

Agenda

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Housing Panel (Panel of the Scrutiny Committee)

Date: **Thursday 8 October 2015**

Time: **5.00 pm**

Place: **Plowman Room - Town Hall**

For any further information please contact:

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Housing Panel (Panel of the Scrutiny Committee)

Membership

Chair	Councillor Linda Smith
	Councillor Gill Sanders
	Councillor Sam Hollick
	Councillor Elizabeth Wade
	Councillor Elise Benjamin
	Councillor David Henwood
	Geno Humphrey

The Quorum for this Panel is three and substitutes are not allowed.

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AGENDA

Pages

1 APOLOGIES

2 DECLARATIONS OF INTEREST

3 HOUSES IN MULTIPLE OCCUPATION (HMO) LICENSING

7 - 250

Background Information

The Housing Panel on 4 June pre-scrutinised a review of licensing of houses of multiple occupations (HMOs) and supported the extension of the HMO licensing scheme in its entirety for a further 5 years. The Panel made 2 recommendations which were both agreed by CEB.

The Panel also agreed to review a proposed October report setting out the results of the statutory consultation and the proposed future of the licensing scheme.

Why is it on the agenda?

For the Panel to pre-scrutinise the report that sets out the results of the consultation exercise for Additional Licensing and sets out recommendations for the future of the scheme.

The Panel may wish to make one or more recommendations to CEB on 15 October.

Who has been invited to comment?

- Ian Wright, Service Manager, Environmental Health
- Adrian Chownes, Team Leader, HMO Enforcement Team

4 ARRANGEMENTS TO FACILITATE THE FITTING OF SOLAR PANELS

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Background Information

The City Executive Board (CEB) on 15 October will be asked to consider the proposals, and to delegate authority to enter into legal arrangements, for a solar panel installation programme for council properties funded through a community-benefit model.

Why is it on the agenda?

The Chair of the Housing Panel requested that this report comes to the Housing Panel for pre-decision scrutiny.

The Panel may wish to make one or more recommendations to CEB on 15 October.

Who has been invited to comment?

Stephen Clarke, Head of Housing and Property

5 HOUSING PANEL WORK PROGRAMME

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For the Panel to note and agree its work programme.

6 NOTES OF PREVIOUS MEETING

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For the Panel to agree the record of the meeting held on 3 September 2015.

7 DATE OF NEXT MEETING

The next meeting is scheduled for 5 November, 5pm

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licences for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

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To: City Executive Board

Date: 15October 2015

Report of: Executive Director, Regeneration and Housing

Title of Report: Additional Licensing Scheme for HMOs

Summary and Recommendations

Purpose of report: The report provides the results from the consultation carried out for the HMO Licensing Scheme and seeks approval from members to designate the whole of the City as subject to additional licensing under section 56(1) (a) of the Housing Act 2004 in relation to the size and type of HMO specified in the recommendations of this report for 5 years commencing the 25 January 2016.

Key decision: Yes

Executive lead member: Cllr Ed Turner

Policy Framework: Meeting Housing Needs and An Effective and Efficient Council

Recommendation(s): That the City Executive Board resolves to:

1. Note the report of the Consultation of Licensing of Houses in Multiple Occupation 2015 and its findings attached at Appendix 1.
2. Agree that having considered the report of the consultation, which shows that a significant proportion of HMOs in the City are being managed ineffectively, an additional licensing scheme is required for a further 5 years.
3. Agree to designate the whole of the City as subject to additional licensing under section 56(1)(a) of the Housing Act 2004 for all three storey Houses in Multiple Occupation that contain three or four occupiers and all two storey Houses in Multiple Occupation that contain five or more occupiers with the designation coming into force on 25 January 2016 for a period of 5 years.

4. Agree to designate the whole of the City as subject to additional licensing under section 56(1)(a) of the Housing Act 2004 in relation to all two storey or single storey Houses in Multiple Occupation that contain three or four occupiers and all self-contained flats that are Houses in Multiple Occupation, irrespective of the number of storeys, but, so far as concerns section 257, Houses in Multiple Occupation, limit the designation to those that are mainly or wholly tenanted, Including those with resident landlords. This second designation will come into force on the 31 January 2017 and will last for 4 years.
5. Recommend Council to resolve to adopt the proposed fees and charges structure attached at Appendix 2.
6. Recommend Council to resolve to adopt the eligibility criteria for the new scheme as attached at Appendix 3.

Appendices

- | | |
|------------|---|
| Appendix 1 | Report on the Consultation of the Houses in Multiple Occupation Licensing Scheme 2015 |
| Appendix 2 | Proposed Fees and Charges post 31 January 2016 |
| Appendix 3 | Eligibility criteria for proposed scheme |
| Appendix 4 | Risk register |
| Appendix 5 | Equalities Impact Assessment |

Background

1. In June 2015 the findings of the review of Licensing of Houses in Multiple Occupation was reported to the City Executive Board.
2. The City Executive Board confirmed that the review showed that a significant proportion of HMOS in the Council's area are being managed ineffectively and instructed officers to proceed with a statutory 10 week consultation preparatory to renewing the licensing scheme in its entirety for a further 5 years from the 25 January 2016.
3. The City Executive Board also requested that officers provide a further report setting out the results of the statutory consultation and proposals for the licensing scheme.
4. On 12 June the Council commenced the statutory consultation for a period of 10 weeks concluding on the 24 August 2015.
5. The Consultation of Additional Licensing of Houses in Multiple Occupation 2015, is summarised in this report and set out in full at Appendix 1.

Legal Issues

6. In order for the Council to 'renew' the scheme it must proceed through the statutory process as laid out in Section 56 and 57 and the guidance issued under the Housing Act 2004: Licensing of Houses in Multiple

Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2010.

7. Section 56 of the Act places requirements upon the Local Housing Authority when considering a designation for additional licensing of HMOs, in that the Council must:
 - Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public; and
 - Take reasonable steps to consult with persons who are likely to be affected and consider any representations made in accordance with the consultation and not withdrawn; and
 - Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area (these codes relate to University managed accommodation).
8. Section 57 provides further considerations for the Local Authority in that they should ensure that:
 - Exercising the designation is consistent with the authority's overall housing strategy; and
 - Seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by them or others; and
 - Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and
 - That making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).
9. The DCLG General Approval provides the condition that any consultation period for the proposed designation should not be less than 10 weeks.
10. In February 2010 the DCLG produced general guidance around the approval steps for additional and selective licensing designations in England.
11. This document provides examples of properties being managed "*sufficiently ineffectively*" including:
 - Those whose external condition and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located;

- Those whose internal condition, such as poor amenities, overcrowding etc. adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues;
 - Those where there is a significant and persistent problem of anti-social behaviour affecting other residents and/or the local community and the landlords of the HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems; and
 - Those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare, health and safety of residents and/or impacting upon the wider community.
12. The Additional Licensing scheme in the City was introduced in two phases with each phase lasting for a period of 5 years. This creates a situation where Phase 1 and Phase 2 will expire on different dates (Phase 1 on the 24 January 2016 and Phase 2 on the 31 January 2017).
13. Under section 60(2) of the Act the time must be no later than five years after the date on which the designation comes into force.
14. The proposal is that the new designation would commence on the 25 January 2016 for a period of 5 years and include a provision for Phase 2 of the original scheme to commence on the 1 February 2017 with an expiry date of the 25 January 2021. This would align the two phases of the scheme and reduce the financial burden associated with having to revoke Phase 2 of the scheme and re-designate it following expiry in 2017.

Consultation of the HMO licensing scheme in Oxford 2015

Key Findings from the consultation

15. The Council adopted a range of techniques for this consultation including questionnaires, focus groups, roadshows, tenants and resident group meetings and stakeholder meetings.
16. In total the Council received 209 questionnaires, 97 online and 112 completed face to face during the roadshows. A summary of the key findings from the two approaches are set out below.
17. The results from the online questionnaires were as follows:
- 30% of the respondents were home owners living in Oxford, 28% landlords or owners of HMOs, 13% letting or managing agents, 9% tenants who were living, or had lived in a HMO in the past 5 years in Oxford, 6% tenants living in a non HMO, 5% students and people living outside of Oxford, and 3% other.

- 49% lived in the OX4 area, 20% in OX3, 13% outside of the City, 12% in OX2 and 6% in OX1
 - The biggest concerns raised by people living in HMOs were the difficulties in getting repairs done, lack of contact with the Landlord/Agent, problems associated with certificates, and deposit issues
 - 36% of all residents reported serious concerns with poorly managed refuse/untidy overflowing bins, and HMO property conditions; 49% raised serious concerns about external property conditions
 - 51% responded to the issue of overgrown gardens indicating it was a problem in the area where they live
 - 53% of respondents either strongly agreed or agreed that there are poorly managed HMO's in the area of Oxford where they live
 - 39% of respondents felt that living conditions in HMOs have improved and 40% either strongly agreed or agreed that the licensing scheme has improved HMOs
 - 48% of respondents strongly agreed and 16% agreed that the licensing scheme should be 'renewed' for a further 5 years. 17% strongly disagreed and 12% disagreed
 - The top four reasons for disagreeing with the renewal of the scheme were, the Council should increase the punishment for rogue landlords, fees for a licence should be reduced for compliant landlords, the process should be simplified, and licences should be issued for longer periods of validity
18. The results from the face to face questionnaires completed during the roadshows were as follows:
- 48% of respondents were home owners living in Oxford, 15% tenants in a rented property that is not an HMO, 9% landlords and home owners, 9% tenants living in an HMO, 7% living outside Oxford, 5% living with parents in Oxford, 4% a landlord, 2% students and 1% a letting or managing agent
 - 46% of respondents were from the OX4 area, 29% OX3, 12% outside the City, 10% in OX2 and 4% in OX1
 - The biggest concerns raised by people living in HMOs were fear of reporting repairs for being evicted (13%), deposit issues (15%), lack of contact with landlord/agent (15%), and difficulties getting repairs done (19%)
 - The top four problems with HMOs in an area where respondents lived were overgrown gardens (25%) poorly managed refuse (23%), poor property conditions (21%), and poor external appearance of HMOs (20%)

- 31% of respondents either strongly agreed or agreed that there were poorly managed HMOs in the area where they live
 - 70% of people provided a neutral response to the question of whether the licence scheme has improved HMOs in their area whilst 24% strongly agreed or agreed and 7% strongly disagreed or disagreed
 - 46% strongly agreed and 26% agreed with the proposal to 'renew' the Scheme in its entirety for a further 5 years. 11% provided a neutral response and 17% either strongly disagreed or disagreed
 - The top four reasons for disagreeing with the renewal of the scheme were the Council should increase the punishment for rogue landlords (33%), fees for a licence should be reduced for complaint landlords (27%), the process should be simplified, longer licences should be issued, and HMOs are now being better managed all scoring 13%
19. The focus groups included landlords, agents, students and residents of Oxford. The common theme resulting from these groups is that there is a need to refine the scheme to reward compliant landlords and increase costs for rogue landlords. Fees and charges to reflect this should be considered and longer licences offered to compliant landlords.
20. National organisations including the National Landlords Association, Residential Landlords Association and the Citizens Advice Bureau submitted responses to the consultation together with community groups such as Oxford Community Forum and Wolvercote Neighbourhood Forum. All of the responses received have been considered as part of the development of the consultation report and are included as appendices to that document.

Financial Issues

21. When setting the fees and charges structure for the licensing scheme the Council has to take account of the staff costs, training, administration and publicity and that it is not allowed to use licensing fees to raise revenue for other projects or areas of work. The expenditure and income sheet is provided at Appendix 2.
22. The original financial structure of the Scheme was designed to be 'cost neutral' to cover the costs mentioned above and to ensure that no General Fund Revenue was required to support the delivery of the Scheme.
23. The proposed fees and charges structure set out in Appendix 2 is 'cost neutral' whilst addressing the majority of the issues and concerns raised during the consultation. It will have to be ratified by full Council prior to the introduction of the new scheme. There is likely to be a deficit in the first year and will therefore require the HMO reserve to be used

to allow for the 5 year income and expenditure pattern to be achieved. The fees and charges structure will also be reviewed on an annual basis and if there is a need to increase them to cover any potential shortfall then this will be recommended and reported through the budget setting process.

24. The Council has responded to some of the key issues raised in the consultation and structured the scheme in such a way that benefits those landlords and agents that are compliant and provides incentives to improve compliance. This is reflected in the fees and charges structure and the eligibility for licences.
25. The eligibility criteria and options for licences are shown in Appendix 3. The main change is the proposed introduction of a 5 year licence for landlords who are registered under the Council's accreditation scheme.
26. Accreditation will be given to those landlords and agents who are experienced, knowledgeable in their profession and are committed to following the good practice principles set out in the Royal Institution of Chartered Surveyors (RICS) Private Rented Sector Code of Practice, which was endorsed by the Minister of State for Housing and Planning in July 2015 and is attached as an Appendix to the Report of Consultation of the HMO licensing scheme.
27. Any differentiation applied to landlords and agents based on the Eligibility Criteria, including the length of licence for which they may be considered, is justified in furtherance of the overriding public interest of improving the standard of HMOs and their management.

Conclusion

28. It is clear from the findings of the review that there have been some positive successes with the introduction and delivery of the HMO licensing scheme. Standards and management of HMOs have improved since the scheme was introduced; however there is still more that needs to be done to maintain these standards and build upon the successes of the Scheme.
29. Perceptions of the scheme are generally positive and residents and tenants, in particular, can see clear improvements, 39% of respondents were of the opinion that living conditions in HMOs have improved and 40% either strongly agreed or agreed that the licensing scheme has improved HMOs.
30. It is however clear from the evidence issues that the scheme has still not fully addressed the issues relating to poor management and the condition of HMOs.
31. In addition, the evolving and buoyant housing market within Oxford has resulted in the number of HMOs increasing year on year. This underlines the need to maintain a continued pressure to ensure that standards do not decline and to provide better accommodation in this sector.

32. Therefore additional licensing remains an appropriate solution for the City. This approach is consistent with the priorities set within the Council's Corporate Plan and Housing Strategy.
33. As indicated above, it is planned that the licensing scheme should be entirely self-financing so that all of the costs associated with operating the scheme are covered by the fee structure. This will ensure that there is no additional financial burden placed on the Council's budget.

Level of risk - a risk register is attached as Appendix 4.

Environmental Impact

The option of 'do nothing' is likely to result in significant environmental impacts, particularly when the Council will otherwise have a very limited ability to maintain and improve HMO conditions, for example: energy efficiency and thermal performance, waste management and household waste recycling.

Equality Impact Assessment– An EIA has been completed and attached as an Appendix 5.

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Consultation of Additional Licensing of Houses in Multiple Occupation 2015



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Introduction

This report provides the findings of the consultation carried out as part of the proposal to renew the HMO Licensing Scheme in operation in Oxford post January 2016. It sets out the responses and key findings of the 10 week statutory consultation which started on the 12th June 2015 and concluded on the 24th August 2015.

In order to understand the complete picture relating to the licensing of HMOs in Oxford it should be read in conjunction with the report on the review of HMO licensing produced by the Council in June 2015.

Background

Additional Licensing in Oxford provides a mechanism to secure the improvement of all of the HMO stock in the City and is a significant undertaking by the Council. When it was first introduced the overall purpose of the licensing scheme was to: ***'alleviate the housing situation by setting and maintaining minimum standards across the city in the most vulnerable sector of Oxfords private rental market'***.

This is also a major contributing factor to the Councils Corporate priority of 'Meeting Housing Need' by the number of HMO Licence inspections carried out and by improving conditions in the Private Rented Sector.

The Additional Licensing scheme, introduced in the City in 2011 and 2012, runs for a period of 5 years. This creates a situation where Phase 1 and Phase 2 will expire on different dates (Phase 1 on the 24th January 2016 and Phase 2 on the 31st January 2017).

Under section 60 of the Act, the Local Authority must "from time to time" review the operation of the designation and if it is appropriate to do so then they may revoke the designation.

In 2014/15 the Council undertook a review of the HMO Licensing scheme which recommended that, post 2016 the Scheme be renewed in its entirety to cover the whole of the City. The two phases of the scheme will be aligned and therefore the expiry date of the proposed new scheme will be the 25th January 2021. This will simplify the system for the Council and customers and reduce the financial burden associated with having to revoke Phase 2 of the scheme and re-advertise the new designation for the whole scheme.

In June 2015 the City Executive Board approved these recommendations and approved the commencement of the 10 week statutory consultation, which is now complete.

What is a HMO?

An HMO (House in Multiple Occupation) is defined in Sections 254 and 257 of the Housing Act 2004. An HMO can be a building or part of a building if it is:

- Occupied by persons who form more than one household, and where those persons share (or lack) one or more basic amenities, such as a WC, personal washing and cooking facilities.
- A converted building containing one or more units of accommodation that do not consist entirely of self-contained flats. (There is no requirement that the occupiers share facilities)
- A converted building consisting entirely of self-contained flats, where the building work undertaken in connection with the conversion did not comply with the 1991 Building Regulations and more than one third of the flats are occupied under short tenancies.

The HMO must be occupied by more than one household:

- As their only or main residence
- As a refuge by persons escaping domestic violence
- During term time by students

In all cases:

- Occupation of the living accommodation must be the only use of that accommodation
- Rents are payable or other considerations are provided

Under the Housing Act 2004, a **household** comprises:

- A single person
- Co-habiting couples (whether or not of the opposite sex)
- A family (including foster children and children being cared for) and current domestic employees.

Certain types of buildings will not be HMOs for the purpose of the Housing Act. They are:

- Buildings, or parts of buildings, occupied by no more than two households, each of which comprise a single person only (for example, two person house or flat shares)
- Buildings occupied by a resident landlord with up to two tenants
- Buildings managed or owned by a public sector body, such as the police, local authority, registered social landlords, fire and rescue authority and the NHS
- Buildings occupied by religious communities

- Student halls of residence where the education establishment has signed up to an Approved Code of Practice
- Buildings occupied entirely by freeholders or long leaseholder.

Key Findings from the Consultation

Online questionnaires

- Of the 97 people that completed the online questionnaire, 29 (30%) were Home Owners, 27 (28%) were Landlords or owners of HMOs, 13% were Letting or Managing Agents and 9% were tenants who were living, or had lived in a HMO in the past 5 years in Oxford.
- 49% lived in OX4 area, 20% in OX3, 13% Outside of the City, 12% in OX2 and 6% in OX1.
- 98% of respondents were aware of the Scheme.
- 70% of the responses made regarding problems experienced living in HMOs were from Tenants and Students.
- The biggest concerns raised by people living in HMOs were difficulties getting repairs done, lack of contact with the Landlord/Agent, problems associated with certificates, and deposit issues.
- 36% of residents reported serious concerns with poorly managed refuse/untidy overflowing bins in HMOs
- 31% of residents raised less concern about empty unattended HMOs
- 36% of respondents raised concerns about HMO property conditions
- 49% raised serious concerns about external property conditions
- 51% responded to the issue of overgrown gardens indicating it was a problem in the area where they live
- 36% and 39% of residents did not have any major concerns about nuisance and ASB respectively from HMOs
- 53% of respondents either strongly agreed or agreed that there are poorly managed HMO's in the area of Oxford where they live
- There was a slight difference of opinion between landlords and home owners regarding whether HMOs are maintained to a good standard. 35% either strongly agreed or agreed that HMO's are maintained to a good standard whereas 31% felt that this was not the case and either strongly disagreed or disagreed.
- 39% of respondents felt that living conditions in HMOs have improved and 40% either strongly agreed or agreed that the licensing scheme has improved HMOs.
- 36% either strongly disagreed or disagreed that there were no problems with HMOs.

- 48% of respondents strongly agreed that the licensing scheme should be renewed for a further 5 years. 17% strongly disagreed, 16% agreed and 12% disagreed.
- The top four reasons for disagreeing with the renewal of the scheme were the Council should punish rogue landlords more, fees for a licence should be reduced and the process simplified and longer licences are needed.

Road shows

- 112 people completed a questionnaire during the City wide road shows with 48% indicating they were Home Owners, 15% a Tenant in a rented property that is not a HMO, 9% Home Owner and Landlord, 9% Tenant living in a HMO, 7% Living outside Oxford, 5% Living with parents in Oxford, 4% a Landlord, 2% Students and 1% a Letting or Managing Agent.
- 46% of respondents were from the OX4 area, 29% OX3, 12% outside the City, 10% in OX2 and 4% in OX1.
- Overall 50% of people who completed a questionnaire were aware that the Scheme existed in Oxford.
- The biggest concerns raised by people living in HMOs were fear of reporting repairs for being evicted (13%), deposit issues (15%), lack of contact with landlord/agent (15%), and difficulties getting repairs done (19%).
- The top four problems with HMOs in an area where respondents lived were overgrown gardens (25%) poorly managed refuse (23%), poor property conditions (21%), and poor external appearance of HMOs (20%).
- 31% of respondents either strongly agreed or agreed that there were poorly managed HMOs in the area where they live
- 27% agreed or strongly agreed that HMOs are maintained to a good standard, with 47% providing a neutral response and 26% strongly disagreeing or disagreeing.
- 20% of respondents either strongly agreed or agreed that living conditions in HMOs have improved. 69% were neutral and 12% strongly disagreed or disagreed.
- 46% agreed or strongly agreed that there were not any problems with HMOs in the area where they live and 28% strongly disagreed or disagreed. 26% were neutral.
- 70% of people provided a neutral response to the question of whether the licence scheme has improved HMOs in their area whilst 24% strongly agreed or agreed and 7% strongly disagreed or disagreed.
- Similar high levels of neutral responses (62%) were received to the question of whether the licensing scheme has made no difference at all with 13% either strongly agreeing/agreeing. 26% felt that they strongly disagreed or disagreed with this statement.

- 46% strongly agreed and 26% agreed with the proposal to renew the Scheme in its entirety for a further 5 years. 11% provided a neutral response and 17% either strongly disagreed or disagreed.
- The top four reasons for disagreeing with the renewal of the scheme were the Council should punish rogue landlords more (33%), fees for a licence should be reduced for complaint landlords (27%) and the process simplified, longer licences and HMOs are managed better all scoring 13%.

Focus Groups

Landlords

A summary of the key responses provided by Landlords is found below in Table 1. The full SWOT analysis can be found at Appendix 1.

Table 1 – Key results from Landlords SWOT analysis

STRENGTHS	WEAKNESSES
Reputation of Scheme – something to be proud of and raises standards and improves safety. Communication – has improved over time and information provided has improved.	Expensive for good landlords Licence period too short Too much paperwork Lack of consistency
OPPORTUNITIES	THREATS
Two way communication Help to tackle rogue landlords More information on location and status of HMOs Morning clinic for advice and information	Lack of housing Over regulation Bureaucracy 'Rogues' ignoring scheme

Agents

A focus group was held with agents and below is a summary of the key comments and views from the group. The full set of responses can be found at Appendix 2.

- “raising standards is what we all want”
- Support for raising the bar for 5 year licences

- “Make it easier for us”
- Introduce “service standards”
- “evolve the processes and procedures used in HMO to cater for the needs and preference of its customers”
- The Council should charge for accreditation training
- All good landlords have been paying since the beginning of the Scheme
- Link 5 year licences to ‘gold’ standard OCLAS accreditation
- Introduce ‘audit’ checks for 5 year licence holders
- Provide ‘account managers’ as direct point of contact for agents/large portfolio landlords

Students

A focus group was held with students from Oxford University and below is a summary of their responses. The full set of responses can be found at Appendix 3.

Mixed experience of living in HMOs – some reported good where “landlord has British Gas cover...” and others that “agents is very responsive but the landlord is not so good” to, “difficult to get repairs done” and “sometimes challenging”.

Management issues identified included good practice with one case where “cleaner comes in every week and written into tenancy agreement that a management inspection is completed every 6 months” to “inspection every few months but we have to clean communal areas” to “no management inspections....when report issues agent doesn’t care... communication is not good”.

Most students had low expectations and had “heard a lot of horror stories from friends”. Clear discriminatory approach by agents who have a “just students” mentality and have different offices for students and working professionals. Scaremongering and made to feel under pressure in taking on a property were common themes.

One student reported a change due to the introduction of the licensing scheme because their landlord had asked them to test fire alarms regularly.

More work could be done with students to improve understanding and the requirements of HMO licensing.

General Comments

In addition to the questionnaire and focus group results a number of individuals and organisations submitted comments via email and in writing. A summary of these is provided below.

National Landlords Association (NLA) – The NLA submitted a document with 14 points in response to the proposal for additional licensing, which can be found at Appendix 4.

The Residential Landlords Association (RLA) – The RLA submitted a consultation response raising 6 general concerns and 6 specific concerns with regard to the following:

- Government review of HMO Licensing
- Independent verification of data
- Room sizes
- Standards
- Costs
- Accreditation

The full response submitted by the RLA is provided at Appendix 5.

The Citizens Advice Bureau (CAB) - The CAB submitted additional information regarding issues they have come across as part of their caseload when dealing with private rented sector tenants in HMOs, which is attached at Appendix 6.

Some of the key concerns raised included:

- Poorly managed properties where health risks caused by disrepair are not addressed
- Retaliatory evictions as a result of complaints
- Failure to protect and return deposits
- Frauds and scams around availability of private rented accommodation

Members from Oxford Community Forum (OCF) submitted a written response to the consultation highlighting the following:

- Accreditation should be made easy and criteria should be certified
- Lack of awareness among landlords re: HMO licensing and accreditation
- Accreditation licence period of 3 to 5 years for accredited landlords
- HMO applications need to be simplified
- More flexibility required when applying standards
- Better cohesion between officers
- Provide guidelines for landlords
- General attitude of staff needs to be improved

- Rogue landlords should be pursued and targeted
- Tenants should be held accountable and responsible
- Subletting is a problem and not always the landlords fault

The full response from OCF can be found at Appendix 7.

A tenant from a licensed HMO in Magdalen Road submitted a written response which has been summarised below.

- There have been a few inspections by the Council over the last few years
- One recommendation was that there should be new kitchen facilities
- The new facilities are much better than, previously, so I am satisfied with that aspect
- New central heating also fitted
- Previous heating was adequate and now I have to pay higher heating costs
- Recommend that in future tenants are consulted on living conditions and proposed works explained

A letter was also received from Wolvercote Neighbourhood Forum which raised a number of problems they had experienced in the Wolvercote ward, in particular:

- Over development of HMOs resulting in run down appearance due to poor state of presentation and repair of some HMOs
- Insufficient space and facilities for tenants of HMOs
- Community integration issues
- Additional vehicles
- Multiple wheelie bins
- Increased risk of fire and other hazards

The full response from WNF can be found at Appendix 13.

Supporting Information

Consultation on Licensing of HMOs

Additional Licensing of HMOs has been in operation in Oxford since 2011 and the Council has recently conducted a review of the Scheme and produced a report that was submitted to the City Executive in June 2015 with recommendations to consult on the renewal of the scheme in its entirety from the 12th June to the 24th August 2015.

The Council has completed the consultation in line with the statutory requirements laid down by Government and the full sets of results are provided in this report.

Purpose

The Council conducted the consultation in accordance with the requirements laid down by Government and the Housing Act 2004 so that 'all persons likely to be affected by the proposals' could make their views known to the Council before it submits a report to the City Executive Board setting out proposals for the structure of the new designation in October 2015.

Methodology

To offer as many people the opportunity to put forward their views about the impact of the current scheme and proposals for the new designation the Council used a range of consultation techniques.

A questionnaire was developed to determine the status of the person responding and included a series of statements and questions focusing on three key areas:

- Conditions of HMOs
- Management of HMOs
- Impact of HMOs

Respondents were asked to indicate on a range of levels and scores about these areas. The questionnaire was made available on Oxford City Council's website and on websites in the neighbouring authorities.

In addition to the online questionnaire a series of 'road shows' were carried out by officers throughout the City. Details are provided in Table 2 below.

Table 2 – Road show locations

LOCATION	DATE
Clarendon Centre and Jericho area – Walton Street	23 rd June 2015
Rose Hill – Courtland Road and Templars Square	24 th June 2015
Barton – Underhill Circus (nr. Neighbourhood Centre) and Headington – London Road	25 th June 2015
Woodfarm – Atkyns Road and Blackbird Leys – Blackbird Leys Road	29 th June 2015
Summertown – Banbury Road/Oakthorpe and Marston – Old Marston Road	30 th June 2015
East Oxford – Cowley Road nr. Manzil Way	1 st July 2015
Botley – La Marsh Road	2 nd July 2015
Cowley Library	27 th July 2015
Oxford Central Library	27 th July 2015
Headington Library	28 th July 2015
Blackbird Leys Library	29 th July 2015

In total the Council received 209 completed questionnaires. 97 through the online option and 112 from the City wide road shows. This is an excellent response for this type of approach and exceeds the numbers by four times for the levels the Council received when consulting on its budget in 2014. This clearly shows that HMOs are a major concern for tenants and residents of Oxford and those living outside the City.

Targeted consultation of stakeholder groups was also carried out to capture the views of specific interest groups, namely landlords, agents and students.

A Landlord Information Exchange (LIE) was held on the 21st July 2015 at the Kassam Stadium and around 80 landlords and agents attended out of the 150 that had originally registered for this event. A series of presentations were given and attendees were split into four groups to conduct a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis facilitated by members of the HMO Enforcement and Licensing Teams. The full set of slides and results from the SWOT analysis are provided at Appendix 8.

A further landlord information exchange was held at the Town Hall in Oxford on the morning of the 5th August 2015 and 15 landlords and agents attended out of the 25 that had registered. A summary of the presentations used at the previous event was provided to attendees and a similar

SWOT analysis was conducted. The results of this analysis were incorporated into the full set, which has been provided at Appendix 1.

A focus group was organised in partnership with local agents at the Council's offices in Oxford on the 19th August 2015 and 15 people attended from various agents around the City. The meeting was an open debate around a number of defined issues and the results of this have been provided further in this report.

The University of Oxford also arranged for the HMO Enforcement Team Manager to conduct a focus group session with 10 students who had experience of living in HMOs in Oxford over the past five years. The students group was used to gauge their experience of living in HMOs and to see if there had been any impact on this through the introduction of the licensing scheme.

The Council was committed to ensuring that the consultation was targeted to a wider audience as possible and used a variety of methods to promote the project and encourage responses. Poster and flyers were distributed to all agents across the City during June and July and these were also made available in the University schools, student welfare and union offices. Posters were also distributed to other key external agencies such as Shelter, Crisis, Police and Oxfordshire County Council. All emails sent out by the Environmental Health teams had signature banners promoting the consultation and the landlord's event at the Kassam Stadium. A full set of these have been provided at Appendix 9.

A series of adverts were also placed in the local press detailing the date and location of the road shows mentioned earlier. The LIE meeting was also advertised in the local press. Regular updates about these events and general releases promoting the consultation were also put on the main social media sites. Details of these have been provided at Appendix 10.

The Leader of the Council carried out a radio interview with BBC Radio Oxford to respond to issues raised by the National Landlords Association and took the opportunity to encourage people to be involved in the consultation.

Officers also attended the Town Parish Council Meeting to present some of the key findings of the review report and to invite members to encourage their constituents to be involved in the consultation. A series of meetings were also held with ward members and with resident and tenants associations across the City.

Consultation Results

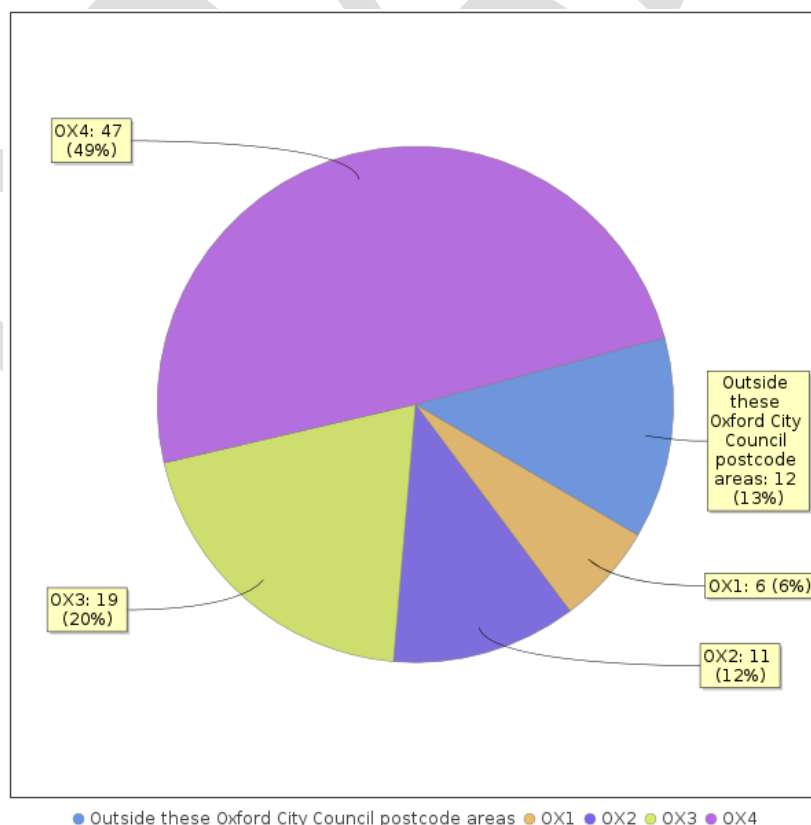
The following provides the results from all of the approaches discussed above. The first set of results, provided directly below, relate to those received from the questionnaires completed online.

Online Questionnaires

The first question in the online questionnaire asked 'Which postcode area of Oxford City Council do you live in?'

As can be seen from Figure 1 below the majority of respondents (49%) were from the OX4 area of Oxford. This is not surprising given that there is a large concentration of HMOs in this area. The overall results are encouraging given that the approach of questionnaires can sometimes be problematic in obtaining responses.

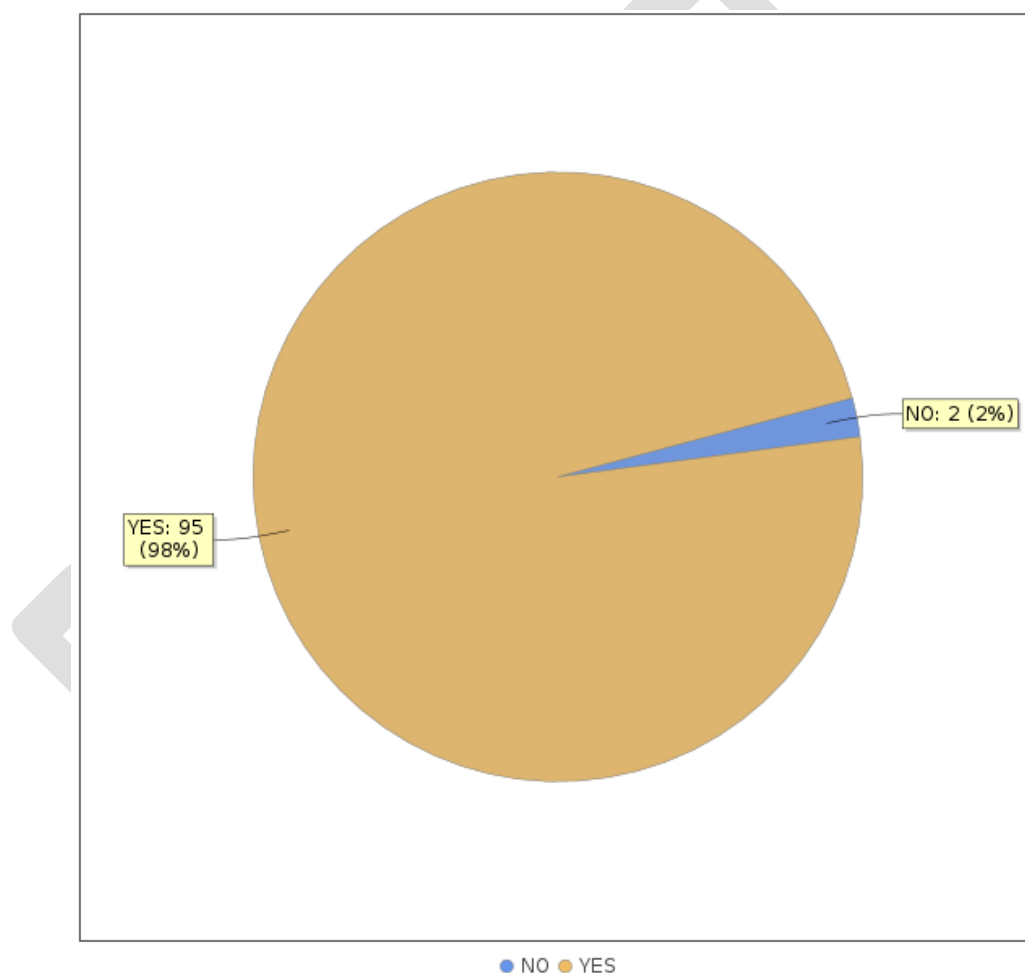
Figure 1 – Postcode areas



Question 2 asked people if, before taking part in this consultation, were they aware that the Council had introduced a licensing scheme for all HMOs in 2011.

Figure 2 provides the responses and as can be seen the overall majority of people (98%) were aware of the existence of the scheme before taking part in the consultation. This should provide the Council with some reassurance that the responses provided reflect the situation in the area, particularly for those questions that relate to issues about the impact and future of the scheme.

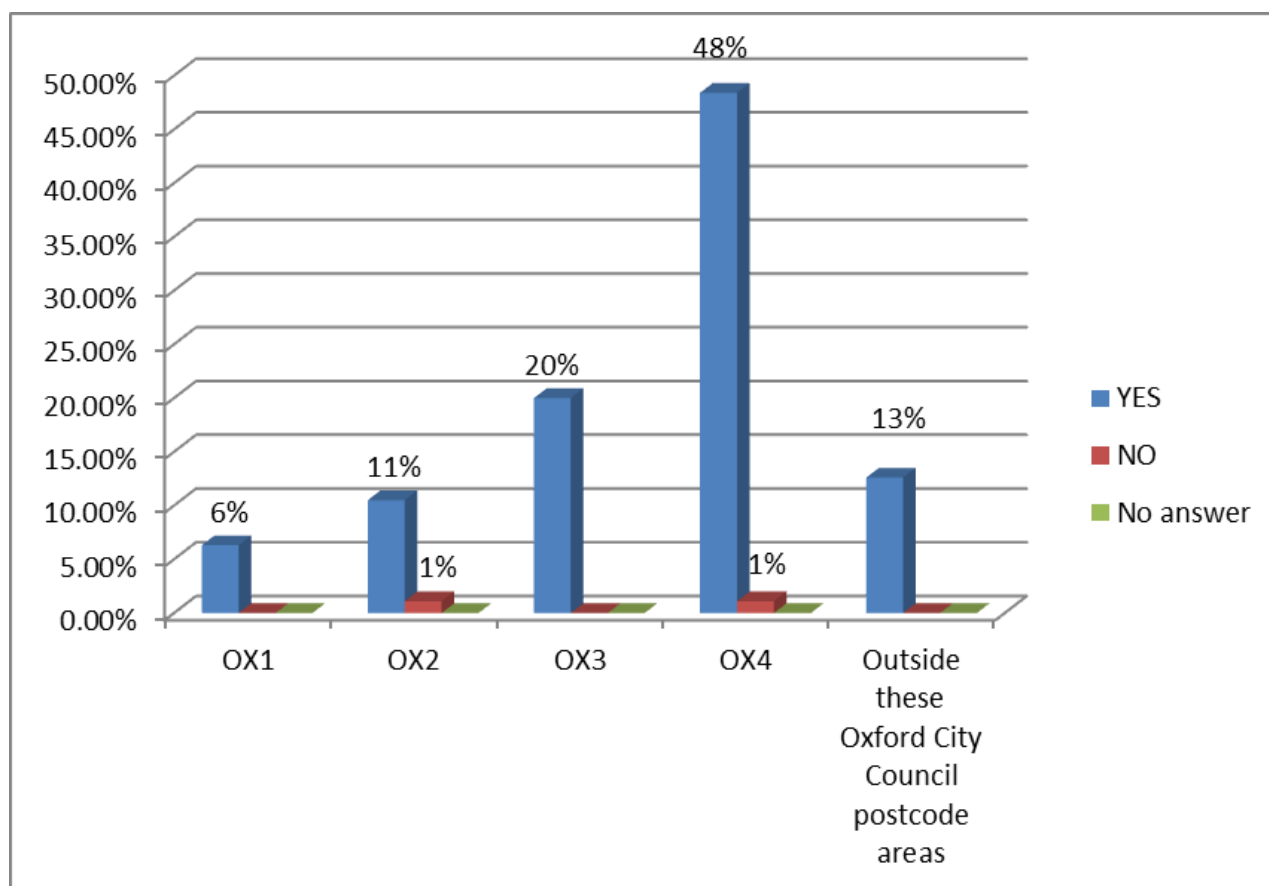
Figure 2 – Awareness of licensing scheme



A comparison was carried out to show the relationship between postcode areas and awareness of the scheme to identify if the Council needs to raise awareness in certain areas of the City.

Figure 3 below provides the results and shows that in all postcode areas there is a clear awareness of the scheme including 13% from outside of the City. This is not surprising given that the Scheme has been in operation since 2011 and the Council has made strenuous efforts to ensure there is an awareness and understanding of its effect.

Figure 3 – Comparison of Knowledge of Scheme by Postcode

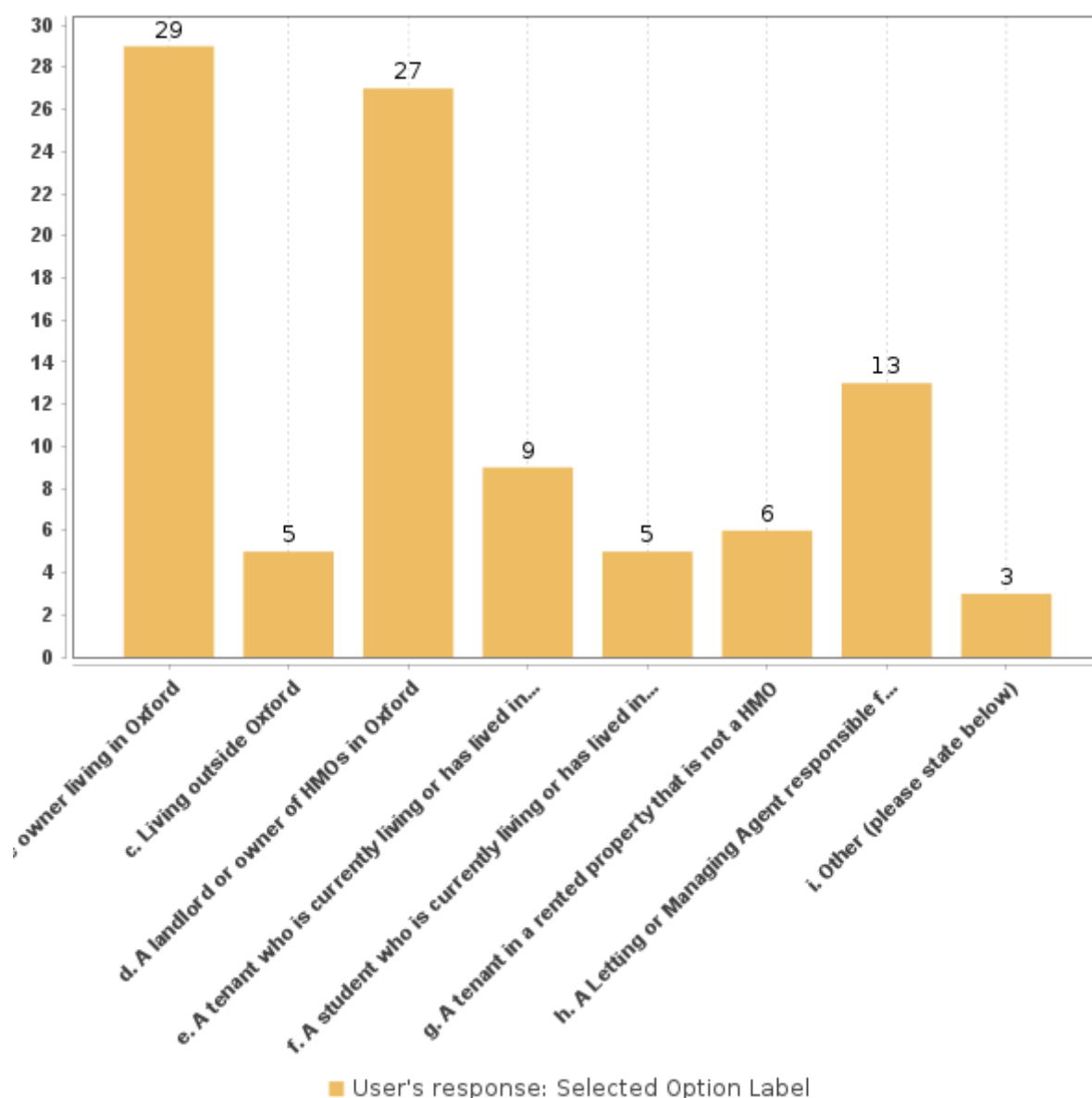


The next question required people to indicate which category best described them. This was used to determine the status of people responding and to lead them to certain questions which were more relevant for them to respond too depending on their response. For example where people indicated they were a landlord or letting agent then they were directed to a specific question for this group to also indicate how many HMOs they owned or managed.

Figure 4 below provides the results. The majority of responses were from residents/home owners in Oxford (30%). The next highest response group was landlords/owners of HMOs at 28% then Letting agents at 13%, closely followed by tenants of HMOs at 9%. Students and those living outside the City made up around 5% respectively.

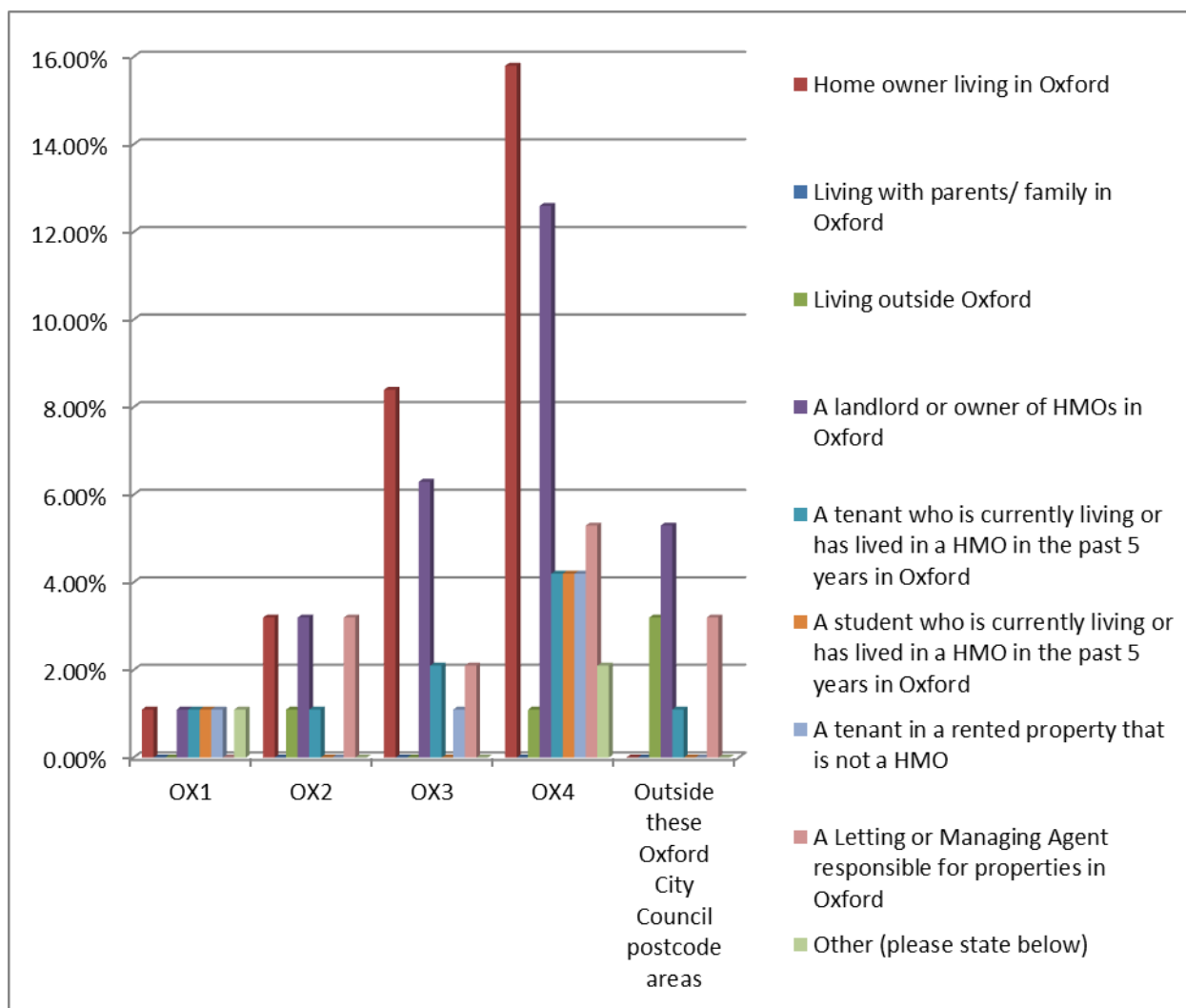
Clearly the categories tenants of HMOs (9%) and students (5%) could be considered the same as they will both live in HMOs and if these response rates were incorporated then they would constitute 14% of the total responses received.

Figure 4 – Status



A comparison of the relationship between status and postcode was also carried out to determine the spread of responses in more detail. Figure 5 below shows the results and as can be seen the spread reflects the numbers of responses received from the different target groups in each of the postcode areas and is proportionate to the overall responses shown in Figures 1 and 4.

Figure 5 – Relationship between Status and Postcode



The following question, Question 4 was one of those that was targeted at a particular group of people, in this case landlords. This question asked landlords or owners of HMOs to indicate how many HMOs they owned in the City. The purpose of this, and question 5 shown below, was to try and establish if there was any connection between the issue of management and the number of HMOs owned/ managed by Landlords and Agents. All landlords who responded owned between 1 to 10 HMOs.

In order to determine the validity of the status of those who responded further analysis of the responses to this question was carried out as shown in Figure 6 and 7 below. This confirms that 90% of the responses received were from landlords and that the majority live in the OX4 (15%) and OX3 (6%) postcode areas. 5% of landlords also live outside of the Oxford City postcodes. It is however worth noting, in all cases there was a clear reluctance on the part of landlords to provide details of the number of HMOs they own with 68% returning a response of no answer.

Figure 6 – Comparison between numbers of HMOs owned by Landlords by Postcode

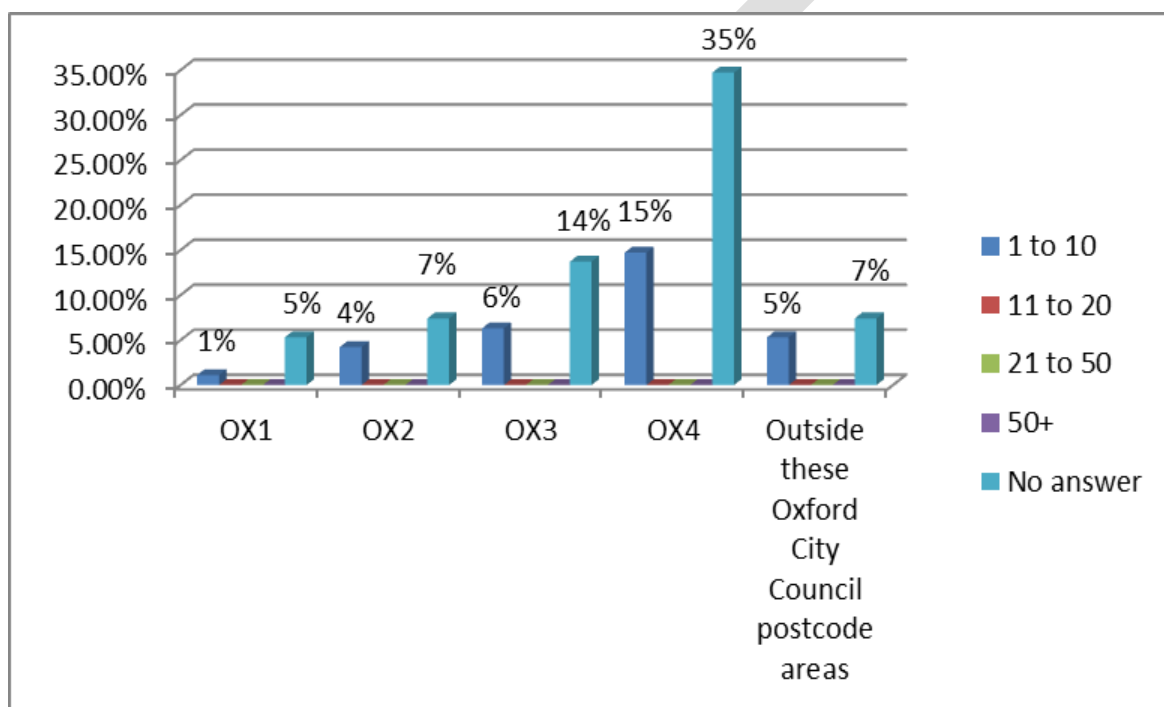
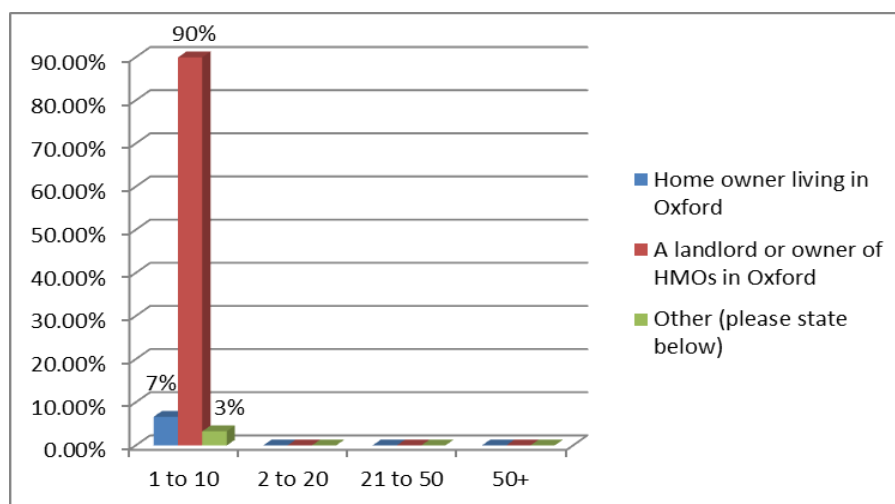
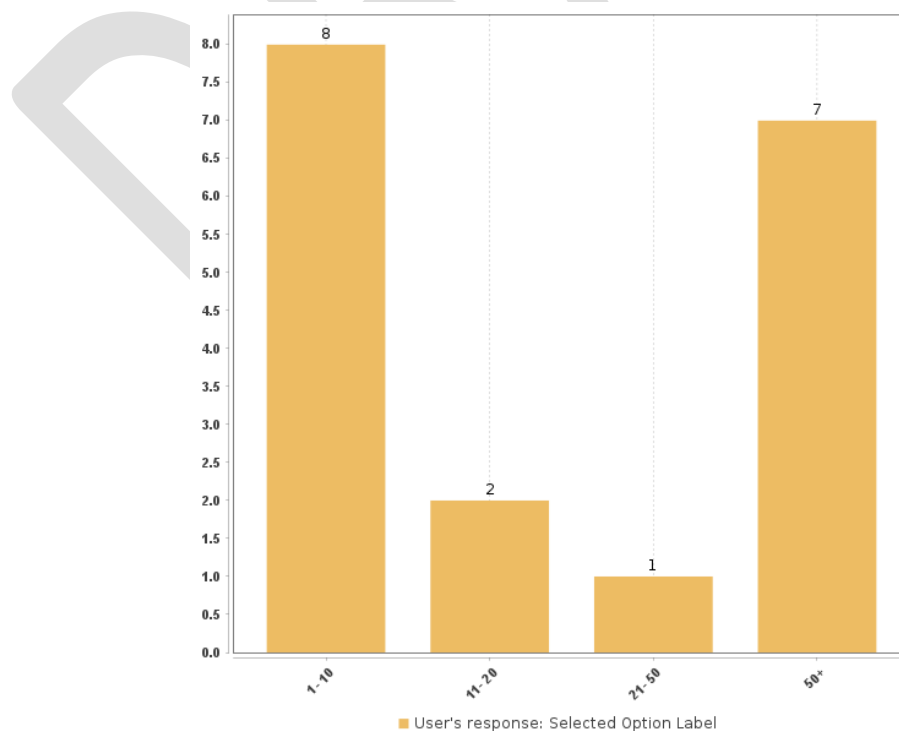


Figure 7 – Comparison of responses to number of HMOs owned by Status



Similarly to question 4, agents were asked, in Question 5, to indicate how many HMOs they managed. Figure 8 below provides the results. There is a clear difference between the numbers of HMOs managed by agents with 44% reporting they managed between 1 to 10 HMOs and 39% in excess of 50+ HMOs.

Figure 8 – Number of HMOs managed by agents



Again further analysis of the responses to this question was carried out to determine the spread across postcode areas and the results can be seen in Figures 9 and 10 below.

Figure 9 – Comparison of numbers of HMOs managed by Postcode

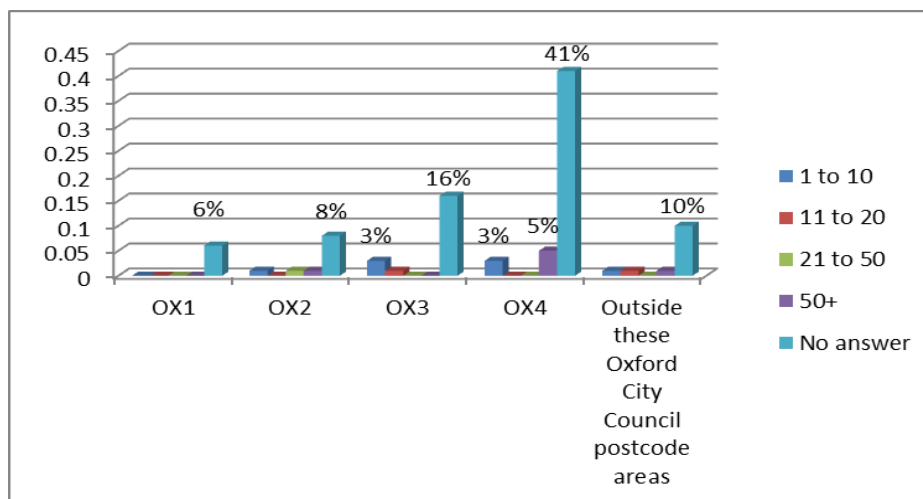


Figure 9 above shows that there is a much larger number of HMOs managed by agents across the City. It should also be noted that as with question 4, put to landlords, there is a clear reluctance on the part of some agents to provide actual figures with 81% overall preferring not to answer.

Figure 10 – Comparison of responses to numbers of HMOs managed by Status

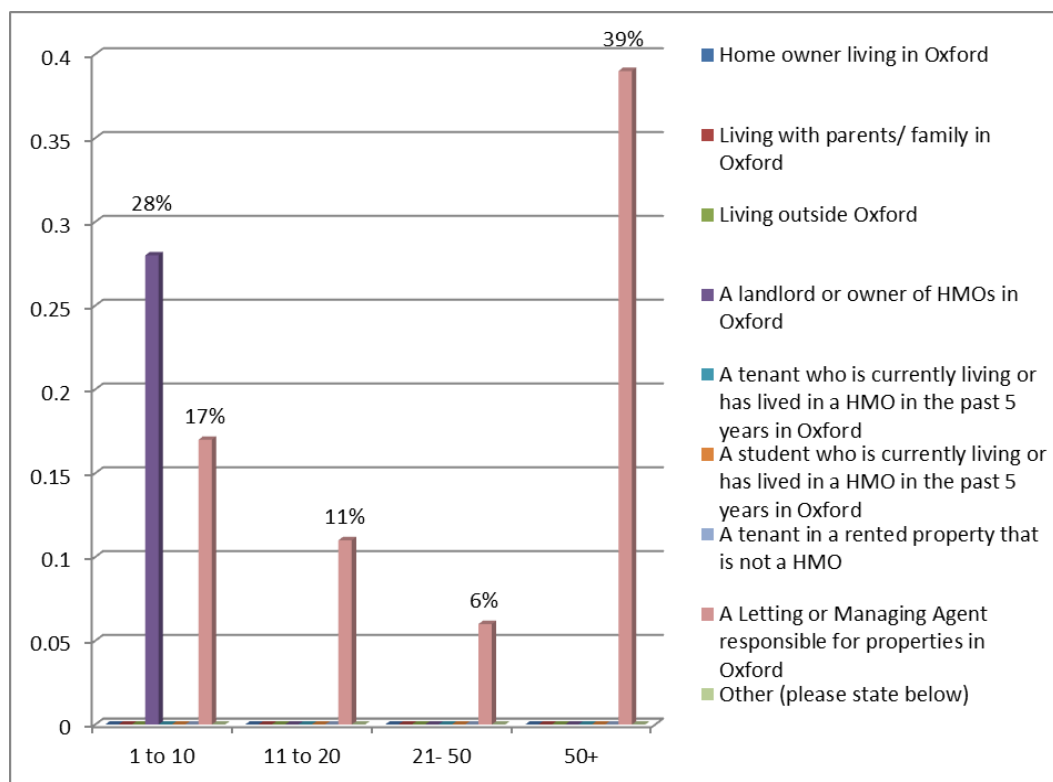


Figure 10 above provides a comparison of responses to the numbers of HMOs managed by status as a cross check. Not surprisingly this clearly shows that the majority of respondents were from managing agents (73%) with a lower number (28%) of landlords responding as a managing agent. If we include the response from landlords that also consider they are a managing agent then this indicates that around 45% of 'agents' manage between 1 to 10 HMOs in Oxford and 39% manage in excess of 50 HMOs each. This would suggest that there are potentially a large number of landlords in Oxford that have small portfolios including less than 10 properties.

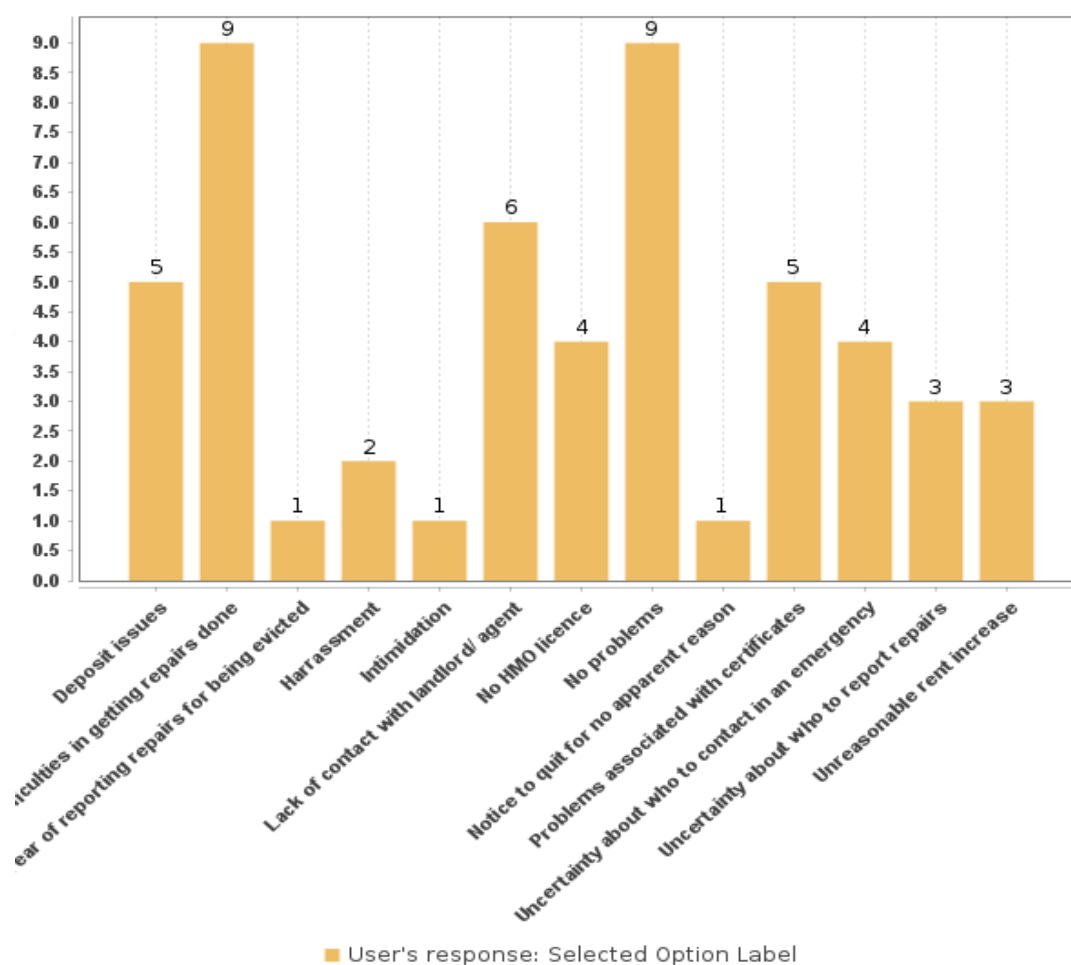
Question 6 was aimed at people who lived or have lived in a HMO in Oxford in the past five years. Those who fell into this category were asked to indicate if they had personal experience of any of the following:

- Fear of reporting repairs for being evicted
- Notice to quit for no apparent reason
- Unreasonable rent increase
- Deposit issues
- Lack of contact with landlord/agent
- Difficulties in getting repairs done

- Intimidation
- Harassment
- Problems associated with certificates
- No HMO licence
- Uncertainty about who to report repairs
- Uncertainty about who to contact in an emergency
- No Problems

Figure 11 below provides the responses made to this question. The majority of respondents felt that out of all the problems they encountered, difficulties in getting repairs done, was the worst. A similar number indicated that there were no problems with HMOs for occupants, however concerns were also raised about the lack of contact with the landlord/agent, deposit issues and problems associated with certificates i.e. gas safety, fire and electrical. There were also problems associated with no HMO licence and uncertainty about who to contact in an emergency.

Figure 11 – Personal Experience of Living in a HMO



This question was aimed at people who were likely to have experienced these problems when living in a HMO in Oxford so it is important to note the breakdown of responses by status to this question (Figure 12).

As can be seen below the majority of responses (70%) were from tenants and students that were living or had lived in a HMO in the past five years in Oxford. A further 23% of responses were from people living outside of Oxford, which could mean that they had previous experience of living in a HMO and had subsequently moved out of the area. Further analysis was therefore carried out to identify problems experienced by tenants, students and respondents living outside of Oxford, which equates to 93% of the total number of respondents to this question. Figure 13 below provides the findings from this further analysis.

Figure 12 – Responses to problems experienced living in a HMO by status

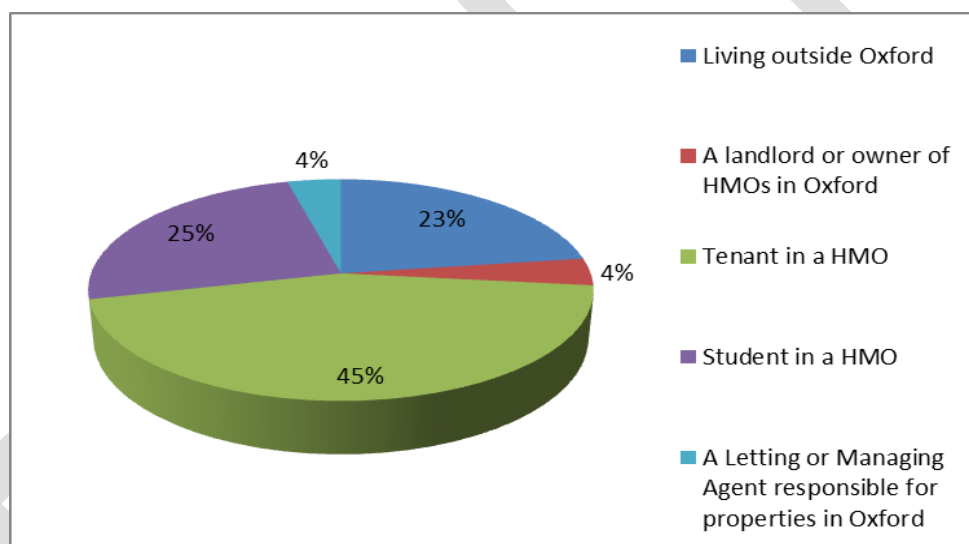
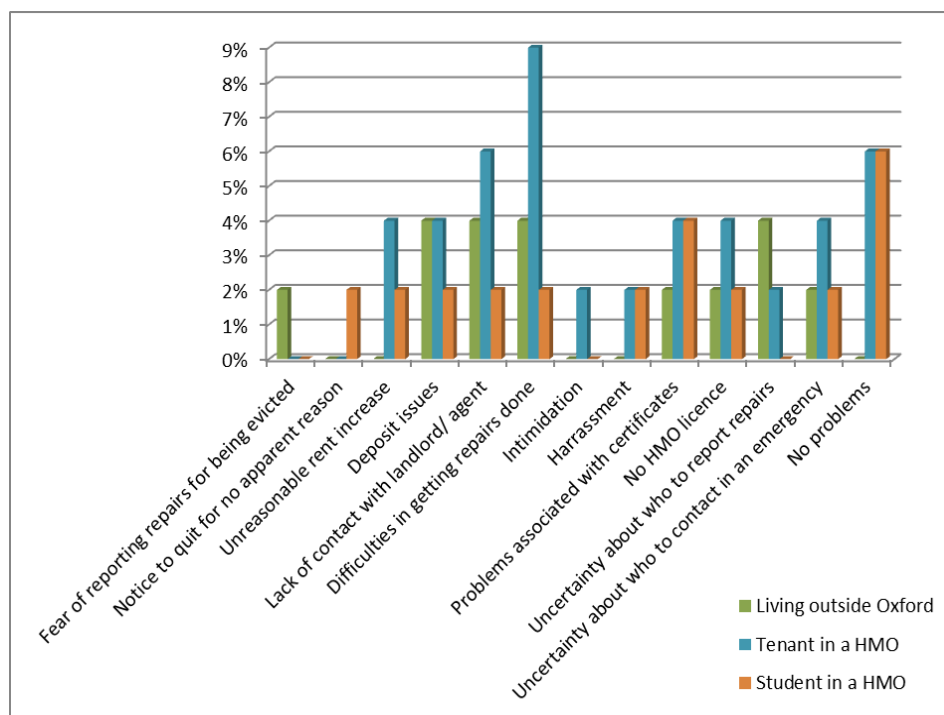


Figure 13 – Experience of problems living in a HMO by Status



This further analysis supports the overall findings that the biggest problems experienced living in a HMO in Oxford is in getting repairs done. It also, however, suggests that there are problems associated with certificates, lack of contact with landlord/agent and deposit issues. With the exception of those that now live outside of the City around 6% also reported that there were no problems experienced.

Question 7 asked all people to indicate on a scale of 0 to 10 (with 10 being the most severe) which of the following problems they have experienced with HMOs in the area of Oxford where they live or have lived.

- Poorly managed refuse/ untidy or overflowing bins/ excessive black sacks
- Empty unattended HMOs during term time/ height of summer
- Poor property conditions
- Poor external appearance of properties
- Overgrown gardens
- Nuisance
- Anti-social behavior

This question was open to all respondents irrespective of their status and they were asked to provide a score for each of the problems that were applicable. Varying numbers of respondents provided an answer to the different categories and in some cases not all respondents provided a score. Where no answer was provided a zero was given based on the assumption that they did not have any experience of these problems.

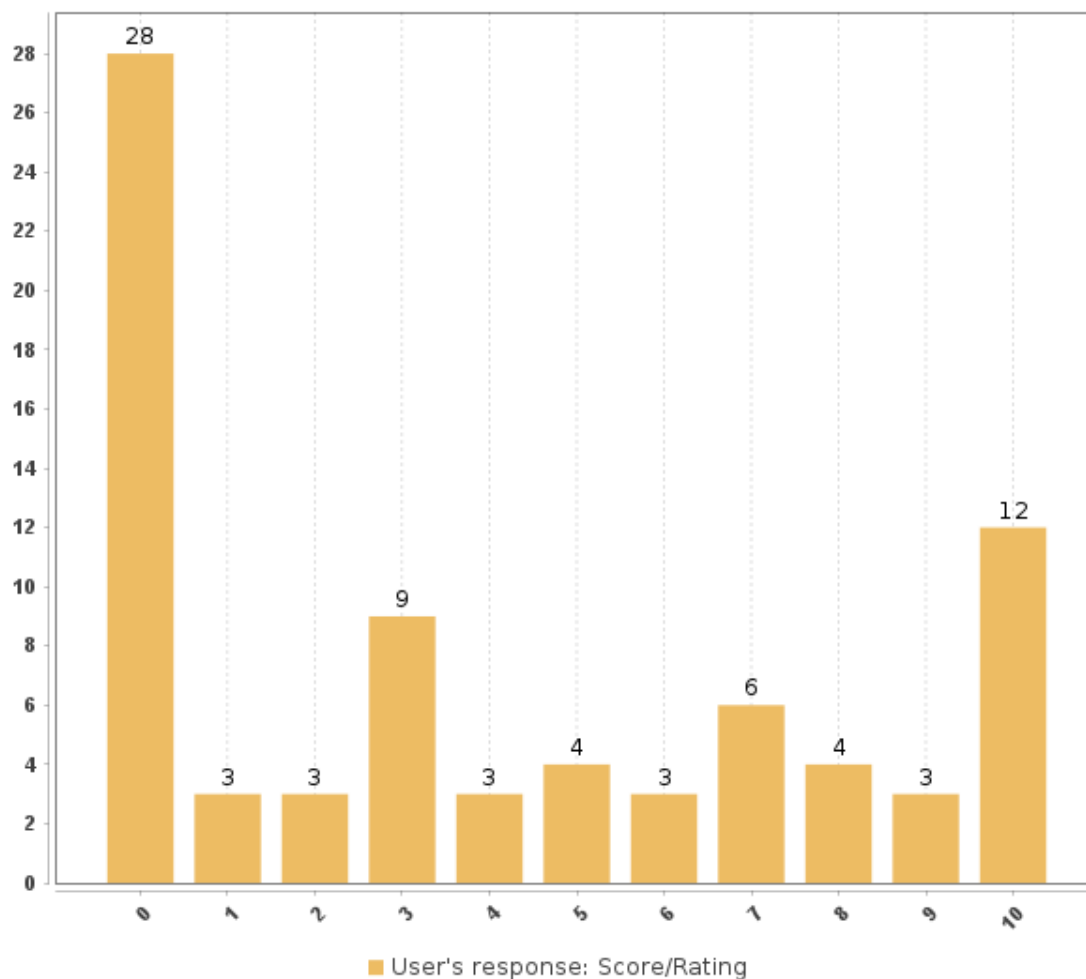
Further interrogation of the responses provided to this question was therefore carried out to determine the percentage of people that scored 1 to 10, suggesting they had answered and had some concerns about the category.

The status of the respondents was also determined because clearly each category provided will affect different people in different ways which in turn is likely to influence the final 'score'.

Figures 14 to 34 show the results in relation to each category, who responded and what score was calculated.

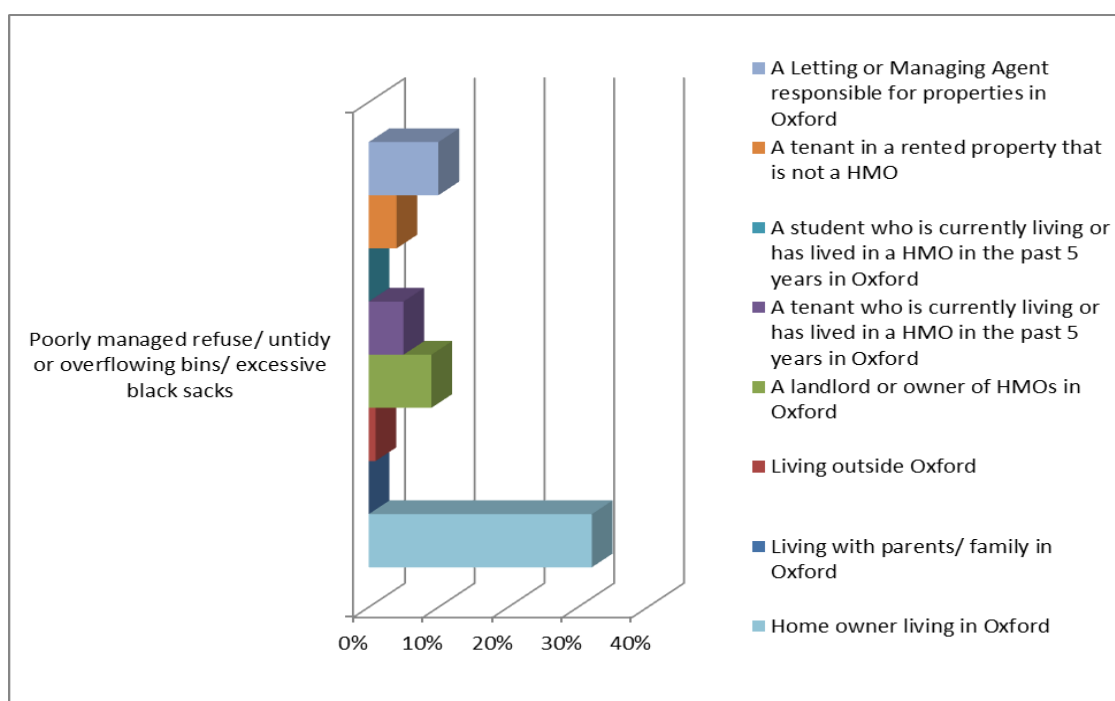
The first category related to poorly managed refuse at HMOs and as can be seen from Figure 14 there were 78 (80%) people that responded to this question providing varying scores. 36% provided a zero score suggesting that they did not have concerns with this category or that they did not wish to answer the question.

Figure 14 – Poorly managed refuse in HMOs



The breakdown of respondents in Figure 15 below shows that the majority were from home owners living in Oxford (30%) followed by letting or managing agents (9%) and landlords (8%). Tenants who are currently living or have lived in a HMO in the past five years in Oxford made up the next highest response.

Figure 15 – Responses by Status



The analysis of scores from 1 to 10 is shown below in Figure 16. This ignores any zero scores so is based on the proportion of responses where respondents indicated that there were concerns. Using the findings from Figure 14 this is therefore based on a response rate of 65%.

Figure 16 – Breakdown of scores from 1 to 10

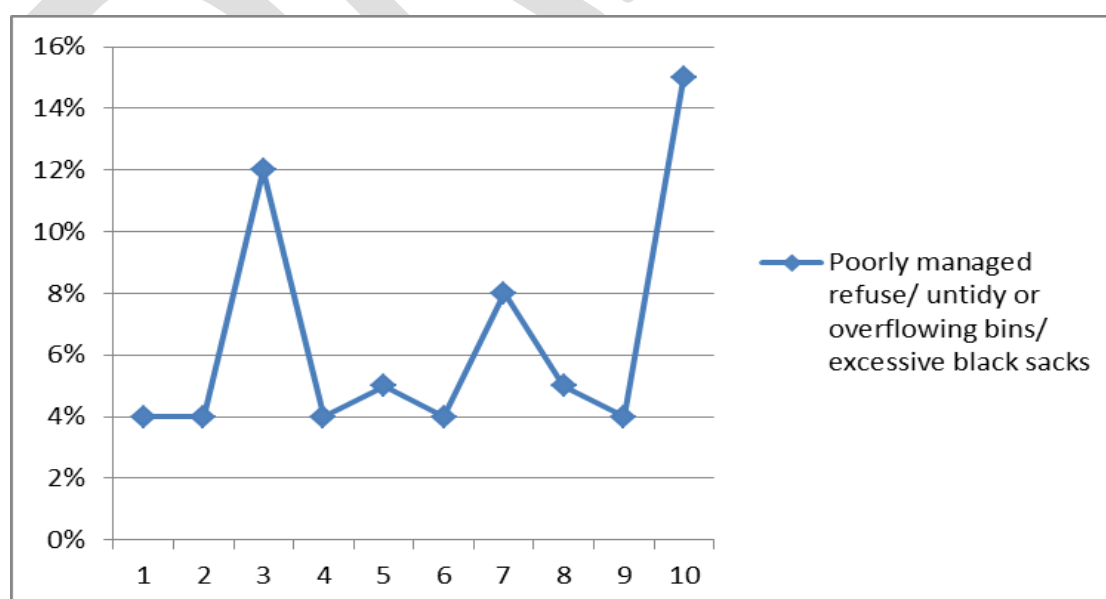
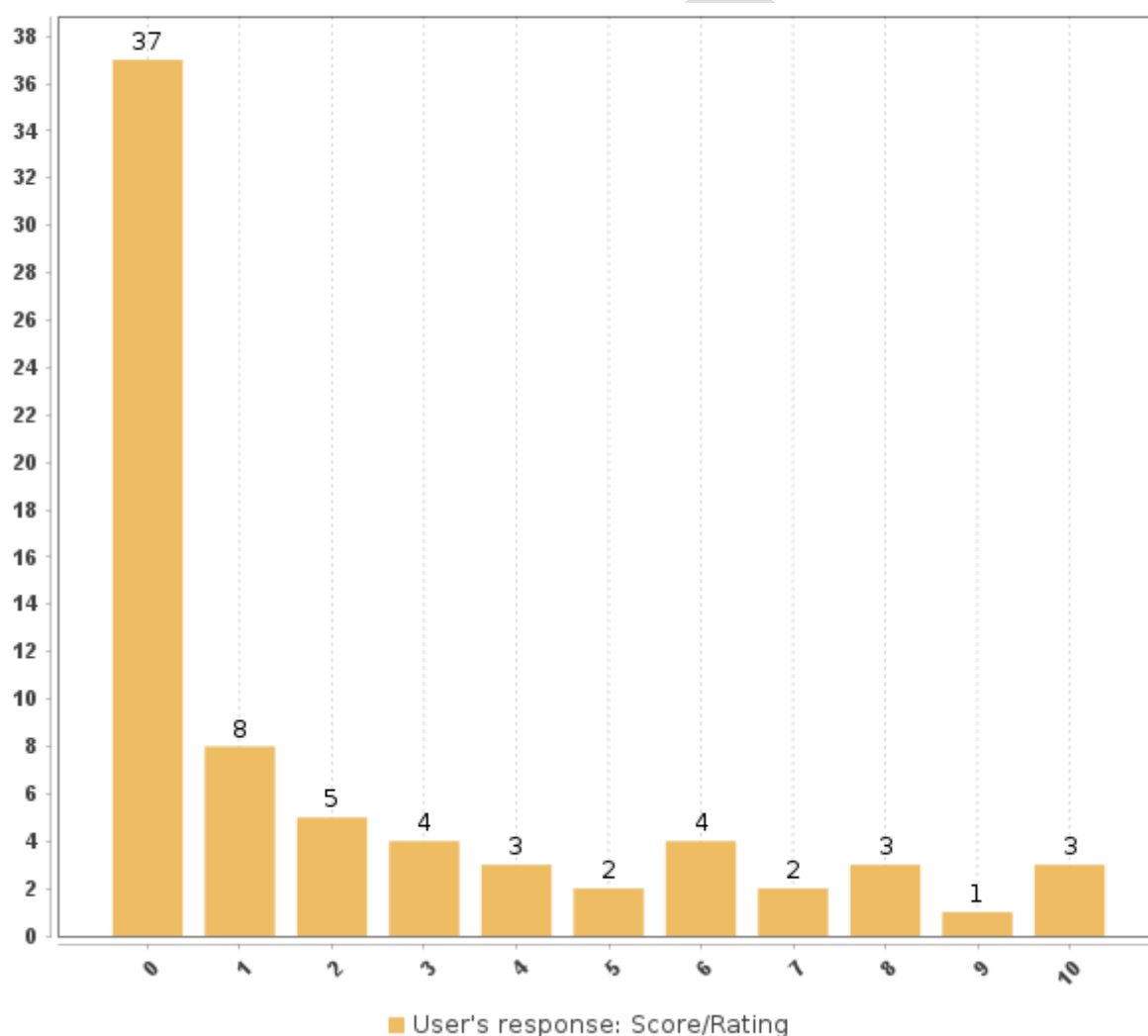


Figure 16 above suggests that out of those that responded around 36% have serious concerns about poorly managed refuse at HMOs by providing a score of 6 or above for this category. The remaining 29% provided a score of 5 or below indicating there was less concern.

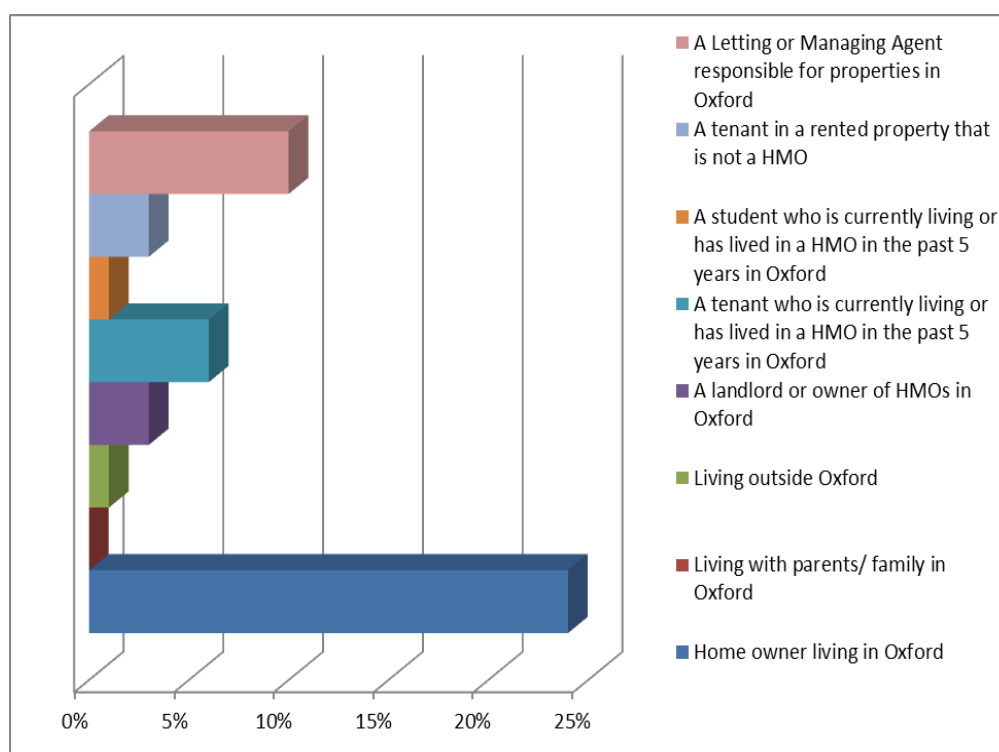
The next category people were asked to consider as part of this question related to the issue of empty unattended HMOs and 72 (74%) participants responded. 51% provided a zero score suggesting that they did not have concerns with this category or that they did not wish to answer the question. Figure 17 below.

Figure 17 – Empty unattended HMOs



The breakdown of respondents in Figure 18 below shows that the majority (24%) were from home owners living in Oxford followed by letting or managing agents (9%), tenants who are currently living or have lived in a HMO in the past five years in Oxford (6%) then landlords and tenants of non HMOs.

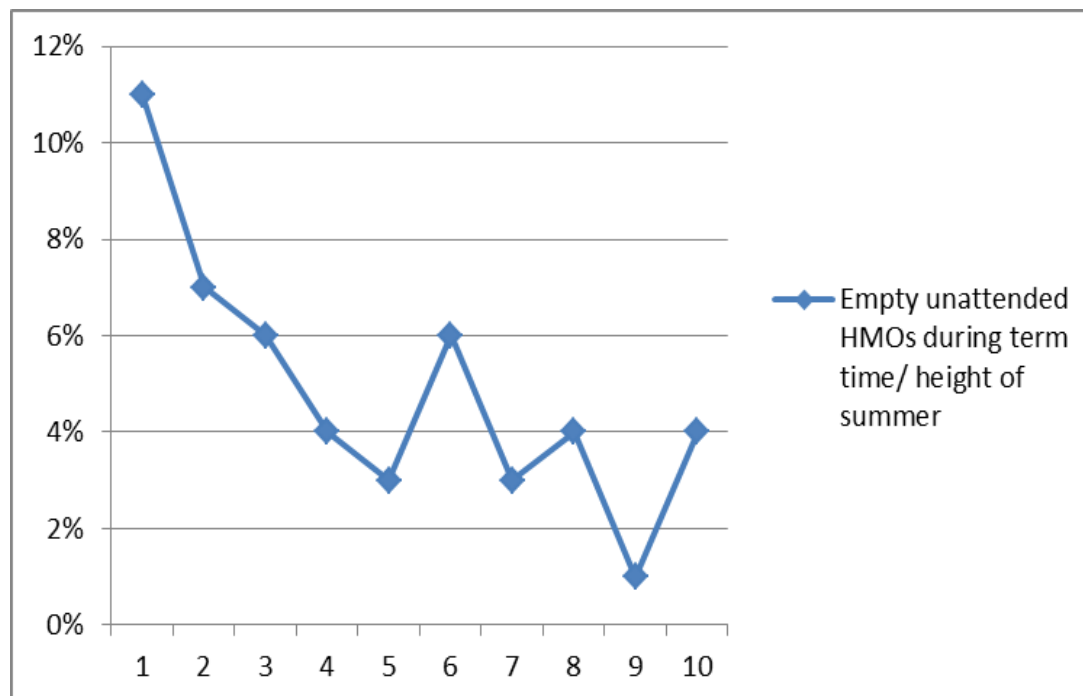
Figure 18 – Responses by status



The analysis of scores from 1 to 10 is shown below in Figure 19 and as previously mentioned is based on the proportion of responses where respondents indicated that there were concerns i.e. provided a score of 1 to 10.

In this instance 49% of respondents scored between 1 and 10 for this category, the lowest out of them all, with around 31% of those scoring 5 or less indicating that this is not a major concern for them. The remaining 18% provided a score of 6 or more suggesting they have concerns about this issue.

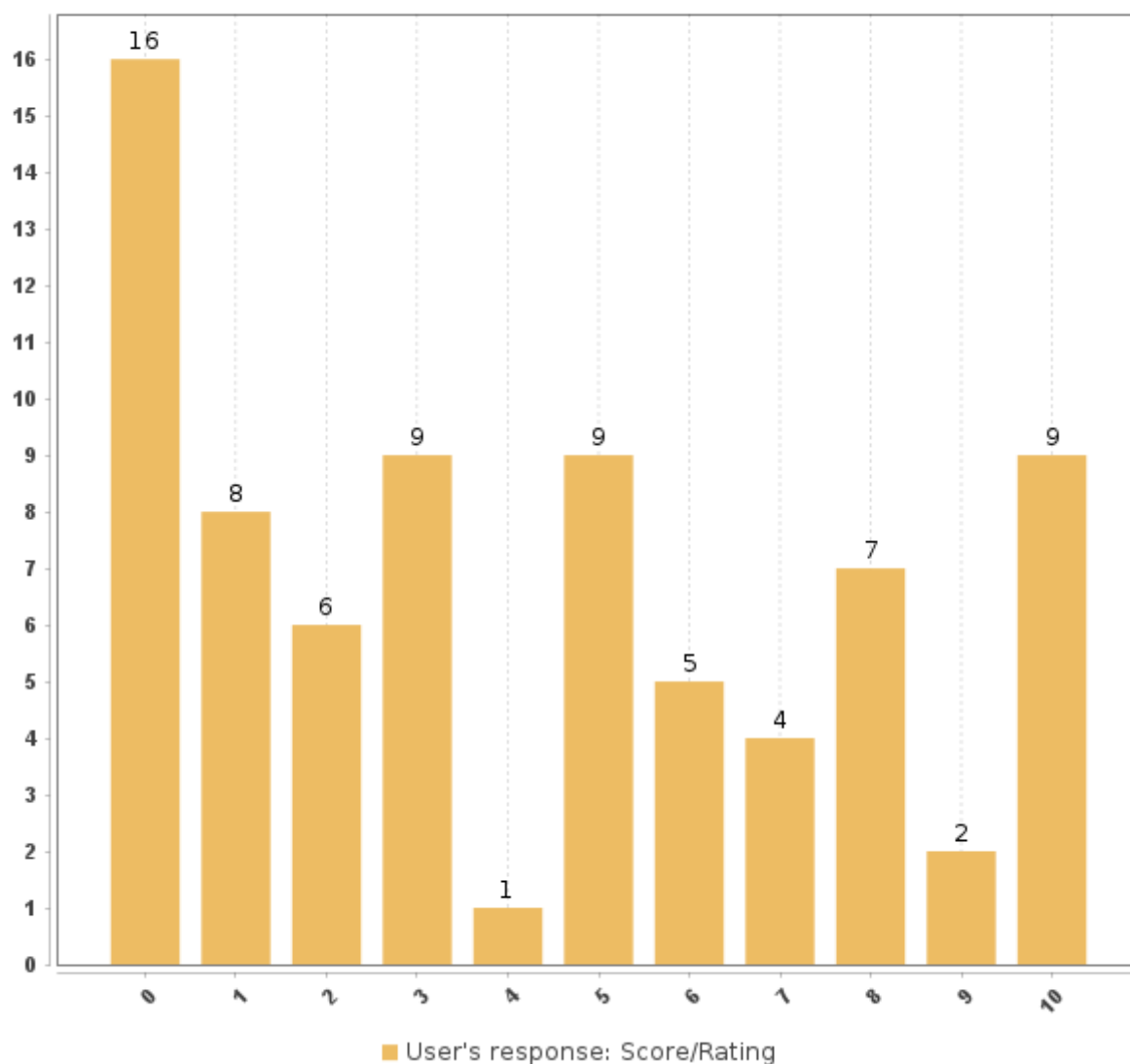
Figure 19 – Breakdown of scores from 1 to 10



This clearly suggests that generally there is not a problem with empty HMOs but there are potentially some isolated cases where this happens and causes concern.

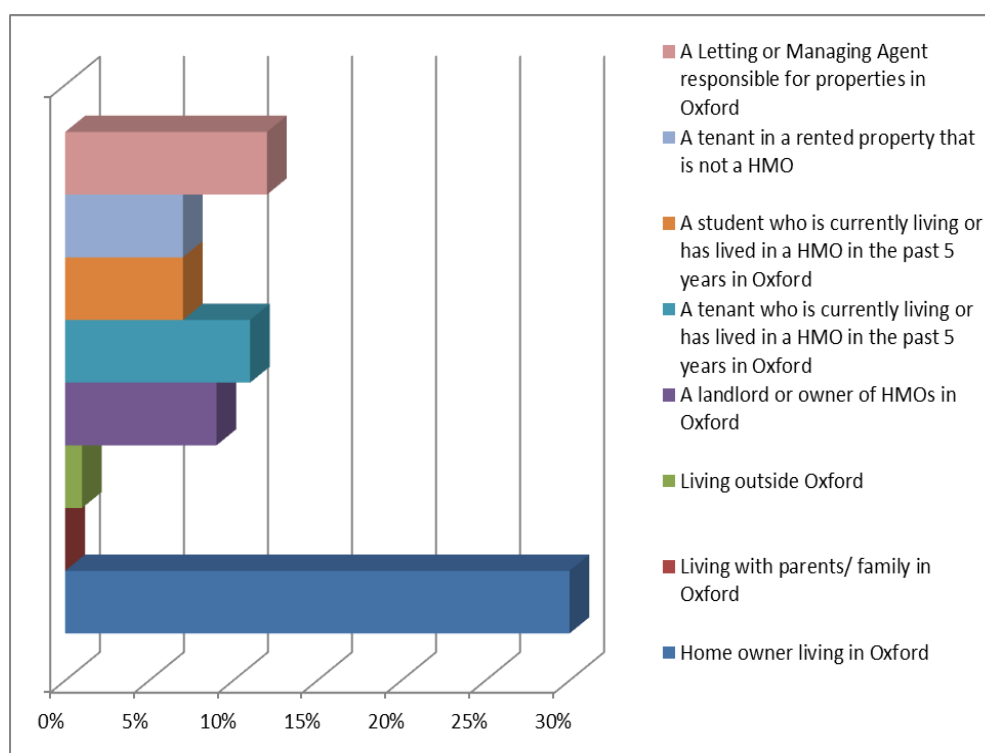
The next category to be considered related to poor conditions in HMOs and as can be seen from Figure 20 below 76 (78%) people responded to this question. 21% provided a zero score suggesting that they did not have concerns with this category or that they did not wish to answer the question.

Figure 20 – Poor property conditions



The breakdown of respondents shown in Figure 21 below indicates that the majority (29%) were from home owners living in Oxford followed by letting or managing agents (12%), tenants who are currently living or have lived in a HMO in the past five years in Oxford (10%), landlords (8%) and finally tenants of non HMOs and students (6% respectively).

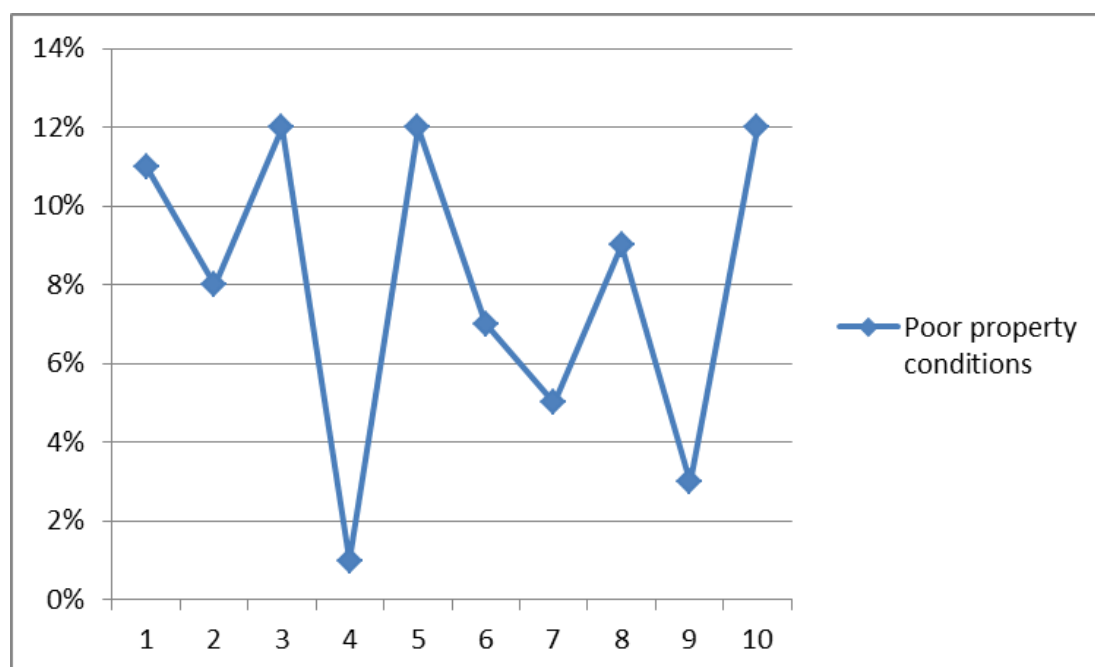
Figure 21 – Responses by Status



The analysis of scores from 1 to 10 is shown below in Figure 22 and takes account of the proportion of responses where respondents indicated that there were concerns, which in this case was 78%.

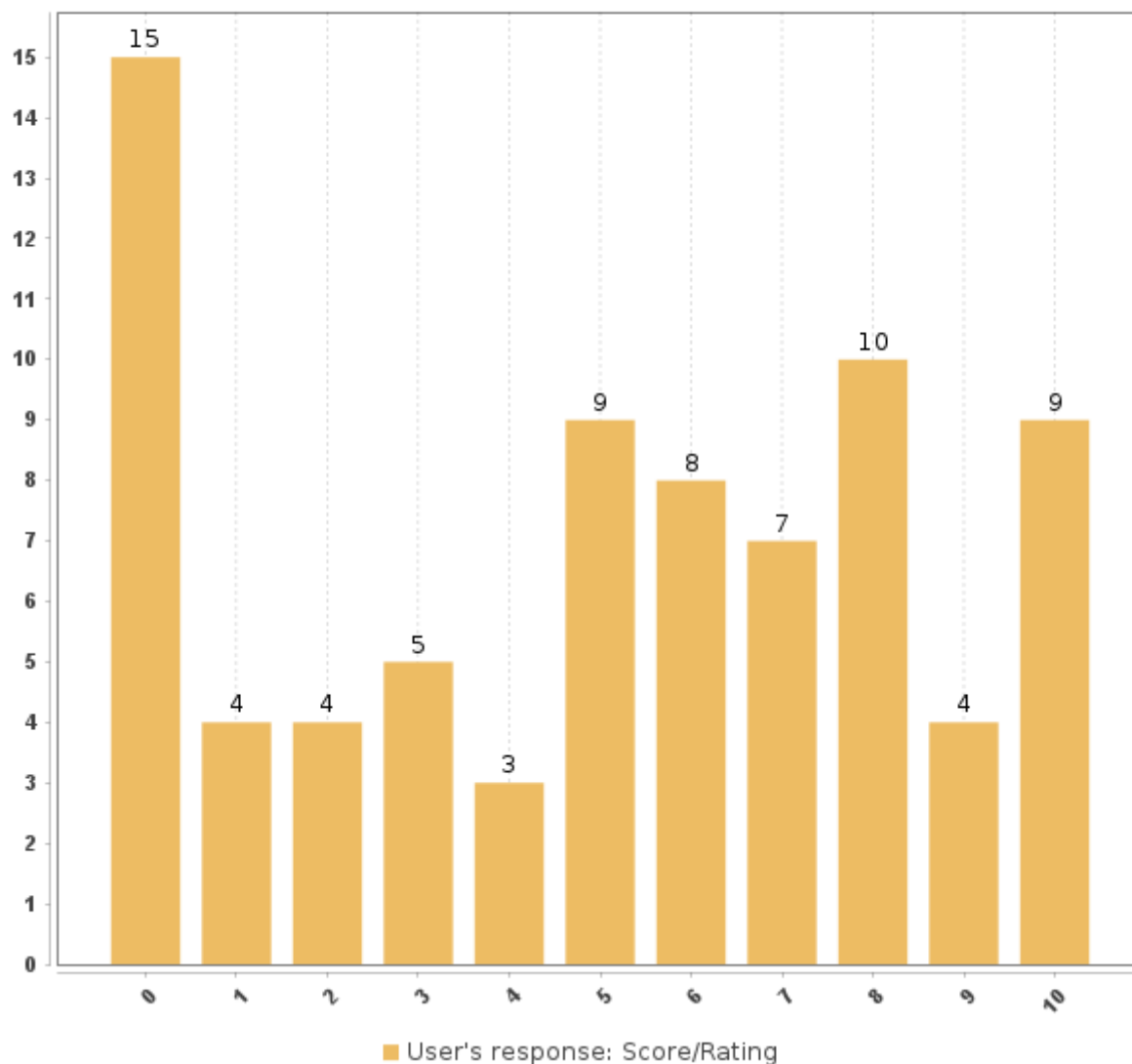
There are clearly a number of concerns about this category but the majority of respondents (44%) provided a score of 5 or less indicating that they are not a major concern for them. The remaining 36% provided a score of 6 or more suggesting they have serious concerns about property conditions.

Figure 22 – Breakdown of scores from 1 to 10



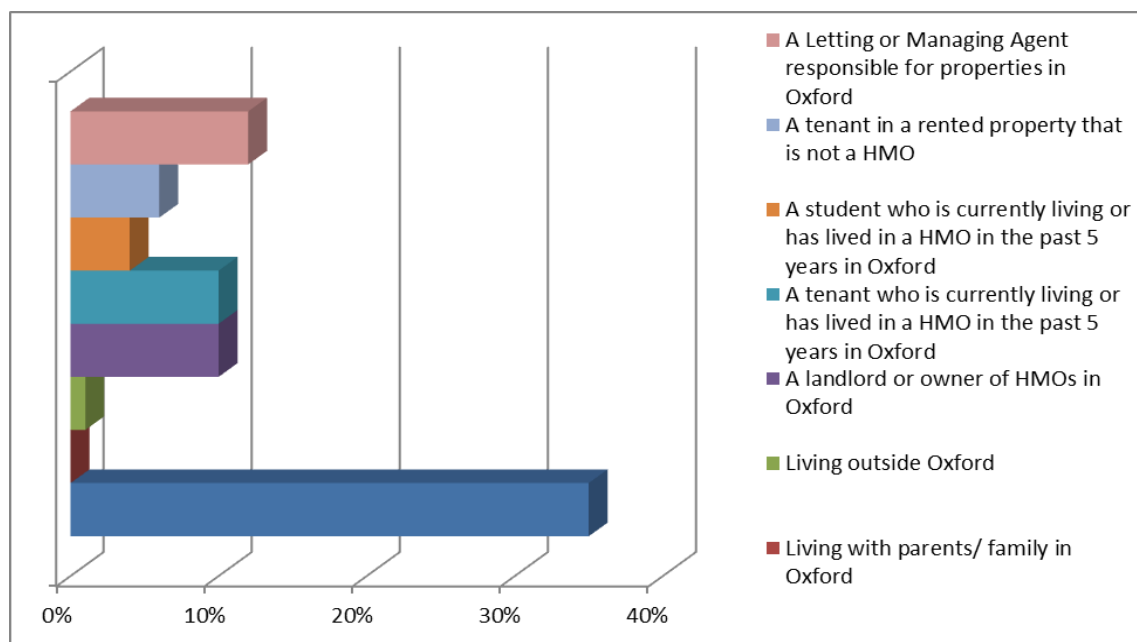
Integral to the previous category the next area of concern was to do with the poor external appearance of HMOs. This, together with the category about poorly managed refuse, resulted in the highest proportion of responses at 80% (78 respondents). Figure 23 below provides the breakdown. In this category 19% provided a zero score suggesting that they did not have concerns with this category or that they did not wish to answer the question.

Figure 23 – Poor external appearance of HMOs



The breakdown of respondents in Figure 24 below shows that the majority (35%) were from home owners living in Oxford followed by letting or managing agents (11%), tenants who are currently living or have lived in a HMO in the past five years in Oxford (9%), landlords (9%) and finally tenants of non HMOs (5%) and students (4%).

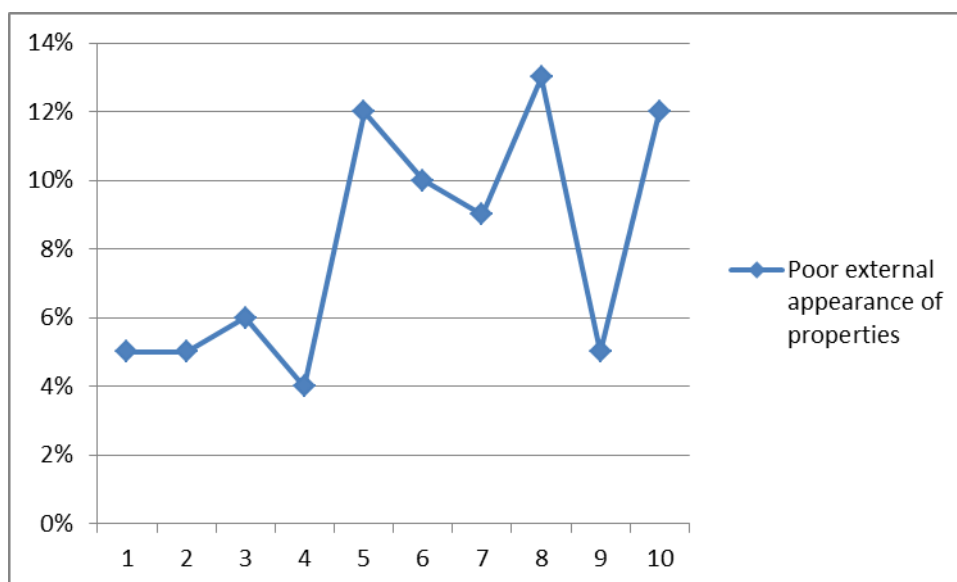
Figure 24 – Responses by status



The analysis of scores from 1 to 10 is shown below in Figure 25 using the same approach as previously mentioned. As can be seen there are a number of serious concerns with the vast majority of respondents (49%) providing a score of 6 or higher.

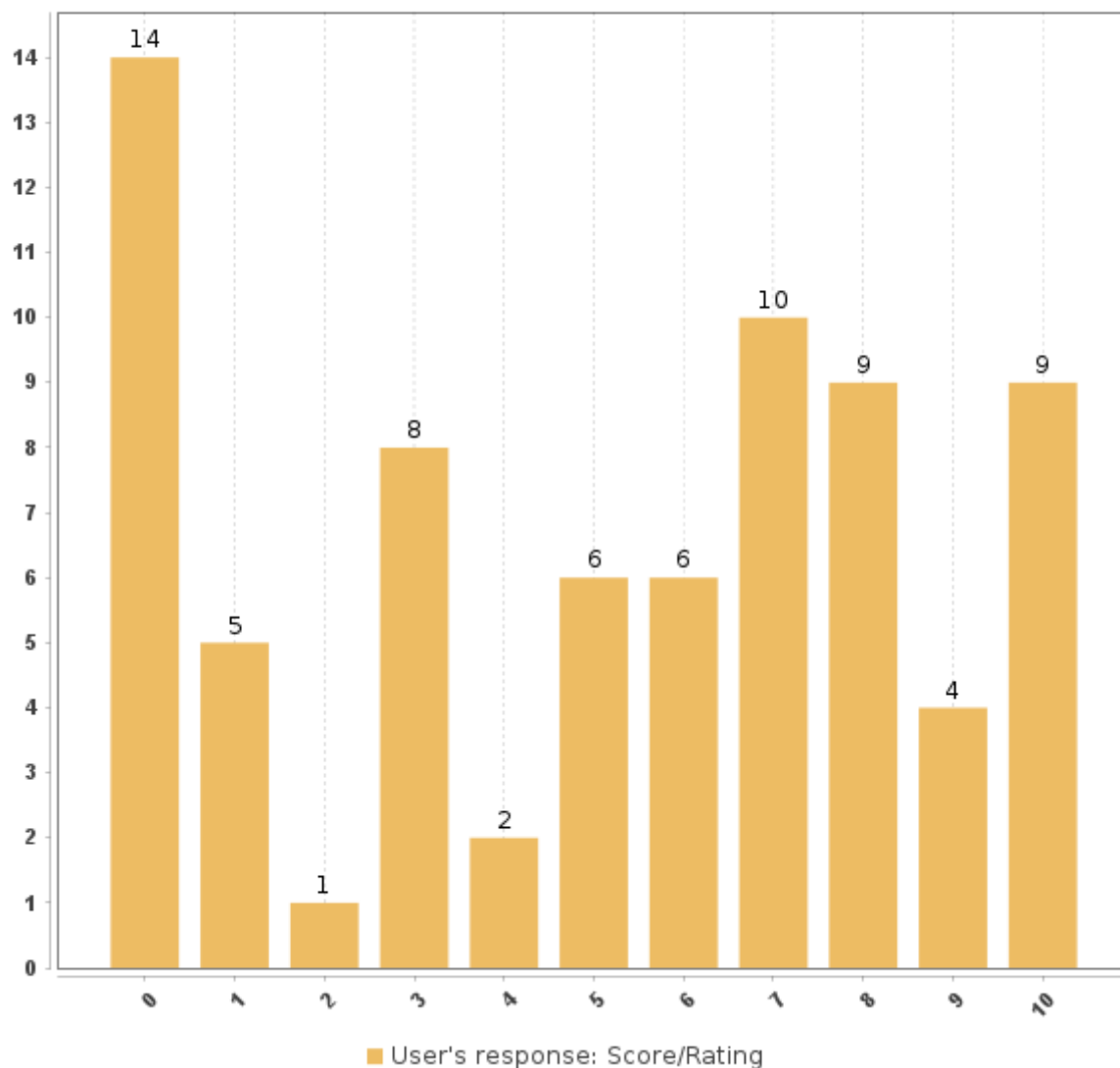
The remaining 31% provided a score of 5 or less suggesting they have less serious concerns about external appearance of HMOs. It is worth noting however, that 12% of those with less concerns scored this category as a 5.

Figure 25 – Breakdown of scores from 1 to 10



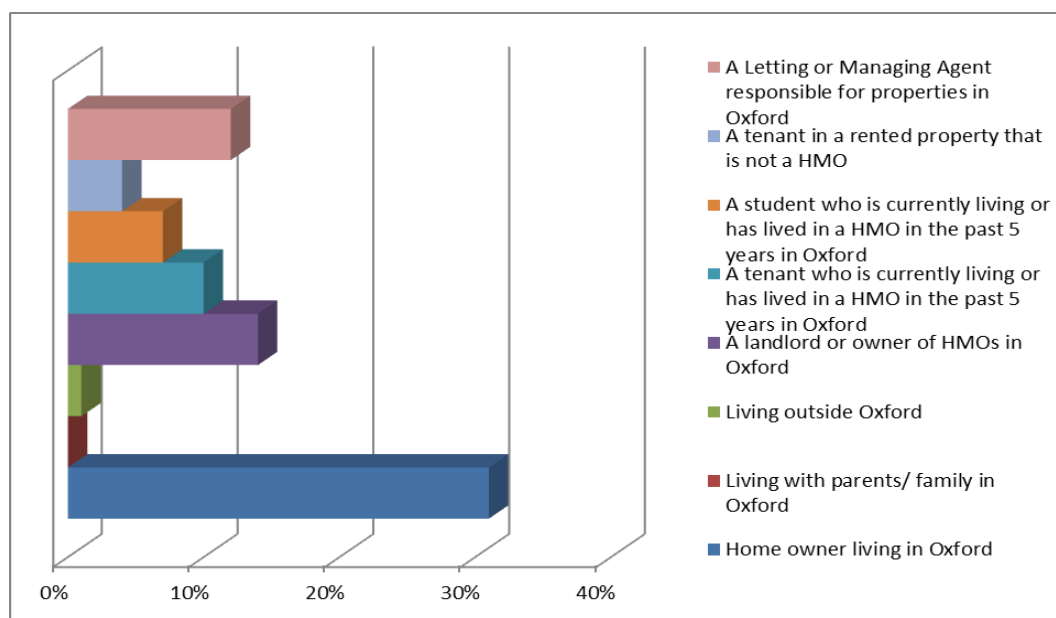
The next category related to the issue of overgrown gardens and 74 (76%) participants responded to this issue (Figure 26 below). 19% provided a zero score suggesting that they did not have concerns with this category or that they did not wish to answer the question.

Figure 26 – Overgrown gardens



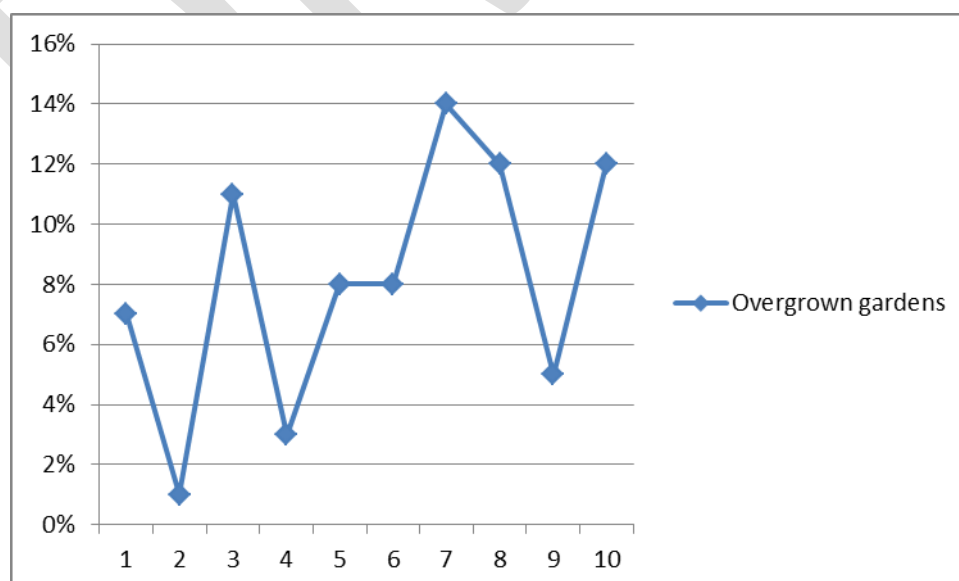
The breakdown of respondents in Figure 27 below shows that the majority (30%) were from home owners living in Oxford followed by landlords (12%), letting or managing agents (11%), tenants who are currently living or have lived in a HMO in the past five years in Oxford (9%), and students (6%).

Figure 27 – Responses by status – Overgrown gardens



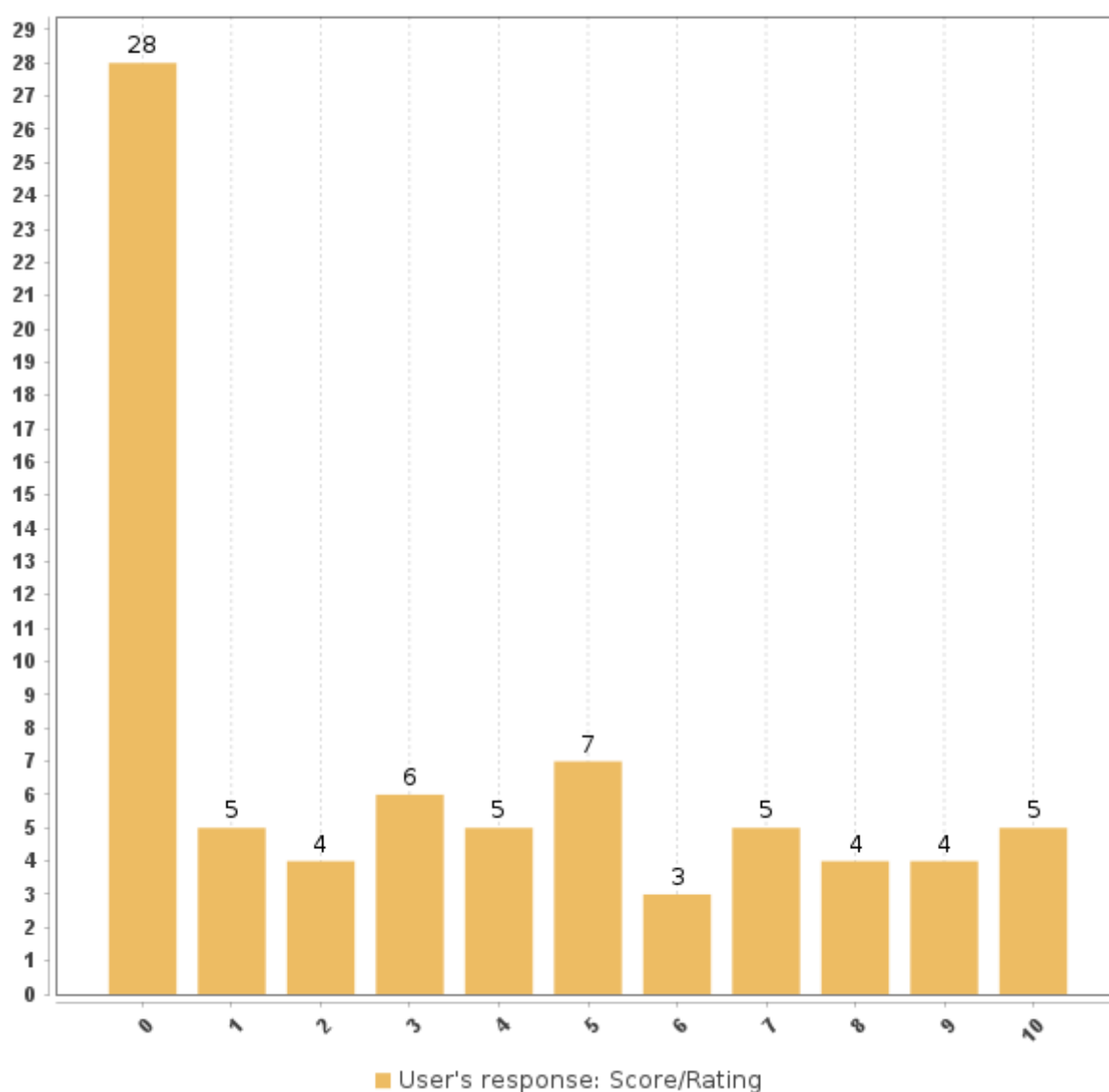
The analysis of scores from 1 to 10, shown below in Figure 28 indicates that there are a number of serious concerns with the majority of respondents (51%) providing a score of 6 or more. The remaining 31% provided a score of 5 or less suggesting they have less serious concerns about overgrown gardens in HMOs.

Figure 28 – Breakdown of scores from 1 to 10



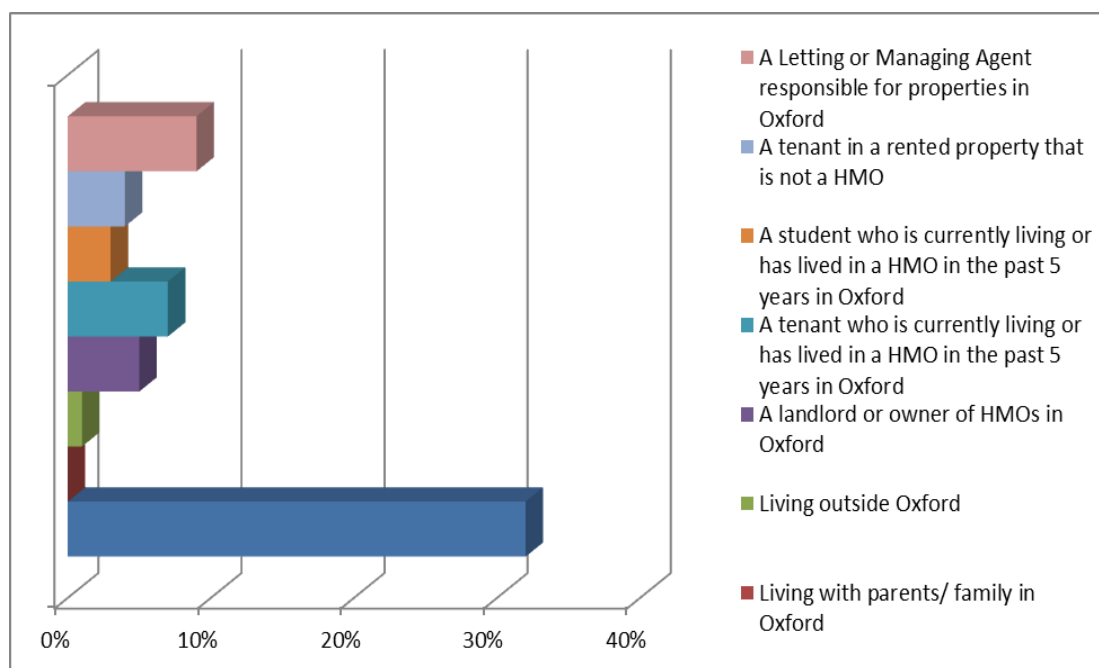
The penultimate category asked to be considered as part of this question related to the issue of nuisance and 76 (78%) participants responded to this issue (Figure 29 below). 37% provided a zero score suggesting that they did not have concerns with this category or that they did not wish to answer the question.

Figure 29 – Nuisance



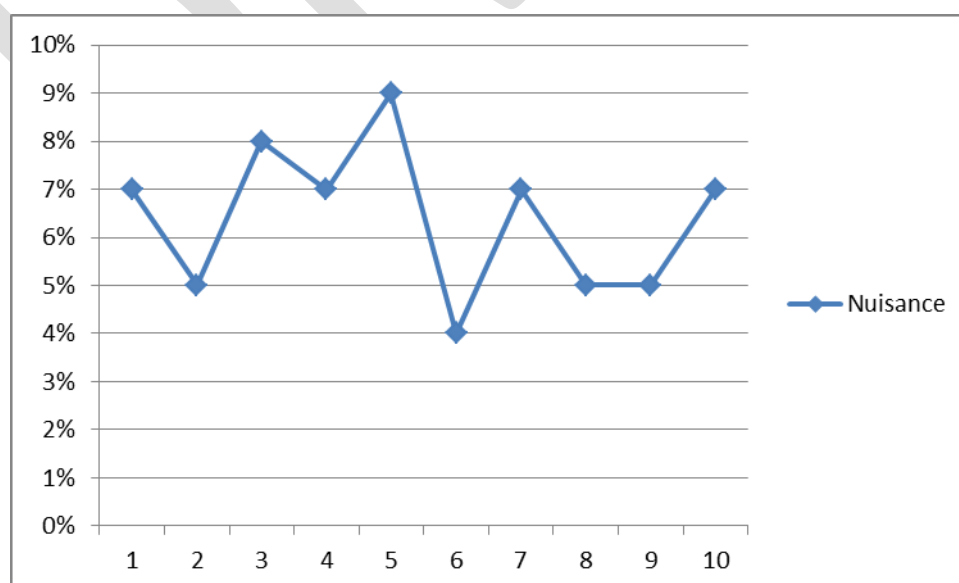
The breakdown of respondents in Figure 30 below shows that the majority (31%) were from home owners living in Oxford followed by letting or managing agents (8%), tenants who are currently living or have lived in a HMO in the past five years in Oxford (7%), landlords (5%) and finally tenants of non HMOs (4%) and students (3%).

Figure 30 – Responses by status - Nuisance



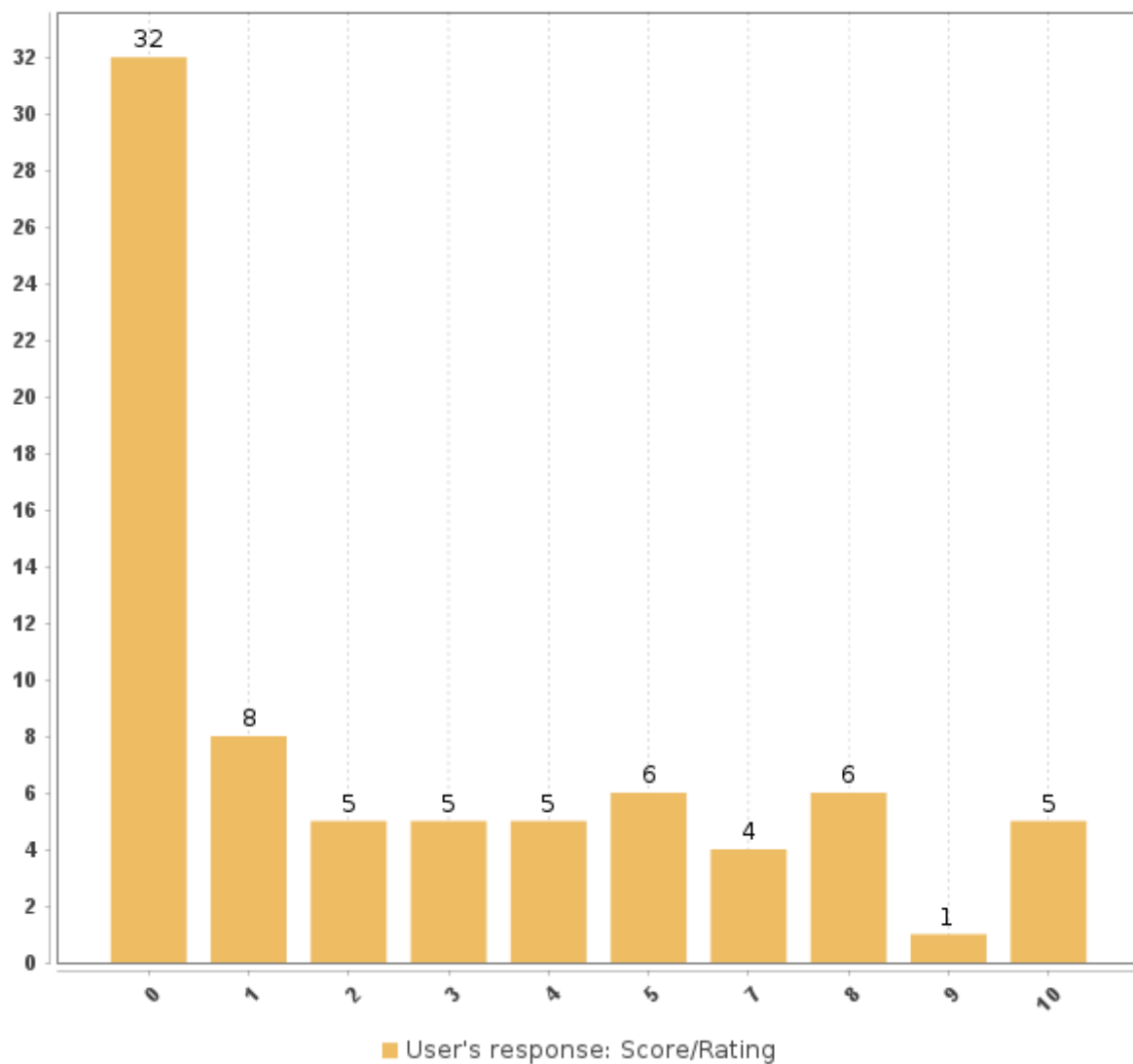
The analysis of scores from 1 to 10 is shown below in Figure 31 indicates that the highest proportion scored 5 with the overall majority of respondents (36%) providing a score of 5 or less. The remaining 28% provided a score of 6 or more suggesting they have some serious concerns regarding nuisance from HMOs.

Figure 31 – Breakdown of scores from 1 to 10



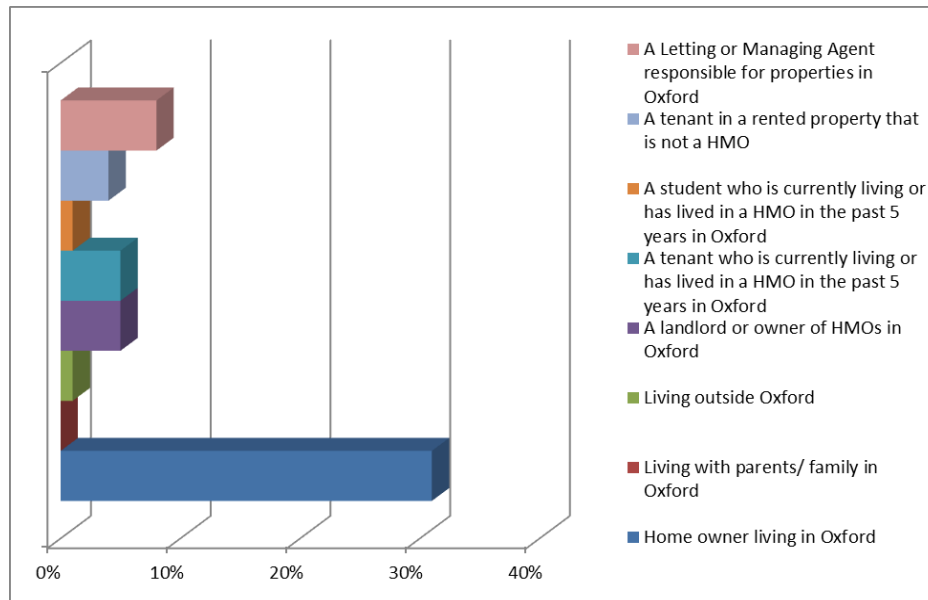
The final category in this question related to the issue of anti-social behaviour (ASB) and 77 (79%) participants responded to this issue (Figure 32 below). 42% provided a zero score suggesting that they did not have concerns with this category or that they did not wish to answer the question.

Figure 32 – Anti-social behaviour



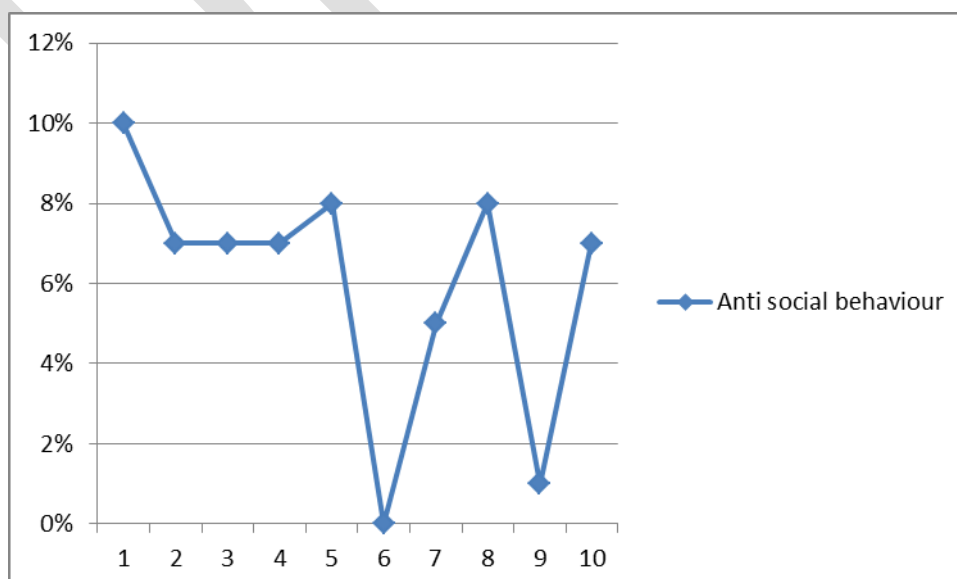
The breakdown of respondents in Figure 33 below shows that the majority were from home owners living in Oxford (30%) followed by letting or managing agents (8%), tenants who are currently living or have lived in a HMO in the past five years in Oxford (5%), landlords (5%) and finally tenants of non HMOs (4%).

Figure 33 – Responses by status – ASB



The analysis of scores from 1 to 10 is shown below in Figure 34 taking account of the proportion of responses where respondents indicated that there were concerns, which in this case was 58%. As can be seen the highest proportion scored 1 with the overall majority of respondents (39%) providing a score of 5 or less. The remaining 19% provided a score of 6 or more suggesting they have some serious concerns about ASB in relation to HMOs.

Figure 34 – Breakdown of scores from 1 to 10 – ASB



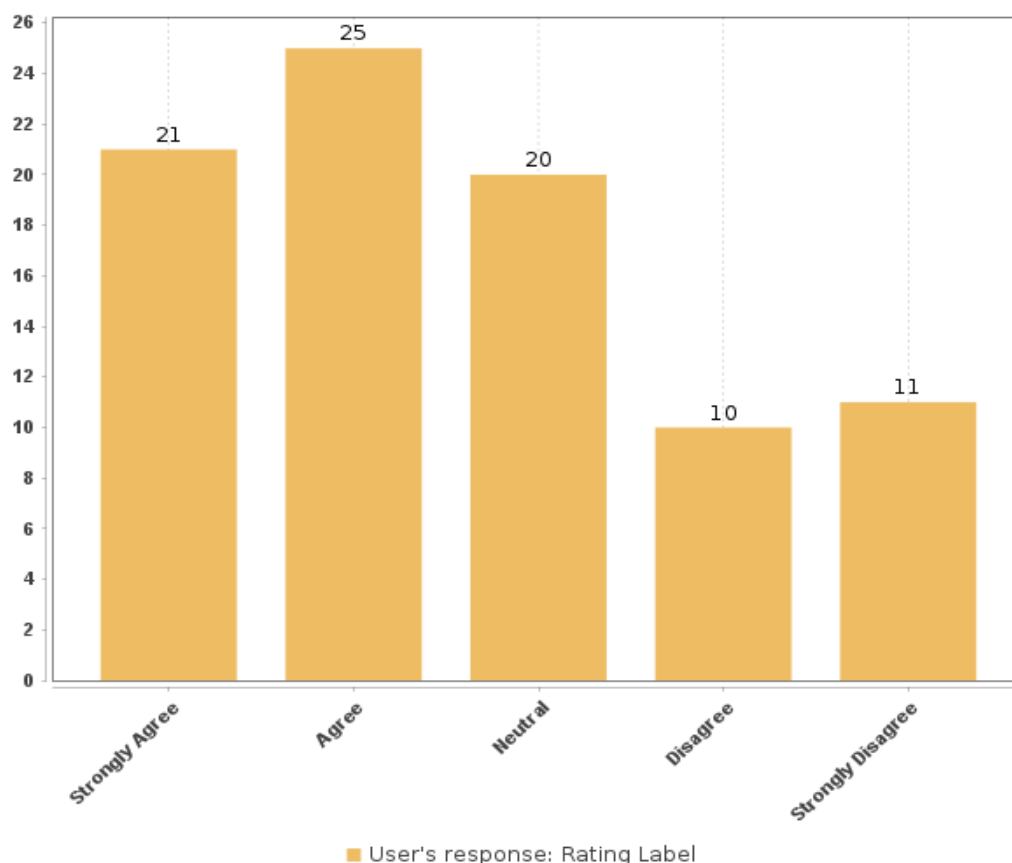
The next question, question 8, asked people to what extent do you agree or disagree with the following statements:

- There are poorly managed HMOs in the area of Oxford where I live
- HMOs are maintained to a good standard in the area of Oxford where I live
- Living conditions in HMOs have improved
- We don't experience any problems with HMOs in the area of Oxford where I live
- The licensing scheme has improved HMOs in the area of Oxford where I live
- The licensing has made no difference at all

Again this question was open to all stakeholders and the results provided below in Figures 35 to 42 shows the responses received to these statements on a scale from strongly agree to strongly disagree. Where possible, cross tabulation has also been carried out to show the status of respondents to take account of different views from the range of target groups.

The first category in this question asked people to indicate how strongly they agreed or disagreed with the statement that there are poorly managed in the area where they live. 87 (89%) of participants responded to this question and as can be seen from Figure 35 below 46 (53%) of respondents either strongly agreed or agreed with this statement. 23% of respondents provided a neutral response and 24% either disagreed or strongly disagreed.

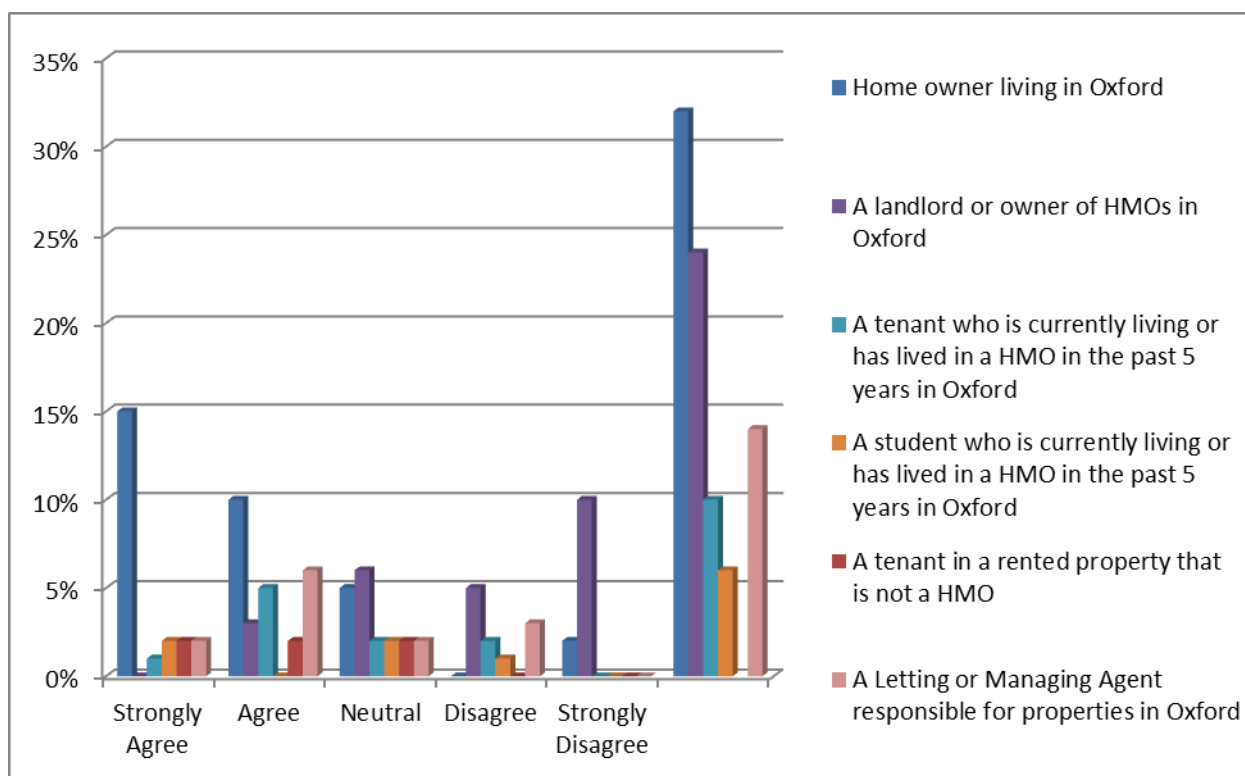
Figure 35 – Poorly managed HMOs in area



The majority of responses to this statement were made by Home owners living in Oxford (32%). Landlords also made a significant proportion of respondents (24%) followed by Letting/Managing Agents (14%) and to a lesser extent Tenants living in HMOs (9%) and finally students (6%). Figure 36 below.

Not surprisingly there is a difference of opinion about this statement with around 10% of landlords strongly disagreeing to almost 15% of home owners strongly agreeing. Letting agents and tenants also agree with this statement (7% and 4% respectively). Around 3% of landlords also agree that there are poorly managed HMO in Oxford.

Figure 36 – Poorly Managed HMOs by Status



The next statement sought views from people on how strongly they agreed or disagreed that HMOs are maintained to a good standard in the area where they live.

86% of participants responded to this with 35% indicating that they either strongly agreed or agreed with this statement. A large proportion of respondents (33%) responded with a neutral answer whilst 31% indicated that they either strongly disagreed or disagreed that HMOs are maintained to a good standard in their area. The full set of results can be seen in Figure 37 below.

Figure 37 – HMOs maintained to good standard in area

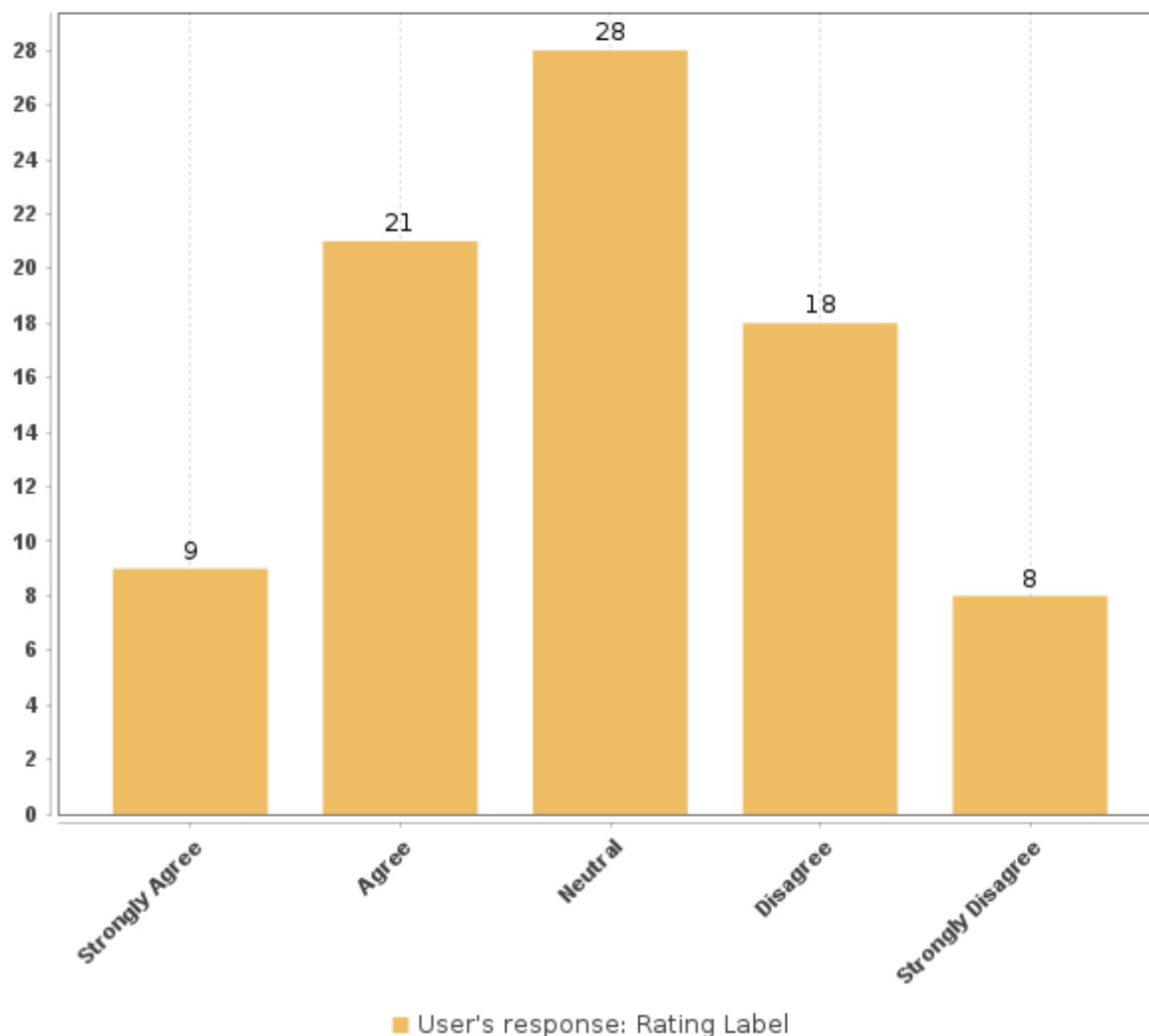
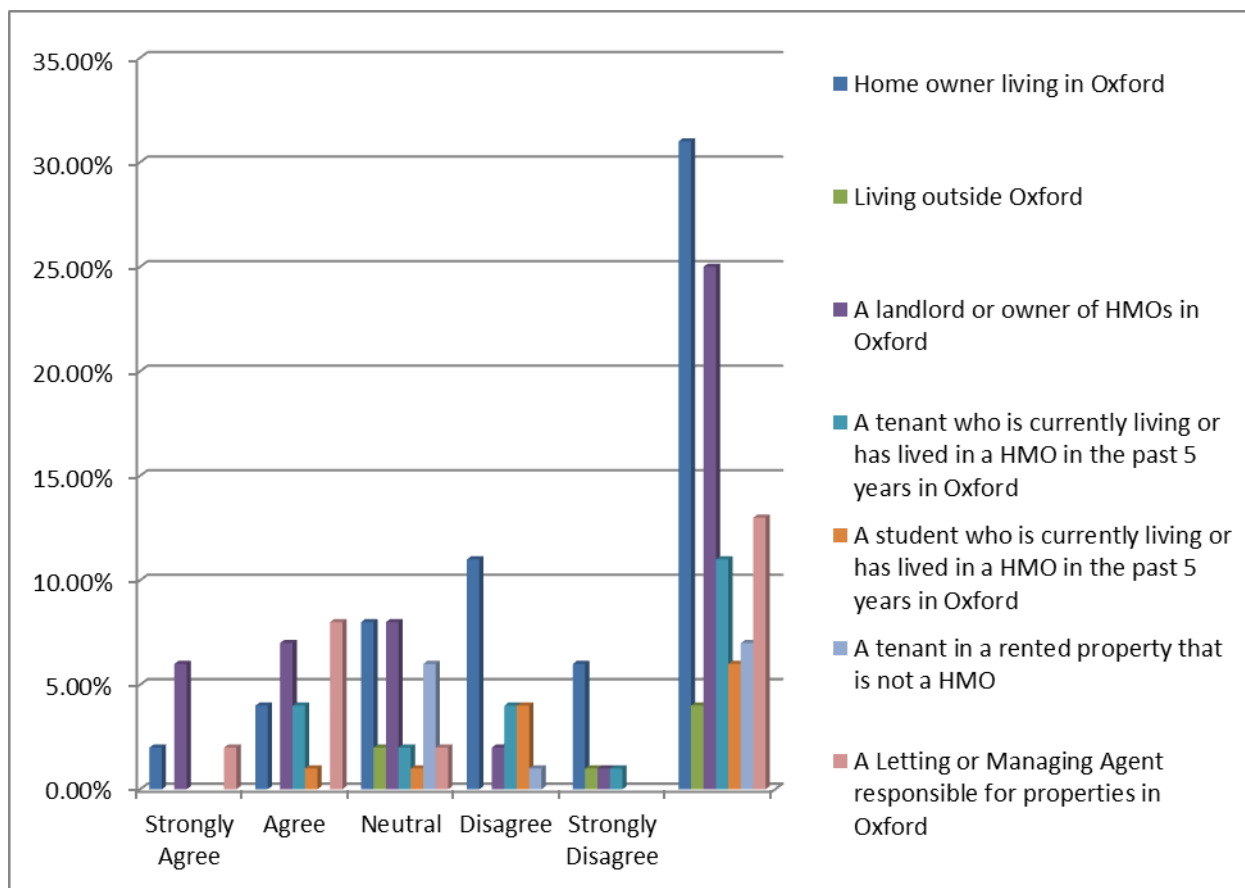
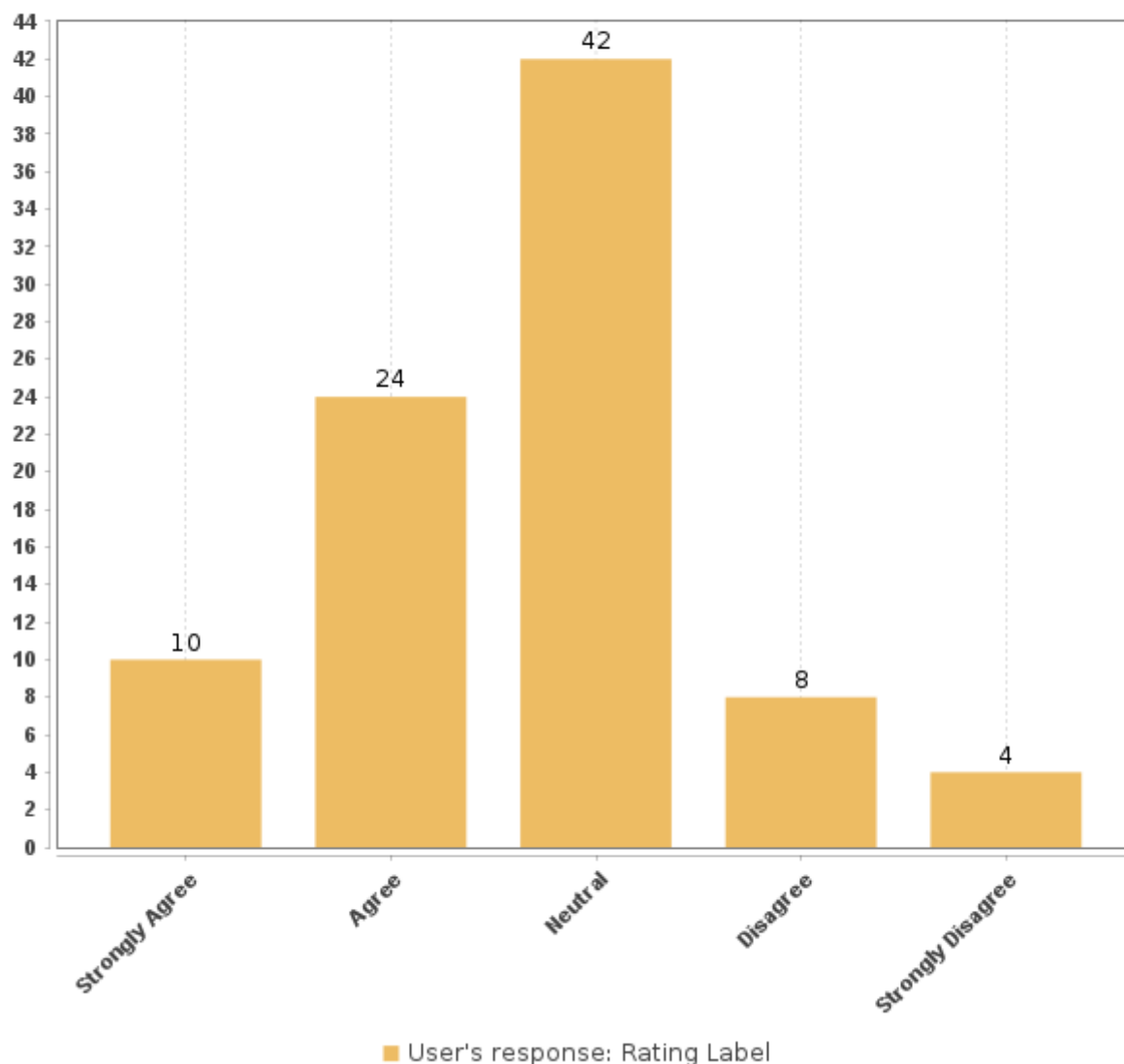


Figure 38 below provides the breakdown of responses to this statement by status. As can be seen there is a similar difference of opinion to that encountered with the previous statement, in that home owners strongly disagree or disagree with this statement whereas landlords either strongly agree or agree. In this instance, agents also agree with this statement, however there are also a large proportion of landlords and home owners who responded with neither agree or disagree.

Figure 38 – Responses to HMOs maintained to good standard by status



The next statement to be considered was that of whether there was agreement or disagreement that living conditions in HMOs had improved. The results in Figure 39 below show that 90% of participants responded to this question and 39% either strongly agreed or agreed. The majority of respondents (48%) provided a neutral response to this question and 14% either strongly disagreed or disagreed that living conditions had improved.

Figure 39 – Living conditions have improved

Participants were asked to indicate if they agreed or disagreed that there were no problems in their area with HMOs. Figure 40 suggests that out of the 86 (89%) of respondents 36% either strongly disagreed or disagreed with this statement. A further 35% returned a neutral answer with 29% agreeing or strongly agreeing that there were no problems with HMOs in their area.

Figure 40 – No problems in area

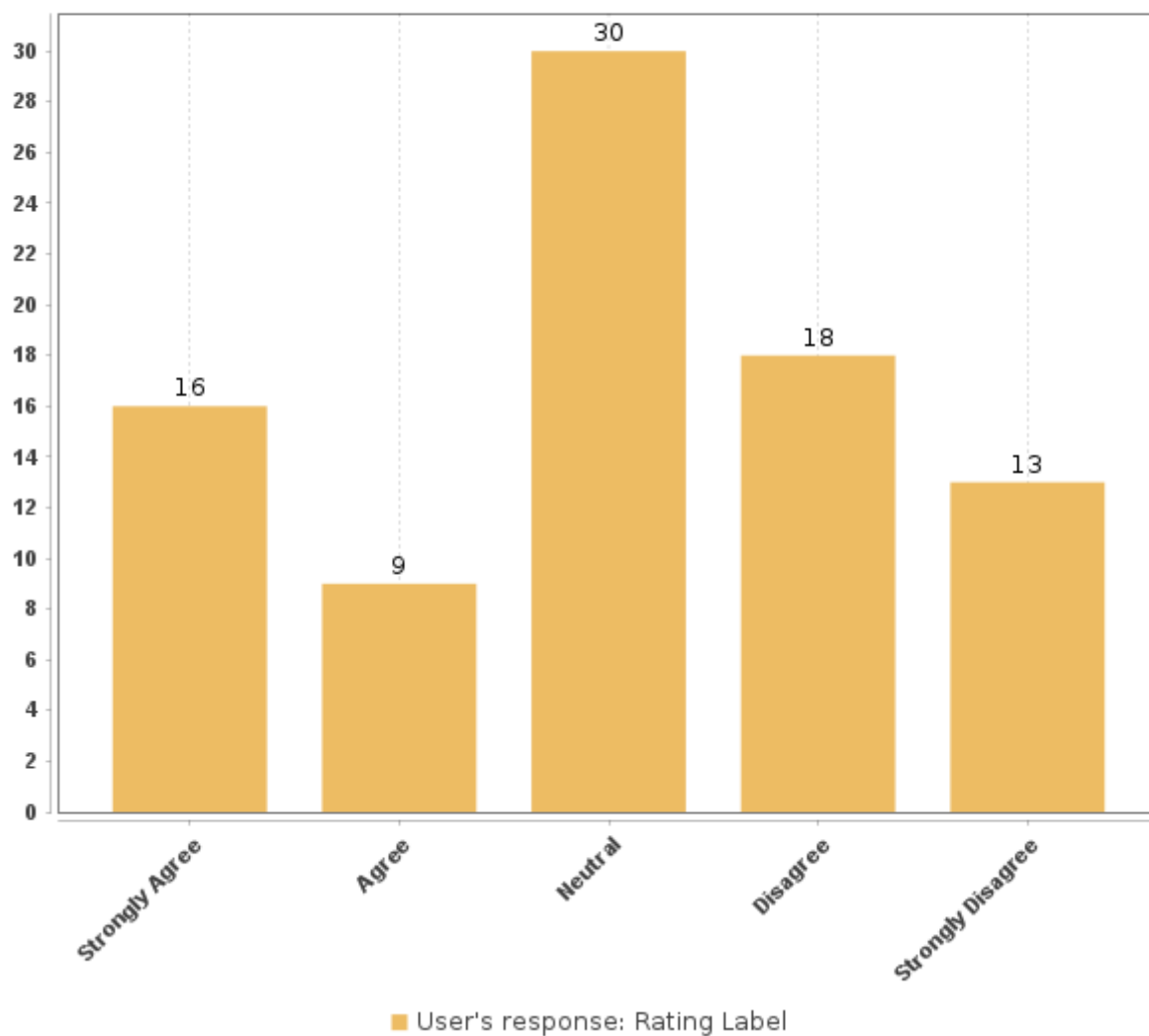
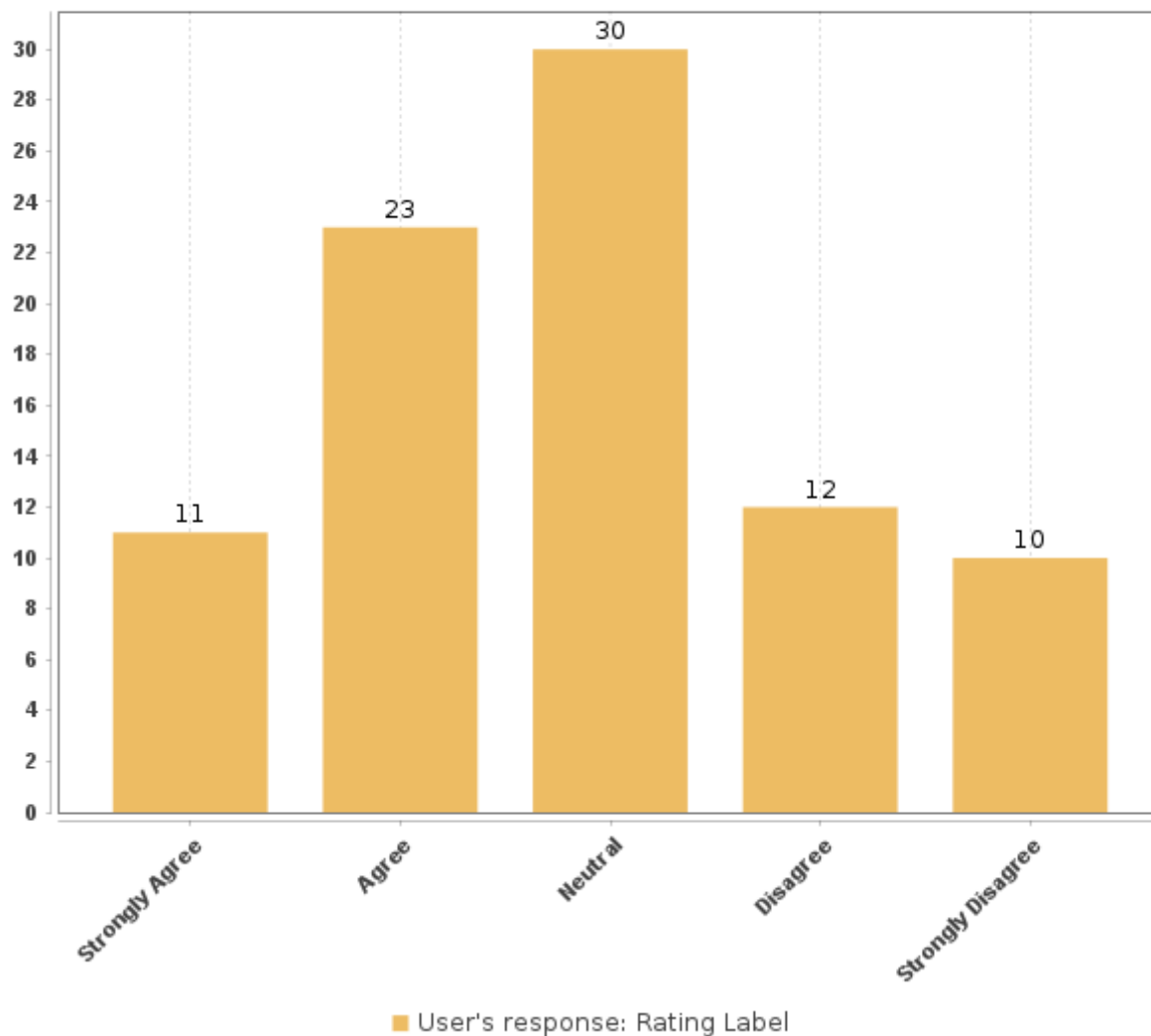


Figure 41 below provides the numbers of responses made on the next statement. As can be seen 86 (89%) of people responded to this statement. 40% agreed or strongly agreed that the scheme has improved HMOs in their area. Conversely 26% either disagreed or strongly disagreed with 35% returning a neutral answer.

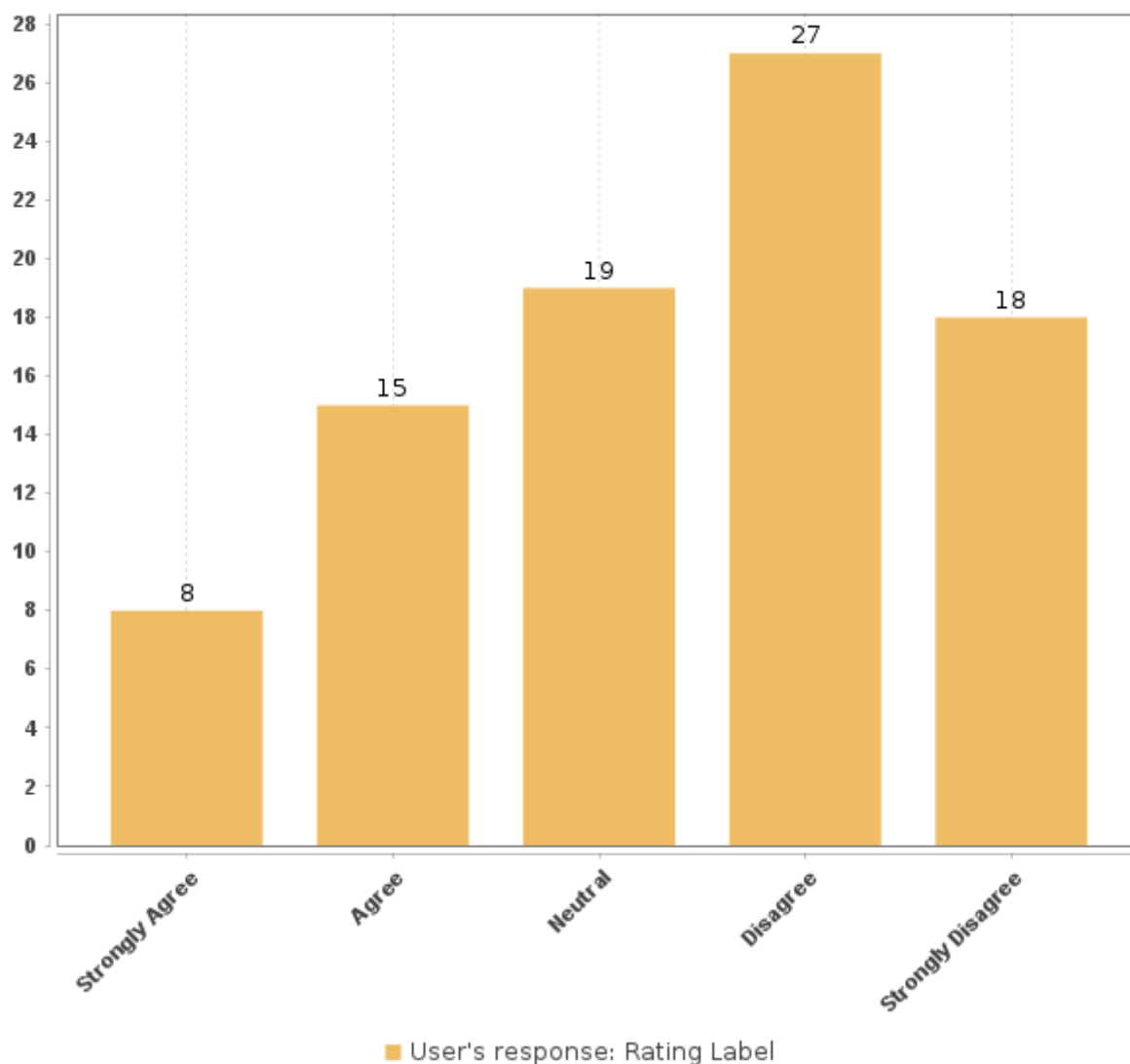
Figure 41 – Licensing scheme has improved HMOs in area



The final statement participants were asked to indicate if they agreed or disagreed with was has licensing made no difference at all.

Figure 42 below provides the findings and shows that out of the 87 (90%) of respondents 52% either strongly disagreed or disagreed with this statement. A further 22% returned a neutral answer with 26% agreeing or strongly agreeing that licensing had made no difference at all.

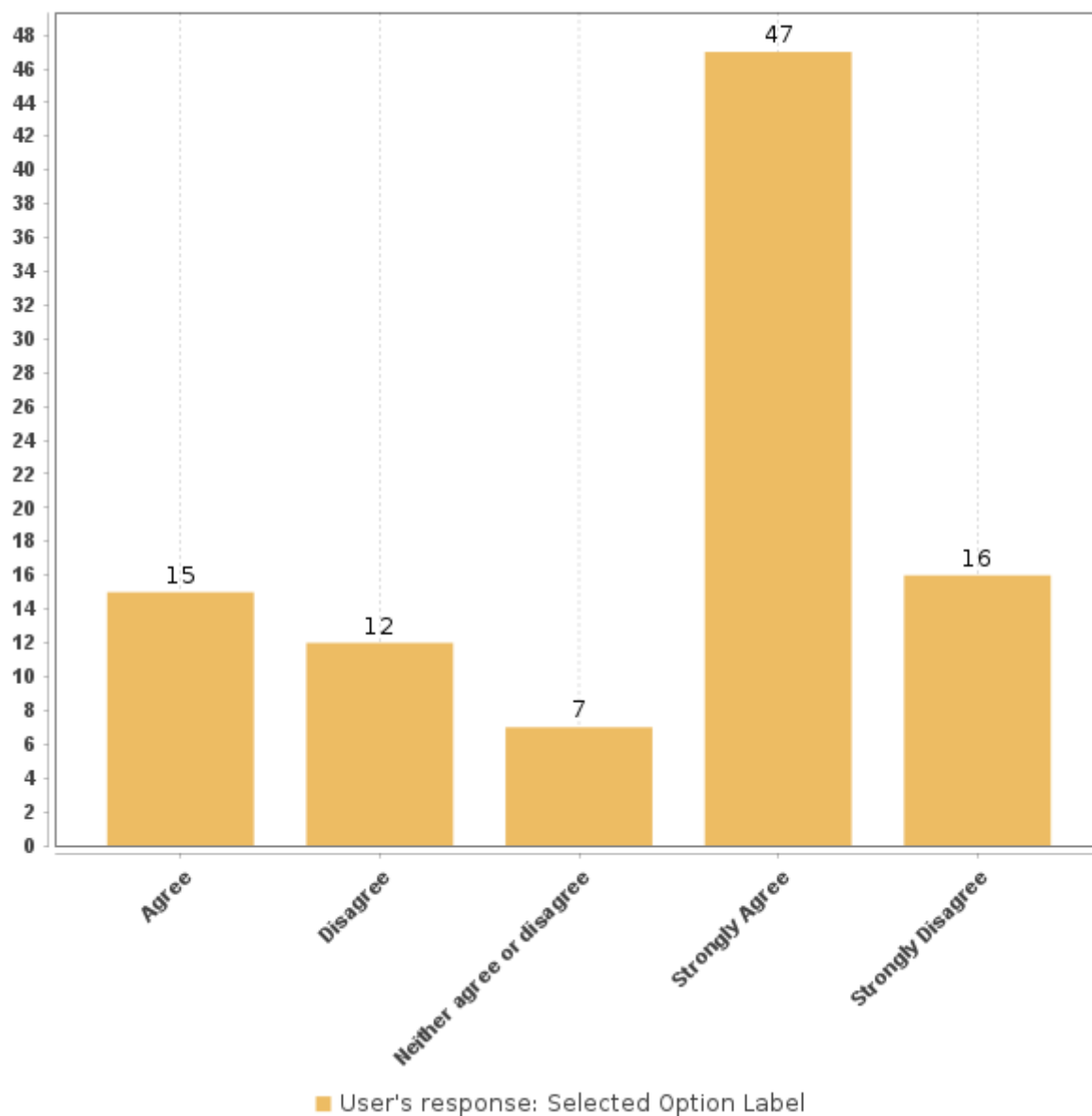
Figure 42 – Licensing has made no difference



The last two questions, questions 9 and 10 were linked to each other. Question 9 asked people to indicate how strongly they agreed or disagreed with the proposal to renew the licensing scheme for a further 5 years. 97 (100%) of participants responded to this question and the results are shown below in Figure 43.

49% of respondents strongly agreed and 17% strongly disagreed with this proposal. Out of the other two possible ratings 16% agreed and 12% disagreed with the proposal. 7% neither agreed nor disagreed. Overall this would suggest that there is overwhelming support to renew the scheme for a further 5 years with 65% either strongly agreeing or agreeing compared to 29% strongly disagreeing or disagreeing.

Figure 43 – Renew the licensing scheme for a further 5 years



The final question was a follow on one for respondents to consider if they had either strongly disagreed or disagreed with the proposal to renew the licensing scheme for a further 5 years in question 9.

It asked people to indicate which of the following applies.

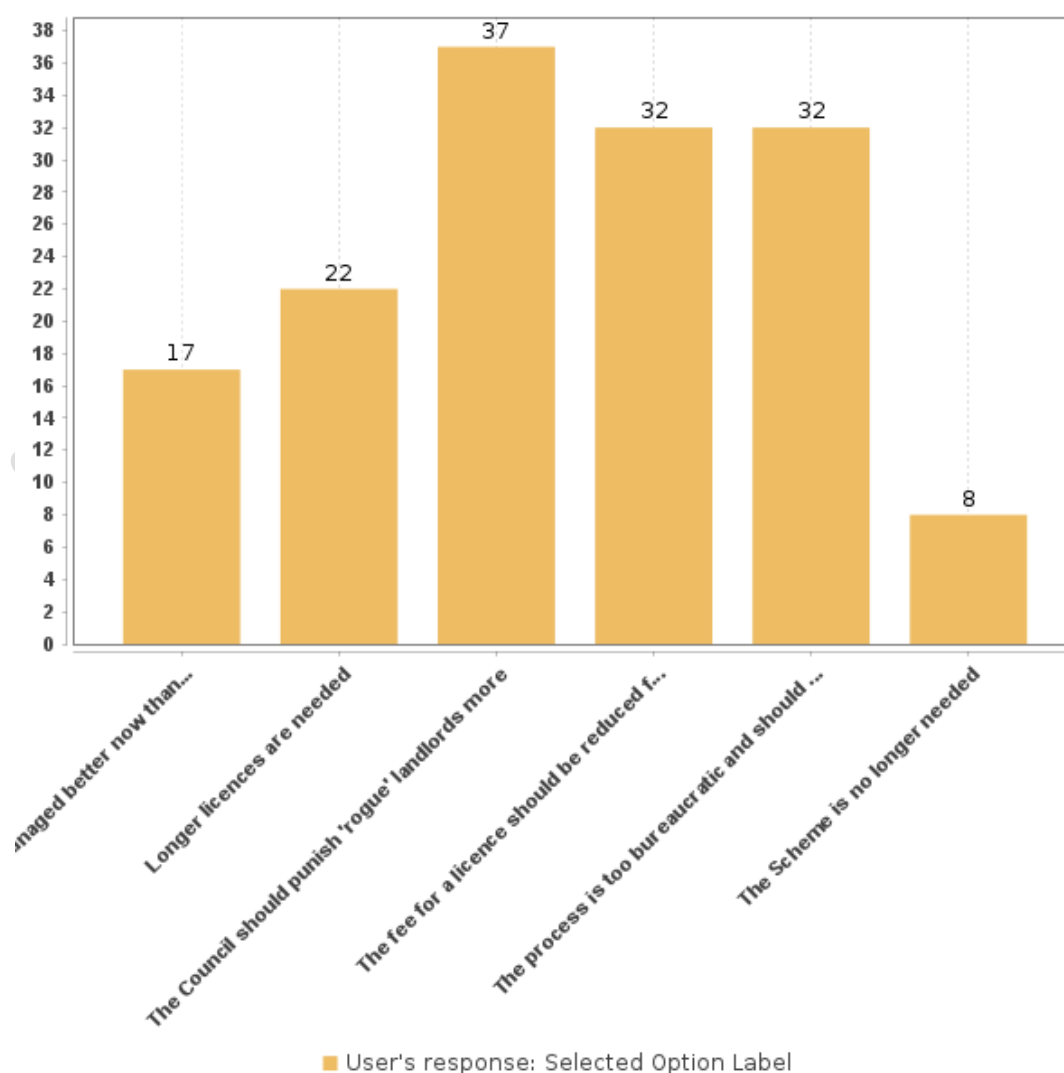
- The scheme is no longer needed
- HMOs in Oxford are managed better now than 5 years ago

- Longer licences are needed
- The fee for a licence should be reduced for compliant landlords
- The process is too bureaucratic and should be simplified
- The Council should punish 'rogue' landlords more

The results are shown in Figure 44 below.

The responses clearly indicate that the three key areas are that the Council should punish rogue landlords more, reduced licence fees for compliant landlords and simplify the system. They represent a larger proportion of responses than those who strongly disagreed or disagreed but provide a clear steer for areas of concern.

Figure 44 – Applicable categories

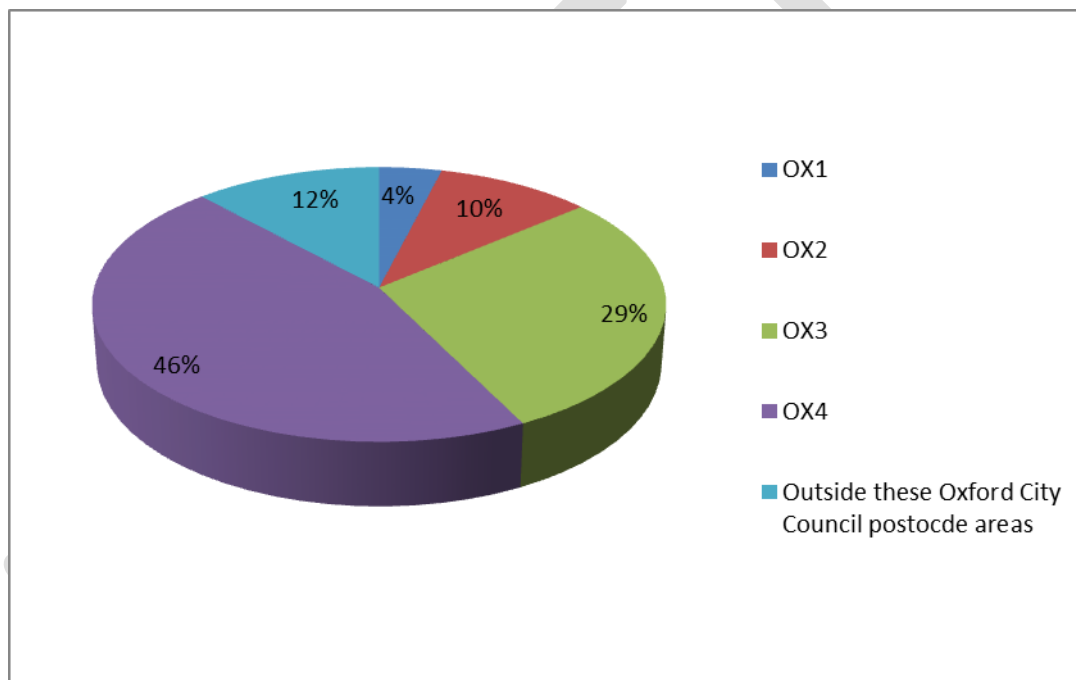


Road show Results

In addition to the online questionnaire a series of road shows were held where members of the public were asked to answer the same questions. The responses provided below are based on 112 paper questionnaires that were completed on a face to face basis in the different parts of the City indicated in Table 2.

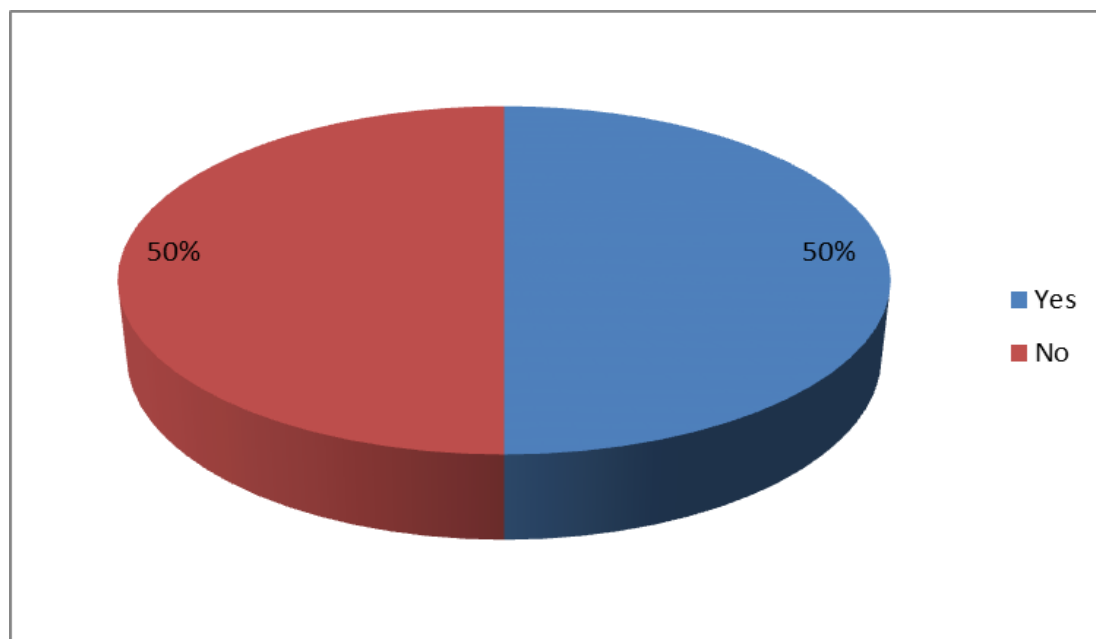
Figure 45 below provides the results of responses by postcode and shows that a large proportion came from the OX4 and OX3 areas.

Figure 45 – Responses by Postcode



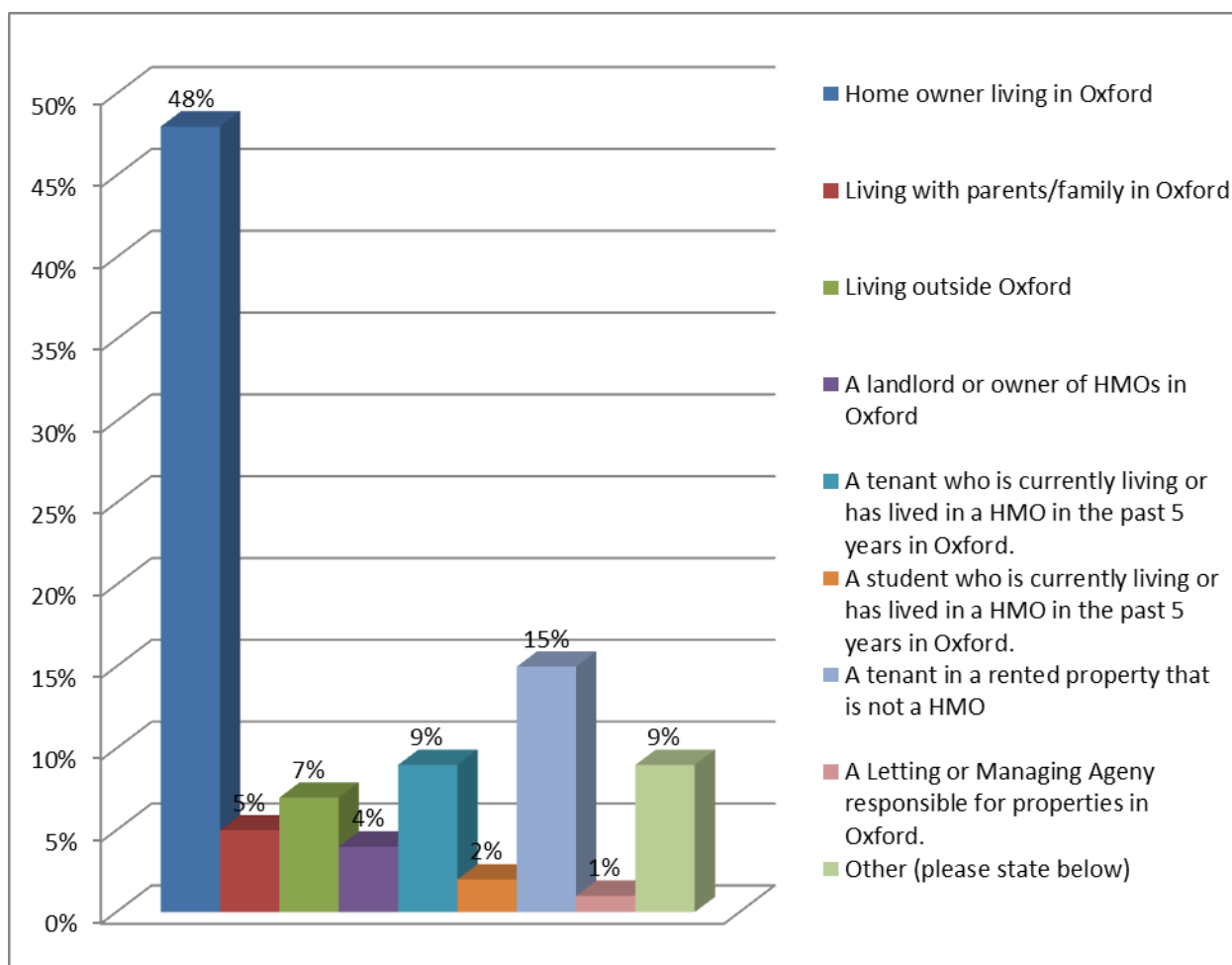
In terms of knowledge of the scheme it appears that less people were aware of the existence of the scheme than those who completed the online questionnaire with a 50% split being reported in Figure 46 below.

Figure 46 – Knowledge of Scheme



Analysis of the response received regarding status of the people responding is provided in Figure 47 below which shows that 48% were homeowners living in Oxford, 15% tenants living in non HMOs, 9% tenants living in HMOs and other, 7% living outside the City, 5% living with parents in Oxford, 4% landlords, 2% students and 1% letting/managing agents.

These results are not surprising given that most of the road shows were held in public places where there is likely to be a higher proportion of residents. The vast majority of people who indicated they fell within the status of other were found to be landlords who also owned/managed HMOs in Oxford.

Figure 47 – Status


The next set of questions related to people providing personal experience of a number of problems associated with HMOs.

Figure 48 provides the responses from those people who have lived or currently live in HMOs in Oxford. The result show that the biggest problems were those relating to difficulties getting repairs done, lack of contact with the landlord/agent, deposit issues and fear of reporting repairs for being evicted.

Figure 48 – Problems experienced by occupiers of HMOs

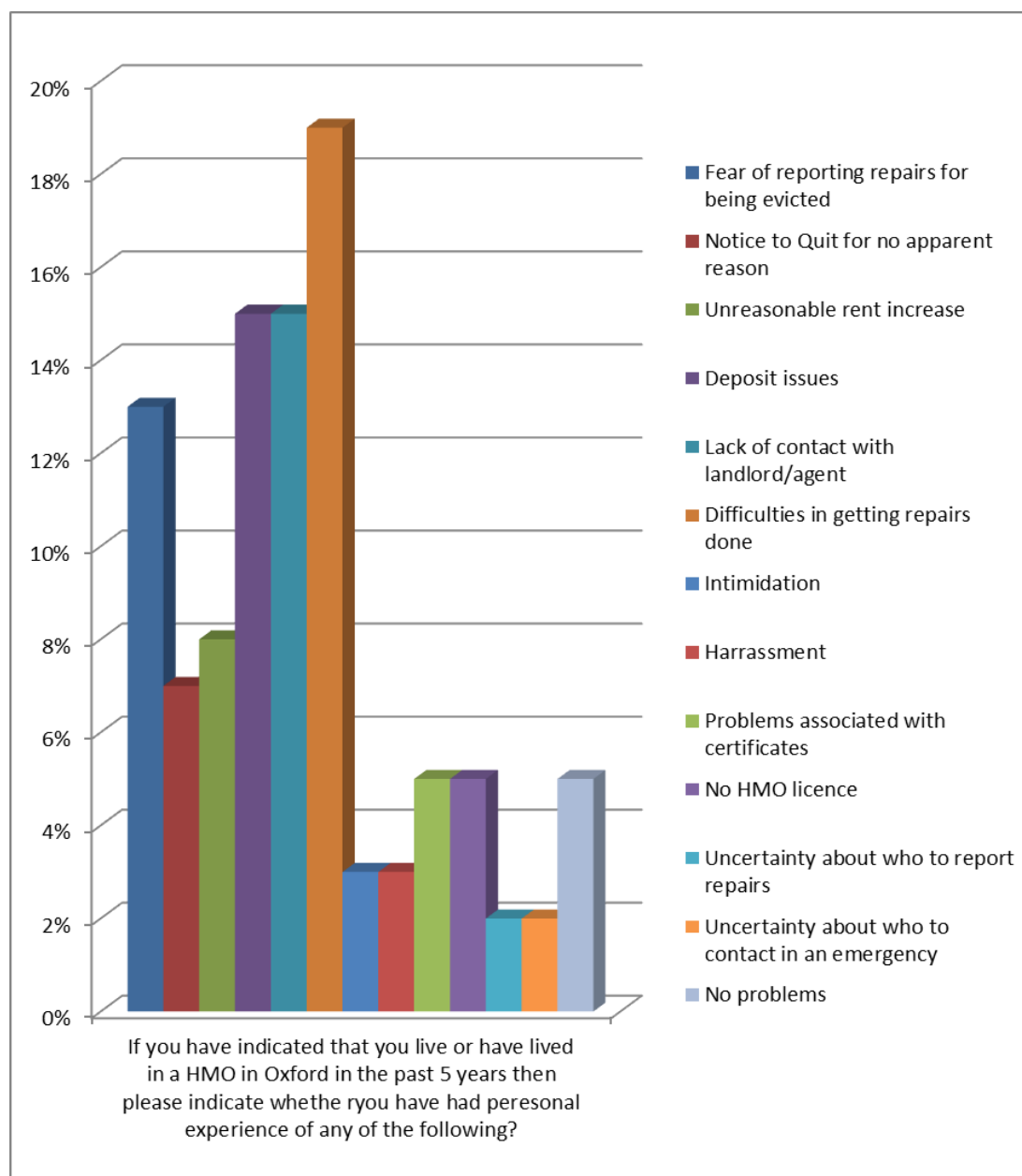
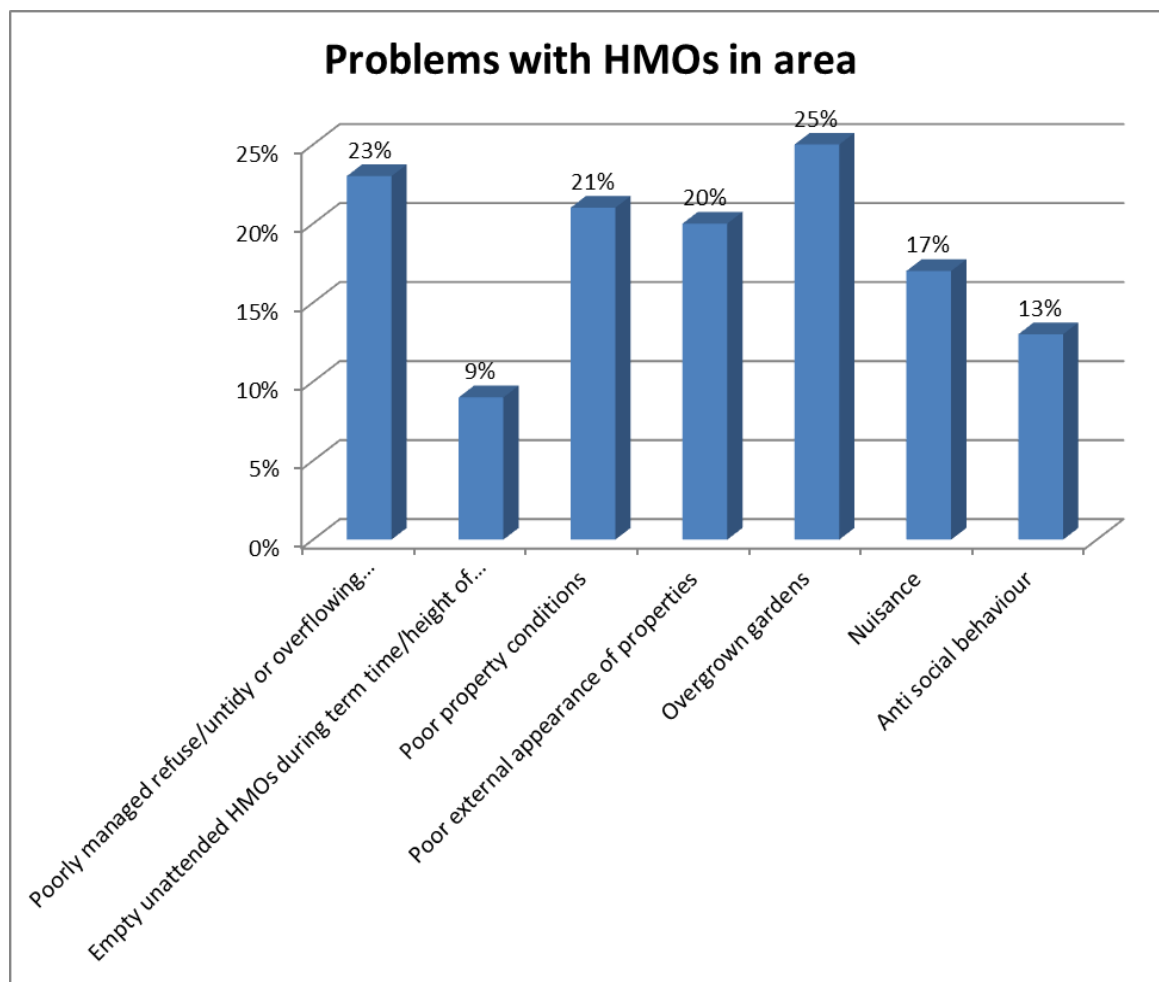


Figure 49 provides the overall responses given for the various statements regarding problems with HMOs in the area where people live. As can be seen the biggest areas for concern were those relating to overgrown gardens, poorly managed refuse, and poor internal and external property conditions.

Figure 49 – Problems with HMOs in area



As previously mentioned in the analysis of the results from the online questionnaires a series of statements were put to people to indicate if they strongly agreed or disagreed. These were considered by people responding to the questions as part of the road shows and the results are shown in the following figures.

Figure 50 below suggests that there are problems with poorly managed HMOs in Oxford with 41% of people either strongly agreeing or agreeing with this statement compared to 26% strongly disagreeing or disagreeing.

Figure 50 – Problems with Poorly Managed HMOs

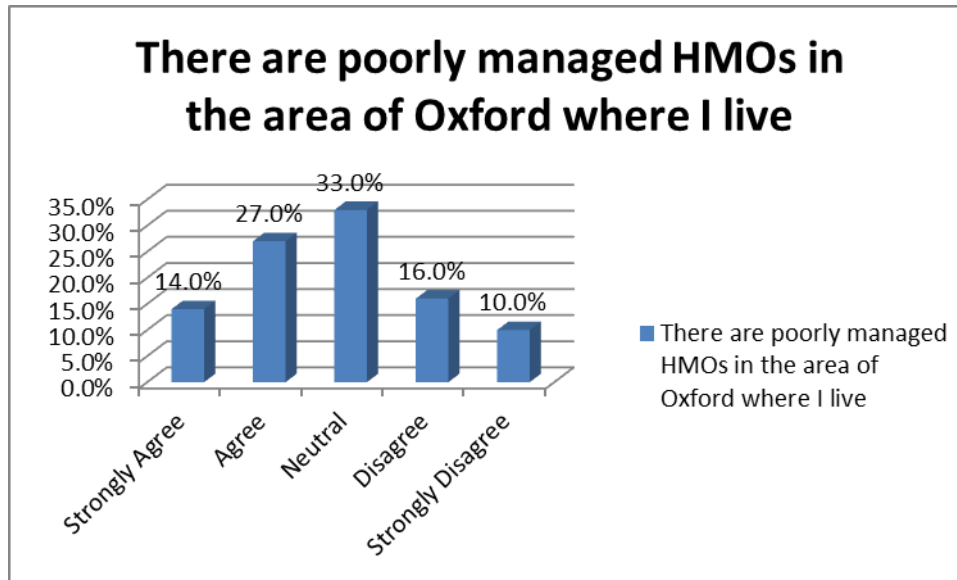
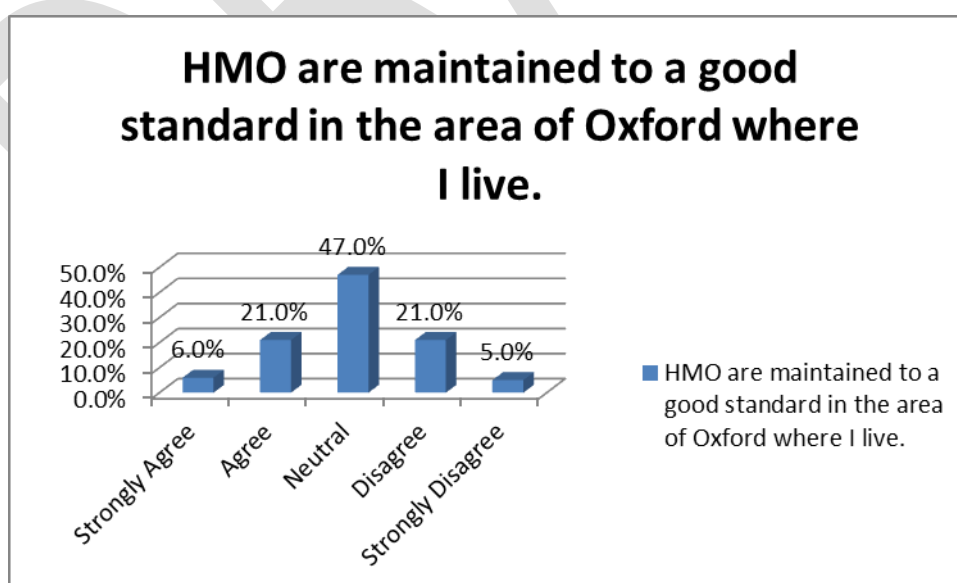


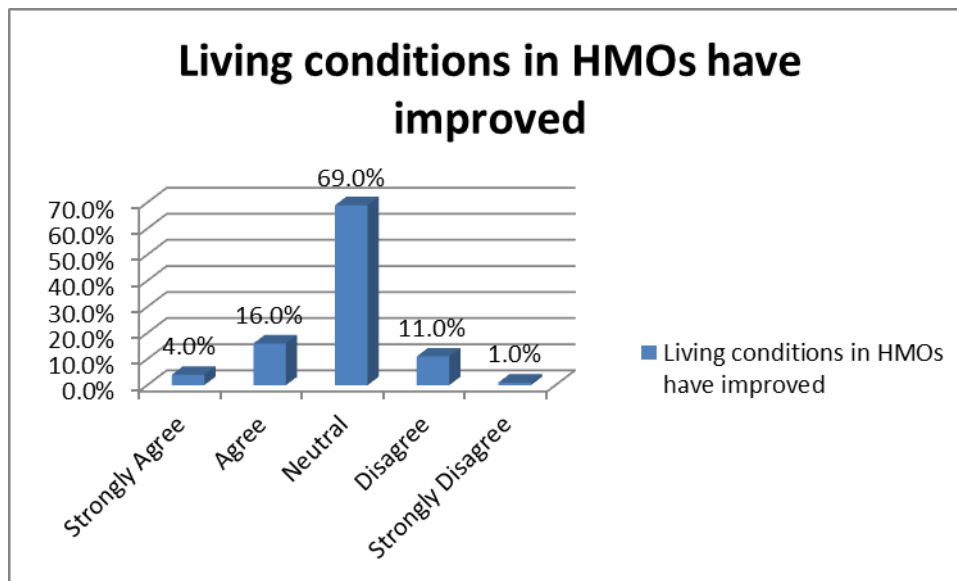
Figure 51 below provides the results to the statement of whether HMOs are maintained to a good standard in the area of Oxford where someone responding lives and clearly shows there are mixed opinions with 27% strongly agreeing and agreeing and 26% strongly disagreeing and disagreeing. 47% of people also provided a neither agree or disagree response.

Figure 51 – HMO maintained to a good standard



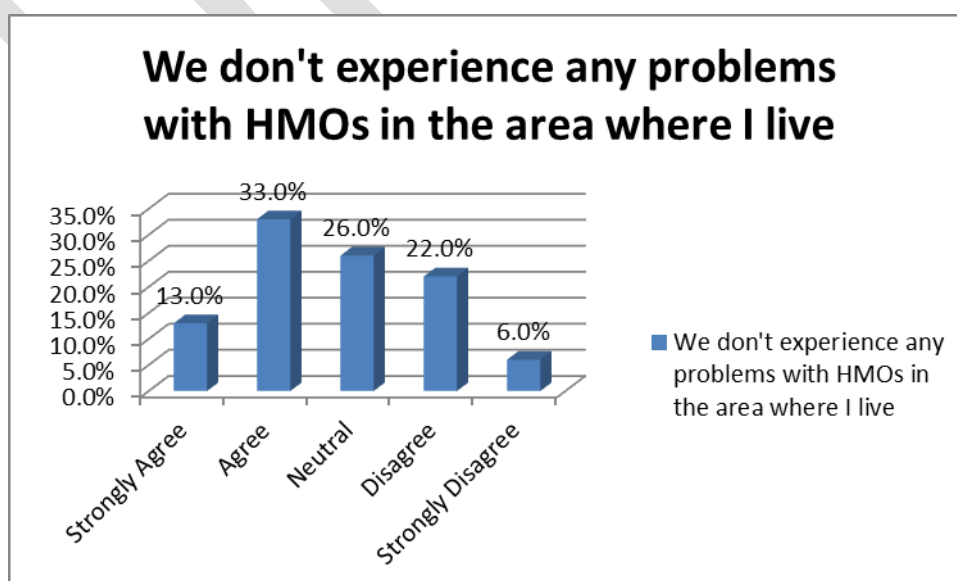
The next statement put to people was whether or not living conditions in HMOs had improved. The results are shown in Figure 52 below and indicate that 20% of people thought they had and 12% did not. A large proportion (69%) neither agreed nor disagreed with this statement.

Figure 52 – Living Conditions in HMOs have improved



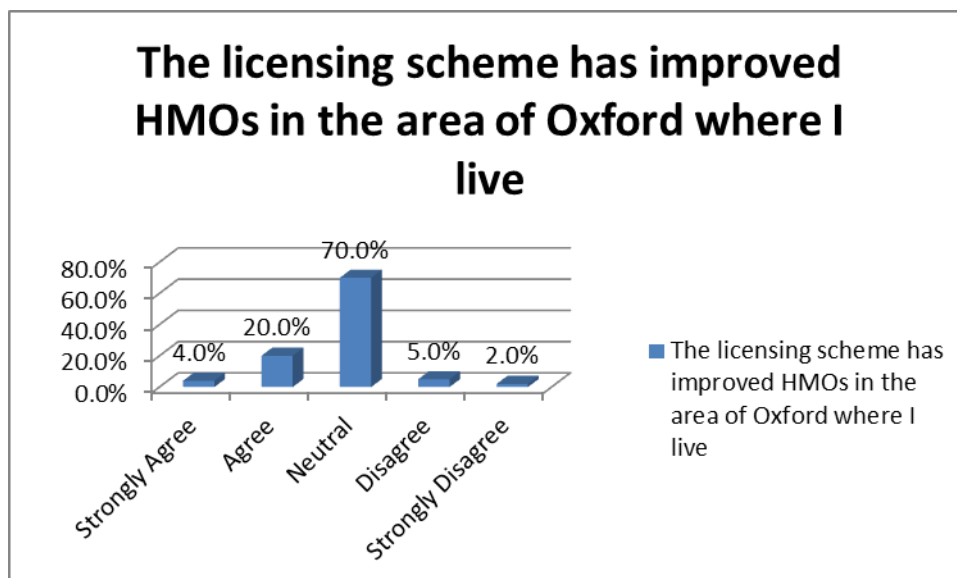
The statement 2 we don't experience any problems with HMOs in the area where I live was next to be considered and again the results were varied. 46% of respondents thought that were no problems with HMOs and 28% thought there were by wither strongly disagreeing or disagreeing to this statement. 26% of respondents neither agreed or disagreed. Figure 53 below provides.

Figure 53 – No problems with HMOs



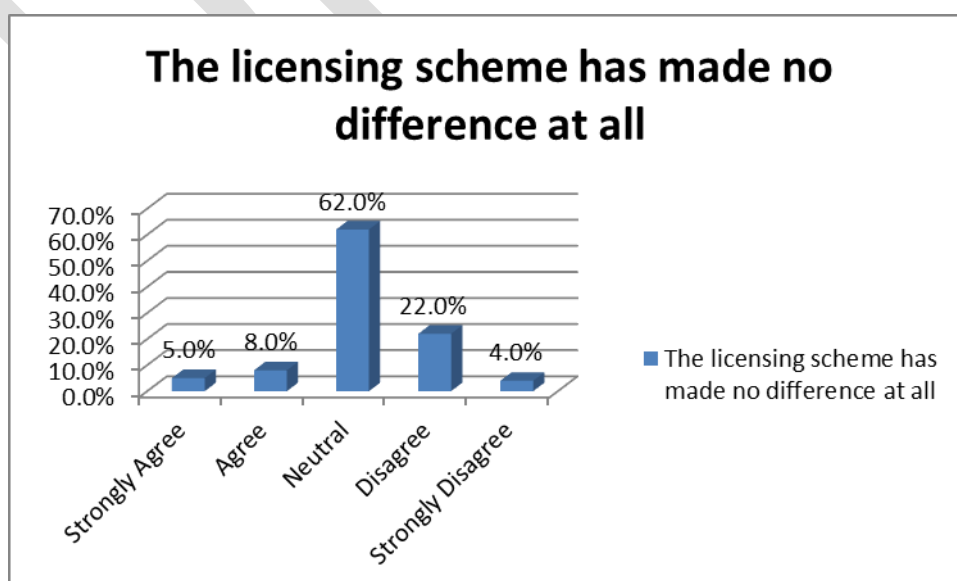
Continuing with the series of statements the net put to respondents was the licensing scheme has improved HMOs in the area of Oxford where I live. Figure 54 clearly shows that large proportion of people (70%) neither agreed or disagreed with this statement. The majority outside of the neutral response agreed that the shemes had improved HMOs (24%) whilst 7% thought that it hadn't.

Figure 54 – The licensing scheme has improved HMOs



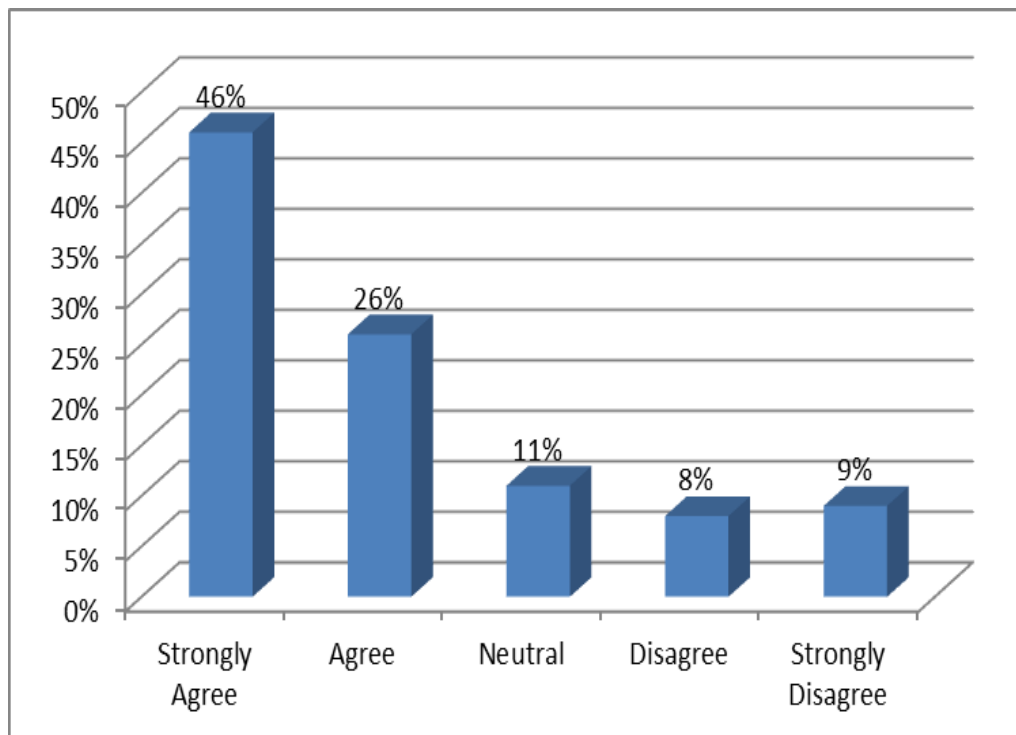
The final statement for people to consider, shown in Figure 55, was the licensing scheme has made no difference at all. 26% of people did not agree whilst 13% did. There was however, as with the previous statement, a large proportion (62%) of people who neither agreed or disagreed.

Figure 55 – Licensing scheme has made no difference at all



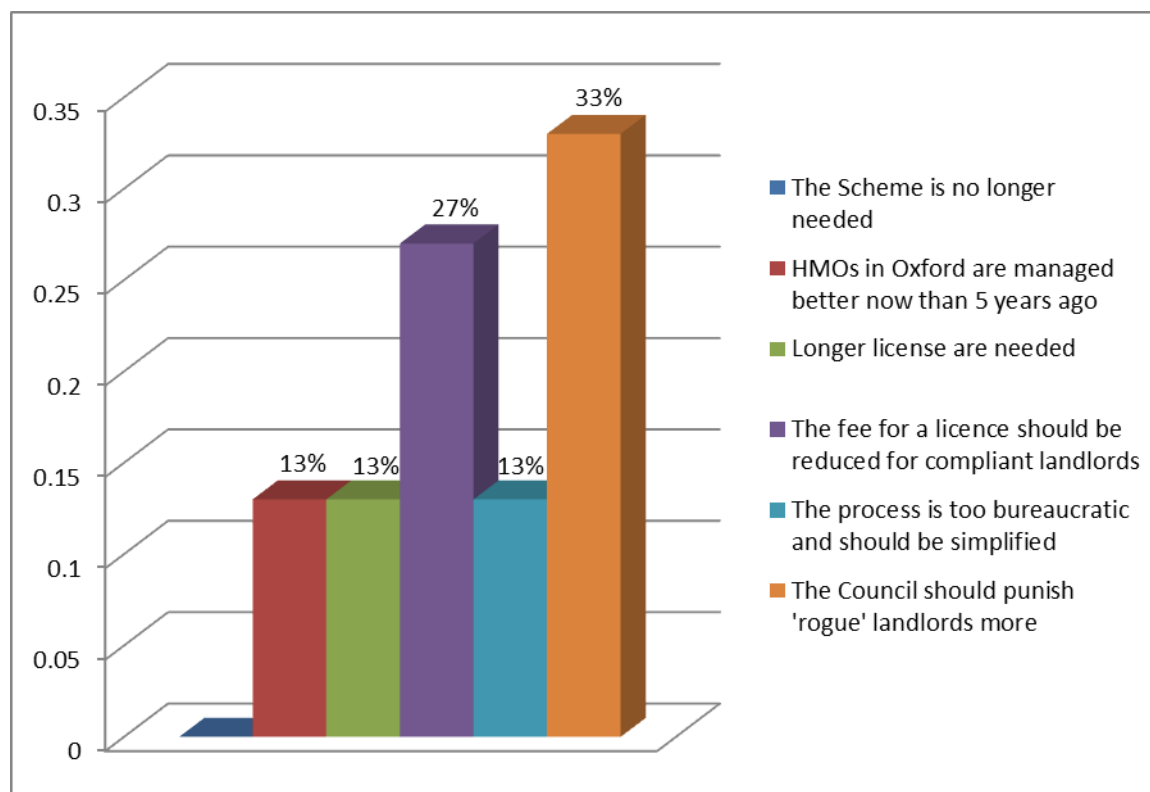
The next question asked people how strongly they agreed or disagreed with the proposal to renew the scheme for the next 5 years. Figure 56 clearly shows that the majority (46%) strongly agreed with this proposal. Furthermore 26% also agreed supporting this approach outright. Only 17% of respondents to this proposal indicated that they either strongly disagreed or disagreed.

Figure 56 – Renew the Scheme for a further 5 years



People who had indicated that they strongly disagreed or disagreed with the proposal to renew the scheme for a further 5 years were asked to indicate which statement would apply. The responses provided are set out in Figure 57 below. The top two biggest concerns were that people thought the Council should punish rogue landlords more and the fee for the licence should be reduced for compliant landlords

Figure 57 – Statements



Focus Groups

As part of the targeted consultation a series of focus groups were held with stakeholders across the City to capture the views of these specific groups who are likely to be operating under the requirements of the scheme. These included 2 events with landlords and agents, a meeting with students and a separate meeting with agents who predominantly manage HMOs in the City.

Landlords and Agents

The main thrust of the events held with Landlords and Agents was to conduct a SWOT analysis to capture theirs on the strengths, weaknesses, opportunities and threats in relation to HMOs and the Licensing Scheme.

Table 3 below provides the common theme in each of the four parts of the SWOT analysis and the full set of comments are provided as Appendix 1.

Table 3 – SWOT Analysis

STRENGTHS	WEAKNESSES
<p>Reputation of Scheme – something to proud of</p> <p>Raises standards and improves safety – fire</p> <p>Communication improved over time</p> <p>Flexibility – advice and practical tips and not just regulation</p> <p>Information provided has improved</p> <p>Landlord events – spreads knowledge</p> <p>Improves tenants confidence</p> <p>Creates awareness</p> <p>Partnership working – online form</p> <p>Massively better joint working – common goal</p> <p>Additional income to fund scheme</p> <p>Self-funding – no cost to tax payer</p> <p>Benefit to Oxford as a growth City</p>	<p>Expensive for ‘good’ landlords</p> <p>Licence period too short</p> <p>Lack of consistency</p> <p>Limited rewards for ‘good’ landlords</p> <p>Council not coping with numbers</p> <p>Too much paperwork – form filling</p> <p>Financial burden on tenants</p> <p>Lack of communication</p> <p>Lack of clarity</p> <p>Deters investment</p> <p>Affordability affected</p> <p>No one on the end of the phone</p> <p>Process drives PRS to ‘rogue’ landlords</p> <p>C3 to C4 impact restricts ability to let</p> <p>Planning/ housing legislation – action taken on one but not the other</p>
OPPORTUNITIES	THREATS
<p>More two way communication</p> <p>More information on location and status of HMOs</p> <p>Easier way to identify and report ‘bad’ landlords</p> <p>Morning clinic for advice and information</p> <p>Clearer breakdown of what is legislation, Oxford requirements and guidance</p> <p>Take a wider area based approach to increase consistency</p> <p>Make renewal and information clearer for non-computer literate people</p> <p>Offer ‘no claims’ discount for good landlords</p> <p>More information for tenants within properties</p> <p>Help to tackle ‘rogue’ landlords</p>	<p>Lack of housing</p> <p>Families being forced out</p> <p>Inadequate resources</p> <p>New legislation</p> <p>Fear of renting – restricting choice</p> <p>Poor IT</p> <p>OCC become overloaded</p> <p>Over regulation</p> <p>Agent – not checking requirements</p> <p>Threatening letters – changing mind</p> <p>Bureaucracy</p> <p>Lack of confidence</p> <p>Management of works</p> <p>High rents</p> <p>Homelessness increase</p> <p>‘Rogues’ ignoring scheme</p> <p>Communication breakdown</p> <p>Losing goodwill of ‘good’ landlords</p> <p>Identifying unlicensed HMOs</p>

A bespoke meeting was also held with members of the Oxford Community Forum to discuss how they are best placed to provide a response to the consultation. A written submission was received from the OCF and is attached at Appendix 7. The main points raised were:

- Accreditation should be easy, criteria should be certified
- Lack of awareness among landlords
- Too much bureaucracy system needs to be simplified
- More flexibility with standards
- Rogue landlords should be pursued and targeted
- Clarification on guidelines, law and best practice

In addition to the meeting with OCF a similar session was also held with agents from around the City including:

- College and County
- North Oxford Property Services
- Finders Keepers
- Lucy's
- Breckon and Breckon
- Premier Lettings
- Scott Fraser

The general consensus from attendees was that "raising standards is what we all want" and the scheme should continue but attempt to provide agents with more leverage when requiring landlords to improve their properties.

This clearly suggests that this group clearly understand what the Council is trying to achieve and are on side with it. It was also apparent that to do this the structure of the scheme needed to be different.

The following provides the main comments and suggestions for improvement.

- Raising the bar
- New software will help
- Sending photos as evidence of compliance with conditions
- System of moderation – 1 weeks' notice would be required prior to visit
- Agent is the representative, they have a duty of care, they are educating clients and can 'strike off' the landlord if they are not cooperating
- Agents to do DBS checks on proposed Licence Holders (if agent not to be the LH)

- Agents to be DBS checked and 50% of their staff trained
- A document can be drafted to explain the responsibilities of each party
- Licence up to 5 years on a pro rata basis
- Good properties – no conditions – roll into 5 year licence
- Costs, if 46% of the stock remain unlicensed can there be a sliding scale of initial licensing fee being higher to claw back evaded fees from the start of the scheme
- All good landlords have been paying since the beginning of the scheme
- OCLAS – agents must be NFPP accredited and 50% of staff trained
- Gold, silver, bronze scale for OCLAS
- Proposal of 1 year and 5 year licences and accredited. Licence up to 5 years with caveat for scheme continuing
- Audit checks – unannounced, to view property files
- Points of contact on both sides i.e.: account managers for letting agents to have as a point of contact in the Council and account managers for the Council to have as a point of contact in the letting agency
- A more robust OCLAS – consensus on paying for training

Students

A similar session was held with students to seek their views on the issues relating to HMO and licensing this type of accommodation in the City.

This focus group was a relatively smaller group comprising of 7 students who had lived in a HMO in Oxford in the past five years.

The group were provided with an overview of what constitutes an HMO and how the licensing scheme came into effect and views were then sought on the range of outcomes in the questionnaire. The final area discussed was that of the future of licensing and if the Scheme was renewed ‘what could be done to improve their experience of living in an HMO?’

The results of this focus group are provided in Table 4 below.

Table 4 – Results of Student Focus Group

Areas of Interest	Responses
Understanding of what constitutes a HMO?	Sharing, separate groups, individuals coming together to share bills etc.. living together as a family would
Have you lived in an HMO in Oxford in the past five years?	Yes (7)
Was it licensed?	Yes (5) Not sure (2)
Did you know about the licensing scheme?	Not sure (7) Assumed that certain standards would have to be met. Didn't check when looking for a property. Learnt from fellow students about which properties and agents to avoid. Found out from people moving out.
What was your experience of living in an HMO in Oxford?	Good – the landlord has British Gas cover so any problems are sorted quickly. The previous HMO took a long time to get anything fixed. Friends have had problems, agent is very responsive but the landlord is not so good. Not always clear about size of rooms and can mislead to get property let.
What the relationship with landlords like?	Difficult to get repairs done, blame students for damage. Sometimes challenging Good landlord Landlord is 'ok' (2) Landlords do not give notice before turning up and store stuff in shed and difficult to get repairs done

	(2) Didn't know who their landlord was
How well is the property managed?	<p>Cleaner comes in every week and written into tenancy agreement that a management inspection is completed every 6 months</p> <p>Inspection every few months with 1 week notice but we have to clean communal areas ourselves</p> <p>No management inspections. When report issues agent doesn't care</p> <p>Contract late – had to sit in office to get one</p> <p>Change of occupants – not notified by agent or landlord and someone just turned up and started eating food out of fridge</p> <p>Communication not good</p>
Were your expectations met?	<p>Had low expectations to begin with – lot of horror stories from friends</p> <p>Dealt with differently to working professionals – 'just students' mentality</p> <p>Felt pressured into taking properties on – bidding war created by agent</p> <p>Scaremongering and then change goal posts through gazumping</p> <p>Agents have different standard of offices for different clients</p> <p>'Brick walled' by some agents who 'don't take students'</p>
Have you noticed any impact as a result of the Licensing Scheme?	<p>Can't get something better as a student – noticed much more difference now I'm working professional</p> <p>Found out for self and noticed slight change in that we were asked by landlord to test fire alarm and record</p>
Have standards improved?	Didn't know what was required

	<p>Accept standards because lower rent = lower standards</p> <p>Took on properties in better condition following advice</p> <p>Reputable agent now deals with expectations University provides list of reputable agents</p>
What could be changed / introduced to improve your experience?	<p>Need to know if it is an HMO</p> <p>Checklist of requirements</p> <p>List of Council approved agents</p> <p>Fact sheets on minimum standards</p> <p>Feed into university 'living out guide'</p> <p>Attend fresher's fare</p> <p>30 second video signposting</p> <p>Notification of licence requirements to occupiers</p>

General Comments

As part of the consultation we also received a number of general comments made via email or directly to officers of the Council.

These are provided below.

"The Council should think about a zero tolerance approach and prosecute everyone found operating an unlicensed HMO" – Local solicitors

National Landlords Association (NLA) – The NLA submitted a document with 14 points in response to the proposal for additional licensing, which included a number of statements and comments.

The main issues raised by the NLA were as follows:

- 1) A statement about the Council not reviewing the Article 4 direction in relation to shared housing at the same time as the licensing scheme – “shows a failure in joined up policy”.
- 2) A question asking “why does the Council not pause the consultation until after the Government’s consultation on HMOs, before undertaking such a costly exercise?”
- 3) Statement about costs associated with Additional Licensing scheme being passed to tenants, thus increasing cost further for those who rent in an area, along with the cost of the Council. Thus increasing costs to Oxford residents. This has already been seen with the Council trying to house people on Birmingham, The current policies will make matters worse.
- 4) Concerns about the reasons behind keeping the scheme if it has been a success and if it hasn’t then why undertake a scheme that has failed.
- 5) A statement about how regulation in the PRS should be balanced and reduce any additional cost to landlords and tenants.

The Residential Landlords Association (RLA) – The RLA submitted a consultation response raising 6 general concerns and 6 specific concerns with regard to the following:

- Government review of HMO Licensing
- Independent verification of data
- Room sizes
- Standards
- Costs
- Accreditation

The full response submitted by the RLA is provided at Appendix 5.

The Citizens Advice Bureau (CAB) - The CAB submitted additional information regarding issues they have come across as part of their caseload when dealing with private rented sector tenants in HMOs, which is attached at Appendix 6. Some of the key concerns raised included:

- Poorly managed properties where health risks caused by disrepair are not addressed
- Retaliatory evictions as a result of complaints
- Failure to protect and return deposits
- Frauds and scams around availability of private rented accommodation

Conclusions

In order for the Council to 'renew' the scheme it must proceed through the statutory process as laid out in Section 56 and 57 and the guidance issued under the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2010.

Section 56 of the Act places requirements upon the Local Housing Authority when considering a designation for additional licensing of HMOs, in that the Council must:

- Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public; and
- Take reasonable steps to consult with persons who are likely to be affected and consider any representations made in accordance with the consultation and not withdrawn; and
- Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area (these codes relate to University managed accommodation).

Section 57 provides further considerations for the Local Authority in that they should ensure that:

- Exercising the designation is consistent with the authority's overall housing strategy; and
- Seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behavior affecting the private rented sector as regards combining licensing with other action taken by them or others; and
- Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and

- That making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).

The DCLG General Approval provides the condition that any consultation period for the proposed designation should not be less than 10 weeks.

In February 2010 the DCLG produced general guidance around the approval steps for additional and selective licensing designations in England.

This document provides examples of properties being managed “*sufficiently ineffectively*” including:

- Those whose external condition and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located;
- Those whose internal condition, such as poor amenities, overcrowding etc. adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues;
- Those where there is a significant and persistent problem of anti-social behavior affecting other residents and/or the local community and the landlords of the HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems; and
- Those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare, health and safety of residents and/or impacting upon the wider community.

From the recent review of the HMO Licensing Scheme and consultation we have found that there have been successes:

- Issued licenses for **3,440 HMOs**.
- **56% of fully completed applications** were submitted without the Council having to remind applicants to provide additional information.
- **£3.2 million has been invested into improving HMOs** during the life of the Scheme.
- Accredited **94 Landlords and Agents** through the Councils Landlord Accreditation Scheme.
- **34%** of works to **comply with licence conditions** had been completed at the time of a re-inspection

Perceptions of the scheme are also generally positive and residents and tenants, in particular can see clear improvements, 39% of respondents felt that living conditions in HMOs have improved and 40% either strongly agreed or agreed that the licensing scheme has improved HMOs.

There are however issues that the scheme has still not fully addressed:

- 36% of all residents reported serious concerns with poorly managed refuse/untidy overflowing bins and HMO property conditions; 49% raised serious concerns about external property conditions
- 51% responded to the issue of overgrown gardens indicating it was a problem in the area where they live
- 53% of respondents either strongly agreed or agreed that there are poorly managed HMO's in the area of Oxford where they live

There will be a minority of landlords who will never see the overall value of a scheme and so they will never support renewal. Their interest is more focussed on financial terms than benefits to the wider community of the City. It is encouraging however that a number of letting/managing agents can see the benefit of the scheme and support the overall principles of regulation but would like to see improvements made to benefit the compliant landlords more and tighten down on punishing non-compliant landlords.

Additional licensing remains a viable solution for the City. The market in Oxford is evolving and buoyant with the number of HMOs increasing year on year. This approach is also consistent with the priorities set within the Council's Corporate Plan and Housing Strategy.

The link to accreditation forms a key part of the development of the scheme and the proposed introduction of 5 year licences. Accreditation will be given to those landlords and agents who are experienced, knowledgeable in their profession and who meet the criteria set down by the Council and adhere to the good practice principles set out in the Royal Institution of Chartered Surveyors (RICS) Private Rented Sector Code of Practice, which was endorsed by Brandon Lewis, Minister of State for Housing and Planning in July 2015. The RICS Private Rented Sector Code of Practice and the Council's criteria for accreditation are provided at Appendix 11 and 12.

Proposed Structure

Fees and Charges

The power to charge a licence fee is governed by the Housing Act 2004.

Under Section 63 the authority may take into account all costs incurred by the authority in carrying out their functions under this part and all costs incurred by them in carrying out their functions under Chapter 1 of Part 4 in relation to HMOs. This covers costs associated with the making of Interim and Final Management Orders.

When processing licence applications the authority may, in particular, require the application to be accompanied by a fee fixed by the authority.

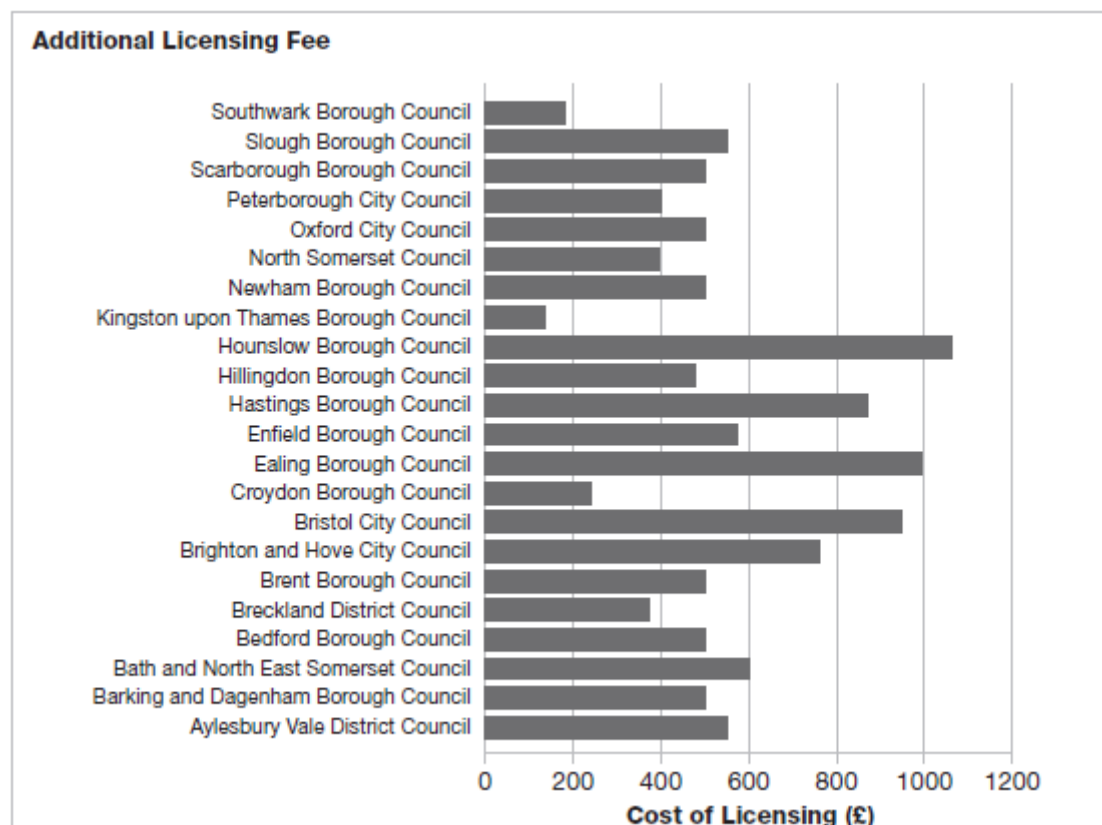
No further regulations exist for the determination of licence fees and so it is for the authority to decide what the cost of licensing will be and to set the fee structure for the scheme accordingly.

Oxford City Council is committed to ensuring that the licensing scheme is self-financing so that all of the costs associated with operating the scheme are borne from the fee structure. This ensures that there is no financial burden placed on the tax payers of Oxford.

The National Landlords Association released an interim report in February 2015 (Landlord Licensing – An overview of the incidence and cost of HMO & Discretionary Licensing schemes in England) which, amongst other things, provided a comparison on the levels of licensing fees charged by Local Authorities, across England, that have introduced Additional Licensing schemes. Figure 58 below provides their findings.

The (NLA) estimates there are around 1.5 million private landlords in the UK and although it works with around 51,000 landlords only 24,800 are paying members, which equates to 1.7% of all the private landlords in the UK.

Figure 58 – NLA report on cost of licensing



It is clear from this comparison that Oxford City Council is operating the licensing of HMOs in its District at a similar or lower cost than 16 out of the 22 (73%) of licensing authorities considered. Only 6 (27%) operate schemes at a lower cost than that of Oxford.

It is also worth noting that the scheme in Oxford is somewhat different to the majority of other schemes for two reasons. Firstly, when the scheme was introduced the Council wanted to ensure that it was robust and delivered against the aims and objectives of the scheme and the corporate objective of 'Meeting Housing Need'. To achieve this Council insisted that it would be an annual licence rather than the 'normal' approach of issuing a five years licence. During the early years of the scheme this enabled the Council to gather a wealth of baseline evidence on the condition of HMOs in the City and ensured that the licence was more than 'just a piece of paper'.

Secondly the Scheme in the City is only one of 5 schemes where the designation relates to all areas of the District. The others being Newport City Council, Wrexham Borough Council (both of which are Welsh authorities and were not included in the NLA research), London Borough of Newham and Breckland (Norfolk) District Council.

The cost associated with these schemes is very similar with Breckland operating at a slightly lower cost than that of Oxford and LB Newham and given the former approach adopted by the Council in administering licences it is clear that the fees set are extremely competitive with those of other Local Authorities.

The fee structure can only cover costs associated with the Scheme. This will include consideration of staff costs, training, inspection and administration and publicity and investigatory work involved in identifying unlicensed HMOs.

Currently the Council's fee and charges structure is tailored to reflect that more time is spent dealing with 'bad' landlords than it is with compliant landlords. This will remain the focus of the proposed new fee structure.

The Council will regularly review the fees and charges structure and set its fees to match expected outputs for the following financial year.

The designation of a new scheme has required the Council to undertake a full assessment of the fees and charges structure for this proposed future designation. Table 5 provides the outline of these fees and charges. It is important to note that the Council has set the fees based on the costs associated with delivering the Scheme in its entirety and not necessarily to reflect the actual cost associated with each category of licence. This is to reflect that the Council acknowledges that there should be less financial burdens placed on good landlords and those who comply compared to those who flout their responsibilities and do not take the requirement of complying with the law seriously enough.

Table 5 – Proposed Fee structure

Category	Fee	Type	Comments
A	£ 999	Initial Application for a 1 year licence where the owner has been found to be operating an unlicensed HMO for more than 12 weeks.	Increased to reflect increased costs incurred dealing with non-compliant landlords and HMOs in poor condition and the time involved securing a valid application
B	£ 400	Initial Application for a 1 year licence where the owner comes forward to licence voluntarily and is able to demonstrate that the property was acquired and operating as an HMO within the previous 12 weeks	Reduced to reflect reduction in costs dealing with compliant landlords.
C	£ 357	Basic Annual Renewal to reflect need to re inspect due to poor management practices and non-compliance	Where a re-inspection is required because of lack of confidence in management
D	£ 210	Basic Renewal for a 2 year licence	Renewal of an annual licence to a 2 year licence where landlord/agent meets criteria (no inspection required)
E - New	£ 300	5 year or end of scheme licence	5 year licence where landlord/agent meets criteria
F – New*	£300	Fire Risk Assessment Report (requirement for a 2 and 5 year licence).	Inspection and Provision of a Fire Risk Assessment Report

G – New*	£150 per visit	Advisory Visit	Inspection to advise on requirements before property is licensed. Similar to Planning pre-app advice.

*Optional

Eligibility Criteria

The key changes include the introduction of a 5 year licence for OCLAS Accredited Landlords and Agents. There will no longer be a requirement for 2 year licence holders to be accredited and the Council will be developing the training programme linked to accreditation to provide 2 year licence holders with the opportunity to become accredited and secure a 5 year licence. The Council will, however, no longer accept NLA accreditation as an alternative to OCLAS and as such all landlords that wish to take advantage of a 5 year licence will have to be accredited by the Council. This is likely to affect a very small minority of landlords in Oxford, for those reasons mentioned earlier. In any event there will be no fee to join OCLAS thereby providing landlords with the opportunity to make a cost saving whilst still having the opportunity to secure a 5 year licence.

The Council recognises that the Scheme has evolved since its inception and has developed a structure that reflects the findings of the review and addresses the concerns and issues raised as part of the consultation.

The approach the Council intends to adopt with the determination of new licence will be one where it considers whether the licence holder and manager are eligible for one of the three types of licence shown.

The criteria set out in Table 6 reflect the requirements the Council considers are appropriate for ensuring that HMOs are managed and maintained effectively throughout the City as part of the Licensing Scheme. These factors are based on the experience of the Council over the past five years and suggestions made by participants of the consultation.

Table 6 – Eligibility Criteria for Proposed Scheme

Factor	1 year If one criteria applies then will get	2 year Must meet all criteria to obtain 2	5 year Must meet all criteria to obtain 5 year licence
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	1 year licence	year licence	
Experience	<p>Entry level for new landlord - no previous history to allow judgement on management practice.</p> <p>Poor management – see below</p>	<p>The agent must have full management control to be the licence holder</p> <p>Where the landlord wishes to be the licence holder and has an agent, the agent must have full management control to take advantage of the two year licence</p> <p>Good management – see below</p> <p>Introduce pathway to accreditation – attend one day training</p>	<p>OCLAS Accredited Landlord</p> <p>Sign up to Private Rented Sector Code of Practice July 2015 and adhere to good practice</p> <p>Arrangements in place for regular maintenance / repairs i.e. British Gas Homecare or similar</p> <p>Cleaning contracts</p> <p>Cyclical maintenance programme i.e. similar to requirements of decent homes standard</p> <p>50% of employees on have approved qualifications – part of ‘dip’ check</p> <p>Evidence of CPD for employees - Part of ‘dip’ check</p> <p>Membership of other professional association – RICS, ARLA</p>
Application history	<p>Application history is poor – application, fee, documents not submitted on time.</p> <p>1 or more reminder needed after initial reminded to renew</p> <p>Referral to enforcement to obtain certificates</p>	<p>Good application history</p> <p>All documents submitted on time</p> <p>No subsequent reminders needed after initial reminder</p> <p>Clean ‘Bill of Health’ from other internal and external depts....</p>	<p>No reminders needed - Agent or Landlord takes full responsibility for ensuring certs are uploaded/ provided on an annual basis i.e. gas. Part of ‘dip’ check</p> <p>Provide copy of management arrangement and terms of business</p> <p>Provide DBS check if landlord to be licence holder and agent only management responsibility</p>

	Referral to enforcement to chase application	planning, Building Control, Police, HMRC, Immigration (BA)	
Certificates required during licence	Certificates not submitted on time Referral to enforcement to obtain certificates	Certificates submitted as per licence conditions	Agreed audit approach As above in application re: submitting certs without reminders and sign to accept that 'dip' check can be carried out on cases without notice.
Licence conditions	Conditions not completed on time (either at revisit but before new licence or conditions carried over)	Conditions completed on revisit	No additional conditions / no need to revisit. No properties with EPC F or below
	Fire Safety conditions on licence	No fire safety conditions	
	Amenity conditions on licence (bathroom or kitchen works)	No amenity conditions	
	Serious health and safety / disrepair conditions e.g. trip / fall hazards; heating requirements; windows need replacing	No additional conditions minor issues e.g. decorations, damp due to tenant lifestyle may be accepted if being addressed	
	Repeated requests to extend time to complete work		
Service requests	3 or more justified service requests	1 or 2 justified service request	No justifiable service requests
Inspections	Missed appointments or	No missed appointments	Carry out themselves every 6 months and at beginning and end of tenancy.

	over 10 mins late Difficult to arrange inspections – keep changing date / time Access prevented to some rooms – need to go back	Where running late, Council is informed No difficulty arranging appointments All rooms available to inspect	Council required to inspect through audit process ‘Dip’ check to look at Fire Log book
Fire Risk Assessment completed	No	Yes	Yes
Benefits to landlords	Yearly inspections from Council to ensure property is maintained (increased inspection fee)	Reduced fee Reduced inspection regime Pathway to accreditation and potential to access 5 year licence	Reduced fee Reduced inspection regime Audit / spot check scheme to check compliance – reduced workload Self-regulation monitored by LA

Limitations

The Scheme operates within the limitations set within the Housing Act 2004 and the requirements placed on the Council as a Local Authority.

The Council has attempted to be fair and consistent with the charges set for the Scheme and the manner in which it is structured and will review this from time to time to ensure that it is operating in accordance with the legal and administrative requirements. This may result in revisions to the fees, which in previous occasions has benefited the compliant and cooperative landlords and agents. Every attempt will be made to limit the financial burden on the compliant sector and punish the non-compliant. This is a key finding from the consultation.

Enforcement

The Council has always taken a proactive approach to carrying out the enforcement of legislation relating to HMOs. This has resulted in it taking more prosecutions than most other authorities

across the country, only the larger metropolitan and London Borough authorities have taken more.

The Council will continue to investigate situations where there are clear breaches of the legislation and will undertake enforcement action in accordance with its enforcement policy and the requirements set out in the various legislative frameworks.

Appendices

- Appendix 1 - SWOT Results from Landlord/ Agent events
- Appendix 2 – Summary notes from Agent Focus Group
- Appendix 3 – Student Focus Group notes
- Appendix 4 – National Landlords Association response
- Appendix 5 – Residential Landlords Association response
- Appendix 6 – Citizens Advice Bureau response
- Appendix 7 – Oxford Community Forum response
- Appendix 8 – Presentations from Landlord/ Agent events
- Appendix 9 – Consultation posters and flyers
- Appendix 10 – Social media material
- Appendix 11 – RICS Private Rented Sector Code of Practice
- Appendix 12 – OCLAS accreditation criteria

Appendix 13 – Wolvercote Neighbourhood Forum response

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Appendix 2 – Proposed Fees and Charges post 31 January 2016

Category	Fee	Type	Comments
A	£ 999	Initial Application for a 1 year licence where the owner has been found to be operating an unlicensed HMO for more than 12 weeks.	Increased to reflect increased costs incurred dealing with non-compliant landlords and HMOs in poor condition and the time involved securing a valid application
B	£ 400	Initial Application for a 1 year licence where the owner comes forward to licence voluntarily and is able to demonstrate that the property was acquired and operating as an HMO within the previous 12 weeks	Reduced to reflect reduction in costs dealing with compliant landlords.
C	£ 357	Basic Annual Renewal to reflect need to re inspect due to poor management practices and non-compliance	Where a re-inspection is required because of lack of confidence in management
D	£ 210	Basic Renewal for a 2 year licence	Renewal of an annual licence to a 2 year licence where landlord/agent meets criteria (no inspection required)
E - New	£ 300	5 year or end of scheme licence	5 year licence where landlord/agent meets criteria
F – New*	£300	Fire Risk	Inspection and

		Assessment Report (requirement for a 2 and 5 year licence).	Provision of a Fire Risk Assessment Report
G – New*	£150 per visit	Advisory Visit	Inspection to advise on requirements before property is licensed. Similar to Planning pre-app advice.

*Optional

Appendix 3 – Eligibility Criteria for 1, 2, & 5 year licences

Factor	1 year If one criteria applies then will get 1 year licence	2 year Must meet all criteria to obtain 2 year licence	5 year Must meet all criteria to obtain 5 year licence
Experience	<ul style="list-style-type: none"> • Entry level for new landlord - no previous history to allow judgement on management practice. • Poor management – see below 	<ul style="list-style-type: none"> • The agent must have full management control to be the licence holder • Where the landlord wishes to be the licence holder and has an agent, the agent must have full management control to take advantage of the two year licence • Good management – see below • Introduce pathway to accreditation – attend one day training 	<ul style="list-style-type: none"> • OCLAS Accredited Landlord or Agent • Sign up and adhere to the Private Rented Sector Code of Practice • Arrangements in place for regular maintenance / repairs i.e British Gas Homecare or similar • Cleaning contracts • Cyclical maintenance programme i.e similar to requirements of decent homes standard • 50% of agents employees have approved qualifications • Evidence of CPD for employees • Membership of other professional association – RICS, ARLA
Application history	<ul style="list-style-type: none"> • Application history is poor – application, fee, documents 	<ul style="list-style-type: none"> • Good application history • All documents 	<ul style="list-style-type: none"> • No reminders needed- Agent or Landlord takes

	not submitted on time. <ul style="list-style-type: none"> • 1 or more reminder needed after initial reminded to renew • Referral to enforcement to obtain certificates • Referral to enforcement to chase application 	submitted on time <ul style="list-style-type: none"> • No subsequent reminders needed after initial reminder • Clean 'Bill of Health' from other internal and external depts... planning, Building Control, Police, HMRC, Immigration (BA) 	full responsibility for ensuring certs are uploaded/ provided on an annual basis i.e gas. Part of 'dip' check <ul style="list-style-type: none"> • Provide copy of management arrangement and terms of business • Provide DBS check if landlord to be licence holder and agent only management responsibility
Certificates required during licence	<ul style="list-style-type: none"> • Certificates not submitted on time • Referral to enforcement to obtain certificates 	<ul style="list-style-type: none"> • Certificates submitted as per licence conditions 	<ul style="list-style-type: none"> • Agreed audit approach • As above in application re: submitting certs without reminders and sign to accept that 'dip' check can be carried out on cases without notice.
Licence conditions	<ul style="list-style-type: none"> • Conditions not completed on time (either at revisit but before new licence or conditions carried over) 	<ul style="list-style-type: none"> • Conditions completed on revisit 	<ul style="list-style-type: none"> • No additional conditions / no need to revisit. • No properties with EPC F or below
	<ul style="list-style-type: none"> • Fire Safety conditions on licence 	<ul style="list-style-type: none"> • No fire safety conditions 	
	<ul style="list-style-type: none"> • Amenity conditions on licence (bathroom or kitchen works) 	<ul style="list-style-type: none"> • No amenity conditions 	

	<ul style="list-style-type: none"> Serious health and safety / disrepair conditions e.g. trip / fall hazards; heating requirements; windows need replacing 	<ul style="list-style-type: none"> No additional conditions minor issues e.g. decorations, damp due to tenant lifestyle may be accepted if being addressed 	
	<ul style="list-style-type: none"> Repeated requests to extend time to complete work 		
Service requests	<ul style="list-style-type: none"> 3 or more justified service requests 	<ul style="list-style-type: none"> 1 or 2 justified service request 	<ul style="list-style-type: none"> No justifiable service requests
Inspections	<ul style="list-style-type: none"> Missed appointments or over 10 mins late Difficult to arrange inspections – keep changing date / time Access prevented to some rooms – need to go back 	<ul style="list-style-type: none"> No missed appointments Where running late, Council is informed No difficulty arranging appointments All rooms available to inspect 	<ul style="list-style-type: none"> Carry out themselves every 6 months and at beginning and end of tenancy. Council required to inspect through audit process 'Dip' check to look at Fire Log book
Fire Risk Assessment completed	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> Yes 	<ul style="list-style-type: none"> Yes
Benefits to landlords	<ul style="list-style-type: none"> Yearly inspections from Council to ensure property is maintained (increased inspection fee) 	<ul style="list-style-type: none"> Reduced fee Reduced inspection regime 	<ul style="list-style-type: none"> Reduced fee Reduced inspection regime Audit / spot check scheme to check compliance – reduced workload Self regulation monitored by OCC

5 year audit scheme

- One audit every 6 months
- Audit will include office based analysis of records held on system to check if all certificates etc. are up to date and uploaded.
- Audit will also include an unannounced visit to offices of agents where Officer will request to see records for selection of properties (10%).
- Where appropriate Officer may also ask for notice to be given to inspect a sample of properties the next day (agents need to give 24 hrs notice)
- On inspection if no issues are found or if issues found and action is already being taken to deal with them then audit will be signed off as complied.
- Where non-conformities are found then assessment will be carried out to determine appropriate course of action including a range of informal and formal approaches.

Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Legal challenge	A legal challenge to the proposals is put forward as a judicial review	Opp and Threat	Statutory requirements not met. Insufficient resources provided to fulfill requirements. Insufficient evidence base. Lack of wider consultation		October 2015	Adrian Chowns							The statutory designation is required in order to meet the requirements of the Housing Act 2004. Any challenge must be made within the statutory timeframes	Ensure that statutory requirements for proving the case for licensing of HMOs is robust and are met.	Now			Ian Wright/ Adrian Chowns
Recommendations not approved	The recommendations of the report are not approved	Threat	Insufficient support from members to proceed with statutory consultation	Phase 1 of the Scheme will expire and Phase 2 will remain regulated.	October 2015	Adrian Chowns							The regulation of the HMO sector will fall back to the basic (limited) statutory controls which is likely to result in a decline of conditions and standards in the sector	Review and implement appropriate consultation project and ensure requirements of legislation fulfilled.	October 2015			Ian Wright/ Adrian Chowns

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Form to be used for the Full Equalities Impact Assessment

Service Area: Environmental Development		Section: Environmental Health	Date of Initial assessment: 31/08/2015	Key Person responsible for assessment: Adrian Chowns	Date assessment commenced: 07/09/2015
Name of Policy to be assessed:			CEB Report: Results of Consultation of HMO Licensing		
1. In what area are there concerns that the policy could have a differential impact			Race	Disability	Age
			Gender	Religion or Belief	Sexual Orientation
Other strategic/ equalities considerations			Safeguarding/ Welfare of Children and vulnerable adults	Mental Wellbeing/ Community Resilience	Marriage & Civil Partnership

<p>2. Background:</p> <p>Give the background information to the policy and the perceived problems with the policy which are the reason for the Impact Assessment.</p>	<p>A statutory consultation project of 10 weeks is now complete and the new scheme (if approved) will be required to be designated and advertised for a minimum 12 weeks. The delivery of this is governed by extremely tight timescales and Phase 1 of the Scheme is due to expire in January 2016. Failure to make a new designation could result in certain parts of the sector being regulated and other parts not regulated. This may also put all occupiers of these type of HMOs at risk.</p>
<p>3. Methodology and Sources of Data:</p> <p>The methods used to collect data and what sources of data</p>	<p>An assessment on the proportion of landlords from BME groups has indicated that 25% are of Asian origin. This group make up 10% of the population of Oxford as a whole. This remains the case following the completion of the consultation.</p> <p>The profile of the PRS in Oxford has changed considerably since the introduction of the Scheme. Oxford is now the least affordable City to live in and has the highest proportion of young people. High house prices create a situation where they are unlikely to be able to access home ownership consequently the PRS is the most viable option and sharing reduces the cost of accommodation further.</p>
<p>4. Consultation</p> <p>This section should outline all the consultation that has taken place on the EIA. It should include the following.</p> <ul style="list-style-type: none"> • Why you carried out the consultation. • Details about how you went about it. • A summary of the replies you received from people you consulted. • An assessment of your proposed policy (or policy options) in the 	<p>If the recommendations of the CEB report are supported then officers will proceed with the 12 week statutory designation and public notices will be released in accordance with the legislation.</p>

<p>light of the responses you received.</p> <ul style="list-style-type: none"> • A statement of what you plan to do next 	
<p>5. Assessment of Impact:</p> <p>Provide details of the assessment of the policy on the six primary equality strands. There may have been other groups or individuals that you considered. Please also consider whether the policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults</p>	<p>The project is based on the need to fulfil the requirements of national legislation. A key consideration is to ensure that the statutory designation is made and advertised for 12 weeks..</p> <p>Data gathered will assist in informing the impact on target groups such as landlords from BME groups, tenants, students and migrants. The levels of impact vary across each group with 25% of BME landlords operating HMOs, young people likely to access this type of accommodation, the increase in families living in HMOs and vulnerable groups being the key considerations.</p> <p>In regulating HMOs, owners and agents who are regulated against may feel that they have been adversely impacted upon. However there are no other ways in which the service could be provided that would achieve these aims without adverse impact. Ultimately, when working within the legislative framework, people have a right to legal redress should they feel that a decision was unfairly/unlawfully taken; this can be via an appeal process or the Council's Complaints system.</p>
<p>6. Consideration of Measures:</p> <p>This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy</p>	<p>The key groups that are likely to affected by these proposals have been identified and a consultation project developed to address the implications of the scheme. The proposed approach to consultation has been set out by the recent PIB report and approved. The report setting out recommendations will be considered by CEB and if approved the consultation will be conducted in accordance with the project plan approved.</p>

6a. Monitoring Arrangements: Outline systems which will be put in place to monitor for adverse impact in the future and this should include all relevant timetables. In addition it could include a summary and assessment of your monitoring, making clear whether you found any evidence of discrimination.		The fee and charges structure associated with licensing of HMOs has been reviewed following the consultation and developed taking account of the impact this has on landlords generally. When enforcement activity is carried out each case is reviewed to ensure that the Council is being fair, consistent and proportionate in its approach. This review ensures that the impact of particular groups is monitored. Feedback is also obtained from relevant groups.				
7. 12. Date reported and signed off by City Executive Board:						
8. Conclusions: What are your conclusions drawn from the results in terms of the policy impact		Additional licensing remains a viable option for the City and is the best course of action for dealing with the problems associated with HMOs in Oxford.				
9. Are there implications for the Service Plans?	YES		10. Date the Service Plans will be updated	2015/2016	11. Date copy sent to Equalities Officer in HR & Facilities	
13. Date reported to Scrutiny and Executive Board:			14. Date reported to City Executive Board:		12. The date the report on EqlA will be published	

Signed (completing officer)

Signed (Lead Officer)

Please list the team members and service areas that were involved in this process:

Organisational Development & Learning Advisor/ Equalities

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APPENDIX 1 – STRENGTHS, WEAKNESSES, OPPORTUNITIES & THREATS

21 July 2015

Main themes were:

Standards

Reputation of scheme – to be proud of
High standards
Raises standards overall
Improved safety - fire in particular
Neighbourhoods/neighbours confident with licensed HMOs
General standards for tenants
Tenants safety
Bringing stock up to standard
Consistent – expectation

Communication

New on-line form (will be better)
Flexibility – inspector giving practical advice
Mark Williams practical and helpful
LIE events – sharing information and opportunity for landlords and agents to network
Newsletters are useful
Aids better relations with community/neighbours
Building communications – restructure joining planning and licensing services together
Improving communication

Education

LIE events – communication with action regarding changes
Spreads knowledge
Gives tenants confidence
Educating tenants
OCLAS
Landlords better educated – creates awareness, have to be more informed

Working together

(Being able to) pilot the new on-line form
Some leverage for letting agents (Council requiring works to be carried out)
2 year licence
Dawn and the team (no prompting from me!)
Things have got massively better
Working together – local authority and customers

Financial/local economy

Additional income – Council, Contractors & local businesses
Job security – Council, Contractors & local businesses
Better value for tenants and subsequently landlords
Self funding
Benefit to Oxford – for people moving here

Economy/contractors/SMEs, electricians, gas etc
Adds value to property, more attractive/marketable
Minimum guidance – Amenities & Facilities guide (this was listed as a strength)?!
Can't remember what was said around this.

05 August 2015

Providing advice to new landlords
Raises quality of accommodation
Weeds out rogue landlords
Gives confidence to tenants
Gives confidence to landlords they are compliant
Owner occupiers know there is a structure to regulate and someone to help
HMOs provide affordable accommodation
Enables control of numbers of people in houses
Ensures properties are maintained and safe
Competitive advantage to better landlords
Engagement with landlords has improved

Weaknesses

21 July 2015

- Expensive for good landlords
- Licence period too short
- Lack of consistency in what is being required
- ‘Good’ landlords are still being threatened with enforcement
- Slow response times for landlord queries
- Limited rewards for good landlords
- Back dated late notices
- Council not coping with numbers of applications
- Too much paperwork and form filling repetition
- Financial burden on tenants and landlords
- The council is late to issue things yet landlords are expected to meet the councils deadlines
- 1 year licences are too much hassle
- The waiting times for licences are too long
- Lack of communication between HMO's and planning
- Landlords are not always clear of what is required of them
- Lack of flexibility in the HMO licence
- Contradictions in what is required in AST's and in HMO licences
- Planning application process is too long winded
- Lack of consistency in what we ask for and what other local authorities ask for
- The process makes people homeless
- No one on the end of the phone!
- Lack of up to date information on the website

-Lack of information and advice distributed

Commonly raised

05 August 2015

More expensive for landlords – higher rents / pass cost on to tenants
Drive PRS to rogue landlords
Unforeseen consequences
Time consuming and repetitive applications
Deter good landlords from investing
C3 to C4 impact restricts ability to let and drives up costs
Planning / housing legislation are different so action taken on one but not other
Affordability

Opportunities

21 July

More two-way communication – especially with renewals and certificates wanted – let the LLs know when certificates are due – it would be good if the new computer system could send out automatic reminders

Offer discounts/financial or other incentives each year for good performance

Manage by exception – innocent until proven guilty, leave the compliant majority to get on with it and focus all our resources on the ‘bad guys’

More information on location and status of HMOs and easier ways to identify and report bad HMOs – e.g. create an interactive map with all HMOs and their status marked on it (Bath and NES have this) which can be used by neighbours and prospective tenants to search and identify both good and problematic HMOs

A walk-in clinic, operating e.g. each Wednesday morning at SAC where LLs can come in and ask questions/get help with applications, licensing and managing issues.

Star ratings for houses – like food businesses, which show who the best and worst houses are, and put into a searchable database for tenants to provide a positive marketing opportunity

Clearer breakdown of what is legislation, Oxford standards and guidance

Greater consistency of advice and inspections/decisions

Recognise the diversity of HMO tenure – not all tenant types/properties and management styles/arrangements/business models are the same – obviously

maintain consistent safety standards, but appreciate the differences and treat accordingly

Take a wider area-based approach, to increase consistency of HMO enforcement and standards across Oxfordshire – engage with neighbouring LAs/ district authorities

Greater differentiation between good and bad, using length of licence

Continue naming and shaming bad landlords, but also focus on publicising good landlords – tell and sell the success story of X000 better safer HMOs – how Oxford's HMOs are amongst the safest in the country, focus on positive marketing

Discounts for accredited/NLA members (and make accreditation recognise RLA members as well as NLA) – make these schemes offer more, give CPD for attending LIE events etc as well as the annual training

Better lead times on fees so LLs can better balance their books and anticipate what the fees are going to be and have the necessary funds in place

Traffic light scoring after inspections to help prioritise works

Feedback notes to attendees after training events (e.g. today – the findings from this discussion)

Incentivise landlords to improve and to encourage the PRS to up its game – use longer licences and lower fees – longer licences allows us to give better service, reduce inspections etc, which in turn reduces costs and increases overall revenue

Rating scheme (like EPC ratings) for properties assessing a range of criteria which is consistent across the sector – however avoid adding additional bureaucracy and inspections, as the licence should achieve this on its own

Reduce time spent by LLs searching the internet for information and doing renewals, streamline, make renewals and information clearer for non-computer-literate people

Stagger licence renewals/inspections/fee payments across the year

Offer 'no claims discounts' for good LLs who do not have any SRs/issues etc to encourage and reward compliance and good management

Spot checks over the licence, risk rate to focus on places of concern, perhaps bi-annual checks?

Promote the licence to LLs as a passport to getting better agents and better tenants, and to tenants as a passport to better, safer houses

More information for tenants within properties with contact details of who to report to, what to report, and when etc – e.g. 1st LL → Council/Jackie etc, perhaps checklists for expectations

More engagement with tenants and students e.g. with units of behavioural expectations of tenants

Help tackling rogue tenants – LLs would really appreciate the Council's support with dealing with difficult and rogue tenants – this is an opportunity for the Council to give something back to LLs. Greater onus on tenants to comply with regulations, more engagement with tenants, more info and training for tenants

Easy ways to give feedback via the website etc

Make it easier for houses to change ownership/change agents

More staff to help you cope with workload

Longer licences

Faster turn-around of licences, more consistency – make a **service-level-agreement of what LLs can expect from the Council** in these (and other) respects

Have a positive marketing campaign to promote the good LLs to students, tenants and residents which will in turn help improve values of compliant, licensed properties
Provide more opportunities for sharing best practice between LLs

Fewer inspections

More resources for tenancy relations

Better signposting for planning and building control

05 August

Improve processes / be less bureaucratic

Longer licences

Self regulation / control

Online application – uploading of documents / automatic reminders when gas etc due or renewals due

Greater consistency in conditions / inspections / requirements

Make money to fund licensing services

Get other HMOs licensed

Rewards or incentives for landlords

Streamline contact

Cross boundary accreditation

EPCs - new requirement, work with centrica to get funding for energy efficiency works

THREATS

21 July

KEY THEMES:

Lack of housing -Majority of HMOs available to student market- What about professionals? Forcing families out.

Inadequate resources limit ability to administer scheme

New legislation – Legionella. EPC requirements, section 21 notices

Fear of renting- Restricting choice

‘The Unknown’- Restricts long term planning ie for investment

Poor IT infrastructure

Working with a failing system

Mistakes- getting it right first time to avoid generation of more work.

Majority of HMOs available to student market- What about professionals?

Forcing families out of rental market.

Need to be evidence based

OCC becoming overloaded- Inadequate resources limit ability to administer scheme

Oxford CC- Over regulation

- Yearly licencing

- Consistency issues

- Overstretching resources

- Staffing levels and retaining staff

Double standards eg exemption of Housing Association properties

Agent- Not checking licence conditions

Erratic

‘The Unknown’- Restricts long term planning ie for investment

Threatening letters- changing mind

Bureaucracy- more hotel than home

Other general comments

Poor IT

People not buying into the scheme

New legislation – Legionella. EPC requirements, section 21 notices

Lack of confidence in authority

Staffing levels

Losing credibility

Back dating of licences

Management of works

Too complicated- People opt out and don't subscribe to the schemes

Working with a failing system- better not to bother

Inadequate resources

Lack of housing
Purchasing property- issue with whether or not you will get a licence
Inadequate resources
High rents
Additional costs
Fear of renting- Restricting choice
Homelessness issue
Proportionality
Mistakes- getting it right first time to avoid generation of more work.

More HMOs than staff
Rogue LL ignoring the scheme
IT
Poor communications
OCC- Own staff no consultants
Losing goodwill of good landlords eg due to poor communication
Not working in partnership to improve management
Higher penalties for rogue landlords
Process is too involved- Introduction of self-certification scheme
Tenancy issues
People not licencing
Inefficiency
Lowering to 3 people
Landlords won't let as an HMO
Reducing housing
Evidence based
Undermining scheme
Focus on unlicensed
Prioritisation
Identification of unlicensed

05 August 2015

Longer licences could lead to drop in standards – landlords are used to getting regular inspections so don't bother to do their own checks

Expensive lawsuits or tribunals if get things wrong e.g. minimum room sizes – national guidance is more generous than Oxford could lead to lawsuit for lost rent

Property prices go up

Pressure on accommodation

Capacity of team to deal with volume of licences

Loose reputation

Lack of knowledge of rogue landlords or agents from other LA moving to Oxford

OCC unable to attract or retain good staff

Licensing extended to all houses

More judicial reviews of scheme

Becomes over – regulated

Standards keep going up and becomes burden on landlords – loose support of willing landlords

Demanding inspection regimes

Inconsistency

APPENDIX 2 – Agents Focus Group

Some Notes Following Our Meeting.

Thank you all for making it on Wednesday..... I know it was at short notice, but they had fixed the dates of the consultation period, and I think it was worthwhile having our input.

I have prepared some very brief notes of the main points..... could you confirm that they are accurate and that I have not left anything out? Please feel free to add bits or change as you see fit!

1. The agents represented agreed that the aim of the Additional Licensing Scheme, to improve the quality of the stock in the PRS were shared by us and our clients. None-the-less there were concerns that an estimated 40 to 50% of HMOs in the city remain unlicensed, and that whilst the “good” landlords continued to pay into the scheme, there were apparent incentives for the “rogue” landlords to continue to avoid it.
2. The agents represented welcomed the exploration of the re-introduction of an extended license; there was agreement that 5 years would be ideal, but understood that a license could not be granted beyond the term of any scheme extension. There was further consensus that there should be a number of prerequisites to the offering of the longer license.
 - A.) That some clarity was required about what constituted a fit and proper person/organisation to own/manage a property offered an extended license.
 - B.) That the property would need to be fully compliant with any historical conditions imposed on the last license term.
 - C.) That the cost of such a license was calculated in such a way as to represent a real incentive to apply for it.
 - D.) That the license holder, and or property manager would need to agree to random auditing/moderation of standards at short notice. Such notice to be negotiated.
3. The agents represented welcomed the idea of strengthening the accredited status afforded to landlords and agents. In principle, it was accepted that the

accreditation scheme should be cost neutral, and we would welcome further consultation on how this might be improved.

4. There was some frustration expressed about the delay in issuing some licenses since before Christmas last year, and the difficulty with making contact within the licensing team. The agents represented asked if we could have a dedicated single point of contact as part of the accredited status offering.
5. Similarly there was some concern expressed over inconsistencies and inaccuracies in conditions imposed; a single point of contact would assist with this too.
6. There were issues with organisations having to nominate an individual to be the license holder; if the named individual leaves the organisation there is potential for considerable expense. It was asked if we could explore an officer position could be used as a license holder (with a named individual for fit and proper person purposes) and if the licensed could be varied if the post holder changed (subject to compliance with above)
7. The agents represented welcomed the news that the new database should be rolled out before any renewal of the scheme. Plenty of volunteers for testing!

APPENDIX 3 - Oxford University Student HMO Focus Group

The purpose of this group is to seek views from students on the issues relating to HMOs and the Licensing of this type of accommodation in the City.

Areas of interest

- **Have you lived in an HMO in Oxford in the past five years?**
- **Do you know Licensing Scheme existed in Oxford since 2011?**
- **Was it licensed or not?**
- **Do you know the address?**
- **What was the experience like?**
- **What was the property like?**
- **How did you find living there?**
- **Was this the first time in a private rented HMO?**
- **What was your relationship like with the landlord/ agents?**
- **Were repairs dealt with promptly?**
- **How well was the property managed?**
- **Did it meet your expectations?**
- **Generally how was the experience?**

Overview of Minimum Standards required in HMOs

- Capture experience
- Knowing what the minimum standards are for HMOs can you 'see' any impact as a result of the Scheme?
- Have standards improved?
- Did your landlord /agent do regular management inspections?
- Any personal experience/ examples?

The future of Licensing

- If the Scheme were to be renewed what could be introduced / changed to improve your experience of living in a HMO?

Additional ways to get involved in the Consultation

<http://www.oxford.gov.uk/consultation>

RESPONSES

WHAT IS AN HMO?

Sharing

Separate Groups/ Individuals

Individuals pay Council Tax separately and share bills

HAVE YOU LIVED IN A HMO – yes (all 7)

Licensed? – 5 knew Certificate was on wall (displayed) 2 not sure not seen licence

DID YOU KNOW ABOUT LICENSING – 7 didn't know but assumed certain standards would have to be met

Didn't check when looking for accommodation and not always clear what type of property – learnt from experience on which properties/ agents to avoid.

Took initiative and adverts often put up by person moving out often has info.

EXPERIENCE OF LIVING IN A HMO

Good – Landlord has British Gas care and any problems are sorted immediately.

Previous HMO took a long time to get anything fixed

Friends have had problems in older housing so decided to go with modern house

Agent very responsive – landlord not so good

Not always clear about size of rooms and can mislead to get let.

RELATIONSHIP

Difficult to get repairs done – blame students for damage and can sometimes be challenging

Landlord occasionally visits – 3 don't know who their landlords are.

1 has exceptionally good landlord – gives notice etc..

1 has landlord who is ok – give notice and does repairs but not very quickly

2 have landlords who do not give notice and use shed/ garage to store stuff – turn up without notice and move stuff – can be difficult to contact to get repairs done – one day heard landlord in garden and didn't even know he had gone through the house.

MANAGEMENT

Cleaner comes in every week and written into tenancy agreement that a management inspection every 6 months.

Inspection every few months with 1 week notice given – tidy up communal areas ourselves

No management inspections – when report issues agent ignorant/ doesn't care about problem (mould) not responsive to concerns raised eg. Shower tray fitted wrong way causes flooding every time shower is used – NOPS slow to deal with

Premier – Contract Late.. had to sit in office to get them to give it to me

Change of occupants.. not notified some random person in kitchen eating food out of fridge

Communication not good!

Landlord empowers us to find replacement tenants when one person leaves and to deal with B Gas Homecare to arrange repairs to items that are covered.

MEET EXPECTATIONS?

Had low expectations to begin with- heard a lot of horror stories from friends

Definitely dealt with differently to working professionals – because 'just' students

Felt pressured into taking properties on – bit of a bidding war created by agent – scaremonger approach by Premier – changed goalposts and told us to we had been gazumped

NOPS – 2 offices – clearly different – professionals office and students office – different types of HMOs available – went into professionals office and told to go next door

Brick walled by some agents who 'don't take students'. I.e NOPs no under 25's for some properties

IMPACT OF SCHEME

Can't get something better as a student – first come first served as a student – easier to find now not a student and started working do not have to rush or settled for something less.

Found out for self and noticed slight change in that we needed to test fire alarms

STANDARDS

Didn't know what was required

Based on budget – lower rent – lower standards

Took on properties in better condition through advice from older students – pick a decent letting agent as opposed to house or landlord

Reputable agent will deal with people's expectations
University provides list of reputable agents

INTRODUCE TO CHANGE/ IMPROVE EXPERIENCE?

Know if it is a HMO

Checklist of requirements

List of Council approved agents

Facts sheets on minimum standards

Feed into 'living out guide'

Freshers fayre – 2nd years

30second video signposting

Notification of licence requirements to occupiers

APPENDIX 4 – NLA RESPONSE



National Landlords Association:

Response to Oxford Council proposal for Additional Licensing

August 2015

1. The National Landlords Association (NLA) exists to protect and promote the interests of private residential landlords. With more than 33,000 individual landlords from around the United Kingdom, we provide a comprehensive range of benefits and services to our members and strive to raise standards within the private rented sector.
2. The NLA seeks a fair legislative and regulatory environment for the private rented sector while aiming to ensure that landlords are aware of their statutory rights and responsibilities.
3. The National Landlords Association (NLA) would like to thank Oxford Council for providing the opportunity to comment on licensing.
4. In the Government procedural document - 'Approval steps for Additional and Selective Licensing Designation in England', it states that in order to apply for Additional Licensing a local housing authority *"will have to show how such a designation will be part of the overall strategic borough wide approach, and how it fits with existing policies on Homelessness, Empty homes, Regeneration and Anti-social behaviour."* with the council not reviewing the article 4 direction in relation to shared housing, this shows a failure in joined up policy by Oxford Council.
5. We are disappointed by the councils lack of joined up policy making. Failure to view additional licensing with the article 4 direction that currently is in place means that the joint impact is not measured across Oxford.
6. Why does the council not pause the consultation until after the government's consultation on Houses of Multiple Occupation, before undertaking such a costly exercise?
7. One of the dangers of the proposed Additional Licensing scheme is costs are passed through to tenants, thus increasing cost further for those who rent in an area, along with the cost of the council. Thus increasing costs to Oxford residents especially the most vulnerable. This has already been seen with the council trying to house people in Birmingham¹. The current policies which the council is looking to keep will make matters worse.
8. The city council has a top three global university which draws students from across the world; this is putting pressure on the housing market. At a time when universities are competing to get more students will put greater pressure on the city's housing market. With students able to spend more than those in receipt of welfare will only push more people from Oxford due to the lack of shared housing.
9. In addition to students, young professionals, migrants make up an important part of the shared housing market the UK. The change in welfare housing means there is an increasing demand for shared housing. For obvious economic reasons and for flexibility, shared housing is an important source of housing for these groups. However, demand is not static. Thus the impact of these policies will have an impact on the lower economic groups within Oxford.

¹ <http://www.birminghammail.co.uk/news/midlands-news/oxford-looking-house-needy-families-6840820>

10. The use of Additional Licensing which is landlord/property based, will not resolve many of the issues which are caused by tenants – they are tenant based issues. Landlords have limited powers in addressing these as any direct action by the landlord to address issues such as ASB can be stated as being harassment by the tenant.
11. The council has already had this scheme in place for five years. If the scheme has been a success, why does the council need to keep it? The council has brought all the properties up to standard. If it has not why is the council undertaking a scheme that has failed?
12. We are disappointed by the councils attempt to misuse statistics within the proposals.
13. The NLA believes that any regulation of the private rented sector needs to be balanced. It should be the shared objectives of all parties involved to facilitate the best possible outcomes for landlords and tenants and as such good practice should be recognised and encouraged in addition to the required focus on enforcement activity. In light of the current economic climate. The last thing good landlords and tenants need is additional costs.
14. Again, the NLA would like to thank Oxford Council for the opportunity to respond to this consultation and hope you find our comments useful.

APPENDIX 5 – RLA RESPONSE

20th August 2015



By e-mail: hmos@oxford.gov.uk

Adrian Chowns
HMO Enforcement Team Manager
Oxford City Council
109 St Aldate's Chambers,
St Aldate's,
Oxford,
OX1 1DS

1 Roebuck Lane,
Sale, Manchester M33 7SY
Tel: 0845 666 5000
Fax: 0845 665 1845
Email: info@rla.org.uk
Website: www.rla.org.uk
Facebook: [TheRLA](https://www.facebook.com/TheRLA)
Twitter: @RLA_News

Dear Mr Chowns

REVIEW OF LICENSING OF HOUSES IN MULTIPLE OCCUPATION 2015 **RLA CONSULTATION RESPOSNE**

Thank you for the opportunity to respond to the above consultation. The RLA has a concerns about licensing schemes in general, and a number in relation to the continuation of the Oxford scheme.

General concerns:

- i. Discretionary licensing often entails much bureaucracy, time, effort and expense is taken up in setting up and administering schemes; rather than spending it on the ground and flushing out criminal landlords.
- ii. Discretionary licensing is not being used for its intended purpose of a short period of intensive care; rather it is being used by the back door to regulate the PRS.
- iii. The level of fees which are ultimately passed on to tenants to pay is a major worry so far as it affects landlords.
- iv. We believe that a significant number of landlords are still operating under the radar without being licensed.
- v. As always it is the compliant landlord who is affected by the schemes. They pay the high fees involved but do not need regulation of this kind.
- vi. There is little use of "fit and proper person" powers to exclude bad landlords.

Specific concerns

Government Review of HMO Licensing

We believe that any decision to continue with additional licensing of HMOs in Oxford is premature, in light of the Government's plans to review mandatory licensing and HMO

definitions. Oxford's scheme could very quickly be superseded by a new mandatory licensing regime, or HMO definition, wasting time and money of landlords and the Council.

Independent Verification of Data

We are concerned that there appears to be no external evaluation of the licensing scheme, independent verification of the data presented in the reports to elected members or of the option appraisal.

Room Sizes

Following *Clark v Manchester City Council*, while councils can offer guidance on what area it considers too small for an adult bedroom, it cannot adopt mandatory standards non-compliance with which would result in a determination that a house was not suitable. What is required in each case is a consideration of the room and the property as a whole on their merits, rather than by reference to a fixed minimum floor area.

Standards

Oxford's licensing standards are, in many cases, excessive. Areas that give concerns are: requirement of tiling of bathroom splashback and shower cubicles, when other solutions are available; specification for equipment for kitchens and bedsits, such as a minimum fridge size of 130l litres for a bedsit.

Costs

For landlords, the cost of licensing in Oxford is at the higher end of the scale. At present the lowest cost over the five years of the scheme is £1120 for accredited landlords only (initial one year licence at £712 and two two-year renewals at £208 each). Most landlords will pay much more.

Accreditation

We believe that should include accreditation schemes other than those operated by the City Council and the NLA. For example, the RLA operates a national accreditation scheme, RLAAS, that meets the requirements of the London Accreditation Standard, likewise the DASH accreditation scheme in the East Midlands. This would allow more landlords to access reduced fees.

Again, thank you for giving consideration to the RLA's concerns.

Yours Sincerely

John Stewart

POLICY AND COMMUNICATIONS MANAGER

APPENDIX 6 – CAB RESPONSE

From: Frank Newhofer [<mailto:frank@newhofer.freesevice.co.uk>]

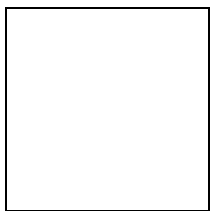
Sent: 03 August 2015 14:04

To: HMOs

Subject: additional comments to HMO consultation from Oxford CAB

We have completed the on-line consultation on the 'Review of Licensing of HMOs' and submit the following additional comments:

From our caseload in 2014/15 we have seen the following range of issues in relation to the private rented sector:



Clients have told us of serious problems with:

- poorly managed properties where health risks caused by disrepair are not addressed
- retaliatory evictions as a result of complaints being made about the state of properties
- failure to protect and return tenancy deposits
- frauds and scams around the availability of private rented accommodation
- we very strongly support the Council's Option 3 to renew the licensing scheme. Consideration might be given to increase the flexibility within the scheme so that landlords who have proved themselves to be good landlords can derive benefit in terms of lower fees and/or longer accreditation. Consumer protection for private renters is indeed very poor and all measures that have the potential to bring pressure to bear on landlords to manage their properties safely and more effectively are very welcome

Frank Newhofer
Oxford CAB

APPENDIX 7 – OCF RESPONSE

Date: 24th August 2015

Topic : HMO Consultation 2015

Accreditation

- Accreditation should be made easy, less bureaucratic; it is becoming more complicated and confusing. Criteria used for accreditation should be certified.
- Lack of awareness among landlords and too much bureaucracy in application, HMO + Accreditation.
- Accreditation license period of 3 to 5 years for accredited landlords.
- Conditions of houses: new officers to be more aware of laws and guidelines.
- HMO applications need to be simplified. Online system needs to improve and should be simplified. There should be a summary before the form is submitted.

Guidance/Guidelines (Not Standards)

- The HMO policy requirements are used as strict standards therefore the officers are enforcing the rules as strict standards and not showing flexibility.
- We believe that the HMO policies are a set of guidance/guidelines and should not be perceived as strict standards. The problem with standards is officers do not show any flexibility and rigidly follow the standards.
- No cohesion between different officers, different advice and different criteria.
- Guidelines to be set in aid to help landlords in future HMO applications.
- This should be clarified to new officers that these rules should be guidelines, depending on varied circumstances from property to property.
- Adopt a policy of training new staff using new HMO rules (especially on the condition of properties and renovation) as 'guidelines/guidance', and not 'standard.'
- Officers should be aware of these guidelines.

General

- Officers informed that there is a thought of introducing a league table based on performance of managing agents and landlords. What are the criteria for the league table?
- Back log of issuing licenses.
- General attitude of the council staff needs to be improved.
- We were informed by the officers that the initial perception of OCC was that there were 3000 HMOs in the city; the actual figure is could be as much as 7000 HMOs. Where was this figure retrieved from? Is it based on factual evidence? Why wasn't the figure used in the 2010 consultation?
- Various criteria by officers: training will be required, what kind of training is provided?
- Rogue landlords should be perused and targeted.

Tenants

- Visiting student houses.
- Tenants ought to be responsible for the issues caused by them.
- Homelessness: increasing due to smaller HMO licensing.

- Families attempt to become intentionally homeless by not maintaining the property and then reporting the issues to environmental health. Environmental Health unwittingly helps the tenants to apply for council housing.
- Clarification on the guidelines on issues such as: landlord lets the house to a family; the family sublets the house/rooms, environmental health becomes aware and informs the landlord. Now the landlord cannot issue a Section 21 notice without a HMO application. Neither the landlord nor the tenant is willing to apply for a HMO license.

With the scenario above, what measures should be taken to sort out this issue? If the tenants sublet the property, the responsibility should be on the tenant to apply for HMO and not the landlord.



Overview of HMOs and Licensing in Oxford

Adrian Chowns

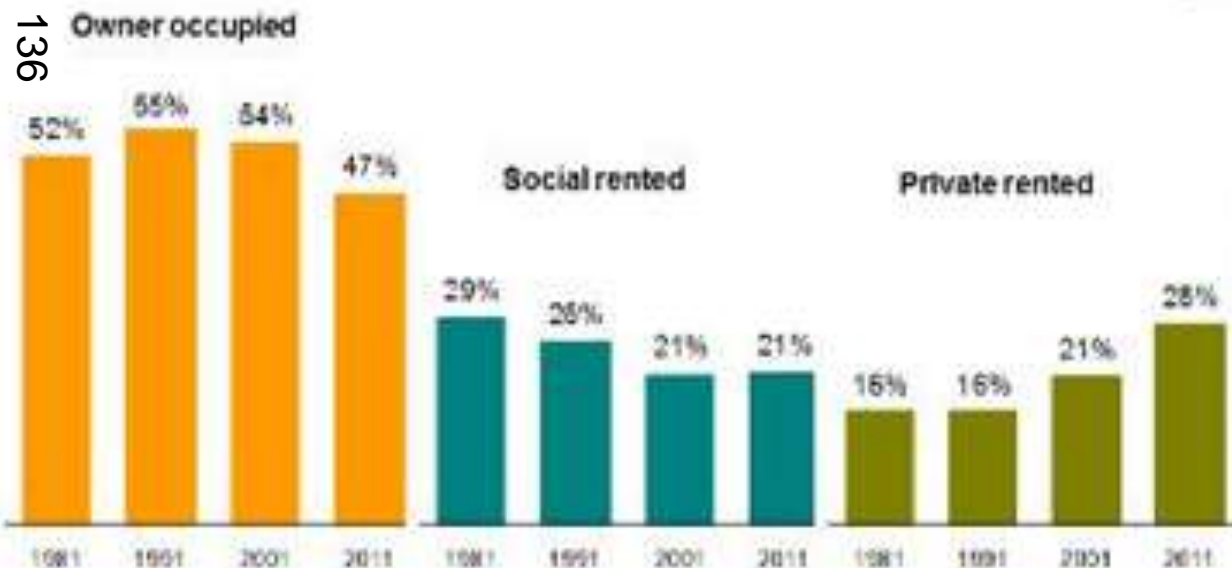
**HMO Enforcement Team Manager
Oxford City Council**

Oxford PRS

More households now rent rather than own their home

Over the last 20 years the proportion of Oxford households who own their home has declined from 55% in 1991 to 47% in 2011. Whilst the proportion who live in social rented property (rented from the council or a housing association) has declined since 1991, the proportion of households living in private rented homes has almost doubled from 16% to 28% - meaning that as of 2011 more households rented than owned their home.

Housing tenure of Oxford households, 1981 - 2011



Oxford HMOs

www.oxford.gov.uk



Oxford City Council

- The Council's ambition is for Oxford to be a *'World Class City for Everyone'*...
- Council has five priorities which directly address the needs of the City
- Key driver is *'Meeting Housing Needs'*
- Improving standards in the Private Rented Sector



Environmental Health Service

- Environmental Health Service “*seeks to protect and sustainably develop the environment for all people living, working and visiting the City*”..
- Through Education, Engagement and Enforcement
- Working with landlords since the mid 80`s to improve conditions within the HMO stock
- Dedicated team developed in 1990 to tackle growing problems in the City



Environmental Health Service

- Continued approach since with a variety of interventions to tackle problems in the HMO stock
- In 1999 the Council introduced a registration scheme
- Resulted in the migration of rental properties to other parts of the City
- Some landlords and agents tried to evade regulation
- More recently Landlord Accreditation



Licensing – The Early years

- Dedicated teams proactively worked on mandatory licensing of HMOs
- Implemented a rigorous approach to processing the requirements of the legislation
- 141 Insisting that the licence must be more than just a piece of paper
- Used to upgrade each property to a decent standard



Licensing – The Early Years

- Enabled the Council to have a positive impact on the condition and management of 581 properties
- Where compliance was not achieved enforcement was pursued
- Giving tenants and neighbours confidence that the Council are serious about addressing issues around HMOs

142



Licensing – The Early Years

- Council had used existing powers to their full extent
- Took more prosecutions against landlords than any other Council in England or Wales
- 143 But still wasn't enough and concluded that more needed to be done...
- Introduced additional licensing of HMOs enabling a reactive and proactive approach to the whole of the HMO sector



Additional Licensing of HMOs

- In 2010 Oxford City became the first Local Authority to designate the whole of its area subject to Additional Licensing of HMOs
- This is a power provided within the Housing Act 2004
- Scheme operates for 5 years with Phase 1 commencing on the 24th January 2011 and Phase 2 on the 30th January 2012



Purpose of Licensing

- Additional Licensing in Oxford provides a mechanism to secure the improvement of all of the HMO stock in the City and is a significant undertaking by the Council.
- When it was first introduced the overall purpose of the licensing scheme was to: *‘alleviate the housing situation by setting and maintaining minimum standards across the city in the most vulnerable sector of Oxfords private rental market’.*



Future of Licensing

- Under s.60 (3) of the Housing Act 2004 *‘a local housing authority must from time to time review the operation of any designation made by them’*
- This review fulfils the responsibility under the legislation but also provides the Council with a progress report which will be used as a platform for considering the future of the scheme.



Where are we now?

- Review complete and reported to City Executive Board in June 2015
 - Approved findings of review and proposal to renew scheme in its entirety
- 147 10 week statutory consultation commenced on 15th June 2015 ends on the 24th August 2015



The good, the bad, the ugly side of HMO Licensing

Dawn Cox, Team Leader, HMO Licensing Team

Katherine Coney, Principal Lead Officer, HMO
Enforcement Team



Our experience of applicants and licence holders

- The Good - makes applying and retaining a licence easier for all parties concerned
- The Bad – makes applying and retaining a licence more costly and may lead to enforcement
- The Ugly – leads to enforcement, intervention and prosecution



The Good

NEW Licences

- Application form is fully completed
- All requested documents and fees are submitted within the required deadlines
- Proposed licence holder and/or manager are fit and proper
- House meets the required standard or is able to meet the required standard subject to conditions being applied to that licence



The Good

EXISTING Licences

- We are informed of any material changes as they happen ie: third parties and their contact details
- We are informed of any issue for complying with a condition ie: more time required
- Appointments to visit the property to check compliance with conditions are timely
- Upon re-inspection the conditions have been complied with



The Good...

RENEWED Licences

- Application form, all requested documents and fees are submitted within the required deadlines
- 152. • All conditions have been discharged (complied with)
- No justified service requests (complaints)
- Accredited by the NLA or OCLAS



The Good...

- HMO Enforcement Team don't get involved



The Bad...

Not necessarily avoiding responsibility...

- just don't keep us informed, and/or

154 don't do things on time



The Bad

NEW Licences

- Application form is not fully completed and important information missing. Further requests for information are 'drip fed'
- Requested documents and fees are not submitted within the required deadlines and we are not informed of any difficulties
- Proposed licence holder and/or manager are not fit and proper
- Proposed licence holder and/or manager are not the most appropriate person(s)



The Bad...

EXISTING Licences

- We are not informed of any material changes as they happen i.e.: resulting in third party information being inaccurate for the renewal declaration – frustrating for applicants and causes delays
- We are not informed of any issues with meeting conditions: if further time is required we may be able to vary the licence and delay the re-inspection (Note: the re-inspection must occur during the life of the licence)
- Appointments to visit the property to check compliance with conditions are delayed resulting in renewal information not being clear i.e.: two different fees quoted (and not able to offer a two year licence at that stage)



The Bad...

RENEWED Licences

- Application form, all requested documents and fees are not submitted within the required deadlines
- 157 There are outstanding conditions
- There may have been some justified service requests (complaints)



The Bad...

- And when the Licensing Team have done all they can and the applicant / licence holder still hasn't complied.... Over to the HMO Enforcement Team



The Bad...

- Failure to send in documentation for an application – it will be invalid! It is an offence to make an invalid application
 - Failure to send in gas or electrical certificates when requested – it is an offence under Management Regulations
- 159 We will write to the landlord to explain the seriousness and if they still don't comply....



The Bad...

- Interview under caution – establish has an offence been committed?
- Refusal to grant licence because we don't have confidence in management
- Possible prosecution or caution if an offence has been committed! Then you would not be Fit and Proper and wouldn't be able to hold a licence
- We would revoke / refuse all licences
- Someone else needs to hold a licence for you or if you don't find someone else we consider suitable then Council will make an interim management order where the Council take over the management of the property
- All for not sending in something when asked!



The Bad...

- Failure to complete work required as a condition
- It is an offence to fail to comply with any condition on a licence
- Not done on first inspection – may carry over the work to the next licence. This means landlords are charged a higher fee.
- 161 • Second re-inspection – still not done...
- Interview under caution – has an offence been committed?
- Possible prosecution or caution!
- Then you would not be Fit and Proper and wouldn't be able to hold a licence
- Revocation of all existing licences
- Could lead to an Interim Management Order (IMO)



The Ugly....

- Those landlords that ignore their legal responsibilities
- Don't apply for a licence
- Poor conditions
- Over - occupied

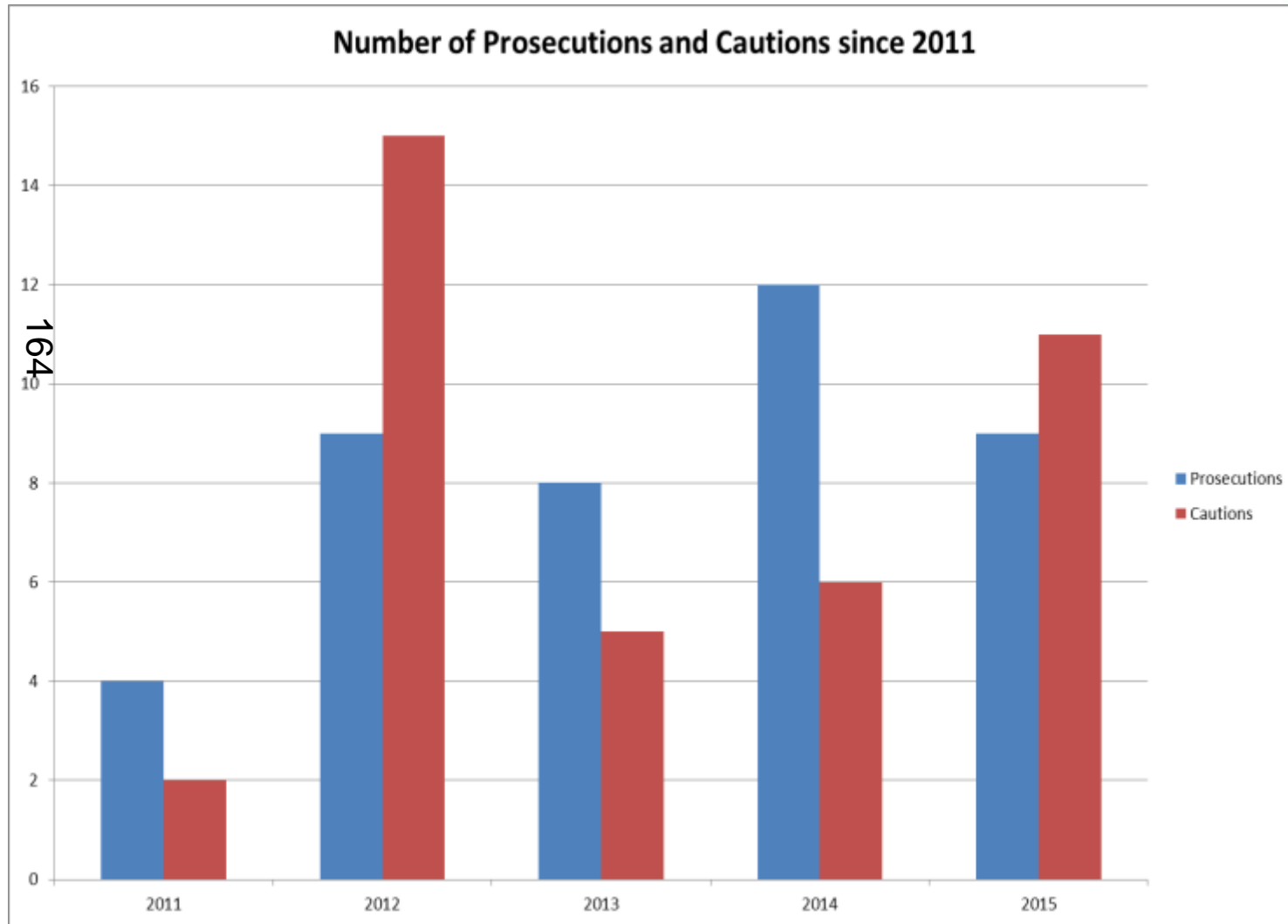


The Ugly...

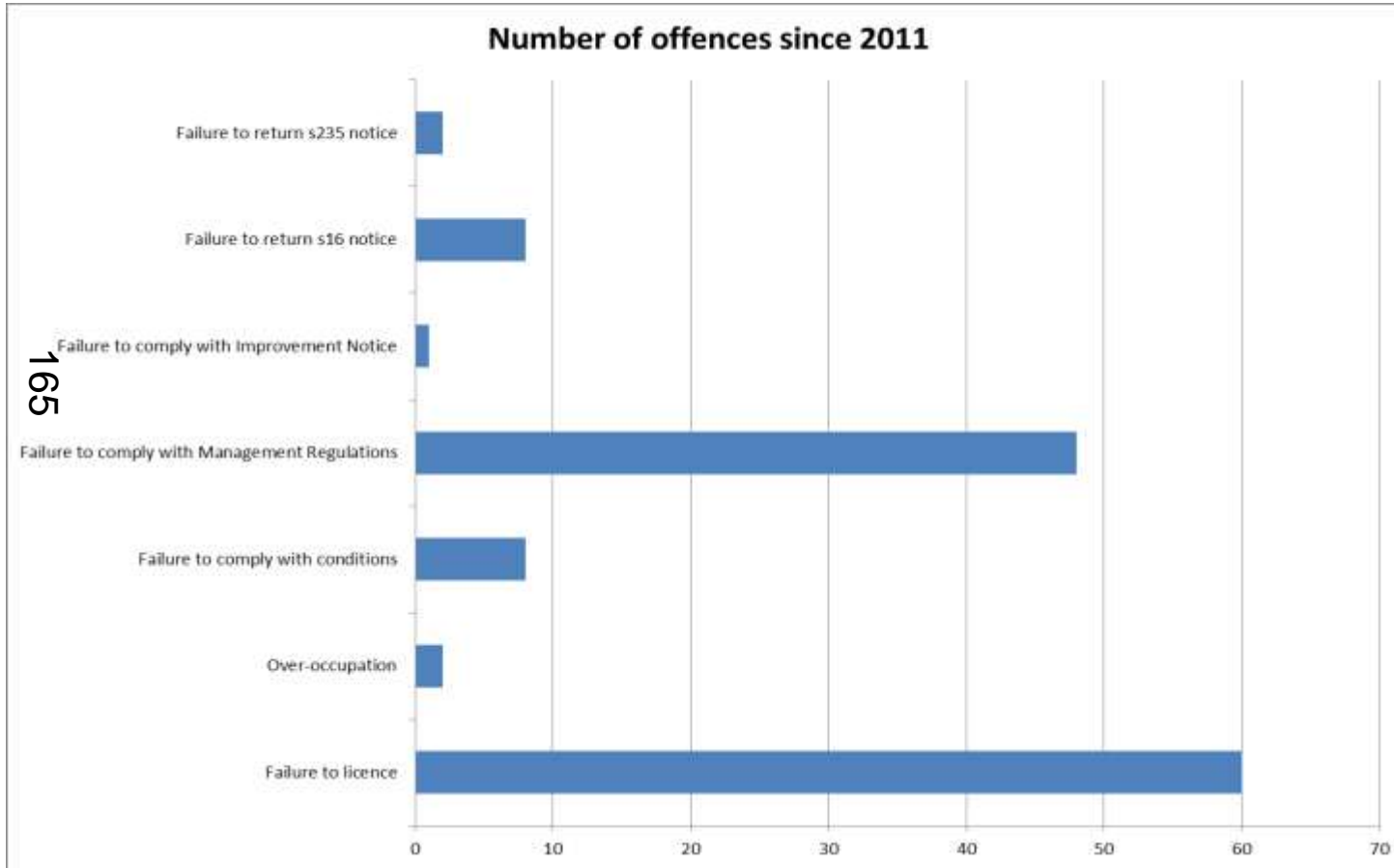
- Prosecuted 42 landlords / agents for HMO related offences
- Issued 39 formal cautions
- 129 offences in total
- Over £161,000 in fines
- Over £35,700 in costs



The Ugly...



The Ugly...



The Ugly...

Caution or prosecution leads to:

- Person who has committed the offence not being fit and proper
- Any one associated with them being not fit and proper e.g. husband / wife / business partner
- Refusal / revocations of licences
- New application needed (full fee)
- New licence holder cannot be related to applicant
- If no application is made, the Council can take over the management of the property for five years
- The Council has made 4 Interim Management Orders since 2011



Thanks
Any questions



Blind Licensing – 1, 3 or 5 year licences

Katherine Coney, Principal Lead Officer, HMO Enforcement Team



1, 3 or 5 year licences?

- The scheme is currently an annual licensing scheme
- Introduced 2 year licences to recognise accredited landlords who complied with all their conditions, submitted applications promptly and fully completed and where there were no complaints from tenants
- Possibility of having longer licences with the renewed scheme



1 year licence - default

- **Scheme remains as annual licence**
- **Default is to get a 1 year licence**
- **Where we have concerns about the management of the property e.g.**
 - outstanding conditions,
 - reminders needed to submit applications or documents,
 - On re-inspection we find lots of repair problems leading to new conditions and further re-inspection,

170



3 year licence – some ideas

- **To recognise and reward good landlords and agents who are:**
 - Accredited (OCLAS / NLA)
 - Attend one Oxford run training event each year
 - Make full applications on time and made valid quickly
 - All documents submitted and are current
 - On re-inspection find less than 3 new repair issues that could be due to tenant behaviour
 - No more than 2 service requests about the property received by Oxford

171



5 year licences – some ideas

- Applications submitted on time and made valid without need for reminders
- Fee and documents submitted on time
- All conditions completed
- No new conditions
- No service requests received about the property
- Have completed your own Fire Risk Assessment



Other considerations

- Does this apply to each landlord or each property?
 - Licences could be varied e.g. if standards slip we could vary the licence from 3 year to 1 year
 - Where there is improvement, you could move up a level
- 123 Risk rate conditions e.g. fire safety / poor conditions may lead to a 1 year licence whereas minor decoration would be accepted under a 3 year licence



Key Findings from Review

Adrian Chowns
HMO Enforcement Team Manager



Why Review?

- Under s.60 (3) of the Housing Act 2004 *‘a local housing authority must from time to time review the operation of any designation made by them’*
- This review fulfils the responsibility under the legislation but also provides the Council with a progress report to use as a platform for considering the future of the scheme.

175



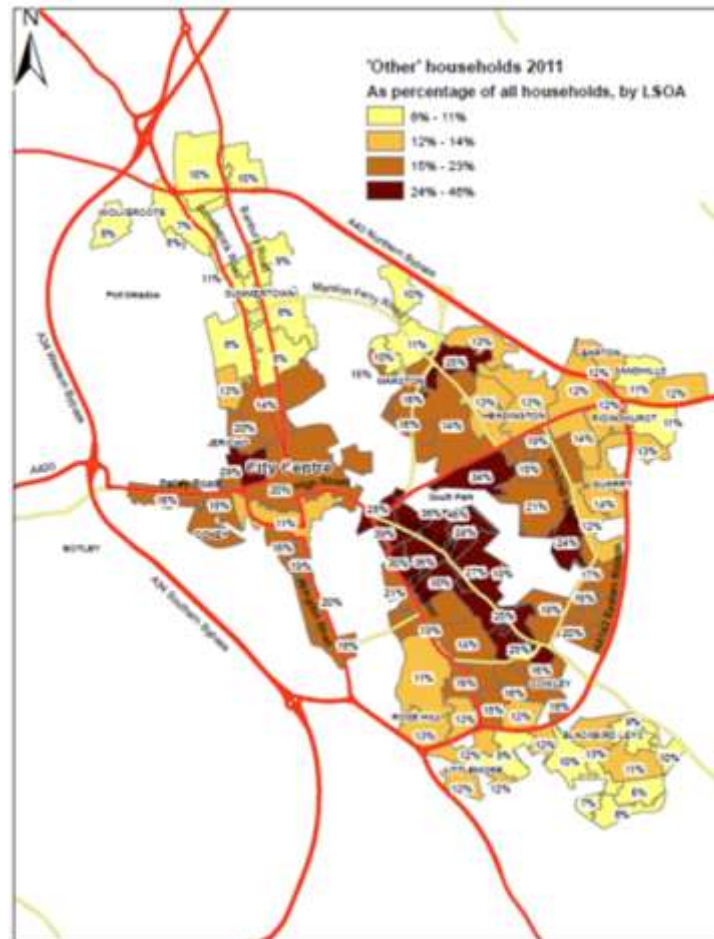
Scope

- Profile of HMOs
- Licensing
- Compliance
- Incentives
- Enforcement



Profile of HMOs

- Growth of PRS in Oxford
- HMOs currently make up approx. 44% of stock
- Around 7,000 HMOs
- Increase of 36% over past 6 years

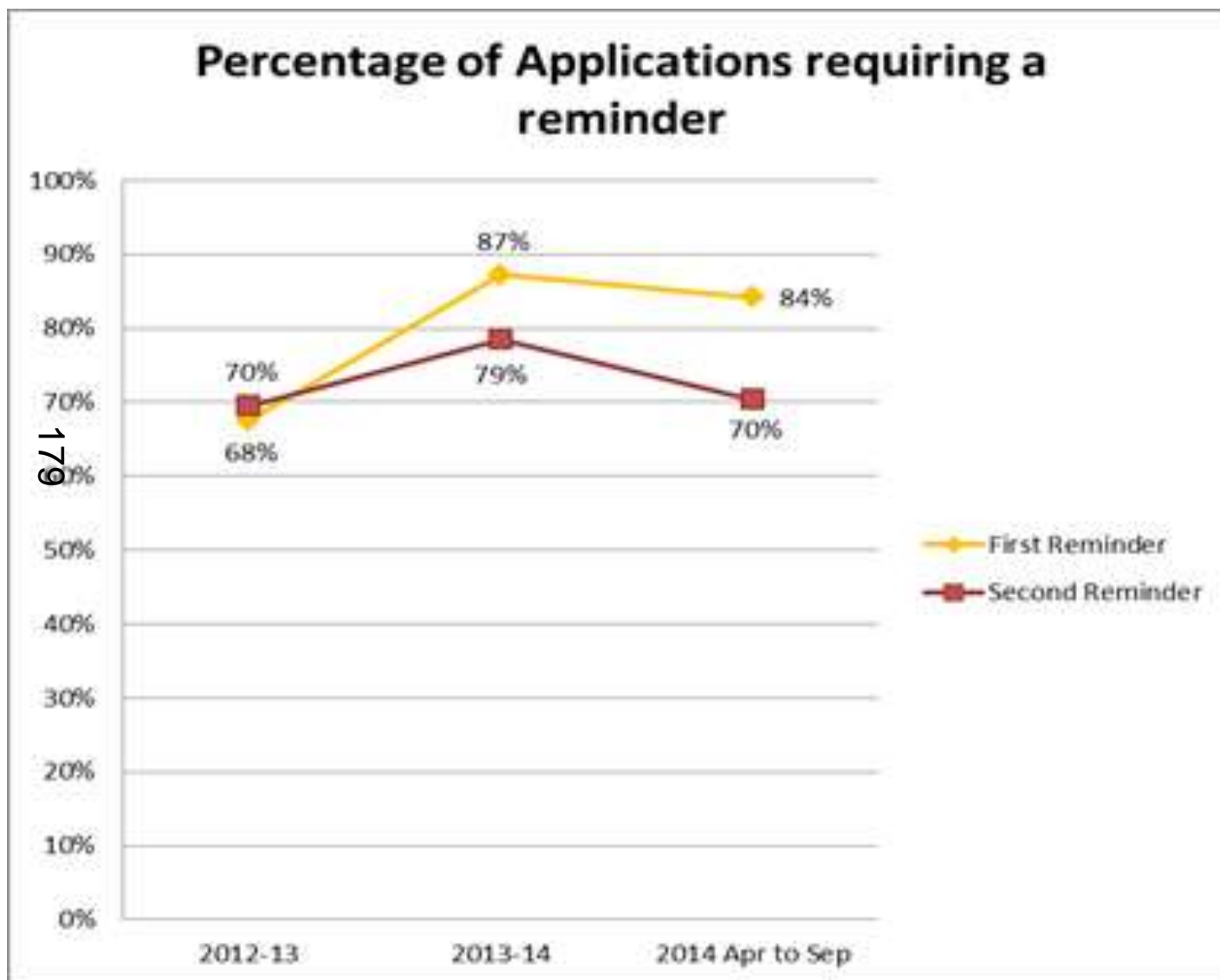


HMO Licensing Overview

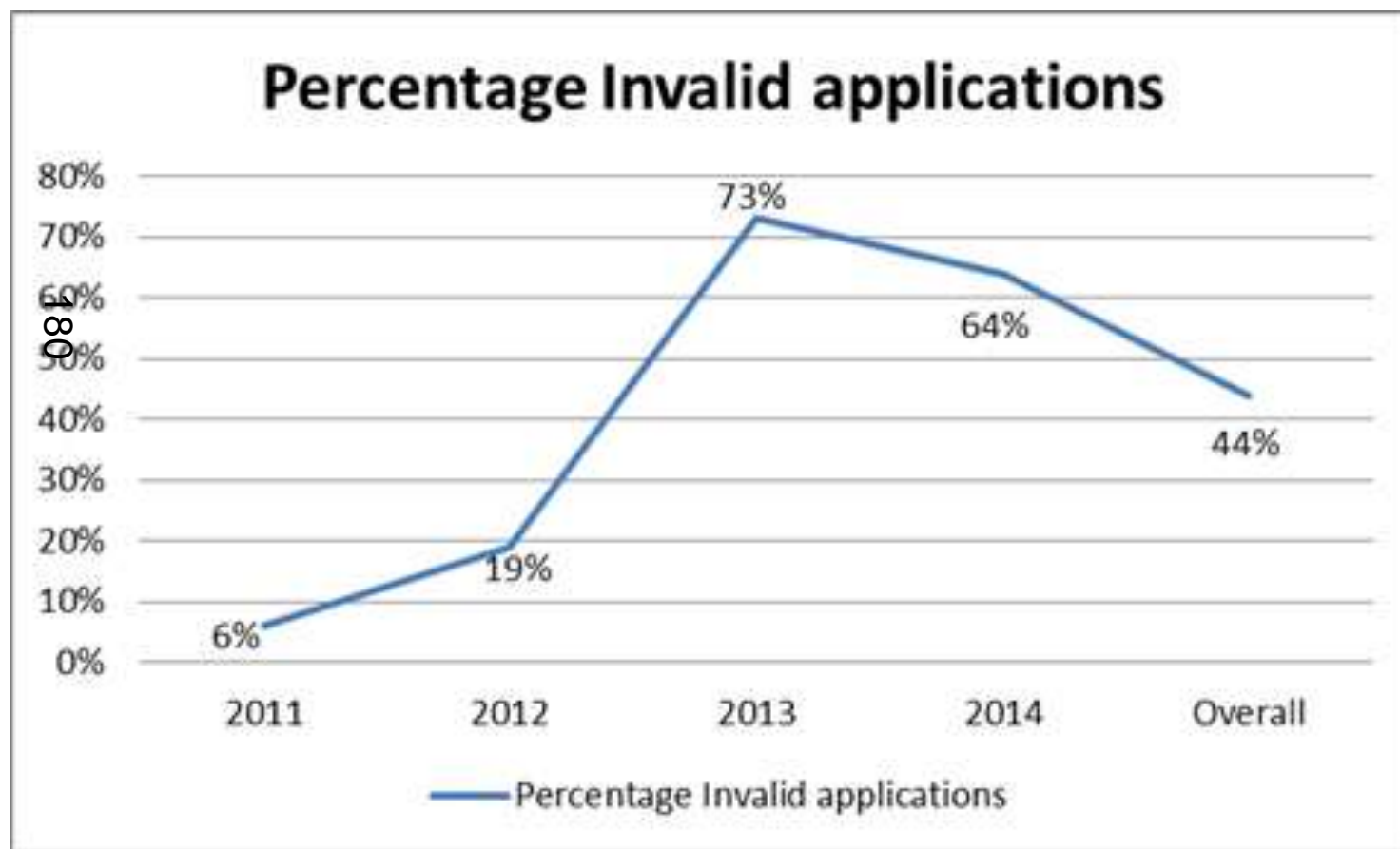
- Licensed some 3,500 HMOs
- Processed over 7,000 applications (new and renewals)
- 178 • Attached around 80,000 conditions to licences
- Over 19,000 visits carried out to HMOs
- 100`s of investigations



Reminders



Invalid applications



Conditions

- **Section 67 HA 2004**
- **Council considers appropriate**
 - Management, use and occupation
 - Condition and contents
- 181 **May in particular include**
 - Restricting numbers
 - Prevent or reduce ASB
 - Providing facilities and equipment
 - Keep facilities and equipment in good repair
 - Completing work within specified periods



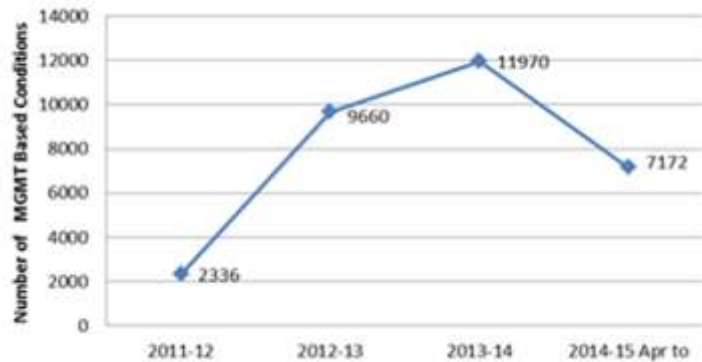
Conditions

- **Mandatory**

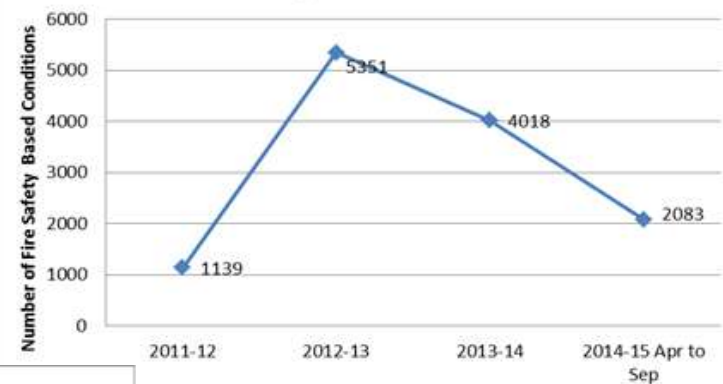
- Gas certificate every 12 months
- Electrical appliances and declaration
- Furniture and declaration
- Smoke alarms installed and kept in proper order and declaration
- Written statement of terms on occupation



Legal and Standard Conditions



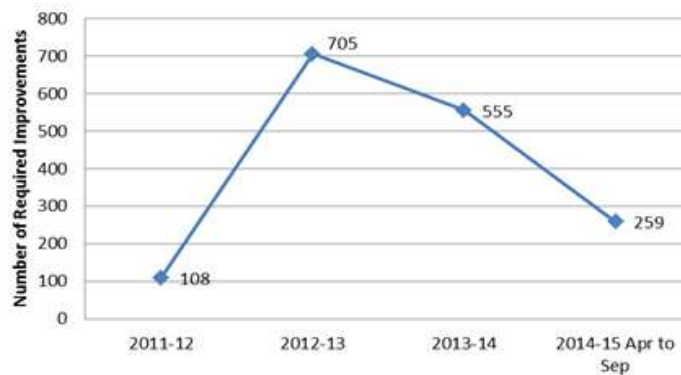
Fire Safety based Conditions



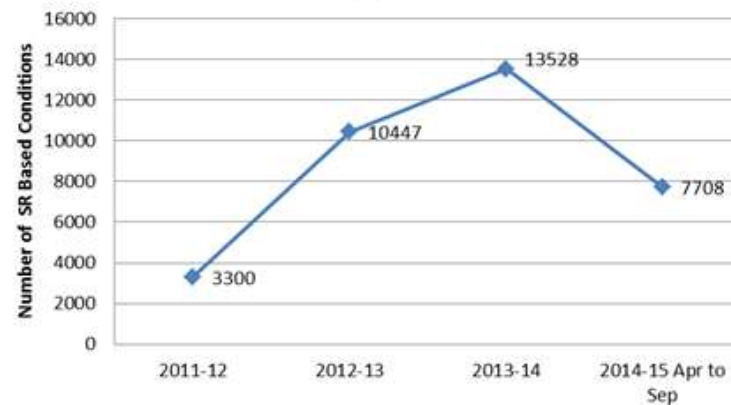
Average Conditions per Licence



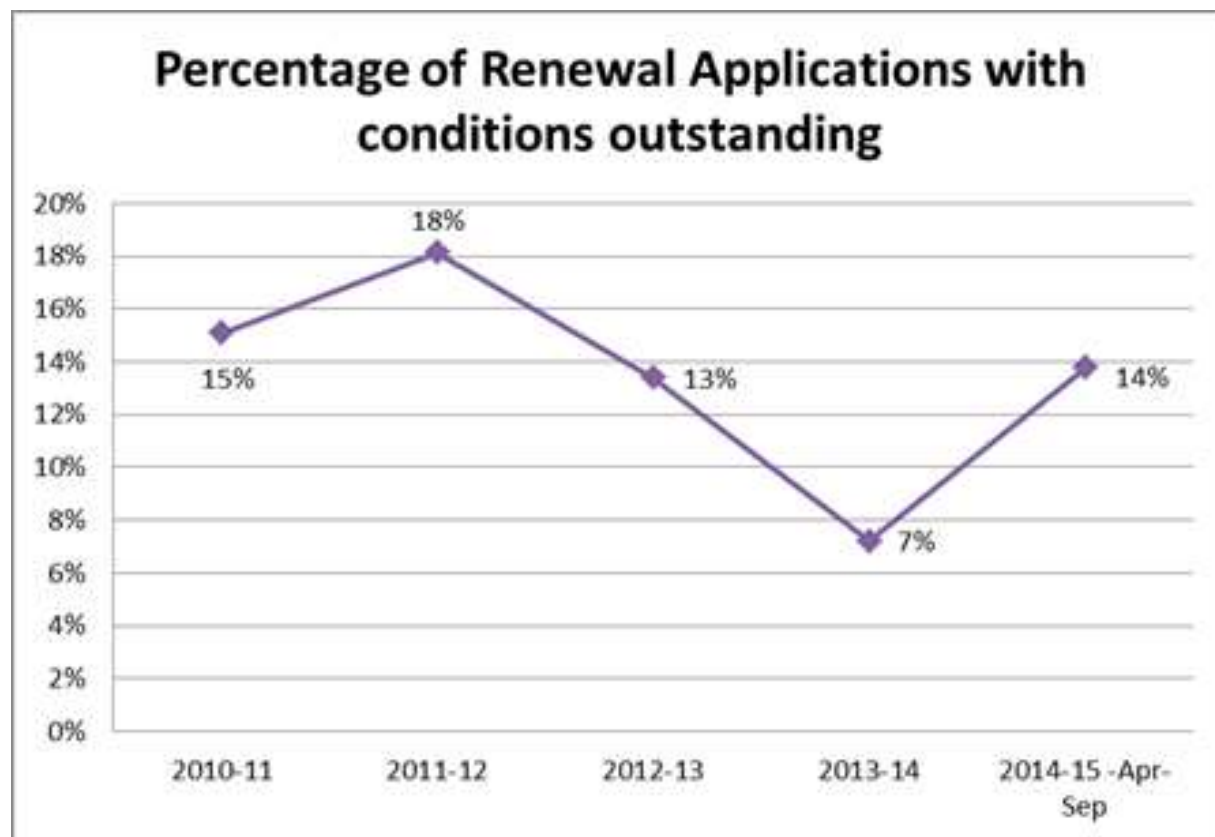
Amenities and Facilities based Conditions



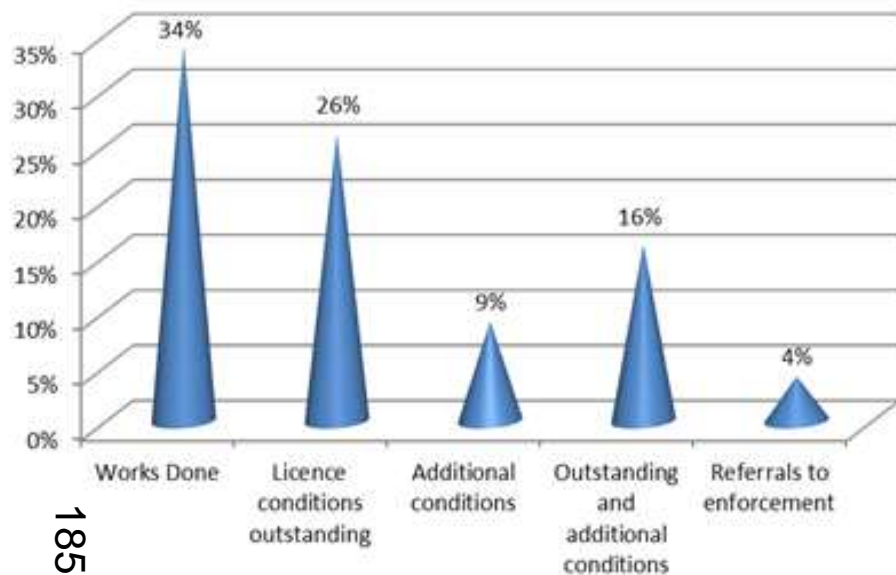
Health and Safety based Conditions



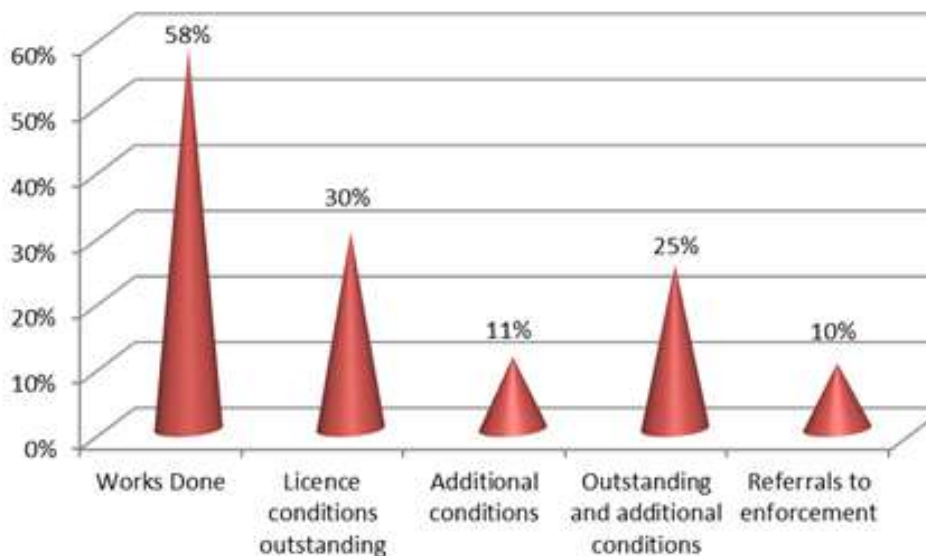
Compliance rates



Compliance rates



185



Investment

- Estimated approximately £3.2 million invested in HMOs in the City.

↑86

Equates to £930.00 per licensed HMO over past 4 years

- Average investment annually grew up to 2014.
- Dramatically reduced in 14/15



Fees and Incentives

- No fee or limit set by Government
- Up to Council to calculate costs
- Consider staff costs, training, inspections, administration and publicity
- Council sets its licence fees and if appropriate may decide to subsidise licence fees in some cases



Fees and Incentives

- OCC introduced Scheme as self financing
- Fees and charges reviewed regularly

188 In early years fees increased with inflation

- 2014 significant change
- Simplify approach
- Acknowledge that no time difference based on size of HMO



Fees and Incentives

- New structure
- Acknowledged less time spent with 'good' landlords
- Higher fee for 'confidence in management'
- 2 year licence for accredited landlords/agents



Fees and Incentives

- Landlord accreditation
- Improve condition and management of PRS
- Free to join
- Requirement to attend one day training
- Provides an opportunity for landlords to become better at managing and maintaining properties in the PRS under their control without the need for the Council's to intervene.
- In 2014 ...94 Landlords and Agents have taken up accreditation.. Current membership 77



Enforcement

- Proactive approach to enforcement
- Took more prosecutions than most other LA`s
- 100`s of investigations
- 191. 33 successful prosecutions in the past 12 months
- £110k fines
- Interim Management Orders



Enforcement

- Historically focussed on unlicensed HMOs
- Non compliance cases informal approach
- Formal action in handful of cases
- Losing licence great concern
- Steps taken to remedy without legal intervention



Recommendations

- Scrutiny Panel considered report to June City Executive Board
- City Council renews the HMO licensing scheme in its entirety for a further 5 years
- 193 Consideration should be given to appropriate incentives and disincentives for landlords
- Balance between taking a more pro-active approach to compliance
- Continuing efforts to extend the licensing scheme to cover more HMOs.



Next Steps

- Statutory 10 week Consultation (minimum period)
- Consultation commenced 15th June
- Concludes 24th August
- Variety of activities



Consultation

- Web based questionnaire for all
<http://consultation.oxford.gov.uk/consult.ti/hmolicensingreview/consultationHome> – link on Oxfordshire District Councils
- Roadshows - aimed at general public completed during June/July
- Second Phase of Roadshows commencing 27 July at Cowley library and Oxford central library
- 28 July at Headington library
- 29 July at Blackbird Leys library
- Similar events TBC at Summertown and Old Marston libraries



Consultation

- Meetings with Residents and Councillors - ongoing
- Flyers and posters – distributed to local agents, community centres, libraries, Council offices
- Newspaper adverts – ongoing in Oxford Mail, Times
- Social media updates
- Advert on email signatures
- Landlord Information Exchange – Today!
Proposed second event in Aug



APPENDIX 9 – POSTERS, FLYERS AND NEWSPAPER ADVERTS



HMOs
Tenants, Landlords and Letting Agents
Please Tell Us Your Views ...

Consultation 15 June to 24 August

Oxford City Council is consulting on the future of the HMO licensing scheme that operates across the whole of the City of Oxford

An HMO is any private sector rented accommodation that is occupied by three or more people who form more than one household. We would like to hear your views on Oxford's HMO licensing scheme if you are:

- currently a tenant or have been a tenant of an HMO in the last 5 years
- a landlord or have an interest in becoming one
- a letting agent or involved in the management of HMO properties.

To have your say:

- Visit: www.oxford.gov.uk/consultation
- Email: hmos@oxford.gov.uk
- Call: 01865 252211

You can also see us in person at our roadshows:

● 24 June	10.00 to 12.00	Courtland Road, Rose Hill
	14.00 to 16.00	Templars Square, Cowley
● 25 June	10.00 to 12.00	Underhill Circus nr Neighbourhood centre, Barton
	14.00 to 16.00	London Road, Headington
● 29 June	10.00 to 12.00	Atkyns Road, Wood Farm
	14.00 to 16.00	Blackbird Leys Road, Blackbird Leys
● 30 June	10.00 to 12.00	Banbury Road/Oakthorpe, Summertown
	14.00 to 16.00	Old Marston Road nr No.s 10-15, Marston
● 1 July	10.00 to 12.00	Cowley Rd near Manzil Way, East Cowley
	13.00 to 15.00	Cowley Rd near Manzil Way, East Cowley
● 2 July	10.00 to 12.00	La Marsh Road, Botley
	13.00 to 15.00	La Marsh Road, Botley
● 6 July	10.00 to 12.00	Clarendon Centre, City Centre
	14.00 to 16.00	Walton Street, Jericho

Landlord's Information Exchange
Kassam Stadium, 21 July 2015, 9.30am to 4pm
Landlords and prospective landlords come and join us in person at an exchange of advice, ideas and discussion on the future of HMO licensing in Oxford

Building a world-class city for everyone





HMOs

Consultation 15 June to 24 August 2015

To have your say visit: www.oxford.gov.uk/consultation

**Landlord's
Information
Exchange**

Kassam Stadium
21 July 2015
9.30am to 4pm



**OXFORD
CITY
COUNCIL**

Are you interested about Houses in Multiple Occupation (HMOs) in Oxford?

Do you own, manage or let HMOs in Oxford? Have you lived in an HMO in the past 5 years? If so then read on....



An HMO is any house or flat that is occupied by three or more people who form more than one household.

A household may be

- a single person or
- several members of the same family.

For example: a house occupied by a brother, sister and one other unrelated occupant would be an HMO.

The Council is consulting on the future of the HMO licensing scheme that operates across the whole of Oxford city and would like to obtain your views.

How can I get involved?

- ⇒ Complete an online questionnaire at www.oxford.gov.uk/PageRender/decCo/Consultation.htm
- ⇒ Email hmos@oxford.gov.uk and express your interest in being involved
- ⇒ Contact us about coming along to forthcoming roadshows in your area during June and July

www.oxford.gov.uk



Want to contact us or comment?

Call us on 01865 252211.

Email: hmos@oxford.gov.uk

[www.twitter.com/
OxfordCity](https://www.twitter.com/OxfordCity)

[www.facebook.com/
OxfordCityCouncil](https://www.facebook.com/OxfordCityCouncil)

200

Street attacker has sentence reduced after court appeal

A MAN who attacked a "devastating" victim outside a Luton pub has had his sentence reduced to six years by judges in the High Court.

Kevin Probert, of Wilmslow, May Orchard, was jailed for eight years at Oxford Crown Court in January this year.

He admitted, alongside with three others, an attack on Mark Edwards in September 2013.

Prosecutors said Probert began the assault after his victim made "derogatory" remarks at him across the bar of The George in Luton.

Outside the pub, Mr Edwards refused his finger at Probert and turned towards him, the judge said.

Probert then pushed him to the ground.

The judge added: "There were two other men on the ground by the entrance to the pub."

He said Probert was persuaded to walk away by his girlfriend, only to return to follow "four further punches and a kick to the back of the head".

Mr Justice Stokes sentenced Probert's behaviour, but accepted that most of the damage was done while the fight was still hot.



Ben Widdell, aged eight from Daneshworth, near Martingay, was among the visitors to the open day

Science centre takes first visitors in 10 years

VISITORS streamed into the Herwell science centre for its first open day in more than 10 years.

The site, which includes the Rutherford Appleton Laboratory, opened its doors to show people it had not more about research and

development that goes on there.

Organisers said 10,000 people visited over the course of the day.

Visitors were able to view the Science and Technology Facilities Council (STFC) central laser facility, which contains the Vulcan laser.

The beam line in the Vulcan is the equivalent size of taking all the light the sun is shining on the Earth at any one time and focusing it on the one beam.

Visitors could also view in a lecture hall the first laser sequence.

Oxford City Council Consultation
15 June to 24 August 2015

HMO Roadshows
Come and speak to Council staff to discuss HMOs and the current consultation

27 July from 10am to 12pm
Cowley Library in the foyer room

27 July from 2pm to 4pm
Oxford Central Library, 1st floor main library

28 July from 2pm to 4pm
Headington Library, entrance hall

29 July from 2pm to 4pm
Blackbird Leys Library, main library

For further information contact:
● Email: hmos@oxford.gov.uk
● Call: 01865 252211

Building a world-class city for everyone

Nurse is struck after a secret affair with male patient

Employee kept a three-year relationship

By Lee Searns
@searnslee

A HOSPITAL health nurse who had a three-year relationship with a patient was indefinitely struck off from the profession.

Aimee Widdell started the relationship with a recovering bipolar drug addict when he was discharged from the Listermans Mental Health Centre, where she worked in June 2013.

The pair started sleeping together after a night out and had their relationship from Widdell's resignation at the Oxford Health 2015 Foundation Trust unit.

But when the patient was readmitted to the hospital in 2015, Widdell, instead of giving him support, was seen and taken into the hospital.

Although Widdell was not readmitted about their relationship, they claim the patient's CV was

found listing her as a nurse. It was not until December 2015 that she was struck off.

Widdell, 36, who is married and has two children, said she was struck off from the profession.

He said: "The Widdell should be struck off the professional register."

He said: "The Widdell should be struck off. That's the only decision that is both appropriate and appropriate in the circumstances of this case."

When interviewed in January last year Widdell admitted it was a mistake but denied she was in love with him.

She said: "I don't believe the relationship had a romantic aspect to it. I can't believe anyone that knew him would say he was vulnerable."

Widdell, who did not attend the hearing in central London, admitted failing to maintain professional boundaries, failing to disclose her relationship with the patient, referred to as

News

▲ Families and homeless tuck in at surplus food cafe

FOOD of pasta, lasagna and desserts feed the stomachs of those who called Oxford's newest Food Surplus Cafe.

About 300 people went to the East Oxford Community Centre to eat food that supermarkets or eaters would have otherwise thrown out, such as vegetables or salads that are edible but look unattractive to shoppers.

Oxford University student David Cawston was among 10 volunteers and said the kitchen included facilities, young people and the homeless.

The 25-year-old, who is studying a PhD in climate change and used to be in the police, said: "It was really fun to be in the kitchen and see all the food that goes to waste."

"We served six different dishes including pasta, lasagna, salads and soups. There were a lot of families, quite a lot of young people and a few homeless people."

"We moved on Monday night with loads of leftover food that we were handing over to the homeless."

The cafe, which has not been before in the community centre, said this year, had asked restaurants and shops around Oxford to help donate leftover goods and food.

People enjoying their meals were also given the chance to play board games such as Snakes and Ladders, and other games instead of with cash.



FROM LEFT: Melissa Harris, 22, and David Cawston, 25, of the Oxford Food Surplus Cafe. From David Cawston, 25

Steam and Vintage show set to return

WHEN The West Oxfordshire Steam and Vintage show returns this weekend, Vintage steam engines, historic cars, tractors, vintage airplanes, buses, cars and motorcycles will all come to the site on the A41, near Durdley, in the south-west.

There is a working area where visitors can see the engines, cars and motorcycles. The event is the successor of the Oxford Vintage Rally, which first ran in 1982 and ended in 1992.

Only 100 for adults, 50 for senior citizens and children and free for under-10s.

Full details about the event can be found on the website.

Helping carnival

WICKHAM The Hammingford Centre (HFC) is participating in the Oxford carnival.

The centre, which offers support to people suffering from cancer, organised major performances for the day on June 27.

Children aged 11 and over will be invited to take part in the day's activities. The day will be held in the year one The Ranges, who were the last to leave.

Big thanks to the centre, said for everyone who has helped make the day a success.

Cemetery clear-up

WICKHAM A garden group is holding a work party today to help maintain a cemetery.

The St Dunstan's Garden Group will carry out work at the site, off Watlington Street, for the next hour. There will be refreshments to share and some games and books can be borrowed.

Firefighter hangs up helmet for final time

Colin Keown



GOODBYE: Dad-of-three retires after 17 years of battling to extinguish blazes

A FIREFIGHTER who tackled blazes at Oxford's Police Station and the South Oxfordshire District Council (SOC) has now retired after 17 years' service.

David Keown's first call out was in a Christmas Tree fire on Christmas Day 1998, which turned out to be a false alarm. The dad-of-three, whose father and uncle also worked as firemen, started as an official retirement contractor at Oxford City Council in 1998.

He said: "It's a difficult job but you get the satisfaction when your pager goes off."

"With being retired now it's very quiet. I often help on the family to help them and when they need it."

"I have been a firefighter throughout my whole lifetime. It's a very good experience and I'm looking forward to it."

Mr Keown, who is a retired firefighter and usually works as a supervisor in the Hampshire Fire Service, is a member of the Hampshire Fire Service.



David Keown, a firefighter, is shown in his uniform, standing next to a fire engine.

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Oxford City Council Consultation
15 June to 24 August 2015



HMO Roadshows
Come and speak to Council staff to discuss HMOs and the current consultation

27 July from 10am to 12pm
Cusley Library in the foyer room

27 July from 2pm to 4pm
Oxford Central Library, 1st floor main library

28 July from 2pm to 4pm
Headington Library, entrance hall

29 July from 2pm to 4pm
Blackbird Leys Library, main library

For further information contact:
Email: hmo@oxford.gov.uk
Call: 01865 252211

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Oxford City Council Consultation 15 June to 24 August 2015

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- Almost 50% private rented properties are HMOs.
- Oxford has the 14th highest number of HMOs in the country.

To have your say visit:
www.oxford.gov.uk/consultation

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News

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Grandparents inspire mum and baby to tackle big race

Joe Gammie
oxfordmail.co.uk

A MUM AND her a charity race while pushing her baby in a buggy, in memory of her grandfather.

Joe Gammie said she was pushing her baby in a buggy when she saw the sign for the 10k charity race.

The 31-year-old, of Baiton, decided to run the race in memory of her grandfather, who died of a heart attack in 2011.

She said she was inspired by her 80-year-old grandfather, Derek, who was diagnosed with a heart condition in 2011.

Joe said she was inspired by her grandfather, Derek, who was diagnosed with a heart condition in 2011.

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Joe said she was inspired by her grandfather, Derek, who was diagnosed with a heart condition in 2011.



Joe Gammie, 31, pushing her baby in a buggy, in memory of grandfather Derek, right.

WALTERS OF OXFORD

UP TO
HALF PRICE
SUMMER SALE

On Quality Classic & Contemporary Menswear

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Wool	£12.00	£6.00
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Trousers to clear at 50% off, from £24.95

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Contemporary & Casual Day 50% Reductions on Jackets, Suits & Suits

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Footwear 50% Reductions on 50% Reductions, Suits, Suits

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News

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College takes over palace for student awards

STUDENTS, staff and family from Abingdon and Witney College attended the Student of the Year Awards at Wytham Palace.

A total of 90 students were given accolades for their efforts in subjects including engineering, vocational education, higher education and apprenticeship.

Mayor of Witney, Jim King was on hand in person to present awards including Student of the Year, which was given to David and Victoria student Emily Day.

Her father Helen Brown said: "This student has impressed me the most with her attitude, work ethic, drive and determination in school."

"Emily's time at college has been nothing short of phenomenal. From a shy and quiet teenager to a confident and dedicated young woman, she has excelled in everything she has done."

College principal Trevor Baily said: "Our annual awards event is a very special evening, all about celebrating the achievements of students who have been chosen by their peers and their parents for their achievements."

"All of the winners are fantastic examples of students who have excelled in their chosen subject and beyond."

The event also featured a guest speaker from the Lord Lieutenant of Oxfordshire, John Hammond.

Girls try out hi-tech gadgets with guest engineers



Students, in Physics, at Paul 11, visit a 3D printer to photograph Paula Lewis, 11, at the Oxford High School engineering event.

SCIENCE girls got the chance to try their hand at engineering with industry professionals. Pupils from Oxford High School, in Babbington Road, were invited to a staff-led Tuesday event.

More than 10 female engineers to share their experience. The event was held at a range of Oxfordshire colleges, including Thomas Winer, Garsington, Banbury and Oxpens Energy.

Paul Young, Managing Director of a high-tech 3D printer, said: "The event is the result of engineering because it's a positive role development being taken up."

Technologists, I want to be an architect, and my interests include art, music and physics. I use my technology like this and how it can be used in my future work."

Oxford City Council Consultation
15 June to 24 August 2015

HMOs
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- Oxford has the 14th highest number of HMOs in the country.

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I'm cycling to Paris in memory of my wife

Kieran Davey

PEDAL POWER: Ex-RAF man wants to raise £2,000 for the Royal British Legion



A FORMER RAF serviceman is taking on a gruelling 450-mile cycling challenge to raise money in memory of his late wife, Maria. Kieran Davey, 51, of Chipping Norton, will cycle from London to Paris in September to raise money for the Royal British Legion.

The challenge is the first of its kind, which is supported by the RAF and has been held for the past 20 years.

About 200 other riders will join the route, which begins in London, Paris on Thursday, September 3, and finishes in the City of London on Sunday, September 13.

This will be the first time Mr Davey has completed the challenge, having taken part in 2000 and 2001.

After returning home from the war, the 51-year-old Davey said his wife had been asked to the Royal British Legion to help with a service. She had joined her husband.

Kieran Davey is cycling to Paris in memory of his wife who was not told about his condition as she has been made the role of a hero.

Mr Davey said: "My wife was not told about her condition as she has been made the role of a hero."

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on September 10, 2011, the man was found at RAF Decoy and now to the rest of the world, before he died in 1986.

Mr Davey said: "I've been told the challenge will be a great way to raise money for the Royal British Legion."

He is hoping to raise more than £2,000 to help the Royal British Legion in its work to support former members of the armed forces across the country.

And he has pledged that if he reaches his target he will do his best to raise more.

Mr Davey said: "I've been told the challenge will be a great way to raise money for the Royal British Legion."

New MP pays
tribute to her
predecessor in
maiden speech

"Thanks to the bipartisan economic plan and the responsive industry of my constituents, we have almost no unemployment."



Joan Blythe, writer in residence, and Iva Kowalski, 14, with fellow contributors to the anthology.

School pupils and teachers have tales to tell

Students at Abingdon School have written a collection of short stories.

inspired by the school and the town. Overseen by writer-in-residence Jason Hewitt, *The Abington Anthology* was launched at the school in Park Road.

process for the anthology. Historical fiction author Mr Hewitt said: "It was an opportunity that I couldn't possibly turn down. Many of the boys are not only good readers but also very talented storytellers, which has been very rewarding."

Animas
takes place
place of
family

A GROUP of a hundred of this family fan dance. The Parade is headed by the queen, by the author of the dress book. This year, we need to support charity. The queen takes a sword.

The day will on Tuesday, & all sorts of people will get up closer to the streets. There will displays as the Lewis's Wings of Love a few of that Red-tipped discount flying in recording machine Children's chair back and books. field and the side from the Upper Water.

Oxford City Council Consultation
15 June to 24 August 2015



HMOs



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Your view is important to us and will help us improve and develop our services.



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Residents consu on major schem ease flooding fea

Households positive over £120m relief

Culture Knows
September 2008

HYDROLOGISTS in use of Ontario's worst flood-hit areas said they were positive about the progress of a proposed \$300 million relief channel as consultants continue this week.

The Rivermaster Agency, with the help of local consultants and contractors, want to convert a four-mile channel from Seneca Park over-bank by the River Thames at Sandford Lock.

The \$165 million flood management plan under study by Colborne and the public's view at a number of drop-in sessions was shaping the scheme.

The first workshop took place on Friday at West Oxford Community Centre with further sessions taking place on Tuesday at the Seneca Park and on Saturday at South Oxford Community Centre, Lake Street, Oxford.

"I agree," says John. "We know where it will start and finish and we know that Henderson park and site is the best place to build a road that will allow us to move water across the flood plain away from Oxford."

"Agree? Does that mean people's opinions are modelled like a car?" asks John.

John Paulist and his wife Lacey, originally from Australia, bought a home in Earl Street, West Oxford, in 2011.

The couple had four children who were born between the end of winter 2013-14 and, now they are living in the same townhouse, said they were harmed by the proposals.

Paulist says, "I really pleased with it. We followed it with great interest and are heartened by what's happened here."

He was on the phone to our reporter constantly and they had to put ourselves out because he was so thankful we didn't get him

the house. Does it fit blood, has she throat? Dicks of 9.

The man who was a fact. Coming, said I. Carry had 4 the chance.

He said quite steel and I can't behead.

"We had Dicks to 1000s or a of terrible ally worst levels that.

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www.oxford.gov.uk

Oxford City Council invites you to

Landlords Information Exchange

21 July 2015 9:30am to 4pm

**Kassam Stadium, Grenoble Road
Oxford, OX4 4XP**

**Landlords and prospective landlords
come and join us at an exchange of
advice, ideas and discussion on the
future of HMO licensing in Oxford**

**To book a place and for further
information contact:**

- Email: hmos@oxford.gov.uk
- Call: 01865 252211



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Oxford City Council Consultation
15 June to 24 August 2015



HMOs

How should the Council ensure they are well managed and safe to live in?

**Tenants, Landlords and Letting Agents
Please Tell Us Your Views . . .**

Building a world-class city for everyone

Oxford City Council is consulting on the future of the HMO licensing scheme that operates across the whole of the City of Oxford

An HMO is any private sector rented accommodation that is occupied by three or more people who form more than one household. We would like to hear your views on Oxford's HMO licensing scheme if you are:

- currently a tenant or have been a tenant of an HMO in the last 5 years
- a landlord or have an interest in becoming one
- a letting agent or involved in the management of HMO properties

To have your say:

- Visit: www.oxford.gov.uk/consultation
- Email: hmos@oxford.gov.uk
- Call: 01865 252211

You can also see us in person at our roadshows:

- **1 July** 10.00 to 12.00 Cowley Rd near Marzill Way, East Cowley
13.00 to 15.00 Cowley Rd near Marzill Way, East Cowley
- **2 July** 10.00 to 12.00 La Marsh Road, Botley
13.00 to 15.00 La Marsh Road, Botley
- **6 July** 10.00 to 12.00 Clarendon Centre, City Centre
14.00 to 16.00 Walton Street, Jericho

**Landlord's Information Exchange
Kassam Stadium, 21 July 2015, 9.30am to 4pm**

Landlords and prospective landlords come and join us in person at an exchange of advice, ideas and discussion



Oxford City Council Consultation
15 June to 24 August 2015



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- Call: 01865 252211

You can also see us in person at our roadshows:

- **29 June** 10.00 to 12.00 Atkyns Road, Wood Farm
14.00 to 16.00 Blackbird Leys Road, Blackbird Leys
- **30 June** 10.00 to 12.00 Banbury Road/Oakthorpe, Summertown
14.00 to 16.00 Old Manston Road nr Nos 10-15, Manston
- **1 July** 10.00 to 12.00 Cowley Rd near Marzill Way, East Cowley
13.00 to 15.00 Cowley Rd near Marzill Way, East Cowley
- **2 July** 10.00 to 12.00 La Marsh Road, Botley
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Timeline Photos

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Oxford City Council

Jianhua Wang, of Nicholson Road, Oxford, became our 50th successful prosecution when he was found guilty of failure to comply with HMO licence conditions and fined £3,300 at Oxford Magistrates' Court. He was also ordered to pay costs of more than £2,000.

The Council is currently consulting on proposals to extend the HMO licencing scheme for another five years. The consultation closes on 24 August 2015; you're all encouraged to visit our website, oxford.gov.uk, and submit your views.

http://www.oxford.gov.uk/PageRender/decN/newsarticle.htm?newsarticle_itemid=57346

14 August

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Oxford City Council

We're inviting you to participate in the ongoing HMO licensing consultation before it closes on Monday 24 August 2015.

We estimate that one in five residents lives in an HMO and because of Oxford's acute housing shortage, this number is likely to continue to increase.

The HMO licensing scheme has helped to improve standards in the private rented sector and we would like to see further improvements to ensure tenants are not left at risk in poor condition houses.

http://www.oxford.gov.uk/PageRender/decN/newsarticle.htm?newsarticle_itemid=57357

19 August

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Oxford City Council

Want to improve standards of homes rented out to more than two tenants? Take part in our consultation to review the Houses in Multiple Occupation (HMO) licensing scheme: <http://consultation.oxford.gov.uk/consult/ti/hmolicensingreview/consultationHome>

Additional consultation events will take place across Oxford from 2-4PM at the following venues:

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119 Views

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Consultation



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Review of HMO licensing scheme

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[List](#)



List events [This year](#)

2015 June

15th June, Monday

 Consultation Open Date
13:00

24th June, Wednesday


 [HMO Licensing Roadshow - Rosehill \(Courtland Road\)](#)
We will be in the Rosehill area (Courtland Road) to answer any questions you may have about HMO licensing or the consultation
10:00 - 12:00

25th June, Thursday

 [HMO Licensing Roadshow - Barton \(Underhill Circus nr. Neighbourhood Centre\)](#)
We will be in Barton (Underhill Circus) to answer any questions you may have about HMO licensing or the consultation
10:00 - 12:00

 [HMO Licensing Roadshow - Headington \(London Road\)](#)
We will be in Headington (London Road) to answer any questions you may have about HMO Licensing or the consultation
14:00 - 16:00

29th June, Monday

 [HMO Licensing Roadshow - Wood Farm \(Atkins Road\)](#)
We will be in Woodfarm (Atkins Road) to answer any questions you may have about HMO Licensing or the consultation
10:00 - 12:00

2015 July

30th June, Tuesday

HMO Licensing Roadshow - Summertown (Banbury Road/Oakthorpe)

We will be in Summertown (Banbury Road/Oakthorpe) to answer any questions you may have about HMO Licensing or the consultation

10.00 - 12.00

HMO Licensing Roadshow - Marston (Old Marston Road)

We will be in Marston (Old Marston Road nr. 10-15 Old Marston Road) to answer any questions you may have about HMO Licensing or the consultation

14.00 - 16.00

1st July, Wednesday

HMO Licensing Roadshow - East Oxford (Cowley Road)

We will be in East Oxford (Cowley Road nr. Manzil Way) to answer any questions you may have about HMO Licensing or the consultation

10.00 - 15.00

2nd July, Thursday

HMO Licensing Roadshow - Botley (La Marsh Road)

We will be in Botley (La Marsh Road) to answer any questions you may have about HMO Licensing or the consultation

10.00 - 15.00

6th July, Monday

HMO Licensing Roadshow - Clarendon Centre

We will be in and around the Clarendon Centre on the 23rd June between 10am and 12noon to answer any questions you may have about HMO licensing and the consultation

10.00 - 12.00

HMO Licensing Roadshow - Jericho (Walton Street)

We will be in Jericho (Walton Street) between 2.00pm and 4.00pm to answer any questions you may have about HMO licensing or the consultation

14.00 - 16.00

21st July, Tuesday

Landlords Information Exchange - HMO Licensing

This event will held at the Kassam Stadium and will include presentations from the Council about the current scheme and the future proposed renewal of the licensing scheme. Further details will be sent out to landlords and agents.

10.00 - 16.30

27th July, Monday

HMO Licensing Drop In at Cowley Library

10.00 - 12.00

 [HMO Licensing Drop In at Central Library \(first floor\)](#)
14.00 - 16.00

28th July, Tuesday

 [HMO Licensing Drop In at Headington Library](#)
14.00 - 16.00

29th July, Wednesday

 [HMO Licensing Drop In at Blackbird Leys Library](#)
14.00 - 16.00

2015 August

5th August, Wednesday

 [Landlords Event - Town Hall](#)
Second Landlord Event at the Town Hall to discuss HMO Licensing
09.00 - 13.00

 [Lye Valley Residents Meeting](#)
Lye Valley meeting about HMO Licensing Scheme
19.00 - 20.00

17th August, Monday

 [HMO Consultation Roadshow - Summertown Library](#)
Roadshow at Summertown Library to speak to officers about HMO Licensing Scheme
11.00 - 13.00

24th August, Monday

 [Consultation Close Date](#)
23.59

2015 October

15th October, Thursday

 [Outcome Publication Date](#)
(expected)
00.00

PRIVATE RENTED SECTOR CODE OF PRACTICE

Updated July 2015



Private rented sector code of practice

Updated July 2015

This code of practice, originally published in September 2014, has been revised to reflect more recent changes in legislation.

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Association of Residential Managing Agents

British Property Federation

Chartered Institute of Housing

Institute of Residential Property Management

National Approved Letting Scheme

National Landlords Association

National Association of Estate Agents

Residential Landlords Association

Royal Institution of Chartered Surveyors

The UK Association of Letting Agents

Ombudsman Services: Property

Property Redress Scheme

The Property Ombudsman

Deposit Protection Service

My Deposits

Tenancy Deposit Scheme

With thanks to the Department for Communities and Local Government and those who contributed to the wider stakeholder consultation.

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Foreword

We are committed to building a bigger and better private rented sector. The private rented sector provides valuable flexibility within the housing market, with increasing numbers of tenants choosing to rent as a matter of choice. We want to support it and see it grow.

A key part of this is our commitment to minimising excessive regulation of the sector, which would force up rents and reduce choice for tenants. We have put in place measures to create greater choice, professional services and higher quality properties for tenants. That is why we are financing the construction of up to 10,000 new homes specifically for private rent through our £1 billion Build to Rent Fund, while our Private Rented Sector Housing Debt Guarantee Scheme will support up to £3.5 billion of investment in private rented projects, plus a potential share of £3 billion held in reserve.

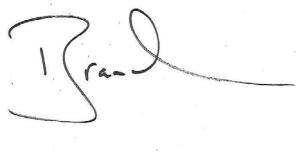
We know that the majority of tenants are satisfied with the performance of their landlords and that the majority of landlords and letting agents provide a good service. However, the small minority of rogues or criminals who exploit tenants drag the reputation of the sector down. We are cracking down on these landlords using a range of tools from legislation, funding and other support to local government.

It is important that tenants and landlords are able to choose letting agents who do operate to best practice. That's why, in October 2013, we asked the Royal Institution of Chartered Surveyors to work with other leading sector organisations to develop a Code of Practice.

I am delighted that the leading organisations representing landlords, letting agents and property managers have come together to create this comprehensive Code that may be used by anyone involved in the letting and management of private rented property.

Where this Code is particularly valuable is that it not only explains what is legally required, but provides a model for best practice. Members of any organisations which have signed up to this Code agree to abide by its contents, giving tenants assurance of a good service, driving up standards in the sector.

I am delighted, therefore, to introduce this Code of Practice. I truly believe it will lead to an even better and more professional private rented sector in England.



Brandon Lewis, Minister of State for Housing and Planning



1 Introduction

1.1 Scope

This Code is intended to promote best practice in the letting and management of *private rented sector* housing in England. The aim of the Code is to ensure:

- Good-quality homes for rent.
- Consistent and high standards of management.
- Choice for the *consumer*.

The Code is intended for use by landlords and lettings and management agents in the private rented sector (PRS).

Whether you are a landlord or an *agent*, if you are responsible for the letting and management of homes you have a minimum duty to achieve basic compliance required by law. However, landlords and agents should aspire to a standard above minimum legal requirements and in line with industry best practice as set out in this Code. If you are unsure of what you should do or what is required of you, seek professional advice. Ignorance or inexperience is not an acceptable defence for poor practice.

A useful checklist has been provided for inexperienced landlords at the back of this Code of Practice – see [Appendix B](#).

1.2 How to use this Code

Terms shown in italics are defined in a [glossary](#) at the end of the Code.

Landlords are responsible for ensuring that they comply with the law when letting and managing residential property. When a landlord engages an agent, the tasks and responsibilities of letting and managing property will be allocated between them. It is for the landlord and the agent to decide and to understand who is responsible for which tasks and responsibilities.

This Code uses the words ‘you’ and ‘responsible person’ to refer to whoever is responsible for a particular task or responsibility. Where items in the Code are aimed *only* at agents or landlords, this is indicated where required.

In the Code:

- The word ‘*must*’ indicates a legal requirement.
- The word ‘*should*’ indicates best practice. Where you should do something and have not, you ought to be able to justify reasons for not doing it.

Where procedures are recommended for specific tasks, these are intended to represent ‘best practice’; that is, procedures that, in the opinion of the property management industry, meet a high standard of competence.

When an allegation of professional negligence or a breach of obligation is made against a responsible person, a court or tribunal is likely to take account of the contents of the Code in deciding whether or not you have acted with reasonable competence.

The principles on which this Code is based are:

- 1 To comply with all laws relating to the letting and management of residential private rented sector property.
- 2 To meet all other legal requirements and relevant codes of practice.
- 3 To let and manage properties in an honest, fair, transparent and professional manner.
- 4 To manage properties with due skill, care and diligence, and ensure that, where staff are employed, they have the skills and training needed to carry out their tasks.
- 5 To do their best to avoid conflicts of interest and, where they do arise, to deal with them openly, fairly and promptly.

- 6 You must not discriminate on the basis of age, gender, race, language, sexuality or any other factor that might place an individual at a disadvantage.
- 7 To ensure that all communications and dealings with *clients* and tenants are fair, clear, timely and transparent.
- 8 To ensure that all relevant information is provided to clients and tenants, including publicising fees, prior to them committing to a *transactional decision*.
- 9 To ensure that all advertising and marketing material is accurate and not misleading.
- 10 To take steps to look after *client money* and to hold this separately from other funds.
- 11 To behave ethically and responsibly at all times.

The Code contains some principles aimed specifically at letting and management agents, as follows:

- To ensure that landlords and tenants are given details of complaints-handling procedures and the redress scheme to which the agent belongs.
- To ensure client money is covered by client money protection.

2 Lettings and management

2.1 For landlords only: selecting an agent

Landlords should only engage agents who:

- are members of an accredited body
- are members of an independent redress scheme
- protect client money by way of a *clients' money protection scheme*; and
- have appropriate insurance such as public liability and professional indemnity insurance.

2.2 For agents only: accepting instructions from a landlord

2.2.1 Conflict of interest

Before confirming instructions, agents and contractors must check that they will not have any *conflict of interest*. If they do, they must declare it and get written permission from the landlord that they can continue to act.

If the landlord gives permission then, at the earliest practical opportunity, and definitely before negotiations begin, the agent or contractor must give details of the conflict of interest, *in writing*, to the prospective tenant.

2.2.2 Giving correct advice

An agent must provide truthful, accurate and unbiased advice to a landlord.

Where an agent advises a landlord about a letting a realistic rental assessment must be made, reflecting current market conditions. It should be supported by comparable market evidence, if available.

2.2.3 Consumer Protection from Unfair Trading Regulations 2008

When offering services to a landlord:

- An agent must comply with the:
 - *Consumer Protection from Unfair Trading Regulations 2008* (CPRs)
 - *Business Protection from Misleading Marketing Regulations 2008* (BPRs)
 - *Unfair Terms in Consumer Contracts Regulations 1999* (UTCCRs)
 - *Supply of Goods and Services Act 1982* (SGSA); and
 - *Unfair Contract Terms Act 1977* (UCTA).
- An agent must not engage in any unfair commercial practice by saying, doing or omitting to do something which causes, or is likely to cause, the *average consumer* to take a different transactional decision.
- An agent should refer to the Competition and Markets Authority's [Guidance for lettings professionals on consumer protection law](#) for further information and guidance on the regulations.

2.2.4 Confirming identity

Agents should make every reasonable effort to confirm a landlord's identity before accepting instructions.

If the landlord operates as a business, the agent should identify and confirm who within the business has the authority to act on its behalf.

2.2.5 Agreeing the scope of work

The agent should agree the scope of work and then issue terms of engagement, which should detail the duties the landlord expects the agent to perform.

2.2.6 Terms of engagement

Agents must give landlords written confirmation of their instructions to manage a property on their behalf. This must include details of:

- fees and expenses
- business terms
- the duration of their instructions; and
- the extent of the agent's financial authority to authorise expenditure such as essential repairs/maintenance.

The agent must give these details to the landlord before the landlord is committed or has any liability towards them. The landlord should be given sufficient time to read and understand the agreement before signing.

Terms of engagement must clearly state the scope of the work the agent will carry out and any additional responsibilities. The terms must be fair and must be written in plain and intelligible language.

The terms of engagement should state that a copy of the agent's complaints-handling procedure is available on request, together with details of the redress scheme to which the agent belongs.

If a landlord signs a contract:

- with the agent present at their home; or
- at another location away from the agent's premises; or
- by post or online; or
- without having met the agent

the landlord must be given a right to cancel that contract within 14 calendar days from the date of signing.

If the landlord requires the contract to start before the end of this cancellation period the agent must obtain confirmation of this in writing.

Both parties should sign and date the terms of engagement. Any subsequent changes to terms of engagement must be confirmed in writing and signed by both parties.

2.2.7 Fees, charges and taxes

Agents must provide clearly defined details of their fees and expenses which may become payable. All fees, charges and penalties applicable to both landlords and tenants need to be displayed inclusive of VAT. This is in accordance with the [Advertising Standards Authority](#), the *Consumer Rights Act 2015* and *Consumer Protection from Unfair Trading Regulations 2008* requirements. Agents must prominently display these on their website and at each office where they deal face-to-face with those using or proposing to use their services. They must also state whether or not they are a member of a client money protection scheme and which redress scheme they belong to.

If the agent does not know the exact amount at the time, they should give details of how it will be calculated. This should include any renewal commission and the method of calculation, making clear that this will only arise where the agent is instructed to renew the tenancy or the landlord has specifically agreed to the agent's entitlement. The intention of the legislation is that both tenants and landlords are able to understand what a service or cost is for and why it is being imposed.

Agents should state all fees inclusive of tax, a legal requirement where the landlord is not a business.

Agents must include any contractual right to interest on late payment in the terms of engagement. The terms of engagement should set out which party retains any interest accruing from client money held.

2.2.8 Using subagents

Agents who want to appoint a subagent must first obtain the landlord's authorisation. Appointing a subagent without authorisation may be considered a breach of duty unless it is contained within the agent's terms of engagement.

2.2.9 Commissioning other documentation

You must follow legislative requirements about documentation to be provided at the point of marketing, during the marketing process or on completion. This must include an Energy Performance Certificate (EPC) and, where gas is provided at the property, a current Gas Safety certificate.

3 Lettings

As described in [section 2.2.5](#), landlords who use an agent will have agreed the scope of work that the agent will provide. If the landlord has not instructed an agent to carry out the following tasks then the landlord is responsible.

3.1 Marketing and advertising

You must always act in good faith, with the standard of care and skill that is in accordance with honest market practice.

Before letting, you must obtain any consent needed – for example, joint owner, lender, insurance company, *superior landlord*, freeholder and local authority. You must also comply with the obligations and requirements of the various safety legislation, standards and regulations that apply to rented property.

If the owner of a leasehold property wishes to let, they must consider the terms of that property's lease to the immediate landlord and any covenants or other obligations that will need to be included in the tenancy agreement. You must draw these to the attention of potential tenants at the earliest appropriate opportunity.

You must not exert undue pressure on any potential tenant.

You must comply with the *Consumer Protection from Unfair Trading Regulations* 2008 and the *Consumer Rights Act* 2015.

You should treat all tenants, prospective tenants, landlords and prospective landlords as consumers for the purposes of the regulations, unless they are clearly not, such as in the case of a limited company landlord or tenant.

You should refer to the Competition and Markets Authority's [Guidance for lettings professionals on consumer protection law](#) for further information and guidance.

You must take reasonable steps to ensure that all statements made about a property, whether oral, pictorial or written, are correct and are not misleading. The information must be provided in a clear and timely manner and must not omit or hide *material information*.

You must not engage in any unfair commercial practice by saying, doing or omitting to do something which causes, or is likely to cause, the *average consumer* to take a different transactional decision.

You must not engage in any of the 31 specific practices that the *Consumer Protection from Unfair Trading Regulations* 2008 ban outright (see [Regulation 3 and Schedule 1 of the Regulations](#)).

Advertisements must comply with the Committees of Advertising Practice (CAP)'s [UK Code of non-broadcast advertising, sales promotion and direct marketing](#).

You must ensure that the property particulars and any advertisements include the alphabetical [Standard Assessment Procedure \(SAP\)](#) rating from the EPC.

You should explain all the possible tenancy options to the prospective landlord and tenant, including any potential for longer term lets. You should also explain that longer agreements may include rent review clauses to allow for changes in rent during longer fixed-term tenancies. If the agreement is for a fixed term of three years or more, the agreement must be executed as a deed. If you know that the property is only available in the short term, you should advise prospective tenants of this at the earliest opportunity, preferably before viewing.

'To let' boards must comply with [planning requirements](#).

For agents only

If asked to let a leasehold property, the agent must ask the *leaseholder* for full details of all covenants or obligations that may apply to the tenant and which must be incorporated in any tenancy agreement.

3.2 The Green Deal

You must disclose the existence of a *Green Deal* charge to a potential tenant at the earliest appropriate opportunity using the prescribed wording in the [Statutory Instrument](#). You must obtain confirmation in writing from the tenant that they understand they will be:

- liable to pay the Green Deal plan and instalments; and
- bound by the terms of the Green Deal Plan.

3.3 Viewings

You must advise tenants of all material information and ensure that there are no misleading omissions from the information provided. This includes responses to questions from potential tenants.

When arranging for a potential tenant to view an already tenanted property, you must ensure that the existing tenant is given appropriate and reasonable notice (24 hours recommended) of the appointment and in accordance with any provisions within the tenancy agreement, unless other arrangements have been made with the agreement of the tenant.

When accompanying a potential tenant on a viewing, you should take appropriate steps to ensure the [personal safety](#) of all involved.

3.4 Agreeing the letting

You should ensure you understand the requirements of potential tenants and the flexibility on tenancy length offered by the *assured shorthold tenancy* to meet these requirements. Consideration should be given to the granting of longer tenancy agreements where this is appropriate for both parties.

You should provide tenants with a copy of [How to rent – the checklist for renting in England](#).

When negotiations are concluded, you should send written confirmation to the potential tenant setting out:

- the tenancy terms
- the costs that the tenant will be responsible for
- the deposit
- any holding deposit, clearly stating the basis of such a deposit and all associated terms and conditions
- the total sum required on signing
- any guarantor requirements, if applicable
- the methods of payment that could apply; and
- the procedure to follow when the tenant comes to sign the tenancy agreement.

3.5 References and checks

You must obtain the prospective tenant's consent before seeking a reference or carrying out a credit check.

You should take references that are in accordance with the individual circumstances of the tenant and should take care in validating their authenticity. You should keep a record of the steps you take to do this. You should ensure that you understand any additional requirements around obtaining a reference for a tenant in a selective licensing area.

You must make reasonable endeavours to check the lawful immigration status of any potential tenant or other persons living at the property where required to do so by law (*Immigration Act 2014*).

3.6 Inventory

Prior to the commencement of the tenancy, an appropriate inventory should be prepared. The principle items to be included in the inventory must be made clear to the potential tenant at the earliest convenient opportunity.

You can find further guidance about inventories in [A guide to best practice for inventory providers](#) published jointly by RICS, APIP, ARLA, Asset Skills and NAEA.

3.7 Formal agreement

The tenancy agreement should be written in plain, intelligible language. You must give a prospective tenant enough time to read and understand the agreement before signing. You must give the tenant the opportunity to raise queries to clarify the rights and obligations of the tenancy agreement.

An appropriate payment method for the rent should be agreed with the tenant.

The tenancy agreement must be signed by the landlord or their representative. The counterpart tenancy agreement must be signed and dated by all of the tenants in order to come into effect. The tenant should be given the signed tenancy agreement. The landlord should retain the counterpart agreement.

Where letting to joint tenants, you should ensure that all tenants sign the tenancy agreement wherever possible. If this is not practical, someone else can sign on their behalf so long as they are duly authorised to do so and you have clear evidence of this authority.

Any guarantors must sign a written deed of guarantee that clearly states their obligations.

You should ensure the inventory is signed by or on behalf of the parties and dated.

You should provide the tenant with at least one complete set of keys that is recorded in the inventory.

You should consider identifying a lead tenant to whom key correspondence and enquiries are directed and who arranges rent payments. However, some legal documents need to be served on all tenants.

3.8 Tenancy deposits for assured shorthold tenancies

Tenancy deposits for assured shorthold tenancies must be protected in a Government-authorised scheme within the statutory timescale and otherwise in accordance with the [relevant scheme rules](#).

You should consider the amount of a deposit based on what is fair in relation to the potential liability the tenant has in relation to the property.

The tenancy agreement must make provision for the holding of any deposit, specifying:

- how the deposit is to be held; and
- who keeps any interest earned on it.

The tenancy agreement must also state why the deposit is being held and the circumstances in which it is to be released, in whole or in part.

The tenancy agreement should also state which tenancy deposit protection scheme the deposit is held under.

You must make *prescribed information* regarding the tenancy deposit protection scheme available to the tenant(s) within the statutory timescale of receiving the deposit. See www.gov.uk for further information. The tenant(s) must be given an opportunity to check and sign the prescribed information.

Where a deposit is held by an agent, this should be held as a 'stakeholder' on behalf of both parties. These matters should be made clear to the prospective tenant before the deposit is paid and the tenancy agreement is signed.

Where a deposit is held by an agent, deposit money must be dealt with in the same way as other client money (see [section 4.21](#)). The letting commission or other charges owed by the landlord to an agent must not be taken from the deposit.

The deposit must be released only in compliance with the terms under which it was originally held.

3.9 Company lets

Where residential properties are let to a company rather than an individual, the company is responsible for all of the tenant's obligations under the terms of the tenancy agreement in the same way an individual tenant would be. Company tenants are not treated as consumers under the relevant legislation. Agreements will not be an assured shorthold tenancy.

You should request sufficient details to legally identify the company, such as the company registration number and who may legally contract on behalf of the company.

You should be informed of the identity of the licensee of the tenant company. The tenancy agreement should allow the property to be occupied by the permitted occupier together with their family.

The tenancy agreement should include a clause making clear that money paid by the licensee towards the rent will be paid as an agent on behalf of the company and will not give the licensee rights as a company tenant.

4 Property management

4.1 General arrangements

You should always manage properties in a professional manner. If you are unsure what this entails then consider either undertaking accreditation or similar qualification yourself or using an accredited agent.

You should always manage properties in an open and transparent way, subject to maintaining confidentiality in respect of personal information.

You should advise tenants of your contact details for day-to-day tenancy management matters and should be available:

- to be contacted during normal working hours
- to meet tenants; and
- to inspect the property at reasonable times and intervals.

If requested, you should assist tenants in understanding their tenancy agreement or other terms of occupation by explanation or by referring them to www.gov.uk and to the [Citizen's Advice Bureau](#) for independent advice. You should not give advice about the tenant's legal rights, and should avoid a conflict of interest when giving any advice.

You should maintain appropriate records relating to the building and decide how long to keep them, taking account of periods of statutory limitation of action.

You should take steps to keep informed of developments in legislation affecting residential management to keep wholly within the law.

So far as it is reasonably practicable and consistent with statutory and contractual obligations, personal information must be kept confidential and must not be disclosed to other people without consent. It may be permissible to disclose information without consent in accordance with the advice of the Information Commissioner's Office (ICO). However, a privacy notice to the tenant may be required. You are required to register with ICO if you hold any personal data electronically (this would include holding a tenant's phone number in your own phone) or pass personal information to someone else, such as carrying out an immigration check with the Home Office. Almost all agents and landlords who do not use agents need to register with the ICO. Landlords who use agents for some or all of the letting and management process may need to register depending on personal information held and/or passed on. See www.ico.org.uk.

You should be aware of the local private rented sector licensing requirements in the area of the premises. This includes additional licensing, selective licensing and mandatory *Houses in Multiple Occupation* (HMOs) licensing and planning consent requirements (see [Licensing of houses in multiple occupation in England: a guide for landlords and managers](#) and [Selective licensing in the private rented sector: a guide for local authorities](#)).

You must ensure that the property and all equipment meet the requirements of the relevant regulations and licensing.

You must not cause or permit a dwelling to be overcrowded.

4.2 Financial management

4.2.1 Client's money

Money held, deposits or rent collected for and on behalf of an applicant, tenant or ex-tenant, client or ex-client landlord is considered as client money.

You should keep adequate accounts and records to show all dealings with client money.

Client money should be held separately from landlord or agent money and you must be able to account immediately for all money held on behalf of a client or a tenant.

Clients' money should only be withdrawn from an account:

- where it is properly required for payment to, or on behalf of, the person entitled to it
- when meeting agreed costs
- for payment of any remuneration or reimbursement of expenses in carrying out services to which the landlord or agent is entitled, with the written agreement of the client
- in the exercise of any *lien* to which the landlord or agent is entitled
- for transfer to another client account; and
- when non-client money was used to open or maintain the account.

Otherwise, no deductions should be made from clients' money without that client's prior written permission. You should give sufficient notice prior to the deduction so they are able to object to it.

You should advise clients or tenants in writing that you are not liable to repay lost money through bank failure.

4.2.1.1 For agents only: client's money

You should keep adequate and up-to-date accounts and records to show that money has been paid into a dedicated client account and to explain all dealings with that money.

You should advise your client or tenant that the monies will be held in a designated client account and provide them with details of this account.

A client account should be in credit at all times. There must not be any borrowing from one client's fund to pay another client or those entitled to receive money from the latter's account.

The clients' money should be deposited into a [Financial Conduct Authority](#) (FCA)-authorised bank or building society.

Unless the client or tenant has agreed otherwise in writing you should credit interest earned on any client bank accounts to the appropriate client or tenant.

The letting commission or other charges due to the agent from the client must not be taken from a tenant's deposit. You must ensure at all times that the deposit is released only in compliance with the terms under which the deposit was originally held.

You should be a member of a clients' money protection scheme and you must clearly display, in your offices and on your website, whether or not you are a member of such a scheme.

4.2.2 Proceeds of crime

You must report any suspicion that another person is engaged in money laundering or other related financial crime to the National Crime Agency (NCA) before proceeding with any transaction with that person.

4.2.3 Taxes

Landlords should ensure that HMRC is aware of rental income and deductions and that they pay the appropriate tax.

4.3 Tenancy management

You must levy rents and other charges and manage the property in accordance with the law and the clauses of the relevant tenancy agreement.

You must include the landlord's name and address on any written rent demand. Until such information is provided, rent is deemed not to be lawfully due from the tenant. If that address is not in England or Wales then you must notify the tenant of an address in England and Wales to which notices may be served.

You must give the tenant the landlord's name and address within 21 days of any written request. If the landlord is a company and the tenant requests more information after receiving the name and address of the landlord, the name and address of the directors and the secretary of the company must also be given to the tenant within 21 days of that request.

You should communicate promptly with the tenant, and any client as appropriate, on any important issues or obligations relating to the use and occupation of the property, including material breaches of the tenancy agreement that you become aware of.

You should respond promptly to reasonable written requests from tenants for and, where appropriate, consents required under the tenancy agreement should be granted promptly. Where applicable under the terms of the tenancy when an application is refused, reasons should be given. Unless authorised by the tenancy or lease or, in the case of certain transactions accepted by the courts (e.g. subletting), you should not charge the tenant for considering an application or granting permission.

4.3.1 Actions following a new letting

You should assist the tenant with the necessary information to ensure that the tenant registers as the customer for services from the commencement of the letting in accordance with their obligations under the tenancy agreement.

Where utilities are metered, meter readings should be taken and recorded. The local authority should be informed of the date the letting commences for council tax and utility companies should be similarly advised for water, sewerage, gas and electricity, as appropriate.

4.3.2 Rent

4.3.2.1 Rent payments and review of rent

Rent demands (if used) should be clear and easily understandable by tenants. Avoid using codes and abbreviations if possible; if you do use them, they should be clearly explained.

You must provide a rent book if the rent is paid weekly and ensure that any rent book is kept up to date. Where payment of rent is handed over in cash, a receipt should be given. In other cases, a receipt should be given if requested. An annual statement of rent payments received should be made available to tenants on request.

Where rent review clauses are included in the tenancy agreement you must follow those procedures for any review of rent.

4.3.2.2 Local housing allowance and rent

Where appropriate, you should co-operate with a tenant's claim for local housing allowance/housing benefit/ Universal Credit and supply any necessary information promptly to ensure that the claim can be processed as quickly as possible.

You should ensure the tenant is made aware before signing any agreement that they are committed to pay the rent, whether or not they are entitled to receive local housing allowance/housing benefit and that they will be required to make up any shortfall of local housing allowance/housing benefit.

4.3.2.3 Arrears

Where rents are not received when due, you should communicate promptly with the tenant. Where housing support is being paid directly to the tenant, for example local housing allowance (LHA) or as part of Universal Credit, and payments cease or are varied, you should inform the local housing authority or the Department for Work and Pensions as soon as possible. Where housing support is paid directly to you and payments cease or are varied, you should notify the tenant as soon as possible.

You should keep channels of communication open with your tenants and encourage tenants to let you know if they are under financial difficulties. You should maintain contact with tenants in cases where arrears continue to accumulate and recommend that they seek independent advice (e.g. from the Citizens Advice Bureau, the [Money Advice Service](#), or a legal adviser).

A tenant must not be evicted without a possession order and following due process. If tenants are facing eviction and are threatened with homelessness (especially if they are vulnerable or there are children living with them) you should suggest they contact their local authority housing team for support in accessing alternative accommodation.

For agents only

If you are retained to collect rent, you should have a system in place to notify a client landlord promptly if rent becomes overdue. In the event of arrears, you must notify any rent warranty insurers promptly and ensure that the timescale for any rent warranty notification is met.

4.3.3 Service charge

If administering a service charge, refer to the RICS *Service charge (residential) management code* for guidance, as this is outside the scope of this Code.

4.3.4 Repairs and maintenance

You must take all reasonable measures to provide housing that is safe and without risks to health.

The duties of the parties should be stated in the tenancy agreement, as set out in relevant legislation.

You should be aware of repairing obligations imposed by statute and common law.

You must ensure a safe and healthy environment for the tenants and act upon demands for improvements by the local housing authority under the [Housing Health and Safety Rating System \(HHSRS\)](#).

You must be prudent in the selection of persons who are competent to perform repairs and maintenance on the property. You should take reasonable steps to ensure such contractors have:

- public liability insurance
- professional indemnity insurance, if appropriate
- relevant trade qualifications where required; and
- appropriate health and safety risk assessments and adopt safe systems of work.

You must also pass over any relevant health and safety information you hold to any contractor/designer, including regarding asbestos.

Matters of disrepair should be dealt with promptly and in a timely manner appropriate to their urgency, placing a priority on reducing any risk to people.

You should ensure tenants know how to report repair and maintenance issues and have an established procedure for dealing with urgent requests for repair work, particularly for out-of-office hours.

Tenants must never be evicted for simply requesting repairs to the property.

Landlords must keep the structure and exterior of the property in repair. If an agent is charged with this duty then, in the event that the agent is unable to carry out this duty for any reason, the duty must return to the landlord or otherwise provisions must be put in place for keeping the structure and exterior of the property in repair.

You must repair and keep in proper working order the installations for space heating and water heating, together with the installations for the supply of gas, water, electricity and drainage.

You must take reasonable care to maintain and repair paths, driveways and car parking areas so that they are safe to use. You must maintain and repair gutters, downpipes, drains and gullies.

You should ensure that tenants are [aware of their responsibility](#) to act in a *tenant-like manner* and to carry out minor repairs, such as replacing bulbs or clearing pipes or drains they have blocked.

When arranging repair and maintenance work on a let property, you must be aware that tenants are entitled to the quiet enjoyment of their homes and you must seek to minimise disruption.

You should consult tenants on the details and programme for carrying out such works, unless urgency or the tenancy agreement dictates otherwise. Works must be carried out to a reasonable minimum standard so that they do not need to be repeated within a short period of time relative to their nature and reasonable expectations.

You should maintain accurate and complete records of all maintenance and insurance of the property and hold records safely for the required period of time.

For agents only

You should ensure that sufficient funds from the landlord are available prior to instructing a contractor. The method of payment should be agreed between all parties prior to works commencing.

You should disclose any commission you might receive from the contractor at the time that estimates are provided to the landlord.

For landlords only

If you use a managing agent, you should ensure that the agent is provided with sufficient funds to be able to commission agreed repairs/maintenance once an estimate has been accepted.

4.3.5 Health and safety and contractor management

You should inspect the property at appropriate intervals to identify whether or not there are any hazards or repairs that require attention. You should maintain a record of the inspections and any action required and taken.

You should seek to reduce any unacceptable health and safety risks that are identified.

4.3.6 Services

4.3.6.1 Fire safety and testing

You should have regard to the Local Government Association (LGA) LACORS [Housing – Fire safety](#) guidance. For larger buildings such as HMOs and buildings with common parts, you should have regard to the Department for Communities and Local Government (DCLG) document [Fire safety risk assessment: sleeping accommodation](#).

Where recommended in accordance with the above guidance, fire extinguishers and fire blankets should be provided and must comply with current British Standards. Where they are required they must be provided, including complying with HMO licence conditions.

Where required (any building where there are *common parts*) you must ensure that a fire risk assessment is carried out to identify and evaluate all fire risks to which anyone legally allowed on the premises could be exposed.

You must ensure that any furniture provided by the landlord complies with current regulations for fire safety.

All properties should be fitted with smoke detectors. Properties built after 1992 must be fitted with smoke detectors. With effect from 1 October 2015 all properties must be fitted with a smoke alarm on every floor ([The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)).

Detectors must:

- comply with current British Standards
- be installed in accordance with the manufacturer's recommendations; and
- be kept in working order and tested at the beginning of each tenancy.

Tenants may be made responsible for replacing batteries by prior written agreement made at the start of the tenancy.

4.3.6.2 Carbon monoxide alarms

Carbon monoxide detectors should be provided in all properties where a gas or solid fuel appliance is present. Detectors must comply with current British Standards and be installed in accordance with the manufacturer's recommendations. The fitting of carbon monoxide detectors is mandatory when a new solid fuel burning appliance is installed and it will become mandatory for all rooms with an existing solid fuel appliance from 1 October 2015 ([The Smoke and Carbon Monoxide Alarm \(England\) Regulations 2015](#)). Alarms must be tested at the start of all new tenancies.

4.3.6.3 Electrical

You should ensure that a competent electrician undertakes a full-fixed wiring test within 10 years of installation for new properties/full installations and it is recommended every five years thereafter. For HMOs the test must be undertaken every five years or as recommended by an electrician.

On any change of tenancy, you should check the fixed wiring installation for defects that are visually obvious to a non-qualified layman, including checking leads and plugs (unless the plug is of the moulded type).

You should provide an appropriate electrical certificate to the tenant.

You must ensure that all alterations/repairs/improvements to the fixed electrical system comply with the latest edition of Part P of the Building Regulations and the latest Institution of Engineering and Technology (IET) Wiring Regulations.

A competent person should undertake a portable appliance test (PAT) of all moveable electrical items or equipment provided by the landlord; for example, kettles, fridges, etc. as recommended in the HSE publication [Maintaining portable electrical equipment in low-risk environments](#), or at more frequent periods recommended by a competent person or as a result of a risk assessment.

If you are informed of a fault that could compromise safety, this should be dealt with immediately.

4.3.6.4 Gas

All gas appliances, flues, installation pipework etc. must be maintained in a safe condition in accordance with the *Gas Safety (Installation and Use) Regulations 1998*.

A gas safety check must be carried out every 12 months by a Gas Safe-registered engineer, and a record kept for two years. You must issue a copy of this safety check to each existing tenant within 28 days of the check being completed and to any new tenants before they move in.

You should ensure that new tenants understand how to turn off the gas supply in case of an emergency. If a fault is reported, this must be dealt with immediately.

4.3.6.5 Solid fuel

You must ensure the safety of solid fuel heating installations and carry out appropriate routine maintenance. You should maintain a record of servicing and work carried out.

4.3.7 Access

The tenancy agreement may stipulate the procedure for the routine inspection of the property by the landlord or agent. If this is not stated in the tenancy agreement, the property must be visited at normal times of the day, provided that reasonable written notice (at least 24 hours) has been given to the tenant.

If the tenant refuses access, you have no right to enter the property without a court order. To enter the property against the wishes of the tenant may be considered harassment.

The tenancy agreement should contain provision for entry in emergencies. In the event that you hold a spare key, entry should only be with the express consent of the tenant or in the case of a genuine emergency. Forced entry should only be considered:

- if it is an emergency event such as a fire
- in the event of problems with gas, electrics or escape of water that pose real risk of injury or significant damage to the property or adjoining properties; or
- in the event that the tenant is unavailable or does not respond and you have genuine reason to believe the property has been abandoned.

4.3.8 Harassment and unlawful eviction

Tenants are entitled to quiet and peaceable enjoyment of the property. You must not interfere with this right except with the tenants' agreement or in the event of an emergency. Locking the tenant out of the property, cutting off services or otherwise interfering with the tenants' right to quiet and peaceable enjoyment is an offence.

4.3.9 Insurance

The insurance obligations of the parties should be set out in the tenancy agreement. The tenant should be made aware of their responsibilities and the scope and limitations in respect of any insurance held by the landlord in respect of the property.

Insurers should be notified of claims or potential claims at the earliest opportunity. Claim settlements should be treated as belonging to the persons suffering damage. Unless otherwise agreed, you should not deduct arrears or other payments due when passing them on to the claimant.

Any arrangements regarding payment of any excess should be clearly set out in the tenancy agreement.

Agents dealing with insurance issues should be mindful of the insurance regulations on regulated activities. See the Financial Conduct Authority (FCA) website (www.fca.org.uk) for further guidance. When a claim arises it should be processed promptly and appropriately. Agents may charge for this service, depending on the terms of engagement.

5 Terminating a tenancy

5.1 Bringing a tenancy to an end

On giving or receiving notice to bring a tenancy to an end, you should provide a tenant with general written guidance as to what steps need to be taken to prepare the property for the final checkout, handover of keys and other matters. You should draw the tenant's attention to any specific clauses or obligations within the tenancy agreement relating in particular to proposed deductions from the tenancy deposit but also, for example, to specified standards of cleaning etc.

If you serve a notice on a tenant to terminate a tenancy you must ensure that the deposit has been protected and that the tenant has, at the appropriate time, been given the correct prescribed information relating to the protection of their deposit. The property must also have a valid EPC and CP12 Gas Safety Certificate. There should be a system in place to monitor the response from a tenant regarding the vacation of a property when notice has been served.

For agents only

You should inform a client landlord, promptly and in writing, of the receipt of a lawful notice from a tenant.

Where a tenant does not vacate a property on the due date, you should make reasonable efforts to ascertain the tenant's intentions as soon as practicable and before instigating possession proceedings through the courts.

For agents only

Where a tenant does not vacate a property on the due date, you should advise the client landlord promptly and co-operate fully and promptly with legal advisers acting for, or appointed on behalf of, client landlords.

Where appropriate, you must take steps to notify any legal protection or expenses insurer.

All keys and fobs relating to the tenanted property should be received or collected on the day the tenancy terminates.

5.2 Once the property has been vacated

The vacated property should be inspected within 24 hours of vacation, or on the next working day, to establish whether it has been returned to the landlord in the condition specified in the tenancy agreement. The tenant should be given a reasonable opportunity to attend the inventory checkout.

The local authority and utility companies should be notified of the change in, or discontinuance of, occupation.

In obtaining estimates for restoring the property and contents, all actions should be duly recorded. You must make proper allowance for fair wear and tear and no claim can be made for any deterioration which is fairly attributable to fair wear and tear. You should seek guidance from the relevant tenancy deposit scheme.

The tenant's deposit should not be refunded until the final inspection has taken place and you are satisfied that the deposit should be refunded. Deposit sums not in dispute should be refunded to the tenant within a reasonable time (in accordance with the scheme rules) from the end of the tenancy. Any balance remaining should be refunded within a reasonable time (in accordance with the scheme rules) after reaching agreement between the parties of what is to be refunded or after the decision of the tenancy deposit scheme adjudicator.

The grounds for any retention from the deposit must be provided to the former tenant in writing, if requested, and in compliance with tenancy deposit legislation and the requirements of the relevant tenancy deposit protection scheme.

You should refer disputes about the return of tenancy deposits to the relevant tenancy deposit protection scheme.

6 Tenancy renewals and changes

If necessary, you should seek legal advice in connection with company tenancies, as the legal requirements will differ from lettings to individuals.

You must be clear and transparent about all fees payable and potentially payable to you by a tenant in all and any circumstances prior to that tenant making a transactional decision to enter into a contractual relationship with you in the first place, i.e. before the tenancy is entered into.

For agents only

Where a tenancy is to be renewed you should satisfy yourself that all the necessary consents including from lenders and superior landlords have been obtained.

You must be clear and transparent to the client about all fees payable and potentially payable on any tenancy renewal or change to a tenancy prior to that client making a transactional decision to enter into a contractual relationship with you in the first place.

Where the tenancy is to be renewed by contract, a procedure should be in place for consulting the landlord well in advance of serving statutory notices.

For landlords only

Where a tenancy is to be renewed you should obtain all the necessary consents including from lenders, superior landlords.

7 Additional responsibilities for the management of multi-let buildings and common parts

7.1 Health and safety

Note: In sections 7.1.1–7.1.6 the terms ‘responsible person’ and ‘you’ do **not** refer to the person responsible for the maintenance and management of the building but are defined by the *Health and Safety at Work etc. Act 1974* as being the person responsible for all health and safety matters in regard to the building.

7.1.1 Health and safety risk assessment and policy

Health and safety risk assessments and policies vary significantly in scope and proportionality depending on the building and individual circumstances. While legal responsibilities and liabilities are absolute, the required actions to ensure compliance should be proportionate to the individual circumstance.

A competent ‘responsible person’ as defined by the *Health and Safety at Work etc. Act 1974* must be appointed and that person must be clear as to their responsibilities and liabilities.

A health and safety risk assessment of any common parts must be carried out by a suitably competent person.

The risk assessment and the subsequent health and safety policy must be proportionate in scope to the property and circumstances. You must continually ensure the scope of the risk assessment has not changed; for example, if the building is let to individuals who are unusually vulnerable or have special needs. The health and safety policy must address lone worker safety.

All recommendations of the risk assessment and policy must be carried out, with appropriate records kept safely to demonstrate compliance.

You should put a monitoring process in place to ensure the requirements of the risk assessment and policy are being met at all times and that suitable training is provided to individuals to ensure and demonstrate that they are competent to carry out their duties to satisfy the requirements of the assessment.

The risk assessment and policy must be reviewed at the appropriate intervals as recommended by the risk assessment author.

You must put in place a system of contractor control to ensure that all hazards and requirements identified in the risk assessment and policy are drawn to the attention of any party that needs to know that information; for example, staff or contractors working at the building. You must instigate an appropriate system of ensuring contractor compliance with the building’s health and safety risk assessment and policy.

Where appropriate you must ensure that contractors carry out their own risk assessments and maintain their own health and safety policies.

7.1.2 Risks specific to common area management

Risk assessments must be considered for:

- the operation of mixed use areas, including waste disposal and car parking
- car park and personnel gates, both in terms of operational safety and means of escape in the event of fire
- gym, pool, leisure and common rooms
- cycle parking or bike stands; and
- lifts including maintenance and operation in the event of fire.

7.1.3 Asbestos

An asbestos risk assessment must be carried out to common parts. You should take reasonable measures to identify the presence and assess the risk of asbestos to let areas. If appropriate, depending on

circumstances such as the age and history of the building, an asbestos survey should be carried out with all recommendations adhered to. You must draw the attention of occupiers, contractors and others at potential risk to the presence of any asbestos and take all necessary measures to ensure the risk is managed safely.

7.1.4 Fire safety

You must carry out a fire risk assessment and implement all recommendations.

You must formulate and maintain a method of monitoring that all recommendations are continually adhered to, for example maintaining clear escape routes and signage. You must be vigilant to any change in on-site conditions that may require a re-assessment of risk, for example the loss of an assembly area.

7.1.5 Water safety

You should clearly understand the ownership and maintenance responsibilities of the water supply(ies) to the building. Where you are responsible for the maintenance of the supply, you must instigate a programme of maintenance in accordance with your health and safety risk assessment to ensure the supply is clean and fit for its intended purpose. A risk assessment for the control of legionella bacteria must be carried out and all recommendations should be adhered to.

7.1.6 Crisis management

You should develop an appropriate policy and procedure for dealing with emergencies and crisis management. In addition to procedures to follow in the event of an emergency, this should include:

- record keeping
- reporting lines
- insurers' details
- press and communication procedures; and
- counselling.

7.2 Disposal of waste and recycling

You should provide adequate means of storage of waste so as to prevent a risk to health and hygiene.

You should, as required by the local authority or waste removal contractor, provide adequate means of separation of waste by type, including for recycling, and provide clear signage and guidance for tenants on the requirements for waste separation as appropriate.

7.3 Staff management

You should notify tenants of any change in staff who are the tenants' main point of contact.

7.4 Noise

You should seek to reduce disturbance to residents from noise; for example, noisy mechanical and electrical installations or hard surface floors in inappropriate locations.

You should ensure that the right to quiet and peaceable enjoyment of the accommodation is incorporated into the tenancy agreement and that the agreement imposes that obligation on tenants for the benefit of other residents.

7.5 Mixed tenure schemes

Where properties include affordable or social housing alongside private housing, arrangements should be established with the registered provider (of the social housing) for exchange of information and your attendance at joint management meetings.

7.6 Disputes

You should put in place policies and procedures for handling disputes and complaints of nuisance between occupiers. These procedures should be made available, their existence made known and the response times for their various stages included. All parties should be dealt with fairly.

Disputes should be resolved by informal means where possible before turning to any formal provision in the tenancy agreement. Where not provided for in the tenancy agreement, *alternative dispute resolution methods* may be suggested, rather than litigation, as a means of settling particular disputes.

7.7 Security

You should provide adequate security measures, procedures and systems to common parts and living spaces for the protection of residents, visitors and possessions.

You should make reasonable efforts by way of referencing and vetting procedures to ensure that staff and workers employed in a building are fit and proper persons appropriate to their role and level of responsibility and supervision.

You should provide appropriate means of holding mail and deliveries until collected by the tenant.

Appendix A: Glossary of terms

This glossary gives definitions of key terms used in the Code.

Agent	A company or individual employed to let or manage residential property on behalf of a landlord.
Alternative dispute resolution methods	This can include mediation, conciliation and arbitration.
Assured shorthold tenancy	As defined by Chapter II of the <i>Housing Act 1988</i> (as amended).
Average consumer	<p>A consumer who is reasonably well informed and reasonably observant and circumspect, taking into account social, cultural and linguistic factors. It is someone who takes reasonable care of their own interests.</p> <p>This definition can change depending on the target of a particular business or of a marketing campaign. The average consumer will then relate to a member of that target group. A full definition can be found in regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations 2008</i>.</p>
Client	A person or organisation who has instructed you or your organisation to act on its behalf.
Client's money	Money held on behalf of client landlords and deposits or money held for and on behalf of tenants or potential tenants.
Clients' money protection scheme	A compensation scheme to protect client's money.
Common parts	Any part of a building containing the property and any land or premises which the tenant is entitled under the terms of the tenancy to use in common with the owners or occupiers of other dwellings.
Company let	When a company rather than an individual takes on a tenancy or a tenancy agreement as the 'tenant'. An employee of the company then occupies the premises as a licensee of the tenant.
Conflict of interest	Where an agent acts for clients who have competing interests or where an agent's personal interests conflict, or could potentially conflict, with those of the client or tenant.
Consumer	Anyone who is acting outside their trade, business or profession. This can include clients, potential clients, landlords, potential landlords, tenants, potential tenants and others identified within regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations 2008</i> .
Green Deal	A Government initiative to encourage the take-up of energy efficiency measures in existing properties by a loan repaid through the energy bill for a property.

House in Multiple Occupation (HMOs)	A property such as a shared house, bedsits or a hostel, where three or more unrelated individuals share any of the basic amenities (kitchen, bathroom or WC). It includes a block of converted flats not complying with the 1992 or later Building Regulations if more than one-third of flats are rented out. Larger HMOs are subject to mandatory licensing and others may be designated for additional HMO licensing.
In writing or written	Typed or handwritten text, email, fax or in Braille.
Leaseholder	A tenant of a long leasehold property.
Letting agent	A company or individual employed to let or manage residential property.
Lien	A right to keep possession of property belonging to another person until a debt owed by that person is discharged.
Material information	The information that the average consumer needs according to the context to take an informed transactional decision (as defined in section 6(3) of the <i>Consumer Protection from Unfair Trading Regulations 2008</i>).
Misleading omissions	Omissions which cause the average consumer to make a different transactional decision.
Must	Required by law.
Prescribed information	<p>This includes:</p> <ul style="list-style-type: none"> • the name of the deposit protection scheme • the address of the property • the amount of the deposit • a leaflet explaining the scheme • the scheme's procedures for payment and repayment • dispute procedures; and • dispute resolution facilities available.
Private rented sector Definition from the English housing survey 2011–12 administered by DCLG	<p>'Households are typically grouped into three broad categories known as tenures: owner occupiers, social renters and private renters. The tenure defines the conditions under which the home is occupied, whether it is owned or rented, and if rented, who the landlord is and on what financial and legal terms the let is agreed.</p> <ul style="list-style-type: none"> • owner occupiers: households in accommodation which they either own outright, are buying with a mortgage or are buying as part of a shared ownership scheme. • social renters: this category includes households renting from Local Authorities (including Arms Length Management Organisations (ALMOs) and Housing Action Trusts) and Housing Associations, Local Housing Companies, co-operatives and charitable trusts.

	<p>A significant number of Housing Association tenants wrongly report that they are Local Authority tenants. The most common reason for this is that their home used to be owned by the Local Authority, and although ownership was transferred to a Housing Association, the tenant still reports that their landlord is the Local Authority. There are also some Local Authority tenants who wrongly report that they are Housing Association tenants. Data from the EHS for 2008-09 onwards incorporate a correction for the great majority of such cases in order to provide a reasonably accurate split of the social rented category.</p> <ul style="list-style-type: none"> • private renters: this sector covers all other tenants including all whose accommodation is tied to their job. It also includes people living rent-free (for example, people living in a flat belonging to a relative). <p>In places, the report differentiates between market and non-market renters:</p> <ul style="list-style-type: none"> • market renters: households with assured or assured shorthold private tenancies. Under the 1988 Housing Act, all tenancies starting after the 14th January 1989 are Assured (including Assured Shorthold) unless they fall into one of the excluded categories, for example business lettings or lettings by resident landlords. Before March 1997, tenants had to be given a notice in writing to say that a tenancy was an Assured Shorthold. From March 1997, the rules changed and all new tenancies were Assured Shortholds unless the agreement specifically stated that they were not. Assured Shorthold lettings are for a fixed period of six months or more. The landlord can regain possession of the property six months after the beginning of the tenancy provided that two months notice is given. In the case of an assured letting the tenant has the right to remain in the property unless the landlord can prove grounds for repossession. The landlord does not have an automatic right to repossess the property when the tenancy comes to an end. • non-market renters: households with all other types of private rental tenancies including those with rent-free tenancies and tied accommodation (that is tied to employment).' <p>Crown copyright material is reproduced under the Open Government Licence v2.0 for public sector information: www.nationalarchives.gov.uk/doc/open-government-licence/version/2/</p>
Residential property	Property used as living accommodation.
Responsible person	Person with the responsibility for the letting or management of a residential property. This could be the landlord, managing agent or letting agent.
Should	Recommended best practice.
Stakeholder (Definition from <i>Tenancy deposit scheme for lettings agents and corporate landlords membership rules</i> , TDS, 2012)	‘Any person or body who holds the Deposit at any time from the moment it has been paid by the Tenant until its allocation has been agreed by the parties to the AST, determined by the ADR process, or ordered by the court.’

Superior landlord	An entity that owns the interest in the premises, which gives that entity the right to possession of the premises at the end of the landlord's lease. Sometimes called a head lessor or freeholder.
Subagency	Instruction of a separate or related firm to provide agency services to the landlord on behalf of the principle agent.
Tenant	A leaseholder on a short lease (usually assured shorthold or assured tenancy).
Tenant-like manner	<p>In <i>Warren v Keen</i> 1953, Lord Justice Denning said the tenant is under an obligation:</p> <p>'to use premises in a tenant-like manner [...] the tenant must take proper care of the place. He must, if he is going away for the winter, turn off the water and empty the boiler. He must clean the chimneys, when necessary, and also the windows. He must mend the electric light when it fuses. He must unstop the sink when it is blocked by his waste. In short, he must do the little jobs about the place which a reasonable tenant would do. In addition, he must, of course, not damage the house, wilfully or negligently; and he must see that his family and guests do not damage it; and if they do, he must repair it. But apart from such things, if the house falls into disrepair through fair wear and tear or lapse of time, or for any reason not caused by him, then the tenant is not liable to repair it.'</p> <p>Crown copyright material is reproduced under the Open Government Licence v2.0 for public sector information: www.nationalarchives.gov.uk/doc/open-government-licence/version/2/</p>
Transactional decision	A decision by a consumer relating to a potential or actual transaction and the decision points relating to this. Examples include decisions to accept an offer, view a property or commission a survey (defined in regulation 2 of the <i>Consumer Protection from Unfair Trading Regulations</i> 2008).
You	The responsible person.

Appendix B: Landlord's checklist

The following checklist is provided for inexperienced landlords to give a summary of some of the key aspects of this Code that they should follow. However, it is important that you read the whole Code to be familiar with all its suggested best practice and legal requirements.

- 1 Only use an agent that is accredited. This will provide valuable protections to you and your tenants (see [section 2.1](#)).
- 2 Be clear about all fees that tenants will have to pay you and your agents, and be proactive in making tenants aware of these in advance of them making a decision to take or renew a tenancy (see [section 2.2.6](#) and [section 2.2.7](#)).
- 3 You, or your agent, will have to provide tenants with various documents at different stages of letting the property. This must include an Energy Performance Certificate (EPC) and, where gas is provided at the property, a current Gas Safety Certificate (see [section 2.2.9](#)).
- 4 Make sure you advertise your property honestly and in accordance with the law. Do not mislead prospective tenants (see [section 3.1](#)).
- 5 Provide tenants with a clear written tenancy agreement, agree an inventory, and if you are taking a deposit make sure it is taken in accordance with the law and that relevant documents are served on time. (see [sections 3.6 to 3.8](#)).
- 6 Provide tenants with contact details, including a telephone number they can use in case of an emergency (see [section 4.1](#)).
- 7 Keep informed of developments in legislation affecting residential management so you keep wholly within the law (see [section 4.1](#)).
- 8 Be clear who is responsible for various bills and co-operate with your tenant to ensure they are only getting charged for their usage of the property (see [section 4.3.1](#)).
- 9 It is your responsibility to keep the property you rent out safe and in good repair. Be proactive in maintaining your property. You or your agent should let your tenant know how they can report repairs and should respond promptly and prioritise according to urgency (see [section 4.3.4](#)).
- 10 Houses in Multiple Occupation may require additional services/standards (see [section 4.3.6](#)).
- 11 You must provide working smoke and carbon monoxide alarms, a mandatory requirement from 1 October 2015. You should test electrical wiring at least every 10 years. You must test the electrical wiring every five years for certain Houses in Multiple Occupation, You must arrange an annual gas safety check (CP12) where gas is present (see [section 4.3.6](#)).
- 12 You cannot enter your tenant's home unless invited or with prior permission. You should give at least 24 hours' notice. Be specific in the tenancy agreement about what will happen in an emergency if you need access (see [section 4.3.7](#)).
- 13 Provide your tenant with clear instructions on what they should do at the end of a tenancy. Inspect the property within a day if possible. Make sure any deposit is released in accordance with the rules of the tenancy deposit scheme it is held under (see [sections 5.1 to 5.2](#)).
- 14 Monitor health and safety according to occupation. If one of your tenants is a vulnerable member of society, for example they are elderly or very young, it may mean you have to consider additional health and safety requirements (see [section 7.1](#)).
- 15 Provide tenants with a clear means of making complaints, including any dispute resolution schemes or mechanisms you are a member of. Ensure tenants are aware of the standards of behaviour they should follow and how they will be dealt with if they fail to meet such standards (see [section 7.6](#)).

Appendix C: Legislation referred to in this Code

Business Protection from Misleading Marketing Regulations 2008

Consumer Protection from Unfair Trading Regulations 2008

Consumer Rights Act 2015

Deregulation Act 2015

Gas Safety (Installation and Use) Regulations 1998

Health and Safety at Work etc. Act 1974

Housing Act 1988

Housing Act 2004

Immigration Act 2014

Supply of Goods and Services Act 1982

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (subject to Parliamentary approval)

Unfair Contract Terms Act 1977

Oxford City Landlord Accreditation Scheme

ACCREDITED PROPERTY - SELF-CERTIFICATION INSPECTION CHECKLIST

PROPERTY ADDRESS:

NAME & ADDRESS OF OWNER

TEL: **Email:**

1. **Current Gas Safety Certificate.**
(PLEASE ENCLOSE A COPY WITH THIS FORM) Y / N *

2. **Inspection report from a competent electrician who is a member of a nationally recognised body (e.g. NICEIC)**
(PLEASE ENCLOSE A COPY WITH THIS FORM) Y / N

3. **General Requirements.**
 - (a) Is the property in a reasonable state of repair and free from avoidable hazards? Y / N
 - (b) Do you have emergency repair arrangements? (displayed in prominent place) Y / N

4. **Fire Safety**
 - (a) Does the property have adequate means of escape and fire precautions?
(as per the scheme requirements) Y / N
 - (b) Do the furnishings comply with Fire Safety Standards? Y / N

5. **General Standard of Management:**
Do the management arrangements for the property comply with the code of management practice? (see code for details) Y / N

6. **Thermal Comfort & Domestic Energy Performance Certificates**
 - (a) Does the property have an adequate heating system and effective thermal insulation? (as per the scheme requirements) Y / N
 - (b) (PLEASE ENCLOSE A COPY WITH THIS FORM) Y / N

7. **Security**
Is the property secure? (as per the scheme requirements) Y / N

8. **HMOs**
 - Is the property an HMO? Y / N
 - If so, does the property comply with the relevant requirements for amenities? Y / N
 - Will the HMO need to be licensed? Y / N
 - Does the property have an existing HMO licence Y / N

* Y / N - Circle as appropriate

I hereby confirm that I carried out an inspection of the above property on
and that it meets the standards set for accreditation.

Signed **Date**

Please print name

(If signing on behalf of a company, please state in which capacity you are signing)

Send all forms to:

Oxford City Council
Environmental Development
Ramsay House
10 St Ebbes Street
Oxford OX1 1PT

DECLARATION OF BEING A "FIT AND PROPER" PERSON

1. I declare that I am a fit and proper person to be accredited. I, nor any person associated or formerly associated with me, have any unspent convictions that are relevant to my application, in particular:

- a. Any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003
- b. Undertaken any unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business;
- c. Contravened any provision of the law relating to housing or of landlord and tenant law; or
- d. Been found to have acted otherwise than in accordance with any applicable code of practice approved under section 233.

2. Additionally in the last five years, neither I nor any person associated or formerly associated with me have:

- a. Been in control of a property subject to a Control Order under section 379 of the Housing Act 1985.
- b. Been refused a licence, had a licence removed, or breached conditions of a licence for any property in relation to a mandatory, additional or selective licensing scheme under the Housing Act 2004.
- c. Been in control of any property that has been subject to an Interim or Final Management Order or a Special Interim Order under the Housing Act 2004.
- d. Been in control of any property on which a Local Authority has carried out works in default.
- e. Been in control of any property where you have been found guilty of a criminal offence or been the subject of legal proceedings commenced by a Local Authority or other Regulatory Body (such as breaches of the Environmental Protection Act 1990, Planning Control, Compulsory Purchase or Fire Safety Requirements).
- f. Been convicted of any charges relating to harassment or illegal eviction.

Signed on behalf of the applicant by the Chief Executive, Principal, Partner or Director

Signature.....

Date

Print name.....

Position in the Company/Organisation.....

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To: City Executive Board

Date: 15 October 2015

Report of: Stephen Clarke, Head of Housing and Property

Title of Report: Arrangements to facilitate the fitting of solar panels on council-owned housing stock

Summary and Recommendations

Purpose of report: To outline proposals to facilitate the fitting of solar panels on Council-owned housing stock in such a way that reduces the demands on the HRA capital programme

Key decision Yes

Executive lead member: Councillor Mike Rowley, Housing

Policy Framework: Sustainability Strategy, Low Carbon Oxford, Housing Asset Management Strategy

Recommendation(s): That the City Executive Board resolves to:

1. **Grantproject approval** to fit solar panels on Council-owned housing stock in the manner described in this report;
2. **Delegate authority** to the Chief Executive, in conjunction with the Head of Finance, to enter into an Agreement to Lease with the Low Carbon Hub IPS (on the basis that this would permit leases to the roof space of individual Council properties to be drawn up and executed if required) plus any ancillary agreement required; and to submit an appropriate VEAT notice to the EU; and
3. **Agree** that on the basis of the matters set out in this report, the proposed arrangement with the Low Carbon Hub IPS represents best value to the Council.

Appendices to report:

Appendix 1 Risk Register

Background

1. This report proposes that the Council enters into arrangements to install photo voltaic solar panels on the roofs of council homes to produce electricity for the following reasons:-
 - The technology is now proven with highly predictable costs and benefits
 - Concerns about current and future costs of utilities and the impact on household budgets particularly those on low or fixed incomes
 - The opportunity to increase the proportion of renewable energy produced in the city and the consequent reduction in the carbon footprint
 - The timing in the reduction to the feed in tariff announced by the Government is such that some of a programme launched now would provide some benefit from current higher rates
2. The benefits can be summarised as:
 - Free electricity to the affected tenants during daylight hours estimated to reduce typical household electricity bills by around £150 pa.
 - A reduction in carbon dioxide emissions of 1200tCO₂ p.a. based on 1000 roofs, being included in the scheme, contributing to the Council's target of reducing city-wide emissions by 40% by 2020 and more than doubling the Council's emissions reductions on its own estate in a given year.
3. Tenants were consulted as part of the Housing Revenue Account Business plan, budgeting and rent setting and the Housing Asset Management Strategy. Included in this consultation was a proposal to invest in the energy efficiency of the housing stock. Thermal comfort, energy efficiency and fuel poverty have been identified as key concerns of tenants in the STAR surveys and other engagement activities. It is estimated that 20% of Oxford City Council housing tenants are in fuel poverty at the time of writing.
4. As a result of a number of proposed legislative changes there will be more constraints on investment programmes within our HRA business plan going forward and officers have been seeking alternative means of funding such programmes. In this case an option has been identified that is based on leasing free of charge roof space to Oxford-based social enterprise the Low Carbon Hub (the Hub). The Hub would raise the capital to install solar panels through a community share offer backed up as required by ethically sourced debt finance. By financing the installations in this way, the £5m programme currently included in the HRA capital programme would no longer be required, enabling those

funds to be directed to other areas of investment where there are no alternative sources of funding.

How the community-benefit model works

5. In general terms the benefit derived from the power generated is distributed back to tenants in the form of free electricity and to investors in the Hub share offer to cover cost of the capital works. Any further surplus is then used to fund further investment in the community through other energy related projects delivered by the Hub.
6. The high level process for delivery would be:
 - The Council and the Hub would identify a pipeline of potential homes suitable for installation.
 - The Hub would raise share capital to cover the capital costs.
 - A project liaison officer, funded by the programme, would work with the Council and the Hub to identify those properties where the scheme could go ahead and support the effective running of the works programme.
 - The Council would lease at zero cost the roof of the property to the Hub.
 - The Hub would install and commission the panels.
 - The tenant would receive advice and support as to how to maximise the benefit from the panels and other related energy advice.
 - The tenant would receive free of charge electricity produced from the panels.
 - The investors would receive a return based on the Hub share offer prospectus, funded by surplus energy sold to the grid by the Hub and feed in tariff payments to the Hub.
 - The balance of cash would be retained by the Hub to re-invest in energy related projects in the city.

Value for money

7. Although not a procurement the Council does need to satisfy itself that such an arrangement does provide best value and provides good value for money. Below are set out reasons why the Council could consider that the LCH provides a best value solution.
8. The Hub meets the criteria that the Council has previously adopted in a policy which steers the selection of partners for energy related projects in favour of:
 - Not for profit social enterprises
 - Local organisations likely to provide jobs and contribute to the local economy
 - Organisations who reinvest surpluses back into local communities

9. The Hub has a current proven track record in both raising capital through community share offers and the installation of renewable energy projects.
10. There are existing partnership and contractual relationships between the Council and the Hub
 - Low Carbon Oxford
 - Loan facility to Hub to provide working capital for other renewable energy schemes
 - The Hub is a partner in the Intelligent Energy Europe programme locally called OxFutures which has a current programme to deliver £18m of renewable energy projects
 - Re-investment in the communities of Oxford from previous schemes valued at in excess of £500k
 - The Council has a nominated officer as an Non- Executive Director on its boards
 - The Hub has a scheme that is ready to launch
11. There is a high degree of trust and confidence between the Council and the hub that has built up through these arrangements as well as an understanding of their financial models and business plans.

Legal arrangements

12. It is proposed that this arrangement would be structured through the Council entering into a composite Agreement for Lease with the Low Carbon HubIPS ("LCH"), under which the Council would grant rights to the LCH to fit solar panels to the roofs of those Council properties which meet the relevant technical and practical requirements. The LCH would then be solely responsible for the installation process and all costs involved and would be entitled to receive any income derived from generation of additional electricity. As such, this arrangement with the LCH would constitute a land deal, and would not be subject to the European procurement regime. The Council would, however, be under a legal duty to ensure that this arrangement represents best value, and it must bear this in mind when deciding whether to enter into the proposed arrangements with the LCH. To ensure public transparency, the Council would wish to advertise this proposed arrangement by way of a VEAT notice in accordance with the European procurement regulation.

Right To Buy

13. A tenant may purchase a property with solar panels installed under Right To Buy. The Hub has taken legal advice on this issue as the risk essentially sits with them. They believe that by initially gaining the tenant's consent to install the solar panels under these arrangements, the rights and obligations between the Hub and the Council would in effect continue between the Hub and the new owner after the right to buy

has been exercised. The agreement with the Hub will need to ensure that the risk arising from a tenant/owner seeking to challenge that view rests with the Hub.

National policy framework

14. The Department for Energy and Climate Change published a consultation on the future of the Feed In Tariff (FIT) incentives on 27 August 2015. The precise impacts of this complex consultation is yet to be determined but it recommends steep reductions in all FITs and for domestic, a reduction from c. £0.12 to £0.0163 per unit electricity exported to the grid. It is proposed that this is effective from January 2016.
15. If this goes ahead, it is not expected that any commercial rent-a-roof models for delivery will be viable anymore. Examples from the past show that these schemes offered a poor return to landlords even when the FIT was high (£0.44 per unit). It is possible, but not confirmed, that community energy groups could still be offered better FIT rates. In that case community-benefit models for delivery of schemes such as the one proposed may be the only viable route.
16. Recent Government budget announcements will place significant constraints on Local Authorities investment programmes going forward.
17. These policy changes, and any future changes, may impact on the viability of the programme for either the Low Carbon Hub or the Council. It is proposed that the installation programme would be rolled out in phases with agreement between both parties to proceed in each case. By proceeding in this way we can maximise the benefits realised while retaining flexibility to respond to changing circumstances.

Delivery risks

18. It is proposed that the terms and conditions of the Agreement to Lease will set out the requirements on the Hub to mitigate delivery risks to the Council.
19. **Financial failure of the Low Carbon Hub:** The installation programme would be rolled out in phases. In each phase the Hub will secure capital to pay the installation contractor in advance. This mitigates the risk of financial failure of the Low Carbon Hub during the installation period as the contractor will still be required to complete that phase of installation. Once operational there could still be a risk of default in the event of financial failure of the Hub. The Council and the Hub will agree appropriate measures to safeguard the installations, panels, and the associated FIT income, with the preferred option being to transfer the lease, panels, income and operational obligations to an organisation with similar objectives to the Hub.

20. **Tenant liaison:** excellent communications and engagement of tenants is required in order to, e.g.: secure tenant consent to installations (paving the way for a smooth installation process); set clear expectations for the suitability of any given property and the process to establish that; and to ensure that tenants know how to make the most of their system and how to seek support in the case of any issues. It is proposed that the Hub fund a tenant liaison officer who would be seconded to the Council to work closely with Housing and Property officers and tenants.
21. **Electrical standards of the installation:** It is proposed that the Hub will be responsible for the checks needed for the installation of the solar panels and liable for their installation meeting the standards that the Council must meet in its properties. The Hub's installers will not carry out checks beyond the scope of the solar panel installation, but will be required to escalate any issues they observe when visiting the property.
22. **Dependencies on Council housing portfolio management:** as the Council runs an on-going programme of maintenance on its properties it is essential that processes are in place to manage any dependencies with the Hub installations. It is proposed that properties are selected in the following way for each phase of delivery:
- an initial desktop assessment to select properties based on orientation, roof pitch and size
 - a process to cross check with the Council regarding roof replacement, presence of asbestos etc
 - gaining consent of the tenant
 - a sign-off process with the Council for properties in that phase
23. The design of an agreed, detailed process flow would be a requirement of the Agreement to Lease.

Financial Issues

24. The scheme has been designed to be funded from external resources and associated financial risks managed by the Hub. Officer resources will be required to ensure close liaison with the Hub however, these are already accounted for in the planning of the capital programme. The route of external funding proposed relieves a £5m pressure on the planned HRA capital programme.

Environmental Impact

25. Based on a programme of 1000 rooftop installations the following environmental benefits are expected:
- 3MW of capacity installed leading to 1200tCO₂ avoided every year
 - an income stream for Low Carbon Hub that will be reinvested in local projects that further reduce environmental impact. Previous examples include: £245,610 of investment to build 152kw of solar

pv on city schools; Hub staff support for city community groups to develop their own energy projects; contributions of time and materials on the Warming Barton external wall insulation project and the establishment of Good Food Oxford

Equalities impact

26. The policy offers an opportunity to as many social housing tenants as reasonably practicable to reduce their household electricity costs. The council must consider the potential for differential impacts on the six primary equality strands: race, disability, age, gender, religion or belief, sexual orientation.
27. Selection of properties (and hence tenants) for the programme will be on the basis of the technical suitability of the property for the installation. For example: orientation, roof structure and slope and state of electrical systems. This selection is dependent on the tenants and therefore not biased to any groups with protected characteristics.
28. There will be a further 'consent' process in which tenants in eligible properties are engaged to gain their consent to the scheme. The Low Carbon Hub has a strong track record of working with communities to engage residents and secure sign-up to previous programmes such as the Warming Barton project. As the Hub will require access to the properties to complete the installation they will be required to meet the council's standards for safeguarding and managing the requirements of tenants. The tenant liaison officer would be the lead in working with the Council on this programme.
29. Monitoring will be provided through analysis of the potential pipeline of projects, the reasons any properties fall out of the pipeline and those that are completed along with equalities data captured as part of the tenant liaison process.
30. Given the considerations above the impact is positive as the initiative will provide opportunities for groups with protected characteristics who would not otherwise benefit.

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Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Right to Buy properties	The lease with the Hub is with the Council but if a property is sold the Hub will need to transfer the lease to the new owner	Threat	Right To Buy legislation allows tenants to buy their property in some circumstances. If the lease isn't transferred the solar panels will need to be removed.	The income from the panels would end if they were removed impacting the viability of the project	8/9/15	Low Carbon Hub	1	1	1	1	0	1	The risk lies with Low Carbon Hub as they provide the finance for the installation and repay their shareholders from the income from the solar panel feed in tariffs	The Low Carbon Hub have taken legal advice and will seek tenant consent to transfer a lease in the case of Right To Buy when signing up tenants to the scheme.	TBC		0	Low Carbon Hub
National policy on solar panel incentives	National policy framework for solar panel incentives may change	Threat	The income from future panels may be less than currently available	Financial model for solar panel installations may no longer be viable	8/9/15	Low Carbon Hub	2	3	2	3	1	3	The delivery model is in phases with a sign off on each phase. If the model is no longer viable, the delivery programme would halt. Systems that have already been installed will secure their income and are not affected by future policy changes	Phased delivery programme design by Low Carbon Hub. Delivery of programme is expedited in order to realise the maximum benefits possible.	TBC		0	Low Carbon Hub
National policy framework for LA owned social housing changes	The Council may be required to sell high value properties in the future	Threat	These properties would not be available to the scheme and any solar panels installed may need to be removed	Leases on properties with solar panels that are subsequently sold may not be transferred unless the sale is captured by Right To Buy above.	8/9/15	Stephen Clarke	2	2	2	2	1	2	The Council will have a role in the selection of properties and can remove any that are deemed to be likely to fall within this category. As it is impossible to second guess future policy some of this risk must be accepted to ensure benefits to tenants are captured now.	Council to assess high risk properties with a view to removing them from the potential pipeline list.	TBC		0	Stephen Clarke
Financial failure of the Low Carbon Hub	Financial failure of the Low Carbon Hub	Threat	The Hub would no longer exist and the installation programme would be interrupted	The Hub would need to implement arrangements regarding existing leases	8/9/15	Low Carbon Hub	4	2	4	2	3	2		The installation programme would be rolled out in phases. In each phase the Hub will secure capital to pay the installation contractor in advance. The Council and the Hub will agree appropriate measures to safeguard the completed installations, panels, and the associated FIT income, with the preferred option being to transfer the lease, panels, income and operational obligations to an organisation with similar objectives to the Hub.				Low Carbon Hub
Tenant liaison	Managing communications with tenants in order to maximise benefits and mitigate risks	Opportunity	Tenants need to be involved in the delivery process as consent and on site access will be required. Tenants may need new knowledge to maximise their savings.	More installations take place and tenants maximise savings on their electricity bill.	8/9/15	Stephen Clarke	4	2	3	2	1	1		It is proposed that the Hub fund a tenant liaison officer who would be seconded to the council to work closely with Housing and Property officers and tenants.	TBC			Low Carbon Hub

Electrical standards of the installation	Electrical standards of the installation must be meet Council needs	Threat	The installation of the panels requires a connection with the electrical system of the property	The installation must meet the standards required or there may be a cost to the Council	8/9/15	Stephen Clarke	1	1	1	1	1	1		It is proposed that the Hub will be responsible for the checks needed for the installation of the solar panels and liable for their installation meeting the standards that the Council must meet in its properties. The Hub's installers will not carry out checks beyond the scope of the solar panel installation, but will be required to escalate any issues they observe when visiting the property	TBC			Low Carbon Hub
Dependencies on Council housing portfolio management	Dependencies on Council housing portfolio management	Threat	Staff time needed to liaise with the Hub programme.	cost associated with staff time	8/9/15	Stephen Clarke	1	2	1	1	1	1		The design of an agreed, detailed process flow including a sign-off for each phase would be a requirement of the Agreement to Lease.	TBC			Low Carbon Hub
Delivering environmental benefits in a financially constrained context	Delivering environmental benefits in a financially constrained context	Opportunity	The Hub would raise the capital to install solar panels through a community share offer backed up as required by ethically sourced debt finance	Reduced demand on the HRA Capital programme	8/9/15	Stephen Clarke	3	3	3	1	3	4		Seek approval of CEB and negotiate the required terms and conditions for an Agreement to Lease with Low Carbon Hub	ASAP			Stephen Clarke

Housing Panel work programme 2015-16

Items for Housing Panel meetings

Topic	Approach
Tenant Involvement	Review group or one-off panel to look at how tenants are involved in decisions that affect them.
Performance monitoring	Regular monitoring of housing performance measures.
STAR survey results	Annual monitoring of results of the tenant survey.
Rent arrears	Monitoring of performance measures; update report.
De-designation of 40+ accommodation	Final annual report on the latest phase of the de-designation of 40+ accommodations.
Review of the Homelessness Action Plan 2013-18	Mid-point review of homelessness action plan.
Supporting people	Verbal updates on the joint commissioning of housing support services.
Choice Based Lettings	To consider proposed changes to the CBL scheme plus data on bidding activity, demographic data on non-bidders, and information on refusal reasons.
Security in communal areas	Request report on security issues in tower blocks and different approaches being taken to address ASB and other issues. Canvas views of block representatives.
Great estates programme	Request report to update members on capital investments to improve housing estates including Blackbird Leys and Barton.
Asset Management Strategy	Pre-scrutinise asset management strategy for Council's housing stock.
Sustainability of the Council's housing stock & HRA business plan	Report to CEB expected in 2016.
Homelessness Property Investment	Pre-scrutinise decision to approve investment in a property investment fund to help secure access to local, suitable and affordable private rented accommodation.
Housing Energy Strategy	Pre-scrutinise report to CEB on energy efficiency and fuel poverty in the Council's domestic housing stock. Consider environmental sustainability of the Council's housing stock
Houses in Multiple Occupation (HMO) Licensing Scheme	Pre-scrutinise report to CEB setting out the results of the statutory consultation and the proposed future of the licensing scheme. Consider research trends of private sector housing costs
Sheltered Housing Review	Pre-scrutinise decision to approve outcomes of review, including future of some of the stock. Consider progress against previous Housing panel recommendations.

Private Sector Housing Policy	Pre-scrutinise report to CEB setting out the future priorities and areas of intervention in the private rented and owner-occupied residential sectors in Oxford. Consider licensing for private sector landlords & research trends of private sector housing costs.
Housing Development delivery models & project approval for the delivery of the Council's 2015-18 affordable housing programme	Pre-scrutinise report to Council setting out possible housing development models and to seeking project approval for the delivery of the Council's 2015-18 affordable housing programme. Consider alternative delivery models including; community land trusts, self-build, more housing on the waterways, high-density housing.

Draft Housing Panel Agenda Schedules

Date and room (all 5pm start)	Agenda Item	Lead Officer(s)
8 October, Plowman Room	1. Houses in Multiple Occupation (HMO) Licensing Scheme (pre-scrutiny)	Ian Wright&Adrian Chownes
	2. Arrangements to facilitate the fitting of solar panels on Council-owned housing stock (pre-scrutiny)	Stephen Clarke
5 November, Plowman Room	1. Proposed Changes to the Choice Based Lettings Scheme	Tom Porter
	2. Private Sector Housing Strategy (pre-scrutiny)	Ian Wright
	3. Sheltered Housing Review (pre-scrutiny)	Frances Evans
10 December, St. Aldate's Room	1. Performance Monitoring – quarter 2	N/A
	2. Rent Arrears	Tanya Bandekar& Damon Venning
	3. Housing Development delivery models & project approval for the delivery of the Council's 2015-18 affordable housing programme (pre-scrutiny)	Alan Wylde

	4. Housing Energy Strategy (pre-scrutiny)	Debbie Haynes
9 March, Plowman Room	1. Performance Monitoring – quarter 3 2. Update on the Great Estates programme 3. Security in communal areas of tower blocks (TBC)	N/A Jack Bradley TBC

Informal meetings closed to the public

Date and room	Agenda Item	Lead Officer(s)
7 January, Plowman Room (5.30pm)	1. Budget Review 2015/16 – Regeneration & Housing (joint session with Finance Panel)	Stephen Clarke & Nigel Kennedy

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MINUTES OF THE HOUSING PANEL (PANEL OF THE SCRUTINY COMMITTEE)

Thursday 3 September 2015



PANEL MEMBERS PRESENT: Councillors Sanders, Hollick, Wade, Smith (Chair), Benjamin, Henwood and Humphrey (co-optee).

OFFICERS PRESENT: Andrew Brown (Scrutiny Officer), Stephen Clarke (Head of Housing and Property), Matthew Bates (City Development), Frances Evans (Housing Strategy & Performance Manager) and Lyndsey Beveridge (Senior Planner)

BOARD MEMBERS PRESENT: Councillor Hollingsworth (Board Member for Transport, Planning and Regulatory Services)

1. APOLOGIES

Apologies were received from:

Councillor Scott Seamons, Board Member for Housing
Dave Scholes, Housing Strategy and Needs Manager

2. DECLARATIONS OF INTEREST

None

3. PERFORMANCE MONITORING (HOUSING MEASURES) - QUARTER 1

The Head of Housing and Property provided updates on the following performance measures:

HC016: Number of affordable homes for rent delivered – the target would be met by the end of this month.

HP003: The number of people estimated to be sleeping rough – a street count was conducted in May and 18 people were found to be sleeping rough. It was estimated that there were 167 rough sleepers in Oxford over a 3 month period. A detailed report was available for quarter 1 which could be shared with members.

In response to a question, the Panel heard that the number of families living in temporary accommodation was within target (NI156). The Council had recently

been using more of its own stock to accommodate homeless families compared to previous years when the majority were housed in private rented stock.

The Panel heard that two sheltered schemes had been converted to temporary accommodation a few years ago. The Panel questioned when these sites would be developed as approval had been granted some years ago. The Head of Housing and Property advised that he could not see this happening in the foreseeable future because these sites provided about 30 temporary accommodation units and the pressure on homelessness was only likely to increase. The homelessness budget had been overspent by £200k last year and pressures around Homechoice and the nightly spend had not gone away. There was a need to communicate this message to local residents.

The Panel questioned the Council's performance on rent collection (CS010 & CS013) and whether all was being done to improve this. The Panel heard that the Council has the right resources in place and had recently invested in software which could improve the Council's efficiency in this area. Welfare reforms had made it more difficult for the Council to achieve its targets and disposable incomes were challenged. The government had also announced housing association and Council tenants with household incomes of over £30k would be made to pay market rents to remain in social housing. The additional income generated would have to be paid to government.

Resolved:

The homelessness report for quarter 1 would be circulated to the Panel.

4. MID-POINT REVIEW OF THE HOMELESSNESS STRATEGY 2013-18

The Housing Strategy and Performance Manager introduced the report and advised that the Council's Homelessness Strategy and Action Plan had been found to be fit for purpose. Of the 61 key milestones, 45 actions had been completed and were now embedded into day to day service delivery. A further 11 would be completed within the lifetime of the strategy and 5 had been delayed. No changes were recommended to the strategy or action plan at this stage but a further review would take place in June 2016 once the implications of new national policies were better understood.

The Panel were also advised that the City Council was in the process of completing the Gold Standard 10 local challenges. Many other authorities had not yet started this process. The first challenge had been awarded for corporate commitment and a second challenge would be submitted by officers the following day. In response to a question, the Panel heard that this involved responding to questions and providing evidence to demonstrate that the Council delivered on its policies and strategies.

The Panel questioned what data the Council keeps on people who are not eligible for services, such as those who had refused an offer of housing. The Housing Strategy and Performance Manager advised that the Council provides advice information and signposting and offered to provide this to the Panel.

The Panel questioned how the Making Every Adult Matter (MEAM) pilot had gone and the Housing Strategy and Performance Manager offered to speak with colleagues and provide more information to the Panel.

In response to a question about the recommissioning of homelessness services with reduced funding, the Panel heard that this process was led by the County Council and was now in its final stages. There would be no hostel closures or loss of bed spaces in the city. The main challenge to the homelessness pathway was a lack of move on accommodation. This was caused by a lack of sustainable accommodation in the city that was available at Local Housing Allowance rates.

The Panel questioned where in the city people tend to present as homeless and whether many applications were received from people from neighbouring districts. The Panel heard that there were handfuls of such cases and that it was often difficult to identify where responsibility for these individuals lies. Not all local authorities make provision for non-statutory homelessness so services located in Oxford did have an attraction effect to some extent.

The Panel noted that Age UK had been awarded funding to speed up hospital discharges for older people and asked which agencies the City Council was working with on homeless hospital discharge protocols.

The Panel asked what support the City Council provided to credit unions and whether such provision was sustainable. Officers offered to come back on this.

The Panel questioned the City Council's approach to preventing begging. The Panel heard that homeless people don't need to beg and that the City Council had an anti-begging campaign that encouraged people to support resources for homelessness rather than people who were begging. This included business cards, leaflet and online information. The Panel requested to see some of this campaign literature.

Resolved: The Panel would request the following:

- A report following the next review of the homelessness strategy and action plan (expected in June 2016),
- Data on individuals who couldn't access services that were provided with advice / signposting,
- Information about the MEAM pilot,
- Information about improving homelessness discharge procedures,
- Information on support provided to Credit Unions,
- Anti-begging campaign literature.

5. HOMELESSNESS PROPERTY INVESTMENT

The Head of Housing and Property introduced this report. The Panel heard that the City Council was leveraging in external funding to buy properties to prevent statutory homelessness. Properties would be let to homeless households at Local Housing Allowance rates, releasing capacity in hostels. St. Mungo's would manage the properties and would be incentivised to move tenants on within 2 years, which would require intensive work with these households. The scheme aimed to provide a return on the Council's investment while also mitigating some of the increasing demand on homelessness services.

The Panel questioned whether the City Council would have flexibility and control in order to support tenancies exempt or excluded from the ordinary rules that apply to maximum Local Housing Allowance rates. The Panel received assurances that such controls were in place.

The Panel questioned what would happen at the end of a 2 year tenancy if the household was unable to move on. The Head of Housing and Property advised that households would not face eviction but that there would be a knock on effect and a risk that the homelessness pathway would become blocked. St. Mungo's would work with households to improve their employment prospects with the aim that they could afford to move on into private rented accommodation. This would be very challenging but St. Mungo's had a good record and the Council's Welfare Reform Team had also proven that it was possible to get results.

The Panel questioned whether neighbouring districts had been consulted and heard that the districts were aware. The City Council could choose where to buy properties and may get better value for money outside of the city boundaries but factors such as schooling would be taken into account when housing families. Two other authorities outside of Oxfordshire would also be investing in this fund and in future there could be flexibility of movement across these three areas.

6. OXFORD GROWTH STRATEGY

The Board Member for Transport, Planning and Regulatory Services introduced the report and explained that it contained nothing new but provided a useful summary.

A Principle Planning Officer highlighted an error on page 96 of the paperwork (paragraph 17 of the report), where '£50,000 for Vale of the White Horse and South Oxfordshire Examinations' should read '£50,000 for Vale of the White Horse and West Oxfordshire Examinations'.

The Panel questioned whether the Council had looked at potentially cheaper alternatives to the proposed additional resources, such as co-funding some of this work on a county-wide basis. The Panel heard that there was a joint working process but not full agreement on some issues, so there was a need for

the City Council to frontload evidence to the Oxfordshire Growth Board. Two districts were trying to evidence that Oxford's housing needs could be met within Oxford, for example through the removal of height restrictions and certain environmental protections. The City Council was identifying sites on the edge of the city for housing development and the Districts were not keen to contribute to this work.

The Panel asked whether there was scope for the City Council to negotiate on issues such as housing density and height restrictions in the city, or to consider sites outside the city on major transport routes, in order to find middle ground and seek agreement with the districts. The Panel heard that there had been positive engagement with some districts and less positive engagement with others. The Board Member advised that finding solutions to Oxford's unmet housing need would require difficult decisions about sustainability that would have to balance a range of views. However, it was not now possible to argue that Oxford had no unmet housing need and agreement on this issue represented progress. The Board Member advised that the unmet housing need figure that the City Council had agreed to accept was at the very low end of future projections.

The Board Member advised that height restrictions were very important to the character of Oxford but that a flat skyline would not be desirable. Some higher developments on carefully selected sites could be a good thing.

The Board Member advised that the City Council would consider whether high density housing would be appropriate on future development sites. This was a good option where it could be done properly and well, including potentially at the Oxpens site. It was unlikely that there were streets of older housing within the city that could feasibly be redeveloped and replaced with new housing blocks.

The Panel expressed disappointment that so far, only student accommodation had been allocated on the Oxpens site. The Panel heard that the City Council was awaiting the latest plans for selling the site from the landowner, London and Continental Railways.

A Principle Planning Officer advised that the City Council had assessed that there was capacity for 10,368 additional housing units in Oxford in the period from 2011-31. This was a slight increase on the figure given in the Strategic Housing Land Availability Assessment (SHLAA). This was a very ambitious figure that assumed high density housing and should be seen as an absolute limit. Sites for 2,000-3,000 new housing units had been identified to date.

The Panel questioned what else the City Council was doing to get its message across. The Panel heard that the City Council was seeking to influence districts' local plans and had successfully pushed for a 2 year time limit on Cherwell reviewing its local plan. South Oxfordshire (SODC) would be the last of the 4 neighbouring districts to review its local plan, in 2017. SODC assumed a contribution of 3,000 new homes towards meeting Oxford's unmet housing need. It was consulting on three sites; land South of Grenoble Road, Wick Farm north-east of Barton, and a new settlement near Lewknor off junction 7 of the M40

motorway. The Board Member advised that he was not confident that Grenoble Road would be the preferred option.

The Panel questioned who owned land South of Grenoble Road and how many houses could be accommodated on this site. Principle Planning Officers advised that this depended on the particular parcel of land in question but that the site could accommodate at least 4,000 homes. The City Council, Thames Water Utilities, Magdalen College and Brasenose College were the major land owners.

The Panel asked whether improved transport links would be part of any urban extension of Oxford and heard that this would be part of the detailed work. The Board Member advised that the Cowley branch line represented an opportunity to improve transport in that part of the city, along with new or extended bus routes. More ambitious options, such as trams, were unlikely.

The City Council was also engaging at leader and officer level and using political persuasion and argument to challenge undesirable alternative options, such as developments near Swindon or in Oxfordshire villages. The City Council's position had been clearly represented in local media. The City Council was also making a technical and political case to national government.

7. HOUSING PANEL WORK PROGRAMME

The Scrutiny Officer made the following proposals which were agreed by the Panel:

- Due to delays in housing-related decisions going to CEB, an additional Housing Panel meeting could be scheduled for 5 November 2015. This would enable the Panel to pre-scrutinise decisions on the Sheltered Housing Review, Private Rented Sector Strategy and Housing Energy Strategy.
- As a consequence, an informal meeting scheduled for 26 October 2015 would be cancelled.
- Housing Panel members would be invited to the Finance Panel's budget review meeting on 7 January 2016 (5.30pm start) to consider the Council's Housing Revenue Account business plan and other budget proposals relating to housing.
- That a report on rent arrears would be scheduled to come to the Panel meeting in December.

Councillor Sanders apologised that she would be unable to attend the budget review meeting on 7 January 2016.

8. NOTES OF PREVIOUS MEETING

The Panel approved the notes of the meeting held on 4 June 2015.

9. DATE OF NEXT MEETING

Noted

The meeting started at 5.00 pm and ended at 6.33 pm

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