

## **Brighton & Hove City Council**

# **Report of findings of the public consultation on proposals to introduce new property licensing schemes (Citywide Additional HMO and Selective Licensing) for private rented properties**

**FINAL  
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## Introduction

This report provides findings of the Brighton & Hove City Council consultation on proposals for new property licensing schemes. The schemes would sit within the city's private rented property sector.

The proposals cover two schemes, below:

- (a) Citywide Additional Housing in Multiple Occupation (HMO) Licensing**
- (b) Selective Licensing**

It is proposed to introduce **Selective Licensing** across 4 wards and extend it to 13 wards. Extending to 13 wards would require approval by the Secretary of State, as well as approval by the Council.

The Council proposed to introduce the schemes for improved management, standards and conditions of the private rented sector. This is an essential housing need for Brighton and Hove's communities. There are just under one in three households in the city renting privately.

Justification for introducing the schemes has been demonstrated by an independent feasibility study completed in February 2023 by Cadence Innova and a housing stock condition and stressors report by Metastreet Ltd in March 2023.

Both studies provide strong evidence for Additional HMO and Selective licensing in the city. The detailed findings of these studies are not included in this report, but copies are available from the Council by email: [consultpropertylicensing@brighton-hove.gov.uk](mailto:consultpropertylicensing@brighton-hove.gov.uk).

CJ Associates supported the consultation on behalf of the Council. This included managing and chairing six consultation meetings (online and in person) and analysis of the responses to the consultation, which are presented in this report.

CJ Associates are an independent consultancy specialising in project management, strategic planning, stakeholder engagement and consultation across a number of industry sectors. More information about CJ Associates can be found at: [cjassociates.co.uk](http://cjassociates.co.uk).

## Executive summary

Brighton & Hove City Council held a consultation on proposals for new property licensing schemes between 4 October 2023 to 3 January 2024.

Below sets out summaries of key findings from the responses to the consultation, including:

- 116 responses to the Citywide Additional Housing in Multiple Occupation (HMO) Licensing consultation
- 893 responses to the Selective Licensing consultation

### Citywide Additional HMO Licensing - Consultation Findings

There were 116 respondents to this consultation, and they indicated their profile as 40% being homeowners, 18% living in an HMO, 17% living in a non-HMO and 12% landlords. Less than 3% were social housing tenants and letting agents. Written responses to the consultation are outlined in the Appendices.

Below are summaries of the key findings from the responses to the consultation:

#### Improved management and condition

- 64% of respondents agreed that the scheme will improve the condition and 67% agreed that it will improve the management of HMOs.
- Of these, non-HMO private rented tenants (PRTs) were most supportive.
- 50% of letting and management agents both agreed and disagreed that the scheme would bring improvements.
- The majority of landlords however are not supportive of the scheme, with 69% and 61% disagreeing in respect of both improvement to management and conditions.
- Support for the scheme, particularly in respect of its ability to improve property conditions, was deemed to be dependent on adequate enforcement by the Council to ensure that conditions were being met and that action is taken where non-compliance exists.
- Over 50% agree that Housing Health and Safety (HHSRS) will improve conditions. These views are shared by over 80% of PRTs (both in HMO and non-HMO) and just under a third of landlords.

#### Effectiveness of the scheme

- The majority of respondents agreed that the licensing proposals would:
  - Help identify the poorer performing landlords of HMOs (77%)
  - Help improve the health and safety of tenants in HMOs (74%)
  - Help ensure that HMOs are managed better (71%)
  - Help reduce neighbourhood problems, e.g. noise or rubbish (62%)
  - Help to support good landlords of HMOs (61%)

## **HMOs – The big issues**

- Common issues associated with HMOs were experienced by respondents as a 'big issue' in the last 12 months as follows:
  - Poor property conditions (40%)
  - Poorly managed HMOs (39%)
  - Poor external appearance of HMOs and their gardens (32%)
  - Dumped rubbish and litter around HMOs (31%)
  - Noise such as music from loud parties (29%)

## **Health and safety**

- Over 50% of respondents stated that their health had been harmed as a result of living in an HMO over the last 12 months.
- Just under one third stated their safety had been harmed a great deal.
- The main reason attributed to both health and safety was the general state of disrepair, followed by mould and damp.

## **Duration of scheme**

- 84% support the proposed scheme duration of 5 years.

## **Licensing Fee Structure**

### **Standard fees**

- Over 40% of respondents feel that the standard fee (both £800 and £1020) is too low, including the majority of homeowners.
- 92% of landlords stated the fees were too high.

### **Prompted licence fee**

- The majority of respondents felt that a prompted licence fees (both £900 and £1080) should be set, but that it was too low to act as a deterrent given landlords' revenue.
- The majority of landlords considered the fees to be too high.

### **EPC reduced fee**

- Over half agree with the reduction in fee for a rating of EPC C or above. Whilst one third are opposed.
- Most PRTs and homeowners agree with the fee reduction, whilst just under a half of landlords do not agree.

### **Discounted fee for accredited landlords**

- Just under half of all respondents support a reduction in fee for accredited landlords, whereas just over a third do not agree.
- The majority of PRTs and homeowners tend to agree, and more than half landlords agree while a little over a third disagree.

### **Shorter licence for outstanding planning permission or other issues**

- Most of respondents agreed or strongly agreed with the proposal, including over half of homeowners, a third of PRTs and landlords.
- Just under one quarter of landlords disagree.

### **Online payments**

- The majority of respondents asked for a simple system for Build to Rent and large-scale landlords that could provide a receipt or invoice. Others asked for joint access by agents and landlords and requested payment be available by cheque.
- A small number were concerned about insufficient Council resources to provide an online payment system.

### **Other comments about the scheme**

- Respondents commented that they support the scheme as it would help to tackle 'rogue' landlords (18%) and bring benefits for all (tenants, landlords and communities) (17%).
- Those who in opposition were concerned it would reduce the number of HMOs (9%) and private rented sector housing (7%), penalise landlords (7%) or be ineffective for both tenants and landlords (7%).

## Selective Licensing - Consultation Findings

There were 893 responses to the consultation, with 888 of these indicating their profile, including 32% private rented tenants not living in an HMO; 25% homeowners and 20% private rented tenants living in an HMO. Less than 5% were social housing tenants.

During the analysis phase it was identified that a third party had been associated with some of the responses to the online consultation portal (online survey). This resulted in similar responses being identified to a particular survey question. However, this is not considered an issue for the consultation, as it was respondents' own choice on whether or not to involve that party. In addition, the public consultation's purpose is to seek views on the proposed licensing scheme (for 4 and 13 wards). The consultation has met this purpose.

Below are summaries of the key findings from the responses to the consultation:

### Health and safety

- 85% agree that the proposed licensing conditions will improve the management and the conditions of private rented properties.
- The main issues that respondents felt harmed their health and safety was poor property conditions, including mould and damp and general disrepair.

### Improved management and condition

- 85% of respondents agree that the scheme proposals will improve the management and condition of private rented houses (PRHs). Again, support for the scheme was dependent upon adequate enforcement.
- The majority (83%) agree that the HRS will improve the condition of PRHs, including the majority of tenants and homeowners. However more than half of landlords disagree.
- Most commented that the scheme (including HRS) is essential for tenants' health.
- However, many are concerned about the current lack of enforcement and lack of compliance and feel that proper enforcement and inspection of the scheme is essential.

### Reducing levels of deprivation in the four wards

- 85% agreed that the scheme will be effective in reducing levels of deprivation in the four wards.
- Whilst the majority of tenants and homeowners agree, over half of landlords disagree.
- Most respondents feel that it would have a positive impact on local communities and tenants' quality of lives and would assist in addressing costs of living by improving energy efficiency.

### **Scheme duration**

- Almost all (90%) respondents agreed that the scheme should last for 5 years.

### **Licensing Fee Structure**

#### **Standard fee (£670)**

- 69% of respondents felt that the fee was too low. The majority of tenants and homeowners agreed.
- Over three quarters of landlords and letting or managing agents felt that the fee is too high.
- The main point raised included that the funds must be ringfenced by the Council, that it should be a variable fee (i.e. higher fee for multiple property owners) and represent a fair cost for smaller landlords whilst being sufficient to cover costs to ensure the scheme is effective.

#### **Prompted licence fee (£760)**

- Almost all respondents agree (82%) that a higher fee should be set for pursuing licence applications. This includes almost all tenants and homeowners. More than half of landlords do not agree.
- The majority of comments stated that the fee was too low to act as an incentive for compliance or to be an effective deterrent for non-compliance.

#### **EPC reduced fee**

- The majority disagreed with a reduced fee achieving EPC C rating or above. This includes just under half of landlords and most tenants and homeowners.
- This is due to the fact that most felt that EPC C rating should be a licence requirement, but that there should be dispensation for older properties.

#### **Reduction in fee for accredited landlords**

- The majority of respondents disagree with providing a fee reduction for accredited landlords. This includes most of tenants and homeowners and 89% of social housing tenants who responded.
- Almost half of landlords agree, the other half disagree.
- The main reason for disagreeing, is that a discount is considered inappropriate given that these groups are often seen to be representing landlords' interests and as such this may represent a 'conflict of interest' with regards to the council's aim to improve property conditions in the interest of private rented tenants.

#### **Shorter licences for properties with outstanding planning permission or other issues**

- Over 80% agree, including the majority of social housing tenants and more than 75% of tenants and homeowners and 30% of landlords.



### **Online payment system**

- Most comments asked that there be a paper-based option, helpline staff support and simplified system for multiple property or block owners. Some are concerned about the potential for a poor service.

### **Further comments on the proposed licencing scheme for the four wards**

- The majority of comments (59%) received in respect of the scheme proposals for the four wards, expressed support for the schemes' extension to include other wards, including the 13 identified wards.
- This was based on the opinion that deprivation was not limited to the four wards only and therefore needed to be expanded to tackle what is perceived to be a much wider issue.

### **Further comments on the proposed licencing scheme for the thirteen wards**

- Just over a third of comments (37%) indicated support for extending the scheme across the city and in some cases, nationwide. Almost an equal number of comments (36%) indicated support for the scheme in terms of its ability to tackle those persistently non-compliant landlords, otherwise referred to as 'rogue' landlords.

## **Next steps**

The findings of this consultation report will be presented in a committee report to the Brighton & Hove City Council, Housing and New Homes Committee on 13 March 2024. A decision will be made by the Council on whether to proceed with Additional HMO Licensing or Selective Licensing schemes. A copy of the committee report is available on the council's website.

## **Background**

### **The Private Rented Housing Sector within Brighton and Hove – and how proposed licensing schemes would support the Sector**

Improving standards and conditions of Brighton and Hove's private rented sector is a key commitment for the Council. This is reflected in the Brighton & Hove City Council Plan 2023 to 2027 which aims to achieve 'A Better Brighton & Hove for all.' The plan seeks under the priority 'Homes for everyone', a goal to deliver accessible, affordable and high-quality homes for all residents in the city. This extends to improving housing quality for private rented accommodation.

*If the proposed licensing schemes are introduced, they are able to raise private rented sector standards in the city and thereby support the 'Homes for everyone' priority in the City Council Plan 2023 to 2027.*

Homelessness prevention is another important aspect of the City Council Plan 2023 to 2027 under the priority 'Improve housing support for residents'. Equally, the

Council's Homelessness and Rough Sleeping Strategy 2020 to 2025 aims to prevent homelessness.

A major cause of homelessness in Brighton & Hove is end of private rented housing tenancies, mostly from short 6 or 12 month tenancies creating insecure housing tenures. Tenants face abrupt end of tenancies and struggle to find new rented housing.

The Homelessness and Rough Sleeping Strategy 2020 to 2025 aims to increase early intervention, prevent such end of tenancies and provide more move-on accommodation. This includes providing support for residents to access and maintain private rented accommodation, particularly where this prevents or relieves homelessness.

*If the proposed licensing schemes are introduced there would be opportunities for closer alignment and dialogue with the private rented sector – by the Council engaging holders of property licences. Work can be achieved to prevent or relieve homelessness and thereby support the Homelessness and Rough Sleeping Strategy 2020 to 2025.*

The Council is also developing a new Housing Strategy for the city. This is due to be consulted on by springtime 2024. The private rented sector will be a key theme of the Strategy, particularly on improvement and quality of the sector.

*If the proposed licensing schemes are introduced there would be greater scope for improving private rented housing by the Council through standards and conditions set by licensing schemes for housing. In addition, the schemes would have a role in returning empty homes to use. Historically, a number of properties returned to use have entered the private rented sector. Empty homes interventions may, therefore, benefit from property licensing.*

## **Property Licensing and its Place in Brighton and Hove**

The private rented sector accommodates different types of households. Single households (one family) occupying a property and multiple households (different families or persons) occupying a property. Properties occupied by multiple households form what are termed Houses in Multiple Occupation (HMOs). This is when a property is occupied by three or more persons over two or more households and kitchen, bathroom or toilet facilities are shared.

If a rented property is occupied by five or more people over two or more households and facilities are shared, then an HMO licence would be required under the Housing Act 2004. A licence would be issued, by a local authority, for this type of HMO property. This is a licensing scheme known as mandatory HMO licensing.

The Housing Act 2004 allows local authorities to introduce other types of licensing. These are Additional HMO Licensing and Selective Licensing, as set out below:

- (a) **Additional** - applicable where a significant proportion of HMOs of a particular description in a local authority's area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- (b) **Selective** - applicable for private rented properties (but not HMOs requiring an HMO licence) where there are problems in a local authority's area, areas or any part of them, caused by *one or more* of the conditions below:
- low housing demand (or is likely to become such an area)
  - a significant and persistent problem caused by anti-social behaviour
  - poor housing conditions
  - high levels of migration
  - high level of deprivation
  - high levels of crime

When proposing to designate an area for selective licensing on the grounds of housing conditions, migration, deprivation or crime, a local authority may only propose a Selective Licensing Scheme if the area also has a high proportion of property in the private rented sector – more than 19%. In addition, any proposed Selective Scheme which exceeds 20% of its total geographical area or 20% of the area's private rented sector, must be confirmed by the Secretary of State.

The independent feasibility study by Cadence Innova and housing stock condition and stressors report by Metastreet Ltd both gravitate towards Additional HMO Licensing and Selective Licensing for Brighton & Hove's private rented sector. Issues surrounding management of private rented properties were also identified with HMOs and non-HMOs (single household dwellings). In particular, poor property conditions with serious Housing, Health and Safety Rating System Hazards (Category 1 or high rated Category 2 hazards)<sup>1</sup>.

In addition, significant deprivation was found in four of the city's wards. Those wards are Kempdown, Moulsecoomb & Bevendean, Queen's Park and Whitehawk & Marina. Brighton & Hove also has high proportions of housing in the private rented sector. The majority of the city's wards have a rented sector of 20% and more.

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<sup>1</sup>Housing Health and Safety Rating System (HHSRS): Guidance for Landlords and Property-Related Professionals, published 26 May 2006, Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government <https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals>

## About the Consultation

Brighton & Hove City Council has consulted on the below proposals:

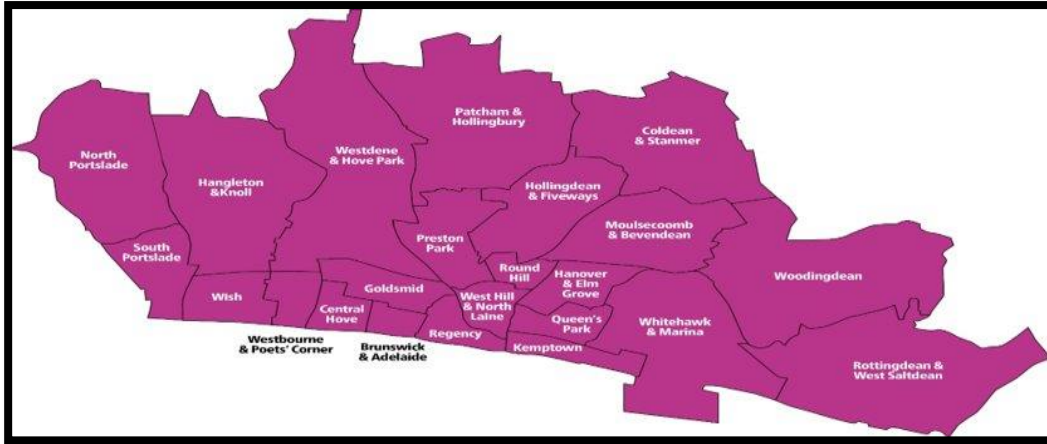
- (a) **Introduction of Citywide Additional HMO Licensing** for HMO properties of two or more storeys and occupied by 3 or 4 persons over two or more households (see **Figure 1** map)
- (b) **Introduction of Selective Licensing** for private rented sector properties, for example a single or two storey house or flat, occupied by a family, a couple or two sharers in four of the city's wards - Kemptown, Moulsecoomb & Bevendean, Queen's Park and Whitehawk & Marina (see **Figure 2** map). Plus, an option for a further scheme in thirteen wards - Brunswick & Adelaide, Central Hove, Goldsmid, Hanover & Elm Grove, Hollingdean & Fiveways, Preston Park, Regency, Rottingdean & West Saltdean, Round Hill, South Portslade, West Hill & North Laine, Westbourne & Poets Corner and Wish (see **Figure 3** map).

The consultation proposals included the following details:

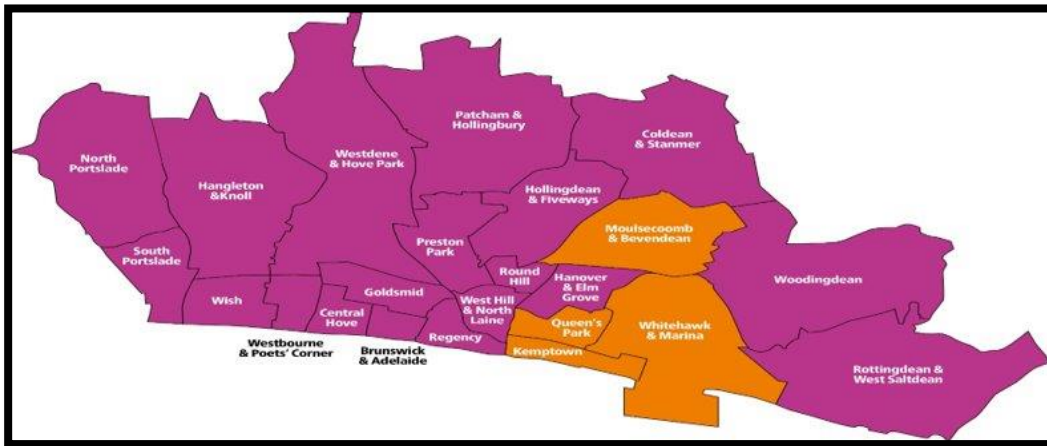
- Rationale and evidence for the proposed licensing schemes
- Alternative options to property licensing, how each option was considered and the conclusion of licensing as a preferred option
- How the proposed schemes sit strategically within Brighton & Hove's housing landscape
- How the schemes would work
- Proposed licensing fees, standards and conditions and benefits of the schemes
- Next steps – detailing how the consultation findings will be considered by the Council before any decision is made to proceed with licensing schemes.

Approval to conduct a consultation on these proposals was granted by the Council's Housing Committee on 15 March 2023. A copy of the accompanying Housing Committee report is available on the council's website. The report gives further details on the proposals. This includes alternative options to licensing considered by the Committee and how proposals were concluded.

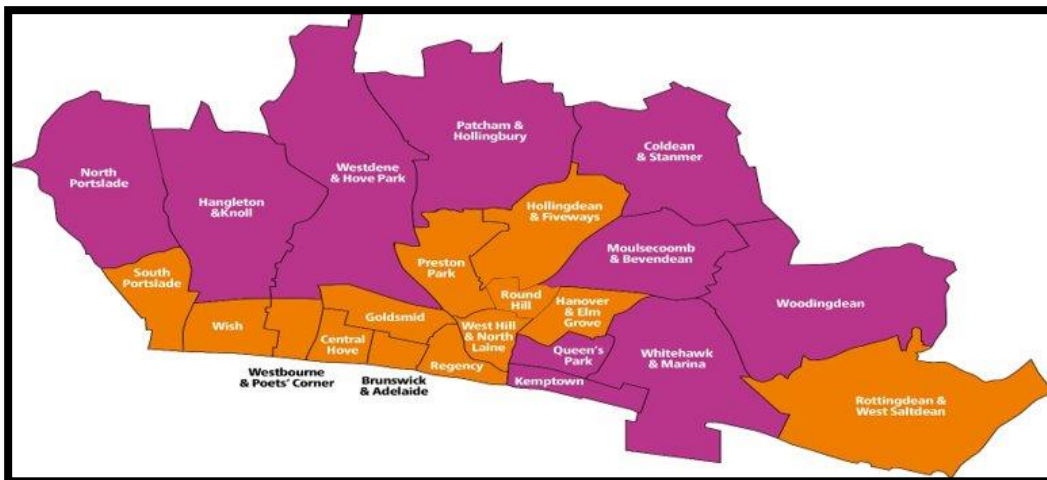
**Figure 1: Additional Citywide HMO Licensing Map**



**Figure 2: Selective Licensing 4 Wards Map**



**Figure 3: Selective Licensing 13 Wards Map**



## Reporting conventions

CJ Associates role is to analyse and explain opinions of those who responded to the consultation, but not to make a case for any proposal. This report outlines views from the two online questionnaires (one for Citywide Additional HMO Licensing and one for Selective Licensing), hard copy questionnaires received, six consultation meetings held in person and online and other direct correspondence. All methods of responding to the consultation were open for anyone to respond. Information presented in this report will be used to inform decision making by the Housing and New Homes Committee at Brighton & Hove City Council.

## Understanding the results

Most of the percentages are given as percentages of those that responded to each of the questions. These may not always total 100% due to either multiple responses or lack of responses or rounding up of the numbers. It is important to consider the results in the context of the small number of responses to the questions.

When considering the questions that ask for respondents to provide additional comments, the findings represent a percentage of the number of comments received and not a percentage of the number of respondents to each question.

## Consultation Approach

The consultation was conducted in line with principles of good practice outlined in Government guidance (<https://www.gov.uk/government/publications/consultation-principles-guidance>) Steps were also taken to satisfy the Housing Act 2004.

Specifically, for the proposed Additional HMO Licensing scheme, section 56(3) of the Act 2004 states that prior to designating areas subject to licensing the local authority must:

- take reasonable steps to consult persons who are likely to be affected by the designation; and
- consider any representations made in accordance with the consultation and not withdrawn.

Specifically, for the proposed Selective Licensing scheme, section 80(9) of the Act 2004 states that prior to designating areas subject to licensing the local authority must:

- take reasonable steps to consult persons who are likely to be affected by the designation; and
- consider any representations made in accordance with the consultation and not withdrawn.

The Council's consultation ran for a period of 13 weeks, commencing 4 October 2023 and closing at midnight on 3 January 2024 and was open to all 'interested parties.'

This means a person or organisation that can be affected by or perceive itself to be affected by a decision or activity.

Information about the consultation proposals were launched and published on the Council's website on 4 October 2023. Details of how the consultation was publicised are listed in **Table 1**.

Views on the consultation proposals were sought by the methods below:

- Two separate online questionnaires accessed via the Council's website:
  - Citywide Additional HMO Licensing
  - Selective Licensing
  - Consultees were invited to complete questionnaires for each or both schemes
  - A copy of the questionnaires can be found in the Appendices
- Hard copy questionnaires for each of the schemes and an information booklet were available from the Customer Service Centre, Hove Town Hall and across all 13 public libraries - copies of the questionnaires were also available on request in alternative formats
- Six consultation meetings (see **Table 1** for further details)
- Written responses could be submitted to the Council by email or hardcopy
- Responses could also be made by phone.

**Table 1: Consultation meetings**

Meeting	Venue/Format	Date/Time
Landlords and landlord organisations	Online	30 October 2023 6pm-8pm
Letting and managing agents	Online	2 November 2023 6pm-8pm
Community groups (acting for private rented sector tenants)	In person at Brighthelm Church and Community Centre, Brighton	11 November 2023 10am-Midday
Private rented tenants	Online	14 November 2023 6pm – 8pm
All interested parties (for residents, businesses and public sector organisations)	In person at Brighthelm Church and Community Centre, Brighton	18 November 2023 10am - Midday
All interested parties (for residents, businesses and public sector organisations)	Online	5 December 2023 10am-Midday

## Consultation activities

The Council completed a wide range of promotional activities to raise awareness and to encourage participation, both internally and externally, before and during the consultation. This ensured all persons and organisations likely to be affected by or interested in the licensing proposals were aware of the consultation. In addition, that they were encouraged to and had an opportunity to take part. It also ensured that reasonable steps were being taken to consult persons and organisations likely to be affected by the proposals.

During the consultation, promotional activities were focused on the following audiences, as being directly or indirectly impacted by licensing proposals:

- Private rented tenants
- Local residents
- Universities and university students
- Landlords and property owners
- Landlords and property owners living abroad
- Organisations and bodies representing landlords
- Letting and managing agents
- Community groups representing private rented tenants
- Public service organisations

The approach taken for each these groups is shown in **Table 2**. The specific activities undertaken are contained in **Tables 3** and **4**.

**Table 2: Approach to publicising by audience**

Audience	Approach
Private rented tenants	Direct mailing of promotional postcards to residential addresses; communication with representative groups; consultation meeting; promotional materials in public facilities, service and community spaces; social, local and outdoor media
Local residents	Direct mailing of promotional postcards to residential addresses; communication with representative groups; consultation meeting; promotional materials in public facilities and service and community spaces; social, local and outdoor media
Universities and university students	Direct emails to university representatives and student unions; telephone calls; consultation meeting; promotional materials (flyers and posters) distributed on campuses; social, local and outdoor media
Landlords and property owners	Direct emails; consultation meeting; publicity campaign via London Property Licensing and by



	landlord organisations; social, local and outdoor media
Landlords and property owners overseas	Direct emails; telephone calls; consultation meeting; publicity campaign via London Property Licensing; social media
Letting and managing agents	Direct emails; telephone calls; consultation meeting; publicity campaign via London Property Licensing; social media
Community groups (representing private rented tenants)	Direct emails; telephone calls; consultation meeting, social, local and outdoor media
Landlord organisations	Direct email; telephone calls; consultation meeting; publicity campaign via London Property Licensing, social, local and outdoor media
Public service organisations	Direct emails; consultation meeting

The approach to publicising the consultation was in line with the General Data Protection Regulations. There were limitations on the extent to which any existing data held by the Council was useable. For example, when making direct contact with persons or organisations about the proposed licensing schemes. When engaging letting agents by email or telephone, their contact information was found by Google searches only. This placed considerable time and effort on the consultation, but it was a requirement for Data Protection Regulation rules.

The materials developed to promote the consultation included:

- Digital consultation webpage
- Emails
- Local media articles
- Partner websites
- Hard copy A3 and A4 posters
- Hard copy A5 flyer
- Hard copy A5 postcards
- Information booklet
- Digital posters
- Digital banner
- Social media posts

**Table 3: Consultation activities – external promotion**

The below table sets out the activities undertaken by the Council to raise awareness of the consultation.

Channel	Material	Activity	Audience	Date
Brighton & Hove City Council website	Newsroom press release	Announcement of proposals: newsroom article announcing the discussion of proposals at the Housing and New Homes Committee	General public	13 September 2023
Brighton & Hove City Council website	Newsroom press release	Consultation launch Newsroom article, informing the public about the launch of the consultation and “how they can have their say” on the proposals	General public	4 October 2023
Brighton & Hove City Council website	Consultation webpage	Consultation launch article: details of the proposals, including “how to have your say on the proposals” published	General public	4 October 2023
London Property Licensing (LPL)	Information about the consultation	Promotional package, including article on the homepage of LPL website, details of the consultation cascaded by monthly electronic newsletter mailing (to 3,700 members) and social media posts (Twitter; Facebook; LinkedIn)	Landlords and letting agents based outside of Brighton & Hove	10 October 2023 onwards  4 December 2023 onwards (for electronic newsletter mailing)
Direct email	Information about the consultation and the online consultation event (held 2 November 2023)	Email sent directly	Landlord organisations	10 October 2023 (follow up email on 12 October 2023)
Direct email	Information about the consultation and online consultation	Email sent directly	Letting and managing agents (including those with overseas landlords’ interests)	12 October 2023

	events (held on 30 October 2023 and 2 November 2023) and how to attend			
Brighton & Hove Public Libraries, Hove Town Hall and Bartholomew Customer Service Centres	Hard copy questionnaires and information booklet	Placed in all 13 public libraries - including a self-addressed envelope for return of the questionnaires. Note, questionnaires and information booklets not placed inside Bartholomew customer service centre, copies were provided upon request. Copies placed in Hove Town Hall	General public	1 November 2023 (onwards)
Brighton & Hove Public Libraries, Hove Town Hall and Bartholomew Customer Service Centres and public leisure facility buildings	A3 and A4 posters with QR codes	Posters in all 13 public libraries, the majority of public leisure facilities buildings and Hove Town Hall customer service centre	General public	1 November 2023 (onwards)
Direct email	Information about the consultation and the consultation events	Email sent directly	Community groups and organisations representing private sector tenants	In advance of the six consultation events and afterwards to say thank you and encourage responses
Local media	Full page advert in the Brightonian monthly magazine	Advertisement notifying the public about the consultation	General public	Week commencing 6 November 2023 and repeated on 4 December 2023

Local media	Full page advert in the Hovarian monthly magazine	Advertisement notifying the public about the consultation	General public	Week commencing 6 November 2023 and repeated on 4 December 2023
Direct emails	Information about the consultation, how to respond and the consultation events	Direct email	Public service organisations - East Sussex Fire & Rescue Service and Sussex Police	14 to 22 November 2023
Social media	Reminder of the consultation launch	Facebook and Twitter posts	General public	16 November 2023
Members of the Council	Members' briefing	Update to Members on the licensing consultation and encouragement to share with residents – how they can “have their say” online, attend a meeting event or connect with social media (media links in the briefing)	Members of the Council	16 November 2023
Residential mailing	A5 postcard with 3,468 distributed	Direct mailing to addresses that have an association with the private rented sector	Residential addresses within the 4 and 13 wards proposed for selective licensing	20 November 2023 (onwards)
Community venues	A5 flyers and A4 posters with QR codes	Distribution of flyers: <ul style="list-style-type: none"> <li>• 1000 across public libraries</li> <li>• 300 in Brighton Institute of Modern Music</li> <li>• 400 to Sussex University Student Union</li> <li>• 500 to Council members</li> <li>• 100 flyers across the majority of public leisure facilities</li> </ul> Distribution of posters: <ul style="list-style-type: none"> <li>• 10 A4 posters to Brighton University</li> </ul>	General public and university students	20 November 2023 (onwards)
Brighton & Hove City bus stops	Digital posters with QR code linking to	Various bus stops in the city, advertising the consultation and how to respond	General public	27 November 2023 (onwards)

	the consultation web page			
Brighton & Hove Primary Care bulletin (electronic mailing)	Bulletin on the consultation	Bulletin to promote the consultation across primary care networks	General Practitioner practices, Primary Care Network Managers and general public	24 November 2023
Direct email	Promoting the final online consultation event on 5 December 2023	Email reminding stakeholders about the event and providing information on how to take part	Letting and managing agents (including those with overseas landlords' interests), landlords and landlord organisations, community groups, public service organisations and Student representative bodies	29 November 2023
Direct email	Overview of the consultation	Information to raise awareness on the consultation, shared with various organisations	National Energy Action, British Red Cross, Brighton & Hove Energy Services Coop, Brighton & Hove Food Partnership, Money Advice Plus and Southern Water	30 November 2023
Direct email	Consultation reminder: four weeks to go	Webpage links to the consultation were shared and reminder to respond by 3 January 2024	Letting and managing agents (including those with overseas landlords' interests), landlords and landlord organisations, community groups, public service organisations and student representative bodies	7 December 2023
Direct email	Consultation final reminder: one week to go	Webpage links to the consultation were shared and reminder to respond by 3 January 2024	Letting and managing agents (including those with overseas landlords' interests), landlords and landlord organisations, community groups, public service organisations and student representative bodies	29 December 2023

**Table 4: Consultation Activities - Council internal communications**

The below table sets out the activities undertaken to raise awareness of the consultation within the Council.

Channel	Material	Activity	Audience	Date
Brighton & Hove City Council website	Newsroom press release	Announcement of proposals: Newsroom article announcing the discussion of proposals at the Housing and New Homes Committee	Council staff	13 September 2023
Housing, Neighbourhoods and Communities (HNC) Directorate	Presentation	Presentation to all HNC staff on the consultation launch	Council staff	4 October 2023
Brighton & Hove City Council website	Newsroom press release	Consultation launch: Newsroom article informing staff about the launch of the consultation and how they can have their say on the proposals	Council staff	4 October 2023
Members of the Council	Members' briefing	Update to Members on the licensing consultation and encouragement to share with residents – how they can “have their say” online, attend a meeting event or connect with social media (media links in the briefing)	Members of the Council	16 November 2023
HNC Directorate	Article	Article on the consultation and how staff and their family or friends etc can take part	Council staff across all of HNC	23 November 2023
HNC Directorate	Housing update bulletin	Reminder about the consultation and how staff can take part	Council staff in the Housing division only of the HNC Directorate	29 November 2023

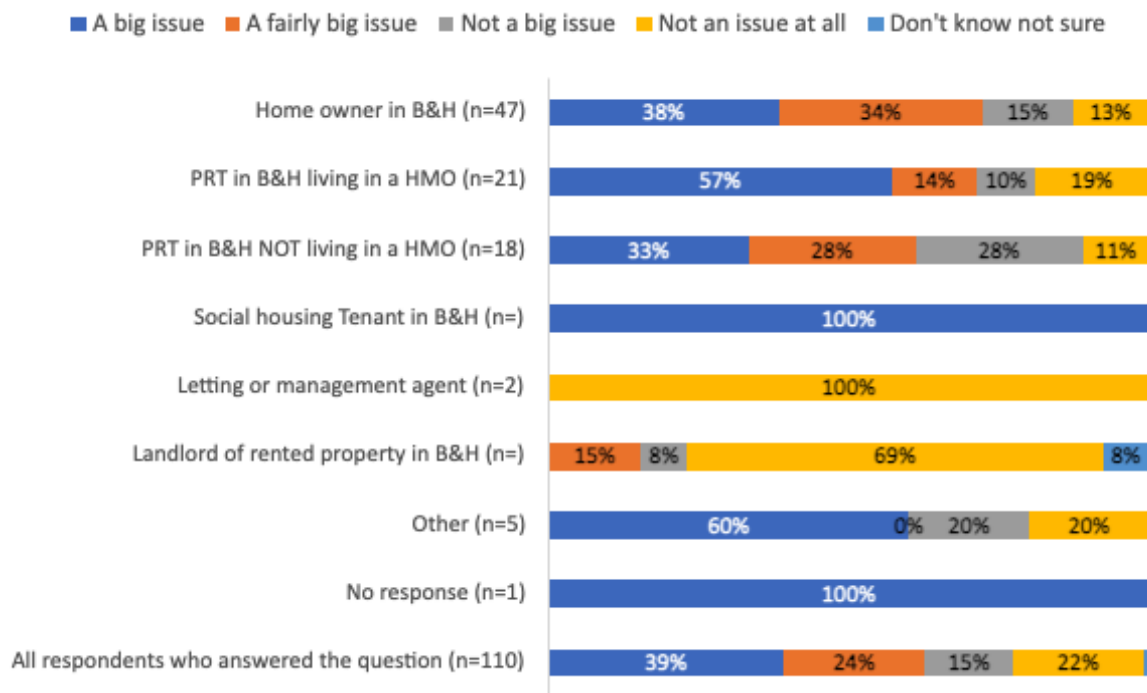
## Citywide Additional HMO Licensing - Analysis of consultation responses

There were 116 responses to the consultation received by the Council, with the majority received via the Council's online consultation portal (online survey) and 3 originally received as paper copies. In addition, there were 5 separate written responses received. There were also 62 participants who joined the 6 consultation meetings held by the Council.

The below analysis takes into account all responses received to this consultation:

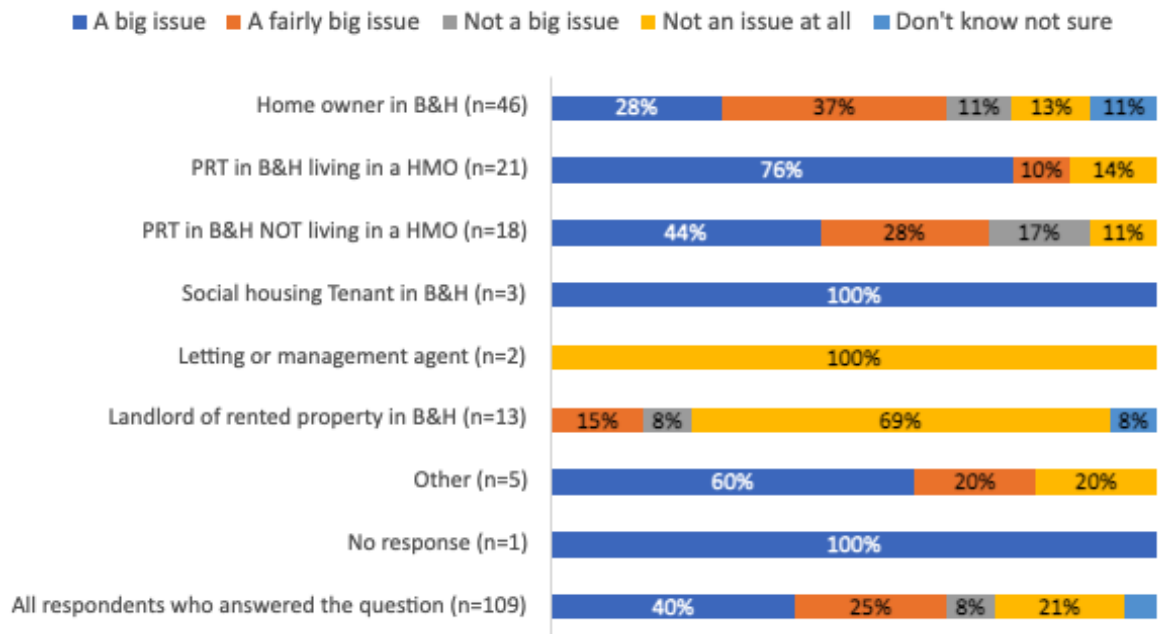
**Listed below are some of the most common issues that have been associated with HMOs and flats within HMOs. In the last 12 months, how much of an issue or not have the following been for you? (Question 2a)**

### Poorly managed HMOs



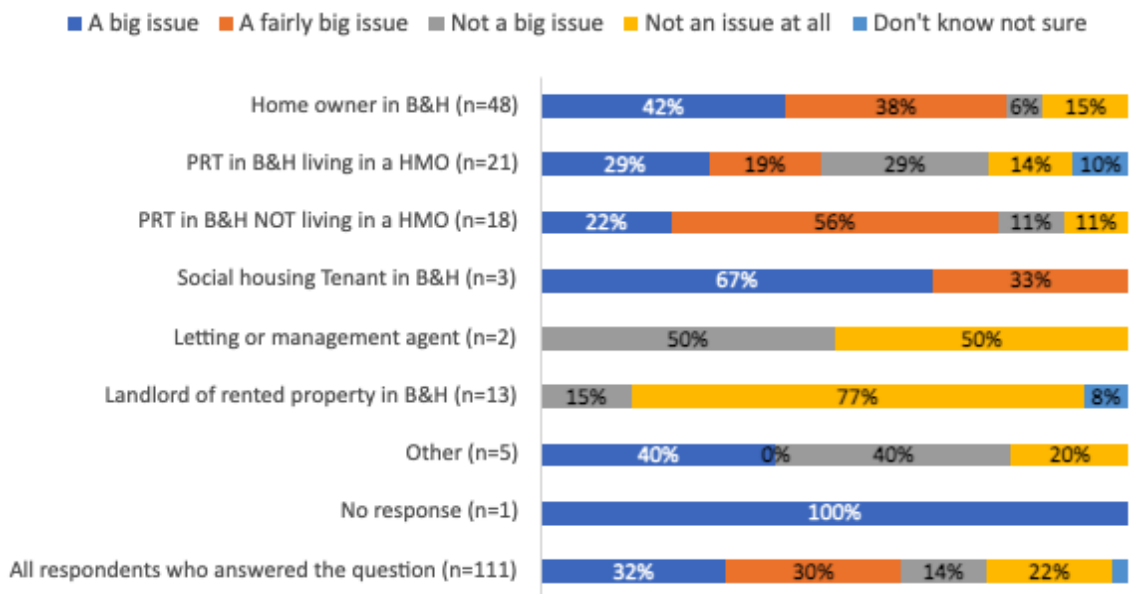
Poorly managed HMOs was raised by more than a half (57%) of those PRTs living in HMOs. Homeowners (34%) and PRTs not living in HMOs (28%) said that it was 'a fairly big issue'. A majority of landlords (69%) stated that it had been 'not an issue at all'.

## Poor property conditions



Poor property conditions were considered a big issue by nearly two thirds (67%) of those PRTs living in HMOs, 44% of those PRTs not living in HMOs and 38% of homeowners. A majority of landlords (69%) stated that it was 'not an issue at all'.

## Poor external appearance of HMOs and their gardens

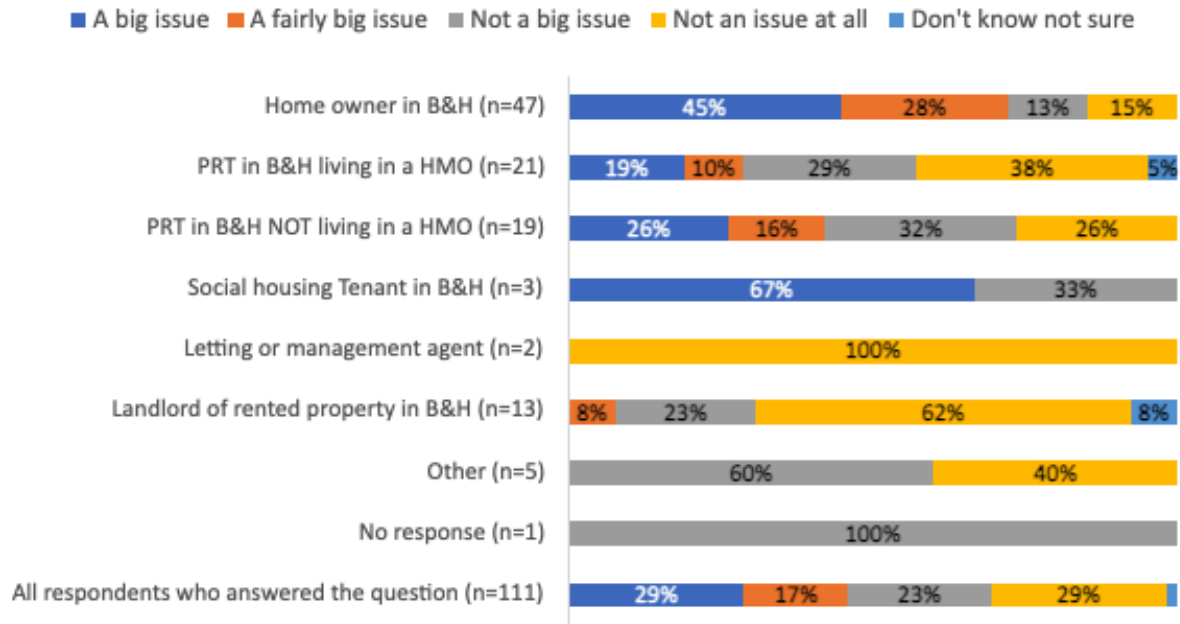


Poor external appearance of HMOs and their garden was raised by 67% of social housing tenants as 'a big issue' with 33% agreeing it was 'a fairly big issue'. Homeowners (42%) also agreed it was a 'big issue' with 38% stating it was 'a fairly big issue'. Also 29% and 22% respectively of PRTs living in HMOs and those renting in non-HMOs also cited this as 'a big issue', but more than a half (56%) of those not



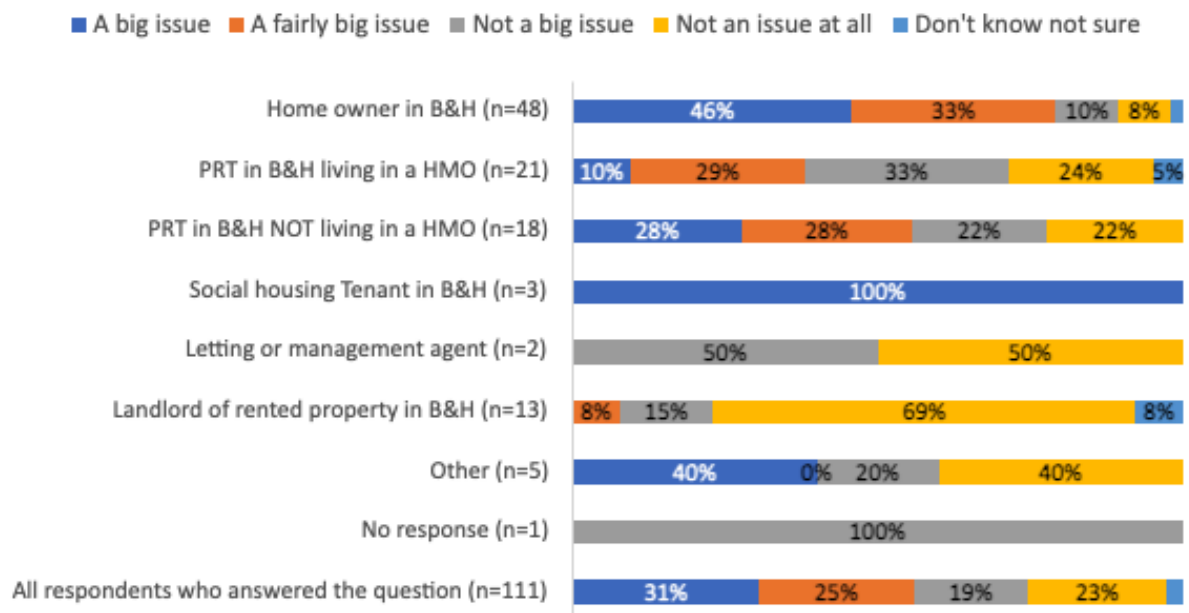
living in HMOs said it was 'a fairly big issue'. Conversely, over three quarters (77%) of landlords did not see it as an issue at all.

### Noise such as music from loud parties



Noise such as music from loud parties was selected by 67% of social housing tenants and 45% of homeowners as a big issue. More than a third (38%) of PRTs living in HMOs and 26% living in a non-HMO, plus more than half of all landlords (62%) said it 'not an issue at all'.

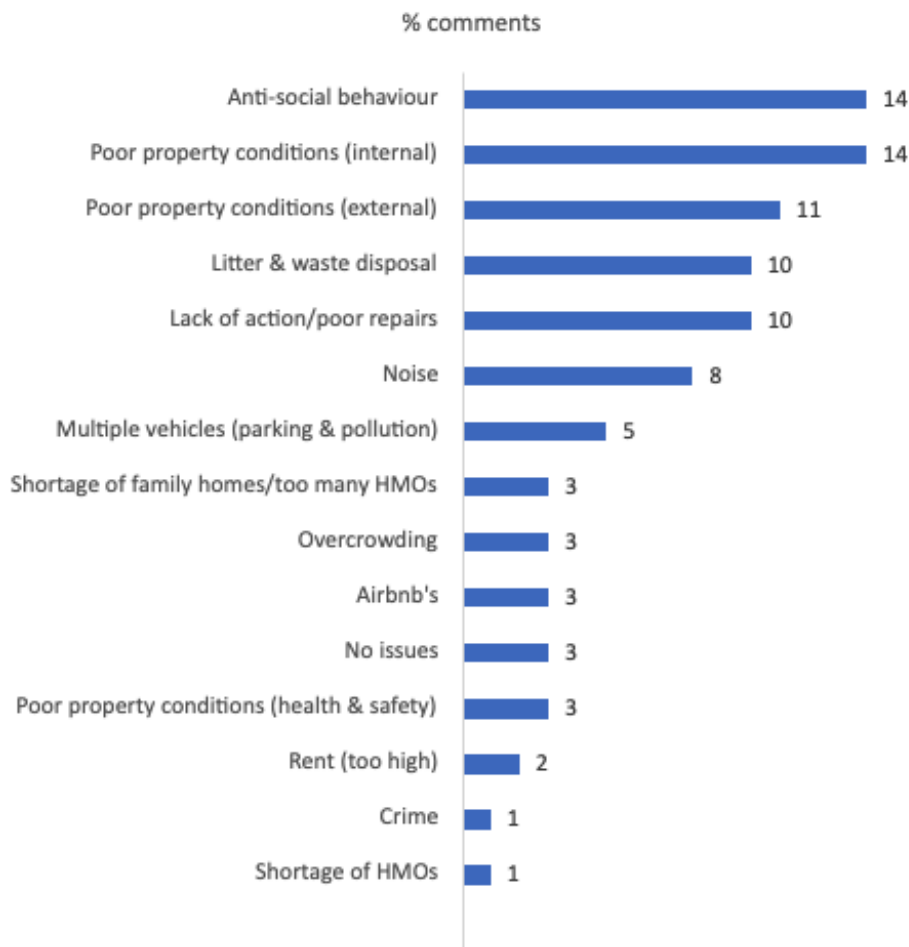
### Dumped rubbish and litter around HMOs



Dumped rubbish and litter around HMOs was selected by 46% of homeowners who responded to this question as 'a big issue' with 33% saying it was 'a fairly big issue'. This issue was also either a 'big issue' or 'a fairly big issue' for PRTs both in HMOs and non-HMOs. 69% of the 13 landlords who responded said it was 'not an issue at all'.

**In the past 12 months, in your local area, have there been any other issues associated with HMOs or flats within HMOs? (Question 2b)**

Comments received: 85



When asked about other issues, equal numbers referred to the issue of anti-social behaviour and poor conditions internally (14%). Anti-social behaviour overall was reported by those living next to or in close proximity to HMOs.

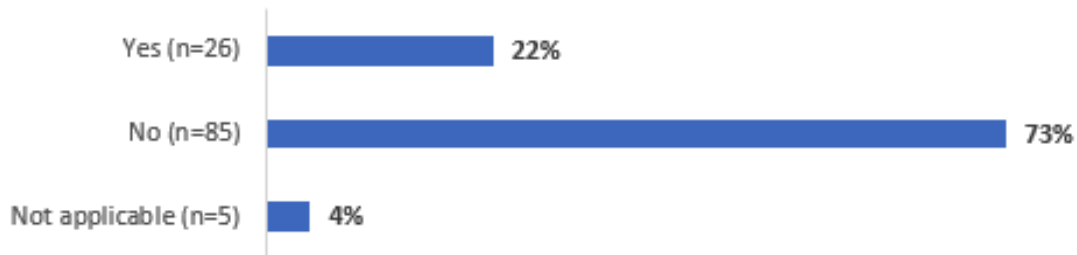
With regards to property conditions these related to significant levels of general disrepair for example, poorly fitting windows, lack of insulation, heating, leaks, mould and damp. One in every ten comments referred to issues with litter and waste disposal (including issues with fly tipping and lack of waste collection).

An equal number expressed the lack of action by their landlord or managing agent to address issues or undertake repairs as being a factor they were experiencing.

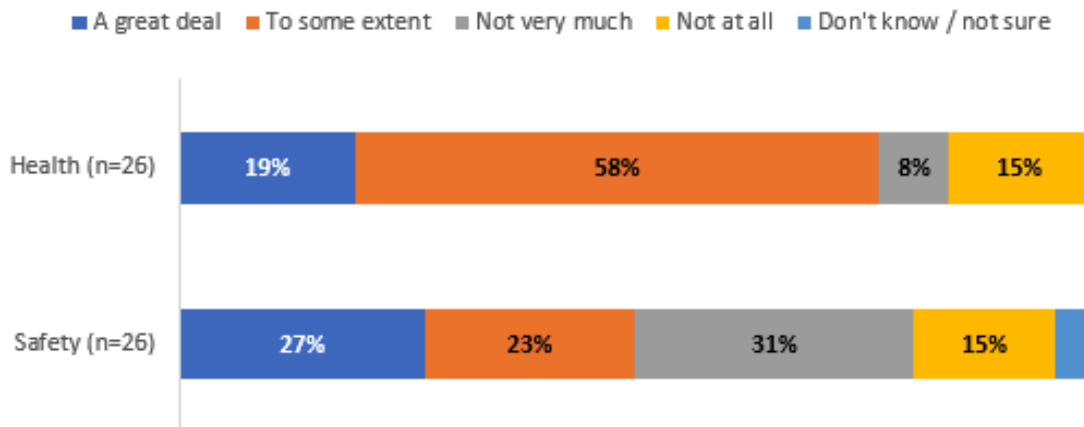
Almost equal numbers (11%) of comments referred to issues with external property conditions, for example relating to gardens in disrepair and litter not being cleared. Just under one in ten (8%) restated the issue of noise from HMOs. A lack of action by landlords to address issues was also cited as a factor (10%).

Lesser mentioned issues related to opposition of encouraging more HMOs due to a concern that they were reducing the availability of housing for families (3%). Only 3% of comments stated that there were no issues with their housing.

### Have you lived in an HMO in the past 12 months? (Question 2c)

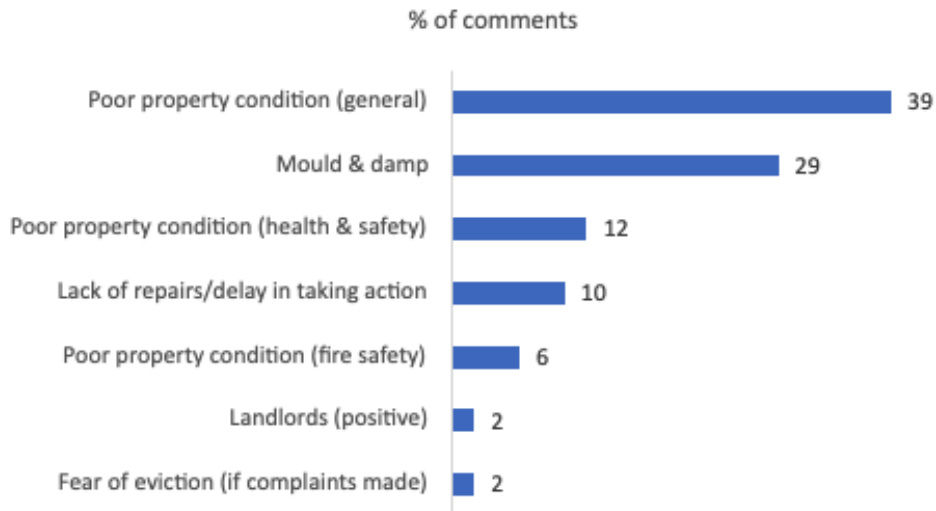


### If you have lived in an HMO in the last 12 months, do you feel that your health or safety has been harmed by the condition of the property you have occupied? (Question 2d)



**Please provide any additional comments on if you feel that your health or safety has been harmed by the conditions of the HMO you have occupied. (Question 2e)**

Comments received: 51



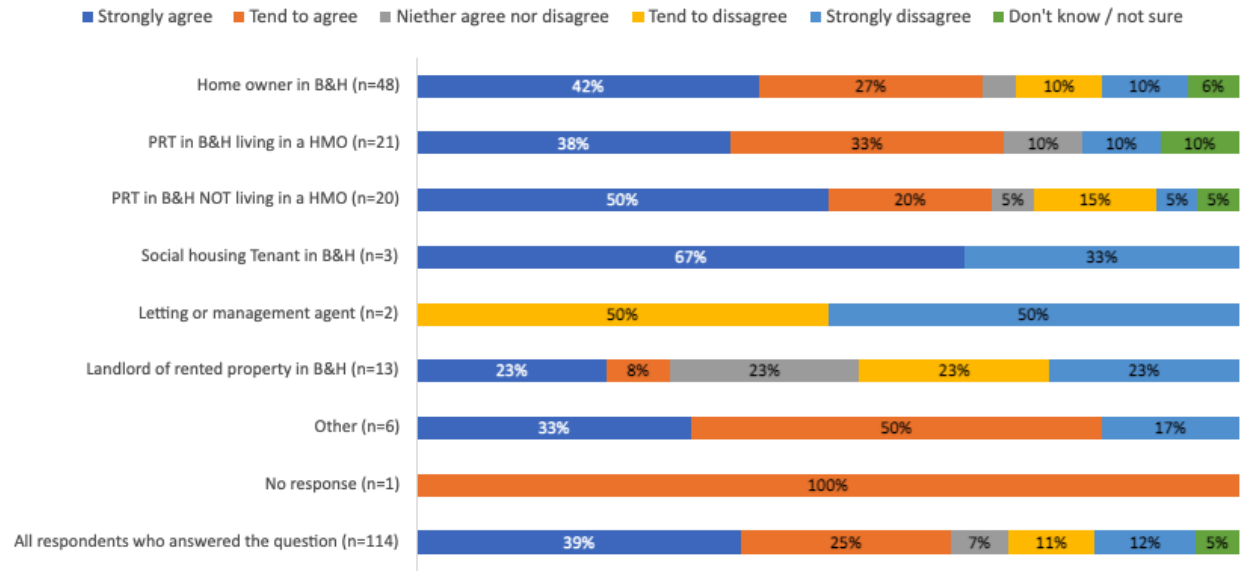
Of the 22% of respondents who had lived in an HMO in the past 12 months, just under one in five (19%) stated that their health had been affected 'a great deal' with the majority (58%) stating it had affected them 'to some extent', 15% 'not at all' and 8% 'not very much'. In terms of impact on safety, just under one third (27%) felt it had been affected 'a great deal' with only a slightly lesser amount (23%) 'to some extent and 30% 'not very much'.

The majority of comments (39%) cited the general state of disrepair to their property as being the cause. 29% of comments specifically referred to the negative impact of mould and damp on their health and wellbeing. 12% specifically referred to experiencing poor health (mental or physical) and feelings of insecurity (both physical and mental) as a result of the condition of their property.

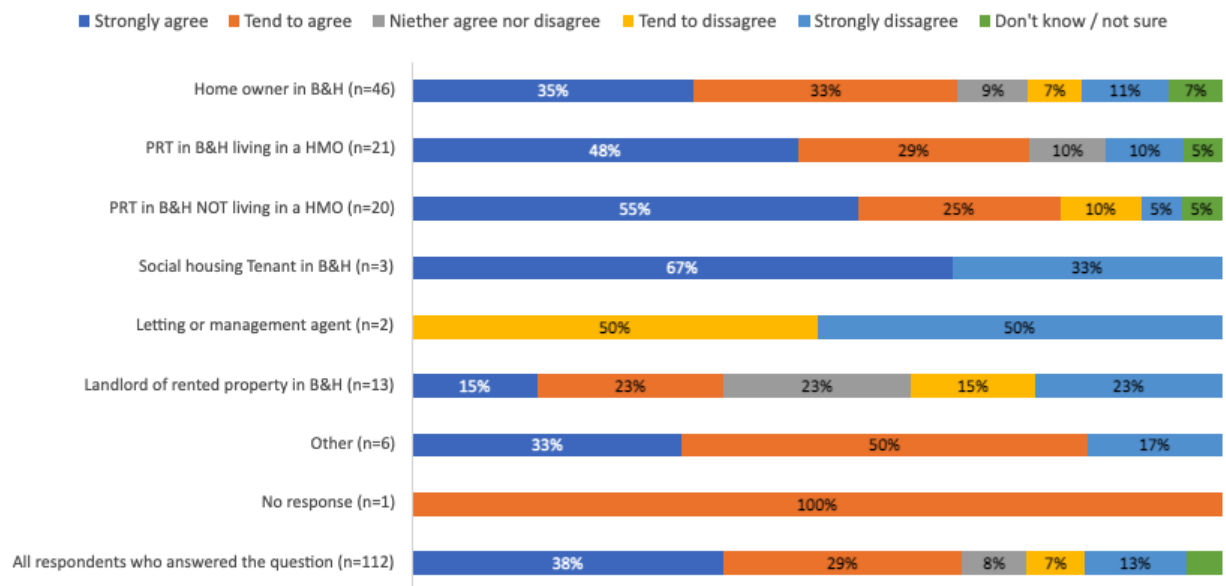
Lack of landlord action to undertake repairs was mentioned in 10% of the comments. A small number (2%) stated that they were happy with their landlord and the property they lived in but an equal number reported being concerned about eviction if they made a complaint.

## To what extent do you agree or disagree that the proposed licence standards and conditions of the scheme will improve the management and condition of HMOs in Brighton & Hove? (Question 3a)

### Management

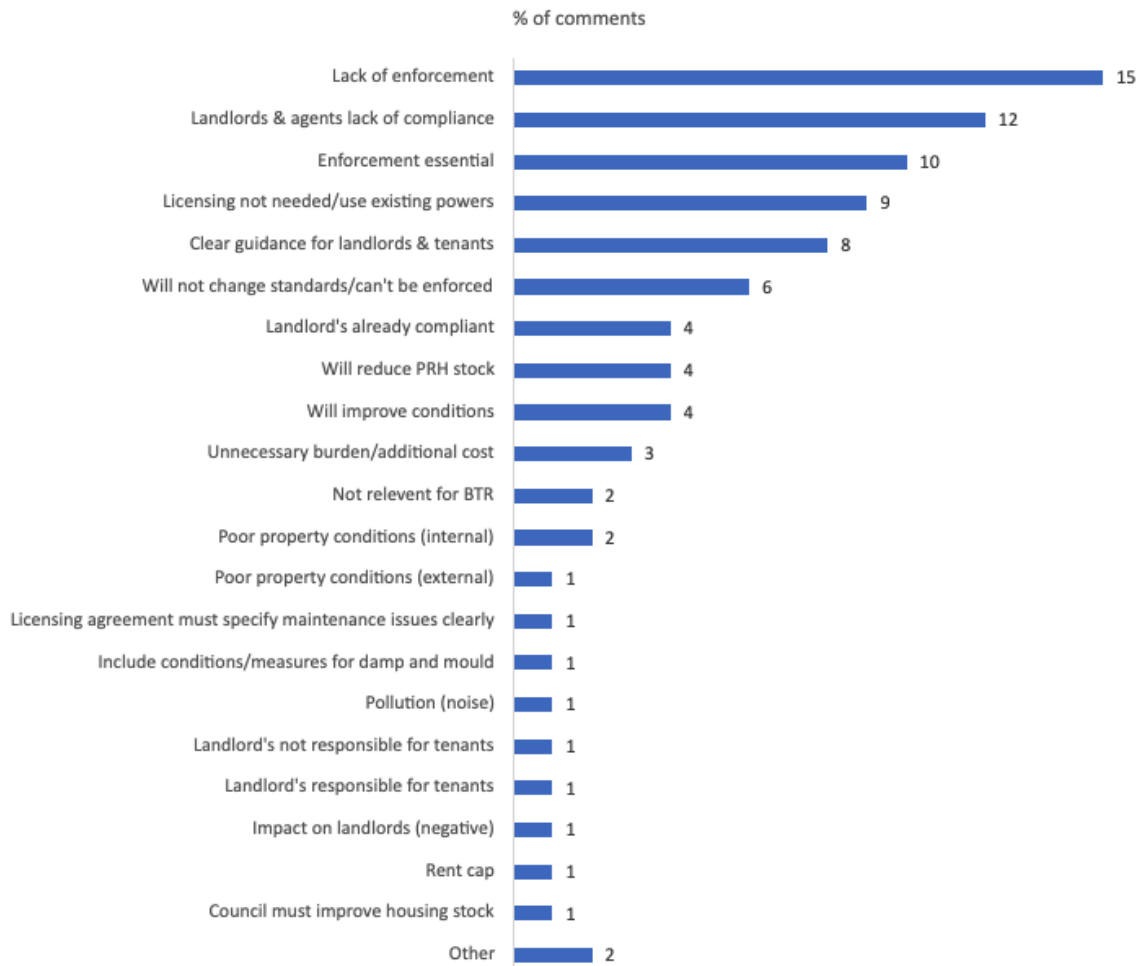


### Condition



**Please provide any additional comments on the management and condition of HMOs – including any comments you have on the proposed conditions themselves (Question 3b)**

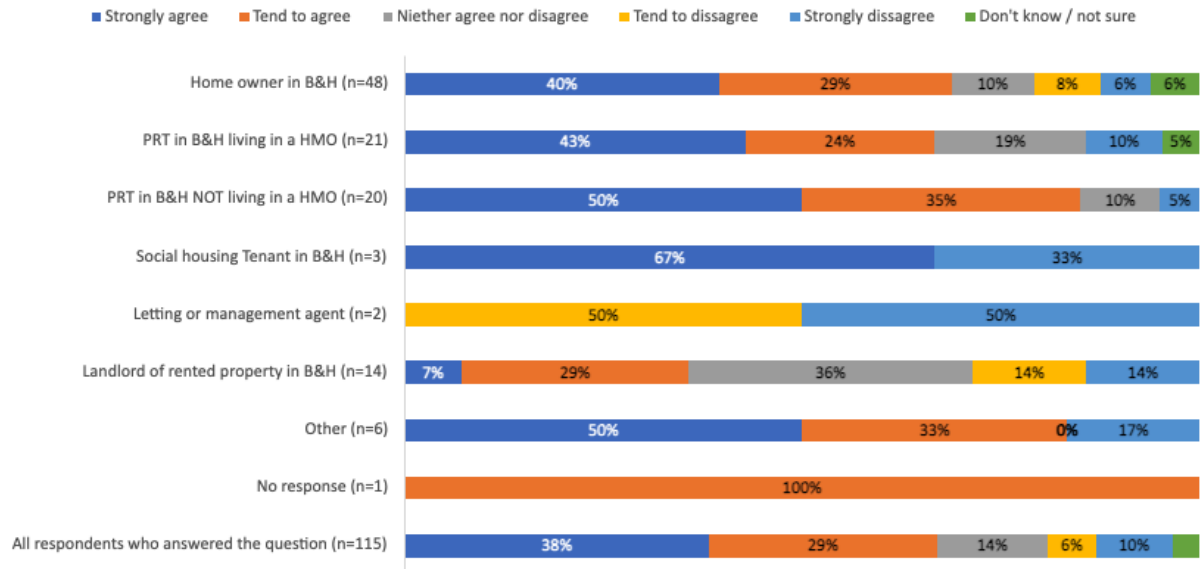
Comments received: 150



The majority who responded to this question strongly agreed that the scheme will improve the management (39%) and the condition (38%) of HMOs with a quarter tending to agree with improved management (25%) and just under a third (29%) with condition. 42% of homeowners, 38% of PRTs living in HMOs and over half (55%) of non-HMO tenants also strongly agreed that the scheme will improve the management. With regards to condition, the responses were similar, 35% of homeowners, 48% of PRTS living in HMOs and 55% of non-HMO tenants also strongly agreed.

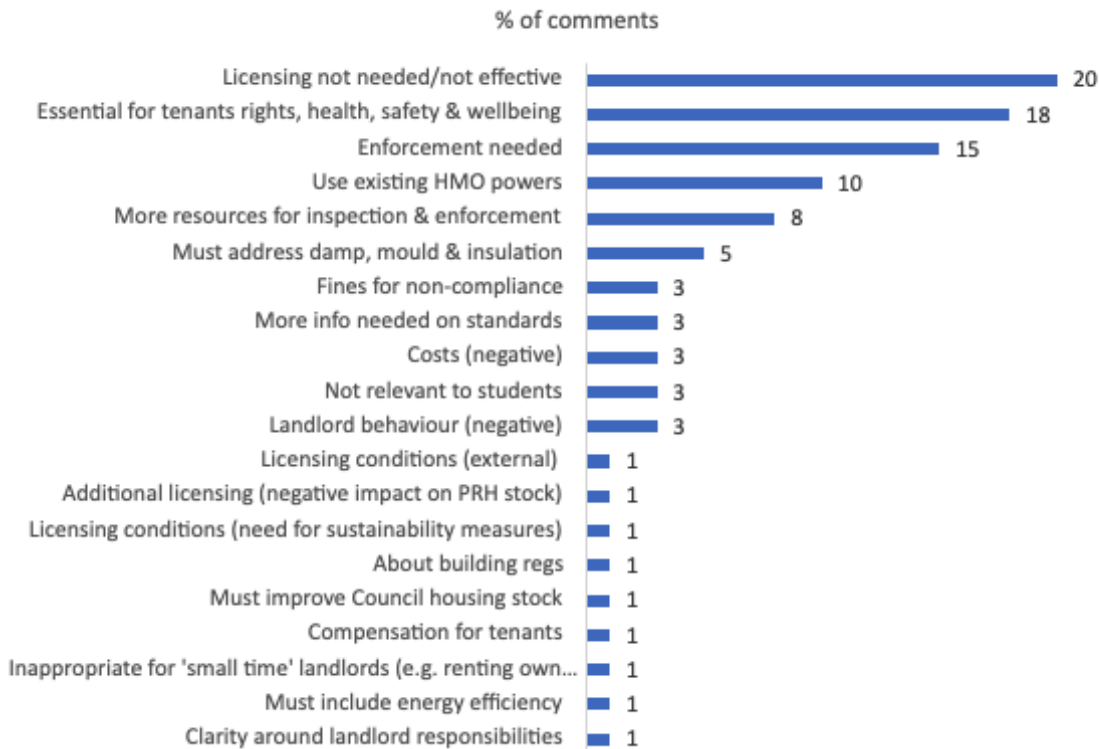
The most frequently mentioned comment was regarding lack of enforcement (15%) by the Council, closely followed by reports of a lack of compliance by agents and landlords (12%). 10% of comments said that enforcement was essential if the scheme is to be effective in improving conditions, however 9% felt that licensing was not needed and that existing legislation was sufficient to address any issues. 6% stated that the scheme will not change standards or conditions and are difficult to enforce.

**To what extent do you agree or disagree that the HHSRS will improve conditions of HMOs, for the proposed scheme in Brighton & Hove? (Question 3c)**



**Please provide any additional comments on HHSRS for improving conditions of HMOs, for the proposed scheme, in Brighton & Hove. (Question 3d)**

Comments received: 80

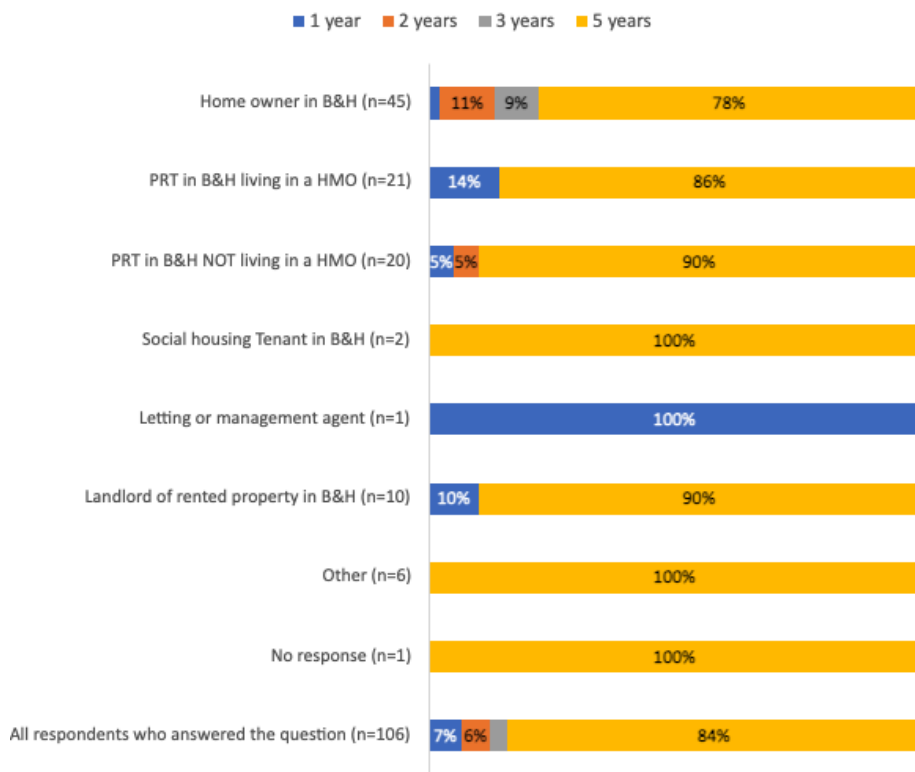


The majority of respondents to this question either strongly agree (38%) or tend to agree (29%) that the HHSRS will improve conditions of HMOs, while 14% did not agree or disagree and 10% strongly disagree.

Half of PRTs not living in HMOs and just under half (43%) living in HMOs strongly agree, as do 40% of homeowners. Under a third of landlords (29%) who responded tended to agree, with equal numbers (14%) either tending to disagree or strongly disagree.

The majority of comments stated that the scheme as being essential for improving tenants' rights (18%) or stating that the licencing was not needed or effective (20%). Enforcement was raised in 15% of comments, with 10% suggesting the Council use existing HMO powers, and 8% raising the need for additional enforcement and inspection resources. A smaller number (5%) of comments want to see the scheme directly address conditions for damp, mould and insultation.

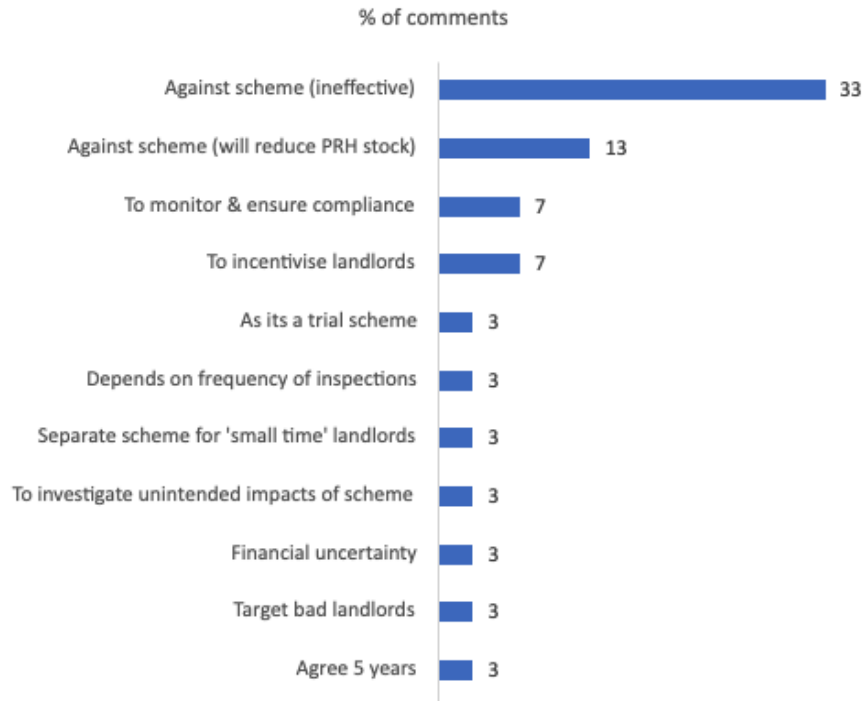
**The Council is proposing that the scheme will last for five years (this is the maximum period a scheme can last). How long do you think the scheme should last? (Question 3e)**





**If you think the scheme should last less than 5 years, please tell us why.**  
(Question 3f)

Comments received: 30

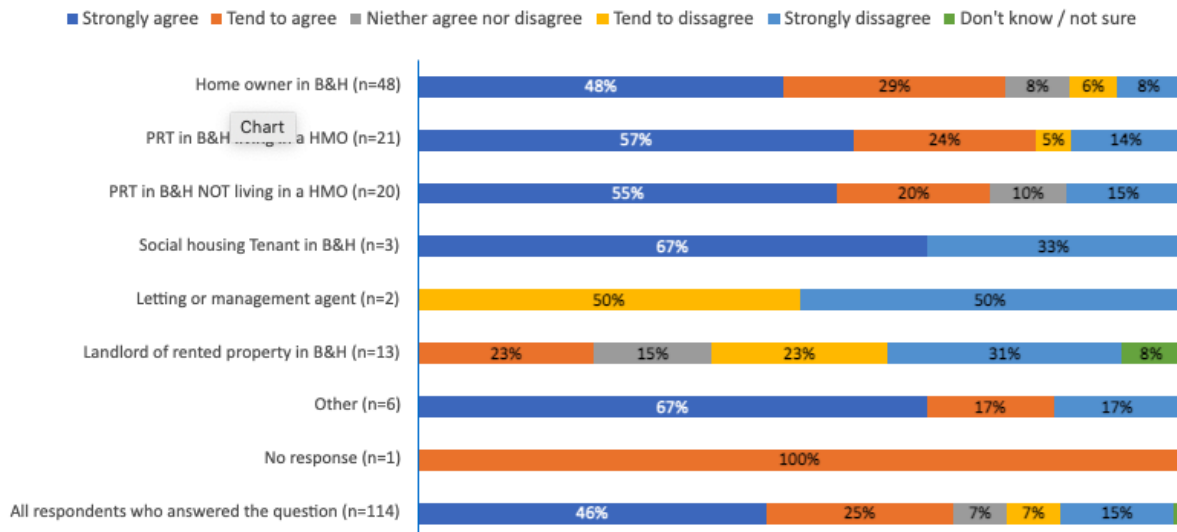


An overwhelming (84%) number of respondents to this question supported a 5-year period for the scheme. There was a small minority of homeowners (11%) preferring 2 years and 9% preferring 3 years. One in 10 landlords indicated 1 year was sufficient.

Of the comments received, 33% stated that they felt the scheme would be ineffective and 13% expressing that they were against the scheme due to the belief that landlords will sell their properties - if the scheme is introduced. 7% felt that the scheme should last less than five years so that landlords could be monitored more frequently to ensure they were complying with conditions and that this would be needed to incentivise landlords to comply.

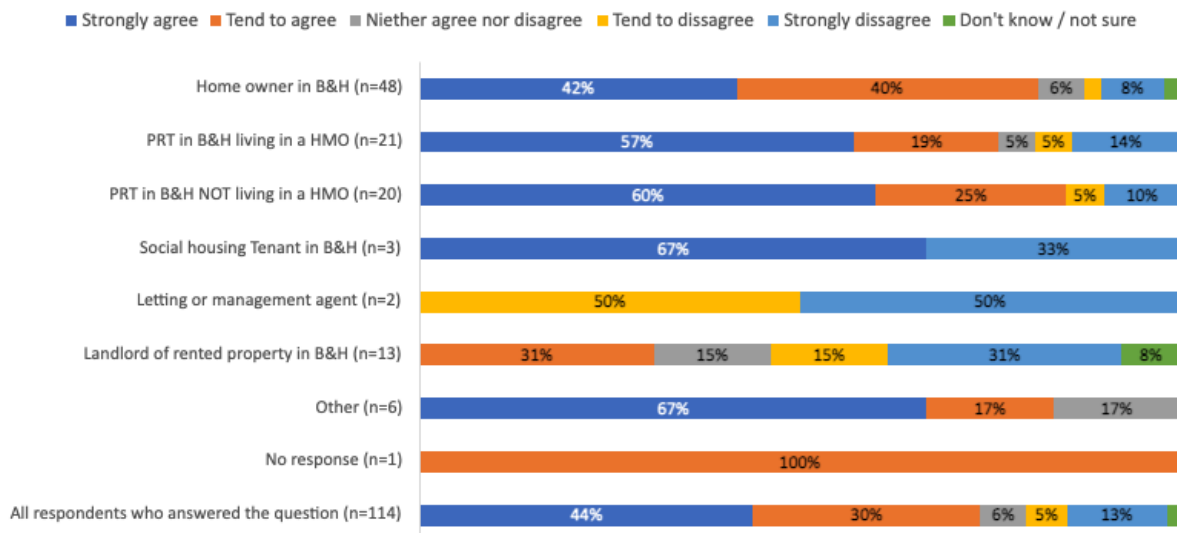
## Thinking about the licensing proposals, how much do you agree or disagree with the following statements? (Question 4)

### Additional HMO licensing would help ensure that HMOs are managed better



Additional HMO licensing would help ensure that HMOs are managed better is strongly agreed by 46% of those who responded to this question, with a quarter tending to agree and 15% strongly disagreeing. Approximately half of homeowners and PRTs (both in and not in HMOs) strongly agree, with over 20% tending to agree. Landlords strongly disagreed (31%) or tended to disagree (23%).

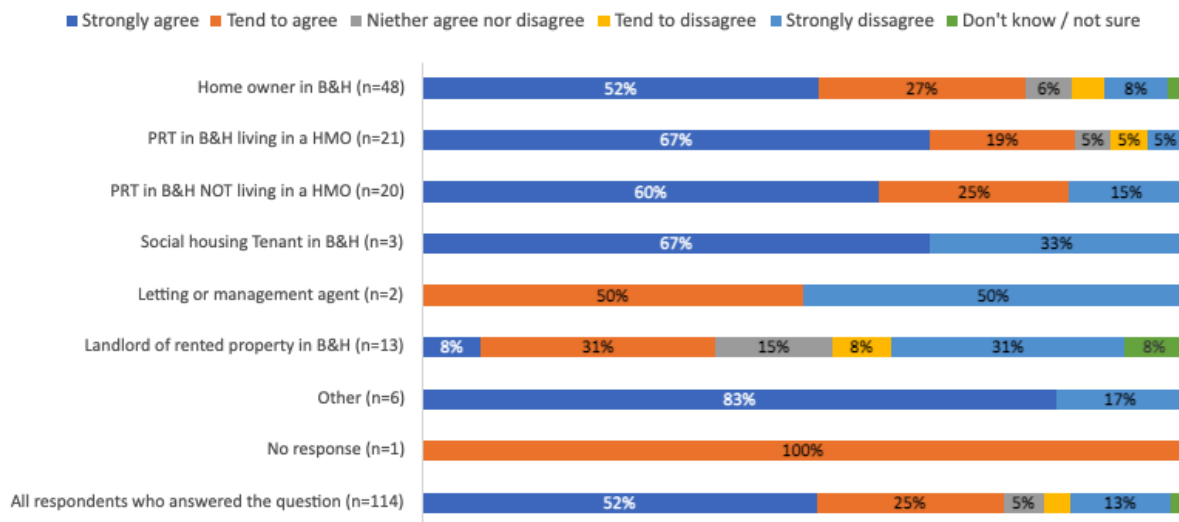
### Additional HMO licensing would help improve the health or safety of tenants living in HMOs



Additional HMO licensing would help improve the health or safety of tenants living in HMOs is strongly supported by 44% of those who responded to this question while 30% tend to agree. Over half of PRTs living in HMOs and non-HMOs and just under

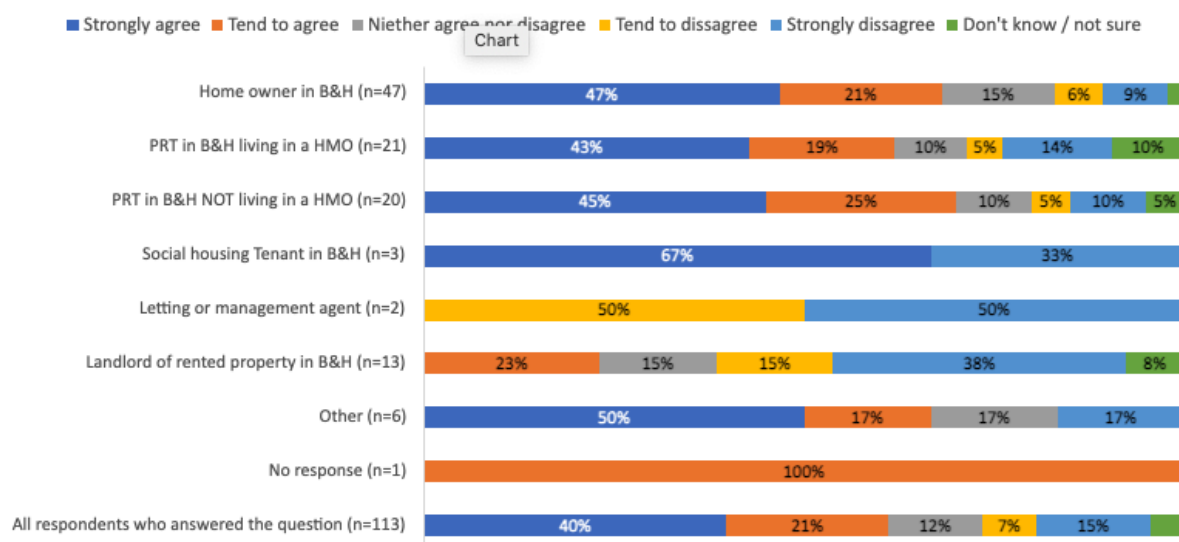
half (42%) of homeowners strongly agree. Just over 30% of landlords equally strongly disagree or tend to agree.

### Additional HMO licensing would help identify the poorer performing landlords of HMOs



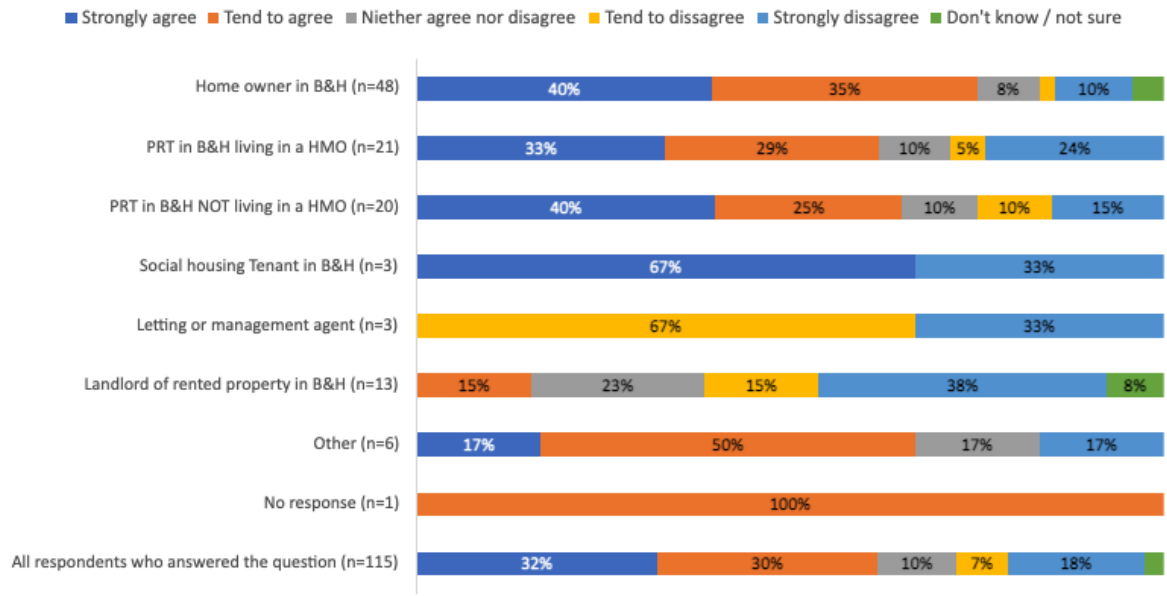
In addition to more than 50% of respondents strongly agreeing, a quarter also tend to agree and only 13% strongly disagree. This is reflected by over 60% of PRTs and just under 50% of homeowners strongly agreeing. Just over 30% of landlords equally strongly disagree or tend to agree.

### Additional HMO licensing would help to support good landlords of HMOs



The majority of respondents (40%) to this question strongly agreed, and 21% tend to agree and 15% strongly disagree with a small minority of 7% tend to disagree. Over 40% of PRTs strongly agree, and while 23% of landlords who responded to this question strongly agreed, 38% strongly disagreed.

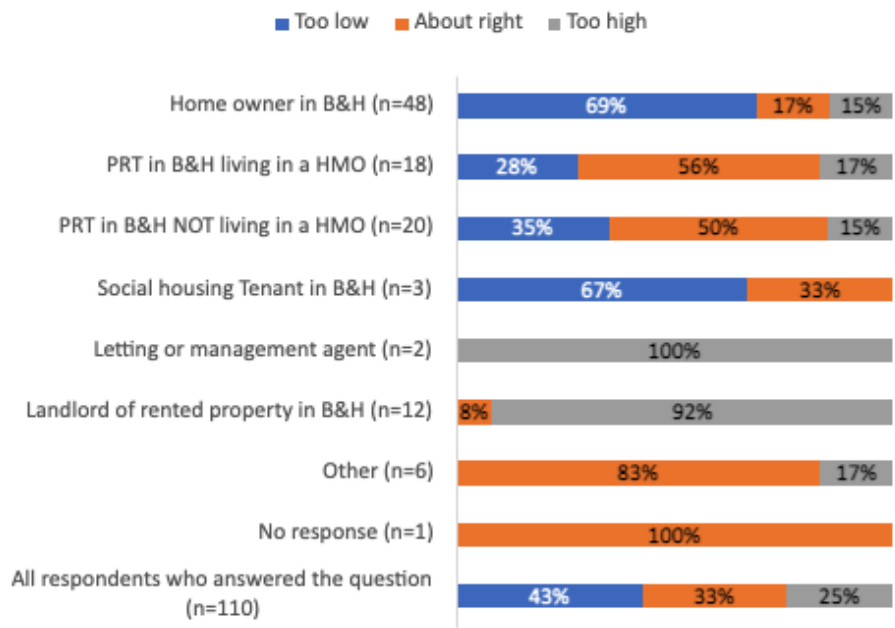
## Additional HMO licensing would help reduce neighbourhood problems, e.g. noise or rubbish



Just under a third of all respondents to this question strongly agree (32%) or tend to agree (30%). Support from PRTs and homeowners is similar while 38% of landlords strongly disagreeing.

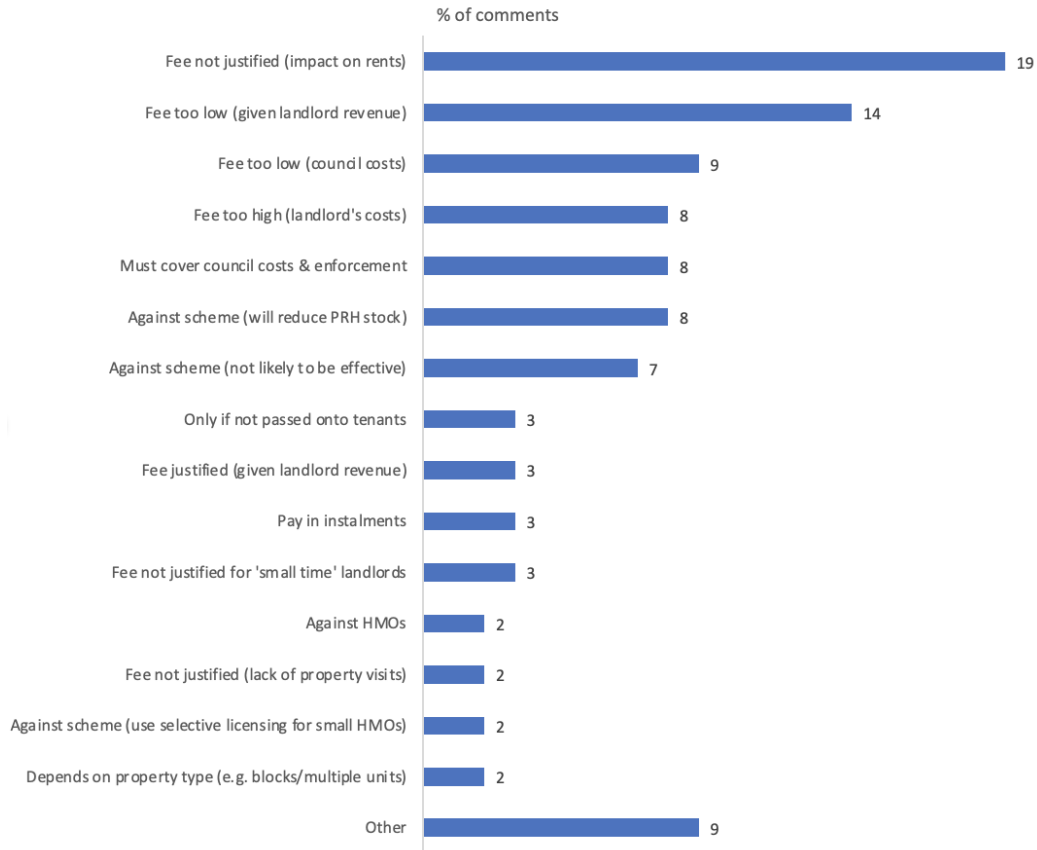
## Fee structure

For the standard fee of £800 its equals around £3.08 per week (over 5 years). Do you think the fee is (Question 5a):



**Please provide any additional comments to explain your response. (Question 5b)**

Comments received: 30

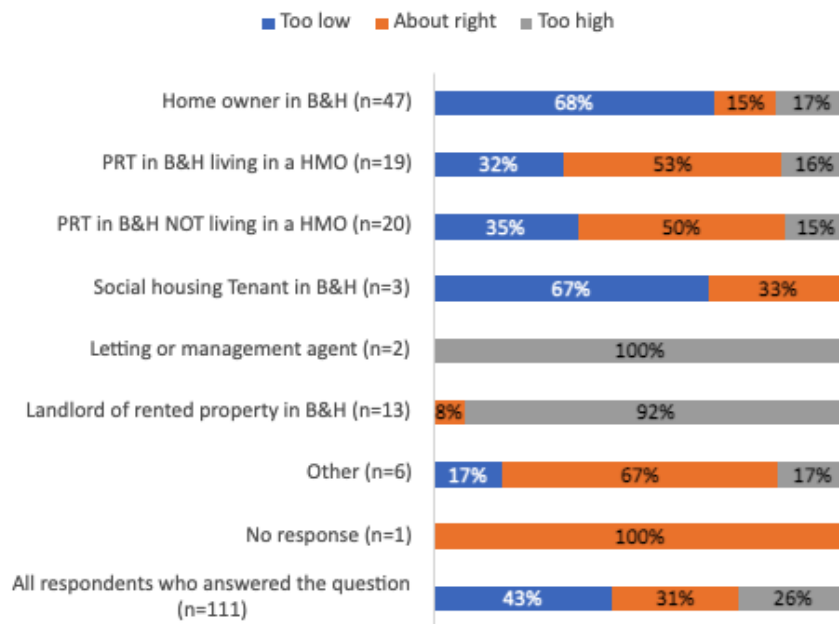


The majority of respondents (43%) to this question felt that the fee is too low. Including 69% of home owners. Over one third (33%) feel it is about right, with more than half of PRTs agreeing. One quarter of respondents considered the fee to be too high, with an overwhelming majority of landlords (92%) taking this position.

Most comments received in response to this question stated that the fee was not justified, as it would impact on rents (19%) and landlord's costs (8%).

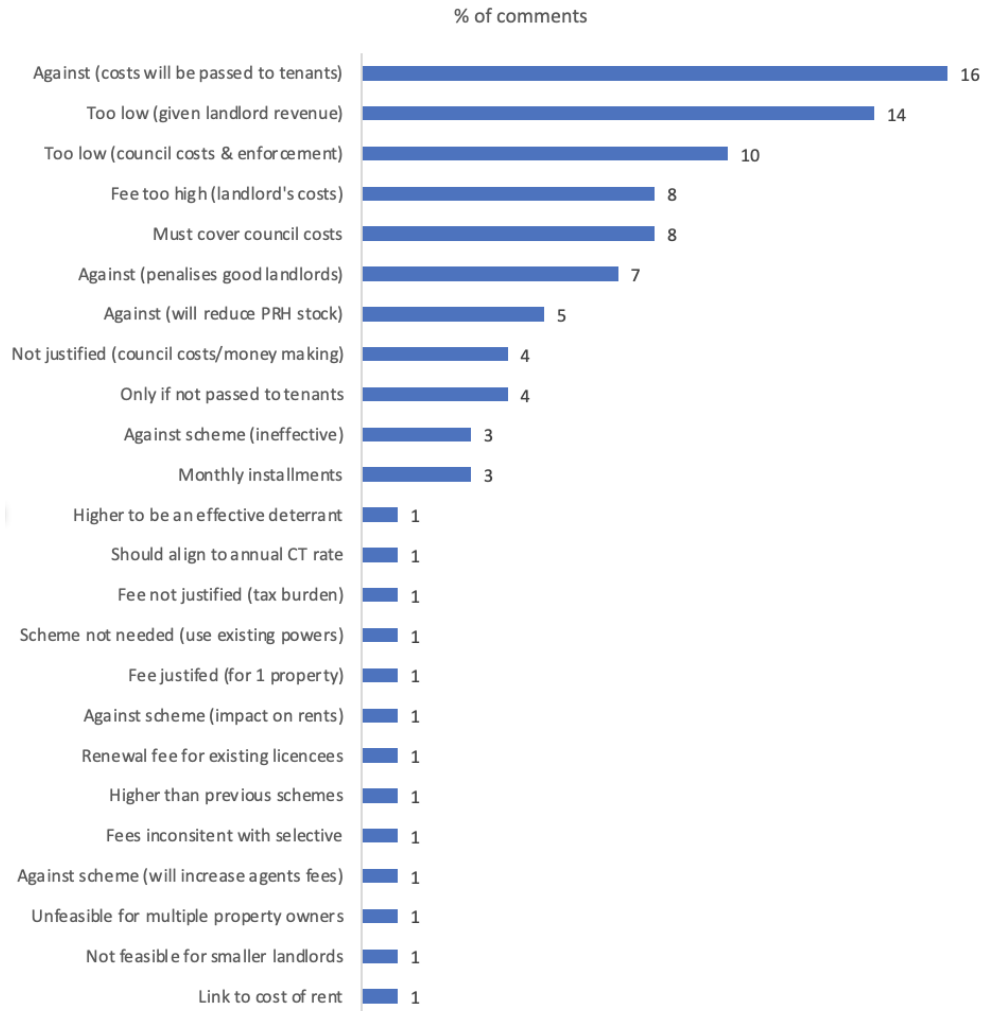
Others were concerned that the fee was too low and felt that landlords' rental revenue meant they were in a position to pay the fee. Some felt that the fee must cover the Council's costs and scheme enforcement. 17% took the opportunity to state their opposition to the scheme. A few comments (3%) stated they were content with the fee, as long as it was not passed onto tenants.

**For the standard fee of £1,020 it equals around £3.92 per week (over 5 years).  
Do you think this fee is (Question 5c):**



**Please provide any additional comments to explain your response. (Question 5d)**

Comments received: 73

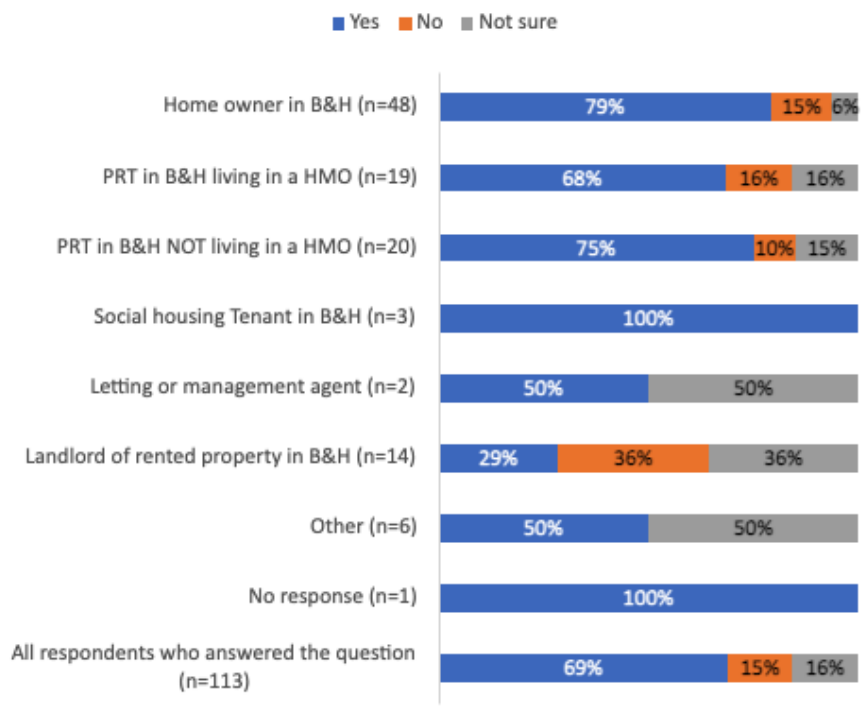


The majority of respondents (43%) to this question stated that the fee is too low, while just over a third (31%) feel it is about right and just over a quarter feel it is too low. Most home owners (68%) believe it is too low, while more than half of PRTs feel it is just about right. Conversely, an overwhelming majority of landlords (92%) stated it is too high.

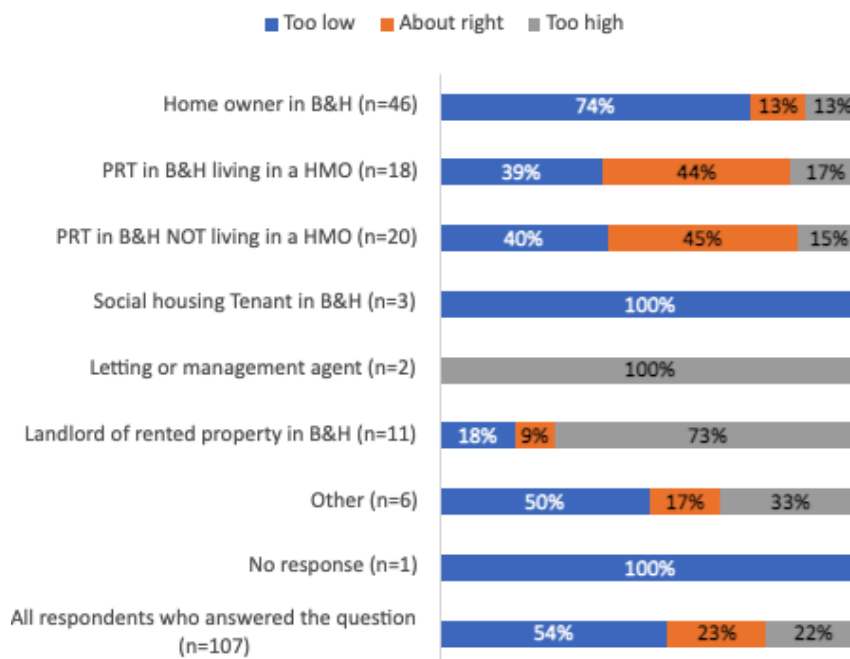
More than one in ten respondents (16%) are opposed to the fee, as there is concern it will be passed to tenants, penalises good landlords (7%) or will see the number of private rented properties reduced (5%). However, more than one in ten (14%) feel the fee is too low given landlords' rental revenues. 8% of comments indicated that the fee must cover the Council's costs and enforcement activities.

In instances where a licence application is not made, the Council will incur extra costs in pursuing the application. This is called a prompted licence fee. For this, the Council is proposing a higher fee of £900 (for HMOs let on single tenancies with 3 or 4 occupants) over 5 years. This equals around £3.46 per week (Question 5e)

**Do you think the £900 higher fee should be set for pursuing licence applications?**



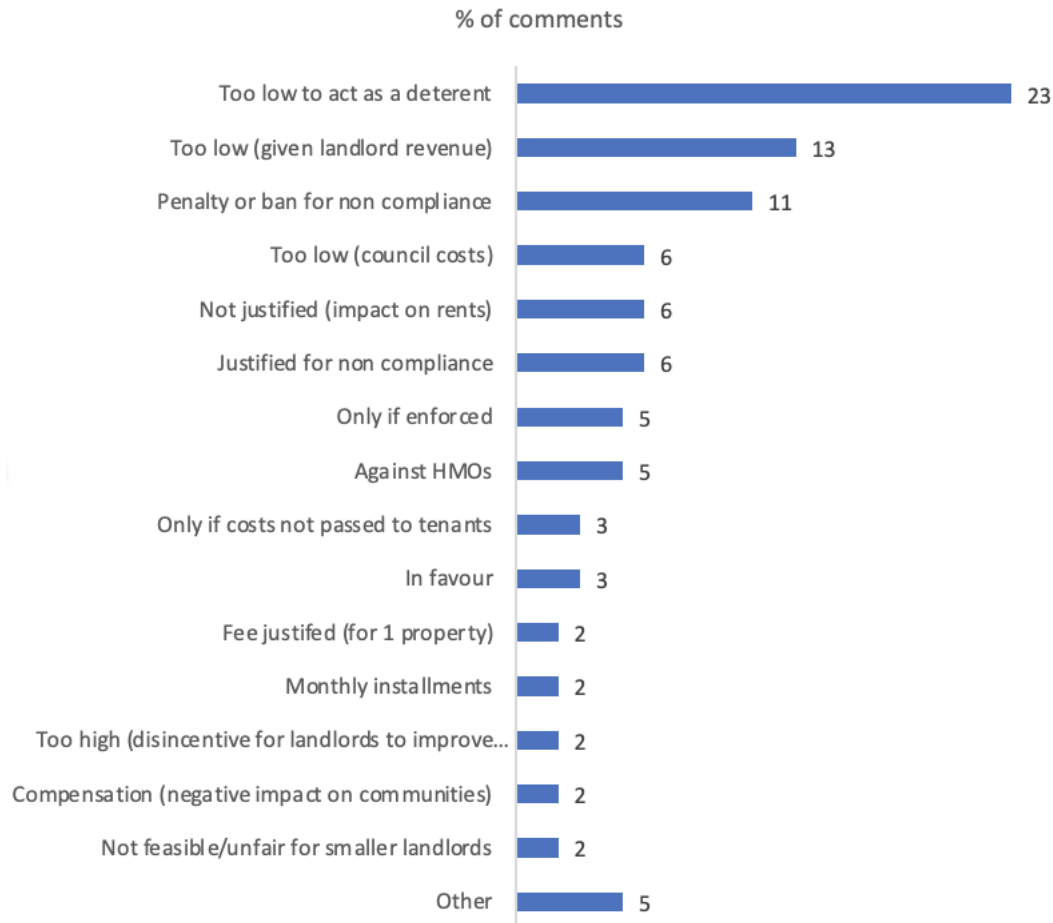
**Do you think the higher fee is (Question 5f):**





**Please provide any additional comments to explain your response. (Question 5g)**

Comments received: 63

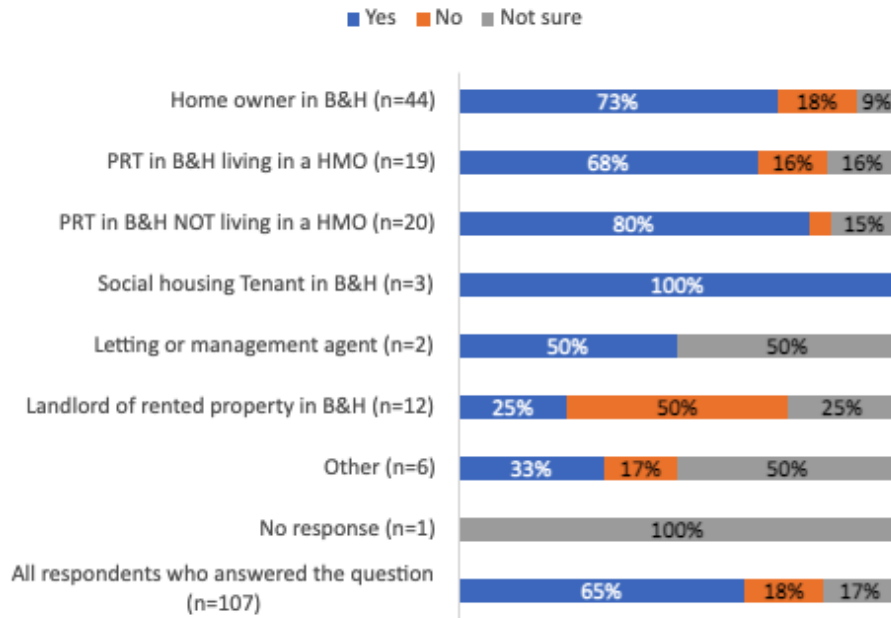


A majority of respondents (69%) agree that the £900 higher fee should be set, while 15% do not and 16% are unsure. Almost three quarters of PRTs and homeowners agree, while just over a third of landlords do not agree.

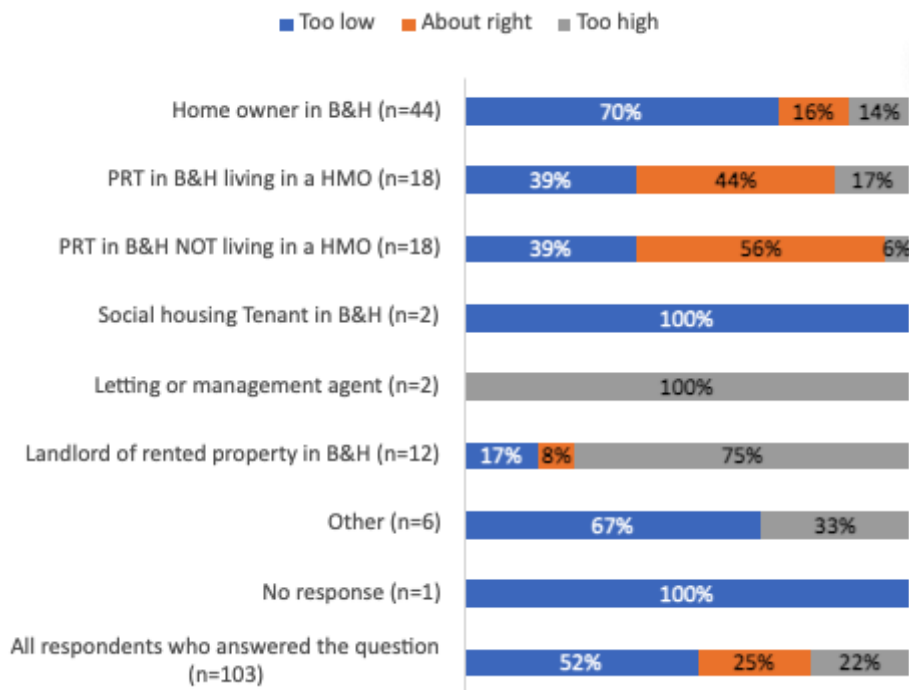
When asked about the higher fee more than half said it was too low, and just over 20% said it was too high or just about right.

Of the additional comments received, the majority (23%) said the fee was too low to act as a deterrent and that landlords could afford a higher fee due to their revenues (13%). Others (11%) suggested that the Council should impose a penalty or ban. Some said it was not justified due to the concern that it would be passed onto tenants (3%) in the form of increased rents, or that the fee is only justified if the scheme is properly enforced (6%).

The Council is proposing a higher fee (prompted licence fee) of £1,080 (for HMOs let on multiple tenancies with 3 or 4 occupants) over 5 years. This equals around £4.15 per week. Do you think the £1,080 higher fee should be set for pursuing licence applications? (Question 5h)

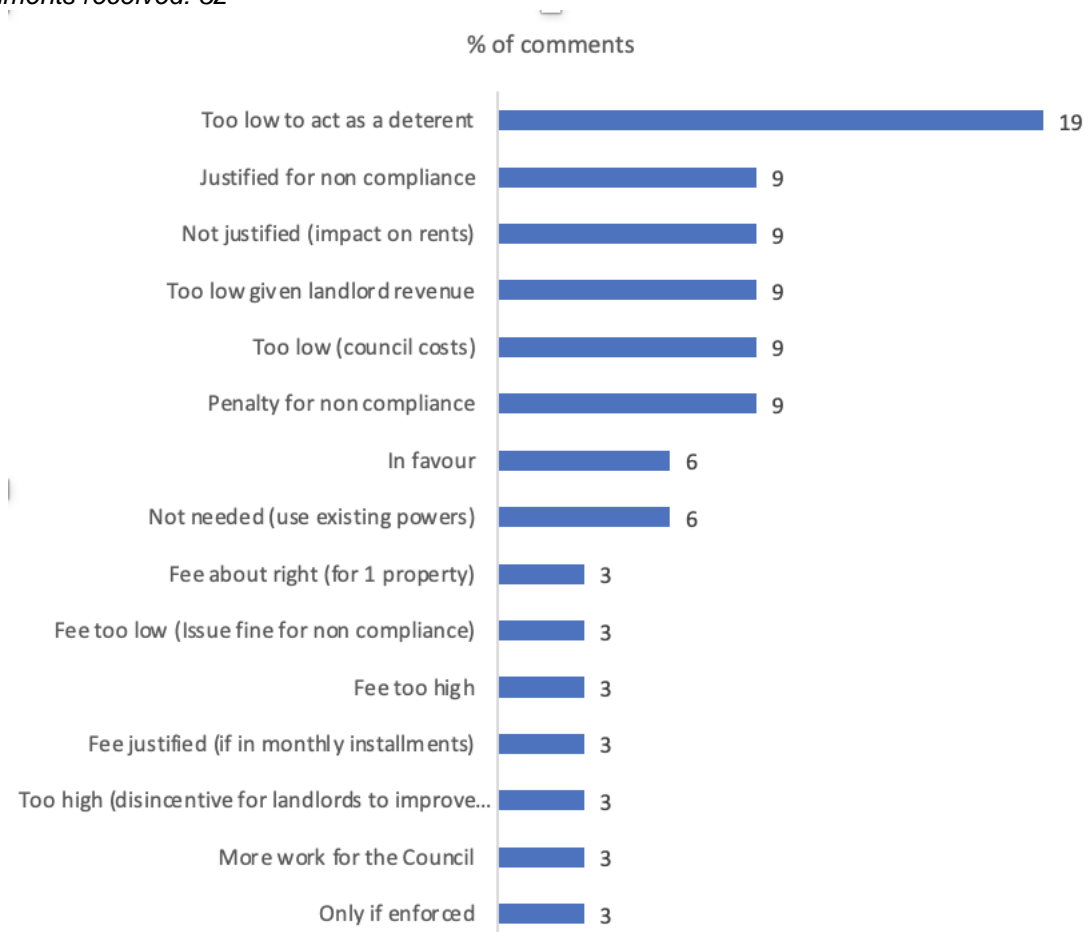


Do you think the £1,080 higher fee is (Question 5i)



**Please provide any additional comments to explain your response (Question 5j)**

Comments received: 32

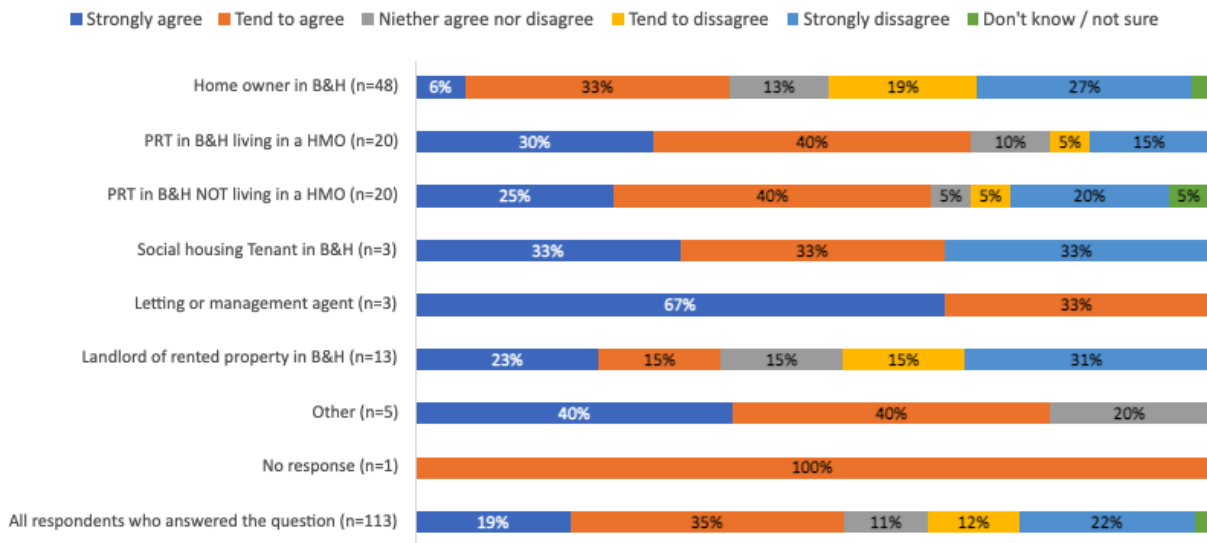


Most respondents (52%) feel that the fee is too low including 70% of homeowners. One quarter feel that it is 'about right'. This includes the majority of PRTs. 75% of landlord's think that it is too high.

While the majority agree with the higher fee, just over half of respondents state that the fee is too low, particularly homeowners (70%) while three quarters of landlords state the fee is too high.

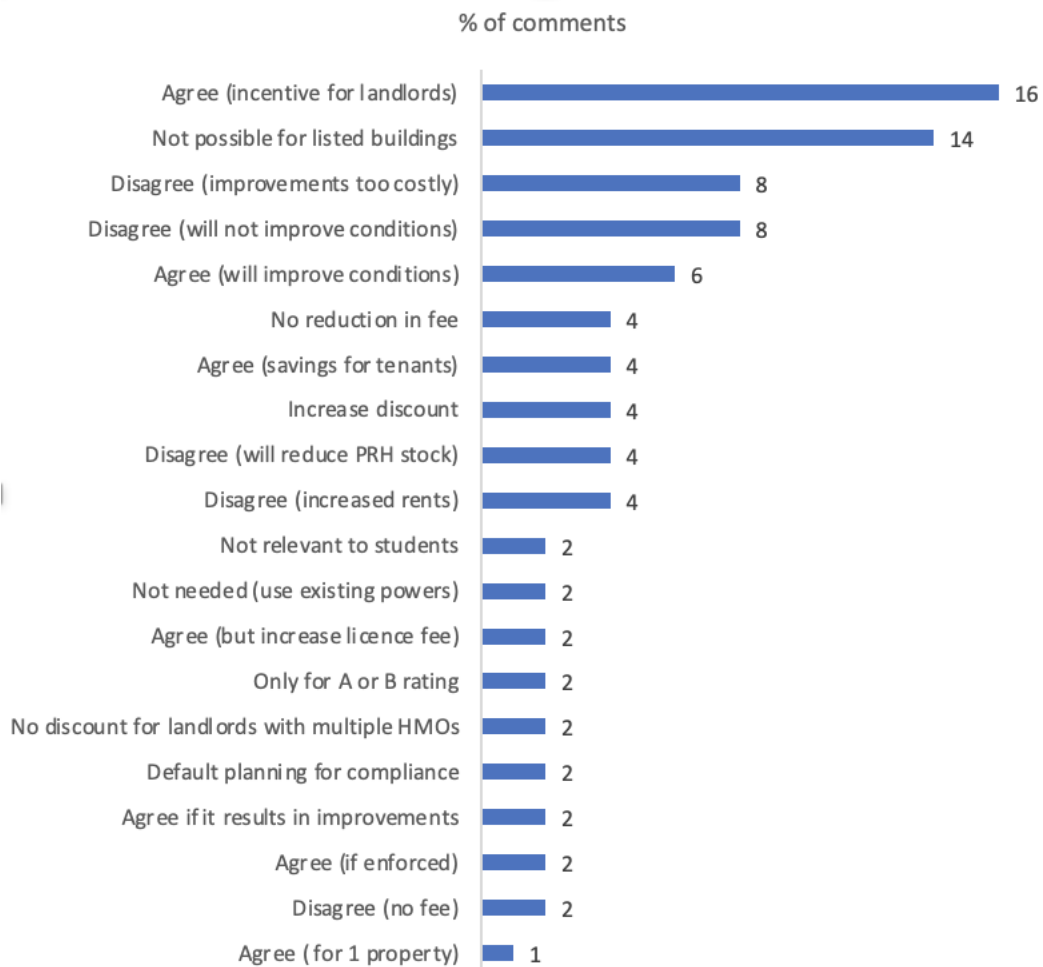
The main comments received suggest the fee is too low to act as a deterrent (19%). Equal numbers of comments (9%) felt the fee was too low to cover Council's costs and also in respect of landlords' revenue which is perceived to be relatively high, especially for those with multiple HMOs. Those who felt the fee was not justified were concerned it would impact rents (9%) or that the scheme is not needed at all (6%).

## Do you think there should be a reduction in the fee for properties with an Energy Performance Certificate rating of C or above? (Question 5k)



## Please provide any additional comments to explain your response (Question 5l)

Comments received: 50

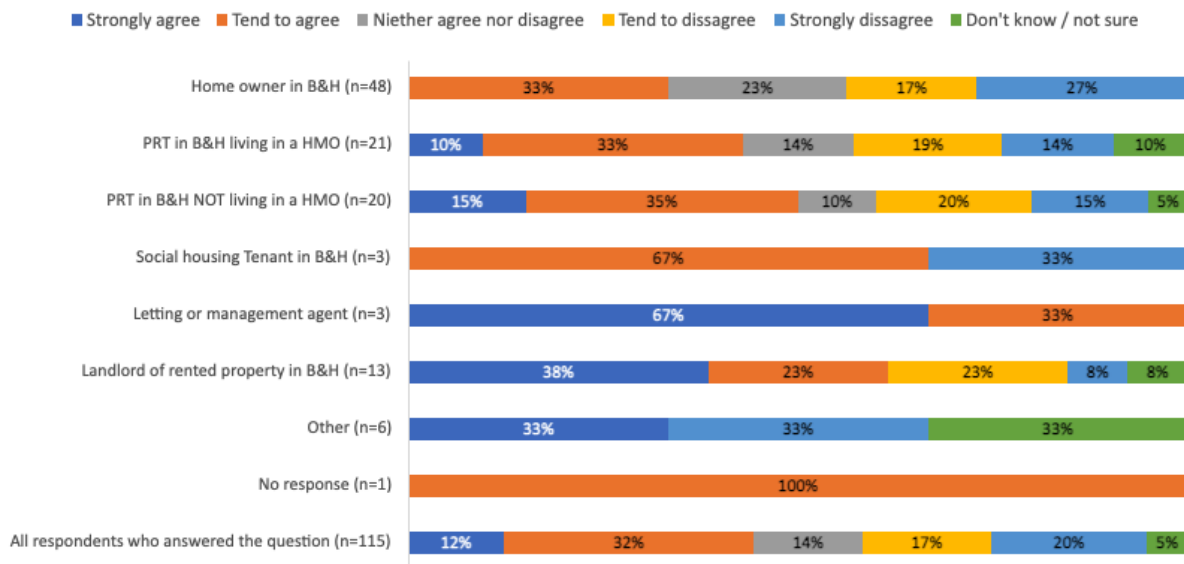


While 35% of respondents tend to agree with the fee reduction, 22% were strongly opposed. Most PRTs and homeowners tended to agree or strongly agree with the fee reduction, with just under a third of landlords strongly disagreeing and 23% strongly agreeing.

In respect of comments received, 16% agreed that the reduction in fee would be an incentive for landlords. An equal number disagreed, as they felt that the improvements needed to achieve a C rating would be too costly (8%) or would not be effective in improving conditions (8%). Half that number again (4%) disagreed, as they felt landlords will sell their properties as a result of the scheme or because it will increase property rents.

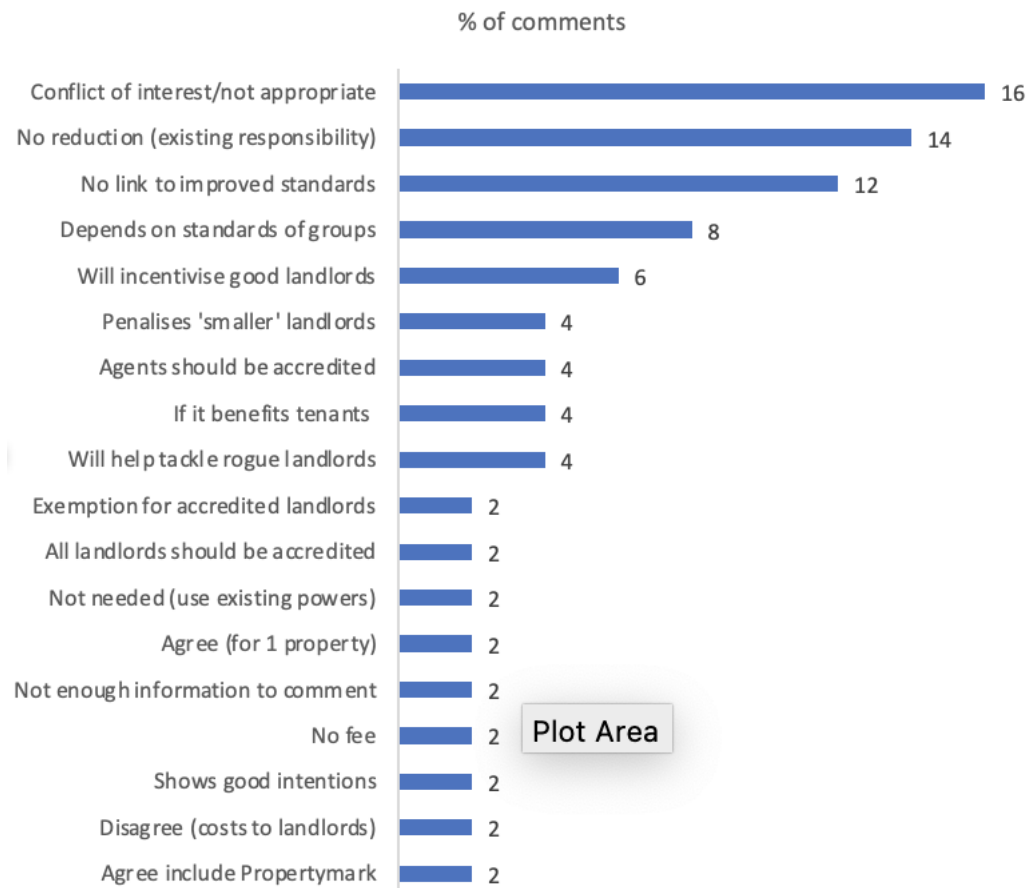
Conversely, a similar number agreed with the fee reduction, as they felt achieving a C rating would improve conditions (6%) and would result in savings for tenants (4%) as a result of improved energy efficiency. 14% felt that achieving a C rating would not be possible for older or listed buildings due to restrictions imposed by the Council. For example, treatment of windows.

**It is proposed to offer a discounted licence fee for landlords who are accredited with landlord groups (these are ihowz Landlord Association, National Residential Landlords Association and Safeagent). Do you think there should be a reduction in the fee for landlords who are accredited under a landlord scheme who can meet national standards of good practice? (Question 5m)**



## Please provide comments to explain your response (Question 5n)

Comments received: 43



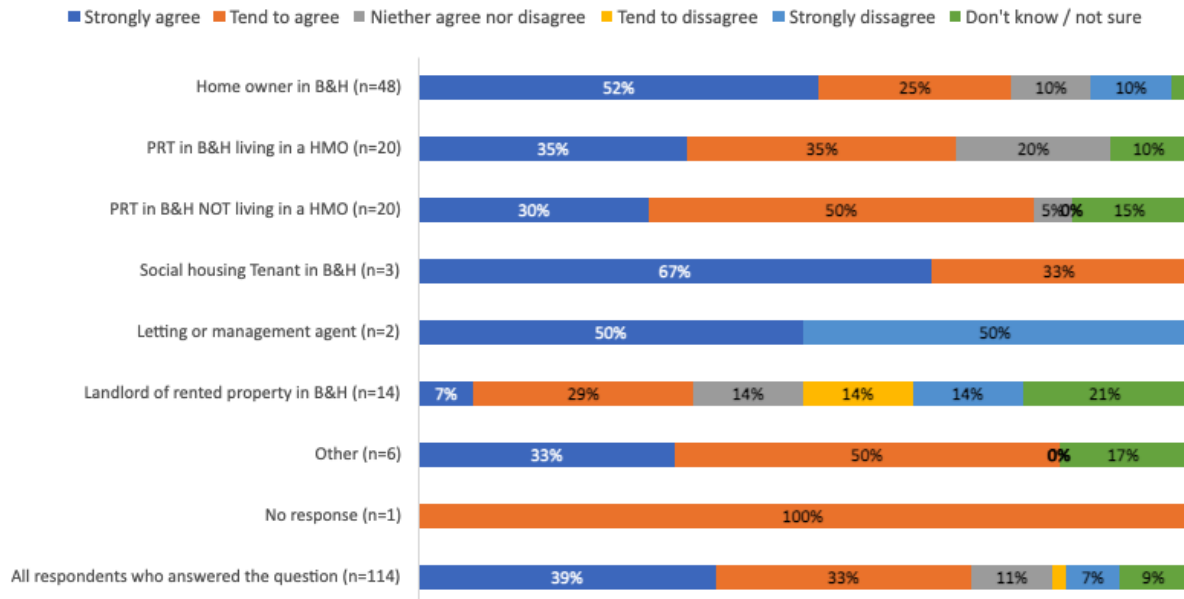
While just under half of all respondents support the fee reduction, over a third do not agree. A majority of PRTs and homeowners tend to agree and more than half of landlords agree while a little over a third disagree.

Most comments received (16%) were concerned that the fee was not appropriate and represented a conflict of interest. Others did not support the reduction, as they felt it is landlords' existing responsibility to maintain properties to a decent standard (14%) and therefore, did not warrant a discount. 12% of comments received indicated that being accredited would not necessarily result in improved standards (12%).

A smaller number of comments suggested the discount should depend on the standards of the group (8%) and would incentivise good landlords (6%). Other comments stated it was unfair on small landlords who might not be able to afford accreditation (4%) and that it might help to tackle rogue landlords (2%).

## Licences

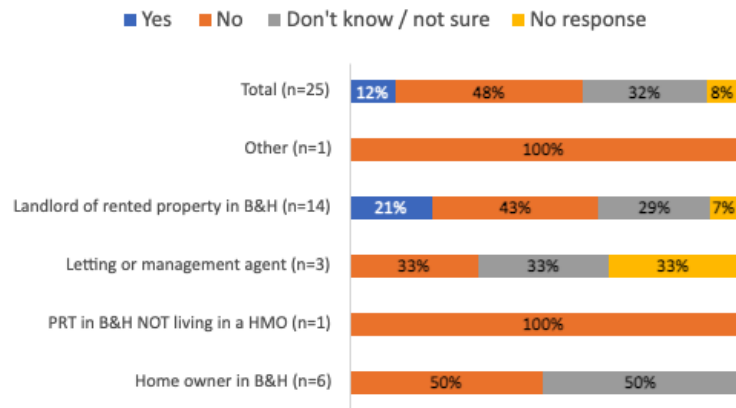
Normally licences are awarded for the length of the scheme (up to five years). The Council cannot refuse to award a licence where there is outstanding planning permission or other issues at the property, e.g. no planning permission in place to have an HMO. The Council (therefore) is proposing to issue shorter licences where there is outstanding planning permission or other issues at the property. Do you agree or disagree with this? (Question 6)



Most respondents agreed or strongly agreed with the proposal, including over half of homeowners and a third of PRTs and landlords. However, almost a quarter of landlords disagreed.

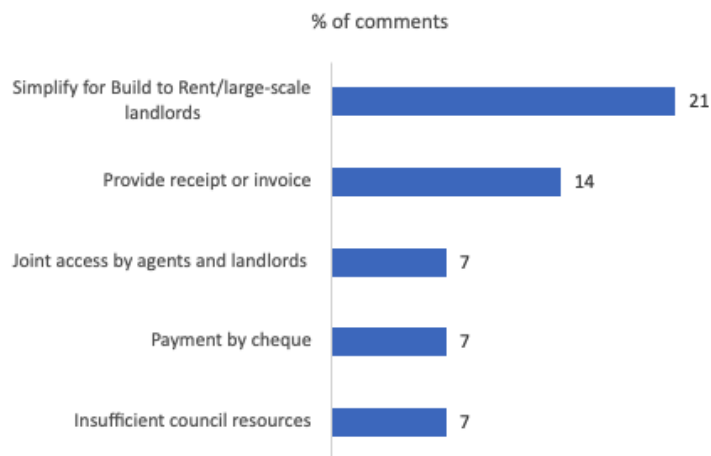
## Landlords and Agents

**We intend to set the application and payment process online only via the Council's website – is there anything we need to consider for making this work for you? (Question 7)**



**Please provide any additional comments to explain your response. Please also include any specific considerations to make online payments work for you. (Question 7b)**

Comments received: 14

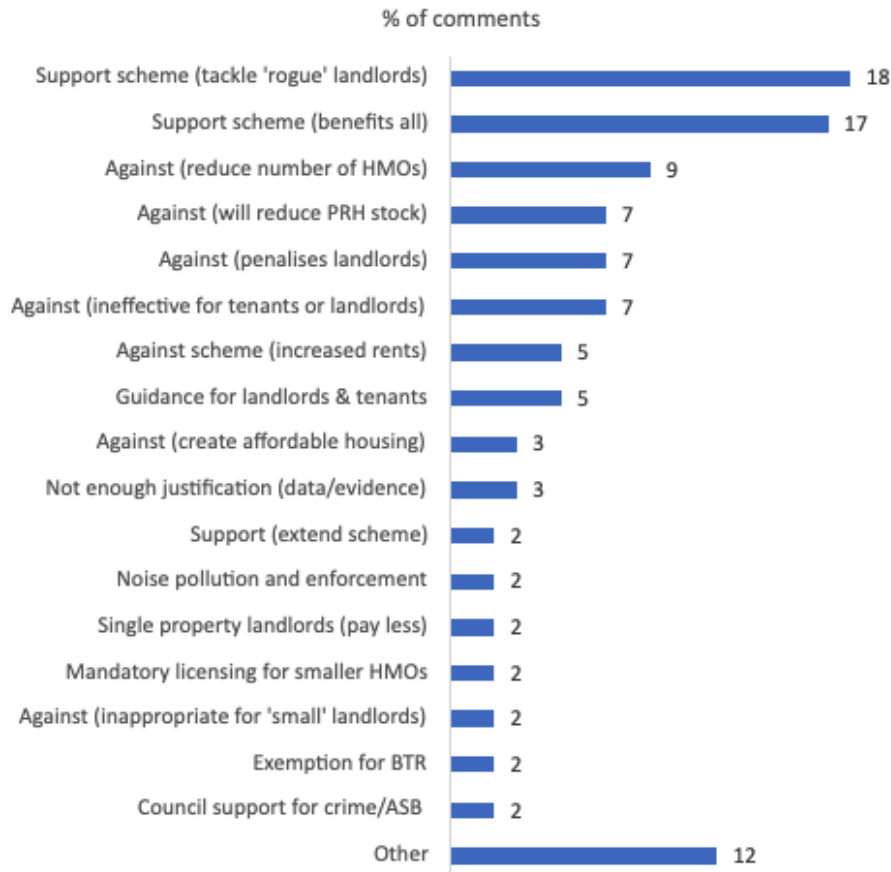


Almost half of respondents said there were issues to be considered and most asked that the system be simple for use by Build to Rent and large scale landlords (21%), with others requesting a receipt or invoice be provided (14%) and that joint access be given for agents and landlords (7%). A number of respondents requested offline payment by cheque to be made available (7%). An equal number of comments indicated that the Council did not have enough resources to operate an online payment system (7%).



## Please provide any further comments you have about the proposed Additional HMO Licensing Scheme (Question 8)

Comments received: 101



Respondents took the opportunity to state their support for the scheme, as it would tackle rogue landlords (18%) and bring benefits for all (tenants, landlords and communities) (17%).

Those who stated their opposition were concerned it would reduce the number of HMOs (9%) and private rented sector housing (7%), penalise landlords (7%) or be ineffective for both tenants and landlords (7%).

Other comments against the scheme stated that it would lead to increased rents (5%) and creating unaffordable housing through an expected increase in rents (3%). A number requested clear guidance for landlords and tenants (5%) on each of their responsibilities.

## Citywide Additional HMO Licensing: Respondent Profile

All respondents to the questionnaire took the opportunity to select one of the below groups to describe themselves:

Are you responding to the questionnaire as...	Total	%
Home owner in B&H	48	41.4
PRT in B&H living in a HMO	21	18.1
PRT in B&H NOT living in a HMO	20	17.2
Social housing tenant in B&H	3	2.6
Letting or management agent	3	2.6
Landlord of rented property in B&H	14	12.1
Other	6	5.2
No response	1	0.9
Total	116	100

Respondents from the following groups were also given the opportunity to provide more information about their profile:

Respondent groups
Home owner in B&H
PRT in B&H living in a HMO
PRT in B&H NOT living in a HMO
Social housing tenant in B&H

Not all respondents from these groups provided a response to the various profile questions.

Where respondents did not answer or preferred not to provide an answer, these have not been included in the figures below.

The Council did not gather profile information from those that responded as a business or organisation.

The tables below include:

- Total = number of respondents who answered the question
- % = percentage of respondents who answered the question

Age Groups	Total	%
18 to 24	12	14.0
25 to 34	17	19.8
35 to 44	19	22.1
45 to 54	11	12.8
55 to 64	14	16.3
65 to 74	13	15.1
Total	86	100

What gender are you?	Total	%
Female	42	44.2
Male	48	50.5
Other	5	5.3
Total	95	100

Do you identify as the sex you were assigned at birth?	Total	%
Yes	87	97.8
No	2	2.2
Total	89	100

How would you describe your ethnic origin?	Total	%
Asian or Asian British: Indian	1	1.2
Mixed: Black Caribbean and White	1	1.2
Any other mixed background (please give detail below)	1	1.2
White: English / Welsh / Scottish / Northern Irish / British	65	79.3
White: Irish	2	2.4
Any other White background (please give details below)	11	13.4
Any other ethnic group (please give details below)	1	1.2
Total	82	100

Which of the following best describes your sexual orientation?	Total	%
Bisexual	7	9.2
Gay	15	19.7
Heterosexual / straight	52	68.4
Lesbian	2	2.6
Total	76	100

What is your religion or belief?	Total	%
I have no particular religion/belief	38	48.1
Buddhist	1	1.3
Christian	16	20.3
Agnostic	6	7.6
Atheist	14	17.7
Other religion	2	2.5
Other philosophical belief	2	2.5
Total	79	100

Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, such as the Territorial Army)	Total	%
No	90	100

Armed forces service - Have you ever served in the UK Armed Forces?	Total	%
Yes	2	2.2
No	88	97.8
Total	90	100

Armed forces service - Are you a member of a current or former serviceman or woman's immediate family/household?	Total	%
Yes	4	4.4
No	86	95.6
Total	90	100

Connection to the armed forces	Total	%
Yes	6	6.7
No	84	93.3
Total	90	100

Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?	Total	%
Yes a little	17	18.7
Yes a lot	10	11.0
No	64	70.3
Total	91	100

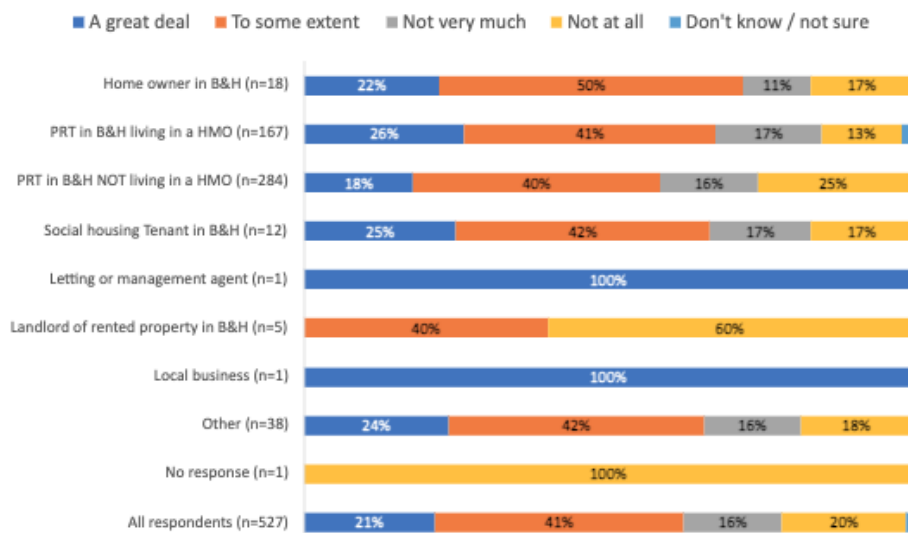
Are you a carer?	Total	%
Yes	12	13.0
No	80	87.0
Total	92	100

## Selective Licensing: Analysis of Consultation Responses

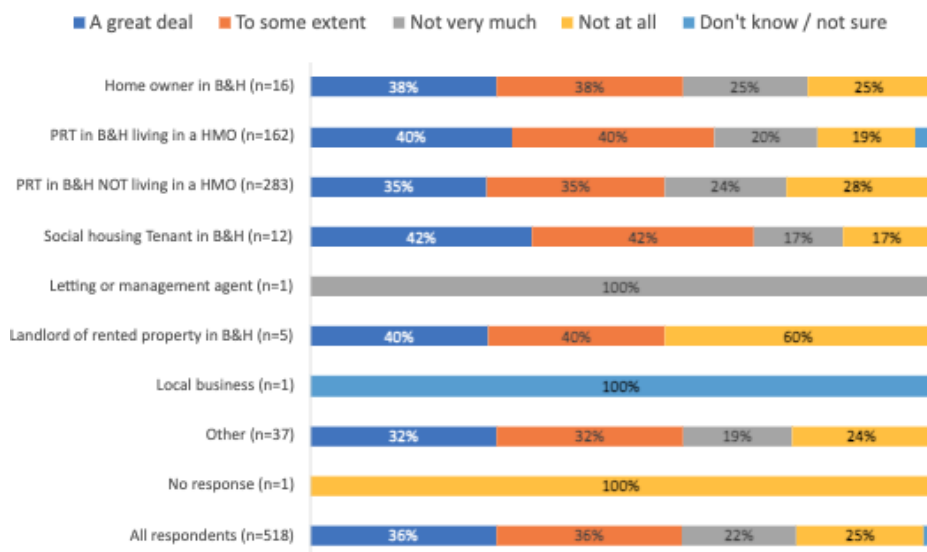
There were 893 responses to the consultation received by the Council. The majority were received via the council's online consultation portal (online survey) of which 3 were originally made as paper copies. In addition, there were 12 separate written responses received. There were also 62 participants joining the 6 consultation meetings held by the Council.

**If you have lived in a private rented property in the last 12 months, do you feel that your health or safety has been harmed by the condition of the property you have occupied? (Question 1d)**

### Health

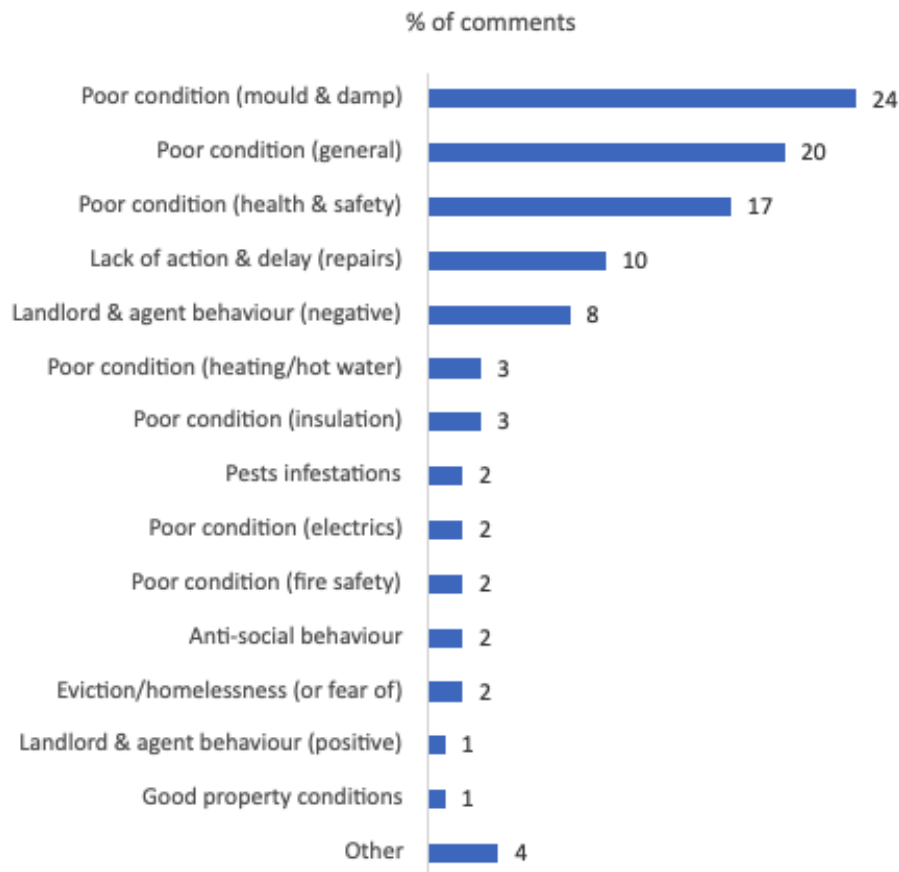


### Safety



**Please provide any additional comments on if you feel that your health or safety has been harmed by the condition of the property you have occupied (Question 1f)**

Comments received: 903



Just under half (41%) of all those who responded to question 1d felt that their health had 'to some extent' been harmed by living in a private rented property. This included 42% of social housing tenants, 41% of private rented tenants who live in HMOs and 40% in non-HMO properties.

One in five (21%) felt that their health had been affected 'a great deal'. In terms of safety, more than one third (36.1%) felt that their safety had been affected 'a great deal' and another 36% said it was affected 'to some extent'. Just under a quarter (24.9%) felt that their safety had not been affected at all.

Again, the impact of safety was raised by those living in private rented property, including 42% of social housing tenants, 40% of private rented tenants who live in HMOs and 35% in non-HMO properties. The most frequently mentioned issue regarding health and safety concerns related to mould and damp (24%) and impact of poor property conditions overall (20%).

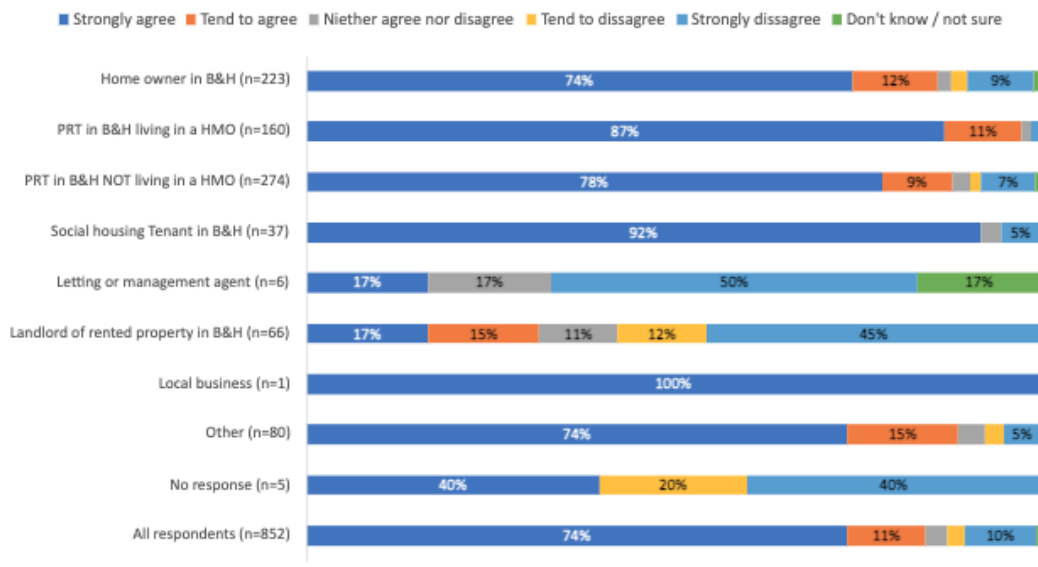
17% of comments specifically referred to a negative impact of these conditions on their health (both physical and mental) and to their sense of safety (physical and mental). A lack of action by landlords or managing agents to rectify issues was also

raised and this was cited as contributing towards the impacts on health and safety. Just under one in ten (8%) raised concern about the negative behaviour of landlords and agents.

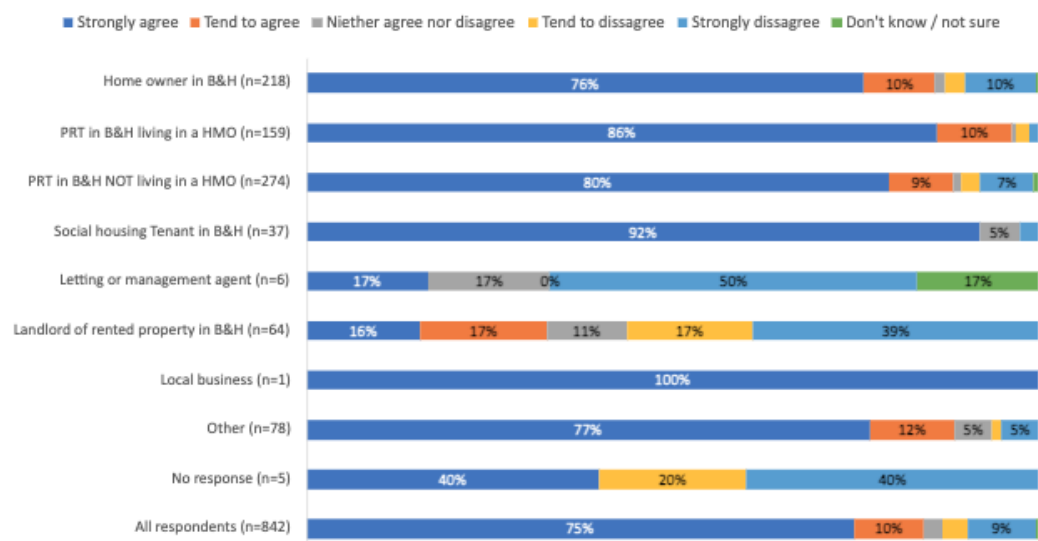
## Licence conditions

**To what extent do you agree or disagree that the proposed licence conditions of the schemes will improve the management and condition of private rented properties in Brighton & Hove? (Question 2a)**

### Management



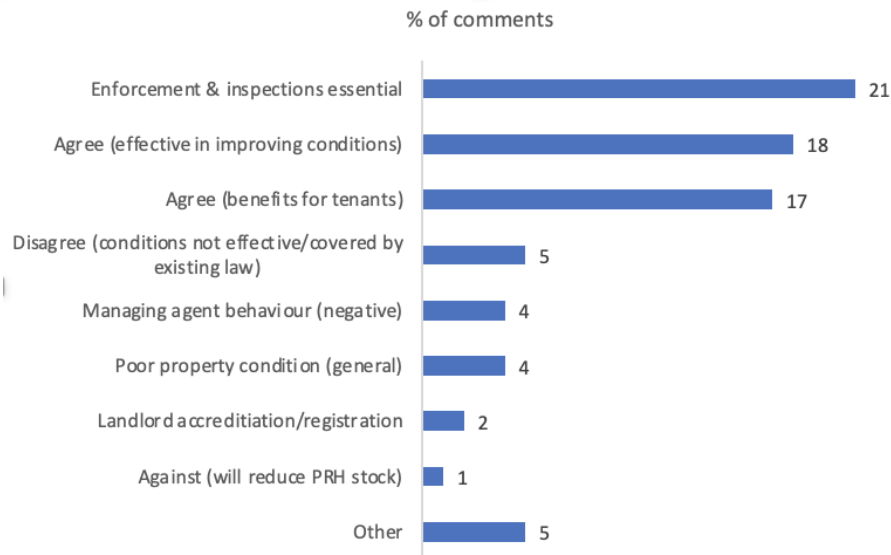
### Condition





**Please provide any additional comments on the management and condition of private rented properties - including any comments you have on the proposed licence conditions themselves. (Question 2b)**

Comments received: 1777



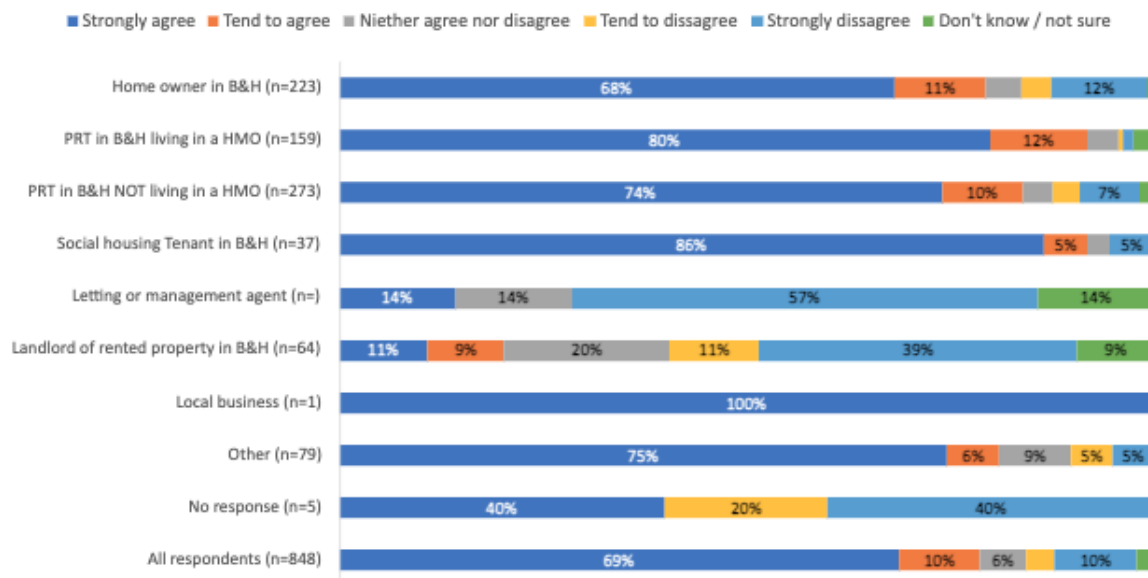
Just under three quarters of all respondents 'strongly agreed' that the scheme would improve both the management (73%) and the condition (74%) of private rented properties. Almost one in ten, strongly disagreed that the scheme would bring any improvements to either the management or condition of properties.

Almost all social housing tenants, the majority of private rented tenants who live in HMOs and non-HMO properties and homeowners agree that management and condition will be improved. While half of letting or management agents and almost half of landlords strongly disagree.

Respondents most frequently mentioned issue was the need to ensure that the scheme was properly enforced (21%), including the carrying out of property inspections. This is considered essential for effective delivery and implementation of the scheme.

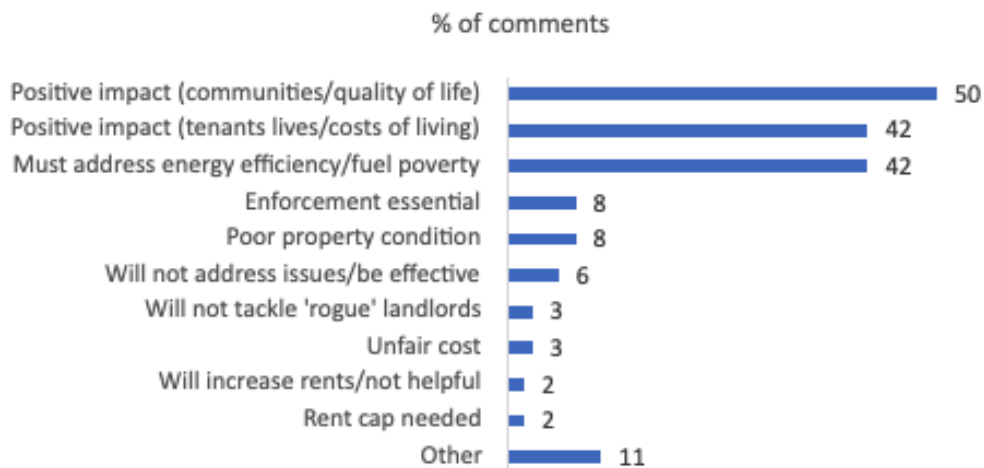
This is followed closely by agreement that the scheme would be effective in improving standards (18%) and would be beneficial for PRTs (17% of comments received). A small number of comments (5%) referred to the licensing conditions as not being effective and existing legislation already covers requirements set by conditions.

**There is evidence of significant deprivation in the four wards proposed for selective licensing. To what extent do you agree or disagree that the proposed licence conditions of the schemes will reduce levels of deprivation in the four wards (Question 2c)**



**Please provide any additional comments on the proposed licence conditions and reduction of deprivation in the four wards - including any comments you have on the proposed licence conditions themselves. (Question 2d)**

Comments received: 688

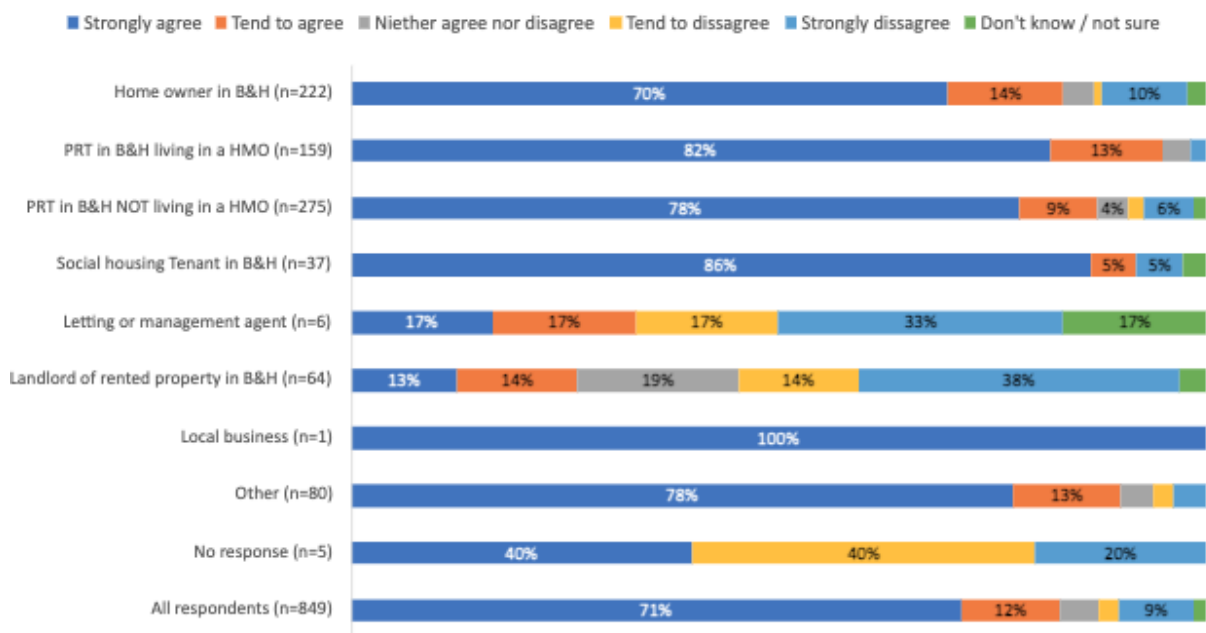


Almost seven out of 10 respondents (69%) 'strongly agreed' that the proposed licensing scheme will reduce levels of deprivation in the four wards, with only one in ten (10%) strongly disagreeing. The majority of social housing tenants, PRTS who live in both HMO and non-HMO properties and a third of home owners 'strongly agree' deprivation will reduce while nearly two thirds of letting or management agents and landlords 'strongly disagree'.

Of the additional comments received, half associated the proposed scheme with a positive impact on communities and overall quality of life. Just over 40% said that tenants' lives would be improved as a result of a reduction in costs of living. With the same number stating this was directly connected to improvements in energy efficiency that is anticipated from the proposed licensing conditions.

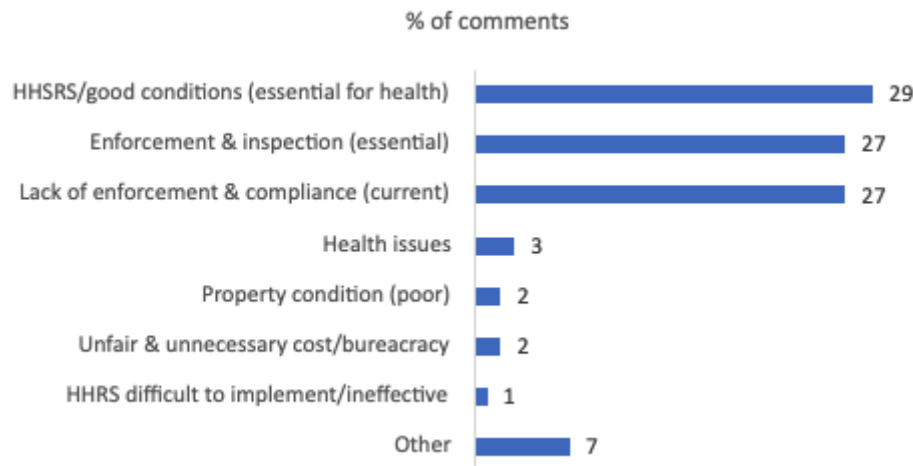
A smaller percentage of comments (6%) felt that the proposed scheme will not be effective in reducing deprivation and will not be effective in tackling those landlords who it is perceived persistently avoid maintaining their properties to a decent standard (3%).

**In addition to licence conditions of the schemes, it is proposed properties would be improved by requirements under the Housing, Health and Safety Rating System (HHSRS). To what extent do you agree or disagree that HHSRS will improve conditions of private rented properties, for the proposed schemes, in Brighton & Hove? (Question 2e)**



**Please provide any additional comments on HHSRS for improving conditions of private rented properties, for the proposed schemes, in Brighton & Hove (Question 2f)**

Comments received: 1154



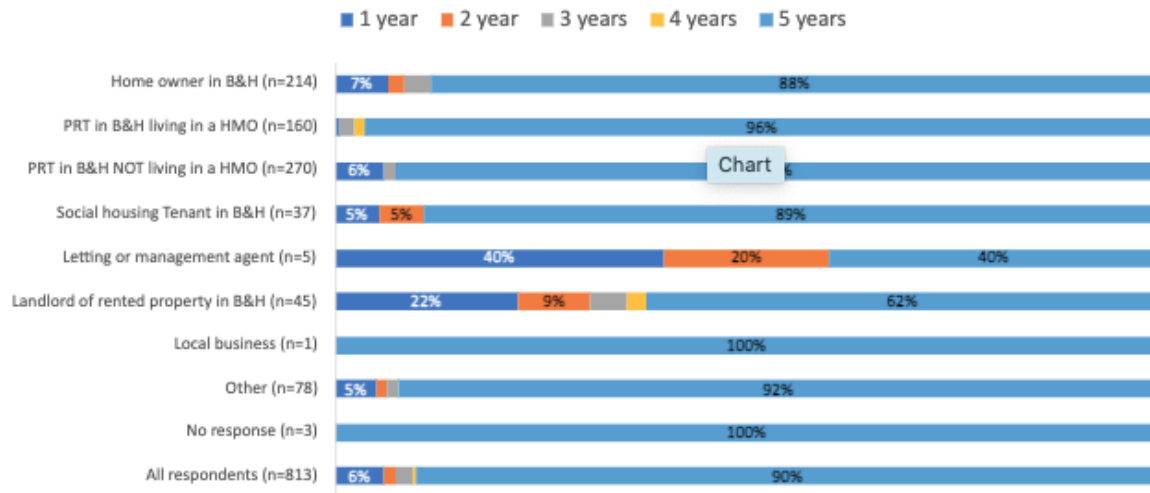
Almost three quarters of all respondents who answered this question 'strongly agreed' that property conditions would be improved under the requirements of the HHSRS. While less than one in ten (8.6%) strongly disagreed, and just under 5% neither agreeing nor disagreeing.

The majority of social housing tenants (86%) and over 70% of PRTs strongly agree that the HHSRS will improve conditions. Conversely, almost 40% of landlords and over 30% of letting or management agents 'strongly disagree' that it will improve conditions.

When asked for additional comments, just under a third (29%) referred to the HHSRS and 'good property conditions' as being essential for the health of private rented tenants. More than a quarter cited enforcement and inspection as being essential to effective implementation, while an equal number of comments also cited the current lack of enforcement by the Council as being an issue.

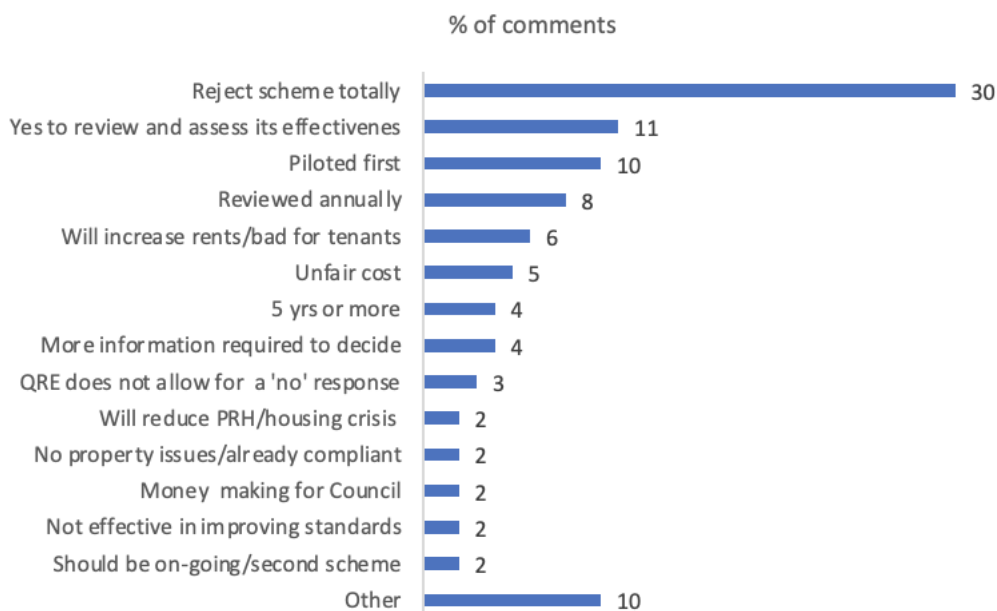
A small number of comments related to the need to address health issues linked to poor property conditions (3%). In contrast, a minority of comments (2%) considered the scheme to be an unfair and unnecessary cost involving too much bureaucracy and said that the HHRS itself was ineffective (1%).

**The Council is proposing that the schemes will last for five years (this is the maximum period schemes can last). How long do you think the schemes should last? (Question 2g)**



**If you think the schemes should last less than 5 years please tell us why. (Question 2h)**

Comments received: 126

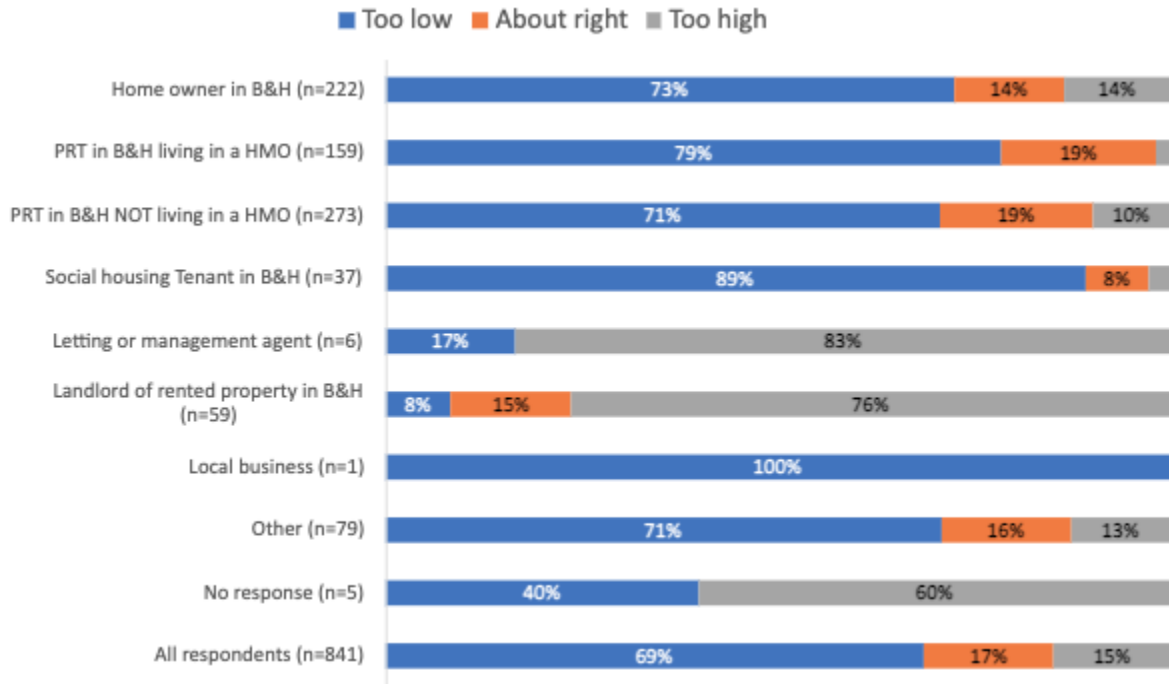


The majority of respondents (90%) agreed that the scheme should last for five years, whereas only 6% felt that it should last for one year. Of those that selected one year, 40% were letting and management agents and 20% landlords.

When asked to explain why, just over one in ten (11%) of comments received indicated that it was important to review and assess the scheme effectiveness within a five-year period. A similar amount (10%) felt it should be a pilot scheme and just 8% said that the scheme should be reviewed annually.

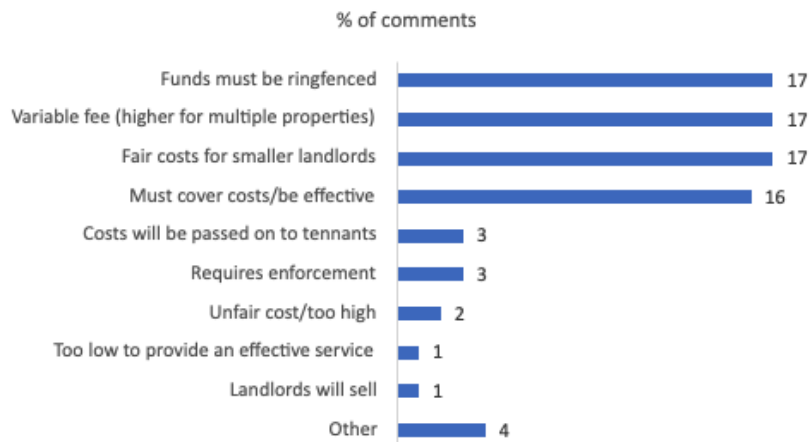
However, the majority of comments (30%) received in answer to this question expressed a complete rejection of the scheme, feeling that it should not be implemented at all.

**The proposed fee structure is based on a standard fee of £670 over 5 years. This equals around £2.58 per week (over 5 years). Do you think this fee is (Question 3a):**



**Please provide any additional comments to explain your response (Question 3b)**

Comments received: 1929



The majority of respondents (69%) considered the proposed fee structure to be ‘too low’. Just under one in five (17%) agreed with the proposed fee structure as being ‘about right’ with a similar number (15%) considering the fee to be ‘too high’.

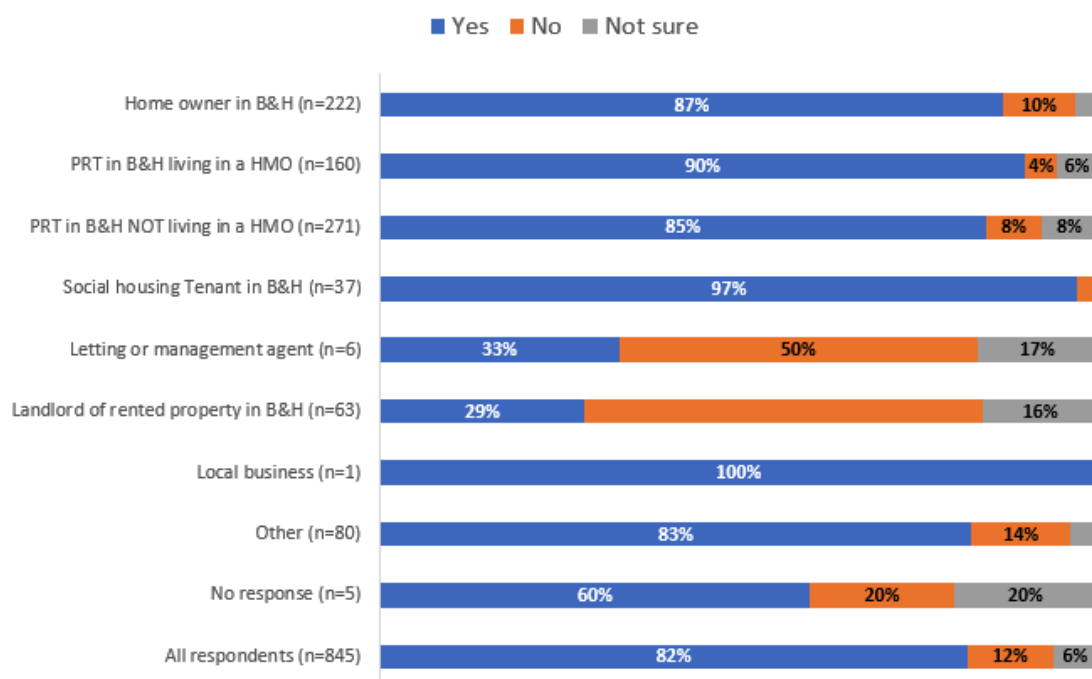
While almost all agreed that the fee was too low, of those that said it was too high 83% were letting and management agents and 76% landlords.

Of the comments received an equal number (17%) referred to the importance of ringfencing the funds and charging a variable fee (17%) dependent upon the number of properties owned by a landlord (suggesting the more properties, higher the fee).

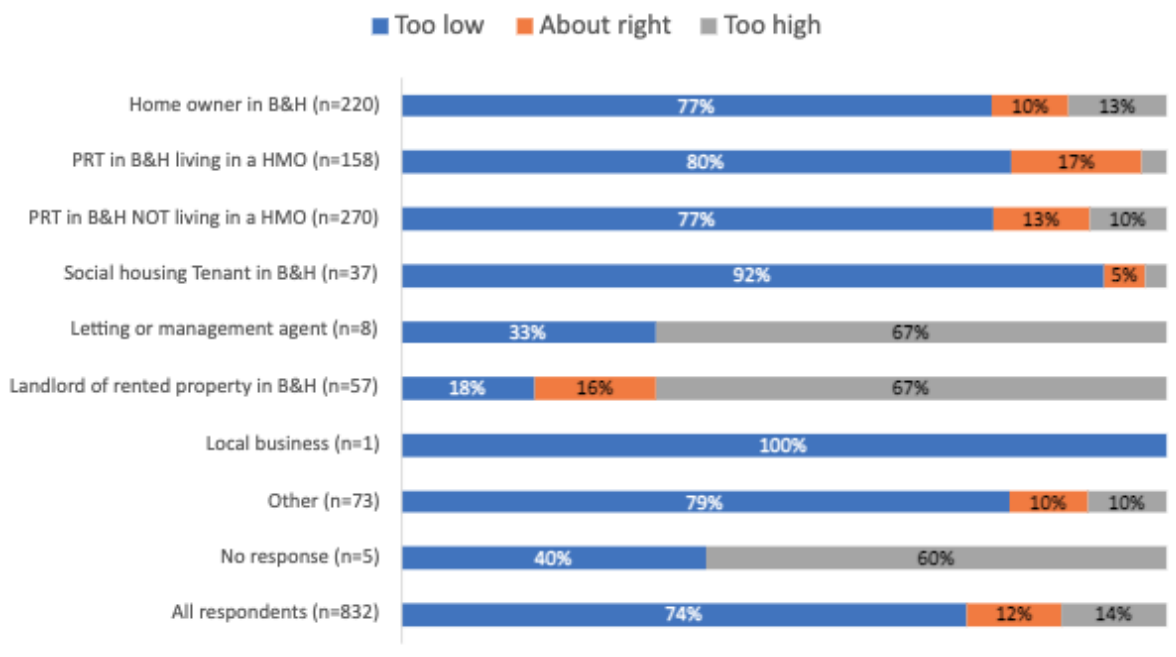
This was also linked to the need to ensure that the costs to ‘smaller’ landlords who owned fewer, or one property, were also ‘fair’ given the likelihood of less revenue being received from rents. Only 3% of comments expressed concern that any fees or additional costs would be passed onto tenants in the form of increased rents.

**In instances where a licence application is not made, the Council will incur extra costs in pursuing the application. This is called a prompted licence fee. For this, the Council is proposing a higher fee of £760 over 5 years. This equals around £2.92 per week.**

**Do you think a higher fee should be set for pursuing licence applications?**  
(Question 3c)

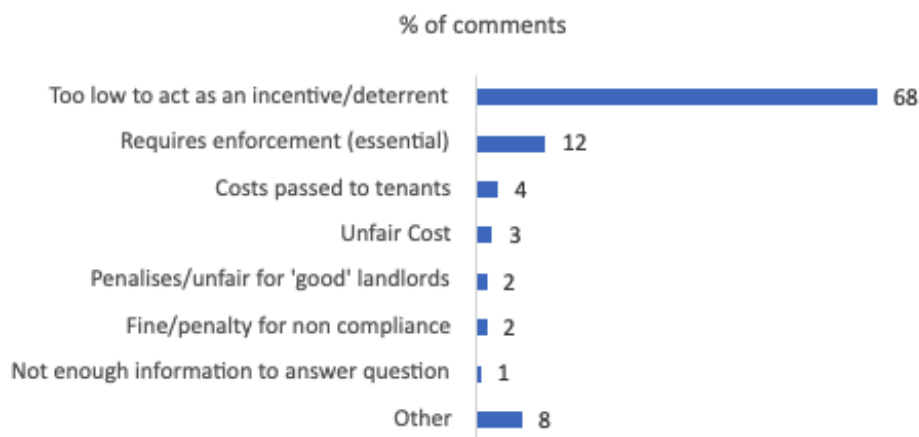


### Do you think the £760 higher fee is (Question 3d):



### Please provide any additional comments to explain your response (Question 3e)

Comments received: 525



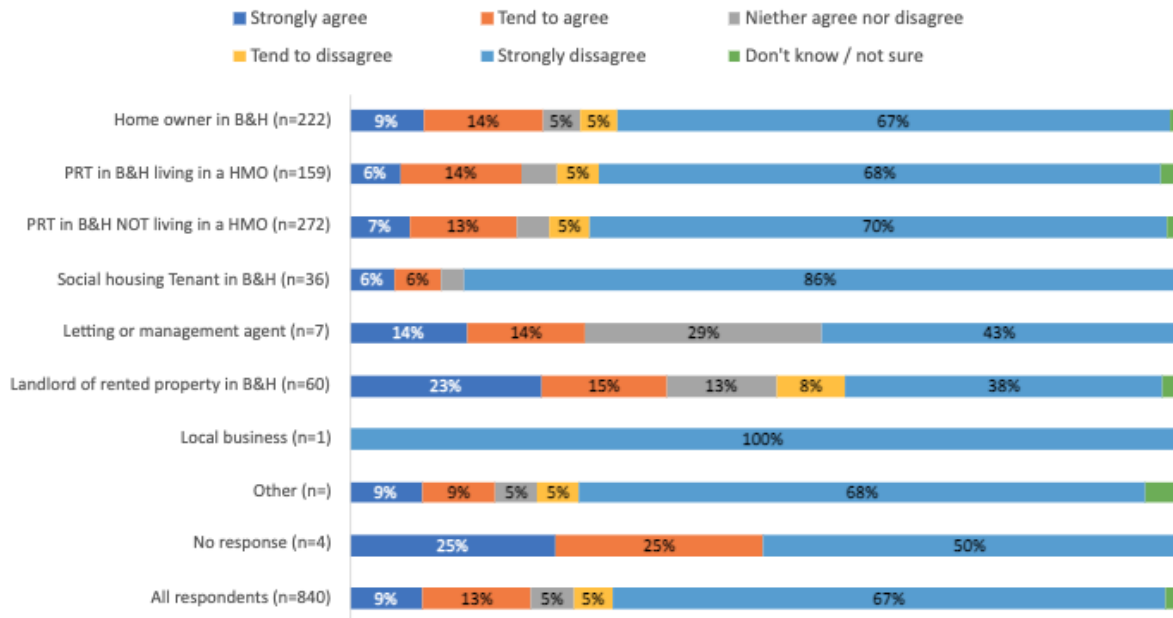
A majority of respondents (74%) said the £760 fee is too low and over 80% said that it should be set higher, with only a little over one in ten (12%) of responses disagreeing. This view was shared by almost all social housing tenants, over 75% of PRTs who live in non-HMO properties, and 80% of those who live in HMO properties and home owners. More than half of letting and management agents and landlords said they do not agree the fee should be higher and when asked about the £760 fee, 67% respectively said it was too high.

When asked to explain their response, 68% of comments received considered the fee to be too low to act as enough of an incentive for landlords to comply. Namely,



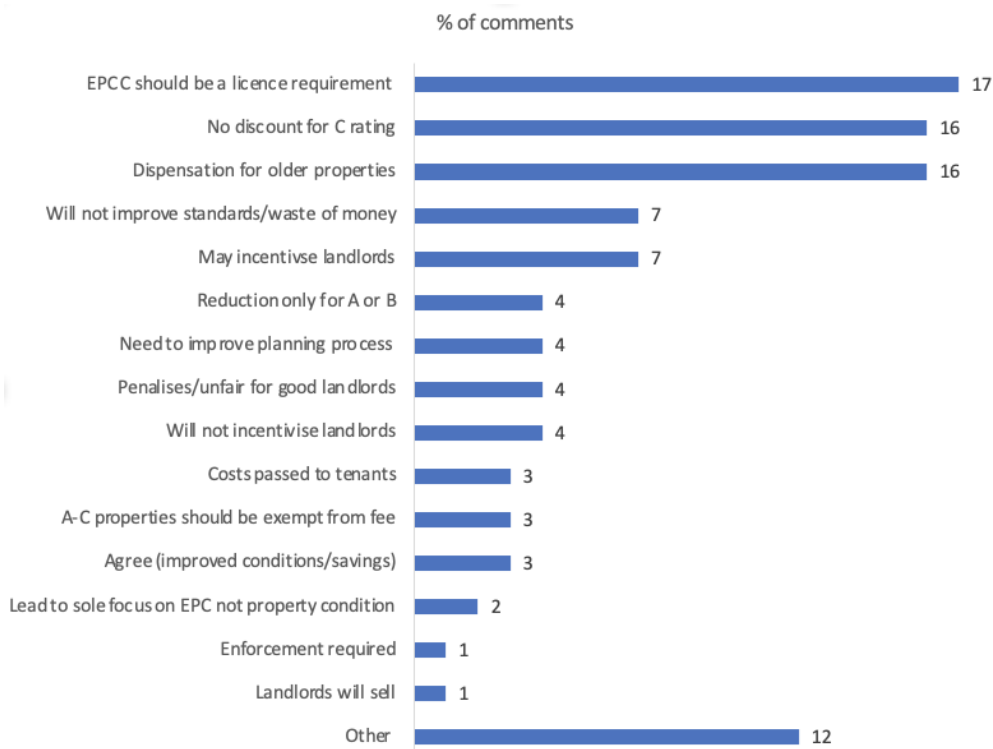
not high enough to act as an effective deterrent for non-compliance. 12% stated that enforcement was essential and 4% said that costs would be passed to tenants.

### Do you think there should be a reduction in the fee for properties with an Energy Performance Certificate rating of C or above? (Question 3f)



### Please provide any additional comments to explain your response. (Question 3g)

Comments received: 688

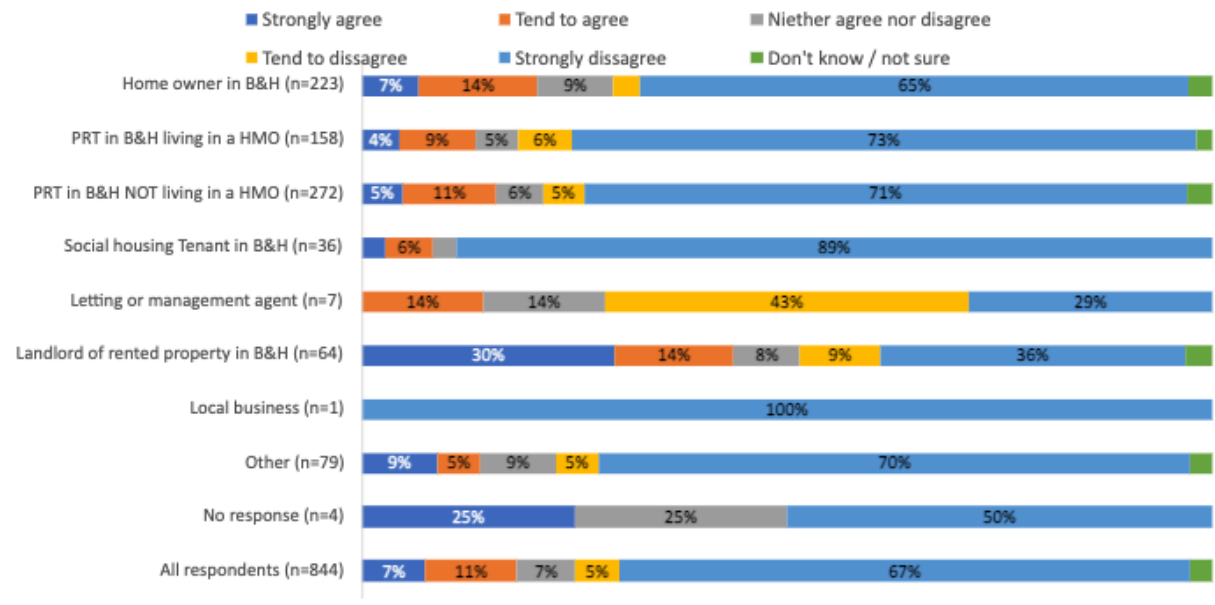


The majority of respondents (67%) strongly disagreed that a discount should be given to those landlords whose property achieved an EPC rating of C or above. Just over 1 in 10 (13%) tended to agree.

For those who disagreed, reasons cited related to the feeling that a discount was not warranted and that an EPC C rating should be the minimum requirement of obtaining a licence (17%). Some comments (16%) related to the fact that obtaining a C rating was not possible or was very difficult for older buildings, for example listed buildings where windows could not easily be replaced.

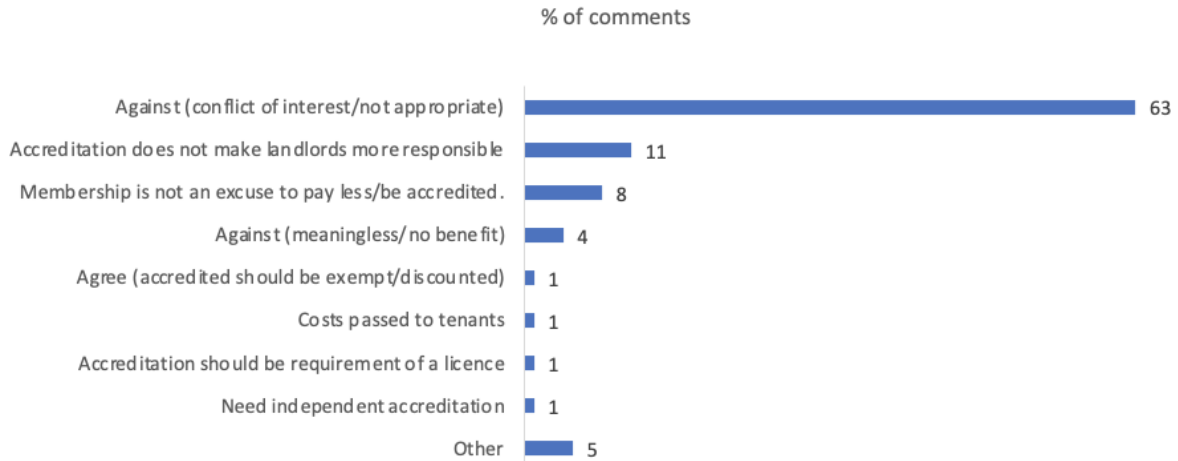
Others referred to the difficulty in implementing the measures and stated that they would not be effective in raising standards (7%). A small number (4%) of comments related to the opinion that these measures would penalise good landlords and would not act as an incentive for improving standards.

**Do you think there should be a reduction in the fee for landlords who are accredited under a landlord scheme who can meet national standards of good practice? (Question 3h)**



**Please provide any additional comments to explain your response.**  
(Question 3i)

Comments received: 565



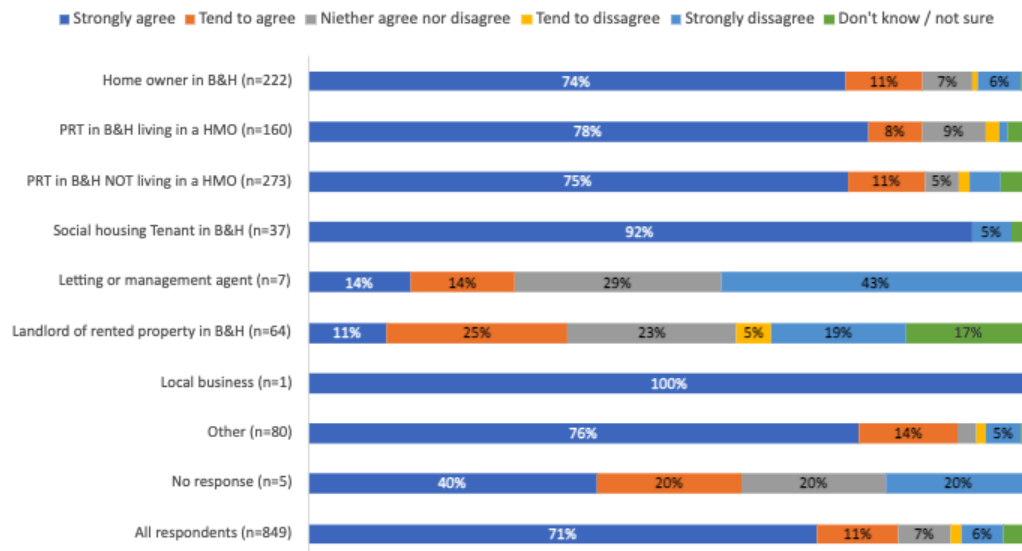
Nearly two thirds (67%) of respondents who answered this question 'strongly disagreed' with the proposal to reduce the fee for accredited landlords, whereas just under one in ten respondents tended to agree.

Of the respondents who strongly disagreed, almost 90% were social housing tenants, over 70% PRTs who live in HMO and non-HMO properties, 65% of home owners, 29% of letting and management agents and 36% of landlords also strongly disagreed. Just under half (43%) of letting and management agents tended to disagree with the fee reduction.

The majority of comments (63%) stated that they were against the fee as it was perceived to create a conflict of interest or was not appropriate. Just over one in ten (11%) said that being accredited by a landlord group did not necessarily make a landlord more 'responsible' in terms of maintaining the standards of their properties and that membership itself did not warrant a reduction in fee or should not be 'an excuse' to pay less (8%). Maintaining properties to a certain standard is considered as the responsibility of a landlord whether or not they are accredited.

**Normally, licences are awarded for the length of the scheme (up to a maximum of 5 years). The Council cannot refuse to grant a licence where there is outstanding planning permission or other issues at the property, e.g. unauthorised work without planning permission in place.**

**The Council is, therefore, proposing to issue shorter licences where there is outstanding planning permission or other issues at the property. Do you agree or disagree with this? (Question 4)**



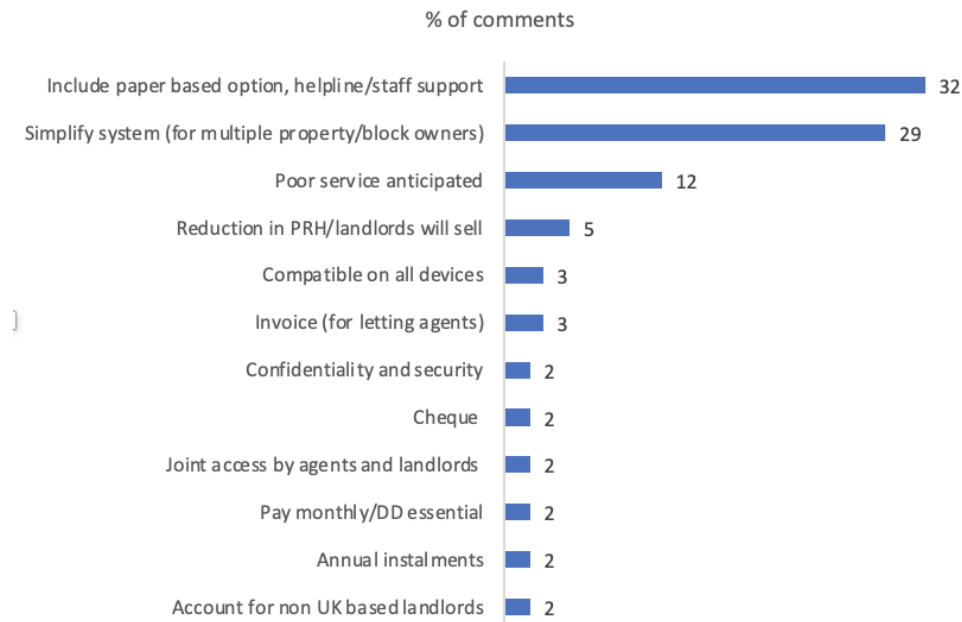
With regards to the issuing of shorter licences where there was an identified issue, the majority of respondents (71%) 'strongly agreed' and further 11% 'agreed'. Only a minority (6%) tended to 'strongly disagree' with this proposal.

Almost all social housing tenants who responded to this question agreed, with the majority of PRTs and home owners also agreeing, as well as over 30% of landlords. Just under a quarter of landlords disagreed.

**We intend to set the application and payment process online only via the Council's website - is there anything we need to consider for making this work for you? (Question 5a)**

**Please provide additional comments to explain your response. Please also include any specific considerations to make online payments work for you. For example, personal assistance from the Council if you struggle with making online payments. (Question 5b)**

Comments received: 62



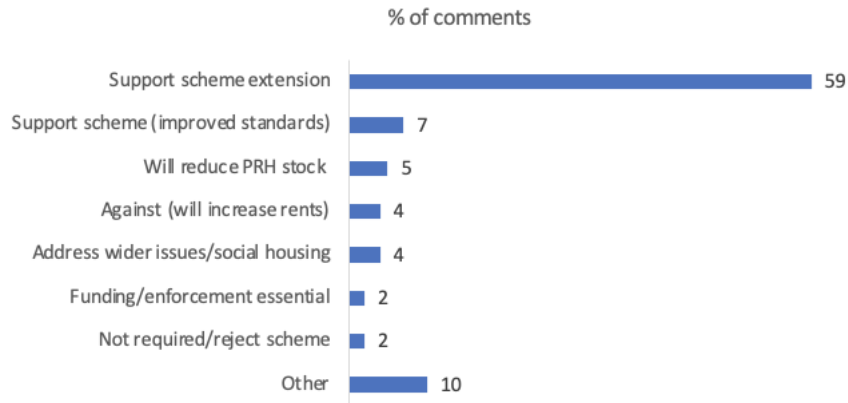
The majority of comments received (32%) in respect of online payments expressed the need to retain a paper-based option, and also the availability of staff (by telephone or in person) to provide support and address enquiries.

With regards to an online payment system itself, just under a third (29%) of comments received referred to the need for a simplified system which allowed those landlords with multiple properties or 'block owners' to submit one application, as opposed to separate applications for individual properties.

Just over one in ten anticipated the Council's service in this respect to be poor. A range of comments were received accounting for less than 2% in each case related to other aspects such as requesting cheque payment, joint access by landlords and agents to the system, and different payment options and instalments.

**Please provide any further comments you have on the proposed Selective Licensing Scheme for 4 wards. (Question 6a)**

Comments received: 567



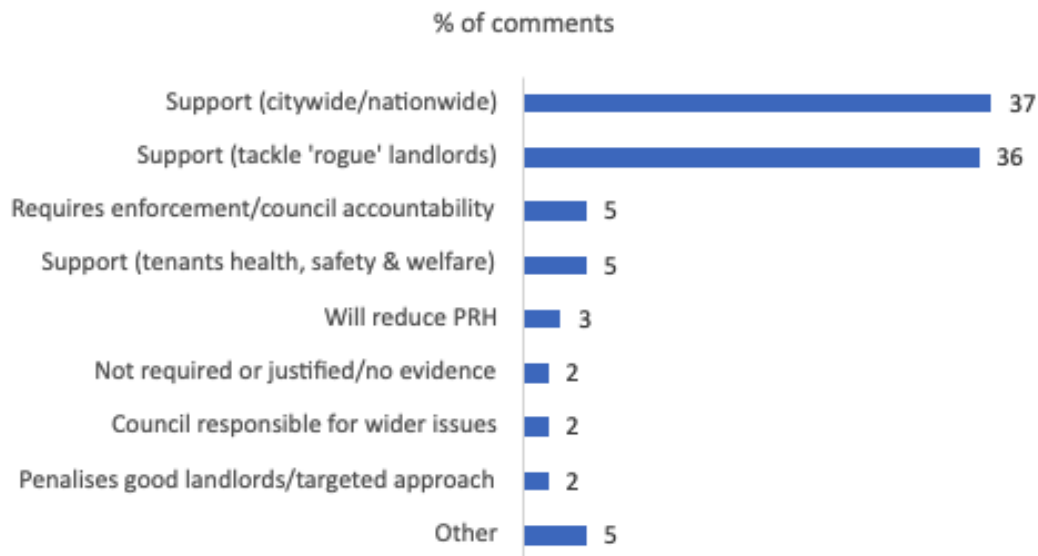
An overwhelming majority of comments received (59%) in respect of the scheme proposals for the four wards, expressed support for the scheme's extension to include other wards, including the 13 identified wards. This was based on the opinion that deprivation was not limited to the four wards only and therefore needed to be expanded to tackle what is perceived as a much wider issue.

A small number (7%) specifically referred to the scheme's ability to help improve standards in the private rented sector and therefore agreed that it should be implemented, in some comments 'as soon as possible'. 5% of comments expressed concern that as a direct result of the proposals, landlords would leave the sector by selling their properties, and therefore there would be less properties available to rent. In addition, 4% of comments referred to concern that the costs of the scheme would be passed onto tenants thereby increasing rents.

Instead of focusing on the private rented sector, 4% of comments indicated that the Council should be providing more social housing and not relying on the private rented sector as a housing solution and that they should be helping to address wider issues associated with the rented sector (such as noise and anti-social behaviour). In addition, not leaving those issues for landlords to address.

**Please provide any further comments you have on the proposed Selective Licensing Scheme for 13 wards. (Question 6b)**

Comments received: 899



There was overwhelming support for the proposed scheme for 13 wards. Just over a third of comments (37%) indicated support for extending the scheme across the city and in some cases, nationwide. Almost an equal number of comments (36%) indicated support for the scheme in terms of its ability to tackle those persistently non-compliant landlords, otherwise referred to as 'rogue' landlords.

A small percentage of comments (5%) related to the need for enforcement and greater Council accountability to ensure the scheme is effective. An equal number of comments expressed the opinion that the proposals would help to promote the health, safety and welfare of tenants.

A smaller minority (3%) felt that the scheme would result in a reduction of properties within the private rented housing sector, as landlords would be inclined or forced to sell as a result of costs associated with the scheme.

## Selective Licensing: Respondent Profile

While the 893 respondents were given the opportunity to select a category that best describes them, and 888 answered questions about their profile, as seen below:

Are you responding to the questionnaire as a...	Total	%
Home owner in B&H	228	25.7
PRT in B&H living in a HMO	174	19.6
PRT in B&H NOT living in a HMO	290	32.7
Social housing tenant in B&H	38	4.3
Letting or management agent	7	0.8
Landlord of rented property in B&H	66	7.4
Local business	1	0.1
Other	84	9.5
Total respondents to the question	888	100

Respondents from the following groups were also given the opportunity to provide more information about their profile:

Respondent groups
Home owner in B&H
PRT in B&H living in a HMO
PRT in B&H NOT living in a HMO
Social housing tenant in B&H

Not all respondents from these groups provided a response to the various profile questions. Where respondents did not answer or preferred not to provide an answer, these have not been included in the figures below.

The Council did not gather profile information from those that responded as a business or organisation.

The tables below include:

- Total = number of respondents who answered the question
- % = percentage of respondents who answered the question

Age groups	Total	%
18 to 24	39	19.0
25 to 34	53	25.9
35 to 44	33	16.1
45 to 54	30	14.6
55 to 64	31	15.1



65 to 74	15	7.3
75+	4	2.0
Total	205	100

What gender are you?	Total	%
Female	119	55.1
Male	84	38.9
Other	13	6.0
Total	216	100

Do you identify as the sex you were assigned at birth?	Total	%
Yes	188	92.2
No	16	7.8
Total	204	100

How would you describe your ethnic origin?	Total	%
Asian or Asian British: Indian	1	0.5
Asian or Asian British: Pakistani	2	0.9
Any other Asian background (please give details below)	3	1.4
Black or Black British: Caribbean	1	0.5
Mixed: Asian and White	6	2.8
Mixed: Black African and White	1	0.5
Mixed: Black Caribbean and White	1	0.5
Any other mixed background (please give detail below)	5	2.3
White: English / Welsh / Scottish / Northern Irish / British	156	73.2
White: Irish	7	3.3
White: Gypsy/Romany/Traveller	2	0.9
Any other White background (please give details below)	26	12.2
Arab	1	0.5
Any other ethnic group (please give details below)	1	0.5
Total	213	100

Which of the following best describes your sexual orientation?	Total	%
Bisexual	44	24.9
Gay	21	11.9
Heterosexual / straight	102	57.6
Lesbian	6	3.4
Other	4	2.3
Total	177	100

What is your religion or belief?	Total	%
I have no particular religion/belief	112	57.1
Christian	29	14.8
Jewish	5	2.6
Muslim	3	1.5
Pagan	3	1.5
Agnostic	10	5.1
Atheist	32	16.3
Other religion	1	0.5
Other philosophical belief	1	0.5
Total	196	100

Armed forces service - Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, such as the Territorial Army)	Total	%
Yes	2	1
No	202	99
Total	204	100

Armed forces service - Have you ever served in the UK Armed Forces?	Total	%
Yes	4	2
No	196	98
Total	200	100

Are you a member of a current or former serviceman or woman's immediate family/household?	Total	%
Yes	10	5
No	189	95
Total	199	100

Connection to the armed forces	Total	%
Yes	15	7.6
No	182	92
Total	197	100

Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?	Total	%
Yes a little	42	20.5
Yes a lot	26	12.7
No	137	66.8
Total	205	100

Are you a carer?	Total	%
Yes	28	12.8
No	190	87.2
Total	218	100

