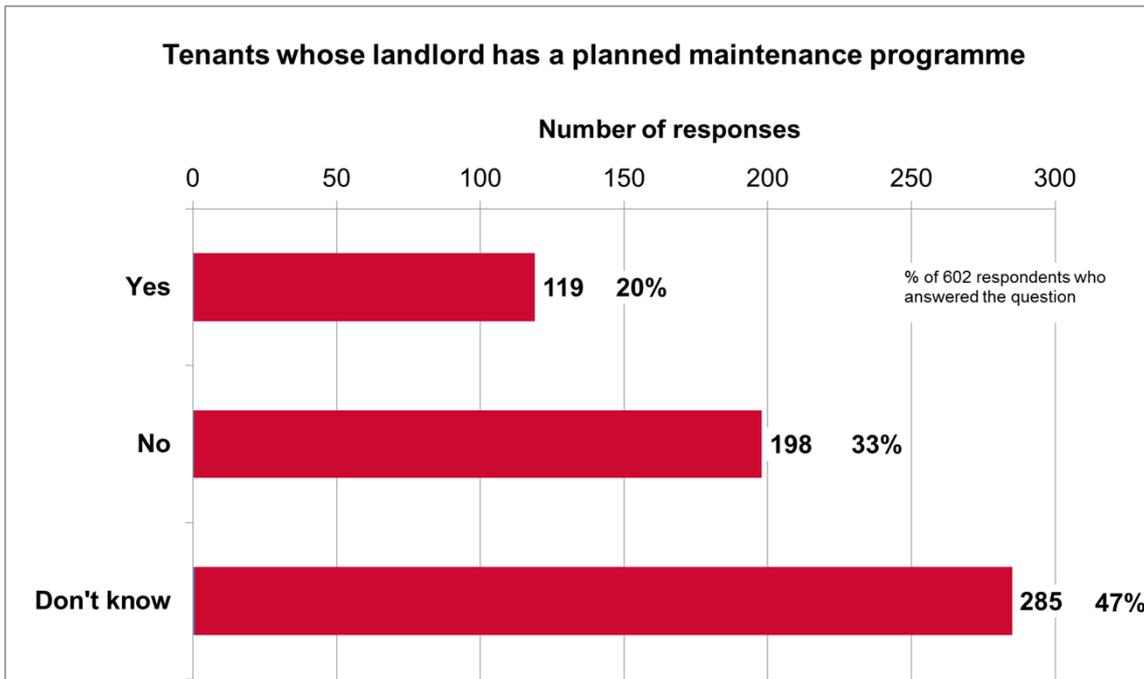


5.4 Do landlords/agents have current satisfactory safety certificates?

Number of respondents	Gas	Electrical	Fire Safety
Yes	342	272	247
No	36	41	49
Don't know	221	290	306
Not answered	2147	2143	2144
Total	2746	2746	2746
No. of respondents to question	599	603	602
Response rate to question	21.8%	22.0%	21.9%
% of respondents to the question	Gas	Electrical	Fire Safety
Yes	57%	45%	41%
No	6%	7%	8%
Don't know	37%	48%	51%
Total	100%	100%	100%

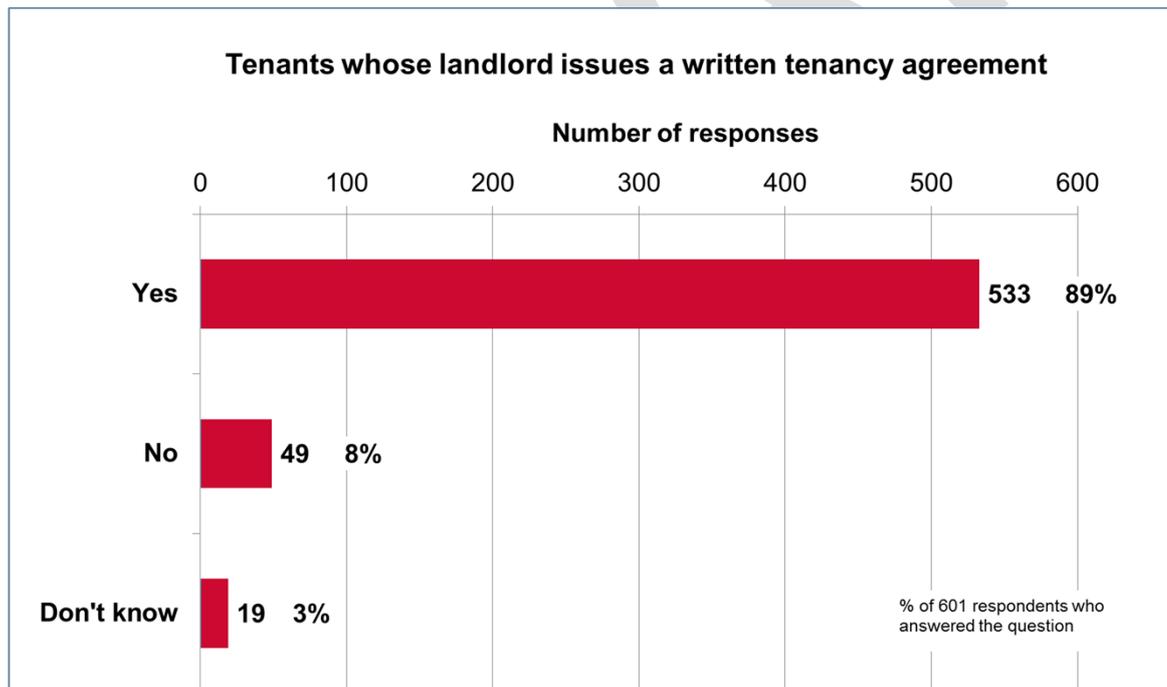
5.5 Does the landlord have a planned maintenance programme for your property?

Figure 32



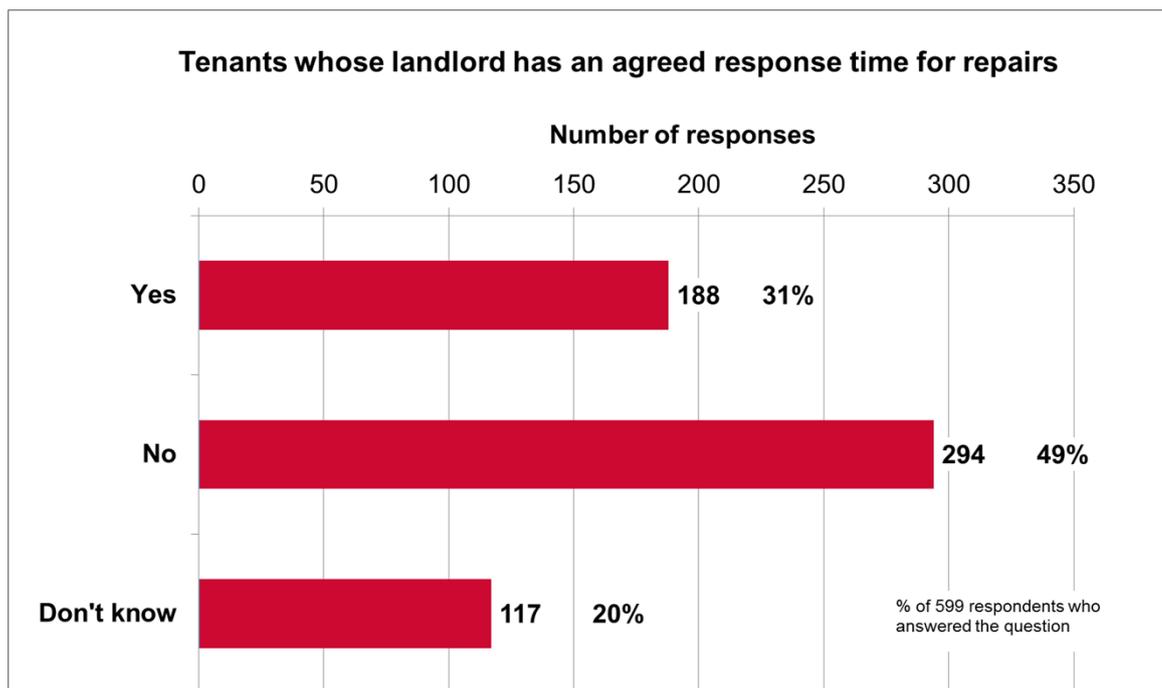
5.6 Does your landlord issue a written tenancy agreement?

Figure 33



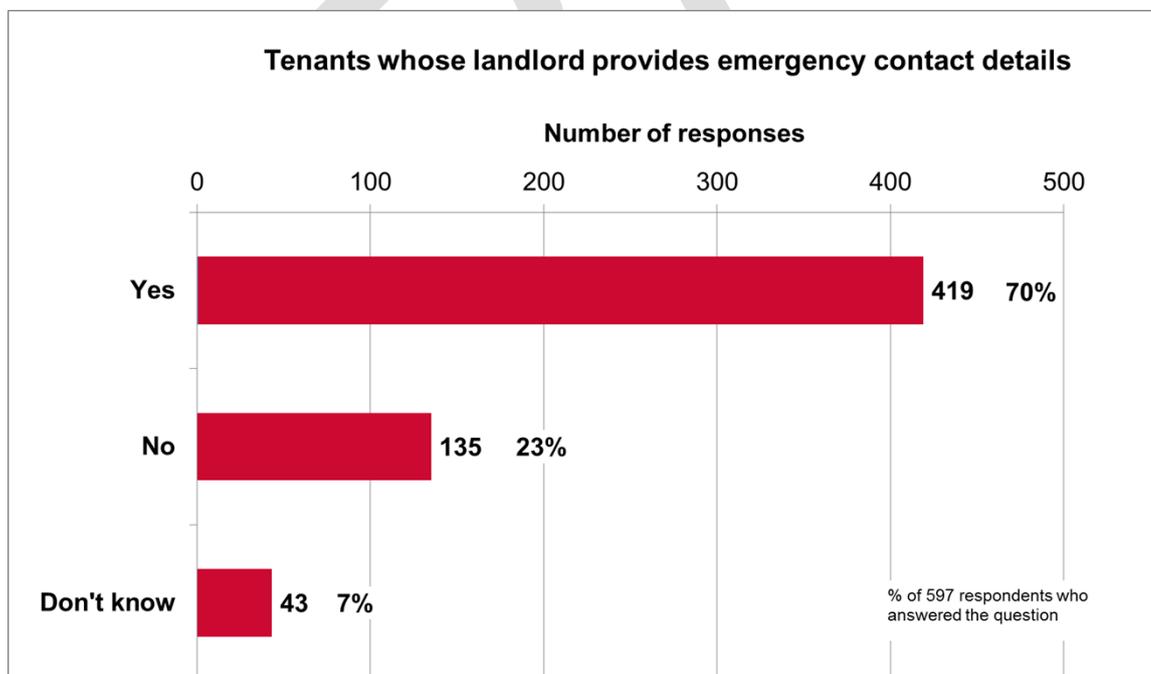
5.7 Does your landlord have an agreement of how quickly he/she responds to requests for repairs etc.?

Figure 34



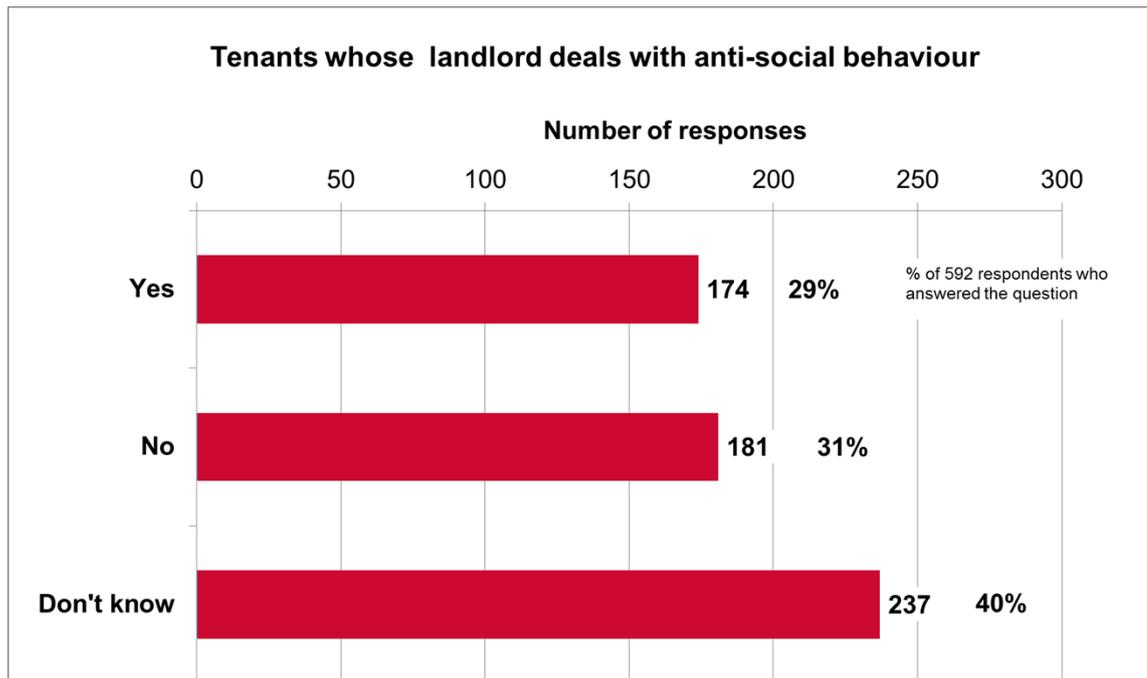
5.8 Has your landlord provided emergency contact details?

Figure 35



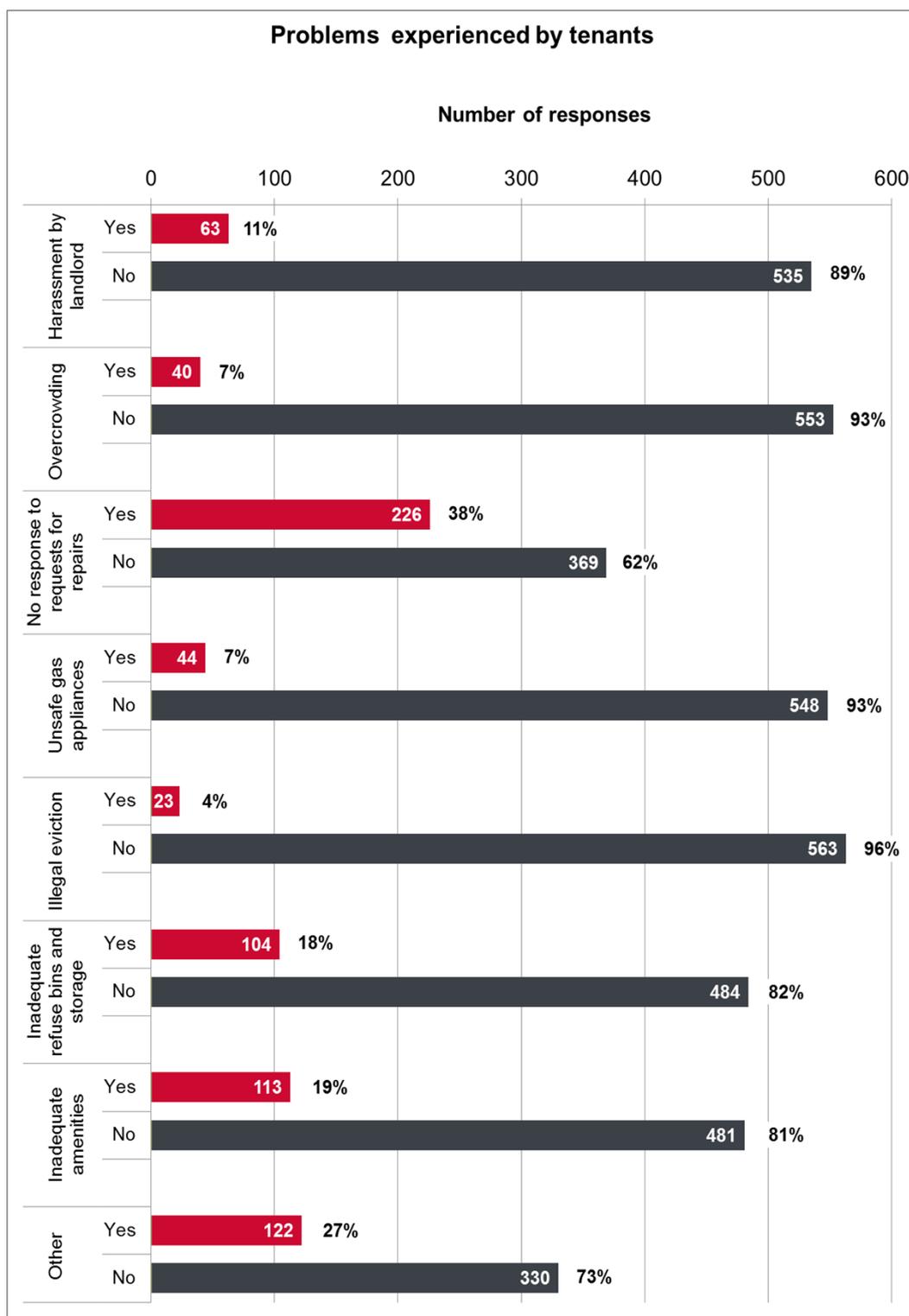
5.9 Does your landlord deal with anti-social behaviour of other tenants and their visitors?

Figure 36



5.10 Tenants were asked if they had experienced any problems with their landlords / agents.

Figure 37



5.11 Other problems experienced by tenants. Of the 2746 people who responded to the consultation, 76 (3%) left comments as follows:

1.1.5. Relationships

- 15 (10%) respondents who made comments had good relationships with their landlord;

- 2 (1%) respondents who made comments said they had problems with other tenants;
- 4 (3%) respondents who made comments said the landlord entered the property without proper warning;
- 3 (2%) respondents who made comments said there was a lack of communication with their landlord;
- 3 (2%) respondents who made comments said there were management issues with their landlord;
- 1 (1%) respondents who made comments said the landlord had damaged their personal belongings.

5.11.1 Disrepair Issues

- 67 (45%) respondents who made comments said there were ongoing disrepair issues in their property;
- 34 (23%) respondents who made comments said their landlord refused to carry out repairs when asked;
- 4 (3%) respondents who made comments said there was a problem with pests in their property;

5.11.2 Anti-social Behaviour and Harassment

- 4 (3%) respondents who made comments said there was a problem with noise in their property
- 12 (8%) respondents who made comments said they had been harassed or bullied or discriminated against by their landlord;
- 2 (1%) respondents who made comments said there was a problem with ASB in their property;

5.11.3 Financial Issues

- 8 (5%) respondents who made comments said the landlord had unfairly increased their rent;
- 3 (2%) respondents who made comments said agent's fees were too high;
- 5 (3%) respondents who made comments said the landlord had not placed their deposit in an approved scheme or unfairly held on to their deposit;

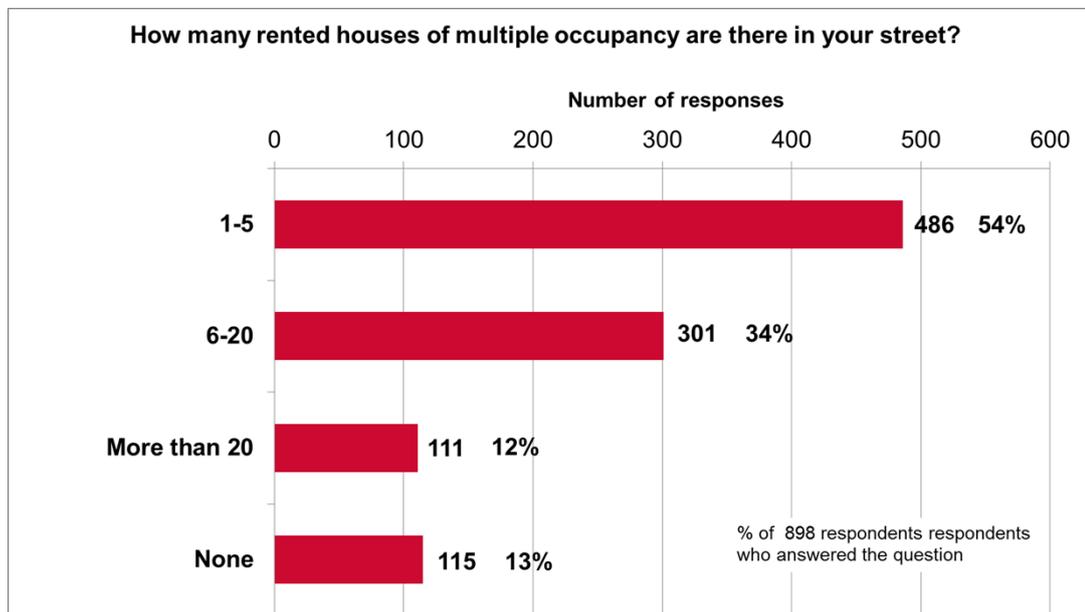
5.11.4 Other comments

- 1 (1%) respondents who made comments said the landlord ended the tenancy as a direct result of council introducing an HMO licencing scheme in the area;
- 1 (12%) respondents who made comments said the council had delayed payment of housing benefit;
- 7 (5%) respondents who made comments made comments not relevant to this survey;
- 1 (1%) respondents who made comments made comments there was no bike storage;
- 2 (1%) respondents who made comments made other comments;
- 1 (1%) respondents who made comments gave criticism of the survey;
- 6 (5%) respondents who made comments made comments not relevant to the scheme.

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

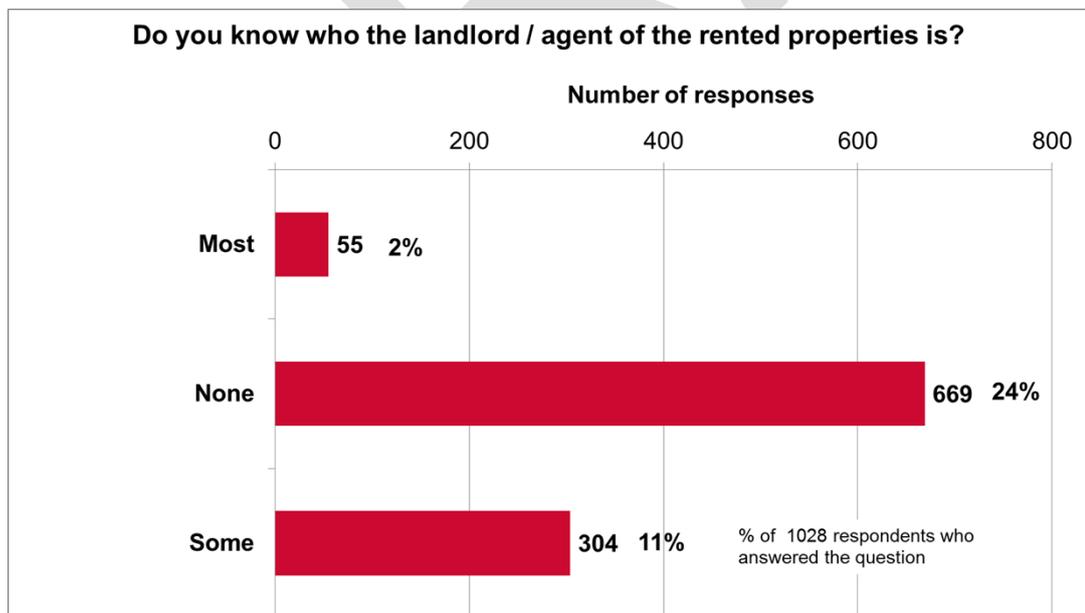
6.1 How many Houses in Multiple Occupation (HMOs) are there in your street

Figure 38



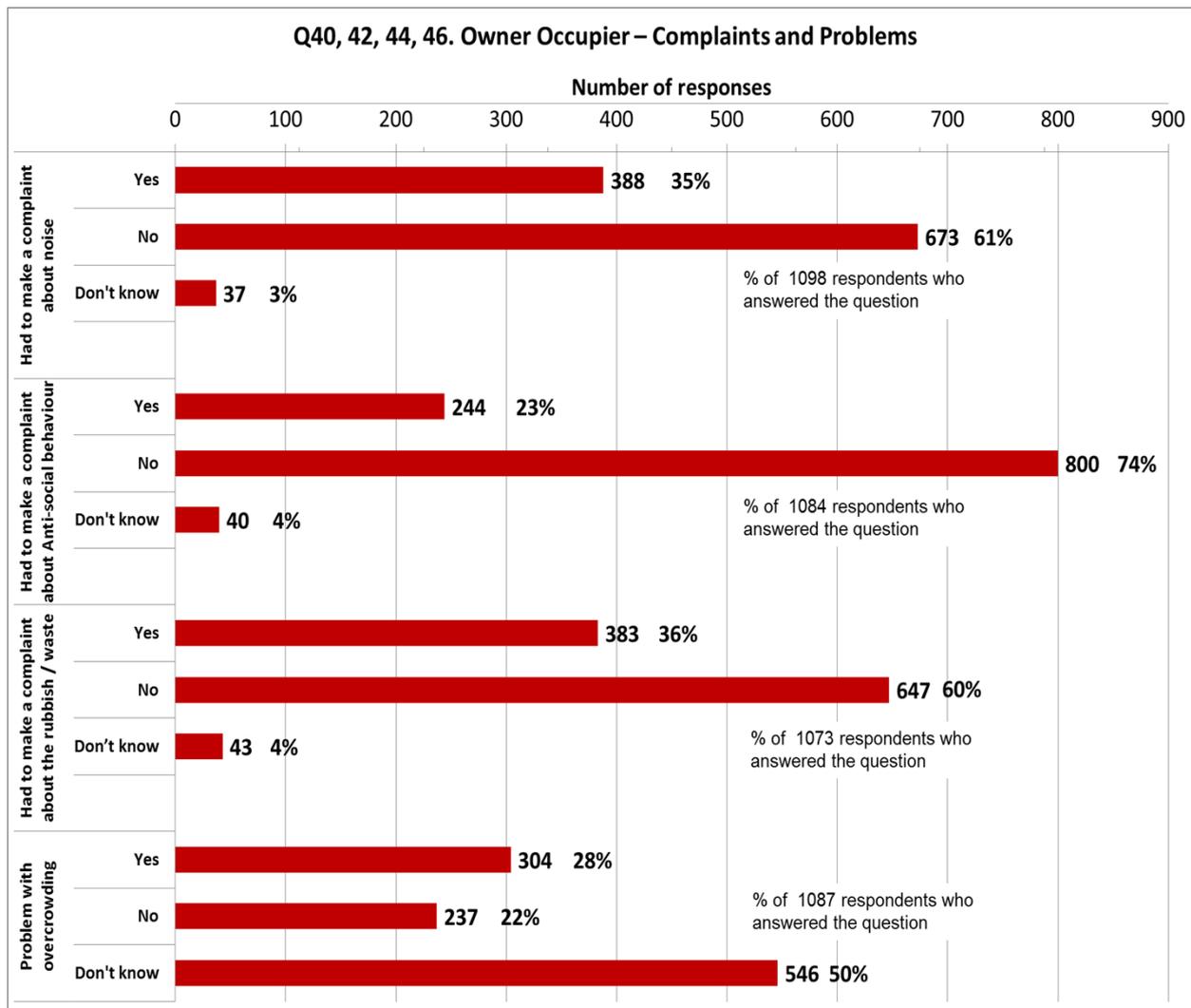
6.2 Do you know who the landlord /agents of the rented properties are?

Figure 39



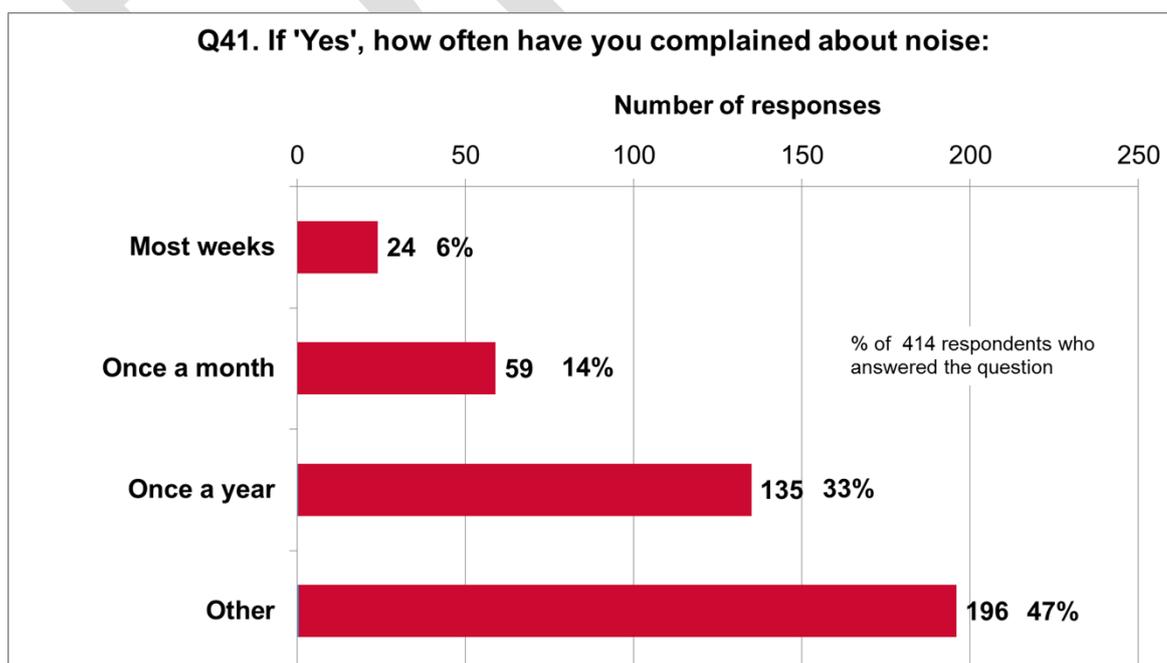
6.3 Have you ever had to make a complaint about issues in an HMO in your area?

Figure 40



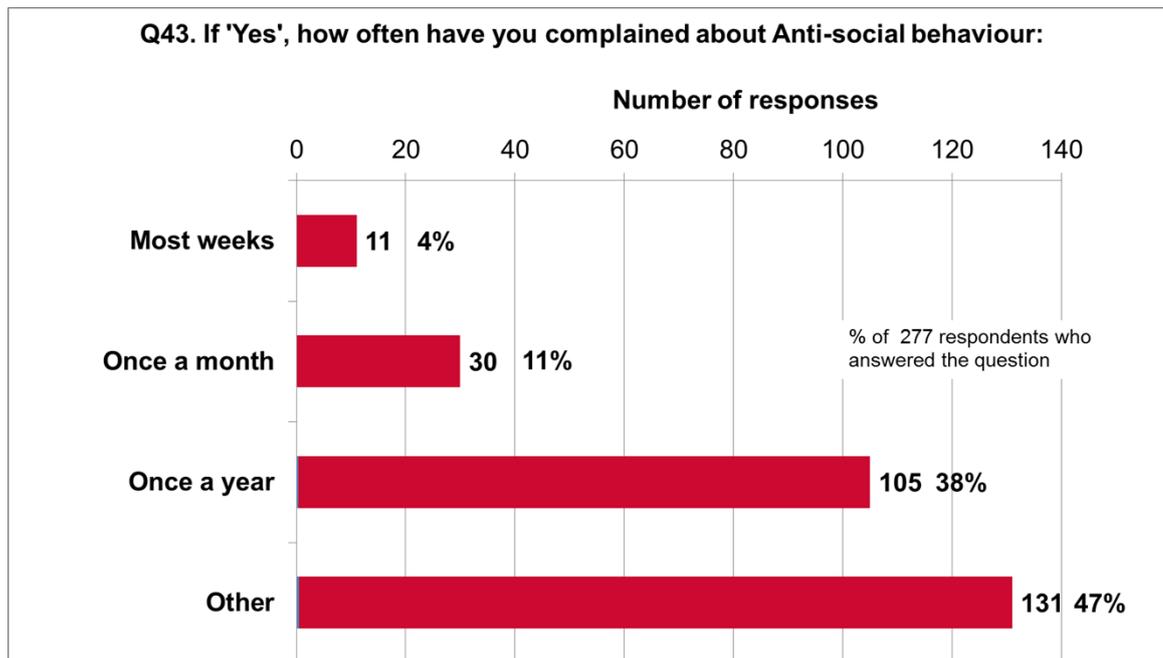
6.4 If you have made a complaint, how often have you complained about noise.

Figure 41



6.5 If you have made a complaint, how often have you complained about Anti-social behaviour.

Figure 42



6.6 If you have made a complaint, how often have you complained about rubbish/waste from an HMO in your area?

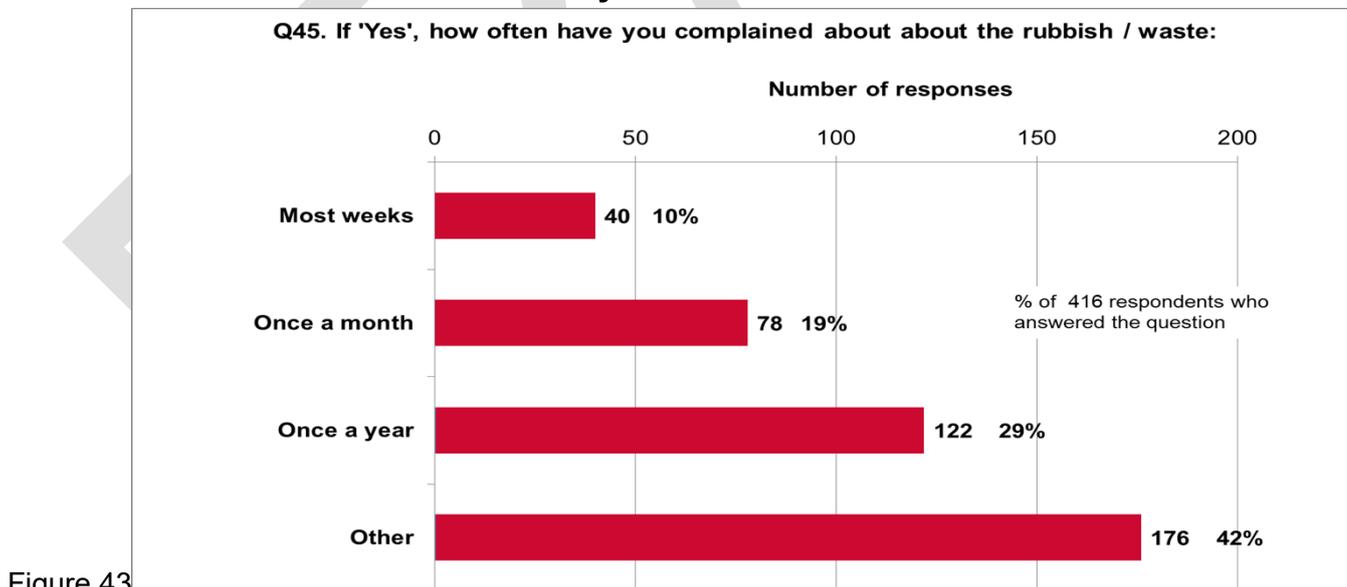
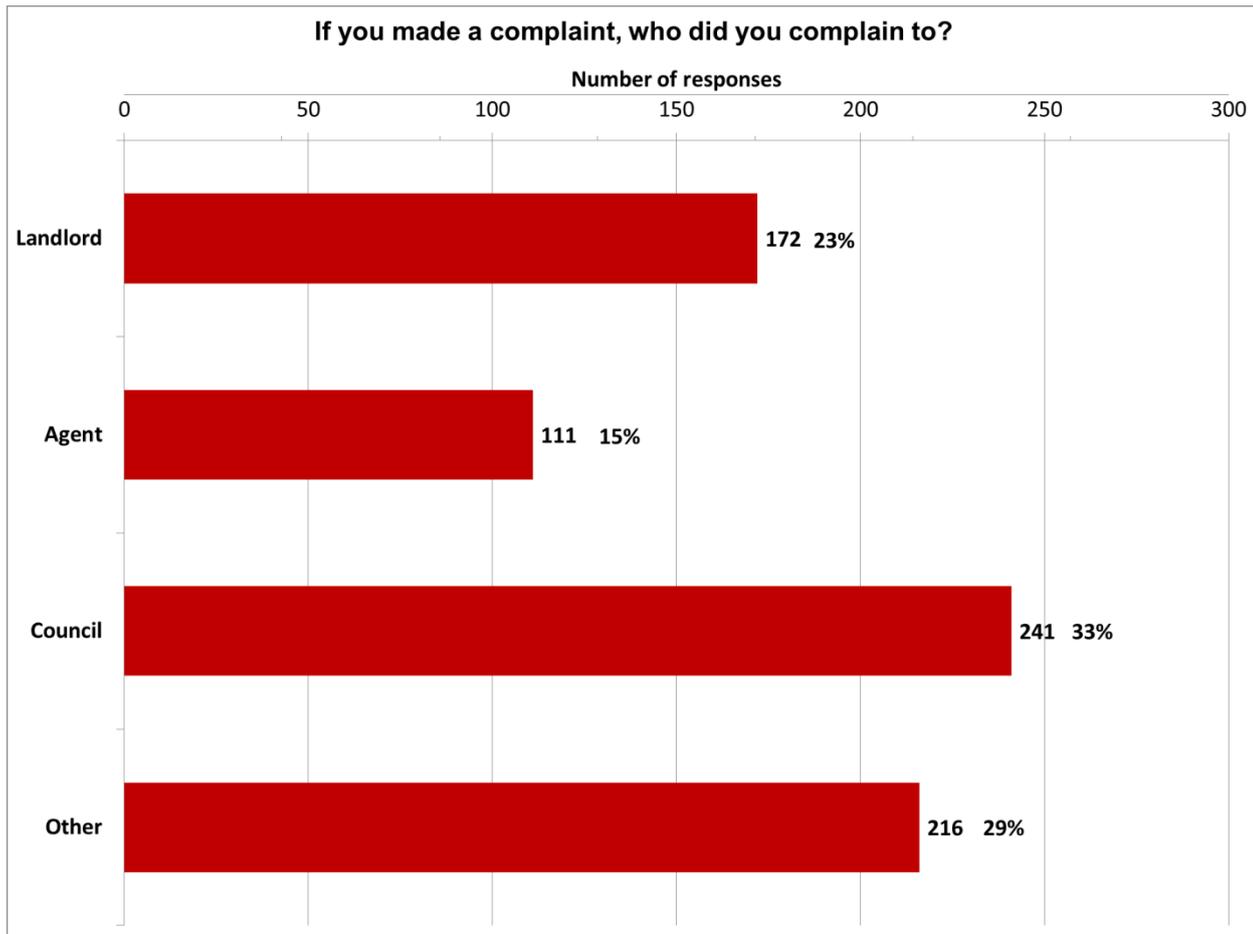


Figure 43

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

Figure 44



7 Questions directed to other interested parties

7.1 What wards in the proposed area do you have an interest – see Figures 45 and 46

Figure 45

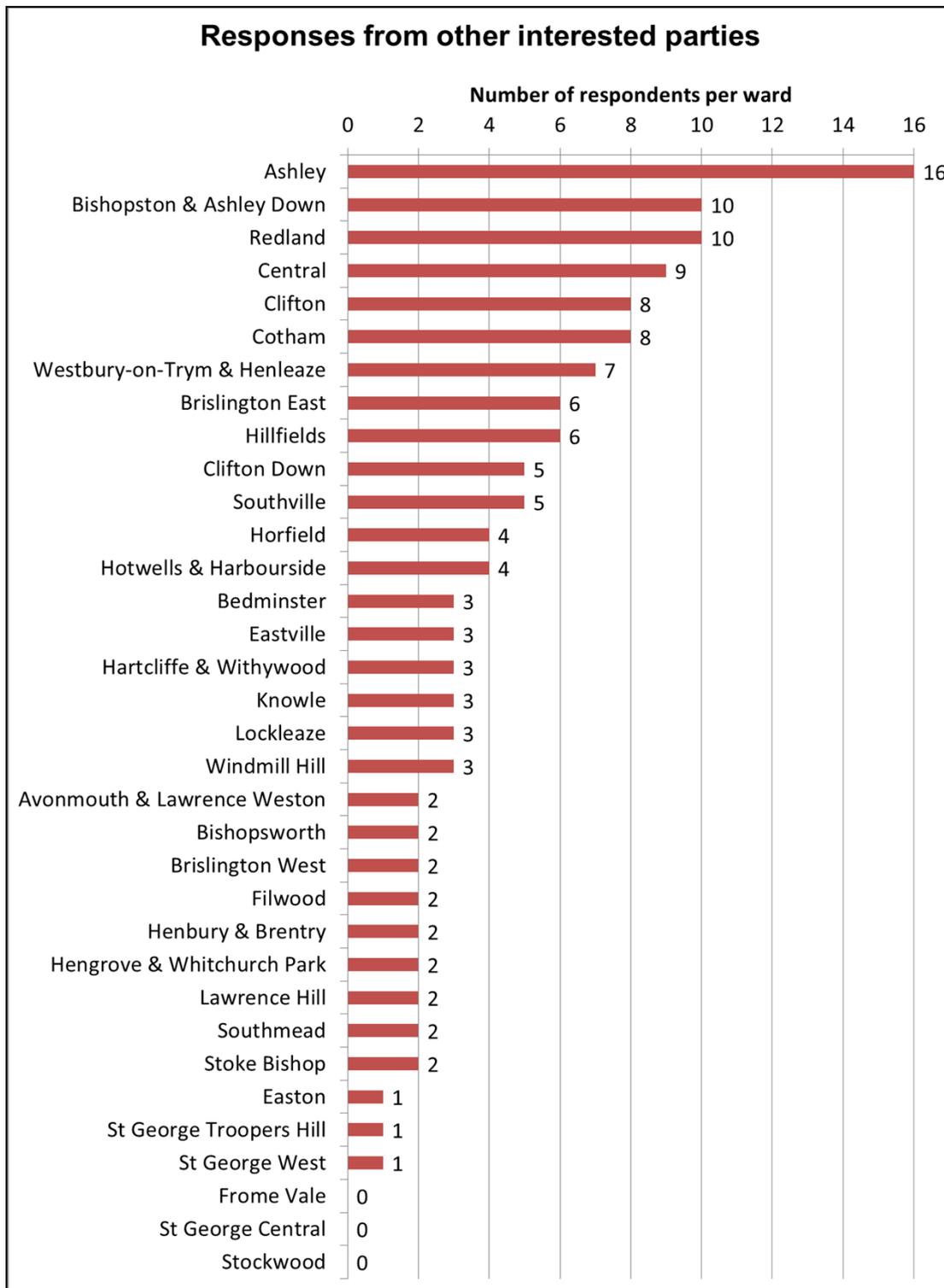
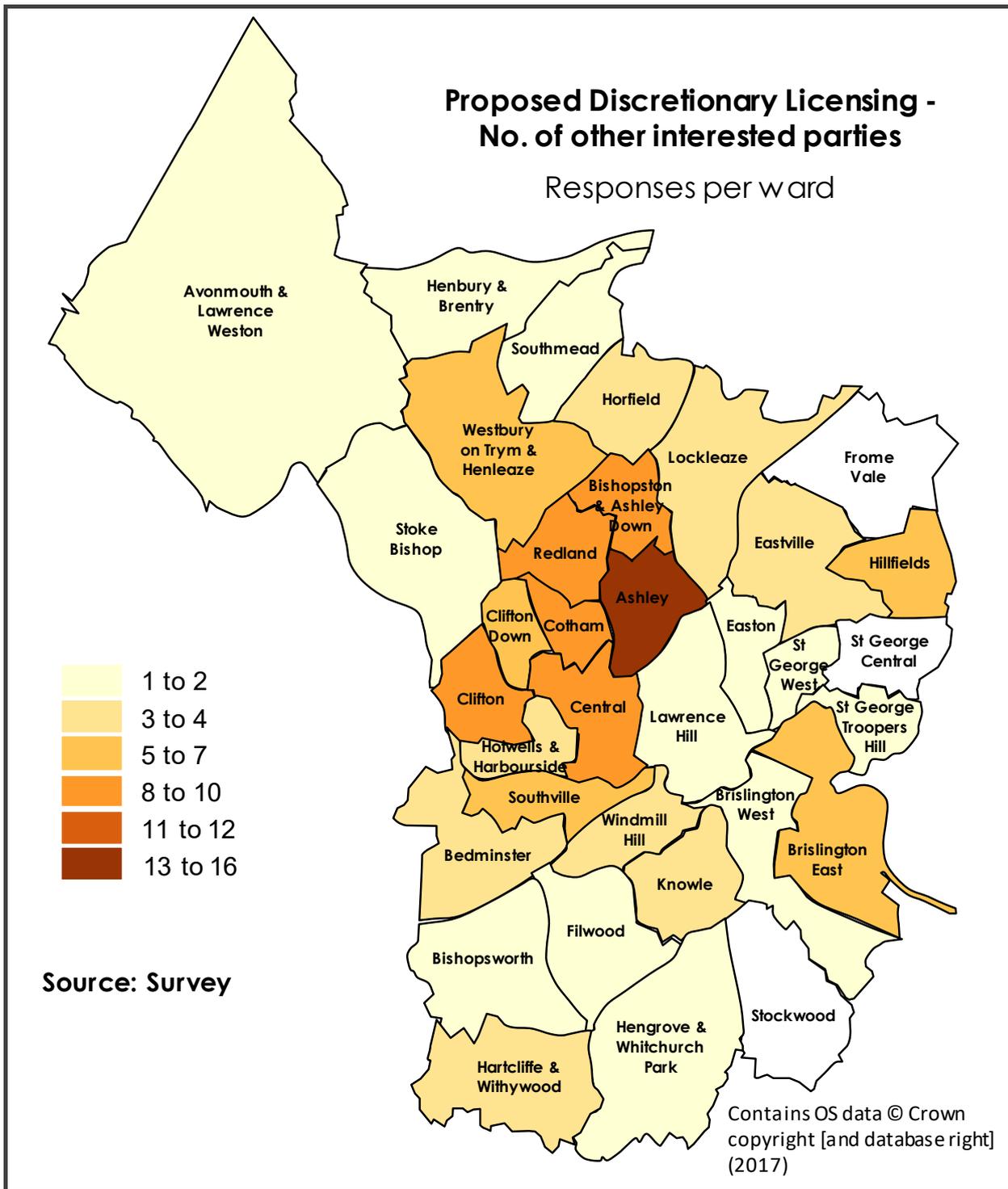
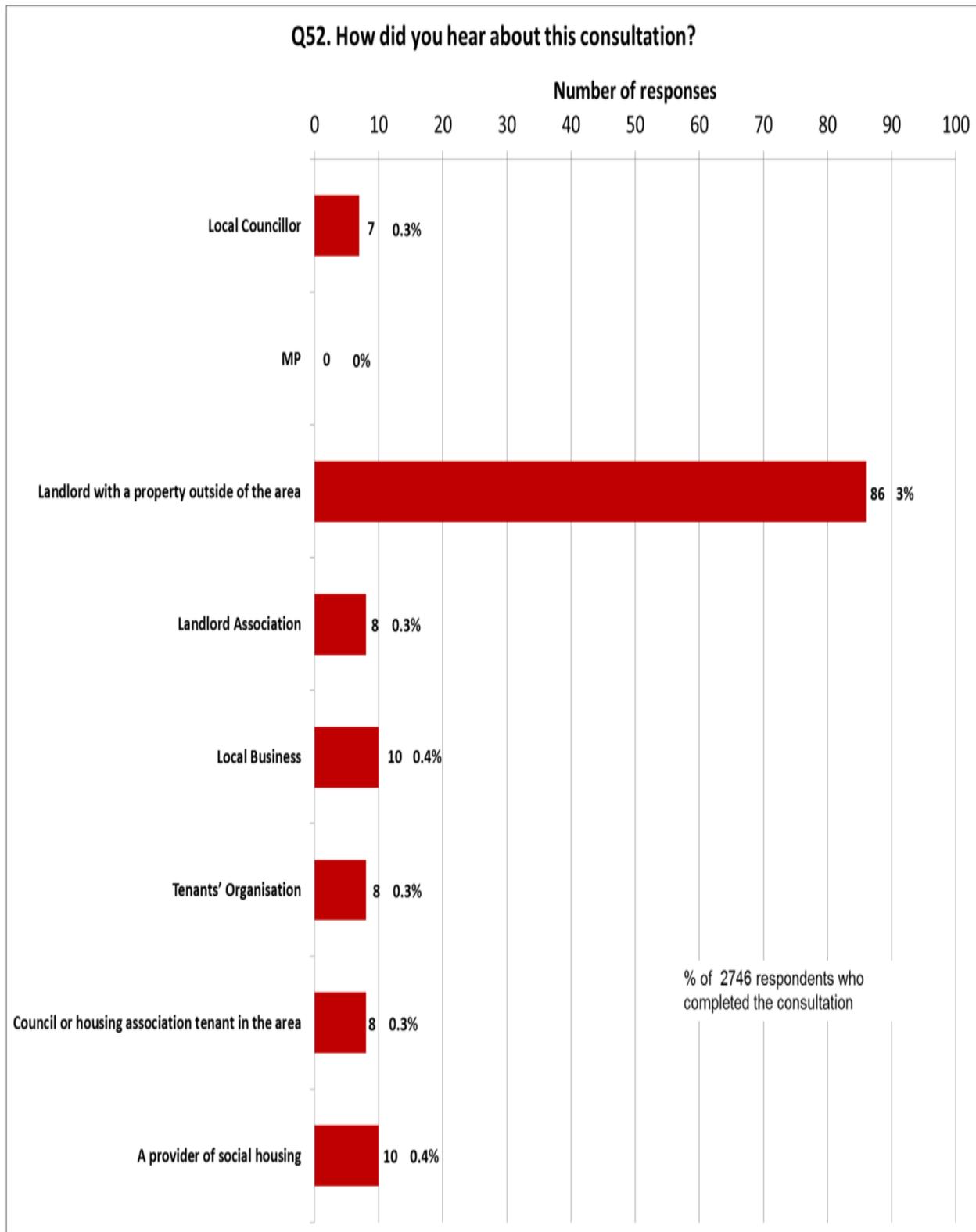


Figure 46



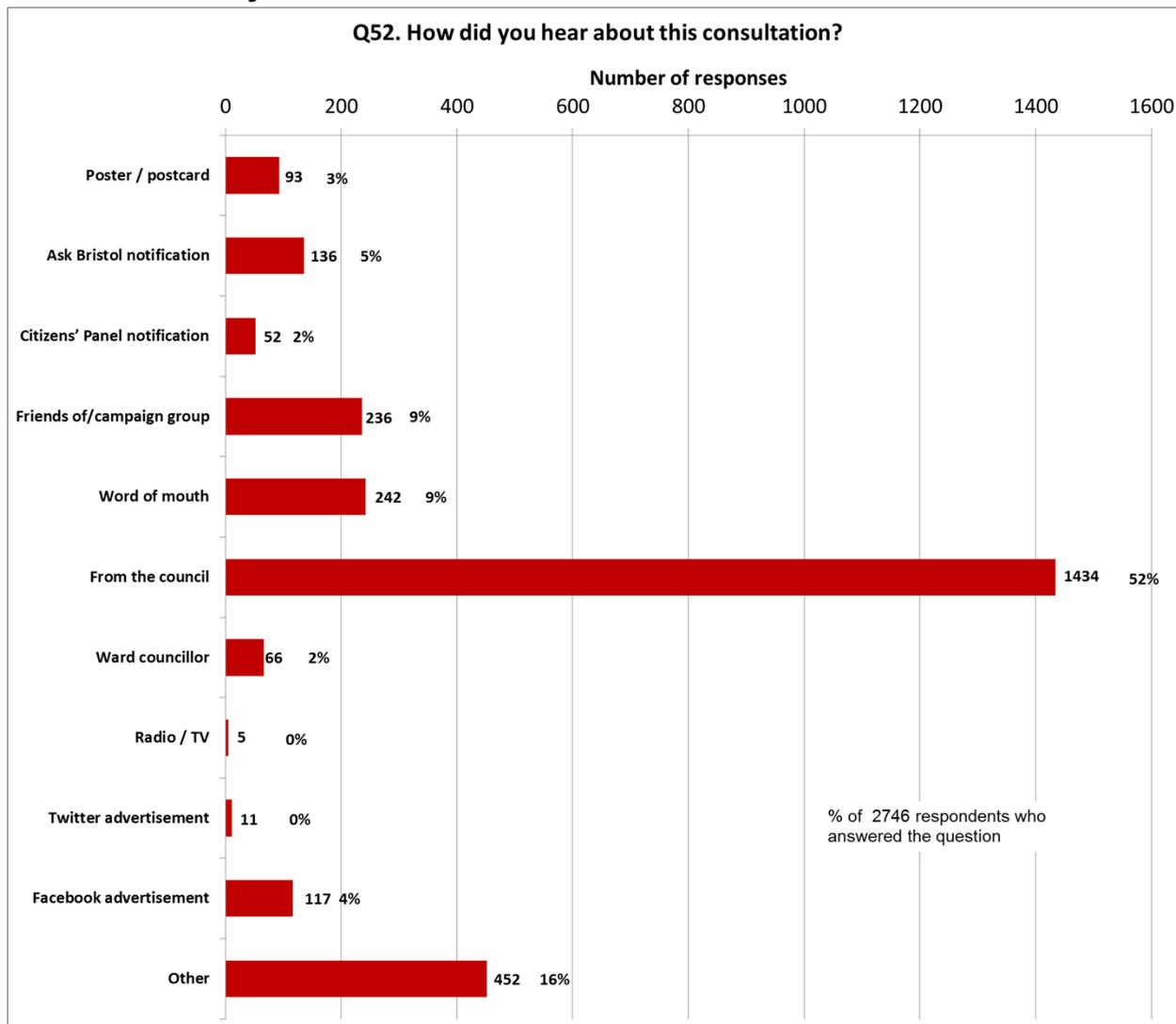
7.2 Reason for interest in the consultation

Figure 47



8 Questions directed to all respondents

8.1 Where did you hear about the consultation

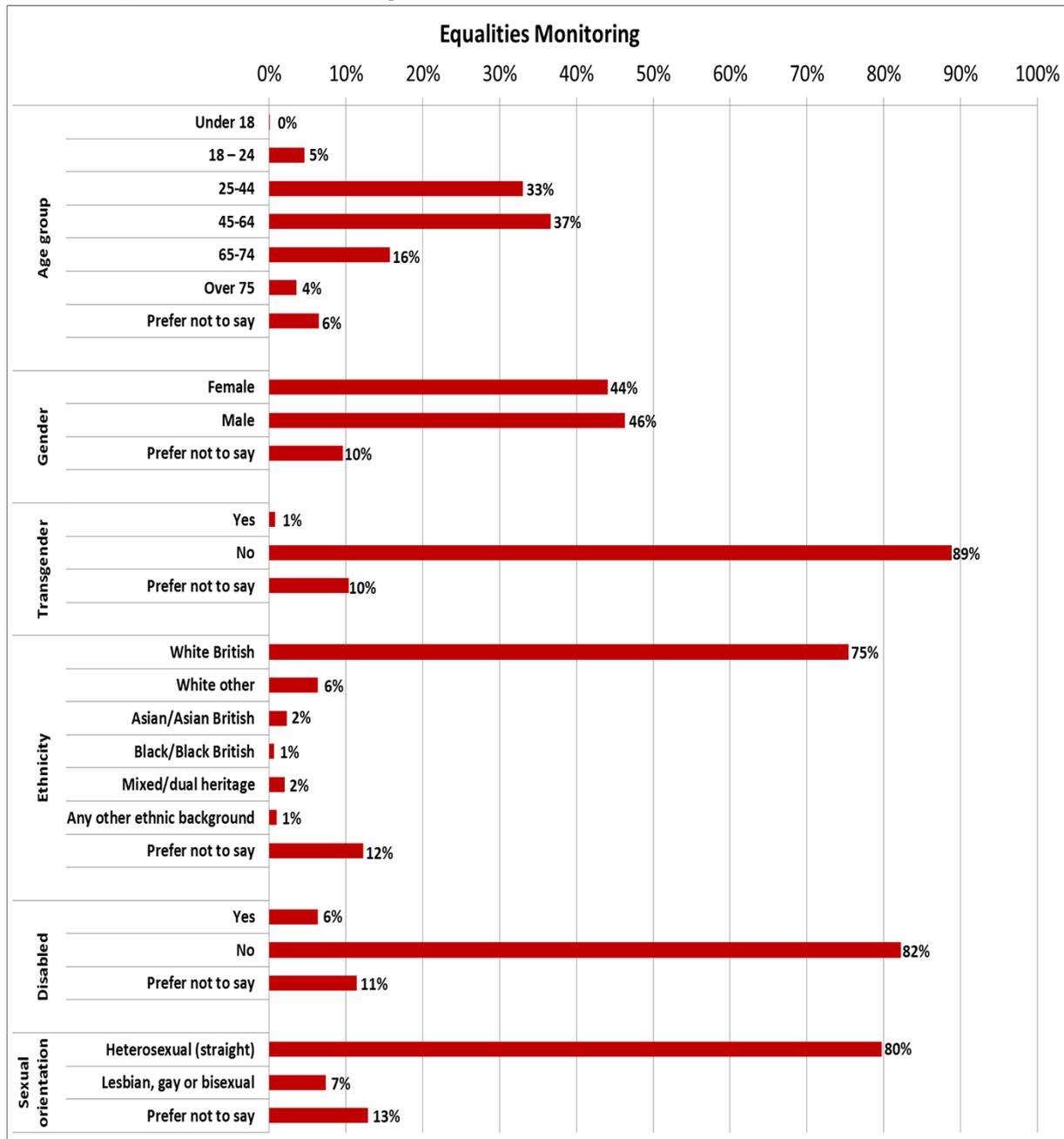


8.2 Breakdown of Other group

Of the 2746 people who responded to the question about how they had heard about the consultation, 254 (9%) left comments as follows:

- 4 (2%) respondents who made comments said they had heard via friend or neighbour;
- 33 (13%) respondents who made comments said they had heard via social media or community network;
- 6 (2%) respondents who made comments said they had heard via their local councillor or political party;
- 4 (2%) respondents who made comments said they had heard via a Landlord website or group;
- 202 (80%) respondents who made comments said they had heard via a tenant or student group;
- 3 (1%) respondents who made comments said they had heard via the city council;
- 4 (2%) respondents who made comments said they had heard via another source.

8.3 Equalities monitoring information



9 Free text comments about the proposal

Outside of the questions above there was the opportunity in question 11 to offer free text comments. All respondents were asked if they had any other comments to make about the proposal.

Of the 2746 people who responded to the consultation, 1380 (50.2%) left comments as follows:

9.1 Agreed with the proposal

- 338 (24%) respondents who made comments said they agreed in principle to the proposal;
- 121 (9%) respondents who made comments supplied further evidence of poor conditions or poor management;

- 43 (3%) respondents who made comments said the scheme should be expanded further than proposed;
- 41 (3%) respondents who made comments supplied further evidence of poor management of tenant behaviour;

9.2 Opposed to the proposal

- 78 (6%) respondents who made comments said that they were against the proposal;
- 223 (16%) respondents who made comments said that the proposal penalised good landlords;
- 183 (13%) respondents who made comments said that it was likely that landlords would either withdraw from the market or only let to families in future;
- 61 (4%) respondents who made comments said that the council lacked sufficient resources to effectively deliver the proposed scheme;
- 73 (13%) respondents who made comments said that it was unnecessary and we should use our existing powers to tackle rogue landlords;
- 66 (5%) respondents who made comments said that the proposal was just additional red tape and bureaucracy;
- 17 (1%) respondents who made comments said that the council did not provide sufficient evidence to justify the proposal;
- 10 (1%) respondents who made comments said that the proposed standards were too high;

9.3 Financial Aspects

- 355 (26%) respondents who made comments said that the fee would most likely be passed onto to tenants by way of increased rents;
- 206 (15%) respondents who made comments said that the fee was too high;
- 61 (4%) respondents who made comments said that the fee was reasonable or too low;
- 69 (5%) respondents who made comments gave alternative suggestions to the fee structure;
- 7 (1%) respondents who made comments asked the cost could be spread out or paid annually to make it more affordable to smaller landlords;
- 179 (13%) respondents who made comments said the proposal was just a money making scheme for the council;
- 107 (8%) respondents who made comments said they disagreed with giving discounts for certificates that should be legally provided anyway;
- 95 (7%) respondents who made comments suggested discounts should be awarded to accredited landlords or those who employed managing agents;

9.4 Other suggestions or Alternatives to Licensing

- 95 (7%) respondents who made comments said licensing for 3 or 4 people was unnecessary;
- 1 (0%) respondents who made comments said it was unfair on resident landlords;
- 11 (1%) respondents who made comments said there should be limits on the numbers of HMOs in any given area
- 75 (5%) respondents who made comments gave suggestions on alternatives to Additional Licensing;
- 20 (1%) respondents who made comments said the area proposed was too widespread and not necessary;
- 7 (1%) respondents who made comments asked why the scheme did not include social housing;
- 104 (8%) respondents who made comments said that it was important that the council followed up with inspections, investigations and enforcement activity;

9.5 Other

- 4 (0%) respondents who made comments said they had concerns about how leasehold properties would be treated;
- 10 (1%) respondents who made comments said they need more information to answer the questions;
- 9 (1%) respondents who made comments said that they didn't think the proposed scheme would improve properties;
- 4 (1%) respondents who made comments said it was not clear if it included existing licensing schemes or was a replacement scheme;
- 28 (2%) respondents who made comments were critical of the consultation;
- 50 (4%) respondents who made comments made general comments not relevant to the scheme;
- 7 (1%) respondents who made comments were sceptical that the decision had already been made;
- 13 (1%) respondents who made comments made recommendations for the scheme that were already included in the proposal or were already in place.

10 Consultation responses received through letters and emails

We also received an additional 53 responses to the consultation by letter or email and their comments are as follows:

10.1 Agreed with the proposal

- 22 (42%) respondents who made comments said they agreed in principle to the proposal;

- 9 (17%) respondents who made comments supplied further evidence of poor conditions or poor management;
- 3 (6%) respondents who made comments said the scheme should be expanded further than proposed;
- 2 (4%) respondents who made comments supplied further evidence of poor management of tenant behaviour;

10.2 Opposed to the proposal

- 11 (21%) respondents who made comments said that they were against the proposal;
- 10 (19%) respondents who made comments said that the proposal penalised good landlords;
- 11 (21%) respondents who made comments said that it was likely that landlords would either withdraw from the market or only let to families in future;
- 4 (8%) respondents who made comments said that the council lacked sufficient resources to effectively deliver the proposed scheme;
- 5 (9%) respondents who made comments said that it was unnecessary and we should use our existing powers to tackle rogue landlords;
- 5 (9%) respondents who made comments said that the proposal was just additional red tape and bureaucracy;
- 1 (2%) respondents who made comments said that the council did not provide sufficient evidence to justify the proposal;
- 1 (2%) respondents who made comments said that the proposed standards were too high;

10.3 Financial Aspects

- 12 (23%) respondents who made comments said that the fee would most likely be passed onto tenants by way of increased rents;
- 7 (13%) respondents who made comments said that the fee was too high;
- 2 (4%) respondents who made comments gave alternative suggestions to the fee structure;
- 3 (6%) respondents who made comments said the proposal was just a money making scheme for the council;
- 4 (8%) respondents who made comments suggested discounts should be awarded to accredited landlords or those who employed managing agents;

10.4 Other suggestions or Alternatives to Licensing

- 5 (9%) respondents who made comments said licensing for 3 or 4 people was unnecessary;
- 1 (0%) respondents who made comments said it was unfair on resident landlords;
- 11 (1%) respondents who made comments said there should be limits on the numbers of HMOs in any given area
- 16 (30%) respondents who made comments gave suggestions on alternatives to Additional Licensing;

- 1 (4%) respondents who made comments said the area proposed was too widespread and not necessary;
- 4 (8%) respondents who made comments said that it was important that the council followed up with inspections, investigations and enforcement activity;

10.5 Other

- 8 (15%) respondents who made comments were critical of the consultation;
- 4 (8%) respondents who made comments made general comments not relevant to the scheme;

11 Letters received from landlord organisations.

- Appendix 1. Letter from All Wessex
- Appendix 2 NALS (National Approved Letting Scheme) Bristol
- Appendix 3 RLA (Residential Landlords Association)
- Appendix 4 Unite Students
- Appendix 5 Collegiate

12 Petition in support of the scheme

We received the following petition from Acorn as below:

1088 people have signed a petition on Action Network telling you to Landlord Licensing now. This is the petition they signed:

“Please ensure that you carry on with the pre-election manifesto promise to extend Landlord Licensing to cover Clifton Down, Central, Cotham, Clifton, Hotwells and Harbourside, Southville, Windmill Hill, Ashley, Bishopston and Ashley Down, Easton, Lawrence Hill, and Redland.”

13 How will this report be used?

This report will be taken into account as final proposals are developed by officers to put to Cabinet to recommend to Full Council. This consultation report will also be considered by Cabinet and Full Council at the Full Council meeting on 6 November 2018.

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

14 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 on 6 November 2018 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.

15 Appendix 1

Letter from All Wessex dated 11th May 2018:

11th May 2018

Marchants House
New Marchants Passage
Flat 13
Bath
BA1 1AR

Mr Jonathan Mallinson
Private Housing Manager
Bristol City Council

Response to Bristol City Council's Consultation - for an Additional Licensing Scheme for HMO's in twelve central Bristol wards 2018

Introduction

The Association of Local Landlords (Wessex) is a voluntary landlord organisation that supports local landlords in Bristol, Bath, North East Somerset and South Gloucester. The association's emphasis on addressing local issues and its support of local landlords separates it from other landlord associations that are all based outside of the local area.

The Association of Local Landlords (Wessex) is growing in popularity and now more active with a greater presence than the national landlord associations NLA, RLA and Guild of Landlords and more members based in Bristol than South West Landlord Association and West Country Landlord Association.

Please find below the Association of Local Landlords (Wessex) response to the Bristol City Council Consultation for Additional HMO Licensing 2018.

Exec Summary

After careful analysis of Bristol City Council's proposal to introduce Additional Licensing in twelve wards across the centre of Bristol, the Association of Local Landlords (Wessex) finds that the case to introduce this extent of licensing is not justified.

The Department for Communities and Local Government guidance document 'Approval steps for additional and selective licensing designations in England' states that "during consultation, Local Housing Authorities (LHAs) must give a detailed explanation of the proposed designation, explaining the reasons for the designation, how it will tackle specific problems, the potential benefits etc".

We are of the opinion that the information currently presented does not provide sufficient justification under the Housing Act 2004, Communities and Local Government Guidance to pass the correct procedural requirements for the creation of an additional licensing designation.

The BRE headline results identified that category 1 hazards were identified, the basis behind Bristol City Councils reasoning to justify the introduction of the proposed licensing.

These category 1 hazards relate to “fall hazards” and “excess cold”. Other category 1 hazards are mentioned but limited detail is given.

Educating landlords to be particularly vigilant with respect to fall hazards, the main category 1 hazard, would be a more cost-effective means of reducing this concern.

It should be noted that insurance claims due to injuries after a fall, is one of the largest fraudulent claim categories!

The recent introduction of the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 mean that, from April 2018, private non-domestic (and domestic) landlords must ensure that properties they rent in England and Wales reach at least an EPC rating of E. The impact of this new regulation on reducing the reported category 1 hazard relating to excess cold has not been included, compliance provisions to reduce excess cold.

Simple and accessible (free) online checks on the EPC Register will confirm the status of a property's EPC rating.

We fail to see the importance of fuel poverty and low income within the proposal. Landlords do not sell fuel or intentionally finance tenants. However, these issues are most likely to influence reports relating to category 1 hazards of “excess cold”.

Section 57 (4) of the Housing Act 2004 states that a local authority “must not make a particular designation ... unless (a) they have considered whether there are any other courses of action available to them ... that might provide an effective method of dealing with the problem or problems in question”.

The consultation document makes limited or no mention of any other measures taken, whether by Bristol City Council or any other body.

In particular:

- • Anti-Social Behaviour Orders (ASBOs) under the Crime and Disorder Act 1998;
- • Injunctions whether under section 153A of the Housing Act 1996 or section 222 of the Local Government Act 1972;
- • Directions regarding the disposal of waste (for example under section 46 of the Environmental Protection Act 1990);
- • Litter abatement notices under section 92 of the Environmental Protection Act 1990;
- • Powers under the Noise Act 1996 to serve fixed penalty notices or confiscate equipment (sections 8 and 10);
- • The power to require rubbish to be removed from land under section 2 – 4 of the Prevention of Damage by Pests Act 1949.

Instead Bristol City Council in its list of licence conditions attempts to make the landlord responsible for taking these measures. Passing these responsibilities onto the landlord who is not empowered by law to address such issues will not see any improvement. The law will need to change substantially, otherwise legal cases against landlords by tenants will proliferate. The interruption of a tenant's right to privacy and quiet enjoyment by the landlord being the main concern in exercising Bristol City Council's wishes.

A prescriptive list of licence conditions such as those which form the basis for every additional licensing scheme will not solve the problem of poor internal or external conditions.

The root cause being landlords not knowing their statutory duties or obligations. This does not demonstrate a need for additional licensing.

There has been pre-consultation discussions during the West of England Landlord Panel meetings, where it was clearly stated that Bristol City Council's intention to introduce additional licensing across the City was "because it is a Labour Party mandate". This suggests the main reason of the proposal is politically driven and not based on evidence of conditions necessary to justify such a proposal.

The suggested fees are high, even the discounted fee is high. The results of recent research commissioned by the National Approved Letting Scheme (NALS) suggests that Bristol City Council's licensing fees one of the highest in England and the fourth highest when compared to wards in London. A breakdown of operating costs has not been provided to justify the proposed fee.

Statistical Analysis Evidence

28.9% of dwellings (58,093) in Bristol (Para 1.1) are within the PRS. Of those, 21% (12,559) are HMO's. Of those HMO's 62% (7,786) (Para 10.2) are in the proposed designated area. Around 5,500 will come under the new additional licensing.

The number of HMO's within the designated area that are calculated by BRE to have cat 1 hazards (Para 10.4) are 22% (2,738).

Cat 1 hazards primarily related to fall hazards (500) and excess cold (1,941) a total of 2441 - really!!

Other Cat 1 Hazards relate to only 2.3% (297).

Conclusion: The analysis identifies that a simple education programme for landlords on how to eliminate fall hazards and how to add efficient heating and insulation could remove the need for additional licensing. The impact of introducing the recently introduced EPC regulation has not been factored in.

The figures stated in the proposal alone do not provide evidence that there is a "significant proportion of HMO's in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more problems either for those occupying the HMO's or members of the public" Para 8.1.

Based on the data provided, the actual number of HMO's in poorer condition than non-HMO's and complaints received relating to poor management and poor condition of HMO's could be quite low.

The Government Para 1.4 and 5.2 provides the Council with the power to request approval for the application of Additional Licensing in areas that it "considers" is in need of improvement. In our experience the Government are unlikely to deny such a request, the blessing to proceed is obtained prior to the consultation and as such will be based on the Council's view of where it considers licensing is required.

Ourselves and Fellow members of the West of England Landlord Panel Meetings, are well aware, it has been clearly and openly stated by Paul Smith (Cabinet Minister for Housing) that the reason for adopting additional licensing across Bristol city is "because it is a Labour Party mandate". We believe that this is the overriding reason why additional licensing is being applied across the twelve wards. This is not a valid reason for introducing additional licensing as proposed.

Conclusion: Based on the statistical analysis provided, the proposal does not provide clear evidence that additional licensing is justified in the twelve designated wards. We believe the additional licensing is being driven as a means to achieve the political agenda of the Labour Party.

The Association of Local Landlords (Wessex) is not opposed to the introduction of additional licensing, however, it must be justified, and that justification must be based on hard evidence and not by statistical analysis or a political agenda.

A statistical analysis approach will take a representative sample of the total population (maybe from evidence gained during the pilot schemes in Stapleton Road, Eastville and St George). The results being extrapolate across the proposed twelve wards.

Due to the great variation in the demographic population and housing types/age between each of the proposed wards and pilot scheme areas, this extrapolation will be grossly inaccurate.

Even so, the proposal does not provide data with regard to the success of the pilot schemes. How many prosecutions, degree of improvement in HMO condition and their management.

We are aware that a significant number of HMO's within the pilot scheme areas have yet to be inspected by Bristol City Council. An indication that the council has failed to deliver, within an appropriate and effective time-scale, the service funded through additional licensing applicants.

It begs the question of how the intended inspections detailed in Para 5.8 will be achieved over twelve wards, particularly as there is now the added burden of more HMO's that come under the new definition of mandatory licensing.

Conclusion: The analytical data is flawed, and Bristol City Council have been inefficient in conducting inspections of licensed HMO's.

Fees

Given that much of the application process is automated, we believe a system that is significantly less expensive could be employed. Similarly, we suspect that inspections can be achieved in a much more cost-effective manner than that proposed. Why is the average number of properties visited three times?

The Council has a duty to provide services in a cost-effective manner and we would support a regime whereby those HMO's that require more Council input to achieve the licensing standard are charged more.

There is no breakdown of costs that demonstrates how the proposed fees were determined.

We have concerns that the proposed additional licensing fee has simply been pitched at something similar to what other Councils' are seeking to charge rather than a true reflection of the likely costs.

A recent study commissioned by the National Approved Letting Scheme (NALS) suggests that Bristol licensing fees are ranged fourth, just below three other wards in London. This needs to be justified.

Conclusion: There is great suspicion in terms of how the application fees will be spent. Considering the income is likely to be in excess of £7.5 million (new additional and mandatory licensing plus renewals), one would expect the control of such a large amount of public monies to be regularly (annually) scrutinised by an independent auditor. The results of an audit would eliminate this suspicion and give landlords the confidence that their contributions are being used in a lawful way.

Engagement with Landlords

It is interesting that Bristol City Council has noted the reluctance of PRS landlords to engage with the Council Para 4.4. I suspect the main reason for this is the anti-landlord rhetoric experienced from both central and local Governments.

The application of additional or selective licensing does little to encourage landlords to work with the council. Good landlords suffer the penalty of fees and over bearing regulation, even if the landlord's properties are already compliant and managed effectively.

This does little more than alienate the good landlord from the Council.

Rather than using local intelligence and the tools available to detect HMO's, it is apparent that the Council prefers to sit back, implement a licensing scheme, then make sure that all the compliant landlords' properties meet designated housing standards – which for the most part, they will do because these are the good landlords.

Those properties where landlords are 'hiding' and whose properties are more likely to offer poor standards will not be uncovered simply by the introduction of a licensing scheme. The prosecution of landlords with poor standards of property could still take place but if the current additional licensing scheme is anything to go by, the scale of the problem is not significant.

The basis for the new scheme appears to be that there is insufficient regulation over HMO's at the moment. This is, of course not true, particularly with reference to housing standards but the premise that all HMO's in Bristol should be regulated seems rather Stalinist particularly when you consider that a great deal of student accommodation is NOT regulated because it is managed either by a large plc, university or the Council.

It should be remembered that the conditions within these other units will only be as good as the local management allow them to be. It is the inability or unwillingness of Council staff to locate the bad HMO's that fail to meet standards that is the real problem.

We have seen little evidence of how the Government funding referred to in Para 21 has been used to identify rogue landlords.

Conclusion: The additional licensing scheme merely provides Council staff with a legal stick with which to beat any landlord that fails to register under the scheme and cost those that do. A greater and more proactive effort by the Council in identifying rogue landlords through other means is more likely to help in achieving a more positive engagement with good landlords.

Partnership Working

It has been disappointing not to have been invited into more dialogue with regards to how best the objectives of the proposed additional licensing could be achieved. We believe there to be systems and processes that could be adapted and employed to reduce the cost and subsequently the fees associated with the licensing as whole.

The West of England Landlord Panel meetings are insufficient to achieve a detailed insight into the internal issues that the PRS team has to face. From personal experience an already formed team will have difficulty in thinking "out of the box" or in a more efficient way. Many blue-chip companies have achieved great efficiencies through thinking differently. In most cases a change in culture is required, this often necessitates a change in management and therefore has to be driven from the very top or by their shareholders. We recognise that as with most public sector there are inherent inefficiencies and layers of bureaucracy to deal with.

Conclusion: there is a reluctance by the Council to truly partner with external agencies where efficiencies and cost reduction could be achieved. Inherent internal inefficiencies and layers of bureaucracy add to inefficiency and higher costs.

Additional Licensing Conditions

Waste & Recycling - Clarification is required with regard to a "mandatory condition for landlords to provide suitable facilities for the storage and disposal of refuse and recycling in accordance with the Council's waste and recycling collection requirements" (Para 24.1). Is this not funded by Council Tax? Or will landlords receive a discount where these services are expected of the landlord?

Where refuse and recycling waste is not disposed of by tenants in accordance with the Council's waste and recycling collection requirements, the tenants should be treated no differently by the Council as they would treat an owner occupier.

Where parking restrictions are applied or where waste from rented properties are considered as commercial waste and charges are applied, the Council does not contribute in helping landlords manage these situations.

Bristol City Council's Code of Good Management Practice - The Association of Local Landlords (Wessex) are generally supportive of Bristol City Council's Code of Good Management Practice (para 24.4) however, we have concerns with regard to the provision of contact details to neighbours.

It is wrong of the Council to insist that landlords provide contact details to immediate neighbours of HMO's. If the neighbour has an issue with the occupiers of the HMO, in the first instance he/she should do what everybody else has to do, that is take up the issue with the occupants. If that fails, the next step may be contacting the police and or the Council's Environmental Health Officer, depending on what the issue is. The online register provided by the Council showing the managing agent or landlord's contact details should suffice.

While landlords can include a clause in the lease designed to rein in anti-social behaviour, such clauses may be deemed to be unreasonable to tenants and in any case, they will can be ignored by the tenant. There are limited legal remedies to counter anti-social behaviour that are available to citizens. There is no case for the neighbours of HMOs to be treated as more privileged than others.

Landlords are prevented by law from entering a rented property without giving 24 hours-notice. Tenants have a legal right to privacy and quiet enjoyment. If the tenant does not grant entry into the property, the landlord cannot be expected by the Council to resolve issues such as anti-social behaviour or pest infestations etc.

Conclusion: Clear legally compliant and agreed guidelines are required from the Council that explains their expectation of landlords in addressing these problems. These guidelines should not discriminate between properties with owner or tenant occupants.

Fit and Proper Person Checks - Landlords should be informed as to what third parties (data protection requirements) are employed by the Council to conduct checks or source information for the Landlord to qualify as a Fit and Proper Person (Para 24.7 & 25). The results of these checks need to be fed back to the landlord. The fee charged for such checks is assumed to be more than the self-declaration, if not why charge a fee?

Licence Period

The Council needs to explain the process for renewals after the five-year term. The landlord, with a fully compliant property, as determined within the first additional licensing period, would rightfully expect to pay a significantly lower fee to renew the licence for the following period. This seems to have been circumnavigated in Para 27. Or do we assume that a renewal of the licence will not be required?

Appendix 2 - Licensing Conditions

In general, I would suggest some legal scrutiny is applied to most statements within this section. Most requirements could be considered as "unfair terms".

For example,

Item 1 states, "if gas is supplied to the house". So, if a landlord has a gas meter but no gas appliances are you still expecting a gas safe certificate?

or

Item 2 states, “a landlord must keep electrical appliances and furniture made available in the house in a safe condition”. A landlord is not present all the time and in his/her absence, has no control as to how the appliances are being used. Rather than use the word “keep”, changing it to requiring the landlord to employ a program of checks such as Portable Appliance Testing is more practical. Even so the landlord can only confirm the appliance is/was safe at the time of the check.

Item 4 – what happens if you can’t get a reference? Not all landlords or employers will give a reference on paper or by e-mail.

Item 8 – While landlords can include a clause in the lease designed to rein in anti-social behaviour, such clauses may be deemed to be unreasonable to tenants and in any case, they will can be ignored by the tenant. Landlords are prevented by law from entering a rented property without giving 24 hours-notice. Tenants have a legal right to privacy and quiet enjoyment. If the tenant does not grant entry into the property, the landlord cannot be expected by the Council to resolve issues such as anti-social behaviour or pest infestations etc.

Clear, lawful guidance is required from the Council that clearly defines their expectations of landlords in dealing with anti-social behaviour.

Item 10 - We are supporters of the Council’s West of England Development Programme and look forward to the expected updated edition.

Item 15 – Data protection requirements must be complied with. The Council must be explained why and for what purpose this information is required. Permission will be required from the tenant to provide the Council with this data.

Item 19 – this is not helpful and as written does not help in developing an effective landlord/Council relationship! The Council has all landlord e-mail addresses, landlords can easily be advised of any changes by the Council.

Item 21 – EPC’s are readily available via the online EPC Register. It can be obtained quicker this way than sending a request to the landlord!

Item 24 – Alarms installed in most HMO’s that will come under the proposed additional licensing do not require certificates of inspection. This is explained within the BS 5839-6:2013 standard.

Item 27 – We would recommend the Council includes the need for Carbon Monoxide detectors beyond the legal requirement, to include gas and oil appliances (all carbon burning fuels).

Final Conclusion

After careful assessment of Bristol City Council’s proposal to introduce Additional Licensing in twelve wards across the centre of Bristol, the Association of Local Landlords (Wessex) finds that the case to introduce this extent of licensing is not justified. Please refer to the Executive Summary at the head of this document for more detail.

We hope you find our response to the consultation document of benefit and look forward to hearing the collated feedback received in response this consultation, also Bristol City Council’s response to this consultation.

Yours sincerely

Rob Crawford

Rob Crawford

Chairman

e-mail: rob@allwessex.co.uk

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16 Appendix 2

Letter from NALS (National Approved Letting Scheme)

BRISTOL COUNCIL'S ADDITIONAL LICENSING PROPOSALS

A RESPONSE TO THE CONSULTATION FROM THE NATIONAL APPROVED LETTING SCHEME (NALS)

INTRODUCTION

NALS www.nalscheme.co.uk is a licensing scheme for lettings and management agents operating in the Private Rented Sector. NALS agents are required to:

- deliver defined standards of customer service
- operate within strict client accounting standards
- maintain a separate client bank account
- be included under a Client Money Protection Scheme

Agents must provide evidence that they continue to meet NALS criteria on an annual basis, in order to retain their licence. The scheme operates UK wide and has 1500 firms with over 2000 offices.

NALS also administers the SAFEagent campaign www.safeagents.co.uk the purpose of which is to raise consumer awareness of the need to ensure that landlords and tenants should only use agents who are part of a Client Money Protection Scheme, which offers reimbursement in the event that an agent misappropriates their money. The campaign is recognised by Government and our logo appears in their How to Rent guide How to Rent

We have also become a co-regulation partner with Liverpool City Council.

NALS AND LICENSING

NALS is supportive of initiatives such as Additional Licensing, providing they are implemented in a way that takes account of the Private Rented Sector (PRS)'s own efforts to promote high standards.

NALS believes that positive engagement with voluntary schemes and the representative bodies of landlords and agents (such as NALS) is essential to the success of initiatives such as Additional Licensing. Our engagement around the country, with various local authorities, suggests that lettings and management agents have a key role to play in making licensing, accreditation and other regulatory schemes work effectively. Agents tend to handle relatively large portfolios of properties, certainly when compared to small landlords.

Agents tend, therefore, to be in a position to gain an understanding of licensing based on wider experience. They become expert in trouble shooting and ensuring that the balance of responsibilities between the agent and the landlord is clearly understood. This, amongst other things, can help to prevent non-compliance due to misunderstandings about local licensing arrangements.²

Furthermore, NALS ensures its members maintain certain operational standards, have Client Money Protection arrangements in place, keep separate client accounts and comply with their legal obligation to be a member of a redress scheme. We also provide training. All this can be of assistance to councils who are trying to drive up standards in the PRS.

Although agents are now required to belong to a government approved redress scheme, display their fees and publish their client money protection status, our experience to date suggests local authorities face

challenges in enforcing these standards. Membership of bodies such as NALS can reduce the need for the local authority to use its formal, legal powers in these areas.

BRISTOL COUNCIL'S PROPOSALS - SPECIFIC ISSUES

Scope for Co-Regulation

NALS has been a regular attendee at Bristol Council's discussion groups for landlords and agents. We have found these opportunities to engage extremely valuable. We were supportive of the West of England Rental Standard initiative but disappointed by the direction taken when this was re-launched as Rent with Confidence. Now, this current licensing proposal seems to us to be a missed opportunity to link licensing with co-regulation.

We do not think the account given of co-regulation at Section 20 of your Information Booklet is wholly correct. In practice, notably in Liverpool, co-regulation and licensing go hand in hand – they are not mutually exclusive. Compulsory licensing is implemented in partnership with approved co-regulation schemes. In the vast majority of cases, landlords and agents join one of the approved co-regulation schemes in order to secure a discount on the license fee.

We do not agree that, under co-regulation schemes, there would be a higher number of tenants "*who fear revenge/retaliatory eviction (and) will not come forward to report problems*" than under the proposed scheme. In our experience, tenants are just as likely to contact their letting agent if that agent is a member of a co-regulation scheme. The co-regulation scheme gives tenants an additional safeguard in that agents are audited on complaints handling by the co-regulator.

It is also not correct to say that "*as a rule, the condition of the property is not always assessed by an inspection*". Again, co-regulators will audit their members on property inspection.

It is also wrong to say that "*there is no requirement for the landlord/agent/person involved in the management of the property to meet the 'Fit and Proper Person' test*". All co-regulators will, in fact, apply such a test as a condition of membership.

Lastly, it is wrong to say that "*only minimum legal standards can be enforced*". In fact, the membership requirements of co-regulators, taken together with license conditions, go well beyond this.

So, we would strongly suggest that more thought is given to the "licensing with co-regulation" model. In our view, this model is more effective than the "licensing with self-regulation" model proposed. At Section 23, the booklet says that the, under the proposed scheme, "*a key component to the work carried out in the area will be the collaboration and engagement with partner agencies*" We think a "licensing with co-regulation" model would best achieve this.³

We would also point out that co-regulation will help Bristol Council to properly resource the scheme, achieving cost savings that can be passed on to landlords through a more reasonable fee structure.

Fee Structure

The "licensing with co-regulation" model depends upon the setting of a reasonable license fee with a significant discount available to those who join an approved scheme.

In our view, the fee proposed by Bristol Council are unreasonably high. At £1660, it is one of the highest we know of, with only some London Boroughs charging more. We would suggest that Bristol Council examine the National Landlords Association report below when assessing the reasonableness of the fee.

<https://landlords.org.uk/sites/default/files/2017-04/Licensing%20in%20your%20Region%20%28updated%204417%29.pdf>

We note that the proposed fully discounted fee is £875. We would suggest that something in this region should be the main fee with a 50% reduction for compliant / accredited/ co-regulated agents and landlords (say £900 discounted to £450)

In our view, it is very important that the level of fees set is affordable. If it is not, it might act as a significant disincentive for landlords and agents who are being asked to work in partnership with the Council to tackle homelessness. High fees may provide an unintended incentive for landlords and agents who are happy to house homeless people to work with other Local Authorities. We know there are several London Boroughs who would consider placing homeless households in Bristol, at rents set to cover the increase in licensing fees.

COMMENTS ON THE LICENCE CONDITIONS

Tenant Referencing

We are strongly supportive of the requirement to obtain references for prospective tenants, as NALS is actively involved in promoting good practice in tenant referencing.

Tenancy Management

NALS agents are expected to provide and fill in a tenancy agreement on behalf of the landlord. They will always make sure the terms of the tenancy are fair and help the tenant to understand the agreement.

They will always provide clear information to the tenant about any pre-tenancy payments and what these cover. They will explain any requirement for a guarantor and what the guarantor role entails.

At the end of a tenancy, they will always serve the tenant with the correct period of notice as set out in the tenancy agreement.

Under NALS' service standards, agents are required to take a deposit to protect against possible damage. They are required to explain the basis on which the deposit is being held and the purpose for which it is required, as well as to confirm the deposit protection arrangements. When joining NALS, agents are asked to provide details of the number and value of the deposits they have registered with the statutory deposit schemes. They are also asked to authorise NALS to contact the scheme to verify this information.

During the course of a tenancy, NALS agents will check the condition of the property and draw up a schedule to outline any deductions to be made from the tenant's deposit. They will return the deposit in line with timescales and processes required by the statutory tenancy deposit schemes.

NALS agents are also required to:

- Have a designated client account with the bank
- Operate to strictly defined Accounting Standards
- Be part of a Client Money Protection Scheme.

These requirements provide additional security for client monies held, over and above the requirements of the Bristol licensing scheme. Again, this is an area where increased NALS membership would be of benefit to the Council and local tenants.

Licence Conditions Relating to the Property

We welcome Bristol Council's drive to improve property standards. We believe that NALS' standards go a long way to ensuring compliance with license conditions.

Under NALS' service standards, NALS agents are expected to visit any property to be let with the landlord and advise on any action needed before letting the property. This includes any repairs and refurbishments needed to put it into a fit state for letting. They will also go with possible new tenants to view unoccupied property. Tenants can, therefore, be confident that NALS agents have provided advice to the landlord concerning any repairs or refurbishments which are necessary.

NALS agents are expected to explain both the landlord's and the tenant's the rights and responsibilities. To guard against misunderstandings, they will arrange for the preparation of a schedule of the condition of the property.

NALS agents are required to ensure that tenants are provided with copies of safety certificates on gas and electrical appliances before they commit to the tenancy. They will provide details of the condition of the property, plus a list of its contents. The property will have undergone all required safety checks on furnishings, and gas and electrical services.

Thereafter, NALS' standards require agents to carry out property inspections periodically, as agreed with the landlord, in line with normal good practice. NALS and our firms would anticipate inspections to be carried out every 6 months as a minimum, to identify any problems relating to the condition and management of the property. In line with common practice, records of such inspections would contain a log of who carried out the inspection, the date and time of inspection and issues found and action(s) taken. Under a licensing scheme, this information could be shared with the council in an appropriate format.

Tenants will be fully aware of access arrangements. NALS agents are expected to arrange in advance a time for access, in order to inspect the condition of the property in accordance with the tenancy agreement. NALS agents will arrange to have routine maintenance work carried out, up to a limit agreed with the landlord. The agent will refer expenditure above that limit to the landlord.

Anti-Social Behaviour

We note that there are distinctive issues around crime and Anti-Social Behaviour (ASB) in the licensing area. However, we do have concerns about the assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB.

There may be some *correlation* between incidences of ASB and the prevalence of PRS accommodation on the area. However, correlation does not imply *causation*. The *causes* of ASB are many and varied. It is not, in our view, reasonable to expect agents and landlords to play a disproportionately large part in tackling them.

Furthermore, we would strongly advise against any proposals which imply a parity of approach between the PRS and the social rented sector. Social landlords are publicly funded (and regulated) to develop and manage housing on a large scale. Their social purpose brings with it wider responsibilities for the communities in which they work. As private businesses, PRS landlords and their agents, whilst having clear responsibilities to manage their properties professionally cannot reasonably be expected to tackle wider social problems.

Suitability of Licence Holder

We note the requirement that the council would only issue a licence if it is satisfied that the proposed licence holder is a 'fit and proper' person and that there are suitable management arrangements in place. We believe that this requirement highlights the importance of lettings and management agents belonging to recognised accrediting bodies like NALS, who themselves apply a fit and proper person test.

All principals, partners and directors of a NALS firm are asked to make the following declaration on application:

– “I confirm that: for a period of 10 years prior to this application I have had no conviction for any criminal offence (excluding any motor offence not resulting in a custodial sentence) nor have I been guilty of conduct which would bring the Scheme or myself into disrepute; I am not an undischarged bankrupt nor is there any current arrangement or composition with my creditors; I am not nor have I been a director of a company which has within the period of 10 years prior to this application entered into liquidation whether compulsory or voluntary (save for the purpose of amalgamation or reconstruction of a solvent company) nor had a receiver appointed of its undertaking nor had an administration order made against it nor entered into an arrangement or composition with its creditors; nor have I at any time been disqualified from acting as a Director of a company nor subject to a warning or banning order from the Consumer Markets Authority or the Department for Business, Enterprise and Regulatory Reform.

If I am subject to any current claim or am aware of any impending claim for professional negligence or loss of money or if I have been the subject of any investigation by the Consumer Markets Authority and/or local Trading Standards Office, full details of the circumstances are set out in a report enclosed with the application; all information provided by me in connection with this application is, to the best of my knowledge, correct”

We believe this certification is broadly in line with Bristol Council’s licensing conditions and is another example of where promotion of NALS membership through discounts could help to ensure compliance.⁶

Complaints

All NALS firms are required to have a written Customer Complaints Procedure, available on request. Our guidance sets out how the first step for complainants is to ask the firm they are dealing with for a copy, which will outline the method by which they can seek to resolve any issues.

In line with statutory requirements, all NALS members must also be members of a recognised redress scheme. Firms are required, at the request of the complainant, to refer the complaint to a redress scheme once their in-house procedure has been exhausted. They are also required to comply with any award determined by the redress scheme, within the timescale prescribed.

Under co-regulation schemes elsewhere in the UK, NALS has undertaken to review any complaints that have been adjudicated upon by any of the redress schemes. Under such an arrangement, NALS can report to the Council on the number of complaints reaching this stage and on the adjudications made. Non-compliance with a redress scheme’s adjudication would eventually lead to disqualification of the agent from NALS. We would be happy to come to a similar arrangement with Bristol.

CONCLUSION

It seems to us that many of the licencing requirements in the Bristol scheme highlight how important it is for landlords to work with reputable agents such as NALS members.

NALS would welcome a collaborative approach with Bristol Council, based on shared objectives. We believe that agents who are members of a recognised body, especially under a co-regulation model, are more likely to embrace Additional Licensing and less likely to generate complaints or breaches of their licence. Thus, the Council would experience reduced administration and compliance costs

APPENDIX 1 – COMPATIBILITY OF NALS SERVICE STANDARDS WITH TYPICAL SCHEME CONDITIONS

Example Scheme Conditions

NALS Service Standard Requirements

Fees

NALS promotes complete transparency in agency fees. Members provide landlords with a statement of account as often as

agreed.

Rent Liabilities and Payments

NALS agents collect the rent and pass it on every month or as otherwise agreed. The agent will keep a separate clients' account to hold all monies.

Contact Details

NALS agents are expected to respond to tenant and other legitimate enquiries in a timely manner. Up to date contact details will enable them to respond to tenants' requests for maintenance or repairs which might in some cases have to be referred to the landlord for approval.

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17 Appendix 3

Letter from RLA (Residential Landlords Association)

11th May 2018

1 Roebuck Lane
Sale, Manchester, M33 7SY
Tel: 0845 666 5000
Fax: 0845 665 1845
Email: info@rla.org.uk
Website: www.rla.org.uk

Bristol City Council
40 School Road
Bristol
BS4 4NN
By email: private.housing@bristol.gov.uk

Dear Sir/Madam,

Consultation response: HMO Additional Licensing

Thank you for the opportunity to respond to the above consultation.

We have read through your consultation documents, and though we appreciate the issues that the Council have mentioned and the effect they can have on tenants, landlords and the housing market in areas such as Cotham, Easton, Windmill Hill, Redland, Southville and Lawrence Hill, licensing is not the way to tackle these issues.

The RLA is opposed to the scheme and has many general objections to Licensing overall, which are attached as an appendix to this letter.

Additional Cost

As cited in the consultation papers, the Housing Strategy 2015-2020 aims to tackle the range of housing issues that affect people who live in Bristol. Due to the economic situation in Bristol many people are increasingly relying on private rented accommodation when they would have previously purchased or would have rented social housing.

Good landlords will apply for licences and, likely, pass the cost on to tenants in the form of increased rents, doing nothing to address affordability, while the worst landlords – the criminal operators – will simply ignore the scheme, as they do many other regulations. The proposed full standard licensing fee of £1660, even with the discounts, is an unnecessary financial burden to put on landlords. These schemes do little but alienate lawful landlords by burdening them with additional costs, while criminal operators continue to ignore regulations and avoid these additional costs.

Raising standards and tackling rogue landlords

There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. Additionally, the decent homes standard is a measure of the standard of housing and has no legal applicability to PRS housing. The Housing Health and Safety Rating System (HHSRS) is the relevant standard for the PRS, as it identifies any potential hazards an occupier may encounter in a dwelling.

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources wasted processing applications, it should continue to direct these limited resources at identifying private rented properties and taking effective enforcement activity, where necessary.

As cited in the consultation documents: *“A rogue landlord initiative to tackle the issues in the proposed area without the proposed additional licensing scheme is not considered the most satisfactory course of action, as it will not significantly improve the standards and management of HMOs in the proposed area”*, it is not

necessary to implement a further additional licensing scheme in order to tackle rogue landlords, as there is already existing legislation in place that local authorities can use to take action against such individuals. The RLA is supportive of persistent rogue landlords and letting agents being prevented from dealing in property, even though currently only a relatively low number of landlords are ever prosecuted. The council should seek to make full use of the new powers granted by the Housing and Planning Act 2016, including banning orders, before considering the extension of licensing.

Pressure on non-licence areas

Landlords, especially those with other properties outside the licence area will become risk averse in terms of the tenants they let to. Tenant problems such as anti-social behaviour is impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere. Some may seek to evict already challenging tenants. This could mean additional costs to other council services, as they pick up the pieces created by the disruption to the lives of already vulnerable tenants.

Pre-emptive introduction

Moreover, the Government has already announced and confirmed that the extension of mandatory HMO licensing is due to come into force from 1st October 2018, subject to Parliamentary approval. The RLA believes that many of the changes are unnecessary and will put a huge strain on local authorities, and that Bristol City Council introducing a rollout without first seeing the impact the mandatory HMO licensing will have on other areas will burden landlords.

Code of Good Management practice

Referring to the Code of Good Management practice section (points 16 to 19 in Appendix 2 Licence Conditions), it is not appropriate that Bristol City Council can amend conditions for Landlords part way through a licensing period at will. Such conditions should already be set out at the beginning when a Landlord applies and becomes subject to a HMO Licence, rather than added to later.

Inventory requirements

Appendix 3 (point 2) requiring: *“An inventory is signed by both parties at the beginning of the tenancy (or as soon as practicable afterwards) and to give the tenant the opportunity both to carry out a joint inventory inspection at the outset and to discuss the inventory at the end of the tenancy”*, as part of a Licensing condition, it cannot be required for the Landlord to provide an inventory. Therefore, the Council cannot impose this and such a condition should not be carried forward.

In conclusion. Rather than expanding an ineffective licensing scheme, the council should use cross departmental and multi-agency working and effective use of existing housing legislation to support tenants and landlords in maintaining tenancies, housing condition and management standards.

We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for so-called rogues to operate under the radar.

There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement. More information can be supplied if required.

Yours faithfully,

Samantha Watkin

Policy Officer

Residential Landlords Association

Samantha.Watkin@rla.org.uk

Appendix

The RLA has several areas of concern regarding licensing, namely:

- i. Worrying trends are emerging in the case of discretionary licensing. Licensing entails a huge bureaucracy and much time, effort and expense is taken up in setting up and administering these schemes; rather than spending it on the ground and flushing out criminal landlords.
- ii. Increasingly, discretionary licensing is being misused to fund cash strapped housing enforcement services. The recent Westminster sex shop Court of Appeal (*Hemming (t/a Simply Pleasure) Limited v Westminster City Council*) has brought such funding into question).
- iii. Discretionary licensing is not being used for its intended purpose of a short period of intensive care; rather it is being used by the back door to regulate the PRS.
- iv. The level of fees which are ultimately passed on to tenants to pay is a major worry so far as it affects landlords.
- v. Despite high fee levels local authorities still lack the will and resources to properly implement licensing.
- vi. Little has been done to improve property management. Opportunities to require training have been ignored. As always it has become an obsession regarding physical standards with very detailed conditions being laid down. No action is taken against criminal landlords.
- vii. We believe that a significant number of landlords are still operating under the radar without being licensed.
- viii. As always it is the compliant landlord who is affected by the schemes. They pay the high fees involved but do not need regulation of this kind.
- ix. Licensing is not being used alongside regeneration or improvement of the relevant areas. Insufficient resources are being employed to improve the areas.
- x. Where areas are designated for selective licensing this highlights that they can be “sink” areas. This could well mean it would be harder to obtain a mortgage to buy a property in these areas.
- xi. Schemes are not laying down clear objectives to enable decisions to be made whether or not these have been achieved. Proper monitoring is not being put into place to see if schemes are successful or not.
- xii. There is little use of “fit and proper person” powers to exclude bad landlords.

18 Appendix 4

Letter from Unite

South Quay House Temple Back Bristol, BS1 6FL T: +44 (0)117 302 7000 F: +44 (0)117 302 7400 unite-group.co.uk unitestudents.com

Registered office South Quay House, Temple Back, Bristol, BS1 6FL

Bristol City Council consultation on proposal for an additional licensing scheme for houses in multiple occupation

Unite Students' response to the consultation

Introduction

1. As a major provider of high quality student accommodation in Bristol, Unite is grateful for the opportunity to give its views in this consultation.
2. Unite strongly supports the aim of tackling poor management of private rented accommodation. Our business is based on delivering high-quality, safe and secure accommodation to students.
3. We operate our facilities to the highest standards, underpinned by both statutory provision and strict industry code. However, we do not believe that including student accommodation in an Additional Licensing Scheme is appropriate. Purpose-Built Student Accommodation (PBSA) is fundamentally different from the rest of the private rented sector. This distinction is already reflected in the fact that PBSA owned and managed by educational establishments are exempt from licensing.

Different arrangements for PBSA

4. Unite Students submits that PBSA should be exempted from any extension of Additional Licensing undertaken by Bristol City Council.

5. The Housing Act 2004 introduced a system of mandatory, additional and selective licensing for Houses of Multiple Occupancy (HMO) in order to tackle problems of poor management and conditions in the private rented sector. In short, councils were enabled to introduce paid licensing schemes in order to increase standards for private renters. Certain categories of HMO would require mandatory HMO licensing, while others would be subject to additional and selective licensing.
6. Unite Students supports these principles in relation to private rented landlords, but is clear that licensing was not designed to address Purpose-Built Student Accommodation such as Unite's Bristol properties, which are already regulated by a separate and highly stringent code for student housing, the ANUK/Unipol National Codes – itself underpinned by the 2004 Act.
7. The ANUK/Unipol National Codes have been in operation for more than 12 years, and are widely recognised to have operated well. These codes are themselves underpinned by the 2004 Act, which recognised the particular and specific needs of the student housing sector. Unite Students is therefore already held to a code with robust enforcement mechanisms which do apply to other private landlords are not.

Unite Students' standards

8. As Bristol City Council's consultation document states, in order to make an additional licensing designation for a particular type of HMO, the local authority must consider that "a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively to give rise to one or

more particular problems". This is not the case with Unite Students, which has consistently high levels of customer satisfaction, in Bristol and around the country. There is no suggestion of ineffective management of our properties.

9. We operate our buildings in accordance with eight statutory and 12 best practice health and safety standards. These are audited on a monthly basis by our on-site teams and twice a year by our internal team of health and safety experts. Our processes and procures are accredited by the British Safety Council.

10. All our properties are designed and built in accordance with a building-specific fire safety strategy. They have in place a comprehensive set of fire safety measures and procedures, which are tested regularly. We work closely with experts from the Avon Fire and Rescue services in the development and maintenance of our fire safety strategy and procedures.

11. Unite's business is built upon on maintaining the highest standards of customs service and safety, and to do so all of its properties include (at a minimum):

- Fortnightly cleaning of all kitchens and common areas in our student flats.
- Working CCTV in all our buildings which complies with the relevant ICO standards.
- A range of additional safety features which are fully maintained and checked on a regular basis.
- An in house team of maintenance specialists are on hand to respond to issues in accordance with a strict set of SLAs.
- All our buildings are fully refurbished in accordance with our latest specification every eight years.
- On-site security on hand 24-hours a day. We also operate a 24/7 emergency contact centre that students can call in an emergency.
- A comprehensive welfare programme in place with trained welfare leads in all our properties.

12. It is important to note that even if PBSA was excluded from the Additional Licensing regime being consulted upon, Bristol City Council and other local authorities would still have significant powers to enforce standards in Unite properties – including building control, fire regulations and others.

13. Unite strongly supports regulation to protect private renters, and tough action on landlords who do not meet the standards. However, Unite is governed by a separate and robust code of conduct that makes inclusion in an Additional Licensing scheme both unnecessary and counterproductive, since enforcement focus should be on the high number of private rented homes in Bristol in poor condition.

Conclusion

14. Our strong view that Purpose-Built Student Accommodation should be exempt from an Additional Licensing scheme in Bristol: both because it accepted that it is subject to a separate and effective standards regime, and also because scarce resources should be focused on the landlords who are letting down their tenants.

About Unite Students

Unite Students is the UK's largest manager and developer of purpose-built student accommodation serving the country's world-leading higher education sector. We currently provide homes for almost 50,000 students in more than 140 properties across 24 leading university towns and cities in England and Scotland. Unite also has a strong development pipeline, which will deliver a further 8,000 beds in the next three years.

Our 1,450 people are driven by a common purpose: to provide the students who live with us a 'Home for Success' and to be the most trusted brand in the sector. We do this through great service, great people and great properties, all designed on the basis of an unrivalled insight into students' needs and preferences.

Unite's accommodation is high quality, safe and secure, and located close to university campuses, transport links and local amenities. Students live predominantly in en-suite study bedrooms with rents covering all bills, insurance, 24-hour security, fortnightly cleaning services and high-speed Wi-Fi. MyUnite, our mobile app, provides practical support such as instant messaging and maintenance requests.

Our commitment to customer service is powered by an innovative, in-house operating platform. It provides a wide range of benefits to our students, such as an optimised online booking process, as well as providing us with a unique ability to drive value from our portfolio through scale efficiencies and revenue management.

Alongside delivering great service, our other strategic priority is delivering growing and sustainable earnings, underpinned by a strong capital structure. A key part of this strategy is growing the number of beds let through partnerships with mid and high tariff universities which are experiencing record levels of student demand. We currently partner with 60 higher education institutions, guaranteeing that approximately 60% of our rooms are let under multi-year, 'nomination agreements' providing high visibility of forward occupancy and rental growth.

Unite is invested in and operates two specialist funds and joint ventures with institutional investment partners: the £2 billion Unite UK Student Accommodation Fund (USAF), and the £1 billion London Student Accommodation Vehicle (LSAV).

Unite is the founder of and major donor to the Unite Foundation, a charitable trust established to support talented students facing challenging financial circumstances through the provision of free accommodation annual scholarships. The Foundation has so far provided scholarships for 250 young people working in close collaboration with 28 universities.

19 Appendix 5

Letter from Collegiate

CO

Senior Policy and Project Officer

Private Housing Service

PO Box 3176 (100 TS)

Bristol

BS3 9FS

9th March 2018

Dear Sir or Madam:

• ~ ,

E IAT

Unit 12, Home Farm

School Road

Ardington

Oxfordshire

OX12 8PF

Consultation on proposal to license privately rented houses in multiple occupation (HMOs) in 12 central Bristol wards (Additional Licensing Scheme)

I write to you in regards to the letter we received on the 28th February 2018 regarding the above consultation. Collegiate acts as managing agent on behalf of Fusion Bristol Central Management Ltd, 15t Floor, 506 Centennial Park, Elstree, WD6 3FG.

Collegiate operates over 6,000 Private Built Student Accommodation beds across the UK all accredited under the ANUK national codes of standards. ANUK has been operating Government approved national codes to ensure high standards in student accommodation for 12 years. The national codes of standards operated by ANUK- which have 'approved' status under the 2004 Housing Act- are a minimum set of standards for student accommodation. These relate to the physical condition of the accommodation, the management of it and the relationship between landlords and tenants. The code reflects established best practice in the sector and are based on what an average student and their parents would expect of a good quality housing supplier.

Members of the code voluntarily commit themselves to meeting the standards set out by them

and sanctions can be applied if members fail to abide by them, including expulsion from it.

We note from your letter that the proposed additional licensing scheme is being considered to tackle problems with the condition and management of privately rented HMO accommodation. If the scheme is focused on poor standards within HMOs we struggle to understand why you feel a need to include PBSA sector developments which are already well managed and operate to standards that go above and beyond those that the local authority sets for HMOs elsewhere in the city.

We strongly believe that being an accredited member of the code provides our tenants with more assurance as to the quality of their accommodation than could be achieved under an additional licensing scheme and therefore believe that PBSA should be excluded from any proposed scheme for the following reasons

- Approved codes are better enforced than council licensing schemes. They offer a tighter regulatory system than licensing and if a member fails to meet its standards, they are expelled from the code
- The approved code sets a range of benchmark standards against which the performance of a member can be judged, in comparison to HMO licensing which allows different local authorities to set their own standards
- The duplication of regulation and associated costs put upward pressure on student rents
- The licensing requirements for HMOs do not offer any extra standards or protection not already covered in the approved codes. Indeed, compliance with the codes ensures that in PBSA the standards required go above and beyond those expected of HMOs. HMO licensing is appropriate to the complexity and size of street-housing, but is not for larger buildings like PBSA.
- Excluding accredited PBSA, who are already subject to a strict code, would free up councils to focus on the job of finding criminal landlords operating under the radar.

Something that we are wholly supportive of.

- The widely held view that PBSA is low risk, well-managed and a safe place to live is inconsistent with the reasons the council set out for the proposed introduction of the additional licensing scheme. We therefore strongly believe that PBSA should be excluded from any such scheme

In summary we are wholly supportive of local councils introducing licensing schemes that tackle

rogue landlords and make a positive contribution to improve the country's housing stock. That said PBSA that is accredited under the AN U K code is already subject to a set of standards that goes above and beyond anything that HMO licensing is proposing. We therefore strongly believe that included such properties will make no difference to tenant satisfaction actually it will inadvertently have a negative effect as the additional costs of licensing will ultimately be passed on to the tenants.

PBSA serves numerous useful purposes which ought to be of interest to the City. These include (i) bringing significant inward investment and employment to the City during the development/refurbishment phase hence boosting the local economy; (ii) providing ongoing employment through the operation of the building (both directly with our employees, and indirectly as students and we use local service providers); (iii) helps build an international reputation for accommodation excellence for the City making it attractive to U K and International students; (iv) supports the successful operation of the City's Universities and Colleges further building on the international reputation enjoyed by Bristol.

Blanket measures that are applied across all accommodation that will serve to increase costs and potentially reduce the scale of inward investment in the PBSA sector will, in our view, be detrimental to the longer term interests of the City. We would advocate a more selective approach, focused on those landlords that are not part of an "approved" accredited scheme, and where standards might well fall below an acceptable level.

Finally, would you be kind enough to confirm whether or not the Secretary of State has given the go ahead for the scheme.

We look forward to receiving your considered response in due course

Yours sincerely,

Alan Blackmore

Director of Residencies

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Mobile:

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