



# Private Sector Housing

## CONSULTATION FINDINGS

**Report on the findings from the Consultation on the Designation of an Enhanced Additional HMO Licensing Scheme in Northampton.**

**July 2019**

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## 1. INTRODUCTION

On 3 July 2014, under the Secretary of State's general approval, the Council implemented a 5-year Additional HMO Licensing scheme and created a designation area, based on statistical evidence valid at that time. The scheme came into force on 3 November 2014 and will expire on 2 November 2019.

The Council believes that a larger Additional HMO Licensing designation, commencing on 3 November 2019, is required in order that the Council can ensure continuity in its regulation and control of HMOs. The concurrent schemes will also guarantee a smooth transition to the new scheme at no extra cost or effort for those that have an HMO licence at the time the new scheme comes into effect.

A wider, enhanced designated area ('new designation') is proposed. This new designation, which will operate for a period of five years, will include the area covered by the existing designation, but also additional areas (mainly in the eastern part of the district) based on an evaluation and analysis of up-to-date metrics, intelligence and taking into account feedback from consultees

The Council has a duty to consult, for a minimum period of 10 weeks, with persons who are likely to be affected by the proposed Additional HMO Licensing Scheme.

The 10-week consultation on the proposed Additional HMO Licensing Scheme commenced on 3 May 2019 and finished on 14 July 2019.

This report summarises the main findings from the consultation which was carried out using local media, social media, an online survey and a programme of focus groups for residents, landlords, letting agents, Councillors and other stakeholders.

**This report should be read in conjunction with the Consultation Report that was produced at the start of the consultation on 3 May 2019.**

## 2. FORMAL CONSULTATION

The Consultation Report was published at the start of a 10-week formal consultation (3 May - 14 July 2019) using the following channels of engagement:

- The Council's website
- The One Stop Shop in the Guildhall
- Social Media (Facebook and Twitter)
- DASH (Decent and Safe Housing) website
- University of Northampton's Student Liaison Contact
- An article and follow-up advertisement in the Chronicle and Echo Newspaper
- E-mails to known landlords and local letting agents inviting them to attend workshops on 4<sup>th</sup> June and Landlords Forum on 18 June
- Member briefings for Councillors on 11 and 26 June

- Engagement with other departments within the council (Planning, Neighbourhood Wardens, Building control, Revenues & Benefits, Housing Options, Legal Services, ASB Unit)
- E-mails to resident associations
- E-mails to respondents to the on-line survey
- E-mails to neighbouring borough councils to advertise the consultation
- E-mails to stakeholders (including Fire Service, Immigration Service, DASH and the Police Service)

### 3. KEY FINDINGS FROM THE ONLINE CONSULTATION

The on-line consultation survey asked one key question:

**“What are your views on our proposal to implement an enhanced designation area in Northampton?”**

There were **80** responses to the on-line survey. They were received from residents, resident associations, landlords and letting agents.

The responses have been separated into 4 common themes – “Anti-Social Behaviour (ASB), Parking Issues and Rubbish/Fly-Tipping Issues”, “Enforcement Questions”, “HMO Standards” and “General Comments”. The following is a summary of responses to these themes:

- **Theme 1: Anti-social behaviour (ASB), parking and rubbish / fly-tipping Issues**

Under this theme, there was general support for the proposed enhanced designation for an Additional HMO Licensing Scheme.

All of the respondents made reference to one or more of the three issues: ASB, parking and rubbish/fly-tipping.

Of the **25** responses under this theme, **16** were in favour of the proposal, **3** were against, **5** said there are too many HMOs in Northampton and **1** was unsure.

A selection of the responses is provided below:

*“It’s OK but more needs to be done regards to parking for these HMOs especially around the Saints ground.”*

**“I fully and completely support this proposal. I support this because there are a number of unregistered HMO's in the street and adjacent areas which have given problems with fly tipping, excess rubbish in front gardens and extensive problems with parking cars. Local residents are becoming increasingly frustrated at the degradation in**

quality of life and amenities in the street. These properties do not seem to have been identified in the proposal documents.”

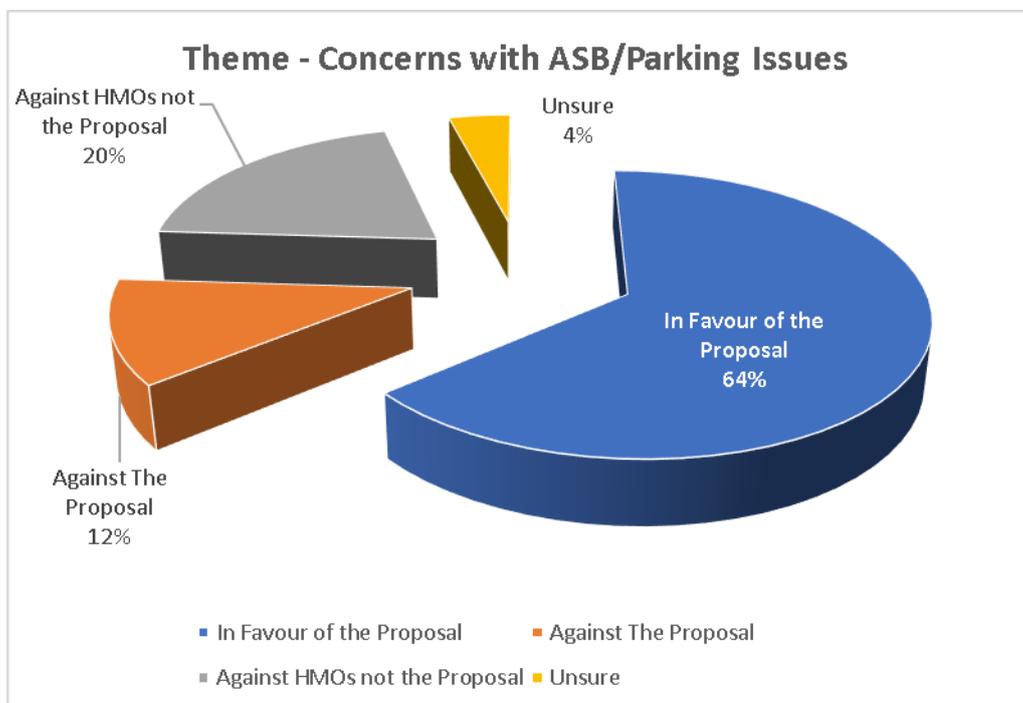
*“I agree there should be stricter licensing to help with the parking in our area there are sometimes 4-5 cars for one house for some of the HMOs.”*

**“Not a good idea to allow HMOs to spread further around town, I believe there are many issues - fly-tipping, for example - which have increased in dense HMO areas.”**

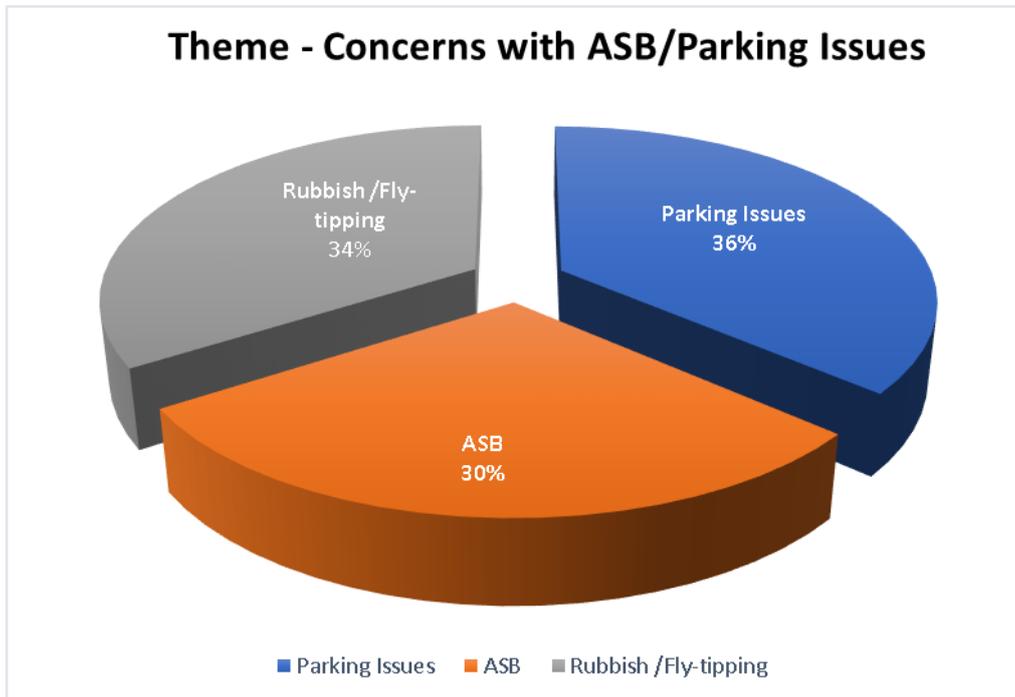
*“Unsure if this is of benefit. There are too many transient people in the borough- which has a knock-on effect including litter & fly tipping.”*

**“I am an ordinary householder and am in favour of maximising HMO regulation and restriction because formal and the many informal HMOs in my area increase litter, parking problems, traffic, noise and friction between neighbours**

**FIGURE 1 – Graph showing the 25 responses in percentages**



**FIGURE 2 – Graph showing the percentages of respondents commenting on ASB, parking and rubbish / fly-tipping issues**



- **Theme 2: Enforcing the HMO licensing scheme**

Under this theme, there was general support for the proposed enhanced designation for an Additional HMO Licensing Scheme.

Of the 5 respondents, 4 were in favour but raised questions about enforcing the proposed scheme and 1 did not believe Additional HMO licensing will resolve the problem of unlicensed HMOs.

The 5 responses are provided below:

*“I approve of the main elements of the consultation document, but question if enforcement will ensue as little has so far been done in the existing areas.”*

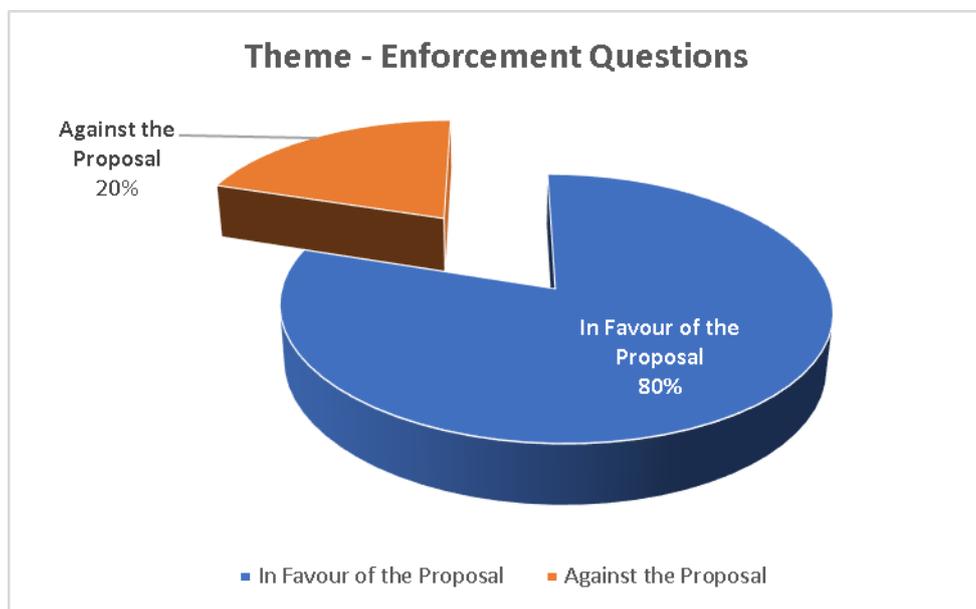
**“Welcomed, provided that the council genuinely tackle 'rogue' landlords who ignore/flout the rules and assist landlords that want to comply but need help understanding the raft of legislation that exists and which is often written in 'legalise', rather than plain English...”**

*“It is a good thing but how will the council take action against the landlords when they already struggle to deal with unlicensed HMO's?”*

**“Completely agree that this proposal should be implemented but who is going to police it....”**

*“This is not a scheme that will sort the problem of unlicensed HMOs out. We have seven on my road and none have told the council they are there. Unless you respond to local requests to go and inspect these places by the people having to put up with the added risks and inconveniences then how will it change unless all HMOs in the county are subject to licensing.”*

**FIGURE 3 – Graph showing the 5 responses in percentages**



- **Theme 3: HMO Standards**

Under this theme, there was 100% support for the proposed enhanced designation for an Additional HMO Licensing Scheme.

Of the 8 responses under this theme, 5 commented that it would introduce a degree of control and accountability and ensure standards are met, 2 said it was important for tenants’ health and wellbeing and that they live in safe environments, 1 said it would provide good quality living accommodation and 1 said it would protect tenants from overcrowding.

A selection of the responses is provided below:

*“The proposal needs implementing, it will help protect residents in the streets where there are unlicensed HMOs and protect the*

*tenants from landlords that just care about cramming as many people as they can in a house for money.”*

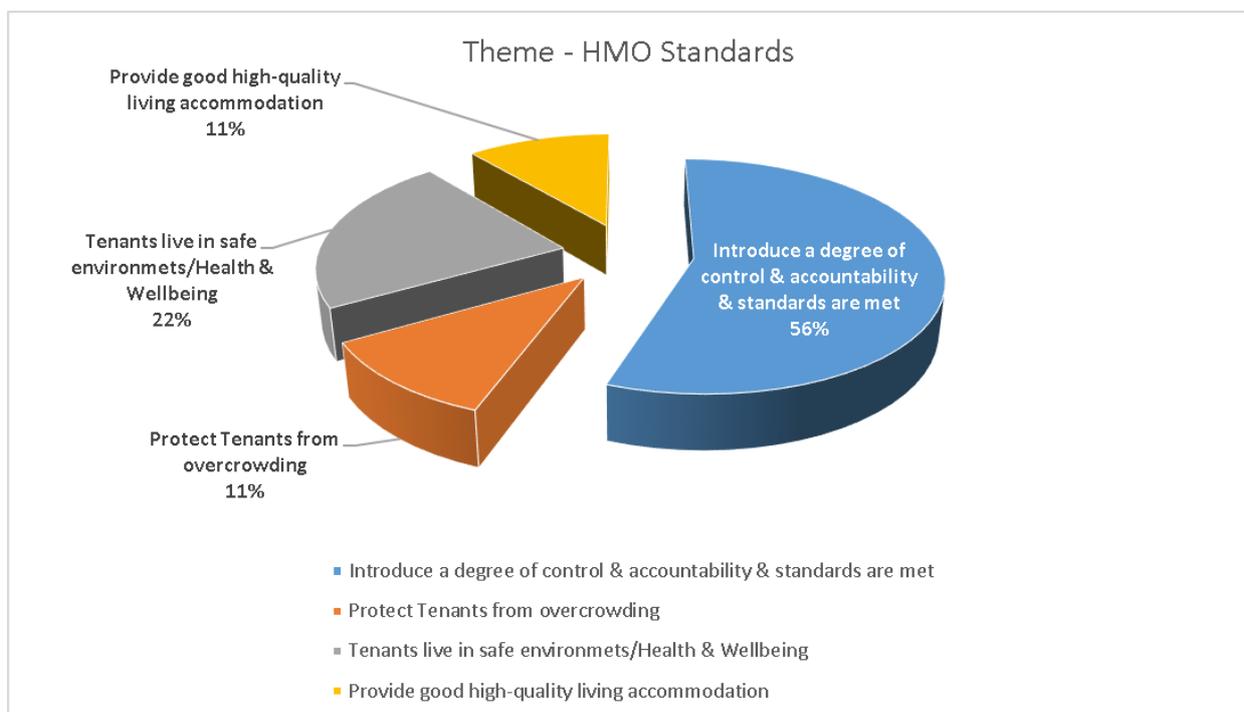
**“I believe this is an appropriate course of action which will protect all concerned. Ensuring that tenants are protected, and surrounding residents are reassured about the use of properties around them. It will ensure standards are met by all landlords.”**

*“I think it's extremely important for these homes to be regulated by the council. It's essential for the wellbeing and health of these local communities for both the home owner residents and tenants.”*

**“As a landlord, I am keen to provide good high-quality living accommodation for people living in Northampton. Rogue landlords give good landlords a bad reputation, so would encourage support to help the situation.”**

*“I agree with the proposal; the enhanced designation will mean greater control and accountability of landlords and HMO residents.”*

**FIGURE 4 – Graph showing the 8 responses in percentages**



- **Theme 4: General comments**

Under this theme, there was general support for the proposed enhanced designation for an Additional HMO Licensing Scheme.

Of the 42 responses under this theme, 22 were in favour of the proposal, 11 were against, 2 said there are too many HMOs in Northampton, 3 said all HMOs in the borough should be licensed, 3 were general comments and 1 said there should be a limit placed on the number of HMOs per area.

The following general comments were received:

*“Having read the report in detail, my personal opinion is that the report is very prejudicial and favours a decision lacking in evidence through due diligence...”*

**“There is already robust solution for responding to rogue landlords addressing antisocial behaviour and need no further interference. The 'letter of' Section 4.7 limits liability of an action taken by an individual by virtue of their 'accommodation' status. Hence an unfair policy component as it proposes holding landlords accountable for tenants' actions, which the individuals would have been liable for not withstanding their 'accommodation status.’”**

A selection of the other responses is provided below:

*“Good”*

**“I believe that all HMOs should be licensed within the entire borough, unless it is a purpose- built property like a block of flats.”**

*“I’m pleased as my street is already significantly over capacity with shared houses. Some known HMOs some existing dwelling houses prior to licensing rules and many more not reported.”*

**“The scheme must be enforced. ”**

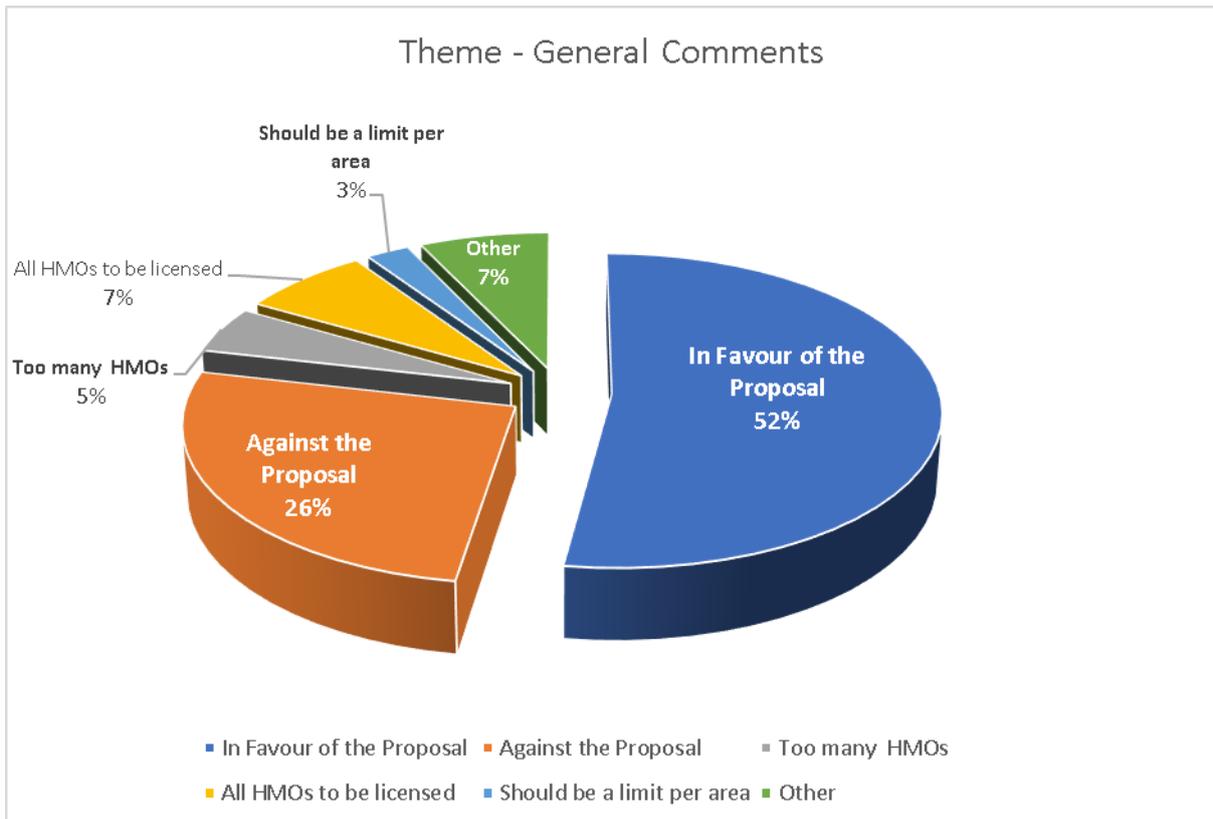
*“I agree with it”*

**“I don't want an enhanced designation area where I live. I do not support this type of poorly managed overcrowding. Build more houses instead!”**

*“I think it is unnecessary, the scheme that is in place now works well and is in the areas it is needed.”*

**“I agree this type of housing needs to be controlled in all areas of the town.”**

**FIGURE 5 – Graph showing the 42 responses in percentages**



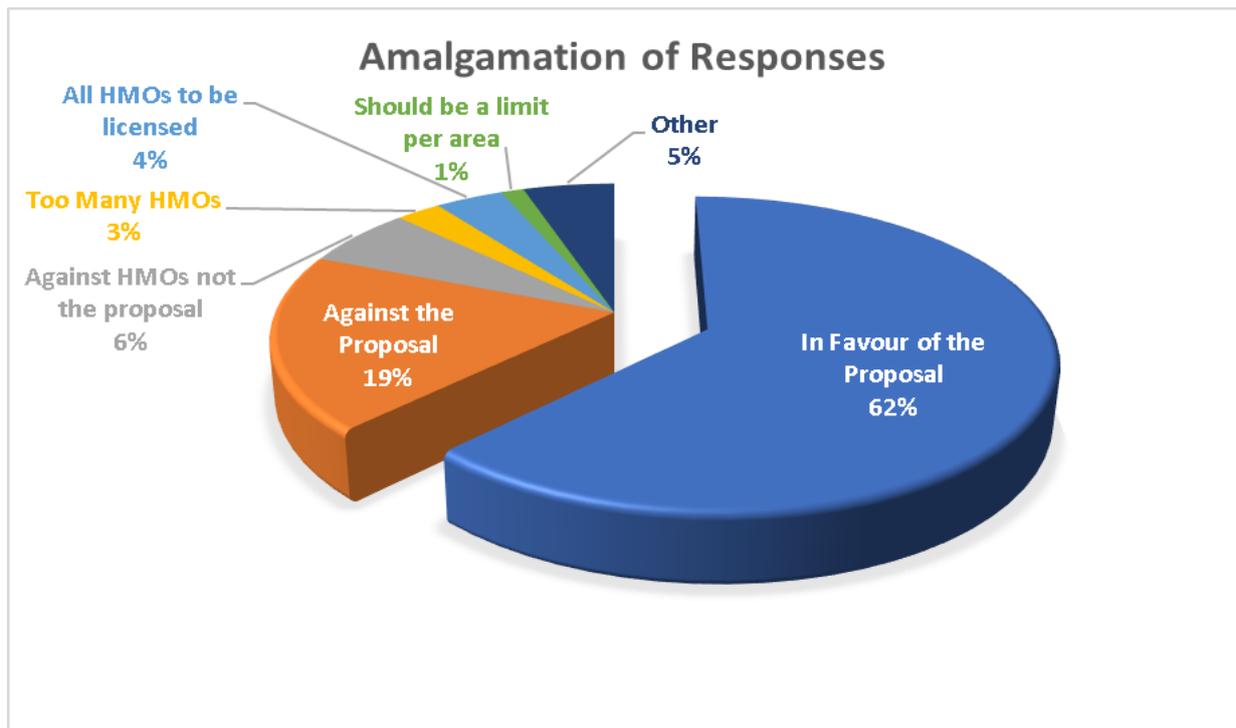
• **Amalgamation of the responses to the 4 themes**

When the data from all 4 themes is amalgamated, it is clear that most respondents are in favour of the proposed Additional HMO licensing scheme.

A breakdown of the results is provided below:

- 62% are in favour of the proposal
- 19% are against the proposal
- 6% are not against the proposal but are opposed to HMOs
- 3% feel that there are too many HMOs
- 4% want all HMOs to be licensed
- 5% made other comments
- 1% want a limit of HMOs per area

**FIGURE 6 – Graph showing all 80 responses in percentages**



- **Correspondence**

All comments are listed, under themes, in **Appendix 1**.

#### **4. KEY FINDINGS FROM THE FOCUS GROUPS WITH LANDLORDS, LETTING AGENTS AND OTHER STAKEHOLDERS**

On 4 June 2019, 3 focus groups were held to capture the views of landlords, letting agents and other stakeholders (including the University of Northampton, the Gangmasters and Labour Abuse Authority and the Northamptonshire Fire and Rescue Service) on the proposed Additional HMO licensing scheme.

On 18 June 2019, the whole of the meeting of the Landlord Forum was set aside for a detailed discussion on the proposed scheme. Specialists from Northamptonshire Fire and Rescue Service, DASH (Decent and Safe Housing) and the Housing Enforcement Team were on hand to answer questions during the Q&A session.

The Consultation Report and PowerPoint Presentation were given to everyone who attended the focus groups. The Presentation was published on the DASH website.

The responses have been separated into 4 common themes – “Licensing costs/administration”, “Enforcement”, “HMO Standards (positives/negatives of additional licensing)” and “General Questions/comments”.

The following is a summary of responses to these themes:

- **Theme 1: Licensing costs / administration**

Under this theme, there was general support for the proposed enhanced designation for an Additional HMO Licensing Scheme.

However, questions were raised about cost of the proposed HMO licensing scheme and how it will be administered.

A selection of the responses is provided below:

*“Why has the licence fee gone up so much?”*

**“How long will it take to issue a licence?”**

*“Applying for a new licence can be challenging and often means submitting 4-5 e-mails. Can the process be made more user friendly?”*

**“If the new Additional Licence scheme is introduced will it involve changing the requirement of the property?”**

*“How many licences are you expected to issue?”*

- **Theme 2: Enforcement**

Under this theme, there was general support for the proposed enhanced designation for an Additional HMO Licensing Scheme.

However, questions were raised about enforcement.

A selection of the responses is provided below:

*“It would be nice to know that the Council is tackling rogue landlords. We need encouragement.”*

**“Where do you get the intelligence from?”**

*“Would it be better to put all resources into investigations rather than licensing properties?”*

**“Do you also investigate those who sub-let?”**

*“How successful has licensing been? Is there any way to view this?”*

- **Theme 3: HMO Standards (positives/negatives of additional licensing)**

Under this theme, questions were asked about the positive and negatives of additional licensing and discussions on alternatives that could be considered to deliver outcomes. There was also a proposal, put forward by Northampton Fire and Rescue Service, to improve safety standards within HMO properties.

A selection of responses is provided as follows:

*“Northampton Fire and Rescue Service – If landlords invested in a sprinkler system within their properties (cost appx £2,000) would there be consideration to offer a further discount in the licensing fee?”*

**“Are there alternatives that we could consider to deliver the outcomes?”**

- **Nottingham City Council have introduced a licence to anyone who rents out a property.”**

*“What are the adverse impacts of HMO licensing?”*

- *Low paid workers could move away from the area and consequently be further away from their place of work. This could lead to them being exploited by people who would charge them to transport them to their place of work.”*

**“What are the positives impacts of HMO licensing?”**

- **Means standards can be maintained – some HMOs are not in a good condition and not licensed.**
- **Makes clear that landlords know what they need to do.**
- **Information should also be made available to tenants, so they know their rights.”**

- **Theme 4: General questions**

Under this theme, questions were asked in relation to issues such as parking, fly-tipping, rent payments and positive and negative alternatives.

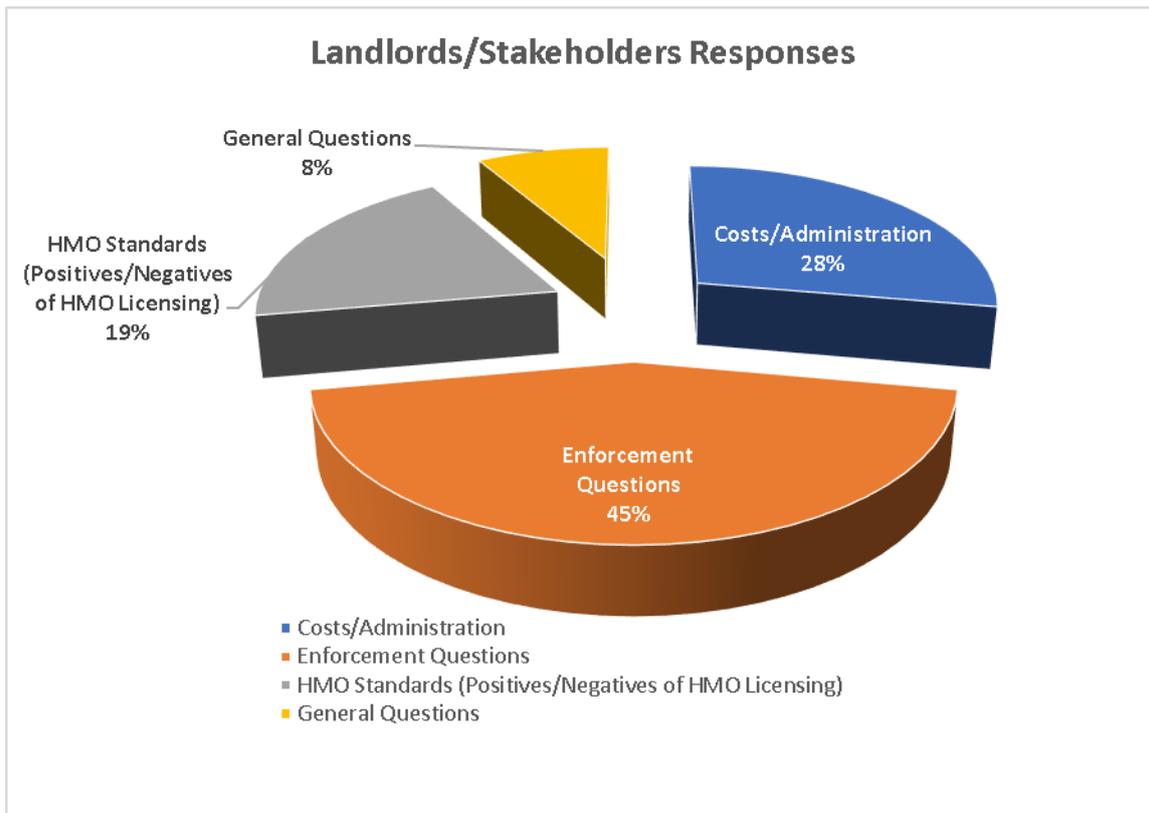
The responses were as follows:

*“Is parking an issue?”*

**“How do you know that fly tipping complaints are related to HMOs? Are these just residents’ assumptions?”**

*“Staff at NBC advised one of my clients not to pay the rent.”*

**FIGURE 7 – Showing breakdown of themes into percentages**



- **Correspondence**

All comments are listed, under themes, in **Appendix 2**.

## **5. KEY FINDINGS FROM FOCUS GROUPS WITH COUNCILLORS**

There were 2 focus groups with Borough Councillors (11 and 26 June 2019).

The common themes raised during these events focused on 'Licensing costs/administration', 'Enforcement' and 'HMO Standards (improvements)'

- **Theme 1: Licensing costs / administration**

Questions were raised about costs and how the proposed licensing scheme will be administered.

A selection of the responses is provided below:

*“Does the cost of administrating the License Scheme also include enforcement visits?”*

*“Are there new conditions for existing Licenses?”*

*“If the proposal is approved how long will it last?”*

**“Is there capacity to implement and monitor Additional Licensing and have you asked for more resources?”**

*“Can there be grants to landlords who fit sprinklers systems to their properties and can this be funded from the civil penalties’ money?”*

- **Theme 2: Enforcement**

Questions were raised about costs and administering the proposed new scheme.

A selection of the responses is provided below:

*“If an HMO is deemed to be dangerous and the licence is revoked what help is there for the tenant(s)?”*

**“Are cases being followed up through feedback that is given?”**

*“Why doesn’t the Additional Licensing Scheme cover the whole of the Borough?”*

**“What happens to the tenant(s) if an HMO licence is revoked?”**

*“How do you keep on top of enforcement?”*

- **Theme 3: HMO Standards (improvements)**

Questions were raised about standards within HMOs and suggestions about how to raise them.

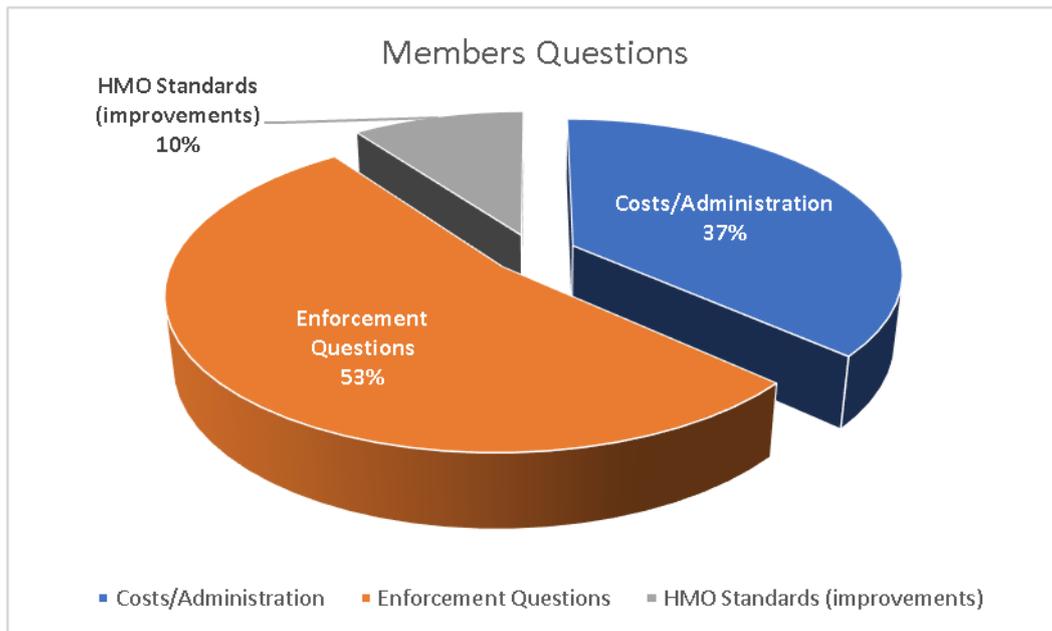
The questions are provided below:

*“Are HMOs required to have a CO2 certificate?”*

**“Can there be grants to landlords who fit sprinklers systems to their properties and can this be funded from the civil penalties’ money?”**

*“What about discounts for landlords that fix solar panels to their properties?”*

**FIGURE 8 – Showing the breakdown of themes by percentage**



- **Correspondence**

All comments are listed, under themes, in **Appendix 3**.

## **6. KEY FINDINGS FROM FOCUS GROUP WITH RESIDENTS AND RESIDENTS ASSOCIATIONS**

A focus group was held on 10<sup>th</sup> July to capture the views of residents and residents associations on the proposed Additional HMO licensing scheme.

The focus group was advertised and promoted through the local newspaper, social media, the use of e-mails to residents associations and in the responses provided in relation to the online survey.

The common themes raised during the focus group were 'Issues associated with HMOs', 'Enforcement' and 'General questions / comments.'

- **Theme 1: Issues associated with HMOs**

Questions were asked about the problems caused by HMOs (such as parking) and the tenants who take on family homes and then sub-let them without the landlord's knowledge or consent.

A selection of the responses is provided below:

*“What is the Council doing about parking issues associated with HMOs? Can restrictions or parking permits be issued to an HMO?”*

**“Can you revoke an HMO licence if the property is not managing it’s parking properly?”**

*“We have noticed up to 20 people living in the premises. Why doesn’t the Council charge them more in Council Tax?”*

- **Theme 2: Enforcement**

Questions were asked about how the Council would police and enforce the proposed HMO licensing scheme. There were questions raised about how the Council would police and enforce the proposed HMO licensing scheme.

A selection of the responses is provided below:

*“We report on suspected unlicensed HMOs, but the perception is that the council does nothing.”*

**“How can you police the whole of the new area?”**

*“What do you do if a landlord has been running an unlicensed HMO and then suddenly applies for a licence?”*

**“There are some Limited companies that can be clever in avoiding licensing their properties. What can the Council do about this?”**

*“What will you be doing with HMOs outside the proposed new area that flout the rules?”*

- **Theme 3: General questions**

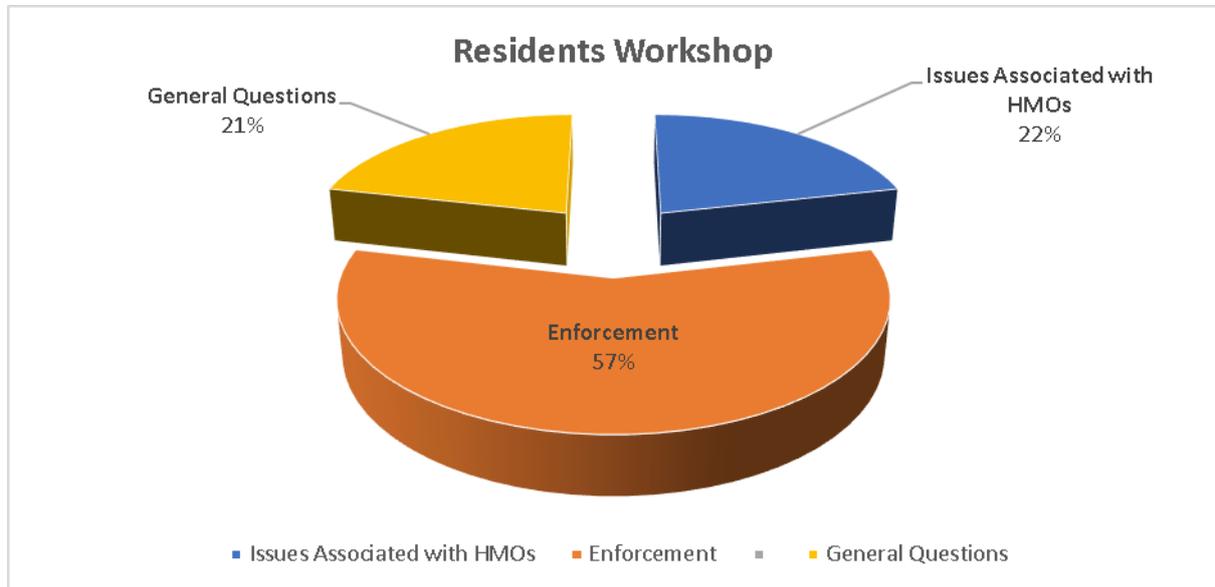
A selection of the responses is provided below:

*“Do you know how many HMOs operate in Northampton?”*

**“Will the Article 4 area be expanded?”**

*“Why isn’t the Wotton area included in the Additional Licensing area?”*

**FIGURE 9 – Showing the breakdown of themes by percentage**



- **Correspondence**

All comments are listed, under themes, in **Appendix 4**.

## Appendix 1: Consultation Survey Responses

<b>Consultation Survey Responses</b>	
<b>Theme: Concerns with Anti-Social Behaviour &amp; Parking Issues</b>	
<b>1</b>	"It's OK but more needs to be done regards to parking for these HMOs especially around the Saints ground."
<b>2</b>	"I think it's a good idea. Parking is a huge issue in St James where houses have several families (not individuals) living in a house. Some houses have four cars each and you are forced to park streets away from your home, even when designated car parking is part of your mortgage."
<b>3</b>	"It will enhance any area whatsoever. The Streets and Road that already HMOs are overcrowded with vehicles being parked anywhere, blocking road junctions etc. Rubbish in the gutters that cannot be cleaned properly because of the excess Parking. The price of property falls because people do not want to live in these kind of areas. The majority of Landlords do not look after these properties properly, gardens.....become overwhelmed with rubbish and growth that is not cared for. Totally unforeseen on people who worked for years to buy and look after their homes to have them reduced in value by this kind of action and decision. Councillors have no concept of what is like to agree to this whatsoever it is passing the buck due the lack of affordable home for families to buy or rent. Making home over crowded by HMO's is not how people should be asked to live, they have no privacy or security in the kind of properties, because just do not care for these kind of homes in most cases."
<b>4</b>	"I don't see how it will benefit anyone living in the area. Nobody wants these HMOs. They cause tons more rubbish to be generated and numerous problems with parking."
<b>5</b>	"I have direct experience of HMO homes, as there are already a few close by my property. There has been noise late at night on occasions, usually during the summer months (loud music/shouting), made worse as windows are left open. Bins are left overflowing in the forecourt and not put out for collection, furniture left on the pavement (fly tipped). Tenants in HMO's inherently feel less obligated. to keep the area tidy or have any consideration for the rest of us living in the area, so I fully support the proposal of an enhanced designation area."
<b>6</b>	"I fully and completely support this proposal. I support this because there are a number of unregistered HMO's in the street and adjacent areas which have given problems with fly tipping, excess rubbish in front gardens and extensive problems with parking cars. Local residents are becoming increasingly frustrated at the degradation in quality of life and amenities in the street. These properties do not seem to have been identified in the proposal documents."

## Consultation Survey Responses

<b>7</b>	"I agree there should be stricter licensing to help with the parking in our area there are sometimes 4-5 cars for one house for some of the HMOs."
<b>8</b>	"HMOs are ridiculous, they breed fly tipping, anti-social behaviour, parking congestion and are the most anti community housing solution available. Spend your consultation period living in an area full of HMOs and you'll see how they destroy the areas they are in."
<b>9</b>	"100% agree that landlords should be held more accountable. Our area has seen an increase of HMOs which is leading to more fly tipping, antisocial behaviour, refuse sacks and recycling dumped in the streets and strains on parking. Some landlords are adding to the issue by clearing the contents of properties onto the streets and leaving them for someone else to clear. Landlords should also have increased responsibility on ensuring their tenants follow the rules. A suggestion would be to charge landlords council tax on their properties to increase revenue to cope with the issues above."
<b>10</b>	"I do not agree to HMO's at all. The people who generally live in them do not care about the area. Where I live these properties always have rubbish put out incorrectly and fly tipping in the street."
<b>11</b>	"I agree with it and look forward to more rigorous management of the area including all types of properties, including sanctions for properties deemed to be contravening licencing or civil or criminal laws until we can get back to some semblance of normal responsible community living. If businesses are included these must comply also. As far as I'm concerned if a business creates more harm by fly tipping and drug dealing than good by providing a service then I'd rather do without it. Without management of the zone then it seems a pointless exercise."
<b>12</b>	"Not a good idea to allow HMOs to spread further around town, I believe there are many issues - fly-tipping, for example - which have increased in dense HMO areas."
<b>13</b>	"The town is under too much strain already. HMO occupants don't care about the area, crime has gone up alongside the increase in HMOs. Parking is ridiculous."
<b>14</b>	"It finally feels as though the views of local residents are being listened to. I do feel, however, that the 15% limit for HMOs is still too high as this is an ideal location for family homes and HMOs are pushing them out. Also, the more HMOs there are, the more issues with parking. I've seen how people who live on other streets to mine are having to park on our road as there's no parking for them. This is particularly bad for families with young children."

## Consultation Survey Responses

<b>15</b>	“If it controls the illegal HMO's then I would welcome the proposals. Far Cotton HMO Group work hard to find out about these types of properties. Residents are moving from the area due to anti-social behaviour litter dumping etc. Irresponsible Landlords do not manage their tenants. Further Students do not pay council Tax & neither does the landlord and the cost is born by the responsible Residents.”
<b>16</b>	“Far Cotton has been destroyed by HMO's. What was once a lovely place to live has now become a ghetto of unruly students and foreign multi let's. My once lovely home has become a prison. Thank you. So, any more availability open to developers will be strongly opposed. Too many people, nowhere to park anymore, criminal damage to cars, unruly late-night noise and trouble and the rubbish!!”
<b>17</b>	“We have been waiting for this to happen for years. We have a lot of unlicensed HMO and transient people. They fly tip litter flick cigarette ends all over the street over grown gardens. 15 unlicensed cars removed. Noise, anti-social behaviour, Base booming on cars all times of day and night, Subletting, Dodgy gas and electric connections.”
<b>18</b>	“I hope this goes ahead due the problems we are having. Sub-letting, fraud, constant changing of residents, loud music. I don't see how you can enforce any new rules. We have as a residents committee been trying to get the problems they are causing sorted for 3 years. They have changed our lives and neighbourhood beyond recognition for the worse.”
<b>19</b>	“I think the implementation of an enhanced designation area in Northampton is a good idea and will help raise the quality of HMO's whilst helping combat some of the anti-social issues other residents have had to suffer because of bad tenants and rogue landlords. We live in a heavily populated area with far too many HMO's. A frustrating bi-product of having such a dense mass of HMO's is the huge amount of additional cars they bring into the area making parking a complete nightmare, to the point of totally restricting resident's ability to travel in evening as they cannot park upon return....”
<b>20</b>	“....I feel this is very relevant to the decision being made at cabinet, and feel that should this be allowed, that properties such as this must be vetted and only licensed as HMOs if the area can effectively withstand the demand for parking and other such resources,”
<b>21</b>	“Unsure if this is of benefit. There are too many transient people in the borough- which has a knock-on effect including litter & fly tipping”.
<b>22</b>	“I am an ordinary householder and am in favour of maximising HMO regulation and restriction because formal and the many informal HMOs in my area increase litter, parking problems, traffic, noise and friction between neighbours.”
<b>23</b>	“Totally against more HMO's. HMO's are a really bad idea! They increase fly tipping on our streets, antisocial behaviour, put a huge strain on parking facilities and break down neighbourhoods by removing family housing built for families and giving to numbers of unrelated

## Consultation Survey Responses

	single occupiers.....”
<b>24</b>	<p>“Not before time we in the outskirts feel helpless against these profiteering landlords too much time has been wasted in the meetings of our residents association discussing and debating what to do about the problems that are incurred due to transients rubbish dumping not being able to park in a lane where the resident are acting in a lawful way in an environment where many feel that one is only guilty of something when a judge points and says guilty as charged, especially when so few are charged. There seems to be a great disrespect for the law and what normal good people regard as neighbourly behaviour. I do hope that a realistic financial consequence for profiteering at the cost of others in the locality as well as the tenants and taxman can be decided upon that will help pay for the policing, cleaning up, monitoring, inspecting and realistic staffing levels for all these items. I would hope that £6000 would be the norm rather than the exception for those who have been profiting for more than 6 months without registering. I would not like there to be more than 10% saturation in any 50-meter radius at any time in the future. I would like to know how you will find the person in a ltd company to take responsibility for unlicensed HMO's. I would like the telephone numbers of the department investigators out in the public domain. (on every street corner) I understand there will be time lag but please please keep the public informed and the guilty publicly acknowledged in all cases. Visit residents' associations keep them appraised and gain local uptodate knowledge.”</p>
<b>25</b>	<p>“I do not think there should be any relaxing of the price for HMO licenses, even for good landlords, as this will encourage more HMO's in the city. More HMO's will continue to increase the parking problems and community erosion. The powers to hold to account bad landlords are a good step.”</p>
<b>Theme: Enforcement</b>	
<b>1</b>	<p>“I approve of the main elements of the consultation document, but question if enforcement will ensue as little has so far been done in the existing areas.”</p>
<b>2</b>	<p>“Welcomed, provided that the council genuinely tackle 'rogue' landlords who ignore/flout the rules and assist landlords that want to comply but need help understanding the raft of legislation that exists and which is often written in 'legalise', rather than plain English. My own experience of dealing with elements of the council has often been to the effect that 'I am a landlord therefore I must be bad and must be doing something wrong'. During a recent HMO licence application (my first), written requests from me for clarification of what documents the council required were repeatedly ignored, and threatening letters for not providing the correct information routinely</p>

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	<p>issued. If the council intends extending the designated area to the Eastern boundary of the town then perhaps similar rules should be introduced for the Southern and Western districts to avoid creating an increase in demand for suitable HMO properties in these less restricted areas, unless the council desire this to happen. As far as I can make out, current and proposed designated areas do not include Canterbury court on the Bedford Road, opposite the new University campus. Many of these flats are 3 bedrooms, with several 'sold' recently possibly with a view to renting as student lets. A lack of legislation here could turn many of these into unofficial 'student halls'. Is that the council's intention?"</p>
<b>3</b>	<p>"It is a good thing but how will the council take action against the landlords when they already struggle to deal with unlicensed HMO's?"</p>
<b>4</b>	<p>Completely agree that this proposal should be implemented but who is going to police it. I met with council representatives last year to complain about the number of HMO's in Woodfield but was told that they could not police the area they had as there was only two staff, there would soon be four, but it takes two years research to take a case to court. Sounds good on paper but I am afraid it will not work on the ground unless there are some changes to method of policing and the number of inspectors implementing the regulations. How will you overcome these shortfalls in expectation? If you have any public meetings involving this subject where are the times and places posted so we can become more involved. This webpage has been down each time I have tried it until yesterday so having tried for three weeks I missed the scheduled 1 day of public involvement, I really think more than one day is needed and there should be a joint meeting at the end of the survey to discuss the outcome.</p>
<b>5</b>	<p>This is not a scheme that will sort the problem of unlicensed HMOs out. We have seven on my road and none have told the council they are there. Unless you respond to local requests to go and inspect these places by the people having to put up with the added risks and inconveniences then how will it change unless all HMOs in the county are subject to licensing.</p>
<b>Theme: HMO Standards</b>	
<b>1</b>	<p>"The proposal needs implementing, it will help protect residents in the streets where there are unlicensed HMOs and protect the tenants from landlords that just care about cramming as many people as they can in a house for money."</p>
<b>2</b>	<p>"I believe this is an appropriate course of action which will protect all concerned. Ensuring that tenants are protected, and surrounding residents are reassured about the use of properties around them. It will ensure standards are met by all landlords."</p>
<b>3</b>	<p>"I think it's extremely important for these homes to be regulated by the council. It's essential for the wellbeing and health of these local communities for both the home owner residents and tenants."</p>

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<b>4</b>	"I live in Far Cotton & have seen the start & very quick increase in the number of HMO's in our area. This, I believe, will continue to increase especially now that the university is up & running. It is vitally important that ALL areas of Northampton with HMO's are covered within the enhanced designated area. It is so important that tenants are living in well maintained, safe environments & that Landlords have guidance on how to achieve & maintain this."
<b>5</b>	"As a landlord, I am keen to provide good high-quality living accommodation for people living in Northampton. Rogue landlords give good landlords a bad reputation, so would encourage support to help the situation."
<b>6</b>	"We are a small community group. At our meeting of 19th June 2019, we totally supported the proposal for an enhanced designation area in Northampton. Within our area there are a number of unregulated HMOs, and the requirement for a licence where HMOs contain 3 or more occupiers, from two or more households, would introduce a degree of control which is currently missing. We welcome this consultation."
<b>7</b>	"I agree with the proposal; the enhanced designation will mean greater control and accountability of landlords and HMO residents."
<b>8</b>	"The rationale appears to be well considered and the area well detailed with evidence. The proposed scheme should impact premises and raise standards to at least a minimal acceptable level, there is potential to offer incentives to those who achieve a much higher standard. Identifying and punishing bad landlords is absolutely right but where is the balance for the other end of the scale."
<b>Theme: General Comments</b>	
<b>1</b>	"Poor, the current arrangements cause misery for affected residents and also act to push up private rents and house prices for others."
<b>2</b>	"It is important to improve the quality of HMO accommodation and to ensure that the registrations are being met, however a HMO of unrelated people on multiple tenancy agreements is somewhat different to a group of friends with one tenancy agreement. The HMO amenities guide already acknowledges that a house with one AST is lower risk. Introducing licensing for houses with three or four occupants on one AST is not different to a family sharing a house. So why have different rules? Licensing is expensive and adds cost to running a HMO. This inevitably increases rent to tenants and so they suffer. "
<b>3</b>	"Good"

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<b>4</b>	"good idea"
<b>5</b>	"the damage has already been done, need to return these homes back to what they intended for one family homes."
<b>6</b>	"I believe that all HMOs should be licensed within the entire borough, unless it is a purpose- built property like a block of flats."
<b>7</b>	"Personally, I think this is another way of the council making money whilst ruining the town centre and surrounding area even further, there should be a limit per area. I constantly hear there is no housing for 1st time buyers and these terraced houses have always been ideal for them hence why they sell so quick (I'm sure any local Estate Agent can confirm that), if they are changed to individual rooms they will not be cost effective or attractive for 1st time buyers who have saved to get a rung on the housing ladder and have to pay out for alterations to change houses back, also areas that have not already been converted become bedsit land like majority of the area around the old University and Semilong. Conveniently a lot of the streets mentioned are in the areas near to the new University, don't make the mistakes you have made in other areas of the town there are still proud home owners in these areas that will see their hard earned homes devalued along with the parking and rubbish issues that will be worse than they already are - the increase in flats in my area already produces mounds of rubbish on the street every day of the week I am sure my neighbours will agree. I am proud of the area I live in and will be very disappointed if the council doesn't listen to the residents and home owners."
<b>8</b>	"I'm pleased as my street is already significantly over capacity with shared houses. Some known HMOs some existing dwelling houses prior to licensing rules and many more not reported."
<b>9</b>	"It will be counter- productive, just another turn of the wheel. When it fails, just turn the wheel again."
<b>10</b>	"The scheme must be enforced. "
<b>11</b>	"Great idea"
<b>12</b>	"We need somewhere to store rubbish until bin collection day (a bin cupboard would do)"
<b>13</b>	"I think it's a good idea as our areas are now overflowing with multiple HMO's which are increasing the stress on local services."

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<b>14</b>	"I agree with it"
<b>15</b>	"Much needed - communities have been destroyed & infrastructures pushed to limits by overpopulation in Northampton - Mounts area in particularly"
<b>16</b>	"I fully support the proposal. Most importantly I look forward to rigorous enforcement action to apply these new controls."
<b>17</b>	"I think it is unnecessary, the scheme that is in place now works well and is in the areas it is needed."
<b>18</b>	"This is something that is desperately needed across the whole of Northampton."
<b>19</b>	"A good idea."
<b>20</b>	"It's a bad idea, the area is already over populated."
<b>21</b>	"The report clearly identifies the problems and would seem to seek to contain the issues rather than address them. This is not a criticism, just an observation that the powers of the council do not stretch to national housing policy."
<b>22</b>	"Definitely"
<b>23</b>	"Licensing should be adopted for all HMOs, too many landlords have gotten away with owning property and renting them out to 3 or more people with no regard for the residents in the local area. I believe there are far more HMOs in my area than what the council are aware of and feel that licensing would provide greater control over this nuisance within the housing market."
<b>24</b>	"I agree this type of housing needs to be controlled in all areas of the town."
<b>25</b>	"Agree with this as already hugely impacted by HMO properties."

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<b>26</b>	"I'm concerned that there is already an abundance of HMO properties in Delapre and Far Cotton. It's becoming increasingly rare to see houses for sale that are for standard occupancy."
<b>27</b>	"This definitely needs to happen and cover the Far Cotton area. We have way too many HMOs already in the area and it's making it an unpleasant place to live."
<b>28</b>	"I think it is needed"
<b>29</b>	"Far Cotton needs to be included in any area. We work hard to keep community spirit but the quantity of HMOs in properties originally built for families causes many problems to residents."
<b>30</b>	"I don't want an enhanced designation area where I live. I do not support this type of poorly managed overcrowding. Build more houses instead!"
<b>31</b>	"It's a very good idea"
<b>32</b>	"I think it's a very good idea"
<b>33</b>	"Not before time"
<b>34</b>	"there are too many unlicensed HMO's already. Estimated 2000. Need to take control of them first before implementing anything further"
<b>35</b>	"I completely agree with this proposal it is a very necessary measure that needs to be taken to ensure community cohesion."
<b>36</b>	"Horrible"
<b>37</b>	"There is already robust solution for responding to rogue landlords - There is already robust solution addressing antisocial behaviour and need no further interference. - The 'letter of' Section 4.7 limits liability of an action taken by an individual by virtue of their 'accommodation' status. Hence an unfair policy component as it proposes holding landlords accountable for tenants' actions, which the

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	individuals would have been liable for not withstanding their 'accommodation status'."
<b>38</b>	"I think it's a good idea as our areas are now overflowing with multiple HMO's which are increasing the stress on local services."
<b>39</b>	"Please note that I DO agree with several aspects of the report but my comments focuses primarily about my concerns. Having read the report in detail, my personal opinion is that the report is very prejudicial and favours a decision lacking in evidence through due diligence...."
<b>40</b>	"Greater restrictions on HMO's in Northampton is a positive change for both residents and the local property market. There are too many already and I would like to see them restricted fully across NN1. NN2 and NN4. Ideally there should be a size limit on the number of rooms in one structure. Anything more than 5 bedrooms becomes a horrific way for people to live."
<b>41</b>	"No extension should be made to existing HMO area - already too many unlicensed HMOs that NBC are unable to investigate across whole of Northampton. HMOs cause misery to local residents as their occupants and owners have a temporary mindset."
<b>42</b>	"I have a house in Far Cotton with three, sometimes four tenants sharing. This came about because several years ago I had a family in the house, with a six month Assured Shorthold Tenancy agreement, who paid the first months rent and then did not pay again for the next five months. This family appeared to be 'Aided and abetted' by Northampton Borough Council who wrote to me saying that I could not evict them and also said that I must not visit the property and cause them any stress. After six months the family left the property, which led me to believe they knew the system. The house had been trashed, with doors off their hinges, curtain rails pulled down, radiators hanging off the walls etc. I would point out that I was having to pay a large mortgage on the property whilst working full time and looking after my aging parents. I decided then to let the property in rooms and it has been let out for several years. I do not choose to be HIMO landlord and I would point out that this house has only had single occupancy of each bedroom until very recently when one room is now occupied by two persons with the consent of the other tenants. The implementation of an Enhanced Designation for Additional HMO Licencing means I will either have to evict my existing tenants and go back to single occupancy or I will have to apply for a HMO Licence which means I will have to face being harassed by Northampton Borough Council who I feel have wronged me, an honest law abiding landlord and multiple Council tax paying resident of Northampton, several times in the past."

## Appendix 2: Consultation responses from Stakeholders, Landlords and Letting Agencies

<b>Comments and Council Responses</b>		
<b>Theme: Licensing Costs and Administration</b>		
<b>1</b>	<p><b>Q (Landlords Workshop)</b></p> <p>Council Response</p>	<p><b><u>Why has the licence fee gone up so much?</u></b></p> <p>There is an Early Bird discount for a new HMO licence (at the discretion of the Council) for landlords who renew their licences on time. The standard HMO licensing fee is charged for late renewals that have already expired. This approach means we can reward landlords who take their responsibilities seriously.</p>
<b>2</b>	<p><b>Q (Landlords Workshop)</b></p> <p>Council Response</p>	<p><b><u>How do you intend to communicate civil penalties and licensed properties to the whole town?</u></b></p> <p>These are publicised through social media, news outlets, websites etc.</p>
<b>3</b>	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>Are the licensing revenues from good landlords supplementing bad landlords?</u></b></p> <p>The licence fee only covers administration costs. Costs associated with Enforcement work and visits are funded through civil penalty fees.</p>
<b>4</b>	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>When a landlord must change the property to licence it as an HMO they will have to increase the rent</u></b></p> <p>If you are renting out the property as an HMO you will still have to abide to mandated law and have the right facilities and certificates in place for tenants to use. If a licence is applied for on time, then the landlord may be entitled to an Early Bird discount.</p>
<b>5</b>	<p><b>Q (Landlords Workshop)</b></p> <p>Council Response</p>	<p><b><u>How long will it take to issue a licence?</u></b></p> <p>This is hard to analyse. However, the sooner the application is made (with all the relevant documents) then we regard your licence as valid. If the process is set to a specific timeframe (e.g. 1 month) then the fees would be higher due to the demands of dealing with a multitude of applications. We are working on getting a new on-line system up and running. This will be an intuitive application and have instructions to follow so landlords will know what their responsibilities are.</p> <p>If landlords have an existing licence, then this will be passported on to the new system and a new application will not have to be</p>

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		done until the existing one expires.
6	<b>Q (Landlords Workshop)</b> Council Response	<p><b><u>Applying for a new licence can be challenging and often means submitting 4-5 e-mails. Can the process be made more user friendly?</u></b></p> <p>This is something that we are working on with our IT department as we are restricted with what we can do. If the proposed Additional Licensing scheme is approved, then a new on-line application form will make it easier to up-load the relevant documents.</p>
7	<b>Q (Landlords Workshop)</b> Council Response	<p><b><u>Re-applying for a 5-year application is very onerous. Why don't you trust good landlords?</u></b></p> <p>We still need to see up-to-date documents. Also, simplifying the system means it would be open to abuse from rogue landlords. Those landlords who currently have a licence will have their documents passported onto the new system and would not have to re-apply until their current licence expires.</p>
8	<b>Q (Landlords Workshop)</b> Council Response	<p><b><u>If the new Additional Licence scheme is introduced will it involve changing the requirement of the property?</u></b></p> <p>No, nothing more is going to be added other than those requirements mandated by law.</p>
9	<b>Q (Landlords Workshop)</b> Council Response	<p><b><u>Good landlords should be recognised for adhering to the licensing agreements. It would be motivational to show something visible such as an accreditation certificate. Tenants don't necessary understand licensing and need to know that their landlords are properly accredited.</u></b></p> <p>We encourage landlords to join the DASH Landlord Accreditation Scheme. It is a region-wide scheme that encourages and rewards good property standards and management practice in the private Sector. Membership is for 3 years and is currently free.</p> <p>The scheme is voluntary and open to any residential landlord in the East Midland Region.</p>
10	<b>Q (Landlords Workshop)</b> Council Response	<p><b><u>How many licences are you expected to issue?</u></b></p> <p>Figures are not available yet.</p>
<b>Theme: Enforcement</b>		
11	<b>Q (Landlords Forum)</b> Council Response	<p><b><u>It would be nice to know that the Council is tackling rogue landlords. We need encouragement.</u></b></p> <p>We started intelligence gathering 3 years ago which has led us to identify 960 'properties of interest'. In the last Financial Year</p>

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		<p>there were 11 prosecutions.</p> <p>We have 8 Enforcement officers who must carry out thorough investigations and have proof, beyond reasonable doubt, before we can start civil prosecutions. We investigate approximately 30 cases a year.</p>
12	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>If there are 960 suspected cases of unlicensed HMOs and only 30 are investigated a year it would take over 30 years to clear the back log.</u></b></p> <p>There will never be an end to housing criminals. 30 investigations a year is 30 more than 3 years ago. Since we have started working this way we have seen more and more landlords coming forward to licence their properties.</p> <p>We also work closely with other regulatory authorities and have a vetted officer who has access to the police criminal database. Having a vetted officer is unique for a local authority.</p>
13	<p><b>Q (Landlords Workshop)</b></p> <p>Council Response</p>	<p><b><u>Where do you get the intelligence from?</u></b></p> <p>We get intelligence from a variety of sources which is risk assessed and investigated.</p>
14	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>Do you publicise court cases?</u></b></p> <p>We can publish dates and the civil penalty costs once the appeal process is completed. However, we cannot list names or addresses. The Council is currently looking at creating a website with the details.</p>
15	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>Does a national rogues database exist?</u></b></p> <p>Yes, there is one being created for all local authorities to use. If a rogue landlord has 2 civil penalties issued against them then they go on the list. If they have been issued with 1 civil penalty, then discretion is used as to whether they go on the list or not.</p>
16	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>Would it be better to put all resources into investigations rather than licensing properties?</u></b></p> <p>If we did not issue licences, any complaints (even against good landlords) would have to be thoroughly investigated, even for low level instances. We would not be able to investigate to the level we are doing now.</p>
17	<p><b>Q (Landlords Workshop)</b></p> <p>Council Response</p>	<p><b><u>Why not cover the whole town with Additional Licensing?</u></b></p> <p>We do not have evidence to cover the whole town. Therefore, If the proposed enhanced designation extended to the whole town</p>

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		this could be legally challenged and jeopardise the whole process.
18	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>Do you also investigate those who sub-let?</u></b></p> <p>If a landlord comes to us and advises that their tenants are sub-letting, then we offer up support. We are aware of the scams that take place and are sophisticated enough not to be duped by rogue landlords or property agents.</p>
19	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>How successful has licensing been? Is there any way to view this?</u></b></p> <p>The original scheme didn't cover all HMOs. The Council has had success issuing civil penalties and prosecutions. This indicates that we are doing a good job and our cases are strong.</p>
20	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>Why are there certain parts of the town that have restrictions in the number of HMOs permitted?</u></b></p> <p>Properties in England and Wales are allowed minor changes without the need for planning permission from the local planning authority. Sometimes we will remove these rights to protect the character of an area. This might be, for example, to prevent an over-concentration of houses in multiple occupation or the loss of original features in a conservation area.</p> <p>The application of an Article 4 Direction removes these 'permitted development' rights and is a way in which councils can control building works and changes of use which would ordinarily be 'permitted development'.</p> <p>It is important to note that this comes under the direction of the Planning Department and the Private Sector Housing Department don't have the power to refuse a licence based on the number of HMOs in the area. Having Planning permission doesn't automatically guarantee that you will get an HMO licence and vice-versa.</p>
21	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>What happens to HMO properties in the current Article 4 area that have less than 3 storeys?</u></b></p> <p>These will still need to be licensed. Planning and licensing agreements are 2 different things and having one doesn't guarantee having the other.</p>
22	<p><b>Q (Landlords Workshop)</b></p> <p>Council Response</p>	<p><b><u>How many HMOs are in Northampton?</u></b></p> <p>There are currently 844 licensed HMOs (457 Mandatory and 387 Additional). There are a further 960 properties 'of interest' to the Council.</p>

## Comments and Council Responses

23	<p><b>Q (Landlords Workshop)</b></p> <p>Council Response</p>	<p><b><u>What are you doing about unlicensed HMOs?</u></b></p> <p>For the last 3 years, the Housing Enforcement Team has been operating an intelligence-led approach to enforcement. We must have proof, without reasonable doubt, that a landlord is operating without a licence before civil penalties are issued. Since work started 3 years ago there has been an increase in landlord's licensing their properties.</p>
24	<p><b>Q (Landlords Workshop)</b></p> <p>Council Response</p>	<p><b><u>Is it just a case of just shutting down unlicensed HMOs?</u></b></p> <p>A risk assessment must be done on each suspected unlicensed HMO.</p>
25	<p><b>Q (Landlords Workshop)</b></p> <p>Council Response</p>	<p><b><u>Why don't you do checks and visits on all HMOs?</u></b></p> <p>This is not resource viable.</p>
26	<p><b>Q (Stakeholder Meeting)</b></p> <p>Council Response</p>	<p><b><u>What action is taken to stop sub-letting?</u></b></p> <p>We take the same action against those who sub-let as we do with landlords. Licensing will make it clear to landlords what is expected of them. It will also help them if they are unaware that their properties are being sub-let.</p>
<p><b>Theme: HMO Standards (Positives/Negatives of Additional Licensing)</b></p>		
27	<p><b>Q (Landlords Forum)</b></p> <p>Council Response</p>	<p><b><u>Northampton Fire and Rescue Service - If landlords invested in a sprinkler system within their properties (cost appx £2,000) would there be consideration to offer a further discount in the licensing fee?</u></b></p> <p>This is something we would consider depending on how many landlords sign up to this initiative.</p>
28	<p><b>Q (Stakeholder Meeting)</b></p> <p>Stakeholders Response</p>	<p><b><u>What are the positives impacts of HMO licensing?</u></b></p> <p>Means standards can be maintained – some HMOs are not in a good condition and not licensed.</p> <p>Makes clear that landlords know what they need to do.</p> <p>Information should also be made available to tenants, so they know their rights.</p>
29	<p><b>Q (Stakeholder Meeting)</b></p>	<p><b><u>What are the adverse impacts of HMO licensing?</u></b></p>

<b>Comments and Council Responses</b>		
	Stakeholders Response	Low paid workers could move away from the area and consequently be further away from their place of work. This could lead to them being exploited by people who would charge them to transport them to their place of work.
30	<b>Q (Stakeholder Meeting)</b> Stakeholders Response	<b><u>What might be the unintended consequences (positive and negative) of HMO licensing?</u></b> Be mindful of the wording in the licence as some landlords may use loopholes to by-pass the Terms and Conditions. Some cultures refer to their friends as “my cousin” which can lead to misunderstandings.
31	<b>Q (Stakeholder Meeting)</b> Stakeholders Response	<b><u>What will happen if we implement the proposed designation?</u></b> Good landlords will comply.
32	<b>Q (Stakeholder Meeting)</b> Stakeholders Response	<b><u>What will happen if we do not implement the proposed designation?</u></b> Rogue landlords will carry on what they’ve been doing. Anti-social behaviour will continue.
33	<b>Q (Stakeholder Meeting)</b> Stakeholders Response	<b><u>Are there alternatives that we could consider to deliver the outcomes?</u></b> Nottingham City Council have introduced a licence to anyone who rents out a property
<b>General Questions &amp; Comments</b>		
34	<b>Q (Landlords Workshop)</b> Council Response	<b><u>Is parking an issue?</u></b> Housing legislation related to HMOs is focused on the occupants’ safety and living conditions and does not legislate the environmental impact of parking issues which are also present in non-HMO areas. That aspect may be controlled to some extent by Planning laws in the case of an HMO with seven or more occupants which will usually require planning Permission for change of use.
35	<b>Q (Landlords Workshop)</b> Council Response	<b><u>How do you know that fly tipping complaints are related to HMOs? Are these just residents’ assumptions?</u></b> We do not just take one piece of evidence. Intelligence is evidenced from various anecdotal data.
36	<b>Q (Landlords Forum)</b>	<b><u>Staff at NBC advised one of my clients not to pay the rent</u></b>

**Comments and Council Responses**

Council Response

We don't advise tenants not to pay their rent.

**Appendix 3: Consultation responses from Members Briefings**

**Comments and Responses**

Theme: Licensing Costs and Administration

## Comments and Responses

Q (Briefing 11 June) Response	<p><b><u>Does the cost of administrating the License Scheme also include enforcement visits?</u></b></p> <p>The fee for the HMO licence covers administration costs only. Enforcement visits are funded through civil penalty fees.</p>
Q (Briefing 11 June) Response	<p><b><u>A lot of hard work and effort has been put into the proposed new Licensing Scheme. However, in reality, things do go wrong e.g. overcrowded properties and rubbish piling up. It appears that there isn't the manpower available to manage inspections for the whole Borough.</u></b></p> <p>Over the past 3 years intelligence has identified over 900 properties that are unlicensed. We do not have the manpower to inspect all of them, therefore we prioritise by risk assessing each property. This approach has seen more success than in the past.</p>
Q (Briefing 11 June) Response	<p><b><u>Are there new conditions for existing Licenses?</u></b></p> <p>Existing licenses will be passported onto the new system and will remain valid.</p>
Q (Briefing 11 June) Response	<p><b><u>If the proposal is approved how long will it last?</u></b></p> <p>The new proposal will last for 5 years.</p>
Q (Briefing 11 June) Response	<p><b><u>Is there any worth in doing an accreditation certificate for landlords?</u></b></p> <p>Responsible landlords are DASH accredited which is paid for by the Council.</p>
Q (Briefing 26 June) Response	<p><b><u>Are Planning and Licensing two different things?</u></b></p> <p>Yes. Having planning permission for an HMO does not automatically mean you will get issued with an HMO licence. Also, Private Sector Housing has no power to refuse a licence based on the number of HMOs in the area.</p>
Q (Briefing 26 June) Response	<p><b><u>What are the rules regarding discarding old mattresses?</u></b></p> <p>It is the responsibility of the landlord to dispose of old mattresses and not to have them left in their gardens.</p>
Q (Briefing 26 June) Response	<p><b><u>What support is there to reward good landlords?</u></b></p> <p>We invite good landlords to join the DASH Landlord Accreditation Scheme. This is a region-wide scheme that encourages and rewards good property standards and management practice in the private rented sector. Membership of DASH is paid for by the Council.</p>

## Comments and Responses

Q (Briefing 26 June) Response	<p><b><u>Is there capacity to implement and monitor Additional Licensing and have you asked for more resources?</u></b></p> <p>We are in the process of implementing an on-line licensing system which will help to keep things together. Staffing numbers are under constant review. If we get more money from civil penalty fees, then we will be able to get more staff.</p>
Q (Briefing 26 June) Response	<p><b><u>Is the licence fee the same for a 12-person HMO as it is for a 3-person HMO?</u></b></p> <p>The licence fee covers up to 5 people. After-which, there it is an extra £40 for every additional person.</p>
Q (Briefing 26 June) Response	<p><b><u>Does all the money from fines and civil penalties come back to the Council?</u></b></p> <p>Fines go to the treasury. However, the Council can keep civil penalty fees. This money must be used for Private Sector Housing work. The Licence fee goes towards administration costs.</p>
<b>Theme: Enforcement</b>	
Q (Briefing 11 June) Response	<p><b><u>If an HMO is deemed to be dangerous and the licence is revoked what help is there for the tenant(s)?</u></b></p> <p>We can't guarantee to house the tenant(s) but the local authority has a responsibility to help where it can. The tenant(s) can also take civil action against the landlord.</p>
Q (Briefing 11 June) Response	<p><b><u>What happens if the landlord finds out their property is being sub-let?</u></b></p> <p>Landlords can seek advice from the Council to take legal steps to evict the tenant(s). Sub-letters will have no legal standing.</p>
Q (Briefing 11 June) Response	<p><b><u>How does the landlord take back possession of their property?</u></b></p> <p>The landlord will have to issue a notice to quit. Tenant(s) can seek advice and guidance from the Council.</p>
Q (Briefing 11 June) Response	<p><b><u>Are cases being followed up through feedback that is given?</u></b></p> <p>We don't provide feedback on current cases being investigated as we would jeopardise the intelligence work that is ongoing.</p>
Q (Briefing 11 June) Response	<p><b><u>How do you prioritise which property is the highest risk?</u></b></p> <p>We use a matrix system used with intelligence to determine which property is the highest risk.</p>

## Comments and Responses

Q (Briefing 11 June) Response	<p><b><u>Why is there a huge demand for HMOs?</u></b></p> <p>There are so many social reasons. The increase in HMOs is nationwide.</p>
Q (Briefing 11 June) Response	<p><b><u>Why doesn't the Additional Licensing Scheme cover the whole of the Borough?</u></b></p> <p>We need evidence to enforce the additional areas or we are in danger of being legally challenged.</p>
Q (Briefing 11 June) Response	<p><b><u>I suspect that there may be people living illegally over a shop. How do I report this?</u></b></p> <p>Intelligence can be feed through to the Council and the Police.</p>
Q (Briefing 11 June) Response	<p><b><u>How do you report a noise complaint?</u></b></p> <p>This can be reported to an Environmental Health Officer.</p>
Q (Briefing 26 June) Response	<p><b><u>Can tenants report issues anonymously?</u></b></p> <p>Yes. Tenants can contact the council and their information will be treated confidentially.</p>
Q (Briefing 26 June) Response	<p><b><u>If a licence is refused can the decision be appealed?</u></b></p> <p>Yes, a landlord can go to appeal. However, we do our research thoroughly and our decisions are worth defending.</p>
Q (Briefing 26 June) Response	<p><b><u>Have there been any appeals?</u></b></p> <p>Yes, we do have appeals, but most are resolved, and landlords accept our findings.</p>
Q (Briefing 26 June) Response	<p><b><u>What happens to the tenant(s) if an HMO licence is revoked?</u></b></p> <p>We give advice to the tenant(s) of their rights to remain within the property.</p> <p>We have the power to make an Interim Management Order (IMO) if the HMO licence is revoked. Upon the expiry of an IMO we can make a final Management Order and take over the management of the property for a period of up to 5 years. This disables the landlord's ability to manage the property and can also have a significant financial impact on its operation.</p>
Q (Briefing 26 June)	<p><b><u>Will there be a rush to buy up properties outside of the proposed Additional Licensing areas?</u></b></p>

<b>Comments and Responses</b>	
Response	There is a risk of this happening and we will keep the licensing areas under review.
<b>Q (Briefing 26 June)</b> Response	<b><u>How do you keep on top of enforcement?</u></b> We have an intelligence led approach to identify the higher risk properties. We can also target those that haven't licenced before but suddenly apply.
<b>Q (Briefing 26 June)</b> Response	<b><u>Can you charge business rates to those HMOs that cause anti-social behaviour?</u></b> It would be a decision for the national government to change its policy.
<b>Theme: HMO Standards (improvements)</b>	
<b>Q (Briefing 11 June)</b> Response	<b><u>Are HMOs required to have a CO2 certificate?</u></b> This can be enforced if we choose to do so.
<b>Q (Briefing 26 June)</b> Response	<b><u>Can there be grants to landlords who fit sprinklers systems to their properties and can this be funded from the civil penalties' money?</u></b> This is something that we can look in to.
<b>Q (Briefing 26 June)</b> Response	<b><u>What about discounts for landlords that fix solar panels to their properties?</u></b> We don't have requirements for the energy environment.

#### Appendix 4: Consultation responses from Residents and Residents Associations

<b>Comments and Council Responses</b>	
<b>Theme: Issues Associated with HMOs</b>	
<b>Question 1</b> Council Response	<b><u>What is the Council doing about parking issues associated with HMOs? Can restrictions or parking permits be issued to an HMO?</u></b> We can't control the number of cars associated with an HMO. Additional Licensing is about managing the property and does not extend to parking issues.
<b>Question 2</b> Council Response	<b><u>Can you revoke an HMO licence if the property is not managing it's parking properly?</u></b> We can't revoke a licence on this basis.
<b>Question 3</b> Council Response	<b><u>We Have noticed up to 20 people living in premises. Why don't the Council charge them more in Council Tax?</u></b> By law, Council Tax legislation means you can't lobby for more Council Tax on domestic properties.
<b>Theme: Enforcement</b>	

## Comments and Council Responses

<b>Question 1</b>	<b><u>We are noticing that HMOs are being sub-let and others that are springing up all the time. How are we going to know if a property becomes an HMO?</u></b>
Council Response	We gather information from various sources to determine if an HMO is operating without a licence. We also rely on residents' sending us information.
<b>Question 2</b>	<b><u>We report on suspected unlicensed HMOs, but the perception is that the council does nothing.</u></b>
Council Response	We keep all reports that are sent to us. These help us build up a case against unlicensed HMOs. We must have proof, beyond reasonable doubt, before starting civil court cases or statutory action.
<b>Question 3</b>	<b><u>We see lots of bags outside premises. Do council refuse collectors report this?</u></b>
Council Response	We get intelligence from all sorts of sources. In the last few years, the information we have obtained has seen more prosecutions being made than before.
<b>Question 4</b>	<b><u>Is there a national database?</u></b>
Council Response	Yes, there is a national rogue database. Another database is in development so information can be shared between agencies and councils.
<b>Question 5</b>	<b><u>How can you police the whole of the new area?</u></b>
Council Response	We have an intelligence led approach to identify the higher risk properties. We can also target those that haven't licensed before but then suddenly apply. We have also received more requests for licence applications.
<b>Question 6</b>	<b><u>What do you do if a landlord has been running an unlicensed HMO and then suddenly applies for a licence?</u></b>
Council Response	We will process the application and then investigate this and, if necessary, interview the landlord under caution. If we can prove they have been running an HMO without a licence, then they may be charged up to £6,000 in penalties.
<b>Question 7</b>	<b><u>There are some Limited companies that can be clever in avoiding licensing their properties. What can the Council do about this?</u></b>
Council Response	We do checks on all limited companies, but our intelligence shows that there are very few that are hiding in bigger companies.

## Comments and Council Responses

<b>Question 8</b>	<b><u>What will you be doing with HMOs outside the proposed new area that flout the rules?</u></b>
Council Response	We would still be able to investigate these properties if the issue is series enough.
<b>Theme: General Comments</b>	
<b>Question 1</b>	<b><u>Do you know how many HMOs operate in Northampton?</u></b>
Council Response	There are currently 844 licensed HMOs (457 Mandatory and 387 Additional). Our intelligence has identified approximately another 1,000 of interest.
<b>Question 2</b>	<b><u>Will the Article 4 area be expanded?</u></b>
Council Response	Article 4 comes under the direction of the Planning department. We do work closely with them and they will be interested in the evidence we gather and may review the Article 4 area in the future.
<b>Question 3</b>	<b><u>Why isn't the Wotton area included in the Additional Licensing area?</u></b>
Council Response	We don't have enough evidence to incorporate this into the proposed area.