

## Appendix 3

# Birmingham City Council

## Consultation on Selective Licensing in the Private Rented Sector in Birmingham

### Report of findings - FINAL

Opinion Research Services

January 2022



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This study was conducted in certification of ISO 20252:2019 and ISO 9001:2015.

This version of the report will be deemed to have been accepted by the client if ORS has not been informed of any amendments within a reasonable period of time (1 month)

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# 1. The Consultation Process

## Background to the project & the commission

- 1.1 Birmingham City Council (henceforth “BCC” or “the Council”) is proposing a private rent sector (PRS) licensing scheme for 25 wards in the city of Birmingham that would last for five years before being assessed; the purpose of the scheme is to address problems in the city associated with crime and deprivation by improving the quality and management of the private rented sector. If the scheme were to come into place as proposed, it would likely commence in 2023.
- 1.2 To inform its decision, BCC commissioned Opinion Research Services (ORS), a spin-out company from Swansea University with a UK-wide reputation for social research and major statutory consultations, to undertake an extensive programme of consultation activities and independently report on the findings.
- 1.3 With the Welsh Government advising workers to work from home throughout 2021 due to the Covid19 pandemic, and rising concerns that would eventually lead the British government to give the same advice in England in December, the consultation process did not include any face-to face events. Instead, forums with landlords / letting agents and deliberative focus groups with tenants and other residents all took place online, using videoconferencing software (Zoom). The consultation questionnaire was available online, as it would have been regardless of the pandemic (although paper copies of the questionnaire were available on request).
- 1.4 Birmingham City Council advertised the consultation and events to stakeholders in the following ways:
  - ❖ Emails were sent to:
    - » The regional contact for National Residential Landlord Association (NRLA)
    - » Birmingham City Council Landlord Forum
    - » Private Landlord Steering Group
  - ❖ Residents/organisations were directed to the Council’s consultation hub “Birmingham BeHeard” where details of the events and the consultation questionnaire were available
  - ❖ Flyers advertising the consultation were sent to 125,000 addresses across the proposed designation, and where residents rented their home from a private landlord, they were encouraged to pass the details on to their landlord
  - ❖ Posts were made on Birmingham City Council’s Facebook and Twitter sites
- 1.5 The formal consultation period of 10 weeks began on 25<sup>th</sup> of October 2021 and ended on the 4<sup>th</sup> of January 2022. During this period, tenants, and other residents were invited to provide feedback through the following:
  - » An “open” consultation questionnaire available for any interested part to complete, which attracted almost 900 responses
  - » Four events for landlords and representatives of letting and managing agents, for which 43 places were reserved, and around 24 attended. All of these events took place online, using videoconferencing software (Zoom), across late November and early December 2021
  - » Five deliberative focus groups with a total of 47 local tenants and other residents. Like the landlords’ forums, these were held online using Zoom and took place over late November and early December 2021
  - » 23 written submissions: stakeholders were able to provide their views to by writing or emailing BCC or ORS

## Quantitative engagement

- 1.6 The Council produced a consultation document outlining the issues, proposals and evidence under consideration; using the document as a foundation, ORS and BCC then designed a questionnaire which combined “closed” multiple choice questions regarding different aspects of the proposals, with opportunities for “open text” responses in which participants could: provide additional information to explain the reasons for their responses; raise concerns; suggest changes or alternatives to the proposals; or otherwise comment on the proposals of the consultation.

## Qualitative engagement

- 1.7 ORS conducted a total of 9 forums: 4 with landlords and letting agents, 4 with residents of the wards that would be covered by the proposed designated area, and 1 with residents of wards adjacent to the proposed designation. Taken together all of these meetings are best understood as ‘deliberative’ meetings in which the Council’s proposals for a new selective licensing scheme covering a number of wards in the city for five years were ‘tested’ against landlords’ and other stakeholders’ opinions – in order to see the extent to which the proposals were acceptable or otherwise, and to explore the reasons for different views on each aspect of the proposals

## Deliberative events with landlords and letting agents

- 1.8 The deliberative forums with landlords and letting agents (henceforth “landlords’ forums”) were held online, using videoconferencing software (Zoom). Each forum comprised several short presentations about the proposed selective licensing scheme, each followed by opportunities for attendees to ask questions of BCC officers for clarifications and to give feedback. The presentation and feedback slots covered: an introduction defining selective licensing, the potential benefits and risks of the scheme; evidence in support of the proposed designation area, the proposed fee levels; and the proposed licence conditions.

## Deliberative events with residents

- 1.9 Five online focus groups were held with PRS tenants and other residents in the city (henceforth “residents & tenants’ focus groups”), using the Zoom videoconferencing. The groups were recruited to ensure that tenants living in properties which would be covered by a new scheme were represented, including HMO tenants, with the addition of some owner-occupiers to ensure their views were also heard.
- 1.10 Overall, four of the focus groups were held with residents living the wards that would have licensing introduced through the proposals and one was held with residents in adjacent wards to those. Participants were diverse by area of residents – albeit focussed on wards which might be covered by a new scheme – as well by age, gender, ethnicity and working status. Therefore, taken together, the five focus groups included a reasonable cross-section of Birmingham residents living in the areas covered by the proposed designations.

## Written submissions

- 1.11 During the formal consultation process, 23 organisations and individuals provided written submissions. Some of these were from organisations representing landlords and agents, or tenants and residents (including vulnerable groups or individuals). Others were received from stakeholder bodies and organisations, as well from local councillors, private companies, individual landlords, and local residents.
- 1.12 ORS has read all the written submissions and summarised them in a later chapter, highlighting the main issues raised; none have been disregarded even if they are not expressed in a ‘formal’ way.

## Accountability

- 1.13 Accountability means that public authorities should give an account of their plans and take into account public views: they should conduct fair and accessible engagement while reporting the outcomes openly and considering them fully.
- 1.14 This does not mean, however, that the majority views should automatically decide public policy; and the popularity or unpopularity of draft proposals should not displace professional and political judgement about what is the right or best decision in the circumstances. The levels of, and reasons for, public support or opposition are very important, but as considerations to be taken into account, not as factors that necessarily determine authorities' decisions. Above all, public bodies have to consider the relevance and cogency of the arguments put forward during public engagement processes, not just count heads.
- 1.15 ORS does not endorse any opinions reported here but seeks only to portray the feedback received from consultation participants accurately and clearly. While offering guidance on the consultation methodology and its interpretation, we seek to profile the opinions and arguments of those who have responded; but we make no recommendations on the decisions to be taken by BCC.
- 1.16 The following chapters in this report provide detailed analysis and reporting of feedback received through all consultation channels. ORS has brought together the main findings from across the consultation into headlines from each strand and a thematic summary.

## Interpreting the outcomes

- 1.17 Importantly, the different consultation methods cannot simply be combined to yield a single point of view on the future of licensing that reconciles everyone's differences and is acceptable to all stakeholders involved. There are two main reasons why this is not possible. First, the engagement methods differ in type: they are qualitatively different, and their outcomes cannot be just aggregated into a single result. Second, different areas and sub-groups will inevitably have different perspectives on the proposals and there is no formula in the consultation process that can reconcile everyone's differences in a single way forward.
- 1.18 It is also important to recognise that the outcomes of the consultation process will need to be considered alongside other information available about the likely impact of BCC's proposal. Whilst the process highlights aspects of this information that stakeholders consider to be important, appropriate emphasis should be placed on each element. In this sense there can be no single 'right' interpretation of all the consultation elements and other information in the decision-making process.

## The report

- 1.19 This report summarises the feedback on the Council's private rented sector (PRS) licensing proposals. Verbatim quotations are used, in indented italics, not because we agree or disagree with them – but for their vividness in capturing recurrent points of view. ORS does not endorse any opinions but seeks only to portray them accurately and clearly.
- 1.20 ORS' role is to analyse and explain the opinions and arguments of the many different interests participating in the consultation, but not to 'make a case' for any proposal. In this report, we seek to profile the opinions and arguments of those who have responded to the consultation, but not to make any recommendations as to how the reported results should be used. Whilst this report brings together a wide range of evidence for the council to consider, decisions must be taken based on all the evidence available.

## 2. Consultation Questionnaire

### Introduction

- 2.1 Birmingham City Council developed a consultation document outlining the issues under consideration, and also worked with ORS to develop a consultation questionnaire that any interested party could complete to share their feedback.
- 2.2 The questionnaire consisted of closed questions intended to elicit views on the various aspects of the proposals, while also allowing respondents to make any further comments. It also captured information about the type of response being submitted and (where relevant) respondents' demographic information. Respondents were encouraged to read the detailed accompanying information before providing their responses; however, shorter summaries of the issues under consideration were also provided at relevant points within the questionnaire.
- 2.3 The consultation information and open questionnaire were available online via a dedicated Council webpage between 25<sup>th</sup> October 2021 and 4<sup>th</sup> January 2022, and respondents could also request a paper copy by contacting the Council. In total, 839 responses were received.

### Respondent profile

- 2.4 The open consultation questionnaire could be completed by anybody with an interest in the proposals e.g. landlords and agents, local residents or those responding on behalf of organisations.
- 2.5 Respondents were asked to state what connection(s) they had to Birmingham and the full breakdown of responses by stakeholder type is provided in Table 1. Many respondents would have had more than one connection to the city; however, for analysis purposes respondents have been classified into single categories e.g. any respondent identifying as a landlord or a letting or managing agent has been classified as such in the profiling tables below, even if they happened to also live in the city – and so on.
- 2.6 It can be seen that half of the responses received were from local residents, while around two-fifths were from private landlords and letting and managing agents, and the remainder were a mixture of businesses, organisations and others (i.e. respondents with another connection to Birmingham such as working in the city, and other interested parties with no real connection to the area, plus one case that did not specify their connection to Birmingham).

**Table 1: Consultation questionnaire completions by type of respondent (Note: Percentages may not sum to 100% due to rounding)**

Stakeholder type	Count	% Valid responses
Letting or managing agent with properties in Birmingham	33	4%
Private landlord in Birmingham	292	35%
Own or manage a business in Birmingham	28	3%
Represent an organisation based in/covering Birmingham	37	4%
Live in Birmingham	415	50%
Other respondents	35	4%
<b>Total responses</b>	<b>839</b>	<b>100%</b>

- 2.7 Landlords and agents were asked follow-up questions based on the number of rented properties they own or manage (most declined to answer; of those that did: 36% owned/managed just a single property, 23% owned/managed two properties, and the remaining 42% owned/managed three or more properties).
- 2.8 All other individual respondents (primarily Birmingham residents, but also those who work in the city, business representatives, and those with another connection etc.) were asked to provide some basic demographic information. A summary of this demographic information provided is included below (in Table 2):

**Table 2: Questionnaire respondent demographics, for those types of stakeholder who were asked to provide this information (i.e. all except those who claimed to be responding as landlords or agents, or on behalf of an organisation)**

Characteristic	Count	% Valid responses
<b>BY AGE</b>		
Under 35	95	25%
35 to 44	98	25%
45 to 54	87	23%
55 or over	105	27%
<b>Total valid responses</b>	<b>385</b>	<b>100%</b>
<i>Not known</i>	93	-
<b>BY GENDER</b>		
Male	162	43%
Female	201	54%
Other	12	3%
<b>Total valid responses</b>	<b>375</b>	<b>100%</b>
<i>Not known</i>	103	-
<b>BY ETHNIC GROUP</b>		
White	244	67%
Mixed or multiple ethnic groups	20	6%
Asian or Asian British	68	19%
Black, African, Caribbean or Black British	22	6%
Other ethnic groups	9	1%
<b>Total valid responses</b>	<b>363</b>	<b>100%</b>
<i>Not known</i>	115	-
<b>BY TENURE</b>		
Own (outright or with a mortgage)	215	57%
Rent privately from a landlord	94	25%
Rent privately through a letting agency	35	9%
Rent from the Council or a housing association	19	5%
Other	14	4%
<b>Total valid responses</b>	<b>377</b>	<b>100%</b>
<i>Not known</i>	101	-

## Organisations in the consultation questionnaire

- 2.9 Those responding on behalf of organisations were asked to provide further details about the group or capacity in which they were responding. The following organisations identified themselves as part of their response to the questionnaire:

Arden Property Centre  
 Ashiana Group For Men In Sparkbrook  
 Birmingham City Council - Flood Risk Management Team  
 Birmingham Fair Housing Campaign



Hinstock Philip Victor Residents Association  
 Community Partnership For Selly Oak (CP4SO)  
 Countrywide  
 Cranstoun Support Services  
 Fatima House  
 Fellowship Of Faiths For One Race  
 Friends Of Small Heath Park  
 Genie Homes  
 George Road Group: Stockland Green Action Group  
 Global Property Management  
 HMO Action Group  
 Hodge Hill Support Group for the Homeless  
 North Summerfield Residents Association  
 Sandwell Metropolitan Borough Council  
 St Basil's Homeless Charity  
 Unnamed group of residents  
 Windswept Workshops CIC  
 Women's Group in Spark Hill Library.

- <sup>2.10</sup> Some respondents indicated that they were responding as a private landlord and/or a letting or managing agent, in addition to representing an organisation. The names of their organisations have still been listed above for completeness; however, these respondents have been included in the 'Landlords/Agents' group for analysis and reporting purposes
- <sup>2.11</sup> In addition, a small number of responses were received from members of the tenants' rights group ACORN; however, none of these was clearly a response *on behalf of* the organisation as a whole (with most of the respondents' comments indicating that they were responding as individual members). A few responses were also received from within specific departments at the Council (including Homelessness and Supported Housing) and other organisations such as the Department for Work and Pensions, although again, these appeared to be the views of individuals rather than a wider group.
- <sup>2.12</sup> It should be noted that open questionnaires are, by their nature, self-reported, and this can create some ambiguity: for example, there were some instances where respondents identified as responding on behalf of organisations but did not provide further information as to which group they were representing. Others provided very limited (or no) text comments, so it is very difficult to confirm that their response was genuinely on behalf of the entire organisation or group, as opposed to being the response of a single individual. However, in the absence of any clear information to the contrary, ORS has opted to treat the ways in which these respondents classified themselves in good faith, so their feedback has been included alongside that of the named organisations above.

## Duplicated and co-ordinated responses

- <sup>2.13</sup> It is important that engagement questionnaires are open and accessible to all, while being alert to the possibility of multiple completions (by the same people) distorting the analysis. Therefore, while making it easy to complete the questionnaire online, ORS monitors the IP addresses through which questionnaires are completed. A similar analysis of "cookies" is also generally undertaken – where responses originated from users on the same computer using the same browser and the same credentials (e.g. user account).

- 2.14 There can be valid reasons where duplicate cookies might occur, e.g. where two or more respondents have used the same device to complete their questionnaires, in which case all responses are included in the data analysis and reporting. However, it can also occur when the same user has part-completed the questionnaire and then returned later, starting again from the beginning and completing it in full. After a careful review of the raw dataset, a very small number responses were not included in the final analysis, on the basis of having been identified as a partially completed duplicate of response that was subsequently submitted in full.

## Interpretation of the data

- 2.15 The data from the consultation questionnaire has not been combined to produce “overall” findings because the size of the stakeholder groups, and the numbers of their respective responses, are quite different – and, moreover, they have distinctive views; they cannot, therefore, simply be merged. The views of different types of stakeholders are reported separately, to show where there are distinctive points of view e.g. between landlords and general residents, etc.
- 2.16 Landlords and agents have been grouped together for the purposes of reporting, as have businesses with other organisations. The final, largest group comprises general residents (including privately renting tenants) and all remaining stakeholders e.g. with another connection to the city (plus one respondent whose connection is unknown).
- 2.17 As explained above, for analysis purposes respondents have been classified into single categories even if they have more than one connection to the city e.g. any respondent identifying as a landlord or a letting or managing agent has been classified as such in the reporting of the questionnaire results, even if they happened to also be a Birmingham resident – and so on.
- 2.18 Results are presented in a largely graphical format, while colours used on the charts have been standardised with a ‘traffic light’ system in which:
- Green shades represent responses that ‘tend to agree’ or ‘strongly agree’
  - Beige shades represent those who ‘neither agree nor disagree’
  - Red shades represent responses that ‘tend to disagree’ or ‘strongly disagree’
- 2.19 A few other colours, such as blues and oranges, have been used on charts where the ‘traffic light’ system is less applicable.
- 2.20 The numbers on the stacked bar charts are percentages indicating the proportions of respondents agree/disagree on a particular question. The number of valid responses recorded for each question (base size) are reported throughout. As not all respondents answered every question the valid responses vary between questions (‘don’t know’ responses have been treated as invalid).
- 2.21 Please note that for some categories, percentages ought to be interpreted with some caution due to low base sizes (e.g. particularly responses from businesses and organisations).
- 2.22 The commentary generally quotes ‘grouped’ percentages (i.e. the collective proportions who agreed – whether ‘strongly’ or ‘tend to’, and the same for disagreement).

## Local issues

*To what extent do you believe each of the following to be a problem in some areas of Birmingham?*

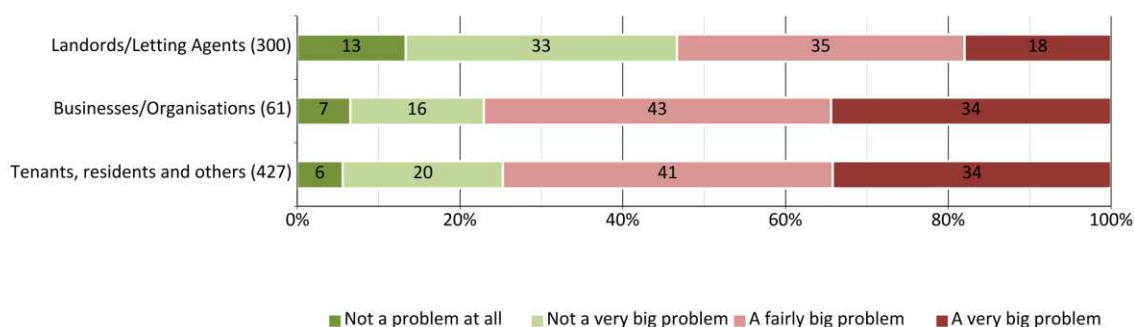
- 2.23 Perceptions around the extent to which certain issues are a problem in parts of Birmingham vary according to the nature of the issue and the type of stakeholder. The summary table below (Table 3) provides an overview of the proportions of respondents feeling that each potential issue is either 'a very big' or 'a fairly' big problem.
- 2.24 Just over half of landlords and letting/managing agents identified homelessness and rough sleeping (55%), anti-social behaviour (55%), crime (53%) and deprivation (51%) as being either a fairly big or very big problem, while just under a third perceived that there is a problem with poor property conditions (30%).
- 2.25 Each of the issues above was identified as being a fairly/very big problem by more than three quarters of businesses/organisations. In particular, at least four fifths felt that poor property conditions (84%) anti-social behaviour (83%) and deprivation (81%) are a very/fairly big problem.
- 2.26 There was a very similar picture for tenants, residents and other stakeholders: four fifths or more felt that anti-social behaviour (83%) and deprivation (80%) are a very or fairly big problem, while at least three quarters indicated that there are problems with homelessness/rough sleeping (76%), crime (75%) and poor property conditions (75%).
- 2.27 On the whole, respondents of all types were less likely to perceive that there are issues with vacant and empty properties; nonetheless, nearly half of tenants, residents and other stakeholders felt this is a fairly/big problem in parts of Birmingham (46%), as did two-fifths of businesses and organisations (40%), and nearly a fifth of landlords and agents (17%).

**Table 3: To what extent do you believe each of the following to be a problem in some areas of Birmingham? Summary Table**  
(based on proportions answering 'a fairly big' or 'a very big' problem)

Stakeholder type	Crime	Deprivation	Poor property conditions	Anti-social behaviour	Vacant / empty properties	Homelessness / rough sleeping
Landlords and agents	53%	51%	30%	55%	17%	55%
Businesses and organisations	77%	81%	84%	83%	40%	77%
Individual tenants, residents, others	75%	80%	75%	83%	46%	76%

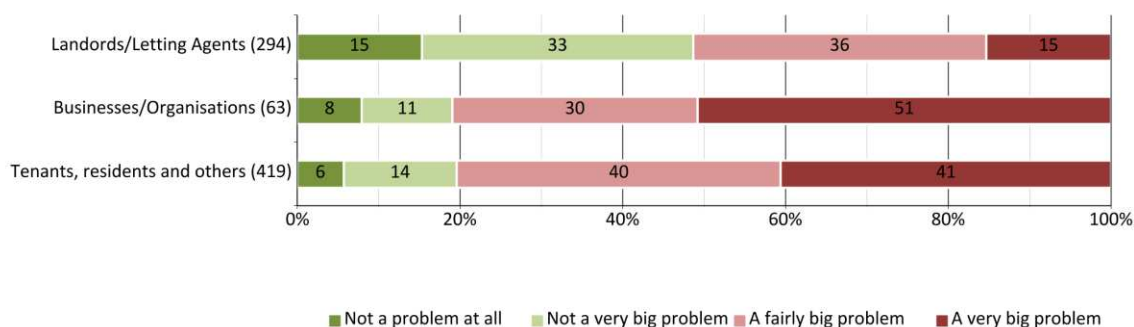
- 2.28 A more detailed summary, showing the proportions of respondents selecting each response option, is provided by through to Figure 6 starting overleaf.

**Figure 1: To what extent do you believe each of the following to be a problem in some areas of Birmingham? Crime e.g. burglary**



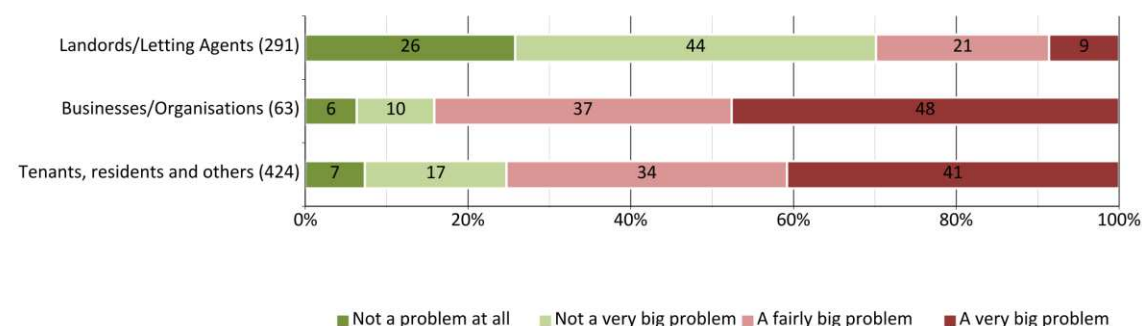
Base: All Respondents (number of respondents shown in brackets)

**Figure 2: To what extent do you believe each of the following to be a problem in some areas of Birmingham? Deprivation**



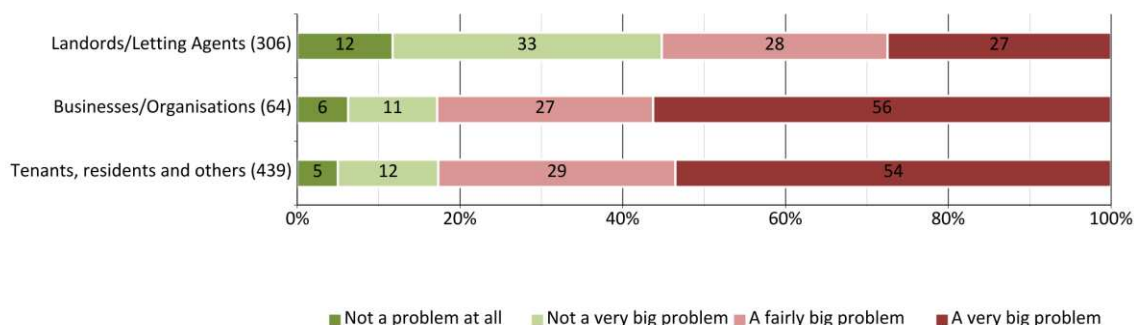
Base: All Respondents (number of respondents shown in brackets)

**Figure 3: To what extent do you believe each of the following to be a problem in some areas of Birmingham? Poor property conditions**



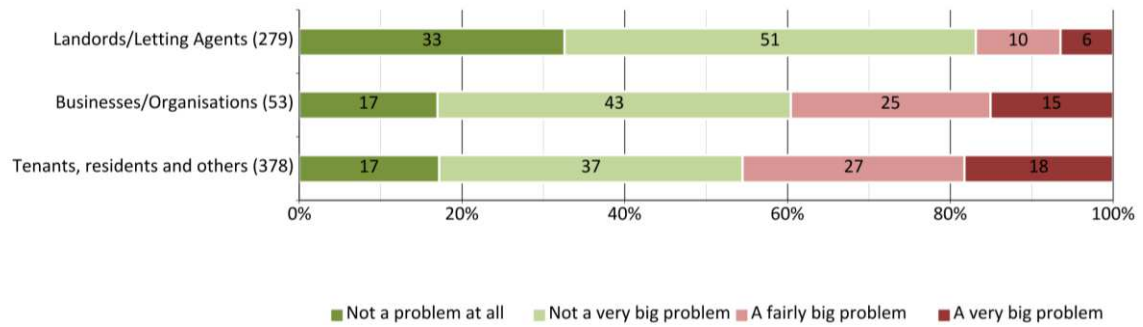
Base: All Respondents (number of respondents shown in brackets)

**Figure 4: To what extent do you believe each of the following to be a problem in some areas of Birmingham? Antisocial behaviour e.g. noise, rubbish, vandalism**



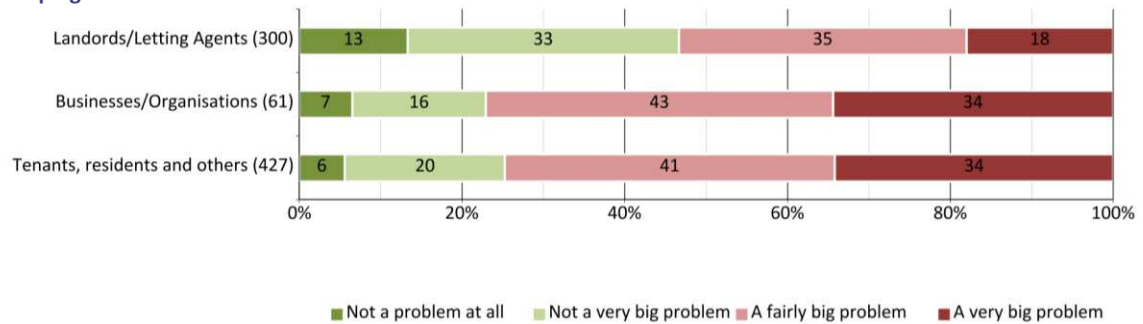
Base: All Respondents (number of respondents shown in brackets)

**Figure 5: To what extent do you believe each of the following to be a problem in some areas of Birmingham? Vacant/empty properties**



Base: All Respondents (number of respondents shown in brackets)

**Figure 6: To what extent do you believe each of the following to be a problem in some areas of Birmingham? Homelessness and rough sleeping**



Base: All Respondents (number of respondents shown in brackets)

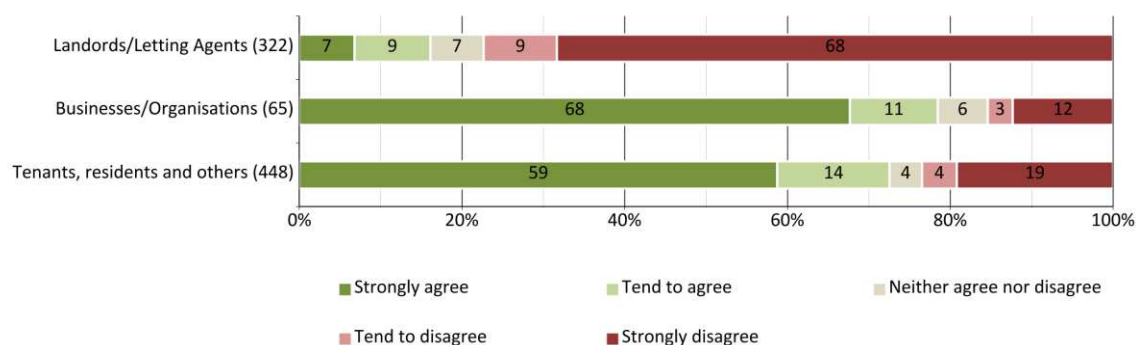
## The Proposed New Licensing Scheme

### The principle of introducing a selective licensing scheme

*Do you agree or disagree with the principle that the Council should introduce some form of selective licensing scheme?*

- 2.29 Fewer than a fifth of landlords and letting/managing agents agreed with the principle of introducing a selective licensing scheme (16%), while over three quarters (77%) disagreed (moreover, around two thirds disagreed *strongly* (68%)).
- 2.30 On the other hand, majorities among the remaining stakeholders agreed: 78% of businesses and organisations and 72% of the tenants, residents and other stakeholders.
- 2.31 Moreover, most of these respondents (68% of businesses/organisations and 59% of tenants, residents and other stakeholders) agreed *strongly* with the principle of introducing a selective licensing scheme.

**Figure 7: Do you agree or disagree with the principle that the Council should introduce some form of selective licensing scheme?**

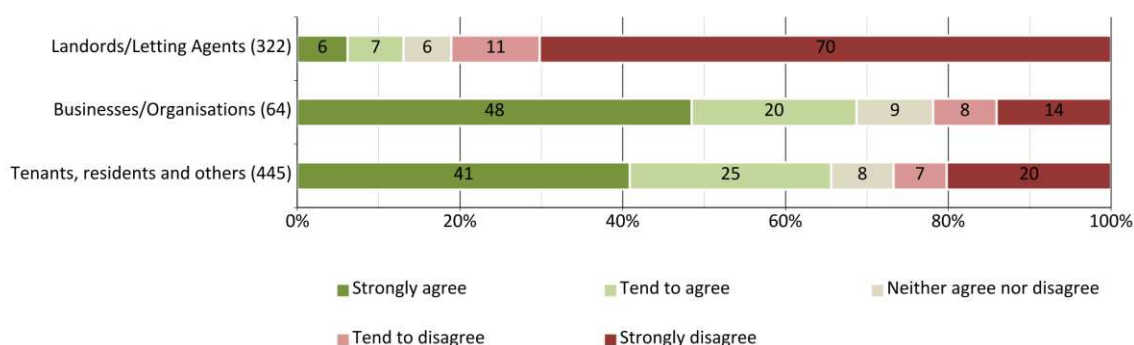


**Base: All Respondents (number of respondents shown in brackets)**

### Using a selective licensing scheme to address the Council's objectives

*Do you agree or disagree that a selective licensing scheme would contribute towards the Council's objectives of reducing crime and deprivation?*

- 2.32 Only a minority of landlords/agents (13%) agreed that a selective licensing scheme would help to address crime and deprivation; around four-fifths (81%) disagreed (with seven-in-ten disagreeing *strongly*).
- 2.33 Elsewhere, however, respondents' views were more positive: just over two thirds of businesses and organisations (69%) and a similar proportion of tenants, residents, and other stakeholders (66%) agreed that a selective licensing scheme would contribute towards the Council's objectives of reducing crime and deprivation.

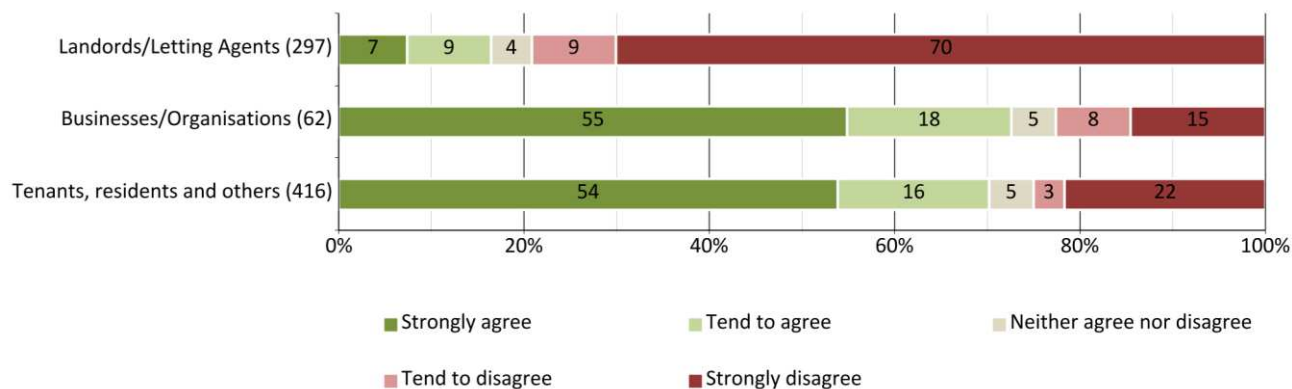
**Figure 8: Do you agree or disagree with the principle that the Council should introduce some form of selective licensing scheme?**

Base: All Respondents (number of respondents shown in brackets)

### The proposal for a selective licensing scheme covering 25 wards

*To what extent do you agree or disagree with the Council's proposal to introduce a new selective licensing scheme covering this area/these 25 wards?*

- 2.34 Fewer than a fifth of landlords/agents (16%) agreed with the specific proposal for a scheme covering the identified 25 wards, whereas nearly four-in-five disagreed (81%).
- 2.35 On the other hand, almost three-quarters of businesses and organisations agreed with the proposal (73%), as did seven-in-ten tenants, residents and other stakeholders (70%).
- 2.36 Around a quarter of respondents from these two groups (23% of businesses/organisations and 25% of tenants, residents and other stakeholders) disagreed with the proposed selective licensing scheme.

**Figure 9: Do you agree or disagree with the Council's proposal to introduce a new selective licensing scheme covering this area/these 25 wards?**

Base: All Respondents (number of respondents shown in brackets)

*Please use the space below to provide any comments about the area that any new licensing scheme should cover, and explain any alternative approaches that you think the Council should consider (i.e. alternative approaches to reducing deprivation and crime associated with privately rented properties, and/or improving their condition and management).*

- 2.37 Respondents were invited to comment on the area that should be covered by any new licensing scheme, as well as to provide details of any possible alternatives to the proposal; however, many of the actual comments were more generally about respondents' views on licensing.

2.38 Among landlords and agents, the comments most commonly related to the following (percentages based on 211 respondents who provided comments):

Claims that the proposals will not reduce crime; crime is too high and/or needs to be addressed through more policing and enforcement of existing laws etc (27%);

Suggestions that the proposals punish 'good' landlords (e.g. as 'bad' landlords just won't comply), and/or that the scheme should be more targeted towards landlords or agents who are subject to complaints or are known to have caused issues (27%);

A risk of increased costs to tenants (rent rises etc) (25%);

Reduced profitability for landlords, meaning that letting will cease to become worthwhile, properties will be sold etc (20%);

The proposal is just a money-making scheme, a 'tax' etc (20%);

There is sufficient legislation already in place to deal with the issues and the Council should enforce this before implementing a licensing scheme (18%);

There will be less housing available (due to landlords choosing not to let properties out etc) (18%);

Proposals might negatively impact on those with lower incomes, won't reduce deprivation etc (13%).

2.39 Among businesses/organisations, the main themes were as follows (percentages based on 44 respondents who provided comments):

That the Council should direct more efforts at addressing problems in HMOs, and/or should license HMOs (30%);

All wards should be included/it should be a citywide approach (23%);

The proposals might negatively impact on those with lower incomes, won't reduce deprivation and may increase homelessness etc (11%)

2.40 Among tenants, residents and other stakeholders, the main themes were as follows (percentages based on 265 respondents who provided comments):

The Council should direct more efforts at addressing problems in HMOs, and/or should license HMOs (20%);

The proposed scheme is needed due to problems with poor quality landlords, substandard properties etc (17%);

The proposals will not reduce crime; crime is too high and/or needs to be addressed through more policing and enforcement of existing laws etc (16%);

All wards should be included/it should be a citywide approach e.g. to ensure a level playing field (14%);

Proposals will need to be properly managed/enforced efficiently: inspections will need to be made, landlords will need to be vetted etc (13%);

Proposals might negatively impact on those with lower incomes, won't reduce deprivation and may increase homelessness etc (11%)

Concerns about costs being passed on to tenants (through increased rents) (10%).



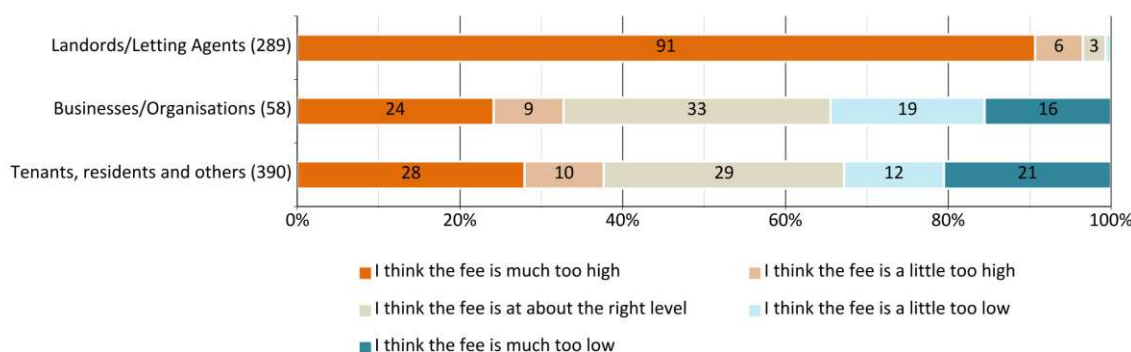
## The proposed licensing fee and licence conditions

### The proposed licence fee

*What are your views on the proposed fee of £670 (for a licence lasting for the duration of the scheme i.e. up to 5 years)?*

- 2.41 Almost all (97%) of the landlords and letting/managing agents who responded felt that the proposed licence fee was too high (including around nine-out-of-ten overall who felt it was *much* too high).
- 2.42 In contrast, the views of the remaining stakeholder groups were quite evenly split. Among businesses and organisations, a third felt the proposed fee was about right (33%), a third felt it was too high (33%) and the remaining third or so (34%) felt it was too low.
- 2.43 Similarly, around three-in-ten tenants, residents and other stakeholders felt the proposed fee was about right (29%). Nearly two-fifths (38%) felt it was too high, whereas a third (33%) felt it was too low.

**Figure 10: What are your views on the proposed fee of £670 (for a licence lasting for the duration of the scheme i.e. up to 5 years)?**



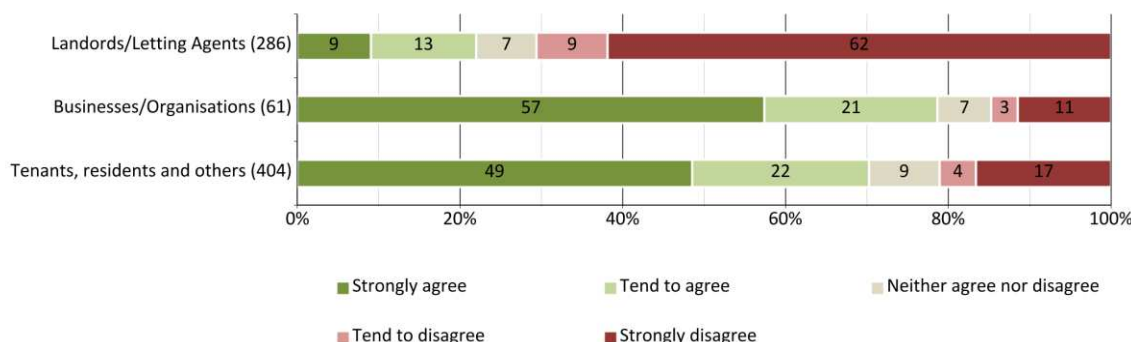
**Base: All Respondents (number of respondents shown in brackets)**

### The proposed licence conditions

*Do you agree or disagree with the proposed licence conditions?*

- 2.44 Just over a fifth of landlords and agents agreed with the proposed licence conditions (22%), with the majority disagreeing (71%).
- 2.45 On the other hand, most businesses/organisations (79%) and most tenants, residents and other stakeholders (70%) agreed with the proposed conditions.

**Figure 11: Do you agree or disagree with the proposed licence conditions?**



**Base: All Respondents (number of respondents shown in brackets)**

*Are there any other things you think the Council should consider to help improve crime, deprivation, and the quality and management of privately rented properties in Birmingham? Are there any other comments that you would like to make about any aspect of the licensing proposals?*

- <sup>2.46</sup> Respondents were invited to provide further comments on things the Council might consider to address the issues, or about any other aspect of the proposals on which they would like to share their views in more detail. However, many of the comments covered very similar grounds to those points made in relation to the earlier question.

## 3. Landlords' Forums

### Introduction

- 3.1 Several deliberative forums were facilitated by ORS research staff to provide the opportunity for landlords and letting agents to hear more about the Council's proposals and, most importantly, to provide feedback on the selective licensing scheme under consideration.
- 3.2 In November and December 2021, four online forums were held, each attended by five to ten local landlords / letting agents and facilitated by two members of ORS.
- 3.3 To find the participants for the forums Birmingham City Council advertised the events to suitable stakeholders in the following ways:
- ❖ Emails were sent to:
    - » The regional contact for National Residential Landlord Association (NRLA)
    - » Birmingham City Council Landlord Forum
    - » Private Landlord Steering Group.
  - ❖ Residents/organisations were directed to the Council's consultation hub "Birmingham BeHeard" where details of the events were available
  - ❖ Flyers were sent to 125,000 addresses across the proposed designation, asking tenants to pass them on to their landlord
  - ❖ Posts were made on Birmingham City Council's Facebook and Twitter sites.
- 3.4 It should be noted that, with the online format, participants joined and left the forums at different times during the sessions. The attendance figures below should therefore be viewed as "minimums", with more landlords and agents potentially being involved at times.
- 3.5 The four landlords' forums were held on the following dates in 2021:

Forum Number	Date	Registered Attendees	Actual Attendees
Forum 1	23/11/21	14	10
Forum 2	01/12/21	18	7
Forum 3	10/12/21	7	5
Forum 4	15/12/21	4	2

- 3.6 A total of 24 landlords / letting agents attended the events. The attendees were diverse by age, ethnicity and are of the city and included a mixture of smaller private landlords and representatives of larger portfolio landlords and management companies. It is ORS' view, therefore, that when taken together, the meetings

were broadly representative of Birmingham landlords. Just as importantly, the discussions in the landlords' meetings were robust and detailed, providing a thorough examination of the Council's proposals through robust questions and feedback.

- 3.7 Each event lasted between 1.5 and 2.5 hours and comprised several short presentations about elements of the proposed selective licensing scheme, followed by opportunities for attendees to ask questions of Council Officers for clarification and give feedback. In larger groups, attendees were split into "breakout rooms" to discuss the proposals freely and then reconvened as one group to share feedback to the whole meeting. Smaller groups remained as one group throughout, discussing their thoughts and feedback together.
- 3.8 In deliberative discussions at events such as these landlords' forums, it is the nature and strength of arguments that matter rather than simply the numbers in support of or against options. ORS has, therefore, prepared this chapter as a thematic account and explanation of the feedback received, accompanied by verbatim quotes to illustrate the points being made. Our inclusion of specific quotes does not indicate that ORS considers them as more or less important than other statements made – ORS has simply sought to use examples which:
- » Either succinctly or particularly vividly capture views or concerns shared by many attendees;
  - » Demonstrate different perspectives or opinions to those voiced by the majority;
  - » Address specific elements of the proposals, including the geographic areas covered by each option and the basis for them;
  - » Present alternative evidence or cogent arguments in contrast to those put forward by the Council;
  - » Specifically address potential impacts of the proposals on landlords and tenants – including those related to vulnerable persons or groups with protected characteristics under the Equality Act 2010; or
  - » Suggest mitigations, adaptations, or alternative proposals which the Council might consider before moving forward.
- 3.9 It is not ORS' role to check and verify the accuracy of statements made in the feedback, but rather to ensure that the views of those present are heard. The Council will wish to consider carefully the issues raised alongside all of the consultation feedback and other evidence available.
- 3.10 All the forums followed the same format, with a short introduction by ORS about the consultation process followed by presentation, discussions and feedback covering:
- » Benefits and risks of selective licensing
  - » Evidence supporting the selection of the designation area
  - » Proposed fees
  - » Proposed licensing conditions.

## Summary of key findings

### Many landlords said that the licensing cost would be passed onto tenants by raising the price of rents

- 3.11 Whilst some said that the cost of the license was not unreasonable compared to other areas in the UK, it was very widely believed that that the cost of the licence would most likely be handed down to tenants in the form of increased rent.
- 3.12 This was seen as very problematic since many tenants are already struggling financially. Therefore, some participants suggested that this could create further deprivation as tenants in the licensing areas would have

less disposable income, potentially being displaced from licenced wards or having to rent with illegally unlicensed landlords.

- 3.13 It was also said that if the fees resulted in higher rent, it could move existing crime and deprivation into unlicensed wards, rather than solving the issues at their source.

### Risk of landlords selling their property

- 3.14 Many participants said that landlords with fewer properties (such as those who gained their rental property through inheritance rather than through investment) may be likely to sell their property to avoid the cost and difficulties caused by the new licensing scheme.
- 3.15 Again, it was suggested that this could force tenants into deprivation since there could be fewer rental properties available as a result. It was also said that demand for rental properties could see rent costs inflate.

### General scepticism over the licence's ability to reduce deprivation

- 3.16 There was a significant amount of scepticism around the suggestion that the licensing scheme would reduce crime and deprivation. Instead, it was said that the fees could increase these issues for the reasons already discussed.

### Concern over selected areas for licensing

- 3.17 Many participants were unhappy that only certain wards in Birmingham had been selected for the licensing fees, saying that it felt 'discriminatory'.

### Views on licensing conditions

- 3.18 Generally, the licensing conditions were seen as reasonable, and many participants said that they already upheld them. This did, however, lead to some participants to suggest that there is a significant amount of unnecessary duplication of conditions.
- 3.19 Additionally, a number of landlords stressed the fact that it can be difficult to uphold conditions that rely on the behaviour of tenants. Examples that were given included contributing appropriately to waste collection and ensuring that working batteries are kept in fire alarms.

### Need to address issues with the exempt sector

- 3.20 It was widely argued by participants that exempt properties should have their exemptions re-evaluated and, in many cases, removed. This was because of very numerous accounts of antisocial behaviour being linked to exempt housing and landlords often failing to provide the services to tenants that they should be providing.

### Lack of trust in the Council's ability uphold the licensing

- 3.21 Many participants expressed a general lack of trust in BCC and therefore doubted the effectiveness of the proposed licensing scheme. In particular, participants were worried that the Council would not be able to identify and police unlicensed landlords, meaning that compliant landlords would be unfairly penalised.

## General thoughts and concerns about the proposals

### The need for a Private Rent Sector licensing scheme

- 3.22 Levels of support for the proposals varied, however many participants made a point of voicing their belief that there is a need within Birmingham for some form of PRS licensing scheme. The reasons given for this included the issue underhanded landlords allowing overcrowding and poor housing conditions, and for the general need to ensure that landlords are regulated appropriately.

*“There's a real crime issue with too many people being crammed into cheap poorly maintained housing ... This scheme is needed”*

*“I totally understand the need. It's a shame not all landlords are behaving. It's just like paying taxes. We do this for roads, health, and education”*

- 3.23 Whilst some of these participants said that they agreed with the proposals and would welcome their implementation, others said that whilst they supported the need for a scheme, the proposals should be reassessed before being implemented. This was due to concerns that the proposed scheme could have knock-on effects. The most clearly stressed concern was that the licensing costs could be passed on to tenants in the form of increased rent and therefore making housing less affordable. Other concerns were voiced throughout the forums, which will be discussed further throughout the chapter.

*“I agree there is an issue. It shouldn't be so easy for landlords to set up without any controls, but I worry about it impacting affordable housing”*

### Distrust in the Council and their ability to implement the licensing scheme effectively

- 3.24 Many participants displayed a lack of trust in the Council's ability to implement the licensing scheme in an effective way. Much of this was said to be based on past and ongoing experiences with BCC, including issues related to mandatory HMO licensing and waste collection. The statements given seemed to show a distrust for the Council from a significant number of the participants.

*“There has been serious incompetence in the HMO system. I've had applications completely lost in the system. Is the selective license going to be run from the same department as the HMO?”*

*“There's an issue of trust with Birmingham council. The council can't even collect my bins. I can't trust the council to deliver this scheme and do it properly”*

- 3.25 Some participants displayed a more general curiosity as to how the Council would be able to police the policy.

*“How is this going to work? I.e., how are you going to capture all of the rented properties in Birmingham? I assume that there's a lot of them... so, how do you go out and make sure that everybody has got a licence?”*

### Concern that licensing costs will be passed down to tenants by increasing rent

- 3.26 One of the most consistently raised concerns about the introduction of a PRS scheme was the concern that the costs of the licence would be passed down to tenants as increased rent. Many of the participants said that this was a major concern because many tenants are already struggling to afford their rent as it is.

*“The landlords are just going to pass the cost onto the tenants, so it’s just going to increase the rent”*

## Risk of “rogue” landlords avoiding the licence and going undetected

- 3.27 The next most consistently discussed concern was that “rogue” landlords that already participate in illegal practices such as overcrowding would be likely to continue doing so, undetected. A significant number of participants discussed this throughout each forum, expressing their concern that such landlords would avoid paying the licence fees without the Council’s knowledge.

*“I don’t think this is going to wheedle out the bad landlords because they won’t register. I don’t know how you will get round all the properties”*

*“The people that do things properly are going to apply for it, but it’s the people who don’t do things properly that won’t apply for it”*

- 3.28 As a result of this wide-held concern, the potential effectiveness of the scheme was questioned. Some participants suggested that if underhanded landlords could avoid the fees and then simply pay a fine if they got caught, then it would likely be ineffective at removing such landlords from the sector.

*“I’m a very compliant landlord however, non-complaint landlords don’t have the time of day for this type of consultation and will just not pay the fee and then pay the penalty when they get caught”*

*“The good landlords will take part and pay the fees while the bad landlords won’t and try to avoid the scheme. This broad-brush approach is mistargeted and not equitable”*

- 3.29 It was stressed by a number of participants that it would be critically important to ensure that such landlords were not allowed to get away without paying the licensing costs, as it would undermine the principles of having more reputable landlords comply with the fees and conditions.

*“I don’t want it to be the case that we follow rules and other bad landlords don’t and go unpunished and don’t pay the money”*

## Likelihood of rental properties being sold as a result of the fees and conditions

- 3.30 Some participants throughout the forums suggested that landlords with fewer properties, such as those who acquired it through inheritance rather than investment, may be likely to sell their them due to the fees and conditions associated with the licensing. It was said that this could happen because they could either be discouraged by the increased costs and conditions or because it could become more difficult to rents out if rents are raised as a result of the costs.

*“There will be fewer good landlords, and there will be a need for the Council to look for more houses for people evicted from homes that have been put up for sale”*

## Dissatisfaction with having to pay for the policing of bad landlords

- 3.31 Some participants disagreed with the measures because they did not believe that they should have to pay for the costs of policing landlords that do not operate within the law. One participant suggested that they would sell their property if the scheme came in because of their dissatisfaction with the scenario.

*“I am quite deflated that good landlords would pay to catch the bad ones and I am umming and arring at selling my property and I will sell it if it comes in”*

- 3.32 Another participant suggested that it would be more appropriate to directly target landlords that operate illegally, rather than introduce a licensing scheme to help police them.

*“Why not only apply the scheme to houses and landlords with lots of complaints rather than a broad-brush approach?”*

## Views on the scheme’s potential ability to reduce crime and deprivation

### The need to tackle crime and deprivation in Birmingham

- 3.33 Although most participants did not comment on the need to tackle crime and deprivation in Birmingham, those who did comment agreed that it was a significant issue in need of addressing. Overcrowding, poorly maintained housing, and incidents of crime and antisocial behaviour were said to be genuine concerns and that the Council is right to want to tackle the issues.

*“I strongly support the measures to target antisocial behaviour and crime. We have a lot of local residents who become extremely distressed at some of the incidents of crime and anti-social behaviour”*

*“The numbers speak for themselves. I grew up in inner city Birmingham and can speak for a number of these issues... too many people being crammed into cheap poorly maintained housing... This scheme is needed”*

### Scepticism about the link between private rented properties and crime / deprivation

- 3.34 Some participants felt some scepticism about the link between private rented properties and crime / deprivation, leading some ask where the evidence for the crime and deprivation rates used in the forums had come from and how private rented properties were related to the issue.

*“Is there evidence that deprivation in Birmingham is linked to private rented housing?”*

*“Is there any research showing a correlation between housing conditions and crime?”*

*“What evidence is there that this scheme is going to work?”*

- 3.35 This led to a small number of participants to question how the scheme was supposed to tackle crime and deprivation in Birmingham. It was also questioned if the scheme might move crime and deprivation to unlicensed parts of the city, rather than solve the problems.

*“How is this going to help areas of deprivation? We are all good landlords here so how are you going to wheedle out the wrong ‘uns?”*

*“Is this scheme moving problems to other areas of the city?”*



## Feeling that landlords should not be expected to tackle crime and deprivation

- 3.36 A very small number of participants expressed the feeling that they, as landlords, were not responsible for tackling crime and deprivation in Birmingham. Instead, it was said that the Government and the Council pursue other means of addressing the problem.

*“I’m not going to say there aren’t deprived areas. I know there are I also grew up in Birmingham... My concern is that landlords are being asked to deal social problems like deprivation and crime which is a little unfair we can’t be expected to police tenant behaviour... There needs to be an acknowledgment that we aren’t here to solve social problems of the inner city that is the job of the Council and Government”*

## Possibility of higher rent creating more deprivation

- 3.37 During one of the focus groups, the risk of rent being increased as a result of the licensing costs was brought up again when discussing crime and deprivation. It was suggested that if rent was to increase in price following introduction of the licensing scheme then deprivation could be increased as a result, since many tenants are already struggling to afford rent at its existing cost.

*“I work in a women’s centre – many women already struggle to pay rent. I’m concerned it will increase rent for tenants which is already very high in Birmingham”*

## Views on the areas that would be affected by the licensing scheme

### Feeling that the chosen wards do not accurately represent pockets of crime and deprivation

- 3.38 One participant argued that the chosen areas for the licensing scheme do not accurately represent where crime and deprivation exist. Instead, they said that it would be better to use a “neighbourhood-based” approach that targets select areas that are worst affected by deprivation.

*“Ward boundaries are just political and arbitrary. The boundaries don’t follow deprivation boundaries. Within each ward there are areas of prosperity and deprivation... A more neighbourhood-based approach is needed to include some of the worst areas of deprivation...Government could do something more nuanced in its approach”*

## Argument that the licence should cover a larger area

- 3.39 There was a small number of participants throughout the forums who suggested that the licensing scheme should cover a larger area of Birmingham. The reasons given for this were that it would be unfair to only license a smaller area or that the scheme would be more effective at tackling crime and deprivation if it covered a larger area.

*“Slightly discriminatory on landlords who just happen to have brought properties in these areas but end up paying increased fees”*

*“The maps show there are a lot of deprived areas outside of the wards covered by the scheme. I worry that by concentrating on certain areas we move focus away from areas that are potentially as poor... I’m not against selective licensing but if we’re going to do this properly. We need it to cover other areas”*

## Possibility of displacing people from their homes in licensed areas

- 3.40 A number of participants expressed concern that people could become displaced from the areas under the licensing scheme. This was said to be a potential knock-on effect of rents rising as a result of the licence, leading to unaffordable rent and thus displacing lower-income tenants across the city.

*“...a real possibility for displacement because of the license. Government requires a plan to manage displacement – I don’t see one. Not about fairness but about its impact on the housing market”*

## Views on the cost of the licensing fee

### Approval of the licensing cost

- 3.41 Responses to the cost of the licensing fee were mixed, however there were some participants that agreed with the fees, stating that they were not unreasonable compared to similar schemes across the country.

*“The fees are not unreasonable compared to others I’ve seen around the country... I’m disappointed, however, that there is no discount for accredited landlord organisations who cover most of these measures anyway”*

### Concern over licensing costs

- 3.42 A number of participants expressed concern over the cost of the licensing fees – particularly for landlords with multiple properties whereby the total costs would increase dramatically. As a result, some participants suggested that landlords should receive discounts or part reimbursements for part of the licensing costs if they are compliant with the conditions and behave well.

*“Maybe money could be given back to compliant landlords if inspections don’t find any issues”*

- 3.43 One participant said that it would be fairer to vary the fees based on landlords’ income, whilst another questioned if there would be discounts for those in Landlords’ Associations.

*“Where does the fee compare to the average income? Landlords have had a hard time recently with other government measures. If you want people involved the fee needs to be nominal”*

- 3.44 Other participants expressed their disapproval of having to pay the full cost for their licence if they were to enter into the scheme late. It was suggested that it was an unfair disadvantage to new landlords to have them pay the full cost of the fee when they would be covered for less time.

*“I was perplexed by the licensing being 5 years and if you decided in the 2nd year of the scheme to get one then it’s a lot of work to stagger it and do it again in 3 years’ time”*

### Concern over the calculation of the costs

- 3.45 One participant questioned how the costs had been calculated and how the issue would be mitigated if the cost of the scheme was to be either higher or lower than predicted.

*"I have some concerns over the costs and how it is calculated. I've done some calculations based on the fact you think this scheme will cover 75% of privately rented property in this area. For me this gives a total income of £26 million. This seems like a lot of money for just the occasional inspection... I can't see any evidence as to how this figure was reached. Also, what happens if the cost of the scheme is higher or lower will we face an additional bill or reimbursement?"*

## Views on the conditions of the licence

### Agreement with the conditions

- 3.46 Many participants agreed that the licensing conditions were fair and appropriate. As a result, numerous participants felt that they already meet the conditions that the licensing scheme would introduce. However, some viewed this as unnecessary duplication.

*"I do most of this anyway so not an issue for me"*

*"Most things on list then reputable landlords are doing them anyway. Nothing on list particularly onerous, but how are you going to target those who do not adhere to the list?"*

### Concern over landlords' ability to carry out conditions

- 3.47 Whilst some participants had expressed their approval of the conditions, others wanted to make it clear that certain conditions are difficult to enforce. Conditions relating to the behaviour of tenants were said to be particularly difficult to enforce.

*"They're standard for when the tenant moves in, but it's not for the landlord to check the batteries in the smoke alarm and things like that..."*

*"Landlords can't be expected to police tenants for things like bins. I explain at the start of the tenancy how the bins operate but I can't go around and instruct them on how they use the bin on a regular basis"*

*"One potential problem condition is with regard to ensuring tenants are behaving. It's not my place to tell people how they should be living. My views on what is reasonable and proportionate may differ from that of the council"*

## Views on notification period for material change in circumstances affecting the validity and terms of a license

- 3.48 One participant expressed their dissatisfaction with the condition to notify the Council within 14 days of any material change in circumstances that may affect the validity and terms of the license. Instead, they suggested that 21 days' notice would be more appropriate in order to allow for more time for landlords that may be away at the time.

### Views on the condition of requiring emergency arrangements

- 3.49 One participant stated that the condition concerning putting in emergency arrangements would pose difficulty to landlords that work alone whenever they are on holiday or similar. It was suggested that this could potentially be more of an issue for less professional landlords, such as those who have inherited their property, and could create additional hassle or cost that could be passed onto the tenant.

## Views on inspections

- 3.50 It was said that most inspections focus on compliant landlords and find little or no issues. Therefore, it was suggested that inspections should be risk-based, focusing on less compliant landlords.

*“Lots of inspections focus on landlords who are already highly compliant... Lots of inspections find no issues... lots of inspections find only very minor issues. Inspections should instead be focused on rogue landlords. A selective and risk-based approach is needed”*

## Need for more clarity on exemptions

- 3.51 Some participants suggested that there was not enough clarity in the scheme information regarding exemptions.

*“I think the scheme information should make it clearer who it doesn’t cover. It took me a while to figure out if I fell under this scheme or not”*

- 3.52 Exempt properties were discussed to a significant extent during a number of the forums. Numerous participants said that there are a notable number of issues around exempt properties associated with antisocial behaviour and landlords taking advantage of their exemptions without providing the services to their tenants that they are obliged to. As a result, it was said multiple times that exempt properties should be re-evaluated and that many of them should lose their exempt status.

*“There are some bad landlords in the private renting sector, but for a couple of years we have had problems with the exempt sector. The proposed scheme isn’t dealing with this issue... The scheme should apply to all types of rented property”*

*“There is also the potential that if the Council crack down on the exempt property sector that many exempt properties will move out into the private rented space and fall under this scheme so you are potentially talking about more properties than you would expect. Have you thought about this?”*

## 4. Tenants' & Residents' Focus Groups

### Introduction

- 4.1 In order to understand the views of Birmingham tenants in relation to the Council's proposals for a new selective licensing scheme, BCC commissioned ORS to organise and facilitate five online focus groups with members of the public.
- 4.2 Participants were recruited for the forums by Acumen Field and were recompensed for their time and effort in attending the meetings. The focus groups each lasted for around 1.5 – 2 hours and were successful in exploring the issues and encouraging wide-ranging debate and discussion related to the PRS licensing scheme proposed by BCC. The tenants and residents' forums were held in late November and early December 2021, with the following attendances:

Focus Group Number	Date	Number of Attendees
Focus group 1	24/11/21	6
Focus group 2	25/11/21	11
Focus group 3	30/11/21	11
Focus group 4	01/12/21	9
Focus group 5 (Adjacent wards)	02/12/21	10

- 4.3 Therefore, 47 residents in total took part in the meetings. The groups were recruited to ensure that tenants living in properties that would be covered by the proposed scheme - including some HMO tenants - were represented. Most participants rented privately with a few renting from the Council or housing associations to ensure their views were also considered. Participants were diverse by area of residence – albeit focussed on the 25 wards that might be covered by the proposed scheme – as well as by age, gender, ethnicity and working status.
- 4.4 In addition, one focus group was held with tenants / residents of wards adjacent to the proposed designation in order to see how thoughts and concerns compared with those living in the affected areas.
- 4.5 Therefore, whilst not “representative” in the same way as any survey, the five meetings, taken together, included a reasonable cross-section of Birmingham residents living in the areas covered by the proposed designation and adjacent to it.
- 4.6 It should be noted that, unlike the landlords' forums, officers from the council team were not present at four out of the five focus groups. It was made clear at the start the fifth group that the Council representative would leave the meeting if any participants were not comfortable with him present and they were able to register their disagreement in confidence by using the 'Chat' to send a message to one of the ORS researchers. This ensured that the residents felt comfortable to voice their views – including any which might be viewed as critical of BCC itself. While the participants were perhaps slightly less emphatic and robust in

the way that they expressed their feedback, a variety of viewpoints were still expressed and there were some differences of opinion.

- 4.7 As with the other deliberative research activities, ORS has sought – when reporting – to provide a faithful and thorough account of the feedback received during the sessions. The feedback is presented thematically in this chapter, with sections dedicated to each broad topic covered, and ORS has included commentary on the discussions supported by verbatim quotes. The inclusion of these quotes is not an indication that we view them as more or less important than what was said by other participants; rather, the quotes included are those which most vividly or clearly capture the views of several or all participants, or which relate to specific important aspects of the discussion and the Council’s proposals.
- 4.8 In addition to the above, quotes are included that identify differences of opinion and criticism or concern about the proposals, to ensure balance and provide BCC with important insights to consider as part of the ongoing process of which this consultation is one part. To aid this process of due consideration, we have summarised the main themes of the feedback shared at the focus groups below, before commencing the main body of the chapter.

## Summary of key findings

- 4.9 The main findings from the focus groups were as follows:
- » Tenants recognised the poor standard of living offered in many private rented sector (PRS) properties across Birmingham. However, opinions differed on the potential effectiveness of the proposed licensing scheme as an attempt to improve housing conditions.
  - » While participants recognised that some areas of Birmingham are affected by high levels of crime and deprivation, many questioned the suggested link between these issues and PRS housing and their use as conditions for the proposed scheme.
  - » A major concern for participants was that the proposed licensing fees could potentially be passed to PRS tenants, resulting in more deprivation in the affected area.
  - » Overall, most participants showed some resistance to aspects of the proposed scheme – although many also recognised some possible benefits in improving housing quality and quality of life, and providing extra security for tenants.
  - » Many participants felt that council properties should be expected to attain the same standards as those proposed for PRS properties. Some also argued that there should be external inspections independent of Birmingham City Council.

## Detailed findings

### Initial views on the risks and benefits of the licensing scheme

#### Some tenants and residents foresaw benefits

- 4.10 In the first section of the focus groups, ORS presented some of the anticipated key risks and benefits associated with the licensing scheme. When asked if they agreed or disagreed that licensing would achieve the stated benefits, a couple of participants from each group felt it would and expressed their support for the scheme on the grounds of improved standards of living and reduced health deprivation in the affected areas.

*“It affects people’s health ... You see it so much in the newspapers about damp and asthma. I think if they had this in place then more landlords would start doing things. It would be more habitable”*

- 4.11 A few participants also felt that housing and living standards would improve as a result of landlords being held accountable by an external body, and others suggested that the scheme could result in better relationships between landlords and tenants, as they would avoid any direct confrontation over property-related issues.

*“I think it would be better for the tenants in respect of the conditions of the property if this licensing came into force and it puts the responsibility back to the landlord”*

*“I feel like it would make a difference. My landlord would be on the worse end, and it would be nice to hold them accountable. As a tenant it doesn’t feel like there’s anyone to say things should be done”*

*“...at least if the landlord was licenced, you would know who they were. At the moment you just think this is your landlord who you pay the rent. At least if you’ve got their name, you can take some action against them”*

- 4.12 One resident suggested that licensing could benefit landlords, as their letting/s would be more desirable as a result of higher standards and regulation. Another felt it would enable landlords to be more particular in choosing a tenant, which could subsequently reduce anti-social behaviour.

*“I think it would be advantageous to the landlord because they could advertise as licensed. It would give tenants comfort to know they are following procedures and rules”*

*“I’ve got a family, and the landlord will think about what kind of people they’ve got, with proper checks and everything, and I agree with that. I think it’s for our safety. I think it’s a good idea overall”*

- 4.13 Some participants had mixed opinions on the risks and benefits of licensing: they felt that the scheme could be successful in some cases and not so successful in others depending on the quality and transparency of the landlord.

*“I think if everyone followed it would make some difference. Some landlords would find a way around it, [by not] officially renting out the property so they won’t get caught out if that makes sense”*

### There were some initial concerns around the licensing scheme’s potential risks

- 4.14 Despite some initial support for licensing, most tenants and residents felt less positive. The most common concern shared across the focus groups related to the proposed licensing fees and the risk of this cost being passed to tenants, particularly in the context of an increase in the cost of living more generally. This concern remained consistent throughout the discussions at all five groups.

*“It’s another excuse to pass [the cost] on, potentially to the underdog”*

- 4.15 One tenant felt that while one of the objectives of the scheme is to reduce deprivation, the potential for increased rents could, in fact, cause greater deprivation in the affected areas.

*“The more that the cost goes up for the landlord the more – like everything in life – the tenant pays and that would then incur deprivation for people”*

- 4.16 Another tenant suggested that rent should be capped for all existing tenants prior to the implementation of the scheme. This, it was felt, could reduce the risk of tenants facing unaffordable extra costs.

*"You need to cap the rents because I can't afford a rise in rent"*

- 4.17 Tenants and residents also felt that certain areas would benefit less from the scheme due to lower crime and deprivation rates. For example, a couple felt that it is not necessary or justifiable in areas such as Edgbaston.

*"I think it depends on the specific areas. Where I live it might make some difference..."*

- 4.18 A few tenants across all five groups raised initial concerns around the reference process. Some considered this to be a negative aspect of the proposed licensing scheme that could cause further division and 'classism' in the affected area.

*"That's assumptive that everybody passes referencing. Because I will tell you that a lot of people fail for a variety of reasons; it's very common. You have to be earning a very high amount and pass so many different checks. I don't know how many people it would actually help"*

*"It's just dividing into classes of people yet again"*

- 4.19 One person also suggested that the reference component of the scheme is contradictory to its aims and objectives.

*if its peoples' quality of life their trying to improve but they make people fall at the first hurdle than they're only helping the better off anyway*

- 4.20 The importance of understanding certain communities within the affected area, and why crime and deprivation rates are at such high levels, was highlighted. One participant felt there needs to be a better understanding of who commits these crimes and why they do so. They felt that a better understanding of different cultures and communities would deliver a more effective solution to crime and deprivation.

- 4.21 Concerns around tenant security were raised around eviction. Some participants felt that tenants could be negatively impacted if landlords held them responsible for council interference in the property.

*"You've got the situation where if the landlord isn't doing what they're supposed to do and the tenant is complaining, the landlord might get a bit annoyed and the landlord could give them their notice"*

- 4.22 Finally in terms of initial concerns, there was some feeling that the scheme is unnecessary in many cases, as there are already similar standards and schemes in place when renting through estate agents. Moreover, it was said that most of the proposed licence conditions are already mandated by law.

*"It's just the law repackaged and sold"*

*"I've worked in an estate agency, and it sounds exactly like what an estate agent offers; a fully managed rental service that you pay for. So, I don't feel like it should be a requirement from the government or that there should be a scheme in place to enforce it"*



## Views on the evidence for licensing

### There was significant debate over the Council's use of crime and deprivation as a basis for introducing selective licensing

- 4.23 During this part of the meetings, ORS presented BCC's evidence for introducing selective licensing in the designated area. When asked whether they see crime and deprivation in their locality, some people acknowledged some degree of criminality and deprivation. In some groups the majority recognised criminality and deprivation, in other a minority did so. There was significant debate over the correlation between the two issues and the PRS.
- 4.24 As stated, many participants recognised some level of crime in their local area, the most visible being car theft and home burglary. Some explained that these acquisitive crime types are more prevalent in areas such as Edgbaston as they are more affluent.

*"I'm by Edgbaston cricket ground. There's not deprivation in my area but there's crime. There's money in my area, so consequently there's going to be crime because people are going to rob the richer areas"*

*"I have a B13 postcode, but I'm the edge of Hall Green. I'm in the community groups and there's a lot of car crime around"*

*"I live in B13 as well and on all the Facebook groups there's car stealing and people breaking into homes"*

- 4.25 Some others noted the presence of drug-related crime, as well as anti-social behaviour and street crime, near where they live. In this instance, participants did note some correlation between criminal and anti-social behaviour and PRS properties, houses in multiple occupation (HMOs) in particular.

*"I was going to say a lot of drug crime as well. When you do see private renting, you see people being brought out with crops of [marijuana]"*

*"There's a lot of HMOs ... around as well. There's a lot of crime connected to those as well. I've got three on my road and they're all anti-social behaviour and drug use"*

- 4.26 Although many participants acknowledged some degree of crime, some felt that the evidence presented did not accurately reflect the situation in the designated area. In some groups, people said that even if they live elsewhere, criminals will continue to travel into the area to commit crime. In addition to this, one tenant felt that people in certain areas are more likely to report crimes than others, therefore weakening the accuracy of the evidence.

*"This isn't going to stop crime; people will still commit crime but in different areas"*

*"I think you had Balsall Heath on there which is quite a residential area and I think those areas are more likely to report the crime and certain other areas. If it's a large housing estate you're less likely to report. I think if you're in a more residential area you're more likely to report the crime so that's why it looks so high"*

- 4.27 A small number of participants acknowledged deprivation in their area, with one person highlighting improvements in health deprivation as one of the benefits this scheme may provide.

*“Health deprivation could be a plus of the licence scheme”*

- 4.28 Another, though, felt that the licensing scheme would create a situation in which deprivation levels worsen due to increased rent and barriers when applying for a tenancy.

*“I think it’s the same as crime and might cause future deprivation”*

- 4.29 Despite most participants agreeing that there is evidence of crime and deprivation in their areas, many felt that there is no clear link between these issues and privately rented properties. This point was passionately made by a few participants across the groups.

*“Earlier you were saying there’s a correlation between crime and private rented properties which is think is absurd because if you look at the statistics, more crime takes place in low-income areas and thus less private renting. Which means the problem lies within council housing rather private renting”*

*“I just don’t see the link between the two. Just because someone is privately renting, how can you assume that person is linked to crime. That doesn’t match really”*

*“I don’t see the link between crime and deprivation and a licensing scheme. If you’re looking at where there’s more than 20% private rented, they’re considered nice areas. People move there because it’s got a nice reputation, but they can’t afford to buy there”*

- 4.30 Those who disputed the link felt that there are other urgent issues that need addressing across Birmingham prior to considering the introduction of PRS licensing. For example, a couple expressed their concern around homelessness and associated crime and deprivation, and others commented on a lack of policing, affordable housing and youth activities.

*“Rather than increase licensing fees for landlords, why not spend that money on police? I never see police cars where I live in Edgbaston”*

*“With the begging you’ve got the drugs, with the drugs you’ve got the drug dealers”*

*“We need a police presence; we need projects in the community to bring the community together... children have nowhere to go...”*

## Views on the proposed licensing fees

- 4.31 ORS presented the detail of the proposed selective licensing scheme fees to participants, who were then asked to consider whether they are appropriate. They were also asked how, if at all, they would amend the fees.

### There was some positive feedback on the proposed fees...

- 4.32 Although discussions around the proposed fees were mostly negative across the five groups (as reported below), a few tenants considered them to be appropriate and reasonable. The positive feedback was given in three of the five groups, the remaining two did not approve.
- 4.33 Those who approved of the proposed fees felt they were a fair price to pay for a five-year licence. In fact, one person expressed surprise that they were so low per calendar month.

*“The fees aren’t what I was expecting to be honest over a five-year period; it’s about £10 a month”*

*“I don’t think the fees are that bad if it’s going to improve things; landlords get less trouble, tenants get what they want”*

*“I think over five years it’s not too much of a cost. It’s a good thing. If it was more than £500, I’d say it’s too much”*

- 4.34 Others suggested that the fees need to be higher for licensing to be successful. This, they felt, would ‘sift out’ the poor landlords who are not prepared to pay the higher price.

*“I think if you put the money up, you’ll get decent landlords in it for the right reasons. The price needs to be up so the scheme works properly. If you’re going to do it, do it properly”*

*“I think what it might do is sift out the bad landlords”*

... but there were more significant concerns about higher rents as a result of imposing them

- 4.35 Most of the negative feedback stemmed from the perception that the proposed fees are too high and are likely to be passed to tenants in the form of higher rents. Most participants felt this was unfair on existing tenants, especially those who already pay for a management service through an estate agent. Others felt that tenants with decent landlords would pay an increased rent for the quality of accommodation and service that they already have.

*“That’s ridiculous; [tenants are] going to see a ridiculous rise in their rent”*

*“It’s just a load of money for what we already pay for. I just can’t get my head around it”*

- 4.36 Tenants also felt that the proposed fees could prompt some landlords to leave the PRS, causing further accommodation shortages in the area, where privately-rented properties are already scarce.

*“I think the cost will put landlords off. Most landlords just want to make money, they don’t want to pay extra costs. The tenants are getting more security as well, some landlords wouldn’t want that...”*

*“Over the last few years there’s been lots of other restrictions that make it difficult, and this could be another that makes them not want to be a landlord anymore, and there’s already a shortage of private rented properties available. While I do agree with the scheme, I think the fee is too high”*

- 4.37 A couple of tenants particularly disagreed with the “excessive” extra charge of £80 for changes to the licence. They felt this could also disincentivise landlords, causing further issues.

*“Well, the change fee is the bit that put me off. Like if the landlord moves address, they’ve got to pay £80. That’s excessive”*

- 4.38 Again, a couple of tenants felt that the proposed fees (and indeed licensing in general) represent an unnecessary cost to promote standards that already exist in private rented properties – not least as landlords already attain the certificates and other requirements through mortgage and insurance arrangements.

Indeed, the whole scheme was viewed by some as a way for Birmingham City Council to make money, rather than a genuine attempt to solve stated issues<sup>1</sup>.

*“If you have a buy-to-let mortgage you’re going to get insurance and make sure you have things like fire alarms”*

*“Landlords already have to make sure they have certain certificates. The councils’ fees are too high”*

*“[The Council] can’t manage what they’re doing already. I don’t know why they want to take more on, just to make more money”*

- 4.39 Conversely however, the fees were considered too low to incite any real change by a few participants, who argued that they will do nothing to achieve the goals of reducing crime and deprivation. Participants felt licensing posed no real threat to criminal activity, and criminals would face no consequences from the changes. They did not advocate increases however, rather suggesting the Council should find alternative means to address these issues.

*“I don’t think it’s solving the problem of crime and deprivation”*

*“They’re too high to be passed onto tenants, but too low to make any significant difference with crime and deprivation”*

### Only one amendment to the proposed fee structure was suggested

- 4.40 The tenants were asked how, if at all, they would amend the proposed licensing fees. Only one suggestion was made for fees to be divided 50/50 between landlords and tenants to avoid disagreement between the two parties.

## Views on the proposed licensing conditions

### Views were mixed on the appropriateness of the proposed licensing conditions

- 4.41 ORS presented summaries of the proposed ‘mandatory’ and ‘prescribed’ licence conditions, before tenants and residents were asked if they seem appropriate. Overall, opinions were divided fairly evenly around whether or not the conditions are sufficiently comprehensive.
- 4.42 A few tenants and residents in each group felt that the proposed conditions “cover too much”, not least as it is not landlords’ responsibly to address crime and deprivation.

*“Criminality of the tenant, that’s not the landlord’s issue. They could have a warning system but the cost to evict someone is huge”*

*“I think they cover too much .... I don’t think it’s realistic for a landlord to fix anti-social behaviour, especially because it’s very difficult to evict tenants anyway”*

- 4.43 On the other hand, a similar number of tenants felt that the proposed conditions are appropriate, though some doubted how well they would be met. Others again felt that they are already in place through other means.

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<sup>1</sup> It should be noted that it was explained at least three times in each group that the fees could only be used to pay for the licensing scheme and nothing else.

*"I think they're pretty standard and reasonable. But again, it all depends on how this licence is going to be managed. I would expect all landlords to have all this"*

*"This is all standard and it's what estate agents do"*

*"Shouldn't they be following those conditions anyway?"*

*"Gas certificates need to be done anyway. Its standard procedure, so I don't see why they have to pay extra to Birmingham City Council"*

- 4.44 Only one specific additional condition was raised in the focus groups: one person felt that the property being habitable should be a standard condition of the licensing.

*"It doesn't say anywhere in there that the property should be habitable. You'd expect it to be a decent standard"*

## Balance of opinion

- 4.45 After all the relevant information on the proposed licensing scheme had been presented to participants, ORS posed the question, 'To what extent do you agree or disagree with the introduction of licensing in the designated area?' via an online poll. This final discussion session also gave tenants the opportunity to give any additional views on the proposals that were not covered previously.

- 4.46 The results of the polls were mixed across the focus groups. The results show that 4 completely agree with licensing, 17 agree to some extent, 7 neither agree nor disagree, 12 disagree to some extent, 5 completely disagree, and 2 chose not to participate. Each group showed a fairly even distribution of responses, with no strong majority either way. However, there was a slight majority in favour of licensing across the groups.

- 4.47 In explaining why they 'voted' in the way they did, one participant at the adjacent wards group disagreed with the scheme for fear that any issues associated with crime and deprivation would simply migrate to the areas surrounding the designated wards.

*"The only reason I disagree with it completely is because of the close proximity..."*

- 4.48 Others believed that money could be better spent elsewhere in efforts to reduce crime and deprivation.

*"Along with policing, youth services and other related factors. Licensing will not be a total solution"*

*"What about community centres for the children? That will lower crime. They need to be spending money rather than making it"*

- 4.49 A few people took the opportunity at this stage to express a lack of trust in BCC, with one even suggesting that an external body should conduct any future property inspections to ensure independence and transparency.

*"If there was some sort of independent committee that showed absolute transparency between the council and tenant. I think that would be a good idea"*

*"I agree, that's exactly what they need. Somethings that's going to offer support to tenants and landlords. The issue is the Council here; no-one has trust in the Council"*

- 4.50 Moreover, many tenants and residents also complained about the perceived poor quality of some council properties across the city, suggesting that they too should be subject to some sort of licensing scheme to raise standards. Some of the many typical comments on this issue can be seen below.

*“I think Birmingham City Council want to have a look at themselves because some of their properties are absolutely disgraceful”*

*“Most of the Birmingham city properties are overcrowded. They need to sort themselves first”*

*“They (council) aren’t doing the jobs either. I know one person and they won’t even fix the lightbulb or boiler. They take ages to come out. They can’t fault the landlords”*

*“You say someone needs to monitor the landlords, but if the Council don’t look after their own properties what gives them the right to inspect these properties? Some people have mould in their properties and that’s Council-owned, so...”*

*“I don’t want to put anyone out but isn’t the more deprived areas [full of] council housing rather than private renting? Crime is more prevalent in council estates. Are they getting the same degree of restrictions?”*

- 4.51 Finally, a few people questioned why the designated area only encompasses some wards, rather than all of Birmingham.

*“I don’t understand why its only selected areas, why isn’t it the whole of Birmingham?”*

## 5. Written Submissions

### Introduction

- 5.1 During the formal consultation process, 23 organisations and individuals provided written submissions. Some of these were from organisations representing landlords and agents, or tenants and residents (including vulnerable groups or individuals). Others were received from stakeholder bodies and organisations, as well from local councillors, private companies, individual landlords, and local residents.
- 5.2 ORS has read all the written submissions and summarised them in this chapter; none have been disregarded even if they are not expressed in a ‘formal’ way. It is a painstaking but necessary process to identify the main issues raised by respondents.
- 5.3 Submissions received from the following named organisations, along with four lengthy and detailed submissions from landlords, have been summarised individually in the chapter below.
- 5.4 Of the 23 written responses, 11 were from individuals, 2 from local politicians and 10 were from representatives of organisations. Contributions were as follows:
- » 6 individual landlords
  - » 5 individual residents
  - » 1 local Councillor
  - » 1 local Member of Parliament (MP)
  - » 4 representatives of organisations representing landlords or accreditation companies
  - » 5 representatives of organisations representing residents
  - » 1 representative of another organisation

### Summary of key findings

- 5.5 The written submissions considered in this chapter vary between brief statements and detailed documents, sometimes being strongly polarised in their views. Therefore, readers are encouraged to consult the remainder of the chapter below for a full account of the views expressed. However, the following overview gives a sense of the types of issues raised.

### Landlords were largely opposed to the proposals and questioned how the scheme would reduce crime and deprivation

- 5.6 All of the responses from individual landlords and representatives of landlords displayed a great deal of scepticism and disapproval of the proposals. The most common reasons given for this were the belief that the PRS licensing scheme proposed would discourage new investment from private landlords, be ineffective at reducing crime, deprivation, and antisocial behaviour, and that the costs of the licence would be passed on to the tenant by increasing their rent. This concern about the possibility of the licensing scheme resulting in an increase in rent was also echoed by one of the individual residents that responded.

- 5.7 Multiple responses also questioned how the Council expected a PRS licence to result in lower deprivation and crime rates as it claimed that it would, suggesting that there was little-to-no evidence for how this would happen. As a result, it was suggested in two of the responses that if the licensing scheme was to be introduced, then information on its success should be assessed regularly and made publicly available. One of these responses suggested that this should take place in the form of an annual summary report of outcomes, demonstrating to tenants and landlords the improvements made as a result of the licensing scheme, as well as its overall impacts.

## Residents expressed their approval of the proposals

- 5.8 All bar one of the responses from individuals expressed their support for the proposals, whilst the responses from politicians and representatives of Residents Associations did the same, believing that the scheme would help reduce crime, deprivation, antisocial behaviour, and the overall number of “rogue” landlords in the areas affected by the licensing scheme. Some of these responses also expressed hope that the scheme would see a reduction in ‘bulky’ waste and provide an opportunity to improve energy efficiency and flood resilience in these areas due to the improvements that landlords would have to make to their properties.

## The proposed £80 variance fee is unlawful and should therefore be removed

- 5.9 The National Residential Landlords Association (NRLA) wrote to express a number of significant grievances with the proposals. The most strikingly important of these was the statement that according to the Housing Act 2004, it is legal to charge for the application process of a PRS licence, however it is not legal to charge for the variation process of a licence, regardless of how big the variations may be. As a result, the NRLA suggested that the £80 variation fee proposed for the licensing scheme be removed.

## Numerous residents of said that the licence should be extended to Handsworth Wood and / or based on a neighbourhood approach

- 5.10 Five different residents of Handsworth Wood wards wrote not only to express their support for the proposed PRS licensing scheme, but to request that the scheme be extended to their ward in the hope that it would prevent issues in licensed wards from being intensified in their own (unlicensed) ward.
- 5.11 Two of these responses requested that the licensing scheme be extended to the whole of Handsworth Wood ward, whilst the other three suggested that it should be extended to area north of Oxhill Road, known as the “Handsworth Wood Triangle”. These recommendations were coupled with the argument that the licensing scheme should target ‘problem neighbourhoods’ where private rent, crime and deprivation are notably high, rather than targeting entire wards.

## Residents suggested that ‘bulky’ waste should be considered in the licensing requirements

- 5.12 Responses from residents and local politicians expressed their hope that the introduction of the PRS licensing scheme would reduce environmental crime by reducing the incentive to dispose of ‘bulky’ waste (such as household furniture) illegally. The representative of the Residents Association that responded said that ensuring landlords dispose of such waste appropriately should be part of the licensing agreement.

## Many responses said that the Council should provide landlords more clarity and support for landlords regarding their requirements to tenants

- 5.13 Whilst all of the responses from landlords expressed their disapproval of the proposals, some also made suggestions / requests for measures to be put in place if the proposals should go ahead. One such request



was that the Council provide a policy on how it will determine a landlord to be suitable and likely to comply with the licence's requirements. The NRLA also requested that the Council provide clarification on their policy for helping a landlord when a section 21 notice is served, the property is overcrowded, or the tenant is causing antisocial behaviour.

- 5.14 Meanwhile, there was a suggestion that the Council would be able to uphold the quality of landlords more effectively by helping them to find quality tradespeople for maintenance such as plumbing and building. It was said it can be difficult to find tradespeople that are not "cowboys" and so the help would be welcomed by landlords and effective at improving the quality of their service tenants.
- 5.15 The response from the representative of the Residents Association also made suggestions that the Council should provide an enforcement policy for tenants and their neighbours and publish a template of a tenancy agreement for landlords to specify to tenants what they should expect from the Landlord, given the new licensing scheme.

## Suggestions for HMOs

- 5.16 Both one of the landlords and one of the residents that responded gave a number of suggestions for HMOs, with both suggesting that many tenants in HMOs and supported accommodation are not receiving the support that their landlord should be providing.
- 5.17 The landlord that wrote about HMOs and supported accommodation suggested that the Council should require more information from landlords of these types of accommodation, categorising and defining its payments for services provided, if possible, in order to prevent landlords from taking advantage of the system.
- 5.18 The resident that wrote about HMOs and supported / exempt accommodation claimed that their area is suffering from "overconcentration" of these forms of accommodation as the result of poor practice from private landlords. The landlord that wrote about the subject also suggested a problem with these forms of accommodation, suggesting that if large landlords with portfolios of large HMOs that are mostly supported accommodation are unable to find tenants in need of support, then they should take in the tenants for the usual price of a non-supported HMO. It was said that this prevent tenants from becoming stuck in supported accommodation HMOs when they no longer need / want to be.

## Landlords and associated organisations

### Private Landlord Steering Group

#### Scepticism over the relationship between private rental properties and high crime rates

- 5.19 The Private Landlord Steering Group questioned what the evidence was that private rental properties were linked to crime and antisocial behaviour, arguing that their past investigations have suggested that high crime rates are more closely related to hospitals and supermarkets. Therefore, the organisation requested that the Council provide evidence for how crime rates around private rented accommodation compares with social housing and owned properties. This also led them to request more information on how the Council came to its conclusion that the PRS licensing scheme was the appropriate way to lower crime rates in the chosen wards.

#### Need for clarity on how the PRS scheme will be used to tackle issues

- 5.20 It was stated that whilst the Council had made many claims that the PRS scheme would help to tackle issues such as crime, deprivation and antisocial behaviour, there has not been enough information made available on how it will tackle these issues and how it will deliver value for money. The validity of the information that has been made available was also called into question, arguing that as certain references are as old as 2015 then the Council could have made more impact in the time between then and now.

Alternative options were said to have been given too little consideration, being put forward poorly. It was suggested that working with charities that support tenants against criminal landlords, such as those who do not protect their deposits, would have a major impact on criminal landlords and reward tenants for reporting them by putting them in a position to find better accommodation.

#### Questioning the Council's ability to uphold the scheme and where its priorities should lie

- 5.21 The group argued that BCC has a poor record with processing mandatory licences for HMOs. As this is likely to relate to some of the most vulnerable tenants, it was therefore suggested that the Council ought to improve its record in processing these mandatory licences and then use the experience gained from it to begin addressing further issues within the city.

#### Need to address rental properties' EPCs

- 5.22 Energy Performance Certificates (EPCs) for rental properties were also discussed by the Private Landlords Steering Group. It was asked what work the Council had done to address rental properties with EPCs of F and G, suggesting that these were clear evidence of criminal landlords and that they should therefore be addressed.
- 5.23 The group also requested to see the impact assessment on how licensing will impact compliant landlords' ability to meet the new Minimum Energy Efficiency Standards (MEES) requirement of all properties having an EPC of C or above by 2025, with a likely cost requirement of £5-10k per property.

#### Concern over future investment in the city as a result of the PRS licensing scheme and Article 4 Directive

- 5.24 The Private Landlord Steering Group expressed their concern over the future of investment in Birmingham as a result of it potentially having a new PRS licensing scheme in addition to the Article 4 Directive. It was questioned if investors would still be likely to invest in landlords in Birmingham and in the city in general, or if the costs associated with these initiatives would lead investors to avoid the city. The potential effect of this on house prices and prospective first-time buyers was also called into question.

- 5.25 The group also requested information on the impacts that the Article 4 Directive has had on the housing supply in Birmingham and for evidence of its positive impact in Selly Oak over the last decade. It was suggested that if the Directive has had a positive impact on the city then it should form part of the Council's supporting evidence for the introduction of the PRS licensing scheme. The group went on to suggest that the directive had actually had a negative impact on the city, increase housing prices and therefore likely worsening homelessness rates.

#### Concern over the number of wards that would be affected by the licence

- 5.26 The size of the area proposed for the scheme was said to be too large and therefore equivalent to introducing a citywide Article 4 Directive. Therefore, it was suggested that a much smaller area should be piloted for the scheme first.

#### Potential issues with mandatory licensing on large HMOs

- 5.27 The submission argues that the licence fee cost breakdown and conditions is at odds with the mandatory licensing scheme currently in place on HMOs. It was suggested that this could lead to landlords of HMOs paying significantly more than other landlords for all of their licensing fees, likely leading to the costs being challenged and refunds being sought.

#### Concern over additional licensing

- 5.28 Finally, the Private Landlords Steering Group expressed its concern over the Council's suggestion of the potential need for additional licensing, projecting two schemes being in place by 2023, and questioned the Council's motives for it.

## Landlord Organisations, Landlords and Agents

### National Residential Landlord Association

#### Scepticism over how the scheme will achieve its goals

- 5.29 The submission from the NRLA claimed that the Council “misjudges” the PRS licensing scheme as a tool for reducing crime. It was said that such licences are tools for addressing property conditions and not the likes of burglary and environmental crime. Offering grants to tenants for home security improvements and strengthening community ties with police and voluntary organisations were said to be alternatives to the scheme that might be more effective in reducing such crimes.
- 5.30 The NRLA also pointed out that securing entry points, i.e., secure doors and locks, fall under the Housing Health and Safety Rating System (HHSRS) and Section 11 of the Landlords and Tenants Act. As a result, it was suggested that the PRS licensing scheme should not be needed.
- 5.31 In addition to their doubt that the scheme would reduce crime, the NRLA’s submission questioned how it would reduce the number of empty homes in Birmingham. It went on to suggest that the Council should provide more evidence of its strategy for how a PRS licence would reduce the number of empty homes.

#### The proposed £80 variance fee is unlawful and should therefore be removed

- 5.32 The NRLA called attention to the fact that whilst the Housing Act 2004 allows Councils to charge for the application process of a PRS licence, it does not allow them to charge for the variation process of a licence regardless of how big the variations may be. As a result, the NRLA suggested that the £80 variation fee proposed is unlawful and should therefore be removed.

#### Doubt over the Council’s existing efforts to tackle issues

- 5.33 The submission from the NRLA called into question numerous previous and existing attempts to tackle issues in the city of Birmingham. Firstly, the submission quoted the Council’s statements on their historical efforts to tackle issues property conditions and management. In response, the submission argued that data from a series of freedom of information requests show that the Council have not issued any Overcrowding Notices between 2018 – 2021, and only 12 Prohibition Orders during the same period. The submission also questioned why the Council had only issued 67 civil penalties between 2018 to 2021 as well.
- 5.34 The NRLA went on to say that it is unclear what other enforcement activity the Council has taken part in within private rented sector as no outline or further statistical data has been presented to show what enforcement activity has already been carried out in the proposed wards. As an example the submission questioned the number of environmental health officers current employed by the Council to address related issues and how many would be employed after the licence was brought into place.
- 5.35 The NRLA’s submission also questioned the reason for the Council’s backlog of mandatory HMO licence applications. It was also stated that the Council’s previous claim that mandatory HMO licence applications take an average of 56 calendar days was not precise and should be answered more accurately.

#### Request of an annual summary of the licence’s effectiveness

- 5.36 Finally, the NRLA requested that the Council produce an annual report of the proposed scheme’s success, should it be introduced. The group posted that such a report setting out the improvements to behaviour and overall impact of the licensing scheme would be beneficial to landlords and tenants in understanding the significance of the scheme.

## Strong disagreement with the PRS licensing scheme overall

- 5.37 The submission ended by stating that the NRLA has a shared interest with Birmingham City Council in ensuring a high-quality private rented sector but that it strongly disagrees that the introduction of a selective licensing is the most effective approach to achieve this aim both in the short term and long term.

## Safeagent

- 5.38 Safeagent is an accreditation company that operates across the UK. In their submission, they stated that they support initiative such as selective licensing as long as they are “in a way that takes account of the PRS’ own efforts to promote high standards”.

## Importance of definitive and timely advice for landlords

- 5.39 In their submission, Safeagent stressed that if the licence were to be introduced then it would be vital that landlords can access definitive advice quickly and accessibly. This was said to be particularly important regarding situations beyond the landlord’s control that prevent them from submitting an application.
- 5.40 Additionally, it was suggested that administrative errors and delays on the Council’s part should be added to the list of defences for landlords.

## Regular information on the implementation of the scheme should be made easily available to allow the Council to work in partnership with landlords and other stakeholders

- 5.41 Safeagent suggested that regular information on the implementation of the scheme should be made easily and clearly available to local landlord and agent forums, representative bodies, and other stakeholders. It was said that this would allow the Council to work in partnership with landlords, agents, and other stakeholders more effectively as a result.
- 5.42 The following information was said to be the minimum that should be provided:
- ❖ The estimated number of private rented properties that require licensing under the selective licensing schemes;
  - ❖ The number of applications received in respect of these properties;
  - ❖ Progress in processing (granting, querying or refusing) the licence applications received;
  - ❖ Analysis of the reasons for any queries or refusals and the extent to which remedial action is identified and taken as a result;
  - ❖ Analysis of the outcomes of ongoing inspections and the extent to which remedial action is identified and taken as a result;
  - ❖ Progress reports across the whole 5-year period covered by the scheme.

## Importance of focussing efforts on criminal landlords rather than reputable landlords

- 5.43 The submission stressed the importance of having the regulations relating to the licence focussed on addressing irresponsible and criminal landlords, rather than on administrative matters for responsible landlords. Safeagent urged the Council to work closely with accredited letting and management agents in order to help ensure that this is the case.

### Suggested that a discount be offered to landlords who are members of recognised national accreditation bodies

- 5.44 Safeagent argued that the cost of the proposed licence was high compared to other local authorities in England and that therefore a “significant” discount should be offered to landlords who are members of recognised national accreditation bodies. This was justified by the argument that such landlords would clearly be less likely to be non-compliant with relevant regulations.

### Landlords offering permanent accommodation to homeless people should be given a licence free of charge

- 5.45 The submission also argued that the landlords offering permanent accommodation the homeless should not be charged for their licence. The argument for this was that those landlords doing this are helping the Council to achieve its Homelessness and Rough Sleeping strategy and therefore should not be discouraged.
- 5.46 It was also suggested that this strategy could be more structured if the council were to enter into partnership arrangements whereby lettings agents would source properties for Council referrals of homeless people or those at risk of homelessness.

### PRS licences should last for 5years from their administration rather than within the set 5year periods

- 5.47 Safeagent also suggested that it would be anti-competitive to charge landlords for the full price of the fee midway into the 5-year designation period, as this would effectively result in some landlords incurring significantly higher costs, such as in the case of engaging or changing a license holding managing agent. Therefore, it was recommended that each individual licence should last 5-years from the date that it is awarded, or that the licensing fee should be charged on a “pro-rata” basis.

### Individual landlords

- 5.48 Six individual landlords submitted written responses. These varied between landlords that are also residents of Birmingham, landlords that own property in Birmingham but live away, keen investment landlords, and landlords looking to sell their properties (also for varied reasons). The length and depth of responses also varied between brief paragraphs expressing a particular grievance and lengthy documents discussing in-depth thoughts and opinions on the proposed PRS scheme.

### Request for exemption of licence costs for landlords caught in the “cladding crisis”

- 5.49 Two landlords wrote about that financial hardship that they already find themselves in due to the “cladding crisis” whereby they are unable to afford the costs of improving cladding but unable to sell their property before the work has been done, due to the law. Both landlords therefore expressed concerns about the fee that would be introduced for the PRS licence, with one landlord claiming that it could push them into bankruptcy whilst the other said that it could lead them into “financial spiral”.
- 5.50 In response to these concerns, both submissions requested that landlords caught in this financial difficult be exempt of the licensing fee. One of these submissions also suggested that the exemption should be given to all landlords of modern apartment blocks.
- 5.51 Additionally, a third landlord discussed the cladding requirements that they had to meet before selling their property, stating that whilst they are desperate to sell their property it would take them another year to complete the cladding first. Therefore, they suggested that if they are forced to pay for a licence when they have the intention of selling their property once the required cladding work is finished, then they should be offered a refund on fee once they have made the sale.

### Disapproval of the cost of the licensing fee and belief that it would be passed onto tenants

- 5.52 Three of the six individual landlords that responded said that they believed the cost of the licence fee would be handed onto tenants, with one landlord stating: “This legislation will drive up rental costs, and I will not hesitate to pass these costs onto the tenant”.
- 5.53 This argument that the cost of the fee would be passed onto tenants was largely the result of a general disapproval of the potential licence fee of £650. Landlords suggested that it was unfair to charge them that amount when they already provided well-maintained accommodation to tenants. One landlord said that they would sell their property in response to the PRS licensing being introduced.

### Concern that the licence will discourage private landlords and investors

- 5.54 One landlord suggested that the PRS licensing scheme should not be implemented because it would discourage private landlords and general investors in Birmingham. They suggested that discouraging private landlords would be particularly problematic because of a lack of social housing available to tenants.

### Risk of disproportionately affecting ‘small’ landlords and increasing homelessness

- 5.55 Two responses from individual landlords raised concern that ‘small’ landlords would be disproportionately affected by the proposals because they would not have the same resources available to them as landlords with more properties might. One of these submissions said that homelessness could increase as a result of this, with smaller landlords being discouraged from providing accommodation for homeless people due to the increased costs.
- 5.56 One of these submissions said that “presumably and understandably” the Council wants to challenge landlords with large portfolios of properties, or many HMOs for which they may be overcharging the Council for the services that they actually provide to their tenants. Whilst they said that they understood the case for this, they stressed the importance reputable landlords with one or only few properties must not be impacted too negatively.

### The Council risks making itself look ‘prejudiced’ toward private landlords

- 5.57 A response from an individual landlord expressed concern that by introducing a new licence aimed at private landlords but not at council accommodation or social landlords, they would risk making themselves appear to be prejudiced against private landlords. They also referenced reports of criminal activity from social landlords and run-down Council property as evidence that crime and deprivation should not be attributed wholly to the private rent sector.

### Duplicity of responsibilities

- 5.58 One landlord argued that many of the ‘new’ responsibilities and requirements that would be placed on them as a result of the PRS licence are actually already required of them. As an example, they said that they are already required to certify their gas and electricity regularly and their initial fire-soundness of the building. They also said that landlords are already legally responsible for stopping any antisocial behaviour by their tenants against other tenants or neighbours.

### Doubt over the scheme’s ability to lower crime and deprivation

- 5.59 One submission claimed that without giving the money raised by the scheme to poorer tenants in the area, it was hard to see how deprivation would be lowered by a PRS scheme, since no clear evidence on how this would work. In addition, they said that it was ‘tenuous’ to suggested that burglary could be decreased by the scheme as private landlords already have more reason to provide the accommodation with secure locks than council properties and social landlords and council do.

## Discounts should not be given to landlords who are members of accreditation companies

- 5.60 Whereas the submission from Safeagent argued that landlords who are members of accreditation companies should be given discounts on the licensing fees, there was a landlord that wrote to disagree with this. Whilst they did not approve of the licence, they also argued that such discounts should not be made available because membership of accreditation companies does not confirm that a landlord will take the advice that they are given by the organisation.

## The Council should help landlords to find reputable tradespeople

- 5.61 Finally, one landlord wrote that most private landlords genuinely try to provide their tenants with high quality maintenance of their accommodation, but that they often struggle to find high quality tradespeople. Therefore, they suggested that if the Council were to aid landlords in finding “competent and honest” tradespeople for plumbing, building work, electrician work, and decorating, etc.
- 5.62 They also said that whilst comparison sites might appear to be useful for this, they can actually be problematic since by the time a customer can leave a review of a tradesperson, that tradesperson will know their name, address and job, etc. Therefore, customers who are dissatisfied are much less likely to write a review. As a result, it was said that help from the Council in finding honest tradespeople would be far more effective.

## Residents and associated organisations

### Hinstock Residents Associations

#### Support for the need to register properties and their landlords

- 5.63 The Residents Association stated that, in general, they agree with the need to register of privately rented properties and their landlords. However, they also made a number of recommendations / requests regarding the proposed PRS licensing scheme.

#### Publication of information about landlords

- 5.64 The Association suggested that tenants should be able to access certain information regarding their landlords. Firstly, they suggested that the Council ought to publish a template of a Tenancy Agreement for landlords to specify to tenants what they should expect from their landlord.
- 5.65 They also requested that the Council should publish the method that they will use to determine that a landlord is suitable and will comply with the requirements and be mindful of responsibility to fellow neighbours. In addition, it was said that the Council’s enforcement policy should be made available for tenants and neighbours.
- 5.66 Another suggestion was that when a landlord is not registered with the Council but still lets their property, either their name or that of the letting company should be publicly registered with the Council and be made known to neighbours.
- 5.67 Finally, it was said that landlords should have indemnity insurance so that compensation is available when they have issues in their accommodation.

#### The licence should require landlords to remove ‘bulky’ waste such as furniture

- 5.68 It was suggested that there is currently a problem with litter in front gardens and pavements causing hazard and compromising health & wellbeing of residents. Therefore, the Association requested that part of the agreement should insist on landlords ensuring that waste items, including unwanted and broken furniture is properly disposed of legally and effectively.



### Concern over tenants' requirement to obtain a reference

- 5.69 The Hinstock Residents Association's submission raised concern over the proposal that would have tenants require a reference to give to landlords. The reason given for this concern was that as Birmingham is a multicultural city with many international residents, migrants in the city may struggle to provide references. As a result, they could be more likely to be coerced into poor / illegal living conditions by unscrupulous landlords.

### Suggestion that the target of improving 1000 properties PA is too small

- 5.70 Finally, the submission from the Hinstock Residents Association suggested that the Council's target to improve 1000 properties per annum was too low, given the size and number of the wards that would come under the licensing scheme.

## Antrobus Road Residents' Action Group

### Support for the proposed licensing scheme and the need to tackle crime

- 5.71 The chair of the Antrobus Road Residents' Action Group (ARRAG) wrote to give their community's approval of the Council's proposals, stating that they "strongly support the proposal to introduce selective licensing in our ward".
- 5.72 Crime and antisocial behaviour were said to be emanating from private rented property with poor management from landlords, a significant problem urgently requiring "coherent and coordinated action". The submission said that street meetings with the police have revealed that the majority of "calls for service" come from exempt accommodations and HMOs.
- 5.73 The submission also expressed hope that the scheme would lead to the Council having a more accurate database of private rented properties, leading to decisions and actions being made based on up-to-date and accurate information.

### Request for selective licensing to be extended to Handsworth Wood

- 5.74 Finally, the submission expressed residents' surprise that the Handsworth Wood ward had not been included in the area that would come under the selective licensing scheme. This area was said to have similar problems to its neighbouring wards, struggling with crime and deprivation. As a result, it was requested that the PRS licensing scheme be extended to the Handsworth Wood ward, or to the "triangle of deprivation" / "Handsworth Wood Triangle" area north of Oxhill Road at the very least.

## Handsworth Wood Residents Association

### Request for selective licensing to be extended to the “triangle of deprivation”

- 5.75 As with the ARRAG, the Handsworth Wood Residents Association requested that the proposed PRS licensing be extended to the “triangle of deprivation” / “Handsworth Wood triangle”. This area was said to be one neighbourhood made up of three wards: the southern part of Handsworth Wood Ward and the northern sections of Handsworth Ward and Holyhead Ward.
- 5.76 It was said that whilst Handsworth Wood Ward is one of the least deprived wards in Birmingham, ‘the triangle’ suffers greatly from crime, deprivation, and a poor quality PRS. In their own calculations, it was said that PRS, crime rates, and the level of deprivation in ‘the triangle’ are all higher than the city averages. As a result, ‘the triangle’ was said to be comfortably within the Council’s criteria for PRS licensing.
- 5.77 The submission explained that residents of Handsworth Wood Ward are aware that ‘the triangle’ has been targeted by police and the Council’s Community Safety unit interventions for considerable amount of time, with issues including organised gangs, murder, and extreme antisocial behaviour. Therefore, it was asked to what extent the Council had sought the views of the police.

### Concern over poor quality HMOs and exempt accommodation in ‘the triangle’

- 5.78 HMOs and the private rent sector in general were said to be particularly poor in the ‘triangle’, with part of the neighbourhood being declared an Area of Restraint in 1994 and seeing little improvement since. The concentration of HMOs in ‘the triangle’ was also said to be particularly high, making the issue more of a concern again. It was acknowledged that the Area of Restraint was rescinded in December of 2021, however this was said to have been the result of the Council’s move toward a city-wide approach to the control of HMOs.
- 5.79 The submission went on to suggest that the Council’s data on the number of HMOs in ‘the triangle’ may be inaccurate, according to the Association’s own research. Concentration of exempt accommodation was also said to be particularly high in the area.
- 5.80 The high number of HMOs and exempt accommodations were said to correlate heavily with poor PRS and high crime rates and deprivation. Therefore, it was suggested that the Council ought to address these issues within ‘the triangle’.

### Risk of underhanded landlords moving to ‘the triangle’

- 5.81 The submission also expressed concern that if ‘the triangle’ was not covered by the PRS licensing scheme, then the characteristics already mentioned (existing poor quality PRS, high concentration of HMOs, etc.) would make it an ideal area for underhanded landlords seeking to avoid the licensing fee.
- 5.82 The potential for underhanded landlords to move to ‘the triangle’ if it is not included in the licensing area was also said to be a risk to the Council’s aim to conserve single family households. It was said that there are a significant number of large Victorian 3–4-bedroom houses in the neighbourhood that are “locked in the HMO sector”. Therefore, it was said that the availability of these homes to families could become worse again landlords move to the area to avoid licensing fees and create more HMOs.

### Concern of Equality of Impact Assessment

- 5.83 Finally, the submission expressed concern over the BAME community in Birmingham and how they are disproportionately impacted by low quality housing in the city. For this reason, it was suggested that “tackling substandard PRS housing, high deprivation and crime in areas of high BAME representation is critical if the Council is to meet its equality obligations”. In addition, prevent family households from being converted into HMOs was said to be particularly likely to benefit BAME residents.

- 5.84 The Handsworth Wood Residents Association suggested that it may be beneficial for the Council to revisit its Equalities Impact statement with this in mind.

## Perry Barr Constituency Housing Action Group

### Request for selective licensing to be extended to the ‘the triangle’

- 5.85 Once again, it was suggested that ‘the triangle’ should be included within the licensing area. It was said that to exclude the neighbourhood from the licensing scheme would be a “huge loss of opportunity” to tackle crime, deprivation, and poor PRS standards.
- 5.86 It was also said that excluding the neighbourhood would be detrimental to residents of the area as they would not see the benefits that licenced wards would, whilst it would also be detrimental to the Council’s goals since crime and deprivation would see no improvement there and the single household family housing market would remain weak there.

## Birmingham city wide housing / Exempt Accommodation Forum Group

### Support for the PRS licensing scheme

- 5.87 The submission stated the organisation’s support for the introduction of the PRS licensing scheme, stating that a PRS licence – given appropriate resources and consistent implementation – would be likely to raise the PRS standards in Birmingham. It was also said that improved visibility of landlords as a result of the scheme would make landlords less likely to attempt converting their rented accommodation into exempt properties.

### Suggestion of a ‘Ward Plus’ approach

- 5.88 The submission said that it was regrettable that the Council had used the LSOA data to create a Ward-based approach, arguing that it would be more effective to use the data to target key areas more directly, on a neighbourhood-based approach. However, the organisation said that they had accepted that the Council had made its decision to focus on wards rather than neighbourhoods, and therefore suggested a ‘ward plus’ approach.
- 5.89 In this approach, the Council would continue to focus its licensing on a ward-wide level but would also target a small number of ‘problem’ areas within wards that are not as badly affected as a whole. Specifically, it was said that the ‘Handsworth triangle’ and the northern end of Moseley Ward (referred to as ‘North Moseley’) must be included under the licensing scheme. In addition, it was said that Erdington Ward, Weoley & Selly Oak Ward and Moseley Ward as a whole could be considered for the scheme.
- 5.90 Both the ‘Handsworth triangle’ and North Moseley were said to be in need of licensing because of their high levels of crime, deprivation, and private rented accommodation. In addition, ‘the triangle’ was said to be in particular need because it has been “subject to substantial predatory activity by rogue landlords leasing properties to Registered Providers of Exempt Accommodation”.
- 5.91 Leaving ‘the triangle’ and North Moseley were both said to be of high risk for rogue landlords looking to avoid licensing fees if they were to remain unlicensed.
- 5.92 Erdington was said to have a large private rent sector and to suffer with pockets of crime and deprivation in certain areas. As a result, it was suggested that the LSOA data be consulted regarding whether the entire or ward, or neighbourhoods within it, should be considered for licensing.
- 5.93 Similarly, it was said that Moseley ward suffers from high levels of deprivation and has a large private rent sector. Therefore, it was suggested that it should be considered for licensing.

- 5.94 Finally, given the high levels of private rented properties in Weoley & Selly Oak ward and its increasing deprivation, it was suggested that crime, deprivation, and issues related to poor quality PRS could be displaced from newly licenced neighbouring wards into this ward. Therefore, it was recommended that Weoley & Selly Oak be considered for licensing to prevent this.

## Individual Residents

- 5.95 Five individual residents submitted written responses, varying in their detail. The majority of the responses were from residents of Handsworth Wood, requesting that their ward (or part of their ward) be included in the PRS licensing scheme. However, there was also one brief response from a resident that displayed concern over the potential for their rent to be increased as a result of the licence.

## General Support for the PRS licensing scheme

- 5.96 As stated, the majority (4/5) of responses from individual residents displayed a great deal of support for the proposals, with the hope that a PRS licensing scheme would reduce crime and antisocial behaviour in the worst affected wards.

## The licensing areas should be based on neighbourhoods rather than entire wards

- 5.97 Numerous residents of Handsworth Wood wrote that whilst they agreed with the need to introduce the proposed PRS licensing scheme, they disagreed with it treating wards as a whole. The reason given for this was that it “ignores the reality on the ground” whereby crime takes place across the borders of wards.
- 5.98 Since crime and deprivation can vary greatly between different areas within one ward, these individuals suggested that licensing should be introduced on a neighbourhood level to target problem areas more affectively. It was also suggested that this would minimise displacement from licenced wards into unlicenced areas with similar issues.

## Licensing should be extended to Handsworth Wood

- 5.99 All of the residents that wrote submissions in support of the PRS licensing scheme suggested that it should be extended to Handsworth Wood. As with the submission from the ARRAG, this was based on concerns over crime and deprivation in neighbourhoods within the ward.
- 5.100 Whilst some of the residents suggested that Handsworth Wood in its entirety should be included in the licensing area, others suggested that only part of the ward referred to as the “Triangle of deprivation” / the “Handsworth Triangle” should be included due to problems with crime and antisocial behaviour being more prevalent there. This view was coupled with the previously mentioned suggestion that licensing should operate on a neighbourhood level rather than being across entire wards.
- 5.101 The “Handsworth Triangle” was also said to have all of the characteristics that would make it “prey” to unscrupulous landlords looking to relocate from licenced areas to unlicenced areas, since it already struggles with crime and deprivation and has a significantly high concentration of HMOs and exempt housing. Therefore, it was suggested that crime and deprivation could worsen in the area if licensing is introduced in areas surrounding it but not within the triangle itself.
- 5.102 These concerns and suggestions were coupled with the notion that the Council must “future proof” the licensing scheme so that future ‘hotspots’ of crime and deprivation are not created by landlords moving away from licenced to unlicenced areas of the city.

## Local Politicians

- 5.103 Two written responses were received from local politicians. One of these was from Shabana Mahmood MP and the other was from a local Councillor for Bournbrook and Selly Park. Both responses gave their overall support for the proposed licensing scheme.

### Shabana Mahmood

#### Strong support for the PRS licence

- 5.104 Shabana Mahmood gave their overwhelming support for the PRS licensing proposals, stating that the fee is fair, the goals are appropriate, the areas that would be use the licence are appropriate, and that similar schemes across the UK have been very successful in their goals. Specifically, they referenced the Rent Smart licensing scheme in Wales and credited it for raising the standards of its private sector across the country. Tenants, landlords and letting agents in Wales were all said to have benefited from this.
- 5.105 As well as benefiting tenants and landlords by raising the standards of Birmingham's private rent sector, the submission suggested that the city as a whole would also benefit from the goals of the licensing scheme.

#### Need for strong conditions on the proper disposal of 'bulky' waste

- 5.106 The submission also suggested that conditions on the proper disposal of 'bulky' waste should be made stronger as a part of the licence. It was suggested that this would help tackle the issues of litter and environmental crime in the wards under the licence and benefit the city of Birmingham as a whole.

### Local Councillor for Bournbrook and Selly Park

#### Support for bringing smaller HMOs under the licensing scheme

- 5.107 The scheme was said to be of potential benefit to landlords as well as tenants. Landlords of smaller HMOs, such as those using property as a pension scheme, were said to be outside the information systems and networks which can offer support, making them less likely to be aware of details of local initiatives around waste as well as opportunities to raise standards. Therefore, it was said that the scheme would help keep such landlords within the information systems and networks relevant to their responsibilities and thus improve the quality of their service. It was also said that it would make the Council more aware of families living in HMOs, which would bring additional benefits to the landlords involved.

#### Regret that exempt accommodation will not come under the licence

- 5.108 The submission also voiced regret that exempt accommodation would not be affected by the licence, suggesting that it would be beneficial to the sector if it could be.

## Other organisations

### Localise West Midlands

- 5.109 Localise West Midlands is a think tank, consultancy, and campaign organisation with a focus on local economics in the West Midlands. Localise West Midlands generally gave a clear support for the proposed licence's potential to lower crime and deprivation.

### Support for the licence's ability to lower crime, deprivation, and CO<sub>2</sub> emissions

- 5.110 Localise West Midlands stressed the importance that adequate housing has in lowering crime and deprivation rates. As a result, it was suggested that the licensing scheme may be effective at reducing these problems within the city.
- 5.111 Additionally, it was suggested that CO<sub>2</sub> emissions would likely be reduced as a result of the improved housing conditions that would come about as a result of the licence.

### Potential for improvement to energy efficiency and flood resilience

- 5.112 As well as reducing crime and deprivation, it was suggested that the energy efficiency and flood resilience of private rented accommodation could also be improved.
- 5.113 Energy efficiency was said to be likely to improve because selective licensing would allow for targeted support for improving energy efficiency in properties that are currently performing poorly.
- 5.114 Flood resilience was said to be poor in private rented properties in Birmingham and especially in low quality rented properties, due to the fact that not only are the tenants less able to adopt good practice in flood risk mitigation, but these properties are also less likely to be insured. As a result, the submission argued that introducing the licensing scheme would not only result in basic standards be promoted and enforced, but the new visibility of the licensed properties will allow targeted partnership working, including potential for grant support to improve practical aspects of both prevention and response to flood events.

### Regret that exempt accommodation will not come under the licence

- 5.115 Once again, regret was displayed over the fact that the exempt sector could not be included under the PRS scheme, as the sector was said to be "in desperate need of regulation".

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