

Agenda

Cabinet

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This meeting will be held on:

Date: **Wednesday 10 March 2021**

Time: **6.00 pm**

Place: **Zoom - Remote meeting**

For further information please contact:

John Mitchell, Committee and Member Services Officer, Committee Services Officer

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✉️ DemocraticServices@oxford.gov.uk

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Cabinet Membership

Leader/ Chair

Councillor Susan Brown (Chair)	Leader of the Council, Cabinet Member for Economic Development and Partnerships

Cabinet Members

Councillor Ed Turner (Deputy Leader)	Deputy Leader (Statutory), Cabinet Member for Finance and Asset Management
Councillor Tom Hayes (Deputy Leader)	Deputy Leader, Cabinet Member for Green Transport and Zero Carbon Oxford
Councillor Nigel Chapman	Cabinet Member for Customer Focused Services
Councillor Mary Clarkson	Cabinet Member for City Centre, Covered Market and Culture
Councillor Alex Hollingsworth	Cabinet Member for Planning and Housing Delivery
Councillor Mike Rowley	Cabinet Member for Affordable Housing
Councillor Linda Smith	Cabinet Member for Leisure and Parks
Councillor Marie Tidball	Cabinet Member for Supporting Local Communities
Councillor Louise Upton	Cabinet Member for a Safer, Healthy Oxford

Apologies received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting.

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Agenda

Items to be considered at this meeting in open session (part 1) and in confidential session (part 2).

Future items to be discussed by the Cabinet can be found on the Forward Plan which is available on the Council's [website](#)

	Pages
1 Apologies for Absence	
2 Declarations of Interest	
Councillor Hayes declared non-pecuniary interests in relation to the Domestic Abuse Review Group report (which named Elmore Community Services as a provider and of which he was Chief Executive); and the Allocation of Homeless Prevention Funds report (which also named Elmore Community Services).	
3 Addresses and Questions by Members of the Public	
4 Councillor Addresses on any item for decision on the Board's agenda	
5 Councillor Addresses on Neighbourhood Issues	
6 Items raised by Board Members	
7 Scrutiny Committee Reports	
<u>Council Business Plan 2021-22</u>	
Councillor Gant said he was grateful for the positive response to most of the Scrutiny Committee's recommendations. In relation to the one recommendation which had not been agreed (concerning the Committee's view that there was a misalignment of priority 4 with the 2036 Local Plan Policies), the Committee would be grateful for a more detailed explanation for the reasons for the response.	
<u>Citizen Engagement</u>	
Councillor Gant noted that the recommendation of a pilot project to establish and assess the practicalities of engaging citizens in participatory budgeting had received a response referring to a micro-grant programme for local community groups to access and deliver against local priorities which was not, he argued, quite the same thing as that being sought by the recommendation.	

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Zero Carbon Council

Councillor Gant said several members of the Committee had asked him to express disappointment that all of its recommendations had been rejected.

Oxpens Lane Redevelopment Update

Councillor Gant was grateful to those who had attended the last meeting of the Committee and had contributed to an interesting discussion of the report but which had not resulted in a formal recommendation to Cabinet. He did however note the Committee's observation that the anticipated balance of housing and employment was skewed disproportionately towards the latter.

Councillor Hollingsworth, Cabinet Member for Planning & Housing Delivery, said that one member of the Committee had raised the last point and he was not sure that its expression could be held as the view of the Committee as a whole.

In relation to the point made by Scrutiny Committee in relation to the Business Plan referred to above, Cllr Hollingsworth said the assertion of misalignment was illfounded and, as written in the Scrutiny report, was factually incorrect. The Local Plan 2036 did include the higher environmental standards referred to.

Domestic Abuse Review Group (DARG)

Cllr Aziz, as Chair of the DARG, introduced the report by noting that its work had benefitted from input from a wide range of national and local experts, people working in domestic abuse services, as well as those with lived experience and those providing Council services. She paid tribute to the contribution of all those involved, including a number of Cabinet Members, the number of whom illustrated the cross cutting nature of this subject. The report had particular resonance at the moment given the increase in incidents of domestic violence during the pandemic. The report had opened up an important dialogue between service providers and the City Council.

The report raised a number of important issues, of which housing, in its many manifestations, was one of the most important. At its heart, victims of domestic violence should not be inhibited from escaping a

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perpetrator for want of somewhere to live and, similarly, there was a recommendation which would require perpetrators to leave a Council property.

There were important recommendations too in relation to those with no recourse to public funds and those for whom English was not their first language.

The group recognised that in the present climate there would be little prospect of additional funding for this area of work and the recommendations were focused on building on the good work already being done in the City by changing the culture in relation to responses to domestic abuse.

The Chair thanked Cllr Aziz and all those who had contributed to the work of the group, for this valuable and significant report. She noted that not all Members would have yet had the opportunity to digest this lengthy report fully. It was important that proper consideration should be given to its recommendations before providing a Cabinet response. It was intended to bring those responses back to Cabinet in June.

The Cabinet was unequivocal in its praise for the value of the report and made a number of detailed observations, including, among others: the importance of establishing a housing pathway for those affected by domestic abuse; noting that there were practices in relation to safeguarding which might helpfully be adopted in relation to domestic abuse; the desirability of reviewing practices in relation to those with complex needs which might, in turn, contribute to reducing domestic abuse; and noting that there may be merit in seeking joint responses to recommendations which touch upon responsibilities of the County Council and or police.

Climate Emergency Review Group (CERG)

Cllr Gant said that the Scrutiny Committee would consider the Cabinet response once it had been agreed by Cabinet.

Councillor Tom Hayes, Cabinet Member for Green Transport and Zero Carbon Oxford, said some care and time had been taken to assemble well considered Cabinet responses to the Review Group's recommendations. The Review Group had done a thorough and useful

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piece of work for which he was grateful.

Councillor Linda Smith, Cabinet Member for Leisure & Parks, raised two points of detail in relation to the report. Cllr Hayes agreed to modify the responses accordingly.

Cabinet resolved to:

1. **Agree** the Cabinet response to the CERG, subject to the modifications noted.

8 **Council Business Plan 2021-22 and Business Plan 2020-21 update**

15 - 82

Lead Member: Leader - Economic Development and Partnerships

Mish Tullar, Head of Corporate Policy, Partnerships and Communications has submitted a report to seek approval of the Oxford City Council Business Plan & Corporate KPIs.

Recommendations: That Cabinet resolves to:

1. **Agree** the draft Oxford City Council Business Plan 2021-21, setting out the Council's priority work programmes for the next financial year;
2. **Agree** the draft Oxford City Council corporate key performance indicators (KPIs) for 2021-24 - the remainder of the covered by the Council Strategy 2020-24; and
3. **Delegate** authority to the Head of Corporate Policy, Partnerships and Communications in consultation with the Council Leader to make further minor amendments to the draft Oxford City Council Business Plan 2021-22 and Corporate KPIs 2021-24, before implementation.

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9 Allocation of Homeless Prevention Funds for 2021/22

83 - 104

Lead Member: Cabinet Member for Affordable Housing

The Executive Director of Housing has submitted a report to approve the Homeless Prevention grant allocations for 21/22.

Recommendations: That Cabinet resolves to:

1. **Approve** the allocation of Homelessness Prevention funds to commission homelessness services in 2021/22 as outlined in paragraphs 23 to 30 and in Appendix 2 of the report;
2. **Delegate** to the Interim Director of Housing, in consultation with the Cabinet Member for Affordable Housing, the discretion to revise the intended programme within the overall budget if required; and
3. **Approve** the request for £15,000 of new expenditure from the 2020/21 allocation, outlined in paragraph 24.

10 Proposal for a Selective Licensing Scheme for privately rented homes

105 -
260

Lead Member: Cabinet Member for Planning and Housing Delivery (Councillor Alex Hollingsworth)

The Head of Regulatory Services and Community Safety has submitted a report to inform Cabinet of the results of the consultation exercise carried out into the proposal to introduce a selective licensing scheme in the city.

Following the consultation it is proposed that a selective licensing scheme is introduced, however there have been some proposed changes to the scheme based on the feedback received. If the recommendations are approved, a submission to the Secretary of State for Housing, Communities and Local Government will be required for confirmation before the scheme can be implemented.

Recommendations: That Cabinet resolves to:

1. **Consider** the outcome of the consultation process detailed in the report (Appendix 1), in particular the representations received and the Council's consideration and response to these (Appendix 3);
2. **Approve** the designations as outlined in Appendix 5A and 5B as being subject to selective licencing and confirm that Cabinet is satisfied :

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- a. That the statutory grounds and requirements outlined in this report to introduce a selective licensing scheme have been met
 - b. That it has considered other courses of action available to it that might provide an effective method of achieving the objectives that the designation intends to achieve , and
 - c. That it considers that making the designations will significantly assist it to achieve those objectives
3. **Agree** that a submission be made to the Secretary of State for Housing, Communities and Local Government requesting confirmation of the designations;
4. **Delegate**, subject to recommendation 3, to the Head of Regulatory Services and Community Safety and the Head of Law and Governance in consultation with the Cabinet member for Planning and Housing Delivery, responsibility for agreeing the final documentation requesting confirmation of the scheme to the Ministry of Housing, Communities and Local Government (MHCLG);
5. **Agree** to the proposed fee structure for licence applications at Appendix 7;
6. **Agree** the proposed licence conditions that would accompany any granted selective licence at Appendix 4; and
7. **Agree** the proposed eligibility criteria as detailed in Appendix 6.

11 Additional HMO licensing scheme renewal

261 -
404

Lead Member: Cabinet Member for Affordable Housing

The Head of Regulatory Services and Community Safety has submitted a report which provides the results from the consultation exercise carried out for the proposal to renew 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 on the 10th June 2021.

Recommendations: That Cabinet resolves to:

1. **Note** the Executive summary report of the Consultation of Licensing of Houses in Multiple Occupation (HMO) 2020 and note its findings attached at Appendix 1;

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2. **Confirm** that, having considered the report of the consultation along with the Review report: Additional HMO licensing scheme 2020 presented to the 9th September 2020 Cabinet meeting, an Additional HMO licensing scheme is required for a further 5 years commencing the 10th June 2021;
3. **Designate** the whole of the City as subject to additional licensing under section 56(1) (a) of the Housing Act 2004 for all 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;
4. **Delegate** to the Head of Regulatory Services and Community Safety the authority to sign and finalise the designation at Appendix 10;
5. **Recommend** to Council to adopt the proposed fees and charges structure for both mandatory and additional HMO licences attached at Appendix 6; and
6. **Adopt** the eligibility criteria for the new scheme as attached at Appendix 4 and Appendix 5 and delegate to the Head of Regulatory Services and Community Safety the authority to add or remove accreditation schemes, in consultation with the Head of Law and Governance.

12 Local Development Scheme 2021-2026

405 -
428

Lead Member: Cabinet Member for Planning and Housing Delivery (Councillor Alex Hollingsworth)

The Head of Planning Services has submitted a report to present for approval the updated programme for the preparation of documents that will form the Council's Local Plan.

Recommendation: That Cabinet resolves to:

1. **Approve** the Oxford Local Development Scheme 2021-26.

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13 Zero Emission Zone

Lead Member: Deputy Leader - Green Transport and Zero Carbon Oxford (Councillor Tom Hayes)

Report to follow.

14 Report back on Zero Carbon Summit and launch of partnership

429 -
450

Lead Member: Deputy Leader - Green Transport and Zero Carbon Oxford (Councillor Tom Hayes)

The Transition Director has submitted a report to report back on the outcomes of the Zero Carbon Oxford Summit, recommend formal adoption of the Zero Carbon Oxford Charter signed by major Oxford partners and employers, and to set out the next steps on Oxford's sprint to become a Zero Carbon City by 2040 or sooner.

Recommendations: That Cabinet resolves to:

1. **Note** the outcomes of the Zero Carbon Summit held in February 2021;
2. **Formally** adopt the Zero Carbon Oxford Charter, including the target date for Oxford to become a Zero Carbon city by 2040; and
3. **Note** the next steps to be taken to set out Oxford's sprint to become a Zero Carbon City by 2040 or sooner.

15 Integrated Performance Report for Q3

451 -
470

Lead Member: Deputy Leader - Finance and Asset Management

The Head of Financial Services and Head of Business Improvement have submitted a report to update the Cabinet on Finance, Risk and Corporate Performance matters as at 31 December 2020.

Recommendations: That Cabinet resolves to:

1. **Note** the projected financial outturn as well as the current position on risk and performance as at 31 December 2020.

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16	Business Rates Write Offs Lead Member: Deputy Leader (Statutory) - Finance and Asset Management (Councillor Ed Turner) The Head of Financial Services has submitted a report to approve the write-off of a debt of £213,810.60. Recommendation: That Cabinet resolves to: 1. Approve the write-off of the debt	471 - 478
17	Oxpens Lane Redevelopment Update Lead Member: Leader - Economic Development and Partnerships The Executive Director – Development has submitted a report to seek approval of additional loan finance, of up to £1m, to Oxford West End Development (OxWED) to support the preparation and submission of an Outline Planning Application and associated site preparation & promotion works. Recommendations: That Cabinet resolves to: 1. Agree, in line with the 21/22 Budget, approved by Council, to provide Oxford West End Development (OxWED) with a loan facility of up to £1m, subject to the OxWED Shareholders approval and Nuffield College providing the same level of facility; 2. Delegate the agreement of terms and draw down of the loan to the Head of Finance, in consultation with the Cabinet Member for Finance and Asset Management; and 3. Agree, in line with the 21/22 Budget, approved by Council, to provide up to £150k (revenue) from the reserve, for costs associated with a review of the OxWED company structure, and the implementation of any associated changes subsequently approved by the Shareholder.	479 - 484
18	Minutes Recommendation: That Cabinet resolves to APPROVE the minutes of the meeting held on 10 February 2021 as a true and accurate record.	485 - 494

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19 Dates of Future Meetings

Meetings are scheduled for the following dates:

14 April - at the time of writing no items are scheduled for this meeting.

16 June

14 July

09 August

15 September

13 October

11 November

15 December

All meetings start at 6pm.

PART TWO

MATTERS EXEMPT FROM PUBLICATION

20 Matters Exempt from Publication

No matters were considered in confidential session.

21 Oxpens Lane Redevelopment Update - Confidential Appendices

495 -
712

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Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors 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; licenses 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". 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 member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

How Oxford City Councillors and members of the public can engage at Cabinet

Addresses and questions by members of the public (15 minutes in total)

Members of the public can submit questions in writing about any item for decision at the meeting. Questions, stating the relevant agenda item, must be received by the Head of Law and Governance by 9.30am two clear working day before the meeting (eg for a Tuesday meeting, the deadline would be 9.30am on the Friday before). Questions can be submitted either by letter or by email (to cabinet@oxford.gov.uk).

Answers to the questions will be provided in writing at the meeting; supplementary questions will not be allowed. If it is not possible to provide an answer at the meeting it will be included in the minutes that are published on the Council's website within 2 working days of the meeting.

The Chair has discretion in exceptional circumstances to agree that a submitted question or related statement (dealing with matters that appear on the agenda) can be asked verbally at the meeting. In these cases, the question and/or address is limited to 3 minutes, and will be answered verbally by the Chair or another Cabinet member or an officer of the Council. The text of any proposed address must be submitted within the same timescale as questions.

For this agenda item the Chair's decision is final.

Councillors speaking at meetings

Oxford City councillors may, when the chair agrees, address the Cabinet on an item for decision on the agenda (other than on the minutes). The member seeking to make an address must notify the Head of Law and Governance by 9.30am at least one clear working day before the meeting, stating the relevant agenda items. An address may last for no more than three minutes. If an address is made, the Cabinet member who has political responsibility for the item for decision may respond or the Cabinet will have regard to the points raised in reaching its decision.

Councillors speaking on Neighbourhood issues (10 minutes in total)

Any City Councillor can raise local issues on behalf of communities directly with the Cabinet. The member seeking to make an address must notify the Head of Law and Governance by 9.30am at least one clear working day before the meeting, giving outline details of the issue. Priority will be given to those members who have not already addressed the Cabinet within the year and in the order received. Issues can only be raised once unless otherwise agreed by the Cabinet. The Cabinet's responsibility will be to hear the issue and respond at the meeting, if possible, or arrange a written response within 10 working days.

Items raised by Cabinet members

Such items must be submitted within the same timescale as questions and will be for discussion only and not for a Cabinet decision. Any item which requires a decision of the Cabinet will be the subject of a report to a future meeting of the Cabinet.

To: Cabinet

Date: 10 March 2021

Report of: Mish Tullar, Head of Corporate Policy, Partnerships and Communications

Title of Report: Oxford City Council Business Plan 2021-2022 & KPIs 2022-2024

Summary and recommendations	
Purpose of report:	Approval of Oxford City Council Business Plan & Corporate KPIs
Key decision:	Yes
Cabinet Member:	Councillor Susan Brown, Leader and Cabinet Member for Economic Development and Partnerships
Corporate Priority:	All Council Strategy priorities
Policy Framework:	Council Strategy 2020-24
Recommendations: That Cabinet resolves to:	
1. Agree the draft Oxford City Council Business Plan 2021-21, setting out the Council's priority work programmes for the next financial year; 2. Agree the draft Oxford City Council corporate key performance indicators (KPIs) for 2021-24 - the remainder of the covered by the Council Strategy 2020-24; and 3. Delegate authority to the Head of Corporate Policy, Partnerships and Communications in consultation with the Council Leader to make further minor amendments to the draft Oxford City Council Business Plan 2021-22 and Corporate KPIs 2021-24, before implementation.	

Appendices	
Appendix 1	Draft Business Plan 2021-22
Appendix 2	Draft Oxford City Council KPIs 2021-24
Appendix 3	Oxford City Council Strategy 2020-2024 – Corporate Success Measures

Introduction and background

1. Oxford City Council's Business Plan 2021-22 is an annual document that sets out publicly the Council's priority work programme activities for the year
2. The Business Plan activities for 2021-22 represent the second year of steps towards achieving the outcomes set out in our Council Strategy 20-24. Business Plans now and in future years will enable the Council to achieve these outcomes.
3. This annual Business Plan also includes an update on actions set out in the Business Plan 2020-21 and delivered during the course of that year.
4. The annual Business Plan will be complemented by the annual Budget and Medium Term Financial Plan (MTFP) that allocate resources against the priorities set.
5. The Business Plan work programme will also form the basis of key activities set out in Service Area plans.
6. New corporate level measures or key performance indicators (KPIs) for Oxford City Council Strategy 2020-2024 have also been developed. This work had been put on hold early 2020 due to the COVID crisis (see point 9).
7. These Corporate KPIs will be tracked and reported on over the remaining three year period of the Council Strategy and will enable monitoring of progress towards delivering the outcomes set out in the Strategy.
8. Below we set out our approach to forming the KPIs.

Development of the Corporate Success Measures (KPIs)

9. Prior to business planning, work to agree corporate key performance indicators (KPI's) started in September 2020. Individual meetings with Heads of Service were arranged to look at existing corporate success measures and consider whether these or new ones needed be developed.
10. To support the development of KPIs a workshop was organised in October 2020, facilitated by our external auditor BDO LLP, and attended by Heads of Service and relevant staff members. This process agreed a range of indicators under each Council priority with further refinement required over the coming months alongside the development of the Business Plan.
11. The final KPIs were agreed in a 14 January workshop involving all Directors, Heads of Service and other senior officers and policy officers. These were then further discussed by Directors with respective Portfolio Holders.

Development of the Business Plan 2021-22

12. One-to-one meetings on business planning with Heads of Service commenced in November 2020. The process of agreeing what would be completed in the current financial year and delivered in the following three years was discussed, with Heads of Service then taking the plan back to their teams for further discussion. As was the case with last year's business plan, the focus was on actions and work programmes that will deliver transformational change or development over the 12 month period, rather than business as usual (BAU) activities.
13. A draft version of the business plan was discussed at Operational Delivery Group in late November and by the Corporate Management Team in December with

comments gathered and an updated draft produced in advance of the 14 January workshop.

14. Directors then held discussions with respective Portfolio Holders as a result of which the draft business plan was refined further.

Document Structure

15. The Business Plan activities sit against the four Council Strategy 20-24 strategic priorities. Although many of the activities are cross cutting in their nature, for ease of presentation each activity is allocated against to one of the overarching priorities.
16. In line with many other local authorities the Business Plan 2021-22 will be published in the form of a short, colour, fully accessible PDF.

Financial implications

17. The Business Plan 2021-22 sets out high level activities and milestones that are reflected in the Council Budget 2021-22. It does not contain specific expenditure commitments.

Legal issues

18. There are no legal issues associated with this Business Plan.

Equalities impact

19. The Business Plan 2021-22 is concerned with high level activities and milestones. It contains specific actions designed to support strategic objectives of reducing financial and social inequality and increasing inclusivity. These include:
 - a. Increase the level of social value secured through our contracts, promote the Oxford Living Wage and encourage more local small businesses, charities, co-operatives and social enterprises to bid for contracts, working closely with OxLEP.
 - b. Deliver the Oxford City Council Workforce Equalities Action Plan year 2 actions, to for example: increase representation of BAME employees in the workplace and increase representation of BAME and women at all management levels
 - c. Deliver the year 2 actions of the Customer Experience Strategy including improving access and inclusion with a particular focus on people that do not have access to digital technologies.
 - d. Support and run the Kick Start Work Placement programme, which provides subsidised placements for 16-24 year olds, into local small and medium size companies – targeted in the areas which have been hit the hardest by the pandemic.
 - e. Commence the Community Employment Support programme, working with partners, including Aspire and Job Centre Plus, to provide focused help in localities to help people get back into work.
 - f. Develop a new Housing and Homelessness Strategy focused on increasing the supply of good quality affordable homes in the city, preventing homelessness and ending rough sleeping.

- g. Reopen leisure centres safely, in meeting the needs and demands of residents. Work on a plan to ensure accessibility and affordability for young people, crèche facilities and through social prescribing mental health support too.
- h. Work with key stakeholders and partners to make parks and leisure centres and green spaces fully accessible.
- i. Work with partners to make the case for Oxford to become an Opportunity Area, attracting associated funding, and related initiatives to close the attainment gap for disadvantaged, BAME and SEND young people.
- j. Adapt how we deliver youth work to support the changing needs of young people, such as the impact of online interactions, and help address mental health issues experienced by many during the pandemic.
- k. Launch a Thriving Community Strategy with the principles of community engagement, involvement and participation to deliver outcomes that matter to the Council and local people.
- l. Work closely with health partners to ensure the vaccination is accessible to and embraced by our most vulnerable residents.
- m. Work with partners and secure funding to a) develop adaptable bikes or b) purchase adaptable bikes for children with disabilities.
- n. Continue to support vulnerable people impacted from COVID-19 and ensure their needs are met and people are signposted to opportunities and provision.
- o. Implement recommendations of the Adult Safeguarding Board review into Rough Sleeper deaths.
- p. Launch an Equalities, Diversity and Inclusion strategy that will increase trust and belonging between the Council and communities, predicated on inclusive values and reflecting the rich diversity in Oxford - and help us to build back fairer.
- q. Embed the use of Oxford City Council's new Residents Panel and gender-balanced Race Advisory Group to improve engagement and influence decision making.
- r. Engage Council tenants to maximise their involvement in decisions on retrofitting that affect their homes.

Report author	Mish Tullar
Job title	Head of Corporate Policy, Partnerships & Communication
Service area or department	Assistant Chief Executive
Telephone	07483 010499
e-mail	Mtullar@oxford.gov.uk

Background Papers: None

Business Planning 21/22

Priority 1: Enable an inclusive economy

Oxford needs a more inclusive economy in which wealth is distributed across our communities and where all citizens can share the benefits of growth.

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
19 Deliver	1. Our Council-owned companies will have increased their profits to help maintain the services we provide, and we will have supported more local businesses, including social enterprises and cooperatives, by changing the way we buy our goods and services.	- Launched a new Oxford City Council Procurement Strategy to help secure good value and quality for the Council. - Approved the revised Oxford Direct Services (ODS) Business Plan and a programme of Council works to be delivered by ODS and its local supply chain. - COVID-19 support grants awarded to businesses affected by the pandemic. - Increase in revenue from work tackling fraud.	- In line with our Procurement Strategy, we will increase the level of social value secured through our contracts with a focus on maximising opportunities through the tendering process, promotion of the Oxford Living Wage, and a programme of supply-chain engagement. This will also include our work to encourage more local small businesses, charities, co-operatives and social enterprises to bid for contracts, working closely with OxLEP. - The Council and its wholly-owned housing company, Oxford City Housing Limited (OCHL), will use its capital investment programmes to, where appropriate, work with Oxford Direct Services Limited (ODSL), local contractors and local supply chains.	- We will work with a partnership of major public organisations to identify practical steps that increase local public sector procurement spend and develop the local supply chain to support the local economy. - ODS will roll out its transformation programme to consolidate depots, increase workforce efficiency through new technology and changes to working practices, and reduce its carbon footprint.

Appendix 1

20

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
			This will serve to increase local capability, capacity, and spend in Oxford's construction industry, and support the local economy.	
	2. Our staff will be more skilled and confident in delivering services our citizens want and our workforce will better reflect Oxford's diverse population.	- Implemented the Oxford City Council Workforce Equalities Action Plan. - Implemented a new Customer Experience Strategy and completed year 1 actions. - Produced a People Strategy. - Started review of Council office spaces in the City and how we use them, to embrace new ways of working as well as ensuring our staff's wellbeing. - Maximised take up of benefits throughout COVID-19 pandemic - e.g. hardship fund distribution.	- Implement the People Strategy: - Leadership framework for behaviours and competencies - Develop a high performing and flexible workforce - Develop a culture of wellbeing, diversity and engagement - Ensure the People Team transforms and supports the cultural change required in the Council. - Deliver the Oxford City Council Workforce Equalities Action Plan year 2 actions, to include: - Increase representation of BAME employees in the workplace - Increase representation of BAME and women at all management levels - Publish pay gaps that focus on gender, ethnicity and disability - Drive cultural change in leadership to foster an inclusive culture and environment - Raise awareness of "Unconscious	- Implement recommendations on utilisation of Council office space to embrace new ways of working as well as promoting our staff's wellbeing. - Deliver an expanded programme of apprenticeships, providing a greater range of opportunities to work at Oxford City Council and ODS across a range of levels. Ensure a targeted approach to tackle issues of under-representation. - Incorporate 'intersectionality' (ie. an understanding of people's overlapping identities and experiences in order to understand the complexity of prejudices they may face) into our equality, training and development programmes. - Continue to monitor race, gender and disability pay gaps, and as a result, implement

Appendix 1

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
21			Bias” in recruitment practices ○ Ensure valuing diversity is promoted. 3. Deliver the Customer Experience Strategy year 2 actions, including improving access and inclusion for our customers, streamlining processes and maximising automation where possible with a particular focus on supporting and enabling people that do not have access to digital technologies to become more confident and connected.	strategy to tackle disparities.
	3. Oxford's economy will be stronger, with diverse sectors providing a wider range of accessible business and employment opportunities for all.	• Working with Oxfordshire Local Enterprise Partnership (OxLEP), Oxfordshire County Council, our district council partners, and other stakeholders, to produce a county-wide Economic Recovery Plan, including the recovery and rebuild phases. • Delivered a programme of business support grants and advice support businesses directly affected by COVID-19 - worth	1. Working with the Oxford Strategic Partnership, we will consult and launch Oxford's Economic Recovery Strategy and Action Plan. This will set out areas where the Council can directly intervene, and where it will need to work with public and private sector partners to respond to the economic impacts of COVID-19. The strategy will consider likely trends moving forward; the economic opportunities in different parts of the city, and the proposed major growth areas; support for sectors hardest hit, such as retail, hospitality and the wider visitor economy; how to develop growth sectors, such as science and tech, creative industries;	4. As part of Building Back Better, post-COVID, we will support and facilitate a countywide Inclusive Economy Commission to provide thought leadership, and the alignment of Council and partner interventions around skills, education, employment and use of physical assets. This should support the diversification and strengthening of our local economy, by focusing on community wealth building and a reduction in inequality. 5. We will seek to develop an Inclusive Economy Charter for

Appendix 1

22

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
		£30m to local business. Published the Inclusive Economy Report that highlights the actions needed to tackle inequality countywide.	the role of infrastructure in unlocking growth; and the skills agenda. 2. We will continue to support the survival and resilience of local businesses adversely affected by the pandemic through available grant funding. As part of a move to increase local economic strength, we will increasingly shift our financial support to those who have new ideas; that need to adapt or pivot their current business model in response to changing circumstances; or that want to support local job seekers. 3. Work with district council partners to support OxLEP and Experience Oxfordshire in developing a countywide plan to support the recovery of the broader visitor economy.	the city, to articulate and promote a high standard of economic and social well-being for businesses and organisations to adhere to. 6. We will work with partners across the Oxford to Cambridge Arc to develop an ambition for sustainable development and the case for devolution of powers and funding, to help deliver the infrastructure and on-going support needed to support our local economy.
	4. We will have secured different types of new workspace in the city to support business and employment	Secured funding for and procurement of operator for the Oxfordshire Meanwhile Project.	1. In direct response to the increase in vacant units caused by the pandemic, we will deliver the “Meanwhile in Oxfordshire” project. This will identify and invest in empty units to facilitate their temporary use, supporting activity on the high street, and working with local people to start, test, and grow their business ideas.	3. We will continue to evolve, and where appropriate invest in, our commercial property portfolio to respond to new trends, maintain income levels to fund core services, and support economic and business growth in the city. 4. We will actively look to invest in new regeneration opportunities

Appendix 1

23

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
	growth		2. We will refurbish and repurpose our 1-3 George Street asset, as an affordable, energy efficient, co-working hub. The space will be designed to meet the needs of early stage businesses, including in the creative and social enterprise sectors. We will also appoint an operator to manage the space and provide support to tenants.	across the city, where our investment could increase levels and improve non-retail commercial stock. This will support access to good quality space and jobs, and diversify the Council's commercial portfolio. 5. We will agree a Workspace Strategy for the city, which brings together available evidence to articulate the continued demand for space across key sectors, such as science, tech managed & co-workspace, and light industrial. Informed by this, we will develop a plan for the future use of surplus Council accommodation. 6. We will work to secure funding, and then complete the redevelopment or refurbishment of workspace at Standingford House on Cave Street. 7. We will continue to use our land ownership, access to grant funding, planning powers, and influence to facilitate provision of different types of workspace to

Appendix 1

24

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
				meet the needs of Oxford's economy and its population. This should include a focus on current employment areas such as the city-centre, Summertown, Headington, and the Science and Business Parks; but also future ones at Osney, Oxford North, Grenoble Road and the West End.
	5. The movement of people and goods into and within the city will have improved, resulting in less traffic congestion, better air quality and faster journey times.	- Delivered a range of proposals to support public transport and active travel, in light of the COVID-19 pandemic, working in partnership with the County Council. This has included additional bike parking across the city, improved cycle routes, and provision of free Park & Ride - Working with Oxfordshire County Council, developed the longer-term proposals around both Zero Emissions Zone and	- We will develop a Transport and Connectivity Prospectus, working with the County Council and bus operators. This will bring together proposed short, medium and longer-term interventions to support the economic recovery by promoting inclusive, active and public travel modes. - We will work with partners to develop an integrated active travel network, including delivering cycle improvements at Boults Lane, Marston, Cuckoo Lane/Headington Hill and Boundary Brook/Donnington Rec, with a combined value of £1m, funded by the Growth Deal. - We will support Network Rail's first	- Working with the County Council, we will secure funding and implement the Connecting Oxford proposals, including traffic modal filters and a Workplace Parking Levy. This will manage and reduce congestion across the city, and prioritise sustainable travel by bus, bike and foot. - As a consequence of a sustainable transport and planning strategy car parks including those at Worcester Street, Oxpens, Diamond Place and Union Street will come forward for redevelopment. We will

Appendix 1

25

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
		Connecting Oxford and completed consultation on ZEZ Pilot.	stage of major investment in Oxford Station, to improve the western entrance, and facilitate increased connectivity, including East West Rail from late 2024. 4. We will deliver the pilot phase of the Zero Emissions Zone in the city centre, working with the County Council. 5. Working with the County Council we will create more spaces for pedestrian access including the creation of Low Traffic Neighbourhoods, School Streets and deploy traffic filters.	manage their phasing out, working with the County Council to ensure alignment with planned sustainable and active travel improvements. 8. We will work with Network Rail, Department for Transport and the County Council to secure funding for the Oxfordshire Connect programme of rail improvements, including further enhancements at Oxford Station and progress the reopening of the Cowley Branch Line. 9. We will work with Oxfordshire County Council to produce a new Oxford Transport Strategy. This will support active travel transport planning and investment in the city. It will also support workstreams such as the development of proposals for the Oxford Cycle Greenways strategic routes; the future strategy for Park & Rides; a long-term plan for

Appendix 1

26

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
				coach parking; and feasibility for freight consolidation.
Influence	6. We will improve the resilience of the city centre and its relevance to more of our citizens	• Trialled the opening of the Covered Market in the evening to increase footfall, supported by a range of events and activities. • Consulted on the Covered Market Leasing Strategy • Implemented signage and enhanced cleaning regimes across the city centre to support COVID-safety. • Implemented temporary pedestrianisation of George Street and St Michael Street to facilitate outdoor dining during the pandemic.	1. We will support the city centre and its businesses as we emerge from lockdown. Alongside access to grants, where applicable, this will include continued promotion of outdoor tables and chairs, new signage and public information to support public health, and a marketing campaign to encourage people to return to the city centre to shop local, safely. We will also work with local partners to explore the feasibility of temporarily pedestrianising Broad St over summer 2021. 2. Working with the City Centre Taskforce, we will consult and launch the City Centre Vision and Recovery Plan to support our response to the impacts of COVID-19. This will include a focus on the independent retail offer, the visitor economy and its management, public realm, transport & movement, sustainability, opportunities for new workspace and residential uses, and inclusive access for all our citizens. 3. To attract more footfall and activity into the Covered Market, and to help it	4. Working with our long-term leaseholder, we will support the redevelopment and conversion of the former Boswells Department Store into a hotel, restaurant and co-workspace. 5. We will produce a Public Realm Strategy for the city centre, which responds directly to the opportunities for change that reducing congestion via the Connecting Oxford programme will bring. This will include a set of prioritised projects to help shape key areas of the city centre, including opportunities for planting & biodiversity, lighting, wayfinding, places to sit and dwell and ideas to activate and animate our public spaces. The strategy will act as the basis for future bids to secure funding to deliver the identified schemes.

Appendix 1

27

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
			continue to adapt to retail trends, we will work with traders and stakeholders to adopt a new Leasing Strategy; and continue work on a masterplan to make the case for future long-term investment in the building.	
	7. The city centre will be expanding to the west. Attractive new areas will be emerging around Oxford station, in Oxpens and Osney Mead - but not at the expense of the health and vibrancy of the existing city centre.	- Helped secure funds for the first phase of investment in Oxford Station, including the additional western track & platform, new west-side entrance and the widening and replacement of Botley rail bridge. - Commenced a new West End Supplementary Planning Document (SPD) including Oxpens, Osney Mead and wider Oxford Station area, with the aim to help facilitate comprehensive redevelopment of this part of the city. - Commissioned feasibility work for the	- We will launch Oxford's West End Global Innovation District (OxWID) project, taking forward this priority project within Oxfordshire's Local Industrial Strategy. This will include establishing a strategic board to help shape a shared vision and set objectives for the area, and coordinate and align development across the key landowners and partners. - We will develop and agree a new masterplan for the Oxford Station area, working with Network Rail, the County Council and OxLEP. - We will begin work on an outline planning application for the Oxpens redevelopment, in partnership with Nuffield College.	- We will adopt a new West End masterplan SPD and infrastructure plan to guide development in the West End Area of Change, in line with the Local Plan. This will include the masterplanning of the Osney Mead area. We will secure outline planning permission for the redevelopment of Oxpens to enable this key site's redevelopment. - We will commence the construction of the new bridge connecting Osney Mead with Oxpens and the city centre. - Working with partners in OxWID, and through the West End masterplan SPD and infrastructure plan, we will help shape and facilitate development proposals,

Appendix 1

28

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
		redevelopment of Oxford Station (east-side), including the main ticket hall and surrounding land.		including for the Station area, the Island Site, the area adjacent to the Jam Factory and at Osney Mead.
	8. More organisations in Oxford will be socially and environmentally responsible - paying the Oxford Living Wage and adopting practices that deliver clean economic growth which benefits all residents.	- Promoted the Oxford Living Wage through an ongoing annual campaign, securing 30 new OLW payers. - Created business opportunities for ODS to participate more widely in the clean growth sector.	- We will build on the successful rollout of the Oxford Living Wage by attracting new OLW payers and encouraging new businesses we support to create Living Wage Jobs. - ODS will establish closer alliances with appropriate partners to increase delivery of social value.	- We will deliver a Business Conference on Inclusive Economy, in partnership with Aspire and Unipart. This will cover business adoption of inclusive recruitment, supply chain, higher pay, and sustainable business practices. - We will work with partners to establish a long term strategy and funds to promote the Oxford Living Wage across the city.
	9. Oxford will have improved the workforce skills it needs through higher educational attainment and	Worked with the Oxfordshire Skills Board, OxLEP skills team and other partners to update the Oxfordshire Skills Strategy in light of the COVID-19 pandemic,	We will ensure that as our city recovers economically, we are supporting the development of skills and jobs for those most in need. The Council will be both an employer and intermediary for the Kick Start Work Placement programme, which provides subsidised placements	We will support the implementation of the Community Employment Plan at Oxford North, working with partners to help local people access the employment, training and supply chain opportunities

Appendix 1

29

	Council Strategy 20-24 Outcome	Year 1 Actions completed (20/21)	Year 2 actions (21/22)	Year 3-4 actions (22/24)
	more training for the jobs of the future.	ensuring funding for key skills and retraining, careers advice and apprenticeships in Oxford. • Created a Technical Advice Note for major new developments to help them develop Community Employment Plans that focus on local employment, skills, and supply chains to retain more wealth locally. • Held an Oxford Strategic Partnership Education Summit, bringing together education system leaders in Oxford to develop stronger partnership working to improve educational attainment.	for 16-24 year olds, into local small and medium size companies – targeted in the areas which have been hit the hardest by the pandemic. 2. We will commence the Community Employment Support programme, working with partners, including Aspire and Job Centre Plus, to provide focused help in localities to help people access existing work programmes and get back into work.	from this major development. 4. We will promote the increased use of the new Community Employment Plan Toolkit across Oxford's new developments. 5. We will work with business groups to encourage employer take up of T-Level placements in line with their Corporate Social Responsibility (CSR) policies 6. Working with OxLEP and the Inclusive Growth Commission, we will work to attract more investment in early-years education through innovative programmes with business and other partners. 7. Working through the Oxfordshire Skills Board, we will work to increase the sector-based higher and advanced level apprenticeship programmes delivered with local partners, encouraging social mobility within the local workforce.

Appendix 1

Priority 2: Deliver more, affordable housing

Intervention is needed to address Oxford's housing crisis where existing homes are unaffordable for many and demand for good quality homes outstrips what is available.

	Council Strategy 20-24 Outcome	Year 1 Actions completed	Year 2 Actions	Year 3-4 Actions

Appendix 1

31 Deliver	1. We will have increased the supply of high quality, energy efficient, accessible, and affordable housing, including new council housing as well as other types of homes to rent and for sale at different prices.	• Agreed a revised Oxford City Housing Limited (OCHL) business plan and delivering the 20/21 plan, which includes construction of homes at Between Towns Road, Mortimer Drive, two sites at Rose Hill, Harts Close in Kidlington, and other sites • Completed further phases at Barton Park (phases 2 and 4).	1. Continue to implement the OCHL business plan including putting the company on an increasingly stable financial footing, developing the skills to increase levels of output and profitability, bringing in or developing experience in Modern Methods of Construction (MMC) and zero-carbon/zero-carbon ready building, aiming to acquire development sites outside the city, forge partnerships and supply chain relationships. 2. Broaden ODS' skill set and experience to enable it to partner with OCHL in delivering more complex housing schemes. 3. Review the Council's approach to the allocation of social housing, to ensure it reflects our values and priorities, supporting those most in housing need, relieving homelessness and rehousing rough sleepers.	4. Continue to deliver the OCHL business plan in line with the Council's ambitions. 5. Continue to bring forward new sites for housing development, such as former Lucy Faithfull House and Redbridge Paddock. 6. Review/update the Oxford Local Plan. 7. Develop a new Oxford Living Rent to set a benchmark for energy efficient, affordable housing at intermediate price points, for working families in the city. Encourage landlords to sign up to this.

Appendix 1

	2. In regeneration projects such as Blackbird Leys, our new housing will be high quality with improved public spaces and served by good public transport and cycling and walking routes.	Secured planning permission for East Oxford Community Centre and associated housing.	- Continue to drive forward a programme of mixed-use regeneration projects, including feasibility work at Diamond Place to agree a preferred development option. - Start the delivery of the new East Oxford Community Centre and associated housing, with work on site. - Work with development partner Catalyst Housing to seek planning permission for the regeneration of Blackbird Leys (including community centre, housing, public spaces).	- Secure funds and permissions for next phase of regeneration projects, including Diamond Place and Oxpens. - The first phase of the district centre of Blackbird Leys will be underway, delivering new community facilities, retail space and residential units. - Deliver the housing associated with East Oxford Community Centre

Appendix 1

33

	3. More Council and private sector tenants will have been supported to stay in their homes when they face the prospect of eviction.	• Rolled out a council-wide response to homelessness prevention in response to the pandemic, led by a cross-Council group.	1. Develop a new Housing and Homelessness Strategy for Oxford City Council setting out the Council's ambition, focused on delivering its strategic objectives for increasing the supply of good quality affordable homes in the city, preventing homelessness and ending rough sleeping. 2. Continue to develop and implement a Council-wide approach to homelessness prevention. Roll out and embed new approaches to early intervention to prevent people from experiencing homelessness across the Council, and tailor the support offer to clients to achieve better outcomes, based on learning from the Trailblazer programme. 3. Transform of our Housing Needs service, to increase its focus on the prevention of homelessness. 4. Strengthen links with key external partners, such as the hospitals and social services and mental health providers, so they can identify those at risk of homelessness so council services can intervene early and help sustain tenancies.	5. Continue efforts to further improve services, strengthening the corporate commitment to homelessness prevention. 6. Increase the number of positive outcomes from the Prevention Duty under the Homelessness Reduction Act.

Appendix 1

34 Partner	4. More developers, housing associations and others will view Oxford as a good place to build a range of different housing types.	• Worked with the universities to accommodate more students in purpose-built accommodation in order to release community housing for non-students. • Engaged with homeowners, small site developers and builders to provide a proactive, solutions-based approach to unlocking infill development opportunities and increasing capacity of existing homes, wherever possible. • Prepared a new Housing Delivery Test Action Plan to be produced and then updated annually to ensure a proactive approach to managing issues that affect delivery are taken.	1. Continue to look for opportunities for the council to buy affordable homes which planning policy requires private developers to deliver (Section 106) in order to influence quality and create the type of accommodation that residents need. 2. Establish closer relationships, partnership working arrangements and enhanced support and advice for developers, housing associations and community-led groups to achieve a faster rate of delivery of new homes, including using innovative and latest practice. 3. Engage with developers through the Housing Delivery Action Plan, including more focused engagement with key site promoters and developers. Recent engagement suggested little impact of COVID-19 on the sites delivering in the short term. 4. Begin work on the Oxford Local Plan 2040 that aligns with the Oxfordshire Plan 2050 and neighbouring authority local plan programmes where possible. This will seek to ensure we facilitate growth that aligns to the corporate objectives within the context of national planning policy.	5. Support the next stages of the Oxfordshire 2050 plan, including further consultations. 6. Review the engagement through the Housing Delivery Action Plan, which may require a more intensive targeted approach to unlock sites.

Appendix 1

35

	5. Working with neighbouring authorities we will be implementing the agreed countywide approach to meeting housing needs.	• Working with neighbouring authorities to ensure the current suite of local plans committed within the Growth Deal are put in place – to secure, embed and ultimately deliver the agreed housing commitments. • Engaged with neighbouring authorities to ensure housing needs are delivered beyond allocations. • Work with housing teams in neighbouring authorities to secure nomination rights for sites targeted at meeting Oxford's housing needs.	• Complete the work to establish arrangements for Oxfordshire's district councils to help meet Oxford's unmet demand for homes.	• Work with neighbouring councils, landlords and stakeholders to deliver more houses that are integrated into the city and wider county to enhance a sense of community and wellbeing and enable people to live closer to where they work.

Appendix 1

	6. Working with housing associations we will have delivered more move on accommodation for people in need.		1. Work with housing associations and other key partners through the Rough Sleeper Taskforce to accelerate the move-on of rough sleepers in interim accommodation due to the pandemic into secure, long term accommodation	2. Continue to maximise access to move-on accommodation, into both council-owned and other providers' homes, with the right level of support, not necessarily via the adult homelessness pathway.
	7. Working with landlords we will have improved the quality and energy efficiency of privately rented homes in Oxford.	• Consulted on a Selective Licensing Scheme as part of a policy framework to improve quality standards for all private sector tenants.	1. Revise the Council's Private Rented Sector Housing Policy that encapsulates a vision to provide good quality housing standards for all. 2. Approve a Selective Licensing Scheme to enable an application to be made to Government in 2021/22 to improve standards in private rented sector housing in Oxford. 3. Campaign for greater national controls of the short-let market and actively seek enforcement opportunities to close the regulatory gap. 4. Increase the number of Energy Performance Certificates (EPCs) issued to landlords in the private rented sector by using the new delegated powers.	5. Develop the partnership with landlords and agents, taking a co-production approach to improve the quality and management of the Private Rented Sector (PRS). 6. Subject to Government approval, implement a Selective Licensing Scheme for all Private Rented Sector Property across the city. 7. Increase compliance with the requirement for privately rented properties to have an EPC to 80%. 8. Develop relationships with tenants groups to help enable tenants to be empowered in their relationships with landlords and agents.

Appendix 1

37 Influence	8. New housing including new urban extensions will be being built to create strong communities with good local amenities and sustainable transport links into the city. Sites valued by local people for leisure and recreation will be protected.	• Working in partnership with neighbouring authorities to influence the design and quality of development in Oxfordshire, including through the Oxfordshire Plan 2050 and other partnership opportunities.	1. Work with partners to explore the appropriateness of additional planning briefs or strategies, to guide the development of infrastructure and exemplar development on the edges of the city, including for example, around the proposed stations for the Cowley Branch Line.	2. Working with landowner partners, Oxford City Council will submit a planning application associated with land it owns, to include significant levels of new housing, as part of the development of South Oxford Science Village off Grenoble Road. 3. Work with district councils and other partners to ensure that schemes are well designed, are integrated into the city and the wider county, and promote both active travel and public transport alongside low carbon/zero carbon building.

Appendix 1

Priority 3: Support thriving communities

Oxford's diverse communities should be equipped, supported and enabled to tackle inequality and ensure everyone is able to play a full part in the life of our city.

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
83 Deliver	1. Our services, grants, community and leisure facilities, parks and cultural events will have helped reduce inequality, increase cohesion and improve health and wellbeing across Oxford's communities.	- Invested £150k in mobilising locality-based teams in response to COVID-19. - Developed a locality-based model that supports local community groups and organisations to be fully involved working in partnership with the Council. - Invested £1.3million of grant funding in our communities and voluntary sector with a focus on improving health, tackling climate change, widening opportunities, building community resilience, celebrating diversity	- Review the Council's grants programme to better align our Council priorities with the needs of local communities due to the impact of COVID-19. - As part of the strategic grants review, develop a micro-grant programme for local community groups to access and deliver against local priorities. - Work strategically with other key stakeholders in the city to invest in locality-based commissioning and delivering shared outcomes. - Identify opportunities for greater collaboration between the Council and Voluntary and Community Sector (VCS) stakeholders to deliver against local priorities and leverage in further funding into the city. - Develop a Volunteer Protocol to ensure the quality of volunteering and support to volunteers is of a	- Mobilise the Volunteer Protocol and VCS support service. - Continue to work closely with advice centres to strengthen their accessibility for diverse communities and to support close working with locality hubs and the Council welfare services and contact centre.

Appendix 1

39

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		and success, mobilising seldom heard groups and making it easier and more popular to access our leisure and cultural facilities and other community assets. • Worked with Fusion Lifestyle and user groups to develop a sustainable basis for reopening the Council's leisure facilities; and undertaking a review of longer-term provision.	nationally recognised standard. 6. Consider findings of a review of leisure provision, with a view to reset the offer post-COVID - meeting the needs of the city. 7. Reopen leisure centres safely, in meeting the needs and demands of residents. Work on a plan to ensure accessibility and affordability for young people, crèche facilities and through social prescribing mental health support too. 8. Work with key stakeholders and partners to make parks and leisure centres and green spaces fully accessible. 9. Develop a strategic partnership framework that enables key stakeholders in the city to confidently share intelligence and insight to proactively monitor, track and respond to causal issues linked to poverty with an emphasis on prevention and achieving outcomes.	
	2. Children and young people's resilience and confidence will	• Worked with young people through our Youth Ambition Programme, to better	1. Building on the success of the Youth Ambition Programme we will further embed the expertise and skills into the workforce operating within the	6. By 2024 our Youth Ambition Programme will have supported and empowered the most disadvantaged young people in

Appendix 1

40

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
	have increased through the educational and recreational activities we offer.	understand and address the impact of COVID-19 in relation to social interactions, and accessing education through digital tools. • Focused our Youth Ambition resources to prioritise those young people that may require extra support to get involved in activities.	locality hubs model to increase our coverage and impact. 2. Establish a Youth Ambition mentoring programme supported by the locality hubs, which can support the take up of apprenticeships. 3. Work with the County Council and partners to ensure children and young people are involved in tackling the issues that impact them, such as climate change and accessing green technologies and cultural and recreational activities. 4. Work with partners to make the case for Oxford to become an Opportunity Area, attracting associated funding, and related initiatives to close the attainment gap for disadvantaged, BAME and SEND young people. 5. Adapt how we deliver youth work to support the changing needs of young people, such as the impact of online interactions, and help address mental health issues experienced by many during the pandemic.	accessing arts, leisure, educational and cultural programmes to enable them to make these initiatives a key part of their futures.. 7. Develop the use of intelligence insight to better direct resources to support young people, particularly those that seldom participate in activities. 8. Working with key stakeholders in localities we will utilise their insights, experience and assets to develop opportunities for young people – which those young people can relate to.
	3. As a good landlord, we will have worked	• We have successfully tested a new locality-based approach in	1. Develop a more integrated frontline locality-based service delivery offer involving 6 locality hub teams that	3. Take forward, and implement a new locality-based model, shaped by tenant's views and

Appendix 1

41

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
	with our Council tenants and residents to strengthen local communities; and worked with other major landlords to improve the services they provide.	response to the pandemic, deploying multi-skilled, customer-facing staff to improve the experience and outcomes for our residents.	brings together housing, community services, tenancy management support, etc. to provide a framework for greater colocation with partners and an emphasis on: - Prevention early intervention and support - Community led co-productive social action – where residents are involved in decision making on matters that affect them directly - Improved service co-ordination with issues resolved right first time, closer to people's homes - Locality-based commissioning making decisions on available funding to deliver projects that meet local needs and priorities. - Develop a change programme for the Council's landlord services, in response to the Housing White Paper and carry out an extensive survey of residents to gauge views and satisfaction.	needs.
	4. Our parks and public spaces will remain	Launched and promoted Go Active Outdoors to help	- Evaluate the impact of Go Active across the city. - Agree a baseline position and	5. Monitor the impact of our social prescribing initiatives on the mental and physical wellbeing of

Appendix 1

42

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
	clean, safe, and well maintained, and will be accessible to more people to people to enjoy the health and wellbeing benefits they provide.	promote inclusive access and the range of activities within the city's parks.	establish targets with community associations/centres including resources. 3. Encourage and support community associations and community centres to deliver a 'One Planet Living' approach (a vision of the world in which people enjoy happy, healthy lives within their fair share of the earth's resources, leaving space for wildlife and wilderness) and champion this in our communities. 4. Submit an application to DEFRA for designated bathing water status for a stretch of the Thames in Oxford.	our citizens that are referred from either primary care or community services. 6. Monitor the impact of the 'One Planet Living' approach by our community associations, and where there are gaps mobilise and incentivise local community groups to be the local champions.
Partner	5. Working with neighbouring councils and partners, we will prevent homelessness, move people in temporary accommodation more rapidly into secure housing, and ensure that no	- Received Crisis-commissioned research findings to inform the future approach to move-on accommodation. - Rolled out a corporate response to homelessness prevention in response to the pandemic, led by a cross-Council group.	1. Make progress with reforming the organisational arrangements in our Housing Needs service to better align services with policy and priorities, such as increased homelessness prevention and a housing-led approach to move-on. 2. Consult and agree the Countywide Rough Sleeping Strategy, agree countywide governance and funding arrangements, and develop a commissioning strategy for the	3. Implement the countywide strategy to move towards ending rough sleeping in Oxfordshire, and deliver new commissioned services 4. Make further progress towards preventing homelessness earlier, with closer relationships with key partners, e.g. probation, social services, hospitals.

Appendix 1

43

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
	one has to sleep rough on the streets of Oxford.	- Developed a draft countywide Rough Sleeping Strategy with Oxfordshire councils and partner organisations. - Started a review into our approach to Temporary Accommodation, ensuring better outcomes for homeless households through faster move-on and support by establishing a Temporary Accommodation Taskforce.	provision of accommodation-based services for rough sleepers and single homeless people.	
	6. Local voluntary and community groups will be better engaged with, supported and enabled to take a greater role in improving the city and the	- Supported informal community groups to become more sustainable in localities and to support local projects. <u>In response to the pandemic</u> we: - Deployed resources to	1. Launch a Thriving Community Strategy with the principles of community engagement, involvement and participation. This will take a place-based approach that maximises opportunities for greater collaboration with key stakeholders and community groups to deliver outcomes that matter to the Council and local people.	5. Implement the Thriving Communities Strategy - delivering programmes of work that increase digital participation, equalities and cohesion to: Increase participation, inclusivity and accessibility of leisure and community centres, arts venues and parks, ensuring they work for

Appendix 1

44

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
	lives of citizens.	support local community groups and vulnerable individuals safely through COVID-19. • Developed food supply lines to ensure the most vulnerable people including families in need had their nutritional, religious and other needs met. • Worked collaboratively with the VCS to support local people to volunteer at street level in meeting their local needs. • Provided a 24/7 Single Point of Contact/help line for all Oxford residents to ensure their needs were responded to efficiently. • Delivered our business	2. Work with community associations across the city to enable them to become more inclusive and representative of the communities they serve from a governance perspective. 3. Work closely with health partners to ensure the vaccination is accessible to and embraced by our most vulnerable residents. 4. Launch a small grants/capital receipts programme to encourage local community groups to apply for seed funding and get involved in shaping delivering locality-based projects.	everyone b. Tackle issues of isolation in our elderly communities c. Protect and safeguard the heritage of local communities as part of our place-based and asset development strategies for the future 6. Commission support services through the CVS that deliver increased social value, inclusiveness and benefit in localities.

Appendix 1

45

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		as usual services through the use of digital conversations thereby keeping people safe. • Worked closely with inter-faith groups to understand religious and spiritual needs in response to the pandemic and ensure operations were appropriately deployed. • Maximised the use of grants and funding such as the Winter Support Grant to support those in the greatest need.		
	7. Increasing numbers of people who walk and cycle around the city, benefitting their health and wellbeing.	• Commissioned an Oxford Greenways strategic plan for cycle routes into and within Oxford, jointly funded with Oxfordshire County Council and the University of Oxford.	1. Maximise the community benefits from year two of the Women's Tour of Britain in Oxfordshire. 2. Work with partners to make cycling more inclusive and accessible for children and young people through targeted recreational activities based on need. 3. Work with partners/key stakeholders	6. Secure funds to deliver the first phase(s) of the Oxford Greenways project. 7. Use the 2022 Women's Tour of Britain race finish in Oxford as a tool to promote cycling in the city. 8. Prioritise active modes of travel, through increased cycle parking

Appendix 1

46

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		- Engaged with Oxfordshire County Council to develop and improve cycle lane infrastructure in the city including for people with disabilities, building on its Local Walking and Cycling Infrastructure Plans (LCWIPs). - Implemented an online activity hub, ensuring its accessibility for vulnerable people.	and secure funding to a) develop adaptable bikes or b) purchase adaptable bikes for children with disabilities. - Use campaigns to change behaviour such as #MovewithMayorMark to increase levels of physical activity. - Increase use of digital channels with up to date content on our activity hub.	and re-prioritisation of road space. Increase secure cycle parking space in the town centre, whilst reducing car parking.
	8. Our work with Thames Valley Police will keep communities safe and help reduce hate crime, human trafficking, modern slavery, domestic abuse, sexual	Coordinated activity to address serious violence, modern slavery, hate crime, alcohol-related disorder and theft through the Oxford Safer Communities Partnership.	Develop and implement a Business Intelligence framework to enable the Council and partners to understand better the issues that disproportionately impact on our communities, and ensure that our frontline services and policies are designed accordingly.	- Work with partners and community groups, marginalised groups and young people to engage in positive action through our locality-based initiatives. - Work closely with the police and other partners to disrupt organised crime groups using Closure Orders, injunctions and other local authority powers. - Develop and implement problem-solving solutions to

Appendix 1

47

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
	violence, drug-related crime and antisocial behaviour.			reduce anti-social behaviour in the night-time economy. - Develop and implement solutions to reduce the level of bike crime in the city. - Work with our partners to deliver the Oxford Safer Communities Partnership's hate crime plan. - Support the Oxford Community Safety Partnership to continue to tackle serious and organised crime in the city. - Work with community safety partners across the county to support the Violence Reduction Unit approach to reducing serious violence. - Work with the police and district councils to develop an enhanced CCTV capability in the county.
	9. Vulnerable people will continue to be safeguarded against harm.	Supported the most vulnerable people affected by COVID-19 to ensure they remain safe and have their needs met, or were equipped to become interdependent or self-	- Continue to support vulnerable people impacted from COVID-19 and ensure their needs are met and people are signposted to opportunities and provision. - Implement recommendations of the Adult Safeguarding Board review into Rough Sleeper deaths.	- Ensure active involvement in the Missing and Exploited Panels and Networks. - Work with other agencies to develop local responses to the findings of the modern slavery research. - Fully implement a case

Appendix 1

48

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		reliant where appropriate. • Developed a proposal for a case-management system for a 'single view of the customer' to inform operational delivery. • Implemented a multi-agency cuckooing protocol to protect people whose homes are taken over. • Worked with social care and other statutory partners to identify and tackle child exploitation. • Concluded the Oxford Modern Slavery Project with Elmore Community Services. • Engaged with the Adult Safeguarding Board review into Rough Sleeper deaths and starting to implement		management system. 6. Ensure those people who require welfare assistance, are supported in the development of skills and signposted to opportunities.

Appendix 1

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		its recommendations.		
649 Influence	10. Oxford's diversity will continue to be celebrated, with a greater sense of togetherness across its communities.	- Launched Oxford City Council's #WeAreOxford community cohesion campaign. - Launched an Anti-Racism Charter that sends out a clear message that Oxford is an anti-racist city. - Celebrated the best of Oxford, its rich heritage, diverse communities and young people at two high profile conversational events.	1. Launch an Equalities, Diversity and Inclusion strategy that will increase trust and belonging between the Council and communities, predicated on inclusive values and reflecting the rich diversity in Oxford - and help us to build back fairer. 2. Launch a Sense of Community Index to measure community cohesion and togetherness – securing a baseline measure for the city, which can then be tracked in subsequent years. 3. Collect and tell the stories of Oxford to reflect and represent its diverse communities, via means such as the Museum of Oxford. 4. Subject to COVID-19 restrictions, support a calendar of diverse and inclusive events across the city. 5. Develop insight and understanding within the Council regarding our approach to 'intersectionality' - where there are overlapping systems of disadvantage and disproportionate impact 6. Develop community cohesion goals, which are shaped and planned by	8. Refresh the gender-balanced Race Advisory Group every two years.

Appendix 1

50

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
			local communities themselves in localities. 7. Refresh the Anti-Racism Charter through ongoing dialogue and conversation with BAME communities and key stakeholders. Launch a refreshed Charter in October during Black History Month.	
	11. Citizens will increase their active engagement in civic and political life.	- Ensured online council meetings are publicly accessible. - Held a Virtual Town Hall event with the universities and community groups with over 2,000 live participants.	1. Work with schools and young people to develop an Oxford Youth Council that is representative of the young people of Oxford to encourage civic and democratic engagement and participation including supporting young people to understand and express their rights. 2. Work with both universities and students' unions to boost electoral registration using joint social media campaigns where appropriate. 3. Subject to the COVID-19 situation with elections and schools' capacity - offer a range of activities and engagement to schools, including Why register? Why vote? Workshops, 'How to run an election' training and support for mock elections and referendums.	5. Implement the Thriving Communities Strategy to increase equality and access by delivering programmes of work that: a. Promote digital literacy and accessibility b. Promote and raise awareness of sustainability/zero-carbon benefits 6. Use partnerships and events to inspire young people by introducing them to new technologies and opportunities.

Appendix 1

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
			4. Embed the use of Oxford City Council's new Residents Panel and gender-balanced Race Advisory Group to improve engagement and influence decision making.	

Appendix 1

Priority 4: Pursue a zero carbon Oxford

In 2019 Oxford City Council declared a Climate Emergency and held the Oxford Citizens' Assembly on Climate Change. The clear message from citizens was that they want the city to continue to take a lead in reducing emissions and increasing biodiversity, while ensuring this does not impact citizens' living standards.

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
52 Deliver	1. Oxford City Council will have reduced the carbon footprint from its own operations to zero.	- Adopted a 4th Carbon Management Plan for Oxford City Council (21/22-29/30) to reduce the carbon footprint of Oxford City Council's own operations by at least 10% per annum. - Met the previous carbon reduction target 5% per annum. - Achieved 10% increase in the renewable energy utilised by introduction of	- Achieve base net Zero Carbon Council position through purchase of green gas for large sites and offsetting. - Implement the two Decarbonisation grant schemes to reduce total energy usage by 1500tCO2/Year. - Pursue funding opportunities to fill the £30m investment needed to achieve the aim of Net Zero Carbon Council (with offsetting minimised) by 2030. - Reach 35% of fleet converted to electric power. - Revise the Asset Management Plan to align with Carbon Management Plan to achieve Net Zero Carbon Council by 2030. - Quantify and better understand the Council's Scope 3 emissions which are less directly measurable in order to reduce them. - Align the Council's work on Scope 3 emissions with development of a wider,	- Continue to implement Carbon Management Plan and Asset management plan and the pursuit of funding opportunities to achieve Net Zero Carbon Council by 2030. - Further progress the electrification of our fleet, with the aim to hit 85% by 2030 - Commence work to reducing Scope 3 emissions. - Set a policy on offsetting linked to biodiversity enhancement.

Appendix 1

53

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		“green gas” (generated from renewable sources) for small sites. Developed an operating model based on increased remote and flexible working that is reducing the carbon footprint of St Aldates Chambers as well as staff and customer travel.	consistent approach, across the city, to tackling these Scope 3 emissions through the Zero Carbon Oxford partnership. 8. Set a policy on offsetting linked to biodiversity enhancement.	
	2. All new building by Oxford City Council will be significantly more energy efficient – moving towards near-zero or zero carbon	Adopted a revised OCHL business plan - with new building standards up to 70% more energy efficient than the legal minimum.	1. All new house building commissioned this year and onwards by OCHL will meet building standards of a minimum of 70% more energy efficient than the existing Building Regulations. 2. Complete pilot Net Zero Homes. 3. Work with OxLEP and partners to foster a strong local supply chain to support these ambitions.	4. Implement mainstream net zero carbon build as far and fast as practicable. 5. Improve standards of build in line with legislative and market developments and explore an increase in the standard for energy efficiency above the legal minimum, in balance with

Appendix 1

54

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
	standards.			increasing affordable housing supply and financial returns to the Council.
	3. We will have a significant programme of energy efficiency improvements across of our existing council housing.	- Carried out 'part' stock condition survey of Oxford City Council housing (targeting particularly types of buildings) – to assess energy efficiency requirements, to ensure we are well placed to seek funding from national schemes. - Heat pumps are being installed in a number of Blackbird Leys council houses as part of the Energy	- Commence programme of work to deliver target of 95% of our stock being EPC level C or above by 2028. - Develop an investment plan with options for the retrofitting of energy efficiency measures or replacement of council housing, to reduce carbon emissions. - Engage Council tenants to maximise their involvement in decisions on retrofitting that affect their homes. - Pilot EWI (external wall insulation) retrofit and ground/air source heat pumps in council stock.	- Continue energy efficiency improvement programme. - Implement a targeted programme of retrofitting and seek government funding through national schemes as they come forward. - Establish a retrofitting champions scheme, recruiting from amongst tenants and those in other accommodation who are willing to talk about their experiences of retrofitting to those interested in following suit.

Appendix 1

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		Superhub Oxford (ESO) scheme.		
Partner	4. All new building by developers in Oxford will be significantly more energy efficient – moving towards near-zero or zero carbon standards, with some examples of carbon-positive development.	Produced guidance to support the new Local Plan policies and assist applicants in understanding how these policies can be met.	1. Implement higher environmental standards for residential and non-residential new builds set out in Oxford's Local Plan 2036.	
	5. We will be promoting and enforcing the higher energy efficiency standards that will have been set nationally by the Government for residential and commercial landlords.		1. Increase the number of enforcement actions taken under the Minimum Energy Efficiency Standards (MEES) regulations in privately rented properties.	2. Promote and incentivise early compliance with MEES regulations for residential and commercial landlords. 3. Develop and implement an enforcement approach for non-compliance with energy efficiency standards in commercial premises. 4. Consider local planning policy standards against national changes and keep them under

Appendix 1

56

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
				review. 5. Work with neighbouring authorities through Oxfordshire Plan 2050 to try and set higher energy efficiency standards.
	6. Oxford will have taken a leading role in the adoption of electric vehicles (EVs).	- Contributed to key enabling projects that support carbon reduction and EV adaptation, such as Go Ultra Low Oxford (GULO), on street charging, taxi charging and Energy Superhub Oxford (ESO). - Working with Oxfordshire County Council, secured funding to become an Electric Bus City.	1. Deliver the Energy Superhub Oxford (ESO) and the EV rapid charger at Redbridge. 2. Develop an EV Charging Strategy for the city with a view to establishing a target that meets current and anticipated demand. 3. Complete the current programmes of charging point installation for taxis and on street private cars. 4. The Council will support the County Council in the deployment of a high quality, open, value for money, and instant access EV charging network for Oxfordshire.	1. Encourage and enable further innovation and investment in green technology and green jobs in Oxford, moving from pilot to full deployment wherever possible. 2. Continue to expand the network of EV chargers. 3. Consider local planning policies against national changes and keep them under review.
	7. Air quality throughout the city will have improved.	Adopted an Air Quality Action Plan setting a new target of a target of	1. Implement and deliver the statutory Air Quality Action Plan. 2. Working with Oxfordshire County Council, implement the planned Zero Emission Zone Pilot in Oxford's city	3. Continue phased roll out of planned Zero Emission Zone in Oxford's city centre. 4. Support the further migration of buses, taxis and private hire

Appendix 1

57

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		a maximum 30 µg/m3 of NO2 to be achieved across the city by 2025.	centre.	services to ultra-low and zero-emission vehicles.
	8. Our streets, neighbourhoods and open spaces will be greener with more trees and other plants, and increased biodiversity.	- Launched an Oxford City Council Green Spaces Biodiversity Action Plan. - Implemented two mini forests in the city.	- Take a lead role in the establishment of a Local Nature Partnership for Oxfordshire. - Explore policy development that adopts a Natural Resource Management approach. - Develop an Urban Tree Strategy. - Implement two more mini forests across the city.	- Working with partners, build a strategic approach to protecting and improving biodiversity, including the appropriate protection of trees. - Develop high-resolution biodiversity mapping in the city and work with communities to improve local data. - Encourage and enable public access to nature and support a significant programme to increase biodiversity and tree-planting. - Provide strategic direction to biodiversity net gain projects to optimise impact. - Seek to improve “greening” of streets and neighbourhoods.
	9. The city will become more resilient to	Provided support to OFAS through facilitating land	Continue to support the Environment Agency’s delivery of the Oxford Flood Alleviation Scheme (OFAS).	Preparatory work ahead of commencement of construction of Oxford Flood Alleviation

Appendix 1

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
	climate change including improved flood defences.	transfers and partnership working.		Scheme.
58 Influence	10. We will campaign for the Government to introduce more rigorous energy efficiency standards on new build and bring forward the end of petrol and diesel vehicle sales.	Campaigned for Government to bring forward the end of petrol and diesel vehicle sales from 2040 – which they did to 2030.	1. Develop a campaign narrative within the Zero Carbon Oxford Partnership to take to the Government's COP 26 meeting in Glasgow.	2. Campaign to see clear national standards for new buildings and retrofits are set.
	11. Citizens, businesses and other organisations in the city will be taking action to reduce carbon emissions and increase biodiversity.	- Achieved a 40% reduction in carbon emissions across the city by 2020 from a 2005 base. - Held an Oxford Zero Carbon Summit involving major emitters to	1. Develop with the Steering Group of the Zero Carbon Oxford Partnership an action plan and Sprint Groups to support delivery. 2. Start the development of a Zero Carbon Communities Strategy with a particular focus on reaching and mobilising marginalised communities through an environmental action grants programme that meets our climate aims and	3. Complete and implement the Zero Carbon Communities Strategy, with community engagement activity, using a co-production approach, to support residents and local groups taking action to achieve climate change targets; and raise wider public awareness of local action being taken.

Appendix 1

59

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		agree a citywide approach to reduce carbon and launched the Zero Carbon Oxford Partnership. • Held a Youth Summit to engage young people in action to reduce carbon and establish with them an ongoing programme of involvement. • Published a Zero Carbon Oxford action plan after engagement to include consideration of the Climate Emergency Review Group recommendations and form a Zero Carbon Oxford Partnership to	creates belonging to place and people.	4. Continue to build engagement programme particularly around the themes of biodiversity, travel, energy conservation and waste reduction. 5. Pursue development of climate action plans for activity in all community centres and associations.

Appendix 1

	Council Strategy 20-24 Outcome	Year 1 actions completed	Year 2 actions	Year 3-4 actions
		support this work • Worked with ODS to promote waste reduction, reuse and recycling.		

Appendix 2

Oxford City Council Corporate KPIs 2021-24

The following Corporate KPIs are proposed for against each of the strategic priorities set out in the Council Strategy 2020-24. These will be tracked and reported on over the remaining three year period of the Council Strategy. Considered alongside the milestones set for individual activities within the annual Business Plans, the KPIs will enable monitoring of progress towards delivering the outcomes set out in the Strategy:

- Enable an inclusive economy
- Deliver more, affordable housing
- Support thriving communities
- Pursue a zero carbon Oxford

A small number of KPIs are proposed for each priority area to help ensure focus of delivery. In addition a handful of overarching cross-Council KPIs are proposed to help measure the efficient and effective management of the Council itself.

Targets are proposed for each KPI, however in some cases a baseline will need to be established in 2021-22, with targets for the following year. In a few cases, a tracking indicator is proposed rather than a target, so as not to skew decision-making in an unproductive way.

Strategic priority	Council Strategy Outcomes	KPI	Target	Corporate owner
Enable an inclusive economy	<i>1) Our Council-owned companies will have increased their profits to help maintain the services we provide and we will have supported more local businesses, including social enterprises and cooperatives, by changing the way we buy our goods and services</i> <i>3) Oxford's economy will be stronger, with diverse sectors providing a wider range of accessible business and employment opportunities for all</i>	Number of jobs created or safeguarded in the city as a result of the council's investment and leadership.	Tracking indicator for year 1 then targets set for years 22/23 and 23/24.	Carolyn Ploszynski

Appendix 2

	<i>4) We will have secured different types of new workspace in the city to support business and employment growth</i>			
	<i>8) More organisations in Oxford will be socially and environmentally responsible - paying the Oxford Living Wage and adopting practices that deliver clean economic growth which benefits all residents</i>	Number of Oxford Living Wage employers and employees.	Current OLW employer baseline is 30 – to increase by 20 each year.	Carolyn Ploszynski
	<i>1) Our Council-owned companies will have increased their profits to help maintain the services we provide and we will have supported more local businesses, including social enterprises and cooperatives, by changing the way we buy our goods and services</i>	% of Council spend with local businesses including SMEs	21/22 - 55% 22/23 - 60% 23/24 - 60%	Nigel Kennedy
	<i>9) Oxford will have improved the workforce skills it needs through higher educational attainment and more training for the jobs of the future</i>	% of people from diverse and disadvantaged backgrounds that have access to skills that lead to high growth jobs in the city	80%	Nadeem Murtuja/Ian Brooke/Carolyn Ploszynski
Deliver more, affordable housing	<i>1) We will have increased the supply of high quality, energy efficient, accessible and affordable housing, including new council housing as well as other types of homes to rent and for sale at different prices</i> <i>2) In regeneration projects such as Blackbird</i>	Total number of affordable homes in Oxford completed	Target of 1,200 affordable homes delivered by 24/25, including 750 at social rent.	Stephen Clarke/Adrian Arnold

Appendix 2

63	<i>Leys, our new housing will be high quality with improved public spaces and served by good public transport, and cycling and walking routes</i> <i>4) More developers, housing associations and others will view Oxford as a good place to build a range of different housing types</i> <i>6) Working with housing associations we will have delivered more move on accommodation for people housed in supported accommodation</i>			
	<i>7) Working with landlords we will have improved the quality and energy efficiency of privately-rented homes in Oxford</i>	% of privately rented homes where improvements have been undertaken to remove hazards to an acceptable and safe standard following intervention by the council.	Targets: 21-22 – 60% 22-23 – 62% 23-24 – 65%	Ian Wright
	<i>4) More developers, housing associations and others will view Oxford as a good place to build a range of different housing types</i> <i>5) Working with neighbouring authorities we will be implementing the agreed countywide approach to meeting housing needs</i> <i>8) New housing including new urban extensions will be being built to create strong communities with good local amenities and sustainable</i>	Ensuring we have a three year supply of homes with planning permission against the housing requirement in our Local Plan, discounting those that have already been built	Target: 1,701 per year	Adrian Arnold

Appendix 2

	<i>transport links into the city. Sites valued by local people for leisure and recreation will be protected.</i>			
Support Thriving Communities	<i>1) Our services, grants, community and leisure facilities, parks and cultural events will have helped reduce inequality, increase cohesion and improve health and wellbeing across Oxford's communities</i> <i>6) Local voluntary and community groups will be better engaged with, supported and enabled to take a greater role in improving the city and the lives of citizens</i> <i>10) Oxford's diversity will continue to be celebrated, with a greater sense of togetherness across its communities</i> <i>11) Citizens will increase their active engagement in civic and political life</i>	% of people who share protected characteristics that have confidence in the Council's equality, diversity and inclusion programme.	Baseline needs to be established by Communities team in 21/22 – after which targets for following years can be set	Nadeem Murtuja/Ian Brooke
	<i>4) Our parks and public spaces will remain clean, safe, and well maintained, and will be accessible to more people to enjoy the health and wellbeing benefits they provide</i>	% of people that are satisfied with parks and green spaces, including them being accessible and safe to utilise.	Target: 90%	Ian Brooke
	<i>1) Our services, grants, community and leisure facilities, parks and cultural events will have helped reduce inequality, increase cohesion and improve health and wellbeing across Oxford's communities</i>	Sense of community index: The Sense of Community Index	Baseline needs to be established in year one by Communities team – after which targets for following years can be set	Ian Brooke

Appendix 2

65	<i>6) Local voluntary and community groups will be better engaged with, supported and enabled to take a greater role in improving the city and the lives of citizens</i> <i>10) Oxford's diversity will continue to be celebrated, with a greater sense of togetherness across its communities</i> <i>11) Citizens will increase their active engagement in civic and political life</i>	(SCI) is the most frequently used quantitative measure of sense of community in the social sciences. It has measures perception with four elements: membership, influence, meeting needs, and a shared emotional connection.		
	<i>5) Working with neighbouring councils and partners, we will prevent homelessness, move people in temporary accommodation more rapidly into secure housing, and ensure that no one has to sleep rough on the streets of Oxford</i>	The number of people in Oxford estimated to be sleeping rough	Baseline – 25 (average of street count Oct-present) Targets: 21/22 - 17 22/23 - 11 23/24 – 5	Stephen Clarke
	<i>7) Increasing numbers of people will walk and cycle around the city, benefitting their health and wellbeing</i>	% of adults who are physically active and are able to access parks, leisure and community centres including green spaces for their physical and mental	Baseline to be established in year one - after which targets for following years can be set.	Ian Brooke

Appendix 2

		health wellbeing.		
66 Pursue a zero carbon Oxford	1) <i>Oxford City Council will have reduced the carbon footprint from its own operations to zero</i> 2) <i>All new building by Oxford City Council will be significantly more energy efficient – moving towards near-zero or zero carbon standards</i>	Reduction of greenhouse emissions linked to Oxford City Council's operations (where it pays the bill) consistent with achieving zero carbon Council by 2030	Target: Average reduction of 526tCO ₂ e (526 tonnes of CO ₂ equivalent) each year, over 3 year period	Mish Tullar
	3) <i>We will have a significant programme of energy efficiency improvements across our existing council housing</i>	% of Council-owned housing stock that has an EPC below C.	Current baseline is 54% properties that have a valid EPC are less than C Targets: 21/22 - 46% 22/23 - 38% 23/24 - 29%	Stephen Clarke
	7) <i>Air quality throughout the city will have improved</i>	Improvement in overall city centre air quality – towards target of 30 µg/m ³ of NO ₂ to be achieved by 2025	Targets for each calendar year: 2021 - 38 ug/m3, 2022 - 37 ug/m3, 2023 - 34 ug/m3, 2024 - 32 ug/m3,	Mish Tullar
	11) <i>Citizens, businesses and other organisations in the city will be taking action to reduce carbon emissions and waste, and increase biodiversity and recycling</i> 10) <i>We will campaign for the Government to</i>	Total carbon emissions for the city – linked to Carbon Budgets for net zero Oxford by 2040.	Baseline and 5 yearly targets taken from Zero Carbon Oxford Partnership carbon roadmap. Therefore annual tracking indicator reported, but only 5	Mish Tullar

Appendix 2

	<i>introduce more rigorous energy efficiency standards on new build and bring forward the end of petrol and diesel vehicle sales</i>		yearly targets.	
Over-arching KPIs		Oxford residents' satisfaction with City Council services	Baseline to be determined in 21/22 utilising Oxford Residents Panel and then a tracking indicator	Mish Tullar
	<i>2) Our staff will be more skilled and confident in delivering services our citizens want and our workforce will better reflect Oxford's diverse population</i>	% of BAME staff	Current baseline is 12.7% Targets: 21/22 – 13.5% 22/23 – 14.5% 23/24 – 15.5%	Helen Bishop
		Percentage of council tax collected	95%, 96.5%, 97.5%	Nigel Kennedy
		Percentage of business rates income collected	95.5%, 97%, 97.5%	Nigel Kennedy
		Percentage of debtor invoices paid within 30 days	75%, 80%, 80%	Nigel Kennedy
		Efficiencies delivered against plan	£461k, £1.891m, £2.333m	Nigel Kennedy
		Discretionary funding won by the Council	Annual figure to be provided retrospectively	Nigel Kennedy
		% of transactions carried out online relative to total transaction numbers	Current baseline of 48.6% (though potentially inflated by current COVID conditions) Targets: 21/22 – 50%	Helen Bishop

Appendix 2

			22/23 – tbc 23/24 – tbc	

Content

Foreword

Content 1

Key statistics and trends 2-3

Our vision. 4

Our priorities. 4

How we work – a “customer-first” approach 5

Oxford City Council priorities. 5

Priority: Enable an inclusive economy 6-7

Priority: Deliver more, affordable housing 8-9

Priority: Support thriving communities 10-11

Priority: Pursue a zero carbon Oxford 12-13

Our organisation. 14

Our vision for our organisation 14

Our values for our organisation. 14

The external context for our strategy 15

How we’ll use this strategy 15

This Council Strategy will be complemented by an annual business plan that will set out the key priorities and actions Oxford City Council will undertake in each of the next four years. This will strengthen the prioritisation of key areas of work and support collaboration among officers and with external partners. The first Business Plan covering the period 2020-21 will be published in April 2020.

Key statistics and trends



Oxford's functional economic area is much greater than the city council boundary, with 6 hospitals, 9 theatres and 12 museums which serve much of the county, and some facilities included with a national reach.



Population

1. The resident population of Oxford is currently estimated at 154,300. Between 2001 and 2011 the population rose by 11% (15,000 residents).

42,000 student population

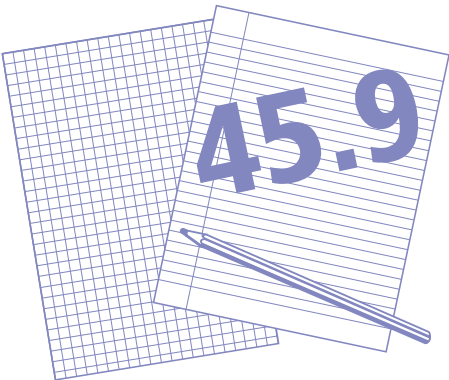
2020

population 154,300

2. There are 42,000 students in Oxford and with an average age of 34 years Oxford is one of the UK's youngest cities.

below average attainment 8 of

Enable an Inclusive Economy



Latest figures show the average attainment 8 (equivalent to GCSE level) score per pupil in Oxford is 45.9 which is below the national and Oxfordshire averages of 46.9 and 47.7 respectively.

Furthermore 11 areas in Oxford are in the most deprived decile nationally for educational attainment among children and young people.





Our vision

Building a world-class city for everyone

By creating successful places in which to live and work, supporting our communities and addressing the climate emergency, we will build a fairer, greener city in which everyone can thrive.

Our priorities

We have set four key priorities over the next four years – all of equal importance: The four priorities are all interconnected, and we will work to achieve them in a joined-up way.



How we work – a “customer-first” approach

We work innovatively and efficiently – we are a flexible and customer-focused team offering high quality services that meet people’s needs.

We work to tackle inequality – our employment practices and the way in which we deliver our services aim to provide equality of opportunity and access for all. Our investments and policy-making are all designed to address the social and financial inequalities across Oxford. We value diversity and seek to build a greater sense of togetherness across the city’s communities. We want to ensure all of Oxford’s citizens, including those who are harder to reach, have fair opportunities and a real share in the city’s future.

We work in partnership with others – we work with other councils, businesses, communities, the voluntary sector, Oxford’s universities, the Government and other public sector bodies to ensure the way we shape our services and direct our investments is joined-up with others.

We use our commercial assets for the benefit of local people – our wholly-owned companies and the commercial properties we own create jobs, support the local economy and provide additional funds that support our delivery of public services. We call this the Oxford Model.

We are a campaigning organisation – we work actively to engage with residents, businesses, stakeholders and Government and use our influence to help achieve the aims set out in this Strategy.

Oxford City Council priorities

For each of our four priorities, we have set out the outcomes we would like to see achieved over the next four years, and some of the headline actions we believe will be required to help deliver this.

To support the delivery of the strategy, we will produce an annual Business Plan that will set specific actions and milestones for the year ahead and report on progress against agreed key performance indicators.



Priority: Enable an inclusive economy

Oxford needs a more inclusive economy in which wealth is distributed across our communities and where all citizens can share the benefits of growth.

Over the next four years we want to see the following outcomes achieved as part of a more inclusive economy:

We will deliver ourselves
1. Our Council-owned companies will have increased their profits to help maintain the services we provide and we will have supported more local businesses, including social enterprises and cooperatives, by changing the way we buy our goods and services
2. Our staff will be more skilled and confident in delivering services our citizens want and our workforce will better reflect Oxford's diverse population
We will partner with others to help achieve
3. Oxford's economy will be stronger, with diverse sectors providing a wider range of accessible business and employment opportunities for all
4. We will have secured different types of new workspace in the city to support business and employment growth
5. The movement of people and goods into and within the city will have improved, resulting in less traffic congestion, better air quality and faster journey times
6. The city centre will be relevant to more of our citizens with more accessible public space. The impacts of tourism will be better managed and more of its economic benefits retained locally
7. The city centre will be expanding to the west. Attractive new areas will be emerging around Oxford station, in Oxpens and Osney Mead, but not at the expense of the health and vibrancy of the existing city centre
We will use our influence to seek to achieve
8. More organisations in Oxford will be socially and environmentally responsible - paying the Oxford Living Wage and adopting practices that deliver clean economic growth which benefits all residents
9. Oxford will have improved the workforce skills it needs through higher educational attainment and more training for the jobs of the future

To support these outcomes we will take the following actions:

- Implement the Oxford City Council Workforce Equalities Action Plan to boost employee diversity through recruitment and apprenticeships and expand the management opportunities for Black, Asian and Minority Ethnic (BAME) staff and women.
- Strengthen the Oxford Model under which Oxford City Council uses insourcing – rather than outsourcing to private businesses – to generate income.
- Use Oxford City Council, Oxford Direct Services Ltd (ODS) and Oxford City Housing Ltd (OCHL) purchasing power to increase the reinvestment of money into the local economy by placing an increased emphasis on social value, alongside quality and cost measures.
- Establish a new Asset Management Strategy to guide the diversification of our commercial property investment portfolio, prioritise investment and management of Oxford City Council's non-housing assets, and how we could use our properties to help generate wealth locally and support existing and new small businesses, social enterprises and cooperatives.
- Implement a new inclusive Economic Strategy to tackle inequality and increase the opportunities for disadvantaged groups to have a fair share in the city's economy and reduce its impact on the environment; while also setting out a plan for delivering the types of different employment space needed to support a more diverse economy.
- Build closer partnerships with the universities to boost productivity in the city's economy and extend economic opportunities to a wider range of Oxford's citizens.
- Work with Oxfordshire County Council to implement Connecting Oxford and improve bus and cycle routes into and around the city, better connecting key employment sites.
- Attract investment to build a new Oxford Station and expand its capacity to provide greater connectivity nationally and locally, including securing commitment to the opening of the Cowley Branch line to passengers
- Create more accessible public space in the city centre for people to enjoy and reprioritise road space for pedestrians, cyclists and buses.
- Implement a city centre strategy to support independent retailers, enhance the Covered Market, widen the cultural offer, support more temporary uses of empty properties, encourage longer stays by tourists and reduce the impact of coaches and overcrowded streets in the heart of the city.
- Work with partners to create a new mixed housing and commercial quarter in the city centre's west end, alongside infrastructure improvements to create more sustainable transport and movement routes in the area Encourage investment in new skills and apprenticeships across the local economy to tackle inequality and manage the technology challenge to existing jobs.
- Promote the Oxford Living Wage among Oxford employers including the universities and colleges and seek to double the number that adopt it.



Priority: Deliver more, affordable housing

Intervention is needed to address Oxford’s housing crisis where existing homes are unaffordable for many and demand for good quality homes outstrips what is available.

Over the next four years we want to see the following outcomes achieved to deliver more genuinely affordable housing in Oxford:

We will deliver ourselves
1. We will have increased the supply of high quality, energy efficient, accessible and affordable housing, including new council housing as well as other types of homes to rent and for sale at different prices
2. In regeneration projects such as Blackbird Leys, our new housing will be high quality with improved public spaces and served by good public transport, and cycling and walking routes
3. More Council and private sector tenants will have been supported to stay in their homes when they face the prospect of eviction
We will partner with others to help achieve
4. More developers, housing associations and others will view Oxford as a good place to build a range of different housing types
5. Working with neighbouring authorities we will be implementing the agreed countywide approach to meeting housing needs
6. Working with housing associations we will have delivered more move on accommodation for people housed in supported accommodation
7. Working with landlords we will have improved the quality and energy efficiency of privately-rented homes in Oxford
We will use our influence to seek to achieve
8. New housing including new urban extensions will be being built to create strong communities with good local amenities and sustainable transport links into the city. Sites valued by local people for leisure and recreation will be protected.

To support these outcomes we will take the following actions:

- Accelerate our housebuilding programme using OCHL and ODS to deliver new affordable homes at speed and scale with a range of tenures including new council housing, shared ownership and a below-market level Oxford Living Rent.
- Offer enhanced planning support to developers, social landlords and community-led housing groups to encourage a faster rate of delivery of new homes, including use of factory-built housing and modular construction.
- Ensure all new homes are built to high standards, including accessible design and high levels of energy efficiency consistent with Oxford's journey towards net zero carbon emissions.
- Take a preventative approach to homelessness, working with landlords and tenants to reduce evictions.
- Implement a selective licencing scheme to improve standards in private sector housing.
- Work with neighbouring councils to address housing need across Oxford's functional economic area to house people close to where they work and in places that enhance a sense of community and wellbeing.

PHOTO / S ?



Priority: Support thriving communities

Oxford’s diverse communities should be equipped, supported and enabled to tackle inequality and ensure everyone is able to play a full part in the life of our city.

Over the next four years we would like to see the following outcomes achieved to support thriving communities across Oxford:

We will deliver ourselves
1. Our services, grants, community and leisure facilities, parks and cultural events will have helped reduce inequality, increase cohesion and improve health and wellbeing across Oxford’s communities
2. Children and young people’s resilience and confidence will have increased through the educational and recreational activities we offer
3. As a good landlord, we will have worked with our Council tenants and residents to strengthen local communities; and worked with other major landlords to improve the services they provide
4. Our parks and public spaces will remain clean, safe, and well maintained, and will be accessible to more people to enjoy the health and wellbeing benefits they provide
We will partner with others to help achieve
5. Working with neighbouring councils and partners, we will prevent homelessness, move people in temporary accommodation more rapidly into secure housing, and ensure that no one has to sleep rough on the streets of Oxford
6. Local voluntary and community groups will be better engaged with, supported and enabled to take a greater role in improving the city and the lives of citizens
7. Increasing numbers of people will walk and cycle around the city, benefitting their health and wellbeing
8. Our work with Thames Valley Police will keep communities safe and help reduce hate crime, human trafficking, drugs-related crime and antisocial behaviour
9. Vulnerable people will continue to be safeguarded against harm
We will use our influence to seek to achieve
10. Oxford’s diversity will continue to be celebrated, with a greater sense of togetherness across its communities
11. Citizens will increase their active engagement in civic and political life

To support these outcomes we will take the following actions:

- Implement an Equalities Action Plan that shapes our services and use of our community assets to address inequalities particularly for disadvantaged, hard-to-reach and excluded groups.
- Develop data sources to better understand the strengths and needs of our diverse communities and to target our work to where the gaps are
- Work with our tenants and other citizens to understand their needs, simplify the way they can engage with us and involve them more in design and decision-making in regard to Council services and facilities in their local communities.
- Modernise our community assets and explore innovative approaches for their operation which encourages engagement and a sense of community ownership.
- Deliver a Thriving Communities Strategy that sets ambitions and actions to reduce isolation and support community involvement, health and wellbeing through active lifestyles, volunteering, cultural engagement, and use of our parks and community assets.
- Join up our service delivery at a local level, improve our landlord services for Council tenants and strengthen our relationships with housing associations to improve the service they provide to their tenants.
- Work with health partners to reduce health inequalities, particularly across disadvantaged communities.
- Work with neighbouring councils and partners in the city to deliver a cross-county approach to early intervention on rough sleeping and providing wraparound to support people moving from rough sleeping to safe and stable living arrangements.
- Develop a “One Council” approach to tackling homelessness.
- Work with Thames Valley Police, other partners and communities to tackle the visible drugs market, challenge racism, Antisemitism and Islamophobia, human trafficking and serious antisocial behaviour.
- Use our grants programme and partnership working to enable local voluntary and community groups to help create resilient communities, improve outcomes for citizens and reduce inequalities across our communities.
- Celebrate diversity by supporting and stimulating a wide variety of events and cultural activities that bring Oxford people together.



Priority: Pursue a zero carbon Oxford

In 2019 Oxford City Council declared a Climate Emergency and held the Oxford Citizens’ Assembly on Climate Change. The clear message from citizens was that they want the city to continue to take a lead in reducing emissions and increasing biodiversity, while ensuring this does not impact citizens’ living standards.

Over the next four years we would like to see the following outcomes achieved as we pursue a zero carbon Oxford:

We will deliver ourselves
1. Oxford City Council will have reduced the carbon footprint from its own operations to zero
2. All new building by Oxford City Council will be significantly more energy efficient – moving towards near-zero or zero carbon standards
3. We will have a significant programme of energy efficiency improvements across our existing council housing
We will partner with others to help achieve
4. All new building by developers in Oxford will be significantly more energy efficient – moving towards near-zero or zero carbon standards, with some examples of carbon-positive development
5. We will be promoting and enforcing the higher energy efficiency standards that will have been set nationally by the Government for residential and commercial landlords
6. Oxford will have taken a leading role in the adoption of electric vehicles
7. Air quality throughout the city will have improved
8. Our streets, neighbourhoods and open spaces will be greener with more trees and other plants, and increased biodiversity
9. The city will become more resilient to climate change including improved flood defences
We will use our influence to seek to achieve
10. We will campaign for the Government to introduce more rigorous energy efficiency standards on new build and bring forward the end of petrol and diesel vehicle sales
11. Citizens, businesses and other organisations in the city will be taking action to reduce carbon emissions and waste, and increase biodiversity and recycling

To support these outcomes we will take the following actions:

- Reduce Oxford City Council's carbon footprint from our own activities to zero where we pay the bill – including our buildings and fleet. Develop and implement an action plan in response to the recommendations of the Oxford Citizens Assembly on Climate Change.
- Work with tenants to agree and implement a programme of retrofitting our council housing to significantly reduce emissions.
- Work in partnership across the county to coordinate our response to the climate emergency.
- Use our influence with government, partners, businesses and citizens to lobby, inform, convene, educate and campaign to help respond to the climate emergency.
- Engage all commercial and residential landlords to level up energy efficiency standards towards B rating, with information provided and enforcement action where necessary.
- Create a citywide network of electric vehicle charging points to encourage the take-up of electric vehicles.
- Implement a Zero Emissions Zone - initially in the city centre and eventually citywide - to improve air quality and encourage further take up of ultralow emission vehicles.
- Encourage and enable further innovation and investment in green technology in Oxford, moving from pilot to full deployment wherever possible.
- Use our planning system to ensure the natural environment is enhanced and carbon emissions are reduced through all new development.
- Work in partnership with others to increase the city's resilience to climate change, particularly flooding.
- Encourage and enable public access to nature and support a significant programme to increase biodiversity and tree-planting.
- Reduce amount of waste we collect and increase the proportion we recycle.
- Review our People Strategy, ways of working and use of technology to reduce Oxford City Council employees' overall travel to work impact on the environment.

Our organisation

To achieve our aims, we need to be responsible, reliable, adaptable and innovative as an organisation. We need to think and act strategically and at pace, actively engaging citizens in helping us make the decisions that impact them. We need a diverse workforce that is representative of Oxford and offers opportunities to under-represented or disadvantaged groups. We need a supportive and motivating environment that brings out the best in our people. We need the right structures in place including wholly-owned businesses, joint ventures and partnerships to maximise the resources we can bring to bear. We need strong governance, robust processes and efficient systems to ensure our people are equipped and empowered to deliver their best for Oxford.

Our vision for our organisation

By drawing from the broadest range of talent we shall create conditions for people to do the best work of their lives.

Our values for our organisation

Excellence – engage, delight and inspire. We take pride in our work and go the extra mile. We ensure high standards and do our best every day.

Ownership – step up, drive it and deliver it. We collaborate, communicate and we're accountable. We do what we say we'll do.

Inclusion – be yourself, bring your own perspective and you'll belong. We aim to be real, honest, approachable and work together to make a difference.

Challenge – do things differently and change the environment. We ask why, we challenge the status quo, and we innovate at every turn.

The external context for our strategy

Like all organisations we need to be prepared for, and responsive to developing trends, new challenges and change that emerge at a local, regional, national and global level. These include both threats and opportunities for Oxford. Over the next four years we expect this to include:

- The need to significantly accelerate actions to combat climate change while managing increased risks of flooding
- Managing and mitigating the impacts of Brexit on Oxford's citizens and businesses
- Managing the impact of pandemic
- Responding as necessary to the agenda set out by the new national Government elected in December 2019
- Opportunities to apply innovations in technology and big data to improve the productivity of public services, alongside the task of managing the disruption to jobs that is likely to accompany this
- Harnessing the Oxford-Cambridge Arc growth opportunity to ensure we deliver inclusive and clean growth for Oxfordshire
- The high cost of housing in Oxford putting ownership out of the reach of many, and insecure tenancies preventing families setting down roots
- Rising levels of obesity and an ageing population that puts increasing pressure on many public services
- The increasing impact of cybercrime

How we'll use this strategy

This strategy is designed to be used as a framework to guide our thinking and decision-making and resource allocation, and help ensure that everything we do takes us closer to achieving our vision. It succeeds Oxford City Council's Corporate Plan 2016-20 and updates our objectives, while maintaining the same overarching aims to achieve sustainable systematic change for Oxford.

The strategy is underpinned by the Medium-Term Financial Strategy 2020-2024 that sets out our financial priorities and commitments over the next four years. To support the delivery of the strategy, we will produce an annual Business Plan that will set specific priorities for the year ahead and report on progress against agreed key performance indicators. In turn the Business Plan will be complemented by Oxford City Council's annual Budget that will allocate resources against the priorities set.

To: Cabinet
Date: 10 March 2021
Report of: Executive Director of Housing
Title of Report: Allocation of Preventing Homelessness Grant 2021/22

Summary and recommendations	
Purpose of report:	To approve the grant allocations for 21/22
Key decision:	Yes
Cabinet Member:	Councillor Mike Rowley, Cabinet Member for Affordable Housing and Housing the Homeless
Corporate Priority:	Deliver more affordable housing.
Policy Framework:	Housing & Homelessness Strategy 2018-21 (extended)
Recommendations: That Cabinet resolves to:	
1. Approve the allocation of Homelessness Prevention funds to commission homelessness services in 2021/22 as outlined in paragraphs 23 to 30 and in Appendix 2 of the report; 2. Delegate to the Interim Director of Housing in consultation with the Cabinet Member for Affordable Housing, the discretion to revise the intended programme within the overall budget if required; and 3. Approve the request for £15,000 of new expenditure from the 2020/21 allocation, outlined in paragraph 24.	

Appendices	
Appendix 1	Review of allocated homelessness funds 2020/21
Appendix 2	Proposed allocation of homelessness funds 2021/22
Appendix 3	Risk Register

Introduction and background

1. This report presents an overview of how the funding allocated in 2020/21 has been spent and makes recommendations for the allocation of funding in 2021/22 to provide services for rough sleepers and single homeless people in Oxford. Allocations for 2021/22 represent a continuation of existing arrangements. Significant change is expected for 2022/23 due to an expansion of the countywide recommissioning of homelessness services which will be the subject of a future cabinet report.
2. The report also provides an update on developments this year which have been dominated by the response to Covid19. Organisations which we fund, as well as those we do not fund, have worked tirelessly and in partnership to meet the changing demands of the pandemic. This report places on record the Council's thanks to all of them in this most challenging of years.

Context and key developments 2020/21

3. At the start of the lockdown, the government's "Everyone In" initiative required local authorities to ensure that no-one was sleeping on the streets, in order to help prevent the spread of Covid19. In addition the council was advised that facilities with communal sleeping arrangements could no longer be used. This affected the 20 spaces of "sit-up" provision in O'Hanlon House, and meant that Floyds Row had to be closed (which had 56 bed spaces). At the time the Oxford Winter Night Shelter was also running, with up to 20 spaces available, and this too had to be closed.
4. To meet this requirement, the Council used a mixture of hotels, university accommodation and Oxford YHA to accommodate people who were formerly homeless. When the lockdown began to ease in June, these hotels indicated that they would need to go back to their normal business. As such, new accommodation was required at short notice, which presented a significant challenge. A student block, Canterbury House, owned by A2 Dominion and utilised by Oxford Brookes was identified and all parties worked very quickly to secure this additional accommodation by the end of July.
5. In 2019 the Council entered into an agreement with St Mungo's to provide a range of services supporting rough sleepers from the new Engagement and Assessment Centre at Floyds Row. This agreement has been refocussed to deliver equivalent services in the different settings that have been used this year. St Mungo's now manage both Oxford YHA and Canterbury House, as well as continuing to provide the Outreach service to engage with new and existing rough sleepers. Floyds Row is used to undertake triage assessments of new rough sleepers and place them in Canterbury House or the YHA.
6. The council has secured the use of Oxford YHA until March 2021, and Canterbury House until July 2021, a total of 118 units. By the end of January the "Everyone In" initiative has seen more than 300 individuals accommodated, of whom 141 have moved on to settled accommodation.
7. The provision of additional interim accommodation for people who may otherwise be rough sleeping has had an impact on the numbers of people seen rough sleeping in Oxford. Throughout the spring and summer, numbers at any one time were consistently in the mid 20's, with half of this cohort at any time

being on the streets for a very short period as they waited to be accommodated. Numbers increased during the November lockdown, and were 35 in the last week before Christmas. By the end of January this had reduced to 13.

8. This increase is reflected in the monthly figures at the end of last year with a total of 34 people seen rough sleeping during October, increasing to 71 during November. Circumstances are very different this year which makes comparisons with previous years somewhat redundant. However in 2019, there were 75 people seen rough sleeping in October and 59 in November. In 2018, it was 105 in October and 115 in November.
9. The Council's official street count was conducted in November 2020 which found 19 people rough sleeping (14 men and 5 women). This was a significant reduction from 43 recorded in November 2019, although the circumstances were very different.

Continuation of joint commissioning arrangements

10. The City Council, together with the Oxfordshire District Councils, Oxfordshire County Council and Oxfordshire Clinical Commissioning Group, have a pooled budget for the commissioning of supported accommodation for single homeless people. The arrangement was initially established for a period of three years (2017/18 to 2019/20) to mitigate the impact of reductions in Oxfordshire County Council's budget and to maintain the supply of supported accommodation for single homeless people in the county. This collaboration has served to maintain a supply of jointly commissioned bed spaces as part of the Adult Homeless Pathway, which is complemented by the City and District Councils' commissioning of their own supply of supported accommodation.
11. 2019/20 was to be the final year of the current pooled budget arrangements for the countywide Adult Homeless Pathway. However, the partners agreed in April 2019 to continue the arrangement for a further two years (2020/21- 2021/22) to allow time for the development of a countywide strategy on rough sleeping and single homelessness and the subsequent procurement of services. To support the closer partnership working, the city council's Rough Sleeping and Single Homelessness manager is working with county colleagues on the recommissioning of pathway services from 2022/23 onwards.
12. There are currently a total of 106 jointly commissioned beds all of which are located in Oxford (79 of these are reserved for use by City-connected clients.). The City Council's annual contribution towards the continuation of these arrangements in 2021/22 will be £219,030

Development of a countywide strategy for rough sleeping

13. In 2019 the Oxfordshire local authorities collaborated on a successful bid, led by Cherwell District Council, to secure further funding from the Ministry of Housing, Communities and Local Government's (MHCLG) Rough Sleeping Initiative Fund. This led to the establishment of a new, two-year fixed term post of County-wide Strategic Lead (Single Homelessness and Rough Sleeping) to take forward the development of a joint, countywide strategy for rough sleeping and single homeless. The work is overseen by a steering group comprising the County

Council, district councils, Clinical Commissioning Group, Oxford Health NHS Foundation Trust (mental health) and SOHA Housing.

14. A strategy has been developed with the ambition to ensure no-one needs to sleep rough and to significantly reduce homelessness from the levels experienced in recent times. The new strategy will focus on prevention to identify opportunities for early intervention across the whole system and facilitate rapid action where the risk of homelessness is identified. This will include close working with other systems (e.g. Health, Criminal Justice), to identify people at risk of homelessness as early as possible. It is envisaged that all parts of the system will take joint responsibility for avoiding homelessness and ending rough sleeping.
15. A strengths based approach will be embedded across the system to ensure there is engagement with those who are homeless. This involves thinking about people in terms of their strengths and assets, not just their deficits and challenges. All agencies involved will share data to develop solutions for each individual. The approach will be knowledge and evidence based.

Ensuring sufficient provision to meet Oxford City's needs

16. In addition to the 79 bed spaces commissioned via the pooled budget for use by City connected clients, it is proposed that the City Council will directly commission a further 152 bed spaces in 2021/22. This brings the total number of spaces available to 231, an increase of 41 compared to 2019/20. There are 40 new spaces commissioned under the government's Next Steps Accommodation Programme (NSAP) to accommodate people housed on a temporary basis under the "Everyone In" initiative.
17. The number above excludes the 56 spaces in Floyds Row which cannot currently be used due to Covid restrictions. It is hoped that Floyds Row will be available as accommodation in full or part, during 21/22. This will support the exit from the 118 spaces of "Everyone In" accommodation.
18. Demand for supported accommodation remains high, particularly due to the additional demand from people accommodated in the "Everyone In" accommodation. Weekly meetings are held with accommodation providers to agree how to allocate void spaces.
19. Funding has been made available from MHCLG to ensure accommodation is available to all rough sleepers during winter. This includes eight rooms in Tower House being made available to rough sleepers who usually refuse most offers of accommodation and support. Funding is also used to accommodate people temporarily in hotels if there is a wait before being able to access accommodation in YHA and Canterbury House.

Further funding opportunities

20. In August 2018, the government published a new strategy for rough sleeping which sets out the government's vision for ending rough sleeping, called the Rough Sleeping Initiative. This was followed in December 2018 with the

publication of an action plan which confirms the government's intention to provide funding to help deliver its strategy.

21. The city council has since led several successful bids for MHCLG funding, on behalf of the City and jointly with District and County Council partners. In 2019/20 £1.6 million was secured on a countywide basis. A further bid into this fund is being constructed at the time of writing with a response expected in late March/early April.
22. In the summer £2,032,446 was bid for from the NSAP programme to provide funding over the next three years to help accommodate people at risk of rough sleeping. Funding has also been secured to provide additional support during the winter of up to £140,000. Most recently, £160,000 has been made available to ensure we are able to make accommodation available to all rough sleepers during the current lockdown.

Use of Homelessness Prevention Funds in 2020/21

23. Last year's report by the Head of Housing Services on the allocation of homelessness prevention funds indicated that a total of £1,401,842 had been allocated for the delivery of services and support for rough sleepers and single homeless people in 2020/21. There have been a number of developments over the year which have affected actual spending and these are summarised below and set out in detail in Appendix 1.

a) Acacia expansion

A total of £95,700 was allocated towards the development of the Acacia Project, a housing-led service for homeless people with multiple and complex needs including significant mental health needs for whom traditional offers of accommodation have not worked. The intention has been to increase provision from 5 to 10 units, but only one additional unit has been delivered. Dealing with the response to Covid has meant that it hasn't been possible to develop the project as anticipated this time last year. This has led to a forecast underspend against the Acacia allocations of £31,900. Expansion of Acacia will continue to be pursued in 21/22.

b) Welfare Reform Team

Funding is allocated towards the costs of two specific posts in the Welfare Reform team. This year one of these posts was undertaken on a part time basis and so the funding was reduced accordingly. This has resulted in an underspend of £10,007.

c) O'Hanlon House daycentre

Prior to the Covid pandemic, Homeless Oxfordshire had planned to stop providing day services in O'Hanlon House. This is because at times they could be disruptive to residents. In any event, the pandemic made it impossible to provide this service. Most rough sleepers have been accommodated and had access to support services during the year. Options are being considered with partners for the delivery of day services in 21/22 when Covid restrictions permit this. The absence of this service this year means there is an £82,778 underspend for this item.

d) Access to leisure services

The Covid pandemic has resulted in leisure centres being closed for the majority of the year resulting in no take-up for this service. This has resulted in an underspend of £5,000.

e) Contingency

An amount of £1,500 was set aside as contingency to allow for any in-year changes to costs.

24. The initial grant underspend is £131,185. It is requested that £15,000 of the underspend is used to extend our partnership with Crisis who are providing support in developing a countywide approach to homelessness. This results in a final underspend figure of £116,185 which will be transferred to reserves and balances at year end.

Allocation of Homelessness Prevention Funds 2021/22

25. The Council's priorities in terms of tackling rough sleeping and single homelessness are set out in the Council Strategy 2020-24. Tackling and preventing rough sleeping remains a key priority and the Council's ambition is that no-one should need to sleep rough on the streets of Oxford.
26. The Council's budget for 2021/22 allocated £4.95 million towards homelessness and prevention services. Within this is a provision of £1,614,684 for spend in the area of rough sleeping and single homelessness.
27. The budget of £1,614,684 allows all external services and projects to be continued in 2021/22. Due to the high levels of uncertainty relating to the exit of "Everyone In" accommodation and the timescale for returning to the provision of accommodation services at Floyds Row, as well as the extent of services which can be provided there, an unallocated amount of £135,798 has been left as contingency to ensure that rough sleepers can continue to be offered accommodation throughout the year.

Proposed allocations 2021/22

28. The proposed allocations for 2021/22 are shown in Table 1 below, with more details on the areas of commissioning at Appendix 2. In summary, it is proposed to maintain spending across all service areas, at similar levels to the 2020/21 allocations apart from the following exceptions:
- Acacia – the overall allocation is increased by £38,753 to support the increase of provision in this project
 - Matilda House – the allocation is £41,000 higher than in 2020/21 in order to enable more flexible provision within the project. There is significantly more demand for complex beds than move-on provision. The additional costs will allow more support to be provided within the existing move-on provision
 - Pre-tenancy course and Sanctuary Scheme – these services to be funded from this grant going forward
 - O'Hanlon House day services- Funding has been reduced in this area due to the challenges of providing day services under lockdown restrictions, and reduced demand due to the accommodation of most rough sleepers. New

services will be commissioned in 21/22 but on a reduced scale to the previous service

- Welfare Reform team – Funding has been reduced in line with previously agreed savings

Table 1.

Salaries or Commissioned Service	Current Provider (Supplier / Creditor)	Cabinet Report Allocation 2020/21	Proposed Allocation 21/22
Matilda House (37 beds)	A2Dominion	£225,000.00	£266,000.00
Housing First (5 beds)	Homeless Oxfordshire	£47,850.00	£47,850.00
Acacia (5 beds)	Response	£47,850.00	£47,850.00
Acacia x 3 (additional)	Response	£47,850.00	£86,603.00
Project 41 (41 beds)	Homeless Oxfordshire	£150,000.00	£150,000.00
Mayday Trust (10 beds)	Mayday Trust	£39,272.00	£39,272.00
OCC Contribution to AHP arrangements	JMG/County	£219,030.00	£219,030.00
Severe Weather Beds	Various - HO, St Mungo's, The Porch,SH	£30,000.00	£30,000.00
Rough Sleeping & Street activity service	Thames Valley Police	£30,000.00	£30,000.00
City Centre Ambassadors	Oxford City Council	£17,500.00	£17,500.00
Tenancy Sustainment Officer	Elmore Community Services	£35,630.00	£35,630.00
Welfare Reform Outreach Team	Oxford City Council	£83,379.00	£42,379.00
O'Hanlon House Day Centre	Homeless Oxfordshire	£82,778.00	£0.00
Provision for Day services	To be commissioned	£0.00	£61,164.00
Gatehouse Café	Gatehouse	£5,580.00	£5,580.00
The Porch Day Centre	The Porch	£55,000.00	£55,000.00
ETE Workers	Aspire Oxford	£77,623.00	£77,623.00
Single Homelessness Team	Oxford City Council	£196,000.00	£211,405.00
OxTHINK	Real Systems	£5,000.00	£5,000.00
Access to Leisure Services	Fusion	£5,000.00	£5,000.00
Tenant Ready Course	Connections	£16,000.00	£16,000.00
Sanctuary Scheme/Target Hardening	OCC Internal transfer	£30,000.00	£30,000.00
Contingency	To be agreed	£1,500.00	£135,798.00
		Total	£1,614,684.00

29. The proposed allocations will continue to maintain a wide range of services and support for single homeless people in Oxford. However, the following developments may mean that it will be necessary to make some revisions to this programme at the end of the current financial year or early in 2021/22:

a) MHCLG's Rough Sleeping Initiative Round 4 Fund

A joint countywide bid for further funding from MHCLG is currently being prepared with a submission date of 12 March 2021. The proposal includes requests to continue funding for a range of projects and initiatives including the following:

- Supported Lettings Pilot Project
- Women's unit
- Pre-recovery unit
- Engagement & Assessment of rough sleepers

MHCLG have already confirmed continuation funding for existing projects until June 2021. Following discussions with MHCLG officials, officers are optimistic that these elements of the bid, estimated to cost £390,000, will be successful. If

they are not, some services may need to be discontinued and / or there may be a need to re-prioritise the 2021/22 allocation.

b) Continuing impact of pandemic

Officers are optimistic that the vaccination programme will offer a way out of lockdown and permit a return to Floyds Row. Plans are already underway to exit from the YHA and Canterbury House. A taskforce has been established comprising a range of internal and external partners to identify appropriate accommodation for people. However there is a scenario where YHA and Canterbury House may have to be exited, but Floyds Row cannot be occupied. Again in this event a reprioritising of allocations may be required.

30. For the above reasons, it is requested that Cabinet delegates to the Executive Director of Housing, in consultation with the Portfolio Holder, the discretion to revise the intended programme within the overall budget.

Financial implications

31. The net budgeted spend on homelessness prevention for 2021/22 is estimated at £1,478,886 with £135,978 held as contingency to ensure the council can respond to changing circumstances in relation to Covid19. Expenditure of this contingency will be agreed as outlined in paragraph 30, above.

Performance monitoring

32. In distributing this budget, the Council will ensure that there are clear outcomes and targets in each organisation's service specification which are reported on quarterly. Officers will schedule quarterly, 6-monthly or annual performance monitoring meetings with all services to ensure that outcomes and targets are achieved and issues are addressed in a timely and professional manner.

Legal issues

33. The Homelessness Reduction Act 2017 has made significant changes to Council's homelessness duties under Part 7 of the Housing Act 1996. Its main effect is to place increased duties on local authorities to assess an applicant's needs and to prevent and relieve homelessness.
34. All services funded from Homelessness Prevention Funds should have legal agreements in place setting out the service provider's obligations for services as well as consequences for not fulfilling these obligations.
35. The procurement, commissioning and award of contracts for the provision of services should be undertaken in compliance with the council's contract rules contained in part 19 of its Constitution.

Level of risk

36. The Risk Register is attached as Appendix 3.

Equalities impact

37. All services in receipt of funding are subject to monitoring which includes equality and diversity.

Report author	Paul Wilding
Job title	Rough Sleeping & Single Homelessness Manager
Service area or department	Housing Needs
Telephone	01865 252461
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Background Papers: None

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Appendix 1

Appendix 1 – Review of allocated homelessness prevention funds 2020/21

Service areas	Provider	Allocation 2020/21	Forecast to year end	Purpose
Supported accommodation		£806,852	£774,952	
Contribution Oxfordshire Pooled Budget for the Adult Homeless Pathway	Oxfordshire AHP / Oxfordshire CC commissioner	£219,030	£219,030	Provision of supported housing.
Housing First	Homeless Oxfordshire	£47,850	£47,850	Funding for 1 FTE Support Worker & 0.5 FTE Peer Support Worker for this specialist housing project. Offers an alternative supported housing model aimed at getting entrenched rough sleepers permanently off the streets.
Acacia existing x 5	Response	£47,850	£47,850	Funding was allocated for 5 units of specialist supported housing for people with complex needs. The Acacia Project builds on the Housing First model and has developed as a result of recognition by housing and mental health service commissioners that there is an increasing number of people who “fall between the gaps” of mental health services and homelessness services, and getting ineffective support from either or both due to their needs.
Acacia additional units - pending	Response, Homeless Oxfordshire	£47,850	£15,950	Funding was previously allocated from reserves to fund the expansion of the Acacia project by up to 5 additional units of specialist supported housing units for people with complex needs. Only one additional unit has been brought on this year as organisations have focused on the Covid response instead. The

				ambition is to still expand provision in 21/22.
Project 41	Homeless Oxfordshire	£150,000	£150,000	Funding for 41 units of supported accommodation for rough sleepers and single homeless people with a connection to the City of Oxford. Provision for medium to low support needs with a focus on support to enable residents to move on to and sustain independent accommodation.
Matilda House	A2Dominion	£225,000	£225,000	Funding for 22 units of supported accommodation for people with complex needs and 15 units move on accommodation.
Mayday Trust 10 units	Mayday Trust	£39,272	£39,272	Funding for 10 units of supported accommodation for people with complex needs, in dispersed locations.
Severe Weather Beds - various	Various including Homeless Oxfordshire, St Mungo's, Aspire, A2Dominion	£30,000	£30,000	Funding to provide additional emergency bed spaces in periods of severe weather for all rough sleepers who need them. Spending is forecast to be higher than the original allocation as a result of changes to how SWEP this provision operates as a result of restrictions due to Covid19. Additional funding of £36,000 for severe weather beds has been provided by the government, which means there will be no additional cost to the council.
Street Engagement		£47,500	£47,500	
Rough Sleeping & Street activity service - TVP	Thames Valley Police	£30,000	£30,000	Funding for TVP City Centre Unit to provide targeted support to reduce rough sleeping through outreach, enforcement, tackling begging and anti-social behaviour. TVP City Centre Unit has a dedicated police constable for the purpose of this work.

City Centre Ambassadors	Oxford City Council	£17,500	£17,500	The City Centre Ambassadors provide a visible presence within Oxford City Centre. They assist people with enquiries, liaise with businesses to keep the city centre clean and litter free, and work closely with the police to spot and deter anti-social behaviour. They engage with homeless people, referring them into the appropriate support services.
Preventing homelessness		£119,009	£109,002	
Tenancy Sustainment Officer - Elmore	Elmore Community Services	£35,630	£35,630	Funding for 1 FTE specialist sustainment officer to support residents in Oxford City Council accommodation to maintain their tenancies.
Welfare Reform Outreach Team	Oxford City Council	£83,379	£73,372	Funding contribution towards the work of a team focussing on the impact of welfare reform across the City.
Positive activities & help to get into work		£220,981	£138,203	
O'Hanlon House Day Centre	Homeless Oxfordshire	£82,778	£0	Funding for provision of day services – showers and laundry facilities as well as breakfast and lunch and any other activities taking place – for individuals rough sleeping in the City and working with outreach services to access suitable accommodation. Covid has meant that these services have not been provided this year. However most rough sleepers have been accommodated for the majority of the year with access to support services.
Gatehouse Café	Gatehouse	£5,580	£5,580	Core funding for the Gatehouse café, to support and engage people sleeping rough to access accommodation and specialist support.

The Porch Day Centre	The Porch	£55,000	£55,000	Core funding for The Porch (formerly known as Steppin' Stone) daycentre to support rough sleepers and those vulnerably housed through a range of activities, training and education and where appropriate sign post clients to more appropriate services.
Aspire	Aspire Oxford	£77,623	£77,623	Funding for 2 FTE Education, Training and Employment workers to provide training and employment opportunities for homeless and/or vulnerably housed individuals in the City. Aspire is a social enterprise working towards becoming self-sufficient.
Other		£207,500	£201,000	
Single Homelessness Team (current arrangements)	Oxford City Council	£196,000	£196,000	Funding contribution towards the Council's Rough Sleeping and Single Homelessness Team.
OxTHINK (formerly Oxford CHAIN)	Real Systems	£5,000	£5,000	Core funding to maintain web-based database management system that collates data and provides monitoring reports on rough sleeping.
Access to leisure services	Fusion	£5,000	£0	To support former rough sleepers to access the Council's leisure facilities free of charge. As leisure centres have been unavailable for the majority of the year, there has been no take up of this provision.
Contingency	To be confirmed	£1,500	£0	Funding put aside for in-year changes to committed allocations.
Total allocated/committed		1,401,842	£1,270,657	

Appendix 2

Appendix 2 – Proposed allocation of homelessness prevention funds 2021/22

Service areas	Provider	Proposed Allocation 2021/22	Purpose
Supported accommodation		£886,605	
Contribution Oxfordshire Pooled Budget for the Adult Homeless Pathway(AHP)	Oxfordshire AHP / Oxfordshire CC commissioner	£219,030	Provision of supported housing.
Housing First	Homeless Oxfordshire	£47,850	Funding for 1 FTE Support Worker & 0.5 FTE Peer Support Worker for this specialist housing project. Offers an alternative supported housing model aimed at getting entrenched rough sleepers permanently off the streets.
Acacia existing x 5	Response	£134,453	Funding for specialist supported housing for people with complex needs. The Acacia Project builds on the Housing First model and has developed as a result of recognition by housing and mental health service commissioners that there is an increasing number of people who “fall between the gaps” of mental health services and homelessness services, and getting ineffective support from either or both due to their needs. An additional £38,753 has been allocated to this year’s budget from previous underspend on this project to increase the number of units from six to twelve.

Project 41	Homeless Oxfordshire	£150,000	Funding for 41 units of supported accommodation for rough sleepers and single homeless people with a connection to the City of Oxford. Provision for medium to low support needs with a focus on support to enable residents to move on to and sustain independent accommodation.
Matilda House	A2Dominion	£266,000	Funding for 22 units of supported accommodation for people with complex needs and 15 units move on accommodation. An additional £41,000 has been awarded this year to support more complex clients in the move on units, as there is more demand for this provision.
Mayday Trust 10 units	Mayday Trust	£39,272	This project was due to end as Mayday are exiting the provision of accommodation. £20,000 of this cost was due to be a saving however since the budget was drafted a potential alternative provider has come forward, so this saving has been taken from elsewhere in this budget.
Severe Weather Beds - various	Various including Homeless Oxfordshire, St Mungo's, Aspire, A2Dominion	£30,000	Funding to provide additional emergency bed spaces in periods of severe weather for all rough sleepers who need them. Spending is forecast to be higher than the original allocation as a result of changes to how SWEP this provision operates as a result of restrictions due to Covid19. Additional funding of £36,000 for severe weather beds has been provided by the government, which means there will be no additional cost to the council.
Street Engagement		£47,500	
Rough Sleeping & Street activity service - TVP	Thames Valley Police	£30,000	Funding for TVP City Centre Unit to provide targeted support to reduce rough sleeping through outreach, enforcement, tackling begging and anti-social behaviour. TVP City Centre Unit has a dedicated police constable for the purpose of this work.

City Centre Ambassadors	Oxford City Council	£17,500	The City Centre Ambassadors provide a visible presence within Oxford City Centre. They assist people with enquiries, liaise with businesses to keep the city centre clean and litter free, and work closely with the police to spot and deter anti-social behaviour. They engage with homeless people, referring them into the appropriate support services.
Preventing homelessness		£94,009	
Tenancy Sustainment Officer - Elmore	Elmore Community Services	£35,630	Funding for 1 FTE specialist sustainment officer to support residents in Oxford City Council accommodation to maintain their tenancies.
Welfare Reform Outreach Team	Oxford City Council	£42,379	Funding contribution towards the work of a team focussing on the impact of welfare reform across the City. This has been reduced by £41,000 as outlined in the budget report for 21/22.
Tenant Ready Course	Connections	£16,000	Funding to provide courses to help people develop a range of skills that will enable them to become tenancy ready. Connections are able to deliver this course digitally as well as face to face, enabling it to be delivered during periods of lockdown. Last year this was funded from the Flexible Homeless Grant.
Positive activities & help to get into work		£199,367	

Day Services	To be confirmed	£61,164	Funding for provision of day services – showers and laundry facilities as well as breakfast and lunch and any other activities taking place – for individuals rough sleeping in the City and working with outreach services to access suitable accommodation. Covid has meant that these services have not been provided in 20/21, and Homeless Oxfordshire will no longer be providing them in O'Hanlon House so an alternative provision will be developed in 21/22. The £20,000 saving originally allocated to Mayday accommodation has been taken here instead (see above)
Gatehouse Café	Gatehouse	£5,580	Core funding for the Gatehouse café, to support and engage people sleeping rough to access accommodation and specialist support.
The Porch Day Centre	The Porch	£55,000	Core funding for The Porch (formerly known as Steppin' Stone) daycentre to support rough sleepers and those vulnerably housed through a range of activities, training and education and where appropriate sign post clients to more appropriate services.
Aspire	Aspire Oxford	£77,623	Funding for 2 FTE Education, Training and Employment workers to provide training and employment opportunities for homeless and/or vulnerably housed individuals in the City. Aspire is a social enterprise working towards becoming self-sufficient.
Other		£387,203	
Single Homelessness Team (current arrangements)	Oxford City Council	£211,405	Funding contribution towards the Council's Rough Sleeping and Single Homelessness Team.
Target Hardening/Sanctuary	Oxford City Council	£30,000	Funding provided for a post in the Anti-Social Behaviour Team to support victims of domestic abuse and enable them to stay in their

Scheme			own homes. Last year this was funded from the Flexible Homeless Grant.
OxTHINK (formerly Oxford CHAIN)	Real Systems	£5,000	Core funding to maintain web-based database management system that collates data and provides monitoring reports on rough sleeping.
Access to Leisure Services	Fusion	£5,000	To support former rough sleepers to access the Council's leisure facilities free of charge.
Contingency	To be agreed	£135,798	Reserved to address changing circumstances in relation to the Covid19 pandemic, including the exit of "Everyone In" accommodation.
Total allocated/committed		£1,614,684	

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Appendix 3

Appendix 3: Risk Register

					Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
Title	Risk description	Opp/ threat	Cause	Consequence			I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Delivery of Service	Commissioned services don't deliver expected outcomes	Opp	Inadequate monitoring or inappropriate service measures applied	Potential increase in rough sleeping	5/2/21	Paul Wilding	3	2	3	1	3	1		Service measures agreed in partnership with providers. Robust monitoring regime put in place and regularly reviewed	1/4/21	In Progress	50	Amie Rickatson
103 New demands	Changing circumstances during the year require different services to be delivered.	threat	Always a risk, but particularly so with Covid restricting the way many services can be delivered.	Increase in rough sleeping, Increase in covid cases in homeless population	5/2/21	Paul Wilding	4	3	4	3	3	2		Power delegated to vary services. Working in partnership with service providers encourages flexibility on their part.	1/4/21	In Progress	10	Amie Rickatson
Increase in rough sleeping	An increase in rough sleeping puts pressure on services funded by this grant	threat	The end of an embargo on evictions, and the furlough scheme is likely to lead to an increase in rough sleeping.	Services unable to meet demand	5/2/21	Paul Wilding	3	3	3	3	2	2		Ensure prevention work is funded, not just support for rough sleepers. Adopting a system wide approach to managing homelessness.	1/4/21	In Progress	50	Amie Rickatson

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To: Cabinet

Date: 10 March 2021

Report of: Head of Regulatory Services and Community Safety

Title of Report: Proposal for a Selective Licensing Scheme for privately rented homes

Summary and recommendations	
Purpose of report:	To inform Cabinet of the results of the consultation exercise carried out into the proposal to introduce a selective licensing scheme in the city. Following the consultation it is proposed that a selective licensing scheme is introduced, however there have been some proposed changes to the scheme based on the feedback received. If the recommendations are approved, a submission to the Secretary of State for Housing, Communities and Local Government will be required for confirmation before the scheme can be implemented.
Key decision:	Yes
Cabinet Member:	Councillor Alex Hollingsworth, Cabinet member for Planning and Housing Delivery
Corporate Priority:	More Affordable Housing.
Policy Framework:	Housing Strategy
Recommendations: That Cabinet resolves to:	
1	Consider the outcome of the consultation process detailed in the report (Appendix 1), in particular the representations received and the Council's consideration and response to these (Appendix 3);
2	Approve the designations as outlined in Appendix 5A and 5B as being subject to selective licencing and confirm that Cabinet is satisfied : a. That the statutory grounds and requirements outlined in this report to introduce a selective licensing scheme have been met b. That it has considered other courses of action available to it that might provide an effective method of achieving the objectives that the designation intends to achieve , and c. That it considers that making the designations will significantly assist it to achieve those objectives

3	Agree that a submission be made to the Secretary of State for Housing, Communities and Local Government requesting confirmation of the designations;
4	Delegate , subject to recommendation 3, to the Head of Regulatory Services and Community Safety and the Head of Law and Governance in consultation with the Cabinet member for Planning and Housing Delivery, responsibility for agreeing the final documentation requesting confirmation of the scheme to the Ministry of Housing, Communities and Local Government (MHCLG);
5	Agree to the proposed fee structure for licence applications at Appendix 7;
6	Agree the proposed licence conditions that would accompany any granted selective licence at Appendix 4; and
7	Agree the proposed eligibility criteria as detailed in Appendix 6
Appendices	
Appendix 1	Executive Summary -Consultation Report
Appendix 2	Consultation Methods Comparison
Appendix 3	Response to Consultation
Appendix 4	Licence Conditions Proposal
Appendix 5	Designations
Appendix 6	Eligibility Criteria
Appendix 7	Fee Proposal
Appendix 8	Risk Register
Appendix 9	Equality Impact Assessment

Introduction and background

1. On 9th September 2020, following a report presenting evidence that there were poor property conditions within the private rented sector across the city, Cabinet agreed to carry out a statutory consultation exercise on the proposal to introduce a selective licensing scheme under Part 3 of the Housing Act 2004. The report also outlined the importance of selective licensing in the wider Housing Strategy of tackling poor conditions and poor management practices in the private rented sector, and contributing to the Council's priority of "meeting housing needs".
2. The Council initially commenced the consultation on the 10th September 2020 for a period of 12 weeks, but this period was extended due to the COVID-19 pandemic and November lockdown, concluding on the 31st December 2020 after a total period of 16 weeks.
3. This report confirms the outcomes of the completed consultation exercise and makes recommendations in relation to the proposed designation and

introduction of a selective licensing scheme in the city. The Executive summary report of the consultation exercise and findings are attached in Appendix 1

4. The Council still believe that the case for a scheme of selective licensing remains strong. The case presented to the Cabinet meeting in September 2020 highlighted that there is a problem with poor housing conditions in the private rented sector in the city – in particular, a significant number of properties with Category 1 and/or 2 hazards requiring inspection - and that the proactive approach that selective licensing will introduce will protect occupiers living in the sector from such poor conditions.
5. In the event that Cabinet agree to the proposed designation of a selective licensing scheme, this will be subject to confirmation by the Secretary of State for Housing, Communities and Local Government in accordance with the *Housing Act 2004: Licensing of HMOs and Selective Licensing of Other Residential Accommodation (England) General Approval 2015*.

Key findings from the Consultation exercise

6. The council appointed an independent research consultant to undertake the exercise required by section 80(9) of the 2004 Act. The exercise covered the proposal to introduce a selective licensing scheme and the renewal of the HMO licensing scheme, which is subject to a separate report on the agenda.
7. The initial consultation exercise was extended due to the second national lockdown being introduced in November 2020. The exercise was extended until the 31st December which allowed for more time for respondents to give feedback and for a further online event for landlords and agents to be undertaken.
8. A range of techniques were used for the consultation which included an online questionnaire, stakeholder interviews, resident and tenant interviews and 4 events for landlords and agents. Paper questionnaires were also available, with 138 sent out. Unfortunately, due to the restrictions in place in relation to the COVID-19 pandemic, face to face interviews / forums were not undertaken as part of the exercise; however meetings were held using a digital platform and were well attended.
9. An analysis of the methods used by other authorities undertaking similar consultation exercises prior to the COVID 19 pandemic, and the responses to their consultations, has been undertaken. It can be seen that the consultation undertaken by the Council has had comparable, if not better, responses with the methods used in its consultation. See Appendix 2
10. In total the Council received 1,987 questionnaires and 53 written submissions. The breakdown of the respondents via the questionnaire is shown in Table 1 below. There were 4 virtual events for landlords and agents which were attended by 148 participants. 10 local tenants and residents recruited from across the city, attended a virtual focus group and 11 in depth interviews were undertaken with stakeholder organisations.
11. The Housing and Homelessness Panel meeting on the 3rd September 2020 recommended that the council should adapt its approach to ensure the views of vulnerable tenants were not overlooked in the consultation. Feedback is often skewed towards the most engaged group, which is usually landlords when consulting on licensing schemes, and this is clear in the number of responses received from landlords and agents. However it must be noted that there were

764 residents who also responded, and of these, 598 responded to a further question relating to their tenure, with 284(37%) privately renting in the city.

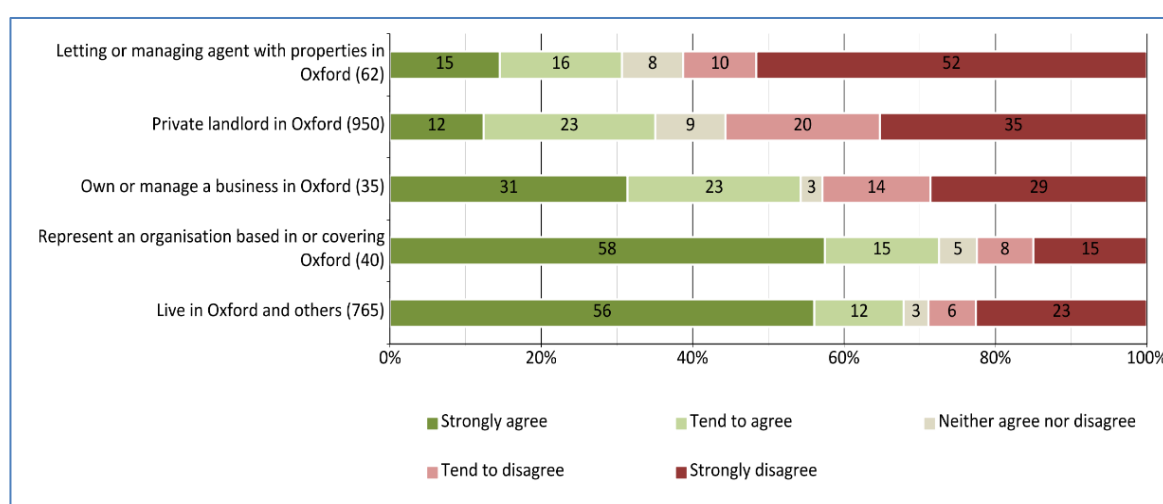
12. To reach private tenants, letters were sent twice to those in receipt of housing benefit, informing them of the consultation and that paper applications were available. The Council also contacted a number of agencies across the city who represent and support vulnerable residents, this resulted in a number giving their feedback to the proposals via in-depth interviews and written submissions.

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

Stakeholder type	Count	% Valid responses
Letting or managing agent with properties in Oxford	70	4%
Private landlord in Oxford	1,012	51%
Own or manage a business in Oxford	38	2%
Represent an organisation based in/covering Oxford	41	2%
Live in Oxford	764	38%
Other respondents	62	3%
Total responses	1,987	100%

13. Roughly a third of landlords (35%) and agents (31%) agreed with the principle of introducing a selective licensing scheme, with 55% of landlords and 62% of agents disagreeing. However the principle was more widely supported among the other groups, particularly by organisation representatives (73% agreeing) and residents and other respondents (68% agreeing), as well as by around half of those who own or manage a business. See Figure 1 below

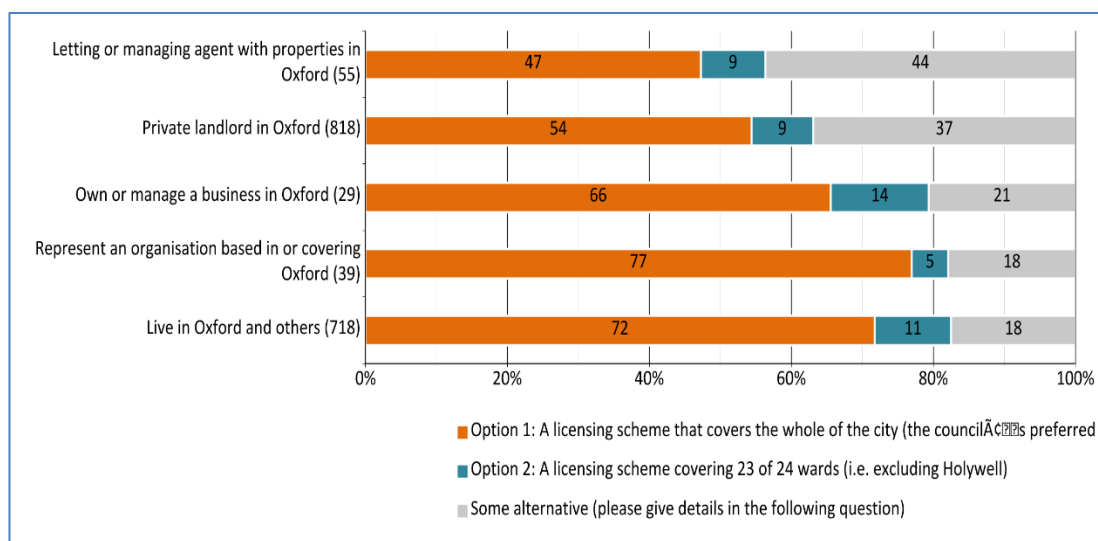
Figure1: To what extent do you agree or disagree with the principle of introducing some form of selective licensing scheme?



14. Whilst it can be seen that the majority of landlords and agents do not agree with the proposal to introduce a selective licensing scheme, if it was to be introduced,

more would prefer a scheme covering the whole of the city, rather than only covering 23 out of the 24 wards - see Figure 2 below:

Figure2: Summary of what respondents indicated would be their first choice, in the event of a selective licensing scheme being introduced



15. The Council must consider any responses received in relation to the consultation, in accordance with section 80(9) of the 2004 Act. Having carefully considered the responses the Council's formal response is provided in Appendix 3. This covers the response to both the proposal to introduce selective licensing and the renewal of the Additional HMO licensing scheme.

16. A number of changes, laid out below, have been made to the proposed selective licensing scheme following the feedback received in the consultation exercise:

Licence Conditions

17. There are a number of conditions which must be applied to all licences when granted, these are known as mandatory conditions and are prescribed by schedule 4 of the Housing Act 2004. The Council can also apply other standard discretionary conditions to the licence which are not property specific and it is proposed that these will also be applied to all licences. This ensures fairness and consistency in the obligations placed on all licence holders in regulating the private rented sector. This is common practice amongst local authorities operating such schemes where inspections are not carried out routinely before licences are issued.

18. It must be noted that conditions applied to selective licences have been limited by a Court of Appeal ruling, *Brown v Hyndburn Borough Council*. It was held "management" related to operational matters (i.e. what actually happens at and to the property) and not to improving or upgrading houses or installing new facilities and equipment.

19. It is appropriate to add certain conditions to all selective licences to ensure landlords are taking a minimum level of "management". The reason for introducing selective Licensing is that there are poor property conditions in a significant number of properties within the non HMO private rented sector, with a high percentage of rented homes having a Category 1 hazard, meaning the property is hazardous to its occupants and needs repair. The Council will

therefore take action under Part 1 of the Housing Act, using the Housing, Health and Safety Rating system (HHSRS) to assess any hazards in the property. Whilst some respondents to the consultation exercise have raised the limitation of not imposing conditions relating to the improvement of property in a selective licensing scheme. The Council believe that the advantages of licensing outweigh such limitations; in that the licence holder must be fit and proper, the licensed property must meet certain minimum health and safety standards, and that there is a responsibility placed on licence holders to proactively manage the property.

20. Concerns were raised in the consultation by both landlords and tenants regarding certain proposed licence conditions

- Requirement for references - Landlords referred to an “overstep” of powers and they should have the choice whether to request a reference and must be free to choose who they want as tenants. Tenants were concerned this could negatively impact their ability to find accommodation. The Council understands these concerns, however as this is a mandatory condition then the Council must add this condition to all selective licences. The wording of the condition is taken directly from the Housing Act 2004.
- Waste Management - Landlords generally raised concerns about requirements being “complicated” and suggested guidance and templates are provided for landlords. Conditions relating to waste management in HMOs are mandatory conditions and must be applied to all HMO licences issued. A similar selective licensing condition would be comparable. The condition has been reworded following the comments received. The condition requires that the licence holder ensures that tenants have adequate waste disposal and that storage is available. The licence holder must ensure that tenants understand the days of collection, and how to present waste for collection.
- Anti-social behaviour – the requirement to include a condition in tenancy agreements has been removed as has the standard discretionary condition relating to anti- social behaviour. The Council will include a condition if required at a specific property.

21. A number of discretionary licence conditions have been reworded to reflect concerns raised, including the provision of templates for landlords to use to help comply with conditions – see Appendix 4. Feedback also suggested that landlords wanted clear information concerning actions they need to take to comply with the scheme. This will be provided if the scheme is introduced, to assist landlords, agents and tenants with their rights and responsibilities.

22. In total, 23 standard discretionary licence conditions will be used in each licence. Whilst this may be considered a large number, it is comparable to other authorities operating selective licensing, as benchmarking found other similar schemes had an average of 27 licence conditions with a minimum of 8 conditions and a maximum of 44 conditions.

Scheme Outcomes

23. The primary aim of the selective licensing scheme is to improve property conditions within the non HMO private rented stock by helping the Council to eliminate Category 1 and 2 hazards using its powers under both Part 1 and Part 2 of the 2004 Act. Feedback from landlord representatives suggested that there

should be more transparency in reporting whether this aim has been achieved. In response to this the Council will develop a suitable monitoring report of actions taken to meet this aim.

24. The Council has considered the length of the proposed scheme and if agreed, it will be on the basis that the scheme will operate for 5 years. The 5 year designation is considered both necessary and proportionate as it is less likely, that the Council will be able to achieve its strategic objectives in a shorter timeframe.

Fees

25. The feedback received concerning the fees has been broadly accepted and incorporated into the proposed fees in Appendix 7. This is dealt with in detail in the financial implications section of the report. The Council has had careful regard to the Court of Appeal's decision in *R (Gaskin) v Richmond upon Thames LBC* and has structured the proposed fees accordingly.

Eligibility criteria

26. When granting a licence the council must be satisfied :

- that the proposed licence holder is a fit and proper person, and
- that there are satisfactory management arrangements in place.

The Council must consider, amongst other things:

- Whether the licence holder (or manager) has contravened¹ any provision of the law relating to housing or of landlord and tenant law.
- Whether any person proposed to be involved in the management of the house has a sufficient level of competence to be so involved.
- Whether any proposed management structures and funding arrangements are suitable.

27. Where the Council is not satisfied as to the fit and proper person or management arrangement tests, then the licence application can be refused. However, there are likely to be cases which are "borderline", where concerns are raised, but it is considered that refusal is not proportionate or that the applicant would be likely to succeed if they appealed.

28. The Housing Act 2004 s.91(4) states a licence must not be in force for more than five years i.e. the maximum licence length is five years. The default for the proposed selective licensing scheme is for licences to be issued for five years. However, in those "borderline" cases, then a licence may be issued for a year to allow:

- Outstanding fit and proper person concerns regarding contraventions of housing or landlord and tenant law to be resolved

¹ Contraventions – this does not mean a conviction. A contravention is where there evidence a law / regulation has been broken – this may not result in a conviction. It may be that an enforcement notice has been served or a caution or fine issued.

- The licence holder and / or manager to demonstrate they have the necessary competence and that satisfactory management arrangements are in place.

It would be expected that these concerns can either be resolved in the year and the landlord can then renew the licence and be granted a five year licence, or that the concerns would not be resolved, resulting in the renewal application being refused or an alternative licence holder / manager being found or that the property no longer requires a licence. This approach has been taken by other Councils operating selective licensing and is similar to criteria for HMO licensing. A list of examples that may lead to a one year licence being issued under the scheme is provided in Appendix 6

29. During the consultation both letting agents and landlords wanted wider eligibility for the accreditation status. The Council will increase the number of eligible accreditation schemes. The Council recognises that its own accreditation scheme has resource limitations and that there are advantages to having greater eligibility for the better landlords as long as quality is not compromised. It is proposed that a wider range of organisations are accepted and the proposed changes are contained in Appendix 6. Simply being a member of a landlord or trade organisation is not sufficient and there has to be a training element to the accredited status. As other schemes may subsequently be considered suitable and existing schemes less so, upon review, it is considered that delegated powers to add to and remove schemes from the list should be delegated to the Head of Regulatory Services and Community Safety, subject to approval by the Head of Law and Governance who can consider the potential legal issues arising from such decisions.

Alternatives to selective licensing

30. A number of alternatives have been suggested in the feedback received. These have mainly been voluntary schemes, such as landlord accreditation, property MOTs, exempting properties managed by agents, and landlord registration. Whilst such schemes are worthwhile, they are not supported by a robust enforcement regime and rely on landlords' and agents' engagement, which has not been forthcoming with the Council's current accreditation scheme.
31. A further suggestion was to increase the use of the current powers that the Council has to tackle poor conditions in the private rented sector. This suggestion would rely on private tenants complaining to the Council, experience has shown that tenants often "put up" with poor living conditions rather than complaining to the Council. Private tenants are often unaware that they are able to complain or are reluctant to do so as they can be fearful of retaliatory eviction. A more robust approach, coupling current powers with those of selective licensing, allowing proactive inspections such as those undertaken in licensable HMOs, would see improvements in property condition and compliance with minimum standards in the non – HMO stock. Further, unlike Part 1 of the 2004 Act, Part 3 engages all licensees proactively in improving the safety of their properties, for example by fitting smoke and carbon monoxide alarms, and obliges them to manage complaints, such as complaints about disrepair, proactively.
32. A number of respondents suggested that the scheme was not required and that the sector was being managed adequately without the need for intervention by

the Council. However the evidence considered by Cabinet at the meeting on the 9th September 2020 (Private Rented Sector: Housing Stock Condition and Stressors Report 2020 – Metastreet) suggests that there is a significant problem with the conditions within the private rented sector across the whole city, in particular with the number of Category 1 and 2 hazards in such properties, and that there is a clear need to inspect and address the problems. If the selective licensing scheme was not pursued such conditions would continue and would still need to be addressed on a reactive, rather than a proactive, basis following complaints made to the council. Without selective licensing, the evidence suggests, 1 in 4 families are at risk of living in unsafe, poorly managed homes in the private rented sector.

- 33. It is clear from a number of comments received that there is support for enforcement of the proposed scheme; and that this needs to be consistent and fairly applied to those landlords who choose to evade their responsibilities.
- 34. After consideration of the alternatives identified through the consultation process, the Council concludes that none would, individually or collectively, be capable of delivering the scheme objectives that the Council would deliver through the operation of a selective licensing scheme.

Implications and impact of covid-19

- 35. Current Government guidance recommends that local housing authorities continue work on pending (licensing) designations having regard to local circumstances, but consider pausing them at an appropriate moment if it is necessary i.e. the process may need to be paused if it conflicts with the latest advice or if officer resource is required elsewhere in response to the pandemic.
- 36. The start of the consultation exercise was initially delayed due to the first national lockdown and then once started the consultation was extended for a further 4 weeks. This allowed extra time for respondents to complete the questionnaire and an extra (virtual) landlord/agent event which was well attended.
- 37. Criticism was made during the consultation that it was not appropriate to consult on such a scheme at this time – for example, one comment suggested it was *“wholly improper and unreasonable, and is preventing a large number of people from raising their concerns and from putting forward their objections”*. Concerns were also raised regarding cash flow and payment of fees due to the pandemic.
- 38. An analysis of the methods used by other authorities and responses undertaking similar consultation exercises prior to the COVID 19 pandemic has been undertaken. It can be seen that the consultation undertaken by the Council has had a comparable level of response and engagement, if not better with the methods used in its consultation. See Appendix 2
- 39. If a designation is approved by Cabinet, it will be subject to confirmation by the Secretary of State, in accordance with section 82 of the 2004 Act and the 2015 General Approval. The Council will need to prepare a submission to the Secretary of State, which can be continued in the current circumstances. After submission, there will be considerable time before determination – therefore, if confirmed, the start of a scheme will not be until 2022. This will give time for the impacts of COVID to decrease and improved cash-flow for payment of fees. The

Council will, nonetheless, review the commencement of the designation in light of current circumstances.

Legal Issues

40. Selective licensing was introduced by the Housing Act 2004 (the Act) along with two other forms of property licensing schemes. The Act gives local authorities the discretionary power to introduce selective licensing schemes, applying to privately rented properties. Schemes can be applied to all or part of the Council's area, and will impose conditions on landlords for minimum standards of management.
41. Section 80 of the Housing Act 2004 and the Selective Licensing of Houses (Additional Conditions) (England) Order 2015 sets out the criteria and considerations that the Council must be satisfied are met when considering designating a selective licensing area. The Council relies on the conditions set out in Articles 3 and 4 of the 2015 Order, namely a designation on the ground of housing conditions.
42. Any scheme which would cover more than 20% of the Council's geographical area or that would affect more than 20% of privately rented homes in their area as subject to selective licensing must be confirmed by the Secretary of State. If the designation is confirmed by the Secretary of State, it cannot then come into force until the expiry of three months from the date of confirmation.
43. The Council has carefully considered the provisions of the 2004 Act, the 2015 Order, the 2015 General Approval and the DCLG's 2015 guidance, *Selective licensing in the private rented sector: a guide for local authorities*. It is satisfied that it has met the considerations set out in the legislation to make a submission to the Secretary of State for confirmation of a selective licensing scheme in that:
 - The Cabinet at its meeting on the 9th September 2020 concluded that the Private Rented Sector: Housing Stock Condition and Stressors Report July 2020 (Metastreet) evidenced that in each ward across the city there was a high proportion of properties in the private rented sector, compared to the total number of properties, and that a significant number of those properties contained a serious housing hazard, which the Council would wish to inspect and address.
 - The Council is satisfied that these properties are occupied either under assured tenancies or licences as required by Article 3 of the 2015 Order, not least because, by section 19A of the Housing Act 1988, assured shorthold tenancies are the default tenancy under which private rented sector properties are let.
 - For the reasons mentioned briefly above, among others, the Council is also satisfied, that a selective licensing designation, both alone and when combined with other measures taken by the Council, will contribute to an improvement in general housing conditions in the area.
 - The Council is, therefore, satisfied that the statutory ground that the area is experiencing poor property conditions is established, in accordance with Articles 3 and 4 of the 2015 Order.

44. A statutory consultation has been undertaken with landlords, letting agents, tenants and their representatives, residents and other stakeholders. The consultation complied with the requirements of the 2015 General Approval, with the DCLG's 2015 Guidance and with other legal requirements. In accordance with section 80(9) of the 2004 Act, the representations made have been considered and the Council's response to them forms part of this report.
45. The Council has also been mindful of its obligations under section 81 of the 2004 Act. In particular, the Council is satisfied that a selective licensing designation would be consistent with its overall housing strategy, and would dovetail effectively with its approach to addressing homelessness, empty properties and anti-social behaviour. In that regard, in summary, the Council's strategic approach to housing can be seen in the Housing and Homelessness Strategy 2018-21. There are a number of priorities including making the best use of private sector accommodation which sets out a range of actions including regulating the private sector and introducing selective licensing. The Council Strategy 2020-24 outlined the council's aim to improve Oxford's residents' access to affordable and high quality homes irrespective of tenure. A headline action of the strategy is to implement selective licensing to improve standards in the private rented sector.
46. Selective licensing compliments other council priorities including ensuring that residents are living in safe and secure homes, reducing anti-social behaviour – not least by imposing conditions where appropriate to manage its occurrence - and helping to building a flourishing community. It also assists the Council to fulfil its duties to the homeless, for example by increasing the protection available to private rented sector residents, reducing the likelihood of homelessness, reducing the pressure on public resources and facilitating the discharge of the Council's duties with offers of safe accommodation in the private rented sector. Selective licensing can also help towards building a strong local economy as seen with the Additional HMO licensing scheme with added investment in the sector through landlords improving their rented homes.
47. The Council has considered alternative courses of action in relation to selective licensing to deal with poor property conditions within the privately rented stock, which formed part of the September report and this report. For the reasons mentioned briefly above, among others, the Council is satisfied that none of these alternatives, whether individually or collectively, would be adequate to meet the Council's strategic objectives, and that selective licensing is both a necessary and proportionate measure to enable it to do so.

Scope of the Scheme

48. The consultation exercise confirmed that there was support for the proposed scheme to be citywide with 62% of overall respondents preferring this option. 72% of those living in Oxford were in favour of this along with 54% of private landlords. The comments received were mainly around the need for simplicity. Some were also concerned that landlords would move into the Holywell area to avoid licensing.
49. Whilst most landlords and agents did not agree with the Council's proposal to introduce a selective licensing scheme, in the event of a selective scheme being introduced, more would prefer a scheme covering the whole of the city, rather than a scheme covering 23 out of 24 wards (i.e. excluding Holywell). Around half

of business representatives (51%) agreed with the Council's preferred option for a selective scheme covering the whole city, and this preferred option was widely supported by organisation representatives (71% agreeing) and residents and other respondents (68% agreeing). There was also a widespread view among these groups that, if a selective scheme was to be introduced, then a citywide scheme would be preferable to one covering 23 of the 24 wards, or to some other alternative.

50. Notwithstanding the comments received in the consultation exercise, the Council recognises that there are material differences in the housing stock within the Holywell Ward. Whilst the ward has a high level of privately rented properties and therefore meets the 20% threshold, there is less evidence of poor property conditions and there are low numbers of properties containing serious home hazards. The majority of the privately rented properties in the ward are university or college owned and managed and as such they are exempt from any licensing requirement under the 2004 Act. It is therefore less likely that licensing intervention will lead to improvements in this area, compared with others. It is also unlikely that landlords would move into this area to avoid licensing given the ownership of the stock.
51. Given the need for confirmation of the designation by the Secretary of State, and the need for robust evidence to support a city-wide designation, it is recommended that two designations are submitted for confirmation in the alternative, one which would cover the whole City – the Council's preferred option - and one which would cover the whole city excluding Holywell ward – the alternative. See Appendix 5 This would enable the Council to present a compelling case for confirmation of both designations, but also allow the Secretary of State to consider each on its own merits. This approach has been used in the past by other Local Authorities and maximises the likelihood that the benefits of selective licensing will be secured.

Financial implications

52. The proposed fees are set out in Appendix 7.
53. Through the statutory consultation, the Council confirmed that it was intending to charge a licence fee in respect of an application to licence a property in the selective licensing scheme. The proposed fees had been calculated on the basis that the scheme would be cost-neutral to the Council, with licence fees covering the Council's costs of administering, managing and enforcing the scheme and meeting the scheme objectives.
54. The licence fee can only cover the costs incurred by the council under Part 3 and Chapter 1 of Part 4 to the 2004 Act, in respect of management orders, in so far as they are not recoverable under Part 4. It must be cost neutral. As with the HMO licensing scheme, the fee is charged in 2 parts and both parts must be paid for a licence to be issued. Stage 1 covers the cost incurred in processing the application and Stage 2 covers the costs of operating and enforcing the scheme which can be charged as part of the licence fee. During processing, the stage 2 fee will be determined, based on the information provided at application stage. Requests were made in the consultation for more information on what was charged in the fee, this information is detailed in Appendix 7
55. The income forecasts have been calculated using a licensable stock of 12,000 properties and assumed that 75 % of applications will be received within the first

3 months, this assumption is based on results from similar schemes and the Council's experience with the additional HMO licensing scheme. If these predictions are found to be incorrect staffing and resource level will be amended accordingly. These predictions have been made on the standard, early bird and accredited applications only. It is not possible to forecast in detail the applications benefiting from a charitable discount or block licence.

56. The predicted income includes an inflationary rise of 3% each year which will be applied to fees as part of the budget process if required. As these figures are predicted any excess income received from this type of application will be placed in a reserve account at the end of the financial year.

57. The predictions are based on the experience of HMO licensing and will need to be reviewed regularly and in light of the number of applications received and any other unforeseen work required in the scheme. Fee levels will be reviewed on an annual basis.

Year	1	2	3	4	5
Number of Applications	7200	1512	1140	998	570
<i>costs</i>					
Applications Processing etc	£ 2,160,804	£ 411,648	£ 311,527	£ 280,853	£ 165,249
General Costs - Representations/variations /withdrawn applications	£ 111,600	£ 14,369	£ 10,524	£ 9,485	£ 5,583
General Enquiries& Service Requests	£ 295,200	£ 38,007	£ 27,838	£ 25,089	£ 14,767
Enforcement - non compliance	£ 712,290	£ 91,707	£ 67,171	£ 60,537	£ 35,631
landlord Liaison/promotiom	£ 47,524	£ 6,119	£ 4,482	£ 4,039	£ 2,377
Travel/ICT	£ 98,640	£ 12,700	£ 9,302	£ 8,383	£ 4,934
Total Cost	£ 3,426,059	£ 574,549	£ 430,843	£ 388,387	£ 228,541
Income	£ 2,678,400	£ 760,572	£ 668,820	£ 602,774	£ 354,776

58. The total income predicted over the 5 years of the scheme is £5,065,342 and the total costs predicted are £5,048,379.

59. A concern raised in the consultation was that the scheme, to be successful, had to be adequately resourced. Staffing for the proposed scheme has been assessed based on the number of applications expected. The staffing required will be kept under review throughout the scheme, with temporary staff being used to accommodate peaks in demand. As the work in relation to property licensing is carried out by two teams, the staffing has been divided accordingly.

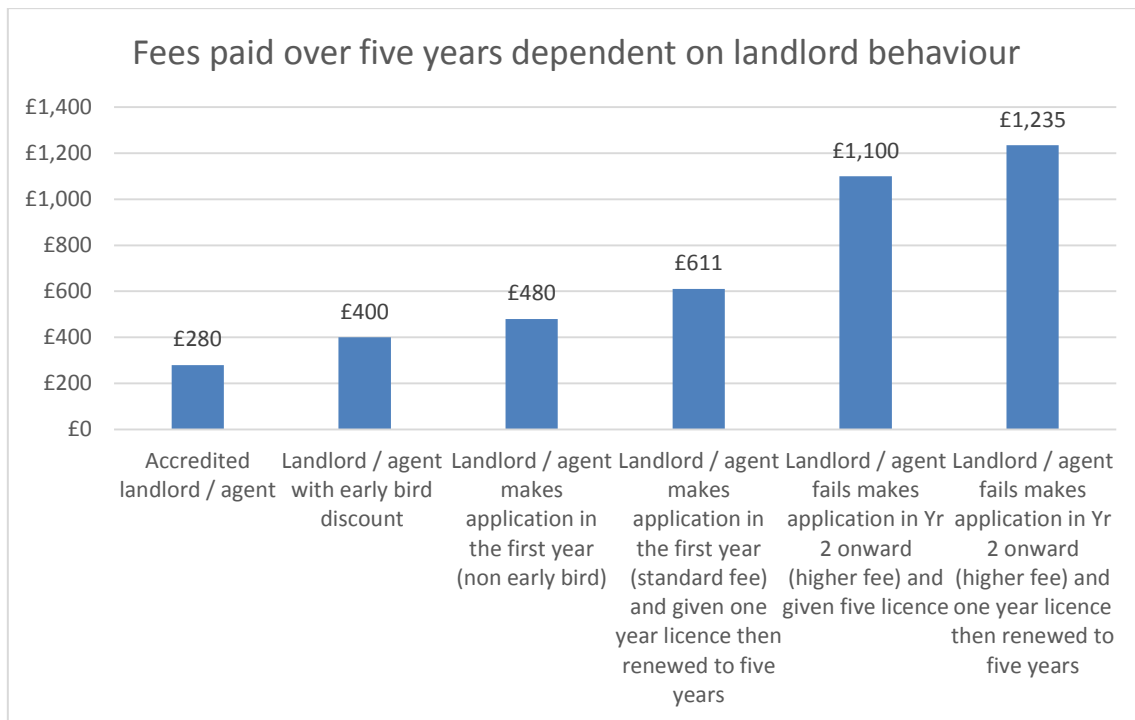
Team	Number of additional FTE required	Permanent/Temporary
Customer Services (Applications Team)	26	10 permanent plus 16 temporary in Year 1

Enforcement Team	11	Permanent

60. If the government approve the application to introduce the scheme, there must be a period of 3 months prior to the introduction, which would allow time for the recruitment and training of staff to process the applications. The staffing of the scheme will be kept under review as the scheme progresses to ensure that the scheme is operating within budget and that applications are processed in a timely manner.
61. Following the feedback received, the Council are investing in back-office improvements to increase efficiencies and to ensure that the operational challenges of administering the predicted large number of applications are met. This should lead to improvements for the applicant in the application process.
62. Enforcement costs in relation to the legal action taken using Part1 of the Housing Act 2004, i.e. improvement and prohibition notices and costs in relation to applying financial penalties have not been included in the expenditure forecasts. This work will be the main source of funding for future private housing enforcement and is recharged to the recipient of the notices and financial penalties to cover costs, similar to the costs awarded as part of a prosecution case.

Fee Levels

63. Concerns were raised during the consultation that the standard fee is too high and could lead to increased rent. A standard fee of £480 equates to 26p per day. Although it is accepted this cost is paid upfront, the fee is in two parts. An independent study carried out in 2019 by MHCLG found that the impact of other factors such as market forces were the primary reasons for rent rises and not licensing schemes. In addition, benchmarking in early 2020 established the average non-London fee for a selective licence is £630, with only 30% authorities charging under £500. To demonstrate that the fee scheme is designed to ensure compliant landlords are not financially penalised compared to non-compliant landlords, the chart below shows different landlord behaviour and fees payable



64. Suggestions were made during the consultation to offer part – payment or payment of fees by installations. Reasons cited included the fee being high and the impact of COVID-19 on cash-flow. The fee is charged in two parts, as per legal requirements, and there is some time between the two payments being made. The first part is paid when the application is made and the second following the notice of intention, once the application has been processed. Given the scheme will not be introduced until at least 2022, the impact of COVID-19 on cash flow would hopefully have ceased. However, further payment by instalment (e.g. direct debit) is not considered practical as it would add to processing costs by increasing administration.
65. Suggestions were made in the consultation that when a new application is made in the latter years of the scheme because a landlord has just acquired the property, that a reduced fee should be charged. However, licences will be granted for five years as standard and therefore the cost remains the same. Even if the scheme expires, the licence and the conditions applied to it remain until the licence itself expires.

Discounts

66. The Council proposed a number of discounts in the consultation. Some respondents felt that the fee structure was over-complicated and therefore these discounted fees have been reviewed. The simplest fee structure would be to charge one fee for all applications – however, this would mean that compliant landlords pay more towards enforcement costs than non-compliant landlords. This is not considered to be fair or in keeping with the experience the Council has with operating the HMO licensing scheme.
67. The consultation demonstrated overwhelming support for discounts to be applied where landlords and agents who fully managed properties were accredited. In response to this an accreditation discount will be applied throughout the scheme. “Accredited landlords” will be defined as per the HMO licensing scheme. Eligibility for this has been widened to include more

accreditation schemes rather than just the Council operated scheme. Comments were made that when a landlord uses an accredited agent to fully manage their properties, they are paying a management charge and then a licence charge. We have reviewed the fees and been able to offer a small reduction on the fee charged for accredited applications.

68. The “early bird” discount fee was also positively received. This fee will be available for the first 3 months of the scheme to incentivise applications. This is seen as good practice and is a method successfully used in other large licensing schemes. The standard fee will be applicable after this time.
69. To qualify for the early bird discount or accreditation discount, certain documents will need to be supplied with the application. When making an application, the legally required items are the application form, declaration and fee. The Council requests additional documents at the time of application to demonstrate the landlord has met other legal requirements that apply to rented homes. Providing the documents at the time of application reduces the enforcement time needed later on and therefore allows a discount to be applied. The Council is conscious the requirement to provide the requested documents cannot be too onerous or difficult for landlords to fulfil, therefore documents are limited to legally required certificates and self-declarations for certain mandatory licence conditions. See Appendix 7.
70. Feedback received during the consultation suggested that the higher rate application fee should not be introduced too quickly as this is a new scheme. The fees have therefore been designed and income predictions made on the basis that the higher application fee will not be introduced until the scheme has been in operation for 12 months, i.e. year 2 of the scheme.
71. A discount was proposed as part of the consultation exercise, to incentivise landlords to work with the Council to provide accommodation for homeless households. Following feedback received, which supported such a discount, it is intended to undertake further work with Housing Services to provide such discounts if the submission is successful. These would be available to registered charities and landlords who are working with the Council to provide accommodation for homeless households that the Council is supporting to find a home. The proposed discount will be in line with the accredited application rate.
72. The consultation proposed a discount for new – build properties. From the responses, there was no overall consensus in relation to this proposal, – with 50% of agents and just over two fifths of landlords (42%) agreed, but roughly a third in each group (31% and 33% respectively) disagreed. Where there is a newly built rental property then the accredited application rate will be given where:
- The property has never been lived in before;
 - The first tenants moved in within last 12 weeks;
 - 10-year building warranty and insurance cover from NHBC, or similar;
 - Building Regulations completion certificate supplied;
 - All required documentation is submitted with the application and documents are satisfactory;
- This discount will apply as new-build properties are built to current standards, and therefore should be free from Category 1 hazards, thereby reducing the number of complaints of “disrepair” made to the Council.

73. The consultation proposed a discount for licences where there are a number of properties requiring a licence within the same block of accommodation, under the same management control i.e. a block of self-contained flats. There was support for this in the consultation with 48% of landlords and 48% of agents agreeing with the discount. The criteria for this is attached in Appendix 6. It must be noted that HMO licensing takes precedence over selective licensing and so this discount only applies to non-HMO blocks of self-contained flats. Purpose built student accommodation that is not owned or managed by a University requires licensing under both regimes and it is intended that the same light touch approach that is taken for HMO licensing will be used should selective licensing be introduced. There is further work to be undertaken to establish how many properties may fall under this discount category; and modelling to evaluate the impact of discounts on the overall fee structure.

Refunds

74. Comments were made in the consultation regarding refunds. Regulations pertaining to the Housing Act 2004 states that a full refund must be given when, at the time the fee was paid that the house was did not require a selective licence and has continued to be a house that was not required to be licensed. The Council is not legally obliged to refund fees when the house did require a licence at the time of the application and since that time, the house has been sold or is no longer required to be licensed. However, a refund criteria was developed under the HMO licensing scheme and so a similar refund criteria will operate, detailed in Appendix 7.

Level of risk

75. The current COVID-19 pandemic has raised many issues, including a degree of uncertainty in the private rented sector, which may result in a reduced appetite for government regulation in the short term. The Council has had careful regard to Government guidance about the making and operation of licensing designations during the pandemic. However the need for good quality housing has been highlighted by the COVID -19 outbreak, which has seen a correlation between poor housing and poor health, with many localised outbreaks occurring in areas often with substandard and poorly managed housing. The Council considers that, on balance, selective licensing is likely to have beneficial rather than a detrimental effect on the private rented sector during the pandemic, not least by offering greater protection and security to those living in the sector, and reducing the prospect of homelessness at a particularly challenging time.

76. The Risk Register is attached as Appendix 8.

Equalities impact

77. The Equalities Impact Assessment is attached in Appendix 9. Overall private tenants will be positively affected by any designation for property licensing as selective licensing will place additional requirements on licensed landlords to be “fit and proper”, to provide a written tenancy and statutory management arrangements. Additionally, landlords without licences are unable to use the mandatory grounds for possession (s21) in the County Court.

78. Generally selective licensing will ensure landlords/licence holders responsibly manage their properties proactively, therefore this should lead to better quality

accommodation and greater community stability for groups who are unable to access social housing or homeownership. This can lead to tackling exclusion and assisting with community cohesion.

79. Improved management of properties in the private rented sector can also improve the quality of life of many other residents not living in the sector, as they can be impacted by poorly managed properties e.g. by low level neighbourhood anti-social behaviour such as fly tipping and noise, which licensing will help to alleviate.

Conclusion

80. The proposed designations meet the criteria set out in the Housing Act 2004, in the 2015 Order and in the 2015 General Approval; and the Council has paid careful attention to Government guidance. In particular:
- There is a high concentration of privately rented accommodation in all wards within the city.
 - That accommodation is let under either assured tenancies or licences, with assured shorthold tenancies being the default tenure, by operation of section 19A of the Housing Act 1988.
 - There is high level of poor property conditions within the private rented sector, which the Council intends to inspect.
 - The Council is satisfied that selective licensing is both a necessary and proportionate means to achieve its strategic objectives, is consistent with its housing strategy, and co-ordinates effectively with its approach to tackling homelessness, empty homes and anti-social behaviour.
 - The Council is further satisfied that none of the available alternatives to selective licensing, whether individually or collectively, would be adequate to achieve those objectives.
81. Further, the Council has undertaken and responded to the required consultation, in accordance with section 80(9) of the 2004 Act, the 2015 General Approval, Government guidance and other legal requirements.
82. In order to make a selective licensing designation, the Council is required to submit evidence to the Secretary of State that the scheme is compliant with these criteria; and the Secretary of State must confirm the designation before it can come into force.
83. Whilst the Council believes that a city-wide selective licensing scheme is the fairest and most effective approach, and is the preferred option of both the Council and the majority of consultation respondents, it is recognised that the Council's evidence does not show that privately rented homes in Holywell ward are in as poor a condition as homes elsewhere in the City. For this reason, it is appropriate to make two separate selective licensing designations which can be considered in the alternative and considered by the Secretary of State on their own merits.
84. The private rented sector accounts for nearly half of the city's housing stock. It is vital therefore the Council takes action to ensure the standards within it are adequate and properties are managed to a reasonable standard. It is proposed that the scheme if agreed, will be for 5 years, as it is unlikely that the Council will

be able to meet its objective of improving property conditions in the private rented sector in a scheme of shorter duration.

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Background Papers:

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Oxford City Council

Consultation on Selective and Additional HMO Licensing in the Private Rented Sector in Oxford

Executive Summary



**Opinion Research Services
January 2021**



Oxford City Council

Consultation on Selective and Additional HMO Licensing in the Private Rented Sector in Oxford

Executive Summary by Opinion Research Services

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Executive Summary

The commission

- 1.1 Oxford City Council (henceforth OCC or “the Council”) undertook a public consultation, seeking the views of landlords and letting agents, tenants and other residents, and other stakeholders about:
 - » The reintroduction of additional HMO licensing when the current scheme ends; and
 - » The introduction of selective licensing in Oxford.
- 1.2 Specifically, the Council consulted on a proposal to introduce a new additional HMO licensing scheme in 2021, following the expiration of the current scheme in January 2021, and the introduction for the first time of selective licensing of non-HMO private rented properties. As well as seeking views on the principle of a new scheme, and the possible designations and areas which might be covered, OCC requested feedback on other more detailed aspects of the proposed new schemes, such as fee levels and licence conditions.
- 1.3 Opinion Research Services (ORS), a spin-out company from Swansea University with a UK-wide reputation for social research and major statutory consultations, was appointed by OCC to advise on and independently manage and report the consultation programme.

The consultation

- 1.4 A formal consultation period of just over 12 weeks was originally planned to run from 10th September 2020 until 3rd December 2020. In light of the second national lockdown in November 2020, due to the ongoing COVID-19 pandemic, the Council made the decision to extend the consultation period for a further 4 weeks until 31st December 2020, bringing the total consultation period to just over 16 weeks.
- 1.5 During this period, landlords and agents, tenants and other residents, and other stakeholders were invited to provide feedback through the following channels and activities:
 - » A consultation questionnaire, which was ‘open’ and therefore available for any interested party to complete. This attracted 1,987 responses;
 - » Four virtual ‘deliberative’ events for landlords and letting and managing agents, undertaken via videoconference (Zoom) in light of social distancing guidance introduced by the UK Government, for which around more than 220 places were reserved, and a maximum of 148 participants attended;
 - » A deliberative virtual focus group for 10 local tenants and other residents recruited from across the city;
 - » 53 letters or email submissions from stakeholders who chose to provide their views in writing to OCC or ORS; and
 - » In-depth interviews undertaken by ORS with representatives of 11 stakeholder organisations.

Nature of consultation

- 1.6 The key good practice requirements for consultation programmes are that they should:
- » Be conducted at a formative stage, before decisions are taken;
 - » Allow sufficient time for people to participate and respond;
 - » Provide the public and stakeholders with enough background information to allow them to consider the issues and any proposals intelligently and critically; and
 - » Be properly taken into consideration before decisions are finally taken.

Accountability

- 1.7 The principle of accountability requires public bodies to give an account of their plans and take into account public views: the consultor (i.e., Oxford City Council) should conduct fair and accessible engagement while reporting the outcomes openly and considering them fully.
- 1.8 This does not mean, however, that the ‘majority’ views automatically decide public policy; and the popularity or unpopularity of draft proposals does not displace professional and political judgement about the final decision in the circumstances. The levels of, and reasons for, public support or opposition are highly important as considerations to be taken into account, rather than as factors that determine authorities’ decisions outright. Above all, public bodies must give due consideration to the relevance and cogency of the arguments put forward during public engagement processes, rather than ‘count heads’.
- 1.9 ORS does not endorse any opinions in this report; we seek only to portray the feedback received through consultation clearly and accurately. ORS offers guidance on the consultation methodology and its interpretation, and we seek to profile the opinions and arguments of those who have responded. We do not, however, make recommendations on the decisions to be taken by OCC.
- 1.10 Each chapter in this report contains detailed analysis and reporting of feedback received through all consultation channels. For the remainder of this Executive Summary, ORS has brought together the main findings from all strands of the consultation into headlines and a thematic summary. We have sought to ensure that the summary below represents a thorough overview of the entirety of the consultation feedback; nonetheless, we also recommend strongly that it be read in conjunction with the main body of the report.

Main findings

Quantitative feedback overview

- 1.11 The ‘open’ consultation questionnaire was designed for anyone with an interest in the proposals to take part of their own volition. It should be noted that respondents to open questionnaires are typically more motivated to take part in public consultations than average citizens, often with stronger and sometimes polarised views on the issues or proposals in question. ORS therefore typically reports the views of distinct stakeholder types participating in the open questionnaire separately, to avoid the views of the group providing the largest proportion of responses (landlords and letting and management agents in this case, with 54% of the responses) simply dominating the overall findings. Furthermore, this approach helps to identify and understand any key differences in the points of view of different stakeholder types.

Questionnaire respondents' views on proposals for a new additional HMO licensing scheme

- ^{1.12} Landlords and letting or managing agents, and representatives of local businesses, were generally less likely than other stakeholder types to agree with the principle or practice of landlord licensing in the private rented sector (PRS) in Oxford. 45% of landlords, 50% of agents, and 42% of those who own or manage businesses agreed that the current additional HMO licensing scheme - ending in January 2021 - had been effective. By comparison, 71% of those responding from an organisation and 64% of Oxford residents and other respondents felt that additional HMO licensing had been effective in addressing issues in the PRS in Oxford.
- ^{1.13} Landlords' and agents' views on the proposal to introduce a new additional HMO licensing scheme when the current one ends were divided. Almost half of landlords (49%) and more than two fifths of agents (44%) agreed with the proposal to continue with additional HMO licensing in Oxford, compared to 35% and 45% respectively who disagreed. Approximately half of business owners or managers who responded agreed with this proposal, as well as outright majorities of organisation representatives (76%) and residents and other respondents (72%).

Questionnaire respondents' views on proposed additional HMO licensing fees and conditions

- ^{1.14} In general, landlords, agents and respondents from businesses tended to feel the proposed additional licence fees were 'too high', while organisation representatives and residents and other respondents tended to find them more acceptable (albeit there were sometimes substantial minorities within the organisation and resident groups who felt certain fees were 'too high' or 'too low'). Landlords and agents had strong reservations about the standard one-year fees in particular, with large majorities feeling they were 'too high'. On the other hand, many agents and landlords (43% and 44% respectively) felt the proposed £413 five-year renewal fee was 'about right', even if slightly higher proportions (53% and 48%) felt it was 'too high'.
- ^{1.15} A little under half of letting and managing agents (47%) and a slightly lower proportion of landlords (44%) agreed in general with the proposed additional licence conditions, while around half of those who own or manage a business agreed. The proposed conditions were widely supported by organisations (77%) and by residents and other respondents (73%).

Questionnaire respondents' views on proposals for a new selective licensing scheme

- ^{1.16} In relation to proposals to introduce a new selective licensing scheme, around a third of landlords (35%) and agents (31%) agreed with the principle of doing so. Other stakeholders responding to the questionnaire viewed the prospect more favourably, with just over half of local business owners and managers (54%), nearly three quarters of organisation representatives (73%) and over two thirds of residents and other respondents (68%) in favour.
- ^{1.17} Regarding options for selective licensing designations, the difference in the balance of views of different stakeholder types was pronounced. Around a third of private landlords (34%) and just over a quarter of agents (27%) agreed with the Council's *preferred option* for a selective licensing scheme covering the whole of Oxford. Therefore, most landlords and agents did not agree with the Council's preferred option.
- ^{1.18} If a selective licensing scheme were to be introduced, however, more landlords and agents would prefer a scheme covering the whole of the city than one covering only 23 out of 24 wards (i.e., excluding Holywell). Many indicated they would prefer some sort of alternative, and suggested possibilities ranging from much more focussed approaches to no licensing at all.

- 1.19 Around half of business representatives (51%) agreed with the Council's preferred option for a selective scheme covering the whole city, and this was supported by a majority of organisation representatives (71% agreeing) and residents and other respondents (68% agreeing). There was also a widespread view among these groups that if a selective scheme was to be introduced, then a citywide scheme would be preferable to one covering 23 of the 24 wards, or to some other alternative.

Questionnaire respondents' views on proposed selective licensing fees and conditions

- 1.20 As with the proposed additional HMO licensing fees, landlords, agents and (to some extent) local business representatives were generally more likely to feel the proposed selective licence fees were 'too high' than respondents in the remaining stakeholder groups, who tended to find them more reasonable. There was a spread of views, however, with many in these remaining stakeholder groups holding the view that some of the fees were either 'too high' or 'too low'.
- 1.21 In relation to the various proposed discounts: most respondents agreed with the principle of applying an Early Bird discount, a discount for accreditation, and a discount in instances where the applicant is a registered charity providing accommodation through the homeless pathway (in particular, the latter of these was also widely supported by respondents who identified as residents or organisation representatives, as well as other non-specified respondents).
- 1.22 There was somewhat less consensus around the principle of applying discounts for new build properties, 'block discounts' for multiple flats in a single landlord-owned building, or where the property is part of Home Choice. More landlords and agents agreed with these discounts than disagreed, whereas those respondents residing in Oxford or with an 'other' connection to the borough were less prone to agreeing. Further details and breakdown of respondent's views on proposed discounts are presented in chapter 3 of this report.
- 1.23 In general, there was fairly widespread support among questionnaire respondents for the principle of issuing one-year licences in instances where the Council has concerns about the management of the property: most landlords (66%) and around half of agents (51%) and businesses (54%) agreed, along with large majorities among organisation representatives (81%) and residents and other respondents (76%).
- 1.24 Views on the fees for shorter licences were more mixed among landlords and agents; many felt the proposed fees were 'too high', although sizeable minorities of both landlords and agents felt the proposed fees were 'about right'. The majority of organisations representatives and residents agreed that the Council's proposed one-year licence fees were 'about right'.
- 1.25 Finally, views on the proposed selective licence conditions varied - just under two fifths of landlords (38%) and agents (39%) who responded to the questionnaire agreed with the proposed selective licence conditions, whereas half or more disagreed. Around half of business owners or managers agreed, as did the majority of organisations (77%) and residents and other respondents (71%).

Qualitative feedback overview

- 1.26 'Qualitative' consultation strands include written submissions and facilitated discussions, and often enable exploration of the *reasoning* behind the views being shared. The latter, more discursive approach is particularly valuable in that it allows diverse views within different stakeholder groups to be explored. It is therefore difficult to provide an overall balance of opinion arising each separate qualitative research strand; nonetheless, the follow short section aims to summarise views from each strand around the same key questions as for the questionnaire responses above. The feedback received is then covered in detail in each chapter of the main body of ORS' report, as well as being incorporated into the thematic summary below.

Written submissions

- 1.27 Feedback received in letters or via email was diverse and often strongly polarised. It is therefore not appropriate to attempt to synthesise any overall views. The opinions and concerns raised in written submissions is, however, incorporated into the thematic summary below and covered extensively in the main body of the full report.

Landlords and agents' forums

- 1.28 It was generally the case - based on their feedback - that most landlords who took part in the forums did not own HMOs. Many, therefore, did not have direct experience of landlord licensing to date, perhaps indicative of the fact that the possible introduction of selective licensing for the first time garnered the most interest, as well as that there are many more non-HMO than HMO properties in the city. Letting agents were more knowledgeable on this topic; nonetheless, this meant that a considerable number of attendees stated that they did not feel able to give an informed view of either the current HMO licensing scheme or the proposals.
- 1.29 Of those who did express a view, a few forum attendees spoke out in favour of the current additional HMO licensing scheme; many others, however, were critical of the way it has been managed and enforced by the Council. Feedback on the Council's proposal for a new additional HMO licensing scheme tended to align with these views; while some attendees objected outright to a new scheme, concerns and criticism tended to focus on its likely effectiveness and concerns about how it might work, rather than on whether it should or should not be introduced.
- 1.30 Similarly, some attendees supported proposals for a new selective licensing scheme in Oxford as a way to regulate the PRS and improve standards; these views were outweighed, however, by objections which frequently cited concerns about the 'unfairness' of a scheme that would result in 'a burden of cost and additional responsibility for compliant landlords', while failing to address problems in the PRS related to poor or 'rogue' landlords. If, however, a new selective licensing scheme was to be introduced, the majority view among attendees was that a city-wide scheme would be fairer and more consistent.
- 1.31 Attendees' views on the proposed fees and discounts for both additional HMO and selective licenses varied, from some who felt that they were reasonable to others who felt that they were punitive and, in the case of the discounts, simply too complex. Finally, the proposed licence conditions were viewed as appropriate by many, with the caveat that some conditions simply related to things that responsible landlords and their agents already do. Concerns about conditions related to inspections by landlords, and their responsibilities around anti-social behaviour (ASB) on the part of private tenants were raised by many attendees.

Tenants and other residents' focus group

- 1.32 Tenants and other residents involved in the focus groups recognised the issues with property conditions and PRS management cited by OCC, and the overwhelming majority agreed with the Council's proposals for both additional and selective licensing schemes, as well as that the proposed licensing fees and discounts and licence conditions were appropriate and reasonable.

Stakeholder interviews

- 1.33 Among stakeholder interviewees, there was firm support for the proposed schemes in some quarters, particularly from tenants' groups and statutory bodies. Some stakeholders, however, heavily criticised them, highlighting what they considered a failure to recognise the contribution made by accreditation bodies to the

PRS. It was suggested that this contribution should be recognised through discounted fees for their accredited members.

- 1.34 There was considerable agreement that both proposed schemes should be city-wide; there was felt to be little merit in excluding Holywell from a new selective licensing scheme. Overall, interviewees tended to accept the proposed fees and conditions as reasonable, although several raised concerns about conditions related to ASB on the part of tenants.

Thematic summary of feedback across all consultation strands

There was broad recognition across the consultation strands that there are problems in the PRS in Oxford that need to be addressed

- 1.35 While views on the best approach to dealing with issues in the PRS were mixed, there was recognition across all consultation strands and stakeholder groups that those issues exist. Those mentioned included, among others:

- » Rapid growth of the PRS, driven by high levels of demand, which in turn has led to high rental prices and more incidences of lower quality accommodation;
- » Problems with poor property conditions and poor tenancy management, not least as a result of unscrupulous or 'rogue' landlords who deliberately flout regulations, as well as 'amateurs' with one or two properties who are not necessarily aware of their responsibilities in these areas; and
- » Issues such as poor waste management, fly-tipping and anti-social behaviour linked to PRS properties as well as other parts of the housing sector.

Views on the principle of landlord licensing as a tool with which to address these and other issues were mixed and, at times, strongly polarised

- 1.36 In some quarters there was acceptance and outright support for licensing in general, and the Council's proposals in particular. This tended to hinge on the view that there are serious issues in the PRS in Oxford that require addressing, and that licensing of private landlords or other responsible persons is an appropriate, albeit imperfect, tool with which to improve standards in the sector.
- 1.37 Support for landlord licensing in general tended to be strongest among tenants and other residents, and the organisations representing their interests, as well as from a local district council and bodies with statutory responsibilities in the housing sector (the emergency services and Trading Standards, for example). There was also support for the principle of landlord licensing from some organisations representing landlords and agents, although this tended to be caveated on the basis that such schemes require careful design and operation to be successful.
- 1.38 Among individual landlords and agents, as well as representatives of local businesses, views on the principle and practice of landlord licensing were mixed and, overall, more negative than was the case with other stakeholders. For those who did accept licensing as necessary or even desirable, the key factors tended to relate to its aim of improving standards of properties and practices in the PRS.
- 1.39 Many landlords and agents, however, were opposed to licensing schemes in general, citing what they viewed as unnecessary bureaucracy and cost, lack of focus, poor enforcement, and a perceived lack of effectiveness in dealing with the issues they are designed to address. In particular, there was a pervading view that landlord licensing tends to 'penalise' compliant landlords while others continue operating 'under the radar'.

Across all consultation strands and stakeholder types, there was more agreement than disagreement that the current HMO licensing scheme has been effective; although landlords, agents and representatives of local businesses were more likely to disagree compared to other stakeholders

^{1.40} The overall balance of opinion was that the current additional HMO licensing scheme had been effective in improving the quality and management of HMOs in Oxford, but there were dissenting voices. Those who expressed positive views on the current scheme cited, among other points:

- » The need to protect tenants and ensure that landlords fulfil their obligations in respect of upkeep of properties and good management practices;
- » Robust inspection and enforcement action being required to pursue poor and rogue landlords and enforce compliance; and
- » The importance of collaboration between landlords, agents and the Council to raise standards in the private rented sector overall.

^{1.41} There was, however, strong criticism of the current additional HMO licensing scheme from many landlords and agents, as well as concerns about its effectiveness among other stakeholders - including some of those who generally supported the scheme. Issues raised included, among others:

- » Continuing issues with non-compliance, even though the scheme has been in place for ten years;
- » Ineffective inspection and enforcement which, it was felt, has resulted in punitive actions against 'good' landlords, while criminals and rogue landlords continue to operate with impunity;
- » Burdensome costs and bureaucracy being imposed on compliant landlords, with little or no 'reward' and scant evidence of improvements in the PRS as a result;
- » Inefficiency in the processing of applications and delays in issuing licences; and
- » A failure to address other problems in the housing sector (e.g., social housing, short lets via Airbnb or similar services) or to offer support or protection to landlords faced with challenges ranging from problem tenants to the practical and financial impacts of COVID-19.

The Council's proposal to introduce a new additional HMO licensing scheme was strongly supported by some groups of stakeholders, particularly tenants and residents and those organisations representing them; however, strong concern and some outright opposition was expressed by many landlords and agents, and some other stakeholders

^{1.42} The reasons given by respondents to the consultation for agreeing or disagreeing with the Council's proposal for a new additional HMO licensing tended to align with their views on the current scheme (summarised above). Those who viewed the current scheme as effective, for example, tended to support proposals for a new one. Some also cited the need for regulation and enforcement, including a dedicated resource within the Council to address issues in the PRS.

^{1.43} Opponents, on the other hand, decried additional HMO licensing as unnecessary and ineffective; some pointed again to the perceived poor performance of the inspection and enforcement teams, as well as the continued issues with non-compliance. Others questioned the evidence put forward by the Council or argued that licensing is simply a money-making exercise or an exercise in laying the blame and responsibility for wider social problems at the feet of landlords.

- 1.44 Alternatives to licensing, or changes to the proposed scheme, were suggested by some respondents and are summarised below alongside similar comments around selective licensing.

The Council's proposal to introduce a selective licensing scheme in Oxford for the first time generated considerable feedback - particularly from landlords - with views of the different stakeholder groups tending to run along similar lines to those on additional HMO licensing

- 1.45 In general, tenants and other residents who engaged with the consultation tended to agree with OCC's proposals for the introduction of a selective licensing scheme in Oxford, as did those organisations working on their behalf, representatives of emergency services, and other public sector stakeholders. The principal reasons for support aligned with those given in relation to additional HMO licensing - primarily the need for regulation and improvement of standards in the sector, and agreement that licensing is an appropriate tool to achieve this goal.
- 1.46 Landlords and agents tended to be much more negative about the possibility of introducing selective licensing, though not universally so, while the views of responding business managers and owners were fairly evenly split.
- 1.47 Those who disagreed with the introduction of selective licensing cited similar issues to those who opposed a new additional licensing scheme, for example that:
- » The scheme would be ineffective, particularly in light of what was viewed by many opponents as the failure of additional HMO licensing to raise standards, and that the Council would be unable to manage and enforce a scheme that would include many more properties; and
 - » Selective licensing is unfair to landlords, placing an unwarranted burden of responsibility, cost and administration on the very people who are trying to provide accommodation to those who need it while failing to tackle the 'real' issues in the housing sector.
- 1.48 Questions were raised, particularly at the landlords' forums, about the accuracy and validity of the evidence used by the Council to 'justify' their proposals. Furthermore, those who disagreed with the Council's proposal, and some of those who were more positive, also raised concerns that:
- » Introducing a scheme might actively discourage investment in rental properties and drive good landlords to leave the PRS or move to unlicensed areas;
 - » Costs related to license fees and any expenses related to work required to make properties compliant would be passed on to tenants, leading to rent increases;
 - » Licence fees represent a 'tax' on landlords, or that selective licensing is simply a 'money-making scheme for OCC which - despite assurances regarding ring-fencing - would be spent elsewhere; and
 - » There is sufficient legislation already in place related to privately rented properties, the proper enforcement of which would negate the need for additional regulation.

The Council's preferred option of a city-wide selective licensing scheme was the most widely supported of the two proposed designations by tenants and residents, organisations, local businesses, and other stakeholders...

- 1.49 Support for city-wide selective licensing was predicated principally on the basis that it would be fairer and more consistent, and allow the Council to raise more money, thus ensuring that issues related to sub-standard accommodation would be addressed across the whole of Oxford.

...but individual landlords' and agents' views differed considerably, with the majority fundamentally disagreeing with selective licensing, and any options associated with it, and many suggesting other approaches

- 1.50 Most landlords and agents responding to the consultation or participating in events did not agree with the Council's preferred option for a selective licensing scheme covering the whole city, although - if a new scheme was to be introduced - more would prefer a scheme covering all of Oxford than one covering only 23 out of 24 wards (i.e., excluding Holywell).
- 1.51 The majority view among landlords and agents was that an alternative approach - which for many was simply the outright rejection of selective licensing - was preferable. Common examples of alternative approaches suggested by landlords and some other stakeholders included:
- » Improved collaboration between the Council, landlords, lettings agents, Police, the Fire and Rescue Service (FRS), and others to improve standards;
 - » Better utilisation of existing powers and legislation;
 - » Education of landlords, and possibly agents and tenants, about their responsibilities and the standards expected of them;
 - » Targeting specific landlords, geographic areas, property types etc. in a more focused scheme;
 - » Co-regulation with organisations that advise or accredit landlords and agents;
 - » A voluntary agreement or self-certification scheme, backed up by random inspections; and
 - » A scheme or schemes which also address social housing and university owned or managed accommodation.

Views on the proposed fees for both additional and selective licenses tended to be split along the lines of stakeholder types, with landlords and agents being more critical of them, and other stakeholder types - in general - being more likely to view them as appropriate

- 1.52 The proposed fees for standard one-year additional HMO licences tended to be viewed as too expensive by landlords and agents responding across all consultation strands, as well as by local business owners and managers. However, the longer five-year licence renewals, while also seen as too high by many in the same groups, were viewed somewhat more favourably by a substantial minority of landlords and agents.
- 1.53 Other respondent types tended to find the proposed additional licence fees acceptable (albeit there was sometimes a broad spread of views within these groups, from the fees being too high to too low).
- 1.54 Regarding the proposed standard selective licensing fees, landlords and agents, as well as some local businesses, tended to view them as too high; by contrast, other stakeholders - particularly tenants and residents - tended to think they were 'about right'.
- 1.55 The principle of one-year selective licences, where there are concerns about the management of properties, gained broad agreement across all stakeholder types; views differed on the associated fees, however, with landlords and agents again more likely to view them as 'too high'.

Generally, the proposed conditional discounts and exemptions for some selective licences were viewed positively by consultees, although some specific discounts raised concerns from residents in particular

- 1.56 Discounted selective licence fees for early-bird applications, accredited landlords, and registered charities drew support from across all stakeholder types and consultation strands. Discounts for newly built properties and for multiple flats in a single block received more agreement than disagreement from landlords and agents, but only minority support from other stakeholder groups.
- 1.57 The ‘fairness’ of licence holders being required to pay the applicable full selective license fee when applying part-way through a five-year licensing period was the cause of considerable debate and, in some cases, anger from landlords. There were calls for pro-rata fees, as well as refunds or transferable licences in cases where properties might be sold or transferred during a licensing period. Allowing licence holders to spread the cost of fees through monthly payments was also suggested.
- 1.58 An issue frequently raised by landlords and agents, and occasionally tenants and residents, was that a new selective licensing scheme would lead to rent increases as a result of landlords passing on licence fee costs to tenants, as well those associated with any work required to meet expected standards.

Proposed conditions for both additional and selective licences were generally agreed to be reasonable, although landlords were more negative and criticised what they viewed as a lack of detail in the proposals, and voiced strong concern about the inclusion of certain conditions

- 1.59 Overall, the proposed licence conditions for both schemes were viewed as reasonable by consultees. Where there were concerns or disagreement expressed, these were most commonly related to the conditions around anti-social behaviour (with landlords disagreeing that they should be held responsible for their tenants’ behaviour, and one community organisation suggesting it might be used against tenants), waste management, and mandated six-monthly property inspections by landlords.
- 1.60 The impact of COVID-19 on the ability of landlords and agents to visit properties, as well as on their income and ability to remove problem tenants or those not paying their rent, were also raised as concerns by landlord, agents, and their representatives.

Other comments made in response to the consultation included suggestions for amendments to the proposals, alternative approaches to improving property and tenancy management, concerns about potential equalities impacts, and criticism of the consultation process itself

- 1.61 Consultees - particularly landlords and agents - suggested changes to the proposed licensing scheme or alternative approaches. These included, among others:
- » A voluntary or self-certification scheme, or exemptions or free licenses for accredited landlords, those using agents to manage their properties, and those with a very small number of properties;
 - » A more targeted scheme focusing on, variously: problem landlords, poor or ‘high-risk’ properties, or areas with known problems;
 - » Licences for landlords, rather than individual properties;
 - » A more ‘collaborative’ approach to improving property conditions and tenancy management, with strong calls for improved communication between the Council and landlords, and more support for

landlords in key areas related to, for example, ASB and criminality, and overcrowding and illegal subletting in neighbouring or nearby properties;

- » Incentives or support for landlords who invest in improving their properties; and
- » Ensuring that issues related to social housing are robustly addressed, and that appropriate investment in affordable and social housing takes place.

^{1.62} Concerns were raised by one organisation about the possible impacts of ASB-related licence conditions on certain protected characteristics or vulnerable groups who might be targeted for eviction as a result, including: transgender people, those with mental health needs, sex workers, and people living in poverty.

^{1.63} Finally, some landlords and agents were critical of the consultation process itself, most commonly citing:

- » Issues with the quality and quantity of the evidence presented by the Council to justify the introduction or continuation of licensing schemes;
- » The principle of proposing to introduce new licensing schemes, or running a consultation, during the ongoing COVID-19 pandemic;
- » The length of the consultation period, which some viewed as too short, the perception that landlords had not been notified of the consultation soon enough, and the timing of landlords' forums and availability of spaces;
- » That the Council has already made up its mind and that the consultation was a pointless 'box-ticking' exercise; and
- » A perception of bias in favour of the schemes in the consultation documentation, questionnaire design and - in a small number of instances - in the presentation and facilitation of the landlords' forum

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Appendix 2

Consultation methods – comparison with other Local Authorities

Prior to making a designation for either Additional Licensing or Selective Licensing, under the Housing Act 2004 the Council must *take reasonable steps to consult persons who are likely to be affected by the designation*.

Oxford City Council consultation took place during September to December 2020. During this time, there were restrictions on social gatherings and a national lockdown in November due to Covid-19. Comments were made during the consultation that it was not an appropriate time to consult because landlords could not attend events and community groups may not have been able to “get together” to respond.

A comparison between the Council’s consultation methods and five non-Covid licensing consultations was undertaken to evaluate any impacts on results.

- London Borough of Croydon¹ – borough wide renewal of selective licensing scheme, consultation 16 December 2019 to 9 March 2020. Chosen as estimated to cover 35.6% total housing stock and the consultation was immediately before pandemic.
- London Borough of Waltham Forest² – borough wide renewal of selective licensing scheme and borough wide renewal of additional licensing scheme, consultation 04 February 2019 to 29 April 2019. Chosen as estimated to cover 37% total stock and this scheme has been approved by Secretary of State.
- Nottingham City Council³ – city wide selective licensing scheme and renewal of additional licensing scheme consultation 16 January 2017 to 31 March 2017. Chosen as estimated to cover 32% total stock, this was a new selective licensing scheme and Nottingham is a similar city in terms of a large university town with regional hospital.
- Liverpool City Council⁴ – city wide renewal of selective licensing scheme consultation 4 March 2019 to 26 May 2019. Chosen as estimated to cover 32% total housing stock and this scheme was rejected by Secretary of State (due to evidence)
- Slough District Council⁵ – small area selective licensing scheme consultation 7 November 2019 to 31 January 2019. Chosen as estimated to cover 50% stock in the chosen Selective Licensing wards, was an area-wide Additional licensing scheme, the consultation took place over a similar period in the year and it is our “nearest neighbour” with a selective licensing scheme and considered similar demographics for ethnicity

While it is accepted that social distancing has limited certain consultation activities, this does not mean that the Council has failed to take *reasonable steps to consult*. The Council has used a range of activities to engage *those persons likely to be affected by the designation* –

¹ London Borough of Croydon, April 2020

<https://www.croydon.gov.uk/sites/default/files/Final%20report%20of%20consultation%20findings%20%E2%80%93%20CPRL%202020.pdf>

² London Borough of Waltham Forest May 2019

<https://democracy.walthamforest.gov.uk/documents/s68631/Appendix%20-%20Waltham%20Forest%20Licensing%20Consultation%20Report%20May%202019.pdf>

³ Nottingham City Council July 2017

<https://committee.nottinghamcity.gov.uk/documents/s59486/Appendix%20-%20Selective%20Licensing%20Consultation.pdf>

⁴ Liverpool City Council July 2019 <http://councillors.liverpool.gov.uk/documents/s234656/H2%20-%20Annexe%20-%20Liverpool%20CC%20Licensing.pdf>

⁵ Slough Borough Council March 2019

<http://sloughboroughcouncil.org/moderngov/documents/s55376/Appendices.pdf>

Appendix 2

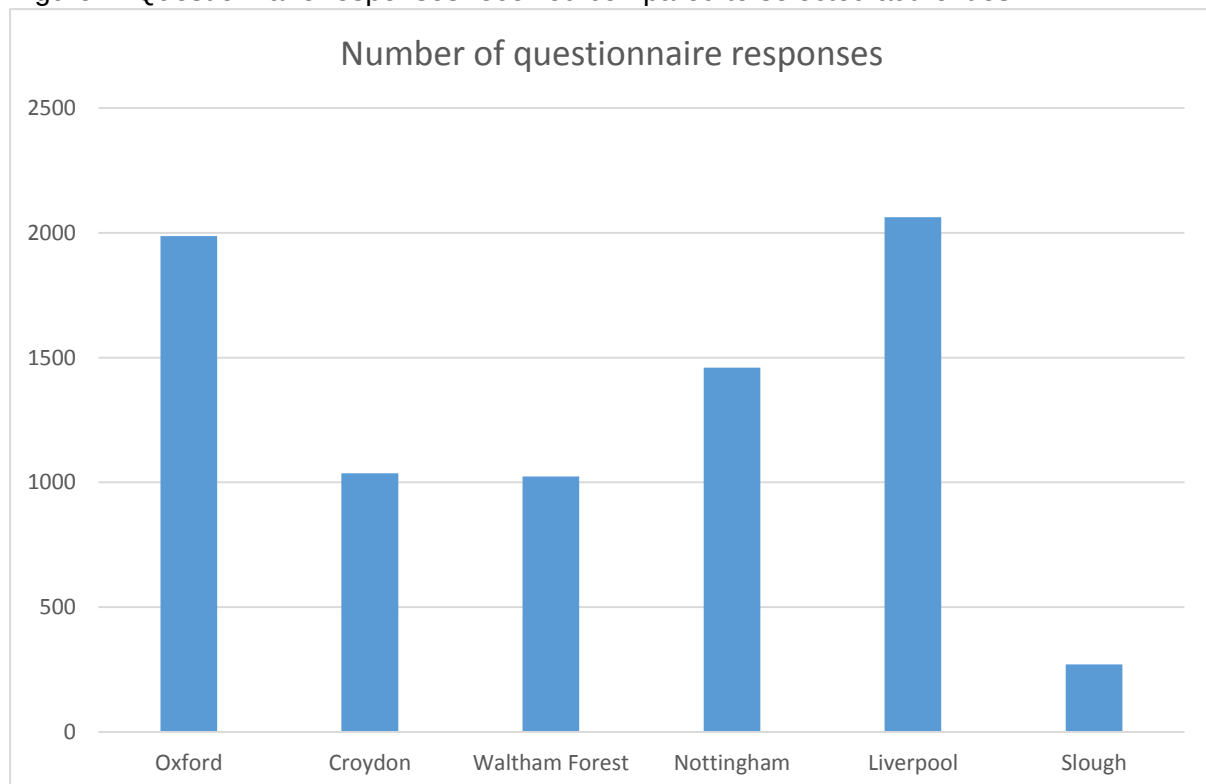
that is namely landlords and tenants. Comparison with other authorities demonstrates that the number of responses and consultation methods are comparable.

- Oxford City Council had a higher number of questionnaire responses, bar one authority;
- Out of the questionnaire responses, a higher proportion were from residents, bar one authority;
- The number of attendees to landlord events was lower compared to three other authorities, however as a proportion of properties affected the attendee rate is second highest;
- We used the most popular methods employed by the comparison authorities, bar the “face to face” events;

Lack of “face to face” events has not hindered the ability of landlords and residents to take part – considering the online questionnaire has given higher response numbers than most other authorities and the proportion of residents is high. The views expressed are likely to remain the same even though some individual persons may feel they have not been able to participate. This does not mean the consultation has been fundamentally flawed.

It is acknowledged that the ability of people to meet may have hindered certain resident groups to meet, discuss the proposals and formulate a response. However, it was possible to meet between September and October in small groups. It is acknowledged there may be other, more pressing concerns preventing responses. Given that the proportion of residents responses are higher than comparison authorities and we held specific stakeholder interviews then the views expressed are likely to remain the same even though some individual persons may feel they have not been able to participate. This does not mean the consultation has been fundamentally flawed.

Figure 1: Questionnaire responses received compared to selected authorities



Appendix 2

Figure 2: Breakdown of responses from landlords / agents or residents compared to selected authorities

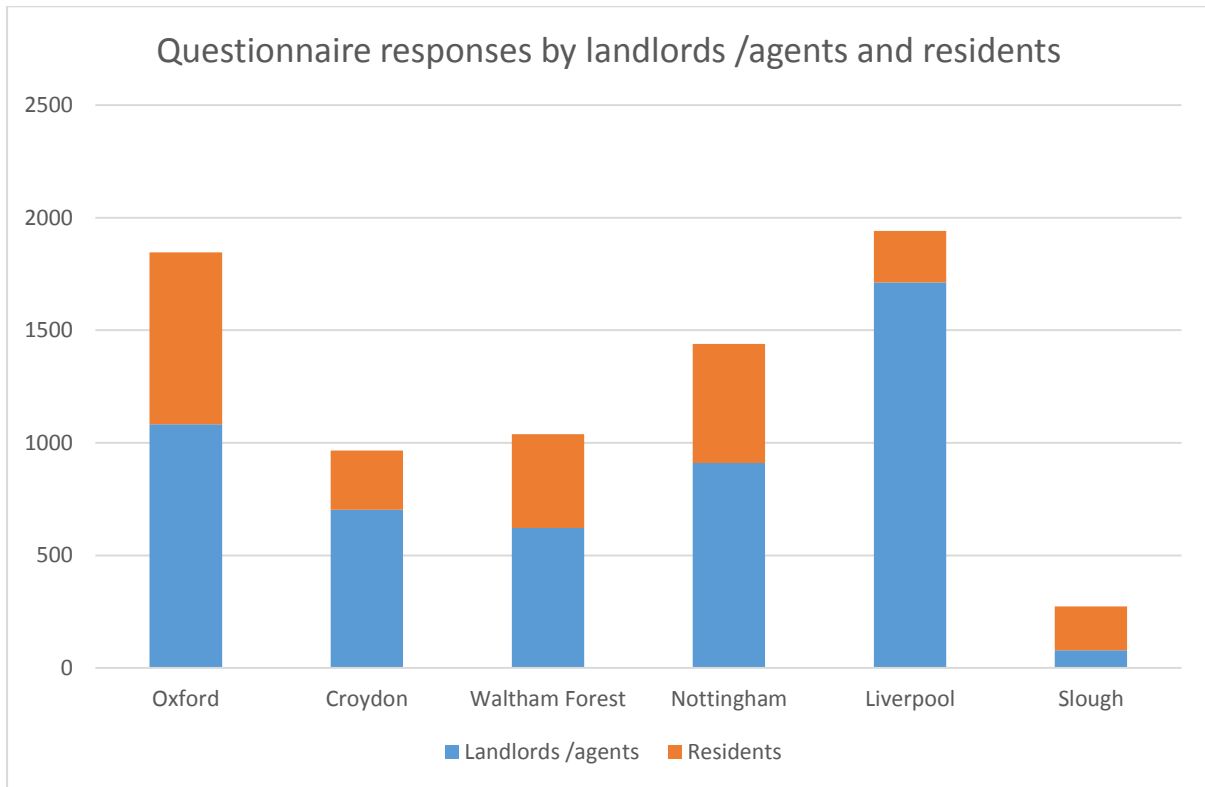
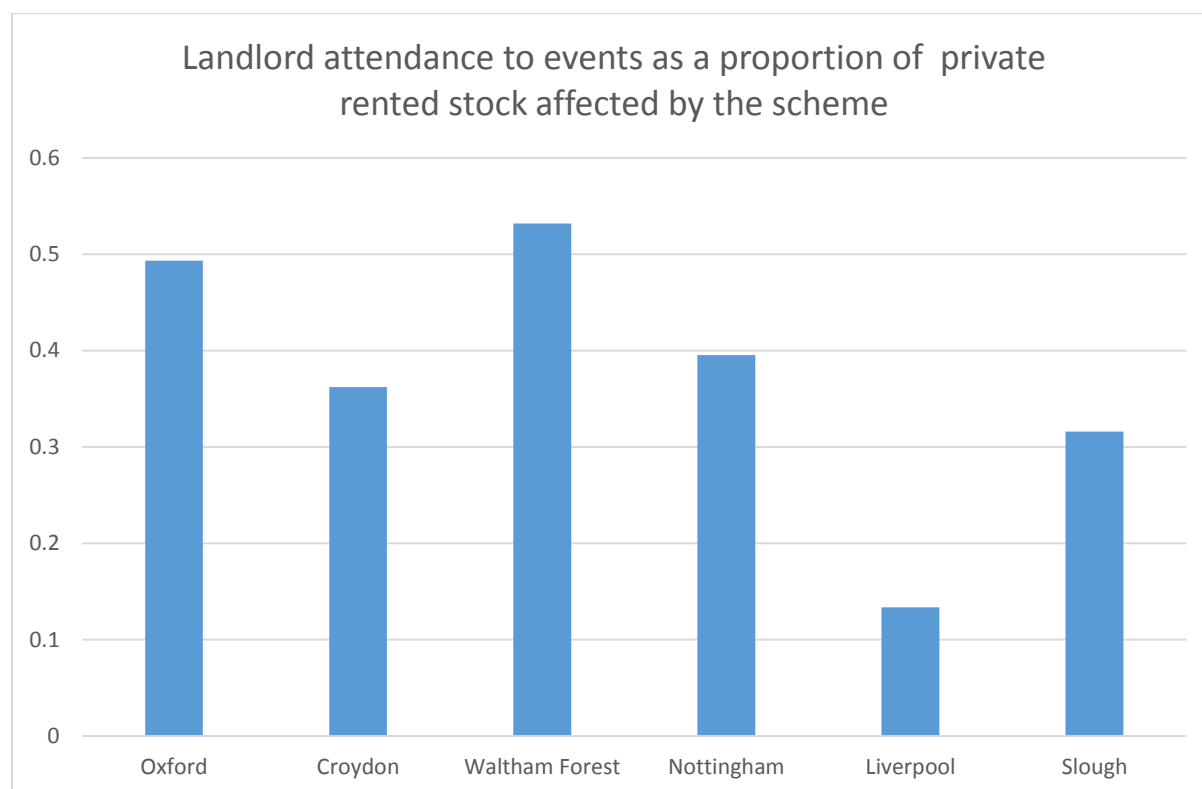


Figure 3: Attendance at landlord events (by number) compared to selected authorities



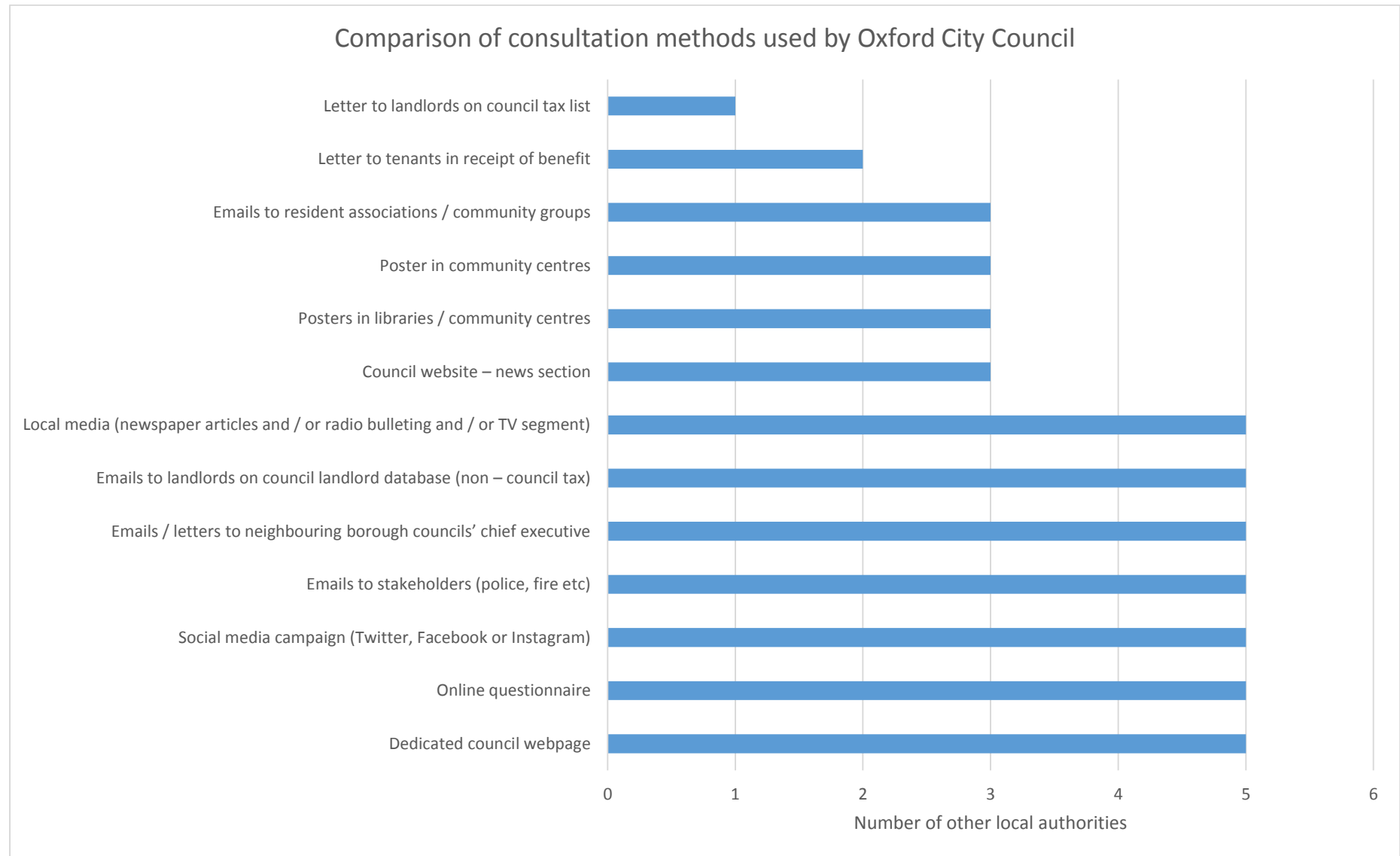
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Figure 4: Attendance at landlord events by ratio of number of private rented properties compared to selected authorities



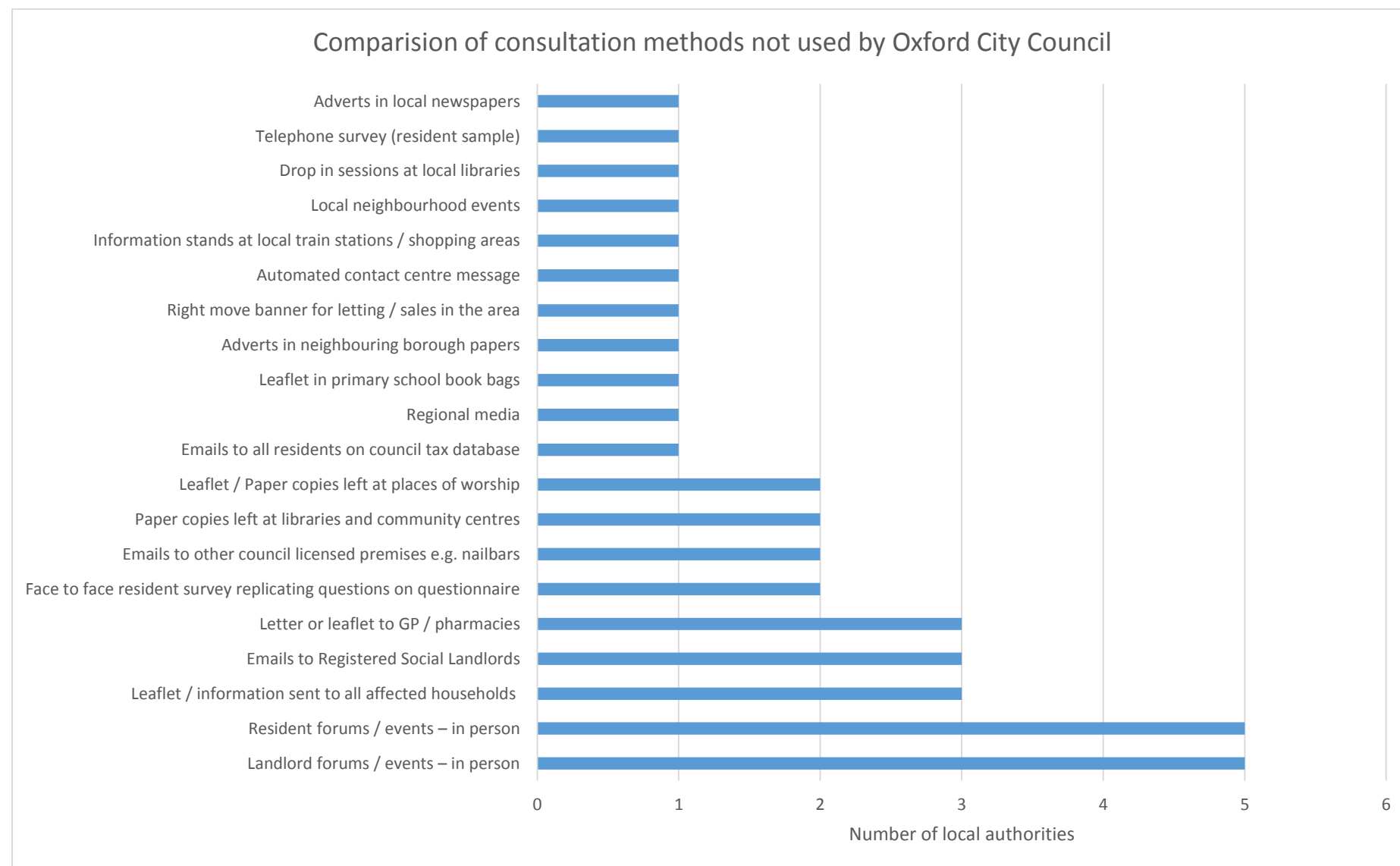
Appendix 2

Figure 5: Consultation methods used by Oxford City Council compared to selected authorities



Appendix 2

Figure 6: Consultation methods NOT used by Oxford City Council compared to selected authorities



Appendix 2

Limitations and Impact

Limitation	Impact
Inability to hold face to face consultation events for landlords	It is acknowledged that some landlords will feel they were not able to participate and share views. However, over 1,000 landlords and 70 letting agents responded to the consultation and 148 landlords / agents participated in events. Comparison to other authorities that held face to face events demonstrates a similar turn out to virtual events as face to face events. Virtual events may have benefitted some landlords, though not needing to travel and ability to “hear and see” presentations more easily on personal computers. All current HMO licence holders were emailed to invite to participate in the consultation (or sent a letter where they did not have email). Over 5,600 letters were sent to persons on the council tax database thought to be landlords. It is considered the council has taken reasonable steps to consult landlords likely to be affected by the consultation and the views expressed by those landlords who did take part are likely to cover all landlord views.
Inability to hold face to face consultation events for residents	The inability to hold residents forums may have impacted the ability of some residents to give views. It is appreciated that some people may feel they could not have expressed their views by not being present in person. A specific residents’ focus group was held. This was limited to 12 persons to allow in-depth conversations. Over 760 residents did respond to the questionnaire. Comparably, the proportion of residents to landlords completing surveys was second highest. Comparison with other authorities that held face to face events generally results in low turnout e.g. 10 to 60 persons. In 2015, we held local resident events in libraries and had very low turnout (max 10 to any event). Over 1,600 letters were sent to tenants. It is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Inability for affected groups to gather face to face to discuss the consultation and submit a response;	It is acknowledged that this will have limited resident groups’ ability to gather to discuss their views. 12 resident associations and 4 parish councils were contacted in October and again in December. The Oxford Community Forum, who represent some Asian landlords in the city were contacted and were sent 60 paper questionnaires to enable their members without access to a computer to respond. Concerns were raised in the consultation that certain ethnic groups were not able to meet and formulate views as they would have liked to do so in pre-pandemic times. However, a specific stakeholder interview was arranged for this group to allow representatives to give views. It is also considered that during September / October that small groups could have met to give views. It is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Reduced use of public transport, community	It is acknowledged that reduced use of public transport, community centres etc would have limited the ability of persons to see advertisements and posters about the consultation. However, as resident participation is

Appendix 2

centres, libraries etc that would prevent people from seeing / posters	comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of emails or letters to every person on council tax database	Some authorities have sent emails / letters to every property registered on council tax database. Oxford City Council undertook a more targeted approach – contacting those tenants in receipt of housing benefit and letters to those persons thought to be landlords. In this respect, we have made efforts to contact those <i>likely to be affected by the designation</i> . It is accepted that some residents may not have been aware of the consultation. However, as resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of adverts in local papers	This method was only used by one other authority so it is not a popular method. While it would have given additional publicity to the consultation then it is not known if it would have increased responses. There were three stories in the local newspaper throughout the campaign and therefore, this could be considered an “advert”. A news story is also likely to be more “eye-catching” than an advert - In this respect, we have made efforts to contact those <i>likely to be affected by the designation</i> . As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of telephone surveys	This method was only used by one other authority so it is not a popular method. While it would have given additional resident views, from all sectors, it is unlikely to have raised different points. As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of face to face (doorstep) surveys	It was not possible to undertake face to face surveys due to COVID-19. However, this method was used by only two other authorities and so is not the most common method. A council does not have to undertake all methods available for consultation. As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of leaflet distribution e.g. local places of worship, school book bags, left at libraries / community centres	It was not possible to leave leaflets due to COVID-19. This could have created a transmission pathway. This method would have been of benefit to raise awareness – especially amongst minority groups by leaving leaflets at places of worship. However, lack of using this method does not mean the consultation is flawed. We offered a stakeholder interview to one community group – in this respect we have made efforts to contact those <i>likely to be affected by the designation</i> . As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.

Appendix 3

Council response to Consultation responses

The Council is grateful to have received the feedback and responses to the consultation and has carefully considered the responses received. Comments were made on the questionnaire, as part of landlord's forum, the residents' forum, the stakeholder interviews and the written responses.

To simplify the process of making a response to the comments, the issues have been grouped into "themes". The comments may not appear in the same order in this report as they do in the consultation report. Comments may have been split to move into the relevant "group" for response.

- A. Proposed Additional Licensing scheme
- B. Proposed Selective Licensing scheme
- C. Alternatives to the proposals
- D. Proposed property licensing conditions
- E. Proposed fees, discounts and charges
- F. Operation of new schemes and application process
- G. Enforcement of the new schemes
- H. Planning / Air B&B
- I. COVID-19 related concerns
- J. Comments regarding the consultation itself

Appendix 3

A. Proposed Additional Licensing scheme

Consultation Responses relating to success of scheme / support of new scheme	Council Consideration
I think it's given the good landlords a benchmark and so where they, 'oh, I didn't realise I needed to do that or ...', so it's been a nice kind of development tool for the probably quite good properties to tip them over into the compliant side. (CAB)	• Comments acknowledged. • We will be providing more information about scheme outcomes and performance against outcomes.
I would support anything that raises and maintains high standards in private rented accommodation and prevents people living in poor accommodation. It must be regulated because I don't buy into this idea that the market can self-regulate ... You leave some people to their own devices and they're likely to just let bad accommodation, so tougher standards I'm fine with. (OBSU)	
The scheme is a good scheme	
I've seen a lot of properties where, perhaps, landlords aren't entirely aware of all the regulations... in those particular cases, you can see a very clear reason for that additional licensing scheme to be in place in order to bring those properties back up to standard	
If a student is living in a property that is HMO licensed, our advice service can give the student a little bit more as to what they can expect, because there obviously is a higher level of requirements within the HMOs, and that really supports the student ... or there are restrictions or requests that they can put in to have that licence removed if the conditions aren't being met. Essentially it gives students better protection when they are in the sector. (OUSU)	
It's helped because they have a reasonably decent sized team ... Students don't really have anyone they can go to about disrepair in Oxford ... the only way of getting anyone to deal with serious disrepair issues is the threat of the Council ... I think the City Council does more prosecutions than any Council outside London ... it feels we have a fall-back position... we can talk to the Council and something will happen quite quickly. (OBSU)	
... one example where we had a violent county drugs line in the property and managed to get the HMOs team out after we'd executed a warrant because the property wasn't safe in our eyes. It just gives us another angle, another tack to come down on some people that aren't abiding by the rules. (Police)	
Some of the standards in the properties have been improved as a result of the introduction of the scheme in areas like fire regulation and precautions	
The schemes need to exist and improve and be more transparent	
Licensing should be encouraged with the right terms and rules. So, if there is a tick box that said, 'your walls are painted white', it should be white, not with	

Appendix 3

149

mould on it - bathroom regulations. It should be explained accordingly so, as tenants, we will have a bit more encouragement to protect our rights and to say what good looks like, and we can compare accordingly. Easier for inspectors as well	
It definitely seems to be a case at the moment that landlords and agents have the upper hand, because there are so many students and so many other people in the City that want to get housing. I know students are kind of preferred in some cases because they move on very quickly and they're happy to take those deals because they want the house and want to get it sorted very quickly. But that does sometimes mean that students might end up settling for a deal that isn't good enough, or they don't get what is actually designated in the legislation or what should be provided for them. They are essentially ripped off by landlords, because the landlords have the opportunity to do that because there is so much demand on the stock (OUSU)	
We also hear of students having issues in regard to getting maintenance fixed or getting things that were promised by the agent to be fixed in the property like technical repairs or maintenance ... absolutely standard issues across the sector I imagine, but they are having an impact on students, and students living in the city, especially given the amount of cost students pay for private accommodation against their maintenance grants or loan. Repeat problems are damp, mould, physical disrepair, unsafe electrics, boilers going wrong. Some landlords who try to scam tenants for deposits; some agents who try to scam tenants for deposits. Often the students that we talk to have issues with regards to deposit return, and functional issues like the licensing. (OUSU)	
The landlords (of student properties) in Oxford are quite unscrupulous ... because there's such demand and so much turnover they will always fill the houses. It doesn't matter, for example, how many times a house gets burgled because there's a single glazed wooden front door ... because there'll be new students and they will just be concerned about being in a certain area of Oxford ... (Police)	
We do get a number of problems. I think the licensing has definitely improved it but yeah it [problems] does exist definitely. (CAB)	
Yes, certainly [problems]. We have heard of students who have had issues with their property. Often the students that we talk to have issues with regards to deposit return, and functional issues like the licensing. (OUSU)	
I fully accept the need in multi occupational properties which is an entirely different market, to professional couples working in the city, many for the University, that are seeking the choice of a decent level of private rental housing	

Appendix 3

... more inspections in the future scheme. That statistic that you shared about 53% of properties maybe not being complaint, I guess isn't surprising	
Last year I was living in an HMO and the landlords were transparent about being an HMO and having a licence. They had a billboard with the HMO licence on it. And we had an inspection ... someone from the Council came...	

Consultation Responses relating to “evidence for new Additional Licensing scheme”	Council Consideration
How many 'non-compliant' landlords are due to forgetting to renew?	- The Council sends a renewal reminder two months before expiry. In addition to this, 13% landlords then require a second reminder with 1% failing to renew. It is this 1% that would be classed as “non-compliant” and this is a very small minority of the overall figure. - The Council's position is that the responsibility for compliance with the law clearly rests with duty holders, i.e. licence holders whether individuals or businesses. There is a legal requirement to renew a licence.
OCC considers there are 'c.6,900 HMOs in Oxford' but the current public register of licensed HMOs lists only 3,456. Assuming 10% may be in the process of renewing and therefore off the list, that still means that between 35 and 45% of HMOs remain unlicensed. The agents say that “it is hard to see how a further extension is going to change this problem without a radical rethink of the enforcement process”;	Although it is estimated that the Council has licensed 80% of the licensable HMOs in the city (currently 3,511 licensed HMOs although 3,850 properties have been licensed in the scheme). The true percentage is not known as some landlords will avoid licensing. The Council has investigated 2460 cases since the start of the scheme for being unlicensed and will continue to do so if the scheme is renewed.
OCC must licence all HMOs: despite the scheme already running for 10 years, OCC has apparently failed to licence a significant proportion of HMOs which “effectively penalises those responsible landlords who have signed up fully to the scheme and does not effectively deal with the real problems in unlicensed properties	
There shouldn't be [problems] after ten years if they'd been doing their schemes properly. The fact that there are, actually raises red flags. (NRLA)	Oxford's private rented stock has grown considerably in the last ten years – The proportion of the estimated HMO stock licensed by the city Council has increased by 32% during the current scheme.
We believe that [after 10 years] of licensing ... [it] hasn't performed that well, according to the statistics... There is no guarantee on behalf of the Council, that if we are given another 5 years, it will make sure that 53% non-compliance will come down to 15% non-compliance. (OCF)	- Comparing data from the 2015 review report and the 2020 review report, it is clear there has been improvement. ➤ Between 2011 and mid-2013, an average of 1,831 service requests relating to HMOs. This decreased to 1,348 service requests per year over the period 2016 to 2019. ➤ During the period 2011 to 2015, there were 49,204 nonstandard conditions were required on licences to deal with a lack of acceptable
By its own admission, despite the current licensing scheme for Houses in Multiple Occupancy ... which has been running since 2011, a large proportion of the HMOs in the city remain 'non-compliant'.	

Appendix 3

	minimum standards and management. In the 2016-2019 period, there were 21,071 nonstandard conditions have been applied to deal with a HMOs below the minimum standards. This is a clear decrease and shows improvement in compliance with minimum standards. ➤ During the period 2011 to 2015, 26% of conditions related to fire safety (12,591 conditions). In the 2016-2019 period, 32% of conditions related to fire safety (6,795 conditions). This shows an increase in non-compliance in this area, although it may be attributable to the revised 2018 Amenity Guide where it was made clear that properties on separate tenancy agreements required smoke detectors in all rooms. ➤ During the period 2011 to 2015, 71% of conditions related to management and maintenance (34,983 conditions). During 2016 to 2019, 52% of conditions related to management and maintenance (11,084 conditions) showing a positive improvement in management practices. ➤ During the period 2011 to 2015, 3% of conditions related to amenities and facilities (1,630 conditions). During the period 2016 to 2019, 15% of conditions related to amenities and facilities (3,192 conditions). This may be attributable to the growth in HMOs and that landlords are increasing bed-spaces (e.g. increasing from four to six occupants) and therefore need to put in additional facilities. • The improvement in HMOs is clear by the overall decrease in number of conditions however, there is still non-compliance especially in the area of fire safety. This shows a continued need for the scheme.
The Council (still) receives high numbers of service requests from neighbours and tenants, so it doesn't really seem as if this success story (of previous schemes) is particularly the case. I'm not sure that extending it would fix the problems. (ARLA Propertymark)	• During the period 2011 to mid 2013, the Council received 4,577 service requests relating to HMOs – this is 1,831 a year. During the period 2016 to 2019, the Council have received 5,392 service requests relating to HMOs – this is 1,348 a year. This shows a clear decrease and the scheme has been successful, with a reduction of 490 requests each year. The scheme can continue in this way and will lead to further reduction in service requests in future years.
The low number of penalties issued previously (since 2017, OCC has issued only 57 financial penalties to rogue landlords and agents) suggests that Additional Licensing may not have much impact (ARLA Propertymark); Note: there were a number of other comments relating to low levels of enforcement – these are in the “enforcement” section.	• The Council understands that landlords, residents and the public may view the number of penalties as a way of measuring success or failure. However, the Council cannot have a “target” for number of penalties / prosecutions – to do so would be wholly against the Council's Enforcement Policy that <i>“Our enforcement activities will reflect the level of risk to the public and enforcement action taken will</i>

Appendix 3

	<i>correspond to the seriousness of the offence. We will seek to resolve cases at the lowest level of intervention appropriate to the case. “</i> • Prosecution and financial penalties are for the worst offenders – we use higher licence fees as a deterrent. We acknowledge there needs to be greater transparency and regular reports will be published against scheme outcomes, including enforcement / higher fees.
[T]hey proposed the 2015 scheme on the grounds that they hadn't inspected all properties ... We're now in 2020 and they're renewing it again... If you say there's a problem in the private rented sector ... you should inspect all the properties ... Great Yarmouth has done a whole inspection regime in a year – all properties inspected. Oxford is struggling after ten years and are looking to expand the scheme. (NRLA)	• All new HMO licence applications receive an inspection unless the property has recently been inspected. We re-inspect until we are satisfied the property meets minimum standards. • To inspect every property each year would be resource intensive and would also not be welcomed by compliant landlords (e.g. accredited landlords or agents). We believe our one, two, five year licence structure incentivises compliance. • We have a re-inspection /audit scheme for those properties where there has been five years since the last inspection.
Doncaster in their selective licensing and additional licensing, do an inspection every year of every property and they've changed that sector completely. And they are bringing back selective licensing but they're not bringing it back on property standards; they're looking at anti-social behaviour. So they've addressed within five years all the property standards (NRLA)	
students on a shorthold tenancy (where individual rooms aren't let separately, on contract for all) does not qualify as an HMO (OCF)	• The Housing Act 2004 introduced a definition of what is an HMO. This does not look at tenancy agreement – it is based on whether people are related and sharing of facilities (amongst other tests). • We note the comment and that this indicates a need for education of landlords.

B. Proposed Selective Licensing scheme

Consultation Responses relating support of new scheme	Council Consideration
There is an obvious need to have inspections for properties that don't meet standards. There are some landlords that don't comply, and something needs to be done. However [there's] a big question mark about what are the benefits to landlords compared to the additional costs involved	• Comments acknowledged. • We will provide information to landlords on key responsibilities, this can include benefits of using accredited agents.
The schemes need to exist and improve and be more transparent”	
Licensing should be encouraged with the right terms and rules. So, if there is	

Appendix 3

153

a tick box that said, 'your walls are painted white', it should be white, not with mould on it - bathroom regulations. It should be explained accordingly so, as tenants, we will have a bit more encouragement to protect our rights and to say what good looks like, and we can compare accordingly. Easier for inspectors as well	We will be providing more information about scheme outcomes and performance against outcomes.
An enforced City-wide licensing scheme "can only be the beginning of addressing all the problems private rented properties create". It is "disturbed by the clear images of housing neglect often presented by private rented properties" (Bullingdon Road Community Association)	
In principle we did think it necessary to have the scheme	
It's good to remove sub-standard competition	
I accept that we do need standards. There is great expertise but also a huge amount of shoddy property in Oxford, particularly around the student sector	
There was a general agreement that the idea of licensing – so the Council knows who the landlords are, and has some ability to exercise some control over them – is probably a good thing...	
... you will still get these people who think they can get hold of a property, do all kinds of dodgy things to it, let it out and get an income, and wash their hands of any real responsibility ... or people who accumulate some sort of portfolio that's beyond their ability to manage properly ... (safeagent)	
There are particular landlords who I'm pretty certain they know. It's the same faces; the same names ... year on year they get away with things and they provide accommodation which you wouldn't want your worst enemy to live in ... There are particular agents who ought to be run out of town, but the City Council has only so much power (OBSU)	
There is a criminal element ... and what it does with that excessive costs – it pushes the poorest and most vulnerable into criminal hands ... and those criminals will not have the highest standards – or any standards. (NRLA)	
Poor landlords – charge tenants for repairs and are unresponsive, unreactive. (OTU)	
There is a limited supply in Oxford and students and other renters are held victim to that, resulting in some of them facing unacceptable accommodation. (OUSU)	
Repeat problems are damp, mould, physical disrepair, unsafe electrics, boilers going wrong ... A lot of the accommodation is based in Headington and East Oxford and a lot of those properties are anywhere between Victorian through to early 1930s. They haven't been looked after very well for quite some time.	

Appendix 3

154

(OBSU)	
...a lot of the housing stock in Oxford, there's a lot of older buildings and a lot of these properties, particularly the rental properties, are not particularly well insulated, and often have very poor and outdated heating which can really cause issues for tenants. And I think that certainly the older housing stock in Oxford can be a real issue around safety and maintenance. (Acorn)	
People come in with water running down their walls, no boiler working, no heating and ... there's a lot of fear about speaking up because they'll get evicted and because the demand is so high...The odds of getting a bad property or landlord are high. I've lived here most of my life, I've never had a good landlord. (CAB)	
It's always confused me why if I moved into a privately rented house with my family and there's for arguments sake five of us, we're not bound by the same regulations and safeguards as if I was to move into a privately rented house with four of my friends ... It's the same number of people ... and arguably if you move into somewhere with a family with children, the risks are higher than multiple adults living in one property. Moving forward it needs to be more than just safety... I think if it's going to be bespoke for Oxford it needs to deal with the issues that Oxford has. (Police)	
I know that there is a consultation under way to improve the quality or properties in the private rented sector in Oxford. As a private landlord myself, I am appalled at the quality of properties offered to students in Oxford. Not all students are irresponsible party throwers and should be entitled to civilised, damp free accommodation. Some bedrooms just have enough room to fit the bed and nothing else!	
The concept of applying a licensing scheme to all rented properties is essential to protect tenants but just as important to improve standards and safety	
"I think it is a good idea. Any rented property should have some sort of regulation. Safety for tenants and peace of mind for landlords, as they can be certain that the house is let in a safe condition	
..Applaud the Council's initiative to take action to protect tenants from unscrupulous landlords (Un-named group of tenants)	
When I was looking for accommodation it was insanely expensive for the value of the money, and conditions were abysmal..."	
When I was looking for properties, I was horrified by the condition of properties for quite massive amounts of money ... I was quite horrified walking	

Appendix 3

155

into places that were two-bed flats for £1,200 a month with mould up the walls and single glazing and lack of security on front doors, lack of security on back doors. There were a lot of those, and it just seemed to be pot luck whether you found something for a similar price that was actually quite liveable	
The ones in the city centre should be looked at because some of them are asking for ridiculous prices and the state of it is crazy	
The bathroom walls are mouldy. You live here and it doesn't feel like the UK. You have certain expectations of living in Oxford	
Keen to support the Council in taking any actions designed to improve the quality of life for people living in privately rented accommodation...particularly concerned about the impact of overcrowding and insecure tenancies on children's' development. (Oxford and District Action on Child Poverty)	
believes additional and selective schemes elsewhere have had a positive impact, e.g., because they make landlords who are breaking the law stand out, which can make it easier to take appropriate action against those landlords who operate unlawfully (Justice for Tenants)	
generally supportive of the proposals, though stated that the likely workload would need to be matched with sufficient administrative and enforcement resources, if the scheme is to maintain public confidence (Oxfordshire County Council Trading Standards Service)	

Consultation Responses relating to "evidence base / Metastreet report"	Council Consideration
OCC is placing too much faith and resource in the algorithm it intends to use to calculate which properties in Oxford are most likely to be PRS accommodation (ARLA Propertymark)	- The Council procured Metastreet to undertake a review the stock condition in the private rented sector. Metastreet have had a great deal of experience in undertaking such reports for other authorities and have used the same methodology and data sets where licensing schemes have been implemented following submission to central government. The report, like most house condition surveys, uses stock modelling to determine predicted levels, as it is not possible due to the prohibitive cost to undertake a full housing survey. The data used was a mixture of Council held data and data held by external bodies, e.g.ONS data, tenancy deposit scheme and EPC data. Metastreet tested their data for accuracy against known tenures. - The number of HMOs quoted in the report is an estimation and includes those HMOs that do not require a licence, of which there are over 2000 in the city which are exempt. Whilst the Council agrees that it is disappointing to note that landlords continue to evade licensing we believe that we have
Given the importance of Metastreet modelling as the basis for this proposal, are we able to see on what basis Metastreet actually extrapolated 2,723 hazards of category one to 6,242. Which obviously brings Oxford over the 20% of housing stock	
OCC's Environmental Health Department reports that 33% of properties in Oxford are in the PRS, whilst MetaStreet data claims 49.3% - a difference of over 10,000 properties (Oxford based ARLA or UKALA agents))	
It is estimated that 14% of properties in the PRS are likely to have Category 1 hazards across the whole of the UK, whereas Oxford is deemed to have 20% projected to fall into this category. (Oxford based ARLA or UKALA agents)	
There has been no real analysis of what types or properties cause these problems	

Appendix 3

156	I would like to see a study of the PRS versus owner occupied stock in Oxford. Evidence of the PRS having lower standards isn't proven	licensed around 80% of the licensable stock in the city. The current HMO licence scheme has been developed, to ensure that compliant landlords do not pay for the work undertaken in enforcing against those landlords who try to evade licensing • The Council are aware from experience that only a small proportion of complaints are received from tenants as many do not complain due to the fear of retaliatory eviction or because they do not know that they can seek help from the Council to address issues in their home; this is often more common in the non HMO stock, where families can often "put up" with poor conditions due to the fear of having to move from an area. • The number of HHSRS serious hazards reported by Metastreet was determined using data provided by the Council and other data such as EPC data, this methodology is the same as they have used in other reports of a similar nature
	The evidence is not compelling for the introduction of selective licensing...	
	We were struck that there is only 47% level of compliance for HMOs. There's a danger that the Council will bite off more than it can chew if introducing the scheme across the PRS before getting on top of the current licensing scheme	
	Landlord non-compliance with current HMO licensing is stated as 53%, meaning OCC is failing even to manage the much smaller HMO sector. It is considered unlikely it could cope with an additional 26K properties in the non-HMO private sector	
	It is claimed that complaints about properties received by officers of the local authority equates to issues with one in ten properties in the PRS – but Council figures show a complaint rate of no more than 3% of properties per year (Oxford based ARLA or UKALA agents)	
	Evidence showing that predicted hazards are not evenly distributed across the city ...concentrations of properties with serious hazards can be found in the central and southeast wards...question the city-wide designation.	
	Probably there is [a problem in the PRS generally], but it is a small and easily manageable issue. Typically, it's the landlords that are letting their own properties, not through agents. Smaller landlords, maybe one property, two properties, who are letting their properties themselves. (OCF)	
	... before championing an expansion of licensing a proper, external, review of the additional Licensing Scheme should be undertaken to identify areas for improvement in, for example, the application and renewals process and inspection rates. Given the apparent failings of the additional licensing scheme, large numbers still not licensed, delays with renewals, limited inspections etc. ... we are interested to understand why more of the same is considered to be the best route to pursue? (Oxford based ARLA or UKALA agents)	• The Additional Licensing scheme has been reviewed internally, combined with comments received in this consultation, to identify improvements (of which many are underway). The Council believes that this learning will allow an effective implementation of a selective licensing system.
	The projected income from the selective licensing scheme is estimated at just over £6.5m, whereas the agents believe the true figure covering all relevant PRS properties should be over £11m. They say, "It appears that the income projection of £6.5m is already anticipating that only half of the properties will secure a licence. (Oxford based ARLA or UKALA agents)	• The income projections in the cabinet report are based on a number of the 30,508 privately rented properties not being licensable under the selective licensing scheme; those being HMOs which are covered by the additional and mandatory licensing schemes and those that are exempt from any licensing scheme by virtue of the legislation, it is estimated this equates to around 18,000 properties. The starting figure for licensable non- HMO stock has been estimated as 12000, –The projections are based on our experience with HMOs and it is felt we will initially licence 80% of the licensable

Appendix 3

	properties, working on finding and enforcing against the remaining 20%, unfortunately as we have found over the years with HMO licensing there will always be landlords who try to evade regulation. These projections will be reviewed on a regular basis and where necessary changes will be made to accommodate for any differences identified.
... notes that the Council's consultation document does not mention overcrowding as an issue, despite local media reports to the contrary. ..the city should, as part of new licensing rules, ensure that licenses cannot be retained by landlords found to be engaging in overcrowding (Bullingdon Road Community Association)	•Overcrowding is one of the hazards under the Housing Health and Safety Rating System so it is part of the overall data. Where a problem is found, the Council will use statutory powers to resolve overcrowding and failure to comply could result in a licence being taken away.

Consultation Responses relating to "anti-social behaviour criteria"	Council Consideration
One of the six criteria for Councils to choose to go for Selective Licensing is anti-social behaviour ... this is moving the responsibility of anti-social behaviour from authorities to landlords and we, as landlords, don't see that as being our responsibility ... We, like any landlord or agent, take great care in selecting our tenants and if there are issues, then yes, we'll take it up with them, but it's very difficult to actually do much enforcement. We'd have to then go back to authorities and ask the authorities to take any enforcement that might be necessary. If we want to remove them from the property, we already have the legislation there, and that's to issue a 'Chapter 8 notice', we can have them removed from the property. But I just don't see that selective licensing will in any way resolve anti-social behaviour" ...the position there is about the disturbance caused by the tenants in that area, mainly university students. Nobody can control them, not even the universities, yet they're logged in with our system. That's unfair, because they're putting it on the landlord to try and take care of this problem". OCC appears to be claiming there is a serious ASB problem across the entire city of Oxford... undertaken an average of 811 investigations a year between 2015 and 2019 in a PRS comprising 30,500 properties – and that the figures show that approximately 20% of investigations relate to just two wards, St Clement's and St Mary's.... a useless, toothless measure because PRS landlords have no control over their tenants' behaviour other than to apply for a possession order to evict. Therefore, in the proposed licensing scheme, it is implicit that a landlord may be forced to evict should their tenant be reported for ASB, else risk losing their landlord licence.	• ASB is considered to be a problem in some privately rented properties however it is not the reason for the proposal to introduce the selective licensing scheme. • The Council have considered the comments raised by landlords, residents and other organisations and have determined to remove standard conditions relating to anti-social behaviour. These can be added on a "property specific" basis to address problems on a reactive basis.

Appendix 3

One of the criteria is that there's an awful lot of anti-social behaviour but, effectively, in most tenancy agreements there will already be things which say that the tenants are meant to be good, but also that they have a right to their own existence without landlords interfering. So, we're really not sure of how that is addressed by this scheme..."	

Consultation Response – whole city v exclusion of Holywell	Council Consideration
For a level playing field it should include Holywell; the standard should apply to all. This is more fair and easy"	- Comments have been noted and considered. There is support and evidence of both sides. - Any Selective Licensing scheme will need approval by Secretary of State. - The proposal to Cabinet is that two designations are made – one for the whole city and one that excludes Holywell. Submissions will be made to the Secretary of State for both schemes and therefore the evidence for the most appropriate scheme will be determined by the Secretary of State. - The Housing Act 2004 provides for exemptions for licensing – that includes buildings managed by universities where the tenants / residents are undertaking a full time educational course. However, university owned property let out on the open market would be covered by the scheme.
Option 1 is preferred because ...it's just easier as a mass area. Everyone knows a little bit better within that whole area what they need to do. It brings all the properties up within that area to the bar"	
I think you should include Hollywell. Just because it's being run through the University, that doesn't prove to me, necessarily, that they're meeting standards either.	
It doesn't make any sense to start distinguishing. It's easier to bring in the whole of the city	
One of the concerns is that, with the Hollywell Ward, it has clearly been included in the data ... in terms of the anti-social behaviour numbers etc., which is obviously in favour of introducing a Selective Scheme. Yet, if and when the scheme is introduced, those properties are going to be exempt from licensing. So, why have they been included in the data now, when they're not going to have any effect when it comes to the actual licensing stages?"	
If this was put in in Holywell then there may be opportunities to deal with those issues that are in that ward. (OUSU)	
It has to be city wide, the reason being that they say the Holywell area is well managed, but that's at the minute. If that becomes the area where landlords don't need to conform to the rules.... that steers demand to that ward. (Police)	
We have no strong view; we generally support being slightly more targeted but we were supportive of city-wide in Liverpool and we would be up for Oxford to go that way (safeagent).	
A city wide scheme is preferable... from the evidence, Holywell does not share all the characteristics found in the PRS in the other wards. (ARLA PropertyMark)	
Would support excluding Hollywell because most students are in Marston, East Oxford and Headington. (OBSU)	

Appendix 3

I see no reason to exclude University owned properties, this is clearly discriminatory	

Consultation Response – impact on housing stock	Council Consideration
The type of properties that this would impact are exactly the properties which are keeping people from being homeless ... Some of the places are really affordable, even free and in slightly crappy conditions and so, I guess it just fills me with worry because I think that either you'd get people thinking it's too much risk, I'm going to stop doing this... I can't be bothered with the bureaucracy. I'll just leave it empty. (OTU)	The private rented sector has grown rapidly over the last two decades, from 20.8% (2001) to 49.3% (2020) and the Council does not wish to deter prospective landlords from entering the rental market. There is no evidence to suggest that property licensing schemes reduce the size of the rental market where they have been introduced.
It's not just the extra paperwork, it's everything you have to go through; it's the stress of that. It gives you more anxiety as a landlord, thinking, 'I can't be bothered with this anymore'. I can see people saying they're either not going to rent it out and just have empty properties or 'I'm going to sell it', and that's something I would consider if the scheme goes ahead"	There is no evidence to suggest HMO landlords have left the market in Oxford since Additional HMO licensing has been introduced. The private rented sector (PRS) has seen an unprecedented growth in recent years, and the Council believes that other factors introduced by the Government may affect the sector more than licensing eg changes to taxation for landlords.
The paper[work], and all the extra things, and I'm wondering if this is a way of discouraging private landlords? Is it like the stamp duty was on second homes? Is it just trying to discourage?"	It is not the aim of the Council to discourage landlords from the market through Selective licensing, the aim of the licensing scheme is to improve property conditions and to ensure landlords take a proactive role in managing their properties.
"Oxford City Council need to be cautious introducing this scheme. The effect in the housing market would be extensive. It will reduce the size of the rental market in the City. Prospective landlords will be deterred and the number of existing landlords will be reduced"	The Council, in partnership with Oxford City Housing Ltd (OCHL) is building new homes to rent in the social sector, planning policies have also been developed to support and encourage developers and housing associations to develop new homes.
Under normal circumstances it would only serve to drive more Landlords such as myself to reconsider their investments. With rental growth looking very dubious given the pandemic and in fact the general economy beyond, along with the prospects of up to 50% Capital Gains Tax in the next Budget, the appetite for investment property along with further licensing will undoubtedly become totally unappealing ... The introduction of further Legislation is not at all necessary and I would strongly urge the Council to reconsider the proposal with a view to dropping it, especially at this very difficult moment in time on so many fronts for all of us.	It is the intention of the Council not to penalise compliant landlords, the proposed fee structure supports this intention by ensuring those landlords who are compliant will pay far less for licensing than non- compliant landlords
Increasing the availability of affordable and/or social rented housing, to reduce the city's reliance on the private rented sector;	The Council assist a number of new landlords entering the HMO market and will continue to do so if selective licensing is introduced.
Where there are clear abuses they should be prosecuted, but common sense should prevail. The effect of over regulation will lead to a decrease in available housing stock for rent... This is the inevitable outcome from this overbearing sort of regulation..."	If selective licensing is introduced, enforcement officers will be specifically investigating unlicensed properties as they do now in the HMO licensing
You'll be getting the money from the people that probably will pass these	

Appendix 3

licenses ... you're going to drive more underground, because there are people that are unscrupulous and tenants won't report it, because they know if they report it they'll be homeless; and so the Council just need to be mindful of that going forward	scheme. Such investigations do not require tenants to come forward and complain and will use various intelligence methods to determine if there is a breach of the licensing scheme
... would support licensing scheme arrangements that are, in part, integrated with a variety of housing policies intended to systematically reduce private sector accommodation in Oxford, thereby creating a mix of tenures (Bullingdon Road Community Association)	• Selective licensing must compliment the overall Housing Strategy for the Council, this strategy covers all housing stock within the city and along with other Council policies encourages a mix of tenures.
Yes, definitely [problems with conditions] but it's not the only problem. (OTU)	• The Council recognises that small homes provide affordable housing for many tenants. Selective licensing will not restrict the number of homes for rent (it is planning legislation that controls the use of homes).
The city must ensure that the result is not an even greater scarcity of rental accommodation in Oxford than already exists ... a licensing scheme that drives landlords away would only further worsen the affordability crisis that has left Oxford as the worst city for income-adjusted housing affordability in the entire country. ...If the Council decides to implement the proposed licensing scheme, it is said that it "should ensure that it does not prevent potential rental units from coming on to the market" because if it does, its effects would run contrary to the purpose of the licensing, which is to protect tenants...houses owned by small landlords, who would be most impacted, provide a large share of affordable housing for tenants. (Un-named group of tenants)	• Some suggestions, such as public rent guides, are outside the scope of the scheme.
I think there are a lot of options that do fit within the jurisdiction of the local authority, rather than national government, which could get us much closer to a fairer rental system. And part of that package for sure, cracking down on property conditions and rogue landlords, but it's one part of the jigsaw. [Other parts include] reform to the private rental market and put rent control in place, the City Council making a real commitment by saying, 'We're going to make renting in the city fairer'. There are things like putting in place public guide rents, about publishing some of the data ... like average rents per area ... making more of a public campaign about it. Also, we just need loads more affordable housing and ... proper city investment in a social lettings agency and a database of the 500 ethical landlords of Oxford – people who are charging rents that fit within LHA..." (OTU)	
There are some really poor properties ... we welcome tighter regulation but there is a risk of doing it in too heavy-handed a way. A lot of people that come to us or I come across in my work are in informal tenancies because they can't afford to be in the formal rental market ... Often people are trading large amounts of money or labour or even sex for those kind of living arrangements. Some of them are good - including someone letting a room to a friend's kid for a year or two or arrangements that fit more within sofa	• Unfortunately the poor practices described are found in the private rented market and whilst this may provide a home, consideration should be given to whether that home is safe and in a satisfactory condition. Landlords have a responsibility to ensure that their property is let in such a way that it is in a safe and satisfactory condition. It is hoped that through licensing schemes, such practices are uncovered and eradicated. Advice will be developed for landlords as to how they can comply with the scheme.

Appendix 3

surfing Not ideal but are preventing people from being homeless so our fear is if this comes in, the people who are those informal landlords will just decide the risk is too high and stop doing it. (OTU)	
Or, where there's a big problem is those people who have a property ... rent a property to someone and they illegally sublet it. That is where the problem's growing (NRLA)	It is hoped that selective licensing, as the previous HMO licensing schemes have done, will assist in tackling such illegal practices
Additional costs will be incurred for adult social care, children's services and housing if the Council's goal is to be achieved. Evidence that these costs will be met is requested, as is information about how landlords will feed into the system if they suspect a tenant is at risk, and what support will be put in place so a landlord can support a tenant with mental health, alcohol and/or drug issues (NRLA)	There will be guidance produced for landlords around ASB and supporting their tenants including how to access services who may be able to assist.
I wish to just state that licensing - the cost of this - to those of us who have a single individual as a lodger, will be huge. We, at present, are dependent on our single lodger on the rent a room scheme ... this would be really hugely impactful and will result in families being unable to cope with additional expenditure... Please focus your aim on the unscrupulous housing traders in the city not those families hosting key workers such as our brilliant NHS nurse..."	- Licensing is not required where there are up to 2 lodgers sharing an amenity (WC/Personal washing facilities/kitchen/living room) with the landlord. - Licensing will not apply where there is no tenancy agreement i.e. where there is no rent paid
"Please spare a thought for people like us who have acquired flats or houses for our vulnerable/elderly relatives and do not charge them rentals ... many of us have very difficult lives caring for our loved ones and do not welcome the additional burden of more regulation, inspectorates and costs..."	We will make this clear to landlords in future communications.
The socio-economic model presented by Oxford City Council ... has treated renting out of a house as more of a business rather than of self-employment for a household with one house ... the cost of licensing proposed may impact more severely [on] the single house letting landlords than the multiple letting house owners/landlords ... in the case of a landlord owning one house to let ... the licensing [should] be made free..."	Renting a property to a private tenant is a business and landlords must comply with legislative requirements when doing so, whether they are renting out one property or a number of properties. If selective licensing is introduced it will be applicable to all landlords letting properties with a non-exempt tenancy
Obviously, we don't want to see the fact that that upgrade results in the lowest stock being removed, or the people in those houses being left out because of the requirements to upgrade. (OUSU)	The standards required by both licensing schemes are minimum standards which landlords should be providing if letting out property.
The impact of Covid and unemployment: ... more people falling into rent arrears is a worry as well so the additional cost is less likely to incentivise landlords to remain in the sector and our members often talk about investment confidence ... and of course, most of them across the country only have one or two properties ... also if you've got a mortgage on that there's a potential impact. So, these are the broader issues that our members	The licence fees have been set for a 5 year licence; for an accredited landlord this results in a fee of £56 per year and for a non-accredited landlord £96 per year. Whilst the Council accepts there are financial worries both for tenants and landlord at this time, the selective licensing scheme, if introduced, will not be commenced until 2022, when it is hoped the economy has recovered from the global pandemic to some degree.

Appendix 3

tell us about on a daily basis. (ARLA Propertymark)	
I am concerned that some of the money spent on an extensive system will be money that could have gone for property renovation. Therefore, there is a possibility that the quality of much housing stock will be lower than before	The fee for compliant landlords will be kept low – the standard fee for selective licensing is £480. It is unlikely this will have an impact on the ability of a landlord to undertake property maintenance work.

Consultation Response – will lead to increased rent	Council Consideration
One of the things that was raised was the impact on rents for the tenants... thinking about the extension of the scheme, it's likely that their rents are going to go up across the city	- Rent levels are driven by many factors. Affordability of housing in Oxford is not likely to greatly improve in the near future as the lack of available land for development and high land values will maintain high property values. This is reflected in the reduction of homeownership and corresponds with increases in the cost of rent due to a higher demand placed on a growing rental market. However, there is no evidence that HMO licensing has led to an increase in rent. Therefore, we do not believe that selective licensing will lead to an increase in rent. - We acknowledge comments that landlords have additional costs however we believe that the fees are not much when costed per day. For compliant landlords then a new HMO licence, the fee equate to £0.54 per day. For a selective licence, the fee equates to £0.27 per day. - We acknowledge that landlords have commented that licensing may require them to complete additional work. However, for selective licensing, there are no specific property standards. The only time work is required is where there are hazards identified under Part 1 Housing Health and Safety System. This will be for those landlords that have failed to invest in regular maintenance.
there will certainly be consequence that rents will just go up for tenants, because why won't the landlords pass on the costs directly to the tenants of whatever licensing scheme is being imposed?"	
We're all obviously very interested in keeping our tenants safe and happy, and doing our best for them ...but there has already been a lot of extra cost involved. The agents/estate agents can't charge the tenant now for certain fees, so that's coming over in the landlord fee that we're being charged... there's all the electrical safety checks, the PAT checks, the legionella tests, the management fees, insurances, building content, landlord insurance, the stamp duty changes; there have been so many things. So, [the scheme] is going to lead to the rentals going up, otherwise it's not going to be a business that we can carry on with ... The rentals are already very high in Oxford, but I fear that this is going to bring it up again; I can't see any other way"	
Particularly at the smaller end (two or three households) what exactly is the justification or the Council adding to requirements over and above what a single household tenancy might be ...all this does is add costs and make rents higher...	
You'll be getting the money from the people that probably will pass these licenses ... you're going to drive more underground, because there are people that are unscrupulous and tenants won't report it, because they know if they report it they'll be homeless; and so the Council just need to be mindful of that going forward	
My understanding is that if all these landlords are having to pay extra fees for their properties, it feels like most of them would respond by perhaps increasing the rent so the tenants would essentially be paying that fee	
It's going to be passed on to the tenant and what kind of protections are in place?	
I think it's good that landlords get licensed, but I'd be worried they'd just chuck	

Appendix 3

163

the cost onto us [tenants]. It's extortionate in Oxford as it is	
If you're at Oxford, you've got a reasonable chance of getting a job but people in lower economic groups, this is going straight on their rent ... So, the Council Policy is directly affecting those in the lower socio-economic groups in a negative way ... (NRLA)	
Fees will be passed to tenants potentially increasing hardship (ARLA Propertymark)	
You're pricing the lower socio-economic group of people – those on housing benefit – out of the City. That can't be good for the City if you've got the poorest people in society not being able to live in the City, being forced to live in the extremes ... outside the City. (NRLA)	
If they [landlords] pay more they'll only turn it back on the tenant for rent (OBSU)	
...leading to an undesirable increase in private rents as landlords pass on the fee to tenants	
For tenants, it will surely lead to increase in rents as landlords try to cover their costs	
Exactly what happened when the law came in about the tenants not being allowed to be charged the contract renewal fees. The month it happened my landlord said, 'We're going to put your rent up'. My landlord said he had to cover the tenant fees. My comment is that it's going to be passed on to the tenant and what kind of protections are in place?	

Consultation Response – essentially a “job creation” scheme	Council Consideration
About a third of the cost of the licence for the Selective scheme is administration ... there's a bit of thought needed on that; on just how those costs stack up”	• This is not the case. The scheme has been proposed to improve property. The scheme must be cost-neutral – the Council cannot use income from property licensing for other areas of work. • There will be an opportunity for employment however this is not the driver for the scheme. For the processing, this would be short term (one year) employment. • The Council did not change the definition of an HMO from five to three people. A three person property is an HMO under the Housing Act 2004. The Council has required smaller HMOs to have a licence since 2011.
We understand the Council needs more revenue, but we do feel this is a money grab...	
It will be really interesting to know from the Council what extra number of people are going to be employed as a result of this scheme to do the inspections and so on...	
The whole issue has been driven by getting income for the Council. That was fairly obvious by the fact that the Council has changed the Government's standard from five people make an HMO to three people make an HMO. The obvious driver for that is money”	

Appendix 3

Consultation Response – “tax / charge on landlords”	Council Consideration
Landlords are operating in very difficult times at the moment ... rents are falling, tenants are losing their jobs. We feel that it'd be an additional administrative and tax burden, which is unwelcomed, and penalises good landlords	• The Council acknowledges landlord and agents concerns. However, the fees have been kept as low as possible for compliant landlords. • The benefit of a licensing scheme is that landlords will be able to demonstrate to tenants they are compliant. It will also help reassure landlords that they are compliant as well. • Selective licensing would not start until 2022. Landlords will have time to prepare, become accredited if necessary to benefit from the lowest fee and set money aside for the fee. • Costs have been carefully considered so that compliant landlords are not subsidising the non-compliant. • Where a landlord uses an accredited agent to fully manage their property, this will qualify for the accreditation discount. We do believe that letting agents have a responsibility for ensuring the properties they manage are compliant with gas safety, electrical safety etc. This is in line with recent proposals for Regulation of Property Agents.
I think the people that care would be doing the work anyway and the people that don't wouldn't. And maybe the Council wouldn't be able to go around and check, and then you end up taxing people that would be doing the right thing anyway	
There is a worry that 80% of the housing stock is owned by good landlords who are trying to do everything they can do to make sure the standards are what they should be, who are effectively being punished for the 20% that aren't, and that they're going to have expense in an aim to bring up the 20%	
You're basically penalising good landlords and taking money from them to fund inspecting and prosecuting the bad ones	
It seems to me that in the Selective scheme landlord just pays for the paperwork and other people's infringements	
I'm sure everyone on this forum wouldn't want to be seen as the easy touch for making up the money to pay for this [scheme]. It might be difficult to chase a rogue landlord as they haven't declared the property as an HMO or for whatever reason; but I think there's a very delicate balance...	
The Council gets the money, but what's the benefit to us? What's it bringing as an extra?	
You're preaching to the converted here; I'd imagine most people here are responsible landlords or responsible agents ... This may go back whether the Council is going to be incentivising the people who are trying to do it properly and legally...	
Most of those things that were in the list, good agents do them anyway so we're already paying that through our fees. Six-monthly inspections, letting the tenants know, hot water etc, and they are regulated for law anyway, like gas certificates and things like that ... So, I think, that it's not really doing to change that much, other than we are going to be asked to pay a certain amount for the license	
There are a lot of landlords here ... who don't feel comfortable managing their own houses, and they want to appoint an agent to do it on their behalf and to make sure it is managed properly and it is up to standard. A lot of landlords make sure they appoint an accredited agent and those are recognised by the Council for doing the right thing, and for them, they're paying already to make sure the houses are managed correctly and are to a good standard. So, why	

Appendix 3

165

have they then got to pay again in their eyes to tick a box to have a piece of paper?"	
Licensing will add to ever growing costs of compliance, make fewer funds available for maintenance and reduce the cost effectiveness of renting with consequent lessening availability	
"I do not welcome further licensing and control because this will inevitably put up cost, at a time when mortgage relief is minimised, insurance and other costs are rising, while rents remain static. For a sole trader landlord like me it's hard"	
We have no doubt ... that your licencing scheme will attract a significant annual fee in addition to the considerable current administrative fees we are obliged to pay and with tax rises already being predicted for private landlords. Although something of a cliché we are anticipating being penalised by an additional tax in the form of your licence fee for the shortcomings of unscrupulous landlords	
Those that currently have no regard for the law relating to being a landlord, or to meeting their obligations as set out in a tenancy agreement, are hardly likely to obey the rules of a city license. Therefore, it will simply end up being an additional tax on good landlords who are not in need of a license to ensure their properties are in good order	
If unilaterally applied, the proposed selective licensing scheme will prove time consuming and costly for the Council, while imposing yet another punitive charge on responsible landlords	

Consultation Response – impact on equality	Council Consideration
A number stated they share ACORN Oxford's concerns around the inclusion of licence conditions requiring landlords to regulate' anti-social behaviour, on the basis that these risk penalising tenants who might be marginalised, vulnerable or have complex needs. For example, there were concerns about landlords seeking to evict challenging tenants and/or discriminating against particular groups when choosing whom to let to (e.g., people in poverty, transgender individuals, individuals with poor mental health, and sex workers were all specific examples given of the kinds of groups that could be impacted), while leaving the Council or other services to 'pick up the pieces'. A few also felt the Council should issue a public statement affirming that would use the scheme to improve housing conditions – not to police tenants.	• These comments have been considered and whilst some are outside the remit of the licensing scheme, changes have been made where possible to accommodate some of the comments. • The comments regarding anti-social behaviour have been noted and the effect these could have, the Council have removed these conditions from the standard conditions on both proposed licence schemes. A condition can be added where there are particular problems with a specific property and can be added on a reactive basis. • The comments regarding increases in rents have been noted and responded to in the sections above. The licensing fees have been kept as low as possible and the Council so not believe that this will lead to rental increase.
Licensing is likely to increase rents which will impact tenants on low incomes, and have a disproportionate impact on the most vulnerable, exacerbate the	

Appendix 3

homelessness crisis etc.	
Although Oxford does not have significantly higher levels of deprivation than the national average, it does appear that fuel poverty and child poverty rates are relatively high, and the potential for licensing to increase rents needs to be considered in this context	
Licensing may contribute to a 'black market' in housing in which the vulnerable are more, rather than less, likely to be exploited by any unscrupulous landlords	
Oxford's high rents hamper social mobility by discouraging students from poorer backgrounds coming there to study, and so any measure which risks increasing rents should be avoided;	
There should be more emphasis on energy efficiency in the conditions etc, as fuel poverty disproportionately affects the vulnerable;	
Tenants who have more limited English language skills may require appropriate support or help to understand their rights and responsibilities;	
Any referencing needed should be based on character rather than finances, to avoid disadvantaging "decent but poorer" people;	
There is a concern that smaller households (e.g., single parent families) find it harder to have their voices heard in general;	
Wheelchair users, those with other types of disability, and people with young children etc are particularly impacted by inconsiderate parking etc in areas with high levels of HMOs/private renting.	

Consultation Response – impact on other areas	Council Consideration
"Is Oxford Council collaborating with other Councils from around the district? Or is there going to be a question of 'licensing stops at the bottom of Kennington', and then we find that there are poorer conditioned properties out there and we just force the rogue landlords and poor properties onto the outskirts and on to the other Councils?"	The Council has consulted with surrounding authorities. They have been given an opportunity to respond. We do not believe there will be "creep" into surrounding areas given the drivers for the housing market is complex.
Cherwell District Council says it has not identified any growth in the number of HMOs in Cherwell District that is directly attributable to the introduction of additional licensing by Oxford City Council and does not expect the proposed renewal of the City Council's additional licensing scheme to have any significant displacement effect on the creation of HMOs in Cherwell, believing that any such changes are most likely to have taken place already, and none have been identified. Cherwell District Council considers it unlikely that the introduction of the Council's selective licensing scheme will have a negative effect on the PRS in	Comments noted

Appendix 3

Cherwell. Any increased uptake by landlords of rental property in Cherwell rather than Oxford would, it is felt, be difficult to identify, but CDC suggests that this would be unlikely to occur at any speed, "nor would it result in any direct reduction in property condition". Moreover, it is suggested that rather than pose a risk of driving unsatisfactory landlords to move operations to Cherwell, selective licensing could equally "see a trickle-down of improving practice that might benefit properties in Cherwell owned by landlords operating in both areas".	

C. Alternatives to the proposals

Consultation Response – “do nothing – current powers are sufficient”	Council Consideration
Why not just deal with the fifth of the homes which you claim to know have serious hazards, instead of charging the other 80% of good landlords a licence fee	- The Housing Act 2004 does contain powers to inspect rented homes and serve notices for improvements, under the Housing Health and Safety Rating System. The Council has undertaken a proactive project to find those houses with low EPCs , as available from public data, to ensure improvements were made before the introduction of the MEES standard – this was part funded by central government. While this project was successful, it also demonstrated, the resource needed if funded via general rates would lead to an increase in council tax. We therefore do not believe it is a viable alternative to rely on proactive research alone with funding via general rates. - Unfortunately there are a number of landlords who do not ensure that their homes are safe and in good condition before and during a letting. If property licensing schemes are introduced, prioritising enforcement will be an important part of the scheme and the aim will be to identify those properties which require an inspection where good practice and management is not being observed. - The HMO licensing scheme has demonstrated that landlords are not always aware of legal requirements such as gas safety or electrical safety or EPCs.
just leave good landlords alone and look to the areas, known to all of us, where the real problems are	
Oxford City Council has powers delegated by Central Government to regulate housing in the city ... e.g., Housing Health and Safety Rating System (HHSRS). The general powers should be financed from the general council rates. They include the identification of rented houses by research of council and other public records...	
With 53% non-compliance with HMO additional licensing, the Council should focus on that before expanding licensing 10-fold”	
Your own admission is that one fifth of landlords are “rogue”; this means that four fifths are probably responsible. You should look for other ways to deal with the rogues.	
There is no need for any additional licensing from the Oxford City Council which would just be a bureaucratic unnecessary expensive hoop	
There is no need for all private rented homes to be licensed as there are already adequate measures in place to ensure all privately rented homes are safe and well managed (Gas Safety, Electrical Safety, Fire Safety and the EPC). ... Any further licensing of the private rented homes would be unjust and unnecessary	
The standards are already there by the government. My properties are to a good standard. Why should I pay more tax?	

Appendix 3

168	We still have to adhere to guidelines and rules via the rental agents who keep an eye on us – re house quality, maintenance, certificates etc. So, I don't see any need for further control ... for those who go through a reputable estate agent/rental company, they do the oversight for you"	
	HMO is already complicated and expensive. Penalties are high	
	We would strongly object to the creation of a selective lettings licencing scheme imposing another tier of bureaucracy on top of our existing contractual and statutory obligations but which we accept are in place to protect our tenants	
	The expiring scheme is an unwarranted burden on landlords, agents and council staff. The conditions are all backed by pre-existing general powers and duties, which do not need to be embodied in a licence to be effective	
	Selective licensing would achieve little beyond the powers that OCC already possesses (the power for OCC to force inspections in a privately rented home, to "pointlessly" force landlords to include ASB terms in their tenancy contract and to compel them to obtain tenant references) ... A better way forward would be for OCC to conduct a review into its failure in respect of HMO licensing, and seek more creative solutions than bureaucracy, taxation, and forced inspections	
	The NRLA is not opposing the Council's proposals, but says it needs to "understand how the local authority is going to deliver against what it is proposing". It believes that any regulation of the PRS must be balanced and that additional regulatory burdens should focus on increasing the professionalism of landlords, improving the quality of private rented stock, and driving out the criminals who act as landlords. It also feels that good practice should be recognised and encouraged and asks how the Council plans to communicate best practice to the landlords and tenants of Oxford. The NRLA feels that an active enforcement policy is an important part of protecting the sector from criminals who exploit landlords and tenants and creating a level playing field.	• The Council feels that licensing is a proportional response to the poor conditions and poor management practices it continues to find in the PRS. Licensing will give the Council the opportunity to proactively inspect all privately rented properties without the need for residents to complain. Unfortunately the reactive approach has not worked to improve the sector as a whole. The Council will continue to use all available enforcement tools. • Good practice will be recognised and encouraged, through the use of accreditation discounts and auditing with regular communication through newsletters and forums.
	Lack of discussion of greater or more substantive use of the Housing Health and Safety Rating System (HHSRS)...given ... the major complaint is that many properties have issues with standards it makes little sense to ignore this method of enforcement which would directly tackle the root cause of the problem. (Oxford-based ARLA or UKALA regulated agents)	• The Council will use all the enforcement tools available to it to bring about improvements in property conditions in the PRS this will include the use of the HHSRS system and enforcement provisions under Housing Act 2004, Part 1

Appendix 3

If the Council's databases are so adequate as to history, ASB etc. they cannot be used to focus on resolving problems "rather than introducing a whole new scheme that is onerous for many who play no part in this problem	Those renting in the private sector do not complain to the Council about conditions in their homes, often putting up with them or if they can, ending their tenancy and moving out. The databases are extensive but do not have the full picture, property licensing gives the Council the opportunity to proactively tackle the poor conditions that are too often found in the sector. The Council's experience of operating HMO licensing has shown that improvements are made and in most cases maintained through such a proactive approach

Consultation Response – "collaborative / voluntary / self-certification approach"	Council Consideration
A more collaborative approach between the Council, letting agents, landlords and professional bodies to tackle issues within the PRS – one that recognises and rewards landlords/agents that already adhere to good practice and enables the better targeting of resources for enforcement	- The Council welcomes collaborative working with landlords and agents and will build upon the current work of the Landlords Information Exchange and the Agents Forum, together with other partners. However, a collaborative approach on its' own is not believed to be sufficient to resolve the extent of the problems with poor housing conditions which exist in the private rented sector in the city. - The Council believes that trying to increase participation in a voluntary accreditation scheme would not suffice. According to the English Private Landlord Survey 2018, 75% landlords did not belong to any landlord association¹. This is not the same as being an accredited member – therefore less than 25% landlords voluntarily gain recognised accreditation. - We have run a voluntary accreditation scheme for 10 years. The Council has operated a five year licence for accredited members – landlords are informed of this at every renewal. However, there are approximately only 150 landlords currently accredited and less than 700 HMO licences are with accredited landlords or agents – that accounts for 20% licensed HMOs. This shows that incentivising landlords via lower fees and longer licences for accredited landlords and agents does not work.
Improvement through accreditation is preferable, or to use a collaborative approach with lettings agents, Police, FRS, and others, utilise existing powers/legislation and educate landlords, and possibly agents	
"We wondered ... whether a voluntary scheme should be run-out and pushed a little bit more, perhaps for a year or two. If landlords can then be accredited by the Council, even if they pay for that accreditation, they're certainly going to stand out in ... a saturated market. I think we'd all rather go to the restaurants that have five stars than the ones that have one ... It would also, then, stop the deluge of works that may have to be done, that has been shown with the current EICRs that have been launched by the Government..."	
There are collaborative approaches which we've been involved with ... Home Stamp in the West Midlands that we partner. This has as partners universities, police fire and considers regional and national issues affecting the sector. Provides training for landlords and addressing issues before they arise. There's already lots of legislation that Councils can use and it's also a struggle for the landlords who are not always experts on this, so I think education, a collaborative approach and also increasing the number of accreditation agents and landlords, because often they have higher standards. (ARLA Propertymark)	

¹ Ministry of Housing, Communities and Local Government January 2019 – English Private Landlords Survey 2018 Main report Point 1.26 page 20
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/775002/EPLS_main_report.pdf accessed 21/12/2020

Appendix 3

Should we have some self-certification scheme whereby landlords can indicate that they comply with the regulations that the Council set down and backed up by possibly some random inspection regime"	There would be no legislation behind such a scheme, as such it would be voluntary and similar to accreditation. Without legislation, we would not be able to issue penalties for default.
A self-certification scheme may be an alternative and penalties for default...	
A voluntary scheme with some incentives for landlords e.g. a 'star rating' system to promote the best performers, or a Council tax waiver for periods where the property is vacant;	We operate a one, two or five year licence structure for HMO landlords. Although not quite a "star" rating, it is a similar idea and only 20% of HMOs have five year licences. Therefore a voluntary star rating scheme may not incentivise landlords to comply.
Requiring or encouraging landlords to invest in their properties as an alternative to paying a licence fee (on the basis this is more likely to lead to immediate improvements);	There would be no legislation behind such a scheme.
Property MOTS – no real exploration of this possibility. Oxford is in a unique position with such a high proportion of properties in the PRS, and the pilot of an imaginative private/public partnership strategy could be exciting and effective...with a moderation role for city officers and resourced by grants from MHCLG and the private sector (Oxford based ARLA / UKALA regulated agents)	- The Council agrees that this scheme has the same aims as property licensing – to improve property conditions. The Council also acknowledges that the idea of an "MOT" as an idea is simple to understand – with confirmation that certificates are obtained and the house meets certain minimum standards. The agents suggested the MOT could be obtained from approved agents or surveyors or the city council for a fee, with moderation by the council. The agents believed the city council could make use of by-laws to make such a requirement mandatory for all landlords and to then allow fines to be issued. However, by-laws need an Act to enable them to be made. There is no provision to make by-laws for such a scheme under the Housing Act 2004, therefore we would have to demonstrate that other legislation was applicable. In addition, a by-law cannot be made where alternative legislative measures already exist that could be used to address the problem – in this instance, property licensing under the Housing Act 2004. We therefore do not believe that a by-law can be lawfully introduced. - Without legislation, the scheme is voluntary. The Council acknowledges the idea of having a "critical mass" of agents / landlords involved" would give the scheme recognition however the set-up of such a scheme would be at cost. The agents also suggested that the Council could obtain government funding to set up such a scheme. Grant funding may assist in the set up but if the scheme was to operate successfully the income stream could not be reliant on grant funding as the income to operate the scheme must be sustainable. - While the Council acknowledges that Property MOTs may be a possible

Appendix 3

	direction of travel for government, we do not consider it likely that it would be introduced in the next few years. In any event, the selective licensing scheme must be approved by the Secretary of State and they would be unlikely to approve a selective licensing scheme if there was going to be a new national requirement for property MOTs. We therefore consider that selective licensing remains the most viable scheme for improvement of property conditions.
Since we're already having to go through gas certificate inspections, electricity inspections, EPC is there any way we could just submit that kind of information to the Council along with photos online? Then there would be little need for a fee...	This would be voluntary and would still require administration and resource to monitor.

Consultation Response – “landlord licensing”	Council Consideration
Licensing landlords rather than properties.	The Council acknowledges landlords and agent comments regarding landlord licensing and that it appears a preferred alternative. However, the legislation does not allow for “landlords” to be licensed. Such a scheme would be voluntary and as such would be unenforceable meaning that non-compliant landlords would not be required to licence.
A better alternative to Selective Licencing would be for OCC to introduce a scheme requiring landlords to be licenced and to register the properties that they own. This would enable OCC to licence landlords instead of individual properties and would, it is felt, have the advantage of significantly reducing the administrative burden on landlords and OCC, “allowing both to focus time and resources on the real issue of property conditions. The outline of the proposal would be: landlords with PRS properties in Oxford would apply for a licence and demonstrate they have had appropriate training and are ‘fit and proper’ persons; the landlord would register all their properties and self-certify their conditions; a fee would be paid per landlord and last for five years; OCC would undertake random and targeted inspections to test the self-certification and issue fines etc. for non-compliance. (Lucy Properties)	
A number of landlords that are on this call are already licensed because they have HMOs. Couldn't they be given a waiver because you already know who they are? All they would need to do is register their wider portfolios with you”	
We would rather go for landlord licensing scheme, rather than the one Oxford is going for, which is a general licence for the property”	
Cost is very important, and we feel that landlord registration fee might be a better way to look at it”	
A system more akin to Rent Smart Wales;	
Instead of focusing on licensing properties through this Selective Licensing scheme proposal, what if it's the landlord that becomes licensed? ... At the	

Appendix 3

end of the day, if we're responsible landlords or responsible agents, and we've been checked out and we have a license as being such, that's it: one licence. We don't really need 100 licences, because it's very repetitive. We would endorse the idea of landlord licence"	

Consultation Response – “a new national approach”	Council Consideration
Parts Two and Three of the Housing Act 2004 should be removed and replaced with mandatory training and accreditation for all landlords (ARLA Propertymark)	- The Housing Act 2004 is national legislation so only national government who can amend the legislation. - Requiring initial inspection for all rental homes would require amendment of national legislation by government. - National standards can only be set by national government. However, Oxford City Council does collaborate with the surrounding authorities to ensure that HMO amenity guidance is similar (if not the same) across the areas.
Initial inspection for everybody would be a good thing but then if they meet a particular standard, that they then were exempt from further licensing	
We do appreciate that if there is going to be licensing of one bedroom upwards, there isn't a licensing scheme for that. We think there should be, we think there should be a one size fits all scheme. So, you go along, you apply for your licence. If you've got one bedroom you've got to have x, y, z, and if you've got two you've got to have this, three that... nationally as opposed to all these little add-ons ... we look after a vast number of properties, spreading across all the various local authorities and if I have a landlord with a property in the city and one in Cherwell and one in the Vale ... it'd be so good to say, 'This is what you do, this is your rented property, here are your standards, this is what you need'	

Consultation Response – “exclude good landlords / agents”	Council Consideration
"I pay Martin & Co 12.5% of the rent I receive from the tenants every month to 'fully manage' my flat, this involves them visiting the flat every 6 months ... where it is clear flats are being well managed through agents it seems to me this scheme you are exploring would not be required..."	- The legislation does not permit the scheme to be applied to only certain landlords /agents, nor does it permit for one licence to be issued to an agent to cover multiple properties. - The Council recognises the reduced input where an accredited agent is employed to fully manage the property and that landlords pay the agents commission for their services. - The Council recognises the proposed “Regulation of Property Agents” bill to require agents to have qualifications - where agents already have this qualification and belong to a recognised association, this will enable them to the accreditation discount.
We note that the stated aim of the licensing scheme is to 'ensure all privately rented homes are safe and well managed'. Our properties already meet your standards. They are fully managed by Chancellors, a well-known and competent company. They ensure that the properties are well maintained and that all the relevant safety legislation is complied with. We pay Chancellors a considerable sum for their services. May we suggest that your proposed scheme, which we can see is well intentioned, should only apply to those properties which are not let through a letting agent? It would be a relatively simple matter for your Council to decide which agents are suitable, possibly with some form of accreditation scheme..."	

Appendix 3

173

Excluding the worst landlords (i.e. repeat offenders) from being able to rent properties at all;	
There is some overlap in what the Council is asking the landlord to do and what the landlord is asking the agent to do	
This feels like its forcing us to do it twice”	
[W]e would emphasise that the vast majority of reputable lettings agents aren't managing those kind of properties (safeagent)	
“I am anxious that the Council doesn't develop an unnecessarily costly bureaucratic system which ends up doing basically the same job as reputable estate agents ... Are landlords in this category expected to pay for new council staff to do what is already being done? I already pay 10% plus commission ... It really concerns me that I could end up paying significantly extra for no extra benefit. I see no reason that those renting via reputable agents should end up paying significantly extra”	
Since [my] property has been let it has always been under full management with an Oxford based estate agent. The agent ensures all the current regulations connected with rental properties are complied with ... inspects the property on a regular basis and is able to confirm that all is in order and the tenant is happy ... In my opinion estate agents who employ staff with property management qualifications should have one licence as acting agents and they should supply Oxford Council of the addresses of any properties they manage under full management confirming that the properties comply with the regulations ... Landlords who pay a licensed estate agent for full management should be covered under the estate agent's license...	
My house is well maintained, and the repair work is carried out regularly as needed. I pay good fees to the agent for full management of the property and so far, there is no complaint. Therefore, in my opinion, there is no need for imposing a new selective licensing scheme for all private rented homes”	

Consultation Response – co-regulation with agents	Council Consideration
Given the difficulties with the current scheme, will you allow letting agents to take some of the workload off you?	- Where a landlord employs an accredited agent to fully manage the property, they benefit from a reduced fee and for HMOs, a longer licence at reduced fee. This is to recognise that accredited agents undertake a number of checks. - We note concerns about giving agents “self-regulation” and for this reason will undertake an audit system.
The role of letting agents could be enhanced where they are already accredited within the scheme”	
I think that by ... giving letting agents some sway over that, you're moving an aspect of the inspection into the PRS because you would be expecting the letting agents to maintain that standard ... that's something to be very cautious about. Would letting agents continue to maintain those standards?”	

Appendix 3

Consultation Response – “no genuine alternatives put forward”	Council Consideration
No genuine alternatives have been considered by OCC, which is necessary for the consultation to be valid (Lucy Properties)	Alternatives have been considered as outlined in the September Cabinet report. The Council believes, with the experience of HMO licensing, that the proactive approach that is a key part of licensing schemes, along with the robust enforcement powers licensing offers ; licensing provides the most effective way of tackling the poor conditions and poor management found in the private rented sector.
The local authority has a statutory responsibility to explore other viable alternatives, there appears to be no discussion of this in the report (Oxford based ALRA/ UKALA agents)	

Consultation Response – “complaint arbitration / customer feedback system”	Council Consideration
I am against the proposed licensing but would support the improvement of a complaint arbitration scheme to resolve tenant issues. I am sure that the majority of ongoing problems would be down to a number of landlords, pick the low hanging fruit don't burden the majority with yet more bureaucracy and cost.	- We note the suggestions regarding complaint arbitration / customer feedback. However, this would require national government legislation and is outside the scope of this scheme. - There is a website called “Marks out of Tenancy” which is a feedback system. The Council can explore the use of this scheme further. - The Council can assist tenants where there are repairs that are required however cannot moderate the tenancy agreement – this may come under deposit protection or trading standards. We can look to improve ways for tenants to report concerns to the Council. The Council does not enforce all areas of tenancy law – which is confusing for tenants and landlords – and so we can look at ways to improve information and access to ways to report concerns. However, anything further would require national legislation and is outside the scope of this scheme. - We note that where agents belong to an accreditation scheme, there are complaint mechanisms and so tenants can be referred to this.
A fairer, simpler and less costly modern procedure which is currently used by many and various suppliers is basically a public feedback web site governed by a moderator where agents, tenants and landlords can make statement of fact about their experiences thus giving everybody the opportunity to make choices, raise problems and also make recommendations. All parties will still be required to act lawfully with regard to health and safety, tenancy contract terms etc.	
An anonymous tenant hotline combined with unannounced inspections of suspect properties and whistleblower protection followed by immediate enforcement action would do far more than wasting your resources making money from good landlords	
Implementing better complaints processes, to enable tenants to more easily raise concerns about a landlord or rented property;	
When it comes to maintenance issues, I think what is written in the tenancy agreement and what happens are often two very different things ... a third-party regulator would give tenants peace of mind that they would be listened to and not have to go back and forth with the landlord. Often people reach a stalemate with landlords and letting agencies when they're waiting for something to get fixed and it never happens	
A registration system for tenants and potentially 'star ratings' of tenants, to	
	Unless a voluntary scheme. This would require national government and

Appendix 3

help landlords and incentivise responsible behaviour among tenants;	is outside the scope of this scheme.
Implementing an online ratings system via a portal for landlords and tenants, whereby any landlord scoring below an acceptable figure would fall within the scope of the licence scheme;	The legislation does not permit this. This would require a change by national government and is outside the scope of this scheme.

Consultation Response – “other alternatives”	Council Consideration
Unlike the proposed 'Early Bird' and other discounts, only the offer of exemption from checks and charges can act as a meaningful incentive to drive up standards. I urge you to suggest it”	The Council would still have to require landlords to apply for a licence and then, on production of valid documents, give the exemption for charges. In this way, it is similar to the early bird and accreditation and the Council believes it would have the same result in incentivising compliance.
A lighter-touch registration scheme, with a small fee and random spot checks;	The Council has designed the scheme to operate with a “light touch” for accredited landlords and spot checks.
A “ladder type licence” based on a risk assessment of each property (potentially a self-assessment for existing licensed HMOs, and a more formal assessment for new or non-HMO properties);	This suggestion is similar to the one, two, five year structure for HMO licences.
I think there are a lot of options that do fit within the jurisdiction of the local authority, rather than national government, which could get us much closer to a fairer rental system. And part of that package for sure, cracking down on property conditions and rogue landlords, but it's one part of the jigsaw. [Other parts include] reform to the private rental market and put rent control in place, the City Council making a real commitment by saying; ‘We’re going to make renting in the City fairer’. There are things like putting in place public guide rents, about publishing some of the data ... like average rents per area ... making more of a public campaign about it. [A]so we just need loads more affordable housing and ... proper City investment in a social lettings agency and a database of the 500 ethical landlords of Oxford – people who are charging rents that fit within LHA. It might be a waiving of the fees of the licensing for people who are charging rents that fall within LHA ... (OTU)	Many of these suggestions are not within the scope of local authority powers.
Enabling tenants to leave their contracts more easily if they are unhappy with the accommodation provided	This would require national government and is outside the scope of this scheme.

Consultation Response – “there needs to be help with tenants / tenant licensing	Council Consideration
Overall, licence schemes are good, but there needs to be protection for landlords as well in terms of removing tenants”	The Council has a Tenancy Relations Officer who in certain circumstances is able to advise landlords on the eviction process. We can improve the information availability for landlords.
It seems that the local Council is well and good to put licensing in for the good of the tenants, but they are doing absolutely nothing to protect the landlords;	We are intending to produce information and guidance to private landlords

Appendix 3

nothing at all! I have been in a position where I've had tenants from the Council sent to me and it's cost me well over £3,000 when I've had to take the tenant to court who would not pay. The Council wanted to do absolutely nothing on recompense. I've had another tenant from the Council that had done a runner owing rent and taking soft furnishings from the house ... and now they want me to pay for the privilege of them looking after my house and not taking any responsibility for the tenants who are in it. I think they [the Council] are neglecting what they need to do for the landlords"	as we recognise following feedback, that more needs to be done in this area to ensure landlords and tenants know their responsibilities. It is intended that this will also include information about the Council's responsibilities and assistance that can be offered to landlords.
Very difficult to get support from the Council (or anyone really) with drug addicts. I had one in the property who didn't pay rent, over accommodated the room, wrecked the room, threatened other tenants etc. Cost me a lot of money and I lost other tenants due to her atrocious behaviour"	
There should be more tenancy compliancy as well ... We put fire doors in, the tenants don't shut them, and they prop them open. We put notices on the doors saying keep the fire door closed, and they still leave them open, and they still wedge them open. If the tenants get caught, we [the landlords] get done. So, there should be more tenant liability. It's not our fault if they don't comply"	• We can develop notices / information for landlords to give to tenants, including what we check on inspection. • Where landlords can demonstrate they have put guidance in place for tenants then we try to take a pragmatic approach to repairs.
The issue of overcrowding is noted as difficult for a landlord to manage if it is the tenant that has overfilled the property. How will the Council will assist landlords when this problem arises? (NRLA)	• The Council can look to develop guidance on this. Where the property is assessed as having an actionable hazard for Crowding and Space under the Housing Health and Safety Rating System then a suspended improvement notice is most likely – this allows the landlord to keep the existing tenants and then on re-letting, ensure it is to a suitable number of persons.
I appreciate there are rogue landlords, there are also some very poor tenants. Tenants already have an increasing amount of protection. To start they have a legal contract shared with the landlord. The landlord already has to comply with EPC, annual gas tests, 5 yearly electrical tests, deposit protection and maintain the property to the required standard. If the landlord fails very heavy fines can be imposed, if a tenant damages the property, fails to pay the rent for months and hopefully leaves there are virtually no sanction open to the landlord. Section 21 changes also have far reaching implications ... Other recent changes including reduced deposit levels permitted to be held, all cost for contract and vetting being borne by the landlord"	• Licensing is designed to ensure properties are managed and maintained to a reasonable standard. If a landlord has a tenant who is not acting in accordance with their contract or tenancy agreement, they have the ability to legally evict them, the introduction of licensing will not change that legislation, this would be a matter for central government
"Licensing landlords does not deal with tenants who trash perfectly adequate premises or fail to pay rentals which are common experiences with landlords"	

D. Proposed property licensing conditions

Appendix 3

Consultation responses – general comments	Council Consideration
The conditions are already mandatory. You have to do it because of Government legislation	The Council acknowledges that the mandatory licence conditions reflect other legislation. The purpose of including conditions on the licence is to make clear to landlords their responsibilities. The Council often finds that many landlords are unaware of their basic responsibilities.
When you have a flat in a block management company, you pay them and are responsible for fire safety and other things that come under same conditions as the Council. There is some overlap there...to be sorted out	The Council understands the concerns. The licence conditions can only reflect those items the landlord has control over.
The fact that conditions relating to the specific improvement of licensed premises cannot be included in licences under a Selective licensing scheme will limit its value as a direct means of improving stock condition", although it is also recognised that "accurate identification of the private rented stock will provide an on-going benefit for future enforcement work. (Cherwell District Council)	- For selective licensing conditions requiring specific improvement works cannot be included as per Court of Appeal ruling. However Selective licensing will ensure that landlords undertake a basic level of management for their properties, including proactively inspecting their properties. This will help encourage tenants, or residents, to come forward with concerns. - Where necessary the Council will use improvement notices under the Housing Act 2004 to ensure that properties reach the minimum standards
Conditions are not a problem. (NRLA)	- Supportive comments noted. - Templates for rent receipt paid by cash will be provided, although the Council cannot force a landlord to use our templates. - A standard condition regarding proactive inspection has been included, this will required defects / disrepair to be noted and a note about action to be taken and within what time frame. This will assist tenants.
Conditions are fair (OTU)	
A lot of them are good. We like it when tenancy referencing is required; we like it when training is required; we like fit and proper person; that's all fine. 'Anti-social behaviour'? Well, you know, you can argue a bit on that but, we agree with a clause in the tenancy agreement and the rest of it. (safeagent)	
[Most are] a basic function of being a decent landlord. (Police)	
It'd be great if there was a standard receipt. One of the receipts I was given was a scratched paper and there is no legal acceptance of this receipt. I would like the Council being more clear about maybe proposing legal rent books or a Council template of the receipt so it can be valid for banking applications or immigration applications as well to prove residency or mortgage applications. Make sure there are some regulations on that	
I'm fortunate that I have a decent landlord and a decent letting agent at the moment and a property that's in relatively good condition, but I still somewhat feel at their mercy in terms of rent and maintenance of the property. For example, I have an outside tap and it hasn't worked for five years, and every year they email us saying, 'We're doing our property inspection, is there anything you'd like us to take a look at?' and I say, 'Same old, I'd quite like our	

Appendix 3

outside tap to work'. It never gets fixed. One of the gutters started overflowing and causing damp. Only when I said they were going to get charged that they did something about it. If it's not something that it's going to cost the landlord money in the long run or cause a major issue for them, it's rarely of interest...	
On 'complaints' ... we just urge the Council to recognise the fact that there will be an in-house procedure that the agent has and recourse to the Ombudsman if that doesn't work. For some reason, local authorities never seem to tell anyone about that or be the slightest bit interested, but it does exist, they want to stay out of the complaint before it escalates. (safeagent)	Comment noted and we can give this advice to tenants as an alternative.

Consultation responses – regarding references	Council Consideration
In terms of references from prospective tenants, how would that work and what would a reference include? Would that say that a tenant is a very good person and they never do anything anti-social? How will that improve things?"	- This is a mandatory condition set out in Housing Act 2004, schedule 4 – the Council has no discretion in applying this to all selective licences. The condition will be applied to HMO licences so the schemes operate on a similar basis. - Further guidance will be provided on references.
The mandatory condition (for Selective licensing) to obtain references is a "major overstep"... have a referencing process in place and a right to choose if I believe someone will make a good tenant whether or not they tick boxes on referencing, particularly given many tenants have good reasons that preclude them providing a reference.	
Concerns about the requirement for landlords to obtain references and would like the Council to consider issuing some guidance on these. Whether University would be expected to comment on the behavioural record of its students; Whether students looking to start their first tenancy could face issues finding a place to live; The possibility of students with joint and severally liable contracts finding themselves disadvantaged by circumstances outside of their control; and The potential for references to be unfairly withheld by an unethical landlord.	
There was a request for clarification (from a charitable organisation) about whether a referral would count as a reference, within the homeless pathway.	

Consultation responses – regarding Anti-social behaviour conditions	Council Consideration
ASB is not the landlord's fault. Tenants don't always behave...	The Council has considered the comments made by landlords, agents, residents and other organisations and notes the concerns regarding anti-social behaviour. The Council has therefore decided to remove conditions relating to anti-social behaviour and the specific clause in the tenancy
Dealing with unruly/noisy tenants can be fraught with problems.	
ASB. The emphasis is put on landlords, when we in fact need support from other agencies (Police/Council etc.) working together	

Appendix 3

179

This... has far reaching implications for landlords by adding clauses to contracts that "may not wholly cover all scenarios, impacts our ability to work with tenants and in the worst of circumstances may work against us in the courts....it is not a landlord's role to stipulate what constitutes social behaviour or outline what is considered ASB.	agreement. - Where problems arise, the Council can then consider the use of property specific conditions to help address problems. This would be on a reactive basis. - Comments noted regarding NRLA dispute resolution service
I don't feel it's always the landlord's responsibility to control their (tenants') anti-social behaviour, ... In other areas they have employed anti-social behaviour officers and that seems to make more of an effect than these licensing schemes ...(ARLA PropertyMark)	
Landlords are usually not experienced in the management of tenant behaviour and that contractual arrangements are for the renting of a property, not a social contract... They do not and should not resolve tenants' mental health issues or drug and alcohol dependency – and if there are allegations about a tenant causing problems and a landlord ends the tenancy, they will have dispatched their obligations under the selective/additional licensing scheme (and, in any case, the tenancy agreement is the only thing they can legally enforce). This moves the problems around Oxford, but does not actually help the tenant. Clarification, perhaps in the form of a guidance document, on the Council's policy in relation to helping a landlord when a section 21 (or 'future') notice is served, a property is overcrowded or a tenant is causing ASB. A move to a more adversarial system will mean landlords will become more risk adverse to take tenants that do not have a perfect reference and history. ..Willing to work with the Council to develop a dispute resolution service; and it would like information around where the Council expects people who have been evicted due to a tenancy issue to live (NRLA)	
(we support) removing anything about anti-social behaviour and ensuring the scheme focuses purely on material housing conditions and not around policing or immigration. (OUSU)	
Landlords are reluctant to get involved in reports of ASB....To evict someone it's a lot of aggro (OBSU)	
Where there is no instrument landlords can use to enforce or effect such management requests [it] makes trying to enforce those we must and should such as fire safety more difficult.	
Landlords are reluctant to get involved in ASB... other options may work better, such as an OCC ASB team	

Consultation responses – regarding waste management	Council Consideration

Appendix 3

180

We can't make tenants put the right rubbish in the right bin; Failing to use the correct bin or not putting them out on the right day is very difficult to manage	- We note comments. We will provide further guidance for landlords on waste management. - Conditions relating to waste management in HMOs are mandatory conditions and must be applied to all HMO licences issued. A similar selective licensing condition would be comparable. We have noted the comments relating to contradiction about tenancy agreement and licence condition and reworded the condition – the condition requires that the licence holder ensures that tenants have adequate waste disposal and storage is available, the licence holder must ensure that tenants understand the days of collection, and how to present waste for collection. - The Council and Oxford Direct Services work to educate tenants and landlords about waste management. This is via the website, leafletting and undertaking joint working with partners in targeted areas. A template which licence holders will be able to use to inform their tenants about waste management responsibilities has been designed will have the contact number for bulky waste collection. This template will be sent to licence holders on renewal or application of their licence - Licence conditions will only reflect with what is within the landlord's control. - The Council has reporting systems for fly tipping and can look to improve responses.
OCC should provide the landlord with the written information they wish to see distributed rather than expecting the landlord to produce it themselves. This should include information and details about landlord, letting agent and tenant responsibilities for waste and recycling before, during and after a tenancy (ARLA PropertyMark).	
If the landlord enters the property they could fall foul of 'quiet enjoyment', or if there is rubbish in the communal area of flats, the landlord of a single flat may not have the right to intervene.	
There was a contradiction between shorthold tenancies saying the tenants are responsible and the licence saying the landlord is responsible. While the City Council intention appears to be that if the tenant fails to deal with waste, the landlord should deal with it, it would be useful to clarify this point.	
And also, landlords going in and sorting out the waste, is this in breach of the tenants right to quiet enjoyment? Could they be prosecuted for harassment? (ARLA PropertyMark)	
...consider a strategy for the collection of excess waste at the end of tenancies, since tenants often dispose of it by a variety of means when in the process of moving out (NRLA)	
What happens when these areas are communal, like in blocks of flats? This can be outside of the landlord's control and we ask if they could be in breach of their licensing conditions without any ability to rectify this? (ARLA PropertyMark)	
I live in Jericho as well and the fly tipping and littering is always in front of the house. The landlord says is not their fault and we try to contact the Council and no response	
The only issue in Jericho was that there was a lot of fly-tipping in front of the house ... whatever one did to get rid of it, it would always come back. I emailed the Council about it and nothing much happened...	

Consultation responses – regarding property standards	Council Consideration
I don't know what is involved ... in terms of making alterations. That's one thing that is really, really missing from this consultation	We acknowledge the comments and concerns made. Unlike HMO licensing, there will not be a set of "standards". Selective licence
We would have liked more detail about the standards that are going to be	

Appendix 3

applied in properties, rather than the conditions	conditions cannot be used to require improvements to houses. The applicable standard is the Housing Act 2004 Part 1 Housing Health and Safety Rating System – this has been in force since 2006. We will make it clearer in future communications regarding this aspect to re-assure landlords and make guidance available (or sign-post to existing guidance).
We were talking about the minimum requirements for the non-HMO properties ... it's quite important to know in advance. ... It's quite a big step for the landlords because they would need to spend money on the property to get to the standards that Oxford City Council would be looking for	
What are the other criteria that will be applied when the Council gets round to inspecting the properties? I don't see the kind of things, exactly, that the Council will insist on and the additional costs that it may bring to a property, and that's the biggest concern	
How much extra work would be required to a property in terms of fire safety etc.? Would all doors need replacing?	
We haven't seen enough about what the requirements are going to be in terms of physical alterations to properties, and doors and so on	
I'm hoping they wouldn't bring any ridiculous rules like that that would be unliveable for the tenant"	
We obviously don't know details of conditions and minimum standards that will be imposed if a property has to be licensed ...	
"When the Council decide on the non-HMO properties that they're going to license, in the changes that they're requiring to make, could they be mindful of not turning these properties into only lettable properties. Some HMOs now couldn't be re-let or re-sold as a family property because so many changes have been made	• For selective licensing, the focus of inspections is on the Housing Health and Safety Rating System and items that affect health / safety rather than quality – a carpet could be replaced if it was unsafe although just "smelly" would not fall under the system. • For HMOs, we can also look at "condition" and so would be able to get a carpet replaced.
Some of the houses/flats I've seen do fit the standards, but would anyone live in them? That's the question. It should go beyond what is written in the text ... licensing ensures that these standards are done but it doesn't ensure the quality of the house or housing. Like a carpet smelling of urine. If someone had done a check of the house, surely, they would have said, 'No-one can live there because it smells'"	
There are pipes showing, but they're not on the way out so it meets the standard. I guess people inspecting don't have that much time. They look for what is in the checklist and aren't putting themselves in our position	
Could the current habitation bands be given some more thought as a house with 6 occupants is very different from that with 10 and requirements should therefore be different. e.g. Is it reasonable to require 3 WCs for 6 people? It obviously is for 10.	Following a consultation exercise, the Amenities and Facilities guide for HMOs was revised in 2019 – the guide outlines that 2 WCs are required for a HMO occupied by 6 persons. This sharing ratio for more than 5 persons sharing is set by national legislation. Where possible, we have given flexibility based on occupant numbers – for example, for six tenants we allow a standard cooker and a microwave yet for 10 people will ask for two cookers.

Appendix 3

Consultation responses – regarding property security	Council Consideration
Conditions should be used to improve the security of properties as well as the safety of properties	- The associated regulations to the Housing Act 2004 for prescribed standards only looks at fire precautions and facility requirements, not security. - It is possible to add conditions specifically for security on licences, where it relates to anti-social behaviour or otherwise the management, use or occupation of houses. When looking at “standard” discretionary conditions with regard to security, benchmarking undertaken in 2020 established that only 19% of authorities added conditions on selective licensing. It was also noted that these authorities were those that introduced selective licensing under the anti-social behaviour and/ or the high crime criteria and therefore, adding conditions on security was directly related to the reason(s) for introducing the scheme. - The concerns are noted however the Council believes that security issues can be remedied using HHSRS or for HMOs, if there is disrepair under condition and content. - The Council will look to work closer with the Police and develop guidance for landlords on security standards and information to be given to occupants.
General problems for students include ... and security -	
It doesn't matter, for example, how many times a house gets burgled because there's a single glazed wooden front door ... because there'll be new students ...” (Police).	
I was quite horrified walking into places ... single glazing and lack of security on front doors, lack of security on back doors	
Unimpressed by the failure of landlords to provide, for example, lockable side-gates to increase property security. It is suggested that security measures like these should be a condition within new licensing arrangements (Bullingdon Road Community Association)	

Consultation responses – suggestions for other conditions	Council Consideration
...we would like to see [something] ... ensuring [deposits are] safely stored during a tenancy through the Tenant Deposit Scheme ... Also something about timely deposit return, or best practice for that, which I'm sure exists within the sector because there are some people who are doing it very well ... that sort of thing would be massively welcomed as part of those conditions. (OUSU)	The Council notes the concerns. A First-tier Tribunal ruling has stated that deposit conditions on licences was not appropriate. However, if there were ongoing issues with deposits leading to action under other legislation then the Council could consider the impact on Fit and Proper Person status for contraventions of housing law.
It was the end of the tenancy that I found a confusing experience ... Trying to get deposit back is a real challenge and it doesn't seem to be fair ... I got	

Appendix 3

some money back but not all	
We know it's illegal for them to put no DSS on their adverts, but we also know that that culture still pervades ... It would be really good to see within this scheme specific regulation for punitive action against people who are seen to carry forward that kind of attitude. (OTU)	The Council notes the concerns however do not believe it would be possible to add such a condition.
"My main issue is feeling exploited by the market and if they want to put the rent up, there's not really much I can do about it. I'd like to have more security of where I live. I feel like a bit of a second-class citizen in not feeling settled"	The Council notes the concerns however cannot limit rent increase via licence conditions.
I had bad experiences with letting agents that were trying to put in extremely unreasonable clauses and pressuring us to pay the first month's rent whilst not finalising terms of contract. There didn't seem to be any kind of protection in place for easily accessible advice. They seem to exploit people's inexperience, or people's desperation to find somewhere to live.	The Council notes the concerns however cannot use licence conditions to assist with unreasonable clauses. We can work closer with Trading Standards and provide advice and guidance to landlords on clauses.

E. Proposed fees, discounts and charges

Consultation responses – support for fees	Council Consideration
Fine with it. It's got to be a balance between reasonable recompense to the Council for the work but not so much that the landlord's pushing it back on the tenant. (OBSU)	- Comments noted. We note some respondents think the fees are too low (including some landlords). We believe on balance, the fees are appropriate and only cover our costs. - Accreditation discount and early bird discount remains for selective licensing.
The headline fee of £480 for applications made on time is reasonable... agrees with the proposed early bird, accreditation and other discounts (safeagent)	
"I think the fees are very well thought out if one takes the time to look at them in detail. If you look at the good landlords, it's only less than £200 for two years, and for five years is £80 a year. It's peanuts in my opinion, it keeps us on our toes"	
When compare to average rent, especially HMOs, they seem extremely reasonable	
£400 is very affordable. I don't think they should be going any cheaper than that. The amount landlords are bringing in, especially in an HMO, they could do at least double that	
We appreciate the work that the Council has put in to make it cheaper for compliant landlords; it is nice to see some incentivisation there"	
Good early bird offer. It's going to entice as many landlords to apply as soon as that grace period ends or before that so that's great"	
I do think that there should be distinction between compliant landlords and non-compliant. That would incentivise compliant landlords	

Appendix 3

We wouldn't have an issue with these fees, but we would like to see they are being used to keep landlords in check and to ensure enforcement and to protect renters by inspections and making sure that documents are up to scratch.(OUSU)	
We have heard complaints or disagreement from letting agents who often claim concern that these fees will be passed onto landlords, and then onto tenants, but in fact we found that our members are not particularly concerned by that, given that in fact the cost of £480 over 5 years comes down to £8 a month, and it seems highly unlikely that there is going to be any significant burden of costs passed onto our tenants. We are in agreement that having a jump in the level of fees in order to discourage non-compliance or lateness is a sensible way of motivating landlords to comply with the scheme. (Acorn)	
I'm quite happy that where someone applies late they should pay more (OBSU)	
The renewal fee for the non-compliant should be higher for more of an incentive to be good	
If everybody has to have a licence, it'll be easier to find out the ones who don't have one, and if they don't apply within 12 weeks, they'll have to pay £2,500. That seems to be a positive way of ensuring some kind of compliance for the bad landlords	

Consultation responses – general comments	Council Consideration
The fee structure ... Part A is quite clearly for the processing of the application and Part B is for the implementation of the scheme – (both) have to be assigned to the landlord. So, there is an issue if they've not spent that money on those landlords' properties and that means an inspection....I think they've over complicated something which doesn't need to be complicated ...It should be online; split into two parts – Part A and Part B ... they've not done this. ...A breakdown for part B money paid by a landlord is requested, as is information about how it will be apportioned to the individual landlord and works done in connection to the license. (NRLA)	• With regard to HMO licensing, the Council has operated the two part fee since the High Court Ruling in R (Gaskin) v LB Richmond Upon Thames (2018)EWHC 1996 (Admin). – as seen on our webpage with 2020/21 fee information. It is acknowledged that this was not clear in the fee information provided, however the two part fee was clearly mentioned in the Cabinet report. • Two part fees were clearly stated as part of the consultation information for selective licensing. • Requests for further information as to what is included in each stage was noted and provided within the reports to cabinet.
Funding the scheme via alternative means (e.g. through harsher fines or fees for landlords who breach the rules, rather than a universal licence fee) or the Council funding the scheme itself (i.e. through Council tax).	• The Council has higher fees for non-compliant landlords. Fines are also used to recover costs. However, to put all fees onto non-compliant landlords would not work. Funding via Council tax would lead to an overall

Appendix 3

Would the Council consider granting licensing free of charge? There could be a perception that it's unfair to be charging us for doing something we're already doing, and if you have trust and faith in accredited landlords that they're doing everything already, and if we have uploaded documents as proof, it's a minimal outlay from the Council's point of view. Would you consider giving the landlords the licence free of charge initially and then perhaps if there is any reason or recourse to visit those properties because tenants have raised a concern then you could perhaps make charges to the landlords"	increase in Council tax and so is not considered appropriate. The Council acknowledges many landlords already comply, however the evidence is that many do not. We believe lower fees for accredited landlords / agents and via an early bird and proof of documents is keeping fees as low as possible. The two-part fee already demonstrates that compliant landlords will pay less.
For Selective Licensing, people who aren't inspected will feel they aren't getting what they pay for. Just charging for a licence to continue doing what they are doing"	Where landlords / agents fall under the accreditation criteria (for both schemes), they are paying towards an audit – which may be random. This therefore gives a much reduced fee. For selective licensing properties, the aim will be to inspect all non-accredited properties however the fee is not property specific.
One stage, more fees were upgraded and then we did calculations and it turned out to be that it was wrong. It was carried out wrongly by the Council. (OCF)	This relates to previous schemes. The schemes have been carefully costed however fees may increase or decrease depending on workload.
... discounts if the house is let as a C; that means lower bills for tenants and a better environmental footprint. (ARLA Propertymark)	Energy efficiency measures will be addressed as part of the inspections of properties in the licensing scheme.
The initial £480 spread over five years may not seem a lot but I do think needs to be placed in the context of all the other fees and charges that landlords in the private rented sector are grappling with at the minute. We've had the mortgage interest relief changes. There's been the Tenant Fees Act and also you can't underestimate ongoing legislation in terms of the electrical safety regulations with all tenants needing to have an EICR inspection test by next year. Whilst the testing might be able to be done, it's then the remedial work that can go into thousands of pounds ... So, in the round it's an additional cost for them ... (ARLA Propertymark)	Comments noted. However, selective licensing will help to improve properties.
The proposed fees have no basis in fact, without an itemised budget, which has not been provided. The proposal for one- or two-year licences subsidises some landlords at the expense of others. Accreditation is not a sound basis for discounts, all landlords and agents should be treated equally, assumed to be in good faith unless proved otherwise. Only then should penalties be considered, instead of being levied implicitly in the fee structure before any offence has been proved. The fee proposals are too complex and unsubstantiated.	- A breakdown of the cost will be provided, including the reason for a discount. - When granting a licence, the Council must be satisfied under the Housing Act 2004 that the person has the necessary competence and training to manage the house / HMO. Accreditation clearly demonstrates this, reflecting the lower fee for selective licensing and five year HMO licence. All other selective licences will be for five years, where a compliant landlord applies in time and provides the necessary documents they will be given the early bird fee. For HMOs, a two year licence is given where

Appendix 3

	the HMO meets standards and the landlord supplies the necessary certificates.

Consultation responses – comments regarding fee structure	Council Consideration
The fee structure is very complicated, even when I had it visually in front of me, I had to write that down”	- For HMO licensing, we have removed the proposed “failure to renew fee”. This scheme has operated for five years and works well. - For selective licensing, we note comments. We have simplified the scheme by only introducing the higher fee in year two. - To operate a “one fee for all” system would not reward compliant landlords as comments made in relation to the accreditation discount make clear. - For selective licensing, landlords will pay one fee for five years (the exception being where the Council has justified concerns to reduce the licence length). - For HMO licences, the one, two or five structure reflects the need for more input from the Council. - For selective licences, the accreditation discount has been increased slightly so the fee is £280, a saving of £200. This clearly gives a cost reward in terms of reduced enforcement against accredited landlords. If a landlord fails to apply on time, they will have to pay £1,100 so £620 more. - The fees are designed to be cost-neutral and is not a revenue scheme.
Too many different charges, time frames etc. ... confusing”	
The new charges are far too complicated. We would say it’s obfuscating so you can’t really work out what the charge is ... Too complicated, people won’t understand it”	
We don’t see that cost reward in terms of the enforcement coming through. (ARLA Propertymark)	
Your proposal, which involves payment of an annual fee, is completely unacceptable to me. This smacks of yet another city Council money making scheme...	
“This proposed scheme will generate approx. 12.5 million over 5 years for Oxford City Council, and is a plain and simple cash grab or legalised theft, and must lead to increases in rent if there are any tenants left who are still in employment and able to pay the rent after this Covid lockdown has passed. Now is not the time to be increasing charges with so many businesses in dire straights”	- The Council has removed the proposed failure to renew fee. However, the responsibility rests with the landlord to renew the licence. - Where a landlord has passed away, the licence automatically ceases (ends) on the date of death. There is an automatic three month exemption from licensing from date of death. The executors can then apply for a further three month extension for exemption from licensing. However, as licences cannot be transferred and are issued to a named person for a specific property then the next person must apply for a licence in their own
... Every year landlord has to remember to renew. If they forget for 6 weeks, the cost skyrockets. This is unfair, landlords may be ill, may have passed away and control of the property is being resolved through probate etc. (OCF)	

Appendix 3

	name and this is a new application at a standard rate.
A structure that is responsive to the rent charged and profit made, particularly in the context of “informal landlords” who may not be charging a market rent and for whom a “£50 fee would be prohibitive” (OTU).	This idea would lead to additional costs in administration. We are not sure how this scheme would work in practice to ensure the operating costs are paid for.
“If the Council takes six months to issue a licence, they shouldn’t charge five times more for six weeks.” (OCF)	Comments noted, the proposed failure to renew fee has been renewed. However, the majority of new licences are issued within 16 weeks (4 months) of the date of application and majority of renewal licences are issued within 6 weeks of expiry.
If the Council wishes to impose new additional licensing schemes as a matter of policy, it should start from the fact that landlords provide a substantial social service to the residents of Oxford City. The premise should be that most landlords are honest and treat their tenants fairly. Therefore, the Council should respect the Government recommendation that all HMO licences should initially be for five years. For that mostly computerised exercise a fee of £50 should suffice. The application form should include the statutory conditions, with a certificate of landlord/agent compliance supported by documentary evidence. If, and only if, there are specific grounds for inspection should a fee be levied on any one property, whether before or after grant or refusal of a licence, subject to appeal to Tribunal. Sample survey inspections should be charged to general rates	- The Housing Act 2004 states the maximum licence length is five years. Court of Appeal has held that shorter licences are appropriate, where the Council has a clear policy / criteria for this situation. The Council have developed such a criteria for HMO licensing. - The Housing Act 2004 also makes prescribed standards for HMOs and so it is important to inspect to ensure the property meets this standard. The Housing Act 2004 also makes clear that the Council must ensure there are no actionable hazards under Part 1 and for most properties, this will require an inspection. Lower fees are charged for accredited landlords / agents on the basis that they are appropriately trained in HHSRS and therefore an audit approach would satisfy. It would add to the cost to add on inspection fees.

Consultation responses – comments regarding high fees	Council Consideration

Appendix 3

Proposed HMO fee increases are not appropriate...costs for those agents and landlords invited to participate in an audit-based scheme should be reduced (from £413 to £236 for a five-year licence) to reflect the lessened administrative burden for OCC (Lucy Properties)	- The Council undertook benchmarking in early 2020 to ensure fee levels set were comparable. - For selective licensing, the average fee (non-London) was £630. The standard fee is £480, which is £150 cheaper compared to other non-London authorities. For accredited landlords, the fee will be £280 which is £350 cheaper than compared to non-London authorities. This is not in the "higher echelons" as suggested. - For HMO licensing, the average fee (non-London) is £920. The five year fee for a compliant landlord pay £898 and so it is slightly cheaper. On renewal, the average fee (non-London) is £689 whereas an accredited landlord in Oxford would pay £413, which is £276 cheaper. This is not in the "higher echelons" as suggested. - With regard to the higher fee for selective licensing (£1,100), this will now be introduced in Year 2 in response to concerns raised. This will be where landlords fail to demonstrate they have recently purchased or started to let the house.
It's quite excessive - £1,100. That could easily be a month's rent or two months' rent and that could be the difference between staying in the market and not. Sometimes landlords are not up to speed on all the rules and they could quite easily miss the deadline and be liable for that fee. Would like to see leniency here. (ARLA Propertymark)	
Higher fees for late applications... if more than six months ...is applied as a blanket set date, this will not allow for sufficient discretion to be exercised (safeagent)	
The penalties seem quite high. If you happen to miss it if you have been away.	
We are small landlords and we're trying to run a business ... Why are we having to spend money on upgrading our properties, potentially making them compliant (which is what we want to do), and then on top of that, having to pay a license fee for the pleasure of it, when we won't need visits? ... Why does there need to be this large license fee paid every year? Can it just be a small initial fee for a visit and maybe then a nominal fee for renewals there on in?	

Consultation responses – comments regarding accreditation discount	Council Consideration
Financial discounts for accredited landlords should be significantly better or else where is the incentive?!	- For selective licensing, the accreditation discount proposed was £180, not £100. We have revised costs slightly and the selective licence fee will now be £280 – a discount of £200. - The accreditation schemes eligible for a discounted application fee is being expanded to include NRLA, safeagent, UKALA and ARLA Propertymark along with smaller run Council supported schemes. - The current HMO licensing scheme makes it clear that it is either the licence holder (normally the landlord) or the managing agent with full management control that needs to hold accreditation i.e. there is no dual accreditation. This will apply to both schemes. The only time dual accreditation would apply is where the agent is only partly responsible for
If a landlord is accredited or their property is managed by an accredited agent, they should instantly access the biggest possible discount. These are the low-risk properties in the Oxford PRS	
Accreditation only worth £100! Accreditation (landlord and working via an accredited agent) should trigger the whole and largest discount"	
Landlords who are working within an accredited agent can access it through their agent and have access to that discount. Those that don't work through letting agents can gain accreditation and they access a single tier of discount	
The term "accredited" needs to be clarified... includes members of professional accrediting bodies (safeagent)	
We would say that, if the landlord has an accredited agent, and that agent is the licence holder, that person should get the discount. Dual accreditation is a	

Appendix 3

huge problem for amateur landlords who, for obvious reasons, have gone to an agent. They don't want to sit through training courses themselves. That's what they're paying the agent to do." (safeagent)	the property e.g. agent responsible for let and rent collection and licence holder responsible for management / maintenance.
OCC should make it clear that there does not need to be 'dual accreditation' of both agent and landlord and that agents can, where appropriate, be the license holder. This, together with a fee discount, "provides a clear incentive for small landlords to engage a professional, accredited agent".	
We do agree with the discount for accreditation ... and that Oxford recognises that as a way to lift standards. (ARLA Propertymark)	

Consultation responses – comments regarding block discount	Council Consideration
I would like to ask the Council why there is a group discount if a landlord owns a block of flats but does not offer the same to a landlord has a portfolio of the same number of properties, albeit in different blocks	- The Housing Act 2004 Part 3 only allows for a licence to be issued to more than one property where the person in control of the block is the same. - We acknowledge there may be landlords who have multiple properties not within the same block however the legislation does not allow for multiple licences to be issued. This means we cannot offer a discount.
If our properties are scattered around the city, we are being penalised for properties not all being in one block	
Block discount, I've not seen that before and I thought, 'yeah, that is good for those landlords that do own a lot of apartments in one'"	

Consultation responses – comments regarding homechoice / homeless pathway discount	Council Consideration
For Home Choice and Charities for homeless pathway the fee should be zero. If the figures are drastically different enough it gives people the incentive to think about whether they could actually offer it for an LHA rate. (OTU)	Comments noted. We anticipate the fee will be the same as the accredited landlord rate (£280)/
All sorts of incentives are offered to landlords in order to do that with homeless individuals. So, we were really pleased to see it. For some reason, they haven't said what the amount will be on that one, so I suppose our feedback would be to make it a decent discount; and we're very supportive because we say this in every response to the consultation, and this the first one, that I've seen it's going through! (safeagent)	
Should be incentives for accredited landlords to take tenants who are in receipt of benefits, as these individuals often face difficulties when being considered for renting private accommodation....licensing should be used as an opportunity to discourage discriminatory behaviour (Syrian Vulnerable Persons Resettlement Scheme)	

Appendix 3

Consultation responses – comments regarding refunds / pro-rate fees	Council Consideration
You're buying a five-year licence regardless of what your plans are. For example, let's say the scheme started today, landlord currently owns the property and is refurbishing it, if they miss out on the first six months and they're only planning to rent it for a year before they move back in, they've got a £1,100 bill for it that could only be for a one year licence. So, I think there's some concern over the structure of the fees and, potentially, having to pay £1,100 for licence that you actually only need for 12 months" Fees should be refunded if sold after one year. It's unfair that any 'new' licence holder applying part way through the designation period would be required to pay the full fee... the fee should be charged 'pro-rata... is also considered anti-competitive, as it can "add cost to the process of engaging or changing a license holding managing agent". (safeagent) It is disappointed that the Council has not mentioned the possibility of weekly or monthly instalments for licence fee payments (especially given that the introduction of licensing post Covid 19 will impact on the cash flow of many) (NRLA)	- The default length of licence for the selective licence scheme will be 5 years. The First-tier Tribunal case determined that licences can be issued for a full 5 years with an expiry date beyond the date the scheme expires. Licences will not be issued on a pro rata basis, where a landlord applies part way through the selective licence scheme. - Pro-rata refunds will not be on offer. A refund policy has been developed, similar to the HMO licence refund policy. - The legislation does not allow for licence fees to be paid in instalments apart from the 2 part fee introduced following the High Court Ruling in R (Gaskin) v LB Richmond Upon Thames (2018) EWHC 1996 (Admin). We acknowledge concerns regarding COVID 19, however the scheme will not be introduced until 2022.

F. Operation of schemes / application process (previous and future)

Consultation responses regarding application process / administration	Council Consideration
The HMO team are doing a good job; they have been very helpful whenever we've contacted them" "We are happy with the number of inspections we get. We never experience tenants wanting an inspection and not being able to get one quickly and that works for us well. We find working together with the Council can resolve issues between landlords and tenants, landlords and agents, agents and tenants. We find the inspections and enforcement... we're happy with that The operation of the scheme, the registration, has been a bit difficult. The website wasn't clear, the forms were not quite clear, and I needed help to fill them in and it was time-consuming" "The agents in the group were saying that ... when they've got a hundred HMOs to put through, the system feels quite complicated and difficult for them	- Comments noted. - The Council acknowledges the frustration of landlords regarding the application process. The Council are planning to introduce an online application system at the start of the additional HMO licensing scheme if approved by Cabinet. This will include the ability to upload paperwork.

Appendix 3

to manage” “The system does not facilitate the provision of documents which should be easy to upload. It should be easy to see the progress of applications and re-applications and how they stand. There is too much delay in processing applications and issues there...” I would like to say about the simplicity of ... submitting the correct certificates and paperwork every year, surely ... if it were automated the way road tax is renewed on the same sort of basis then you don't have someone sitting in an office having to go through that paperwork and having to validate it ... “We're asked to fill in the same information time after time. Why don't they keep the information they've got on file and ask you just to say whether it's still correct? Because it's very tedious and time-wasting and, therefore, money-wasting to have to fill in the same basic information time after time.” When you apply for a license, to the Council today, to license your property for HMOs, it will take 6 – 7 months for the Council to respond back and do an inspection and issue a license. (OCF) “The HMO licence team already has a backlog for new licence applications and renewal licences which does cause landlords some difficulty. There are concerns that the massive increase in volumes of the selective licensing might make that backlog worse” It is said that ... the Council is behind in implementing the current HMO scheme does not bode well... particularly concerned that the new schemes are at risk from under-resourcing and delays associated with processing the barrage of applications that will be received soon after the start date (safeagent) OCC must simplify the administrative burden on responsible landlords: progress has been made welcomes the potential proposals for an audit-based scheme....recommends that large-scale landlords have a single point of contact or there is an online system where paperwork can be uploaded (Lucy Properties) Sometimes landlords don't have time, or they neglect, or they don't look and see when you're supposed to have the license renewed... While an overall supporter of the current Additional Licensing scheme...do not feel that its renewal addresses the perceived failures and limitations (in their experience) of the existing scheme, namely: Poor online simplicity and transparency – for example in terms of communication with the Council; pre-advice, general queries, providing feedback , submission of documents, knowledge of application status, reminders etc. The timeliness and backlog of	The Council are also looking at the ability to upload certificates throughout the licence. • We are investing in improvements to the processing system to allow more automated reminders to landlords. However, the Council's position is that the responsibility for compliance with the law clearly rests with duty holders, i.e. individuals and businesses • Over the last few years, the Council has improved timescales with regard to issue of licences – the reference to 6 to 7 months is not the situation now. For new applications, in 2020, over 90% new applications were issued within 16 weeks of the date of application. For renewals, 85% licences were issued within six weeks of expiry (due to the requirement for a two stage fee, the measurement is six weeks). However, we acknowledge that publishing performance information will demonstrate the service provided. • The Housing Act 2004 and associated regulations requires certain information to be provided each time (application details, licence holder details, manager details and ownership details) so it is more information than on road tax – however we are exploring increased automation in relation to renewals and “validation” of information already provided rather than repetitive completion. • If Selective Licensing is introduced, a similar online system will be in place. • Large agents / landlords in the HMO scheme have a single point of contact for HMO applications. The Council accepts the same approach is beneficial for selective licensing – although agents / landlords may have be a different named officer for the HMO scheme and selective licence scheme.

Appendix 3

192

the administration of applications;	
... they're going to be faced with a lot of applications, early doors. If they don't work with, say, lettings agents and partner organisations effectively, they're going to build up a heavy workload of inspections that then drags on. (safeagent)	
... receipt of emails needs to be acknowledged and inboxes need to be checked. It's just that sheer task of administration and nothing drives our members mad more than just not getting a reply to something for weeks... it's that initial acceptance. Whatever the hurdle is, is it then a valid application if there are questions of principle like, if they've forgotten to sign it or to put the proper postcode in, then it comes back, is [that counted as part of] the 6 month run-in? It needs to be managed on that sort of level... At the end of the day, it's not the £480, it's the fact that people start thinking that they're not getting anything for that money; not even a decent service. (safeagent)	
If it really means 100% of PRS properties how is this going to work admin wise with all those applying for early adoption discounts?"	
Funding, staff ... Is it going to create a bottleneck for the work they've already got? Will it impair the good work they already do in tackling the rogue elements ... Is it going to put too much pressure on departments? (OBSU)	
"Will there be an administrative burden on the Council with the running of HMO and if they're going to be extending the accredited landlord scheme and extending the licensing scheme? Have OCC have thought through their ability to manage both in a time sensitive manner?"	
... there was a slight sense of, 'Hang, on a minute, they're [the Council] doing it again and extending it into selective licensing – they haven't even got the first scheme right.' (safeagent)	

Consultation responses – comments regarding information / transparency	Council Consideration
You already have people that missed the initial trial because they weren't properly informed. You will have people that just have one property that they're letting because they're out of the country. They won't know what to do, they won't be informed, they'll think they can just put an advert in, and they'll	For selective licensing, it is acknowledged that information will need to be provided in advance of the scheme starting. There is a three month publication notice period before the start of the scheme. This period would

Appendix 3

193

actually be breaking regulations”	have intensive publicity via all channels and we would wish to do so in conjunction with agents and landlord / agent associations.
My concern was not over the cost of the changes from a recent inspection, it was about the communication of the information of those standards that change regularly. Clearly as a landlord there is duty on me to find out, but it’s about where I can find it out...”	• Prior to the COVID -19 pandemic, the Council held bi-annual “landlord information exchanges” for landlords and agents where information on best practice or changes were communicated. We will look to hold these in the future or in alternative format. The Council will also re-instate the landlord newsletter and consider whether it should be a “private rented sector” newsletter directed at both landlords and tenants.
Transparency is important. We try to send an email to all of our managed landlords and our rent collection landlords two or three months before a new scheme goes live and so many of them have no idea that there’s a new scheme is coming in”	
“It needs to be more transparent. There are some selective licensing or Council websites where you can see when a landlord has paid, has applied for his application, it tells you when the Council has picked that up and investigated and then it says when the licence was issued. It is really helpful for a landlord to track where his application is and very good for agents when we’re out taking on properties. We can have a little look on there, like we would for any EPC on the EPC register. Some Councils don’t even have any registers. You pay a lot of money and you want to see where that is going”	• There is legal requirement for a public register. Recent improvements to our systems has allowed us to publish the HMO register in a map format. However, licences addresses can only be made public once issued. The fee a landlord has paid is not public information. We cannot publish data on complaints received in relation to a specific property.
There was some discussion about extra training needed for staff involved in the scheme ... The people who came out know the law, but the law has various grey areas [and] the way it’s applied isn’t necessarily consistent”	• The Council acknowledge that some systems may allow applicants for licences to “track” their applications and this is a suggested possible improvement.
Good practice should be recognised and encouraged...how the Council plans to communicate best practice to the landlords and tenants of Oxford (NRLA).	• The Council aim to deliver consistent service, however for HMO licences and conditions on licences then we are also bound by Court of Appeal to consider each case on its’ merits. This may create differences between properties and leads to “grey” areas. We do regular consistency exercises within the team. We have also undertaken a consistency exercise in landlord forums, by asking landlords whether they think a repair is needed or not to gauge our decisions against what landlords think require repairs. The outcome of which was that we were consistent. This type of two-way engagement / feedback can continue.
Regular information on the implementation of the scheme should be made available in a clear and consistent format to local landlord and agent forums, representative bodies and other stakeholders... to help to enable the Council to work in partnership with [these individuals and organisations] to ensure the success of the scheme (safeagent)	
Yes, with all the caveats. A key one for me is about transparency. They publish the data on where the HMOs are and the HMO licences, but I think it would be very easy to include within those data the condition of the property and any previous complaints and make that publicly available so there’s a degree of accountability that goes alongside that regulation. (OTU)	• The Council acknowledges comments on transparency and will publish an annual report with information on timescales to issue licences, number of properties with one, two, five year licences and other data e.g. inspections undertaken.
[I]t needs investment in the team ... education to the landlords. If it’s going to be proactive, they can’t bring the scheme in and then be proactive. It needs to be proactive before the scheme comes in. You can’t launch a scheme on the first of January and be proactive from then. You need to be building the landlords and the lettings agents up to get their houses to standard from the point at which the scheme comes in, otherwise, you’re reactive. (Police)	• The Council have a current landlord information exchange for landlords (pre-COVID) and this is a way of allowing landlords and agents to share good practice. The Council will provide regular information updates and

Appendix 3

I think the Council needs to start addressing some of these bigger issues and if they are going to have another licensing scheme – and again, we’re sitting on the fence; we’re not against it but we’re not for it – we want to see demonstrable outcomes both for the landlord community and from the tenants’ side. (NRLA)	further guidance and information to clarify points raised.
How do you take into account the fact that many of the landlords here present have many years’ experience of renting properties in Oxford. How is that going to be taken into account in setting out a new scheme?	
The situation for those hosting foreign language students or school children should be clarified;	
There was some confusion / clarification requested (from a registered charity) in terms of whether or not a corporate body can be granted an HMO licence;	

Consultation responses – comments regarding HMO licensing inspection	Council Consideration
I’ve been critical that when problems were found in an HMO, people had no opportunity to put it right without being penalised straight away” There is the occasional lack of experience and knowledge of the inspectors. We had a rather odd situation where we ... had got an HMO licence, and what we found is on subsequent inspections, the inspectors come up with something different that they want changed on it. We’ve already got a licence and then someone comes along and looks over a particular thing ... on this occasion, they didn’t like the fact that when the fire door to the kitchen was closed and with it being next to the cooker, that somebody could walk in the kitchen and there was a chance you could knock the person at the cooker. Therefore, they asked us to cut a window in the fire-door so you could look through the door to make sure there was nobody on the other side of the door before it was opened. I did point out to the inspector that if you start cutting holes in fire doors you very quickly diminish the ability of a fire door to do its job, and in any event, would breach the regulations because the fire door wouldn’t be compliant. We ended up cutting a window in an adjacent wall, which meant moving a radiator and it was quite expensive. We did it and we achieved the objective, but I just thought that whoever makes suggestions like that ought to understand that if they’re going to make an observation as they did as to the proximity of the cooker to the door, they ought to understand building regulations as to how such a problem could be amended” Some landlords do some extensions or convert a garage into a bedroom and	• The Council aims to work with landlords however we also expect landlords to proactively manage their properties. • We aim to deliver consistent request for work in properties. We have a published Amenity and Facility guide that was revised in 2018 (in consultation with landlords). This may have led to requests to change items when a property was last inspected over five years ago, for example under the 2011-2015 scheme. • However for HMO licences and conditions on licences then we are also bound by Court of Appeal to consider each case on its’ merits. This may create differences between properties and leads to “grey” areas. We do regular consistency exercises between the team. We have also undertaken a consistency exercise in landlord forums, by asking landlords whether they think a repair is needed or not to gauge our decisions against what landlords think require repairs. The outcome of which was that we were consistent. This type of two-way engagement / feedback can continue. • Inspecting officers are qualified with a background in building, although this is not to building control officer level. We would expect officers to

Appendix 3

all of a sudden you have more people in your household than possibly the licence they have allows. I don't know if this is inspected and this creates a big problem because you don't have enough facilities or you don't have enough toilets, or your sharing area is getting much more crowded and it affects your living standards"	suggest work that it practical. We inspect all HMOs before issue of licence to ensure they have adequate facilities and will inspect where a landlord requests to increase occupancy number. During COVID19, desktop checks have been undertaken however we will revisit at a later date.
There's inconsistency between different inspectors' views of different properties, and what is needed to make a property compliant or not. In my experience ... it was different in different places	
After the initial assessment, I got a list with changes needing to be done and that was OK, but the inspection afterwards was not a very pleasant experience. The inspector had a lack of knowledge on actually what had been done and what was correctly done and didn't seem to know what they were doing. It was also a very expensive experience and I'm not sure that the tenants were pleased with the changes, which actually mainly consisted of fire doors needing to be put in	
Our major thoughts were just wanting to make sure there's consistency and also having the appropriate resource. We've found in the past there have been delays in getting licenses and sometimes it can be different HMO inspectors who ask for different works to be carried out on a year on year basis. I think everybody is behind the licensing and thinks it is a good idea, but it's just making sure that it serves a correct purpose and it's manageable and it works on a practical level	
We came to renew the licence again recently, and the next inspector decides that there's not enough sockets in the kitchen. Now, I think this is the third renewal on this HMO, and I just question why we can get issued an HMO licence in the first place and everything's fine and hunky dory, and then the next inspector says this needs doing and the next one another thing ... we've had three different things in the same HMO. I just think that the inspectors need to be consistent	
I do think there should be a three-way agreement so the tenant is included and can raise issues. It seems only landlords and the Council are involved"	- The Housing Act 2004 does not require consultation with tenants (or neighbours) on HMO licence conditions. - On inspection, we would expect an officer to explain why they are visiting to tenants. During an inspection, officers may ask tenants if they have problems although it is acknowledged that tenants may not wish to speak up. - The Council will investigate complaints from tenants and where necessary, add conditions to complete work.
More inspections might be a good idea, but I'd be interested in knowing what the criteria are, what it is they're looking for? Is it just that the property is relatively clean, or do they check the gutters ... health and safety stuff? It'd be good for the tenant to know that	
Inspections; I agree with more communication. It'd be good to know what they're doing, what they're looking for and if we could have an input. Not to stuff up the landlord, just to say, 'I'm safe and the house is appropriate'	
In my current house there is nothing like that, but we recently had an	

Appendix 3

inspection from the Council. There seems to be no communication between us, the Council and the letting agent; they didn't tell us exactly what they were going to do, they just told us that they needed to go into our rooms. I think people don't understand that this is my home, I don't really want someone coming into the place where I sleep ... The letting agent are pretty good, but they didn't tell us why or what they were looking for and they installed a new fire door which is great, but they installed a new electric plug socket half way through our kitchen, they didn't explain why. When the person turned up from the Council, he was very polite and professional, but he didn't explain why he was here, what he was doing. I still haven't received a licensing thing from the Council; I don't know if we're compliant, I have no idea if they're coming back"	The Council can develop guidance for tenants concerning inspections – for example, what to expect and how to report issues.

Consultation responses – comments regarding selective licensing inspections	Council Consideration
In terms of selective licensing, there was a query about how realistically the Council planned to manage [it]. If you've got 25,000 houses, it feels that some landlords will be picked on at random for inspections, because you're not going to get round 25,000 houses over the course of even five years. So, how do you know whether standards will be applied consistently, and what's going to happen there?" If you have no inspections, how do you know the property is compliant? If Selective Licensing properties are not inspected, what's the point? I can't see the justification for it without inspections You try to improve standards of let properties for private landlords, but now you are introducing fees without mandatory inspecting every property. How are you then going to keep high standards of let properties? Not inspecting beforehand means that you're giving licences to properties that you subsequently discover are properties of concern. You will only discover that once you have given the licence because you would not have visited them before you give the licence ... It seems to me that you're going to be issuing licences to these properties and subsequently taking the licences away but only after having charged everybody, in order so you can do this" Too few inspections, lots of extra properties, the Council won't be able to cope How are you going to do all these inspections? House prices are ridiculously expensive in Oxford, so where are you going to find the staff? (NRLA)	- The Council acknowledges concerns regarding lack of inspection. Properties will be prioritised for inspections, although this will not happen before the licence is issued. - Those properties where landlords have a history of non-compliance will be prioritised as will landlords that fail to supply documents on application. - Those properties managed by accredited agents and landlords will be lowest priority. It would be anticipated that for large agents, a random sample will be inspected each year. Accredited landlords will be least priority for inspection. - The scheme will be resourced to employ enough officers to inspect the properties.

Appendix 3

G. Enforcement of the new schemes

Consultation responses – comments regarding enforcement of unlicensed properties	Council Consideration
There's also a concern that there are quite a lot of unlicensed properties and how are they policed, and how are they caught? Because with these schemes, the good people are going to be the people that do what's required and the problem ones are the one's you've got to get a hold of"	• The current HMO licensing schemes works to find unlicensed properties on a proactive and reactive basis. Proactive means gathering intelligence and assessing this to determine if action is needed e.g. a letter or a visit. Reactive means that an enquiry has come in about a specific property. All reactive complaints are put through a desk based intelligence check and which results in either the landlord receiving a letter or an unannounced visit. The same system will apply to selective licensing. • The Council has a good understanding of the process and time costs to find unlicensed HMO properties and based on this experience, has predicted the resources required to find unlicensed selective licensing properties to ensure the scheme is staffed appropriately. • The Council will report on outcomes, such as unlicensed property investigation.
"All of us are on board with the standards of private-rented sector housing being improved [but] you're preaching to the converted. The fact that we're all on this call, we really do care about standards, being compliant and getting everything right. What we want to make sure is that the resources are being focused in the right areas as the people who don't want to comply are still not going to comply, and it's going to take an effort to go and find them"	
... we've got a good baseline now, but we need to roll it out and take it further and there has to be proper enforcement and within that enforcement there has to be support for the tenants because they are the people at risk here because the landlord will assume in most cases that the tenants have grassed up the landlord. There is a massive risk for people in that situation. It makes them very vulnerable and I know the Council's position on that, but they will say X, Y and Z and it's not but think we have to be very clear because we have very vulnerable people living in second languages, escaping domestic violence. (CAB)	
Low rate of enforcement and successful avoidance by landlords.	
Huge resources will be required to follow up varying landlords, agencies, short term tenancies, etc. etc. to establish where the responsibility is to improve premises	

Appendix 3

Consultation Response - comments regarding enforcement (general)	Council Consideration
As an agent I had a landlord that was heavily penalised. When there was an inspection on a house in good condition and there were some things that didn't comply, he was penalised heavily despite willingness to correct everything. We found that the scheme is punitive in that respect. He didn't have an opportunity to put things right before bearing a heavy fine, despite being very willing	The Council aims to take a balanced approach and consider each case on its merits. HMO landlords have a duty to actively manage their properties and failure to do so may lead to a higher fee.
An active enforcement policy is an important part of protecting the sector from criminals who exploit landlords and tenants and creating a level playing field (NRLA)	Agreed – the Council has demonstrated in the current HMO licensing scheme actively and robustly enforce against breaches of the scheme and will, if the proposed schemes are introduced, continue to do so.
[Would support additional HMO licensing]... absolutely. Without enforcement it's just a joke, a bit like quarantine isn't it? At the moment, the HMOs scheme is getting people who are already compliant to get a certificate, it's not getting people who are non-compliant because they are doing it on the black market. There is no follow through. (CAB)	- The Council has achieved on average around 25 prosecutions or financial penalties each year. - The Council understands that landlords, residents and the public may view the number of penalties as a way of measuring success or failure. However, the Council cannot have a "target" for number of penalties / prosecutions – to do so would be wholly against the Council's Enforcement Policy that <i>"Our enforcement activities will reflect the level of risk to the public and enforcement action taken will correspond to the seriousness of the offence. We will seek to resolve cases at the lowest level of intervention appropriate to the case."</i> - Prosecution and financial penalties are for the worst offenders – we use higher licence fees as a deterrent. We acknowledge there needs to be greater transparency and so yearly reports will be published against scheme outcomes, including enforcement / higher fees - In the last five years, Oxford City Council prosecuted 43 cases, issued 57 financial penalties and gave 6 formal cautions during the scheme. Looking at prosecutions and penalties, 100 cases equates to 2.8% of the licensed stock (3,511 HMOs). It is understandable the public think this is low number however it is not possible to measure "success" or "failure" by the number of prosecutions or financial penalties. The Council must follow the Code of Crown Prosecutors when taking decisions on whether to prosecute or issue a penalty – to have a "target" driven approach would not be in line with the Council's Enforcement Policy or the Crown Code. - There are no nationally available statistics to determine if Oxford City Council's enforcement record is comparable. However, some information
Do your officials support the law? You investigate over 1000 cases, 2.2.% cases are fined, 97% therefore shouldn't have been investigated, very frustrating ... landlords should have the opportunity to mentor Oxford Council, because some representatives don't follow the law"	
Enforcement isn't really happening ... if the current properties are not being managed or properly monitored, how will even more properties being taken into this system be managed and properly enforced?"	
... the Council does not have the capacity to enforce these schemes, with the result that rogue landlords continue as before, while responsible landlords comply and pass on the licensing costs to their tenants ... Given that the Council has operated the HMO scheme for nine years with such poor results, it is perfectly reasonable to assume that a similar scheme targeted at private landlords would be equally as ineffective in its stated goal of improving standards, while	

Appendix 3

199

	is in the public domain and this demonstrates Oxford City Council has comparable enforcement records against other authorities running large licensing schemes. - For example, in 2017 the London Borough of Newham reported their borough wide selective licensing scheme had 39,321 licensed properties and they had taken 1,111 prosecutions (financial penalties were not a legal option at this time). This equates to 2.8% of the licensed number of properties. Oxford City Council's record for HMO licensing prosecutions is also 2.8%. - Liverpool City Council, in 2020², reported on their city wide selective licensing scheme in late 2020 with 51,764 licences and they had issued 311 prosecutions or penalties – this equates to 0.6% of licensed stock. Oxford City Council comparably has a higher rate. - In 2017, a report in the press³ named the authorities with the highest number of Housing related prosecutions and reported most authorities had not taken a single prosecution. The top six authorities were named – the sixth highest had 29 prosecutions and in that year, Oxford City Council had completed 25. It is clear that Oxford City Council are among the top authorities for prosecutions.
The fact that they had to get money from government to take on a lawyer to show how to prosecute someone ... What had you been doing for the nine years beforehand, then? (NRLA)	The Council was given funding to develop a best practice toolkit for other authorities to recover unpaid financial penalties served under the Housing Act 2004, in conjunction with a solicitor. This funding was given due to Oxford's strong record of issuing financial penalties and in recognition of our current approach. The above statistics demonstrate our enforcement record.
"I have tenants that have applied to the regulatory side of the scheme to help them and have been told that nothing can be done for nine months when the conditions were really unliveable in. I wonder, how well is this working when things are going seriously wrong? Delays, no proper inspections, not taking it seriously. One wonders, what do they really consider an infringement of the licence?"	With HMO licensing, we aim to inspect each house before issue of a licence and then conditions are added to the licence for work to be completed. Where necessary, the Council gives shorter deadlines to complete works. If a landlord then does not complete the work, this is an offence (infringement) and they will be charged a higher renewal fee or may receive a fine.

² Liverpool City Council Selective Licensing in the Liverpool Private Rented Sector A Proposal for Cabinet 2020 point 3.6 & 3.14

<http://Councillors.liverpool.gov.uk/documents/s244845/M5%20-%20Selective%20Licensing%20in%20the%20Liverpool%20Private%20Rented%20Sector%20Proposal%20for%20Cabinet.pdf>

³ The Guardian 2018 <https://www.theguardian.com/society/2017/oct/28/rogue-landlords-enjoy-an-easy-ride-as-Councils-fail-to-prosecute> accessed 14/01/2020

Appendix 3

	For HMOs, there are management regulations and where landlords have failed to proactively manage their properties, they may receive a fine.

H. Planning / Air B&B

Consultation responses – comments regarding planning / air B&B	Council Consideration
Not allowing new HMOs to be created and/or banning HMOs;	- This is a planning issue, there is a planning Article 4 in place which prevents new HMOs being developed in areas where there is already a high concentration of HMOs. - In response to concerns, the criteria for a longer HMO licence will include having the necessary permission granted (or clear historic use). Landlords without permission will be given a one year licence. - Where a property is occupied as an HMO and does not have planning permission, the Council will add a condition to obtain planning permission within a set time frame. We cannot refuse to grant a licence as this would then impact on the landlord's ability to serve a section 21 notice and lawfully gain possession to cease use as an HMO. - Where a property is empty and an HMO licence is applied for and there is no planning permission for HMO use, the HMO licence will be refused.
Opposed to further HMOs rules about acceptable concentrations of private rented accommodation in general are worth considering. private rented accommodation is "high cost housing" and not sympathetic to its continuing absorption of ever higher proportions of City housing (Bullingdon Road Community Association)	
The Council should carefully consider its ceiling on HMOs because for young people who wish to save money in such an expensive rental market, living with roommates is an "important and fundamental housing option (Unnamed group of tenants)	
Consider a policy of refusing new licences to landlords who are increasing occupancy levels in existing HMOs, in areas where the planning saturation policy that limits HMOs to 20% of buildings in the immediate area has been exceeded. It is concerned that allowing existing HMOs to increase in size in these areas that may already be well in excess of the limit impacts on existing residents and HMO tenants (in terms of noise, antisocial behaviour, parking, and refuse issues) and undermines the intention of the planning policy. (Divinity Road Area Residents Association)	
I think there needs to be stricter definition of Airbnb. Clearly, a lot of stuff is operating as Airbnb that should actually be restricted. I think that's bad for the PRS"	
"The Council need to put their thinking hat on with Airbnb. Leaving it open is asking for trouble	The Council often discovers rent to rent and sub-letting when undertaking unannounced visits to HMOs. This type of letting practice, whilst not illegal can often mean that private tenants are living in unsafe accommodation with a lack of tenancy security. Guidance will be

Appendix 3

“[Is there an] issue with Airbnb properties in the area? Are people trying to dodge the HMOs licenses by having Airbnb tenants in the properties instead? And would licensing help pick that up to ensure the properties are compliant?” The NRLA is concerned that the proposals do not take account of rent-to-rent (including Airbnb) and those who exploit tenants and landlords. For instance, “there is no provision for landlords who have legally rented out a property that has later been illegally sublet”. It seeks clarification around the support that will be offered to landlords who find themselves in this position.	produced outlining landlords and tenants responsibilities in relation to such practices. Properties used as Airbnb are exempt from property licensing but such properties may need planning permission depending on the intensity of the use.

I. COVID 19 concerns

Consultation responses – comments regarding covid 19 concerns	Council Consideration
I’m concerned about timing within a pandemic. We’re currently struggling to get contractors to go to properties, tenants are stressed at this difficult time If it does need to be introduced, why now? It’s more difficult to find tenants, contractors etc. The impact of Covid and unemployment: ... more people falling into rent arrears is a worry as well so the additional cost is less likely to incentivise landlords to remain in the sector and our members often talk about investment confidence ... and of course, most of them across the country only have one or two properties ... also if you’ve got a mortgage on that there’s a potential impact. So, these are the broader issues that our members tell us about on a daily basis. (ARLA Propertymark) This would require much more resources and agents are already struggling due to excessive business rates over the years and the COVID-19 crisis. If you have extreme arrears (owing to Covid), we’re worried that extra fees on top of already rising costs could mean that landlords leave the market. (ARLA Propertymark) In a pandemic we may not be able to do inspections. If a landlord can’t, if they’re high risk and having to isolate, or tenants, or an agent can’t because that branch is closed could we be open to fines, or will that invalidate the licence? Is there a safety net in this current climate?” Landlord accreditation during Covid. Landlords can’t renew these; they need to attend courses etc. with the Council. Will this mean that landlords who aren’t accredited will be unable to apply for a five-year licence?	• The Council has regard to government guidance on COVID19 for landlords and tenants. • For HMO licensing and work required, the Council will work with landlords to agree suitable timescales given the urgency of the work and contractor availability due to COVID19. • With regard to selective licensing, this scheme will not start until 2022 by which time, it is anticipated that impact of COVID19 will have decreased. • With regard to inspections, the condition will be amended to reflect the situation that landlords may not be able to visit the property. • With regard to accreditation, our current scheme operates on the understanding that a landlord will attend the course within six months of the accreditation date – with COVID19 then this has been extended. This means that landlords can renew their accreditation and receive the training at a later date. However, we are investigating accreditation provision via online courses or another provider.

Appendix 3

J. Comments regarding the consultation itself

Consultation responses – comments regarding the consultation itself	Council Consideration
I feel that conducting research in the midst of a pandemic is wholly improper and unreasonable. A large number of people are isolated due to the pandemic and are unaware of what is going on and this is preventing people from raising their concerns and from putting forward their objections. Furthermore, community groups are unable to hold meetings and articulate and coordinate appropriate responses that are required. Therefore, I respectfully argue that any consultation should be postponed until next year	- The Council has regard to government guidance on COVID19. The Council was initially proposing to consult in April and the Council halted consultation. Later in the year, guidance changed to where local authorities are in the process of introducing selective or additional Houses in Multiple Occupation licensing schemes, but these are not yet in force they should continue to take a pragmatic approach and continue/commence work on licensing having regard to local circumstances. - We extended the consultation in November given the second lockdown and believe there has been opportunity to respond.
... failure to provide information about the legal basis upon which it seeks to introduce selective licensing means it has not complied with the requirement to 'take reasonable steps to consult persons who are likely to be affected by the designation and the consultation document is "highly misleading, omitting relevant context and stats, and lacking transparency.	The Council believes the legal basis has been demonstrated in the Cabinet reports published. The consultation was far reaching and it can be seen from the Appendix to the report compares favourably with similar consultation exercises carried out concerning property licensing.
There was a complaint about some landlords becoming aware of the consultation after it had started, and about a lack of evening and weekend virtual events	The Council notes these comments. The consultation exercise was publicised on the Council's website and via social media, all HMO landlords were made aware as well as those who were registered with Council Tax, the exercise was extended in order that more stakeholders could respond.

Appendix 4

Selective Licensing conditions

Mandatory licence conditions – applied to all licences

The Housing Act 2004 s90(4) requires licences to include the conditions listed in Schedule 4 of the Housing Act 2004. These are known as mandatory conditions:

- production to the council of gas safety certificate (if gas installed);
- to keep the electrical installation in a working and safe condition;
- to keep electrical appliances supplied in safe condition;
- to keep furniture supplied in safe condition;
- to ensure a smoke alarm is installed on each landing and kept in proper working order;
- to ensure there is a carbon monoxide detector in any room with a solid fuel burning appliance and kept in proper working order;
- to supply the occupiers with written terms of occupation; and
- to demand references from persons who wish to occupy the house.

Discretionary licence conditions – applied to all selective licences

The Housing Act s90(1) states: *A licence may include such conditions as the local housing authority consider appropriate for regulating the management, use or occupation of the house concerned.* The conditions that Oxford City Council consider appropriate to place on all selective licences are known as discretionary conditions.

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Licence Conditions – Categories or Themes

To address concerns raised regarding the layout of licence conditions and to assist landlords in understanding the lengthy documentation, the Council will group licence conditions by areas or themes. This should make it clearer to landlords as to what their obligations are for specific areas. Themes include both “mandatory” conditions and the “discretionary” conditions applied to all licences. Mandatory conditions will be clearly marked on the Licence. The areas are:

- Permitted numbers
- Gas Safety
- Electrical Safety
- Fire Safety
- Carbon monoxide
- Waste management
- Tenant management
- Property Management
- Energy Performance
- Anti-social behaviour
- Notification of changes

A copy of a Licence is below with the mandatory and discretionary conditions applicable to all selective licences.

Appendix 4

Ability for landlords and agents to raise objections to licence conditions

Before granting a selective licence, a “notice of intention” must be served with the draft licence conditions. The licence holder (and other parties with a relevant interest) have to be given a minimum of 14 days to make “representations” (objections) to the licence length and / or conditions. The Council must consider the representations. Following the consideration it will be decide to either change the proposed conditions as requested or to keep them as served.

The Council must then serve a “notice of decision” with the licence and conditions. At this point, the licence holder (and other parties with a relevant interest) can appeal to the First-tier Tribunal within 28 days if they are still not in agreement with the licence conditions.

In general, Oxford City Council would not change any of the discretionary conditions attached to all licences.

It must be noted that “relevant interested” party means those with a legal interest in the property i.e. freeholder, leaseholder, mortgage provider, licence holder and managing agent. The Housing Act 2004 makes no legal requirement to send the notice of intention or decision to the tenants or neighbours – this is different to planning that requires notices to be displayed in the vicinity of the property.

In response to comments raised that the process is “confusing”, further guidance will be developed for landlords and agents

Appendix 4



HOUSING ACT 2004
Part 3

SELECTIVE LICENCE FOR RESIDENTIAL ACCOMODATION

This

Licence

will be granted under Section 88 of the Housing Act 2004 to

LICENCE HOLDER NAME

of

LICENCE HOLDER ADDRESS 1

LICENCE HOLDER ADDRESS 2

LICENCE HOLDER ADDRESS 3

POST CODE

for the house at

205

Appendix 4

123 SOME STREET
in the City of Oxford

to be occupied as a SELECTIVE LICENCE property

*This Licence remains in force until the **DATE**
and is subject to the Conditions specified in the attachment which forms
part of this document.*

Signature

HEAD OF SERVICE
REGULATORY SERVICES AND COMMUNITY SAFETY
OXFORD CITY COUNCIL

LICENCE CONDITIONS

Any failure to comply with these conditions is an offence under the Housing Act 2004 s95(2) and may render the Licence Holder liable to prosecution and an unlimited fine upon conviction or a financial of up to £30,000 as an alternative to prosecution. Under the Housing Act 2004 Section 93(2)(a) the Licence may also be revoked.

Further information is provided in the “guidance and notes” section about the licence conditions, including template notices for you to display in the property / information to give to your tenants.

***Indicates a mandatory condition prescribed by the Housing Act 2004.**

Any reference to “on demand” means to provide, to the Council officer, the document within 14 days of the demand.

Permitted Occupation

1 OCCUPATION

The house is to be occupied as a non-HMO property either:

- one household (a family house); or
- Two unrelated persons (Two households)

A household is defined as persons:

- married or living together - including people in same-sex relationships
- relatives or half-relatives, e.g. grandparents, aunts, uncles, siblings
- step-parents and step-children

Gas Safety and Carbon Monoxide

2. LANDLORD'S GAS SAFETY CERTIFICATE

The Licence Holder must ensure that gas is supplied to the house, each year obtain and submit to the Council a new landlord's gas safety certificate issued by a recognised engineer approved under Regulation 3 of the Gas Safety (Installation and Use) Regulations 1998*.

Ensure that a valid gas safety certificate is in place for the property for the duration of the licence (there should be no gaps in between certificate dates) and copies of all gas safety certificates obtained whilst the licence is in force must be kept by the Licence Holder for the duration of the licence and, on demand, supplied to the Council.

Appendix 4

3. CARBON MONOXIDE ALARMS*

The Licence Holder must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel combustion appliance. A 'room' includes a hall or landing and 'living accommodation' includes a bathroom or toilet.

The Licence Holder must keep all alarms in proper working order and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm.

Electrical Safety

4. ELECTRICAL SAFETY CERTIFICATE

The Licence Holder must ensure that every electrical installation in the house is in proper working order and safe for continued use and supply, on demand, with a declaration as to the safety of such installations*.

The Licence Holder must ensure that an electrical condition report dated within the last five (5) years is submitted to the Council. If the current report expires during this licence, ensure the new report is submitted. A valid electrical condition report must be in place for the property for the duration of the licence (there should be no gaps in between certificate dates).

The report must detail the condition of the fixed electrical installation of the property, Carry out any remedial works identified on the report and submit evidence to the Council upon completion. The report must be issued in accordance with the latest edition of the BS7671 Regulations for Electrical Installations, as issued by the Institute of Electrical Engineers. The inspection, report and all electrical work must be undertaken by qualified electricians registered and assessed by a UKAS accredited Certification Body to A1.2 of the IET Electrotechnical Assessment Scheme. The register of competent persons is available from: www.competentperson.co.uk

5. ELECTRICAL APPLIANCE SAFETY*

The Licence Holder must ensure all electrical appliances made available to the occupants are kept in a safe condition. On demand, the Licence Holder must submit to the Council a declaration by him as to the safety of such appliances.

Fire Safety

6. SMOKE ALARMS*

The Licence Holder must ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation.

The Licence Holder must keep all alarms in proper working order and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm.

7. FURNITURE SAFETY*

The Licence Holder must ensure all furniture made available to the occupants of the house must be kept in a safe condition and must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. On demand, the Licence Holder must submit a declaration concerning the safety of the furniture to the Council.

Tenancy Management

8 WRITTEN TERMS OF OCCUPANCY

The Licence Holder must supply the occupiers of the house / rooms, on commencement of their occupancy, with a written statement of the terms in which they occupy the house (i.e. a tenancy agreement). The Licence Holder must, on demand, provide the Council with a copy of the written statement*.

The Licence Holder must make a copy of the tenancy agreement available before the house is let so that tenants can read it before being asked to sign. It also gives the tenants the opportunity to get independent advice before signing.

9 REFERENCES

The Licence Holder must demand that references are requested from persons who wish to occupy the house.*

When referencing, consideration must be given to the tenant's history, credit and right to rent checks.

The Licence Holder must, on demand, ensure that the Council is provided with a copy of any such references and records.

10 RENT RECEIPTS

The Licence Holder must ensure there is a record of all rent payments received in respect of the property. The record must cover the duration of the licence.

Where rent is paid in cash or cheque, the occupant(s) must be given a written receipt for the rental payment stating the date of payment, amount paid and the name of the person who collected the payment.

Where rent is paid via BACs, this will count as the record of rental payment.

The Licence Holder must, on demand, ensure that the Council is provided with a copy of rent payment records.

11 INVENTORY

The Licence Holder must ensure that an inventory is provided to the occupants.

The Licence Holder must, on demand, ensure that the Authority is provided with a copy of the inventory/ies.

12 UTILITIES AND APPLIANCES

The Licence Holder must ensure that, where tenants are to pay the bills, they are provided with details of the utility provider and billing information within 14 days of occupation of the house.

The Licence Holder must ensure that the tenants are provided with a user manual or written instructions for the correct operation and setting of the fixed form of heating system in the property.

Waste disposal and refuse

13 WASTE DISPOSAL AND RECYCLING REQUIREMENTS

Properties with blue / green bin collection:

Oxford City Council policy is to collect no greater quantity of domestic waste from refuse bins (green bins) than from recycling bins (blue bins). Oxford City Council will not collect recycling or refuse material unless correctly presented in a receptacle meeting the Council's specification.

Properties with sack collection or block of flats

Where a property has waste collection via sacks or is within a block of flats, then the Licence Holder must comply with the information on the council website www.oxford.gov.uk/recycling

Appendix 4

All properties:

The Licence Holder must give new tenants information, in writing, on disposing of all rubbish / recycling in an appropriate manner and at the appropriate time including:

- The collection days for the refuse and recycling
- Details on what they can and cannot recycle
- How they can dispose of bulky waste and the penalties for fly tipping

The Licence Holder must ensure suitable and adequate provision is made available at the start of a tenancy for storage of refuse generated in the house.

The Licence Holder must make supplementary arrangements for the disposal of refuse from the house as may be necessary.

The Licence Holder must ensure that at the end of each tenancy any rubbish or unwanted household goods left behind are removed and disposed of appropriately before the start of the next tenancy. In particular any rubbish or goods left in the front or back garden or the pavement in front of the property should be removed.

Property Management, Inspections and Emergency Arrangements

14 PROVISION OF CONTACT DETAILS TO TENANTS

The Licence Holder must give the tenants, in writing, the name, address and telephone contact number of the person who manages the house.

The Licence Holder must provide to the tenants, in writing within 7 days of their occupation, details of who to contact to report repairs, including out of hours emergency contact details.

15 DIS-REPAIR / PESTS

The Licence Holder must ensure that, if they are informed, in writing, by email or other form of communication, about a complaint of disrepair or pest infestation in the property from the occupiers, the Council or a third party, they take action to investigate and if necessary remedy the disrepair and/or infestation within a reasonable period of time. The Licence Holder shall respond, preferably in writing to any such complaint, within 14 days of receipt of the complaint, stating what action they have taken or intend to take.

Where an emergency issue is reported to the licence holder or their managing agent (e.g. loss of heating, hot water, issues relating to security), it should be responded to within 24 hours. This includes undertaking a temporary measure before the full repair can be undertaken.

Where a pest problem is identified following a complaint, the Licence Holder must employ a suitably qualified pest control company to investigate the

Appendix 4

problem and undertake all action needed to remove pests (this includes baiting and any structural repairs to prevent pest access).

16 PROPERTY INSPECTION

The Licence Holder must ensure that inspections of the house are carried out at least every six months to identify any problems relating to the condition and management of the house. The records of such inspections must be kept for the last year. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection any issues found and actions(s) taken. Copies of these must be provided to the council within 28 days of demand. In the event that an inspection is not possible (e.g. pandemic situation) then it is acceptable for the Licence Holder to fulfil this in alternative ways (e.g. zoom call with tenants who show the house and landlord takes notes or written confirmation from tenants there are no problems).

17 EMERGENCY ARRANGEMENTS

Where the Licence Holder is out of the country for more than two weeks and for less than four weeks, there must be emergency arrangements in place for the tenants to be able to arrange emergency repairs. These arrangements must be provided, in writing, to the tenant.

Where the Licence Holder is out of the country for more than four weeks at a time, there must be a named managing agent or alternative person who can arrange repairs. This person must be named on the application form and must be a “fit and proper” person. These arrangements must be provided, in writing, to the tenant.

Energy Performance Certificate

18 ENERGY PERFORMANCE CERTIFICATE (EPC)

Where an EPC is required for the property, on demand submit to the Council an energy performance certificate stating the property has a minimum energy efficiency standard of an E-rating. The person issuing the certificate must be an Approved Energy Assessor qualified to undertake such inspection and testing.

If the property is exempt from the Minimum Energy Efficiency Standard, on demand provide details of the registered exemption.

Notification of changes

20 CHANGES TO CONTACT DETAILS

The Licence Holder must advise the Customer Services Applications Team in writing of any permanent change to the address or contact details of each person (except any mortgage provider) named on the licence application form as soon as reasonably practicable.

Appendix 4

21 CHANGES WITHIN THE HOUSE

The Licence Holder must advise the Customer Services Applications Team in writing of any change in the house (apart from the change of occupants) that is likely to affect the operation or management of the HMO as soon as reasonably practicable.

22 CHANGES TO FIT AND PROPER PERSON STATUS

The Licence Holder must advise the Customer Services Applications Team in writing of any changes to the Licence Holder, the Manager's or any associate's circumstances which could affect their fit and proper person status, i.e. any cautions or convictions for any offence involving fraud, dishonesty, violence, drugs, sexual offences (under Sexual Offences Act, schedule 3) discrimination or breach of housing or landlord / tenant law or convicted of a banning order offence or issued with a banning order. The Licence Holder to inform the Council within 14 days of becoming aware of the change to fit and proper person status.

23 SALE OF PROPERTY

Where the property is sold and the owner is the Licence Holder, the Licence Holder must request that the licence is revoked. Licences cannot be transferred.

Where the property is sold and the Licence Holder remains the same (for example, the agent is the Licence Holder), then the Licence Holder must inform the Customer Services Applications Team in writing with the new ownership details.

END OF LICENCE CONDITIONS

Guidance and Notes

This information is provided to assist the Licence Holder to understand his / her obligations and comply with the Licence Conditions.

Planning permission, including listed building consent, and Building Regulations

The grant of a licence does not give planning permission for use.

Where conditions require work to be undertaken, the licence holder must ensure that you seek the necessary approval from Building Control and Planning, including Listed Building Consent, prior to work commencing.

Further guidance / information

The following appendices are provided to assist licence holders to understand their duties and comply with their duties:

1. Housing Act 2004 Schedule 5 – process and procedure for grant or refusal to grant licence
2. Reasons for licence conditions
3. A “manager and emergency arrangements” notice for display
4. A “waste management” notice for display
5. Information on anti-social behaviour
6. Rent receipt template

The government website <https://www.gov.uk/renting-out-a-property> contains information for landlords including:

- Landlord responsibilities
- Financial responsibilities (including tax and mortgage permissions)
- Repairs

The government website https://www.gov.uk/housing-local-and-community/rented-housing-sector#guidance_and_regulation contains information for landlords on:

- How to let guide
- Model tenancy agreement
- Understanding the possession action process
- Universal credit
- Landlord and tenants’ rights and responsibilities
- Housing Health and Safety Rating System guidance for landlords

Appendix 4

Penalties for non –compliance with licence conditions

Under the Housing Act 2004 s95(2) any failure to comply with these conditions may render the Licence Holder liable to prosecution and an unlimited fine upon conviction or a financial of up to £30,000 as an alternative to prosecution. Under the Housing Act 2004 Section 93(2)(a) the Licence may also be revoked. Appendix 1 provides notes from the Housing Act 2004.

Some conditions impose a duty on the Licence Holder which endures for the period of the Licence. Other conditions require a specific task or work to be done, which once completed, will discharge that obligation but the condition will remain as part of the Licence.

Relevant legislation

Licence conditions are pursuant mainly to the following legislative authorities:

- Housing Act 2004 Section 90
- Schedule 4 of the Housing Act 2004

Further information regarding reasons for imposition of licence conditions is contained in Appendix 2.

Definitions

Each Condition refers to the house named on the front page.

In these Conditions:

‘BS’ and ‘BS EN’ mean a British Standard as published by the British Standards Institution.

‘competent person’ or ‘competent’ means a person properly qualified and accredited by the appropriate authority to install and/or inspect, test and certify the equipment, facility or utility.

‘house’ means the dwelling or residential accommodation at the address identified above for which this licence has been granted.

‘HMO’ means House in Multiple Occupation as defined by the Housing Act 2004.

‘IEE regulations’ means the latest edition of the Wiring Regulations published by Institution of Electrical Engineers (BS 7671).

‘Licence Holder’ means the person to whom this licence has been granted.

‘obtain and submit to the Council’ means that the Licence Holder must obtain a certificate from a competent person and forward a copy of it to the Customer Services Applications team at St Aldate’s Chambers, 109-113 St Aldate’s, Oxford.

‘on demand’ means that the Licence Holder must provide the Customer Services Applications team or the named officer with a copy of the document if and when the Council requires it to be produced.

‘provide’ means that the Licence Holder must install the item mentioned as a fixture within the house and make its use freely available to the occupants of the house.

APPENDIX 1: HOUSING ACT 2004 - SCHEDULE 5.

LICENCES UNDER PART 2 PROCEDURE AND APPEALS - GRANT OF LICENCES

Requirements before grant of licence

- 1 Before granting a licence, the local housing authority must-
 - (a) serve a notice under this paragraph, together with a copy of the proposed licence, on the applicant for the licence and each relevant person, and
 - (b) consider any representations made in accordance with the notice and not withdrawn.
- 2 The notice under paragraph 1 must state that the authority are proposing to grant the licence and set out-
 - (a) the reasons for granting the licence,
 - (b) the main terms of the licence, and
 - (c) the end of the consultation period.
- 3 (1) This paragraph applies if, having considered representations made in accordance with a notice under paragraph 1 or this paragraph, the local housing authority propose to grant a licence with modifications.
 - (2) Before granting the licence the authority must-
 - (a) serve a notice under this paragraph on the applicant for the licence and each relevant person, and
 - (b) consider any representations made in accordance with the notice and not withdrawn.
- 4 The notice under paragraph 3 must set out-
 - (a) the proposed modifications,
 - (b) the reasons for them, and
 - (c) the end of the consultation period.

Requirements following grant of licence

- 7 (1) This paragraph applies where the local housing authority decide to grant a licence.
 - (2) The local housing authority must serve on the applicant for the licence (and, if different, the Licence Holder) and each relevant person-
 - (a) a copy of the licence, and
 - (b) a notice setting out-
 - (i) the reasons for deciding to grant the licence and the date on which the decision was made,
 - (ii) the right of appeal against the decision under Part 3 of this Schedule, and
 - (iii) the period within which an appeal may be made (see paragraph 33(1)).
 - (3) The documents required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.
- 8 (1) This paragraph applies where the local housing authority refuse to grant a licence.

Appendix 4

(2) The local housing authority must serve on the applicant for the licence and each relevant person a notice setting out-

- (a) the authority's decision not to grant the licence,
- (b) the reasons for the decision and the date on which it was made,
- (c) the right of appeal against the decision under Part 3 of this Schedule, and
- (d) the period within which an appeal may be made (see paragraph 33(1)).

(3) The notices required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.

Exceptions from requirements in relation to grant or refusal of licences

9 The requirements of paragraph 3 (and those of paragraph 1) do not apply if the local housing authority-

(a) have already served a notice under paragraph 1 but not paragraph 3 in relation to the proposed licence, and

(b) consider that the modifications which are now being proposed are not material in any respect.

10 The requirements of paragraph 3 (and those of paragraph 1) do not apply if the local housing authority-

(a) have already served notices under paragraphs 1 and 3 in relation to the matter concerned, and

(b) consider that the further modifications which are now being proposed do not differ in any material respect from the modifications in relation to which a notice was last served under paragraph 3.

Meaning of "the end of the consultation period"

12 (1) In this Part of this Schedule "the end of the consultation period" means the last day for making representations in respect of the matter in question.

(2) The end of the consultation period must be-

(a) in the case of a notice under paragraph 1 or 5, a day which is at least 14 days after the date of service of the notice; and

(b) in the case of a notice under paragraph 3, a day which is at least 7 days after the date of service of the notice.

(3) In sub-paragraph (2) "the date of service" of a notice means, in a case where more than one notice is served, the date on which the last of the notices is served.

Meaning of "licence" and "relevant person"

13 (1) In this Part of this Schedule "licence" means a licence under Part 2 or 3 of this Act.

(2) In this Part of this Schedule "relevant person", in relation to a licence under Part 2 or 3 of this Act, means any person (other than a person excluded by sub-paragraph (3))

(a) who, to the knowledge of the local housing authority concerned, is-

(i) a person having an estate or interest in the HMO or Part 3 house in question,
or

(ii) a person managing or having control of that HMO or Part 3 house (and not falling within sub-paragraph (i)), or

Appendix 4

(b) on whom any restriction or obligation is or is to be imposed by the licence in accordance with section 67(5) or 90(6).

(3) The persons excluded by this sub-paragraph are-

- (a) the applicant for the licence and (if different) the Licence Holder, and
- (b) any tenant under a lease with an unexpired term of 3 years or less.

Right to appeal against refusal or grant of licence

31 (1) The applicant or any relevant person may appeal to a First-Tier Tribunal (Property Chamber) against a decision by the local housing authority on an application for a licence-

- (a) to refuse to grant the licence, or
- (b) to grant the licence.

(2) An appeal under sub-paragraph (1)(b) may, in particular, relate to any of the terms of the licence.

Time limits for appeals

33 (1) Any appeal under paragraph 31 against a decision to grant, or (as the case may be) to refuse to grant, a licence must be made within the period of 28 days beginning with the date specified in the notice under paragraph 7 or 8 as the date on which the decision was made

(3) A First-Tier Tribunal (Property Chamber) may allow an appeal to be made to it after the end of the period mentioned in sub-paragraph (1) if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time)

Powers of First-Tier Tribunal (Property Chamber) hearing appeal

34 (1) This paragraph applies to appeals to a First-Tier Tribunal (Property Chamber) under paragraph 31 or 32.

(2) An appeal-

- (a) is to be by way of a re-hearing, but
- (b) may be determined having regard to matters of which the authority were unaware.

(3) The tribunal may confirm, reverse or vary the decision of the local housing authority

(4) On an appeal under paragraph 31 the tribunal may direct the authority to grant a licence to the applicant for the licence on such terms as the tribunal may direct.

APPENDIX 2: REASONS FOR LICENCE CONDITIONS

The following information is provided to explain the reasons for licence conditions.

MANDATORY LICENCE CONDITIONS

The Housing Act 2004 s90(4) states that all licences include the conditions required by Schedule 4 of the Housing Act 2004. The authority has no discretion on these conditions. These licence conditions are denoted by the * by the condition title or in the text.

DISCRETIONARY LICENCE CONDITIONS

The Housing Act 2004 s90(1) permits the authority to include conditions that the authority consider appropriate to regulate the management, use and occupation of the house concerned and under s90(2):

Those conditions may, in particular, include (so far as appropriate in the circumstances)—

(a) conditions imposing restrictions or prohibitions on the use or occupation of particular parts of the house by persons occupying it;

(b) conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house;

All Selective Licences have conditions numbers 1 through 23. Oxford City Council considers it necessary to add these conditions to all HMO licences either as a mandatory condition to regulate the management, use and occupation of the house concerned.

Appendix 4

APPENDIX 3: INFORMATION NOTICE

MANAGER'S INFORMATION

MANAGER'S NAME	
MANAGER'S ADDRESS	
MANAGER'S CONTACT TELEPHONE NUMBER	

EMERGENCY ARRANGEMENTS

TO REPORT EMERGENCY REPAIRS OUT OF HOURS	Name: Contact telephone:
EMERGENCY HEATING / HOT WATER CONTACT INFORMATION	(Insert information if there is a contract with a service provided e.g. British Gas HomeCare)
EMERGENCY ELECTRICAL CONTACT INFORMATION	(Insert information if there is a contract with a service provided e.g. British Gas HomeCare)
IF YOU SMELL GAS, OR THINK THERE IS A GAS LEAK, THEN CALL THE NATIONAL NUMBER. Do not smoke or light matches Do not turn electrical switches on or off Open doors and windows Turn off the meter at the control handle unless the meter is in the cellar	National Gas Emergency Service 0800 111 999(1)
CARBON MONOXIDE LEAK – AS ABOVE	National Gas Emergency Service 0800 111 999(1)
FIRE	IN EVENT OF A FIRE – EVACUTE IMMEDIATELY AND CALL 999 For problems with the fire alarm: call ???????

Appendix 4

APPENDIX 4: WASTE MANAGEMENT NOTICE

PROPERTY ADDRESS	
Food waste must be put in the (delete as appropriate)	LARGE FOOD CADDY RED BIN (FLATS ONLY)
Food waste is collected	WEEKLY COLLECTION ON:
Refuse (general) waste must be put in the (delete as appropriate or for flats, complete)	GREEN WHEELED BIN / LILAC SACKS/ _____ All rubbish must be inside your green bin with the lid closed. Extra rubbish left outside the bin will not be collected. Three LILAC SACKS will be collected.
Refuse (general) waste is collected	EVERY OTHER WEEK ON: STARTING FROM:
Recycling must be put in the (delete as appropriate)	BLUE WHEELED BIN / BLUE SACKS...? _____ Extra recycling will be collected if placed neatly at the side of your blue bin or sacks in a clear sack or cardboard box.
Recycling is collected	EVERY OTHER WEEK ON: STARTING FROM:
Bin / sack collection	Please put your bins / caddy / sack out for collection by 7am. You can put your bins / sacks out the day before, after 6pm. Please remove your empty bin from the pavement as soon as possible after collection.
Bin / sack collection reminders	You can sign up for email reminders - they will prompt you on which bins to put out and when – see www.oxford.gov.uk/recycling You can download Oxford City Council mobile app for free reminders. Available via the app store / google play
Bulky Waste can be disposed of:	By calling Oxford City Council on 01865 249811 and booking a collection. There may be a fee.
Penalties	If occupants do not put out the bins / sacks by the required time, your waste may not be collected. You will need to make alternative arrangements. If you do not place items in the correct bins / sacks then your collection may be rejected. You will need to make alternative arrangements. Failing to abide by collection rules and leaving rubbish out can be classed as “nuisance and environmental anti-social behaviour”. Oxford City Council can issue fixed penalty fines of up to £150.
Tenant responsibilities:	Tenants are responsible for disposing of all rubbish / recycling in an appropriate manner and at the appropriate time, including at the end of tenancy. The HMO Management Regulations state occupiers must: <i>store and dispose of litter in accordance with the arrangements made by the manager.</i>
Manager (landlord and agent) responsibilities:	The manager (landlord) must— (a)ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal; and (b)make such further arrangements for the disposal of refuse and litter from the HMO as may be necessary, having regard to any service for such disposal provided by the local authority.

Appendix 4

APPENDIX 5: RENT RECIEPT TEMPLATE

Name of tenant	
Property address	
Date of payment	
For rental period:	
Amount paid	
Paid by	Cash / Cheque
Name of person receiving money (write name clearly)	
Signature of person receiving payment	
<i>This receipt must be given to the tenant and a copy kept by the licence holder. NB – a photo of the receipt will be accepted as “copy”</i>	

Appendix 5A

Appendix

Designation of an area for Selective Licensing

Oxford City Council - Designation of an Area for Selective Licensing No.2 20XX.

Oxford City Council in exercise of their powers under section 80 of the Housing Act 2004 ("the Act") hereby designates for selective licensing the area described in paragraph 4.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as Oxford City Council Designation for an Area for Selective Licensing No 2, 20XX
2. This designation is made on XXXX20XX and requires confirmation by the Secretary of State for Housing Communities and Local Government
3. This designation shall come into force on a date specified for this purpose by the Secretary of State for Housing Communities and Local Government and shall cease to have effect five years after such date.

DESIGNATION AND AREA

4. The Council hereby designates under section 80 of the Act as subject to selective licensing the area within the district of Oxford City Council shaded grey, excluding Holywell Ward, on the map at Annex A

Appendix 5A

Annex A – Paragraph 4: Map of Designated Area



(Please Note: The legislation cited below is up to date as at 19th January 2021 and may be subsequently amended).

Appendix 5A

APPLICATION OF THE DESIGNATION

5. This designation applies to any house¹ which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless –
- (a) the house is a house in multiple occupation and is required to be licensed under Part 2 of the Act²;
 - (b) the tenancy or licence of the house has been granted by a registered social landlord³;
 - (c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;
 - (d) the house is subject to a temporary exemption under section 86 of the Act; or
 - (e) the house is occupied under a tenancy or licence which is exempt under the Act⁴ or the occupation is of a building or part of a building so exempt as defined in annex b;

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.⁵

7. Oxford City Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation as required under section 232 of the Act.⁶

Head of Regulatory Services and Community Safety

Date: XXXX 20XX

¹ For the definition of “house” see sections 79 and 99 of the Act

² Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006 (SI 2006/371)

³ Section 79 (3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

⁴ Section 79 (4) of the Act and the Selective Licensing of Houses (Specified Exemptions) (England) Order SI 2006/370

⁵ Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order-see section 102.

⁶ Section 232 of the Act, regulation 11 of Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations SI 2006/373

Appendix 5A

The Secretary of State for Housing, Communities and Local Government under the power conferred on him by section 82 (2) of the Act hereby confirms the scheme described above

Signed

An officer authorised by the Secretary of State

Date

Annex B – Paragraph 5(d): Exempted Tenancies or licences⁷

Prohibition of occupation by law

1. A tenancy or licence of a house⁸ or a dwelling⁹ within a house where the house or the dwelling is subject to a prohibition order made under section 20 of the Act the operation of which has not been suspended under section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 and falling within any paragraph in Part I of Schedule 1 of that Act and which is:
 - (a) a business tenancy under Part II of the Landlord and Tenant Act 1954;
 - (b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises¹⁰;
 - (c) a tenancy under which agricultural land, exceeding two acres, is let together with the house¹¹;
 - (d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding¹².

⁷ See The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 2006/370

⁸ Sections 79 (2) and 99 of the Act

⁹ For the definition of a dwelling – see section 99 of the Act

¹⁰ See paragraph 5 of Schedule 1 of the 1988 Act as amended by section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003

¹¹ For the meaning of “agricultural land” section 26 (3) (a) of the General Rate Act 1967

¹² See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995

Appendix 5A

Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled¹³ by:
- (a) a local housing authority;
 - (b) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act;
 - (c) a fire and rescue authority under the Fire and Rescue Services Act 2004;
 - (d) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990.

Tenancies, licences etc regulated by other enactments

4. A tenancy, licence or occupation of a house which is regulated under the following enactments:
- (a) sections 87 to 87D of the Children Act 1989;
 - (b) section 43 (4) of the Prison Act 1952;
 - (c) section 34 of the Nationality, Immigration and Asylum Act 2002;
 - (d) The Secure Training Centre Rules 1998¹⁴;
 - (e) The Prison Rules 1999¹⁵;
 - (f) The Young Offender Institution Rules 2000¹⁶;
 - (g) The Detention Centre Rules 2001¹⁷;
 - (h) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001¹⁸;
 - (i) The Care Homes Regulations 2001¹⁹;
 - (j) The Children's Homes (England) Regulations 2015²⁰;
 - (k) The Residential Family Centres Regulations 2002²¹.

¹³ For the definition of "person managing" and "person having control" see section 263 of the Act

¹⁴ SI 1998/472 as amended

¹⁵ SI 1999/728 as amended

¹⁶ SI 2000/3371 as amended

¹⁷ SI 2001/238. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999

¹⁸ SI 2001/850

¹⁹ SI 2001/3965 as amended

²⁰ SI 2015/541

²¹ SI 2002/3213 as amended

Appendix 5A

Certain student lettings etc

5. A tenancy or licence of a house or a dwelling within a house –
- (i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and
 - (ii) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment²² and
 - (iii) the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under section 233 of the Act²³

Long leaseholders

6. A tenancy of a house or a dwelling within a house provided that –
- (i) the full term of the tenancy is for more than 21 years and
 - (ii) the tenancy does not contain a provision enabling the landlord (or his successor his in title) to determine it other than by forfeiture, earlier than at the end of the term and
 - (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by any members of either of those person's family.

Certain family arrangements

7. A tenancy or licence of a house or a dwelling within a house where –
- (i) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and
 - (ii) the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and
 - (iii) the person occupies the house or dwelling as his only or main residence (and if there are two or more persons at least one of them so occupies).

Holiday lets

8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person for the purpose of a holiday.

Certain lettings etc by Resident Landlord etc

9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with

²² See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2016 for the list of specified bodies

²³ The relevant codes of practice are approved under The Housing (Codes of Management Practice) (Student Accommodation) (England) Order 2010/2615 and specified in paragraphs 2 - 4 of that Order

Appendix 5A

the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

Interpretation

In Annex B -

- (a) a "person" includes "persons", where the context is appropriate;
- (b) a "tenancy" or "licence" includes "a joint tenancy" or "joint licence", where the context is appropriate;
- (c) "long leaseholder" in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to "tenancy" means a "long lease";
- (d) a person is a member of the family of another person if –
 - (i) he lives with that person as a couple;
 - (ii) one of them is the relative of the other; or
 - (iii) one of them is, or is a relative of, one member of a couple and the other is a relative the other member of the couple
and
 - (iv) For the purpose of this paragraph –
 - (1) "couple" means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex;
 - (2) "relative" means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin;
 - (3) a relationship of the half-blood is to be treated as a relationship of the whole blood and
- (4) a stepchild of a person is to be treated as his child

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Appendix

Designation of an area for Selective Licensing

Oxford City Council - Designation of an Area for Selective Licensing No.2 20XX.

Oxford City Council in exercise of their powers under section 80 of the Housing Act 2004 (“the Act”) hereby designates for selective licensing the area described in paragraph 4.

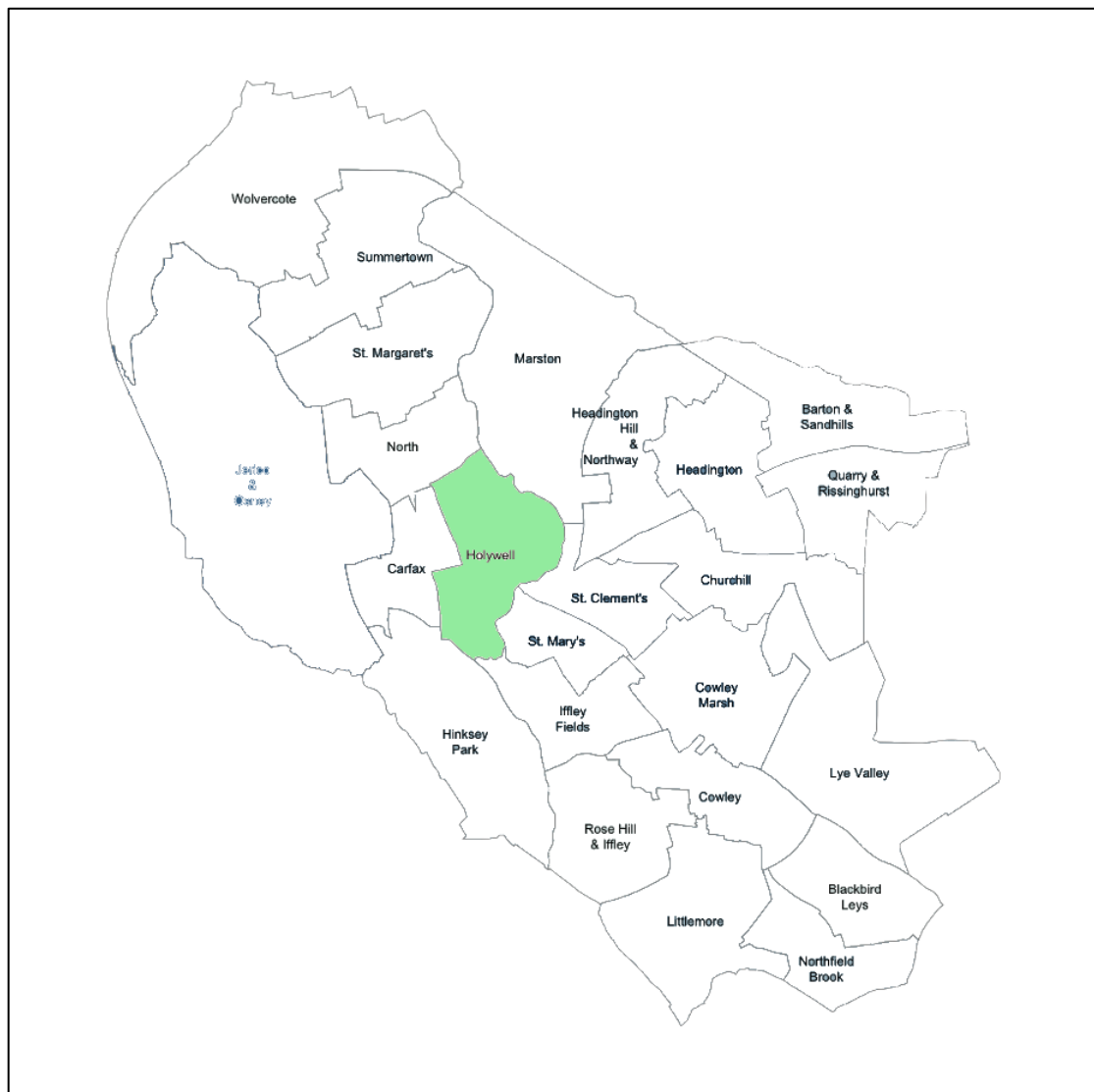
CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as Oxford City Council Designation for an Area for Selective Licensing No.2, 20XX
2. This designation is made on XXXX20XX and requires confirmation by the Secretary of State for Housing, Communities and Local Government
3. This designation shall come into force on a date specified for this purpose by the Secretary of State for Housing, Communities and Local Government and shall cease to have effect five years after such date.

DESIGNATION AND AREA

4. The Council hereby designates under section 80 of the Act as subject to selective licensing the area within the district of Oxford City Council which **is the area shown shaded in green**, on the map at Annex A

Annex A – Paragraph 4: Map of Designated Area



(Please Note: The legislation cited below is up to date as at 19th January 2021 and may be subsequently amended).

APPLICATION OF THE DESIGNATION

5. This designation applies to any house¹ which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless –
- (a) the house is a house in multiple occupation and is required to be licensed under Part 2 of the Act²;

¹ For the definition of “house” see sections 79 and 99 of the Act

² Section 55 of the Act defines which Houses in Multiple Occupation are required to be

- (b) the tenancy or licence of the house has been granted by a registered social landlord³;
- (c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;
- (d) the house is subject to a temporary exemption under section 86 of the Act; or
- (e) the house is occupied under a tenancy or licence which is exempt under the Act⁴ or the occupation is of a building or part of a building so exempt as defined in annex b;

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (e) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.⁵

7. Oxford City Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation as required under section 232 of the Act.⁶

Head of Regulatory Services and Community Safety

Date:XXXX 20XX

The Secretary of State for Housing, Communities and Local Government under the power conferred on him by section 82 (2) of the Act hereby confirms the scheme described above

Signed

An officer authorised by the Secretary of State

Date

licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006 (SI 2006/371)

³ Section 79 (3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

⁴ Section 79 (4) of the Act and the Selective Licensing of Houses (Specified Exemptions) (England) Order SI 2006/370

⁵ Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89. Note, if the house is not suitable to be licensed the Council must make an Interim Management Order-see section 102.

⁶ Section 232 of the Act, regulation 11 of Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations SI 2006/373

Annex B – Paragraph 5(d): Exempted Tenancies or licences⁷

Prohibition of occupation by law

1. A tenancy or licence of a house⁸ or a dwelling⁹ within a house where the house or the dwelling is subject to a prohibition order made under section 20 of the Act the operation of which has not been suspended under section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 and falling within any paragraph in Part I of Schedule 1 of that Act and which is:
 - (a) a business tenancy under Part II of the Landlord and Tenant Act 1954;
 - (b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises¹⁰;
 - (c) a tenancy under which agricultural land, exceeding two acres, is let together with the house¹¹;
 - (d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding¹².

Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled¹³ by:
 - (a) a local housing authority;

⁷ See The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 2006/370

⁸ Sections 79 (2) and 99 of the Act

⁹ For the definition of a dwelling – see section 99 of the Act

¹⁰ See paragraph 5 of Schedule 1 of the 1988 Act as amended by section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003

¹¹ For the meaning of “agricultural land” section 26 (3) (a) of the General Rate Act 1967

¹² See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995

¹³ For the definition of “person managing” and “person having control” see section 263 of the Act

- (b) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act;
- (c) a fire and rescue authority under the Fire and Rescue Services Act 2004;
- (d) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990.

Tenancies, licences etc regulated by other enactments

4. A tenancy, licence or occupation of a house which is regulated under the following enactments:
 - (a) sections 87 to 87D of the Children Act 1989;
 - (b) section 43 (4) of the Prison Act 1952;
 - (c) section 34 of the Nationality, Immigration and Asylum Act 2002;
 - (d) The Secure Training Centre Rules 1998¹⁴;
 - (e) The Prison Rules 1999¹⁵;
 - (f) The Young Offender Institution Rules 2000¹⁶;
 - (g) The Detention Centre Rules 2001¹⁷;
 - (h) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001¹⁸;
 - (i) The Care Homes Regulations 2001¹⁹;
 - (j) The Children's Homes (England) Regulations 2015²⁰;
 - (k) The Residential Family Centres Regulations 2002²¹.

¹⁴ SI 1998/472 as amended

¹⁵ SI 1999/728 as amended

¹⁶ SI 2000/3371 as amended

¹⁷ SI 2001/238. Section 66 (4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999

¹⁸ SI 2001/850

¹⁹ SI 2001/3965 as amended

²⁰ SI 2015/541

²¹ SI 2002/3213 as amended

Certain student lettings etc

5. A tenancy or licence of a house or a dwelling within a house –
- (i) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and
 - (ii) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment²² and
 - (iii) the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under section 233 of the Act²³

Long leaseholders

6. A tenancy of a house or a dwelling within a house provided that –
- (i) the full term of the tenancy is for more than 21 years and
 - (ii) the tenancy does not contain a provision enabling the landlord (or his successor his in title) to determine it other than by forfeiture, earlier than at the end of the term and
 - (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by any members of either of those person's family.

Certain family arrangements

7. A tenancy or licence of a house or a dwelling within a house where –
- (i) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence and
 - (ii) the person who has granted the tenancy or licence to occupy is the freeholder or long leaseholder of the house or dwelling and
 - (iii) the person occupies the house or dwelling as his only or main residence (and if there are two or more persons at least one of them so occupies).

Holiday lets

8. A tenancy or licence of a house or a dwelling within a house that has been

²² See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2016 for the list of specified bodies

²³ The relevant codes of practice are approved under The Housing (Codes of Management Practice) (Student Accommodation) (England) Order 2010/2615 and specified in paragraphs 2 - 4 of that Order

granted to the person for the purpose of a holiday.

Certain lettings etc by Resident Landlord etc

9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any amenity with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

Interpretation

In Annex B -

- (a) a "person" includes "persons", where the context is appropriate;
- (b) a "tenancy" or "licence" includes "a joint tenancy" or "joint licence", where the context is appropriate;
- (c) "long leaseholder" in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to "tenancy" means a "long lease";
- (d) a person is a member of the family of another person if –
 - (i) he lives with that person as a couple;
 - (ii) one of them is the relative of the other; or
 - (iii) one of them is, or is a relative of, one member of a couple and the other is a relative the other member of the coupleand
 - (iv) For the purpose of this paragraph –
 - (1) "couple" means two persons who are married to each other or live together as husband and wife or in an equivalent arrangement in the case of persons of the same sex;
 - (2) "relative" means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin;
 - (3) a relationship of the half-blood is to be treated as a relationship of the whole blood and
- (4) a stepchild of a person is to be treated as his child

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Appendix 6

Selective Licensing Licence Length Criteria

Examples that may lead to a one year licence:

- Previous civil penalty issued for Housing Act contraventions
- Entry on to national rogue landlord database;
- Prohibition Order or Improvement Notice served on property that is not yet complied with;
- Open investigation into contraventions of housing or landlord and tenant law e.g. illegal eviction and harassment, failure to comply with HMO law;
- Numerous justified¹ complaints received over the last two years regarding the licence holder and / or property demonstrating poor management;
- Evidence the property does not have planning permission for current use or open planning enforcement investigation²;
- Evidence that works undertaken at the property (or in any part of the property) does not have Building Regulation approval
- Serious concerns raised by other departments or partner authorities e.g Police/ASB team

¹ Justified complaint is one where the council have investigated and have evidence that supports the allegation and / or had to take action to resolve the issue.

² London Borough of Waltham Forest V Khan Neutral Citation Number: [2017] UKUT 153 (LC)
<http://www.bailii.org/uk/cases/UKUT/LC/2017/153.html>

Accreditation for Property Licensing Schemes

There is no legal requirement for a landlord to undertake training before offering a property for rent. Landlords and agents who voluntarily obtain accreditation do so because they wish to be recognised as a professional landlord.

The English Private Landlord Survey 2018 established that

- 52% landlords do not use a letting agent at all and only 9% landlords use a letting and management service from a letting agent³.
- 75% landlords did not belong to any landlord association⁴.

Conditions can be added to licences for landlords to attend training or development. However rather than require all landlords to attend training, Oxford City Council has taken the approach in the previous HMO licensing scheme that accreditation with Oxford City Landlord Accreditation Scheme (OCLAS) is used as an incentive to help improve standards.

There are 2 main purposes for encouraging landlords to become accredited

- Accreditation schemes are aligned with ensuring a good standard of accommodation for rent, which goes above the minimum legal standard.
- Professional operation and management of accredited properties should lead to a reduction in service demand.

This has resulted in 20% of Oxford City Council HMO licensed properties being managed by an accredited landlord or agent with a five year licence. There are a further 12% properties managed by an accredited agent however not holding a five year licence.

A review by Oxford City Council of other property licensing schemes has found that 63% councils' offer discounts associated with HMO licensing and this rises to 70% councils with selective licensing. Evidence suggests that using accreditation schemes as an incentive for licensing schemes does encourage membership of schemes – for example, 35% of licensed HMOs in the city are managed by an agent compared to the 9% found in the English Private Landlord Survey 2018.

The consultation exercise has demonstrated that “accreditation” is a popular incentive and supported by landlords and agents and landlord / agent organisations. Furthermore, it was proposed that “accreditation” should be expanded to include other national schemes. It is proposed to accept “accreditation” schemes that meet the “key requirements” listed below and that the Head of Service Regulatory Services and Community Safety has approval to revise this list in future (e.g. accept new schemes or remove schemes).

Key Requirements for acceptable Accreditation schemes

³ Ministry of Housing, Communities and Local Government January 2019 – English Private Landlords Survey 2018 Main report Point 1.23 page 20
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/775002/EPLS_main_report.pdf accessed 21/12/2020

⁴ Ministry of Housing, Communities and Local Government January 2019 – English Private Landlords Survey 2018 Main report Point 1.26 page 20
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/775002/EPLS_main_report.pdf accessed 21/12/2020

Appendix 6

As the purpose of this incentive is to ensure landlords and agents meet their legal requirements and “professionalise” the sector then the key requirements for accepted accreditation schemes are:

1. Initial training requirements set out below
2. Adherence to the scheme’s code of conduct covering the elements set out below

The proposed accepted accreditation schemes are listed below. This is divided in to “landlord” accreditation schemes and “agent – full management” accreditation in recognition of the differences between a landlord managing their own properties and agents who are employed by a landlord to manage their properties on someone’s behalf. During the licensing schemes other accreditation schemes can be included if they meet the criteria set.

It should be noted that the current OCLAS scheme requires properties to reach a Band D on the EPC (or for agents to state they will work towards Band D), this is a local agreement to align with the Council’s work on energy efficiency In order to accept other accreditation schemes, the council would need to accept that properties will only be at the current minimum statutory level (Band E).

Proposed Accreditation schemes

Landlord schemes	Full management service agent schemes*
(OCLAS) Oxford City Council Landlord Accreditation Scheme – existing members	ARLA (Association of Residential Letting Agents) Propertymark Protected Agency with one member Level 3 qualified (English law) (who has passed Disrepair and HMO element)
NRLA (National Residential Landlord Association) accredited member	Safeagent Protected Agency with one member Level 3 qualified (English law) (who has passed Disrepair and HMO element)
DASH (Decent and Safe Homes Scheme) (Midlands based scheme)	UK Association of Letting Agents (UKALA) with one member appropriately qualified (English law) (who has passed Disrepair and HMO element)
Accreditation & Training for Landlords and Agents Service (ATLAS) (includes London Landlord Accreditation Scheme and other local authority schemes in the south east)	National Code of Standards for Larger Developments for University Accommodation NOT managed or controlled by University Establishments
Midlands Accreditation Scheme / Homestamp	
*Agents act on behalf of landlords and so we believe they should reach a higher standard of accreditation than a landlord who manages their own properties. This reflects the recommendations of the Regulation of Property Agents Working Group. *To be eligible for the incentive on a specific property, agents must hold a full management agreement with the landlord Other schemes will be considered providing the scheme requires a code of conduct and training covers the elements outlined. Where a landlord is a member of a different scheme, the landlord will be asked to provide details of the scheme and a contact at the scheme so we can check scheme requirements. Schemes will be approved by the Head of Service (Regulatory Services and Community Safety) Rent Smart Wales is not included because it covers Welsh housing law and the same applies to Scottish / Irish based schemes.	

Appendix 6

Training requirements

To be accepted as an accreditation scheme, training required must cover the following elements:

Subject area	Elements to cover
Landlord and Tenant Law & related requirements	• Type of tenancies (common law, fixed term, periodic, lodgers, single / joint or separate) • Setting up a tenancy (references, guarantors, deposits, inventory) • Right to rent checks • Equalities Act / discrimination • Tenancy agreements –oral and written, unfair terms • Rent collection & how to deal with rent arrears • How to end a tenancy legally – section 8 & grounds for possession and section 21 process (correct notice, court order, bailiff) & illegal eviction. Return of deposits • Harassment • Permissions to let – insurance, mortgage, planning permissions • Council tax & utility payment
Repairs and maintenance	• Routine inspection & notice requirements for a landlord to enter and inspect • Common law repair obligations • Emergency repair provisions • Housing Health and Safety Rating System (what the system is, how to identify hazards, local authority enforcement provisions) • Fitness for Homes (what this is, legal obligations on landlords, tenants' enforcement provisions)
HMOs	• Definition of HMO under Housing Act s254 & s257 • HMO Management regulations
Property Licensing schemes	• Mandatory HMO Licensing • Additional HMO Licensing • Selective Licensing • Fit and proper person criteria
Safety required for letting	• Gas Safety certificates • Electrical safety certificate • Energy Performance Certificate & Minimum Energy Efficiency Standard • Smoke alarm & Carbon monoxide regulations

Agent accreditation schemes are also expected to cover: Health and Safety at Work, Contract Law, Employment Law, Data Protection, Client money protection, Customer Service and complaints procedures.

Codes of Conduct

To be accepted as a LANDLORD accreditation scheme, the code of conduct must be based on the Private Rented Sector Code⁵. This code was developed by letting agency industry to ensure:

- good-quality homes for rent
- consistent and high standards of management
- choice for the consumer.

Codes of conduct should reflect the following elements (it is accepted elements may not be stated exactly as below):

- 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 To 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.

⁵ Private Rented Sector Code, 1st Edition <https://www.rics.org/uk/upholding-professional-standards/sector-standards/real-estate/private-rented-sector-code-1st-edition/>

Oxford City Council - Criteria for Block licences

Block licences

The Housing Act 2004 Part 3 s79 (2) states that selective licensing applies to a house if:

- The whole of it is occupied under a single non-exempt tenancy or licence; or
- The whole of it is occupied under two or more non-exempt tenancies or licences in respect of different separate dwellings within the building.

The majority of licences will be for individual properties, typically houses, where the whole house is occupied under a single tenancy – falling under the first requirement.

However, there may be some circumstances where residential blocks contain individually let dwellings, i.e. blocks of self-contained flats / studios – falling under the second requirement. It is therefore possible to grant **one** licence covering separate dwellings – a “block” licence.

- This does not apply to buildings which are classed as HMOs under section 257 – a building converted into and consisting of self-contained flats where the conversion does not meet Building Regulations. Such HMOs will require an HMO licence and the rented dwellings within it will require either an individual selective licence or an HMO licence if it is a “flat in multiple occupation”.
- A “block licence” will typically be applicable to purpose built blocks of flats or conversions that comply with Building Regulations (certified by a valid completion certificate).

A block licence is applicable where all of the following criteria are met:

- each of the dwellings are separate dwellings (usually self-contained flats), within the same building; and
- each of the dwellings are occupied under “non-exempt tenancies” and no dwellings are occupied as an HMO; and
- each of the dwellings are within common ownership and management control (i.e. the freehold and leasehold is the same).

It is open to an applicant (which is usually, but not invariably, the landlord) to apply for a “block” licence where the applicant considers that each of the above conditions is met. Where such an application is made to the Council it **may** grant such a Block Licence where it is satisfied that:

- the conditions set out above are met; and
- there are no other contra-indications that would mean that such a Licence should not be granted, such as those detailed in the ‘Determining Licence Applications - Fit and proper person checks and associated issues’ document

Appendix 6

Reasons to adopt block licence fees

Issuing a “block licence” has advantages because of inspection efficiencies - inspecting multiple flats in one block, owned by one person, is easier to arrange and a sample of flats can be expected (one would expect all flats to be of similar standard). Any items of disrepair may need to be undertaken for the whole block.

Issuing a block licence gives the advantage that Oxford City Council can impose conditions relating to the management of the whole block rather than simply restricted to the individual dwelling – for example, the fire alarm system would cover the whole block and waste management may be undertaken differently.

Inspection of block licences

All block licences will be classified as “high priority” for inspection due to the higher number of occupants in a residential block. This is to ensure good management. The common parts and a sample of the flats would be inspected, in conjunction with Oxfordshire Fire and Rescue Service (if necessary) due to the overlap with the requirements of The Regulatory Reform (Fire Safety) Order 2005. Following inspection, it may be necessary to add additional conditions.

Fees

The application fee is charged in two parts – stage one reflects the processing costs, and stage two reflects the wider operational and enforcement costs. Given one reason to issue a block licence is due to increased efficiency with processing and inspection, this should result in lower licence fees. As with other fees, the discount will be determined as part of the licence processing and applied to the stage two payment will be discounted. The early bird and accreditation discounts still apply.

- Stage one fee – applicable stage one fee for each dwelling
- Stage two fee – applicable stage two fee for first dwelling paid in full then subsequent dwellings applicable stage two discounted by £60.

At this stage it is unknown how many “blocks” with multi properties within them that meet the above criteria, requiring a licence, exist in the city and therefore the impact of this discount and the work associated with this type of property is to be kept under review and subject to the annual fees and charges review.

Student blocks – non HMO

Student accommodation that consists of individual self-contained units with no sharing of facilities would fall under this policy where the building is managed by an organisations signed up the National Code of Standards for Larger Developments for University Accommodation NOT managed or controlled by University Establishments. This is a stringent code and comes with its’ own inspection and audit regime.

These student blocks will have a flat fee of £280.

Appendix 6

Table 1 – Examples of fees for block licences

Number of flats	Application type	Stage One fee	Stage two fee	Total fee	Individual licence comparison	Saving
5	Standard	£178 x 5 dwellings = £890	First flat charged at £302 Remaining dwellings £302 - £60 = £242 £242 x 4 dwellings = £968 Stage 2 total: £1,270	£2,160	£480 x 5 dwellings = £2,400	£240 (10%)
5	Early bird	£178 x 5 dwellings = £890	First flat charged at £222 Remaining dwellings £222 - £60 = £162 £162 x 4 dwellings = £648 Stage 2 total: £870	£1,760	£400 x 5 dwellings = £2,000	£240 (12%)
5	Accredited	£178 x 5 dwellings = £890	First flat charged at £102 Remaining dwellings £102 - £60 = £42 £42 x 4 dwellings = £168 Stage 2 total: £270	£1,160	£280 x 5 dwellings = £1,400	£240 (17%)

Appendix 7

Proposed Selective Licensing fee structure

The proposed fees are shown in Table 1. Concerns were raised that fees were “too high”. The fee charged for accredited landlords has been reduced.

Table 1: Fees						
Category	Licence length (years)	Description	Criteria applied	Stage 1	Stage 2	Total
Standard New Application	Five	Standard fee	- Months 0 to 3 – early bird / accredited applications where requested documents not completed or Stage Two fee was not paid on time as requested - Months 4 to 12 from designation start date = standard charge - Year 2 onwards – where the property is newly acquired and the application is made within 12 weeks of the acquisition date	£178	£302	£480
Early Bird New Application	Five	Made within 3 months of start of scheme	- All requested documentation is submitted with application and is satisfactory and - Stage Two fee paid on time as requested	£178	£222	£400
Accredited New Application	Five	Where accreditation applies	- Licence holder or full managing agent is accredited and - All requested documentation is submitted with application and is satisfactory and - Stage Two fee paid on time as requested	£178	£102	£280
Higher rate New Application	One or Five	Applicable from Year 2.	Where landlord is unable to demonstrate property is newly acquired or first tenanted within 12 weeks of application date	£539	£569	£1100
Renewal	One or five	Charged for renewal application	- Applicable from year 2 - All renewal applications	£86	£45	£131

Appendix 7

Requested documentation

- Gas safety certificate dated within last 12 months (unless no gas at property);
- Electrical installation condition reported dated within last five years;
- EPC demonstrating property is Band E dated within last 10 years or confirmation the property has been listed on exemption register;
- Statement there are smoke alarms / detectors installed on each landing and kept in proper working order (self-declaration is sufficient and this will be a discretionary question on the application form)
- Statement that there is a carbon monoxide detector in any room with a solid fuel burning appliance and kept in proper working order (self-declaration is sufficient and this will be a discretionary question on the application form)
- Statement that any electrical appliances were supplied in a safe condition (self-declaration is sufficient and this will be a discretionary question on the application form)
- Statement that any furniture was supplied in a safe condition (self-declaration is sufficient and this will be a discretionary question on the application form)
- Statement that the occupants have been given a written statement of the terms of their occupation (i.e. a tenancy agreement) (self-declaration is sufficient and this will be a discretionary question on the application form)
- Confirmation of accreditation (for accredited applications only) (discretionary question on the application form and further document may be requested).

Appendix 7

Costs included with licence fees

Table 2: Costs included in fees

STANDARD NEW APPLICATION

This our standard cost for a new application.

This includes

- the time to process the application;
- a charge towards an inspection – selective licences will be “risk rated” to determine those requiring inspection. Therefore, the cost on inspection is split across all licences.
- general scheme costs - this charge is added to all licences to reflect ongoing costs associated with licensing, such as general enquiries, variations, revocations, temporary exemptions, landlord educational events,
- compliance and enforcement charge – this charge is added to all licences to reflect ongoing costs associated with compliance and enforcement such as contribution towards inspection, ongoing auditing of documents and compliance checks.

EARLY BIRD APPLICATION

This is available to landlords that apply within the first three months where all requested document is provided

This includes the charges as per the STANDARD application. A discount has been applied to reflect that all requested documents were provided with the application, thereby reducing the compliance and enforcement needed for the particular property.

ACCREDITED APPLICATION

This is available to landlords through the scheme.

This includes the charges as per the STANDARD application. A discount has been applied to reflect that an accredited landlord will be compliant – we expect all requested documents to be provided with the application and trust they will supply new documentation as needed (e.g. gas certificate is supplied each year to us without prompt), we trust they manage their houses and so there is no need for inspection.

HIGHER RATE APPLICATION

This application will be charged for Year 2 onwards where landlords fail to demonstrate they newly acquired the property / newly rented.

This includes the charges as per the STANDARD application.

An enforcement charge has been added to reflect the fact the landlord cannot prove they have just acquired / first rented the property – they have avoided licensing. The council undertakes proactive enforcement work to find unlicensed homes – a portion of this costs is included in the application.

RENEWAL APPLICATION

This category is for a RENEWAL licence - it is our standard cost for a renewal application.

This includes the time to process the application.

There are no additional charges as these were paid in the first application.

Appendix 7

Refunds

Table 3: Refund criteria <i>The retained amount covers administration costs</i>		
Application Type	Circumstance	Refund
New or Renewal application:	Property did not require a selective licence at the time the application was made and still does not require one. <i>Landlord may be required to submit documentary evidence</i>	Stage one payment – full refund Stage two payment – full refund
New application:	Property has ceased to require a selective licence since application was made and intention notice not yet issued.	Stage one payment – amount paid minus xx
New application:	Property has ceased to require a selective licence since application was made. Intention notice issued however decision notice not yet issued	Stage one payment – nil Stage two payment – full refund
Renewal application:	Property has ceased to require a selective licence since application was made. Intention notice not yet issued	Stage one payment – amount paid minus £50
Renewal application:	Property has ceased to require a selective licence since application was made. Intention notice issued however decision notice not yet issued	Stage one payment – nil Stage two payment – full refund
New or renewal application	Intention notice issued. Stage two not paid. Application withdrawn by Council.	Stage one payment – amount paid minus £20
Revocation of licence (new or renewal licence)	After decision notice is issued	Stage one payment – nil Stage two payment – nil
Overpayment of fees	Where a landlord has overpaid fees, then any overpayment on stage one will be transferred to stage two and then any remaining difference will be refunded. Stage two overpayment then any difference will be refunded.	Stage two – difference refunded

Appendix 7

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Appendix 8

Appendix 8: Risk Register

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
Income generation not as predicted	Applications reduced or increased and not as predicted	O/T	Income is based on predicted numbers from review of Selective licensing - true numbers will not be known until licensing starts	resources not being matched to demand	Jan 2021	Gail Siddall	3	3	3	2	2	2	Build in flexibility in staffing to increase/decrease if scheme income and costs are out of balance	Provide Net zero budget. Budget based on predicted workload on annual basis and ensure resources aligned				
Scheme not approved	Secretary of State must approve the scheme before it can be implemented	T	The Council do not make a compelling enough case for the introduction of selective licensing	Regulation of the sector would continue to be piecemeal and operated on a reactive basis - leaving many occupiers in the private rented sector living in poor housing conditions. Rogue/criminal landlords would be able to continue to operate with limited resources available to tackle poor practices in a fair and consistent manner	Jan 2021	Gail Siddall							City wide schemes have recently been turned down by the Secretary of State	Ensure that the evidence presented to the Secretary of State provides clear evidence of the need for selective licensing to tackle the poor conditions experienced in the private rented sector throughout the city.				
legal challenge / judicial review	The decision to introduce a selective licensing scheme could be subject to a legal challenge via a Judicial Review	T	Statutory requirements not met. Insufficient resources provided to fulfil requirements. Insufficient evidence base. Lack of wider consultation	The time table for introducing the scheme would be altered and extra unbudgeted spending would be required to defend the legal challenge.	Nov 2020	Gail Siddall	3	3	3	2	2	2	A number of challenges have been brought against councils introducing property licensing schemes - for various reasons with varying success	External experts have been employed to ensure that consultation exercise has been undertaken widely - all statutory requirements have been met and robust evidence for proving need for scheme provided				
Insufficient evidence base	The consultation project does not provide sufficient evidence to support an approach for the future of the scheme or is undertaken in an unrealistic timeframe.	Opp and Threat	Lack of interest; insufficient marketing, promotion, inaccurate targeting of audience. Affected by COVID-19 pandemic aftermath	The consultation exercise does not ensure all stakeholders in the private rented sector, including those living within the sector, have a voice. This could lead to uneven responses and insufficient evidence of the need for a scheme.	Mar 2020	Gail Siddall	3	3	3	2	2	2		Ensure that statutory consultation period is satisfied and undertaken at an appropriate time. Independent consultation supplier with appropriate skill base and resources used to carry out consultation to reach all stakeholders				
Recommendations not approved	The recommendations of the report are not approved	Threat	Insufficient support from members to proceed with statutory consultation	Scheme will not proceed and problems in private rented sector will continue to be dealt with reactively	Mar 2020	Gail Siddall	3	2	3	2	2	2		Review and implement appropriate consultation project and ensure requirements of legislation fulfilled.				

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 fulfil requirements. Insufficient evidence base. Lack of wider consultation	Scheme will not proceed until legal challenge resolved	Mar 2020	Gail Siddall	3	3	3	2	2	2		Ensure that statutory requirements for proving the case for selective licensing is robust and are met and that sufficient resources provided to undertake comprehensive consultation.				
Changes to Government Policy	Change in government policy in relation to Selective licensing schemes which require their approval	Threat	The COVID 19 pandemic may reduce the appetite for regulatory activity including the introduction of discretionary licensing schemes	The government may not approve the scheme or require further evidence from the council	January 2021	Gail Siddall	4	3	4	3	4	3	Government policy will be kept under review throughout the consultation period.	If policy is changed officers will review and inform cabinet				
IT system	The number of applications expected in year 1 will require a robust and tested application processing system	Threat	The current system is not designed to cope with a large number of applications. It requires manual transference of data from one system to another.	Applications not processed in timely manner and staff input into processing will be increased leading to further costs. Reputational damage to the scheme will occur if licences are delayed.	January 2021	Gail Siddall/Mic helle Iddon	3	4	3	4	3	4	The Council is implementing a robotic system to improve efficiencies in the applications process -	The robotic processing is being introduced before selective licensing (if agreed) will be implemented, giving the opportunity to test the system.				
Impacts on the housing market	The rollout of selective licensing may have some unintended impacts on the housing market	Threat	Selective licensing will be used to enable the improvement of standards in the PRS. Landlords will need to pay for a licence, and some landlords will need to invest in their properties to comply with minimum statutory standards. The scheme will also drive financial transparency in the sector, which will not be welcomed by all Landlords.	Some landlords may exit the market and others will rely more on professionals to manage their stock. Others may use the scheme as a reason to justify increasing rents which could impact affordability in the housing market.	Jul-20	Gail Siddall/ Nerys Parry	4	3	4	2	3	2		Close working between Regulatory Services and Community Safety and Housing Services to ensure impacts on the housing market, tenants and prospective PRS tenants are considered, closely monitored, and responded to throughout the design process, and into implementation (if licensing goes ahead). Consider how selective licensing and the council's PRS access schemes align (such as Homechoice), to ensure homeless families can access the PRS.		Ongoing		Gail Siddall/ Nerys Parry

Appendix 9



Form to be used for the Full Equalities Impact Assessment

Service Area: Regulatory Services and Community Safety		Section: HMO Enforcement Team	Date of Initial assessment: 15 th January 2020	Key Person responsible for assessment: Gail Siddall	Date assessment commenced:
Name of Policy to be assessed:			Introduction of a Selective Licensing Scheme for Oxford		
1. In what area are there concerns that the policy could have a differential impact			Race	Disability	Age
			Gender reassignment	Religion or Belief	Sexual Orientation
Other strategic/ equalities considerations			Safeguarding/ Welfare of Children and vulnerable adults	Mental Wellbeing/ Community Resilience	Homelessness Reduction
2. Background: Give the background information to the policy and the perceived problems with the policy which are the reason for the Impact			Oxford City Council maintains a reactive approach to improving the standards of properties in the Private Rented Sector (PRS). The council has worked on numerous other initiatives within the city to achieve, yet despite our efforts the PRS has the highest amount of significant hazards within properties. Through our Additional and Mandatory schemes for Houses in Multiple Occupation (HMO) HMO property standards have been improved and as such the council is exploring expanding on these successes with the introduction of a Selective Licensing Scheme. Selective licensing is		

Appendix 9

Assessment.	similar to our existing schemes but would have the scope expanded to include all properties in the PRS in any area we designate. As Oxford has one of the highest percentage of residents living in the PRS any changes have the potential to impact a large number people. Should landlords choose to remove properties from the PRS to avoid the scheme, or choose to carry on illegally this could potentially place vulnerable tenants and children at risk of living in poor accommodation.
3. Methodology and Sources of Data: The methods used to collect data and what sources of data	The data used to support the councils exploration of selective licensing has been drawn from existing internal data sources including property, council tax, electoral roll and service request information. This has been supplemented by freely available data from the ONS and energy performance data. Feedback received from the consultation has also been used to determine the policy.
4. Consultation This section should outline all the consultation that has taken place on the EIA. It should include the following. • 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 light of the	A statutory consultation exercise between 10th September 2020 and 31st December 2020 has taken place. The results and methodology and the Council's response are included in the main report. Following the comments received which have been considered, actions have been proposed to address issues raised and these include • Simplifying the fee structure • Introducing an updated and streamlined application process. • Revising the discretionary licence conditions • Widening the acceptable accreditation schemes to beyond OCLAS • Providing templates for licence holders to assist them in communicating with tenants • Development of a communications plan for Property Licensing to include revision of webpages and a Private Sector Newsletter, to encourage both landlords and tenants to adopt good practice.

Appendix 9

257

responses you received. • A statement of what you plan to do next	
5. Assessment of Impact: 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	The main aim of a selective licensing scheme is to improve property management in the private rented sector, therefore there will be a direct impact on those residents accommodated within the sector. Selective licensing will bring about the following benefits : • Protects vulnerable tenants by improving property/ living conditions in the sector. Proactive inspections by the council can also identify issues such as safeguarding/trafficking which would not be as easily identified if operating a reactive service. • Licence holders and those involved with the management of licence properties have to be “fit and proper” and suitable management arrangements need to be in place. This make landlords responsible for proactively managing their properties and will assist in raising standards. People from different ethnic groups Property in the PRS is occupied by a diverse population. Such communities can be particularly affected by overcrowding, illegal accommodation, substandard conversions and poor management. Potential benefit: Selective Licensing would bring improved quality and safety of accommodation for BAME tenants living and assist in the identification and removal of landlords who cause negative impact to vulnerable BAME or new communities via substandard or illegal accommodation. This would also be a benefit to all compliant landlords as it would ensure all landlords are operating within the legislative framework. Children and Vulnerable Adults – the licensing scheme will have a positive benefit on the safeguarding of children and vulnerable adults as the fit and proper test will prevent persons managing or being a licence holder who has convictions for sexual offences, drugs, fraud etc Potential adverse impact: (a) Landlords In regulating hazards in privately rented properties, 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

Appendix 9

258

	The Council does not currently record the ethnicity of landlords on applications, however it is recognised that landlords were of South Asian (Indian and Pakistani) heritage form a significant part of the landlord community and will be affected by any adverse impacts as all landlords will be. (b)Tenants Concern has been raised that licensing could cause an increase in rents as a result of the increased landlord expenditure on the licence fee and the costs of complying with licensing conditions being passed onto the tenant. Overall, the additional cost of the licence fee to landlords is considered to be small as a proportion of rental income, especially across the term of the licence it should not equate to more than a few pounds per week for compliant landlords
6. Consideration of Measures: This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy	Alternatives to the introduction the scheme have been suggested during the consultation exercise. These suggestions have been considered and can be found in the main report. The majority of alternatives are based on increasing the use of the existing powers the Council already have in tackling poor conditions, this will rely upon tenants making complaints to the Council, it is the experience of the Council that tenants in the private sector do not do this.
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 positive impact of the scheme - improved property conditions, safety, tenancy management, community relations and reduced ASB - can be continually improved via monitoring and enforcement action against non-compliant landlords Ongoing liaison and engagement directly with and with groups representing landlords, tenants and their component communities will be undertaken to ensure engagement with a broad range of stakeholders. Issues of communication and understanding in respect of learning from the existing licensing scheme and for any new scheme will be factored into operational delivery. It is felt that overall the benefits of selective licensing outweigh the potential disadvantages; it is believed will have a positive impact on the groups that live in the private sector , including vulnerable, low income or otherwise economically disadvantaged

Appendix 9

7. Date reported and signed off by Cabinet:					
8. Conclusions: What are your conclusions drawn from the results in terms of the policy impact					
9. Are there implications for the Service Plans?	YES/NO	10. Date the Service Plans will be updated		11. Date copy sent to Equalities Lead Officer	
13. Date reported to Scrutiny and Cabinet		14. Date reported to Cabinet		12. The date the report on EqlA will be published	

Signed (completing officer) Gail Siddall

Signed (Lead Officer)

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

Equalities Lead Officer
Service Manager
Legal Services Manager

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To: Cabinet
Date: 10 March 2021
Report of: Head of Regulatory Services and Community Safety
Title of Report: Additional HMO licensing scheme renewal

Summary and recommendations	
Purpose of report:	The report provides the results from the consultation exercise carried out for the proposal to renew 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 on the 10 th June 2021
Key decision:	Yes
Cabinet Member:	Councillor Alex Hollingsworth, Cabinet member for Planning and Housing Delivery
Corporate Priority:	More Affordable Housing.
Policy Framework:	Housing Strategy
Recommendations: That Cabinet resolves to:	
Note the Executive summary report of the Consultation of Licensing of Houses in Multiple Occupation (HMO) 2020 and note its findings attached at Appendix 1; Confirm that, having considered the report of the consultation along with the <i>Review report: Additional HMO licensing scheme 2020</i> presented to the 9th September 2020 Cabinet meeting, an Additional HMO licensing scheme is required for a further 5 years commencing the 10th June 2021; Designate the whole of the City as subject to additional licensing under section 56(1) (a) of the Housing Act 2004 for all 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; Delegate to the Head of Regulatory Services and Community Safety the	

authority to sign and finalise the designation at Appendix 10;

5. **Recommend** to Council to adopt the proposed fees and charges structure for both mandatory and additional HMO licences attached at Appendix 6; and
6. **Adopt** the eligibility criteria for the new scheme as attached at Appendix 4 and Appendix 5 and delegate to the Head of Regulatory Services and Community Safety the authority to add or remove accreditation schemes, in consultation with the Head of Law and Governance.

Appendices	
Appendix 1	Executive Summary Report – Consultation
Appendix 2	Comparison of Consultation methods
Appendix 3	Council’s response to representations
Appendix 4	Eligibility Accreditation schemes
Appendix 5	Multi- year HMO licence criteria
Appendix 6	Fee Structure
Appendix 7	Scheme Conditions
Appendix 8	Equality Impact Assessment
Appendix 9	Risk Register
Appendix 10	Scheme Designation

Introduction and background

1. The Council has operated an additional HMO licensing scheme since 2011 which requires all HMOs to be licensed, with a renewal being implemented in 2016 for a scheme that expired on the 24th January 2021. There is a legal requirement to review a licensing scheme and the formal review took place in 2020.
2. A report was taken to the 9th September 2020 Cabinet which outlined the results of the review of the Additional HMO licensing scheme. The report also outlined the importance of the additional HMO licensing scheme to the wider Housing Strategy of tackling poor conditions and poor management practices in the private rented sector, which is linked to the Council’s priority of “meeting housing needs”.
3. The Cabinet concluded that the report showed that a significant proportion of HMOs in the Council’s area were being managed ineffectively so as to give rise to one or more problems, whether for HMO occupants or others in the community. With regard to the HMO properties in the area, 45% fall outside of the national requirement for a licence. In particular, the report demonstrated that the poor management of HMOs was causing:
 1. tenants to live in unsafe conditions as on first inspection almost 40% of HMO licences require conditions to be added to complete works to improve the property. On re-inspection 53% of those HMOs subject to Additional Licensing were found to be non-compliant;
 2. tenants to be at risk of landlords not providing even basic safety checks as 20% landlords fail to submit safety certificates e.g. gas safety

certificate, electrical installation condition certificate, smoke detection / fire alarm testing certificate or energy performance certificate.

3. problems for tenants and residents, with 36% of cases related to those HMOs subject to Additional Licensing. These service requests relate to noise / anti-social behaviour, planning problems, environmental nuisance (e.g. waste management problems), poor conditions and tenancy relation issues (illegal eviction, harassments, tenancy related enquiries);
4. failure to abide with planning legislation, with 60% of all planning enforcement notices relate to HMOs
4. Cabinet was satisfied therefore that the statutory conditions had been met to implement a discretionary licensing scheme, and instructed officers to proceed with a statutory consultation. The improvement of the condition and management of HMOs remains a key objective for the Council.
5. The Council initially commenced the consultation on the 10th September 2020 for a period of 12 weeks, but this period was extended due to the COVID-19 pandemic and November lockdown, concluding on the 31st December 2020 after a total period of 16 weeks. The results of the consultation exercise are summarised in this report and the consultation report is attached in Appendix 1.

Key findings from the Consultation exercise

6. The Council appointed an independent research consultant to undertake the exercise required by section 56(3) of the 2004 Act. The Council had careful regard to the requirements of section 56(3) and to the requirements of lawful consultation. The exercise covered the renewal of the HMO licensing scheme alongside the proposal to introduce a selective licensing scheme, which is subject to a separate report on the agenda. The Executive Summary report can be found in Appendix 1.
7. The initial consultation exercise was extended due to the second national lockdown being introduced in November 2020. The exercise was extended until the 31st December, which allowed more time for respondents to give feedback and for a further online event for landlords and agents to be undertaken.
8. A range of techniques were used for the consultation, which included an online questionnaire, stakeholder interviews, resident and tenant interviews and 4 events for landlords and agents. Paper questionnaires were also available, with 138 sent out. Unfortunately, due to the restrictions in place in relation to the COVID-19 pandemic, face to face interviews / forums were not undertaken as part of the exercise; however meetings were held using a digital platform and were well attended.
9. An analysis of the methods used by other authorities undertaking similar consultation exercises prior to the COVID 19 pandemic, and the responses to their consultations, has been undertaken. It can be seen that the consultation undertaken by the Council has had comparable, if not better responses with the methods used in its consultation. See Appendix 2
10. The response to this consultation has been around 5 times greater than the response to the previous consultations carried out by the Council in relation to licensing schemes, with a 96% increase in responses from landlords and agents to this consultation exercise compared with the consultation carried out in 2015.

11. In total the Council received 1,987 questionnaires and 53 written submissions. The breakdown of the respondents via the questionnaire is shown in Table 1 below. There were 4 virtual events for landlords and agents which were attended by 148 participants. 10 local tenants and residents, recruited from across the city, attended a virtual focus group and 11 in-depth interviews were undertaken with stakeholder organisations.

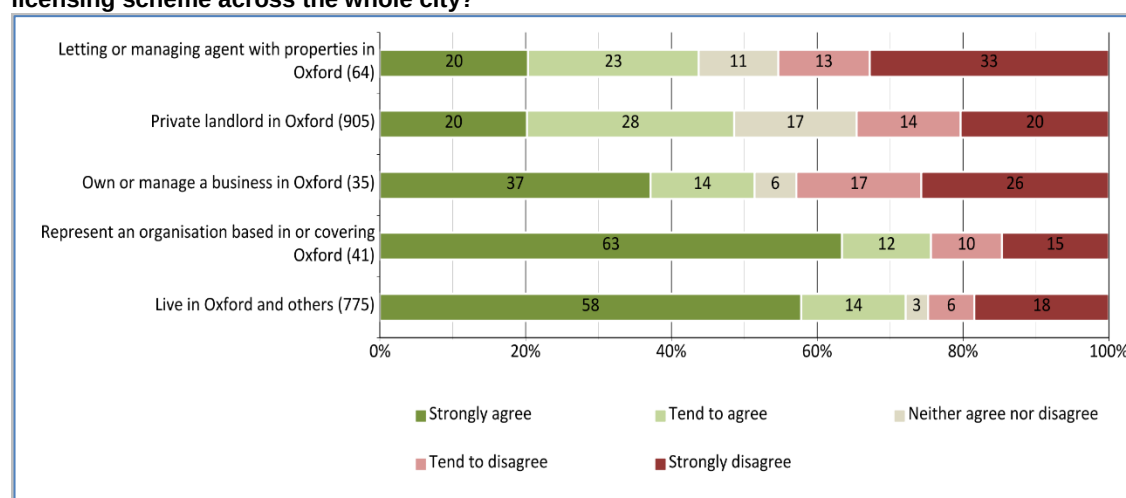
Table 1: Consultation questionnaire completions by type of respondent (Note: Percentages may not sum to 100% due to rounding)

Stakeholder type	Count	% Valid responses
Letting or managing agent with properties in Oxford	70	4%
Private landlord in Oxford	1,012	51%
Own or manage a business in Oxford	38	2%
Represent an organisation based in/covering Oxford	41	2%
Live in Oxford	764	38%
Other respondents	62	3%
Total responses	1,987	100%

12. The consultation demonstrated that 71% of organisations, 64% of residents and 50% of agents believe the HMO licensing scheme has improved properties – 45% landlords also agreed there were improvements.

13. The consultation demonstrated that 76% of organisations 72% of residents / other respondents were in favour of renewing the Additional Licensing scheme. Around half of landlords (49%) agreed with the proposal to renew, although 35% of landlords disagreed. More than two fifths of agents (44%) agreed; however, a more-or-less identical proportion (45%) disagreed.

To what extent do you agree or disagree with the Council's proposal to renew the current additional licensing scheme across the whole city?



14. The consultation also asked respondents whether stopping the scheme would have a positive or negative impact. Around four in five of those responding on behalf of organisations, and almost three quarters of residents and other

respondents, felt that that not continuing the scheme would be likely to lead to a negative impact in their area. More than half of those responding from businesses also shared this view. There was no particular consensus among landlords and agents. Nearly half of landlords (48%) and just over two fifths of agents (42%) felt that not renewing the scheme would lead to negative impacts, although similar or identical proportions (44% of landlords and 42% of agents) did not foresee any impacts. The Council is satisfied that there is support for renewal of the Additional Licensing scheme and that not renewing the scheme would likely lead to negative impacts.

15. The Council must consider any responses received in relation to the consultation, in accordance with section 56(3) of the 2004 Act. Having carefully considered the responses the Council's detailed response to them is provided in Appendix 3.
16. A number of changes have been made to the proposed HMO licensing scheme as a result of the consultation which are detailed below.

Eligibility criteria

17. There are financial benefits to being an accredited landlord and both letting agents and landlords wanted wider eligibility for that status. The Council recognises that its own accreditation scheme has resource limitations and that there are advantages to having greater eligibility for the better landlords as long as quality is not compromised. It is therefore proposed that a wider range of organisations are accepted, and the proposed changes are contained in Appendix 4. Simply being a member of a landlord or trade organisation is not sufficient and there has to be a training element to the accredited status. As other schemes may subsequently be considered suitable and existing schemes less so, upon review, it is considered that delegated powers to add to and remove schemes from the list should be delegated to the Head of Regulatory Services and Community Safety, subject to approval by the Head of Law and Governance who can consider the potential legal issues arising from such decisions.
18. There was positive feedback in relation to the current scheme multi – year licence approach, where compliant landlords are able to be granted longer licences and therefore are not paying the same as those landlords who are not compliant with the scheme. Therefore the eligibility for multi – year licences will remain the same as that in the previous scheme see Appendix 5

Fees

19. There was feedback from landlords regarding the proposed fees and this is dealt with in detail in the financial implications part of the report. The Council has had careful regard to the Court of Appeal's decision in *R (Gaskin) v Richmond upon Thames LBC* and has structured the proposed fees accordingly. The feedback has been broadly accepted and incorporated into the proposed fees in Appendix 6.

Licence Conditions

20. All HMO licences, whether requiring a mandatory HMO licence or an Additional Scheme HMO licence, are issued with conditions. The same licence conditions will be applied to mandatory licensable HMOs (those with five or more occupants) and additional licence scheme HMOs. The conditions can be mandatory conditions, which must be included under the Housing Act 2004, standard discretionary conditions, which the Council considers appropriate to be attached to all licences,

and those conditions which are specific to the licensed property to address issues such as fire safety, disrepair and poor management. See Appendix 7

21. The consultation demonstrated that 77% of organisations, 73% of residents / other respondents and a little under half of landlords and agents (44% landlords, 47% agents) agreed with the proposed HMO licensing conditions. However, specific concerns were raised with regard to conditions relating to:

- Anti-social behaviour – many landlords, agents and a group representing tenants in the city thought it was not appropriate to require landlords to include a condition in their tenancy agreements in relation to anti-social behaviour, or make them “responsible”.
- Waste management – many landlords thought it was not appropriate to make them responsible, and tenants raised the point that the tenancy agreement makes them responsible for waste management.

23. The response to feedback received during the consultation exercise regarding the proposed licence conditions can be found in Appendix 3. Changes have been made to conditions relating to:

- Anti-social behaviour – the requirement to include a condition in tenancy agreements has been removed as has the standard discretionary condition relating to anti- social behaviour. The Council will include a condition if required at a specific HMO.
- Waste management – this is a mandatory condition, however we have revised the wording of the condition to make it clear the landlord is responsible for the provision of waste management receptacles at the start of the tenancy and for dealing with problems during or at the end of the tenancy, and that tenants are also responsible during tenancy.

24. The Council have undertaken a benchmarking exercise with other local authorities and have reviewed the standard discretionary conditions. Each HMO Licence will now contain 29 conditions (both mandatory and discretionary). Whilst 29 conditions may seem high, it is a comparable number to those imposed by other authorities with the average being 34 conditions. The new conditions reflect concerns raised by tenants about including conditions on rent receipts and property inspection, as well as rewording others to make them clearer for landlords and tenants

Planning /Short let properties

25. Feedback has been received suggesting that planning and HMO licensing appear to conflict. Whilst planning legislation is separate from the legislation concerning HMO licensing, a number of recent tribunal cases, e.g. *Waltham Forest LBC v Khan*, have held that conditions can be applied to HMO licences where the correct planning permission has not been issued.

26. A number of comments were also received about the use of properties as short term lets. The Council often discovers rent-to-rent and sub-letting when undertaking unannounced visits to HMOs. This type of letting practice, whilst not illegal, can often mean that private tenants are living in unsafe accommodation with a lack of tenancy security. Guidance will be produced outlining landlords’

and tenants' responsibilities in relation to such practices. Properties used as short lets are exempt from property licensing but such properties may need planning permission depending on the intensity of their use.

Scheme Outcomes

27. Following the feedback from the consultation it is clear that more transparency is needed in reporting outcomes throughout the scheme. The Council will therefore publish this information at timely intervals throughout the new scheme.
28. Feedback was also received concerning the estimated percentage of unlicensed HMOs which remain in the City. The Council believes that the majority of those that remain relate to properties which are HMOs by virtue of Section 257, i.e. buildings converted into self-contained flats without Building regulation approval. Therefore existing Council datasets will be used during the scheme to identify any gaps and to ensure that properties of this nature requiring a licence are licensed.
29. The main aim of the HMO licensing scheme is to improve property conditions and management practices within HMOs. The focus in the scheme, if approved, will be on scheme compliance. This will be evidenced through an increase in the number of 5 year and 2 year licences issued and a reduction in the number of Category D renewals issued (where non-compliance is evident at renewal), reduction in number of Category 1 (and possibly Category 2) hazards found in licensable HMOs and/or an increase in the number of such hazards remedied following Council intervention, whether through use of Part 1 powers or by way of licensing. This will demonstrate that landlord's management practices and property conditions in the HMO stock are improving.
30. The Council have considered the length of the licence scheme and has concluded that it should be for 5 years, as a scheme of a shorter duration will mean that the Council's objectives are less likely to be achieved.

Implications and impact of COVID-19

31. Current Government guidance recommends that local housing authorities continue work on pending (licensing) designations but consider pausing them at an appropriate moment if it is necessary. The start of the consultation exercise was initially delayed due to the first national lockdown and then, once started, the consultation was extended for a further 4 weeks. This allowed extra time for respondents and an extra landlord/agent event which was well attended.
32. Unfortunately due to the delays, the previous Additional HMO licensing scheme has expired. Licences remain in force until their expiry date but if it is agreed to renew the scheme there will be 612 Additional HMO licences which will have expired before a new scheme can commence on the 10th June 2021. If the scheme is to be renewed, the Council will commence receiving applications from 1st April 2021.
33. The current Government guidance clearly advises local housing authorities to consider local circumstances when introducing additional licence schemes. The Additional Licensing scheme is not a new scheme – it is replacing one that has been in existence for the last ten years. If the re-designation is delayed further there will not only be a longer period of time that licensing cannot be used to improve conditions and management of HMOs, but also a larger administrative burden and backlog.

34. Since the start of the pandemic the Council has regularly revised its Enforcement Policy in light of Government guidance. This has meant a risk based, proportionate approach to complaints and inspections of HMOs for the safety of residents, landlords and officers. However, the Council has a statutory duty to take action and to enforce where necessary, which it will continue to do if required in those HMOs which are not licensed for a period of time, utilising other powers under the Housing Act 2004 where available. This would mean an increased use of Part 1 notices (for which there is a charge) or an increased use of Financial Penalties for failing to comply with management regulations. Although such enforcement action can take longer than licensing powers it is anticipated that landlords will not wish to put their fit and proper status as a licence holder at risk should the scheme be renewed.
35. In light of the COVID-19 pandemic the Council has considered if proceeding with a designation for an Additional HMO licensing scheme at this time is appropriate; and believes that the designation should go ahead'
36. HMOs provide essential accommodation to around 1 in 5 residents in the city and often these residents are vulnerable persons. Licensing can offer protection for HMO occupiers in that it gives them assurance about the standard and management of the accommodation and important protection against unlawful eviction. Licensing ensures that both licence holders and managers are "Fit and Proper" persons and have an understanding of housing/ tenancy law. Licensing therefore can help prevent homelessness and reduce pressure on local resources at this time of demand
37. Whilst the Council acknowledges that paying for a licence can be a financial burden on landlords, who may now have lower income than previously due to the pandemic and its' consequences, licensing conditions can be used to remedy issues relating to Management Regulations and by limiting the licence to one year, allows the Council to incentivise landlords to comply. The alternative of issuing Financial Penalties would be a higher financial burden compared to licensing fees.

Legal issues

38. Under section 56(1) of the 2004 Act, and the General Approval issued by the Government in 2015, provided it consults for at least 10 weeks, the Council has the power to designate areas and therefore renew schemes containing HMOs to be subject to additional licensing, without the need for approval from the Government, however the Council must follow the requirements of the Housing Act 2004 when it is considering additional licensing schemes for HMOs.
39. The legal issues relevant to this report are set out in sections 56 and 57 of the Housing Act 2004, which places requirements upon the Local Housing Authority when considering a designation for additional licensing of HMOs. Under section 56 the Council must:
- Consider that a significant proportion of the HMOs of the HMOs the Council proposes to license 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 (section 56(2) of the 2004 act); 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).

40. In February 2010 the Government 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.

41. While the 2010 guidance has since been archived, and has not been replaced with new guidance about additional licensing, the Council considers that the above examples provide a helpful, though not exhaustive, yardstick by which to assess the effectiveness of HMO management practices in the private rented sector. The Council believes that a significant proportion of HMOs in the Council's area were being managed ineffectively so as to give rise to one or

more problems, whether for HMO occupants or others in the community (Housing Act 2004, section 56(2)). Around 45% of HMOs in the area fall outside of mandatory licensing i.e. those HMOs that are occupied by three or four occupiers; and all self-contained flats that are Houses in Multiple Occupation by virtue of section 257. The Cabinet at its meeting on the 9th September 2020 concluded that the HMO review report evidenced that a significant proportion of smaller HMOs and those which were HMOs by virtue of section 257 of the Housing Act 2004, in the Council's area, were being managed ineffectively so as to give rise to one or more problems for HMO occupants and/or members of the public. The HMO review report covered the period 2016 to 2019 and these conclusions remain relevant: in particular, the report evidenced problems in these HMOs with:

- Tenants living in unsafe conditions: The review report demonstrated that on first inspection almost 40% of HMO licences require conditions to be added to complete works to improve the property and on re-inspection 53% of those HMOs subject to Additional Licensing found to be non-compliant. During 2020, restrictions have meant more desk based checks however 30% landlords have failed to complete work required – while this is accepted that this is in part due to restrictions, it shows that improvement work still needs to be undertaken and organised by landlords.
- Landlords not undertaking basic safety checks: The review report demonstrated that 20% landlords fail to submit safety certificates e.g. gas safety certificate, electrical installation condition certificate, smoke detection / fire alarm testing certificate or energy performance certificate. During 2020, restrictions may have meant that landlords have not been able to undertake checks however it is still likely that the proportion of landlords deliberately failing to undertake checks remains at around 20%.
- problems for tenants and residents: The review report found that during 2016-2019, 36% of cases related to those HMOs subject to Additional Licensing and these service requests relate to noise / anti-social behaviour, planning problems, environmental nuisance (e.g. waste management problems), poor conditions and tenancy relation issues (illegal eviction, harassments, tenancy related enquiries). The number of service requests remained high in 2020, despite restrictions due to COVID19 and it has been notable that complaints related to illegal eviction and harassment have increased.
- failure to abide with planning legislation: the review report found that during 2016 to 2019, that 60% of all planning enforcement notices relate to HMOs. This enforcement activity has continued in 2020, despite the restrictions due to COVID19.

42. A statutory consultation has been undertaken with landlords, letting agents, tenants and their representatives, residents and other stakeholder in accordance with section 56(3) of the 2004 Act. The consultation satisfied the requirements of the 2004 Act and the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015. The representations made have been considered and the Council's response forms part of this report.

43. The Council has considered the extent to which the codes of practice approved under section 233 of the Housing Act 2004 have been complied with by persons managing HMOs in the area. These codes relate to the management of HMOs used for student accommodation managed and controlled by educational establishments. We are not aware of any issues with this type of HMO which will affect the decision to renew additional HMO licensing.

44. The Council has also been mindful of its obligations under section 57 of the 2004 Act. In particular, the Council is satisfied that an additional licensing designation would be consistent with its overall housing strategy, and would dovetail effectively with its approach to addressing homelessness, empty properties and anti-social behaviour. In that regard, in summary, the Housing and Homelessness Strategy 2018-2021 outlines the approach the Council will take to tackle the complex issues it faces to deliver housing. The work undertaken in relation to HMO licensing forms part of this strategy, in that it contributes to the priority of “making the best use of private sector accommodation” by raising standards and improving property conditions. HMO licensing work also contributes to other areas of the overall strategy by helping to prevent and reduce homelessness, to identify empty properties and bringing them back into use and to manage incidents of anti-social behaviour in the private rented sector more effectively which is undertaken in a co-ordinated manner across the Council. Examples of proposed action include:

- Working with Housing Services when placing persons in HMOs to ensure the tenants move into homes that meet minimum standards;
- Working with the police on security in HMOs with the aim of educating tenants on security and working with landlords to make, if needed, improvements;
- Continued working with the fire service on joint visits to HMOs in line with the agreed protocol to raise standards;
- Continued joint working within the Council in relation to anti-social behaviour and waste management

45. The Council has considered alternative courses of action to additional HMO licensing to deal with the problems with ineffectively managed properties, which formed part of the September report :

- Use of current statutory powers (e.g. Part 1 of the Housing Act 2004 to improve conditions, Environmental Protection Act 1990). This relies on the council reactively inspecting properties and then serving notice for repair works. Those renting in the private sector do not complain to the Council about conditions in their homes, often putting up with them or if they can, ending their tenancy and moving out. While the current Council databases are extensive, it does not give an accurate record of which properties are HMOs. Additional Licensing gives the Council the opportunity to proactively tackle the poor conditions that are too often found in the sector. It is not viable to rely on proactive inspection (funded through general rates or notice charges) to inspect the number of properties affected and resolve problems associated with poor management of HMOs.

- Voluntary accreditation. The Council has operated a free to join voluntary accreditation scheme for over 10 years, however there are approximately only 150 landlords currently accredited and less than 700 HMO licences are with accredited landlords or agents – that accounts for 20% licensed HMOs. This shows that landlords are not motivated to join a voluntary accreditation scheme. The HMO licensing scheme has demonstrated that landlords are not always aware of legal requirements such as gas safety or electrical safety or EPCs, with 20% non-compliance. There are concerns that those landlords that do not participate in accreditation may not be aware of their responsibilities, however accreditation alone will not resolve problems associated with poor management of HMOs.
 - Landlord licensing was suggested by consultation respondents as an alternative. There is no national legislation behind this so as such this would be a voluntary scheme and subject to the same lack of engagement as our current accreditation scheme. This would not resolve problems associated with poor management of HMOs.
 - Property MOTs was suggested during the consultation as an alternative scheme that could be introduced with local by-laws. The Council agrees that this scheme has the same aims as property licensing – to improve property conditions. However, by-laws need an Act to enable them to be made. There is no provision to make by-laws for such a scheme under the Housing Act 2004, therefore we would have to demonstrate that other legislation was applicable. In addition, a by-law cannot be made where alternative legislative measures already exist that could be used to address the problem – in this instance, property licensing under the Housing Act 2004. We therefore do not believe that a by-law can be lawfully introduced. This would mean such a scheme is voluntary and subject to the same lack of engagement as our current accreditation scheme. This would not resolve problems associated with poor management of HMOs.
 - Appendix 3 details other suggested alternatives and why they are not viable alternatives.
46. The Council is satisfied that none of these alternatives, such as landlord accreditation, or the use of its powers under part 1 of the 2004 Act, whether individually or collectively, would be adequate to meet the Council's strategic objectives, and that additional HMO licensing is both a necessary and proportionate measure to enable it to do so.
47. The designation (see Appendix 10) is considered an essential step in tackling the problems identified with ineffectively managed HMO properties as it will allow the Council to continue with a proactive approach using enhanced powers to improve the HMO stock within the city. However the designation will be limited for Sec 257 HMOs to those that are mainly or wholly tenanted, including those with resident landlords:
48. The Housing Act 2004 requires 3 months of statutory publicity to take place following the approval of a designation to introduce an Additional Licensing Scheme for HMOs, including placing adverts in two local newspapers. The new scheme, if agreed, would commence on the 10th June 2021 for a period of 5 years.

Financial implications

49. The Council has paid careful attention to the Court of Appeal's decision in *R (Gaskin) v Richmond upon Thames LBC* and proposes to continue with its two stage fee structure. The proposed fee structure can be seen at Appendix 6. The fee structure for both mandatory and additional licensing scheme may take account of the staff costs, administration, scheme management and enforcement.
50. The Council can only use licensing fees to cover the costs incurred in carrying out licensing functions, and its functions under Chapter 1 of Part 4 to the 2004 Act in relation to interim and final management orders made in respect of HMOs (see section 63(7), 2004 Act) in so far as the latter costs are not recoverable under Part 4. The fee structure has been designed to be cost neutral and therefore negate the need to use any revenue funding to support the delivery of the scheme. However the fluctuating income and costs will require the continued use of the HMO reserve to allow for the 5 year income and expenditure pattern to be achieved. The fees and charges structure will be reviewed on an annual basis and any changes will be recommended and reported via the budget setting process.
51. The consultation demonstrated that most landlords and agents thought HMO licensing fees were too high, although the five year renewal fee of £413 was felt to be "about right" by 44% of landlords and 43% of agents. Landlords and agents raised comments that paying a fee "punishes good landlords" and we should use a "light touch with a small fee and random spot checks for good landlords" or "fund through alternative means, such as harsher fines or fees for landlords who break the rules".
52. Comments were also made that the fee scheme was "complicated". Oxford City Council does operate HMO licensing differently compared with many other Councils, by issuing licences of varied length linked to compliance. Oxford City Council made it clear in 2011 that a one year licence would be the default to allow the Council to closely monitor conditions and ensure properties were improved. The consultation demonstrated that 71% of organisations, 64% of residents and 50% agents believe the licensing scheme has improved properties – 43% landlords also agreed there were improvements.
53. The current one, two or five year fee structure was introduced in 2016 to ensure that compliant landlords did not "pay" for non-compliant landlords. The Council acknowledges that this makes the scheme more complicated and that landlords also have criticised the "complicated fee structure". However, to have a simple structure with one fee would not benefit compliant landlords.
54. We have reviewed our costs closely and are charging fees that only cover the staff costs, administration, scheme management and enforcement. The consultation requested more information and transparency in how fees were calculated – this is shown in Appendix 6. Fees are calculated across the scheme and not on a per property basis. Operating a "one, two, five" year licence structure allows the Council to calculate the average time spent on that type of licence and therefore, the fees reflect this e.g. a category F "accredited"

landlord pays a lower fee to reflect less time spent on enforcement for those properties.

55. The original fees proposed in the consultation included the cost of purchasing an external provider for an improved ICT processing system – in part to address concerns from landlords regarding application processing being “complicated”. During 2020, the Council has continued to explore solutions for improvements – in this respect, the delay between schemes has given a benefit. Exploring solutions has resulted in more “in-house” design and hence a reduced cost. This has allowed the fees to be reduced.

56. The new fees, as in Appendix 6, are now a 3% increase on 2020/21 fees and so are in line with inflation. For the most compliant landlords who are eligible for the five year renewal, we have held the 2020/21 fee of £413. It is clear that non-compliant landlords pay more - reflecting comments made in the consultation.

- The “Category A” licence new fee proposed of £2,200 is **only** charged when landlords deliberately avoid licensing. While 70% landlords thought this was too high, this fee is for those landlords who have broken the law. It is necessary to charge a high fee to allow the Council to recover the enforcement costs from non-compliant landlords rather than levy them onto the “good” landlords. Having reviewed costs, it will be reduced slightly to £2,058.
- The “Category D” licence renewal fee proposed of £514 is **only** charged when a landlord has failed to comply with licence conditions. This allows the Council to recover our re-inspection costs. We charge this as a “light” touch enforcement, rather than going straight to a financial penalty or revocation of the licence. Again, this allows us to recover costs from non-compliant landlords. Having reviewed costs, it will be reduced slightly to £505.

57. Benchmarking undertaken in early 2020 demonstrates that nationally (excluding London), a landlord would pay £920 for a new HMO licence for five years, but an accredited landlord in Oxford would pay £898. For renewal, nationally (excluding London) a landlord would pay £689 whereas an accredited landlord in Oxford would pay £413 – this is a 40% reduction compared to national average for renewal fees (a saving of £276). Appendix 6 demonstrates equivalent fees paid based on landlord behaviour.

58. To address concerns raised in the consultation regarding the fee system being too complicated, the following changes have been made:

- The Council has removed the proposed fee where landlords fail to renew and need to make a new application – 66% of landlords thought this fee was too high, as did 63% of agents and 63% of those who represented a business. A new online application system and automated reminders will hopefully reduce the number of situations where landlords fail to renew. This will therefore reduce costs – while there will still be some failure to renew, this will be absorbed into the “general” scheme costs.

- To simplify the stage one payments all “New” applications will have the same stage one fee of £277 and “renewal” applications will have a stage one fee of £89. This will assist landlords to apply via an online system that is currently being-developed. This makes it clear that the stage two fee charged (for general scheme costs and enforcement) is based on information submitted during the application process.
- Clarify that a new application where the property is compliant from a landlord / agent that already holds a longer licence, is immediately eligible for a two or five year licence at this point. This is already used in the current scheme.

59. Comments were made in the consultation exercise regarding refunds of fees. Regulations made under the Housing Act 2004 state that a full refund must be given when, at the time the fee was paid, the house was not an HMO or was not an HMO that was required to be licensed. The Council is not legally obliged to refund fees when the house was an HMO at the time of the application and since that time, the house has been sold or is no longer occupied as an HMO. However, a refund criteria was developed under the previous scheme and this will remain unaltered – this is shown in Appendix 6

60. The overall predicted income has been based on the previous HMO licensing scheme and the number of licences known to require a renewal, plus the average number of new licences applications received due to new HMOs entering the market or transfers of licence holder.

61. The predicted income does not include those applications for HMOs which are found to have been in operation for more than 12 weeks. The experience with previous schemes has been that these are particularly hard to predict and any income received from this type of application will be placed in the reserve at the end of the financial year if there is excess income.

62. The predicted income in the first year includes those licences which expired between the end of the last scheme and the start of the new scheme. Whilst these licences will be classed as “new” licences according to the Housing Act 2004, the fee charged will be the appropriate renewal fee. Due to COVID-19, the Council had to delay the consultation resulting in a gap between schemes and it is considered unfair to charge landlords a higher “new” application fee for circumstances beyond their control. The Housing Act 2004 gives the Council the ability to fix fees and so we can apply a “renewal” fee to these “new” applications which reflects their true processing cost.

63. The predicted income includes an inflationary rise of 3% each year which will be applied to fees as part of the budget process.

64. The costs have been calculated for the whole scheme based on the previous scheme costs and the predicted number of licences needed to be processed.

65. The enforcement costs for the scheme do not include costs associated with formal enforcement work, as such costs can be charged to the offender as part of any financial penalty or prosecution costs awarded. It is anticipated that this income will be used to support work on finding unlicensed HMOs, thereby

allowing the fees charged to landlords to reflect lower level enforcement costs. Appendix 6 details the work associated with the licence fees

66. The difference between the cost and income is +/-1%

Year	21/22	22/23	23/24	24/25	25/26	Total
Number of applications	2,646	1,949	1,892	1,709	1,795	9,990
Applications - Processing etc	£ 535,575	£ 395,269	£ 385,210	£ 365,321	£ 392,320	£ 2,073,694
General Costs (Representations/variations /withdrawn applications etc	£ 61,350	£ 46,534	£ 46,543	£ 43,290	£ 46,834	£ 244,551
General Enquiries & Service Requests	£ 124,013	£ 94,063	£ 94,082	£ 87,507	£ 94,671	£ 494,336
Enforcement - non compliance	£ 94,907	£ 97,754	£ 100,687	£ 103,707	£ 106,818	£ 503,873
Landlord Liaison/Promotion	£ 9,802	£ 7,435	£ 7,436	£ 6,917	£ 7,483	£ 39,073
Travel/ICT	£ 10,144	£ 7,694	£ 7,695	£ 7,158	£ 7,744	£ 40,435
Total cost	£835,791	£648,749	£641,653	£613,900	£655,870	£3,395,962
Income	£874,680	£657,140	£641,091	£603,983	£643,200	£3,420,094

67. There will be a “peak” of applications at the start of the scheme and in order to process these in a timely manner, it will be necessary to employ temporary staff in the Applications Team. If we do not, there is a risk that it will take up to a year to issue these licences – this means that the next licence application will occur later than the projected figures and lead to an overall reduction in income. Temporary staff will increase the cost and future year fees can to be increased to cover any shortfall.

Equalities impact

68. The Equalities Impact Assessment is attached in Appendix 8. Following the feedback from the consultation exercise there are a number of actions proposed to address the concerns raised which are included in the assessment.

Level of risk

69. The Risk Register is attached in Appendix 9. There are no abnormal risks identified.

Conclusion

70. The Council believes that the pre-conditions for an Additional Licensing scheme under Part 2 of the Housing Act have been fulfilled and that a significant proportion of HMOs in the Council’s area are being managed ineffectively so as to give rise to one or more problems, whether for HMO occupants or others in the community (Housing Act 2004 s56(2)). With regard to the HMO properties in the area, 45% fall outside of the national requirement for a licence. The 2020 review into the additional HMO licensing scheme shows that whilst there have been improvements in the property conditions and management across the HMO stock, there continues to be over 50% that are not compliant at the time of re-inspection and since this review was completed, evidence shows that non-compliance and problems remain. Therefore it is necessary to make a new

designation for Additional HMO Licensing to these standards and build upon the successes of the previous schemes.

71. Perceptions of the scheme are generally positive and residents and tenants, in particular can see clear improvements. Respondents, from all sides, were of the opinion that living conditions in HMOs have improved and either strongly agreed or agreed that the licensing scheme has improved HMOs. Respondents, from all sides, were of the opinion that not renewing the scheme would have an adverse impact.
72. The housing market in Oxford continues to be buoyant, attracting investors into the rental market, and numbers of HMOs continue to rise which means HMO licensing still has a place in ensuring standards in the sector do not decline and accommodation in this sector is well managed and of a decent and safe standard. Therefore Additional HMO 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.
73. The consultation exercise has highlighted improvements which can be made to the existing scheme, including increasing the accreditation schemes eligible for a longer licence and introducing an online system to improve the application system for applicant. The Council will continue to liaise with licence holders and landlord's representatives to make changes to the proposed scheme when introduced where possible.
74. The licencing scheme is designed to be entirely self-financing, with the fees reflecting the cost of operating the scheme. This will ensure that there is no additional financial burden placed on the Council's budget.
75. The designation of the Additional Licensing Scheme is proposed to last for five years and is considered necessary and proportionate as it is unlikely, or less likely, that the Council would be able to achieve its strategic objectives in a shorter timeframe

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Oxford City Council

Consultation on Selective and Additional HMO Licensing in the Private Rented Sector in Oxford

Executive Summary



**Opinion Research Services
January 2021**



Oxford City Council

Consultation on Selective and Additional HMO Licensing in the Private Rented Sector in Oxford

Executive Summary by Opinion Research Services

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Executive Summary

The commission

- 1.1 Oxford City Council (henceforth OCC or “the Council”) undertook a public consultation, seeking the views of landlords and letting agents, tenants and other residents, and other stakeholders about:
 - » The reintroduction of additional HMO licensing when the current scheme ends; and
 - » The introduction of selective licensing in Oxford.
- 1.2 Specifically, the Council consulted on a proposal to introduce a new additional HMO licensing scheme in 2021, following the expiration of the current scheme in January 2021, and the introduction for the first time of selective licensing of non-HMO private rented properties. As well as seeking views on the principle of a new scheme, and the possible designations and areas which might be covered, OCC requested feedback on other more detailed aspects of the proposed new schemes, such as fee levels and licence conditions.
- 1.3 Opinion Research Services (ORS), a spin-out company from Swansea University with a UK-wide reputation for social research and major statutory consultations, was appointed by OCC to advise on and independently manage and report the consultation programme.

The consultation

- 1.4 A formal consultation period of just over 12 weeks was originally planned to run from 10th September 2020 until 3rd December 2020. In light of the second national lockdown in November 2020, due to the ongoing COVID-19 pandemic, the Council made the decision to extend the consultation period for a further 4 weeks until 31st December 2020, bringing the total consultation period to just over 16 weeks.
- 1.5 During this period, landlords and agents, tenants and other residents, and other stakeholders were invited to provide feedback through the following channels and activities:
 - » A consultation questionnaire, which was ‘open’ and therefore available for any interested party to complete. This attracted 1,987 responses;
 - » Four virtual ‘deliberative’ events for landlords and letting and managing agents, undertaken via videoconference (Zoom) in light of social distancing guidance introduced by the UK Government, for which around more than 220 places were reserved, and a maximum of 148 participants attended;
 - » A deliberative virtual focus group for 10 local tenants and other residents recruited from across the city;
 - » 53 letters or email submissions from stakeholders who chose to provide their views in writing to OCC or ORS; and
 - » In-depth interviews undertaken by ORS with representatives of 11 stakeholder organisations.

Nature of consultation

- 1.6 The key good practice requirements for consultation programmes are that they should:
- » Be conducted at a formative stage, before decisions are taken;
 - » Allow sufficient time for people to participate and respond;
 - » Provide the public and stakeholders with enough background information to allow them to consider the issues and any proposals intelligently and critically; and
 - » Be properly taken into consideration before decisions are finally taken.

Accountability

- 1.7 The principle of accountability requires public bodies to give an account of their plans and take into account public views: the consultor (i.e., Oxford City Council) should conduct fair and accessible engagement while reporting the outcomes openly and considering them fully.
- 1.8 This does not mean, however, that the ‘majority’ views automatically decide public policy; and the popularity or unpopularity of draft proposals does not displace professional and political judgement about the final decision in the circumstances. The levels of, and reasons for, public support or opposition are highly important as considerations to be taken into account, rather than as factors that determine authorities’ decisions outright. Above all, public bodies must give due consideration to the relevance and cogency of the arguments put forward during public engagement processes, rather than ‘count heads’.
- 1.9 ORS does not endorse any opinions in this report; we seek only to portray the feedback received through consultation clearly and accurately. ORS offers guidance on the consultation methodology and its interpretation, and we seek to profile the opinions and arguments of those who have responded. We do not, however, make recommendations on the decisions to be taken by OCC.
- 1.10 Each chapter in this report contains detailed analysis and reporting of feedback received through all consultation channels. For the remainder of this Executive Summary, ORS has brought together the main findings from all strands of the consultation into headlines and a thematic summary. We have sought to ensure that the summary below represents a thorough overview of the entirety of the consultation feedback; nonetheless, we also recommend strongly that it be read in conjunction with the main body of the report.

Main findings

Quantitative feedback overview

- 1.11 The ‘open’ consultation questionnaire was designed for anyone with an interest in the proposals to take part of their own volition. It should be noted that respondents to open questionnaires are typically more motivated to take part in public consultations than average citizens, often with stronger and sometimes polarised views on the issues or proposals in question. ORS therefore typically reports the views of distinct stakeholder types participating in the open questionnaire separately, to avoid the views of the group providing the largest proportion of responses (landlords and letting and management agents in this case, with 54% of the responses) simply dominating the overall findings. Furthermore, this approach helps to identify and understand any key differences in the points of view of different stakeholder types.

Questionnaire respondents' views on proposals for a new additional HMO licensing scheme

- ^{1.12} Landlords and letting or managing agents, and representatives of local businesses, were generally less likely than other stakeholder types to agree with the principle or practice of landlord licensing in the private rented sector (PRS) in Oxford. 45% of landlords, 50% of agents, and 42% of those who own or manage businesses agreed that the current additional HMO licensing scheme - ending in January 2021 - had been effective. By comparison, 71% of those responding from an organisation and 64% of Oxford residents and other respondents felt that additional HMO licensing had been effective in addressing issues in the PRS in Oxford.
- ^{1.13} Landlords' and agents' views on the proposal to introduce a new additional HMO licensing scheme when the current one ends were divided. Almost half of landlords (49%) and more than two fifths of agents (44%) agreed with the proposal to continue with additional HMO licensing in Oxford, compared to 35% and 45% respectively who disagreed. Approximately half of business owners or managers who responded agreed with this proposal, as well as outright majorities of organisation representatives (76%) and residents and other respondents (72%).

Questionnaire respondents' views on proposed additional HMO licensing fees and conditions

- ^{1.14} In general, landlords, agents and respondents from businesses tended to feel the proposed additional licence fees were 'too high', while organisation representatives and residents and other respondents tended to find them more acceptable (albeit there were sometimes substantial minorities within the organisation and resident groups who felt certain fees were 'too high' or 'too low'). Landlords and agents had strong reservations about the standard one-year fees in particular, with large majorities feeling they were 'too high'. On the other hand, many agents and landlords (43% and 44% respectively) felt the proposed £413 five-year renewal fee was 'about right', even if slightly higher proportions (53% and 48%) felt it was 'too high'.
- ^{1.15} A little under half of letting and managing agents (47%) and a slightly lower proportion of landlords (44%) agreed in general with the proposed additional licence conditions, while around half of those who own or manage a business agreed. The proposed conditions were widely supported by organisations (77%) and by residents and other respondents (73%).

Questionnaire respondents' views on proposals for a new selective licensing scheme

- ^{1.16} In relation to proposals to introduce a new selective licensing scheme, around a third of landlords (35%) and agents (31%) agreed with the principle of doing so. Other stakeholders responding to the questionnaire viewed the prospect more favourably, with just over half of local business owners and managers (54%), nearly three quarters of organisation representatives (73%) and over two thirds of residents and other respondents (68%) in favour.
- ^{1.17} Regarding options for selective licensing designations, the difference in the balance of views of different stakeholder types was pronounced. Around a third of private landlords (34%) and just over a quarter of agents (27%) agreed with the Council's *preferred option* for a selective licensing scheme covering the whole of Oxford. Therefore, most landlords and agents did not agree with the Council's preferred option.
- ^{1.18} If a selective licensing scheme were to be introduced, however, more landlords and agents would prefer a scheme covering the whole of the city than one covering only 23 out of 24 wards (i.e., excluding Holywell). Many indicated they would prefer some sort of alternative, and suggested possibilities ranging from much more focussed approaches to no licensing at all.

- 1.19 Around half of business representatives (51%) agreed with the Council's preferred option for a selective scheme covering the whole city, and this was supported by a majority of organisation representatives (71% agreeing) and residents and other respondents (68% agreeing). There was also a widespread view among these groups that if a selective scheme was to be introduced, then a citywide scheme would be preferable to one covering 23 of the 24 wards, or to some other alternative.

Questionnaire respondents' views on proposed selective licensing fees and conditions

- 1.20 As with the proposed additional HMO licensing fees, landlords, agents and (to some extent) local business representatives were generally more likely to feel the proposed selective licence fees were 'too high' than respondents in the remaining stakeholder groups, who tended to find them more reasonable. There was a spread of views, however, with many in these remaining stakeholder groups holding the view that some of the fees were either 'too high' or 'too low'.
- 1.21 In relation to the various proposed discounts: most respondents agreed with the principle of applying an Early Bird discount, a discount for accreditation, and a discount in instances where the applicant is a registered charity providing accommodation through the homeless pathway (in particular, the latter of these was also widely supported by respondents who identified as residents or organisation representatives, as well as other non-specified respondents).
- 1.22 There was somewhat less consensus around the principle of applying discounts for new build properties, 'block discounts' for multiple flats in a single landlord-owned building, or where the property is part of Home Choice. More landlords and agents agreed with these discounts than disagreed, whereas those respondents residing in Oxford or with an 'other' connection to the borough were less prone to agreeing. Further details and breakdown of respondent's views on proposed discounts are presented in chapter 3 of this report.
- 1.23 In general, there was fairly widespread support among questionnaire respondents for the principle of issuing one-year licences in instances where the Council has concerns about the management of the property: most landlords (66%) and around half of agents (51%) and businesses (54%) agreed, along with large majorities among organisation representatives (81%) and residents and other respondents (76%).
- 1.24 Views on the fees for shorter licences were more mixed among landlords and agents; many felt the proposed fees were 'too high', although sizeable minorities of both landlords and agents felt the proposed fees were 'about right'. The majority of organisations representatives and residents agreed that the Council's proposed one-year licence fees were 'about right'.
- 1.25 Finally, views on the proposed selective licence conditions varied - just under two fifths of landlords (38%) and agents (39%) who responded to the questionnaire agreed with the proposed selective licence conditions, whereas half or more disagreed. Around half of business owners or managers agreed, as did the majority of organisations (77%) and residents and other respondents (71%).

Qualitative feedback overview

- 1.26 'Qualitative' consultation strands include written submissions and facilitated discussions, and often enable exploration of the *reasoning* behind the views being shared. The latter, more discursive approach is particularly valuable in that it allows diverse views within different stakeholder groups to be explored. It is therefore difficult to provide an overall balance of opinion arising each separate qualitative research strand; nonetheless, the follow short section aims to summarise views from each strand around the same key questions as for the questionnaire responses above. The feedback received is then covered in detail in each chapter of the main body of ORS' report, as well as being incorporated into the thematic summary below.

Written submissions

- 1.27 Feedback received in letters or via email was diverse and often strongly polarised. It is therefore not appropriate to attempt to synthesise any overall views. The opinions and concerns raised in written submissions is, however, incorporated into the thematic summary below and covered extensively in the main body of the full report.

Landlords and agents' forums

- 1.28 It was generally the case - based on their feedback - that most landlords who took part in the forums did not own HMOs. Many, therefore, did not have direct experience of landlord licensing to date, perhaps indicative of the fact that the possible introduction of selective licensing for the first time garnered the most interest, as well as that there are many more non-HMO than HMO properties in the city. Letting agents were more knowledgeable on this topic; nonetheless, this meant that a considerable number of attendees stated that they did not feel able to give an informed view of either the current HMO licensing scheme or the proposals.
- 1.29 Of those who did express a view, a few forum attendees spoke out in favour of the current additional HMO licensing scheme; many others, however, were critical of the way it has been managed and enforced by the Council. Feedback on the Council's proposal for a new additional HMO licensing scheme tended to align with these views; while some attendees objected outright to a new scheme, concerns and criticism tended to focus on its likely effectiveness and concerns about how it might work, rather than on whether it should or should not be introduced.
- 1.30 Similarly, some attendees supported proposals for a new selective licensing scheme in Oxford as a way to regulate the PRS and improve standards; these views were outweighed, however, by objections which frequently cited concerns about the 'unfairness' of a scheme that would result in 'a burden of cost and additional responsibility for compliant landlords', while failing to address problems in the PRS related to poor or 'rogue' landlords. If, however, a new selective licensing scheme was to be introduced, the majority view among attendees was that a city-wide scheme would be fairer and more consistent.
- 1.31 Attendees' views on the proposed fees and discounts for both additional HMO and selective licenses varied, from some who felt that they were reasonable to others who felt that they were punitive and, in the case of the discounts, simply too complex. Finally, the proposed licence conditions were viewed as appropriate by many, with the caveat that some conditions simply related to things that responsible landlords and their agents already do. Concerns about conditions related to inspections by landlords, and their responsibilities around anti-social behaviour (ASB) on the part of private tenants were raised by many attendees.

Tenants and other residents' focus group

- 1.32 Tenants and other residents involved in the focus groups recognised the issues with property conditions and PRS management cited by OCC, and the overwhelming majority agreed with the Council's proposals for both additional and selective licensing schemes, as well as that the proposed licensing fees and discounts and licence conditions were appropriate and reasonable.

Stakeholder interviews

- 1.33 Among stakeholder interviewees, there was firm support for the proposed schemes in some quarters, particularly from tenants' groups and statutory bodies. Some stakeholders, however, heavily criticised them, highlighting what they considered a failure to recognise the contribution made by accreditation bodies to the

PRS. It was suggested that this contribution should be recognised through discounted fees for their accredited members.

- 1.34 There was considerable agreement that both proposed schemes should be city-wide; there was felt to be little merit in excluding Holywell from a new selective licensing scheme. Overall, interviewees tended to accept the proposed fees and conditions as reasonable, although several raised concerns about conditions related to ASB on the part of tenants.

Thematic summary of feedback across all consultation strands

There was broad recognition across the consultation strands that there are problems in the PRS in Oxford that need to be addressed

- 1.35 While views on the best approach to dealing with issues in the PRS were mixed, there was recognition across all consultation strands and stakeholder groups that those issues exist. Those mentioned included, among others:

- » Rapid growth of the PRS, driven by high levels of demand, which in turn has led to high rental prices and more incidences of lower quality accommodation;
- » Problems with poor property conditions and poor tenancy management, not least as a result of unscrupulous or 'rogue' landlords who deliberately flout regulations, as well as 'amateurs' with one or two properties who are not necessarily aware of their responsibilities in these areas; and
- » Issues such as poor waste management, fly-tipping and anti-social behaviour linked to PRS properties as well as other parts of the housing sector.

Views on the principle of landlord licensing as a tool with which to address these and other issues were mixed and, at times, strongly polarised

- 1.36 In some quarters there was acceptance and outright support for licensing in general, and the Council's proposals in particular. This tended to hinge on the view that there are serious issues in the PRS in Oxford that require addressing, and that licensing of private landlords or other responsible persons is an appropriate, albeit imperfect, tool with which to improve standards in the sector.
- 1.37 Support for landlord licensing in general tended to be strongest among tenants and other residents, and the organisations representing their interests, as well as from a local district council and bodies with statutory responsibilities in the housing sector (the emergency services and Trading Standards, for example). There was also support for the principle of landlord licensing from some organisations representing landlords and agents, although this tended to be caveated on the basis that such schemes require careful design and operation to be successful.
- 1.38 Among individual landlords and agents, as well as representatives of local businesses, views on the principle and practice of landlord licensing were mixed and, overall, more negative than was the case with other stakeholders. For those who did accept licensing as necessary or even desirable, the key factors tended to relate to its aim of improving standards of properties and practices in the PRS.
- 1.39 Many landlords and agents, however, were opposed to licensing schemes in general, citing what they viewed as unnecessary bureaucracy and cost, lack of focus, poor enforcement, and a perceived lack of effectiveness in dealing with the issues they are designed to address. In particular, there was a pervading view that landlord licensing tends to 'penalise' compliant landlords while others continue operating 'under the radar'.

Across all consultation strands and stakeholder types, there was more agreement than disagreement that the current HMO licensing scheme has been effective; although landlords, agents and representatives of local businesses were more likely to disagree compared to other stakeholders

^{1.40} The overall balance of opinion was that the current additional HMO licensing scheme had been effective in improving the quality and management of HMOs in Oxford, but there were dissenting voices. Those who expressed positive views on the current scheme cited, among other points:

- » The need to protect tenants and ensure that landlords fulfil their obligations in respect of upkeep of properties and good management practices;
- » Robust inspection and enforcement action being required to pursue poor and rogue landlords and enforce compliance; and
- » The importance of collaboration between landlords, agents and the Council to raise standards in the private rented sector overall.

^{1.41} There was, however, strong criticism of the current additional HMO licensing scheme from many landlords and agents, as well as concerns about its effectiveness among other stakeholders - including some of those who generally supported the scheme. Issues raised included, among others:

- » Continuing issues with non-compliance, even though the scheme has been in place for ten years;
- » Ineffective inspection and enforcement which, it was felt, has resulted in punitive actions against 'good' landlords, while criminals and rogue landlords continue to operate with impunity;
- » Burdensome costs and bureaucracy being imposed on compliant landlords, with little or no 'reward' and scant evidence of improvements in the PRS as a result;
- » Inefficiency in the processing of applications and delays in issuing licences; and
- » A failure to address other problems in the housing sector (e.g., social housing, short lets via Airbnb or similar services) or to offer support or protection to landlords faced with challenges ranging from problem tenants to the practical and financial impacts of COVID-19.

The Council's proposal to introduce a new additional HMO licensing scheme was strongly supported by some groups of stakeholders, particularly tenants and residents and those organisations representing them; however, strong concern and some outright opposition was expressed by many landlords and agents, and some other stakeholders

^{1.42} The reasons given by respondents to the consultation for agreeing or disagreeing with the Council's proposal for a new additional HMO licensing tended to align with their views on the current scheme (summarised above). Those who viewed the current scheme as effective, for example, tended to support proposals for a new one. Some also cited the need for regulation and enforcement, including a dedicated resource within the Council to address issues in the PRS.

^{1.43} Opponents, on the other hand, decried additional HMO licensing as unnecessary and ineffective; some pointed again to the perceived poor performance of the inspection and enforcement teams, as well as the continued issues with non-compliance. Others questioned the evidence put forward by the Council or argued that licensing is simply a money-making exercise or an exercise in laying the blame and responsibility for wider social problems at the feet of landlords.

- 1.44 Alternatives to licensing, or changes to the proposed scheme, were suggested by some respondents and are summarised below alongside similar comments around selective licensing.

The Council's proposal to introduce a selective licensing scheme in Oxford for the first time generated considerable feedback - particularly from landlords - with views of the different stakeholder groups tending to run along similar lines to those on additional HMO licensing

- 1.45 In general, tenants and other residents who engaged with the consultation tended to agree with OCC's proposals for the introduction of a selective licensing scheme in Oxford, as did those organisations working on their behalf, representatives of emergency services, and other public sector stakeholders. The principal reasons for support aligned with those given in relation to additional HMO licensing - primarily the need for regulation and improvement of standards in the sector, and agreement that licensing is an appropriate tool to achieve this goal.
- 1.46 Landlords and agents tended to be much more negative about the possibility of introducing selective licensing, though not universally so, while the views of responding business managers and owners were fairly evenly split.
- 1.47 Those who disagreed with the introduction of selective licensing cited similar issues to those who opposed a new additional licensing scheme, for example that:
- » The scheme would be ineffective, particularly in light of what was viewed by many opponents as the failure of additional HMO licensing to raise standards, and that the Council would be unable to manage and enforce a scheme that would include many more properties; and
 - » Selective licensing is unfair to landlords, placing an unwarranted burden of responsibility, cost and administration on the very people who are trying to provide accommodation to those who need it while failing to tackle the 'real' issues in the housing sector.
- 1.48 Questions were raised, particularly at the landlords' forums, about the accuracy and validity of the evidence used by the Council to 'justify' their proposals. Furthermore, those who disagreed with the Council's proposal, and some of those who were more positive, also raised concerns that:
- » Introducing a scheme might actively discourage investment in rental properties and drive good landlords to leave the PRS or move to unlicensed areas;
 - » Costs related to license fees and any expenses related to work required to make properties compliant would be passed on to tenants, leading to rent increases;
 - » Licence fees represent a 'tax' on landlords, or that selective licensing is simply a 'money-making scheme for OCC which - despite assurances regarding ring-fencing - would be spent elsewhere; and
 - » There is sufficient legislation already in place related to privately rented properties, the proper enforcement of which would negate the need for additional regulation.

The Council's preferred option of a city-wide selective licensing scheme was the most widely supported of the two proposed designations by tenants and residents, organisations, local businesses, and other stakeholders...

- 1.49 Support for city-wide selective licensing was predicated principally on the basis that it would be fairer and more consistent, and allow the Council to raise more money, thus ensuring that issues related to sub-standard accommodation would be addressed across the whole of Oxford.

...but individual landlords' and agents' views differed considerably, with the majority fundamentally disagreeing with selective licensing, and any options associated with it, and many suggesting other approaches

- 1.50 Most landlords and agents responding to the consultation or participating in events did not agree with the Council's preferred option for a selective licensing scheme covering the whole city, although - if a new scheme was to be introduced - more would prefer a scheme covering all of Oxford than one covering only 23 out of 24 wards (i.e., excluding Holywell).
- 1.51 The majority view among landlords and agents was that an alternative approach - which for many was simply the outright rejection of selective licensing - was preferable. Common examples of alternative approaches suggested by landlords and some other stakeholders included:
- » Improved collaboration between the Council, landlords, lettings agents, Police, the Fire and Rescue Service (FRS), and others to improve standards;
 - » Better utilisation of existing powers and legislation;
 - » Education of landlords, and possibly agents and tenants, about their responsibilities and the standards expected of them;
 - » Targeting specific landlords, geographic areas, property types etc. in a more focused scheme;
 - » Co-regulation with organisations that advise or accredit landlords and agents;
 - » A voluntary agreement or self-certification scheme, backed up by random inspections; and
 - » A scheme or schemes which also address social housing and university owned or managed accommodation.

Views on the proposed fees for both additional and selective licenses tended to be split along the lines of stakeholder types, with landlords and agents being more critical of them, and other stakeholder types - in general - being more likely to view them as appropriate

- 1.52 The proposed fees for standard one-year additional HMO licences tended to be viewed as too expensive by landlords and agents responding across all consultation strands, as well as by local business owners and managers. However, the longer five-year licence renewals, while also seen as too high by many in the same groups, were viewed somewhat more favourably by a substantial minority of landlords and agents.
- 1.53 Other respondent types tended to find the proposed additional licence fees acceptable (albeit there was sometimes a broad spread of views within these groups, from the fees being too high to too low).
- 1.54 Regarding the proposed standard selective licensing fees, landlords and agents, as well as some local businesses, tended to view them as too high; by contrast, other stakeholders - particularly tenants and residents - tended to think they were 'about right'.
- 1.55 The principle of one-year selective licences, where there are concerns about the management of properties, gained broad agreement across all stakeholder types; views differed on the associated fees, however, with landlords and agents again more likely to view them as 'too high'.

Generally, the proposed conditional discounts and exemptions for some selective licences were viewed positively by consultees, although some specific discounts raised concerns from residents in particular

- 1.56 Discounted selective licence fees for early-bird applications, accredited landlords, and registered charities drew support from across all stakeholder types and consultation strands. Discounts for newly built properties and for multiple flats in a single block received more agreement than disagreement from landlords and agents, but only minority support from other stakeholder groups.
- 1.57 The ‘fairness’ of licence holders being required to pay the applicable full selective license fee when applying part-way through a five-year licensing period was the cause of considerable debate and, in some cases, anger from landlords. There were calls for pro-rata fees, as well as refunds or transferable licences in cases where properties might be sold or transferred during a licensing period. Allowing licence holders to spread the cost of fees through monthly payments was also suggested.
- 1.58 An issue frequently raised by landlords and agents, and occasionally tenants and residents, was that a new selective licensing scheme would lead to rent increases as a result of landlords passing on licence fee costs to tenants, as well those associated with any work required to meet expected standards.

Proposed conditions for both additional and selective licences were generally agreed to be reasonable, although landlords were more negative and criticised what they viewed as a lack of detail in the proposals, and voiced strong concern about the inclusion of certain conditions

- 1.59 Overall, the proposed licence conditions for both schemes were viewed as reasonable by consultees. Where there were concerns or disagreement expressed, these were most commonly related to the conditions around anti-social behaviour (with landlords disagreeing that they should be held responsible for their tenants’ behaviour, and one community organisation suggesting it might be used against tenants), waste management, and mandated six-monthly property inspections by landlords.
- 1.60 The impact of COVID-19 on the ability of landlords and agents to visit properties, as well as on their income and ability to remove problem tenants or those not paying their rent, were also raised as concerns by landlord, agents, and their representatives.

Other comments made in response to the consultation included suggestions for amendments to the proposals, alternative approaches to improving property and tenancy management, concerns about potential equalities impacts, and criticism of the consultation process itself

- 1.61 Consultees - particularly landlords and agents - suggested changes to the proposed licensing scheme or alternative approaches. These included, among others:
- » A voluntary or self-certification scheme, or exemptions or free licenses for accredited landlords, those using agents to manage their properties, and those with a very small number of properties;
 - » A more targeted scheme focusing on, variously: problem landlords, poor or ‘high-risk’ properties, or areas with known problems;
 - » Licences for landlords, rather than individual properties;
 - » A more ‘collaborative’ approach to improving property conditions and tenancy management, with strong calls for improved communication between the Council and landlords, and more support for

landlords in key areas related to, for example, ASB and criminality, and overcrowding and illegal subletting in neighbouring or nearby properties;

- » Incentives or support for landlords who invest in improving their properties; and
- » Ensuring that issues related to social housing are robustly addressed, and that appropriate investment in affordable and social housing takes place.

^{1.62} Concerns were raised by one organisation about the possible impacts of ASB-related licence conditions on certain protected characteristics or vulnerable groups who might be targeted for eviction as a result, including: transgender people, those with mental health needs, sex workers, and people living in poverty.

^{1.63} Finally, some landlords and agents were critical of the consultation process itself, most commonly citing:

- » Issues with the quality and quantity of the evidence presented by the Council to justify the introduction or continuation of licensing schemes;
- » The principle of proposing to introduce new licensing schemes, or running a consultation, during the ongoing COVID-19 pandemic;
- » The length of the consultation period, which some viewed as too short, the perception that landlords had not been notified of the consultation soon enough, and the timing of landlords' forums and availability of spaces;
- » That the Council has already made up its mind and that the consultation was a pointless 'box-ticking' exercise; and
- » A perception of bias in favour of the schemes in the consultation documentation, questionnaire design and - in a small number of instances - in the presentation and facilitation of the landlords' forum

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Appendix 2

Consultation methods – comparison with other Local Authorities

Prior to making a designation for either Additional Licensing or Selective Licensing, under the Housing Act 2004 the Council must *take reasonable steps to consult persons who are likely to be affected by the designation*.

Oxford City Council consultation took place during September to December 2020. During this time, there were restrictions on social gatherings and a national lockdown in November due to Covid-19. Comments were made during the consultation that it was not an appropriate time to consult because landlords could not attend events and community groups may not have been able to “get together” to respond.

A comparison between the Council’s consultation methods and five non-Covid licensing consultations was undertaken to evaluate any impacts on results.

- London Borough of Croydon¹ – borough wide renewal of selective licensing scheme, consultation 16 December 2019 to 9 March 2020. Chosen as estimated to cover 35.6% total housing stock and the consultation was immediately before pandemic.
- London Borough of Waltham Forest² – borough wide renewal of selective licensing scheme and borough wide renewal of additional licensing scheme, consultation 04 February 2019 to 29 April 2019. Chosen as estimated to cover 37% total stock and this scheme has been approved by Secretary of State.
- Nottingham City Council³ – city wide selective licensing scheme and renewal of additional licensing scheme consultation 16 January 2017 to 31 March 2017. Chosen as estimated to cover 32% total stock, this was a new selective licensing scheme and Nottingham is a similar city in terms of a large university town with regional hospital.
- Liverpool City Council⁴ – city wide renewal of selective licensing scheme consultation 4 March 2019 to 26 May 2019. Chosen as estimated to cover 32% total housing stock and this scheme was rejected by Secretary of State (due to evidence)
- Slough District Council⁵ – small area selective licensing scheme consultation 7 November 2019 to 31 January 2019. Chosen as estimated to cover 50% stock in the chosen Selective Licensing wards, was an area-wide Additional licensing scheme, the consultation took place over a similar period in the year and it is our “nearest neighbour” with a selective licensing scheme and considered similar demographics for ethnicity

While it is accepted that social distancing has limited certain consultation activities, this does not mean that the Council has failed to take *reasonable steps to consult*. The Council has used a range of activities to engage *those persons likely to be affected by the designation* –

¹ London Borough of Croydon, April 2020

<https://www.croydon.gov.uk/sites/default/files/Final%20report%20of%20consultation%20findings%20%E2%80%93%20CPRL%202020.pdf>

² London Borough of Waltham Forest May 2019

<https://democracy.walthamforest.gov.uk/documents/s68631/Appendix%20-%20Waltham%20Forest%20Licensing%20Consultation%20Report%20May%202019.pdf>

³ Nottingham City Council July 2017

<https://committee.nottinghamcity.gov.uk/documents/s59486/Appendix%20-%20Selective%20Licensing%20Consultation.pdf>

⁴ Liverpool City Council July 2019 <http://councillors.liverpool.gov.uk/documents/s234656/H2%20-%20Annexe%20-%20Liverpool%20CC%20Licensing.pdf>

⁵ Slough Borough Council March 2019

<http://sloughboroughcouncil.org/moderngov/documents/s55376/Appendices.pdf>

Appendix 2

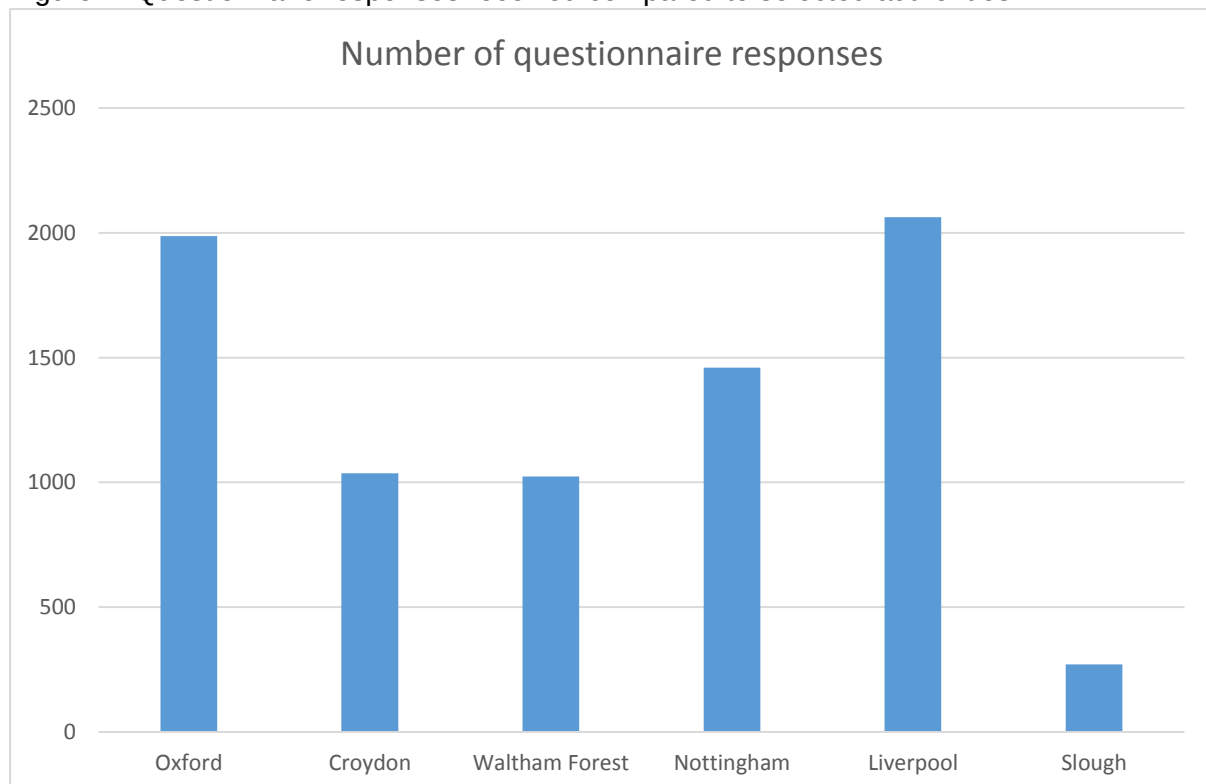
that is namely landlords and tenants. Comparison with other authorities demonstrates that the number of responses and consultation methods are comparable.

- Oxford City Council had a higher number of questionnaire responses, bar one authority;
- Out of the questionnaire responses, a higher proportion were from residents, bar one authority;
- The number of attendees to landlord events was lower compared to three other authorities, however as a proportion of properties affected the attendee rate is second highest;
- We used the most popular methods employed by the comparison authorities, bar the “face to face” events;

Lack of “face to face” events has not hindered the ability of landlords and residents to take part – considering the online questionnaire has given higher response numbers than most other authorities and the proportion of residents is high. The views expressed are likely to remain the same even though some individual persons may feel they have not been able to participate. This does not mean the consultation has been fundamentally flawed.

It is acknowledged that the ability of people to meet may have hindered certain resident groups to meet, discuss the proposals and formulate a response. However, it was possible to meet between September and October in small groups. It is acknowledged there may be other, more pressing concerns preventing responses. Given that the proportion of residents responses are higher than comparison authorities and we held specific stakeholder interviews then the views expressed are likely to remain the same even though some individual persons may feel they have not been able to participate. This does not mean the consultation has been fundamentally flawed.

Figure 1: Questionnaire responses received compared to selected authorities



Appendix 2

Figure 2: Breakdown of responses from landlords / agents or residents compared to selected authorities

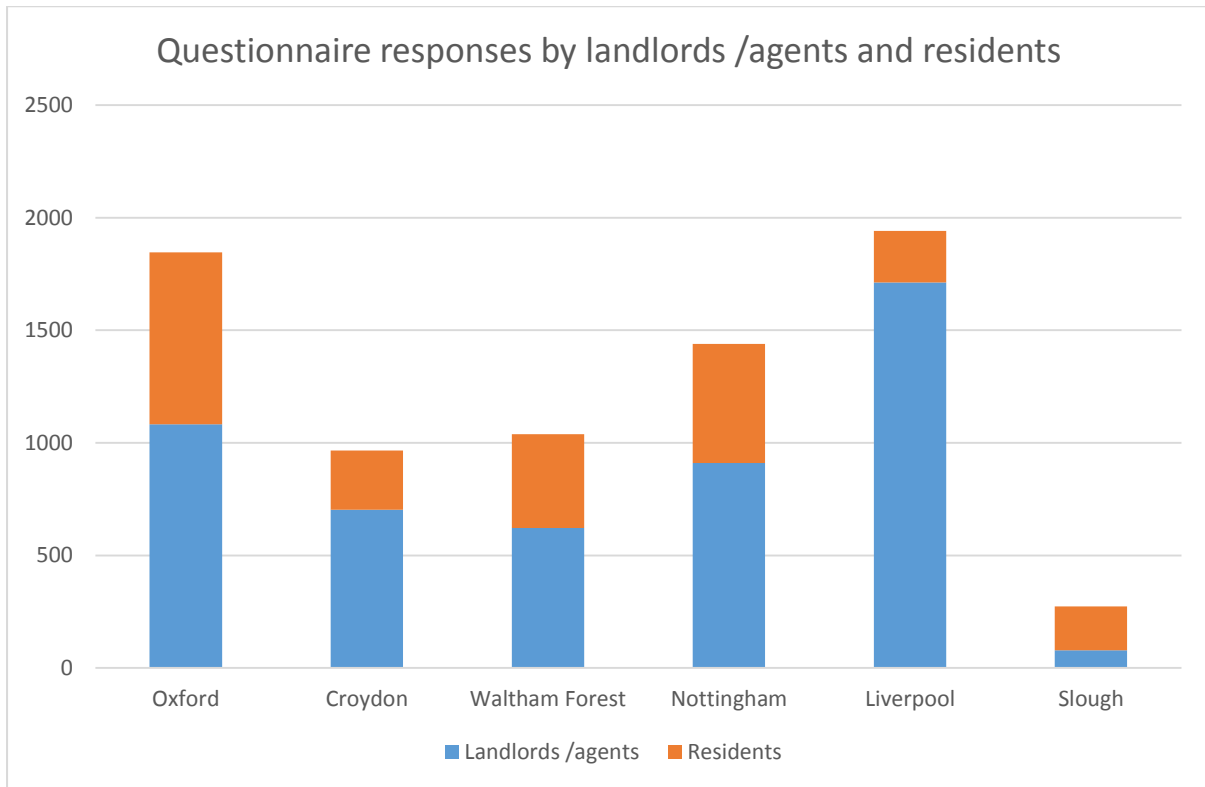
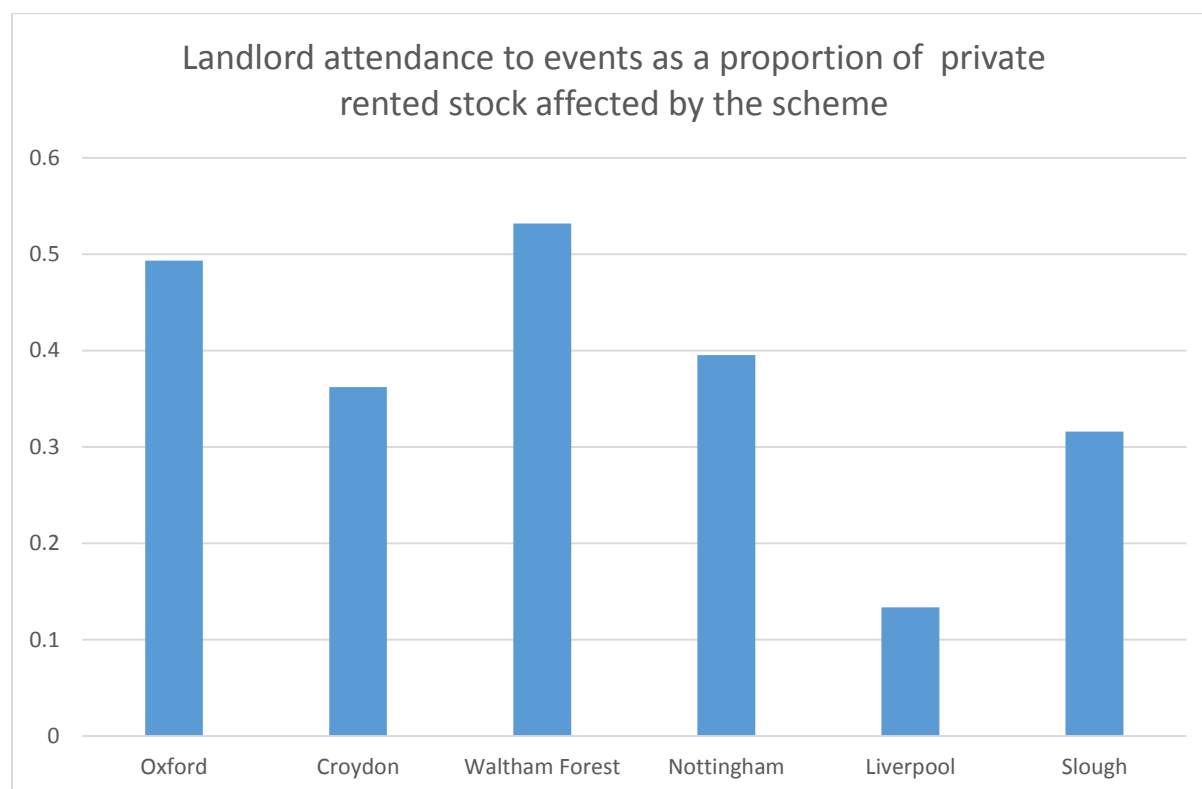


Figure 3: Attendance at landlord events (by number) compared to selected authorities



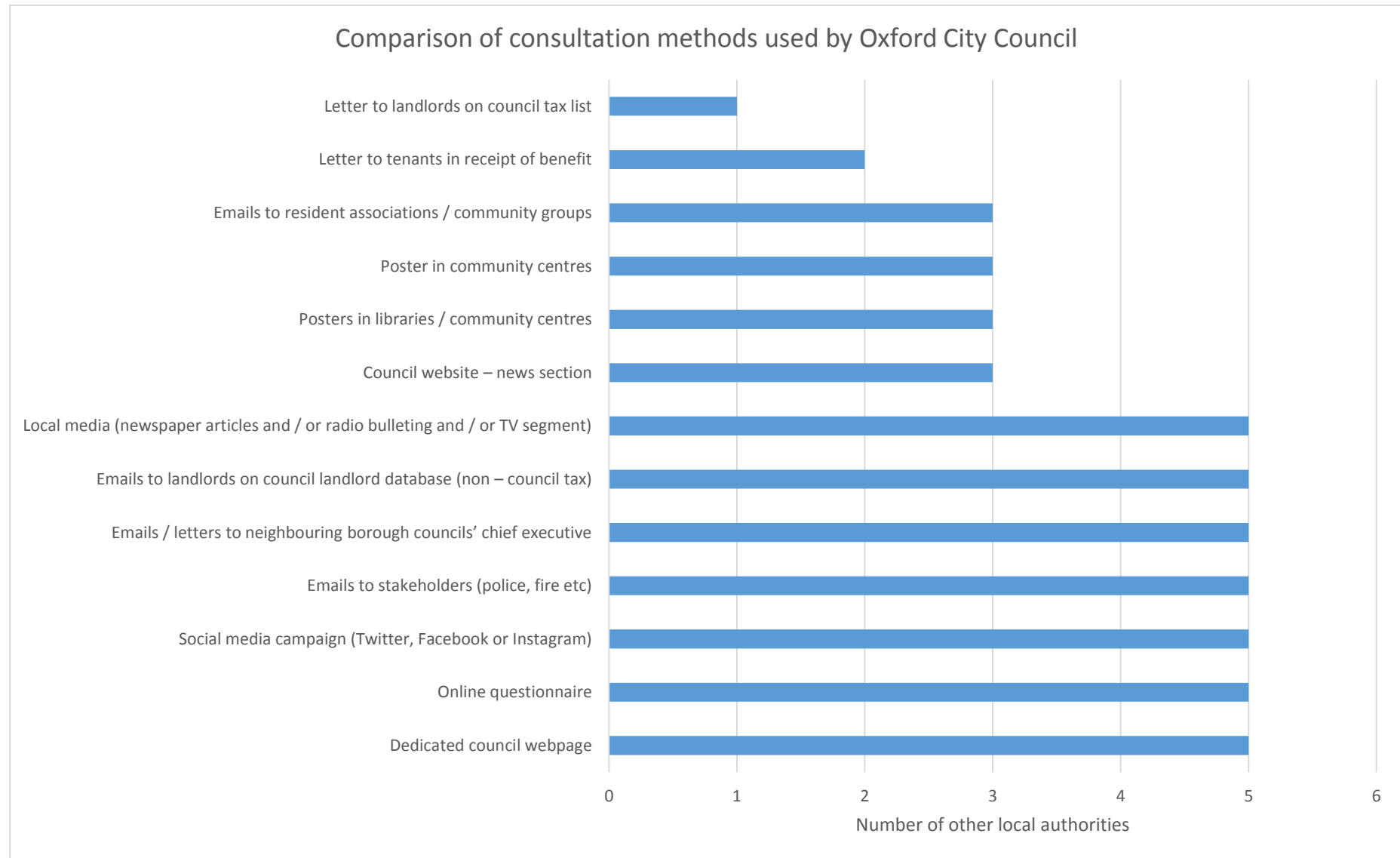
Appendix 2

Figure 4: Attendance at landlord events by ratio of number of private rented properties compared to selected authorities



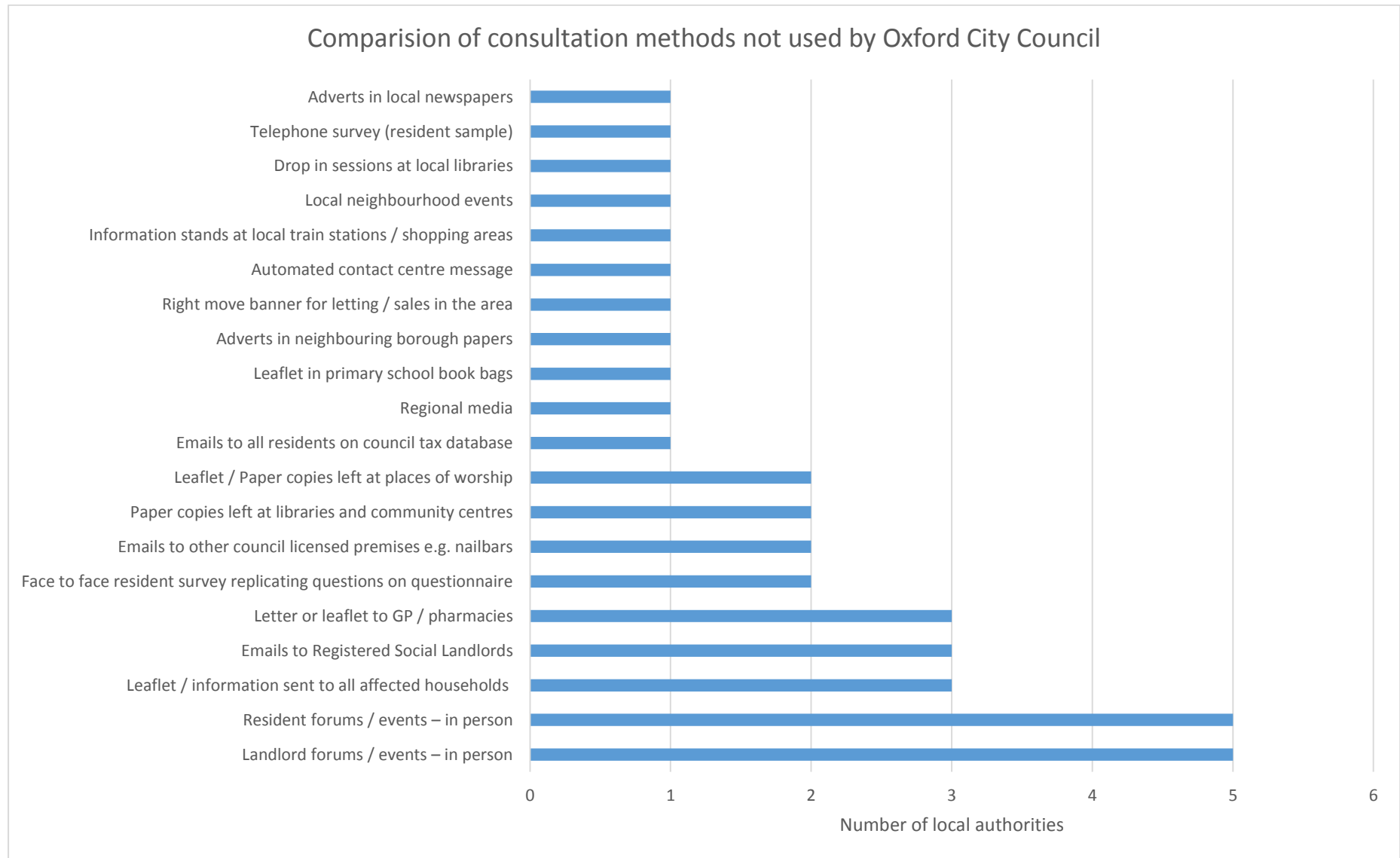
Appendix 2

Figure 5: Consultation methods used by Oxford City Council compared to selected authorities



Appendix 2

Figure 6: Consultation methods NOT used by Oxford City Council compared to selected authorities



Appendix 2

Limitations and Impact

Limitation	Impact
Inability to hold face to face consultation events for landlords	It is acknowledged that some landlords will feel they were not able to participate and share views. However, over 1,000 landlords and 70 letting agents responded to the consultation and 148 landlords / agents participated in events. Comparison to other authorities that held face to face events demonstrates a similar turn out to virtual events as face to face events. Virtual events may have benefitted some landlords, though not needing to travel and ability to “hear and see” presentations more easily on personal computers. All current HMO licence holders were emailed to invite to participate in the consultation (or sent a letter where they did not have email). Over 5,600 letters were sent to persons on the council tax database thought to be landlords. It is considered the council has taken reasonable steps to consult landlords likely to be affected by the consultation and the views expressed by those landlords who did take part are likely to cover all landlord views.
Inability to hold face to face consultation events for residents	The inability to hold residents forums may have impacted the ability of some residents to give views. It is appreciated that some people may feel they could not have expressed their views by not being present in person. A specific residents’ focus group was held. This was limited to 12 persons to allow in-depth conversations. Over 760 residents did respond to the questionnaire. Comparably, the proportion of residents to landlords completing surveys was second highest. Comparison with other authorities that held face to face events generally results in low turnout e.g. 10 to 60 persons. In 2015, we held local resident events in libraries and had very low turnout (max 10 to any event). Over 1,600 letters were sent to tenants. It is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Inability for affected groups to gather face to face to discuss the consultation and submit a response;	It is acknowledged that this will have limited resident groups’ ability to gather to discuss their views. 12 resident associations and 4 parish councils were contacted in October and again in December. The Oxford Community Forum, who represent some Asian landlords in the city were contacted and were sent 60 paper questionnaires to enable their members without access to a computer to respond. Concerns were raised in the consultation that certain ethnic groups were not able to meet and formulate views as they would have liked to do so in pre-pandemic times. However, a specific stakeholder interview was arranged for this group to allow representatives to give views. It is also considered that during September / October that small groups could have met to give views. It is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Reduced use of public transport, community	It is acknowledged that reduced use of public transport, community centres etc would have limited the ability of persons to see advertisements and posters about the consultation. However, as resident participation is

Appendix 2

centres, libraries etc that would prevent people from seeing / posters	comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of emails or letters to every person on council tax database	Some authorities have sent emails / letters to every property registered on council tax database. Oxford City Council undertook a more targeted approach – contacting those tenants in receipt of housing benefit and letters to those persons thought to be landlords. In this respect, we have made efforts to contact those <i>likely to be affected by the designation</i> . It is accepted that some residents may not have been aware of the consultation. However, as resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of adverts in local papers	This method was only used by one other authority so it is not a popular method. While it would have given additional publicity to the consultation then it is not known if it would have increased responses. There were three stories in the local newspaper throughout the campaign and therefore, this could be considered an “advert”. A news story is also likely to be more “eye-catching” than an advert - In this respect, we have made efforts to contact those <i>likely to be affected by the designation</i> . As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of telephone surveys	This method was only used by one other authority so it is not a popular method. While it would have given additional resident views, from all sectors, it is unlikely to have raised different points. As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of face to face (doorstep) surveys	It was not possible to undertake face to face surveys due to COVID-19. However, this method was used by only two other authorities and so is not the most common method. A council does not have to undertake all methods available for consultation. As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.
Non – use of leaflet distribution e.g. local places of worship, school book bags, left at libraries / community centres	It was not possible to leave leaflets due to COVID-19. This could have created a transmission pathway. This method would have been of benefit to raise awareness – especially amongst minority groups by leaving leaflets at places of worship. However, lack of using this method does not mean the consultation is flawed. We offered a stakeholder interview to one community group – in this respect we have made efforts to contact those <i>likely to be affected by the designation</i> . As resident participation is comparable to other authorities then it is considered the council has taken reasonable steps to consult residents likely to be affected by the consultation and the views expressed by those residents who did take part are likely to cover all resident views.

Appendix 3

Council response to Consultation responses

The Council is grateful to have received the feedback and responses to the consultation and has carefully considered the responses received. Comments were made on the questionnaire, as part of landlord's forum, the residents' forum, the stakeholder interviews and the written responses.

To simplify the process of making a response to the comments, the issues have been grouped into "themes". The comments may not appear in the same order in this report as they do in the consultation report. Comments may have been split to move into the relevant "group" for response.

- A. Proposed Additional Licensing scheme
- B. Proposed Selective Licensing scheme
- C. Alternatives to the proposals
- D. Proposed property licensing conditions
- E. Proposed fees, discounts and charges
- F. Operation of new schemes and application process
- G. Enforcement of the new schemes
- H. Planning / Air B&B
- I. COVID-19 related concerns
- J. Comments regarding the consultation itself

Appendix 3

A. Proposed Additional Licensing scheme

Consultation Responses relating to success of scheme / support of new scheme	Council Consideration
I think it's given the good landlords a benchmark and so where they, 'oh, I didn't realise I needed to do that or ...', so it's been a nice kind of development tool for the probably quite good properties to tip them over into the compliant side. (CAB)	• Comments acknowledged. • We will be providing more information about scheme outcomes and performance against outcomes.
I would support anything that raises and maintains high standards in private rented accommodation and prevents people living in poor accommodation. It must be regulated because I don't buy into this idea that the market can self-regulate ... You leave some people to their own devices and they're likely to just let bad accommodation, so tougher standards I'm fine with. (OBSU)	
The scheme is a good scheme	
I've seen a lot of properties where, perhaps, landlords aren't entirely aware of all the regulations... in those particular cases, you can see a very clear reason for that additional licensing scheme to be in place in order to bring those properties back up to standard	
If a student is living in a property that is HMO licensed, our advice service can give the student a little bit more as to what they can expect, because there obviously is a higher level of requirements within the HMOs, and that really supports the student ... or there are restrictions or requests that they can put in to have that licence removed if the conditions aren't being met. Essentially it gives students better protection when they are in the sector. (OUSU)	
It's helped because they have a reasonably decent sized team ... Students don't really have anyone they can go to about disrepair in Oxford ... the only way of getting anyone to deal with serious disrepair issues is the threat of the Council ... I think the City Council does more prosecutions than any Council outside London ... it feels we have a fall-back position... we can talk to the Council and something will happen quite quickly. (OBSU)	
... one example where we had a violent county drugs line in the property and managed to get the HMOs team out after we'd executed a warrant because the property wasn't safe in our eyes. It just gives us another angle, another tack to come down on some people that aren't abiding by the rules. (Police)	
Some of the standards in the properties have been improved as a result of the introduction of the scheme in areas like fire regulation and precautions	
The schemes need to exist and improve and be more transparent	
Licensing should be encouraged with the right terms and rules. So, if there is a tick box that said, 'your walls are painted white', it should be white, not with	

302

Appendix 3

303

mould on it - bathroom regulations. It should be explained accordingly so, as tenants, we will have a bit more encouragement to protect our rights and to say what good looks like, and we can compare accordingly. Easier for inspectors as well	
It definitely seems to be a case at the moment that landlords and agents have the upper hand, because there are so many students and so many other people in the City that want to get housing. I know students are kind of preferred in some cases because they move on very quickly and they're happy to take those deals because they want the house and want to get it sorted very quickly. But that does sometimes mean that students might end up settling for a deal that isn't good enough, or they don't get what is actually designated in the legislation or what should be provided for them. They are essentially ripped off by landlords, because the landlords have the opportunity to do that because there is so much demand on the stock (OUSU)	
We also hear of students having issues in regard to getting maintenance fixed or getting things that were promised by the agent to be fixed in the property like technical repairs or maintenance ... absolutely standard issues across the sector I imagine, but they are having an impact on students, and students living in the city, especially given the amount of cost students pay for private accommodation against their maintenance grants or loan. Repeat problems are damp, mould, physical disrepair, unsafe electrics, boilers going wrong. Some landlords who try to scam tenants for deposits; some agents who try to scam tenants for deposits. Often the students that we talk to have issues with regards to deposit return, and functional issues like the licensing. (OUSU)	
The landlords (of student properties) in Oxford are quite unscrupulous ... because there's such demand and so much turnover they will always fill the houses. It doesn't matter, for example, how many times a house gets burgled because there's a single glazed wooden front door ... because there'll be new students and they will just be concerned about being in a certain area of Oxford ... (Police)	
We do get a number of problems. I think the licensing has definitely improved it but yeah it [problems] does exist definitely. (CAB)	
Yes, certainly [problems]. We have heard of students who have had issues with their property. Often the students that we talk to have issues with regards to deposit return, and functional issues like the licensing. (OUSU)	
I fully accept the need in multi occupational properties which is an entirely different market, to professional couples working in the city, many for the University, that are seeking the choice of a decent level of private rental housing	

Appendix 3

... more inspections in the future scheme. That statistic that you shared about 53% of properties maybe not being complaint, I guess isn't surprising	
Last year I was living in an HMO and the landlords were transparent about being an HMO and having a licence. They had a billboard with the HMO licence on it. And we had an inspection ... someone from the Council came...	

Consultation Responses relating to “evidence for new Additional Licensing scheme”	Council Consideration
How many 'non-compliant' landlords are due to forgetting to renew?	- The Council sends a renewal reminder two months before expiry. In addition to this, 13% landlords then require a second reminder with 1% failing to renew. It is this 1% that would be classed as “non-compliant” and this is a very small minority of the overall figure. - The Council's position is that the responsibility for compliance with the law clearly rests with duty holders, i.e. licence holders whether individuals or businesses. There is a legal requirement to renew a licence.
OCC considers there are 'c.6,900 HMOs in Oxford' but the current public register of licensed HMOs lists only 3,456. Assuming 10% may be in the process of renewing and therefore off the list, that still means that between 35 and 45% of HMOs remain unlicensed. The agents say that “it is hard to see how a further extension is going to change this problem without a radical rethink of the enforcement process”;	Although it is estimated that the Council has licensed 80% of the licensable HMOs in the city (currently 3,511 licensed HMOs although 3,850 properties have been licensed in the scheme). The true percentage is not known as some landlords will avoid licensing. The Council has investigated 2460 cases since the start of the scheme for being unlicensed and will continue to do so if the scheme is renewed.
OCC must licence all HMOs: despite the scheme already running for 10 years, OCC has apparently failed to licence a significant proportion of HMOs which “effectively penalises those responsible landlords who have signed up fully to the scheme and does not effectively deal with the real problems in unlicensed properties	
There shouldn't be [problems] after ten years if they'd been doing their schemes properly. The fact that there are, actually raises red flags. (NRLA)	Oxford's private rented stock has grown considerably in the last ten years – The proportion of the estimated HMO stock licensed by the city Council has increased by 32% during the current scheme.
We believe that [after 10 years] of licensing ... [it] hasn't performed that well, according to the statistics... There is no guarantee on behalf of the Council, that if we are given another 5 years, it will make sure that 53% non-compliance will come down to 15% non-compliance. (OCF)	- Comparing data from the 2015 review report and the 2020 review report, it is clear there has been improvement. ➤ Between 2011 and mid-2013, an average of 1,831 service requests relating to HMOs. This decreased to 1,348 service requests per year over the period 2016 to 2019. ➤ During the period 2011 to 2015, there were 49,204 nonstandard conditions were required on licences to deal with a lack of acceptable
By its own admission, despite the current licensing scheme for Houses in Multiple Occupancy ... which has been running since 2011, a large proportion of the HMOs in the city remain 'non-compliant'.	

Appendix 3

305

	minimum standards and management. In the 2016-2019 period, there were 21,071 nonstandard conditions have been applied to deal with a HMOs below the minimum standards. This is a clear decrease and shows improvement in compliance with minimum standards. ➤ During the period 2011 to 2015, 26% of conditions related to fire safety (12,591 conditions). In the 2016-2019 period, 32% of conditions related to fire safety (6,795 conditions). This shows an increase in non-compliance in this area, although it may be attributable to the revised 2018 Amenity Guide where it was made clear that properties on separate tenancy agreements required smoke detectors in all rooms. ➤ During the period 2011 to 2015, 71% of conditions related to management and maintenance (34,983 conditions). During 2016 to 2019, 52% of conditions related to management and maintenance (11,084 conditions) showing a positive improvement in management practices. ➤ During the period 2011 to 2015, 3% of conditions related to amenities and facilities (1,630 conditions). During the period 2016 to 2019, 15% of conditions related to amenities and facilities (3,192 conditions). This may be attributable to the growth in HMOs and that landlords are increasing bed-spaces (e.g. increasing from four to six occupants) and therefore need to put in additional facilities. • The improvement in HMOs is clear by the overall decrease in number of conditions however, there is still non-compliance especially in the area of fire safety. This shows a continued need for the scheme.
The Council (still) receives high numbers of service requests from neighbours and tenants, so it doesn't really seem as if this success story (of previous schemes) is particularly the case. I'm not sure that extending it would fix the problems. (ARLA Propertymark)	• During the period 2011 to mid 2013, the Council received 4,577 service requests relating to HMOs – this is 1,831 a year. During the period 2016 to 2019, the Council have received 5,392 service requests relating to HMOs – this is 1,348 a year. This shows a clear decrease and the scheme has been successful, with a reduction of 490 requests each year. The scheme can continue in this way and will lead to further reduction in service requests in future years.
The low number of penalties issued previously (since 2017, OCC has issued only 57 financial penalties to rogue landlords and agents) suggests that Additional Licensing may not have much impact (ARLA Propertymark); Note: there were a number of other comments relating to low levels of enforcement – these are in the “enforcement” section.	• The Council understands that landlords, residents and the public may view the number of penalties as a way of measuring success or failure. However, the Council cannot have a “target” for number of penalties / prosecutions – to do so would be wholly against the Council's Enforcement Policy that <i>“Our enforcement activities will reflect the level of risk to the public and enforcement action taken will</i>

Appendix 3

	<i>correspond to the seriousness of the offence. We will seek to resolve cases at the lowest level of intervention appropriate to the case. “</i> • Prosecution and financial penalties are for the worst offenders – we use higher licence fees as a deterrent. We acknowledge there needs to be greater transparency and regular reports will be published against scheme outcomes, including enforcement / higher fees.
[T]hey proposed the 2015 scheme on the grounds that they hadn't inspected all properties ... We're now in 2020 and they're renewing it again... If you say there's a problem in the private rented sector ... you should inspect all the properties ... Great Yarmouth has done a whole inspection regime in a year – all properties inspected. Oxford is struggling after ten years and are looking to expand the scheme. (NRLA)	• All new HMO licence applications receive an inspection unless the property has recently been inspected. We re-inspect until we are satisfied the property meets minimum standards. • To inspect every property each year would be resource intensive and would also not be welcomed by compliant landlords (e.g. accredited landlords or agents). We believe our one, two, five year licence structure incentivises compliance.
Doncaster in their selective licensing and additional licensing, do an inspection every year of every property and they've changed that sector completely. And they are bringing back selective licensing but they're not bringing it back on property standards; they're looking at anti-social behaviour. So they've addressed within five years all the property standards (NRLA)	• We have a re-inspection /audit scheme for those properties where there has been five years since the last inspection.
students on a shorthold tenancy (where individual rooms aren't let separately, on contract for all) does not qualify as an HMO (OCF)	• The Housing Act 2004 introduced a definition of what is an HMO. This does not look at tenancy agreement – it is based on whether people are related and sharing of facilities (amongst other tests). • We note the comment and that this indicates a need for education of landlords.

B. Proposed Selective Licensing scheme

Consultation Responses relating support of new scheme	Council Consideration
There is an obvious need to have inspections for properties that don't meet standards. There are some landlords that don't comply, and something needs to be done. However [there's] a big question mark about what are the benefits to landlords compared to the additional costs involved	• Comments acknowledged. • We will provide information to landlords on key responsibilities, this can include benefits of using accredited agents.
The schemes need to exist and improve and be more transparent”	
Licensing should be encouraged with the right terms and rules. So, if there is	

Appendix 3

307

a tick box that said, 'your walls are painted white', it should be white, not with mould on it - bathroom regulations. It should be explained accordingly so, as tenants, we will have a bit more encouragement to protect our rights and to say what good looks like, and we can compare accordingly. Easier for inspectors as well	We will be providing more information about scheme outcomes and performance against outcomes.
An enforced City-wide licensing scheme "can only be the beginning of addressing all the problems private rented properties create". It is "disturbed by the clear images of housing neglect often presented by private rented properties" (Bullingdon Road Community Association)	
In principle we did think it necessary to have the scheme	
It's good to remove sub-standard competition	
I accept that we do need standards. There is great expertise but also a huge amount of shoddy property in Oxford, particularly around the student sector	
There was a general agreement that the idea of licensing – so the Council knows who the landlords are, and has some ability to exercise some control over them – is probably a good thing...	
... you will still get these people who think they can get hold of a property, do all kinds of dodgy things to it, let it out and get an income, and wash their hands of any real responsibility ... or people who accumulate some sort of portfolio that's beyond their ability to manage properly ... (safeagent)	
There are particular landlords who I'm pretty certain they know. It's the same faces; the same names ... year on year they get away with things and they provide accommodation which you wouldn't want your worst enemy to live in ... There are particular agents who ought to be run out of town, but the City Council has only so much power (OBSU)	
There is a criminal element ... and what it does with that excessive costs – it pushes the poorest and most vulnerable into criminal hands ... and those criminals will not have the highest standards – or any standards. (NRLA)	
Poor landlords – charge tenants for repairs and are unresponsive, unreactive. (OTU)	
There is a limited supply in Oxford and students and other renters are held victim to that, resulting in some of them facing unacceptable accommodation. (OUSU)	
Repeat problems are damp, mould, physical disrepair, unsafe electrics, boilers going wrong ... A lot of the accommodation is based in Headington and East Oxford and a lot of those properties are anywhere between Victorian through to early 1930s. They haven't been looked after very well for quite some time.	

Appendix 3

308

(OBSU)	
...a lot of the housing stock in Oxford, there's a lot of older buildings and a lot of these properties, particularly the rental properties, are not particularly well insulated, and often have very poor and outdated heating which can really cause issues for tenants. And I think that certainly the older housing stock in Oxford can be a real issue around safety and maintenance. (Acorn)	
People come in with water running down their walls, no boiler working, no heating and ... there's a lot of fear about speaking up because they'll get evicted and because the demand is so high...The odds of getting a bad property or landlord are high. I've lived here most of my life, I've never had a good landlord. (CAB)	
It's always confused me why if I moved into a privately rented house with my family and there's for arguments sake five of us, we're not bound by the same regulations and safeguards as if I was to move into a privately rented house with four of my friends ... It's the same number of people ... and arguably if you move into somewhere with a family with children, the risks are higher than multiple adults living in one property. Moving forward it needs to be more than just safety... I think if it's going to be bespoke for Oxford it needs to deal with the issues that Oxford has. (Police)	
I know that there is a consultation under way to improve the quality or properties in the private rented sector in Oxford. As a private landlord myself, I am appalled at the quality of properties offered to students in Oxford. Not all students are irresponsible party throwers and should be entitled to civilised, damp free accommodation. Some bedrooms just have enough room to fit the bed and nothing else!	
The concept of applying a licensing scheme to all rented properties is essential to protect tenants but just as important to improve standards and safety	
"I think it is a good idea. Any rented property should have some sort of regulation. Safety for tenants and peace of mind for landlords, as they can be certain that the house is let in a safe condition	
..Applaud the Council's initiative to take action to protect tenants from unscrupulous landlords (Un-named group of tenants)	
When I was looking for accommodation it was insanely expensive for the value of the money, and conditions were abysmal..."	
When I was looking for properties, I was horrified by the condition of properties for quite massive amounts of money ... I was quite horrified walking	

Appendix 3

309

into places that were two-bed flats for £1,200 a month with mould up the walls and single glazing and lack of security on front doors, lack of security on back doors. There were a lot of those, and it just seemed to be pot luck whether you found something for a similar price that was actually quite liveable	
The ones in the city centre should be looked at because some of them are asking for ridiculous prices and the state of it is crazy	
The bathroom walls are mouldy. You live here and it doesn't feel like the UK. You have certain expectations of living in Oxford	
Keen to support the Council in taking any actions designed to improve the quality of life for people living in privately rented accommodation...particularly concerned about the impact of overcrowding and insecure tenancies on children's' development. (Oxford and District Action on Child Poverty)	
believes additional and selective schemes elsewhere have had a positive impact, e.g., because they make landlords who are breaking the law stand out, which can make it easier to take appropriate action against those landlords who operate unlawfully (Justice for Tenants)	
generally supportive of the proposals, though stated that the likely workload would need to be matched with sufficient administrative and enforcement resources, if the scheme is to maintain public confidence (Oxfordshire County Council Trading Standards Service)	

Consultation Responses relating to "evidence base / Metastreet report"	Council Consideration
OCC is placing too much faith and resource in the algorithm it intends to use to calculate which properties in Oxford are most likely to be PRS accommodation (ARLA PropertyMark)	- The Council procured Metastreet to undertake a review the stock condition in the private rented sector. Metastreet have had a great deal of experience in undertaking such reports for other authorities and have used the same methodology and data sets where licensing schemes have been implemented following submission to central government. The report, like most house condition surveys, uses stock modelling to determine predicted levels, as it is not possible due to the prohibitive cost to undertake a full housing survey. The data used was a mixture of Council held data and data held by external bodies, e.g.ONS data, tenancy deposit scheme and EPC data. Metastreet tested their data for accuracy against known tenures. - The number of HMOs quoted in the report is an estimation and includes those HMOs that do not require a licence, of which there are over 2000 in the city which are exempt. Whilst the Council agrees that it is disappointing to note that landlords continue to evade licensing we believe that we have
Given the importance of Metastreet modelling as the basis for this proposal, are we able to see on what basis Metastreet actually extrapolated 2,723 hazards of category one to 6,242. Which obviously brings Oxford over the 20% of housing stock	
OCC's Environmental Health Department reports that 33% of properties in Oxford are in the PRS, whilst MetaStreet data claims 49.3% - a difference of over 10,000 properties (Oxford based ARLA or UKALA agents))	
It is estimated that 14% of properties in the PRS are likely to have Category 1 hazards across the whole of the UK, whereas Oxford is deemed to have 20% projected to fall into this category. (Oxford based ARLA or UKALA agents)	
There has been no real analysis of what types or properties cause these problems	

Appendix 3

310	I would like to see a study of the PRS versus owner occupied stock in Oxford. Evidence of the PRS having lower standards isn't proven	licensed around 80% of the licensable stock in the city. The current HMO licence scheme has been developed, to ensure that compliant landlords do not pay for the work undertaken in enforcing against those landlords who try to evade licensing • The Council are aware from experience that only a small proportion of complaints are received from tenants as many do not complain due to the fear of retaliatory eviction or because they do not know that they can seek help from the Council to address issues in their home; this is often more common in the non HMO stock, where families can often "put up" with poor conditions due to the fear of having to move from an area. • The number of HHSRS serious hazards reported by Metastreet was determined using data provided by the Council and other data such as EPC data, this methodology is the same as they have used in other reports of a similar nature
	The evidence is not compelling for the introduction of selective licensing...	
	We were struck that there is only 47% level of compliance for HMOs. There's a danger that the Council will bite off more than it can chew if introducing the scheme across the PRS before getting on top of the current licensing scheme	
	Landlord non-compliance with current HMO licensing is stated as 53%, meaning OCC is failing even to manage the much smaller HMO sector. It is considered unlikely it could cope with an additional 26K properties in the non-HMO private sector	
	It is claimed that complaints about properties received by officers of the local authority equates to issues with one in ten properties in the PRS – but Council figures show a complaint rate of no more than 3% of properties per year (Oxford based ARLA or UKALA agents)	
	Evidence showing that predicted hazards are not evenly distributed across the city ...concentrations of properties with serious hazards can be found in the central and southeast wards...question the city-wide designation.	
	Probably there is [a problem in the PRS generally], but it is a small and easily manageable issue. Typically, it's the landlords that are letting their own properties, not through agents. Smaller landlords, maybe one property, two properties, who are letting their properties themselves. (OCF)	
	... before championing an expansion of licensing a proper, external, review of the additional Licensing Scheme should be undertaken to identify areas for improvement in, for example, the application and renewals process and inspection rates. Given the apparent failings of the additional licensing scheme, large numbers still not licensed, delays with renewals, limited inspections etc. ... we are interested to understand why more of the same is considered to be the best route to pursue? (Oxford based ARLA or UKALA agents)	• The Additional Licensing scheme has been reviewed internally, combined with comments received in this consultation, to identify improvements (of which many are underway). The Council believes that this learning will allow an effective implementation of a selective licensing system.
	The projected income from the selective licensing scheme is estimated at just over £6.5m, whereas the agents believe the true figure covering all relevant PRS properties should be over £11m. They say, "It appears that the income projection of £6.5m is already anticipating that only half of the properties will secure a licence. (Oxford based ARLA or UKALA agents)	• The income projections in the cabinet report are based on a number of the 30,508 privately rented properties not being licensable under the selective licensing scheme; those being HMOs which are covered by the additional and mandatory licensing schemes and those that are exempt from any licensing scheme by virtue of the legislation, it is estimated this equates to around 18,000 properties. The starting figure for licensable non- HMO stock has been estimated as 12000, –The projections are based on our experience with HMOs and it is felt we will initially licence 80% of the licensable

Appendix 3

	properties, working on finding and enforcing against the remaining 20%, unfortunately as we have found over the years with HMO licensing there will always be landlords who try to evade regulation. These projections will be reviewed on a regular basis and where necessary changes will be made to accommodate for any differences identified.
... notes that the Council's consultation document does not mention overcrowding as an issue, despite local media reports to the contrary. ..the city should, as part of new licensing rules, ensure that licenses cannot be retained by landlords found to be engaging in overcrowding (Bullingdon Road Community Association)	•Overcrowding is one of the hazards under the Housing Health and Safety Rating System so it is part of the overall data. Where a problem is found, the Council will use statutory powers to resolve overcrowding and failure to comply could result in a licence being taken away.

Consultation Responses relating to "anti-social behaviour criteria"	Council Consideration
One of the six criteria for Councils to choose to go for Selective Licensing is anti-social behaviour ... this is moving the responsibility of anti-social behaviour from authorities to landlords and we, as landlords, don't see that as being our responsibility ... We, like any landlord or agent, take great care in selecting our tenants and if there are issues, then yes, we'll take it up with them, but it's very difficult to actually do much enforcement. We'd have to then go back to authorities and ask the authorities to take any enforcement that might be necessary. If we want to remove them from the property, we already have the legislation there, and that's to issue a 'Chapter 8 notice', we can have them removed from the property. But I just don't see that selective licensing will in any way resolve anti-social behaviour" ...the position there is about the disturbance caused by the tenants in that area, mainly university students. Nobody can control them, not even the universities, yet they're logged in with our system. That's unfair, because they're putting it on the landlord to try and take care of this problem". OCC appears to be claiming there is a serious ASB problem across the entire city of Oxford... undertaken an average of 811 investigations a year between 2015 and 2019 in a PRS comprising 30,500 properties – and that the figures show that approximately 20% of investigations relate to just two wards, St Clement's and St Mary's.... a useless, toothless measure because PRS landlords have no control over their tenants' behaviour other than to apply for a possession order to evict. Therefore, in the proposed licensing scheme, it is implicit that a landlord may be forced to evict should their tenant be reported for ASB, else risk losing their landlord licence.	• ASB is considered to be a problem in some privately rented properties however it is not the reason for the proposal to introduce the selective licensing scheme. • The Council have considered the comments raised by landlords, residents and other organisations and have determined to remove standard conditions relating to anti-social behaviour. These can be added on a "property specific" basis to address problems on a reactive basis.

Appendix 3

One of the criteria is that there's an awful lot of anti-social behaviour but, effectively, in most tenancy agreements there will already be things which say that the tenants are meant to be good, but also that they have a right to their own existence without landlords interfering. So, we're really not sure of how that is addressed by this scheme..."	

Consultation Response – whole city v exclusion of Holywell	Council Consideration
For a level playing field it should include Holywell; the standard should apply to all. This is more fair and easy"	- Comments have been noted and considered. There is support and evidence of both sides. - Any Selective Licensing scheme will need approval by Secretary of State. - The proposal to Cabinet is that two designations are made – one for the whole city and one that excludes Holywell. Submissions will be made to the Secretary of State for both schemes and therefore the evidence for the most appropriate scheme will be determined by the Secretary of State. - The Housing Act 2004 provides for exemptions for licensing – that includes buildings managed by universities where the tenants / residents are undertaking a full time educational course. However, university owned property let out on the open market would be covered by the scheme.
Option 1 is preferred because ...it's just easier as a mass area. Everyone knows a little bit better within that whole area what they need to do. It brings all the properties up within that area to the bar"	
I think you should include Hollywell. Just because it's being run through the University, that doesn't prove to me, necessarily, that they're meeting standards either.	
It doesn't make any sense to start distinguishing. It's easier to bring in the whole of the city	
One of the concerns is that, with the Hollywell Ward, it has clearly been included in the data ... in terms of the anti-social behaviour numbers etc., which is obviously in favour of introducing a Selective Scheme. Yet, if and when the scheme is introduced, those properties are going to be exempt from licensing. So, why have they been included in the data now, when they're not going to have any effect when it comes to the actual licensing stages?"	
If this was put in in Holywell then there may be opportunities to deal with those issues that are in that ward. (OUSU)	
It has to be city wide, the reason being that they say the Holywell area is well managed, but that's at the minute. If that becomes the area where landlords don't need to conform to the rules.... that steers demand to that ward. (Police)	
We have no strong view; we generally support being slightly more targeted but we were supportive of city-wide in Liverpool and we would be up for Oxford to go that way (safeagent).	
A city wide scheme is preferable... from the evidence, Holywell does not share all the characteristics found in the PRS in the other wards. (ARLA PropertyMark)	
Would support excluding Hollywell because most students are in Marston, East Oxford and Headington. (OBSU)	

Appendix 3

I see no reason to exclude University owned properties, this is clearly discriminatory	

Consultation Response – impact on housing stock	Council Consideration
The type of properties that this would impact are exactly the properties which are keeping people from being homeless ... Some of the places are really affordable, even free and in slightly crappy conditions and so, I guess it just fills me with worry because I think that either you'd get people thinking it's too much risk, I'm going to stop doing this... I can't be bothered with the bureaucracy. I'll just leave it empty. (OTU) It's not just the extra paperwork, it's everything you have to go through; it's the stress of that. It gives you more anxiety as a landlord, thinking, 'I can't be bothered with this anymore'. I can see people saying they're either not going to rent it out and just have empty properties or 'I'm going to sell it', and that's something I would consider if the scheme goes ahead" The paper[work], and all the extra things, and I'm wondering if this is a way of discouraging private landlords? Is it like the stamp duty was on second homes? Is it just trying to discourage?" "Oxford City Council need to be cautious introducing this scheme. The effect in the housing market would be extensive. It will reduce the size of the rental market in the City. Prospective landlords will be deterred and the number of existing landlords will be reduced" Under normal circumstances it would only serve to drive more Landlords such as myself to reconsider their investments. With rental growth looking very dubious given the pandemic and in fact the general economy beyond, along with the prospects of up to 50% Capital Gains Tax in the next Budget, the appetite for investment property along with further licensing will undoubtedly become totally unappealing ... The introduction of further Legislation is not at all necessary and I would strongly urge the Council to reconsider the proposal with a view to dropping it, especially at this very difficult moment in time on so many fronts for all of us. Increasing the availability of affordable and/or social rented housing, to reduce the city's reliance on the private rented sector; Where there are clear abuses they should be prosecuted, but common sense should prevail. The effect of over regulation will lead to a decrease in available housing stock for rent... This is the inevitable outcome from this overbearing sort of regulation..." You'll be getting the money from the people that probably will pass these	• The private rented sector has grown rapidly over the last two decades, from 20.8% (2001) to 49.3% (2020) and the Council does not wish to deter prospective landlords from entering the rental market. There is no evidence to suggest that property licensing schemes reduce the size of the rental market where they have been introduced. • There is no evidence to suggest HMO landlords have left the market in Oxford since Additional HMO licensing has been introduced. The private rented sector (PRS) has seen an unprecedented growth in recent years, and the Council believes that other factors introduced by the Government may affect the sector more than licensing eg changes to taxation for landlords. • It is not the aim of the Council to discourage landlords from the market through Selective licensing, the aim of the licensing scheme is to improve property conditions and to ensure landlords take a proactive role in managing their properties. • The Council, in partnership with Oxford City Housing Ltd (OCHL) is building new homes to rent in the social sector, planning policies have also been developed to support and encourage developers and housing associations to develop new homes. • It is the intention of the Council not to penalise compliant landlords, the proposed fee structure supports this intention by ensuring those landlords who are compliant will pay far less for licensing than non- compliant landlords • The Council assist a number of new landlords entering the HMO market and will continue to do so if selective licensing is introduced. • If selective licensing is introduced, enforcement officers will be specifically investigating unlicensed properties as they do now in the HMO licensing

Appendix 3

licenses ... you're going to drive more underground, because there are people that are unscrupulous and tenants won't report it, because they know if they report it they'll be homeless; and so the Council just need to be mindful of that going forward	scheme. Such investigations do not require tenants to come forward and complain and will use various intelligence methods to determine if there is a breach of the licensing scheme
... would support licensing scheme arrangements that are, in part, integrated with a variety of housing policies intended to systematically reduce private sector accommodation in Oxford, thereby creating a mix of tenures (Bullington Road Community Association)	• Selective licensing must compliment the overall Housing Strategy for the Council, this strategy covers all housing stock within the city and along with other Council policies encourages a mix of tenures.
Yes, definitely [problems with conditions] but it's not the only problem. (OTU)	• The Council recognises that small homes provide affordable housing for many tenants. Selective licensing will not restrict the number of homes for rent (it is planning legislation that controls the use of homes).
The city must ensure that the result is not an even greater scarcity of rental accommodation in Oxford than already exists ... a licensing scheme that drives landlords away would only further worsen the affordability crisis that has left Oxford as the worst city for income-adjusted housing affordability in the entire country. ...If the Council decides to implement the proposed licensing scheme, it is said that it "should ensure that it does not prevent potential rental units from coming on to the market" because if it does, its effects would run contrary to the purpose of the licensing, which is to protect tenants...houses owned by small landlords, who would be most impacted, provide a large share of affordable housing for tenants. (Un-named group of tenants)	• Some suggestions, such as public rent guides, are outside the scope of the scheme.
I think there are a lot of options that do fit within the jurisdiction of the local authority, rather than national government, which could get us much closer to a fairer rental system. And part of that package for sure, cracking down on property conditions and rogue landlords, but it's one part of the jigsaw. [Other parts include] reform to the private rental market and put rent control in place, the City Council making a real commitment by saying, 'We're going to make renting in the city fairer'. There are things like putting in place public guide rents, about publishing some of the data ... like average rents per area ... making more of a public campaign about it. Also, we just need loads more affordable housing and ... proper city investment in a social lettings agency and a database of the 500 ethical landlords of Oxford – people who are charging rents that fit within LHA..." (OTU)	
There are some really poor properties ... we welcome tighter regulation but there is a risk of doing it in too heavy-handed a way. A lot of people that come to us or I come across in my work are in informal tenancies because they can't afford to be in the formal rental market ... Often people are trading large amounts of money or labour or even sex for those kind of living arrangements. Some of them are good - including someone letting a room to a friend's kid for a year or two or arrangements that fit more within sofa	• Unfortunately the poor practices described are found in the private rented market and whilst this may provide a home, consideration should be given to whether that home is safe and in a satisfactory condition. Landlords have a responsibility to ensure that their property is let in such a way that it is in a safe and satisfactory condition. It is hoped that through licensing schemes, such practices are uncovered and eradicated. Advice will be developed for landlords as to how they can comply with the scheme.

Appendix 3

surfing Not ideal but are preventing people from being homeless so our fear is if this comes in, the people who are those informal landlords will just decide the risk is too high and stop doing it. (OTU)	
Or, where there's a big problem is those people who have a property ... rent a property to someone and they illegally sublet it. That is where the problem's growing (NRLA)	It is hoped that selective licensing, as the previous HMO licensing schemes have done, will assist in tackling such illegal practices
Additional costs will be incurred for adult social care, children's services and housing if the Council's goal is to be achieved. Evidence that these costs will be met is requested, as is information about how landlords will feed into the system if they suspect a tenant is at risk, and what support will be put in place so a landlord can support a tenant with mental health, alcohol and/or drug issues (NRLA)	There will be guidance produced for landlords around ASB and supporting their tenants including how to access services who may be able to assist.
I wish to just state that licensing - the cost of this - to those of us who have a single individual as a lodger, will be huge. We, at present, are dependent on our single lodger on the rent a room scheme ... this would be really hugely impactful and will result in families being unable to cope with additional expenditure... Please focus your aim on the unscrupulous housing traders in the city not those families hosting key workers such as our brilliant NHS nurse..."	- Licensing is not required where there are up to 2 lodgers sharing an amenity (WC/Personal washing facilities/kitchen/living room) with the landlord. - Licensing will not apply where there is no tenancy agreement i.e. where there is no rent paid - We will make this clear to landlords in future communications.
"Please spare a thought for people like us who have acquired flats or houses for our vulnerable/elderly relatives and do not charge them rentals ... many of us have very difficult lives caring for our loved ones and do not welcome the additional burden of more regulation, inspectorates and costs..."	
The socio-economic model presented by Oxford City Council ... has treated renting out of a house as more of a business rather than of self-employment for a household with one house ... the cost of licensing proposed may impact more severely [on] the single house letting landlords than the multiple letting house owners/landlords ... in the case of a landlord owning one house to let ... the licensing [should] be made free..."	Renting a property to a private tenant is a business and landlords must comply with legislative requirements when doing so, whether they are renting out one property or a number of properties. If selective licensing is introduced it will be applicable to all landlords letting properties with a non-exempt tenancy
Obviously, we don't want to see the fact that that upgrade results in the lowest stock being removed, or the people in those houses being left out because of the requirements to upgrade. (OUSU)	The standards required by both licensing schemes are minimum standards which landlords should be providing if letting out property.
The impact of Covid and unemployment: ... more people falling into rent arrears is a worry as well so the additional cost is less likely to incentivise landlords to remain in the sector and our members often talk about investment confidence ... and of course, most of them across the country only have one or two properties ... also if you've got a mortgage on that there's a potential impact. So, these are the broader issues that our members	The licence fees have been set for a 5 year licence; for an accredited landlord this results in a fee of £56 per year and for a non-accredited landlord £96 per year. Whilst the Council accepts there are financial worries both for tenants and landlord at this time, the selective licensing scheme, if introduced, will not be commenced until 2022, when it is hoped the economy has recovered from the global pandemic to some degree.

Appendix 3

tell us about on a daily basis. (ARLA Propertymark)	
I am concerned that some of the money spent on an extensive system will be money that could have gone for property renovation. Therefore, there is a possibility that the quality of much housing stock will be lower than before	The fee for compliant landlords will be kept low – the standard fee for selective licensing is £480. It is unlikely this will have an impact on the ability of a landlord to undertake property maintenance work.

Consultation Response – will lead to increased rent	Council Consideration
One of the things that was raised was the impact on rents for the tenants... thinking about the extension of the scheme, it's likely that their rents are going to go up across the city	- Rent levels are driven by many factors. Affordability of housing in Oxford is not likely to greatly improve in the near future as the lack of available land for development and high land values will maintain high property values. This is reflected in the reduction of homeownership and corresponds with increases in the cost of rent due to a higher demand placed on a growing rental market. However, there is no evidence that HMO licensing has led to an increase in rent. Therefore, we do not believe that selective licensing will lead to an increase in rent. - We acknowledge comments that landlords have additional costs however we believe that the fees are not much when costed per day. For compliant landlords then a new HMO licence, the fee equate to £0.54 per day. For a selective licence, the fee equates to £0.27 per day. - We acknowledge that landlords have commented that licensing may require them to complete additional work. However, for selective licensing, there are no specific property standards. The only time work is required is where there are hazards identified under Part 1 Housing Health and Safety System. This will be for those landlords that have failed to invest in regular maintenance.
there will certainly be consequence that rents will just go up for tenants, because why won't the landlords pass on the costs directly to the tenants of whatever licensing scheme is being imposed?"	
We're all obviously very interested in keeping our tenants safe and happy, and doing our best for them ...but there has already been a lot of extra cost involved. The agents/estate agents can't charge the tenant now for certain fees, so that's coming over in the landlord fee that we're being charged... there's all the electrical safety checks, the PAT checks, the legionella tests, the management fees, insurances, building content, landlord insurance, the stamp duty changes; there have been so many things. So, [the scheme] is going to lead to the rentals going up, otherwise it's not going to be a business that we can carry on with ... The rentals are already very high in Oxford, but I fear that this is going to bring it up again; I can't see any other way"	
Particularly at the smaller end (two or three households) what exactly is the justification or the Council adding to requirements over and above what a single household tenancy might be ...all this does is add costs and make rents higher...	
You'll be getting the money from the people that probably will pass these licenses ... you're going to drive more underground, because there are people that are unscrupulous and tenants won't report it, because they know if they report it they'll be homeless; and so the Council just need to be mindful of that going forward	
My understanding is that if all these landlords are having to pay extra fees for their properties, it feels like most of them would respond by perhaps increasing the rent so the tenants would essentially be paying that fee	
It's going to be passed on to the tenant and what kind of protections are in place?	
I think it's good that landlords get licensed, but I'd be worried they'd just chuck	

Appendix 3

317

the cost onto us [tenants]. It's extortionate in Oxford as it is	
If you're at Oxford, you've got a reasonable chance of getting a job but people in lower economic groups, this is going straight on their rent ... So, the Council Policy is directly affecting those in the lower socio-economic groups in a negative way ... (NRLA)	
Fees will be passed to tenants potentially increasing hardship (ARLA Propertymark)	
You're pricing the lower socio-economic group of people – those on housing benefit – out of the City. That can't be good for the City if you've got the poorest people in society not being able to live in the City, being forced to live in the extremes ... outside the City. (NRLA)	
If they [landlords] pay more they'll only turn it back on the tenant for rent (OBSU)	
...leading to an undesirable increase in private rents as landlords pass on the fee to tenants	
For tenants, it will surely lead to increase in rents as landlords try to cover their costs	
Exactly what happened when the law came in about the tenants not being allowed to be charged the contract renewal fees. The month it happened my landlord said, 'We're going to put your rent up'. My landlord said he had to cover the tenant fees. My comment is that it's going to be passed on to the tenant and what kind of protections are in place?	

Consultation Response – essentially a “job creation” scheme	Council Consideration
About a third of the cost of the licence for the Selective scheme is administration ... there's a bit of thought needed on that; on just how those costs stack up”	• This is not the case. The scheme has been proposed to improve property. The scheme must be cost-neutral – the Council cannot use income from property licensing for other areas of work. • There will be an opportunity for employment however this is not the driver for the scheme. For the processing, this would be short term (one year) employment. • The Council did not change the definition of an HMO from five to three people. A three person property is an HMO under the Housing Act 2004. The Council has required smaller HMOs to have a licence since 2011.
We understand the Council needs more revenue, but we do feel this is a money grab...	
It will be really interesting to know from the Council what extra number of people are going to be employed as a result of this scheme to do the inspections and so on...	
The whole issue has been driven by getting income for the Council. That was fairly obvious by the fact that the Council has changed the Government's standard from five people make an HMO to three people make an HMO. The obvious driver for that is money”	

Appendix 3

Consultation Response – “tax / charge on landlords”	Council Consideration
Landlords are operating in very difficult times at the moment ... rents are falling, tenants are losing their jobs. We feel that it'd be an additional administrative and tax burden, which is unwelcomed, and penalises good landlords	• The Council acknowledges landlord and agents concerns. However, the fees have been kept as low as possible for compliant landlords. • The benefit of a licensing scheme is that landlords will be able to demonstrate to tenants they are compliant. It will also help reassure landlords that they are compliant as well. • Selective licensing would not start until 2022. Landlords will have time to prepare, become accredited if necessary to benefit from the lowest fee and set money aside for the fee. • Costs have been carefully considered so that compliant landlords are not subsidising the non-compliant. • Where a landlord uses an accredited agent to fully manage their property, this will qualify for the accreditation discount. We do believe that letting agents have a responsibility for ensuring the properties they manage are compliant with gas safety, electrical safety etc. This is in line with recent proposals for Regulation of Property Agents.
I think the people that care would be doing the work anyway and the people that don't wouldn't. And maybe the Council wouldn't be able to go around and check, and then you end up taxing people that would be doing the right thing anyway	
There is a worry that 80% of the housing stock is owned by good landlords who are trying to do everything they can do to make sure the standards are what they should be, who are effectively being punished for the 20% that aren't, and that they're going to have expense in an aim to bring up the 20%	
You're basically penalising good landlords and taking money from them to fund inspecting and prosecuting the bad ones	
It seems to me that in the Selective scheme landlord just pays for the paperwork and other people's infringements	
I'm sure everyone on this forum wouldn't want to be seen as the easy touch for making up the money to pay for this [scheme]. It might be difficult to chase a rogue landlord as they haven't declared the property as an HMO or for whatever reason; but I think there's a very delicate balance...	
The Council gets the money, but what's the benefit to us? What's it bringing as an extra?	
You're preaching to the converted here; I'd imagine most people here are responsible landlords or responsible agents ... This may go back whether the Council is going to be incentivising the people who are trying to do it properly and legally...	
Most of those things that were in the list, good agents do them anyway so we're already paying that through our fees. Six-monthly inspections, letting the tenants know, hot water etc, and they are regulated for law anyway, like gas certificates and things like that ... So, I think, that it's not really doing to change that much, other than we are going to be asked to pay a certain amount for the license	
There are a lot of landlords here ... who don't feel comfortable managing their own houses, and they want to appoint an agent to do it on their behalf and to make sure it is managed properly and it is up to standard. A lot of landlords make sure they appoint an accredited agent and those are recognised by the Council for doing the right thing, and for them, they're paying already to make sure the houses are managed correctly and are to a good standard. So, why	

Appendix 3

319

have they then got to pay again in their eyes to tick a box to have a piece of paper?"	
Licensing will add to ever growing costs of compliance, make fewer funds available for maintenance and reduce the cost effectiveness of renting with consequent lessening availability	
"I do not welcome further licensing and control because this will inevitably put up cost, at a time when mortgage relief is minimised, insurance and other costs are rising, while rents remain static. For a sole trader landlord like me it's hard"	
We have no doubt ... that your licencing scheme will attract a significant annual fee in addition to the considerable current administrative fees we are obliged to pay and with tax rises already being predicted for private landlords. Although something of a cliché we are anticipating being penalised by an additional tax in the form of your licence fee for the shortcomings of unscrupulous landlords	
Those that currently have no regard for the law relating to being a landlord, or to meeting their obligations as set out in a tenancy agreement, are hardly likely to obey the rules of a city license. Therefore, it will simply end up being an additional tax on good landlords who are not in need of a license to ensure their properties are in good order	
If unilaterally applied, the proposed selective licensing scheme will prove time consuming and costly for the Council, while imposing yet another punitive charge on responsible landlords	

Consultation Response – impact on equality	Council Consideration
A number stated they share ACORN Oxford's concerns around the inclusion of licence conditions requiring landlords to regulate' anti-social behaviour, on the basis that these risk penalising tenants who might be marginalised, vulnerable or have complex needs. For example, there were concerns about landlords seeking to evict challenging tenants and/or discriminating against particular groups when choosing whom to let to (e.g., people in poverty, transgender individuals, individuals with poor mental health, and sex workers were all specific examples given of the kinds of groups that could be impacted), while leaving the Council or other services to 'pick up the pieces'. A few also felt the Council should issue a public statement affirming that would use the scheme to improve housing conditions – not to police tenants.	• These comments have been considered and whilst some are outside the remit of the licensing scheme, changes have been made where possible to accommodate some of the comments. • The comments regarding anti-social behaviour have been noted and the effect these could have, the Council have removed these conditions from the standard conditions on both proposed licence schemes. A condition can be added where there are particular problems with a specific property and can be added on a reactive basis. • The comments regarding increases in rents have been noted and responded to in the sections above. The licensing fees have been kept as low as possible and the Council so not believe that this will lead to rental increase.
Licensing is likely to increase rents which will impact tenants on low incomes, and have a disproportionate impact on the most vulnerable, exacerbate the	

Appendix 3

320

homelessness crisis etc.	
Although Oxford does not have significantly higher levels of deprivation than the national average, it does appear that fuel poverty and child poverty rates are relatively high, and the potential for licensing to increase rents needs to be considered in this context	
Licensing may contribute to a 'black market' in housing in which the vulnerable are more, rather than less, likely to be exploited by any unscrupulous landlords	
Oxford's high rents hamper social mobility by discouraging students from poorer backgrounds coming there to study, and so any measure which risks increasing rents should be avoided;	
There should be more emphasis on energy efficiency in the conditions etc, as fuel poverty disproportionately affects the vulnerable;	
Tenants who have more limited English language skills may require appropriate support or help to understand their rights and responsibilities;	
Any referencing needed should be based on character rather than finances, to avoid disadvantaging "decent but poorer" people;	
There is a concern that smaller households (e.g., single parent families) find it harder to have their voices heard in general;	
Wheelchair users, those with other types of disability, and people with young children etc are particularly impacted by inconsiderate parking etc in areas with high levels of HMOs/private renting.	

Consultation Response – impact on other areas	Council Consideration
"Is Oxford Council collaborating with other Councils from around the district? Or is there going to be a question of 'licensing stops at the bottom of Kennington', and then we find that there are poorer conditioned properties out there and we just force the rogue landlords and poor properties onto the outskirts and on to the other Councils?"	The Council has consulted with surrounding authorities. They have been given an opportunity to respond. We do not believe there will be "creep" into surrounding areas given the drivers for the housing market is complex.
Cherwell District Council says it has not identified any growth in the number of HMOs in Cherwell District that is directly attributable to the introduction of additional licensing by Oxford City Council and does not expect the proposed renewal of the City Council's additional licensing scheme to have any significant displacement effect on the creation of HMOs in Cherwell, believing that any such changes are most likely to have taken place already, and none have been identified. Cherwell District Council considers it unlikely that the introduction of the Council's selective licensing scheme will have a negative effect on the PRS in	Comments noted

Appendix 3

Cherwell. Any increased uptake by landlords of rental property in Cherwell rather than Oxford would, it is felt, be difficult to identify, but CDC suggests that this would be unlikely to occur at any speed, "nor would it result in any direct reduction in property condition". Moreover, it is suggested that rather than pose a risk of driving unsatisfactory landlords to move operations to Cherwell, selective licensing could equally "see a trickle-down of improving practice that might benefit properties in Cherwell owned by landlords operating in both areas".	

C. Alternatives to the proposals

Consultation Response – “do nothing – current powers are sufficient”	Council Consideration
Why not just deal with the fifth of the homes which you claim to know have serious hazards, instead of charging the other 80% of good landlords a licence fee	- The Housing Act 2004 does contain powers to inspect rented homes and serve notices for improvements, under the Housing Health and Safety Rating System. The Council has undertaken a proactive project to find those houses with low EPCs , as available from public data, to ensure improvements were made before the introduction of the MEES standard – this was part funded by central government. While this project was successful, it also demonstrated, the resource needed if funded via general rates would lead to an increase in council tax. We therefore do not believe it is a viable alternative to rely on proactive research alone with funding via general rates. - Unfortunately there are a number of landlords who do not ensure that their homes are safe and in good condition before and during a letting. If property licensing schemes are introduced, prioritising enforcement will be an important part of the scheme and the aim will be to identify those properties which require an inspection where good practice and management is not being observed. - The HMO licensing scheme has demonstrated that landlords are not always aware of legal requirements such as gas safety or electrical safety or EPCs.
just leave good landlords alone and look to the areas, known to all of us, where the real problems are	
Oxford City Council has powers delegated by Central Government to regulate housing in the city ... e.g., Housing Health and Safety Rating System (HHSRS). The general powers should be financed from the general council rates. They include the identification of rented houses by research of council and other public records...	
With 53% non-compliance with HMO additional licensing, the Council should focus on that before expanding licensing 10-fold”	
Your own admission is that one fifth of landlords are “rogue”; this means that four fifths are probably responsible. You should look for other ways to deal with the rogues.	
There is no need for any additional licensing from the Oxford City Council which would just be a bureaucratic unnecessary expensive hoop	
There is no need for all private rented homes to be licensed as there are already adequate measures in place to ensure all privately rented homes are safe and well managed (Gas Safety, Electrical Safety, Fire Safety and the EPC). ... Any further licensing of the private rented homes would be unjust and unnecessary	
The standards are already there by the government. My properties are to a good standard. Why should I pay more tax?	

Appendix 3

We still have to adhere to guidelines and rules via the rental agents who keep an eye on us – re house quality, maintenance, certificates etc. So, I don't see any need for further control ... for those who go through a reputable estate agent/rental company, they do the oversight for you"	
HMO is already complicated and expensive. Penalties are high	
We would strongly object to the creation of a selective lettings licencing scheme imposing another tier of bureaucracy on top of our existing contractual and statutory obligations but which we accept are in place to protect our tenants	
The expiring scheme is an unwarranted burden on landlords, agents and council staff. The conditions are all backed by pre-existing general powers and duties, which do not need to be embodied in a licence to be effective	
Selective licensing would achieve little beyond the powers that OCC already possesses (the power for OCC to force inspections in a privately rented home, to "pointlessly" force landlords to include ASB terms in their tenancy contract and to compel them to obtain tenant references) ... A better way forward would be for OCC to conduct a review into its failure in respect of HMO licensing, and seek more creative solutions than bureaucracy, taxation, and forced inspections	
The NRLA is not opposing the Council's proposals, but says it needs to "understand how the local authority is going to deliver against what it is proposing". It believes that any regulation of the PRS must be balanced and that additional regulatory burdens should focus on increasing the professionalism of landlords, improving the quality of private rented stock, and driving out the criminals who act as landlords. It also feels that good practice should be recognised and encouraged and asks how the Council plans to communicate best practice to the landlords and tenants of Oxford. The NRLA feels that an active enforcement policy is an important part of protecting the sector from criminals who exploit landlords and tenants and creating a level playing field.	• The Council feels that licensing is a proportional response to the poor conditions and poor management practices it continues to find in the PRS. Licensing will give the Council the opportunity to proactively inspect all privately rented properties without the need for residents to complain. Unfortunately the reactive approach has not worked to improve the sector as a whole. The Council will continue to use all available enforcement tools. • Good practice will be recognised and encouraged, through the use of accreditation discounts and auditing with regular communication through newsletters and forums.
Lack of discussion of greater or more substantive use of the Housing Health and Safety Rating System (HHSRS)....given ... the major complaint is that many properties have issues with standards it makes little sense to ignore this method of enforcement which would directly tackle the root cause of the problem. (Oxford-based ARLA or UKALA regulated agents)	• The Council will use all the enforcement tools available to it to bring about improvements in property conditions in the PRS this will include the use of the HHSRS system and enforcement provisions under Housing Act 2004, Part 1

Appendix 3

If the Council's databases are so adequate as to history, ASB etc. they cannot be used to focus on resolving problems "rather than introducing a whole new scheme that is onerous for many who play no part in this problem"	Those renting in the private sector do not complain to the Council about conditions in their homes, often putting up with them or if they can, ending their tenancy and moving out. The databases are extensive but do not have the full picture, property licensing gives the Council the opportunity to proactively tackle the poor conditions that are too often found in the sector. The Council's experience of operating HMO licensing has shown that improvements are made and in most cases maintained through such a proactive approach

Consultation Response – "collaborative / voluntary / self-certification approach"	Council Consideration
A more collaborative approach between the Council, letting agents, landlords and professional bodies to tackle issues within the PRS – one that recognises and rewards landlords/agents that already adhere to good practice and enables the better targeting of resources for enforcement	- The Council welcomes collaborative working with landlords and agents and will build upon the current work of the Landlords Information Exchange and the Agents Forum, together with other partners. However, a collaborative approach on its' own is not believed to be sufficient to resolve the extent of the problems with poor housing conditions which exist in the private rented sector in the city. - The Council believes that trying to increase participation in a voluntary accreditation scheme would not suffice. According to the English Private Landlord Survey 2018, 75% landlords did not belong to any landlord association¹. This is not the same as being an accredited member – therefore less than 25% landlords voluntarily gain recognised accreditation. - We have run a voluntary accreditation scheme for 10 years. The Council has operated a five year licence for accredited members – landlords are informed of this at every renewal. However, there are approximately only 150 landlords currently accredited and less than 700 HMO licences are with accredited landlords or agents – that accounts for 20% licensed HMOs. This shows that incentivising landlords via lower fees and longer licences for accredited landlords and agents does not work.
Improvement through accreditation is preferable, or to use a collaborative approach with lettings agents, Police, FRS, and others, utilise existing powers/legislation and educate landlords, and possibly agents	
"We wondered ... whether a voluntary scheme should be run-out and pushed a little bit more, perhaps for a year or two. If landlords can then be accredited by the Council, even if they pay for that accreditation, they're certainly going to stand out in ... a saturated market. I think we'd all rather go to the restaurants that have five stars than the ones that have one ... It would also, then, stop the deluge of works that may have to be done, that has been shown with the current EICRs that have been launched by the Government..."	
There are collaborative approaches which we've been involved with ... Home Stamp in the West Midlands that we partner. This has as partners universities, police fire and considers regional and national issues affecting the sector. Provides training for landlords and addressing issues before they arise. There's already lots of legislation that Councils can use and it's also a struggle for the landlords who are not always experts on this, so I think education, a collaborative approach and also increasing the number of accreditation agents and landlords, because often they have higher standards. (ARLA Propertymark)	

¹ Ministry of Housing, Communities and Local Government January 2019 – English Private Landlords Survey 2018 Main report Point 1.26 page 20
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/775002/EPLS_main_report.pdf accessed 21/12/2020

Appendix 3

Should we have some self-certification scheme whereby landlords can indicate that they comply with the regulations that the Council set down and backed up by possibly some random inspection regime"	There would be no legislation behind such a scheme, as such it would be voluntary and similar to accreditation. Without legislation, we would not be able to issue penalties for default.
A self-certification scheme may be an alternative and penalties for default...	
A voluntary scheme with some incentives for landlords e.g. a 'star rating' system to promote the best performers, or a Council tax waiver for periods where the property is vacant;	We operate a one, two or five year licence structure for HMO landlords. Although not quite a "star" rating, it is a similar idea and only 20% of HMOs have five year licences. Therefore a voluntary star rating scheme may not incentivise landlords to comply.
Requiring or encouraging landlords to invest in their properties as an alternative to paying a licence fee (on the basis this is more likely to lead to immediate improvements);	There would be no legislation behind such a scheme.
Property MOTS – no real exploration of this possibility. Oxford is in a unique position with such a high proportion of properties in the PRS, and the pilot of an imaginative private/public partnership strategy could be exciting and effective...with a moderation role for city officers and resourced by grants from MHCLG and the private sector (Oxford based ARLA / UKALA regulated agents)	- The Council agrees that this scheme has the same aims as property licensing – to improve property conditions. The Council also acknowledges that the idea of an "MOT" as an idea is simple to understand – with confirmation that certificates are obtained and the house meets certain minimum standards. The agents suggested the MOT could be obtained from approved agents or surveyors or the city council for a fee, with moderation by the council. The agents believed the city council could make use of by-laws to make such a requirement mandatory for all landlords and to then allow fines to be issued. However, by-laws need an Act to enable them to be made. There is no provision to make by-laws for such a scheme under the Housing Act 2004, therefore we would have to demonstrate that other legislation was applicable. In addition, a by-law cannot be made where alternative legislative measures already exist that could be used to address the problem – in this instance, property licensing under the Housing Act 2004. We therefore do not believe that a by-law can be lawfully introduced. - Without legislation, the scheme is voluntary. The Council acknowledges the idea of having a "critical mass" of agents / landlords involved" would give the scheme recognition however the set-up of such a scheme would be at cost. The agents also suggested that the Council could obtain government funding to set up such a scheme. Grant funding may assist in the set up but if the scheme was to operate successfully the income stream could not be reliant on grant funding as the income to operate the scheme must be sustainable. - While the Council acknowledges that Property MOTs may be a possible

Appendix 3

	direction of travel for government, we do not consider it likely that it would be introduced in the next few years. In any event, the selective licensing scheme must be approved by the Secretary of State and they would be unlikely to approve a selective licensing scheme if there was going to be a new national requirement for property MOTs. We therefore consider that selective licensing remains the most viable scheme for improvement of property conditions.
Since we're already having to go through gas certificate inspections, electricity inspections, EPC is there any way we could just submit that kind of information to the Council along with photos online? Then there would be little need for a fee...	This would be voluntary and would still require administration and resource to monitor.

Consultation Response – “landlord licensing”	Council Consideration
Licensing landlords rather than properties.	The Council acknowledges landlords and agent comments regarding landlord licensing and that it appears a preferred alternative. However, the legislation does not allow for “landlords” to be licensed. Such a scheme would be voluntary and as such would be unenforceable meaning that non-compliant landlords would not be required to licence.
A better alternative to Selective Licencing would be for OCC to introduce a scheme requiring landlords to be licenced and to register the properties that they own. This would enable OCC to licence landlords instead of individual properties and would, it is felt, have the advantage of significantly reducing the administrative burden on landlords and OCC, “allowing both to focus time and resources on the real issue of property conditions. The outline of the proposal would be: landlords with PRS properties in Oxford would apply for a licence and demonstrate they have had appropriate training and are ‘fit and proper’ persons; the landlord would register all their properties and self-certify their conditions; a fee would be paid per landlord and last for five years; OCC would undertake random and targeted inspections to test the self-certification and issue fines etc. for non-compliance. (Lucy Properties)	
A number of landlords that are on this call are already licensed because they have HMOs. Couldn't they be given a waiver because you already know who they are? All they would need to do is register their wider portfolios with you”	
We would rather go for landlord licensing scheme, rather than the one Oxford is going for, which is a general licence for the property”	
Cost is very important, and we feel that landlord registration fee might be a better way to look at it”	
A system more akin to Rent Smart Wales;	
Instead of focusing on licensing properties through this Selective Licensing scheme proposal, what if it's the landlord that becomes licensed? ... At the	

Appendix 3

end of the day, if we're responsible landlords or responsible agents, and we've been checked out and we have a license as being such, that's it: one licence. We don't really need 100 licences, because it's very repetitive. We would endorse the idea of landlord licence"	

Consultation Response – “a new national approach”	Council Consideration
Parts Two and Three of the Housing Act 2004 should be removed and replaced with mandatory training and accreditation for all landlords (ARLA Propertymark)	- The Housing Act 2004 is national legislation so only national government who can amend the legislation. - Requiring initial inspection for all rental homes would require amendment of national legislation by government. - National standards can only be set by national government. However, Oxford City Council does collaborate with the surrounding authorities to ensure that HMO amenity guidance is similar (if not the same) across the areas.
Initial inspection for everybody would be a good thing but then if they meet a particular standard, that they then were exempt from further licensing	
We do appreciate that if there is going to be licensing of one bedroom upwards, there isn't a licensing scheme for that. We think there should be, we think there should be a one size fits all scheme. So, you go along, you apply for your licence. If you've got one bedroom you've got to have x, y, z, and if you've got two you've got to have this, three that... nationally as opposed to all these little add-ons ... we look after a vast number of properties, spreading across all the various local authorities and if I have a landlord with a property in the city and one in Cherwell and one in the Vale ... it'd be so good to say, 'This is what you do, this is your rented property, here are your standards, this is what you need'	

Consultation Response – “exclude good landlords / agents”	Council Consideration
"I pay Martin & Co 12.5% of the rent I receive from the tenants every month to 'fully manage' my flat, this involves them visiting the flat every 6 months ... where it is clear flats are being well managed through agents it seems to me this scheme you are exploring would not be required..."	- The legislation does not permit the scheme to be applied to only certain landlords /agents, nor does it permit for one licence to be issued to an agent to cover multiple properties. - The Council recognises the reduced input where an accredited agent is employed to fully manage the property and that landlords pay the agents commission for their services. - The Council recognises the proposed “Regulation of Property Agents” bill to require agents to have qualifications - where agents already have this qualification and belong to a recognised association, this will enable them to the accreditation discount.
We note that the stated aim of the licensing scheme is to 'ensure all privately rented homes are safe and well managed'. Our properties already meet your standards. They are fully managed by Chancellors, a well-known and competent company. They ensure that the properties are well maintained and that all the relevant safety legislation is complied with. We pay Chancellors a considerable sum for their services. May we suggest that your proposed scheme, which we can see is well intentioned, should only apply to those properties which are not let through a letting agent? It would be a relatively simple matter for your Council to decide which agents are suitable, possibly with some form of accreditation scheme..."	

Appendix 3

327

Excluding the worst landlords (i.e. repeat offenders) from being able to rent properties at all;	
There is some overlap in what the Council is asking the landlord to do and what the landlord is asking the agent to do	
This feels like its forcing us to do it twice”	
[W]e would emphasise that the vast majority of reputable lettings agents aren't managing those kind of properties (safeagent)	
“I am anxious that the Council doesn't develop an unnecessarily costly bureaucratic system which ends up doing basically the same job as reputable estate agents ... Are landlords in this category expected to pay for new council staff to do what is already being done? I already pay 10% plus commission ... It really concerns me that I could end up paying significantly extra for no extra benefit. I see no reason that those renting via reputable agents should end up paying significantly extra”	
Since [my] property has been let it has always been under full management with an Oxford based estate agent. The agent ensures all the current regulations connected with rental properties are complied with ... inspects the property on a regular basis and is able to confirm that all is in order and the tenant is happy ... In my opinion estate agents who employ staff with property management qualifications should have one licence as acting agents and they should supply Oxford Council of the addresses of any properties they manage under full management confirming that the properties comply with the regulations ... Landlords who pay a licensed estate agent for full management should be covered under the estate agent's license...	
My house is well maintained, and the repair work is carried out regularly as needed. I pay good fees to the agent for full management of the property and so far, there is no complaint. Therefore, in my opinion, there is no need for imposing a new selective licensing scheme for all private rented homes”	

Consultation Response – co-regulation with agents	Council Consideration
Given the difficulties with the current scheme, will you allow letting agents to take some of the workload off you?	- Where a landlord employs an accredited agent to fully manage the property, they benefit from a reduced fee and for HMOs, a longer licence at reduced fee. This is to recognise that accredited agents undertake a number of checks. - We note concerns about giving agents “self-regulation” and for this reason will undertake an audit system.
The role of letting agents could be enhanced where they are already accredited within the scheme”	
I think that by ... giving letting agents some sway over that, you're moving an aspect of the inspection into the PRS because you would be expecting the letting agents to maintain that standard ... that's something to be very cautious about. Would letting agents continue to maintain those standards?”	

Appendix 3

Consultation Response – “no genuine alternatives put forward”	Council Consideration
No genuine alternatives have been considered by OCC, which is necessary for the consultation to be valid (Lucy Properties)	Alternatives have been considered as outlined in the September Cabinet report. The Council believes, with the experience of HMO licensing, that the proactive approach that is a key part of licensing schemes, along with the robust enforcement powers licensing offers ; licensing provides the most effective way of tackling the poor conditions and poor management found in the private rented sector.
The local authority has a statutory responsibility to explore other viable alternatives, there appears to be no discussion of this in the report (Oxford based ALRA/ UKALA agents)	

Consultation Response – “complaint arbitration / customer feedback system”	Council Consideration
I am against the proposed licensing but would support the improvement of a complaint arbitration scheme to resolve tenant issues. I am sure that the majority of ongoing problems would be down to a number of landlords, pick the low hanging fruit don't burden the majority with yet more bureaucracy and cost.	- We note the suggestions regarding complaint arbitration / customer feedback. However, this would require national government legislation and is outside the scope of this scheme. - There is a website called “Marks out of Tenancy” which is a feedback system. The Council can explore the use of this scheme further. - The Council can assist tenants where there are repairs that are required however cannot moderate the tenancy agreement – this may come under deposit protection or trading standards. We can look to improve ways for tenants to report concerns to the Council. The Council does not enforce all areas of tenancy law – which is confusing for tenants and landlords – and so we can look at ways to improve information and access to ways to report concerns. However, anything further would require national legislation and is outside the scope of this scheme. - We note that where agents belong to an accreditation scheme, there are complaint mechanisms and so tenants can be referred to this.
A fairer, simpler and less costly modern procedure which is currently used by many and various suppliers is basically a public feedback web site governed by a moderator where agents, tenants and landlords can make statement of fact about their experiences thus giving everybody the opportunity to make choices, raise problems and also make recommendations. All parties will still be required to act lawfully with regard to health and safety, tenancy contract terms etc.	
An anonymous tenant hotline combined with unannounced inspections of suspect properties and whistleblower protection followed by immediate enforcement action would do far more than wasting your resources making money from good landlords	
Implementing better complaints processes, to enable tenants to more easily raise concerns about a landlord or rented property;	
When it comes to maintenance issues, I think what is written in the tenancy agreement and what happens are often two very different things ... a third-party regulator would give tenants peace of mind that they would be listened to and not have to go back and forth with the landlord. Often people reach a stalemate with landlords and letting agencies when they're waiting for something to get fixed and it never happens	
A registration system for tenants and potentially 'star ratings' of tenants, to	
	Unless a voluntary scheme. This would require national government and

Appendix 3

help landlords and incentivise responsible behaviour among tenants;	is outside the scope of this scheme.
Implementing an online ratings system via a portal for landlords and tenants, whereby any landlord scoring below an acceptable figure would fall within the scope of the licence scheme;	The legislation does not permit this. This would require a change by national government and is outside the scope of this scheme.

Consultation Response – “other alternatives”	Council Consideration
Unlike the proposed 'Early Bird' and other discounts, only the offer of exemption from checks and charges can act as a meaningful incentive to drive up standards. I urge you to suggest it”	The Council would still have to require landlords to apply for a licence and then, on production of valid documents, give the exemption for charges. In this way, it is similar to the early bird and accreditation and the Council believes it would have the same result in incentivising compliance.
A lighter-touch registration scheme, with a small fee and random spot checks;	The Council has designed the scheme to operate with a “light touch” for accredited landlords and spot checks.
A “ladder type licence” based on a risk assessment of each property (potentially a self-assessment for existing licensed HMOs, and a more formal assessment for new or non-HMO properties);	This suggestion is similar to the one, two, five year structure for HMO licences.
I think there are a lot of options that do fit within the jurisdiction of the local authority, rather than national government, which could get us much closer to a fairer rental system. And part of that package for sure, cracking down on property conditions and rogue landlords, but it's one part of the jigsaw. [Other parts include] reform to the private rental market and put rent control in place, the City Council making a real commitment by saying; ‘We’re going to make renting in the City fairer’. There are things like putting in place public guide rents, about publishing some of the data ... like average rents per area ... making more of a public campaign about it. [A]so we just need loads more affordable housing and ... proper City investment in a social lettings agency and a database of the 500 ethical landlords of Oxford – people who are charging rents that fit within LHA. It might be a waiving of the fees of the licensing for people who are charging rents that fall within LHA ... (OTU)	Many of these suggestions are not within the scope of local authority powers.
Enabling tenants to leave their contracts more easily if they are unhappy with the accommodation provided	This would require national government and is outside the scope of this scheme.

Consultation Response – “there needs to be help with tenants / tenant licensing	Council Consideration
Overall, licence schemes are good, but there needs to be protection for landlords as well in terms of removing tenants”	The Council has a Tenancy Relations Officer who in certain circumstances is able to advise landlords on the eviction process. We can improve the information availability for landlords.
It seems that the local Council is well and good to put licensing in for the good of the tenants, but they are doing absolutely nothing to protect the landlords;	We are intending to produce information and guidance to private landlords

Appendix 3

nothing at all! I have been in a position where I've had tenants from the Council sent to me and it's cost me well over £3,000 when I've had to take the tenant to court who would not pay. The Council wanted to do absolutely nothing on recompense. I've had another tenant from the Council that had done a runner owing rent and taking soft furnishings from the house ... and now they want me to pay for the privilege of them looking after my house and not taking any responsibility for the tenants who are in it. I think they [the Council] are neglecting what they need to do for the landlords"	as we recognise following feedback, that more needs to be done in this area to ensure landlords and tenants know their responsibilities. It is intended that this will also include information about the Council's responsibilities and assistance that can be offered to landlords.
Very difficult to get support from the Council (or anyone really) with drug addicts. I had one in the property who didn't pay rent, over accommodated the room, wrecked the room, threatened other tenants etc. Cost me a lot of money and I lost other tenants due to her atrocious behaviour"	
There should be more tenancy compliancy as well ... We put fire doors in, the tenants don't shut them, and they prop them open. We put notices on the doors saying keep the fire door closed, and they still leave them open, and they still wedge them open. If the tenants get caught, we [the landlords] get done. So, there should be more tenant liability. It's not our fault if they don't comply"	• We can develop notices / information for landlords to give to tenants, including what we check on inspection. • Where landlords can demonstrate they have put guidance in place for tenants then we try to take a pragmatic approach to repairs.
The issue of overcrowding is noted as difficult for a landlord to manage if it is the tenant that has overfilled the property. How will the Council will assist landlords when this problem arises? (NRLA)	• The Council can look to develop guidance on this. Where the property is assessed as having an actionable hazard for Crowding and Space under the Housing Health and Safety Rating System then a suspended improvement notice is most likely – this allows the landlord to keep the existing tenants and then on re-letting, ensure it is to a suitable number of persons.
I appreciate there are rogue landlords, there are also some very poor tenants. Tenants already have an increasing amount of protection. To start they have a legal contract shared with the landlord. The landlord already has to comply with EPC, annual gas tests, 5 yearly electrical tests, deposit protection and maintain the property to the required standard. If the landlord fails very heavy fines can be imposed, if a tenant damages the property, fails to pay the rent for months and hopefully leaves there are virtually no sanction open to the landlord. Section 21 changes also have far reaching implications ... Other recent changes including reduced deposit levels permitted to be held, all cost for contract and vetting being borne by the landlord"	• Licensing is designed to ensure properties are managed and maintained to a reasonable standard. If a landlord has a tenant who is not acting in accordance with their contract or tenancy agreement, they have the ability to legally evict them, the introduction of licensing will not change that legislation, this would be a matter for central government
"Licensing landlords does not deal with tenants who trash perfectly adequate premises or fail to pay rentals which are common experiences with landlords"	

D. Proposed property licensing conditions

Appendix 3

Consultation responses – general comments	Council Consideration
The conditions are already mandatory. You have to do it because of Government legislation	The Council acknowledges that the mandatory licence conditions reflect other legislation. The purpose of including conditions on the licence is to make clear to landlords their responsibilities. The Council often finds that many landlords are unaware of their basic responsibilities.
When you have a flat in a block management company, you pay them and are responsible for fire safety and other things that come under same conditions as the Council. There is some overlap there...to be sorted out	The Council understands the concerns. The licence conditions can only reflect those items the landlord has control over.
The fact that conditions relating to the specific improvement of licensed premises cannot be included in licences under a Selective licensing scheme will limit its value as a direct means of improving stock condition", although it is also recognised that "accurate identification of the private rented stock will provide an on-going benefit for future enforcement work. (Cherwell District Council)	- For selective licensing conditions requiring specific improvement works cannot be included as per Court of Appeal ruling. However Selective licensing will ensure that landlords undertake a basic level of management for their properties, including proactively inspecting their properties. This will help encourage tenants, or residents, to come forward with concerns. - Where necessary the Council will use improvement notices under the Housing Act 2004 to ensure that properties reach the minimum standards
Conditions are not a problem. (NRLA)	- Supportive comments noted. - Templates for rent receipt paid by cash will be provided, although the Council cannot force a landlord to use our templates. - A standard condition regarding proactive inspection has been included, this will required defects / disrepair to be noted and a note about action to be taken and within what time frame. This will assist tenants.
Conditions are fair (OTU)	
A lot of them are good. We like it when tenancy referencing is required; we like it when training is required; we like fit and proper person; that's all fine. 'Anti-social behaviour'? Well, you know, you can argue a bit on that but, we agree with a clause in the tenancy agreement and the rest of it. (safeagent)	
[Most are] a basic function of being a decent landlord. (Police)	
It'd be great if there was a standard receipt. One of the receipts I was given was a scratched paper and there is no legal acceptance of this receipt. I would like the Council being more clear about maybe proposing legal rent books or a Council template of the receipt so it can be valid for banking applications or immigration applications as well to prove residency or mortgage applications. Make sure there are some regulations on that	
I'm fortunate that I have a decent landlord and a decent letting agent at the moment and a property that's in relatively good condition, but I still somewhat feel at their mercy in terms of rent and maintenance of the property. For example, I have an outside tap and it hasn't worked for five years, and every year they email us saying, 'We're doing our property inspection, is there anything you'd like us to take a look at?' and I say, 'Same old, I'd quite like our	

Appendix 3

outside tap to work'. It never gets fixed. One of the gutters started overflowing and causing damp. Only when I said they were going to get charged that they did something about it. If it's not something that it's going to cost the landlord money in the long run or cause a major issue for them, it's rarely of interest...	
On 'complaints' ... we just urge the Council to recognise the fact that there will be an in-house procedure that the agent has and recourse to the Ombudsman if that doesn't work. For some reason, local authorities never seem to tell anyone about that or be the slightest bit interested, but it does exist, they want to stay out of the complaint before it escalates. (safeagent)	Comment noted and we can give this advice to tenants as an alternative.

Consultation responses – regarding references	Council Consideration
In terms of references from prospective tenants, how would that work and what would a reference include? Would that say that a tenant is a very good person and they never do anything anti-social? How will that improve things?"	- This is a mandatory condition set out in Housing Act 2004, schedule 4 – the Council has no discretion in applying this to all selective licences. The condition will be applied to HMO licences so the schemes operate on a similar basis. - Further guidance will be provided on references.
The mandatory condition (for Selective licensing) to obtain references is a "major overstep"... have a referencing process in place and a right to choose if I believe someone will make a good tenant whether or not they tick boxes on referencing, particularly given many tenants have good reasons that preclude them providing a reference.	
Concerns about the requirement for landlords to obtain references and would like the Council to consider issuing some guidance on these. Whether University would be expected to comment on the behavioural record of its students; Whether students looking to start their first tenancy could face issues finding a place to live; The possibility of students with joint and severally liable contracts finding themselves disadvantaged by circumstances outside of their control; and The potential for references to be unfairly withheld by an unethical landlord.	
There was a request for clarification (from a charitable organisation) about whether a referral would count as a reference, within the homeless pathway.	

Consultation responses – regarding Anti-social behaviour conditions	Council Consideration
ASB is not the landlord's fault. Tenants don't always behave...	The Council has considered the comments made by landlords, agents, residents and other organisations and notes the concerns regarding anti-social behaviour. The Council has therefore decided to remove conditions relating to anti-social behaviour and the specific clause in the tenancy
Dealing with unruly/noisy tenants can be fraught with problems.	
ASB. The emphasis is put on landlords, when we in fact need support from other agencies (Police/Council etc.) working together	

Appendix 3

333

This... has far reaching implications for landlords by adding clauses to contracts that "may not wholly cover all scenarios, impacts our ability to work with tenants and in the worst of circumstances may work against us in the courts....it is not a landlord's role to stipulate what constitutes social behaviour or outline what is considered ASB.	agreement. - Where problems arise, the Council can then consider the use of property specific conditions to help address problems. This would be on a reactive basis. - Comments noted regarding NRLA dispute resolution service
I don't feel it's always the landlord's responsibility to control their (tenants') anti-social behaviour, ... In other areas they have employed anti-social behaviour officers and that seems to make more of an effect than these licensing schemes ...(ARLA PropertyMark)	
Landlords are usually not experienced in the management of tenant behaviour and that contractual arrangements are for the renting of a property, not a social contract... They do not and should not resolve tenants' mental health issues or drug and alcohol dependency – and if there are allegations about a tenant causing problems and a landlord ends the tenancy, they will have dispatched their obligations under the selective/additional licensing scheme (and, in any case, the tenancy agreement is the only thing they can legally enforce). This moves the problems around Oxford, but does not actually help the tenant. Clarification, perhaps in the form of a guidance document, on the Council's policy in relation to helping a landlord when a section 21 (or 'future') notice is served, a property is overcrowded or a tenant is causing ASB. A move to a more adversarial system will mean landlords will become more risk adverse to take tenants that do not have a perfect reference and history. ..Willing to work with the Council to develop a dispute resolution service; and it would like information around where the Council expects people who have been evicted due to a tenancy issue to live (NRLA)	
(we support) removing anything about anti-social behaviour and ensuring the scheme focuses purely on material housing conditions and not around policing or immigration. (OUSU)	
Landlords are reluctant to get involved in reports of ASB....To evict someone it's a lot of aggro (OBSU)	
Where there is no instrument landlords can use to enforce or effect such management requests [it] makes trying to enforce those we must and should such as fire safety more difficult.	
Landlords are reluctant to get involved in ASB... other options may work better, such as an OCC ASB team	

Consultation responses – regarding waste management	Council Consideration

Appendix 3

334

We can't make tenants put the right rubbish in the right bin; Failing to use the correct bin or not putting them out on the right day is very difficult to manage	- We note comments. We will provide further guidance for landlords on waste management. - Conditions relating to waste management in HMOs are mandatory conditions and must be applied to all HMO licences issued. A similar selective licensing condition would be comparable. We have noted the comments relating to contradiction about tenancy agreement and licence condition and reworded the condition – the condition requires that the licence holder ensures that tenants have adequate waste disposal and storage is available, the licence holder must ensure that tenants understand the days of collection, and how to present waste for collection. - The Council and Oxford Direct Services work to educate tenants and landlords about waste management. This is via the website, leafletting and undertaking joint working with partners in targeted areas. A template which licence holders will be able to use to inform their tenants about waste management responsibilities has been designed will have the contact number for bulky waste collection. This template will be sent to licence holders on renewal or application of their licence - Licence conditions will only reflect with what is within the landlord's control. - The Council has reporting systems for fly tipping and can look to improve responses.
OCC should provide the landlord with the written information they wish to see distributed rather than expecting the landlord to produce it themselves. This should include information and details about landlord, letting agent and tenant responsibilities for waste and recycling before, during and after a tenancy (ARLA Propertymark).	
If the landlord enters the property they could fall foul of 'quiet enjoyment', or if there is rubbish in the communal area of flats, the landlord of a single flat may not have the right to intervene.	
There was a contradiction between shorthold tenancies saying the tenants are responsible and the licence saying the landlord is responsible. While the City Council intention appears to be that if the tenant fails to deal with waste, the landlord should deal with it, it would be useful to clarify this point.	
And also, landlords going in and sorting out the waste, is this in breach of the tenants right to quiet enjoyment? Could they be prosecuted for harassment? (ARLA Propertymark)	
...consider a strategy for the collection of excess waste at the end of tenancies, since tenants often dispose of it by a variety of means when in the process of moving out (NRLA)	
What happens when these areas are communal, like in blocks of flats? This can be outside of the landlord's control and we ask if they could be in breach of their licensing conditions without any ability to rectify this? (ARLA Propertymark)	
I live in Jericho as well and the fly tipping and littering is always in front of the house. The landlord says is not their fault and we try to contact the Council and no response	
The only issue in Jericho was that there was a lot of fly-tipping in front of the house ... whatever one did to get rid of it, it would always come back. I emailed the Council about it and nothing much happened...	

Consultation responses – regarding property standards	Council Consideration
I don't know what is involved ... in terms of making alterations. That's one thing that is really, really missing from this consultation	We acknowledge the comments and concerns made. Unlike HMO licensing, there will not be a set of "standards". Selective licence
We would have liked more detail about the standards that are going to be	

Appendix 3

335	applied in properties, rather than the conditions	conditions cannot be used to require improvements to houses. The applicable standard is the Housing Act 2004 Part 1 Housing Health and Safety Rating System – this has been in force since 2006. We will make it clearer in future communications regarding this aspect to re-assure landlords and make guidance available (or sign-post to existing guidance).
	We were talking about the minimum requirements for the non-HMO properties ... it's quite important to know in advance. ... It's quite a big step for the landlords because they would need to spend money on the property to get to the standards that Oxford City Council would be looking for	
	What are the other criteria that will be applied when the Council gets round to inspecting the properties? I don't see the kind of things, exactly, that the Council will insist on and the additional costs that it may bring to a property, and that's the biggest concern	
	How much extra work would be required to a property in terms of fire safety etc.? Would all doors need replacing?	
	We haven't seen enough about what the requirements are going to be in terms of physical alterations to properties, and doors and so on	
	I'm hoping they wouldn't bring any ridiculous rules like that that would be unliveable for the tenant"	
	We obviously don't know details of conditions and minimum standards that will be imposed if a property has to be licensed ...	
	"When the Council decide on the non-HMO properties that they're going to license, in the changes that they're requiring to make, could they be mindful of not turning these properties into only lettable properties. Some HMOs now couldn't be re-let or re-sold as a family property because so many changes have been made	
	Some of the houses/flats I've seen do fit the standards, but would anyone live in them? That's the question. It should go beyond what is written in the text ... licensing ensures that these standards are done but it doesn't ensure the quality of the house or housing. Like a carpet smelling of urine. If someone had done a check of the house, surely, they would have said, 'No-one can live there because it smells'"	• For selective licensing, the focus of inspections is on the Housing Health and Safety Rating System and items that affect health / safety rather than quality – a carpet could be replaced if it was unsafe although just "smelly" would not fall under the system. • For HMOs, we can also look at "condition" and so would be able to get a carpet replaced.
	There are pipes showing, but they're not on the way out so it meets the standard. I guess people inspecting don't have that much time. They look for what is in the checklist and aren't putting themselves in our position	
	Could the current habitation bands be given some more thought as a house with 6 occupants is very different from that with 10 and requirements should therefore be different. e.g. Is it reasonable to require 3 WCs for 6 people? It obviously is for 10.	Following a consultation exercise, the Amenities and Facilities guide for HMOs was revised in 2019 – the guide outlines that 2 WCs are required for a HMO occupied by 6 persons. This sharing ratio for more than 5 persons sharing is set by national legislation. Where possible, we have given flexibility based on occupant numbers – for example, for six tenants we allow a standard cooker and a microwave yet for 10 people will ask for two cookers.

Appendix 3

Consultation responses – regarding property security	Council Consideration
Conditions should be used to improve the security of properties as well as the safety of properties	- The associated regulations to the Housing Act 2004 for prescribed standards only looks at fire precautions and facility requirements, not security. - It is possible to add conditions specifically for security on licences, where it relates to anti-social behaviour or otherwise the management, use or occupation of houses. When looking at “standard” discretionary conditions with regard to security, benchmarking undertaken in 2020 established that only 19% of authorities added conditions on selective licensing. It was also noted that these authorities were those that introduced selective licensing under the anti-social behaviour and/ or the high crime criteria and therefore, adding conditions on security was directly related to the reason(s) for introducing the scheme. - The concerns are noted however the Council believes that security issues can be remedied using HHSRS or for HMOs, if there is disrepair under condition and content. - The Council will look to work closer with the Police and develop guidance for landlords on security standards and information to be given to occupants.
General problems for students include ... and security -	
It doesn't matter, for example, how many times a house gets burgled because there's a single glazed wooden front door ... because there'll be new students ...” (Police).	
I was quite horrified walking into places ... single glazing and lack of security on front doors, lack of security on back doors	
Unimpressed by the failure of landlords to provide, for example, lockable side-gates to increase property security. It is suggested that security measures like these should be a condition within new licensing arrangements (Bullingdon Road Community Association)	

Consultation responses – suggestions for other conditions	Council Consideration
...we would like to see [something] ... ensuring [deposits are] safely stored during a tenancy through the Tenant Deposit Scheme ... Also something about timely deposit return, or best practice for that, which I'm sure exists within the sector because there are some people who are doing it very well ... that sort of thing would be massively welcomed as part of those conditions. (OUSU)	The Council notes the concerns. A First-tier Tribunal ruling has stated that deposit conditions on licences was not appropriate. However, if there were ongoing issues with deposits leading to action under other legislation then the Council could consider the impact on Fit and Proper Person status for contraventions of housing law.
It was the end of the tenancy that I found a confusing experience ... Trying to get deposit back is a real challenge and it doesn't seem to be fair ... I got	

Appendix 3

some money back but not all	
We know it's illegal for them to put no DSS on their adverts, but we also know that that culture still pervades ... It would be really good to see within this scheme specific regulation for punitive action against people who are seen to carry forward that kind of attitude. (OTU)	The Council notes the concerns however do not believe it would be possible to add such a condition.
"My main issue is feeling exploited by the market and if they want to put the rent up, there's not really much I can do about it. I'd like to have more security of where I live. I feel like a bit of a second-class citizen in not feeling settled"	The Council notes the concerns however cannot limit rent increase via licence conditions.
I had bad experiences with letting agents that were trying to put in extremely unreasonable clauses and pressuring us to pay the first month's rent whilst not finalising terms of contract. There didn't seem to be any kind of protection in place for easily accessible advice. They seem to exploit people's inexperience, or people's desperation to find somewhere to live.	The Council notes the concerns however cannot use licence conditions to assist with unreasonable clauses. We can work closer with Trading Standards and provide advice and guidance to landlords on clauses.

E. Proposed fees, discounts and charges

Consultation responses – support for fees	Council Consideration
Fine with it. It's got to be a balance between reasonable recompense to the Council for the work but not so much that the landlord's pushing it back on the tenant. (OBSU)	- Comments noted. We note some respondents think the fees are too low (including some landlords). We believe on balance, the fees are appropriate and only cover our costs. - Accreditation discount and early bird discount remains for selective licensing.
The headline fee of £480 for applications made on time is reasonable... agrees with the proposed early bird, accreditation and other discounts (safeagent)	
"I think the fees are very well thought out if one takes the time to look at them in detail. If you look at the good landlords, it's only less than £200 for two years, and for five years is £80 a year. It's peanuts in my opinion, it keeps us on our toes"	
When compare to average rent, especially HMOs, they seem extremely reasonable	
£400 is very affordable. I don't think they should be going any cheaper than that. The amount landlords are bringing in, especially in an HMO, they could do at least double that	
We appreciate the work that the Council has put in to make it cheaper for compliant landlords; it is nice to see some incentivisation there"	
Good early bird offer. It's going to entice as many landlords to apply as soon as that grace period ends or before that so that's great"	
I do think that there should be distinction between compliant landlords and non-compliant. That would incentivise compliant landlords	

Appendix 3

We wouldn't have an issue with these fees, but we would like to see they are being used to keep landlords in check and to ensure enforcement and to protect renters by inspections and making sure that documents are up to scratch.(OUSU)	
We have heard complaints or disagreement from letting agents who often claim concern that these fees will be passed onto landlords, and then onto tenants, but in fact we found that our members are not particularly concerned by that, given that in fact the cost of £480 over 5 years comes down to £8 a month, and it seems highly unlikely that there is going to be any significant burden of costs passed onto our tenants. We are in agreement that having a jump in the level of fees in order to discourage non-compliance or lateness is a sensible way of motivating landlords to comply with the scheme. (Acorn)	
I'm quite happy that where someone applies late they should pay more (OBSU)	
The renewal fee for the non-compliant should be higher for more of an incentive to be good	
If everybody has to have a licence, it'll be easier to find out the ones who don't have one, and if they don't apply within 12 weeks, they'll have to pay £2,500. That seems to be a positive way of ensuring some kind of compliance for the bad landlords	

Consultation responses – general comments	Council Consideration
The fee structure ... Part A is quite clearly for the processing of the application and Part B is for the implementation of the scheme – (both) have to be assigned to the landlord. So, there is an issue if they've not spent that money on those landlords' properties and that means an inspection....I think they've over complicated something which doesn't need to be complicated ...It should be online; split into two parts – Part A and Part B ... they've not done this. ...A breakdown for part B money paid by a landlord is requested, as is information about how it will be apportioned to the individual landlord and works done in connection to the license. (NRLA)	- With regard to HMO licensing, the Council has operated the two part fee since the High Court Ruling in R (Gaskin) v LB Richmond Upon Thames (2018)EWHC 1996 (Admin). – as seen on our webpage with 2020/21 fee information. It is acknowledged that this was not clear in the fee information provided, however the two part fee was clearly mentioned in the Cabinet report. - Two part fees were clearly stated as part of the consultation information for selective licensing. - Requests for further information as to what is included in each stage was noted and provided within the reports to cabinet.
Funding the scheme via alternative means (e.g. through harsher fines or fees for landlords who breach the rules, rather than a universal licence fee) or the Council funding the scheme itself (i.e. through Council tax).	The Council has higher fees for non-compliant landlords. Fines are also used to recover costs. However, to put all fees onto non-compliant landlords would not work. Funding via Council tax would lead to an overall

Appendix 3

Would the Council consider granting licensing free of charge? There could be a perception that it's unfair to be charging us for doing something we're already doing, and if you have trust and faith in accredited landlords that they're doing everything already, and if we have uploaded documents as proof, it's a minimal outlay from the Council's point of view. Would you consider giving the landlords the licence free of charge initially and then perhaps if there is any reason or recourse to visit those properties because tenants have raised a concern then you could perhaps make charges to the landlords"	increase in Council tax and so is not considered appropriate. The Council acknowledges many landlords already comply, however the evidence is that many do not. We believe lower fees for accredited landlords / agents and via an early bird and proof of documents is keeping fees as low as possible. The two-part fee already demonstrates that compliant landlords will pay less.
For Selective Licensing, people who aren't inspected will feel they aren't getting what they pay for. Just charging for a licence to continue doing what they are doing"	Where landlords / agents fall under the accreditation criteria (for both schemes), they are paying towards an audit – which may be random. This therefore gives a much reduced fee. For selective licensing properties, the aim will be to inspect all non-accredited properties however the fee is not property specific.
One stage, more fees were upgraded and then we did calculations and it turned out to be that it was wrong. It was carried out wrongly by the Council. (OCF)	This relates to previous schemes. The schemes have been carefully costed however fees may increase or decrease depending on workload.
... discounts if the house is let as a C; that means lower bills for tenants and a better environmental footprint. (ARLA Propertymark)	Energy efficiency measures will be addressed as part of the inspections of properties in the licensing scheme.
The initial £480 spread over five years may not seem a lot but I do think needs to be placed in the context of all the other fees and charges that landlords in the private rented sector are grappling with at the minute. We've had the mortgage interest relief changes. There's been the Tenant Fees Act and also you can't underestimate ongoing legislation in terms of the electrical safety regulations with all tenants needing to have an EICR inspection test by next year. Whilst the testing might be able to be done, it's then the remedial work that can go into thousands of pounds ... So, in the round it's an additional cost for them ... (ARLA Propertymark)	Comments noted. However, selective licensing will help to improve properties.
The proposed fees have no basis in fact, without an itemised budget, which has not been provided. The proposal for one- or two-year licences subsidises some landlords at the expense of others. Accreditation is not a sound basis for discounts, all landlords and agents should be treated equally, assumed to be in good faith unless proved otherwise. Only then should penalties be considered, instead of being levied implicitly in the fee structure before any offence has been proved. The fee proposals are too complex and unsubstantiated.	- A breakdown of the cost will be provided, including the reason for a discount. - When granting a licence, the Council must be satisfied under the Housing Act 2004 that the person has the necessary competence and training to manage the house / HMO. Accreditation clearly demonstrates this, reflecting the lower fee for selective licensing and five year HMO licence. All other selective licences will be for five years, where a compliant landlord applies in time and provides the necessary documents they will be given the early bird fee. For HMOs, a two year licence is given where

Appendix 3

	the HMO meets standards and the landlord supplies the necessary certificates.

Consultation responses – comments regarding fee structure	Council Consideration
The fee structure is very complicated, even when I had it visually in front of me, I had to write that down”	- For HMO licensing, we have removed the proposed “failure to renew fee”. This scheme has operated for five years and works well. - For selective licensing, we note comments. We have simplified the scheme by only introducing the higher fee in year two. - To operate a “one fee for all” system would not reward compliant landlords as comments made in relation to the accreditation discount make clear. - For selective licensing, landlords will pay one fee for five years (the exception being where the Council has justified concerns to reduce the licence length).
Too many different charges, time frames etc. ... confusing”	
The new charges are far too complicated. We would say it’s obfuscating so you can’t really work out what the charge is ... Too complicated, people won’t understand it”	
We don’t see that cost reward in terms of the enforcement coming through. (ARLA PropertyMark)	
Your proposal, which involves payment of an annual fee, is completely unacceptable to me. This smacks of yet another city Council money making scheme...	- For selective licensing, landlords will pay one fee for five years (the exception being where the Council has justified concerns to reduce the licence length). - For HMO licences, the one, two or five structure reflects the need for more input from the Council. - For selective licences, the accreditation discount has been increased slightly so the fee is £280, a saving of £200. This clearly gives a cost reward in terms of reduced enforcement against accredited landlords. If a landlord fails to apply on time, they will have to pay £1,100 so £620 more. - The fees are designed to be cost-neutral and is not a revenue scheme.
“This proposed scheme will generate approx. 12.5 million over 5 years for Oxford City Council, and is a plain and simple cash grab or legalised theft, and must lead to increases in rent if there are any tenants left who are still in employment and able to pay the rent after this Covid lockdown has passed. Now is not the time to be increasing charges with so many businesses in dire straights”	
... Every year landlord has to remember to renew. If they forget for 6 weeks, the cost skyrockets. This is unfair, landlords may be ill, may have passed away and control of the property is being resolved through probate etc. (OCF)	- The Council has removed the proposed failure to renew fee. However, the responsibility rests with the landlord to renew the licence. - Where a landlord has passed away, the licence automatically ceases (ends) on the date of death. There is an automatic three month exemption from licensing from date of death. The executors can then apply for a further three month extension for exemption from licensing. However, as licences cannot be transferred and are issued to a named person for a specific property then the next person must apply for a licence in their own

Appendix 3

	name and this is a new application at a standard rate.
A structure that is responsive to the rent charged and profit made, particularly in the context of “informal landlords” who may not be charging a market rent and for whom a “£50 fee would be prohibitive” (OTU).	This idea would lead to additional costs in administration. We are not sure how this scheme would work in practice to ensure the operating costs are paid for.
“If the Council takes six months to issue a licence, they shouldn’t charge five times more for six weeks.” (OCF)	Comments noted, the proposed failure to renew fee has been renewed. However, the majority of new licences are issued within 16 weeks (4 months) of the date of application and majority of renewal licences are issued within 6 weeks of expiry.
If the Council wishes to impose new additional licensing schemes as a matter of policy, it should start from the fact that landlords provide a substantial social service to the residents of Oxford City. The premise should be that most landlords are honest and treat their tenants fairly. Therefore, the Council should respect the Government recommendation that all HMO licences should initially be for five years. For that mostly computerised exercise a fee of £50 should suffice. The application form should include the statutory conditions, with a certificate of landlord/agent compliance supported by documentary evidence. If, and only if, there are specific grounds for inspection should a fee be levied on any one property, whether before or after grant or refusal of a licence, subject to appeal to Tribunal. Sample survey inspections should be charged to general rates	- The Housing Act 2004 states the maximum licence length is five years. Court of Appeal has held that shorter licences are appropriate, where the Council has a clear policy / criteria for this situation. The Council have developed such a criteria for HMO licensing. - The Housing Act 2004 also makes prescribed standards for HMOs and so it is important to inspect to ensure the property meets this standard. The Housing Act 2004 also makes clear that the Council must ensure there are no actionable hazards under Part 1 and for most properties, this will require an inspection. Lower fees are charged for accredited landlords / agents on the basis that they are appropriately trained in HHSRS and therefore an audit approach would satisfy. It would add to the cost to add on inspection fees.

Consultation responses – comments regarding high fees	Council Consideration

Appendix 3

Proposed HMO fee increases are not appropriate...costs for those agents and landlords invited to participate in an audit-based scheme should be reduced (from £413 to £236 for a five-year licence) to reflect the lessened administrative burden for OCC (Lucy Properties)	- The Council undertook benchmarking in early 2020 to ensure fee levels set were comparable. - For selective licensing, the average fee (non-London) was £630. The standard fee is £480, which is £150 cheaper compared to other non-London authorities. For accredited landlords, the fee will be £280 which is £350 cheaper than compared to non-London authorities. This is not in the "higher echelons" as suggested. - For HMO licensing, the average fee (non-London) is £920. The five year fee for a compliant landlord pay £898 and so it is slightly cheaper. On renewal, the average fee (non-London) is £689 whereas an accredited landlord in Oxford would pay £413, which is £276 cheaper. This is not in the "higher echelons" as suggested. - With regard to the higher fee for selective licensing (£1,100), this will now be introduced in Year 2 in response to concerns raised. This will be where landlords fail to demonstrate they have recently purchased or started to let the house.
It's quite excessive - £1,100. That could easily be a month's rent or two months' rent and that could be the difference between staying in the market and not. Sometimes landlords are not up to speed on all the rules and they could quite easily miss the deadline and be liable for that fee. Would like to see leniency here. (ARLA Propertymark)	
Higher fees for late applications... if more than six months ...is applied as a blanket set date, this will not allow for sufficient discretion to be exercised (safeagent)	
The penalties seem quite high. If you happen to miss it if you have been away.	
We are small landlords and we're trying to run a business ... Why are we having to spend money on upgrading our properties, potentially making them compliant (which is what we want to do), and then on top of that, having to pay a license fee for the pleasure of it, when we won't need visits? ... Why does there need to be this large license fee paid every year? Can it just be a small initial fee for a visit and maybe then a nominal fee for renewals there on in?	

Consultation responses – comments regarding accreditation discount	Council Consideration
Financial discounts for accredited landlords should be significantly better or else where is the incentive?!	- For selective licensing, the accreditation discount proposed was £180, not £100. We have revised costs slightly and the selective licence fee will now be £280 – a discount of £200. - The accreditation schemes eligible for a discounted application fee is being expanded to include NRLA, safeagent, UKALA and ARLA Propertymark along with smaller run Council supported schemes. - The current HMO licensing scheme makes it clear that it is either the licence holder (normally the landlord) or the managing agent with full management control that needs to hold accreditation i.e. there is no dual accreditation. This will apply to both schemes. The only time dual accreditation would apply is where the agent is only partly responsible for
If a landlord is accredited or their property is managed by an accredited agent, they should instantly access the biggest possible discount. These are the low-risk properties in the Oxford PRS	
Accreditation only worth £100! Accreditation (landlord and working via an accredited agent) should trigger the whole and largest discount"	
Landlords who are working within an accredited agent can access it through their agent and have access to that discount. Those that don't work through letting agents can gain accreditation and they access a single tier of discount	
The term "accredited" needs to be clarified... includes members of professional accrediting bodies (safeagent)	
We would say that, if the landlord has an accredited agent, and that agent is the licence holder, that person should get the discount. Dual accreditation is a	

Appendix 3

huge problem for amateur landlords who, for obvious reasons, have gone to an agent. They don't want to sit through training courses themselves. That's what they're paying the agent to do." (safeagent)	the property e.g. agent responsible for let and rent collection and licence holder responsible for management / maintenance.
OCC should make it clear that there does not need to be 'dual accreditation' of both agent and landlord and that agents can, where appropriate, be the license holder. This, together with a fee discount, "provides a clear incentive for small landlords to engage a professional, accredited agent".	
We do agree with the discount for accreditation ... and that Oxford recognises that as a way to lift standards. (ARLA Propertymark)	

Consultation responses – comments regarding block discount	Council Consideration
I would like to ask the Council why there is a group discount if a landlord owns a block of flats but does not offer the same to a landlord has a portfolio of the same number of properties, albeit in different blocks	- The Housing Act 2004 Part 3 only allows for a licence to be issued to more than one property where the person in control of the block is the same. - We acknowledge there may be landlords who have multiple properties not within the same block however the legislation does not allow for multiple licences to be issued. This means we cannot offer a discount.
If our properties are scattered around the city, we are being penalised for properties not all being in one block	
Block discount, I've not seen that before and I thought, 'yeah, that is good for those landlords that do own a lot of apartments in one'"	

Consultation responses – comments regarding homechoice / homeless pathway discount	Council Consideration
For Home Choice and Charities for homeless pathway the fee should be zero. If the figures are drastically different enough it gives people the incentive to think about whether they could actually offer it for an LHA rate. (OTU)	Comments noted. We anticipate the fee will be the same as the accredited landlord rate (£280)/
All sorts of incentives are offered to landlords in order to do that with homeless individuals. So, we were really pleased to see it. For some reason, they haven't said what the amount will be on that one, so I suppose our feedback would be to make it a decent discount; and we're very supportive because we say this in every response to the consultation, and this the first one, that I've seen it's going through! (safeagent)	
Should be incentives for accredited landlords to take tenants who are in receipt of benefits, as these individuals often face difficulties when being considered for renting private accommodation....licensing should be used as an opportunity to discourage discriminatory behaviour (Syrian Vulnerable Persons Resettlement Scheme)	

Appendix 3

Consultation responses – comments regarding refunds / pro-rate fees	Council Consideration
You're buying a five-year licence regardless of what your plans are. For example, let's say the scheme started today, landlord currently owns the property and is refurbishing it, if they miss out on the first six months and they're only planning to rent it for a year before they move back in, they've got a £1,100 bill for it that could only be for a one year licence. So, I think there's some concern over the structure of the fees and, potentially, having to pay £1,100 for licence that you actually only need for 12 months" Fees should be refunded if sold after one year. It's unfair that any 'new' licence holder applying part way through the designation period would be required to pay the full fee... the fee should be charged 'pro-rata... is also considered anti-competitive, as it can "add cost to the process of engaging or changing a license holding managing agent". (safeagent) It is disappointed that the Council has not mentioned the possibility of weekly or monthly instalments for licence fee payments (especially given that the introduction of licensing post Covid 19 will impact on the cash flow of many) (NRLA)	- The default length of licence for the selective licence scheme will be 5 years. The First-tier Tribunal case determined that licences can be issued for a full 5 years with an expiry date beyond the date the scheme expires. Licences will not be issued on a pro rata basis, where a landlord applies part way through the selective licence scheme. - Pro-rata refunds will not be on offer. A refund policy has been developed, similar to the HMO licence refund policy. - The legislation does not allow for licence fees to be paid in instalments apart from the 2 part fee introduced following the High Court Ruling in R (Gaskin) v LB Richmond Upon Thames (2018) EWHC 1996 (Admin). We acknowledge concerns regarding COVID 19, however the scheme will not be introduced until 2022.

F. Operation of schemes / application process (previous and future)

Consultation responses regarding application process / administration	Council Consideration
The HMO team are doing a good job; they have been very helpful whenever we've contacted them" "We are happy with the number of inspections we get. We never experience tenants wanting an inspection and not being able to get one quickly and that works for us well. We find working together with the Council can resolve issues between landlords and tenants, landlords and agents, agents and tenants. We find the inspections and enforcement... we're happy with that The operation of the scheme, the registration, has been a bit difficult. The website wasn't clear, the forms were not quite clear, and I needed help to fill them in and it was time-consuming" "The agents in the group were saying that ... when they've got a hundred HMOs to put through, the system feels quite complicated and difficult for them	- Comments noted. - The Council acknowledges the frustration of landlords regarding the application process. The Council are planning to introduce an online application system at the start of the additional HMO licensing scheme if approved by Cabinet. This will include the ability to upload paperwork.

Appendix 3

345

to manage”	The Council are also looking at the ability to upload certificates throughout the licence. - We are investing in improvements to the processing system to allow more automated reminders to landlords. However, the Council’s position is that the responsibility for compliance with the law clearly rests with duty holders, i.e. individuals and businesses - Over the last few years, the Council has improved timescales with regard to issue of licences – the reference to 6 to 7 months is not the situation now. For new applications, in 2020, over 90% new applications were issued within 16 weeks of the date of application. For renewals, 85% licences were issued within six weeks of expiry (due to the requirement for a two stage fee, the measurement is six weeks). However, we acknowledge that publishing performance information will demonstrate the service provided. - The Housing Act 2004 and associated regulations requires certain information to be provided each time (application details, licence holder details, manager details and ownership details) so it is more information than on road tax – however we are exploring increased automation in relation to renewals and “validation” of information already provided rather than repetitive completion. - If Selective Licensing is introduced, a similar online system will be in place. - Large agents / landlords in the HMO scheme have a single point of contact for HMO applications. The Council accepts the same approach is beneficial for selective licensing – although agents / landlords may have be a different named officer for the HMO scheme and selective licence scheme.
“The system does not facilitate the provision of documents which should be easy to upload. It should be easy to see the progress of applications and re-applications and how they stand. There is too much delay in processing applications and issues there...”	
I would like to say about the simplicity of ... submitting the correct certificates and paperwork every year, surely ... if it were automated the way road tax is renewed on the same sort of basis then you don’t have someone sitting in an office having to go through that paperwork and having to validate it ...	
“We’re asked to fill in the same information time after time. Why don’t they keep the information they’ve got on file and ask you just to say whether it’s still correct? Because it’s very tedious and time-wasting and, therefore, money-wasting to have to fill in the same basic information time after time.”	
When you apply for a license, to the Council today, to license your property for HMOs, it will take 6 – 7 months for the Council to respond back and do an inspection and issue a license. (OCF)	
“The HMO licence team already has a backlog for new licence applications and renewal licences which does cause landlords some difficulty. There are concerns that the massive increase in volumes of the selective licensing might make that backlog worse”	
It is said that ... the Council is behind in implementing the current HMO scheme does not bode well... particularly concerned that the new schemes are at risk from under-resourcing and delays associated with processing the barrage of applications that will be received soon after the start date (safeagent)	
OCC must simplify the administrative burden on responsible landlords: progress has been made welcomes the potential proposals for an audit-based scheme....recommends that large-scale landlords have a single point of contact or there is an online system where paperwork can be uploaded (Lucy Properties)	
Sometimes landlords don’t have time, or they neglect, or they don’t look and see when you’re supposed to have the license renewed...	
While an overall supporter of the current Additional Licensing scheme...do not feel that its renewal addresses the perceived failures and limitations (in their experience) of the existing scheme, namely: Poor online simplicity and transparency – for example in terms of communication with the Council; pre-advice, general queries, providing feedback , submission of documents, knowledge of application status, reminders etc. The timeliness and backlog of	

Appendix 3

346

the administration of applications;	
... they're going to be faced with a lot of applications, early doors. If they don't work with, say, lettings agents and partner organisations effectively, they're going to build up a heavy workload of inspections that then drags on. (safeagent)	
... receipt of emails needs to be acknowledged and inboxes need to be checked. It's just that sheer task of administration and nothing drives our members mad more than just not getting a reply to something for weeks... it's that initial acceptance. Whatever the hurdle is, is it then a valid application if there are questions of principle like, if they've forgotten to sign it or to put the proper postcode in, then it comes back, is [that counted as part of] the 6 month run-in? It needs to be managed on that sort of level... At the end of the day, it's not the £480, it's the fact that people start thinking that they're not getting anything for that money; not even a decent service. (safeagent)	
If it really means 100% of PRS properties how is this going to work admin wise with all those applying for early adoption discounts?"	
Funding, staff ... Is it going to create a bottleneck for the work they've already got? Will it impair the good work they already do in tackling the rogue elements ... Is it going to put too much pressure on departments? (OBSU)	
"Will there be an administrative burden on the Council with the running of HMO and if they're going to be extending the accredited landlord scheme and extending the licensing scheme? Have OCC have thought through their ability to manage both in a time sensitive manner?"	
... there was a slight sense of, 'Hang, on a minute, they're [the Council] doing it again and extending it into selective licensing – they haven't even got the first scheme right.' (safeagent)	

Consultation responses – comments regarding information / transparency	Council Consideration
You already have people that missed the initial trial because they weren't properly informed. You will have people that just have one property that they're letting because they're out of the country. They won't know what to do, they won't be informed, they'll think they can just put an advert in, and they'll	For selective licensing, it is acknowledged that information will need to be provided in advance of the scheme starting. There is a three month publication notice period before the start of the scheme. This period would

Appendix 3

347

actually be breaking regulations”	have intensive publicity via all channels and we would wish to do so in conjunction with agents and landlord / agent associations.
My concern was not over the cost of the changes from a recent inspection, it was about the communication of the information of those standards that change regularly. Clearly as a landlord there is duty on me to find out, but it’s about where I can find it out...”	• Prior to the COVID -19 pandemic, the Council held bi-annual “landlord information exchanges” for landlords and agents where information on best practice or changes were communicated. We will look to hold these in the future or in alternative format. The Council will also re-instate the landlord newsletter and consider whether it should be a “private rented sector” newsletter directed at both landlords and tenants.
Transparency is important. We try to send an email to all of our managed landlords and our rent collection landlords two or three months before a new scheme goes live and so many of them have no idea that there’s a new scheme is coming in”	
“It needs to be more transparent. There are some selective licensing or Council websites where you can see when a landlord has paid, has applied for his application, it tells you when the Council has picked that up and investigated and then it says when the licence was issued. It is really helpful for a landlord to track where his application is and very good for agents when we’re out taking on properties. We can have a little look on there, like we would for any EPC on the EPC register. Some Councils don’t even have any registers. You pay a lot of money and you want to see where that is going”	• There is legal requirement for a public register. Recent improvements to our systems has allowed us to publish the HMO register in a map format. However, licences addresses can only be made public once issued. The fee a landlord has paid is not public information. We cannot publish data on complaints received in relation to a specific property.
There was some discussion about extra training needed for staff involved in the scheme ... The people who came out know the law, but the law has various grey areas [and] the way it’s applied isn’t necessarily consistent”	• The Council acknowledge that some systems may allow applicants for licences to “track” their applications and this is a suggested possible improvement.
Good practice should be recognised and encouraged...how the Council plans to communicate best practice to the landlords and tenants of Oxford (NRLA).	• The Council aim to deliver consistent service, however for HMO licences and conditions on licences then we are also bound by Court of Appeal to consider each case on its’ merits. This may create differences between properties and leads to “grey” areas. We do regular consistency exercises within the team. We have also undertaken a consistency exercise in landlord forums, by asking landlords whether they think a repair is needed or not to gauge our decisions against what landlords think require repairs. The outcome of which was that we were consistent. This type of two-way engagement / feedback can continue.
Regular information on the implementation of the scheme should be made available in a clear and consistent format to local landlord and agent forums, representative bodies and other stakeholders... to help to enable the Council to work in partnership with [these individuals and organisations] to ensure the success of the scheme (safeagent)	
Yes, with all the caveats. A key one for me is about transparency. They publish the data on where the HMOs are and the HMO licences, but I think it would be very easy to include within those data the condition of the property and any previous complaints and make that publicly available so there’s a degree of accountability that goes alongside that regulation. (OTU)	• The Council acknowledges comments on transparency and will publish an annual report with information on timescales to issue licences, number of properties with one, two, five year licences and other data e.g. inspections undertaken.
[I]t needs investment in the team ... education to the landlords. If it’s going to be proactive, they can’t bring the scheme in and then be proactive. It needs to be proactive before the scheme comes in. You can’t launch a scheme on the first of January and be proactive from then. You need to be building the landlords and the lettings agents up to get their houses to standard from the point at which the scheme comes in, otherwise, you’re reactive. (Police)	• The Council have a current landlord information exchange for landlords (pre-COVID) and this is a way of allowing landlords and agents to share good practice. The Council will provide regular information updates and

Appendix 3

I think the Council needs to start addressing some of these bigger issues and if they are going to have another licensing scheme – and again, we’re sitting on the fence; we’re not against it but we’re not for it – we want to see demonstrable outcomes both for the landlord community and from the tenants’ side. (NRLA)	further guidance and information to clarify points raised.
How do you take into account the fact that many of the landlords here present have many years’ experience of renting properties in Oxford. How is that going to be taken into account in setting out a new scheme?	
The situation for those hosting foreign language students or school children should be clarified;	
There was some confusion / clarification requested (from a registered charity) in terms of whether or not a corporate body can be granted an HMO licence;	

Consultation responses – comments regarding HMO licensing inspection	Council Consideration
I’ve been critical that when problems were found in an HMO, people had no opportunity to put it right without being penalised straight away” There is the occasional lack of experience and knowledge of the inspectors. We had a rather odd situation where we ... had got an HMO licence, and what we found is on subsequent inspections, the inspectors come up with something different that they want changed on it. We’ve already got a licence and then someone comes along and looks over a particular thing ... on this occasion, they didn’t like the fact that when the fire door to the kitchen was closed and with it being next to the cooker, that somebody could walk in the kitchen and there was a chance you could knock the person at the cooker. Therefore, they asked us to cut a window in the fire-door so you could look through the door to make sure there was nobody on the other side of the door before it was opened. I did point out to the inspector that if you start cutting holes in fire doors you very quickly diminish the ability of a fire door to do its job, and in any event, would breach the regulations because the fire door wouldn’t be compliant. We ended up cutting a window in an adjacent wall, which meant moving a radiator and it was quite expensive. We did it and we achieved the objective, but I just thought that whoever makes suggestions like that ought to understand that if they’re going to make an observation as they did as to the proximity of the cooker to the door, they ought to understand building regulations as to how such a problem could be amended” Some landlords do some extensions or convert a garage into a bedroom and	• The Council aims to work with landlords however we also expect landlords to proactively manage their properties. • We aim to deliver consistent request for work in properties. We have a published Amenity and Facility guide that was revised in 2018 (in consultation with landlords). This may have led to requests to change items when a property was last inspected over five years ago, for example under the 2011-2015 scheme. • However for HMO licences and conditions on licences then we are also bound by Court of Appeal to consider each case on its’ merits. This may create differences between properties and leads to “grey” areas. We do regular consistency exercises between the team. We have also undertaken a consistency exercise in landlord forums, by asking landlords whether they think a repair is needed or not to gauge our decisions against what landlords think require repairs. The outcome of which was that we were consistent. This type of two-way engagement / feedback can continue. • Inspecting officers are qualified with a background in building, although this is not to building control officer level. We would expect officers to

Appendix 3

all of a sudden you have more people in your household than possibly the licence they have allows. I don't know if this is inspected and this creates a big problem because you don't have enough facilities or you don't have enough toilets, or your sharing area is getting much more crowded and it affects your living standards"	suggest work that it practical. We inspect all HMOs before issue of licence to ensure they have adequate facilities and will inspect where a landlord requests to increase occupancy number. During COVID19, desktop checks have been undertaken however we will revisit at a later date.
There's inconsistency between different inspectors' views of different properties, and what is needed to make a property compliant or not. In my experience ... it was different in different places	
After the initial assessment, I got a list with changes needing to be done and that was OK, but the inspection afterwards was not a very pleasant experience. The inspector had a lack of knowledge on actually what had been done and what was correctly done and didn't seem to know what they were doing. It was also a very expensive experience and I'm not sure that the tenants were pleased with the changes, which actually mainly consisted of fire doors needing to be put in	
Our major thoughts were just wanting to make sure there's consistency and also having the appropriate resource. We've found in the past there have been delays in getting licenses and sometimes it can be different HMO inspectors who ask for different works to be carried out on a year on year basis. I think everybody is behind the licensing and thinks it is a good idea, but it's just making sure that it serves a correct purpose and it's manageable and it works on a practical level	
We came to renew the licence again recently, and the next inspector decides that there's not enough sockets in the kitchen. Now, I think this is the third renewal on this HMO, and I just question why we can get issued an HMO licence in the first place and everything's fine and hunky dory, and then the next inspector says this needs doing and the next one another thing ... we've had three different things in the same HMO. I just think that the inspectors need to be consistent	
I do think there should be a three-way agreement so the tenant is included and can raise issues. It seems only landlords and the Council are involved"	- The Housing Act 2004 does not require consultation with tenants (or neighbours) on HMO licence conditions. - On inspection, we would expect an officer to explain why they are visiting to tenants. During an inspection, officers may ask tenants if they have problems although it is acknowledged that tenants may not wish to speak up. - The Council will investigate complaints from tenants and where necessary, add conditions to complete work.
More inspections might be a good idea, but I'd be interested in knowing what the criteria are, what it is they're looking for? Is it just that the property is relatively clean, or do they check the gutters ... health and safety stuff? It'd be good for the tenant to know that	
Inspections; I agree with more communication. It'd be good to know what they're doing, what they're looking for and if we could have an input. Not to stuff up the landlord, just to say, 'I'm safe and the house is appropriate'	
In my current house there is nothing like that, but we recently had an	

Appendix 3

inspection from the Council. There seems to be no communication between us, the Council and the letting agent; they didn't tell us exactly what they were going to do, they just told us that they needed to go into our rooms. I think people don't understand that this is my home, I don't really want someone coming into the place where I sleep ... The letting agent are pretty good, but they didn't tell us why or what they were looking for and they installed a new fire door which is great, but they installed a new electric plug socket half way through our kitchen, they didn't explain why. When the person turned up from the Council, he was very polite and professional, but he didn't explain why he was here, what he was doing. I still haven't received a licensing thing from the Council; I don't know if we're compliant, I have no idea if they're coming back"	The Council can develop guidance for tenants concerning inspections – for example, what to expect and how to report issues.

Consultation responses – comments regarding selective licensing inspections	Council Consideration
In terms of selective licensing, there was a query about how realistically the Council planned to manage [it]. If you've got 25,000 houses, it feels that some landlords will be picked on at random for inspections, because you're not going to get round 25,000 houses over the course of even five years. So, how do you know whether standards will be applied consistently, and what's going to happen there?" If you have no inspections, how do you know the property is compliant? If Selective Licensing properties are not inspected, what's the point? I can't see the justification for it without inspections You try to improve standards of let properties for private landlords, but now you are introducing fees without mandatory inspecting every property. How are you then going to keep high standards of let properties? Not inspecting beforehand means that you're giving licences to properties that you subsequently discover are properties of concern. You will only discover that once you have given the licence because you would not have visited them before you give the licence ... It seems to me that you're going to be issuing licences to these properties and subsequently taking the licences away but only after having charged everybody, in order so you can do this" Too few inspections, lots of extra properties, the Council won't be able to cope How are you going to do all these inspections? House prices are ridiculously expensive in Oxford, so where are you going to find the staff? (NRLA)	- The Council acknowledges concerns regarding lack of inspection. Properties will be prioritised for inspections, although this will not happen before the licence is issued. - Those properties where landlords have a history of non-compliance will be prioritised as will landlords that fail to supply documents on application. - Those properties managed by accredited agents and landlords will be lowest priority. It would be anticipated that for large agents, a random sample will be inspected each year. Accredited landlords will be least priority for inspection. - The scheme will be resourced to employ enough officers to inspect the properties.

Appendix 3

G. Enforcement of the new schemes

Consultation responses – comments regarding enforcement of unlicensed properties	Council Consideration
There's also a concern that there are quite a lot of unlicensed properties and how are they policed, and how are they caught? Because with these schemes, the good people are going to be the people that do what's required and the problem ones are the one's you've got to get a hold of"	• The current HMO licensing schemes works to find unlicensed properties on a proactive and reactive basis. Proactive means gathering intelligence and assessing this to determine if action is needed e.g. a letter or a visit. Reactive means that an enquiry has come in about a specific property. All reactive complaints are put through a desk based intelligence check and which results in either the landlord receiving a letter or an unannounced visit. The same system will apply to selective licensing. • The Council has a good understanding of the process and time costs to find unlicensed HMO properties and based on this experience, has predicted the resources required to find unlicensed selective licensing properties to ensure the scheme is staffed appropriately. • The Council will report on outcomes, such as unlicensed property investigation.
"All of us are on board with the standards of private-rented sector housing being improved [but] you're preaching to the converted. The fact that we're all on this call, we really do care about standards, being compliant and getting everything right. What we want to make sure is that the resources are being focused in the right areas as the people who don't want to comply are still not going to comply, and it's going to take an effort to go and find them"	
... we've got a good baseline now, but we need to roll it out and take it further and there has to be proper enforcement and within that enforcement there has to be support for the tenants because they are the people at risk here because the landlord will assume in most cases that the tenants have grassed up the landlord. There is a massive risk for people in that situation. It makes them very vulnerable and I know the Council's position on that, but they will say X, Y and Z and it's not but think we have to be very clear because we have very vulnerable people living in second languages, escaping domestic violence. (CAB)	
Low rate of enforcement and successful avoidance by landlords.	
Huge resources will be required to follow up varying landlords, agencies, short term tenancies, etc. etc. to establish where the responsibility is to improve premises	

351

Appendix 3

Consultation Response - comments regarding enforcement (general)	Council Consideration
As an agent I had a landlord that was heavily penalised. When there was an inspection on a house in good condition and there were some things that didn't comply, he was penalised heavily despite willingness to correct everything. We found that the scheme is punitive in that respect. He didn't have an opportunity to put things right before bearing a heavy fine, despite being very willing	The Council aims to take a balanced approach and consider each case on its' merits. HMO landlords have a duty to actively manage their properties and failure to do so may lead to a higher fee.
An active enforcement policy is an important part of protecting the sector from criminals who exploit landlords and tenants and creating a level playing field (NRLA)	Agreed – the Council has demonstrated in the current HMO licensing scheme actively and robustly enforce against breaches of the scheme and will, if the proposed schemes are introduced, continue to do so.
[Would support additional HMO licensing]... absolutely. Without enforcement it's just a joke, a bit like quarantine isn't it? At the moment, the HMOs scheme is getting people who are already compliant to get a certificate, it's not getting people who are non-compliant because they are doing it on the black market. There is no follow through. (CAB)	- The Council has achieved on average around 25 prosecutions or financial penalties each year. - The Council understands that landlords, residents and the public may view the number of penalties as a way of measuring success or failure. However, the Council cannot have a "target" for number of penalties / prosecutions – to do so would be wholly against the Council's Enforcement Policy that <i>"Our enforcement activities will reflect the level of risk to the public and enforcement action taken will correspond to the seriousness of the offence. We will seek to resolve cases at the lowest level of intervention appropriate to the case."</i> - Prosecution and financial penalties are for the worst offenders – we use higher licence fees as a deterrent. We acknowledge there needs to be greater transparency and so yearly reports will be published against scheme outcomes, including enforcement / higher fees
Do your officials support the law? You investigate over 1000 cases, 2.2.% cases are fined, 97% therefore shouldn't have been investigated, very frustrating ... landlords should have the opportunity to mentor Oxford Council, because some representatives don't follow the law"	
Enforcement isn't really happening ... if the current properties are not being managed or properly monitored, how will even more properties being taken into this system be managed and properly enforced?"	
... the Council does not have the capacity to enforce these schemes, with the result that rogue landlords continue as before, while responsible landlords comply and pass on the licensing costs to their tenants ... Given that the Council has operated the HMO scheme for nine years with such poor results, it is perfectly reasonable to assume that a similar scheme targeted at private landlords would be equally as ineffective in its stated goal of improving standards, while	
	- In the last five years, Oxford City Council prosecuted 43 cases, issued 57 financial penalties and gave 6 formal cautions during the scheme. Looking at prosecutions and penalties, 100 cases equates to 2.8% of the licensed stock (3,511 HMOs). It is understandable the public think this is low number however it is not possible to measure "success" or "failure" by the number of prosecutions or financial penalties. The Council must follow the Code of Crown Prosecutors when taking decisions on whether to prosecute or issue a penalty – to have a "target" driven approach would not be in line with the Council's Enforcement Policy or the Crown Code. - There are no nationally available statistics to determine if Oxford City Council's enforcement record is comparable. However, some information

Appendix 3

353

	is in the public domain and this demonstrates Oxford City Council has comparable enforcement records against other authorities running large licensing schemes. - For example, in 2017 the London Borough of Newham reported their borough wide selective licensing scheme had 39,321 licensed properties and they had taken 1,111 prosecutions (financial penalties were not a legal option at this time). This equates to 2.8% of the licensed number of properties. Oxford City Council's record for HMO licensing prosecutions is also 2.8%. - Liverpool City Council, in 2020², reported on their city wide selective licensing scheme in late 2020 with 51,764 licences and they had issued 311 prosecutions or penalties – this equates to 0.6% of licensed stock. Oxford City Council comparably has a higher rate. - In 2017, a report in the press³ named the authorities with the highest number of Housing related prosecutions and reported most authorities had not taken a single prosecution. The top six authorities were named – the sixth highest had 29 prosecutions and in that year, Oxford City Council had completed 25. It is clear that Oxford City Council are among the top authorities for prosecutions.
The fact that they had to get money from government to take on a lawyer to show how to prosecute someone ... What had you been doing for the nine years beforehand, then? (NRLA)	The Council was given funding to develop a best practice toolkit for other authorities to recover unpaid financial penalties served under the Housing Act 2004, in conjunction with a solicitor. This funding was given due to Oxford's strong record of issuing financial penalties and in recognition of our current approach. The above statistics demonstrate our enforcement record.
"I have tenants that have applied to the regulatory side of the scheme to help them and have been told that nothing can be done for nine months when the conditions were really unliveable in. I wonder, how well is this working when things are going seriously wrong? Delays, no proper inspections, not taking it seriously. One wonders, what do they really consider an infringement of the licence?"	With HMO licensing, we aim to inspect each house before issue of a licence and then conditions are added to the licence for work to be completed. Where necessary, the Council gives shorter deadlines to complete works. If a landlord then does not complete the work, this is an offence (infringement) and they will be charged a higher renewal fee or may receive a fine.

² Liverpool City Council Selective Licensing in the Liverpool Private Rented Sector A Proposal for Cabinet 2020 point 3.6 & 3.14

<http://Councillors.liverpool.gov.uk/documents/s244845/M5%20-%20Selective%20Licensing%20in%20the%20Liverpool%20Private%20Rented%20Sector%20Proposal%20for%20Cabinet.pdf>

³ The Guardian 2018 <https://www.theguardian.com/society/2017/oct/28/rogue-landlords-enjoy-an-easy-ride-as-Councils-fail-to-prosecute> accessed 14/01/2020

Appendix 3

	For HMOs, there are management regulations and where landlords have failed to proactively manage their properties, they may receive a fine.

H. Planning / Air B&B

Consultation responses – comments regarding planning / air B&B	Council Consideration
Not allowing new HMOs to be created and/or banning HMOs;	- This is a planning issue, there is a planning Article 4 in place which prevents new HMOs being developed in areas where there is already a high concentration of HMOs. - In response to concerns, the criteria for a longer HMO licence will include having the necessary permission granted (or clear historic use). Landlords without permission will be given a one year licence. - Where a property is occupied as an HMO and does not have planning permission, the Council will add a condition to obtain planning permission within a set time frame. We cannot refuse to grant a licence as this would then impact on the landlord's ability to serve a section 21 notice and lawfully gain possession to cease use as an HMO. - Where a property is empty and an HMO licence is applied for and there is no planning permission for HMO use, the HMO licence will be refused.
Opposed to further HMOs rules about acceptable concentrations of private rented accommodation in general are worth considering. private rented accommodation is "high cost housing" and not sympathetic to its continuing absorption of ever higher proportions of City housing (Bullingdon Road Community Association)	
The Council should carefully consider its ceiling on HMOs because for young people who wish to save money in such an expensive rental market, living with roommates is an "important and fundamental housing option (Unnamed group of tenants)	
Consider a policy of refusing new licences to landlords who are increasing occupancy levels in existing HMOs, in areas where the planning saturation policy that limits HMOs to 20% of buildings in the immediate area has been exceeded. It is concerned that allowing existing HMOs to increase in size in these areas that may already be well in excess of the limit impacts on existing residents and HMO tenants (in terms of noise, antisocial behaviour, parking, and refuse issues) and undermines the intention of the planning policy. (Divinity Road Area Residents Association)	
I think there needs to be stricter definition of Airbnb. Clearly, a lot of stuff is operating as Airbnb that should actually be restricted. I think that's bad for the PRS"	
"The Council need to put their thinking hat on with Airbnb. Leaving it open is asking for trouble	The Council often discovers rent to rent and sub-letting when undertaking unannounced visits to HMOs. This type of letting practice, whilst not illegal can often mean that private tenants are living in unsafe accommodation with a lack of tenancy security. Guidance will be

Appendix 3

“[Is there an] issue with Airbnb properties in the area? Are people trying to dodge the HMOs licenses by having Airbnb tenants in the properties instead? And would licensing help pick that up to ensure the properties are compliant?” The NRLA is concerned that the proposals do not take account of rent-to-rent (including Airbnb) and those who exploit tenants and landlords. For instance, “there is no provision for landlords who have legally rented out a property that has later been illegally sublet”. It seeks clarification around the support that will be offered to landlords who find themselves in this position.	produced outlining landlords and tenants responsibilities in relation to such practices. Properties used as Airbnb are exempt from property licensing but such properties may need planning permission depending on the intensity of the use.

I. COVID 19 concerns

Consultation responses – comments regarding covid 19 concerns	Council Consideration
I’m concerned about timing within a pandemic. We’re currently struggling to get contractors to go to properties, tenants are stressed at this difficult time If it does need to be introduced, why now? It’s more difficult to find tenants, contractors etc. The impact of Covid and unemployment: ... more people falling into rent arrears is a worry as well so the additional cost is less likely to incentivise landlords to remain in the sector and our members often talk about investment confidence ... and of course, most of them across the country only have one or two properties ... also if you’ve got a mortgage on that there’s a potential impact. So, these are the broader issues that our members tell us about on a daily basis. (ARLA Propertymark) This would require much more resources and agents are already struggling due to excessive business rates over the years and the COVID-19 crisis. If you have extreme arrears (owing to Covid), we’re worried that extra fees on top of already rising costs could mean that landlords leave the market. (ARLA Propertymark) In a pandemic we may not be able to do inspections. If a landlord can’t, if they’re high risk and having to isolate, or tenants, or an agent can’t because that branch is closed could we be open to fines, or will that invalidate the licence? Is there a safety net in this current climate?” Landlord accreditation during Covid. Landlords can’t renew these; they need to attend courses etc. with the Council. Will this mean that landlords who aren’t accredited will be unable to apply for a five-year licence?	• The Council has regard to government guidance on COVID19 for landlords and tenants. • For HMO licensing and work required, the Council will work with landlords to agree suitable timescales given the urgency of the work and contractor availability due to COVID19. • With regard to selective licensing, this scheme will not start until 2022 by which time, it is anticipated that impact of COVID19 will have decreased. • With regard to inspections, the condition will be amended to reflect the situation that landlords may not be able to visit the property. • With regard to accreditation, our current scheme operates on the understanding that a landlord will attend the course within six months of the accreditation date – with COVID19 then this has been extended. This means that landlords can renew their accreditation and receive the training at a later date. However, we are investigating accreditation provision via online courses or another provider.

Appendix 3

J. Comments regarding the consultation itself

Consultation responses – comments regarding the consultation itself	Council Consideration
I feel that conducting research in the midst of a pandemic is wholly improper and unreasonable. A large number of people are isolated due to the pandemic and are unaware of what is going on and this is preventing people from raising their concerns and from putting forward their objections. Furthermore, community groups are unable to hold meetings and articulate and coordinate appropriate responses that are required. Therefore, I respectfully argue that any consultation should be postponed until next year	- The Council has regard to government guidance on COVID19. The Council was initially proposing to consult in April and the Council halted consultation. Later in the year, guidance changed to where local authorities are in the process of introducing selective or additional Houses in Multiple Occupation licensing schemes, but these are not yet in force they should continue to take a pragmatic approach and continue/commence work on licensing having regard to local circumstances. - We extended the consultation in November given the second lockdown and believe there has been opportunity to respond.
... failure to provide information about the legal basis upon which it seeks to introduce selective licensing means it has not complied with the requirement to 'take reasonable steps to consult persons who are likely to be affected by the designation and the consultation document is "highly misleading, omitting relevant context and stats, and lacking transparency.	The Council believes the legal basis has been demonstrated in the Cabinet reports published. The consultation was far reaching and it can be seen from the Appendix to the report compares favourably with similar consultation exercises carried out concerning property licensing.
There was a complaint about some landlords becoming aware of the consultation after it had started, and about a lack of evening and weekend virtual events	The Council notes these comments. The consultation exercise was publicised on the Council's website and via social media, all HMO landlords were made aware as well as those who were registered with Council Tax, the exercise was extended in order that more stakeholders could respond.

Accreditation for Property Licensing Schemes

There is no legal requirement for a landlord to undertake training before offering a property for rent. Landlords and agents who voluntarily obtain accreditation do so because they wish to be recognised as a professional landlord.

The English Private Landlord Survey 2018 established that

- 52% landlords do not use a letting agent at all and only 9% landlords use a letting and management service from a letting agent¹.
- 75% landlords did not belong to any landlord association².

Conditions can be added to licences for landlords to attend training or development. However rather than require all landlords to attend training, Oxford City Council has taken the approach in the previous HMO licensing scheme that accreditation with Oxford City Landlord Accreditation Scheme (OCLAS) is used as an incentive to help improve standards.

There are 2 main purposes for encouraging landlords to become accredited

- Accreditation schemes are aligned with ensuring a good standard of accommodation for rent, which goes above the minimum legal standard.
- Professional operation and management of accredited properties should lead to a reduction in service demand.

This has resulted in 20% of Oxford City Council HMO licensed properties being managed by an accredited landlord or agent with a five year licence. There are a further 12% properties managed by an accredited agent however not holding a five year licence.

A review by Oxford City Council of other property licensing schemes has found that 63% councils' offer discounts associated with HMO licensing and this rises to 70% councils with selective licensing. Evidence suggests that using accreditation schemes as an incentive for licensing schemes does encourage membership of schemes – for example, 35% of licensed HMOs in the city are managed by an agent compared to the 9% found in the English Private Landlord Survey 2018.

The consultation exercise has demonstrated that “accreditation” is a popular incentive and supported by landlords and agents and landlord / agent organisations. Furthermore, it was proposed that “accreditation” should be expanded to include other national schemes. It is proposed to accept “accreditation” schemes that meet the “key requirements” listed below and that the Head of Service Regulatory Services and Community Safety has approval to revise this list in future (e.g. accept new schemes or remove schemes).

¹ Ministry of Housing, Communities and Local Government January 2019 – English Private Landlords Survey 2018 Main report Point 1.23 page 20
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/775002/EPLS_main_report.pdf accessed 21/12/2020

² Ministry of Housing, Communities and Local Government January 2019 – English Private Landlords Survey 2018 Main report Point 1.26 page 20
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/775002/EPLS_main_report.pdf accessed 21/12/2020

Appendix 4

Key Requirements for acceptable Accreditation schemes

As the purpose of this incentive is to ensure landlords and agents meet their legal requirements and “professionalise” the sector then the key requirements for accepted accreditation schemes are:

1. Initial training requirements set out below
2. Adherence to the scheme’s code of conduct covering the elements set out below

The proposed accepted accreditation schemes are listed below. This is divided in to “landlord” accreditation schemes and “agent – full management” accreditation in recognition of the differences between a landlord managing their own properties and agents who are employed by a landlord to manage their properties on someone’s behalf. During the licensing schemes other accreditation schemes can be included if they meet the criteria set.

It should be noted that the current OCLAS scheme requires properties to reach a Band D on the EPC (or for agents to state they will work towards Band D), this is a local agreement to align with the Council’s work on energy efficiency In order to accept other accreditation schemes, the council would need to accept that properties will only be at the current minimum statutory level (Band E).

Proposed Accreditation schemes

Landlord schemes	Full management service agent schemes*
(OCLAS) Oxford City Council Landlord Accreditation Scheme – existing members	ARLA (Association of Residential Letting Agents) Propertymark Protected Agency with one member Level 3 qualified (English law) (who has passed Disrepair and HMO element)
NRLA (National Residential Landlord Association) accredited member	Safeagent Protected Agency with one member Level 3 qualified (English law) (who has passed Disrepair and HMO element)
DASH (Decent and Safe Homes Scheme) (Midlands based scheme)	UK Association of Letting Agents (UKALA) with one member Level 3 qualified (English law) (who has passed Disrepair and HMO element)
Accreditation & Training for Landlords and Agents Service (ATLAS) (includes London Landlord Accreditation Scheme and other local authority schemes in the south east)	National Code of Standards for Larger Developments for University Accommodation NOT managed or controlled by University Establishments
Midlands Accreditation Scheme / Homestamp	
*Agents act on behalf of landlords and so we believe they should reach a higher standard of accreditation than a landlord who manages their own properties. This reflects the recommendations of the Regulation of Property Agents Working Group. *To be eligible for the incentive on a specific property, agents must hold a full management agreement with the landlord Other schemes will be considered providing the scheme requires a code of conduct and training covers the elements outlined. Where a landlord is a member of a different scheme, the landlord will be asked to provide details of the scheme and a contact at the scheme so we can check scheme requirements. Schemes will be approved by the Head of Service (Regulatory Services and Community Safety) Rent Smart Wales is not included because it covers Welsh housing law and the same applies to Scottish / Irish based schemes.	

Appendix 4

Training requirements

To be accepted as an accreditation scheme, training required must cover the following elements:

Subject area	Elements to cover
Landlord and Tenant Law & related requirements	• Type of tenancies (common law, fixed term, periodic, lodgers, single / joint or separate) • Setting up a tenancy (references, guarantors, deposits, inventory) • Right to rent checks • Equalities Act / discrimination • Tenancy agreements –oral and written, unfair terms • Rent collection & how to deal with rent arrears • How to end a tenancy legally – section 8 & grounds for possession and section 21 process (correct notice, court order, bailiff) & illegal eviction. Return of deposits • Harassment • Permissions to let – insurance, mortgage, planning permissions • Council tax & utility payment
Repairs and maintenance	• Routine inspection & notice requirements for a landlord to enter and inspect • Common law repair obligations • Emergency repair provisions • Housing Health and Safety Rating System (what the system is, how to identify hazards, local authority enforcement provisions) • Fitness for Homes (what this is, legal obligations on landlords, tenants' enforcement provisions)
HMOs	• Definition of HMO under Housing Act s254 & s257 • HMO Management regulations
Property Licensing schemes	• Mandatory HMO Licensing • Additional HMO Licensing • Selective Licensing • Fit and proper person criteria
Safety required for letting	• Gas Safety certificates • Electrical safety certificate • Energy Performance Certificate & Minimum Energy Efficiency Standard • Smoke alarm & Carbon monoxide regulations

Agent accreditation schemes are also expected to cover: Health and Safety at Work, Contract Law, Employment Law, Data Protection, Client money protection, Customer Service and complaints procedures.

Codes of Conduct

To be accepted as a LANDLORD accreditation scheme, the code of conduct must be based on the Private Rented Sector Code³. This code was developed by letting agency industry to ensure:

- good-quality homes for rent
- consistent and high standards of management
- choice for the consumer.

Codes of conduct should reflect the following elements (it is accepted elements may not be stated exactly as below):

- 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 To 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.

³ Private Rented Sector Code, 1st Edition <https://www.rics.org/uk/upholding-professional-standards/sector-standards/real-estate/private-rented-sector-code-1st-edition/>

Multi – year HMO Licences – Eligibility Criteria

When granting an HMO licence, under the Housing Act s66 the Council must be satisfied that the proposed licence holder is a fit and proper person and there are satisfactory management arrangements in place and must consider, amongst other things:

- Whether the licence holder (or manager) has contravened¹ any provision of the law relating to housing or of landlord and tenant law (s66(2)(c));
- Whether any person proposed to be involved in the management of the house has a sufficient level of competence to be so involved (s66(6)(a));
- Whether any proposed management structures and funding arrangements are suitable (s66(6)(c));.

The licence can be refused if the Council is not satisfied the above criteria have been met. However, there are likely to be cases where serious concerns are raised and it is felt that refusal is not proportionate to the concerns raised.

When granting an HMO licence, the council must also be satisfied that the HMO is suitable for the maximum number of occupants, having regard to the test for suitability (s65). Conditions can also be added to the licence to make the house suitable for occupants or to regulate the management, use, occupation, condition and content (s67(1)(2)).

The Housing Act 2004 s68(4) states that a licence must not be in force for more than five years (i.e. the maximum length is five years). With regard to HMOs, the default is that licences are issued for one year unless the HMO is suitable and the licence holder and manager demonstrate good management. Issuing HMO licences for one year allows:

- Outstanding fit and proper person concerns regarding contraventions of housing or landlord and tenant law to be resolved;
- Work to be completed so that the HMO is made suitable for the number of occupants;
- The licence holder and / or manager to demonstrate they have the necessary competence and that satisfactory management arrangements are in place.

The non-exhaustive criteria used to determine the appropriate licence length having regard to fit and proper person concerns, suitability for occupation, management arrangements and competence is shown in the table below. This is similar to the criteria used in 2015 however it is now clearly stated that planning permission and building control are an explicit criteria – in 2015, this was covered under “good history with council departments”. This follows a 2017 Court of Appeal² ruling that planning permission is considered under “use” of an HMO and it is permissible to limit the length of a licence where planning permission is not granted. With the rise in number of HMOs, it is important that planning permission is gained. This also makes it much clearer to landlords that we consider this criteria, this reflects feedback from the consultation and generally that landlords may think a licence and planning permission is the same.

¹ Contraventions – this does not mean a conviction. A contravention is where there evidence a law / regulation has been broken – this may not result in a conviction. It may be that an enforcement notice has been served or a caution or fine issued.

² London Borough of Waltham Forest V Khan Neutral Citation Number: [2017] UKUT 153 (LC)
<http://www.bailii.org/uk/cases/UKUT/LC/2017/153.html>

Appendix 5

Non – exhaustive criteria applied when deciding on licence length, for both new and renewal licence applications. For agencies, a judgement is made based on general portfolio management and the specific property			
Factor	1 year	2 year	5 year
Fit and Proper Person Concerns	• Civil penalty issued; • Open investigation for failure to comply with housing or landlord and tenant law e.g. illegal eviction, failure to comply with management regulations • Prohibition Order or Improvement Notice served on property that is not yet complied with;	• No concerns	• No concerns
Suitability for occupation as an HMO	• Conditions requiring fire precaution work (minor work may be allowed for two year) • Conditions requiring amenities and facilities to be installed • Serious health and safety / disrepair conditions e.g. trip / fall hazards; heating requirements; windows need replacing • Conditions not completed on time (either at revisit but before new licence or conditions carried over)	• Minor repair work e.g. decorative work or minor fire precaution work e.g. adjust / fit self-closer, fire blanket not wall mounted	• No additional conditions

Appendix 5

Non – exhaustive criteria applied when deciding on licence length, for both new and renewal licence applications.

For agencies, a judgement is made based on general portfolio management and the specific property

Factor	1 year	2 year	5 year
Competence and satisfactory management arrangements	• 3 or more justified³ complaints received over the last two years regarding the licence holder and / or property demonstrating poor management; • Application history is poor – application form, declaration and fee not submitted on time. • Reminder needed after initial request for application form, fee and declaration • Stage two fee is not paid as requested • Certificates not submitted with new application or they have expired on a renewal licence • Concerns raised by other departments or partner authorities • Difficulty arranging inspections or “no show” inspections or access prevented to some rooms – need to go back	• 1 or 2 justified service request • Application submitted as stated on first request (i.e. application form, declaration and fee submitted on time) • Certificates submitted with application / as per licence conditions • Stage Two fee paid as requested • Fire Risk Assessment provided / declared • Two year licence declaration submitted (this is expected to be part of the new online form system)	• No justified service requests • Licence holder or manager is accredited⁴ • Otherwise, as two year criteria • Five year licence declaration submitted (this is expected to be part of the new online form system)

Non – exhaustive criteria applied when deciding on licence length, for both new and

³ Justified complaint is one where the council have investigated and have evidence that supports the allegation and / or had to take action to resolve the issue.

⁴ Acceptable accreditation schemes will be published. Either the licence holder or a managing agent with full management control can be accredited.

Appendix 5

renewal licence applications.			
For agencies, a judgement is made based on general portfolio management and the specific property			
Factor	1 year	2 year	5 year
Planning Permission / Building Control – this relates both to fit and proper person concerns to comply with housing law and suitability for occupation	- Evidence the property does not have planning permission for current use or open planning enforcement investigation⁵; - Outstanding work requiring building control approval	- Planning permission granted, certificate of lawful use granted or clear historic use - All building work requiring building control approval properly certified	As two year criteria
Benefits to landlords, tenants and community	- Yearly inspections from council to ensure property is maintained (increased inspection fee) - Demonstrates poorly managed properties are the focus of attention	- Reduced fee - Reduced inspection regime - Demonstrates property is well-managed and there is confidence in the landlord / licence holder - Property inspected once every five years - Local authority support still needed to ensure property is maintained / managed	- Reduced fee - Reduced inspection regime - Demonstrates property is well-managed and there is confidence in the landlord / licence holder - Accredited landlords / agents under audit regime (See below) - self-regulation approach and minimal support given

5 year audit scheme

⁵ London Borough of Waltham Forest V Khan Neutral Citation Number: [2017] UKUT 153 (LC)
<http://www.bailii.org/uk/cases/UKUT/LC/2017/153.html>

Appendix 5

- For landlords, properties checked once every five years – where a landlord owns multiple properties, then a mix of inspection and self-audit declarations will apply

Number of properties owned	Number inspected (over five years)
One	One – if selected as part of random sample otherwise a self-audit is required
Two to Six	Two
Seven to Ten	Three
Above Eleven	Four

- For agencies, two or three properties will be audited and inspected every six months. Self-audit declarations required on other properties not visited within the last five years (council will supply a list of properties requiring self-audit declarations)

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Appendix 6

HMO fee structure

Table 1 - HMO fees 2021/22

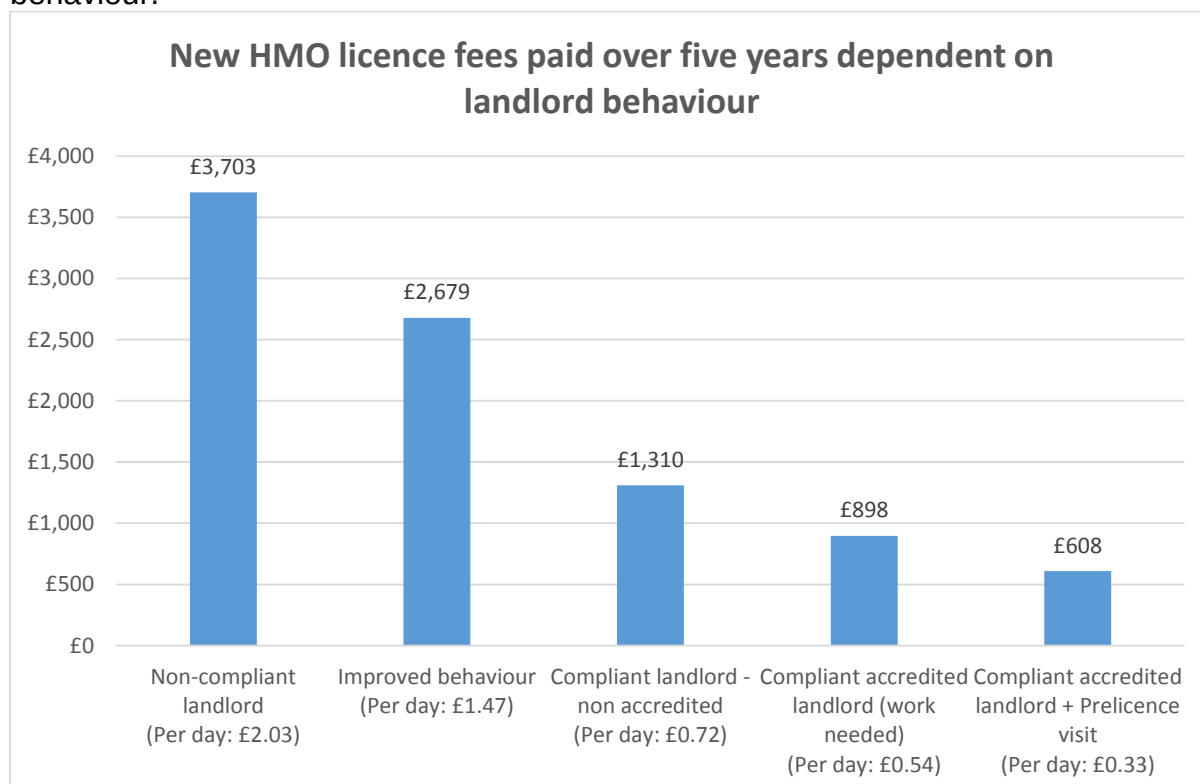
Table 2 – Summary of costs included within the licence fees.

Table 3 – Summary of refund criteria

Table 1 - Fees 2021/22						
Category	Type	Licence length (years)	Description	Stage 1	Stage 2	Total
A	New licence application	One	Higher charge for a NEW application where the HMO has been operating for more than 12 weeks.	£277	£1,781	£2,058
B	New	One	Standard charge for a NEW application where the HMO has been operating for less than 12 weeks or a change of licence holder or where the landlord failed to renew.	£277	£280	£557
C	Renewal	One	Standard charge for a renewal application.	£89	£177	£266
D	Renewal	One	Higher charge for a renewal application where the property / licence holder is classed as non-compliant	£89	£416	£505
E	Renewal	Two	Charge for a two year renewal application	£89	£204	£293
F	Renewal	Five	Charge for a five year renewal application	£89	£324	£413
Student blocks (shared units) where the licence holder is signed up to the National Code of Standards for Larger Developments for University Accommodation NOT managed or controlled by University Establishments will receive a five year licence. Participation in this Code includes an inspection and audit regime. New application = charged as Category B Renewal application = charged as Category F						£557 or £413
Pre application advice visit (payable before visit)						£195

Appendix 6

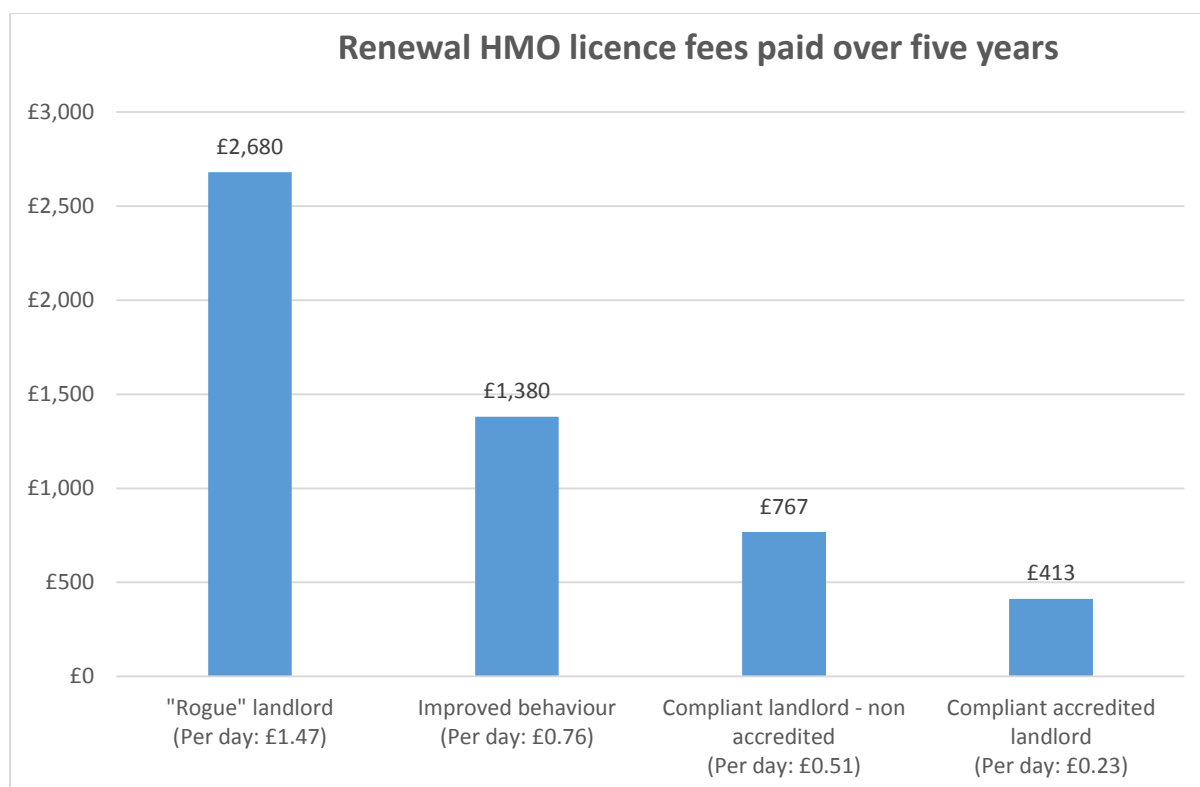
Oxford City Council wishes to ensure that compliant landlords do not “pay” for non-compliant landlords. This is demonstrated by use of different fees based on landlord behaviour.



New Application Fees paid over five years-National Average (non-London) = £920

Non-compliant landlord	Yr1 New: Landlord found to be operating HMO without a licence and paid the higher new application fee. Yr2 Renewal: Failed to complete work so paid the higher renewal fee. Yr3 Renewal: Completed work on previous licence however failed to proactively manage the property so paid a higher renewal fee again. Yr4 Renewal: Completed this work and a few minor issues noted so were granted a one year licence Yr5 Renewal: Completed work so received one year licence again.
Improved behaviour.	Yr1 New: Landlord did not know they needed a licence and so paid the higher new application fee. Yr2 Renewal: Completed all work required, had sent in safety certificates without prompting. Given two year licence. Yr 4 Renewal: Two year licence.
Compliant landlord – non accredited.	Yr1 New: Landlord applies for new licence within 12 weeks of buying property. Pays standard fee. Work needed at property so give one year licence. Yr2 Renewal: Completed all work required. Sent in required safety certificates. Given two year licence. Yr 4 Renewal: Sent in required safety certificates. Given two year licence.
Compliant landlord – accredited (Work needed)	Yr1 New: Landlord applies for new licence within 12 weeks of buying property. Pays standard fee. Work needed at property. Given one year licence. Yr2 Renewal: Completed all work required. Sent in required safety certificates. Given five year.
Compliant landlord – accredited and pre-licence visit.	Yr0: Pre-application: Before letting the house, the landlord pays for a “pre-licence visit”. They complete the work. Yr1 New: Landlord applies for new licence within 12 weeks of buying property. Pays standard fee. No work needed. Sent in safety certificates Landlord is accredited then given five year licence.

Appendix 6



Renewal Application Fees paid over five years-National Average (non-London) =£689

Non-compliant landlord	Yr1 Renewal: Failed to complete work so paid the higher renewal fee. Yr2 Renewal: Completed work on previous licence however failed to proactively manage the property so paid a higher renewal fee again. Yr3 Renewal: Completed work on previous licence however failed to proactively manage the property so paid a higher renewal fee again. Yr4 Renewal: Completed work on previous licence however failed to proactively manage the property so paid a higher renewal fee again Yr5 Renewal: Completed work on previous licence however failed to proactively manage the property so paid a higher renewal fee again
Improved behaviour.	Yr1 Renewal: Failed to complete work so paid the higher renewal fee. Yr2 Renewal: Completed work, minor work required so paid one year feed. Yr3 Renewal: Completed work, however safety certificates not sent in so paid one year fee Yr 4 Renewal: Sent in required safety certificates. Given two year licence.
Compliant landlord – non accredited.	Yr1 Renewal: Completed work on previous licence, all safety certificates sent in. Given two year licence. Yr3 Renewal: Sent in required safety certificates. Given two year licence. Yr5 Renewal: Sent in required safety certificates. Given two year licence.
Compliant landlord – accredited	Yr1 Renewal: Completed work on previous licence, all safety certificates sent in. Landlord is accredited. Given five year licence.

Appendix 6

Table 2 – costs included in fees

CATEGORY A – Higher charge NEW HMO application where the HMO has been operating for more than 12 weeks.

The higher fee is to reflect the additional time spent generally on enforcement of unlicensed HMOs.

This includes the time:

- to process the application;
- an inspection before the licence is granted to establish occupancy number and any additional work needed and the time to write licence conditions;
- a compliance visit during the licence;
- an enforcement charge – this charge is added to reflect the time spent over a five year period on unlicensed HMOs
- general scheme costs - this charge is added to all licences to reflect ongoing costs associated with licensing, such as variations, revocations, temporary exemptions, landlord educational events, responding to service requests relating to HMOs

CATEGORY B - Standard NEW HMO application made within 12 weeks

This category is when a NEW licence application is made promptly - it is our standard cost for a new application.

This category also applies where a licence has expired and a new application is received within six weeks of the expiry date.

This includes the time:

- to process the application;
- an inspection before the licence is granted to establish occupancy number and any additional work needed and the time to write licence conditions;
- a compliance visit during the licence;
- general scheme costs - this charge is added to all licences to reflect ongoing costs associated with licensing, such as variations, revocations, temporary exemptions, landlord educational events, responding to service requests relating to HMOs

CATEGORY C – Standard RENEWAL HMO application.

This category is for a RENEWAL licence - it is our standard cost for a renewal application.

This applies where the landlord does not meet the criteria to receive a two or five year licence.

This includes the time:

- to process the application;
- a percentage cost for a five year inspection – the Council must be satisfied there are no Part 1 Category one hazards every five years. Category C licences include a percentage costs towards an inspection.
- general scheme costs - this charge is added to all licences to reflect ongoing costs associated with licensing, such as variations, revocations, temporary exemptions, landlord educational events, responding to service requests relating to HMOs

Appendix 6

Table 2 – costs included in fees

CATEGORY D - non compliant RENEWAL HMO application.

This category is when a RENEWAL licence application is classed as "non-compliant". This may be for a variety of reasons e.g.

- on the day of the compliance inspection, work was not completed within the timescale set;
- there has been a service request that has led to work being added during the last licence;
- action required by the council to resolve problems;
- repeated failure to send in certificates on expiry;
- other reasons to be considered non-compliant

This includes the time:

- to process the application including time spent writing additional conditions on the licence due to the non - compliance;
- a compliance visit during the licence;
- an additional charge to reflect the increased cost associated with poor compliance generally across the scheme
- general scheme costs - this charge is added to all licences to reflect ongoing costs associated with licensing, such as variations, revocations, temporary exemptions, landlord educational events, responding to service requests relating to HMOs

CATEGORY E

This category is for a RENEWAL licence - it is for landlords who are compliant and meet our two year licence criteria.

This includes the time:

- to process the application;
- a percentage cost for a five year inspection – the Council must be satisfied there are no Part 1 Category one hazards every five years. Category E licences include a percentage costs towards an inspection.
- two year licence ongoing administration charge - towards ongoing enforcement / audit checks,
- general scheme costs - this charge is added to all licences to reflect ongoing costs associated with licensing, such as variations, revocations, temporary exemptions, landlord educational events,

CATEGORY F

This category is for a RENEWAL licence - it is for landlords who are compliant and meet our five year licence criteria.

This includes the time:

- to process the application;
- five year licence ongoing administration charge - – the Council must be satisfied there are no Part 1 Category one hazards every five years. Category F licences include a percentage cost towards a five year audit or inspection.
- general scheme costs - this charge is added to all licences to reflect ongoing costs associated with licensing, such as variations, revocations, temporary exemptions, landlord educational events, responding to service requests relating to HMOs.

A discount has then been applied to reflect the anticipated lower enforcement costs associated with accredited landlords.

Appendix 6

Table 3 - Refund criteria <i>The retained amount covers administration costs</i>		
Application Type	Circumstance	Refund
New or Renewal application:	Property was not an HMO at the time the application was made and has not been occupied as an HMO <i>Only where a landlord can demonstrate that the property has never been occupied as an HMO</i>	Stage one payment – full refund Stage two payment – full refund
New application:	Property has ceased to be an HMO since application was made. Inspection not yet undertaken	Stage one payment – amount paid minus £116
New application:	Property has ceased to be an HMO since application was made. Inspection completed and intention notice not yet issued	Stage one payment – nil
New application:	Property has ceased to be an HMO since application was made. Intention notice issued however decision notice not yet issued	Stage one payment – nil Stage two payment – full refund
Renewal application:	Property has ceased to be an HMO since application was made. Intention notice not yet issued	Stage one payment – amount paid minus £50
Renewal application:	Property has ceased to be an HMO since application was made. Intention notice issued however decision notice not yet issued	Stage one payment – nil Stage two payment – full refund
New or renewal application	Intention notice issued. Stage two not paid. Application withdrawn by Council.	Stage one payment – nil
Revocation of licence (new or renewal licence)	After decision notice is issued	Stage one payment – nil Stage two payment – nil
Overpayment of fees	Where a landlord has overpaid fees, the difference will be refunded i.e. landlord pays for a two year licence and is granted a one year licence	Stage two payment – difference refunded

Draft Version – for consultation only

HOUSING ACT 2004
Part 2

LICENCE FOR A HOUSE IN MULTIPLE OCCUPATION



This

Licence

will be granted under Section 64 of the Housing Act 2004 to

XXXXXX
of
Town Hall
St Aldate's
Oxford
Oxfordshire
OX1 1BX

for the house at

123 SOME STREET
in the City of Oxford

to be occupied as a House in Multiple Occupation by no more than
WORD (NUMBER) people.

*This Licence remains in force until the **DATE**
and is subject to the Conditions specified in the attachment which forms part
of this document.*

Signature

HEAD OF SERVICE
REGULATORY SERVICES AND COMMUNITY SAFETY
OXFORD CITY COUNCIL

LICENCE REFERENCE NUMBER

LICENCE CONDITIONS

Any failure to comply with these conditions may render the Licence Holder liable to prosecution and an unlimited fine upon conviction or a financial of up to £30,000 as an alternative to prosecution. Under the Housing Act 2004 Section 70(2)(a) the Licence may also be revoked.

Further information is provided in the “guidance and notes” section about the licence conditions, including template notices for you to display in the property / information to give to your tenants.

***Indicates a mandatory condition prescribed by the Housing Act 2004.**

Any reference to “on demand” means to provide, to the Council officer, the document within 14 days of the demand.

Permitted Occupation

1 NUMBER OF OCCUPANTS

The house may be occupied by no more than **xxwordxxx (number)** people.

2 ROOM SIZES AND OCCUPANCY*

The following minimum floor area requirements apply to rooms being used as sleeping accommodation:

In HMOs with sufficient communal living space provided in accordance with Oxford City Council's Amenities and Facilities Guide:

- 4.64 square metres for one (1) person aged under ten (10) years;
- 6.51 square metres for one (1) person aged over ten (10) years;
- 10.22 square metres for two (2) persons aged over ten (10) years.

In HMOs without sufficient communal living space provided in accordance with Oxford City Council's Amenities and Facilities Guide:

- 8.5 square metres for one (1) person regardless of age;
- 14 square metres for two (2) persons regardless of age.

Where the room contains kitchen facilities for the exclusive use of the occupant(s):

- 14 square metres for one (1) persons regardless of age;
- 18 square metres for two (2) persons regardless of age.

Rooms must not be occupied by a greater number of persons than what is prescribed in this condition.

The Licence Holder must notify the local housing authority in writing of any room in the HMO with a floor area of less than 4.64 square metres.

Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room for the purposes of this condition.

3 NUMBER OF HOUSEHOLDS

The house may be occupied by no more than **xxwordxxx (number)** households. A

household is either a single person or members of the same family who live together. A family includes people who are:

- married or living together - including people in same-sex relationships
- relatives or half-relatives, e.g. grandparents, aunts, uncles, siblings
- step-parents and step-children

Gas Safety and Carbon Monoxide

4. LANDLORD'S GAS SAFETY CERTIFICATE

If gas is supplied to the house, each year obtain and submit to the Council a new landlord's gas safety certificate issued by a recognised engineer approved under Regulation 3 of the Gas Safety (Installation and Use) Regulations 1998*.

A copy of the certificate must be displayed in the common parts of the property.

Ensure that a valid gas safety certificate is in place for the property for the duration of the licence (there should be no gaps in between certificate dates) and copies of all gas safety certificates obtained whilst the licence is in force must be kept by the Licence Holder for the duration of the licence and, on demand, supplied to the Council.

5. CARBON MONOXIDE ALARMS*

Ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel combustion appliance. A 'room' includes a hall or landing and 'living accommodation' includes a bathroom or toilet.

The Licence Holder must keep all alarms in proper working order and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm.

Electrical Safety

6. ELECTRICAL SAFETY CERTIFICATE

The Licence Holder must ensure that every electrical installation in the house is in proper working order and safe for continued use and supply, on demand, with a declaration as to the safety of such installations*.

Ensure that an electrical condition report dated within the last five (5) years is submitted to the Council. If the current report expires during this licence, ensure the new report is submitted. A valid electrical condition report must be in place for the property for the duration of the licence (there should be no gaps in between certificate dates).

The report must detail the condition of the fixed electrical installation of the property, Carry out any remedial works identified on the report and submit evidence to the Council upon completion. The report must be issued in accordance with the latest edition of the BS7671 Regulations for Electrical Installations, as issued by the Institute of Electrical Engineers. The inspection, report and all electrical work must be undertaken by qualified electricians registered and assessed by a UKAS

accredited Certification Body to A1.2 of the IET Electrotechnical Assessment Scheme. The register of competent persons is available from:
www.competentperson.co.uk

7. ELECTRICAL APPLIANCE SAFETY*

Keep all electrical appliances made available to the occupants in a safe condition. On demand, the Licence Holder must submit to the Council a declaration by him as to the safety of such appliances.

Fire Safety

8. SMOKE ALARMS*

Ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation.

The Licence Holder must keep all alarms in proper working order and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm.

9. TEST CERTIFICATE/DECLARATION FOR SMOKE / HEAT DETECTORS & FIRE ALARMS

Please note, a system of smoke and heat detectors (alarms) is classed as a "fire alarm" system under the British Standards.

Ensure the fire alarm system (i.e. the smoke / heat detectors (alarms)) is tested at least annually and submit to the Council a certificate / declaration to confirm the fire alarm system in the property has been tested and maintained in accordance with the provisions of British Standard BS5839-6:2019. The certificate / declaration must be not more than one year old.

If the property has a 'Grade A' fire alarm system (typically larger alarm systems with a control panel) the Licence Holder must ensure that the system is:

- a) tested weekly; and
- b) inspected and serviced at periods not exceeding six months by a suitably qualified and competent person.

An inspection and servicing certificate issued in accordance with BS 5839-1:2019 must be provided biannually to the Council.

If the property has a 'Grade D1/D2' fire alarm system (i.e. mains-powered and interlinked detectors / alarms typically located in halls, landings and kitchens of low-risk two or three storey HMOs), the Licence Holder must ensure that all alarms are:

- a) tested monthly; and
- b) maintained in accordance with the manufacturer's instructions.

A self-declaration or an inspection / servicing certificate is acceptable for Grade D systems.

10. EMERGENCY LIGHTING

If emergency lighting is installed then ensure the system is tested at least annually and submit to the Council a certificate / declaration to confirm the emergency lighting system in the property has been tested and maintained in accordance with the provisions of British Standard BS5266. The certificate must be not more than

one year old. Carry out any remedial works identified on the report and submit evidence to the Council upon completion.

The person issuing the certificate must be a competent person qualified to undertake such inspection and testing. The register of competent persons is available from: www.competentperson.co.uk

11. FURNITURE SAFETY*

All furniture made available to the occupants of the house must be kept in a safe condition and must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. On demand, the Licence Holder must submit a declaration concerning the safety of the furniture to the Council.

12. FIRE NOTICES

Provide a notice informing occupants about what to do in the event of a fire. The notice shall be prominently displayed and located adjacent to the Notice containing the name, address and telephone contact number of the person who manages the house.

13. KEEP FIRE ESCAPE ROUTE CLEAR

Ensure that all fire escape routes are maintained clear of obstructions, storage and potential sources of ignition.

14. FIRE RISK ASSESSMENT

The Licence Holder must ensure a suitable and sufficient fire risk assessment which meets all requirements of the Regulatory Reform (Fire Safety) Order 2005 has been undertaken before the property is let. This must be reviewed regularly.

A copy of the fire risk assessment must be provided to the Council on demand.

Tenancy Management

15. WRITTEN TERMS OF OCCUPANCY

Supply the occupiers of the house / rooms, on commencement of their occupancy, with a written statement of the terms in which they occupy the house (i.e. a tenancy agreement). The Licence Holder must, on demand, provide the Council with a copy of the written statement*.

The Licence Holder must make a copy of the tenancy agreement available before the house is let so that tenants can read it before being asked to sign. It also gives the tenants the opportunity to get independent advice before signing.

16. REFERENCES

The Licence Holder must ensure that references are requested from persons who wish to occupy the house and wherever possible, are obtained.

When referencing consideration must be given to the tenant's history, credit and right to rent checks.

The Licence Holder must, on demand, ensure that the Council is provided with a copy of any such references and records.

17 RENT RECEIPTS

The Licence Holder must ensure there is a record of all rent payments received in respect of the property. The record must cover the duration of the licence.

Where rent is paid in cash or cheque, the occupant(s) must be given a written receipt for the rental payment stating the date of payment, amount paid and the name of the person who collected the payment.

Where rent is paid via bacs, this will count as the record of rental payment.

The Licence Holder must, on demand, ensure that the Council is provided with a copy of rent payment records.

18 INVENTORY

The Licence Holder must ensure that an inventory is provided to the occupants. For separate tenancies or lodgers, this is limited to the occupant(s) exclusive room(s). For joint tenancies, an inventory for the whole house to be provided.

The Licence Holder must, on demand, ensure that the Authority is provided with a copy of the inventory/ies.

19 UTILITIES AND APPLIANCES

The Licence Holder must ensure that, where tenants are to pay the bills, they are provided with details of the utility provider and billing information within 14 days of occupation of the house.

The Licence Holder must ensure that the tenants are provided with a user manual or written instructions for the correct operation and setting of the fixed form of heating system in the property.

Waste disposal and refuse

20 WASTE DISPOSAL AND RECYCLING REQUIREMENTS*

Properties with blue / green bin collection :

Oxford City Council policy is to collect no greater quantity of domestic waste from refuse bins (green bins) than from recycling bins (blue bins). Oxford City Council will not collect recycling or refuse material unless correctly presented in a receptacle meeting the Council's specification.

Properties with sack collection or block of flats

Where a property has waste collection via sacks or is within a block of flats, then the Licence Holder must comply with the information on the council website

www.oxford.gov.uk/recycling

All properties:

The Licence Holder must give new tenants information on disposing of all rubbish / recycling in an appropriate manner and at the appropriate time including:

- The collection days for the refuse and recycling
- Details on what they can and cannot recycle
- How they can dispose of bulky waste and the penalties for fly tipping

The Licence Holder must ensure suitable and adequate provision is made available at the start of a tenancy for storage of refuse generated in the house.

The Licence Holder must make supplementary arrangements for the disposal of refuse from the house as may be necessary.

The Licence Holder must ensure that at the end of each tenancy any rubbish or unwanted household goods left behind are removed and disposed of appropriately before the start of the next tenancy. In particular any rubbish or goods left in the front or back garden or the pavement in front of the property should be removed.

Where the tenancy agreement places responsibility on the tenants for garden maintenance, the Licence Holder must provide for garden waste collection by purchasing appropriate bins and payment of collection charge.

Property Management, Inspections and Emergency Arrangements

21 PROVISION OF CONTACT DETAILS TO TENANTS

The Licence Holder must display, in a prominent position within the house, a notice containing the name, address and telephone contact number of the person who manages the house.

The Licence Holder must provide to the tenants, in writing within 7 days of their occupation, details of who to contact to report repairs, including out of hours emergency contact details.

The Licence Holder must display in a prominent position within the house, a notice containing the name, address and telephone contact number of the person who manages the house.

22 DIS-REPAIR / PESTS

The Licence Holder must ensure that, if they are informed, in writing, by email or other form of communication, about a complaint of disrepair or pest infestation in the property from the occupiers, the Council or a third party, they take action to investigate and if necessary remedy the disrepair and/or infestation within a reasonable period of time. The Licence Holder shall respond, preferably in writing to any such complaint, within 14 days of receipt of the complaint, stating what action they have or intend to take.

Where an emergency issue is reported (e.g. loss of heating, hot water, issues relating to security), it should be responded to within 24 hours. This includes undertaking a temporary measure before the full repair can be undertaken.

Where a pest problem is identified following a complaint, the Licence Holder must employ a suitably qualified pest control company to investigate the problem and undertake all action needed to remove pests (this includes baiting and any structural repairs to prevent pest access).

23 PROPERTY INSPECTION

The Licence Holder must ensure that inspections of the house are carried out at least every six months to identify any problems relating to the condition and management of the house. The records of such inspections must be kept for the last year. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection any issues found and actions(s) to be taken. Copies of these must be provided to the council within 28 days of demand. In the event that an inspection is not possible (e.g. pandemic situation) then it is acceptable for the Licence Holder to fulfil this in alternative ways (e.g. zoom call with tenants who show the house and landlord takes notes or written confirmation from tenants there are no problems).

24 EMERGENCY ARRANGEMENTS

Where the Licence Holder is out of the country for more than two weeks and for less than four weeks, there must be emergency arrangements in place for the tenants to be able to arrange emergency repairs. These arrangements must be provided to the tenant.

Where the Licence Holder is out of the country for more than four weeks at a time, there must be a named managing agent or alternative person who can arrange repairs. This person must be named on the application form and must be a “fit and proper” person. These arrangements must be provided to the tenant.

Energy Performance Certificate

25 ENERGY PERFORMANCE CERTIFICATE (EPC)

Where an EPC is required for the HMO, on demand submit to the Council an energy performance certificate stating the property has a minimum energy efficiency standard of an E-rating. The person issuing the certificate must be an Approved Energy Assessor qualified to undertake such inspection and testing.

If the property is exempt from the Minimum Energy Efficiency Standard, on demand provide details of the registered exemption.

Notification of changes

26 CHANGES TO CONTACT DETAILS

The Licence Holder must advise the HMO Customer Services Applications Team in writing of any permanent change to the address or contact details of each person (except any mortgage provider) named on the licence application form as soon as reasonably practicable.

27 CHANGES WITHIN THE HOUSE

The Licence Holder must advise the HMO Customer Services Applications Team in writing of any change in the house (apart from the change of occupants) that is likely to affect the operation or management of the HMO as soon as reasonably practicable.

28 CHANGES TO FIT AND PROPER PERSON STATUS

The Licence Holder must advise the HMO Customer Services Applications Team in writing of any changes to the Licence Holder, the Manager's or any associate's circumstances which could affect their fit and proper person status, i.e. any cautions or convictions for any offence involving fraud, dishonesty, violence, drugs, sexual offences (under Sexual Offences Act, schedule 3) discrimination or breach of housing or landlord / tenant law or convicted of a banning order offence or issued with a banning order. The Licence Holder to inform the Council within 14 days of becoming aware of the change to fit and proper person status.

29 SALE OF PROPERTY

Where the property is sold and the owner is the Licence Holder, the Licence Holder must request that the HMO licence is revoked. Licences cannot be transferred.

Where the property is sold and the Licence Holder remains the same (for example, the agent is the Licence Holder), then the Licence Holder must inform the HMO Customer Services Applications Team in writing with the new ownership details.

Property Specific Conditions – work required to the property to ensure it is suitable for the number of occupants or improve the condition and content

Any conditions relating to work required will be listed here. If this section is left blank, then at the time the licence was granted there were no known issues. Work can be added at any time via a notice to vary the licence. This may be due to a complaint made or a routine inspection.

END OF LICENCE CONDITIONS

Guidance and Notes

This information is provided to assist the Licence Holder to understand his / her obligations and comply with the Licence Conditions.

Planning permission, including listed building consent, and Building Regulations

The grant of an HMO licence does not give planning permission for use as a C4 HMO or sui generis HMO. It is the responsibility of the licence holder to ensure the property has the necessary planning permission for use as an HMO.

Where conditions require work to be undertaken, the licence holder must ensure that you seek the necessary approval from Building Control and Planning, including Listed Building Consent, prior to work commencing.

Further guidance / information

The following appendices are provided to assist licence holders to understand their duties and comply with their duties:

1. Housing Act 2004 Schedule 5 – process and procedure for grant or refusal to grant licence
2. Reasons for licence conditions
3. Information from Oxfordshire Fire and Rescue on fire risk assessment
4. A “manager and emergency arrangements” notice for display
5. A “waste management” notice for display
6. Rent receipt template
7. A “fire action” notice for display

The government website <https://www.gov.uk/renting-out-a-property> contains information for landlords including:

- Landlord responsibilities
- Financial responsibilities (including tax and mortgage permissions)
- Repairs

The government website https://www.gov.uk/housing-local-and-community/rented-housing-sector#guidance_and_regulation contains information for landlords on:

- How to let guide
- Model tenancy agreement
- Understanding the possession action process
- Universal credit
- Landlord and tenants’ rights and responsibilities
- Housing Health and Safety Rating System guidance for landlords

Penalties for non –compliance with licence conditions

Under the Housing Act 2004 s72(3) any failure to comply with these conditions may render the Licence Holder liable to prosecution and an unlimited fine upon conviction or a financial of up to £30,000 as an alternative to prosecution. Under the Housing Act 2004

Section 70(2)(a) the Licence may also be revoked. Appendix 1 provides notes from the Housing Act 2004.

Some conditions impose a duty on the Licence Holder which endures for the period of the Licence. Other conditions require a specific task or work to be done, which once completed, will discharge that obligation but the condition will remain as part of the Licence.

Relevant legislation

Licence conditions are pursuant mainly to the following legislative authorities:

- Housing Act 2004 Section 67
- Schedule 4 of the Housing Act 2004
- The Management of Houses in Multiple Occupation (England) Regulations 2006 [SI 2006 No 372] or in the case of a Section 257 HMO then The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 [SI 2007 No 1903]
- The Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations 2006; Schedule 3 [SI 2006 No 373]

Further information regarding reasons for imposition of licence conditions is contained in Appendix 2.

Definitions

Each Condition refers to the house named on the front page.

In these Conditions:

‘BS’ and ‘BS EN’ mean a British Standard as published by the British Standards Institution.

‘competent person’ or ‘competent’ means a person properly qualified and accredited by the appropriate authority to install and/or inspect, test and certify the equipment, facility or utility.

‘house’ means the dwelling or residential accommodation at the address identified above for which this licence has been granted.

‘HMO’ means House in Multiple Occupation as defined by the Housing Act 2004.

‘IEE regulations’ means the latest edition of the Wiring Regulations published by Institution of Electrical Engineers (BS 7671).

‘Licence Holder’ means the person to whom this licence has been granted.

‘obtain and submit to the Council’ means that the Licence Holder must obtain a certificate from a competent person and forward a copy of it to the Customer Services Applications team at St Aldate’s Chambers, 109-113 St Aldate’s, Oxford.

‘on demand’ means that the Licence Holder must provide the Customer Services Applications team or the named officer with a copy of the document if and when the Council requires it to be produced.

‘provide’ means that the Licence Holder must install the item mentioned as a fixture within the house and make its use freely available to the occupants of the house.

APPENDIX 1: HOUSING ACT 2004 - SCHEDULE 5.

LICENCES UNDER PART 2 PROCEDURE AND APPEALS - GRANT OF LICENCES

Requirements before grant of licence

- 1 Before granting a licence, the local housing authority must-
 - (a) serve a notice under this paragraph, together with a copy of the proposed licence, on the applicant for the licence and each relevant person, and
 - (b) consider any representations made in accordance with the notice and not withdrawn.
- 2 The notice under paragraph 1 must state that the authority are proposing to grant the licence and set out-
 - (a) the reasons for granting the licence,
 - (b) the main terms of the licence, and
 - (c) the end of the consultation period.
- 3 (1) This paragraph applies if, having considered representations made in accordance with a notice under paragraph 1 or this paragraph, the local housing authority propose to grant a licence with modifications.
 - (2) Before granting the licence the authority must-
 - (a) serve a notice under this paragraph on the applicant for the licence and each relevant person, and
 - (b) consider any representations made in accordance with the notice and not withdrawn.
- 4 The notice under paragraph 3 must set out-
 - (a) the proposed modifications,
 - (b) the reasons for them, and
 - (c) the end of the consultation period.

Requirements following grant of licence

- 7 (1) This paragraph applies where the local housing authority decide to grant a licence.
 - (2) The local housing authority must serve on the applicant for the licence (and, if different, the Licence Holder) and each relevant person-
 - (a) a copy of the licence, and
 - (b) a notice setting out-
 - (i) the reasons for deciding to grant the licence and the date on which the decision was made,
 - (ii) the right of appeal against the decision under Part 3 of this Schedule, and
 - (iii) the period within which an appeal may be made (see paragraph 33(1)).
 - (3) The documents required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.
- 8 (1) This paragraph applies where the local housing authority refuse to grant a licence.
 - (2) The local housing authority must serve on the applicant for the licence and each relevant person a notice setting out-
 - (a) the authority's decision not to grant the licence,
 - (b) the reasons for the decision and the date on which it was made,
 - (c) the right of appeal against the decision under Part 3 of this Schedule, and
 - (d) the period within which an appeal may be made (see paragraph 33(1)).
 - (3) The notices required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.

Exceptions from requirements in relation to grant or refusal of licences

- 9 The requirements of paragraph 3 (and those of paragraph 1) do not apply if the local housing authority-
 - (a) have already served a notice under paragraph 1 but not paragraph 3 in relation to the proposed licence, and
 - (b) consider that the modifications which are now being proposed are not material in any respect.
- 10 The requirements of paragraph 3 (and those of paragraph 1) do not apply if the local housing authority-
 - (a) have already served notices under paragraphs 1 and 3 in relation to the matter concerned, and

(b) consider that the further modifications which are now being proposed do not differ in any material respect from the modifications in relation to which a notice was last served under paragraph 3.

Meaning of "the end of the consultation period"

12 (1) In this Part of this Schedule "the end of the consultation period" means the last day for making representations in respect of the matter in question.

(2) The end of the consultation period must be-

(a) in the case of a notice under paragraph 1 or 5, a day which is at least 14 days after the date of service of the notice; and

(b) in the case of a notice under paragraph 3, a day which is at least 7 days after the date of service of the notice.

(3) In sub-paragraph (2) "the date of service" of a notice means, in a case where more than one notice is served, the date on which the last of the notices is served.

Meaning of "licence" and "relevant person"

13 (1) In this Part of this Schedule "licence" means a licence under Part 2 or 3 of this Act.

(2) In this Part of this Schedule "relevant person", in relation to a licence under Part 2 or 3 of this Act, means any person (other than a person excluded by sub-paragraph (3))

(a) who, to the knowledge of the local housing authority concerned, is-

(i) a person having an estate or interest in the HMO or Part 3 house in question, or

(ii) a person managing or having control of that HMO or Part 3 house (and not falling within sub-paragraph (i)), or

(b) on whom any restriction or obligation is or is to be imposed by the licence in accordance with section 67(5) or 90(6).

(3) The persons excluded by this sub-paragraph are-

(a) the applicant for the licence and (if different) the Licence Holder, and

(b) any tenant under a lease with an unexpired term of 3 years or less.

Right to appeal against refusal or grant of licence

31 (1) The applicant or any relevant person may appeal to a First-Tier Tribunal (Property Chamber) against a decision by the local housing authority on an application for a licence-

(a) to refuse to grant the licence, or

(b) to grant the licence.

(2) An appeal under sub-paragraph (1)(b) may, in particular, relate to any of the terms of the licence.

Time limits for appeals

33 (1) Any appeal under paragraph 31 against a decision to grant, or (as the case may be) to refuse to grant, a licence must be made within the period of 28 days beginning with the date specified in the notice under paragraph 7 or 8 as the date on which the decision was made

(3) A First-Tier Tribunal (Property Chamber) may allow an appeal to be made to it after the end of the period mentioned in sub-paragraph (1) if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time)

Powers of First-Tier Tribunal (Property Chamber) hearing appeal

34 (1) This paragraph applies to appeals to a First-Tier Tribunal (Property Chamber) under paragraph 31 or 32.

(2) An appeal-

(a) is to be by way of a re-hearing, but

(b) may be determined having regard to matters of which the authority were unaware.

(3) The tribunal may confirm, reverse or vary the decision of the local housing authority

(4) On an appeal under paragraph 31 the tribunal may direct the authority to grant a licence to the applicant for the licence on such terms as the tribunal may direct.

APPENDIX 2: REASONS FOR LICENCE CONDITIONS

The following information is provided to explain the reasons for licence condition.

NUMBER OF OCCUPANTS AND HOUSEHOLDS

When deciding whether to grant a licence, the Housing Act 2004 s64(3)(a) requires the authority to be satisfied that the house is reasonably suitable for occupation by not more than the maximum number of households or persons either specified in the application form or other maximum number decided by the authority.

MANDATORY LICENCE CONDITIONS

The Housing Act 2004 s67(3) states that all licences include the conditions required by Schedule 4 of the Housing Act 2004. The authority has no discretion on these conditions. These licence conditions are denoted by the * by the condition title or in the text.

DISCRETIONARY LICENCE CONDITIONS

The Housing Act 2004 s67(1) permits the authority to include conditions that the authority consider appropriate to regulate the management, use and occupation of the house concerned and its' condition and contents and under s67(2):

Those conditions may, in particular, include (so far as appropriate in the circumstances)—

- (a) conditions imposing restrictions or prohibitions on the use or occupation of particular parts of the house by persons occupying it;
- (b) conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house;
- (c) conditions requiring facilities and equipment to be made available in the house for the purpose of meeting standards prescribed under section 65;
- (d) conditions requiring such facilities and equipment to be kept in repair and proper working order;
- (e) conditions requiring, in the case of any works needed in order for any such facilities or equipment to be made available or to meet any such standards, that the works are carried out within such period or periods as may be specified in, or determined under, the licence;
- (f) conditions requiring the Licence Holder or the manager of the house to attend training courses in relation to any applicable code of practice approved under section 233.

All HMO licences have conditions numbers 1 through 30. Oxford City Council considers it necessary to add these conditions to all HMO licences either as a mandatory condition and to regulate the management, use and occupation of the house concerned and its' condition and contents. This is to ensure that HMOs do not give rise to one or more particular problems either for those occupying the HMOs or for members of the public.

When determining the maximum number of permitted occupants or households, the authority can add conditions under s67(2)(c) to make the house suitable for that permitted number of occupants or households. Normally, these conditions are added following inspection of the HMO and require the landlord to provide additional amenities and / or facilities. These conditions appear in the "property specific" section of the HMO licence.

The authority may further add property specific conditions to regulate the management, use, occupation and condition and contents. Normally, this is where there have been identified breaches of the Management Regulations or to resolve specific issues with anti-social behaviour identified at the property. These conditions appear in the "property specific" section of the HMO licence.



**HOUSES IN MULTIPLE OCCUPATION
&
THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005**

ADVICE FOR LANDLORDS

In addition to the Housing Authority's requirements under the Housing Act, you should be aware that the Regulatory Reform (Fire Safety) Order applies to the common areas (such as corridors and stairways) of all residential accommodation not forming a single private dwelling. This legislation came into effect on 1 October 2006 and is enforced, in Oxfordshire, by Oxfordshire Fire and Rescue Service.

Under the Fire Safety Order the "responsible person" for a premises (eg a landlord or housing provider), has a duty to carry out a fire risk assessment to determine the nature and extent of the general fire precautions that may be reasonably required to ensure the premises are safe from the risk of fire.

In a House in Multiple Occupation these general fire precautions will include measures in relation to –

- reducing the risk of a fire occurring
- the means of escape in the case of fire
- the means for detecting and giving warning of fire
- the means for fire-fighting on the premises
- the action to be taken in the event of fire

As your premises are subject to licensing by the Housing Authority, you should also be aware that you are required to record the significant findings of your risk assessment - which should be made available to Oxfordshire Fire and Rescue Service on request.

Further information on your legal duties under the Fire Safety Order and guidance on how to carry out a fire risk assessment is contained in the publication:

'Fire Safety Risk Assessment: Sleeping Accommodation' (Guide No 3).

which is free to download from the government's Fire Gateway web portal on <https://www.gov.uk/government/collections/fire-safety-law-and-guidance-documents-for-business>.

APPENDIX 4: INFORMATION NOTICE

MANAGER'S INFORMATION

MANAGER'S NAME	
MANAGER'S ADDRESS	
MANAGER'S CONTACT TELEPHONE NUMBER	

EMERGENCY ARRANGEMENTS

TO REPORT EMERGENCY REPAIRS OUT OF HOURS	Name: Contact telephone:
EMERGENCY HEATING / HOT WATER CONTACT INFORMATION	(Insert information if there is a contract with a service provided e.g. British Gas HomeCare)
EMERGENCY ELECTRICAL CONTACT INFORMATION	(Insert information if there is a contract with a service provided e.g. British Gas HomeCare)
IF YOU SMELL GAS, OR THINK THERE IS A GAS LEAK, THEN CALL THE NATIONAL NUMBER. Do not smoke or light matches Do not turn electrical switches on or off Open doors and windows Turn off the meter at the control handle unless the meter is in the cellar	National Gas Emergency Service 0800 111 999⁽¹⁾
CARBON MONOXIDE LEAK – AS ABOVE	National Gas Emergency Service 0800 111 999⁽¹⁾
FIRE	IN EVENT OF A FIRE – EVACUTE IMMEDIATELY AND CALL 999 For problems with the fire alarm and emergency lighting: call

APPENDIX 5: WASTE MANAGEMENT NOTICE

PROPERTY ADDRESS	
Food waste must be put in the (delete as appropriate)	LARGE FOOD CADDY RED BIN (FLATS ONLY)
Food waste is collected	WEEKLY COLLECTION ON:
Refuse (general) waste must be put in the (delete as appropriate or for flats, complete)	GREEN WHEELED BIN / LILAC SACKS/ _____ All rubbish must be inside your green bin with the lid closed. Extra rubbish left outside the bin will not be collected. Three LILAC SACKS will be collected.
Refuse (general) waste is collected	EVERY OTHER WEEK ON: STARTING FROM:
Recycling must be put in the (delete as appropriate)	BLUE WHEELED BIN / BLUE SACKS...? _____ Extra recycling will be collected if placed neatly at the side of your blue bin or sacks in a clear sack or cardboard box.
Recycling is collected	EVERY OTHER WEEK ON: STARTING FROM:
Bin / sack collection	Please put your bins / caddy / sack out for collection by 7am. You can put your bins / sacks out the day before, after 6pm. Please remove your empty bin from the pavement as soon as possible after collection.
Bin / sack collection reminders	You can sign up for email reminders - they will prompt you on which bins to put out and when – see www.oxford.gov.uk/recycling You can download Oxford City Council mobile app for free reminders. Available via the app store / google play
Bulky Waste can be disposed of:	By calling Oxford City Council on 01865 249811 and booking a collection. There may be a fee.
Penalties	If occupants do not put out the bins / sacks by the required time, your waste may not be collected. You will need to make alternative arrangements. If you do not place items in the correct bins / sacks then your collection may be rejected. You will need to make alternative arrangements. Failing to abide by collection rules and leaving rubbish out can be classed as “nuisance and environmental anti-social behaviour”. Oxford City Council can issue fixed penalty fines of up to £150.
Tenant responsibilities:	Tenants are responsible for disposing of all rubbish / recycling in an appropriate manner and at the appropriate time, including at the end of tenancy. The HMO Management Regulations state occupiers must: <i>store and dispose of litter in accordance with the arrangements made by the manager.</i>
Manager (landlord and agent) responsibilities:	The manager (landlord) must— <i>(a)ensure that sufficient bins or other suitable receptacles are provided that are adequate for the requirements of each household occupying the HMO for the storage of refuse and litter pending their disposal; and</i> <i>(b)make such further arrangements for the disposal of refuse and litter from the HMO as may be necessary, having regard to any service for such disposal provided by the local authority.</i>

APPENDIX 6: RENT RECIEPT TEMPLATE

Name of tenant	
Property address	
Date of payment	
For rental period:	
Amount paid	
Paid by	Cash / Cheque
Name of person receiving money (write name clearly)	
Signature of person receiving payment	
<i>This receipt must be given to the tenant and a copy kept by the licence holder. NB – a photo of the receipt will be accepted as “copy”</i>	



In the event of a fire:

- If you discover a fire immediately raise the alarm
- Leave the building via the nearest available escape route
- If you suspect that there is a fire on the other side of the door - do not open it
- Close all the doors behind you
- Call the Fire Service by dialling 999 - ask for Fire Service
- Do not stop to collect personal belongings

Fire Safety Information Notice

This property is fitted with a fire alarm system and fire doors for your safety.

If a fire starts in your home, it is up to you to make sure that you can get out.

AT ALL TIMES DO:

Notify your landlord if you notice a fault with the system.
Notify your landlord if you experience nuisance alarms.

Ensure that the hall, stairs and landing areas are kept free from obstruction.

Ensure that nothing flammable is stored on the hall, stairs and landings.

Ensure fire doors are not propped open – they are designed to close for your safety

DO NOT:

Bring into the house any form of portable radiant heater, especially one with either a flame (gas or paraffin) or a radiant element (electric bar fire).

Store things in cupboards containing either gas or electricity meters.

Tamper with smoke or heat alarms fitted at the property.

Prop open fire doors or disable the door closing devices.

Misuse fire fighting equipment.

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Appendix 8



Service Area: Regulatory Services and Community Safety		Section: HMO Enforcement Team	Date of Initial assessment: November 2020	Key Person responsible for assessment: Gail Siddall	Date assessment commenced:
Name of Policy to be assessed:			Renewal of Additional HMO licensing scheme		
1. In what area are there concerns that the policy could have a differential impact			Race	Disability	Age
			Gender reassignment	Religion or Belief	Sexual Orientation
Other strategic/ equalities considerations			Safeguarding/ Welfare of Children and vulnerable adults	Mental Wellbeing/ Community Resilience	
2. Background: Give the background information to the policy and the perceived problems with the policy which are the reason for the Impact Assessment.			Under the Housing Act 2004, Councils can introduce additional HMO Licensing schemes for HMOs which are not covered by the national mandatory HMO Licensing schemes (i.e. those occupied by 5 or more persons). Oxford has been operating additional HMO licensing since 2011, the renewal of the scheme for a further 5 years is an important protection to those living within this sector of the housing stock, in that it improves living conditions proactively, without the need for occupiers to complain to the council. This assessment is required as there is a significant difference in impacts between the two groups mostly affected by such a licensing scheme, tenants and landlords.		

Appendix 8

394

3. Methodology and Sources of Data: The methods used to collect data and what sources of data	Data collected from the current scheme and held on the Council's systems has been used to identify HMOs currently licensed. Service request data has also been used to determine possible unlicensed HMOs.
4. Consultation This section should outline all the consultation that has taken place on the EIA. It should include the following. • 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 light of the responses you received. • A statement of what you plan to do next	A statutory consultation exercise between 10th September 2020 and 31st December 2020 has taken place. The results and methodology and the Council's response are included in the main report. Following the comments received which have been considered, actions have been proposed to address issues raised and these include • Simplifying the fee structure • Introducing an updated and streamlined application process. • Revising the discretionary licence conditions • Widening the criteria for longer licences for accredited landlords • Providing templates for licence holders to assist them in communicating with tenants • Development of a communications plan for HMO licensing to include revision of webpages and a Private Sector Newsletter, to encourage both landlords and tenants to adopt good practice.
5. Assessment of Impact: 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	Renewal of the Additional HMO licensing scheme will bring about the following benefits • A continuation of the work already carried out to influence an improvement in standards across the whole of the HMO stock • An increase in satisfaction levels with the accommodation and management of HMOs across the city by those in occupation and neighbouring residents • A level playing field for all HMO landlords not just those managing larger HMOs

Appendix 8

395

whether the policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults	People from different ethnic groups HMOs are occupied by a diverse population, with certain BAME groups over represented particularly single economic migrants such as East Timorese and Eastern Europeans. Such communities can be particularly affected by overcrowding, illegal accommodation, substandard conversions and poor management. Potential benefit: Additional Licensing would bring improved quality and safety of accommodation for BAME tenants living in HMOs and assist in the identification and removal of landlords who cause negative impact to vulnerable BAME groups or new communities via substandard or illegal accommodation. This would also be a benefit to all compliant landlords as it would ensure all landlords are operating within the legislative framework. Children and Vulnerable Adults – the licensing scheme will have a positive benefit on the safeguarding of children and vulnerable adults as the fit and proper test will prevent persons managing or being a licence holder who has convictions for sexual offences, drugs, fraud etc. Potential adverse impact: (a) Landlords In regulating hazards in privately rented properties, 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 The Council does not currently record the ethnicity of landlords on applications, however it is recognised that landlords were of South Asian (Indian and Pakistani) heritage form a significant part of the landlord community and will be affected by any adverse impacts as all landlords will be. (b) Tenants Concern has been raised that licensing could cause an increase in rents as a result of the increased landlord expenditure on the licence fee and the costs of complying with licensing conditions being passed onto the tenant. Overall, the additional cost of the licence fee to landlords is considered to be small as a proportion of rental income, especially across the term of the licence it should not equate to more than a few pounds per week for compliant landlords.
6. Consideration of Measures:	Alternatives to the renewal of the scheme have been suggested during the consultation exercise. These suggestions have been considered and can be found in Appendix 2 of the main report. The majority of

Appendix 8

396

This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy	alternatives are based on voluntary schemes or rely upon tenants making complaints to the Council and would not be enforceable. 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 Enforcement action is reviewed in each case by senior officers and where prosecution or service of financial penalties are being considered ,by Law and Governance to ensure that the council is being fair, consistent and proportionate in its responses, as well as acting in the public interest It is acknowledged that HMO licensing is complex , however experience of operating schemes over the last 10 years have seen improvements which are not isolated to one sector of the landlord community. It is clear that effective engagement with landlords through dialogue and training will be required to ensure that different communities understand what licensing means for them, what is expected of landlords and that they are able to comply with the requirements.
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 positive impact of the scheme - improved property conditions, safety, tenancy management, community relations and reduced ASB - can be continually improved via monitoring and enforcement action against non-compliant landlords Ongoing liaison and engagement directly with and with groups representing landlords, tenants and their component communities will be undertaken to ensure engagement with a broad range of stakeholders. Issues of communication and understanding in respect of learning from the existing scheme and for any new scheme will be factored into operational delivery. It is felt that overall the benefits of additional licensing outweigh the potential disadvantages; it is believed will have a positive impact on the groups that use HMO accommodation , including vulnerable, low income or otherwise economically disadvantaged
7. Date reported and signed off by Cabinet:	10th March 2021
8. Conclusions: What are your conclusions drawn from the results in terms of the policy impact	

Appendix 8

9. Are there implications for the Service Plans?	YES/NO	10. Date the Service Plans will be updated		11. Date copy sent to Equalities Lead Officer	
13. Date reported to Scrutiny and Cabinet		14. Date reported to Cabinet		12. The date the report on EqIA will be published	

Signed (completing officer) Gail Siddall

Signed (Lead Officer)

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

Equalities Lead Officer
Service Manager
Legal Services Manager

397

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Appendix 9

Appendix 9: Risk Register

					Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
Title	Risk description	Opp/ threat	Cause	Consequence			I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Income generation not as predicted	Applications reduced or increased and not as predicted	O/T	due to market changes / longer licences issued / changes in legislation/ increase in accredited licence holders	resources not being matched to demand	Nov 2020	Gail Siddall	3	3	3	2	2	2	Build in flexibility in staffing to increase/decrease if scheme income and costs are out of balance	Provide Net zero budget. Budget based on predicted workload on annual basis and ensure resources aligned				
669 legal challenge / judicial review	The decision to renew the additional HMO licensing scheme could be subject to a legal challenge via a Judicial Review	T	Statutory requirements not met. Insufficient resources provided to fulfil requirements. Insufficient evidence base. Lack of wider consultation	The time table for introducing the scheme would be altered and extra unbudgeted spending would be required to defend the legal challenge. We would have to refund any fees paid with applications made - this would cause extra processing at our costs.	Nov 2020	Gail Siddall	3	3	3	2	2	2	A number of challenges have been brought against councils introducing or renewing property licensing schemes - for various reasons with varying success	External experts have been employed to ensure that consultation exercise has been undertaken widely - all statutory requirements have been met and robust evidence for proving need for scheme provided				
Report recommendations not approved	Cabinet do not approve the recommendations in the report	T	Insufficient support from members to proceed with the renewal of the scheme	Approximately 45% of the HMO stock in the city will not be regulated by HMO licensing which inevitably will lead to more poor conditions in the sector. The council would still be legally obliged to investigate these complaints. Regulatory services officers needed would remain the same at a reduced budget and so cost may need be covered from council budget. Customer services applications officers may have possible redundancies.	Nov 2020	Gail Siddall	3	2	3	2	2	2	The review of the current scheme shows there is still a large proportion of HMOs not meeting requirements of the licencing scheme	Robust evidence provided that scheme is needed to regulate this sector				

Processing times to issue licences	Time to issue licences is longer than normal	T	Gap in scheme has led to a "peak" in applications and we cannot issue until the scheme starts.	Poor customer service due to "wait" time for licence. Possible income reduction in future years - longer it takes to issue, the longer between renewals.	Jan 2021	Gail Siddall/ Sue Williams								Workload planning underway	Employ temp staff - this will increase cost overall. Income projections reviewed each year, fees can be increased in later years if needed. Set customer expectations to expect wait. Work with agents / portfolio landlords to stagger applications to spread workload				

DESIGNATION

THE OXFORD CITY COUNCIL DESIGNATION OF AN AREA FOR ADDITIONAL LICENSING OF HOUSES IN MULTIPLE OCCUPATION 2021

The Oxford City Council in exercise of their powers under section 56 of the Housing Act 2004 ("the Act") hereby designates for additional licensing of Houses in Multiple Occupation ("HMOs") the area described in paragraph 4. The Designation falls within a description of designations for which the Secretary of State has issued a General Approval dated 1st April 2015.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the Oxford City Council Designation for an Area for Additional Licensing of Houses in Multiple Occupation 2021.
2. This designation is made on 10th March 2021 and shall come into force on the 10th June 2021.
3. This designation shall cease to have effect at midnight on the 9th June 2026 or earlier if the Council revokes the scheme under section 60 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. This designation shall apply to the district of the Council as delineated and edged black on the map at annex a.

APPLICATION OF THE DESIGNATION

5. This designation applies to the HMOs of the description specified in annex b within the area described in paragraph 4 unless –
 - (a) the building is of a description specified in annex c (Buildings that are not HMOs for the purpose of the Act – other than Part 1)
 - (b) the HMO is subject to an interim or Final Management Order under Part 4 of the Act
 - (c) the HMO is subject to a temporary exemption under section 62 of the Act; or
 - (d) the HMO is required to be licensed under section 55(2)(a) of the Act (mandatory licensing).

EFFECT OF THE DESIGNATION

Subject to sub paragraphs 5(a) to (d) every HMO of the description specified in paragraph 4 shall be required to be licensed under section 61 of the Act.

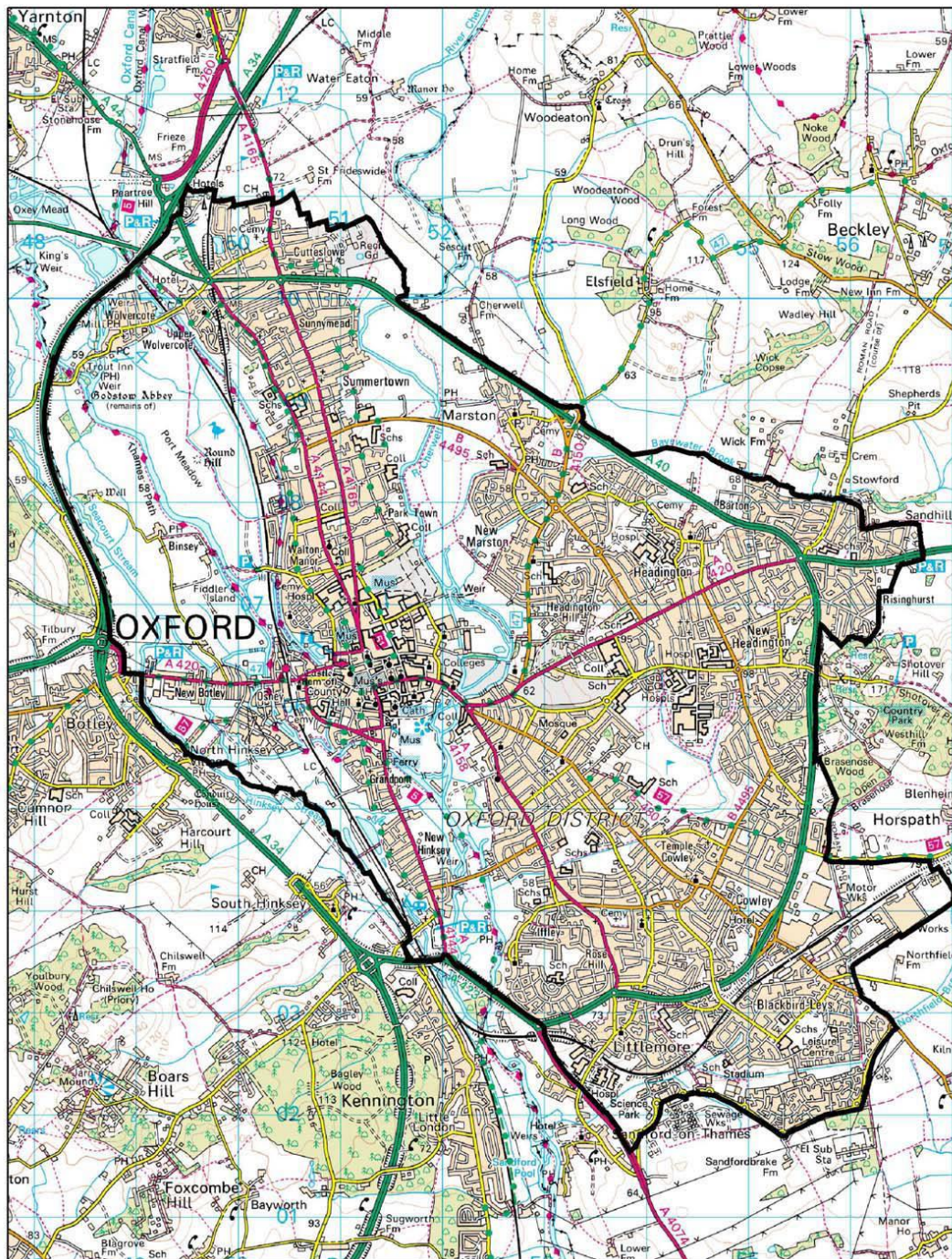
The Oxford City Council will comply with the notification requirements contained in section 59 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.

Date: 10th March 2021

Signed:

Head of Regulatory Services and Community Safety

Annex a – Paragraph 4: Map of Designated Area



Oxford city map with administrative boundary

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Annex b – Paragraph 5: HMOs subject to the designation

Any HMO under the Housing Act 2004 that does not require a mandatory HMO licence:

- those containing three or four occupiers; and
- all self-contained flats that are Houses in Multiple Occupation, irrespective of the number of storeys in the building, and;
- 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.

Annex c – Paragraph 5(a): Buildings that are not HMOs for the purpose of the Act

Buildings controlled or managed by public bodies etc

1. A building where the person managing or having control of it is—

- (a) a local housing authority,
- (b) a body which is registered as a social landlord under Part 1 of the Housing Act 1996,
- (c) a police authority established under section 3 of the Police Act 1996 or the Metropolitan Police Authority established under section 5B of that Act,
- (d) a fire and rescue authority under the Fire and Rescue Services Act 2004
- (e) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990

Buildings regulated by other enactments

2. A tenancy, licence or occupation of a house which is regulated under the following enactments:

- (a) sections 87 to 87D of the Childrens Act 1989
 - (b) section 43 (4) of the Prison Act 1952
 - (c) section 34 of the Nationality, Immigration and Asylum Act 2002
 - (d) The Secure Training Centre Rules 1998
 - (e) The Prison Rules 1998
 - (f) The Young Offender Institute Rules 2000
 - (g) The Criminal Justice and Court Service Act 2000 (Approved Premises) Regulations 2001
 - (h) The Care Homes Regulations 2001
 - (i) The Children's Homes Regulations 2001
 - (j) The Residential Family Centres Regulations 2002
- Certain student lettings etc

3. A building –

- (a) which is managed or controlled by a specified educational establishment or is of a specified description of such establishments and
- (b) the occupiers of the house or dwelling are undertaking a full time course of further or higher education at the specified establishment and
- (c) the house or dwelling is being managed in conformity with an Approved Code of Practice for the management of excepted accommodation under section 233 of the Act.

Religious communities

4. A building which is occupied principally for the purpose of a religious community whose principal occupation is prayer, contemplation, education or the relief of the suffering except if the building is a converted block of flats to which section 257 of the Act applies.

To: Cabinet
Date: 10 March 2021
Report of: Head of Planning Services
Title of Report: Oxford Local Plan Local Development Scheme 2021-26

Summary and recommendations	
Purpose of report:	To present for approval the updated programme for the preparation of documents that will form the Council's Local Plan.
Key decision:	Yes
Cabinet Member:	Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery
Corporate Priority:	Enable an inclusive economy; Deliver more affordable housing; Support thriving communities; Pursue a zero carbon Oxford.
Policy Framework:	Local Plan
Recommendation: That Cabinet resolves to:	
1. Approve the Oxford Local Development Scheme 2021-26	
Appendices	
Appendix 1	Local Development Scheme 2021-26
Appendix 2	Risk Assessment

Introduction and background

- The Oxford Local Development Scheme (LDS) is a project plan that specifies which local development documents are development plan documents and sets out timescales for the preparation and revision of documents forming part of Oxford City Council's Development Plan and other planning policy documents. The term Development Plan can be used as the collective name for a number of planning policy documents, including development plan documents but supplementary planning documents, whilst adopted by the Council following public consultation, do not form part of the statutory Development Plan. The Local Plan is the name for the document that contains the majority of the Council's statutory planning policies.

2. The LDS provides details on what the Development Plan documents will contain and the geographical areas they will cover. The LDS is an important tool to enable local communities and interested parties to keep track of the Development Plan documents' progress and to ensure that they are aware of when opportunities for involvement are likely to arise. It is a statutory requirement that all local planning authorities prepare and maintain a LDS.
3. The lifespan of the Council's current LDS is 2020-25. The LDS is intended to be a dynamic document, updated at intervals to reflect the timetable for developing the Development Plan and other significant work programmes, hence the relatively short timeframe between the LDSs. The LDS 2021-26 will come into effect from the date of approval by Cabinet and will supersede the existing LDS 2020-25.
4. The work programme focuses primarily on actions to ensure successful implementation of the Oxford Local Plan 2036 in 2021/22 and the beginning of the preparation of the new Local Plan 2040, alongside continuing to support the work on the Oxfordshire Plan 2050. It also includes putting in place the West End Supplementary Planning Document to support the significant growth identified for this area in the Local Plan;
5. In 2021/22 the Council will also begin work on early informal engagement on the Local Plan 2040 and put in place a revised Statement of Community Involvement for Planning to inform the next Local Plan.
6. This update to the LDS is required because of some changes to the work programmes since the 2020-2025 LDS. A new timetable for the Oxfordshire Plan 2050 has been agreed at the Growth Board, which has delayed some stages because of the impacts of Covid-19 on the work programme. The original programme for the Oxford Local Plan 2040 still fits in with this and so no revisions are proposed to that programme. The timetable for the West End SPD has been extended. This now aligns with the Oxford Station masterplan, which was not previously proposed as an SPD but now is, and which may or may not be incorporated within the West End SPD. That document is now therefore included in the LDS. The review of the Community Infrastructure Levy Charging Schedule has been removed from the LDS. This is due to proposals in the White Paper, "Planning for the Future" that could significantly alter the way infrastructure may be funded. This project is therefore on hold until further information is known about what may happen. Instead, work has focused on updating the Infrastructure Delivery Plan, which will inform the now annually required Infrastructure Funding Statement, as well as the Local Plan 2040 and a review of the CIL Charging Schedule if that does go ahead.
7. From 2021/22 a significant focus of the work programme will be on the Oxford Local Plan 2040 and continued engagement on the Oxfordshire Plan 2050 to ensure that it is aligned with it and that it is aligned with other Oxfordshire Local Plans. The timetable for the Local Plan is informed by several factors but the key drivers are explained further in the relevant section of this report and Appendix 1 and include:

- aligning timeframes to follow key stages of the Oxfordshire Plan 2050 so that the plan can take account of the strategic policies effectively;
- ensuring alignment in plan periods with neighbouring authorities to ensure that the Oxfordshire Plan making is aligned;
- ensuring that there is sufficient time to reflect on what is working from the current Local Plan and implications of the Covid-19 pandemic to inform the next plan; and
- allowing sufficient time to engage iteratively as the plan emerges.

Development Plan documents

Oxfordshire Plan 2050

8. The Oxfordshire Plan 2050 will set out strategic policies to deal with key issues for Oxfordshire with a cross-boundary approach. The plan period for the Oxfordshire Plan is 2020 to 2050.
9. The Oxfordshire Plan 2050 will cover the administrative county area of Oxfordshire. This will comprise the local planning authorities of:
 - Cherwell District Council
 - Oxford City Council
 - South Oxfordshire District Council
 - Vale of White Horse District Council; and
 - West Oxfordshire District Council.
10. The Oxfordshire Plan will be a formal Development Plan Document, prepared under Section 28 of the Planning and Compulsory Purchase Act 2004 (as amended) which enables two or more local planning authorities to agree a joint Plan. It will form part of the development plan for each of the authorities in Oxfordshire and will be used in the formulation of more detailed plans locally and in determining planning applications where appropriate. The scope of the Oxfordshire Plan was developed in the Scoping Document¹ which was agreed by the partner authorities in October 2018 and endorsed by the Oxfordshire Growth Board.
11. A Regulation 18 Part 1 consultation on the Oxfordshire Plan 2050 was undertaken in June 2019. Work on the Plan will be undertaken during the LDS period, with the intention of adopting the Plan in May/June 2023. The latest timetable was presented to the Oxfordshire Growth Board in November 2020 for endorsement, replacing the timetable from September 2019 and the revision was an initial response to the impacts of the Covid-19 pandemic in June 2020.

Oxford Local Plan 2020-2040

12. The Oxford Local Plan 2016-2036, was only recently adopted (8th June 2020), therefore it contains policies based on recent evidence and is compliant with current guidance. However, government guidance requires that all Plans are

¹ Oxfordshire Joint Statutory Spatial Plan Scoping Document (Oct 2018)

reviewed every 5 years. Given that a Local Plan takes considerable time to produce, a review must be started a relatively short time after adoption of a Local Plan. In this case there are several reasons for expediting the start of this review. One of these is the need to co-ordinate plans across Oxfordshire. This will help to avoid the issue of trying to apportion housing need generated across the whole county and calculated for a particular period, between local plans that have differing base and end dates. A plan must cover at least 15 years from adoption.

A great amount of flexibility has been built into the Oxford Local Plan 2016-2036 in order to deal with a twenty year period. The Covid-19 pandemic could mean unpredictable and unanticipated changes. Paragraph 39 of the Inspectors' report pronounces that: 'the examination hearings took place before the Covid-19 epidemic. Whilst the short-term effects are here for all to see, there is currently no evidence that the fundamental assumptions and requirements of the plan in respect of housing need, or indeed any other strategic matter, will be affected to the extent that its soundness will be undermined.'

13. The Oxford Local Plan 2036 has made big strides forward that will support the city in managing the impacts of Covid-19 pandemic and support the city in building back better. The effectiveness of policies are always monitored and this will be important in understanding the scope of the new Local Plan. The Council needs to give enough time to understand how the new policies are working and better understand any challenges posed by Covid-19 before taking action. Through the process of producing another local plan the needs and opportunities that emerge can be understood properly considered collectively and ensure that the response to the crisis is not reactionary. It can also seek to balance carefully issues such as the road to zero carbon, inequalities and the quality of the built and natural environment as the existing Local Plan does and seek to build upon these comprehensively.
14. The Oxford Local Plan 2040 will need to be adopted by 2025 at the latest in order for it to have 15 years to run from adoption and to meet the legal requirements to complete a review within 5 years of adopting a development plan. Officers consider that significant stakeholder engagement and input will be needed in the early stages to try and clarify what key issues need addressing, particularly given the unprecedented events associated with the Covid-19 pandemic. The LDS 2020-25 is therefore proposing the following timetable for production of the Oxford Local Plan 2040:

Local Plan stage	Programme LDS 2020-25
Issues and Scope/Options Consultation	June/July 2021
Preferred Options Consultation (Regulation 18)	June/July 2022
Proposed Submission Consultation (Regulation 19)	June/July 2023
Submission (Regulation 22)	December 2023

Inspector's Report	January 2025
Adoption (Regulation 26)	March 2025

15. The indicative timetable above shows that the adoption of the Local Plan 2040 is expected to occur around March 2025, which would meet the expectation of allowing it to run 15 years after adoption to 2040. These timescales have sought to allow enough time for:
- evidence gathering that can reflect on the implications of the current pandemic and other key issues comprehensively;
 - several rounds of engagement; and
 - enough flexibility to align to the Oxfordshire Plan 2050 in a way that enables the Oxford Local Plan to utilise evidence and build upon the strategic policies it seeks to bring forward.
16. The timetable after the plan has been submitted for examination is not within the City Council's control. The timescales assumed from submissions to adoption broadly reflect those experienced with the Oxford Local Plan 2036.

Neighbourhood Plans

17. The remaining neighbourhood areas, which are at various stages of plan production, are:
- Littlemore; and
 - Wolvercote.
18. The Wolvercote Neighbourhood Plan was due to have its referendum in May 2020. However, [government published guidance in April 2020](#) outlines changes that have been introduced to neighbourhood planning in response to the coronavirus (COVID-19) pandemic. This referendum is now postponed until 6th May 2021 as regulations linked to the Coronavirus Act 2020 postpone all neighbourhood planning referendums until then.
19. In response to these delays, the Wolvercote Neighbourhood Plan can be given significant weight in decision-making, so far as the plan is material to the application. This is due to the fact that the council has issued a decision statement detailing its intention to send the neighbourhood plan to referendum. This was approved at Cabinet in October 2019.

Other planning documents

West End SPD

20. Much of the West End is under- utilised and does not reflect Oxford's international reputation or live up to its potential. The role of the SPD is to provide some detailed advice and guidance to show how working with landowners, partners and key stakeholders, regeneration can be delivered. The West End is also identified as a key opportunity in the Oxfordshire Local Industrial Strategy that identifies the areas as an Innovation District. The principle of undertaking an SPD for the West End has been discussed informally with key stakeholders and is widely supported.

21. There are currently several supporting documents that cover the West End area. These include:
 - Oxpens Masterplan SPD (November 2013)
 - West End Design Code (2008)
 - Oxford Station SPD (November 2017)
22. There had also previously been a West End Area Action Plan but this has already expired and no longer forms part of the current development plan.
23. The new West End SPD will replace these documents and provide detailed guidance to support the over-arching policies in the adopted Oxford Local Plan 2016-2036 in a single document.
24. Policy AOC1: West End and Osney Mead and Policy SP1: Sites in the West End set the strategic policy context for the West End Area, within the Area of Change. It therefore provides the opportunity for an SPD to provide some further detailed advice and guidance on these adopted development plan policies to manage change within this area. The bullet points in Policy AOC1: West End and Osney Mead help to provide the scope for the SPD. These set out the need for:
 - High density urban living
 - Vibrant mix of uses
 - Maximising contribution to Oxfordshire's knowledge economy
 - Improved public realm
 - Better connections for all users, including across the rivers
 - Improved space for pedestrians and cyclists
 - Respect for the heritage of the area
 - Development of a well-designed transport interchange around the station
 - Reduce the amount of car parking
25. The complex issues present in the West End means the SPD will have a key focus on creative and deliverable solutions to achieve a co-ordinated approach to development and comprehensive regeneration. It will seek to provide clarity on what is needed to support the development in this area. The intention is that this will include detailed information on infrastructure that is needed to facilitate and support the change. Masterplanning of key sites will be included in the SPD as part of providing locational specific guidance. Work on the masterplanning of Oxford Station has already commenced due to specific needs around that site. This will be reviewed and embedded as appropriate into the guidance in the West End SPD.
26. In accordance with the Statement of Community Involvement in Planning, two key consultations will be undertaken alongside ongoing engagement. The first will be to consult on the scope of the SPD. This is expected to begin in March 2021. This will include the reasons for producing the SPD and identifying its geographic scope and key deliverables. The second consultation will be on the draft SPD and

this is expected in Feb/March 2022. More informal engagement will also happen throughout the preparation of the document.

Oxford Station SPD

27. The Oxford Railway Station Masterplan will set the framework for future development at the station. It will guide the location, nature, size and operating conditions of particular uses. As well as the wider network upgrades, the regeneration of Oxford Station will act as a catalyst for wider redevelopment and regeneration in the West End and city centre. Whilst the Masterplan will not have the weight of a Local Plan policy, it will be adopted by the City Council and be considered as a material consideration when determining planning applications. It will be developed as an SPD and will either be a standalone SPD, or it is more likely will become absorbed into the West End SPD.

Statement of Community Involvement in Planning (SCI)

28. The Statement of Community Involvement in Planning sets out how the Council will involve the community in the planning process, including Local Plans and Development Management. It sets out the activities that the Council will undertake to reach stakeholders and the public during the various stages of preparation of Local Development documents. The most recent SCI was adopted on 9th July 2015. It can be viewed at www.oxford.gov.uk/sci.
29. An Addendum to the SCI was approved by Cabinet on 8th June 2020. This was a focussed update on how the Council will amend its approach during the restrictions imposed by Government during the Covid-19 pandemic. This is available on the City Council's [website](#).
30. Work is underway to update the SCI. The consultation draft of the updated SCI was agreed at Cabinet on 20th January 2021. Following consultation, the SCI will be revised and brought to Cabinet for adoption in June 2021.

Annual Monitoring Report

31. Each year the City Council produces an Annual Monitoring Report. This will be taken for Cabinet approval in November 2021 for publication in December 2021. The Annual Monitoring report published in December 2021 will be reporting on the monitoring year 2020/21.
32. The Annual Monitoring Report has the following main functions:
- to measure progress made in respect of the planning documents being prepared;
 - to review the effectiveness of the adopted planning policies;
 - to monitor the extent to which policies and targets in adopted documents are being achieved against a range of indicators.

Financial implications

33. The timetable of the Local Development Scheme has been structured to enable key work to progress whilst minimising financial implications.
34. The work in the 2021/22 financial year is focussed around putting in place the guidance around the implementation of the Oxford Local Plan 2036 (including the West End SPD), updating the Council's infrastructure delivery plans, and some

early informal engagement on issues around the next Local Plan including reviewing the Statement of Community Involvement. This is to ensure the successful delivery of the Local Plan, which the Council has invested in over several years. This work will be resourced by existing Planning Policy staff and almost fully funded by the existing Planning Policy budgets including CIL budget where applicable.

35. A key cost will be the new Local Plan 2040. It is a statutory requirement for Councils to have an up to date Local Plan in place and to complete a review of their Local Plans every 5 years. This LDS shows how the Council intends to meet this requirement by completing the review by 2025. The financial implications arising from producing a Local Plan include the costs of a Local Plan Examination (including Counsel's advice) and independent technical analysis of issues such as transport, environment and sustainability. Revenue to accommodate these anticipated costs will come out of the existing annual budget allocated to Planning Policy. This budget supported the Oxford Local Plan 2036 production and was sufficient for the majority of the programme. However, during the examination the intensive costs within that financial year were funded from a reserve created for local plan costs, which is now depleted. There is a risk that additional budget will be required again given that, as set out above, the next Local Plan is likely to be a full rather than partial review. It is likely that Planning Policy will need to seek a growth bid to support the additional costs of the Local Plan, especially as most of the evidence base will be required in year 2 and the substantial legal and Planning Inspectorate costs will be in year 4. The examination is currently anticipated to take place in 2024/25 financial year. The adoption of a reviewed Local Plan within 5 years of the adoption of the current one is a statutory requirement. Not undertaking this work will result in the City Council having an out of date local plan and having less control over managing growth within Oxford.

Legal issues

36. The preparation and publication of the Local Development Scheme is a statutory requirement under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).
37. The Council is required to monitor compliance with the timescales for document production and their revision set out in the LDS and to make this information publicly available. Compliance with the LDS is monitored and published through the Council's Annual Monitoring Report.

Level of risk

38. A risk assessment has been undertaken (Appendix 2). All risks have been mitigated to an acceptable level.

Equalities impact

39. There are no equalities impacts arising from this report.

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Background Papers: None

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Oxford City Council

Local Development Scheme
2021 - 2026

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Appendix 1

Contents

Introduction.....	3
What is the Local Development Scheme?	3
Oxford's Local Plan	3
Documents in Oxford's Local Plan	3
Oxford Local Plan 2036	3
Neighbourhood Plans	4
Other Documents	4
Statement of Community Involvement in Planning (SCI)	4
Annual Monitoring Report	5
Work Programme for 2020-2025	6
Development Plan documents	6
Oxfordshire Plan 2050	6
Local Plan 2020-2040	7
Neighbourhood Plans.....	9
Other documents	9
CIL Charging Schedule Review and Infrastructure Funding Statement	Error! Bookmark not defined.
West End SPD	9
Review of the Statement of Community Involvement for Planning (SCI)	11
Annual Monitoring Report	11
Appendix 1: Gantt chart of the LDS work programme 2020-2025	12

Introduction

- 1.1. The Planning and Compulsory Purchase Act 2004 introduced the requirement for councils to prepare and maintain a Local Development Scheme (LDS). The LDS specifies which local development documents are to be development plan documents and sets out the work programme for the preparation of documents to be included in the Development Plan. This document supersedes the Oxford 2020-2025 LDS.

What is the Local Development Scheme?

- 1.2. This LDS is a five year project plan for preparing documents and provides the starting point for the local community, businesses, developers and other interested parties to find out what the City Council's current planning policies are for the area. It includes 'milestones' to inform the public about opportunities to get involved with the plan making process and to let them know the likely dates for involvement. The LDS is published on the City Council's website at www.oxford.gov.uk/lDs.

Oxford's Development Plan

- 2.1. Oxford's Development Plan contains a range of documents to guide development within Oxford. Applications for planning permission are to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Council-produced documents within the statutory Development Plan are subject to extensive community and stakeholder involvement, and an independent examination by an Inspector to ensure that the necessary legal requirements for the preparation of the document have been met and the document is 'sound'. All these documents are subject to the European Strategic Environment Assessment Directive and will incorporate a sustainability appraisal to ensure that they accord with the principles of sustainable development. They must be consistent with the National Planning Policy Framework (NPPF).
- 2.2. Supplementary Planning Documents (SPDs) provide further details and guidance to supplement policies. SPDs are adopted by the City Council following public consultation, and are not part of the statutory Development Plan.

Documents in Oxford's Development Plan

- 2.3. Currently, the statutory Development Plan consists of:
 - Oxford Local Plan 2016-2036 (June 2020)
 - Barton Area Action Plan (December 2012)
 - Northern Gateway Area Action Plan (July 2015)
 - Headington Neighbourhood Plan (July 2017)
 - Summertown and St Margaret's Neighbourhood Plan (April 2019)

Oxford Local Plan 2036

- 2.4. The Oxford Local Plan 2016-2036 was adopted in 2020 and superseded the following documents:
- Saved policies of the Oxford Local Plan 2001-2016 (November 2006)
 - Oxford Core Strategy (March 2011)
 - Sites and Housing Plan (February 2013)
- 2.5. The Adopted Policies Map (2020) (previously referred to as the Policies Map 2015) illustrates graphically the policies and proposals of the recently adopted Local Plan. The Policies Map (2020) has been revised and updated to reflect the new policies that have been adopted.

Neighbourhood Plans

- 2.6. The Localism Act introduced new rights and powers to enable communities to get directly involved in planning for their areas. Neighbourhood planning allows communities to come together through a parish council or formal neighbourhood forum and produce a neighbourhood plan. Neighbourhoods can decide what they want to cover in their neighbourhood plan. They may allocate land for development, or influence the type and design of development that comes forward. Neighbourhood plans must however be in general conformity with the strategic planning policies already adopted by the City Council. They should not promote less development than set out in the Local Plan and/or undermine its strategic policies. They are also subject to an independent examination and need to be approved by a majority vote in a local referendum.
- 2.7. Once plans are adopted they will become part of the Development Plan. To date, Oxford City Council has formally designated four neighbourhood areas where plans are being led by neighbourhood forums. Two Neighbourhood Plans, Headington and Summertown and St Margaret's are made.

Other Documents

- 2.8. In addition to the Oxford Development Plan there are several other important planning documents:
- Community Infrastructure Levy (CIL) Charging Schedule (October 2013)
 - Oxpens Masterplan SPD (November 2013)
 - West End Design Code (2008)
 - Oxford Station SPD (November 2017)
 - Jericho Canalside SPD (December 2013)
 - Diamond Place SPD (July 2015)
 - Statement of Community Involvement in Planning (July 2015)

Statement of Community Involvement in Planning (SCI)

- 2.9. The Statement of Community Involvement in Planning sets out how the Council will involve the community in the planning process, including Local Plans and Development Management. It sets out the activities that the Council will undertake to reach stakeholders and the public during the various stages of preparation of Local Plan documents. The most recent SCI was adopted at City Executive Board on 9th July 2015. It can be viewed at www.oxford.gov.uk/sci.

An Addendum to the SCI was approved by Cabinet on 8th June 2020. This was a focused update on how the Council will amend its approach during the restrictions imposed by Government during the Covid-19 pandemic. This is available on the City Council's website at:

https://www.oxford.gov.uk/info/20007/communities/816/community_involvement_in_planning

- 2.10. The consultation draft of the updated SCI was agreed at Cabinet on 20th January 2021. Following consultation, the SCI will be revised and brought to Cabinet for adoption in June 2021.

Annual Monitoring Report

- 2.11. Each year the City Council produces an Annual Monitoring Report, which is approved at the City Cabinet in the autumn. The Annual Monitoring Report has the following main functions:

- to measure progress made in respect of the planning documents being prepared;
- to review the effectiveness of the adopted planning policies;
- to monitor the extent to which policies and targets in adopted documents are being achieved against a range of indicators.

- 2.12. All of the Annual Monitoring Reports produced by the City Council can be viewed on the City Council's website at www.oxford.gov.uk/amr.

Work Programme for 2021-2026

- 3.1. During the period covered by this LDS, the City Council will commence / continue work on the following documents:

Development plan documents

- Oxford Local Plan 2021-2040
- Oxfordshire Plan 2050
- Neighbourhood Plans

Other documents

- West End SPD
- Oxford Station SPD
- Review of the Statement of Community Involvement for Planning
- Annual Monitoring Report

Development Plan documents

Oxfordshire Plan 2050

- 3.2. The Oxfordshire Plan 2050 will set out strategic policies to deal with key issues for Oxfordshire with a cross-boundary approach. The plan period for the Oxfordshire Plan is 2020 to 2050.
- 3.3. The Oxfordshire Plan 2050 will cover the administrative county area of Oxfordshire. This will comprise the local planning authorities of:
- Cherwell District Council
 - Oxford City Council
 - South Oxfordshire District Council
 - Vale of White Horse District Council; and
 - West Oxfordshire District Council.
- 3.4. The Oxfordshire Plan will be a formal Development Plan Document, prepared under Section 28 of the Planning and Compulsory Purchase Act 2004 (as amended) which enables two or more local planning authorities to agree a joint Plan. It will form part of the development plan for each of the authorities in Oxfordshire and will be used in the formulation of more detailed plans locally and in determining planning applications where appropriate.
- 3.5. The scope of the Oxfordshire Plan was developed in the Scoping Document¹ which was agreed by the partner authorities in October 2018 and endorsed by the Oxfordshire Growth Board. This set out that Oxfordshire Plan will build on the foundations set by the suite of current and emerging Local Plans and look at the strategic planning issues for the period up to 2050. It will take into account the existing commitments made by this suite of Local Plans through their site allocations as a baseline for the earliest part of the Oxfordshire Plan 2050 plan period. The agreed Statement of Common Ground identified the following key matters for the Oxfordshire Plan 2050 to set out:

¹ Oxfordshire Joint Statutory Spatial Plan Scoping Document (Oct 2018)
Planning for Oxford's future

- An overall strategy for the pattern and scale of development in Oxfordshire to 2050
 - Identify the number of new market and affordable homes and level of economic growth needed across Oxfordshire
 - Identify an appropriate spatial strategy and strategic locations for new development based upon an understanding and appreciation of both the environmental quality and natural capital of Oxfordshire
 - Outline the strategic transport and other infrastructure that needs to be provided to support sustainable growth
- 3.6. The Oxfordshire Plan will identify broad locations for housing and economic growth but will not allocate sites except at the request of the relevant local planning authority. This will follow through separate plans produced at the local level.
- 3.7. A Regulation 18 Part 1 consultation on the Oxfordshire Plan 2050 was undertaken in June 2019. Work on the Plan will be undertaken during the LDS period, with the intention of adopting the Plan in May/June 2023. The latest timetable was presented to the Oxfordshire Growth Board in November 2020 for endorsement, replacing the timetable from September 2019 and the revision that was an initial response to the impacts of the Covid-29 pandemic in June 2020.

Local Plan 2020-2040

- 3.8. The Local Plan 2016-2036 was only recently adopted (8th June 2020) and contains policies based on recent evidence and is compliant with current guidance. However, government guidance requires that all Plans are reviewed every 5 years. That is to say that the Plan must have been reviewed by the date 5 years after adoption. Given that a Local Plan takes considerable time to produce, a review must be started a relatively short time after adoption of a Local Plan.
- 3.9. The Oxford Local Plan 2040 will replace the Oxford Local Plan 2036. The Barton and Northern Gateway AAPs will remain relevant to those sites if they are not yet fully built out, although some policies may be superseded. These documents, as well as the Oxfordshire Plan 2050 and any neighbourhood plans, will form the statutory Development Plan. Following the council meeting to approve the pre submission draft, that draft will be used as a material consideration for development management decisions on planning applications; its weight will be limited initially, but increases as it proceeds towards adoption.
- 3.10. There are several reasons for expediting the start of the review of the Local Plan. One of these is the need to co-ordinate plans across Oxfordshire. This will help to avoid the issue of trying to apportion housing need generated across the whole county and calculated for a particular period, between local plans that have differing base and end dates.

- 3.11. In addition, it will be important for the next Local Plan for Oxford to reflect the policies of the Oxfordshire Plan and put in place the detailed policies for Oxford that will implement that plan. Therefore it is important that the timeline for the next Local Plan follows the key stages of the Oxfordshire Plan.
- 3.12. The Oxford Local Plan 2016-2036 has a great deal of flexibility in order to deal with a twenty year period and many of the policies within it place Oxford in a strong position to effectively manage growth and change that will face the City over this period. The Inspectors' report in paragraph 39 says that: 'the examination hearings took place before the Covid-19 epidemic. Whilst the short-term effects are here for all to see, there is currently no evidence that the fundamental assumptions and requirements of the plan in respect of housing need, or indeed any other strategic matter, will be affected to the extent that its soundness will be undermined.'
- 3.13. Although the Oxford Local Plan 2036 will already help us carefully manage change and assist the city to "build back better" it will be important for the new Local Plan 2040 to actively look at the issues the pandemic will leave with us and to consider if any alterations of policies are required as a result. The effectiveness of policies are always monitored and this will be important in understanding the scope of the new Local Plan. We need to give enough time to understand how our new policies are working and better understand any challenges posed by Covid-19 before taking action. Through the process of producing another local plan the needs and opportunities that emerge can be understood properly considered collectively and ensure that the response to the crisis is not reactionary. It can also seek to balance carefully issues such as the route to zero carbon, inequalities and the quality of the built and natural environment as the existing Local Plan does and seek to build upon these comprehensively.
- 3.14. In order for the Oxford Local Plan 2040 to have 15 years to run from adoption, adoption will need to be in 2025 at the latest. Therefore, the plan will need to be submitted to the secretary of state in early 2024, based on the timescales from the Oxford Local Plan 2036 that was submitted in March 2019 and adopted in June 2020. Because of the uncertainty of the current time, significant stakeholder engagement and input will be needed in the early stages to try and clarify what the plan needs to address.
- 3.15. Early, non-statutory engagement will begin in 2021. The Regulation 18 consultation will be in the form of preferred options in summer 2022. Engagement on the pre-submission draft of the Local Plan will be then be in summer 2023, with the expectation to submit the plan for examination by the end of 2023. Once submitted for examination the timetable is not within the council's control. Based on the timescales for the examination of the Oxford Local Plan 2036 we have allowed 15 months from submission to adoption. This would mean adoption would be expected in March 2025.

- 3.16. This timetable will also allow the plan to take account of emerging evidence and policies from key stages of the Oxfordshire Plan with some room for slippage in the Oxfordshire Plan 2050 if that arises. If the Oxford Local Plan is to take account of the Oxfordshire Plan 2050 then certain milestones of the Oxfordshire Plan will need to be reached before the Oxford Local Plan can progress to the next key stage.

Neighbourhood Plans

- 3.17. The remaining neighbourhood areas, which are at various stages of plan production, are:

- Littlemore; and
- Wolvercote.

- 3.18. The Wolvercote Neighbourhood Plan was due to have its referendum in May 2020. However, the [government published guidance in April 2020](#) outlining changes that have been introduced to neighbourhood planning in response to the coronavirus (COVID-19) pandemic. This referendum is now postponed until 6th May 2021 as regulations linked to the Coronavirus Act 2020 postpone all neighbourhood planning referendums until then. The Government is committed to keeping these regulations under review, so they may be amended or revoked in response to changing circumstances.

- 3.19. In response to these delays, the Wolvercote Neighbourhood Plan can be given significant weight in decision-making, so far as the plan is material to the application. This is due to the fact that the council has issued a decision statement detailing its intention to send the neighbourhood plan to referendum. This was approved at Cabinet on 9 October 2019.

Other documents

West End SPD

- 3.20. Much of the West End is under- utilised and does not reflect Oxford's international reputation or live up to its potential. The role of the SPD is to provide some detailed advice and guidance to show how working with landowners, partners and key stakeholders, regeneration can be delivered. The west end is also identified as a key opportunity in the Oxfordshire Local Industrial Strategy that identifies the areas as an Innovation District.

- 3.21. There are currently several supporting documents that cover the west end area. These include:

- Opens Masterplan SPD (November 2013)
- West End Design Code (2008)
- Oxford Station SPD (November 2017)

- 3.22. There had also previously been a West End Area Action Plan but this has already expired and no longer forms part of the current development plan.

- 3.23. The new West End SPD will replace these documents and provide detailed guidance to support the over-arching policies in the adopted Oxford Local Plan 2016-2036 in a single document.
- 3.24. Policy AOC1: West End and Osney Mead and Policy SP1: Sites in the West End set the strategic policy context for the West End Area, within the Area of Change. It therefore provides the opportunity for an SPD to provide some further detailed advice and guidance on these adopted development plan policies to manage change within this area. The bullet points in Policy AOC1: West End and Osney Mead help to provide the scope for the SPD. These set out the need for:
- High density urban living
 - Vibrant mix of uses
 - Maximising contribution to Oxfordshire's knowledge economy
 - Improved public realm
 - Better connections for all users, including across the rivers
 - Improved space for pedestrians and cyclists
 - Respect for the heritage of the area
 - Development of a well-designed transport interchange around the station
 - Reduce the amount of car parking
- 3.25. In addition of course there should be a recognition that this advice and guidance does need to fully take into account the over-arching policy framework set out in the adopted Local Plan, which seeks to promote a presumption in favour of sustainable development, sustainable travel and the importance of making the best use of resources to secure a good quality environment. There are also key issues around climate change, flooding and heritage matters that can be looked at in a locational specific way through this SPD.
- 3.26. The complex issues present in the West End means the SPD will have a key focus on creative and deliverable solutions to achieve a co-ordinated approach to development and comprehensive regeneration. It will seek to provide clarity on what is needed to support the development in this area. The intention is that this will include detailed information on infrastructure that is needed to facilitate and support the change. Masterplanning of key sites will be included in the SPD as part of providing locational specific guidance. Work on the masterplanning of Oxford Station has already commenced due to specific needs around that site. This will be reviewed and embedded as appropriate into the guidance in the West End SPD.
- 3.27. In accordance with the Statement of Community Involvement for Planning (SCI) two key consultations will be undertaken alongside ongoing engagement. The first will be to consult on the scope of the SPD. This is expected to take place in Spring 2021. This will include the reasons for producing the SPD and identifying its geographic scope and key deliverables. The second consultation will be on the draft SPD and this is expected in February/March 2022. More informal engagement will also happen throughout the preparation of the document.

- 3.28. Based on this timetable we would expect to adopt the West End SPD in June 2022. Once adopted, it will be a material consideration in determining future planning applications.

Oxford Station SPD

- 3.29. The Oxford Railway Station Masterplan will set the framework for future development at the station. It will guide the location, nature, size and operating conditions of particular uses to meet the objectives of the Local Plan 2036 and the City Council and partners. Oxford Station redevelopment forms part of wider network of upgrades to remove the “bottleneck” at Oxford and enable passenger and freight services to run smoothly through Oxford Station.
- 3.30. As well as the wider network upgrades, the regeneration of Oxford Station will act as a catalyst for wider redevelopment and regeneration in the West End and city centre. Whilst the Masterplan will not have the weight of a Local Plan policy, it will be adopted by the City Council and be considered as a material consideration when determining planning applications. It will be developed as an SPD and will either be a standalone SPD, or more likely it will become absorbed into the West End SPD.

Review of the Statement of Community Involvement for Planning (SCI)

- 3.31. The consultation draft of the updated SCI was agreed at Cabinet on 20th January 2021. Following consultation, the SCI will be revised and brought to Cabinet for adoption in June 2021.

Annual Monitoring Report

- 3.32. Each year the City Council produces an Annual Monitoring Report. This will be taken for Cabinet approval in November 2021 for publication in December 2021. The Annual Monitoring report published in December 2021 will be reporting on the monitoring year 2020/21.

Appendix 1: Gantt chart of the LDS work programme 2020-2025

	2021												2022												2023												2025	
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	Jan	Mar
Oxfordshire Plan 2050																																						
Local Plan 2020-2040																																						
West End SPD																																						
Oxford Station SPD																																						
Annual Monitoring Report																																						
Statement of Community Involvement for Planning																																						

Start	
Publish	
Issues/Scoping Consultation	
Consultation on draft document	
Preferred Options Consultation (Reg 18)	
Proposed Submission Consultation (Reg 19)	
Submit	
Inspector’s Report	
Adopt	

Appendix 2

Local Development Scheme 2020-23 Risk Assessment

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
Unexpected delays	There is potential for unanticipated delays in document production.	Threat	Delays may be a result of a number, or combination, of factors (for example, external agencies or consultants may be unable to fit in with timescales, issues may be more complex to understand/resolve than anticipated, or there may be a lack of resources available to complete the programme).	LDS timescales for document production are not met.	3.2.21	Head of Planning	3	3					Compliance with LDS timescales will be reported in the Annual Monitoring Report.	Maintain awareness of potential causes of delay- maintain continuous contact with consultants and managers to check necessary resources are in place and work is being produced to detailed work programmes.	Ongoing throughout the lifetime of the LDS as required			
Changes to the planning system at the national level	Changes to national legislation, policy and guidance may alter the process that needs to be followed in producing new documents, or may mean that the focus or approach of documents needs to be altered.	Threat	Changes to national legislation, policy and guidance by Central Government.	LDS timescales for document production may not be met. The LDS may need to be amended if additional documents need to be reviewed in order to maintain compliance with national policy.	3.2.21	Head of Planning	2	4					Compliance with LDS timescales will be reported in the Annual Monitoring Report.	Maintain awareness of potential changes at the national level as they arise so that appropriate responses can be planned in advance in order to minimise negative impacts.	Ongoing throughout the lifetime of the LDS as required			

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To: Cabinet
Date: 10 March 2021
Report of: Transition Director
Title of Report: Report back on Zero Carbon Summit

Summary and recommendations	
Purpose of report:	To report back to Council on the outcomes of the Zero Carbon Oxford Summit, recommend formal adoption of the Zero Carbon Oxford Charter signed by major Oxford partners and employers, and to set out the next steps on Oxford's sprint to become a Zero Carbon City by 2040 or sooner.
Key decision:	No
Cabinet Member:	Cllr Tom Hayes. Deputy Leader; Cabinet Member for Green Transport and Zero Carbon Oxford.
Corporate Priority:	Pursue a Zero Carbon Oxford
Policy Framework:	Council Strategy 2020-24
Recommendations: That Cabinet resolves to:	
Note the outcomes of the Zero Carbon Summit held in February 2021; Formally adopt the Zero Carbon Oxford Charter, including the target date for Oxford to become a Zero Carbon city by 2040; and Note the next steps to be taken to set out Oxford's sprint to become a Zero Carbon City by 2040 or sooner.	

Appendices	
Appendix 1	Advice from Scientific Advisor
Appendix 2	Zero Carbon Oxford Charter
Appendix 3	Summit attendees
Appendix 4	Risk Register

Introduction and background

1. In common with many local authorities across the country, Oxford City Council declared a climate emergency at the start of 2019. As part of its commitment to tackle this, the Council decided to act quickly and become the first local authority in the country to call a Citizens' Assembly. As a result, Oxford became the first city in the country to hold a Citizens' Assembly to address the issue of climate change and consider the measures that could be taken here and the implications for the city, communities and individuals.
2. Assembly Members were very aware of the scale of the problem and the need for change. Both the scale and the need for change were greater than they had anticipated before the Assembly, yet what they heard – from experts and from fellow Assembly Members – encouraged them that change was possible.
3. In mid-2019 the UK legislated to cut emissions to net zero by 2050. The previous target of a reduction of 80% by 2050 in the 2008 Climate Change Act, has been amended to net-zero emissions by 2050. This Council operates within this new framework established by the UK Parliament.
4. The majority of Assembly Members (90%) felt that Oxford should aim to achieve 'net zero' sooner than 2050. Even among those who agreed with this, there was little consensus on when Oxford should aim to reach 'net zero' instead. Instead, Assembly Members felt that rapid action was required, that the speed of action depended on the area under consideration, and that interim targets would help measure progress.
5. When imagining a 'net zero' Oxford, Assembly Members envisioned Oxford having become a leader in tackling the climate crisis. They were perturbed by the extent to which the burden of change was - in their eyes - being placed on individuals. They sought to know what businesses and government were doing to change their ways.
6. In the December 2019 Cabinet response to the Citizens' Assembly, the view was established that "The existing Low Carbon Partnership has served the city well, contributing to the city meeting the existing target of a 40% reduction in greenhouse emissions across the city by 2020. However, the widespread recognition of the Climate Emergency signals a need to reinvent and reinvigorate that partnership, to agree interim carbon budget targets for the city and to galvanise action across large scale emitters to achieve them."
7. In response to Oxford's Citizens' Assembly on Climate Change, the Council set out its commitment to become "net zero carbon", while developing detailed plans "for further projects to accelerate the reduction in the Council's underlying emissions to achieve the status of being a Zero Carbon Council by 2030 or sooner".¹
8. Accordingly, the City Council has sought to (1) develop a route to Zero Carbon for the city; (2) identify methods to assess and understand progress; (3) identify

¹ Cabinet Paper 19 December 2019

methods to share responsibility for Oxford becoming zero carbon among citizens, neighbourhoods, community groups, businesses, organisations, and local and national government; (4) establish a robust and credible scientific basis for a Zero Carbon Oxford plan; and (5) develop detailed plans for the City Council to be net zero and zero carbon emissions, both to meet the climate emergency and show leadership to partners to do the same.

Target date for Zero Carbon Oxford

9. Since the Citizens' Assembly, the City Council has been working to identify an evidence-based target for becoming a Zero Carbon Oxford sooner than the national legal target of 2050. That work has involved the development of emissions inventories, possible pathways, and, crucially, creating the new role of Scientific Advisor to advise on this important and highly complex issue.
10. In 2020 the Council appointed Professor Nick Eyre, Professor of Energy and Climate Policy at the Environmental Change Institute of the University of Oxford, as Scientific Advisor, with cross-party backing. Professor Eyre's advice has been central to identification of the earliest reasonable date that the city could aspire to become net zero carbon. A summary of Professor Eyre's advice is included in the appendix. The target date identified is 2040.

Zero Carbon Council and Leadership

11. The Council's carbon emissions are around 1% of the total for the city, but the Council has an important role to play in leading by example across the city and further afield, and working together with others, sharing approaches to decarbonisation.
12. Significant progress has been made towards zero carbon status, with an average 5.4% per year reduction in underlying emissions over a five-year period to 31 March 2020. The Council has been exceeding its ongoing target of implementing measures to reduce CO₂ emissions by 5% of its previous year's emissions.
13. The Council has recently approved a Zero Carbon Council plan (the Council's 4th Carbon Management Plan for 2021/22 to 2029/30). This plan outlines the intensification of the Council's decarbonisation ambition, with the Council aiming to achieve an average annual (absolute) emission cut of 10% (approximately 530tCO₂e) every year until 2030 – doubling its current business as usual rate of reduction of a 5% year on year reduction target.
14. In its proposed Budget for 2021/2022, the Council will become "net zero carbon" for its direct activities by 2021 - where it pays the energy bills – through offsetting. The goal of Zero Carbon by 2030 will see the acceleration of existing and new programmes to reduce the Council's underlying emissions.
15. The decarbonisation of the Council's estate by 2030 or sooner will demonstrate bold leadership within the city on climate change and underpin our establishment of a Zero Carbon Oxford partnership to achieve a Zero Carbon Oxford by 2040.

Zero Carbon Oxford Charter and Partnership

16. Discussions have been held with organisations that are influential in the city about the formation of a Zero Carbon Oxford partnership. The result of these discussions was a summit and the development of a Charter (included in the appendix).
17. On 4th February leaders from City and County Councils, both universities, both hospital trusts, major businesses including BMW, Unipart and LandSec, anchored institutions, and other organisations that are strategically important to achieving a net zero city by 2040 joined together at the Zero Carbon Oxford summit, which met virtually. A full list of attendees is listed in the appendices.
18. Coordinated by Oxford City Council, the Summit provided 21 representatives of major organisations with the opportunity to showcase their climate plans and action, facilitate conversation about a collective vision, and establish a formal partnership and approach to tackling the climate crisis together.
19. The Council's Scientific Adviser addressed the Summit to confirm that the 2040 net zero date was technically achievable but ambitious for the city.
20. The closing of the summit was marked by the reading of the Zero Carbon Oxford Charter, and the creation of a new Zero Carbon Oxford partnership for the city. The new partnership involves those gathered at the Summit as well as enabling a wider range of stakeholders to play their part in cutting Oxford's carbon footprint to zero.
21. The new partnership replaces the Low Carbon Oxford partnership which was established a decade ago with an aim to reduce carbon emissions in Oxford by 40% by 2020, by members managing their own carbon footprints - which the city is on course to achieve. The Partnership changes the focus from organisations managing their own estates, towards collaborative action and using each member's sphere of influence and knowledge to achieve shared goals and initiatives across the City.
22. The joint ambition to become a net zero city by 2040—ten years earlier than the national legal target set by the Government—is a strong sign of the pace and ambition required. It also marks another case of the Council honouring the recommendations of our Citizens' Assembly on Climate Change and taking appropriate action and leadership in line with our climate emergency declaration.

Next Steps

23. By agreeing to join the partnership, organisations will be supporting an ambition of achieving net zero carbon emissions as a city by 2040.

The new partnership will provide:

- a collaborative approach to implementing carbon reduction measures
- enable partners to share their examples of best practice and learn from each other

- develop funding bids and attract financial support for the ambitious and innovative projects which will allow the city to go further and faster in its journey to net zero carbon
 - lobby the UK Government for powers, policy, and funding
 - engage customers, citizens and communities in shared climate action
24. The Partnership will be governed by a Steering Group to provide high level governance for the partnership, comprised of key organisations who are strategically important to reducing emissions in the city of Oxford. The Council's portfolio holder will chair the Steering Group of the new Partnership.
25. The first Steering Group meeting will take place in April to decide administrative matters of the partnership. The administrative support and convening the Steering Group meeting will be undertaken by Oxford City Council in the role of Secretariat in the first year. Future year support will be decided by the Steering group.
26. A wider briefing will be held in July 2021, by which point it is anticipated that significant progress will have been made with the preliminary roadmap.
27. The Secretariat will assist with the following:
- a. Coordinating multi-partner bids to secure funding (especially governmental) for large scale projects.
 - b. Coordinating proactive and reactive lobbying efforts on behalf of the Partnership.
 - c. Reviewing and developing city-wide roadmaps, action plans and other documents that will guide the city to net zero.
 - d. Preparing an annual report on the progress of Zero Carbon Oxford as well as collating and analysing city emissions data (potentially by a reputable third party).
 - e. Coordination of staff, customer and community engagement campaigns, including website development and maintenance, design work and digital promotion (including social media).
 - f. Essential administrative tasks of the Partnership: coordinating communications; scheduling meetings of the partnership, steering group and sprint groups; partnership services; etc.
 - g. Co-ordinating communications on behalf of the partnership.
 - h. Annual Partnership events and meetings.
 - i. Seed funding for Zero Carbon Oxford Sprint group projects where appropriate.
 - j. Networking events, potentially including a Zero Carbon Oxford award to recognise individual achievements to meeting net zero.
 - k. Procuring external consultancy or expert advice and facilitation.
28. The Steering Group will establish the new Partnership's first "Sprint Groups" who will work collaboratively on key areas where rapid progress is necessary to turn the shared ambition of net zero emissions by 2040 into reality. It is currently proposed that buildings and transport will be initial areas of focus for Sprint groups based on initial information from the report produced by consultancy Anthesis which scoped Oxford's emissions, but these groups are to be confirmed by the Steering Group. It is advised that a small number of sprint

groups are convened to test the format, ensure it can be resourced and produces the desired output, prior to further groups being established.

29. The City Council's Climate Emergency Strategy Support report found that 81% of the total emissions in Oxford comes from buildings. Residential buildings are the largest contributor to emissions at 29% of Oxford's total emissions and institutional buildings are the second largest contributor to carbon emissions in Oxford at 26% of total emissions. Industrial buildings which are involved in the manufacturing of products in Oxford are responsible for 17% of Oxford's total carbon emissions. Commercial buildings and facilities are responsible for 9% of Oxford's total carbon emissions.
30. The City Council's Climate Emergency Strategy Support report found that transport accounts for 17% of Oxford's total emissions. This is broken into two subcategories, on-road and rail emissions. In 2011 there were over 100,000 average daily commuter trips, as reported in the Oxford Transport Strategy, with subcategories published by the Office for National Statistics. Upwards of 190 buses and coaches enter the city per hour at peak times. Emissions from rail are significantly lower, yet In 2017/18 there were a total of around 8 million rail passengers through Oxford Railway Station.
31. The Council, on behalf of the partnership has commissioned work to draft a plan that will guide the new Partnership's work and enable the city to achieve the 2040 target, identifying areas for collaboration, what needs to be achieved and by when for the partnership to map out plans and measure their progress against.
32. The City Council is also finalising a Zero Carbon Oxford Action Plan to outline areas where the City Council will take action to reduce emissions across the city beyond its own estate and operations (the focus of a newly agreed 4th Carbon Management Plan for 2021/22 to 2029/30). This Action Plan will underpin the role of the City Council in the Partnership, with an emphasis on how the City Council plans to strengthen its leadership role in reducing the city's emissions in areas where it has powers to do so or strong influence to act.

Monitoring, Reporting, and Scrutiny

33. Akin to the reports from other partnerships, such as the Community Safety Partnership, it is proposed to bring an annual report to Council.

Financial implications

34. The financial implications to support the partnership were captured in the recently approved budget. A key issue for the Steering group is the question of partner contributions to supporting the partnership as it develops. The financial implications of the council's own plans are covered in the individual plans such as the carbon management and asset management plans.
35. The implications for the city are significant in terms of investment necessary to make the switch to a zero carbon economy. However, the future cost savings, opportunities for growth and co-benefits lead the ICC to conclude a marginal if not positive impact of national and international GDP are the most likely outcome. The partners to the zero carbon Oxford plan appear to support that view and are already investing in the changes necessary.

36. At the city council level there is the same challenge around investment for future benefits. The recently approved Carbon management Plan estimated a £30m funding gap, just in respect of the council's operational buildings. Opportunities will need to be taken to invest at the same time as buildings are improved to marginalise costs and external funding will be sought. It is likely that legislative standards will require improvements over time, and that fiscal measures will support investment. The ICC points to the rapidly falling costs of low carbon alternatives most notably the cost of off shore wind power and that low carbon choices as markets develop will become more cost effective.

Legal issues

37. The Climate Change Act requires the UK government to set legally-binding 'carbon budgets' which act as stepping stones towards the nationally adopted 2050 target. A carbon budget is a cap on the amount of greenhouse gases emitted in the UK over a five-year period. Budgets must be set at least 12 years in advance to allow policy-makers, businesses and individuals enough time to prepare. This does and will have implications for the city council.

38. There is no obligation on the city council to set an earlier target date or adopt more demanding carbon budgets. As such the partnership is a non-binding collaboration, has no official status and the Charter makes no legally binding obligations.

Level of risk

39. Attach your completed Risk Register as an appendix. Add any detailed discussion here.

Equalities impact

40. There is evidence that climate change has international, intergenerational and social economic equalities impacts. These were exposed and debated at the citizen's assembly and were a motivator for many members of the citizen's assembly to support stronger local action than the nationally adopted targets. The adoption of the charter and the formation of the partnership is a first step towards addressing these equalities impacts which will require more detailed assessments of policy proposals as they are developed.

Conclusion

41. In declaring a climate emergency, the city council was cautious not to simply adopt a tokenistic and speculative date for the city to achieve being zero carbon that had no basis in science or realistic plan for achievement. The formation of the partnership, adoption of the charter by key stakeholders and the agreement of the target date of 2040 is the culmination of months of careful work and a highly significant step on the road to the city of Oxford becoming a net zero carbon city in a fair and equitable way.

Report author	Tim Sadler
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Background Papers: None

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Advice to Oxford City Council on Carbon Budget Targets

Background

The UK target for the date at which to reach net zero carbon emissions is 2050. This is now a legal target under an amendment to the Climate Change Act. The target was based on the advice of the Climate Change Committee, which concluded it is consistent with the UK's commitments under the Paris Agreement, whilst being challenging.

The Oxford Citizens Assembly, by a large majority, was keen for Oxford to be a leader in climate change mitigation and make more rapid progress.

I have been asked to advise on the feasibility of a target date earlier than 2050, and in particular on a 2040 date.

Oxford's emissions

Current emissions from the city have been analysed by Anthesis and are shown in Figure 1. These are 'scope 2 emissions', i.e. emissions due to direct emissions in the city and from the use of fossil fuels to generate electricity that is used in the city.

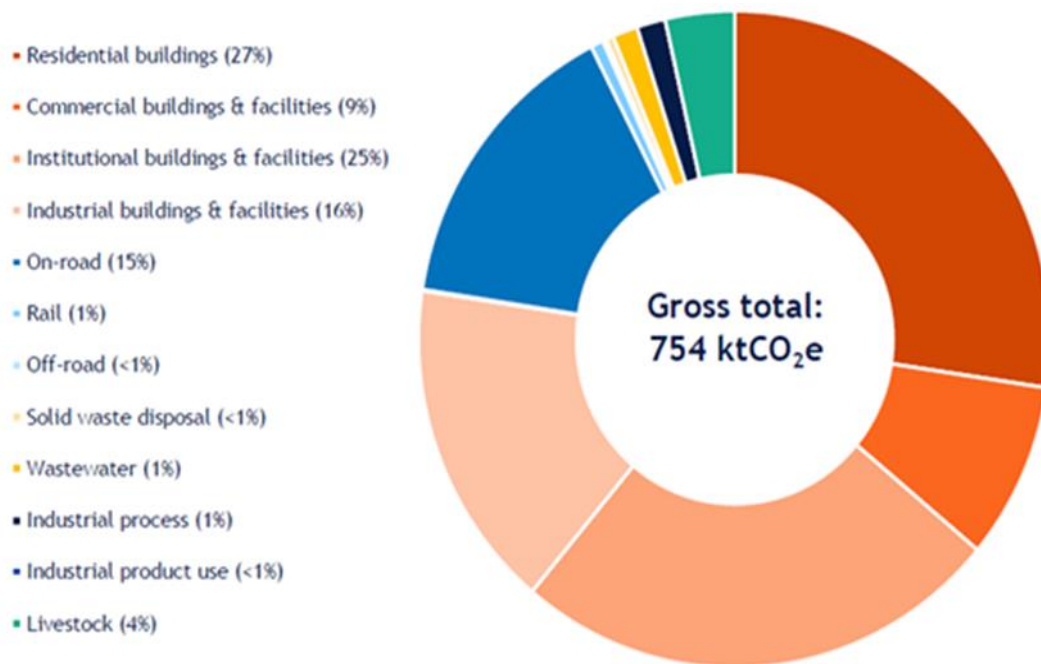


Figure 1. Greenhouse gas emissions from the city of Oxford

Key emissions sectors for Oxford are from buildings – homes, institutional buildings, commercial buildings, industrial buildings - and road transport.

Oxford in the UK Context

This pattern of emissions is not representative of the UK as whole, for which industrial processes, agriculture, aviation and shipping play a significantly larger role. It is therefore reasonable to ask whether the different pattern of emissions points towards different targets.

There is now a lot of evidence (in the UK and internationally) on the relative difficulty of decarbonising different activities and sectors. Broadly speaking, sectors are easier to decarbonise in which energy efficiency can be improved more easily and fossil fuels can be

substituted by electricity. Sectors for which decarbonisation is difficult, and therefore projected to be slow, are: aviation, shipping, heavy road freight, industrial processes and agriculture. These are all under-represented (by UK standards) in Oxford.

Sectors in which progress by 2040 is easier are electricity, light vehicles (car and vans) and buildings. These are the sectors to which Oxford's emissions are strongly weighted. Oxford also has strong public support for early action and a greater capacity to innovate in this area than many other places due to very high research capacity, many innovative businesses and well-established low carbon community action organisations. It is therefore a reasonable conclusion that Oxford's targets should include earlier action, and a faster descent to an earlier net zero than for the UK as a whole.

On the other hand, Oxford is strongly connected to the rest of the UK. Densely populated cities cannot generate the whole of their own energy use. Like water and food, much has to be imported from rural areas. Decarbonisation will therefore rely on the availability of low carbon energy from elsewhere, which is largely outside the control of the City Council and other actors in the city. Seeking to reduce emissions at a very different speed from the UK as a whole is therefore not advisable. Oxford's proposed targets do not, of course, have the force of law and will be easier to amend if external factors change.

Oxford's proposed targets

The proposed targets for Oxford, compared to the UK targets are shown in Figure 2.

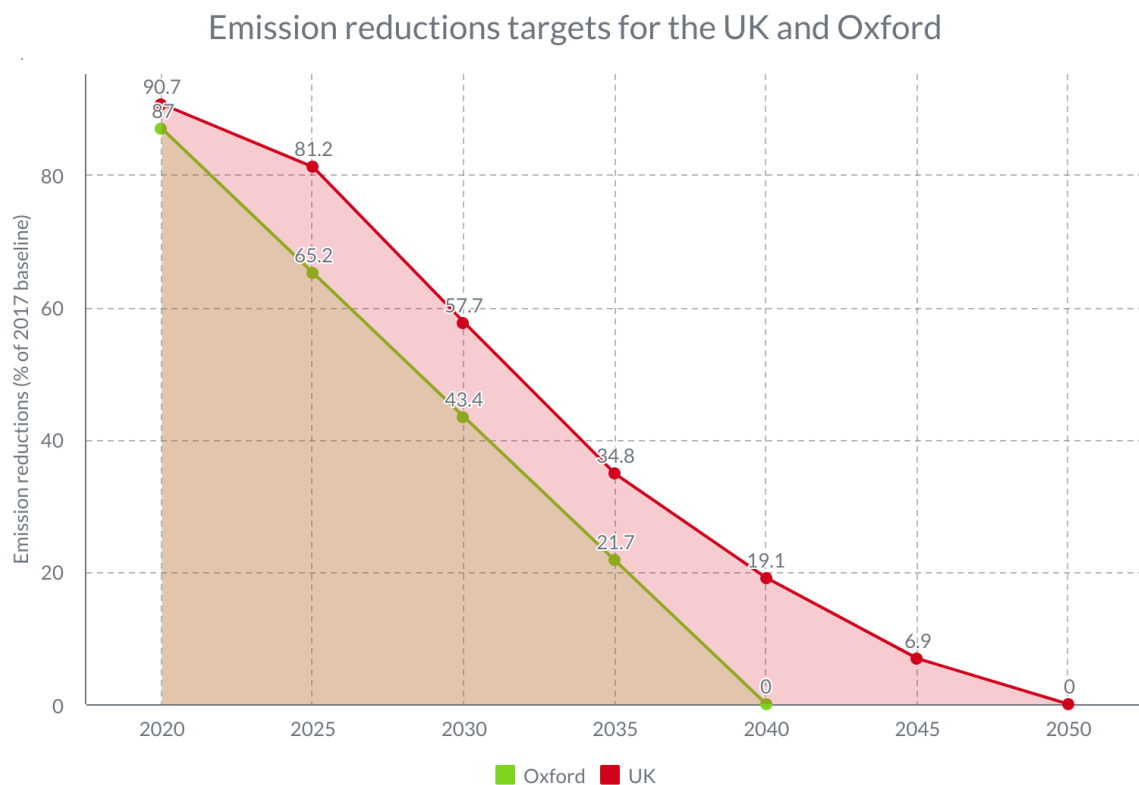


Figure 2. Oxford's proposed targets compared to UK targets

The proposed targets compared to national targets have greater early action, then follow a similar shape in the period 2025-2035 with a less gradual end, reaching net zero in 2040.

My advice is that these targets are ambitious, but technically feasible provided that there is strong buy-in from key partners in the city and that national changes to electricity generation continues to proceed quickly.

Delivering these targets will need commitment and resources to enable Oxford to reduce energy demand for buildings and transport faster than elsewhere. The decision on appropriate targets is therefore ultimately political rather than scientific.

The proposed focus of Oxford's goals is emissions from the city and this is appropriate. However, Oxford is a centre for innovation globally and, with partners, it may be useful to think about other ways in which Oxford can assist in global decarbonisation as well.

Summary

- Oxford can decarbonise more easily than the UK as a whole. An earlier net-zero target than 2050 is therefore appropriate.
- Decarbonising Oxford will rely on progress elsewhere, especially for decarbonisation of electricity.
- The 'in city' focus needs to be on reducing energy demand, including through electrification.
- My advice is that a net zero 2040 target is ambitious, but technically feasible.
- Long term uncertainties at a city level are high, and therefore periodic reviews of later targets would be sensible.
- A 2040 target will require Oxford to move more quickly than the national average on reducing energy use in buildings and transport, and therefore requires resources and commitment.
- Exact targets are therefore a matter of political priorities and judgement.

Nick Eyre
February 2021

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**ZERO
CARBON
OXFORD**

CHARTER

We the undersigned are committed to working together to create a zero carbon Oxford. We will collaborate to build a prosperous, sustainable city in which we all can share.

In particular we commit ourselves to:

Setting carbon targets, monitoring and reporting

- Collaborate to achieve net zero carbon emissions for the city of Oxford.
- Support the efforts of the city as a whole to reach its five-yearly carbon emission reduction targets that aim to achieve net zero by 2040. We will take these targets into consideration when making plans to reduce carbon emissions from our own estates and operations.
- Establish a shared framework to monitor progress against these targets and report publicly on an annual basis, along with reviewing the targets and increasing ambition if it is feasible to do so in terms of changing policy, technology or finance.

Road map and action planning

- Contribute to the development and adoption of a roadmap and action plans that outline the steps needed for Oxford to meet these carbon targets. This must also identify any gaps or impediments at a local or national level to implementation and recognise the topics listed in the partnership's scope.
- Recognise the wider non-carbon benefits climate action can bring, including sustainable economies and local prosperity.

Collaborative working

- Work collaboratively to accelerate the rate of carbon emissions reduction within the city, exploring opportunities to work on shared projects that deliver greater carbon emission reductions than we could achieve individually.
- Support sharing best practice and piloting sustainable innovations.
- Collectively identify funding sources to support ZCO and the delivery of net zero activities within the city.
- Jointly lobby the UK Government to provide the regulatory, infrastructural and funding support necessary to achieve net zero carbon emissions.
- Encourage other organisations to join the Partnership, generally promote the work of the Partnership and engage with staff, customers and service users about climate issues.

Governance

- Support a steering group of key organisations and recognise accountability is through collective and fair scrutiny.

We commend the progress to date made in Oxford on tackling climate change and sustainability issues, and call on all communities, organisations and businesses in Oxford to sign the Zero Carbon Oxford Charter and help to create change for good.

Attendee List

Zero Carbon Oxford Summit – Thursday 4 February 2021, 10:00-12:00

Oxford City Council (host)

- **Cllr Susan Brown** Leader
- **Cllr Tom Hayes** Deputy Leader & Cabinet member for Zero Carbon Oxford

OCC observers

- **Cllr Craig Simmons** Green Party
- **Cllr Tom Lydell-Mills** Liberal Democrats

OCC Officers (event support)

- Gordon Mitchell
- Caroline Green
- Tim Sadler
- Mish Tullar
- Rose Dickinson
- Harry Routledge
- Lauren Edwards
- Ruth Harris
- Tom Garrood

A2Dominion

- **Jim Smith**, Head of Land & Planning (West)

Activate Learning

- **Phil Waddup**, Group Director of Property & Facilities

Beard Construction

- **Mark Beard**, Executive Chairman

BMW

- **Alexandra Schneider**, Alexandra Schneider Director Finance, Compliance at BMW (UK) Manufacturing Ltd
- **Gregory Stephens**, Manager Environment Protection UK and Ireland

LandSec

- **Mark Lomax**, Portfolio Director
- **Brendan Hattam**, Centre Director, Westgate Oxford & Oxford Castle Quarter

Appendix 3

- **Andy Mazzucchelli**, Energy and Sustainability Manager
- **Olivia Yeandle**, Portfolio Manager

Low Carbon Hub

- **Barbara Hammond**, CEO

Lucy Group

- **Richard Dick**, Executive Chairman
- **Jonathan Finch-Dick**, Executive Director

Nielsen

- **Rachel White**, Retail Intelligence Leader, UK & Ireland
- **James Oates**, Analytics Director, U.K.

Oxfam

- **Neil Clark**, Corporate Responsibility Adviser for Environment

Oxford Brookes University

- **Professor Alistair Fitt**, Vice-chancellor
- **Michele Morley**, Environmental Sustainability Manager
- **Gavin Hodgson**, Energy Manager

Oxford Bus Company

- **Phil Southall**, Finance and Commercial Director

Oxford Health NHS Foundation Trust

- **Dr Nick Broughton**, Chief Executive
- **David Walker**, Chairman
- **John Upham**, Sustainability Manager

Oxford University Hospitals NHS Foundation Trust

- **David Walliker**, Chief Digital and Partnership Officer, board lead on sustainability.
- **Rebecca Cullen**, Deputy Head of Strategy and Partnerships

Appendix 3

Oxfordshire County Council

- **Cllr Yvonne Constance**, Cabinet Member for Environment
- **Rachel Wileman**, Assistant Director
- **Sarah Gilbert**, Climate Action Team Leader

Oxfordshire Local Enterprise Partnership

- **Jeremy Long**, Chair (private sector)
- **Ahmed Goga**, Director of Strategy and Programmes

River Learning Trust

- **Paul James**, CEO

Scottish and Southern Electricity Networks (SSEN)

- **Mel Bryce**, Oxfordshire Programme Director
- **Stevie Adams**, LEO Project Manager

Stagecoach in Oxfordshire

- **Chris Coleman**, Managing Director
- **Dr Nick Small**, Head of Built Environment

The Conference of Colleges

- **Professor Katherine Willis**, Principal of St Edmund Hall, Chair of the Conference Sustainability Working Group
- **Blanche Delany**, Policy Adviser

Unipart

- **Frank Nigriello**, Director of Corporate Affairs
- **Joel Magande**, Group Environmental Manager

University of Oxford

- **Professor Louise Richardson**, Vice-chancellor
- **Harriet Waters**, Head of Environmental Sustainability
- **Tom Yearley**, Deputy Head of Environmental Sustainability

Appendix 3

Appendix 4

Appendix4: Risk Register

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
Council reputation damaged by non delivery	Reputational	T	The partnership is perceived to have failed due to council's poor leadership		9/02/2021	MT	2	2	1	2	1	1		Proper management of communication of the purpose of the partnership and achievements. Monitoring and reporting progress with commentary				
Finance need to drive the plan does not materialise	Finance	T	Organisations and or government do not invest to drive the changes required		9/02/2021	MT	3	2	3	2	2	1		Monitoring and reporting of progress locally and nationally. Consider representations and evidence to CCC.				
City fails to act and be proactive	Finance/ Reputation and co benefits	T	Passive response to climate change challenge. Out of step with majority view in city. Faster harder changes required in later years which are disruptive to economy and society. Opportunities missed		9/02/2021	MT	3	5	2	5				Build a successful progressive and proactive partnership, build reputation as centre of excellence, attract investment.				
Oxford becomes centre of zero carbon excellence.		O	Investment enables city to reap gains of sustainable growth and associated co-benefits such as improved health		9/02/2021	MT	1	5	1	5	3	5		Careful positioning and management of the partnership draws in investment which leads to sustainable growth				

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To: Cabinet

Date: 10 March 2021

Report of: Head of Financial Services
Head of Business Improvement

Title of Report: Integrated Performance Report for Quarter 3 2020/21

Summary and recommendations	
Purpose of report:	To update the Cabinet on Finance, Risk and Corporate Performance matters as at 31 st December 2020.
Key decision:	No
Executive Board Member:	Councillor Ed Turner
Corporate Priority:	All
Policy Framework:	Council Strategy 2020-24
Recommendations: That Cabinet resolves to:	
1.	Note the projected financial outturn as well as the current position on risk and performance as at 31 December 2020.

Appendices	
Appendix A	General Fund - December 2020 Forecast Outturn
Appendix B	Housing Revenue Account - December 2020 Forecast Outturn
	Capital Programme – December 2020
Appendix C	Income Streams – December 2020
Appendix D	

Introduction and background

1. This report updates the Cabinet on the financial, corporate performance and corporate risk positions of the Council as at 31st December 2020.

Financial Position

- **General Fund** – the outturn position is forecast to be an adverse variance of £2.899 million against the latest net budget of £23.573 million (12.3%), and £12 million against the service area expenditure of £25.015 million (47.9%), this is in comparison to an outturn position of £2.433 million against the latest net budget of £23.396 million (9.6%), and £11.622 million against the service area expenditure of £27.895 million (41.6%), which was reported at Q2;
 - **Housing Revenue Account** – The budgeted surplus agreed by the Council in February 2020 was £0.992 million. The outturn position forecast indicates a surplus of £0.660 million which is an adverse variance of £0.332 million, this is in comparison a forecast outturn position of an adverse variance of £1.222 million;
 - **Capital Programme** – The budget, as approved at Council in February 2020, was set at £142.569 million. With carry forward of unspent balances in 2019-20 this was subsequently revised to £163.314 million. The latest capital budget is £86.245 million with a revised forecast of £80.651 million which is a favourable variance of £5.594 million. This is mainly due to slippage on Social Rented Housing Acquisitions scheme (£2.5m) and Affordable Housing Supply scheme (£3m), further explanations on which are given in paragraph 21. .
2. **Performance** – Given the COVID-19 pandemic the approval of the Council's revised Business Plan for the next four year period has been delayed and as such performance indicators haven't yet been identified. The Council is continuing to monitor service targets through the financial year, and will monitor work streams within the Business Plan rather than specific performance indicators;
 3. **Corporate Risk Management** – There are three red corporate risks at the end of quarter two. These relate to actions taken to ensure housing delivery and supply for the city of Oxford and to enable sufficient house building and investment; local, national or international factors adversely affecting the economic growth of the city and balancing and delivering the financial plan. There are seven amber risks and two green risks. More details of the risks can be found in paragraphs 22 and 23;

Financial Position

General Fund Revenue

4. The overall Net Budget Requirement agreed by the Council in February 2020 was £23.573 million. Since setting the budget, service area expenditure has decreased by a net total of £5.276 million, from £30.291 million to £25.015 million this is due to a combination of virements and transfers to and from reserves. Around £1.0 million of growth bids in 2020/21 were paused in June 2020 and although a small number were released in December most have been rolled forward into 2021-22 or deleted. The underspend will support the deficit

arising in 2020/21. The Net Budget Requirement remains unchanged. Some of these paused bids will be released in Q4 of this financial year.

5. Virements between service areas, were authorised under delegated powers by the Council's Head of Financial Services, the most notable of which relate to the redistribution of transformation funding to fund the Transformation Team and redistribution of Community grants to Housing Needs.
6. The release from reserves totals a net movement of £3.082million, made up of the release from Transformation Funds for ongoing projects and release of external grant funding into the service areas to fund ongoing expenditure. Further releases from reserves will be required at year end to balance the budget in the light of financial pressures arising from COVID-19.
7. As at 31 December 2020 the General Fund Service Area expenditure is projecting an adverse variance of £11.939 million against the latest budget of £25.015 million, this is in part mitigated by additional funding received from central government specifically to help out Local Authorities with the financial pressures they are facing following the COVID-19 pandemic totalling £7.597 million. Within this figure is an estimate of £5.0 million in respect of the councils claim for compensation in respect of Sales, Fees and Charges based on 95% of loss above a 5% threshold.
8. The key variances across the services which are all as a consequence of the response to COVID-19 pandemic either due to additional expenditure or loss of income, by service area are:
 - **Business Improvement** – a net adverse variance of £0.560 million across the service area. An increase of £0.154 million since last quarter. A large proportion of this variance is within ICT and relates to staffing costs (£65k) above budget, additional cost for telephony services (£80k) due to the majority of staff who are currently working from home and an increasingly rising usage of telephones for calls and use of data heavy applications such as Teams and Zoom. There is also a notable, and also increasing, cost for data usage and storage (£116k) over and above the contract price with the data centre provider. The contact centre are also seeing an overspend in their salary budgets due to a reduction in staff turnover which impacts on the allowance for recruitment drag. To mitigate these overspends there is a small saving of £10k that has been identified on printing costs due to staff predominately working from home and within the Human Resources & Organisation Development service area there is a net favourable variance relating to increased expenditure in relation to maintenance and development of iTrent, offset by savings on the training budget. Savings from vacant posts and underspends in the training budget totalling £80k have been utilised to fund the ongoing work on the People Strategy. The transformation team is also projecting an overspend of £130k for the remaining three months of the financial year where no budget existed for this team. This is required to drive the £3million efficiency programme identified in the Budget. From 1-4-2021 an ongoing amount of £250k has been provided to cover this cost.
 - **Community Services** – an adverse variance of £1.304 million, which is a reduction of £0.461 million from last quarter. This is made up of reduced income projections from community centre rents (£305k) and Town Hall

events (£808k) offset by savings on utilities, waste collection, and other costs associated with holding such events, the net loss from this source is over £0.700 million. Some of this loss is expected to be compensated through the sales, fees and charges claim from the Government which is shown in Government Grants.

The service area has also seen additional costs relating to leisure services and the setting up and running of the locality hubs. A final agreement has been made with Fusion and this has reduced the overall financial pressure in the current year to £0.530 million.

Setting up and running of the locality hubs has included the cost of food parcels, transportation and additional staffing costs to support vulnerable people during COVID-19 pandemic, which has led to the Community Response Team forecasting an overspend of £240k for the year.

Some mitigation is seen in the Youth Ambition team (£160k), which has seen savings in salaries; Children's holiday activities and the youth ambition programme.

- **Corporate Property** - adverse variance of £4.6 million. A shortfall of £4.2 million in respect of commercial property income representing 33% of the annual income is forecast. This is a provisional amount at the moment but with only 50% of the annual income collected to date it is prudent to do this at this stage. This position remains challenging and is clearly having a material affect the Council's financial position.
- **Housing Services** – adverse variance of £0.110 million, a reduction of £300k since last quarter, due to the overspend relating to the cost of providing accommodation and food to rough sleepers for the 3 months to June 2020 being covered by grant. The variance relates to health and safety and compliance works that are required across the property portfolio where specific reserves would previously have been used but will no longer be available.

The Housing service have been awarded a number of grants recently as follows: £1m NSAP (Next Steps Accommodation Programme) short term; £122k Department of Health "Out of Hospital" Funding for Rough Sleepers both allocated in 2020/21; £967k of NSAP longer term funding for allocation from 21/22 onwards, these grants are to cover additional costs over and above those in the budget and therefore do not improve the overall financial position.

- **Regulatory Services and Community Safety** – adverse variance of £0.315 million due to loss of income across street trading licences, building control fees, HMO licencing and general licencing. There are some small mitigations in staff savings. These have all declined in the first quarter of the year but expect to start to pick up as lockdown eases.
- **Oxford Direct Services Client** – adverse variance of £4.655 million, this has increased by £650k since last quarter. £3.800 million relates to projected loss of car parking income for the year, where the actual loss to date is approximately £2.7 million. The use of car parks increased over the summer but reduced again during the second lockdown. £1.155 million relates to the reduction of expected dividend payment to be

received from Oxford Direct Services (ODS) due to the inability to access council housing property to carry out repairs work during lockdown. Other income streams within ODS have also been impacted such as motor transport and commercial waste. The company will continue to review its business plan and look to contain the losses and commence recovery. However a rebate of £362k has been returned to the Council in the current financial year, for reduced cost of delivering statutory services due to lockdown and COVID 19. The Company at their Board meeting in March will be considering whether to pay a final dividend in respect of 2019-20 trading year which may offset some of this variance.

- **Assistant Chief Executive** - now showing an adverse variance of £0.111 million due to COVID expenditure relating to the communications regarding the re-opening of the city centre.
 - **Financial Services** - Forecasting an adverse variance of £0.317 million, this relates to the reduction in court cost income received, due to the closure of the courts during the first lockdown and whilst court action is now back underway this income will not reach the budgeted level.
9. Within the Corporate accounts there is a favourable forecast variance of £0.298 million, this relates to reduced interest received from OCHL net of reduced borrowing costs in respect of loans from the Council to housing development. Bank base rates remain at an all-time low of 0.1% and investments continue to deliver minimal returns to the Council.
10. To mitigate some of these losses the Council has received Government funding which includes Emergency (COVID) Fund of £2.465 million; Rough sleepers fund £0.032 million, furlough grant approx. £0.214 million, Sales Fees & Charges claim of £3.2 million and funding from Oxfordshire County Council of £0.300 million to assist with expenditure on services for the homeless. Some of these grants are shown in the services where the related expenditure is also shown resulting in a net position.
11. At the same time the Government issued a further funding for losses of income from sales fees and charges and changes to allocate tax deficits that would normally be charged to 2021-22 to be spread over 3 years. The scheme details also included :
- Councils will absorb losses up to 5% of their budgeted sales, fees and charges income for 2020-21, with the government compensating them for 75p in every pound of relevant loss thereafter;
 - The scheme compensates for income that local authorities generate independently which is defined as a sale, fees and charges – for example, car parking charges or receipts from cultural asset charges;
 - The scheme will cover transactional income from customer and client receipts (excluding rents and investment income) which is generated from the delivery of services which was budgeted for in 20/21;
 - commercial revenues, including rental amounts are not considered relevant losses and will not be compensated for under this scheme ;
 - The Section 151 officer will be responsible for self-certifying the accuracy and reasonableness of their claim against the principles and guidance

provided and the Government through the engagement of external auditors will sample check claims;

12. It is estimated that the Council will receive around £5 million from this Government compensation scheme in respect of losses from sales, fees and charges. The scheme has also been extended to cover the first three months of 2021/22 and we are anticipating that we may receive a further £1.2 million for that period. Whilst this is welcome news this still falls short of the estimated £29 million increased cost that the Council is forecasting for the next 5 year period up to 31-3-2025.
13. Appendix D provides additional information on the Council's key income streams that have been most affected by COVID-19, and the table below shows a summary of this position.
14. Service based income is at 74% of its expected levels as at the end of quarter 3, this is an improvement on the position at the end of Quarter 2. Council tax and Business Rates are currently at a level of 103% against the profiled target collection rate which is surprisingly high for this time of the year and largely due to the fact that some people and organisations settle their annual bill in full early in the year, although there is a sense that this position may worsen.

Income Source	Budgeted income 2020-21 £	Actual Cash collected Q1 £	Actual Cash collected Q2 £	Actual Cash collected Q3 £	Total Cash collected 2020-21 £	Profiled income £	Percentage of profile collected %
Service Based Income	24,556,581	3,994,759	4,707,705	4,965,091	13,667,555	18,417,436	74%
Collection Fund sub total	148,675,990	43,319,157	38,830,067	40,069,559	122,218,783	111,506,993	110%
Housing	44,471,671	10,726,282	11,002,006	11,163,081	32,891,369	33,353,753	99%
Grand Total	217,704,242	58,040,198	54,539,778	56,197,731	168,777,707	163,278,182	103%

15. Members should note that the movement in the General Fund Budget since last reported to Cabinet at 30 September 2020 is shown in Appendix A as £0.646 million. The main reasons for this change are increase loss on car parking income offset by a rebate received from ODS for statutory services.

Housing Revenue Account ("the HRA")

16. The HRA budget agreed by the Council in February 2020 was a surplus of £0.992 million. The current outturn position is forecasting a £0.660 million surplus, which is an adverse movement of £0.332 million from the original budget. There is also an adverse movement of £0.890 million from the previous quarter's position, where we forecast the outturn to be £1.222 million. This movement is due to a reduction in the bad debt provision of £300k and £308k reduction to Welfare Reform team and reduction of £282k on COVID-19 expenditure that has previously been forecast. Explanations for some of the significant variations include:
- Income - £0.418 million favourable variance due to reduced number of Right to Buy (RTB) sales compared to budgeted position and an additional 76 properties that have moved to formulae rent since the budget was set;
 - Management & Services - - £0.566 million adverse variance due to additional support for the Welfare Reform Team to assist tenants through the difficulties

that lockdown has brought about, additional services being provided to support vulnerable tenants and additional costs such as Personal Protective Equipment (PPE), however this has reduced by £0.590 million since last quarter;

- Miscellaneous Expenditure (not stock related) - £0.516 million relating to additional expenditure on feasibility studies for housing development work to be carried out in the HRA;
- Bad Debt provision – no variance now being shown, as rent collection has picked backup and there is no expectation to need an increase bad debt provision;
- Reserve Adjustments - £0.572 million favourable which represents a release of approved 2019/20 carry forwards

Capital

17. The budget, as approved by the Council at its meeting in February 2020, was set at £142.569 million. Since that date the budget has been increased by £20.745 million to take account of unspent balances rolled forward from 2019-20, giving a budget of £163.314 million as reported to the Cabinet in June 2020 as part of the April update.
18. The latest budget as at end of December is £86.245 million showing a reduction from the original budget including carry forwards of reduction £77.796 million, this is mainly due to £42m commercial property being paused, movement of £8.7m on OCHL loans, Slippage of £10.847 million on HRA Property purchases and £6.275m slippage on HRA Developments.
19. The current forecast is now £80.651 million which is a forecast variance of £5.594 million from the latest budget, which is mainly due to slippage.
20. Project Managers have been asked to provide a risk rating for each of their schemes to identify its deliverability within time and financial spend against the latest budget. The results are shown in Table 1 below

Table 1: Status of schemes in capital programme			
Risk Rating	No of schemes	%	Forecast Outturn
Off Target	0	0%	0
At Risk	2	2%	9,947,000
On Target	91	76%	70,599,722
Closed	13	11%	63,432
Completed	8	7%	4,800
On Hold	5	4%	36,505
TOTAL	119	100%	80,651,459

21. The majority of schemes are on track to be delivered or are in accordance with the current forecast spend profile for 2020/21. Those schemes that are showing at risk or off target are:
 - Affordable Housing Supply – – This budgeted expenditure is to allow the Council to provide registered providers with S106 funding on development schemes that meet the given criteria. The project was initially incorrectly programmed in the capital programme and so to reflect

the correct profile £3m will be moved into next financial year. This is being reviewed and where possible it will be used in conjunction with Oxford Growth Deal to maximise the acquisitions the HRA is planning from OCHL schemes

- **Social Rented Housing Acquisitions** – This budget is to cover the acquisition of social rented houses to make use of retained right to buy receipts accumulated by the Council from the sale of council houses. Failure to use such sums would require them to be repaid to Government with interest. Expenditure is only expected to be £9.3m with £2.5 million slipped into next financial year (total budget was £13.3m) due to delays on site from the COVID-19 and the associated lockdowns. We are currently waiting to see if the Government will extend the March 31st deadline, they have extended the last 3 quarters, however, if the extension is not granted we may have to repay the retained element of the receipt plus interest, which could be c £700k.

Corporate Risk

22. There are three red risks on the current Corporate Risk Register, which are as follows:

- **Housing** – the Council has key priorities around housing which include ensuring housing delivery and supply for the City of Oxford and enabling sufficient house building and investment. Insufficient housing in Oxford leads to an increase in homelessness which has an impact on residents. There are also health and quality of life issues. The Council is implementing delivery methods for temporary accommodation and accommodation for homelessness prevention which include a rent guarantee scheme, a growth deal to facilitate additional affordable housing and a tranche of property purchases to be delivered via real lettings. In addition the Council's housing companies are in the process of constructing new affordable homes and the Cabinet has approved plans which will result in the Council's Housing Revenue Account ("HRA") purchasing the social housing using its new borrowing headroom, following the removal of the HRA borrowing cap by central government. This has become more challenging in the short term due to the Covid-19 pandemic which has slowed down delivery in the housing supply.
- **Economic Growth** – this relates to local, national or international factors adversely affecting the economic growth of the City. The economic impact of Covid-19 is continuing to affect the livelihoods and jobs of thousands of people in Oxford. Social distancing and economic uncertainties affect consumption on the High Street and the viability of some retail, hospitality and catering businesses. The wider economy is not immune with redundancies being announced by larger employers in other sectors as well as damaging impacts to education, transport, and property, creative and cultural sectors. Work is continuing to administer the COVID Local Restriction Grants and to plan how best to utilise grant funds to support the local economy and affected businesses. The Council is also communicating with businesses to ensure they understand the need to act on any rule changes for the EU Transition regardless of deal. A joined-up

communications approach county-wide has been agreed with Councils, OxLEP and the Local Resilience Forum.

- **Balancing & Delivery of the Financial Plan** – this risk has become red due to the adverse financial impacts arising from the Covid-19 pandemic and the economic aftermath. The pandemic and the resulting actions necessary to deal with it has led to far reaching economic impacts. Experts believe that the economy will take years to recover. There is therefore considerable financial uncertainty around the current estimates especially around income streams which is compounded by additional expenditure needed to support the community through the crisis. The short term impact can be mitigated through the use of balances, however these are one-off and a full reset of budgets is needed which will be reported to Cabinet in February 2021.

23. The table below shows the level of Red, Amber and Green current risks over the last 12 months:

Current Risk	Q4 2019/20	Q1 2020/21	Q2 2020/21	Q3 2020/21
Red	1	3	3	3
Amber	10	8	9	7
Green	1	1	0	2
Total risks	12	12	12	12

Financial implications

24. All financial implications are covered in the body of this report and the Appendices.

Legal issues

25. There are no legal implications arising directly from this report.

Level of risk

26. All risk implications are covered in the body of this report and the Appendices.

Equalities impact

27. There are no equalities impacts arising directly from this report.

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Background Papers: None

Appendix A

General Fund Outturn Report 20/21 @ 31 December 2020	Approved Budget (per Budget book)	Paused Bids	Total Virements & Ear Marked Reserve Transfers year to date	Latest Budget	Projected Outturn against Latest Budget	PO Variance	PO Variance (Prev Quarter)	PO Variance Mvt from Previous Quarter
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
S03 - Business Improvement	8,566	(30)	346	8,882	9,503	621	406	(215)
S22 - Community Services	5,005	(26)	(575)	4,404	5,708	1,304	1,765	461
Communities & Customers	13,571	(56)	(229)	13,286	15,211	1,925	2,171	246
S09 - Corporate Property	(7,904)	(230)	(93)	(8,227)	(3,619)	4,608	4,608	
S10 - Regeneration & Economy	821	(30)	80	871	871			
S16 - Planning Services	450		(70)	380	394	14	32	18
Development	(6,633)	(260)	(83)	(6,976)	(2,354)	4,622	4,640	18
S01 - Assistant Chief Executive	876	(64)	19	831	942	111		(111)
Assistant Chief Executive	876	(64)	19	831	942	111		(111)
S13 - Housing Services	3,104		(3,222)	(118)	(8)	110	410	300
S15 - Regulatory Services & Community Safety	1,286		(74)	1,212	1,527	315	306	(9)
Housing	4,390		(3,296)	1,094	1,519	425	716	291
S20 - Environmental Sustainability	1,299	(297)	(331)	671	621	(50)	10	60
S26 - Oxford Direct Services Client	10,117	(166)		9,951	14,606	4,655	4,005	(650)
ODS Development Director	11,416	(463)	(331)	10,622	15,227	4,605	4,015	(590)
S32 - Financial Services	3,245	(50)	(159)	3,036	3,353	317	80	(237)
S34 - Law and Governance	3,426	(132)	(172)	3,122	3,117	(6)		6
Corporate Services	6,671	(182)	(331)	6,158	6,470	312	80	(232)
Directorate Total Excl SLA's & Capital Charges	30,291	(1,025)	(4,251)	25,015	37,015	12,000	11,622	(378)
SLA's & Capital Charges	(8,616)		(1,121)	(9,737)	(9,737)			
Corporate Accounts	1,291		1,318	2,609	2,311	(298)	93	391
Contingencies	221		1,997	2,218	1,013	(1,205)	(1,205)	
Total Corporate Accounts & Contingencies	1,512		3,315	4,827	3,324	(1,503)	(1,112)	391
Net Expenditure Budget	23,187		(3,082)	20,105	30,602	10,497	10,510	14
S48D - Transfers To/From Earmarked Reserves	386		3,082	3,468	3,468			
Net Budget Required	23,573			23,573	34,070	10,497	10,510	14
Funding								
S47A - External Funding					7,597	7,597	8,257	660
S47B - Council Tax Funding	14,679			14,679	14,679			
S47C - Parish Precept	(271)			(271)	(271)			
S47D - NDR Funding	9,165			9,165	9,165			
Total Funding Available	23,573			23,573	31,170	7,597	8,257	660
(Surplus) / Deficit for the year					2,899	2,899	2,253	(646)

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Appendix B

463

HRA Report 20/21 @ Dec 2020		Approved Budget (per Budget book)	Latest Budget @ 31st Dec 2020	Projected Outturn against Latest Budget @ 31st Dec 2020	Projected Outturn Variance	Projected Outturn Variance - Previous Quarter	Projected Outturn Variance Mvt from Previous Quarter
		£000's	£'000's	£'000's	£000's	£000's	£'000's
Dwelling Rent		(41,631)	(41,631)	(41,881)	(250)	(250)	
Service Charges		(1,814)	(1,814)	(1,914)	(100)	(100)	()
Garage Income		(218)	(218)	(218)	()		
Miscellaneous Income		(793)	(809)	(809)	(16)	(16)	()
Right to Buy (RAF)			(52)	(52)	(52)	(52)	
Net Income		(44,456)	(44,524)	(44,874)	(418)	(418)	()
Management & Services (Stock Related)		9,618	10,002	10,184	566	1,156	590
Other Revenue Spend (Stock Related)		1,807	1,928	1,928	121	121	()
Misc Expenditure (Not Stock Related)		721	737	1,237	516	516	
Bad Debt Provision		741	741	741		300	300
Responsive & Cyclical Repairs		13,270	13,388	13,388	119	119	
Interest Paid		8,503	8,503	8,503			()
Depreciation		8,892	8,892	8,892	()		
Total Expenditure		43,553	44,192	44,874	1,322	2,212	890
Net Operating Expenditure/(Income)		(903)	(331)	1	904	1,794	890
Investment Income		(89)	(89)	(89)	()	()	
Other HRA Reserve Adjustment			(572)	(572)	(572)	(572)	
Transfer (to)/from MR/OR		()					
Total Appropriations		(89)	(661)	(661)	(572)	(572)	
Total HRA (Surplus)/Deficit		(992)	(992)	(660)	332	1,222	890

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Appendix C

	Capital Budget and Spend as at 31st December 2020										
								2020/21 Forecast			
Cost Centre	Capital Scheme	Director Responsible	Progress Update Provider	Risk Status	2020/21 Original Budget	Latest Budget	Spend to 31/12/2020	Forecast Variance	Forecast Variance due to Slippage	Forecast Over/ Under Spend	2020/21 Forecast Outturn
					£	£	£	£	£	£	£
Communities and Customers Directorate											
C3044	ICT Software and Licences	Nadeem Murtuja	Rocco Labellarte	On Target	220,000	220,000	241,766	22,000	-	22,000	242,000
C3058	CRM Lagan Replacement	Nadeem Murtuja	Rocco Labellarte	On Target	200,000	185,808	52,518	-	-	-	185,808
C3060	End-Point Devices (Desktops/Laptops)	Nadeem Murtuja	Rocco Labellarte	On Target	-	90,000	84,225	-	-	-	90,000
C3066	Telephony Device Refresh	Nadeem Murtuja	Rocco Labellarte	On Target	-	60,000	42,129	-	-	-	60,000
C3067	Paris Payment System, Replacement / PCI DSS	Nadeem Murtuja	Niall Barker	On Target	36,970	48,560	33,800	-	-	-	48,560
C3068	Windows 2008 Server Replacement	Nadeem Murtuja	Rocco Labellarte	On Target	209,200	115,000	51,025	-	-	-	115,000
C3070	Business Process Automation Full Rollout	Nadeem Murtuja	Rocco Labellarte	On Target	-	25,489	41,547	-	-	-	25,489
C3071	Idox / Uniform Improvement Project	Nadeem Murtuja	Niall Barker	On Target	-	1,544	7,320	-	-	-	1,544
C3072	Website Replacement	Nadeem Murtuja	Rocco Labellarte	On Hold	-	6,505	5,269	-	-	-	6,505
C3075	Netcall	Nadeem Murtuja	Rocco Labellarte	Closed	60,450	60,450	7,092	-	-	-	60,450
C3076	Computer Systems Backup	Nadeem Murtuja	Rocco Labellarte	Closed	-	-	1,528	-	-	-	0
C3077	Info@Work Enterprise Upgrade Rollout	Nadeem Murtuja	Rachel Byrom / Rocco	Completed	-	-	4,800	4,800	-	4,800	4,800
C3078	Revs and Bens System Replacement	Gordon Mitchell	Tany Bandekar	On Target	-	490,000	168,149	-	-	-	490,000
								-			
A4820	Upgrade Existing Tennis Courts	Nadeem Murtuja	Hagan Lewisman	On Target	35,000	-	-	-	-	-	0
A4833	Horspath Sports Park	Nadeem Murtuja	Hagan Lewisman	On Target	46,600	14,051	60,653	0	-	0	14,051
A4841	Manzil Way Gardens	Nadeem Murtuja	Chris Bell	Closed	-	-	2,286	2,982	-	2,982	2,982
A4847	Rose Hill Community Centre - Parking Management	Nadeem Murtuja	Dave Morrell	On Target	-	-	-	-	-		0
A4848	Barton Fit Trail	Nadeem Murtuja	Hagan Lewisman	Completed	7,085	-	-	-	-	-	0
B0074	Stage 2 Museum of Oxford Development	Nadeem Murtuja	David Hunt	On Target	665,000	2,154,328	1,690,601	-	-	-	2,154,328
B0081	East Oxford Community Centre	Nadeem Murtuja	Hagan Lewisman / Steve	On Target	1,500,000	363,000	441,120	-	-	-	363,000
B0084	Jericho Community Centre	Nadeem Murtuja	Steven Clews	Closed	-	-	-	-	-	-	0
B0096	Bullingdon Community Centre	Nadeem Murtuja	Doug Kerrigan	On Target	1,273,777	20,000	360	-	-	-	20,000
T2305	Parks Paths	Nadeem Murtuja	Laura Harlock	On Target	77,670	-	(33,840)	-	-	-	0
Communities and Customers Directorate Total					4,331,752	3,854,736	2,902,348	29,782	-	29,782	3,884,518
Development Directorate											
A4853	City Wide Cycling Infrastructure Contribution	Tom Bridgman	Ted Maxwell	On Target	30,000	27,000	-	-	-	-	27,000
B0081	Car Parking Oxpens	Tom Bridgman	Steven Clews	On Target	243,000	200,000	595	-	-	-	200,000
B0086	Seacourt Park & Ride Extension	Tom Bridgman	Douglas Kerrigan	On Target	1,426,933	3,529,418	1,393,701	110,000		110,000	3,639,418
B0100	Gloucester Green Car Park (H&S)	Tom Bridgman	Keith Reynolds/ Nick Brown	On Target	76,350	224,908	39,668	(0)	(0)	-	224,908
B0101	Capital Works at Covered Market	Tom Bridgman	Katharine Gould/ Nick	On Target	918,000	450,000	293,191	-	-	-	450,000
B0102	Replace or refurbish Lifts	Tom Bridgman	Nick Brown	On Target	-	76,190	-	(0)	(0)	-	76,190
B0103	6 Queen Street works	Tom Bridgman	Richard Davison	Completed	-	-	-	-	-	-	0
B0104	Old Gas Works Bridges	Tom Bridgman	James Axford	On Target	-	60,157	10,296	(0)	-	(0)	60,157
B0106	Covered Market Roof Works (Capitalised Planned	Tom Bridgman	Nick Brown	On Target	325,000	451,498	262,697	0	0	-	451,498
B0110	Covered Market Vacant Unit Works	Tom Bridgman	Julia Castle	On Target	116,000	107,959	38,896	-	-	-	107,959
B0111	Town Hall Dry Risers	Tom Bridgman	Keith Reynolds/ Nick Brown	On Target	-	152,718	5,081	(17,718)	(17,718)	-	135,000
B0116	Osney Mead Infrastructure	Tom Bridgman	Jenny Barker	On Target	1,086,250	60,000	10,000	-	-	-	60,000
B0117	Commercial Property	0	0	On Target	42,000,000	-	-	-	-	-	0
B0122	City Cycle Schemes (Growth Deal)		0	On Target	-	550,000	-	-	-	-	550,000
B0125	City Centre Restart		0	On Target	-	100,000	-	-	-	-	100,000
B0130	CIL Feasibility	0		On Target	-	-	-	-	-	-	0
B0074	R & D Feasibility Fund	Tom Bridgman	James Marriott / Anna	On Target	1,115,914	-	-		-	-	0
	Allocated Feasibility Funding (various schemes)	0	0	On Target	-	1,545,384	225,747	(0)	-	-	1,545,384
F7007	Woodfarm / Headington Community Centre	Paul Leo	Katharine Gould/ Nick	On Hold	20,000	12,000	1,728	-	-	-	12,000
F7011	Headington Environmental Improvements	Paul Leo	James Axford	On Target	-	28,425	31,917	(0)	(0)	-	28,425

Cost Centre	Capital Scheme	Director Responsible	Progress Update Provider	Risk Status	2020/21 Original Budget	Latest Budget	Spend to 31/12/2020	Forecast Variance	Forecast Variance due to Slippage	Forecast Over/Under Spend	2020/21 Forecast Outturn
					£	£	£	£	£	£	£
F7020	Work of Art Littlemore	Tom Bridgman	vacant	Completed	-	-	-	-	-	-	0
F7024	St Clements Environmental Improvements	Tom Bridgman	Lorraine Freeman	On Target	50,000	30,000	-	-	-	-	30,000
Development Directorate Total					47,407,447	7,605,658	2,313,518	92,281	(1,718)	93,999	7,697,939
Housing Directorate											
B0108	Floyds Row Refurbishment	0	Douglas Kerrigan	On Target	47,300	328,874	517,724	(7,439)	(41,400)	33,961	321,435
C3057	Housing System Replacement	Paul Leo	Dave Shaw	On Target	-	450,000	161,273	0		0	450,000
M5019	Purchase of Homeless Properties	Paul Leo	Dave Scholes	Completed	-	-	-	-	-	-	0
M5021	Equity Loan Scheme for Teachers	Paul Leo	Steve Northey	Completed	-	-	-	-	-	-	0
M5025	Barton Park - Purchase by Council	Paul Leo	Alan Wylde	On Target	9,869,000	5,976,854	3,481,035		-	-	5,976,854
M5026	Housing Company Loans (excl Barton Park)	Paul Leo	David Watt	On Target	16,595,316	17,901,237	12,236,579	-	-	-	17,901,237
M5032	Barton Park - loan to OCHL	Paul Leo	David Watt	On Target	9,869,000	5,976,854	3,484,036		-	-	5,976,854
M5033	Blackbird Leys Regeneration (GF Element)	0	Andrew Humpherson	On Target	-	107,858	-	-	-	-	107,858
M5034	Affordable Housing Supply	0	0	At Risk	-	3,000,000	-	(3,000,000)	(3,000,000)		0
M5035	William Morris Close OGD Payment		0	On Target	-	3,123,000	3,123,000	-	-		3,123,000
A4845	CCTV Suite Upgrade	Paul Leo	Richard Adams	On Target	80,000	60,000	1,322	(58,678)	(58,678)	-	1,322
E3511	Renovation Grants	Nadeem Murtuja	Becky Walker	On Target	15,000	16,319	9,398	-	-	-	16,319
E3521	Disabled Facilities Grants	Nadeem Murtuja	Becky Walker	On Target	1,200,000	1,200,000	665,661	-	-	-	1,200,000
Director of Housing (General Fund Projects)					37,675,616	38,140,996	23,680,027	(3,066,117)	(3,100,078)	33,961	35,074,879
Transition Director											
E3557	Oxford and Abingdon Flood Alleviation Scheme	Tim Sadler	Tina Mould	On Hold	-	-	(2,306)	-	-	-	0
E3558	Go Ultra Low Oxford - On Street	Tim Sadler	Tina Mould	On Target	530,021	577,886	21,603	-	-	-	577,886
E3560	Go Ultra Low Oxford - Taxis	Tim Sadler	Sarah Hassenpflug	On Target	106,968	317,060	9,239	0	0	-	317,060
E3561	Additional DFG Funding 2017/18	0	0	Closed	-	-	156	-	-	-	0
E3562	OxPops (Electric Vehicle Charging)	Tim Sadler	Rose Dickinson	On Target	-	12,698	6,349	(0)	(0)	-	12,698
E3563	Clean Bus Technology Grants	Tim Sadler	Mai Jarvis	On Target	-	1,081,795	517,445	-	-	-	1,081,795
E3564	Energy Superhub Oxford	0	0		-	-	-	-	-	-	0
R0005	MT Vehicles/Plant Replacement Programme.	Tim Sadler	Owain Pearce	On Target	3,265,350	3,750,318	1,557,944	-	-	-	3,750,318
R0010	Electric Vehicles	Tim Sadler	Owain Pearce	On Target	507,650	507,650	-	-	-	-	507,650
R0011	Grey Fleet	Tim Sadler	Owain Pearce and Suzanne	Closed	1,800,000	-	-	-	-	-	0
T2273	Car Parks Resurfacing	Tim Sadler	Jason Munro/ Suzanne	On Target	324,287	324,287	44,455	-	-	-	324,287
T2277	Food Waste Collection from Flats	0	0	Closed	-	-	-	-	-	-	0
T2287	Recycling Transfer Station	Tim Sadler	Oliver Hearn and Jane	On Hold	-	18,000	(4,970)	-	-	-	18,000
T2294	Pest Control Equipment	Tim Sadler	Ian Henwood	Completed	-	-	-	-	-	-	0
T2299	Controlled Parking Zones	Tim Sadler	Shaun Hatton	On Target	-	200,000	197,288	(150,000)	(150,000)	-	50,000
T2301	Depot Rationalisation	Tom Bridgman	Steven Clews, Oliver Hearn	On Target	2,153	500,000	-	-	-	-	500,000
T2302	Redbridge Parking	Tim Sadler	Steven Clews	On Hold	-	-	-	-	-	-	0
T2306	Mobile Working and Handhelds	Tim Sadler	Suzanne.White@odsgroup.c	On Target	15,000	140,778	-	0	0	-	140,778
T2307	Transformation Funding	Tim Sadler	Suzanne.White@odsgroup.c	On Target	400,000	216,867	-	(0)	-	(0)	216,867
T2308	Additional Technology Requirements	Tim Sadler	Suzanne White	On Target	1,200,000	468,000	-	-	-	-	468,000
Transition Director Total					8,151,429	8,115,339	2,347,203	(150,000)	(150,000)	(0)	7,965,339
General Fund Total					97,566,244	57,716,728	31,243,097	(3,094,054)	(3,251,796)	157,742	54,622,674
<u>Housing Revenue Account Capital Programme</u>											
N6384	Tower Blocks	Paul Leo	Darowen Jones	On Target	-	1,280,400	468,751	0	0	-	1,280,400

Cost Centre	Capital Scheme	Director Responsible	Progress Update Provider	Risk Status	2020/21 Original Budget	Latest Budget	Spend to 31/12/2020	Forecast Variance	Forecast Variance due to Slippage	Forecast Over/ Under Spend	2020/21 Forecast Outturn
					£	£	£	£	£	£	£
N6385	Adaptations for disabled	Paul Leo	Nick Brown	On Target	687,000	574,368	458,195	-	-	-	574,368
N6386	Structural	Paul Leo	Bill Chamberlain/ Nick	On Target	636,000	632,066	107,283	-	-	-	632,066
N6387	Controlled Entry	Paul Leo	Bill Chamberlain/ Nick	On Target	345,000	112,500	-	-	-	-	112,500
N6388	Major Voids	Paul Leo	Steve Carter/ Nick Brown	On Target	453,000	453,000	98,248	-	-	-	453,000
N6389	Damp-proof works (K&B)	Paul Leo	Chris Scott/ Nick Brown	On Target	117,000	107,000	60,153	-	-	-	107,000
N6390	Kitchens & Bathrooms	Paul Leo	Nick Brown	On Target	2,538,000	-	-	-	-	-	0
N7057	Kitchens	Paul Leo	Nick Brown	On Target	-	1,270,920	714,358	-	-	-	1,270,920
N7058	Bathrooms	0	Nick Brown	On Target	-	876,684	403,246	-	-	-	876,684
N6391	Heating	Paul Leo	Nick Brown	On Target	2,487,000	-	-	-	-	-	0
N6392	Roofing	Paul Leo	Gary Long/ Nick Brown	On Target	194,000	790,000	113,570	-	-	-	790,000
N6395	Electrics	Paul Leo	Nick Brown	On Target	629,000	557,984	448,464	-	-	-	557,984
N6434	Doors and Windows	Paul Leo	Gary Long/ Nick Brown	On Target	312,000	280,800	46,749	-	-	-	280,800
N7020	Extensions & Major Adaptions	Paul Leo	Nick Brown	On Target	265,000	869,610	483,389	-	-	-	869,610
N7026	Communal Areas	Paul Leo	Jonathan Stone/ Nick Brown	On Target	194,000	398,724	27,279	-	-	-	398,724
N7029	HCA New Build	0	0	On Target	-	-	-	-	-	-	0
N7031	Homes at Barton	0	0	Closed	-	-	-	-	-	-	0
N7032	Great Estates Programme	Paul Leo	Sue Briscoe/ Nick Brown	On Target	1,764,000	1,323,000	979,695	-	-	-	1,323,000
N7033	Energy Efficiency Initiatives	Paul Leo	Nick Brown	On Target	568,000	400,800	76,334	-	-	-	400,800
N7041	Electric Heating Conversion to Gas	0	0	Closed	-	-	-	-	-	-	0
N7042	Barton Regeneration	Paul Leo	Sue Briscoe	On Target	1,286,000	492,661	235,984		-	-	492,661
N7044	Lift Replacement Programme	Paul Leo	Nick Brown	On Target	-	157,500	2,260	-	-	-	157,500
N7046	Development at Mortimer Drive	Tom Bridgman	0	Closed	-	-	-	-	-	-	0
N7047	Social Rented Housing Acquisitions	Paul Leo	Dave Scholes	At Risk	10,298,000	12,447,000	6,406,683	(2,500,000)	(2,500,000)	-	9,947,000
N7048	Fire doors	Paul Leo	Chris Scott/ Nick Brown	On Target	424,000	424,000	60,088	-	-	-	424,000
N7049	Compulsory purchase of property	Paul Leo	Dave Scholes	Completed	-	0	-	-	-	-	0
N7050	East Oxford development	Paul Leo	Alan Wylde	On Target	3,533,000	-	3,975	-	-	-	0
N7051	Acquisition of Additional Units	Paul Leo	Dave Scholes	On Target	2,700,000	457,100	358,044	-	-	-	457,100
N7052	HRA Stock Condition Survey	Paul Leo	Nick Brown	On Target	-	(0)	23,049	-	-	-	(0)
N7053	Development Schemes	Paul Leo	Stephen Clarke	Closed	-	-	-	-	-	-	0
N7054	Properties Purchased From OCHL	0	0	On Target	11,600,000	1,297,854	-	-	-	-	1,297,854
N7055	Use Of Recycled Capital Grants	0	0	On Target	368,000	368,000	-	-	-	-	368,000
N7056	Affordable Housing Supply	0	0	Closed	3,000,000	-	876	-	-	-	0
N7059	Boilers Only	0	0	On Target	-	1,160,440	941,402		-	-	1,160,440
N7060	Heating Systems	0	0	On Target	-	516,624	155,540		-	-	516,624
N7061	Northfield Hostel	0	0	On Target	-	-	-		-	-	0
N7062	Lanham Way	0	0	On Target	-	-	-		-	-	0
N7064	Unallocated Site 1	0	0	On Target	-	-	-		-	-	0
N7065	Unallocated Site 2	0	0	On Target	-	-	-		-	-	0
N7066	Next Steps Accommodation Programme	0	0	On Target	-	1,195,750	-	-	-	-	1,195,750
N7040	Blackbird Leys Regeneration	Tom Bridgman	Andrew Humpherson	On Target	605,000	84,000	15,238	-	-	-	84,000
Housing Revenue Account Total					45,003,000	28,528,784	12,688,853	(2,500,000)	(2,500,000)	-	26,028,785
Grand Total					142,569,244	86,245,512	43,931,950	(5,594,054)	(5,751,795)	157,742	80,651,459

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Appendix D

Income Source	Budgeted income 2020- 21 £	Actual Cash collected Q1 £	Actual Cash collected Q2 £	Actual Cash collected Q3 £	Total Cash collected 2020- 21 £	Profiled income £	Percentage of profile collected %
Services							
Off-street car parking	6,648,048	69,678	278,358	417,414	765,450	4,986,036	15%
Planning	1,763,705	329,942	303,590	376,653	1,010,184	1,322,779	76%
Building control	468,000	83,009	100,026	79,897	262,933	351,000	75%
Leisure service payments from leisure providers	476,500	0	0	30,521	30,521	357,375	9%
Community Centre Income	409,523	36,940	25,361	-21,387	40,915	307,142	13%
Land Charges	213,050	31,679	49,794	71,264	152,737	159,788	96%
Licensing - General	-1,225,750	211,988	270,757	227,282	710,027	-919,313	-77%
Licensing - Taxi	360,000	52,017	100,626	92,949	245,592	270,000	91%
Property rental	10,188,000	2,520,322	2,671,146	2,878,208	8,069,676	7,641,000	106%
Investment interest	1,799,905	329,601	290,784	194,640	815,025	1,349,929	60%
Town Hall Civic Management	1,008,000	53,285	33,426	66,413	153,124	756,000	20%
Markets	1,117,000	6,501	329,160	275,295	610,956	837,750	73%
Museums	51,750	143	572	100	815	38,813	2%
Events	130,000	2,700	2,700	4,050	9,450	97,500	10%
Garage rents	1,148,850	266,956	251,404	271,792	790,152	861,638	92%
Sub total	24,556,581	3,994,759	4,707,705	4,965,091	13,667,555	18,417,436	74%
Business Rates	53,916,466	15,168,560	13,280,940	14,219,942	42,669,442	40,437,350	106%
Council Tax	94,759,524	28,150,597	25,549,127	25,849,617	79,549,341	71,069,643	112%
Collection Fund sub total	148,675,990	43,319,157	38,830,067	40,069,559	122,218,783	111,506,993	110%
Housing							
	44,471,671	10,726,282	11,002,006	11,163,081	32,891,369	33,353,753	99%
Grand Total	217,704,242	58,040,198	54,539,778	56,197,731	168,777,707	163,278,182	103%

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To: Cabinet
Date: 10 March 2021
Report of: Head of Financial Services
Title of Report: Approval to write-off a debt of over £100k

Summary and recommendations	
Purpose of report:	To approve the write-off of a debt of £213,810.60
Key decision:	No
Cabinet Member:	Councillor Nigel Chapman, Cabinet Member for Customer Focussed Services
Corporate Priority:	All
Policy Framework:	Budget
Recommendation: That Cabinet resolves to:	
1. Approve the write-off of the debt	

Appendices	
Appendix 1	What is a Company Voluntary Arrangement?
Appendix 2	Description of a Category 4 Lease

Introduction

1. The Cabinet is requested to consider writing off an outstanding debt in relation to National Non-Domestic Rates ("NNDR", also known as Business Rates). Cabinet approval is needed for writing off debts in excess of £100k, in accordance with paragraph 18.20 (d) of the Councils Constitution.

Background Information

2. Debenhams PLC had been struggling for some time financially and had tried many options to improve its profitability, having previously taken out bridging loans to support the company. Due to the current changes experienced in the retail sector and the costs associated with having big stores, including commercial rent and NNDR, the company failed to improve its financial situation. On the 9 April 2019 Debenhams PLC went into administration.

3. As part of the administration process there was a “pre-pack administration” sale to Debenhams Retail Limited which took over the Oxford store from 9 April 2019. A pre-pack administration allows for the sale of a business as a going concern without impacting on the continuity of business operations upon appointment of an administrator.

Debenhams Retail Limited

4. The NNDR charge for the Oxford Debenhams store from 9 April 2019 to 31 March 2020 was £430,396.72. The Council has received nine payments totalling 216,586.12 reducing the balance outstanding for this period to £213,810.60. The last payment was made on the 28th February 2020.
5. Debenhams Retail Limited proposed a Company Voluntary Arrangement (“CVA” - please see Appendix 1). This proposal was accepted by a majority of its creditors although the Council voted against acceptance of this request. The reason for the decision to reject the CVA was the financial implications to the Council of non-payment of the NNDR arrears owed to the Council, however, some payments were received in any event.

CVA reason and Implications to the Council

6. The reason for the CVA and the importance of the CVA for Debenhams Retail Limited was to allow the company to re-finance and to allow a reduction in property rent and to break leases on stores that were loss making. If the CVA was not granted Debenhams Retail Limited would have lost its new finance which had been granted contingent on the CVA
7. The objectives for the CVA for Debenhams Retail Limited, as contained in the CVA Proposals, were :
 - effecting rent reductions across a group of stores that are not viable at current rent levels;
 - increasing the optionality and agility of the Company to optimise the store estate by including certain mutual break rights;
 - moving rents and other lease payments to monthly (rather than quarterly) to improve the Company’s ongoing working capital requirements;
 - exiting a number of stores that cannot be made viable even with long-term rent reductions
8. Although the store in Oxford was eventually forced to close, without the CVA it is unlikely that the Council would have received the £216,586.12 for outstanding NNDR that was paid while the store remained open and the store employees benefited from the extra time to look for alternative employment.
9. Within the proposal for the CVA the leases for the properties operated by Debenhams Retail Limited were categorised. The store in Oxford was made a Category 4 lease, the details of which are contained in Appendix 2.

NNDR under a Category 4 Lease

10. The NNDR due to be paid to the relevant Rating Authority for each property in Category 4 is 50% of the Contractual Rating Liability from the Effective Date of the CVA (9th May 2019) until the earlier of (i) the date the relevant lease expires or is otherwise determined and (ii) the expiry of the Current Business Rates Year. The obligation on Debenhams Retail Limited to make payments referred to in the CVA will be accepted in full and final satisfaction of any liability for that year.

Financial implications

11. As a result of the CVA the Council will need to write off £213,810.60 as the CVA has been approved and therefore the Council has no further options in regards to collecting the debt.
12. Write offs contribute towards collection fund deficits and so this write off will worsen the balance on the collection fund by the amount of the write off. Normally deficits are charged to revenue in one year, however due to the COVID-19 pandemic, collection fund deficit phasing regulations have been put in place by the Government allowing the spread of deficits arising in 2020/21 over three financial years from 2021/22 to 2023/24.
13. Under Business Rates Retention rules, the Council will suffer a direct loss of 40% amounting to £85,524.24, with the remaining balance shared between Oxfordshire County Council and the Government on a 50%/10% basis respectively.

Legal issues

14. The Council's Constitution allows the Head of Financial Services to authorise write offs relating to debts up to £100k under his delegated powers. Write offs for debts in excess of this amount require authorisation by the Cabinet.

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Background Papers: None

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What is a Company Voluntary Arrangement (CVA)?

A CVA is a procedure under the Insolvency Act which allows a company to come to an arrangement with its creditors over the payment of its debts. To become effective, the CVA Proposal requires the approval of 75% or more in value of a company's creditors voting on the proposal.

However, the CVA Proposal will not be approved if more than 50% of the total value of the unconnected creditors vote against it.

If a CVA is validly approved, it will bind all creditors who were entitled to vote on the CVA (whether or not they so voted) or would have been so entitled had they received notice of it. This means that whether or not the Council agrees or disagrees with the terms in the CVA, if it is approved then the Council is bound by the terms of the CVA

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Appendix 2

Description of a Category 4 Lease

“Stores demised under a Category 4 Lease are materially underperforming from a financial perspective and the long term viability of these stores is questionable without immediate rental reduction. These stores tend to be in smaller, weaker retail centres that have been or will be materially affected by structural changes in the retail environment. Some stores have above market rents and/or contain onerous lease provisions that may affect the leases future performance. The Directors therefore consider an immediate rent reduction of 50% necessary, combined with insertion of break rights and monthly payments, combined with a renegotiation of certain terms of the Category 4 Lease to provide greater flexibility going forwards.”

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To: Cabinet

Date: 10 March 2021

Report of: Executive Director - Development

Title of Report: Approval of additional loan finance to Oxford West End Development (OxWED) to support the redevelopment of Oxpens

Summary and recommendations	
Purpose of report:	The approval of additional loan finance, of up to £1m, to Oxford West End Development (OxWED) to support the preparation and submission of an Outline Planning Application and associated site preparation & promotion works.
Key decision:	Yes
Cabinet Members:	Councillor Ed Turner, Deputy Leader and Cabinet Member for Finance and Asset Management Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery
Corporate Priority:	Enable an inclusive economy; Deliver more, affordable housing; Support thriving communities; and Pursue a zero carbon Oxford
Policy Framework:	Oxford Local Plan 2016-2036
Recommendations: That Cabinet resolves to:	
1. Agree, in line with the 21/22 Budget, approved by Council, to provide Oxford West End Development (OxWED) with a loan facility of up to £1m, subject to the OxWED Shareholders approval and Nuffield College providing the same level of facility; 2. Delegate the agreement of terms and draw down of the loan to the Head of Finance, in consultation with the Cabinet Member for Finance and Asset Management; and 3. Agree, in line with the 21/22 Budget, approved by Council, to provide up to £150k (revenue) from the reserve, for costs associated with a review of the OxWED company structure, and the implementation of any associated changes subsequently approved by the Shareholder.	

Appendices	
Appendix 1	Additional officer advice – Confidential
Appendix 2	OxWED Stage 1 report - Confidential
Appendix 3	Independent review of OxWED Stage 1 report – Confidential

Introduction and background

1. Further to the (then) City Executive Board's (CEB) approval in January 2016, the Council entered into a joint venture with Nuffield College and formed a new company, Oxford West End Development Ltd (OxWED) on the 18 January 2016. The aim of the company is to work together to bring forward development that is both commercially viable and socially beneficial in the West End of Oxford. The City Council and Nuffield College both have a 50% share of the company.
2. In February 2016, OxWED purchased freehold land on the Oxpens site from London & Continental Railways, which was added to by adjoining freehold land from Oxford City Council in November 2018, thus ensuring the viability of the site for future development.
3. Oxpens sits within the Area of Change (AOC1) – West End and Osney Mead in the City Council's adopted Local Plan 2016-2036 and is an allocated site for mixed used development.
4. In late 2017 OxWED launched a procurement exercise to identify a developer to take forward the redevelopment of the Oxpens site. In early 2020, the OxWED Directors, in consultation with the company's Shareholders decided to conclude the procurement exercise without selecting a developer. This was because it was not possible to agree suitable terms that supported OxWED's objectives. While unfortunate, this is not uncommon, and given the importance of the site to the city and both partners, was the appropriate course of action.
5. Since then, OxWED has significantly strengthen its Board and Executive and in June 2020, the City Council and Nuffield College subsequently agreed to lend OxWED £500k each (£1m in total) to undertake further masterplanning, infrastructure, planning, viability and deliverability work. This work was to inform options and a decision by OxWED, and its joint venture partners, about the appropriate next steps in realising and maximising the development potential of the site. This "Stage 1" report represent the conclusion of this stage of work and provides the basis for the recommendations in this Cabinet Report. It is included as a confidential appendix to this report, alongside key support technical documents.
6. The OxWED City Council Shareholder is made up of the 10 City Council Cabinet members. A Shareholder and Joint Venture Group provides the governance and decision making for all the City Council's companies, including OxWED. Earlier on March 10th, this group will consider a report from the OxWED Board seeking approval to progress and to request funds from both Nuffield College and the City Council in order to do so. This report to Cabinet therefore focuses on the subsequent decision that the City Council itself then needs to make in terms of

providing OxWED with access to its share of these funds. The Nuffield College Shareholder is meeting separately to make its decision regard the loan to OxWED.

Proposals

7. As part of the Stage 1 work, OxWED has assembled a world class multidisciplinary team, led by architects and masterplanners, Hawkins/Brown, and including landscape architects, Gillespies, and planning agents, Prior & Partners. BDP and more recently Elementa have been providing input on sustainability, whilst a number of local firms have been working on the project, including AKSWard and Glanville.
8. OxWED and its professional team has produced an initial masterplan to inform the planning strategy and the delivery and viability assessments needed to inform the Stage 1 recommendations. This work has been subject to pre-application advice from the Planning Service and a workshop with the Oxford Design Review Panel. The intention is that the masterplan will form the basis of stakeholder and public engagement in the summer of 2021.
9. While indicative at this stage and subject to further work, viability testing and a ultimately the grant of planning permission, the masterplan demonstrates that the 6 hectare site has huge potential. The mix and quantum of uses has not been agreed, and is subject to further design, planning and delivery considerations. However, the work to date demonstrate capacity for 120,000 sq. m. of mixed-use development, including nearly 70,000 sq. m. of commercial floorspace (which could include space for the science and tech sectors, as well as a hotel, and could support well over 3,000 jobs), together with around 450 dwellings. The expectation is that the residential mix will be brought forward in a policy complaint way, with a range of housing types (including market and affordable housing, alongside potential other uses such as student and later living) to create a multi-generation, mixed tenure community.
10. Based on the advice from OxWED Board and its professional team, the recommendation to the Joint Venture Shareholders of OxWED is for the company to proceed with the preparation and submission of its own outline planning application and associated site preparation & promotion work, rather than seek a development partner at this stage. As noted above, both the Nuffield College and City Council Shareholders of OxWED are meeting separately, prior to the City Council cabinet meeting, to consider this recommendation and, if approved, to confirm their agreement for OxWED to secure additional funds from each of the Joint Venture partners.
11. This recommended approach will maintain momentum, retain control over the scheme during this next critical stage and maximise the opportunity for adding further value and reducing risk, so that when OxWED does bring the site to the market, its requirements will have been fully articulated in the form of an outline planning permission and we will have reduced risk and therefore cost and value uncertainty.
12. This strategy will also give OxWED the opportunity to be at the forefront of defining and driving a joined-up approach and vision for achieving a genuinely mixed use development on the site. This includes informing the upcoming West End and Osney Mead Supplementary Planning Document (SPD); the in development Oxford Railway Station Masterplan; the Oxford West End Innovation District, a priority

project within Oxfordshire's Local Industrial Strategy [Investment Plan](#); and responding to the climate emergency. This approach will also help OxWED to capitalise on the opportunities arising from the success of the Oxford vaccine and from demand for science and innovation space in Oxford. It also makes sense for OxWED, rather than a third-party developer, to help coordinate work on the new Osney Mead Pedestrian and Cycle bridge, planned to the south of the site, which is being funded and delivered by the City Council. This will help expedite delivery of this key piece of infrastructure and ensure it is not delayed by the process of OxWED seeking a development partner.

13. OxWED has taken professional advice in making this decision and in establishing a financial envelope to cover the costs it will need to incur for this next stage of work. The detail of this budget is set out in Confidential Appendix 2, and totals £2.65m. As OxWED currently receives rent from its tenants on the Oxpens site, and has not utilised all funds from the previous loan, the requirement for further borrowing from the Joint Venture partners is to create a facility of up to £2m (or £1m each from the City Council and Nuffield College).
14. Given the commercial nature of the project, the detailed rationale and supporting information for the recommendations set out in this report, and the budget, is included in confidential appendices.

Programme

15. Following more work on viability and delivery with the professional advisors, OxWED expects to seek further approval from Shareholders in late 2021/early 2022. This will cover the possible delivery options for generating a return from the site, and getting the scheme built. In addition, should an outline planning application be secured, a draft business plan will also be presented to shareholders for approval on this basis. A submission of the planning application is currently programme for early 2022.

Other implications

16. The next stage of work leading up to an outline planning application will involve significant levels of stakeholder and public engagement. The intention is that the first stage of this will be in the summer of 2021. At this point a more detailed programme and strategy for consultation and engagement will be produced. This will ensure that local communities, alongside harder to reach groups, are engaged in the process and OxWED will work closely with the City Council Localities and Communities teams as part of this process.
17. The current masterplan, costs and viability work is based on delivering a scheme that is policy compliant with the new Oxford Local Plan, and so seeks to deliver standards that are at least 40% better in terms of carbon reduction than current Building Regulation for the residential buildings, with the offices achieving BREEAM Excellent. While the scheme is not in the total control of Oxford City Council, both Joint Venture partners are aligned on the need to explore the opportunity to go further, subject to feasibility and viability. As such, environmental sustainability will be a key focus during this next stage of work.

Financial implications

18. The OxWED Shareholder Agreement sets out the basis on which the two Joint Venture Partners can loan funds to the company. This is based on a 6% p.a. interest rate and that both Joint Venture partners must invest equal amounts.
19. To date OxWED has received loans totally £22.5m (i.e. £11.25m each from the City Council and Nuffield College). This includes £10.6m for land purchases and £0.65m in professional fees. Accrued interest to date for the City Council on such loans is around at £2.3 million.
20. The rationale for further investment by both Joint Venture partners and the associated risks and their mitigations are set out within Confidential Appendix 2.
21. The City Council has appointed independent commercial advisors, Montague Evans, to review OxWED's "Stage 1" report and its supporting technical information. They have confirmed that the approach being recommended is reasonable and appropriate. Their report is included as Confidential Appendix 3.
22. There is also an identified need to undertake a review of the OxWED company structure, which will be undertaken jointly by both Nuffield College and the City Council. An allocation of £150k is requested and a note setting out the rationale for this is included in the Confidential Appendix 1 to this report.

Legal issues

23. The Cabinet is being recommended to make a loan to OxWED as set out in the report. The power for a Local Authority to make a loan would be governed by section 111 *Local Government Act 1972* which provides that a Local Authority shall have the power to do anything whether or not involving the lending of money or the acquisition or disposal of any property which is calculated to facilitate or is conducive or incidental to the discharge of any of their functions.
24. Further, section 12 *Local Government Act 2003* provides the Cabinet with the power to invest in OxWED for any purpose relevant to its functions which in this case would be for economic development and regeneration and section 120(b) *Local Government Act 1972* confirms that the Local Authority may invest as such investment is for the benefit, improvement or development of the area of the City of Oxford.
25. Further capital sums are recommended to be released for professional fees associated with the project which will include specialist legal and tax advice in respect of the vehicle of the corporate Joint Venture with Nuffield College. In particular the law has been clarified by the High Court in 2018 around the opportunities for Local Authorities to form Limited Liability Partnerships, and it would be prudent to review the existing corporate vehicle for this joint venture to ensure it is fit for purpose and maximises tax and governance opportunities for the Council, and its partner.
26. Decisions relating to the Council's joint ventures are deemed to be Executive functions in accordance with the Local Authorities (Functions and Responsibilities) Regulations 2000 and therefore this decision, subject to budget approval of the Council, is within the remit of the Cabinet.

Level of risk

27. The risks for this project are commercial sensitive and are included within Confidential Appendix 2.

Equalities impact

28. There are no equalities impact associated with the decision to loan further money to OxWED. However, as part of Stage 2 OxWED will undertake an Equalities Impact Assessment and engage with relevant equalities groups to inform the design and delivery process.

Report author	Tom Bridgman
Job title	Executive Director – Development
Service area or department	Development
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Background Papers: None

Remote meeting

Minutes of a meeting of the Cabinet on Wednesday 10 February 2021

www.oxford.gov.uk



Committee members present:

Councillor Brown (Chair)

Councillor Hayes (Deputy Leader)

Councillor Clarkson

Councillor Rowley

Councillor Tidball

Councillor Turner (Deputy Leader)

Councillor Chapman

Councillor Hollingsworth

Councillor Linda Smith

Councillor Upton

Also present:

Councillor Andrew Gant

Councillor James Fry

Officers present for all or part of the meeting:

Gordon Mitchell, Chief Executive

Caroline Green, Assistant Chief Executive

Tom Bridgman, Executive Director (Development)

Paul Leo, Interim Director of Housing

Nadeem Murtuja, Interim Executive Director for Communities

Tim Sadler, Transition Director / Chairman Direct Services Companies

Helen Bishop, Head of Business Improvement

Nigel Kennedy, Head of Financial Services

Susan Sale, Monitoring Officer and Head of Law & Governance

Mish Tullar, Corporate Policy, Partnership and Communications Manager

Laura Bessell, Benefits Manager

Tanya Bandekar, Service Manager Revenue & Benefits

Tom Hudson, Scrutiny Officer

Tim Martin, OCHL project team

John Mitchell, Committee and Member Services Officer

Apologies:

None.

134. Declarations of Interest

None.

135. Addresses and Questions by Members of the Public

None.

136. Councillor Addresses on any item for decision on the Board's agenda

None.

137. Councillor Addresses on Neighbourhood Issues

None.

138. Items raised by Board Members

None.

139. Scrutiny Committee Reports

Cllr Gant spoke to the Scrutiny recommendations on the Zero Carbon report. None of the five recommendations had been agreed but he suggested it would be helpful to briefly rehearse the Committee's thinking behind them. The first recommendation revolved around terminology. The Committee's view was that the step change from seeking to lower carbon emissions to eliminating them altogether warranted a reappraisal of the language used to ensure that the correct and widely understood terminology was used. The response had been that it was appropriate, for a number of reasons, to maintain the existing metrics. The second recommendation argued for an independent audit of the annual Greenhouse Gas report, simply as a matter of good governance. The response that sufficient assurance mechanisms were already in place was fair. The response to the third recommendation that the Council undertakes a carbon cost-benefit analysis was that this was already undertaken so it was curious that it was "not agreed". The response to the fourth recommendation that the Council should integrate its own strategy into that of the wider City was also "not agreed" despite the fact that this was already said to be in hand. The fifth recommendation that the Council introduces environmental impact assessments into its standard Cabinet report template was also not agreed despite being said to be work in progress. He concluded by noting that it would be helpful if he could report back to the Committee on progress with a City wide carbon reduction plan in due course.

Cllr Tom Hayes, Cabinet Member for Green Transport and Zero Carbon Oxford, thanked Cllr Gant and the Committee for what had been a helpful and robust discussion. In relation to the responses given to the recommendations he noted that they were broadly representative of those which had been given in the Committee meeting.

In relation to a City wide carbon reduction plan, the City's first Zero Carbon Summit had been held the previous week, involving major employers and partners. This had agreed the technically possible but challenging target of becoming a zero carbon city by 2040. He would be happy to update the Committee, via Cllr Gant, with more details as they emerged. In relation to environmental impact assessments for Cabinet reports, the work underway included the need to ensure that officers had the means to provide assessments which were meaningful.

Cllr James Fry, spoke to the Budget Review Group's report, noting that its work had been particularly challenging given the present financial environment. He drew attention to just a few of the Group's many recommendations. The Covered Market was a significant and important heritage asset for the Council. Clarity about the costs and

revenue associated with it would be helpful. Also in relation to the Covered Market there would be merit in accessing the necessary heritage expertise to ensure the soundness of decisions made in relation to it. The Group was concerned at the focus on commercial property investments and there may be merit in others which might be less risky, such as renewable energy. In relation to commercial property, the Group thought there should be greater focus on those assets close to and already owned by and well known to the Council. Social Impact bonds should be subject to clear assessments to ensure that their social impacts are closely aligned to the Council's responsibilities .

The Group was concerned about the reduced level of contingency and to what extent the reserves which might need to be called upon were already earmarked. Finally, in the present environment, there would be merit in having a formal mid-year budget.

The Chair added her thanks to the valuable and detailed approach of the Review Group, noting that the majority of its 24 recommendations had been agreed in whole or in part.

Councillor Ed Turner, Cabinet Member for Finance & Asset Management, paid tribute to the work of the Review Group, the challenge it provided was an important part of the Council's budget setting process. He added that there was no reason why there should not be continuing dialogue over some of the matters which had been raised.

Responding to the points raised by Cllr Fry, he agreed that there was merit in being able to look at the finances surrounding the Covered Market in the round. By no means all Council investment was in commercial property, the biggest area of investment and development, for example, being in housing. The changes in PWLB criteria facilitate investment in properties for regeneration which, in practice, means properties in the City but this would not represent the full extent of the Council's investment in regeneration. If the financial position develops more favourably than anticipated, the Group had suggested that there would be merit in restoring cuts to grants. This understandable wish would have to be balanced against its other recommendation that the Council's diminished reserves should be replenished, notwithstanding the Council's continuing recognition of the importance of the grants scheme. There were however other ways in which some organisations supported by Council grants could access financial support and these would be explored. The desirability of a greater level of contingency was well understood but, in the present climate, could only be addressed at the present time by re-allocating reserves, whether earmarked or not or by making further savings and there seemed to be no appetite or proposals for the latter. He was uneasy about the recommendation for a mid-year budget. Budget updates were already provided regularly and changes were made as and when necessary. A full scale mid-year budget process was likely to have consequences for organisational stability and to be unnecessarily burdensome. It was important that there should be a robust reporting regime together with deft responses to changing circumstances and these were in place. Finally he noted that a fuller response would be provided to recommendation 24 than that shown in the report.

Cllr Mary Clarkson, Cabinet Member for City Centre, Covered Market and Culture, confirmed that appropriate expertise was being sought in relation to development of the Covered Market.

140. Budget 2021-22

The Head of Financial Services had submitted a report to present the outcome of the budget consultation and agree the Council's Medium Term Financial Strategy for 2022-23 to 2024-25 and 2021-22 Budget for recommendation to Council.

Councillor Ed Turner, Cabinet Member for Finance & Asset Management, introduced the report by thanking all those who had contributed to the budget consultation and to the officers for pulling together the proposals now before Cabinet. While there were, inevitably, some unwelcome proposals, the people of Oxford should not experience too much pain as a result of this budget, despite the very great pain felt by so many as a result of the current pandemic and the considerable consequences of it for the Council. This position is mostly attributable to having drawn heavily on the Council's reserves. It was a matter of very deep disappointment that the Government was failing to deliver on its promise of financial support for the consequences of the pandemic, to the tune of over £10m. Despite this, it had been possible, with the use of reserves, by working as efficiently as possible and making some difficult decisions, to assemble a balanced budget. It should also be noted that a one off non-consolidated pay deal for was very helpful in the present climate and illustrated the positive partnership approach with staff colleagues. He drew attention to an addendum which had been published in relation to fees for Café pavement licences, noting that it would be important to monitor the position in September when the more generous temporary Government scheme for pavement licences was due to come to an end.

Tom Bridgman, Executive Director for Development, drew attention to recommendation h) of the report, which sought an additional loan facility to OxWED. He requested that this recommendation be amended to allow for a further £150k of revenue, from reserves, to be allocated in the 21/22 budget, to support a review of OxWED's company structure. As with the loan facility, this new allocation would be subject to a further Cabinet decision, expected in March.

Nigel Kennedy, Head of Financial Services, reaffirmed the particularly challenging nature of this year's budget setting process. Action taken over the last several months to reset this year's budget had contributed to the ability to propose a balanced budget for next year. The absence of promised Government support had presented the biggest challenge. The use of £11m of reserves represented a 30% reduction of available reserves and balances. There may be subsequent consequences for work which had been relying on earmarked reserves. Taken together the, Council's financial resilience had inevitably been compromised.

The Chair expressed great dismay at the wholly inadequate financial support from Government and paid tribute to all those involved in preparing such a particularly challenging budget.

Cabinet resolved to agree the amendments to the Consultation Budget and recommend that Council resolves to:

Approve the 2021-22 General Fund and Housing Revenue Account budgets and the General Fund and Housing Revenue Account Medium Term Financial Plan as set out in Appendices 1-10, noting:

- (a) the Council's General Fund Budget Requirement of £23.648 million for 2021/22 and an increase in the Band D Council Tax of 1.99% or £6.25 per annum representing a Band D Council Tax of £320.17 per annum

- (b) the Housing Revenue Account budget for 2021/22 of £46.649 million and an increase of 1.50% (£1.57 per week) in social dwelling rents from 1 April 2021 giving a revised weekly average social rent of £105.32 as set out in Appendix 5
- (c) the intention to consult Council house tenants on the setting of the initial rent on all new social housing at 5% above the formula rent whilst applying formula rent to any new builds let prior to the end of the consultation period as indicated in paragraph (paragraphs 38- 45).
- (d) the General Fund and Housing Revenue Account Capital Programme as shown in Appendix 6.
- (e) the changes to fees and charges shown in Appendix 7
- (f) the delegation to the Section 151 Officer in consultation with the Cabinet Member for Finance and Assets the decision to determine whether it is financially advantageous for the Council to enter into a Business Rates Distribution Agreement as referred to in paragraphs 13-15 below.
- (g) the payment into the County Council Pension Fund of £5 million as referred to in the Consultation Budget and paragraph 20
- (h) the inclusion of an additional loan facility of up to £1million on terms to be agreed by the Head of Financial Services, subject to the consideration and agreement of the Shareholder and Joint Venture Group (SHJVG) and Cabinet of report to Cabinet in March 2021 as referred to in paragraph 55 and a further £150k of revenue, from reserves, to be allocated in the 21/22 budget.

141.Capital Strategy 2021-22

The Head of Financial Services had submitted a report to present the Capital Strategy for approval.

Councillor Ed Turner, Cabinet Member for Finance & Asset Management, introduced the report which set out a clear summary of the processes involved and which should, in turn, provide a robust route from inception to delivery of capital projects.

Cabinet resolved to:

1. **Recommend** that Council approves:

The Capital Strategy attached at Appendix A of the report.

142.Treasury Management Strategy 2021/22

The Head of Financial Services had submitted a report to present the Council's Treasury Management Strategy for 2021/22 together with the Prudential Indicators for 2021/22 to 2024/25.

Councillor Ed Turner, Cabinet Member for Finance & Asset Management, introduced the report. At a time of very low interest rates this was a challenging area but one in relation to which, at the moment, there were no proposals for change.

That Cabinet resolved to:

Recommend that Council approves:

1. The Treasury Management Strategy 2021/22 as set out in paragraphs 19 to 62 and the Prudential Indicators for 2021/22 – 2024/25 as set out in Appendix 2;
2. The Borrowing Strategy at paragraphs 27 to 38;
3. The Minimum Revenue Provision (MRP) Statement at paragraphs 39 to 41 which sets out the Council's policy on charging borrowing to the revenue account; and
4. The Investment Strategy for 2021/22 and investment criteria as set out in paragraphs 42 to 62 and Appendix 1.

143. Council tax reduction scheme 2021/2022

The Head of Financial Services had submitted a report to consider the feedback from the recent consultation on the proposed changes to the 2021/22 Council Tax Reduction Scheme and to agree the principles of the new scheme to be drawn up for approval by Council.

Councillor Marie Tidball, Cabinet Member for Supporting Local Communities, introduced the report which set out proposals for the following year's Council Tax Reduction Scheme, following consultation. The Council was one of only 30 in England which continued to provide 100% Council Tax reduction. This was something which the Council was keen to maintain and had been reflected by responses to the consultation too. She outlined the major changes to the scheme as set out in the report. There had been over 400 responses to the consultation, significantly more than in previous years. A hardship fund was proposed to compensate for any unforeseen impacts of the changes although modelling the scheme had given confidence that these would be minimal.

The Chair confirmed the importance of the scheme for the Council and the significant level of response suggested the recognition of its importance to the people of Oxford.

That Cabinet resolved to:

1. **Note** the outcome of the consultation on the proposed Council Tax Reduction Scheme;
2. **Delegate** authority to the Head of Financial Services to draft the details of the new Council Tax Reduction Scheme for 2021/22 in accordance with paragraphs 10-14 of this report; and
3. **Recommend Council** to resolve to adopt the new Local Council Tax Reduction Scheme for 2021/22 taking into account the changes to the income bandings as highlighted in paragraphs 11-16, and moving to an Income banded scheme for all CTR claimants.

144. Zero Carbon Council by 2030: 4th carbon management plan 2021/22 to 2029/30

The Transition Director had submitted a report to which outlines how the Council will meet its goal to become a Zero Carbon Council by 2030 or sooner. This route map supports the Council's Zero Carbon City goal by demonstrating bold action and leadership within the city on climate change.

Councillor Tom Hayes, Cabinet Member for Green Transport and Zero Carbon Oxford, introduced the report. The title of plan before Cabinet didn't perhaps reflect the significant change from the aspiration of previous iterations of the plan to manage carbon emissions to the elimination of it. The purpose of this report and plan were to meet expectations flowing from the Council's declaration of a climate emergency and the subsequent Citizen's Assembly which gave the clear message that the Council should proceed further and faster than Government requirements in relation to carbon reduction. Officers had worked hard in recent months to produce the robust and credible plan now before Cabinet. Achievement of the ambition would be challenging, not least because of a significant funding gap in the proposals. There was however confidence in being able to attract sufficient external funding over the life of the plan. The plan represented a significant increase in the Council's ambition, seeking to reduce carbon emissions by 10% per annum compared with the current target of 5%. The previous week's Zero Carbon Summit mentioned earlier in the meeting had demonstrated the Council's capacity to influence and lead by example. The Council was responsible for just 1% of carbon emissions in the City but that was too much and the plan was the response to that.

The Chair welcomed the report which addressed such a significant issue of relevance to everyone.

Cabinet resolved to:

1. **Adopt the Zero Carbon Council by 2030: 4th Carbon Management Plan, 2021/22 to 2029/30** at Appendix 1, which outlines how the Council will achieve its goal of zero carbon emissions across its estate and operations by 2030. This is in line with the commitment made by the Cabinet on 19 December 2019 in response to Oxford's Citizens' Assembly on Climate Change;
2. **Note** the anticipated shortfall in funding and resources to deliver the Carbon Council by 2030: 4th Carbon Management Plan, 2021/22 to 2029/30, in the context of the challenging financial situation the Council faces due to COVID-19. The Council will need to make bids for external capital funding, additional match funding and support/grants to fund carbon reduction measures across its estate and operation;
3. **Note** that many of the "easy to achieve" carbon reduction measures have now been delivered, with a focus now needed on addressing difficult areas of decarbonisation such as of heat, particularly in relation to leisure centres; and
4. **Note** that every Council service area, all council members, teams, and members of staff have an active role to play in delivering the Zero Carbon Council by 2030: 4th Carbon Management Plan, 2021/22 to 2029/30.

145. Programme approval and allocation for Public Sector Decarbonisation Funding

The Transition Director had submitted a report to seek programme approval and delegations to enable capital grant spend of Public Sector Decarbonisation Funding for provision of heat pumps, thermal storage and battery storage at Oxford City Council sites and development of renewable energy to power to reduce council carbon emissions. To delegate officers to enter into funding and other necessary agreement for the purpose of delivery of decarbonisation projects through this programme.

Councillor Tom Hayes, Cabinet Member for Green Transport and Zero Carbon Oxford, introduced the report. The Government had, at very short notice, given authorities the opportunity to bid for funding to assist with decarbonisation programmes. The Council's successful bid for nearly £11m to assist with specific projects was very welcome, and began to address the funding gap mentioned in relation to the previous item. There would be regular updates on progress. The Transition Director noted that Heat Pumps would be central to the success of these projects and an eye was being kept on their availability as there were suggestions that they might be in short supply. The projects would be overseen and delivered by a multi-disciplinary team.

The Chair noted that the recommendation should be amended to include reference, also, to the Cabinet Member for Leisure and Parks, given the nature of the projects proposed.

Cabinet resolved to:

1. **Give programme approval** to the development of the decarbonisation proposals, to accept and ratify funding agreements to further reduce the Council's carbon emissions; and any other necessary agreements or contract, as set out in this report for prospective sites at Hinksey Pool, Town Hall, Ice Rink, Leys Leisure Centre, Barton Leisure Centre and Rose Hill Community Centre;
2. **Delegate authority** to the Transition Director, in consultation with the Cabinet Member for Zero Carbon Oxford; the Cabinet Member for Leisure and Parks; the Head of Financial Services/Section 151 Officer; and the Councils Monitoring Officer, to commence expenditure to carry out the work to develop proposals for funding and subject to their satisfactory conclusion, enter into funding and other necessary agreements, including construction contracts, for the purpose of development and delivery of decarbonisation projects across Oxford City Council estate;
3. **Recommend to Council** the allocation of a capital budget of £10.923 million;
4. **Note:** the programme management arrangements as set out in the report and the workload prioritisation implications for the Carbon Reduction Team; and
5. **Note** that a further report on the arrangements for securing the local renewable energy source and the developed proposals will follow in due course.

146. Housing and Asset Management System Project Update and Funding Position

The Head of Housing Services and Head of Financial Services have submitted a report to present the current status of the Housing and Asset Management System, to describe the plan for completion, and to seek additional funds to achieve project go-live.

Councillor Mike Rowley, Cabinet Member for Affordable Housing, introduced the report which rehearsed the history of a contract with a supplier for a new housing asset management system which would bring together a range of databases critical to the effectiveness of the Council and Oxford Direct Services. There had been a succession of delays to the go live date, the first being May 2019, the last being October 2020 when it was decided to wait further until completion of ongoing testing of the system. The delays were attributable for the most part to the contractor. The delay in implementation had resulted in additional costs to the Council of £264,000. He confirmed that while there was ongoing work for the recovery of costs, Cabinet was being asked to confirm provision of the additional sum in case needed. Despite the

difficulties experienced it was clear that a system such as this was needed, and that the one being provided remained the best option. Lessons had been learnt from this project, particularly the importance of robust project management and the need for the appropriate skills when procuring IT systems.

Cabinet resolved to:

1. **Endorse** the revised go-live plan for the Housing Asset Management System project;
2. **Recommend to Council** the approval of a capital budget for the additional expenditure of £264,296 required to complete the project; and
3. **Note** the appendices supplied with this report.

147. Project proposal and delegated authority to award a hybrid print and post contract.

The Head of Business Improvement had submitted a report to seek project approval and delegated authority for the Executive Director for Communities and Customers to award a contract for the supply of a hybrid print and post solution.

Councillor Nigel Chapman, Cabinet Member for Customer Focused Services, introduced the report which sought approval for procurement of a hybrid print and post solution to replace the existing contract, which would end on 25 April 2021. He suggested that there would be scope with a new contract for some efficiencies when compared with the current one.

Cabinet resolved to:

1. **Give project approval for** the procurement of a hybrid print and post solution to replace the existing contract, which is ending 25th April 2021; and
2. **Delegate to** the Executive Director of Communities and Customer Services, authority to award a contract for the Supply of a hybrid print and post solution for the Council.

148. Minutes

Cabinet resolved to approve the minutes of the meeting held on 20 January 2021 as a true and accurate record.

149. Decisions taken under Part 9.3 (b) of the Constitution

The Head of Paid Service (Chief Executive) had submitted a report asking Cabinet to note the decisions taken by the Head of Paid Service (Chief Executive) using the urgency powers delegated in Part 9.3(b) of the Constitution.

Cabinet resolved to:

1. **Note** the decisions taken as set out in the report.

150.Dates of Future Meetings

Meetings are scheduled for the following dates:

- 10 March
- 14 April

All meetings start at 6pm unless otherwise stated

151.Matters Exempt from Publication

There was no discussion of items in confidential session.

152.Housing and Asset Management System Project Update and Funding Position - Appendix 2

The meeting started at 6.00 pm and ended at 7.20 pm

Chair

Date: Wednesday 10 March 2021

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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