

BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan.

Report of the Executive Director Communities

SELECTIVE LICENCING CONSULTATION METHODOLOGY AND TIMELINE

1. PURPOSE OF REPORT

The purpose of the report is to provide Cabinet with the consultation methodology and rationale for the scheme/s together with an outline licence fee and discounts and an outline progression of the scheme/s to approval or decline in the specified areas of the borough.

To agree to a minimum **ten week** consultation process with those affected in each area and to provide Cabinet with the final outcomes of the consultation via a further report. To allow Cabinet to reflect the outcome results and members to make a decision regarding implementation or decline the scheme/s

2. RECOMMENDATIONS

- 2.1 To approve the Selective licensing consultation methodology and outline fees attached.
- 2.2 To implement the consultation process with a minimum ten week period to bring a report to cabinet with the consultation outcomes for a final cabinet decision to implement / decline all or area specific designations.
- 2.3 To hold the consideration of an Additional Licensing scheme/s in abeyance until further research can be undertaken and current proposed legislative changes have been enacted. (October 2017). This report will be brought to cabinet separately pending further consideration regarding smaller HMO's. (Those not covered by Mandatory Licensing).

3. INTRODUCTION

- 3.1 The schemes considered within this report are as follows:
 - **Selective Licensing: relates to single let properties (let to a single family or individuals) and aims to drive up standards in four proposed areas of the borough.** Namely; Goldthorpe, Wombwell, Elsecar and Measbrough Dyke. For comparison; Mandatory Licensing of Houses in Multiple Occupation (HMO's) relates to properties of 3 or more storeys occupied by 5 or more unrelated people in 2 or more household. This does not apply to self-contained flats. This scheme is not included in the report.

- 3.2 The aim of Selective licensing schemes are to address the impact of low demand housing or Anti-social behaviour (ASB), primarily; although not exclusively in areas of low demand. The Housing Act 2004, Part 3 Section 79; Sets out initial criteria to establish Selective Licensing schemes. With effect from the 1st April 2015, one of the following added criteria must also be satisfied to determine a designated area:
- Crime;
 - Poor property conditions
 - Deprivation; and
 - Migrant concentrations
- 3.3 The former Cabinet report ‘ *Advanced notification to consult with Tenants, Residents, Landlords and Stakeholders regarding the proposal to implement a pilot Selective licensing Scheme/s*’; was approved at full cabinet on the 11th January 2017. The report detailed the rationale for the implementation of a Selective Licensing scheme/s in four areas of the borough. The report also included data to support the area designations in accordance with Government guidance ‘*Approval steps for additional and selective licensing designations in England*’. And ‘*The Selective Licensing of Houses (Additional Conditions)(England) Order 2015*’.
- 3.4 This report moves forward as stated and includes a consultation methodology, timelines, Charges for administrating the scheme/s and discounts available to landlords. Finally, this report sets out the action required after the consultation period has been completed to either approve or decline the scheme/s subject to approval of a final cabinet report with submitted consultation outcomes.
- 3.5 Consideration has been given to current changes to licensing of Houses in Multiple Occupation HMO’s. To that end; consideration has been given to the implementation of an Additional licensing scheme, which affects smaller HMOs not covered by mandatory licensing. This has may be the subject of a future report pending the outcome of the government consultation into this particular piece of legislation.

4. PROPOSAL AND JUSTIFICATION

- 4.1 It is important to note the Council acknowledges the valuable offer provided by many private landlords. The areas under consideration combined, make up less than 5% of all private rented properties in the sector. This report sets out the criteria and details the rationale and outcomes of implementing the specified schemes.
- 4.2 By implementing Licensing Scheme/s in the areas identified, it will assist the Council to meet its objectives of improving the private rented sector (PRS), standards and general community standards within the designated areas indicated above. It is anticipated the scheme/s if introduced post consultation, will impact upon many key issues of ASB, crime and assisting with housing improvements leading to a reduction in issues of deprivation. The above are often associated with areas of high density private rented (PR) housing.
- 4.3 The implementation of licence specific conditions regarding tenant and visitor behaviour and implementing robust timeframes for dealing with complaints; will assist with the reduction of Anti-social behaviour (ASB) and crime and improve the housing offer and the link to deprivation in those areas through a programme of inspections and empty property engagement. It has been acknowledged by other authorities that

specific licensing conditions, have stabilised designated areas and assisted in reducing transient tenancies, giving tenants who have previously had little or no affiliation to the area, the ability to stay and improved tenant engagement in the PRS. Thus building successful communities where people want to live and work.

- 4.4 It is widely acknowledged that selective licensing schemes are not regarded as a tool for Landlords to manage tenant behaviour but as a tool to educate managers, landlords and tenants regarding how they conduct themselves in the PRS with agreed conditions to effect changes. It has been shown by many authorities where the schemes have implemented that such schemes have worked towards improving issues of area decline and offered support to inexperienced landlords through referral to the Accreditation scheme. For example: Doncaster have completed their annual evaluation of their scheme implemented in January 2015. They have reported 20% reduction in ASB / unkempt properties, a 25% reduction in housing complaints and a 44% reduction in Nuisance complaints. By comparison, Western Super-Mare (August 2016) consulted upon selective licensing and decided in favour of an accreditation scheme, as they previously did not offer this option. Barnsley, however already have two accreditation schemes available.
- 4.5 The Safer Neighbourhoods Team and the Police consider the primary condition of ASB and secondary conditions of crime and deprivation have been satisfied. The consultation is being consulted upon the aforementioned conditions. However, it should also be noted that the areas satisfy low demand criteria. This also adds merit in satisfying the criteria to consult upon implementing a Selective Licensing scheme/s.

HOW WILL THE SCHEME/S BE INTRODUCED AND WHAT HAPPENS NEXT?

- 4.6 Consultation: The Act provides that before making a designation a local authority must take reasonable steps to consult persons which are likely to be affected by the designation and consider any representations made in accordance with the consultation. An Equality Impact Assessment and Due Regard statement have been undertaken (See section 12).
- 4.7 Once the consultation process is approved by Cabinet. The following consultation will be undertaken by the most economic means possible.
- Members will be briefed.
 - Letters and details of how to access an online questionnaire will be sent to all Residents, Tenants, Landlords and Managing Agents in the locality.
 - In addition, all properties within a 250m radius of the designations will also be invited to comment.
 - A press release will be issued to advise details of the scheme/s and consultation.
 - Two separate consultation events will be arranged for landlords, the RLA and BMBC Accredited landlord members.
 - A separate drop in event will be held for Residents and Tenants in each location.
 - Web pages will outline the consultation and scheme details:-
 - Frequently Asked Questions.
 - Lists of fees and discounts.
 - Event dates.

- Maps of the designated areas
- The Proposal document
- Time line outlining the process.
- Online questionnaire.

- 4.8 The scheme/s must be consulted upon for a minimum **ten week period** prior to a decision being taken by Cabinet. All tenants, residents and landlords will be written to at the start of the consultation asking them to complete a questionnaire online. This includes all other properties within a 250m radius of the centre of each designation. This will ensure views are captured from residents surrounding each designation. At each drop in event and landlord events. BMBC digital council staff will be available to assist with completion of online questionnaires. This is to ensure those without access or those who are unsure of how to access the internet to complete a questionnaire. These devices will be made available to the department should there be a further need to complete questionnaires in each designation.
- 4.9 Once the consultation has completed, views /information will be collated and presented to Cabinet for members consideration. The consultation methodology does not refer directly to numbers of those 'for' and 'against'. The decision to implement will require cabinet members to assess the merits of the proposal as the basis for public policy and to decide upon whether or not to implement all or parts of the scheme or to re-consult on specific areas of the proposal. If approved, a three month notice period (statutory requirement) will be given prior to implementation of the scheme/s.
- 4.10 **Cost of a Licence.**
The cost and duration of a licence is set at the discretion of the local housing authority. The authority is entitled to charge a reasonable fee to reflect the cost of running the scheme. However it cannot profit from the scheme. In setting the fee the council has demonstrated that the fee income is solely recycled into administering the licensing arrangement such as managing and monitoring compliance. (See appendix 1 attached)
- 4.11 The licence fee of (£530) per property, is a single fee which covers the five year scheme. This must be paid within 6 months of the designation starting. Discounts of £100 are available for formerly BMBC accredited landlords. There is also a £20 discount available for early applications. A late payment fee of £60 will be levied for applications received after the 6 month deadline. To note: where this fee is applied, all other discounts will be withdrawn. (Fees and Discounts section 7). By comparison; Doncaster's fee is £515 and Rotherham 's fee is set at £592 per property, both also offer discounts. The discount criteria varies between Authorities.
- 4.12 Within the six month deadline date for obtaining a licence; a programme of inspections will begin. Where properties do not meet the licence conditions or standards required, Landlords will be given time to effect those repairs in accordance with statutory guidance, to ensure PR standards are met and ensure an absence of category 1 hazards (The most serious).
- 4.13 Inspections will be undertaken by area locality officers from the Safer Neighbourhoods Service. It should be noted that; notices may be required for non-compliant landlords. For example: - Housing Act notices to remedy category 1 or 2 hazards, Temporary Exemption Notices (TEN) for empty properties in each

designation and where appropriate, Interim Management Orders (IMO) relating to landlords deemed not 'fit and property' to operate a licence. Those landlords will be given the opportunity to appoint a managing agent (subject to approval) and prior to BMBC taking further action.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 Mandatory licensing was introduced for larger HMOs, in 2004 to effectively manage amenity and room standards in larger HMO's. These were considered the most 'at risk' properties. However this alone does not address the emerging issues in respect of smaller HMO's or PR properties and therefore this approach in isolation has been discounted.
- 5.2 Self- regulation: As the enforcing authority we have a legal duty to enforce to ensure standards are maintained and category 1 hazards (the most serious) are removed. It is acknowledge that the BMBC Landlords Accreditation scheme establishes a good standard of property inspection and management and reflects those landlords who are willing to engage. Another Accreditation scheme is available through the Barnsley Residential Landlords Association. It is anticipated that the BMBC accreditation scheme will still have a part to play within the PRS licencing schemes and promote further landlord engagement within a prescribed mandate for standards to engage and provide better housing conditions. However, in isolation it can only garner support from those landlords who are willing. Therefore, to adopt this scheme in isolation or others available which have lesser inspection and monitoring standards have been discounted.
- 5.3 Re-engage the 'Our Streets project' - introduced as a pilot in 2014 for one year. It addressed issues of ASB, housing issues and environmental issues as a combined approach with the Police and the Safer Neighbourhood Services. Operationally, the project successfully demonstrated the benefits of the proactive "estate management" of areas of high density low demand accommodation. This project was undertaken where typically crime and antisocial behaviour were much higher than the borough average. However, it was an extremely resource intensive project and therefore has been discontinued. As a result of this, the area Councils commissioned officers to pick up many of the activities previously supported by the 'Our streets' project. This supported the framework for a proactive approach to area work. .
- 5.4 The Accreditation scheme, Empty property grants, the Green doctor scheme, housing advice and specifically produced leaflets in different languages are currently ongoing interventions to assist as part of the framework towards supporting a formal approach of licensing in the PRS. Crucially, whilst there are real improvements with the above interventions, the take up varies in each area, but still has a considerable part to play in supporting the scheme. The Dearne area bin scheme was trialled in Goldthorpe to abate arson of bins which were not being presented correctly or collected after waste collection. Whilst initially it yielded good results, this scheme can't be sustained. It is considered that landlords should provide information to their tenants regarding presentation of waste and collection.
- 5.5 **Conclusion:** The above schemes and projects have yielded results, but lack the means to act when non engagement and non-compliance occurs. Implementation of Selective Licensing scheme/s (*the preferred option*), sets out a robust set of licence conditions that will meet statutory obligations for the landlord with derived management conditions. It also places tenancy conduct standards upon the tenants.

This affirms a key emphasis on those using and those offering accommodation in the sector. This is seen to be a more effective way of addressing ownership of the issues and problems raised. In addition, many tenants fear reprisals when reporting disrepair. Therefore a programme of internal property inspections will ensure properties offered for rental are offered with an absence of category 1 hazards. Thus ensuring the most vulnerable persons in PRS are living in properties which achieve the required government standard.

OTHER INTERVENTIONS BEING REVIEWED

Goldthorpe Landlord and Residents (GLR) Group

- 5.6 Barnsley MBC wants to continue to foster good relations it has built up with PRS landlords and has therefore considered the legislation surrounding implementation and has taken into consideration action currently being undertaken. Further consideration was also being given to delaying implementation of a scheme in a selected area pending consideration of a proposal offered to address the issues which prevail in the selected area.
- 5.7 The GLR group based in Goldthorpe, contacted the Council in October 2016, when the initial appetite for a selective licensing scheme was being considered. Prior to cabinet approval January 2017, the group stated they were in the process of offering an intervention with all landlords in the Goldthorpe area, but more specifically the streets under consideration. The legislation implies that interventions should be considered if they would provide an effective method of achieving the objectives of the designation. The Safer Neighbourhood Service (SNS) have met with this group on several occasions and attended meetings with the Rt Hon John Healey MP and Councillor Noble, to discuss issues raised, including standards which all landlords in the proposed designation are required to achieve. (See Section 5.10 listed dates of meetings).
- 5.8 We consider that landlords must effect the same standards as a Selective Licensing scheme garners; adopt the criteria and conditions set by legislation: use a formal systems for tenants to make / raise legitimate complaints; tenancy checks and adhere to formal licence conditions set. More importantly, properties must be inspected by suitably qualified persons, in accordance with guidance set out in the Housing Act 2004 (Housing Health and Safety Rating System [HHSRS]). This will achieve an absence of category 1 hazards and maintain housing conditions on a continual basis and not just at the outset.
- 5.9 Where approval for consultation is given, Goldthorpe residents, tenants and landlords will be consulted with as previously stated in section (4.7-4.9). It is considered that the Council must also allow and consider views of those who may be directly affected by the issues which have led to considering a Selective Licensing scheme.
- 5.10 A list of consultation events attended by BMBC to discuss the proposed Selective Licensing scheme with GLR group and Councillors, and their proposals to effect the same standards as the proposed Selective licensing scheme are listed:
- 18/10/16 Discussion with GLR group.
 - 23/12/16 Discussion meeting with GLR group.
 - 31/01/17 FOI given re Housing/ ASB complaints in Goldthorpe.
 - 10/02/17 General community meeting Goldthorpe library.
 - 16/02/17 Goldthorpe landlord group meeting Goldthorpe Library.

- 17/03/17 Letter sent to GLR group requesting their outline proposals for a co regulation scheme to include all landlords in Goldthorpe.
- 29/03/2017 Meeting with GLR group-Final proposal date 30/04/2017.
- 11/04/2017 meeting with GLR group, NLCE member. Proposal offered.

5.11 Consideration has been given to an offer put forward by the GLR group as an alternate scheme which would achieve the same standards as those proposed in the Selective licensing scheme. The scheme offered by the National Landlords Code of Excellence (NLCE), the preferred provider of the GLR group proposal has been evaluated. It is considered that the scheme had much in common with the current Accreditation schemes offered by BMBC and the RLA; It offered a formal tenant referencing scheme, monitoring system for complaints, set standards for housing conditions and offered initial educational training for landlords to achieve an accredited standard set by the scheme. However, it did not offer a formal system for inspecting properties against the Housing Act , (HHSRS). The proposal did not offer a facility for inspections or a guaranteed of an absence of category 1 hazards. It allowed landlords to become accredited without passing over the threshold of their property. Conditions in those landlord properties may well not have category 1 hazards. However, without a formal system of inspections or staff qualified to undertake the inspections. It was felt that the requirements of the proposal were not met.

5.12 Additionally, consideration was given to the merits of another accreditation scheme being introduced, where take up of the existing schemes offered by the BMBC and the RLA have been extremely low among Goldthorpe landlords.

5.13 In conclusion the GLR group have been actively involved in improving the position of some of Goldthorpe's PR properties and the aesthetics of the area. However, the scheme proposal mandate was clear. The offer must deliver the same as a Selective licensing scheme. It is considered that the scheme offered was an accreditation scheme without a formal inspection process to ensure the absence of category 1 hazards. Therefore this proposal has been discounted in favour of the current proposed Selective licensing scheme.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

6.1 Unless the private rented sector in Barnsley can regulate itself in a satisfactory manner. BMBC will look to impose regulation through legislation in certain areas where the legal criteria to do so is evidenced and applies. Barnsley MBC is of the opinion that the legal tests have been met to continue to consultation for the areas identified.

7. FINANCIAL IMPLICATIONS

7.1 There are no specific financial implications for Cabinet to consider in this report - this report seeks agreement to approve the consultation methodology for the Selective Licensing scheme rather than providing options for implementation.

7.2 A further report detailing the financial implications associated with scheme options/implementation will be submitted to Cabinet for consideration following the conclusion of the consultation.

8. EMPLOYEE IMPLICATIONS

- 8.1 If approved, the Consultation will be resourced internally by officers from the Safer Neighbourhoods Service. This will include delivering letters and attending drop in events. Future consideration will be required to cover the implementation and management of the scheme through its duration. The current post of Private Sector Housing Licensing Officer is funded until September 2017 from the Safer Neighbourhoods Service budget. Further consideration is required pending the outcome of the consultation regarding staffing requirements.

9. COMMUNICATION IMPLICATIONS

- 9.1 See sections above and the Communications plan in addition to (4.7- 4.9) of this report

10. CONSULTATION

- 10.1 See Sections 5.10 and Timeline.

Timeline for the Implementation of a Selective Licensing scheme.		
Dates	Details	Additional information
January 2017	Go to Cabinet with outline proposal to undertake a consultation regarding pilot areas for Selective.	<i>During which time scheme proposals will be underway</i>
November 2016-January 2017	In conjunction with Cabinet report – work up scheme proposals, Comms plan, EIA/due diligence statement.	<i>Scheme proposals and data completed</i>
February 2017	Set up web pages and consultation information and mediums.	
April 2017	Update AD/ HOS cabinet with scheme proposals-	<i>Outlines full scheme areas, charges and data to support scheme proposals.</i>
May 2017		<i>Make any changes to scheme proposal.</i>
July 2017	Minimum 10 weeks consultation process begins	<i>Letters webpages information set up on-line applications and printed applications available.</i>
September - October 2017	Lead in to report to Cabinet to approve / decline the scheme .	<i>Outcomes reported. Once approved publish notice of the designation within the requisite timescales. Following a 3 month calling in period before the scheme can begin..</i>
December 2017	Set up online payment scheme via portal	<i>This will reduce officer time spent chasing applications.</i>
Jan / February 2018	Implementation of scheme/s.	<i>Early applications anticipated to reduce officer foot fall.</i>
February 2019	Annual evaluation of 1 st anniversary of scheme. Consideration to continue with SL scheme or revoke based on a review of data	<i>Briefing note to AD.</i>
February 2023	Scheme closes.	<i>Evaluation of the scheme- approval to close. Re-implement for a further 5 years? Subject to data. .</i>

11. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE ANAGEMENT FRAMEWORK

- 11.1 It is anticipated that this scheme or combined schemes will address issues of poor housing predominantly in the PRS by putting in place safeguards for the vulnerable in terms of their health, safety and wellbeing. The background to the licence is area specific to address ASB, crime, drive up housing standards in the PRS through the use of the Housing Health and Safety Rating System (HHSRS) and reduce associated deprivation issues. This will assist to help to shape safer communities consistent with Barnsley's Corporate Plan priorities.
- 11.2 In order to ensure a seamless approach to addressing issues, The Safer Neighbourhoods Manager has restructured the department to meet community needs and drive a task based approach to community housing, and environment issues, including addressing those at most risk of eviction by integrating Housing Options team with the SNS (An integration of partner agencies (Police); With core council teams to address cohesion in the community and PRS).

12. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 12.1 The EIA assessment and due diligence statement is a working document. It's aim; to ensure all sectors of the community are recognised and issues raised are addressed. We acknowledge the full impact of the scheme/s are not yet known. The scheme will be monitored throughout the consultation. Consideration has been given to the vulnerable, disabled, older persons, those with small children and BME may be affected by the implementation of the scheme, as landlords have openly voiced they may pass on the scheme charge to their tenants.
- 12.2 The EIA acknowledges this as a risk and, although information is anecdotal and demographic information is not available, facilities are available through the Housing Options service to assist with this.
- 12.3 The Public Sector Equality Duty PSED, was created by the Equality Act 2010 section 149 and replaces the race, disability and gender equalities duties. The duty came into force in April 2011 and places a duty on public bodies and others carrying out public functions. The aim is to embed equality considerations into the day to day work of public authorities, so that they tackle discrimination and equality and contribute to making society fairer.
- 12.4 The Equality duty covers the following protected characteristics. Age, Disability, Gender reassignment, Pregnancy and maternity, Race, Religion or belief, Sex, Sexual orientation. This duty also covers marriage and civil partnership but only in respect of eliminating unlawful discrimination.
- 12.5 The duty requires public bodies to have due regard to the need to:
- eliminate discrimination, harassment and victimization and other conduct prohibited by the Equality Act 2010;
 - advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12.6 The general duty will depend on how that area of work affects discrimination, equality of opportunity and good relations. For example, decisions relating to social care or community safety are likely to have more impact on equality than those of waste disposal.

12.7 This scheme seeks to address issues which affect the PRS and private sector landlords irrespective of their personal characteristics including any protected characteristics. Similarly, the improved standards of property and tenancy management with the intention of reducing ASB, through compliance with licence conditions, apply to all PRS properties and tenants in the designated areas irrespective of their personal characteristics, including any protected characteristics. Furthermore this has been reflected in the proposed licence conditions which will be an integral part of any scheme, if approved.

13. TACKLING THE IMPACT OF POVERTY

13.1 See para 12.1: Consideration has been given to landlords passing the Selective licensing fee onto tenants, thus creating financial issues. The SNS has an integrated team which includes housing options to deal with this. In addition they offer advice and assistance regarding this issue; deal with retaliatory evictions ('No fault evictions') possibly as a result of complaints related to housing disrepair issues. The integrated SNS will assist tenants with support packages to sustain tenancies via the Housing options team.

14. TACKLING HEALTH INEQUALITIES

14.1 The threshold test of the Housing Act is to ensure the absence of category 1 hazards (the most serious). Properties are safe and professional standards are achieved within the PRS. By implementing a selective licensing scheme/s and implementing licence conditions, properties will be inspected to ensure an absence of category 1 hazards and offer possible benefits towards reducing deprivation in terms of fuel poverty.

15. REDUCTION OF CRIME AND DISORDER

15.1 The aim of the scheme is to reduce ASB and crime, drive up housing standards and mitigate the issues surrounding PR and empty properties in area designations. It is anticipated that by having an integrated approach to tackle the worst areas for reported crime and ASB, combined with management standards, the areas will yield a reduction in the above.

16. RISK MANAGEMENT ISSUES

16.1

Risk Title	Current Assessment	Mitigations	Target Assessment.
RSL & Landlords threaten a Judicial Review (JR) of the proposed scheme.	HIGH /MEDIUM	This has been threatened in various other boroughs who have tried to implement a scheme. A consultation and EIA plan has been added to the report to outline issues raised.	MEDIUM

Risk Title	Current Assessment	Mitigations	Target Assessment.
Landlords may choose to leave their properties empty thus reducing confidence in the area.	MEDIUM	Whilst properties are empty they must be granted a Temporary Exemption Notice (TEN) to ensure they are not charged for a license. These allow 3 months subject to inspections and cat 1 hazards being present. A final TEN may be granted.	MEDIUM/ Low
Imposing a license scheme may result in tenants being forced into poverty as costs are passed onto them from the landlord. Thus, leading to further sub-letting without knowledge of the landlord = overcrowding issues. Tenants may be subject to a top up fee or risk eviction for rent arrears.	HIGH /Medium	Landlord management duties are to ensure properties are not overcrowded. They also sign self cert forms as part of the application. Housing Options have been aligned with the Community safety team as part of an ongoing restructure. They now offer housing and tenancy advice in terms of landlord liaison, unfair rents, unfair contract terms and money management advice.	MEDIUM
Landlord reverts property to self-contained flats.	MEDIUM/ Low	Landlords must obtain planning approval which is more costly than license. Planning to highlight. £395 per unit of accommodation. (Example: Change a three bed property to 3 self-contained flats = £395 x 3 = £1185). Assuming suitable to do so!	LOW
Many landlords change their properties to smaller HMO's seizing the gap in the market.	HIGH/ MEDIUM	Current possible changes to legislation will address many HMO issues. In addition the Council will consider the outcomes of the legislation. Consideration is being given to implementing an Additional Licensing scheme universally across the borough. Smaller HMO's are currently being considered in anticipation of the proposed changes to current HMO legislation due (Oct 2017).	MEDIUM / low

17. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

17.1 None

18. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

18.1 Equality Impact Assessment (EIA) and Public Sector Equality Duty. See Section 12

19. CONSERVATION OF BIODIVERSITY

19.1 None

20. GLOSSARY

PRS – Private Rented Sector

ASB – Anti-social Behaviour

IMO - Interim Management Order. Confidence in the landlord and his ability to run a property effectively allows the Council to take over the property.

PR - Private Rented.

LA – Local Authority.

RLA – Residential Landlords Association

TEN – Temporary Exemption Notice

LL – Landlord

EIA – Equalities Impact Assessment

MA - Managing Agent

NLA - National Landlords Association

DCLG - Department for Communities and Local Government.

Comms Plan – Communications Plan

NLCE - National Landlords Code of Excellence

BRLA – Barnsley Residential Landlords Association

PSED - Public Sector Equality Duty

SNS – Safer Neighbourhood Services

21. LIST OF APPENDICES

Appendix 1: Fees and Discounts.

22. BACKGROUND PAPERS

Thanet Council - Selective licensing scheme.

Scarborough Council - Selective licensing scheme.

Newham Borough Council - Additional Licensing Scheme.

House of Commons – Standard note SN/SP/4634 Selective Licensing of PR Housing (England and Wales)[17.02.2015]

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Date: 10th May 2017

Financial Implications/Consultation

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

*(To be signed by senior Financial Services officer where
no financial implications)*

Barnsley Selective Licensing - Index of Fees and Discounts

Time Sheets - How times for individual jobs have been calculated
Wage Costs - These are identified at technical officer level.
Disbursements – The on costs for completion of the licensing process
The Fee Calculation
Discounts
Late Payment Fee

	Action	Licensing Officer Time In Hours and Minutes
1	Application received Via online system. Printed documents scanned onto the computer system.	0:30 *
2	Examine gas safe certificates, Electrical certificates, and property declaration form. Add to system.	0:30
3	Application acknowledgement letter generated - sent to applicant outlining any further information required. Including date and time for proposed property inspection.	1:00 *
4	Complete a full inspection of the property. Confirm the property declaration information and where appropriate collect any information.	2:00
5	Confirmed all signed information from other documents required under the terms of the licence conditions. Ensure no overcrowding issues. Details added to system.	0:30 *
6	Prepare information outlining any hazards including remedies .and schedule of licence conditions.	2:00 *

7	Post inspection -Send out letters to all relevant parties, to advise the property is being considered for a licence.	1:30 *
8	Prepare the licence document information pack and licence conditions - send out	2:00 *
9	Periodic/ Re- visit the property to ensure compliance with Licensing conditions in accordance with HHSRS guidance during scheme term.	2:30 *
	Total	12:30
Disbursements and preparation costs per application		
Land Registry search	Undertaken on each application	£4.00
Transport costs	Average taken to be eight miles	£3.00
Postage costs	Average 5x first class postage @ 37p	£1.85
Chasing application	2x letters and/or phone call.	£3.00
Total disbursements/ application costs		£11.85

Selective Licence Fee Breakdown Calculations Per Property	
Total time charged to complete a standard application	12 hrs 30 minutes
Officer Rate	£39.11
General charge to complete and administer a standard application (12.5 Hrs * £39.11)	£488.87
Disbursement – fees	£11.85
Total cost of completed application	£500.72
Total 6% inflation over the 5 year application life (2% Equates to 0.5% increase per year at current inflation rate + 4% staff pay increase @ 1% per year).	£30.04
Total	£530.76
Selective Licence fee (Rounded down to the nearest £5)	£530.00

Late Payment Fees Breakdown		
1.	Check ownership details C tax / land regs	£4.00
2.	Prepare a letter to all persons with a financial interest in the property to follow up property inspection. Where Temporary Exemption Notice (TEN) required. Refer to TEN for guidance.	1:30
Total	£4.00 charge for land registry details <u>plus</u> 1:30 hours officer time charged at £39.11 =£58.66 = £62.66 rounded down to nearest £5.00	£60.00
Late payment fee – To Note: Where this fee is applicable. <u>NO</u> discounts will be given.		£60.00

Discounts Available:

For landlords who are formerly accredited via BMBC landlord accreditation scheme.

- Discount for an early, valid and completed application form.

Discount applied for an Early Application		
Discount for a valid and correctly completed application form with all the relevant documentation present. Presented via the online portal at the beginning of the declaration. (Early application are summarised as applications received before the initial start date of the designation and up to and including, application rec'd by the 28th working day at close of business 4pm).		£20.00
Discounts applied to each licence fee for landlords who are formerly accredited via the BMBC landlord accreditation scheme		
BMBC Accredited Landlords Discount		£100.00
Temporary Exemption Notices. (TEN)		
1.	Initial TEN is issues for three months pending property work.	£0.00
2.	Second TEN can be issued following property inspection and proposed timeline for completion. 3 months maximum.	£0.00