LEEDS CITY COUNCIL’S RESPONSE TO THE FEEDBACK RECEIVED FROM

RESIDENTS AND STAKEHOLDERS

Over 5,300 comments from the online and paper questionnaires were made by residents and stakeholders during the consultation period which have been collated and, where possible, themed. Each theme together with the Council’s response is set out below. The text in italics has been extracted directly from the responses.

All references to "proposals" relate to the initial proposals that were the subject of the consultation.

# 1.1 Concerns relating to the proposed Selective Licensing designation

## 1.1.1Theme: The fee is too high

|  |
| --- |
| Many comments were made in relation to the proposed fee level being too high. Here are some of the comments:  * *“Thats an exorbitant amount”*
* *“These fee's will just effect good landlords and it will put many out of business. I agree but if you charge them fee's it won't work.”*
* *“The fee is too high, there shouldn't be discrimination against people who are not IT literate, more information needs to be provided for the Leeds rental standard”*
* *“Seems high where's the breakdown of costing”*
* *“Selective licence fee is extortionate and should be wiped.”*
* *“I think that some landlords resent an increase in cost, especially because I think that the Landlords who were already in the scheme will have to pay again”*

 Other comments from respondents suggested they agreed with a discount being offered for members of the Leeds Rental Standard, however that it could be larger. Some comments representatives of this were as follows: * *“Should be bigger credit for accredited bodies.”*
* *“…Perhaps a much bigger discount could be given/offered as an incentive to the good landlords already complying/members of the Leeds Rental Standard?”*
* *“I think the fee should be the same regardless of the means of application. The reduction for members of the Leeds Residential Standards providing they are known to be adhering to it should be given.”*

  |
| **LCC Response:**  |
|  The Housing Act 2004 allows councils to charge a licence fee to cover the cost of Selective Licensing. It does not however allow them to make a financial gain or “profit” from the fee.     As part of the proposed scheme, each property or unit of accommodation would require a licence which is subject to a fee. The proposed fee is £1,100 for licence applications made online and £1,225 if made on paper. If any Selective Licensing scheme was to run for 5 years, this would equate to £220 per year for online applications and £245 for paper applications.       The costings are different for paper and electronic applications due to differing levels of work being required for that of a paper submission vs an electronic submission. A breakdown of these costings will be included in the business case when published.    The licensing fees charged by local authorities vary across the country. It is acknowledged that the proposed fee is higher than the fees charged by other local authorities. The proposed fee is based on fully costed estimates of the predicted resources that will be needed to administer and deliver any scheme over a 5-year term. This includes, for example receiving, processing and determining licence applications; varying and revoking licences; maintaining a public register and the cost of monitoring any scheme including inspecting properties to ensure they are compliant with licence conditions and investigating unlicensed houses. A breakdown of the fee calculation will be included in the business case when published. It is important to highlight that the Council cannot make a profit from any scheme – any surplus raised by the fee would be refunded to applicants/Licence Holders.   The fee is not a tax nor a registration fee. Selective Licensing is a cost-effective tool to improve the management of private sector housing and standards of accommodation in the area. Any scheme needs to be sustainable over a 5-year period.   A discount of £150 per application is proposed for members of the Leeds Rental Standard subject to them meeting qualifying criteria. This would reduce the licence fee to £950 per property/unit of accommodation for online applications and £1075 for paper applications. If any Selective Licensing scheme was to run for 5 years, this would equate to £190 per year / £15.83 per month / £3.65 per week for online applications and £215 per year / £17.91 per month / £4.13 per week for paper applications. The Council have chosen to offer a discount to those landlords who are a member of Leeds Rental Standard, this is not mandatory nor specified within legislation. The reduced costings of the licence in these instances are absorbed by the Council.    All other work associated with the enforcement of housing standards in the sector, including within any area designated for Selective Licensing, will be paid for from the Councils’ own existing budget and not the licence fee.  |

## 1.1.2 Theme: Rents will increase

|  |
| --- |
|  Many respondents raised concerns about the potential for the licence fee to be passed on to tenants by way of higher rents. Some of the feedback suggested that some tenants had been told their rent would rise should the area be designated for Selective Licensing. Several respondents suggested putting a cap on rent increases. Here are some of the comments which are representative of the concerns raised;  * *“The fee associated with it is going to be passed onto tenants when private renting is already sky high.”*
* *“Targeting all landlords is unfair we are in a cost of living crisis, costs will be passed back to the residents.”*
* *“The concern is that the fee is simply passed on to tenants. Without knowing how the fee relates to the cost of operating the scheme it is hard to know if it is a proportionate fee. However, the scheme needs to be funded and this is likely the simplest and fairest mechanism.”*
* *“My landlord stated that if Selective Licensing applies they will have to put my rent up by around £100. I don’t think I will be able to afford it anymore.”*
* *“Unless you can cap rent so the landlords can't pass the cost on to the tenant then they will just add an extra £100 a month on the rent which puts people into deeper poverty? Better housing would definitely improve people's health though.”*
* *“Seems like a tenants tax”*

  |
| **LCC Response:**  |
| The rental market in the city has seen an increase in rent levels in recent years. There are many factors that influence rental prices such as inflation, policy, macro events (such as the outbreak of Covid) interest rates and market dynamics affecting supply and demand. This general increase has also been seen across the country. In relation to the previous Selective Licensing schemes covering parts of Beeston and Harehills, there is no evidence to indicate that rents went up as a direct result. Data from [Home.co.uk](http://Home.co.uk) in relation to a 2 bedroom property found that the rental price increased: * in Beeston from £765 in 2019 to £1,080 in 2024 which represents an increase of 41% over the 5 years.
* in Harehills from £800 in 2019 to £1,162 in 2024 which represents an increase of 45% over the 5 years.
* In Leeds from £784 in 2019 to £1,189 in 2024 which represents an increase of 52%.

As such, rental prices for 2 bedroom properties in the areas covered by the previous Selective Licensing schemes have not increased by more than the average increase across Leeds over the 5 year period. Further details will be made available in the report for the Council’s Scrutiny Board meeting scheduled for the 19th June 2025.In a competitive market, landlords will have to determine the benefit of increasing the rent against the loss of a tenant and the associated costs of re-letting their property. Furthermore, landlords will need to give consideration to the management of any rent arrears which may occur as a result of them increasing the rent together with the subsequent cost of legal evictions, void costs etc. if a tenant did not vacate the property.  Nevertheless, the Council recognises that a possible impact of the introduction of a licensing scheme is that landlords will absorb the cost of the licence fee by increasing rents. For some tenants this may unfortunately mean that they have no option but to look for an alternative home within or outside any designated area. Support would be available from the Council for those who find themselves in this situation.   It is also acknowledged that some existing tenants may face losing their home as a result  of them not being able to pay any additional rent. Any alleged cases of illegal eviction will be investigated and the appropriate action taken.    The Council’s housing options service, which assists people threatened with homelessness  or who are homeless, is aware of the proposed scheme and is aware of the potential risk of an increased demand for services in the proposed area.   The service will be available to assist with the mitigation of any increase in homelessness as a result of any designation of Selective Licensing.  It is the Licence Holder’s responsibility to pay the licence fee, it is not the tenant’s responsibility. No tenant will receive an invoice for any licence fee should the area be designated for Selective Licensing.    The Council cannot prevent a landlord from raising the rent as they have no legal powers to do so. Subject to the correct legal process being followed, landlords are currently able to increase the rent and this will continue regardless of the introduction of Selective Licensing. Tenants in England have the right to challenge rent increases, particularly when a Section 13 notice is served by the landlord. If a landlord proposes a rent increase via a Section 13 notice, the tenant can apply to a First-tier Tribunal (Property Chamber) to determine a fair rent. This tribunal will consider evidence from both the landlord and the tenant, including comparable market rents, to decide on a new rent.    The overall aim of the proposed scheme is to reduce deprivation, predominantly through improving the management and condition of the private rented sector in the area which should have a longer-term impact on improving homelessness as more accommodation in the private sector will become suitable for longer term occupation. The risk of the issues identified related to the possibility that rents will increase needs to be balanced against the need to take action to improve the levels of deprivation in the proposed designated area.     |

##  1.1.3 Theme - How long does licence last

|  |
| --- |
| A number of responses queried the length of the licensing scheme being proposed. Some of the comments made were as follows:  * *“It's not clear if the amount is for 5 years or annually. Hopefully, it's for 5 years.”*
* *“If this is for the entire license period. If it is per year, I worry too much of it will be passed on to the tenant.”*

 Additionally, comments were made in relation to licence length and rent increases. The following comment was made:  * *“A sudden addition of extra £100 per month is a big jump because that is what it will translate to when you divide cost of licensing by 12 months.”*

 Further comments were made by a few respondents in relation to licence term: * *“it should be for 5 years from when you apply not a 5 years term”*
* *“The license should be for ten years”*

  |
| **LCC Response:**  |
|  The proposed scheme is for a 5 year term, the licence will cover one landlord for the entirety of the scheme and the licence fee is only payable once. However, the licence cannot be transferred to another person. If for example, a licensed property is sold by an existing landlord and still subject to Selective Licensing then a new application would be required with the fee payable.   The calculation of the proposed licence fee and the potential impact on rents has been addressed within 1.1.1 and 1.1.2.  The licence end date cannot be altered when a licence is issued, as if the scheme is approved the designation is for a fixed period of 5 years from implementation to end. For example, if the licence is issued one year into the scheme, the licence term will cover the remaining length of the scheme.  The proposal is for a Selective Licensing scheme with a 5-year term, which is the maximum term allowed, as per legislation at the point of the consultation, therefore a longer period of licensing cannot currently be considered.   |

## 1.1.4 Theme: Increasing Homelessness

|  |
| --- |
|  A number of comments were made about the potential for more evictions and an increase in the level of homelessness should the area be designated for Selective Licensing. Here are some of the comments;    * *“Many Landlords do not carry out necessary repairs and threaten tenants with eviction when aske to carry them out”*
* *“Many Landlords will try to sell poor quality properties rather than repair and upkeep them”*
* *“It will force landlords out of the sector and assist in increasing homelessness.”*
* *“Risk of facing a section 21 no fault eviction notice if the landlord decides to end the tenancy to find tenants who are willing to pay more”.*
* *“Clearly due to fear of being evicted people will often not raise complaints and self regulation clearly doesn't work.”*
* *“Depends on the cost to the landlord as it may cause more people to be evicted due to having to sell properties or increase rents . Should be free and not chargeable”*
* *“There needs to be safety for people to know they won’t lose their homes due to these new plans*”

  |
| **LCC Response:**  |
|  Selective Licensing enables the Council to inspect properties proactively, meaning that those tenants who may be fearful of the repercussions of making a complaint to their landlord regarding the condition of the property will not be required to do so before the Council can intervene.Tenants with disrepair issues, both within and outside of the proposed area within Leeds, can contact the service via email or telephone to report concerns in relation to repairs or health and safety of their home, providing the landlord has been made aware of the disrepair and not rectified the issue. The Private Sector Housing Service cannot give tenants legal advice in relation to tenancy matters, however there are services such as Shelter and Citizens Advice available in this instance. The services offered and the help available for tenants in relation to these issues are advertised on the Leeds City Council website: [Help for private tenants | Leeds.gov.uk](https://www.leeds.gov.uk/housing/help-for-private-tenants#:~:text=You%20can%20contact%20the%20Private,%40leeds.gov.uk.).   Should the area be designated for Selective Licensing, the licence conditions will seek to ensure homes are of an acceptable standard. When officers cross the threshold of a licensed property, they would assess compliance with the licence conditions. If the property was not compliant, the Council will ensure the property is brought up to standard using both formal and informal enforcement in line with the Private Sector Housing Enforcement Policy.   As set out at 1.1.2, the Council has a housing welfare function that deals with issues relating to homelessness. This service is aware of the proposal for Selective Licensing and officers within that service would work closely with housing officers from any Selective Licensing team and would act accordingly to support tenants who find themselves having to look for another home. Tenants would be able to take up other privately rented properties in the area or within similar markets close by. In cases of illegal eviction, the Council would look to take the appropriate legal action against the landlord and/or agent, up to and including prosecution.   The risks of the issues identified related to the risk of eviction and/or homelessness should be balanced against the evidence of the need to take action to improve the levels of deprivation in the area.  The Council acknowledges that some landlords may choose, as a business decision, to leave their properties empty, sell them or not invest in the area in order to avoid Selective Licensing and as a consequence there may be an increase in the number of empty homes. If this was the case, the Council would realign existing resources to tackle empty homes in any area designated for Selective Licensing. The Council works closely with the Empty Homes Doctor, an independent not-for-profit organisation that provides a free service to support and guide owners of empty homes. Also, details are held of private investors and charitable organisations who buy empty homes. Owners of empty homes in any Selective Licensing area would be made aware of these options as well as any potential buy back schemes. Empty homes blighting an area or causing a nuisance to neighbouring homes would be the subject of enforcement action, potential buyback schemes as mentioned above and, ultimately compulsory purchase.The above resources will assist to reduce the impact of any increase in empty properties asa result of any Selective Licensing designation. The longer term aims of the proposed scheme should improve demand in the area and potentially lead to longer term reduction of empty homes. The loss of properties from the private rented sector (PRS) together with the area being considered less attractive to or viable for investors was identified as a risk prior to the start of the Beeston and Harehills Selective Licensing schemes in January 2020. Unfortunately, there is no specific data relating to the overall size of the PRS at the start and the end of the designations in Beeston and Harehills. This is not an omission on the part of the local authority rather it reflects the fact that homes can be rented out without the need for them to be registered anywhere. The following however would suggest that the PRS in Beeston and Harehills has not been significantly impacted by the Council’s previous decision to designate the area for Selective Licensing - 1. During the life of the schemes, there were at any point approximately 6000 licensed,  privately rented homes in the two areas. Whilst there were fluctuations  (that were largely linked to stages of the licensing process e.g. an existing licence being  revoked before the new landlord submitted a valid, new licence application) overall the  number of licensed houses remained reasonably constant over the life of the schemes. 2. Data collected on 21 March 2021 (Census Day) by the Office of National Statistics indicates that the private rented sector in Beeston had increased by 8.6% since the 2011 Census. Similarly in Harehills the PRS grew by 9% over the same period. The Council acknowledges that there will have been fluctuations between the two Census Days and between the 2021 Census data and the end of the schemes on 5 January 2025.   |

## 1.1.5 Theme: Movement of landlords/tenants into other areas and housing shortage

|  |
| --- |
|  Some respondents raised concerns over the potential for landlords and tenants to move to areas that are not subject to Selective Licensing. Here are some of the comments:   * *“Slum landlords will just move out of those areas, they will slip under the radar”.*
* *“I feel the area should be wider because surely targetting specific areas will just mean landlords may find properties elsewhere that is not regulated.”*
* *“The good landlords may leave these areas”*
* *“Ridiculous and pathetic ! Clear housing shortage in Leeds that will be made even worse !”*
* *“It does not address concerns within the stated areas. However just puts good landlords off from buying in these areas due to the cost of the licencse so people will loose out due to the scheme”*

  |
| **LCC Response:**  |
|  There is always the potential for any landlord or tenant to move from one area to another. This already occurs and will continue to occur regardless of whether Selective Licensing is introduced or not. Selective Licensing can increase the likelihood of displacement occurring as it highlights an area and as a result resources are directed to the area to address issues such as poor housing conditions and management; crime; ASB; environmental issues etc. This can lead to both landlords and tenants moving and potentially taking the issues to locations outside of any area designated for Selective Licensing.  There are other rental markets in the city that may be affected by displacement from any designated area. This would need to be monitored by the Council, to determine if there are any issues as a result, and subsequently managed. Any displacement at all would need to be identified and appropriately managed as part of any Selective Licensing delivery approach. This potential risk will be addressed in the business case however all risks should be balanced against the evidence of the need for action to be taken to improve the issues related to private sector housing in the area.  In addition to Selective Licensing (which would allow for a dedicated officer resource in the proposed area) the Council has further resources in place to deal with city-wide issues. During the previous Selective Licensing schemes in Beeston and Harehills, the Council became aware of a small number of landlords choosing to sell their properties. This was the result of them being subject to investigations by the Selective Licensing team and them making the decision to leave the rental market completely.  |

## 1.1.6 Theme: The introduction of Selective Licensing will have a negative effect on the area

|  |
| --- |
| Some respondents raised concerns over the potential negative effects for the area. Here are some of the comments;  * *“likely to have a terrible effect on property prices for investors and owner occupiers”*
* *“The scheme will likely be seen as a negative by future buy-to let investors”*
* *this will prevent new developments*
* *“What your proposing will force me to just sell the property and infact move away from Leeds”*
* *“I believe my estate is one of the most affluent estates in the area as it’s been 11 years so fairly new. This would make future prices of houses and the types of families move in to be very difficult if it’s being labeled as a deprived area.”*
 |
| **LCC Response:**  |
|  The Council acknowledges that Selective Licensing may lead to a negative perception of the area. However as a scheme progresses, perceptions change and confidence in an area grows. The aims of the scheme are to lead to long term improvement in housing management and conditions in the area, contributing to a reduction in the level of deprivation in the area. This potentially will contribute to a long-term improvement of the area.  Housing markets are complex with a number of different factors affecting why people invest. As any scheme is implemented and the sector improves, it may be that landlords are keen to invest in a well-regulated market which is not being undermined by poor housing standards.  The Council have used available deprivation data within each ward and the mapping data (including existing railway, road and river lines) to determine a suitable boundary for the proposed scheme. Further information concerning the proposed boundary, is available within Section 1.4.   |

## 1.1.7 Theme: Tenant disturbance

|  |
| --- |
| There were some comments raising concerns over possible tenant disturbance. Here are some of those comments: * *“Invasion of privacy”*
* *“My landlord is great, but I don't want them to overstep the line. This would make them my "boss", I don't feel that is fair.”*
* *“I don't want extra disturbance”*
* *“The power is too high and make it difficult for us tenants”*

  |
| **LCC Response:**  |
|  If introduced the scheme will not affect the tenant's quiet enjoyment of the property and landlord(s) will still be required to provide the same 24 hours' notice to their occupier(s) of their intention to enter the property, with the exception of emergencies. The licence does create a requirement for routine property inspections to be carried out in relation to management of the property. Guidance notes for landlords in relation to this would be provided. However, the Council considers that routine property inspections are a matter of good practice for all privately rented properties, and therefore there should be no additional disturbance to private rented tenants. The proposed licence conditions are intended to provide basic standards of health, safety and welfare for occupants. Where significant remedial works are required, this is to ensure the safety of the occupants.  If a licensed property is to be inspected by the Council, access will usually be pre-arranged. Where possible, the inspection will be scheduled for a time which is mutually convenient for all parties. During the inspection an officer will need access to the whole house to assess the landlord’s compliance with licence conditions.  If the property is not compliant, the Council will take steps to ensure the property is brought up to standard by requiring the landlord to complete works to meet the required standards through use of its enforcement powers. Whilst access for works may cause a disturbance this is done for the health and safety of the occupiers. The landlord and tenant are encouraged to agree mutually convent times for works/access to be provided where possible.    |

## 1.1.8 Theme: Money making scheme for Council

|  |
| --- |
|  Some respondents believed that Selective Licensing was being considered as a means to raise revenue for the Council. Here are some of the comments;   * *“Council seem to be taking money from landlords. They are people who work hard to get to be a landlord”*
* *“Selective licensing has already been in operation, we have not seen any improvements because of it, instead it is being used as a money making scheme for the council who have failed to carry out their duties u der the existing scheme”*
* *“Money making scheme”*

  |
| **LCC Response:**  |
| Whilst the Housing Act 2004 allows councils to charge a licence fee to cover the cost of Selective Licensing, it does not allow them to make a financial gain.   The Government’s Regulatory Impact Assessment, attached to SI 2006/373 [www.legislation.gov.uk/uksi/2006/373/memorandum/contents](http://www.legislation.gov.uk/uksi/2006/373/memorandum/contents) on Selective Licensing makes it clear that fees cannot be used to raise extra revenue for the local authority. Any surplus at the end of the scheme must be refunded to the applicants/Licence Holders.  Overall, the costs of any scheme to landlords and the landlords’ objections to paying this cost, has been taken into consideration however this should be balanced against the strong evidence of deprivation in the area together with the evidence of how any scheme will operate; it’s intended aims to improve and benefit the area and residents of the private rented sector, all of which have been incorporated into the business case.   |

## 1.1.9 Theme: Tenants responsibilities

|  |
| --- |
|  There were several respondents that expressed the opinion that tenants also had responsibilities. Some respondents expressed views that action was needed to deal with tenants causing problems. Here are some of the comments made: * *“tenants themselves should be held responsible to keep the property they live in to designated standards also.”*
* *“If someone is seriously poorly and struggling with the upkeep of the home and bills then yes the landlord can recommend agencies or council etc that can offer support but it’s not the landlords responsibility to do more at that stage.* *If the tenant(s) have been the cause to damages etc either interior or exterior to the properly due to poor upkeep or negligence then that’s down to the tenant to fix and repair””*
* *“Rehouse those tenants causing nuisance”*
* *“The tenant needs to liable for their criminal activities not the landlord”*
* *“Landlords cannot be held responsible for tenants behaviour”*
* *“Tenants are more of a nuisance than landlords. More rules and licenses needed to support landlords in this area”*
* *“tenants should be prosecuted by the Council for not maintaining the property.”*
* *“Surely both the landlord and the tenant should be bound by rules setting out what is expected,as a minimum, that they need to undertake whilst owning/renting the property.It is my view that in particular those tenants that see their renting that particular property as only short term, then they have no obligation to "take care of it" as if it was their own.”*
* *“i think focusing on income, employability and education is taking away from the issue of bad housing and needs another policy to focus on improving these things. It seems like you're taking the focus away from the slum landlords in the area and blaming the vulnerable.”*

  |
| **LCC Response:**  |
| It is recognised that sometimes tenants can cause problems. Regardless of whether or not there is a Selective Licensing scheme in place, landlords are still likely to experience similar challenges in terms of managing their tenancies and the impact of their tenant’s behaviour. The Council will seek to provide support and guidance through its officers and on its website to assist Licence Holders in these responsibilities. This is the link to the Council’s website providing guidance and advice concerning landlord responsibilities: <https://www.gov.uk/renting-out-a-property>It is also acknowledged that tenants have responsibilities in relation to complying with the terms and conditions outlined within their tenancy agreement. Should tenants not have a tenancy agreement, it is suggested they should contact their landlord/agent and ask for one to be provided. Good landlords should provide a tenancy agreement at the commencement of the tenancy. Advice is available for tenants in relation to their tenancy agreement etc from charity organisations such as Shelter. The introduction of Selective Licensing would mean a landlord has a legal obligation to provide a tenancy agreement to their tenant(s).   The Council do not have any legal powers to hold a tenant accountable in relation to their tenancy agreement, this is the responsibility of the landlord/agent. If a tenant is in breach of their tenancy agreement the landlord/agent can exercise their legal rights where applicable, however they must ensure the correct legal process is followed otherwise they are at risk of committing an offence.   The Council and partners already have various initiatives and schemes in place across the city to support and educate tenants/residents by offering various outreach services to support individuals, groups and communities. At the same time, various resources are available online and in the Council’s public buildings. The Council and partners will continue to make helpful information available to all parties (landlords, residents and tenants) on matters that may benefit them such as energy initiatives, updated guidance etc.  Guidance on how to comply with the proposed licence condition relating to ASB (and indeed all other conditions) will be available for Licence Holders, property managers and anyone else that wishes to view them. The proposed licence conditions are legally binding to landlord/agents named on the licence, not tenant(s). The conditions proposed are designed to ensure the landlord is suitably managing the property and the tenancy. The conditions proposed outline responsibilities for landlords/agents to ensure tenants are referenced, the use of tenant referencing should help landlords to ensure they are providing a home to a reputable tenant. Additionally, conducting regular property inspections will allow landlords/agents to ascertain as to whether their tenant is suitably treating the home, in line with their tenancy agreement. If conditions are found in breach of the tenancy agreement the landlord/agent are then able to exercise their legal rights.   Should any tenants/residents feel ASB or crime is an issue within their area the Council would recommend that these issues be reported to the Council or the police to ensure the matters are logged and appropriately dealt with.    |

## 1.1.10 Theme: The Council does not have the resources to deliver the proposed scheme

|  |
| --- |
|  There were some respondents that questioned if the Council had sufficient resources to be able to deliver the proposed Selective Licensing scheme. Here are some of the responses: * *“Think it's a good idea but needs to be enforced and I'm not sure whether LCC has the resources to do this.”*
* *“In the current financial climate more staff being taken on to police the scheme it will not work. The lives of the tenants in poor housing will not improve.”*
* *“This is a huge area that will require considerable administration and a considerable amount of money! why are you not putting the money into policing or the local health services”*
* *“Bigger the areas covered means a bigger response and more room for a watered down response. Get it right in areas under SL you’ve had 5 years”*
* *“How will the council enforce it if they are cash strapped”*
* *“What is the package of investment for Holbeck”*

  |
| **LCC Response:**  |
| Selective Licensing is self-funded, to the extent that the resource necessary to administer the proposed scheme will come from the licence fee charged to landlords to operate privately rented properties in the area. The proposed fee is based on fully costed estimates of the predicted resources that will be needed to administer and deliver any scheme over a 5-year term. The Council will recruit if necessary and allocate resources to support and fulfil delivery of the scheme if implemented. There is no ‘package of investment’ outlined in terms of specific wards within the scheme at present, as no scheme has been designated. If designated, the Council will implement suitable resources to deliver the scheme.   Selective Licensing is a cost-effective tool to improve the management of private sector housing and standards of accommodation in the area. As previously discussed, the money raised must be used to deliver the scheme and the Council cannot make a profit. The Council cannot use funds raised under the Selective Licensing scheme to provide extra policing or fund local health services. However, with partnership working the Council would aim to improve ASB, crime and health inequalities within any designated area via crossing the threshold into people’s homes and making the suitable referrals where required to other services. Additionally, there is a strong link between health and poor housing conditions therefore improving the standards within people’s home should have a knock-on effect in situations where health issues are occurring as a result of the conditions within the living accommodation.   Should the proposal be implemented the Council would take enforcement action in those situations in which it is deemed appropriate, i.e. in the event that landlords fail to licence their properties and/or fail to comply with licence conditions.  |

## 1.1.11 Theme: Decision already made

|  |
| --- |
| A number of responses were made with the view that a decision had already been made Here are some of the comments:* *“This is a done deal, who you trying to kid.”*
* *“You will do as you wish, but don't think you have anyone fooled. This is a done deal” “We are in Beeston. We have seen it, lived it, reject it. But councillors will do whatever scheme they want. It's a done deal”*
 |
| **LCC Response:**  |
| The Council takes its duty to consult very seriously and endeavours to do so in a thorough and fair manner. The consultation undertaken by the Council for Selective Licensing was extensive with out of home adverts on buses, social media and radio as well as drop-in events at community hubs; taking the community bus out into the area and engagement with partners and stakeholders. The consultation followed a similar process as the consultation for the previous schemes, which was regarded by a First Tier Tribunal Judge as going *‘above what might ordinarily be expected of a Local Authority in bringing a new scheme to the attention of landlords, tenants and the general public’* and therefore is, in the Council’s opinion, in excess of what would be legally required to be undertaken for any designation to be considered.The purpose of a consultation is to gain feedback from different groups and individuals who will most likely have differing opinions on the proposal. A consultation is not a vote. The Council will consider any representations made during the consultation however the decision as to whether to approve or reject any new Selective Licensing scheme will be made by the Council’s Executive Board and it will follow the Council’s governance procedure and process. The decision will be based on the business case which sets out the relevant criteria the Council is required to satisfy in order to designate an area as subject to Selective Licensing and which will include the consultation responses. Any decision made by the Council can be subjected to judicial review by any party irrespective of whether they are for or against the outcome of the decision on whether or not to designate any Selective Licensing scheme. |

## 1.1.12 Theme – the proposed scheme is discriminatory

|  |
| --- |
| There were some comments that alleged the Councils proposed Selective Licensing scheme is discriminatory. Here are some of the comments: * *“You are subjecting laws to people because they are living in a poor area? That is very unfair and borderline disgusting. You have not stayed how the licensing helps tenants.”*
* *“Why is online any different from paper? This is ageist”*
* *“Could the scheme be argued as unlawful? Racially discriminatory, affecting human rights?”*
* *“It made places to get harder for us with disabilities who are on benefits so can't always manage or have money coming in.”*
* *“Most non white people affected”*
* *“I would like to know if non white voices have the same weight as white ones? Can this be illustrated.”*
* *“This is racist, why do we have to be discriminated whilst flats in town or areas like Middleton and seacroft are left in piece.”*
* *“Conditions with license discriminate against tenant who from ethnic”*

  |
| **LCC Response:**  |
| The six criteria against which a case for Selective Licensing can be made have been prescribed by the Government in legislation. High levels of deprivation, alongside high levels of privately rented properties, is one of these criteria and is the one identified by the Council as applicable for the proposed area. If approved, it is considered that Selective Licensing would contribute to a reduction of levels of deprivation and, in particular, improve housing conditions and property management standards. It has been outlined within 1.4 how the area to be designated was determined using a variety of datasets in relation to the indices of deprivation and presence of higher than the national average PRS stock within the areas. The Council recognises that there is a greater proportion of ethnically diverse people living in the area than the city average and in developing a business case for the proposed designation, the Council has had regard to its equality duties and has completed an equality, diversity, cohesion and integration impact assessment, which will be provided to Executive Board along with the business case to enable them to properly consider the proposal.   As regards the suggestion that other areas of Leeds should be considered, a response can be found under 1.4.1  Options for applications to be submitted both online and on paper have remained to ensure that people have the choice in relation to which format they submit their application(s) to ensure fair accessibility. The pricing difference has already been explained within the business case and is a result of more work being required of officers, in processing a paper application.  All representations received in relation to the proposed Selective Licensing scheme in East, South and West Leeds will be duly considered. The feedback to all representations will be published and provided to respondents who requested this.   Should a scheme be implemented, the licence conditions are legally binding for licence holders and any other interested party, who has a legal responsibility or manages the property, where they agree to be bound. The licence conditions are not enforceable in relation to the tenant, and they have no legal responsibility as a result of the licence conditions. There is no basis for discrimination against tenants on the grounds of any protected characteristic, by the Council, as a result of the proposed scheme.   |

## 1.1.13 Theme: Availability of access to support

|  |
| --- |
| Some respondents were concerned about the support available to those vulnerable occupiers within the proposed designation:* “*Many tenants who are disabled or none English speaking and will struggle to find employment. Many on Benefits will not want to seek employment as they lose out on them.”*
* *“Most tenants in these affected areas cannot speak English so I doubt any changes will come about”*
* *“How many other communities and languages has this been sent to. I know vast communities of European and African migrants who don't know anything about this.”*
* *“Its the tenants who need support not the landlords, Beeston has also seen an increase in begging outside Nisa (town street) and the Asda (old lane), how would a landlord manage this? The area needs more support and better services for vulnerable people and police patrols in the area.”*
 |
| **LCC Response:** As with other consultations ran by the Council, the webpage for the consultation surveys was on a platform that could be translated into other languages. A QR code on posters and leaflets allowed direct access to the consultation webpage where the survey platform could be accessed in different languages.   It was also possible for respondents to use tools such as Google Translate etc to translate the text into their preferred dialect. Within the survey, responses from residents and stakeholders were provided in over 30 different languages which would suggest that the consultation did reach a vast number of non-English communities. However, the validation process raised significant concerns in relation to representations received electronically from residents and stakeholders. In particular, the validation process identified that, when compared to other consultations, there was an unusually high number of responses being generated from more than a single IP address. Furthermore, there was an unusual number of responses from IP addresses using a Virtual Private Network (VPN), which is a way to provide online privacy by masking your IP address so that it shows as from another location or country. Again, when compared to other recent consultations undertaken by the Council, the number of VPN responses for Selective Licensing was significantly higher. Locality working is a crucial way of helping people facing barriers as it creates an opportunity for Council officers to engage with the community and link up with partners to support those with service needs and vulnerabilities. Officers are experienced in dealing with situations where language barriers can present challenges and will utilise in-house resources that are available including multilingual officers. The Council also provides information and guidance online with options to access in different languages.Examples of the Council supporting residents with service needs and vulnerabilities are detailed in the report provided for Scrutiny Board whichcan be accessed via the link:<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=1091&MId=12605> |

## 1.1.14 Theme: Landlords that do not comply

|  |
| --- |
| A number of respondents made comments in relation to landlords who opt to not comply with the scheme, should it be implemented. The following are representative of the comments made:* *“How will the scheme be enforced? What will be the outcome if landlords do not agree and poor landlords continue to rent properties that are not up to standard.”*
* *“There needs to be robust systems in place to deal with landlords who don't register with the new scheme.”*
* *“What are the side effects of failing licensing? Is their property forcibly removed off the market? If someone is found to be failing to maintain the upkeep of their property, e.g: Mould/Infestation control, are they fined?”*
 |
| **LCC Response:** |
| A landlord who does not apply for a Selective Licence if required to do so or fails to comply with the conditions of their licence if issued may be liable for prosecution or a civil penalty of up to £30,000 per offence.As part of the strategy to deliver Selective Licensing, the Council will utilise a dedicated resource to identify those properties that are being operated without a licence as well as assessing compliance with the conditions where licences have been issued.Further information concerning enforcement action taken as part of the previous Selective Licensing schemes in Beeson and Harehills can be found in the report provided for Scrutiny Board whichcan be accessed via the link:<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=1091&MId=12605> |

# 1.2 The social housing sector

## 1.2.1 Theme: Improve tenancy management and properties

|  |
| --- |
| Some respondents commented on housing conditions and tenancy management in the social rented sector. Here are some comments relating to properties owned by the Council;* *“Council properties in area are not well maintained, and people living there playing music none stop and council do nothing about it”*
* *“Both private landlords, housing associations and the council need to be held to account for the properties they manage”*
* *“Council should look closer to home. Sort their own issues out before robbing PRS who provide accommodation because the council can't”*
* *“My council house has had a ton of repairs and insulation but is still mouldy and damp. I've seen private houses on same street and they are way better”*
* *“Council housing is terrible,.only positive was being able to buy. Now that is going to stop, private houses are so much better and available!”*
 |
| **LCC Response:** |
| The Council acknowledge that some of the social sector (inclusive of both Council housing and housing associations do fall within the proposed designation. However, they are exempt from Selective Licensing as per the exemption order within the legislation. Section 79(3) of the Housing Act 2004 exempts socially let properties (both Local Authority  and Housing Association tenancies) from Selective Licensing. There are other exemptions too, detailed in The Selective Licensing of Houses (Specified Exemptions) (England) Order  2006  <http://www.legislation.gov.uk/uksi/2006/370/made>   Social landlords are regulated by local and national bodies including the Regulator of Social Housing, The Housing Ombudsman, Local Authority Building Control, Building Safety Regulator and the Health & Safety Executive. As such, any regulation of tenancies of this nature has to be addressed by the relevant body. |

# 1.3 Deprivation factors and Selective Licensing

## 1.3.1 Theme: Anti-social behaviour and crime

|  |
| --- |
| A lot of comments were made by respondents expressing views concerning anti-social behaviour and crime. Here are some of the comments:* *“I lived in Harehills for 20 years and the nightmare of living next door to a property poorly managed by the landlord made me hate coming home and was a key driver in moving house.**We experienced significant ASB from neighbours over the years, it ruins lives, communities and mental health.”*
* *“......Will the selective licensing money stop me getting mugged again? Will it make sure my window isn’t put through again? Stop the flytipping on the field nearby? Stop the travellers invading that field? Stop the crime locally? My private rented house is well looked after by my landlord, and they quickly sort any problems in the house when I tell them. So what’s the point of the scheme?”*
* *“I'm somewhat concerned at mentions of landlords, what, controlling their tenants' anti-social behaviour? That's a matter for social services, not private landlords. The lives of tenants are no business at all of the landlords, and we should be taking steps to keep their noses out, not encouraging them to interfere. That said, reducing anti-social behaviour by supplying safe, secure, and affordable housing is a good idea and if you keep purely to that approach, I'm all for it”.*
* *“ASB and crime are issue for council and police”*
* *“Don't agree that selective licensing reduces rogue landlords”*
* *“Council does not change how police work / drug dealers/ garbage. / immigration”*
 |
| **LCC Response:** |
| There are teams within the Council which deal with complaints from residents in relation to ASB, fly tipping etc. However, the expectation is that landlords and managing agents proactively manage their tenancies and act upon any complaints of ASB they may receive. This includes cooperating with any investigation carried out by Leeds City Council and other agencies. A House of Commons Briefing Paper\* has identified that tenant referencing has a significant impact on ASB. Not only does it provide landlords with additional support to help ensure that they have good tenants but it gets the message through to tenants who have caused ASB in the past that they need to behave better in the future otherwise it will seriously compromise their housing choices.  Guidance on how to comply with the proposed condition relating to ASB (and indeed all other licence conditions) will be available for Licence Holders and managers. At the same time, officers from the Selective Licensing team, with the support of partner agencies,will be able to assist Licence Holders who find themselves having to deal with ASB caused by their tenants or that is affecting their tenants.  Selective Licensing cannot be introduced to specifically deal with fly tipping. However, intensive working in the area, together with closer working with Council services and partner agencies, will bring about improved intelligence and the better targeting of resources. Issues highlighted by the community and other stakeholders would be dealt with quicker and in partnership. This should contribute to the intended aim of a long term improvement in the area.  However, Selective Licensing officers would ensure that referrals are made to the correct services and they would follow up on the actions to ensure that any issues referred have been addressed accordingly. This would not only include matters relating to waste but would include anything else that is picked up during visits to licensed properties, for example referrals for support from jobs and skills; referrals for welfare rights, help with budgeting and debt advice. This should help improve the physical environment and the lives of residents. The Council will provide support and guidance through its officers and on its website to assist Licence Holders and residents in meeting their responsibilities. Experience from the previous Selective Licensing schemes in parts of Beeston and Harehills found that crossing the thresholds and working in the areas allowed officers to work with partners and share intelligence to support and address wider determinants of deprivation, including dealing with anti-social behaviour and criminality.  Further information concerning the delivery and outcomes of the previous Selective Licensing schemes are available in the report provided for scrutiny board which can be accessed via the link:<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=1091&MId=12605>\*House of Commons Library Briefing Paper Number 4636, 13 March 2019, Selective licensing of private rented housing in England and Wales |

## 1.3.2 Theme: Deprivation

|  |
| --- |
| There were comments made in relation to deprivation in general and in relation to specific factors that can cause or contribute to deprivation. A number of respondents commented on the connection between Selective Licensing and deprivation. Here are some of the comments made in relation to deprivation and some of the factors (NB crime and anti-social behaviour have been considered under a separate heading):Deprivation* *“I am unsure if this will directly help improve deprivation in the area”*
* *“If there is deprivation then it's down to individuals and local government not landlords and landladies. You shouldn't blame housing problems on private landlords. The only problems we see are with council owned properties as the tenants always tell us repairs are never sorted.”*
* *“High levels of deprivation need alleviating”*
* *“The issues with no work, asb or health is not linked to housing. It is linked to support provided by the local Council and government.”*
* *“Poor quality housing, low income, worklessness, and poorer health, all coupled together is an obvious area to tackle for community development”*

Employment status of adults* *“People without jobs come from a home, no matter if it's their own or rented. They commit whatever based on who they are not on if the area is in a selected area for checking their home.”*
* *“I cannot see how introducing Selective Licencing can improve the income of a household or increase life inspectancy! If the council wants to tackle this, maybe the 'experts' should check why there are these problems.”*
* *“Your thoughts of being able to help people get into work are good but how would you actually achieve this? Many are under qualified or deemed too old to be hired now (although a company may not say it’s due to age) I feel this could also cause people to sell their homes which would leave a lot of tenants worried and at risk of being homeless and then you have to also factor in the kids in that situation. I think this proposal would help the issues with some landlords who own multiple homes and don’t complete repairs, waiting for desperate people to have to take their homes. So many properties need new roofs or pointing work, new boilers and radiators but yet this work isn’t done because it’s too costly. Many people would Benifit in the wider areas from something like this”*

The health of adults* *“Licensing is not a magic wand. It will not cure bad health, unemployment etc.”*
* *“Local authorities should do more to address financial, mental & physical support.”*
* *“How does a licence increase life expectancy?”*

Access to education, training and other services* *“Life expenctancy more to do so with people’s behaviours and attitudes in the areas. Not due to housing. More to do so with attitudes towards education, work and drugs”*

Housing conditions* *“It will improve the houses as they will be checked but I don't believe it will do anything else”*
* *“The provision of safe housing should be an entirely separate issue from the overwhelming majority of proposed outcomes and simply provides a scapegoat for failures in providing these services up until now.”*
* *“The issues with no work, asb or health is not linked to housing. It is linked to support provided by the local Council and government.”*
* *“I'm somewhat concerned at mentions of landlords, what, controlling their tenants' anti-social behaviour? That's a matter for social services, not private landlords. The lives of tenants are no business at all of the landlords, and we should be taking steps to keep their noses out, not encouraging them to interfere. That said, reducing anti-social behaviour by supplying safe, secure, and affordable housing is a good idea and if you keep purely to that approach, I'm all for it.”*

The physical environment* *“Tenants leave all their belongings in houses when they leave and landlords put it in the back streets.”*
* *“I live and work within the area chosen for selective licensing (Armley), it is depressing to see the amount of rubbish and filth on the streets.”*
 |
| **LCC Response:** |
| Part 3 of the Housing Act 2004 allows a council to designate an area as a Selective Licensing area, provided that it satisfies one of six conditions relating to either low housing demand, Anti-Social Behaviour (ASB), housing conditions, deprivation, migration or crime. The proposed Selective Licensing area is under consideration on the basis of high levels of deprivation. In accordance with legislation and supporting guidance published by the Ministry of Housing, Communities and Local Government\*, the Council has considered the following the following factors in comparison to other similar neighbourhood in the local authority area:* the employment status of adults
* the average income of households
* the health of households
* the availability and ease of access to education, training and other services for households
* housing conditions
* the physical environment
* levels of crime

 The area proposed for Selective Licensing suffers from a significantly higher level of deprivation than other comparable areas of the city and that a number of areas within the proposed licensing boundary are in the lowest 1% of the most deprived areas in the country.  Selective Licensing should not be seen as a measure in isolation as a solution to address issues of deprivation. Together with other complementary measures and initiatives as part of a wider strategy, Selective Licensing would allow the Council and partners to address the complex range of issues that are evident in the area and improve housing management and conditions in the private rented sector. Selective licensing could achieve these aims through:* the introduction of licence conditions, which require compliance with matters such as tenant references, ASB policy, maintaining fire detection and appliances in working order;

 the fact that a licence holder and property manager must be a ‘fit and proper person’ to hold a licence; * visiting licensed properties, as officers would not only check that they were safe to live in and managed properly but would also identify individuals who may need help and advice with issues such as access to training and employment; budgeting and debt management; health and support around the home.
* Officers making referrals to relevant agencies and acting as a link between occupants and other Council departments eg. the Cleaner Neighbourhoods Team and the Leeds Anti-Social Behaviour Team and to external agencies including the police and the third sector.

\*Selective licensing in the private rented sector: a guide for local authorities. Ministry of Housing, Communities and Local Government. December 2024. |

## 1.3.3 Theme: Landlord responsibilities

|  |
| --- |
| Some respondents made comments in relation to their views on landlord responsibilities:* *If Landlords are managed and action is taken against poor Landlords then yes, things should improve, if no or poor action is taken then it will be a waist of time.*
* *Landlords need to take more action against poor tenants who sell drugs , play loud music and generally making a nuisance to everyone else..and council needs to take action unfair for ppl to live with years of issues not address and making ppl who can't just up and move life's a misery*
* *problems improving an area are not landlords problems they are the councils but saying that if people are given better housing they do usually do more to improve the area*
* *I think whilst elements are correct, fundamentally landlords should not be responsible for more than ensuring they are providing safe and quality housing to their tenants.*
 |
| **LCC Response** |
| Should the scheme be introduced, guidance will be provided to landlords in relation to “how to comply” with the licence conditions. The main aim of the licence conditions are to ensure the safety of a property, however landlords also have a responsibility to manage their tenancies and ensure they are placing responsible and suitable people within their properties. |

## 1.3.4 Theme: It will not work

|  |
| --- |
| There were a range of comments made putting forward views on why Selective Licensing does not or will not work. Here are some of the comments:* *“I do not believe that such an scheme can have any major impact.”*
* *“Won’t change anything”*
* *“While I agree with the proposed outcomes, I don't know if I necessarily agree with the Selective Licensing scheme itself. I'm skeptical as to how impactful this will be,”*
* *“I agree but nothing seems to get done , over and over again things are suggested but non workable, when small back to back houses are turned into hmo how can landlords care , it’s all about the money”*
* *“The housing issues in these areas have not been properly dealt with for years. It will take a major overhaul of rogue landlords and their money making. - On the basis people who don't have a say”*
 |
| **LCC Response:** |
| The Council believes that Selective Licensing is a powerful tool that can contribute to helping achieve the city’s strategic housing objective for everyone to live in good quality, affordable homes within clean and well cared for places  The Chartered Institute of Environmental Health and the Chartered Institute of Housing jointly published A licence to rent in January 2019. 27 Selective Licensing schemes running in 20 councils were analysed. The schemes were found not to generate ‘quick wins’, and it was acknowledged that it may take several years before tangible outcomes are achieved. Many of the schemes studied however were delivering significant benefits including improved property and management standards, better opportunities to engage with local landlords and reductionsin anti-social behaviour.  Further information concerning the delivery and outcomes of the previous Selective Licensing schemes covering parts of Beeston and Harehills are available in the report provided for scrutiny board andcan be accessed via the link:<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=1091&MId=12605> |

## 1.3.5 Theme: other disrepair issues highlighted

|  |
| --- |
| Many of the respondents flagged up disrepair concerns within their responses to the survey. Some of the issues highlighted are listed below: * *“Full of damp, boiler leaks when raining, no kitchen door, front door leaks when rains”*
* *“Bodged bathroom, toilet not fixed down extractor fan hanging out of the wall, garden still a mess half a fence put up, too much for this box”*
* *“We currently live in damp housing that is falling apart around us”*
* *“Poor windows and holes in walls , no doors to any of the rooms , my landlord is a barrister.”*
* *“Most properties on my street have no insulation and are not energy efficient. I strongly believe that improving insulation in the properties should be a priority.”*
* *“My neighbours is a private tenant and she is living in squalled conditions her windows are single glazed her doors stick they have cracks in them in the winter she cannot open her back door they never do her repairs”*
 |
| **LCC Response:** |
| Where tenants have notified their landlord(s) of the issues and no action has been taken, they are encouraged to contact the Private Sector Housing Service for assistance with helping to resolve the issues within the homes that fall within the Council’s reemit: [Help for private tenants | Leeds.gov.uk](https://www.leeds.gov.uk/housing/help-for-private-tenants#:~:text=You%20can%20contact%20the%20Private,%40leeds.gov.uk.)In accordance with the enforcement policy and powers under the Housing Act 2004, the Council’s Private Sector Housing Service has been carrying out a range of proactive and reactive housing inspections for a number of years and will continue to do so regardless of Selective Licensing or not. Whilst addressing conditions and tackling under-performing landlords and agents in the private rented sector, the activity may not address the wider issues in the area or address property management by the sector.   Together with the powers already available to the Council, Selective Licensing would enable the disrepair issues highlighted in this theme to be identified and dealt with on a wider scale. Should any disrepair issues be identified which also amount to a breach of the licence conditions, the Council will consider enforcement action against the licence holder to ensure that the issues are effectively remedied.  |

# 1.4 The proposed area

## 1.4.1 Theme: Why have you chosen this area?

|  |
| --- |
|  Many comments were made questioning why the area has been chosen. A variety of different views were put forward in relation to the area with comments on the size of the scheme and views on the area that should be included or excluded. There were also suggestions of having a city wide Selective Licensing scheme. Here are some of the comments:  Size of scheme:  * *“It’s not fair it should be one rule for the whole of Leeds and not target specific areas.”*
* *“Bring the scheme in across the city to stop bad landlords moving into less monitored areas”*
* *“I am objecting to the fact that one of the areas of Leeds with the highest proportion of rented accommodation (80%) is NOT included in the Selective Licensing area – Little Woodhouse, where 76% of the population are student and herefore (obviolusly) renting.”*
* *“It would be a beginning, personally I would like it to be across the majority of Leeds, especially Halton Moor & Gipton which are also deprived areas.”*
* *“It only targets inner city areas where the majority of residents are poor and not the affluent ones*”

*Areas to include*  * *“LS6, LS2 and LS4 areas (Woodhouse, Little Woodhouse, Headingley, Burley) should be included also, as there is a high level of ASB, graffiti, and mess every year caused by poor management of HMO properties by landlords.”*
* *“A selective licensing scheme in Hyde Park & the Burley area of Cardigan Rd would be good in future. There are many poor properties. Students skew the statistics which would otherwise show considerable levels of deprivation.”*
* *“Hopefully expanded to other deprived areas like deeper into Gipton, Halton Moor and deeper in Beeston.”*
* *“(What about the massive multi-story buildings all over Leeds City Centre!)”*
* *“I think it should also include the area between Spencer Place, Harehills Avenue, Harehills Corner and Roundhay Road.”*

 *Areas to exclude*  * *“Your example above is referring to Beeston and Harehills, but for Armley, Wortley and Farnley I don’t feel it applies as much although there will be cases/properties that do fall in line with your above statement”*
* *“We need to concentrate in the existing SL area, not expanding into larger area.”*
* *“Armley is just fine no need to charge working class people even more charge the rich not the poor”*
* *“Ls9 is proposed to be added, and I disagree that it meets any need for selective licensing”*
* *“Holbeck has had an intensive street by street approach and funding, so I don’t see how this can add to that or even why it would be needed”*

  |
| **LCC Response:**  |
|  The proposed boundary for the Selective Licensing scheme covers parts of Armley, Beeston, Holbeck, Cross Green, East End Park, Hunslet and Harehills. Approval was given by the Councils Executive Board for Council officers to investigate whether or not there is a business case for Selective Licensing in the area. The data used to assess the properties within the scheme is addressed in detail under 1.3.    Selective Licensing is a legislative tool that can only be used by local authorities to address specific problems in a particular area, subject to qualifying criteria (which is laid out in legislation and guidance) being met.   The proposed area is strategically important for the Council’s ‘The Best City Ambition’, which sets out the overall vision for the future of Leeds and to deliver on ‘The Leeds Housing Strategy (2022-2027). The strategy sets out the city’s housing ambitions and how the city will work together to meet these over the next 5 years.   Other areas of the city are also subject to interventions which may include the potential for Selective Licensing in the future, or other initiatives depending on the area concerned. The Council always reserves the right to consider its options; this includes considering Selective Licensing for other parts of the city.  City-wide schemes cannot deal with specific local problems. Whilst some local authorities in the UK have introduced city-wide schemes, the Council does not consider that a case could be made for Selective Licensing, on the basis of the criteria of high levels of deprivation and privately rented properties, for the entirety of Leeds.    |

## 1.4.2 Theme: There are not many rental properties in the area

|  |
| --- |
| There were a few responses in relation to the tenure of properties. Here are some examples: * *“The excuses I’m seeing being given for this is that there aren’t many rental properties in my area, hence it being suitable as a bridge. But I myself rent in LS10 1GA.”*
* *“H2010 is a flagship development by XXXXXX in the Riverside ward. …… It consists of 163 high quality 3- and 4-bedroom townhouses and 80 luxury apartments. The properties are almost exclusively owner-occupied by working professionals.”*
* *“The majority of properties are owner occupier and not rented.”*

  |
| **LCC Response:**  |
|  The latest Selective Licensing guidance states\* “nationally the private rented sector currently makes up 19% of the total housing stock in England. The Actual number of Private rented properties in a given area may be more or less than this, and if it is more than 19%, the area can be considered as having a high proportion or privately rented properties”.  The proportion of privately rented stock across Leeds using 2021 Census data is 21.8%.  The proportion of privately rented stock in the proposed Selective Licensing area using 2021 census data is 38.9%.  The proportion of privately rented stock in Leeds has grown by 3.9% from 17.9% in 2011 to 21.8% in 2021.  The growth in the proportion of privately rented stock in the proposed Selective Licensing area has outpaced the growth of Leeds at 7.4%. It has increased from 31.5% in 2011 to 38.9% 2021.   \*Selective licensing in the private rented sector: a guide for local authorities. Ministry of Housing, Communities and Local Government. December 2024.  |

##  1.4.3 Theme: The area has declined

|  |
| --- |
| A number of respondents said the area has declined and is in decline. Here are some of the comments;* *“I used to live in Beeston many years ago, and on the rare occasion I travel through that area it grieves me to see the decline of what used to be a well cared for community.”*
* *“I feel the area where I live is on downward spiral, filthy rat infested streets. Rubbish and fly tipping everywhere. The high street has degraded to a sorry mess and there is no longer a sense of pride or community in our area.”*
* *“People need good quality housing to help them flourish. The current housing stock in this area is in poor condition which negatively impacts tenants lives.”*
* *“Harehills was a growing economy when we moved in 2002, we saw it improve up to the crash in 2008 where it got steadily worse.”*
* *“Area needs improvement”*
* *“Beeston and Holbeck have become increasingly untidy.. Rats seen regularly when I worked there”*
 |
| **LCC Response:** |
| The Council recognises that whilst the city has prospered, some of its areas have not benefitted and deprivation remains a significant challenge in some parts of the City. Designating the area for Selective Licensing and introducing supporting initiatives to complement this would contribute to the Council’s aim of improving the area. It would allow for the introduction of licence conditions to ensure that all private rented sector landlords operating in the area manage their properties and help address anti-social behaviour, crime and waste. By visiting licensed properties to ensure they were compliant, the Council can also ensure they meet the minimum legal standards. It would also allow the Council and partners to support residents; address their needs and better target resources in order to make a difference to people’s lives as outlined within “What do we hope to achieve by Selective Licensing in the proposed area” [Selective Licensing consultation in East, South and West Leeds | Leeds.gov.uk](https://www.leeds.gov.uk/consultations-and-feedback/selective-licensing-consultation) |

## 1.4.4 Theme: Modern and purpose-built developments should be exempt

|  |
| --- |
| A significant number of comments were made in relation to new-build, recent developments and developments that the responded considered to be of a higher standard than most areas in the proposed designated area. Many respondents felt that they should be exempt if their properties were of a good standard. There were several responses that commented on developments that are subject to high costs.  * *“Echo Central, Bouverie Court and X1 Aire already have a comprehensive lease in place which obligates Leaseholders to ensure the buildings are maintained to an appropriate standard.”*
* *“For flats, these are managed by managing agents, the communal areas are maintained by the service charge so in practise these protections already exist.”*
* *“the building is comparatively new, is being upgraded, and is well-maintained.”*
* *“The Council needs to consider that the h2010 is an award winning high quality housing development which should not be tainted by the proposed inclusion in the Selective Licensing.”*
* *“ Leaseholders at Echo Central, Bouverie Court and X1 Aire have already paid £1000’s to fund maintenance and refurbishment works in recent years, to ensure the building complies with the updated building safety legislation (following the Grenfell disaster).”*
* *“Our estate is mainly owner occupied under a leasehold land registry where we pay a service charge for the maintenance of the communal ground and flats. “*
* *“The properties are constructed to the latest building standards and have NHBC warranties.”*
* *“surely there can be an exception for specific apartments that do not fit in with the rest of the area”*
* *“Some of the buildings in the selected area are not managed by private freehold owners, but by freehold management/development companies. The council should be working with the larger developers who are the freeholders to make sure the’'re providing adequate properties. The leaseholders who own properties in those buildings already pay service charges (on top of ground rent) to keep the properties up to standard, so to add another (especially when they ca’'t do anything to improve the buildings) is unjustified.”*

  |
| **LCC Response:**  |
|  The Council acknowledges that there will be properties and developments in areas that could be classed as a ‘good standard’ and well managed properties that fall within the boundary of the proposed Selective Licensing area. The boundary in the proposal is a logical boundary taking into account available deprivation data within each ward and the mapping data (including existing railway, road and river lines).  Compliant landlords with properties in the proposed Selective Licensing area should not need to spend significant sums of money and do a lot of work in order to meet the licence conditions. Owner occupiers and social landlords are also not required to hold a Selective Licence.  Exemptions for Selective Licensing are detailed in The Selective Licensing of Houses  (Specified Exemptions) (England) Order 2006 <http://www.legislation.gov.uk/uksi/2006/370/made>    Should the area be designated, landlord(s) can make the decision as to whether it is appropriate to ask/include their management or development company on the licence. In situations where a managing company/development company agree to this, they can be bound by the same licence conditions as the landlord(s), providing a level of legal responsibility for the maintenance upon them.  New build, recently renovated properties and those developments subject to costs such as service charges cannot be exempted from Selective Licensing as this is not provided for the legislation. However, further to consideration of representations regarding the proposed boundary, the Council is considering changes as detailed under theme 1.4.5 below.  The Housing Act 2004 stipulates who can be the licence holder and states that the proposed licence holder must be a Fit and Proper Person and the most appropriate person to be the Licence Holder”. The person having control of the property is usually the most appropriate person to be the licence holder.   |

## 1.4.5 Theme: Make changes to the proposed boundary

|  |
| --- |
|  There were many comments in relation to specific developments that should not be included in the proposed Selective Licensing areas. Here are some example comments: * *“The climate innovation district on the other side of East Street (A61), (which was also approved as part of the regeneration of South and East Leeds) is not included in the proposed scheme. It is unclear why Echo Central, Bouverie Court and X1 Aire are not categorised the same as the adjacent Climate Innovation District development.”*
* *“The boundaries of this area are wrong and including H2010 which is not a deprived area is wrong”*
* *“The current housing and landlords are of good quality and in my view the proposed area will not benefit from selective licensing.”*
* *“surely there can be an exception for specific apartments that do not fit in with the rest of the area”*
* *“Echo One, X1 and Bouverie Court do not face the same issues as areas like the Harehills in anyway at all.”*

 Some respondents (as part of the survey feedback and emails received by the service) have proposed making changes to the boundary. Here are some examples:  * *“Echo Central is on the boundary line of (just inside) the scheme and similar apartment blocks directly opposite (in the climate innovation district) are not included in the scheme.* *To provide a boundary that is ‘logical, continuous and has a clear demarcation’, which is consistent with the adjacent development, the line could be amended to exclude Echo Central from the scheme.* *I would suggest that this could be achieved relatively easily by moving the boundary line to Cross Green Lane.”*
* *“The estate should be excluded from the plans. The area can remain a single application and the estate can be excluded easily. I have drawn a new line on your map and it’s doable to exclude the estate without creating a second application. …… Keep the area connected by redrawing the boundary to exclude Victoria mill and h2010.”*

  |
| **LCC Response:**  |
|  The proposed Selective Licensing area is displayed in an interactive map that is accessible via the link: <https://leedscc.maps.arcgis.com/apps/instant/basic/index.html?appid=907fab2fe19845b9bde1aa8dbfd5d6a9> In proposing the Selective Licensing boundary, many factors were considered including: * Quantitative and qualitative data (local and national) regarding factors relevant to deprivation
* Legislation/guidance
* Council strategy/policy
* Local knowledge
* Lessons from previous schemes
* The need for a boundary that is logical, continuous and with a clear demarcation.

 The proposed area has natural/clear boundaries such as rivers, train lines, roads, walkways, distinctive land areas, etc which mean that displacement into local neighbourhoods is likely to be minimised. Further to the representations made, the boundary (shown as a solid black line on the map) is currently under review by Council officers. Any recommendations concerning the boundary will be presented to the Council’s Executive Board as part of the business case.  The decision as to whether to approve or reject any new Selective Licensing scheme based on the Council’s recommendations will be made by the Council’s Executive Board and it will follow the Council’s governance procedure and process. |

# 1.5 Alternatives to Selective Licensing

## 1.5.1 Theme: The Council should use its existing powers

|  |
| --- |
|  Some respondents outlined there is already legislation in place in the PRS and these should be used as an alternative to Selective Licensing. Here are some comments representative of this: * *“Landlords already have got national rules and laws they have to abide too.”*
* *“Most private rentals already comply with gas checks, smoke alarms, carbon monoxide detectors this is just another example of LCC trying to get more money for something that’s already done.”*
* *Tenants should be able to report landlords who do not rectify issues such as mould, damp, plaster falling off of walls, rats in gardens and have this rectified within a reasonable time frame*
* *“The council should have powers to remove properties from landlords and turn them into council houses when they fail to look after their tenants and properties”*

  |
| **LCC Response:**  |
| The Council already has a complaints service in place. Property inspections may be carried out following a complaint or a referral from a partner or enforcement agency concerning unsatisfactory housing or overcrowded conditions. Further information, which includes the contact details for the Private Sector Housing Service as well as guidance, advice and letter templates for tenants can be found on our website: <https://www.leeds.gov.uk/housing/help-for-private-tenants>   In addition to containing information for tenants, the website also contains information for landlords and agents. This can be found at  <https://www.leeds.gov.uk/housing/information-for-landlords>  There is legislation, and there are powers available, for example, the Housing Act 2004 (and associated regulations), the Environmental Protection Act 1990 and the Prevention of Damage by Pests Act 1949, that are used to deal with poor management and poor housing conditions. This legislation is primarily reactive and can largely only be used once problems have arisen.    Unlike the existing powers available to the Council, Selective Licensing requires licence holders to be proactive in managing their properties and it offers further powers to ensure that the Licence Holder is a fit and proper person and that satisfactory management arrangements are in place before a licence will be granted. The Licence Holder must comply with a number of licence conditions. All of this combined with working in partnerships with others, will help to tackle the deprivation and inequalities in the area which the data has shown.     Adopting a purely reactive approach, by relying on complaints, would mean that many   property conditions and management issues are left undiscovered and therefore not addressed. The Council has found often tenants do not report property conditions due to either not knowing the help available or their rights or fear of eviction. Responses to the consultation survey indicates that there is unsatisfactory housing conditions where tenants do not report disrepair due to fear of eviction (see 1.6.8). The Private Sector Housing enforcement policy provides further details on the duties and discretionary powers to take enforcement action using a range of legislation to address issues arising at privately owned accommodation:  <https://www.leeds.gov.uk/housing/information-for-landlords/private-sector-housing-enforcement-policy>   |

## 1.5.2 Theme: Other resources

|  |
| --- |
| It was suggested by some respondents that they felt other resources were required instead of, or to tackle the issues set out within the aims of Selective Licensing. Here are some comments representative of the suggestions made:  * *“We need more schools, better schools and connected access to transport enabling people to get to where they need instead of being cut off.”*
* *“Traffic conditions - more speed bumps needed.”*
* *“They also need to look at what is available in each area and the council need to offer recreation activities to reduce the adolescent negative activities where they are bullying, endangering and scaring people with no repercussions”*
* *“I really cannot understand how targeting landlords will help with anything. Why dont you spend the money on failing community hubs”*
* *“I believe that a urban improvements including town centre regeneration, securing spaces for canal accomodation such as the boat communities at Thwaite Mills, regenerating other industrial sites, and Universal Basic Income trial in this area would be worth attempting”*
* *“More CCTV would help.”*
* *“Increased policing in the area would be more beneficial for the wider social environment”*
* *“Your main concern should be housing the homeless and fixing the roads”*
* *“Suggest idea to support growth of shops in the area as part of the scheme.”*
* *“Higher police presence, street wardens, on the spot fines to reduce asb, crime, environmental issues first.”*

  |
| **LCC Response**  |
| The Council have considered the duly made alternatives to Selective Licensing proposed in relation to the use of other resources, however, do not consider any of the suggestions made would combat deprivation to the same extent as the proposed scheme would as it targets all 7 factors of deprivation.   It is acknowledged that suggestions such as;  * “*Higher police presence, street wardens, on the spot fines to reduce asb, crime, environmental issues”*
* *“more CCTV”*
* *“spend the money on failing community hubs”*

may improve some factors ofdeprivation such as crime, external living environment, and barriers to services however it could not improve factors such as housing conditions.   Some of the suggestions such as *“more speed bumps needed”* and *“fixing the roads”* would not contribute to reducing levels of deprivation therefore are not considered to be a viable alternative to Selective Licensing.   The Council has a strategy which already tackles homelessness which can be read at [Homelessness and Rough Sleeping Strategy 2023 to 2028 | Leeds.gov.uk](https://www.leeds.gov.uk/housing/housing-strategy/homelessness-strategy) The Council works in-line with this policy to reduce and improve the levels within the city. It has been discussed under section 1.1.4 the considerations given to the impact in which the proposed scheme may have upon homelessness. The risks of the issues identified need to be balanced against the evidence of the need to take action to improve the housing situation in the area. The Leeds City Council strategy includes both improving homes and reducing homelessness as priorities.    |

## 1.5.3 Theme: Suggestions included within the proposed Renters Reform bill and other legislation suggestions

|  |
| --- |
| There were several comments that referred to other measures that the Government is looking to introduce nationally, some of the comments are below:   * *“A renting ombudsman or something of that kind would be more beneficial.”*
* *“A register of landlords is also necessary so that action can be taken against landlords who fail in their duties to the local community.”*
* *“After the Grenfell tragedy and the death of Awaab Ishak more powers were given for the regulation of social housing, and listening to tenants. These same rules and regulations must be rolled out to the private sector to avoid any similar tragedies. …… Private landlords are running a business and they should be regulated like social landlords and be expected to run proactive improvements, not wait for end of tenancies.”*
* *“Implement a city wide landlord regulation scheme or push for a nation landlord register”*
* *“Landlords tenants houses should be inspected every 12months and by law all repairs completed with in a certain few months!”*
* *“The proposals under this for minimum requirements will be take in by the Private Rental Sector Database under the new Renters Rights Bill and is a duplication of work for landlords and agents. The reform requirements will supersede this and therefore the need for a paid licence will not be necessary”*
* *“I don’t see how paying a license makes them improve a property. I think suitable evidence to revoke a license to let or fine them is more suitable”*
* *“Implement a requirement that all properties must be EPC rated C or better. Properties with this rating would almost certainly have high levels of insulation, double glazing, central heating /smart storage heaters and therefore be highly unlikely to have poor living standards.”*
 |
| **LCC Response** |
| The Renters’ Right Bill was introduced in the UK Parliament on 11 September 2024 and has not yet been enacted into legislation. It aims to significantly overhaul the private rented sector in England offering greater protection and security for tenants. Key provisions include abolishing “no fault” evictions (section 21) and introducing a new “Decent Homes Standard”. Other provisions include the creation of a digital Private Rented Sector database and a new ombudsman service.   Guidance by the Ministry of Housing, Communities & Local Government (updated 16th January 2025) states *“Create a Private Rented Sector Database to help landlords understand their legal obligations and demonstrate compliance (giving good landlords confidence in their position), alongside providing better information to tenants to make informed decisions when entering into a tenancy agreement. It will also support local councils – helping them target enforcement activity where it is needed most. Landlords will need to be registered on the database in order to use certain possession grounds.”*  The bill also outlines the creation of a new Private Rented Sector Database, a national database where landlords must register themselves and their properties. This database aims to increase transparency for tenants and assist HMRC with enforcing tax compliance as well as allowing tenants to access the database to check if a property they are considering renting is registered.  If measures such as the ‘Private Rented Sector Database’ are enacted into legislation, it will potentially be a useful additional tool for the local authority. It is not anticipated that the measures currently proposed to be introduced would be a basis to not introduce a Selective Licensing scheme in Leeds, because the measures proposed are not the same as the powers available to the Council under any Selective Licensing scheme. Any developments in legislation and guidance will be monitored and assessed in relation to their ability to reduce deprivation.   The Minimum Energy Efficiency Standards are the current standards relating to energy efficiency of rented properties. At present homes must be an E or above to be rented out unless otherwise exempt. The Council do not have the powers to change the standards therefore this suggestion is outside the scope of what the Council can do.   Any other suggestions which have not been drafted into a bill or do not currently exist in legislation would have to follow the parliamentary process as creation of law remains a central government function. For example, the suggestion of a *“licence to let”.*    |

## 1.5.4 Theme: Self regulation and community responsibility

|  |
| --- |
| There were a few respondents who suggested self- regulation. Here are some of the comments:    * *“If landlord is self regulating, then this should be reflected in greater reduction in cost (which can be passed on to their tenant)”*
* *“Maybe also some sort of award for the good landlords out there?”*

 Additionally, some respondents suggested that the residents should be liable for the areas they live in. Here are some of the comments: * *“Everyone should be responsible for keeping the area they live or work in clean and safe. Higher fines and penalties for fly tippers. Consult with locals on where the hot spots are and monitor.”*
* *“Perhaps encouragement to set up Neighbourhood Watches would be effective*.”
* *“I also think that the gardens of the local council and the private sector should also be brought into line messy and unkept gardens also bring the estates down over grown and junk strewn all over . Maybe if each tenant was given a find for a messy unkept garden things would improve the look of the estate you are building beautiful homes that are supposed to improve estates then you get the gardens that bring them down In every tenancy it should be stipulated that unkept gardens would be a default on the tenancy’s agreement”*
 |
| **LCC Response**  |
| For a number of years, the Council operated an accreditation scheme for landlords in Leeds. Unfortunately, whilst very successful in some markets (namely the student market) it was not successful across the city. Very few landlords outside the student market joined.  The ‘Leeds Rental Standard’ (LRS) was developed as a voluntary scheme where members commit to self-regulating with the opportunity to resolve tenant complaints without Council involvement.   LRS is not administered by the Council. The Council supports and partly funds it in partnership with other accrediting organisations. By joining the scheme, landlords can benefit from a number of incentives including lower regulatory fees and access to guidance and training. Indeed, the fee structure proposed for Selective Licensing includes a discount for members of LRS. Further information on the LRS can be found on their website,   <http://www.leedsrentalstandard.org.uk/>   Landlord take up of the LRS as a self-regulation option, has been low in the proposed area when compared with other areas of the city. Due to this low uptake, LRS is not considered to be a viable option as an alternative to Selective Licensing.   Whilst the Council is aware that other accreditation schemes exist, the proposed discount on the licence fee is only available for those landlords who are confirmed members of the LRS.  The suggestion of communities being responsible for their own areas to keep the area clean and safe may help to reduce certain factors indicative of deprivation, but not all of them and so would not be a suitable alternative to Selective Licensing.There are a number of community cohesion initiatives across the city. The Leeds City Council ‘Better Lives Strategy 2022 to 2027’ sets out key priorities that will make a meaningful difference to peoples lives and notes: *“partnership working with the Third Sector is a key strength in Leeds”*.Operating in the proposed Selective Licensing area are a number of Council-run community hubs along with third sector organisations such as Hamara in Beeston and the Vinery Centre in east Leeds. These offer services and support in their localities. There is also the ‘Clear Hold Build’ framework (a police-led 3 step initiative) that is operating in Harehills. This links the Council with the police, other agencies and the local community (including representative groups) to tackle and address the root causes of criminality with the aim of building safe stronger communities. Any proposed Selective Licensing scheme would work alongside these initiatives to help to reduce factors of deprivation in the area.  |

## 1.5.5 Theme: Educate landlords on the required standards and strict enforcement

|  |
| --- |
| Some respondents suggested that educating landlords in the required standards was a suitable alternative to introducing Selective Licensing alongside having stricter enforcement regimes. Here are some of the comments representative of this view:  * *“mass advertise what the minimum standards are, how to report issues to the council and provide 100% assurance that landlords cannot retaliate as a result of being investigated which will be the case shortly with the introduction of no fault evictions.”*
* *“Other approaches should be considered e.g., educating property owners and enforcing standards on non-compliant landlords who should be brought to account and fined. This would also generate income. The fines and action against landlords should be publicised as a deterrent and those found guilty of non-compliance should be prevented for future property letting.”*
* *“Name and shamebad landlords on the digital displays in the city centre”*
* *“There is maybe an argument for more punitive measures for landlords that consistently fail to maintain properties to the point where health outcomes for tenants- especially vulnerable people such as children and the elderly are compromised by failure to act in an appropriate and timely manner- e.g. addressing damp and mould issues. Fines and/ or community service ‘sentences’ may show worst offenders that you’re serious about supporting tenants”*
 |
| **LCC Response**  |
| As regards having a stricter enforcement regime, the Council takes housing-related offences very seriously. When a Council officer investigates an offence or infringement, they follow the Council’s enforcement policy and consider whether the relevant evidential tests are met to determine the most suitable course of action, up to and including formal enforcement action whether that be civil or to prosecute. If the Council successfully prosecutes a landlord this can and often will be publicised by the Council. Sentencing following a prosecution is conducted by a magistrate and so any decision to impose community service on an offender would be outside the scope of the Council’s powers.  Whilst civil penalties and prosecutions are already utilised by the Council for other housing-related offences, using these tools alongside Selective Licensing could help to improve deprivation. As discussed in 1.5.4 above, the Council supports and partly funds the Leeds Rental Standard in partnership with the other accrediting organisations. By joining the scheme, landlords can benefit from a number of incentives including access to guidance and training offered by the partnership accrediting organisations. Furthermore, various guidance documents are provided by the Council and are published on its website <https://www.leeds.gov.uk/business/privately-rented-property> to support landlords. In addition to containing guidance and standards pertaining to the private rented sector, the website also contains links to other organisations eg. the police and Gas Safe. Landlords also have the option to subscribe to an e-newsletter/landlord bulletin service. If the area is designated for Selective Licensing, guidance on how to comply with the proposed licence conditions would be available. At the same time, officers from the Selective Licensing team, with the support of partner agencies, would be able to assist and educate licence holders. The Council does not consider that educating landlords on the standards alone would reduce deprivation in the way in which the proposed licensing scheme would. Whilst providing a landlord with knowledge is a useful tool, it does not allow for any proactive property inspections or require compliance with conditions relating to effective management of properties nor does it provide officers an opportunity to cross the threshold into homes to assess whether help is required for the occupants in relation to employment, skills, income and other support. As a result, education is not deemed as a suitable alternative approach alone. However, the Council believes that the combination of providing further education to landlords via support and guidance together with Selective Licensing, would be an effective way to achieve the objective of reducing deprivation in the area.  |

## 1.5.6 Theme: Introduce a Rent cap

|  |
| --- |
| Some respondents felt the introduction of a rent cap was an alternative solution to implementing a Selective Licensing scheme. Comments representative of those views are as follows: * *All houses should be turned back to one dwelling with affordable rents for people that work , if housing benefit doesn’t pay your rent you’re priced out . landlords should be enforced to maintain them , over crowding in an already deprived area*
* *I think a rent cap should be included.*
* *Come out to look at properties more often. Let landlords see face to face what is needed. Keep a check on the rent rises.*
* *“The whole situation would be improved if there was more affordable rented and owned housing available...”*
 |
| **LCC Response**  |
| As outlined within 1.1.2 the Council does not have any legal power to cap rents within the city making this suggestion outside the scope of the local authority and a suggestion which could not be acted upon as an alternative to Selective Licensing.  |

## 1.5.7 Theme: Targeted Approach

|  |
| --- |
| Some respondents suggested the Council should target specific areas, houses or ‘bad' landlords as an alternative to the proposed scheme. Comments representative of these views are as follows: * *“Do spot checks on the properties”*
* *“Seems too high for good standard housing. Not targeted enough for poor housing”*
* *“you should check and prosecute the landlords that are doing a bad job not the charge fees to landlords who are already doing a great job this is completely unfair.”*
* *“Only rogue landlords should be targeted. Landlords which adhere to standards should be excluded from selective licensing schemes”*
* *“If landlords are looking after their properties, then the licensing will not affect them. Those who are poor landlords, will need to take action. It sends a strong message.”*
* *“Targeting action on known unethical landlords would be more reasonable and effective and less likely to drive the good landlords out of the area with ineveitable consequences.”*

 *It was also suggested by some respondents that ‘good’ landlords should be offered more discounts and support.* * *“I agree that you have to fund this through charging landlords to register, but this should be far more heavily weighted onto bad landlords - the discount for LRS members should be far higher and there should be rebates/refunds for landlords whose maintenance and other conduct record is consistently good over time. This should be paid for by higher fees and fines etc for the bad ones against whom enforcement proves necessary. You might also consider working with buy-to-let mortgage lenders to secure better deals based on good compliance, funded at their end by allowing registration fees to be added to mortgage loans on which they then profit from interest.”*
* *“Greater roll out and incentives should be created for good landlords and/or those who could be persuaded to do better. This would foster a better culture and avoid the inevitable reactions caused when "the whole class is punished for one person's poor behaviour'.”*
 |
| **LCC Response** |
| The Council acknowledges that there are a number of landlords who offer good quality accommodation and manage their properties well. If an area is designated for Selective Licensing, these landlords would still require a licence to operate their business because Part 3 of the Housing Act 2004 (the Act) makes it clear that all houses in an area designated for Selective Licensing are required to be licensed by the local housing authority unless they are specifically exempted by law. The legislation does not contain an exemption for ‘good landlords’ and so they cannot be exempted from any approved scheme. However, the Council will recognise them in the form of offering a £150 discount to accredited landlords, who are members of the Leeds Rental Standard (LRS), subject to certain criteria being met.Should any scheme be approved, the Council will also look to support landlords by providing guidance documents as regards compliance with the scheme. This will supplement existing guidance available at https://www.leeds.gov.uk/business/privately-rented-property As regards targeting specific areas, the proposed scheme covers an area which is showing high levels of deprivation and therefore the proposal already demonstrates this.  The Council have previously adopted a resource intensive targeted approach called the Leeds Neighbourhood Approach (LNA). Starting in Harehills in 2013 it adopted a street-by-street approach with the objective of improving housing standards and dealing with empty properties in a small, defined area. Whilst the Council recognises the benefits of this and similar approaches, it would not be a viable option given the size of the area proposed for Selective Licensing; the time and resources that the Council would need to input into the initiative and the scale of the property conditions anticipated following the findings of the previous Selective Licensing schemes in Beeston and Harehills. Should the proposed Selective Licensing scheme go ahead, areas would be targeted both proactively and reactively.  |

## 1.5.8 Theme: Provide more housing or invest in housing

|  |
| --- |
|  A number of respondents suggested the Council expands its stock of homes. Here are some of the comments;   * *“having more council housing available so they don’t have to private rent would be even better”*
* *“We need more council housing, not housing association so people can afford to live. I work and live in council housing and the sitation in the community due a lack of council housing is absolutely dire.”*
* *“Definitely not instead of Selective Licensing, but in addition to it, I hope you will consider taking more housing back into public ownership.”*
* *“I think the council should buy back any empty unused homes/homes for sale and look to increases council houses in Leeds - particularly in Armley.”*
* *“Investment is needed not regulation”*
* *“Improvemt via grants and assisted work. This does deliver nothing for tenants apart from more pain in rent”*
* *“ENCOURAGE LANDLORDS TO DO BUSINESS AND BUILD MORE HOUSES TO INCREASE THE SUPPLY SO THE SUPPLY DEMAND RATIO GETS BETTER. IF THERE ARE MORE PROPERTIES AVAILABLE LANDLORDS WILL NATURALLY NEED TO IMPROVE THEIR PROPERTIES TO ATTRACT TENANTS.”*
* *“Press government to get rid of right to buy and provide more social housing.”*
* *“Landlords cannot improve the living conditions of an area! However, if the council would like to improve things, how about building more social housing in the more affluent areas like Meanwood or Roundhay. Avoiding putting people with issues such as drugs or social behaviour issues into deprived areas and ensuring they are getting housing in the more affluent areas to avoid an unbalanced diversity of people in different areas meaning more problem families and people in poorer council areas”*

  |
| **LCC Response:**  |
| The building of more houses; offering grants; investing in the infrastructure and energy efficiency measures and investing in measures such as better schooling/after school facilities, apprenticeship projects etc are measures that in isolation may improve housing conditions and also may help with finances in terms of saving tenant’s money on energy bills and other matters relevant to factors of deprivation. However, it would not help to target properties where landlords and/or agents do not wish to apply for any available grants and/or who may be reluctant to proactively managing and maintaining their properties. The Council recognise these initiatives running alongside Selective Licensing may positively help improve some aspects of deprivation, but does not consider this to be a suitable alternative to Selective Licensing.  There are currently initiatives being offered to landlords and homeowners by Leeds City Council in relation to energy efficiency. More details are available at: [Make your home more energy efficient | Leeds.gov.uk](https://www.leeds.gov.uk/housing/make-your-home-more-energy-efficient)   The Council does recognise the importance of building more houses and other measures as part of its wider housing strategy and the Council’s three pillars of the Best City Ambition.  Further information on the Leeds housing strategy and the ambitions are available at:  <https://www.leeds.gov.uk/housing/housing-strategy/leeds-housing-strategy/current-strategy/>. Providing more housing alone would not work as a stand-alone measure as an alternative to Selective Licensing as providing a home does not impact employment, access to services and income.    |

## 1.5.9 Theme: More support for tenants

|  |
| --- |
| Some comments were made by respondents suggesting there should be more support for tenants. Here are a few comments representative of that view: * *“Tenants perhaps need support and a back up organisation when complaining about poor maintenance”*
* *“More support for private tenants to raise issues and have them actually addressed without fear of eviction. Dedicated support to help tenants write complaints, raise cases against landlords, letting them know what their rights are etc. Given the diversity of this area in particular, there needs to be significant consideration given to ensuring tenants for whom English is not their first language are also given adequate support, as they are often taken advantage of more, with landlords and agents assuming that they won't raise issues because of language barriers and struggles. There should also be more affordable housing opportunities for first-time buyers to prevent landlords buying all the cheaper properties to rent out, as it is too common for new buyers to be outbid on properties by landlords looking to add to their "portfolio", making it more difficult to get on the housing ladder.”*
* *“Mandated by law or regulated by shelter . Dont think the council are the right organisation for this.”*

  |
| **LCC Response**   |
| The Private Sector Housing Service is already available to assist tenants with disrepair issues. As previously explained, there is a reactive service which is tenant complaint led. There are also other departments of the Council such as Leeds Housing Options who will assist tenants where illegal evictions have taken place.   There are external organisations such as Shelter and Citizens Advice which can offer tenant(s) help and advice in relation to tenancy matters. Tenants also can access private legal advice in relation to housing matters.  Details of the support available for vulnerable tenants, including those for whom English is not their first language, is set out at 1.1.13. Introduction and incorporation of such private organisations to support tenants is outside of the scope of the Council’s powers and therefore cannot be considered as an alternative to Selective Licensing.   |

## 1.5.10 Theme: HMO’s and bedsits

|  |
| --- |
|  A number of responses have raised concerns with HMO, overdevelopment of properties and small living accommodation. Here are some of the comments made in relation to this: * *“Owners get round the mandatory HMO license by converting family houses into tiny bedsit flats saying unsuitable for families or let properties sit empty for months”*
* *“Armley could be such a nice area but it has been ruined by HMO's”*
* *“HMOs are springing up all over the place now. Landlords claiming extra benefit for support that is not being given so landlords win again.”*
* *“There are too many hmo houses in these areas and it’s pushing families out, parking issues/ messy tenants etc needs licensing so problems get sorted otherwise they get left and the areas get further run down……. should apply to all rented hmos”*
* *“I feel that all landlords, no matter the purpose - whether HMO, individual tenant or single family - should be required to be licenced by law. The only way to ensure rogue landlords cannot exist is to have licencing requirements which would allow prosecution and jail terms for landlords that are unlicenced or break the terms of that licence*”

 Some respondents also suggested HMO’s should be limited as this type of occupation increases deprivation. Here is a comment representative of that view: * *“Put a limit on the number of hmos on a street the number of family homes in my street that have now turned into one bed multiple hmos is ridiculous and that’s why working families are moving out and the area gets more deprived”*

  |
| **LCC Response**  |
| Leeds City Council have an Article 4 area, in relation to Houses of Multiple Occupation, within certain areas of Leeds (including the areas proposed for Selective Licensing). The boundary map can be found online at: [https://www.leeds.gov.uk/sites/default/files/docs/fpi\_hmo\_004 article 4 direction area plan.pdf](https://www.leeds.gov.uk/sites/default/files/docs/fpi_hmo_004%20article%204%20direction%20area%20plan.pdf)As a result, planning permission must be sought within this area before converting a family home into a house of multiple occupation. Article 4 allows the planning department to restrict the creation of further HMO’s in an area where it would unbalance the area. This solution alone would not reduce deprivation as it does not contribute to all elements of deprivation as the proposed scheme will, therefore this is not viewed as a suitable alternative to Selective Licensing.   Licensed houses of multiple occupation are exempt from Selective Licensing as per The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006  <http://www.legislation.gov.uk/uksi/2006/370/made>. Unlicensed HMO’s and flats/bedsits will require an individual licence, per unit of accommodation, should the scheme be approved, unless made exempt by the aforementioned order.   A rented property may be classed as an HMO if it is rented out to at least 3 tenants forming more than one household and any of the toilet, bathroom or kitchen facilities are shared. A HMO must have a ‘Mandatory’ licence if it is occupied by 5 or more people and 2 or more households. A HMO that is operating within a designated Selective Licensing area would require a licence either under the Selective Licensing scheme where there are less than 5 occupants or a mandatory HMO licence where there are 5 *or more* occupants. A Licence Holder with a mandatory HMO licence would not be required to simultaneously hold a Selective Licence for the same accommodation. Further information and guidance on landlord responsibilities for HMO’s can be found on our website: <https://www.leeds.gov.uk/housing/information-for-landlords> As part of any visits to properties such as HMO’s, regard will be had to the available living space and amenity provisions. Any necessary action to deal with issues identified will be considered and taken by the Council in accordance with the legislation, guidance and the private sector housing enforcement policy. |

# 1.6 Responses in support of Selective Licensing

## 1.6.1 Theme: Comments in relation to the proposed outcomes of Selective Licensing designation

|  |
| --- |
| There were many comments made by the respondents expressing their views on why they agree with the proposed outcomes of the proposed Selective Licensing designation. Here are some of the comments that were made: * *“I support the dual focus of the proposal (tackling poor quality rented housing, and addressing wider issues such as access to services).”*
* *“I believe housing the is most important factor in someone's health and wellbeing. Equally, being able to have pride in your community is important.”*
* *“This will enhance the living conditions and environmental protection will be monitored”*
* *“It will make sure minimum needs are met and ideally bring good tenants and landlords together”*
* *“This gives the private tenants better protection. In the past people have been scared to complain due to being evicted for speaking out.”*
* *“This has worked well in other areas of Leeds, as it safeguards tenants, other households living in the area and ensures landlords rent properties in a safe condition, safeguarding the most vulnerable.”*

  Several respondents outlined their concerns within the proposed area to justify their reason for supporting the proposal. The following is some of the comments that were made:  * *“A lot of houses in disrepair, boarded up windows and doors, broken walls, no bins provided causing fly tipping outside my own house. Something needs to happen”*
* *“Lots of fly tipping causing problems”*
* *“The main issue locally for me is absentee landlords who just take the money and don’t care about neighbours and community... The police and council rarely help. So if this tips the balance I’m all for it. It’s only part of the solution though.”*
* *“As someone who works in East Leeds, I have seen the run down standard of some of the properties in Harehills. Some of which have been turned into cannabis farms. Nuisance tenants are also a massive problem causing ASB + crime in the locality”*
* *“These are areas of high unemployment and low incomes. Landlords must not be allowed to take advantage of them”*
* *“The state the landlords let their properties is disgusting. High rents and poor housing. Poor electrical work, no central heating, lack of insulation. Damp and mold. Absolutely criminal.”*

  Additionally, some respondents referred to the requirement of responsibility on landlords as a reason for supporting the proposal to introduce Selective Licensing. Comments were made such as the following * *“Landlords should provide safe housing and maintain the property to a high standard as you would if you owned and lived there”*
* *“As a previous land lord myself I am aware of some of the difficulties landlords can experience with tenants, not looking after / causing mess in and around the property. That said it is the responsibility of the landlord to ensure the rest of the street does not have to endure ASB or dumping of rubbish etc. from their tenants.”*
* *“Responsible ownership is vital. The ability to buy a house and rent it out does not equate with responsible management.*”
* “A *standard for quality of housing should be understood by all, should be the responsibility of landlords, and should be enforced by the council.*”

  |
| **LCC Response:**  |
| Many comments were made by respondents expressing their views on why they agree with the proposed outcomes of the proposed Selective Licensing designation, along with highlighting their support being due to conditions within the proposed designation. The comments provided were comparable with the reasoning of the Council for the proposed the introduction of Selective Licensing as outlined within the consultation: <https://www.leeds.gov.uk/consultations-and-feedback/selective-licensing-consultation>As explained within the consultation, the Council’s main aim is to improve the management and quality of people’s homes across the proposed area. Selective Licensing will mean:* All private homes will need a licence with conditions which landlords need to comply with, including issues around gas and electrical safety, ensuring they are kept well maintained, waste issues are addressed, and antisocial behaviour can be better tackled with partners.
* Officers will be able to proactively visit homes to ensure they are safe, warm, and secure for those living in their home.
* It will also allow us to address those landlords who fail in providing good homes for people, by working with landlords to repair and maintain their homes. In the worst cases where landlords fail to comply, it will enable the Council to take legal action against them.
* By working in partnership, it will allow the Council and others access into people’s homes and address wider issues around health, finance, employment etc.
* The partnership approach will also allow us to work closer with others to deal with wider community issues.

Taking into account all of the above intended outcomes, the Council considers that Selective Licensing intends to contribute to a reduction of deprivation in the area amongst the other issues outlined.  |

## 1.6.2 Theme: Comments in relation to the reasons for proposing Selective Licensing in the area

|  |
| --- |
| There were many comments made by the respondents expressing their views for agreeing with the reasons for proposing Selective Licensing. Here are some of the comments that were made: * *“The targeted approach is a sensible approach to tackle poor housing in areas where it is the biggest problem, and where tenants are presumably less likely to access (or to HAVE access) to other support for their rights.”*
* *“Too easy to not comply without enforcement. Licensing should overcome that issue. People need safe secure homes.”*
* *“With so many people renting now and the lack of housing, people feel like they have no choice but to put up with their situations and are being taken advantage of. Some accountability and enforcement of basic standards would be most welcome.”*
* *“These are poorer areas of Leeds, meaning tenants are more vulnerable to mistreatment by landlord”*
* *“I have seen the awful conditions of some of the rented houses in Harehills. There are some great landlords and their houses are maintained beautifully. Their tenants stay for years. They have nothing to fear.”*
* *“It should provide a safeguard against unscrupulous landlords.”*
* *“Similar problems in all the areas with drugs, anti social behaviour and more it needs sorting out”*
 |
| **LCC Response:** |
| The many comments made by respondents expressing their views for agreeing with the reasons for proposing Selective Licensing, are consistent with the reasoning outlined within the Selective Licensing consultation (<https://www.leeds.gov.uk/consultations-and-feedback/selective-licensing-consultation>) such as; the proposed area shows high levels of issues indicative of deprivation when compared to the rest of the city as:* 84% of the area is in the most deprived 10% in terms of the Index of Multiple Deprivation (IMD) ranking, compared to Leeds as a whole.
* In terms of income 63% of the area is in the lowest 10% of earnings compared to 18% of the city as a whole.
* All crime rate for reported crimes is higher per thousand population in the area with violence and sexual offences close to double, robbery more than double and drugs offences more than three times the Leeds rate.

As explained within the consultation, the Council’s main aim is to improve the management and quality of people’s homes across the proposed area. Selective Licensing will mean:* All private homes will need a licence with conditions which landlords need to comply with, including issues around gas and electrical safety, ensuring they are kept well maintained, waste issues are addressed, and antisocial behaviour can be better tackled with partners.
* Officers will be able to proactively visit homes to ensure they are safe, warm, and secure for those living in their home.
* It will also allow us to address those landlords who fail in providing good homes for people, by working with landlords to repair and maintain their homes. In the worst cases where landlords fail to comply, it will enable the Council to take legal action against them.
* By working in partnership, it will allow the Council and others access into people’s homes and address wider issues around health, finance, employment etc.
* The partnership approach will also allow us to work closer with others to deal with wider community issues.

Taking into account all of the above intended outcomes, the Council considers that Selective Licensing will contribute to a reduction of deprivation in the area. |

## 1.6.3 Theme: Do you agree with the area chosen for Selective Licensing

|  |
| --- |
| There were many comments made in relation to the proposed area for Selective Licensing along with suggestions put forward which have been discussed in other themes in this document. There were also many comments made where respondents agreed with the proposed area. Here are some of those comments: * *“The areas are those you would think of as deprived areas with high levels of crime, waste on the streets and poor quality housing.”*
* *“High levels of private renting properties in this area to lower income households and high levels of badly maintained privately rented homes in these areas”*
* *I know the Armley area better than the others and the housing type in the targeted area would indicate you have this right.”*
* *“It looks to cover the areas where tenants may need the most support to make sure their rented home is safe to live in.”*
* *Areas in Harehills, gironde, cross green have a lot of bad housing stock with landlords letting off poor housing for ridiculously high rents.*
* *I am very pleased that all these streets in Harehills are to be part of the selected licensing scheme.*
* *“I've lived in Armley for years, it definitely needs it, it's a persistent problem for most people I know here”*
 |
| **LCC Response:** |
| A proportion of the feedback received agree with the area in East, South and West Leeds that is proposed for Selective Licensing. The respondents provided comments for agreeing with the proposed area, which were synonymous with the reasoning of the Council for the proposed the introduction of Selective Licensing as outlined within the consultation: <https://www.leeds.gov.uk/consultations-and-feedback/selective-licensing-consultation> As explained within the consultation, the Council’s main aim is to improve the management and quality of people’s homes across the proposed area. Selective Licensing will mean:* All private homes will need a licence with conditions which landlords need to comply with, including issues around gas and electrical safety, ensuring they are kept well maintained, waste issues are addressed, and antisocial behaviour can be better tackled with partners.
* Officers will be able to proactively visit homes to ensure they are safe, warm, and secure for those living in their home.
* It will also allow us to address those landlords who fail in providing good homes for people, by working with landlords to repair and maintain their homes. In the worst cases where landlords fail to comply, it will enable the Council to take legal action against them.
* By working in partnership, it will allow the Council and others access into people’s homes and address wider issues around health, finance, employment etc.
* The partnership approach will also allow us to work closer with others to deal with wider community issues.

Taking into account all of the above intended outcomes, the Council considers that Selective Licensing will contribute to a reduction of deprivation in the area.  |

## 1.6.4 Theme: Comments in relation to the consideration of suitable alternative approaches to tackle the issues in this area

|  |
| --- |
| There were many comments made by the respondents expressing their views in relation to the consideration of suitable alternative approaches made by the Council, to tackle the issues in this area. Here are some of the comments that were made by respondents in agreement: * *“I agree that a reactive approach is not acceptable. In my experience, landlords and letting agents believe that they have more power than they do, and care very little about the everyday life of their tenants who have to put up with poor living conditions, or poor quality communities. By being more proactive, it empowers tenants to use the systems in place to hold their landlords to account.”*
* *“Agree many people are not aware of their rights / don't want to rock the boat with their landlord so a proactive scheme makes a lot of sense.”*
* *“I agree self-regulation is insufficient and that a reactive approach is flawed”*
* *“The only way to make any business, landlord or otherwise, work in the interest of society is to require minimum standards by law - licencing is one approach to enforcement of that. I am not surprised that all measures tried by the council to date have failed.”*
* *“The fact that the Leeds Rental Standard has seen low take-up in the target areas demonstrates that the proposed approach is needed to protect the rights of tenants who are presumably less likely to access (or to HAVE access) to other support for their rights.”*
* *“trusting landlords to self regulate has obviously not been working so i agree some kind of regulation needs to be brought in”*
 |
| **LCC Response:** |
| Some of the comments received in relation to the respondents being satisfied as to whether the Council have considered suitable alternative approaches to tackle issues within the proposed designation, confirm that respondents felt this was the case with an understanding of the attempted measures reflected within the responses and agreement they were not/are not appropriate or effective.  As outlined within the consultation (<https://www.leeds.gov.uk/consultations-and-feedback/selective-licensing-consultation>), the Council has considered alternatives to Selective Licensing to address the issues. In 2017 the Council supported the launch of the Leeds Rental Standard - self-regulation of the sector supported by the National Residential Landlord Association and Unipol. This approach is considered insufficient to address the issues in the proposed area because there is limited engagement with the Leeds Rental Standard in the proposed area when compared with other areas of the city. Prior to the previous two licensing schemes in Beeston and Harehills, the Council adopted the Leeds Neighbourhood Approach to address area-based issues. Whilst it delivered improvements the approach dealt with issues street-by-street and so given the size of the proposed area and the scale of the issues identified in the previous Beeston and Harehills schemes, this approach would not address the level of issues facing people living in the area. Another alternative to Selective Licensing would be a reactive approach, responding to complaints raised in respect of property conditions in the area. The Council does not consider this to be an effective method of addressing the conditions in the area because this relies on people coming to the Council, understanding their rights and not being in fear of eviction if they do complain. Whilst other options such as self-regulation, reacting to complaints, and smaller proactive geographical initiatives have been tried and have delivered results, they are not sufficient to address the wider issues in the priority wards as per the Council’s Best Ambition for the Leeds.   |

## 1.6.5 Theme: Comments in relation to the proposals for Selective Licensing along with other measures specified to tackle issues of deprivation in the area

|  |
| --- |
| There were many comments made by respondents in relation to the proposals for Selective Licensing along with other measures specified to tackle the issues of deprivation in the area. Here are some of the comments from those respondents explaining their agreement: * *“Appropriate, good quality housing is so important in so many ways. Get it right and it really does help maintain good physical and mental health, reduces stress so children and adults can concentrate on study, work ect. It fosters good neighbour practises so builds resilient communities”*
* *“The scheme will improve the regulation of poor quality housing in the area and improve residents lives and potentially drive up the living standards in the area.”*
* *“I believe selective licensing will improve the quality of rental properties in the area. As long as it is enforced.”*
* *“It has already had a positive impact in the areas covered. Unfortunately the pandemic delayed progress so it makes sense to extend the scheme.”*
* *“Housing is vital to mental and physical health and I think that selective licensing will help to improve the lives of people living in rented housing.”*
* *“Stable, decent housing is the essential foundation to every other social and economic outcome - without it people struggle to find work, access services and their health suffers. Poverty and housing inequality are a moral stain but also costly to society and we must take a preventative approach.”*
* *“It is clearer how the proposal will have a positive impact on the quality of rented housing (which in turn will have health benefits). It is less clear how the wider work will be done and thus harder to assess how likely it is to improve employment, income, ASB, etc”*
 |
| **LCC Response:** |
| Some of the feedback received in relation to respondents explaining their agreement with the proposals for Selective Licensing along with other measures specified to tackle deprivation in the area confirm that respondents believe that Selective Licensing will contribute to improving homes as per the main aim outlined within the consultation (<https://www.leeds.gov.uk/consultations-and-feedback/selective-licensing-consultation>). Respondents acknowledge the importance of housing and the links with health. The Council highlighted within the consultation that to tackle ASB and illegal activity there will be a licence conditions which is as follows:**Antisocial Behaviour and Illegal Activity**11. To take all reasonable and practicable steps to prevent or reduce antisocial behaviour (ASB) by persons occupying or visiting the house, including, but not exclusively: i. To put in place a written procedure that indicates how complaints relating to ASB will be dealt with. A copy of the procedure must supplied to the occupier(s) upon the commencement of their tenancy and to the Council on demand.ii. To keep a written record of complaints received relating to ASB. The record must include details of the complaint together with the action taken to resolve the matter and must be retained for the term of this licence.iii. Where ASB is sustained, regular or more than one occurrence (even if months apart), the licence holder take all reasonable and practicable steps to ensure it is effectively dealt with, up to and including eviction.12. To take all reasonable and practicable steps to ensure that the property is not used and/or occupied in any manner which is contrary to the terms of the tenancy agreement and that no illegal activity occurs at the property. Landlords should take steps to deal with problems caused by the behaviour of their tenants including anti-social behaviour, as they can be held liable for nuisance caused in their properties. This would not replace the responsibility of the Council and partners to deal with ASB either in the area or at individual properties. The Council would work alongside landlords and would provide support to help them deal with problematic tenants. It would continue to intervene in high level cases and would continue to investigate complaints of ASB received or referred to them.  All landlords regardless of tenure have a responsibility for the behaviour of their tenants. Most landlords undertake reference checks to determine the character of any tenant and have rental agreements which state the conditions and expected behaviour of any tenant renting their property. Landlords should ensure that their tenants behave in a tenant like manner. Some tenants will choose not to and may even engage in criminal activity. It is not unreasonable to expect any landlord to work with the Council and other agencies to support them in addressing any unlawful behaviour and not simply turn a blind eye to their responsibility. If problems are being caused by the tenants of a privately rented property within a designated area, the licence holder must take all reasonable steps to deal with nuisance and/or anti-social behaviour caused by tenants within the boundary of their property, or by visitors to that property. Managing difficult tenants is part of a landlord's overall responsibility for properties that are let. The introduction of the licence condition holds landlords responsible and accountable to tackle issues which fall within this remit. It would provide the Council with an option to take action where a landlord is not suitably managing situations of ASB. The Council expects this will have a positive impact upon ASB within the proposed designation. Additionally, the Council outlined within the proposal that partnership working would be a key player in achieving outcomes contributing to health, employment and access to services etc. The use of Selective Licensing enables officers to enter people’s homes and to make appropriate referrals for support where required/requested. Without stepping over the threshold, many vulnerable tenants would go without the support and help where needed. More information can be found in relation to the difference made in the previous scheme in relation to this under “What Selective Licensing has delivered so far for Leeds” which can be accessed on the Councils website via the link: <https://www.leeds.gov.uk/consultations-and-feedback/selective-licensing-consultation>   |

## 1.6.6 Theme: Comments in relation to the proposed fee structure for Selective Licensing

|  |
| --- |
| There were many comments made by respondents in relation to the proposed fee structure for Selective Licensing. Many of the comments made that did not agree with the proposal have been discussed in the various themes throughout this document. There were also many comments where the respondent was in agreement with the proposed fee and fee structure. Here are some of those comments: * *“Thinks it is nothing of a payment over 5 years. Think that offering the discount is a good idea.”*
* *“It should be more. Minimum private rents are around £800 per month now.”*
* *“Sounds a good idea. As long as the fines are a deterrent to landlords and checks are followed through.”*
* *“If you can’t afford to be a safe landlord, you shouldn’t be a landlord.”*
* *“Seems Reasonable & more people will want to live in this area if it's cleaned up, meaning more income for Landlords.”*
* *“The fee can help the council support services and rejuvenate the areas.”*
* *“Seems a reasonable cost for those profiting from tenants”*

  |
| **LCC Response:** |
| Various responses received demonstrate a proportion of respondents feel the proposed fee is suitable and proportionate for the undertaking of the scheme. The Housing Act 2004 allows Councils to charge a licence fee to cover the cost of Selective Licensing. It does not however allow them to make a financial gain or “profit” from the fee.The proposed fee is calculated in line with the aforementioned. If Selective Licensing is introduced, the licence fee will only cover the costs associated with the administration and delivery of any scheme over the 5-year term. All other work associated with the enforcement of housing standards in the sector, including within any area designated for Selective Licensing, will be paid for from the Councils’ own existing budget and not the licence fee. |

## 1.6.7 Theme: Comments in relation to the level of agreement with the Council’s proposal to introduce Selective Licensing in parts of East, South and West Leeds

|  |
| --- |
| There were many comments made by the respondents expressing their views in relation to the level of agreement with the Council to introduce Selective Licensing in parts of East, South and West Leeds. Here are some of the comments from those respondents in agreement: * *“A license shows commitment to provide decent safe and secure housing.”*
* *“I'm so glad the council are trying to address this issue! We had to move out of Leeds because of housing and even if this causes landlords to leave, it will have a positive impact on housing stock”*
* *“This area is desperately in need of any action which will improve the health and wellbeing of the residents”*
* *“These areas need this scheme. It is a blunt tool, but until central government gives local authorities the power to properly regulate the private rented sector and deal with bad landlords, it is the best councils can do and absolutely necessary.”*
* *“These areas need to have the intervention to stop properties becoming dilapidated and keep unruly tenants in check”*

A number of respondents attributed their level of agreement to the introduction of the scheme, with the conditions within the proposed designation. Some of the comments made by respondents are below: * *“There are too many private landlords flouting the existing laws by renting poor housing. Relying on tenants to make complaints doesn't work as landlords don't make improvements. They just don't renew the tenancy agreement at the end of the 6/12 month term, meaning the tenant who made the complaint then finds themselves homeless. A new tenant is moved in and the property remains in a poor state.”*
* *“It is important to support poorer disadvantaged communities by forcing higher housing and environmental standards to be put in place.”*
* *“the areas need to be targeted and improved as they are areas you would associate as rough and deprived areas that people would choose to avoid if they could”*
* *“There are still large numbers of residents living in dangerous unsafe conditions in these areas.”*
* *“I am concerned about levels of mould in some properties tenants become depressed about were they live and more likely to engage in antisocial behaviour including flytipping”*
* *“Something needs to be done. Area massively in decline. People dumping in back streets, drugs, ASB crime very common. Have doubts about impact on job prospects as people happy not to work in area. HMOs cause big problems in area.”*

Another perspective portrayed within the responses attributing to the level of agreement with implementation was in relation to a requirement of protection of tenants. Some of the comments made were as follows:* *“We need more and better protection of vulnerable tenants.”*
* *“Regulations to protect renters has to be good”*
 |
| **LCC Response:** |
| The responses received reflecting agreement with the implementation of the Selective Licensing scheme within East, South and West Leeds outline that there is a number of respondents in agreement for the scheme and their reasoning is attributed to the conditions within the proposed area and the need for tenant protection. As previously discussed, the aim of the scheme if implemented, is to address and seek to improve the levels of deprivation in the area, primarily through improving housing conditions but seeking to also improve employment, skills, anti-social behaviour, crime, and wider issues within the proposed area.  It is highlighted within the feedback that several respondents feel success may not be achieved in relation to making a difference in relation to employment and skills. One of the aspects of the proposed scheme is to provide an option of a referral to partners in relation to employment and skills where appropriate when officers visit properties in the area. The importance is the offering of this referral, as many vulnerable and non-vulnerable occupiers are not aware of how or where to obtain this support or service. For context, the historical schemes within Beeston and Harehills made 1,936 referrals to partners as well as supporting individuals following visits with partners to address needs. The Council notes that uptake and engagement is dependent upon the tenant(s) and partners once a referral has been made and can only provide data on the number of referrals made and feedback received from partners and or tenants.Further information concerning the delivery and outcomes of the Selective Licensing schemes in Beeston and Harehills are available in the report provided for Scrutiny Board whichcan be accessed via the link:<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=1091&MId=12605> |

## 1.6.8 Theme: Comments in relation to respondents raising concerns that there privately rented home is not kept to a good standard

|  |
| --- |
| Some respondents provided an insight into disrepair being present within homes but outlined that residents may not report this to their landlord or the Council due to fear of retaliatory eviction:* *“Despite a superficially good relationship with my landlord, a very severe damp problem has gone unresolved for 20 years, and basic simple stuff is done the cheapest most cosmetic way so it just recurs in no time and insecurity in the privat sector makes us afraid to complain or raise the issue multiple times for fear of being evicted as "nuisance" tenants - though we've never been late with our rent or given the landlord any other cause for complaint in 20 years”*
* *“many tenants will not complain for fear of being kicked out (we experienced this with one household of neighbours, (asylum seeking women) we supported them to make contact with LCC to resolve an issue with water as the landlord did nothing, LCC condemned the property as unsafe and the women were understandable moved to other housing in other areas, loosing their links in the area. The property should have never got that bad.”*
* *“I have rotten floor support joist for the dining room damp constantly in the basement a room that is not accessible because the landlord has chosen to lock it off even the whole house is rented I have fire doors that do not close properly there are holes leading into the street which has caused severe water problems in the basement the property is not fully insulated the radiators do not work properly half of the plug sockets do not work some of the windows do not lock the carpet on the stairs has not been replaced in ten years and now is a danger due to holes appearing and becoming a trip hazard amongst a wealth of other problems with the property”*
 |
| **LCC Response:** |
| The Council understand tenants may feel uncomfortable or worried that there could be repercussions following reporting repairs to their landlord(s) and/or the Council, however there is legislation to prevent illegal evictions taking place. Every tenant has the right to live in a safe home and the Council would encourage any tenant living with disrepair to contact their landlord to report the issues. If the landlord does not take suitable action, the Council can then be contacted for their assistance with resolving enforceable issues.The implementation of Selective Licensing would mean landlords must proactively maintain and manage their properties in line with the licence conditions. Additionally, officers crossing the threshold into properties where disrepair is present would not only inform the landlord(s) of the conditions but would take action if this constitutes a breach of conditions. Tenants are also encouraged to make their landlord(s) aware of disrepair within their homes once they become aware of it. Crossing the threshold will also allow officers to support the most vulnerable people within the community if help has not been sought.  |

# 1.7 Miscellaneous feedback

## 1.7.1 Theme: Tenant engagement

|  |
| --- |
| *“There should be strong engagement with tenants post-implementation so that they are more aware of their rights and know how to report their landlords who are not providing safe homes to live in. Hopefully, it makes landlords realised that they do have a strong connection and impact on the area and being a landlord isn't just seen as a way to make some quick money with very little car given to the tenants or the community”.* |
| **LCC Response:** |
| Should the scheme be designated, officers crossing the threshold into people’s homes within the proposed area will be working to ensure tenants have suitable living conditions and making referrals for support where needed as detailed above (see 1.6.8).Tenants with disrepair issues, both in and out of the proposed area, can contact the service via email or telephone to report concerns in relation to repairs or health and safety of their home, providing the landlord has been made aware of the disrepair and not rectified the issue. The Private Sector Housing Service cannot give tenants legal advice in relation to tenancy matters, however there are services such as Shelter and Citizens Advice available in this instance. The services offered and help available from The PRS are advertised on the Leeds City Council website: [Help for private tenants | Leeds.gov.uk](https://www.leeds.gov.uk/housing/help-for-private-tenants#:~:text=You%20can%20contact%20the%20Private,%40leeds.gov.uk.). |

## 1.7.2 Theme: Too many landlords do not vet their tenants

|  |
| --- |
| Respondents provided views relating to a lack of vetting carried out by landlords in relation to their tenants:* *“Too many private landlords do not vet their tenants correctly. They hardly ever check that their tenants are complying with the terms of their tenancy.”*
* *“Make sure landlords vet tenants property I know of property manager who do not vet tenants correctly”*
 |
| **LCC Response:** |
| Landlords have a legal responsibility to undertake right to rent checks prior to renting their properties out. However, there is no other legal requirement for vetting tenants. However, the introduction of Selective Licensing into parts of East, South and West Leeds would mean landlords within the designation have to carry out tenant referencing due to the proposed licence conditions. |

## 1.7.3 Theme: Everyone deserves a good standard of housing

|  |
| --- |
| Some respondents spoke about the condition and management of some of the houses in the area proposed for Selective Licensing. Here are some of the comments; * *“Children should not be left to live in damp, mouldy, unsafe accommodation. I support this scheme and think it should be extended to other areas of Leeds.”*
* *“safe housing should be the standard, not talking luxury. Just working heating, tackling mould problems, anti social behaviour”*
* *“I’m sick of being unwell because of preventable conditions in my house which are out of my control”*
* *“Poor management of properties results in tenants receiving a poor standard of accommodation and can lead to not caring for the community as a whole increasing anti social behaviour.”*
* *“I work with asthmatic children in all of the listed areas, the West Leeds post-codes have the highest admission rate for Leeds of children 0-12 having repeat respiratory admissions. Many of these families struggle with poor quality housing and there is little which can be done to support them currently. I strongly agree that bring selective licencing to the area would improve outcomes for these children.”*
* *“Those on lower income levels are more likely to be at risk of experiencing poor housing conditions. Landlords should be held to account for their management of tenant’s homes. Everyone deserves to live in a hospitable, safe, warm home.”*
* *“Hopefully this will mean that landlords need to take care of their properties and their tenants and ensure that suitable people are placed in their properties.”*
 |
| **LCC Response:** |
| Regardless of tenure, everyone should have a safe and secure home in which to live. The Housing Act 2004 provides the legislative criteria by which all properties are measured to ensure they meet the legal minimum standard. Tenants living with poor housing conditions across the city, where landlords have been informed and not taken suitable action, are encouraged to contact the Private Sector Housing Service so that we can assist in resolving enforceable hazards. Unfortunately across the city, and particularly within the older housing stock, the poorest quality accommodation is within the private rented sector (PRS).The introduction of Selective Licensing in the area would contribute to improving the PRS. It would help ensure that the sector is well managed, that tenants needs and issues can be addressed and that the properties meet the legal minimum standards. Support for both landlords and tenants would be available and, where necessary legal powers would be used to target those who do not meet the required standards as outlined within “What do we hope to achieve by Selective Licensing in the proposed area” [Selective Licensing consultation in East, South and West Leeds | Leeds.gov.uk](https://www.leeds.gov.uk/consultations-and-feedback/selective-licensing-consultation) |