

# Southampton City Council consultation on an additional licensing scheme for Houses in Multiple Occupation (HMOs) – consultation feedback

## Introduction

1. Southampton City Council undertook public consultation on proposals for the designation of an additional houses in multiple occupation licensing scheme covering Bevois, Bargate, Portswood and Swaythling following the expiry of the current licensing scheme covering these four wards in June 2018. The consultation took place between 28 February 2018 and 22 May 2018.
2. The proposals were discussed at Cabinet on 20 February 2018 and the cabinet agreed that the proposed changes should be consulted with key stakeholders and the public before any final decisions are taken.
3. This report summarises the principles and processes of the public consultation. It also provides a summary of the consultation responses both for the consideration of decision makers and any interested individuals. It both supplements and contextualises the summary of the consultation included within the Cabinet report.

## Aims

4. The aim of this consultation was to:
  - Communicate clearly to residents and stakeholders the proposals for an additional licensing scheme for Houses in Multiple Occupation.
  - Ensure any resident, business or stakeholder who wishes to comment on the proposals has the opportunity to do so, enabling them to raise any impacts the proposals may have.
  - Provide feedback on the results of the consultation to elected Members to enable them to make informed decisions about how to progress the programme.
  - Ensure that the results are analysed in a meaningful, timely fashion, so that feedback is taken into account when decisions are made.

## Consultation principles

5. The council takes its duty to consult with residents and stakeholders on changes to services very seriously. The council's consultation principles ensure all consultation is:
  - Inclusive: so that everyone in the city has the opportunity to express their views.
  - Informative: so that people have adequate information about the proposals, what different options mean, and a balanced and fair explanation of the potential impact, particularly the equality and safety impact.
  - Understandable: by ensuring that the language used to communicate is simple and clear and that efforts are made to reach all stakeholders, for example people who are non-English speakers or disabled people.
  - Appropriate: by targeting people who are more likely to be affected and using a more tailored approach to get their feedback, complemented by a general approach to all residents, staff, businesses and partners.
  - Meaningful: by ensuring decision makers have the full consultation feedback information so that they can make informed decisions.
  - Reported: by letting consultees know what was done with their feedback.
6. Southampton City Council is committed to consultations of the highest standard, which are meaningful and comply with the following legal standards:

- Consultation must take place when the proposal is still at a formative stage
  - Sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response
  - Adequate time must be given for consideration and response
  - The product of consultation must be carefully taken into account.
7. Public sector organisations in Southampton also have a compact (or agreement) with the voluntary sector in which there is a commitment to undertake public consultations for a minimum of 12 weeks wherever possible. This aims to ensure that there is enough time for individuals and voluntary organisations to hear about, consider and respond to consultations.

### **Approach and methodology**

8. Deciding on the best process for gathering feedback from staff and residents when conducting a consultation requires an understanding of the audience and the users of the service.
9. The agreed approach for this consultation was to use an online questionnaire and then issue paper questionnaires upon request. The structured questionnaire was designed to include an appropriate amount of explanatory and supporting information, helping to ensure that residents are aware of the background and context to the proposals.
10. In addition to the main questionnaire, the [yourcity.yoursay@southampton.gov.uk](mailto:yourcity.yoursay@southampton.gov.uk) email address was advertised to provide a channel for people to ask additional questions or provide feedback.

### **Promotion and communication**

11. Throughout the consultation, every effort was made to ensure that as many people as possible were aware of the consultation and had an opportunity to have their say.
12. The consultation was promoted in the following ways:
- A link to the consultation questionnaire and full Cabinet paper was included on the consultation section of the council website. There was also a link to the consultation from the HMO pages of the website.
  - An email was sent to all landlords who Southampton City Council held a valid email address for to inform them of the consultation.
  - Emails were sent to letting agencies and residents groups.
  - Southern Landlords Association contacted landlords about the consultation.
  - The consultation was discussed at the HMO Licensing Landlord Consultative Forum on 18 April 2018
  - Stay connected e-alert: Your City Your Say (3553 subscribers) – 19 March 2018
  - The consultation (with a link to the webpage) was promoted in several Facebook and Twitter posts throughout the consultation period.

### **Consultation respondents**

13. In total, 452 people responded to the questionnaire. All the questionnaire submissions that had at least one question completed were included in the analysis, to ensure every piece of feedback was considered.
14. In addition, the following 3 organisations provided emailed submissions of feedback on the consultation.
- University of Southampton
  - National Landlords Association
  - Inner Avenue Residents' Association

15. The consultation questionnaire asked respondents about their interest in the consultation. Figure 1 highlights the answers to this question. Please be aware that percentages total greater than 100% as respondents could select multiple options if applicable. 56% of respondents to the questionnaire were interested in the consultation due to living in the proposed area. Within this, 13% live within a HMO currently. 29% of respondents to the questionnaire were interested in the consultation as a resident elsewhere in Southampton. 16% of respondents were landlords or managing agents within the proposed area and a further 5% were landlords or managing agents outside of the proposed area.

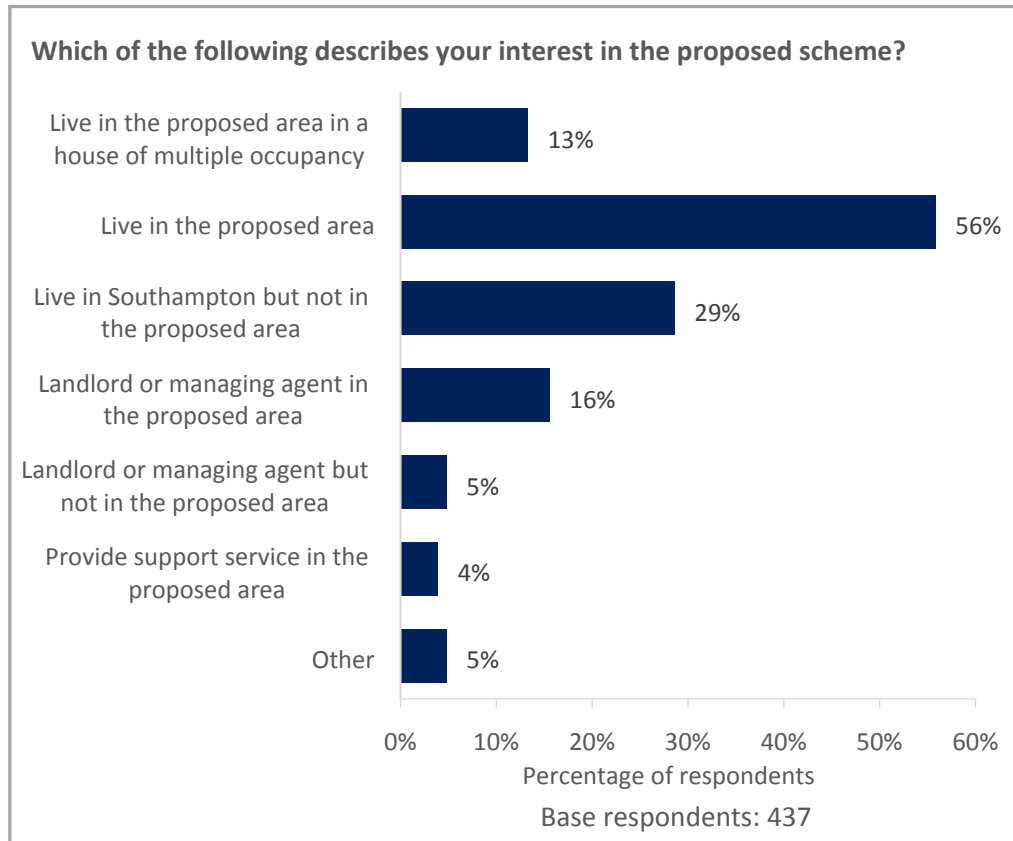


Figure 1

## Questionnaire feedback

16. The first question was designed to ask broadly what respondents thought about the proposed scheme. Figure 2 shows that there was a fairly high level of agreement. Overall, 55% of respondents strongly agreed with the proposals and 17% agreed which totalled 71% of respondents that expressed general agreement. In total 8% of respondents disagreed and 12% strongly disagreed with the proposals which combined together meant 19% of respondents expressed disagreement with the proposed scheme.

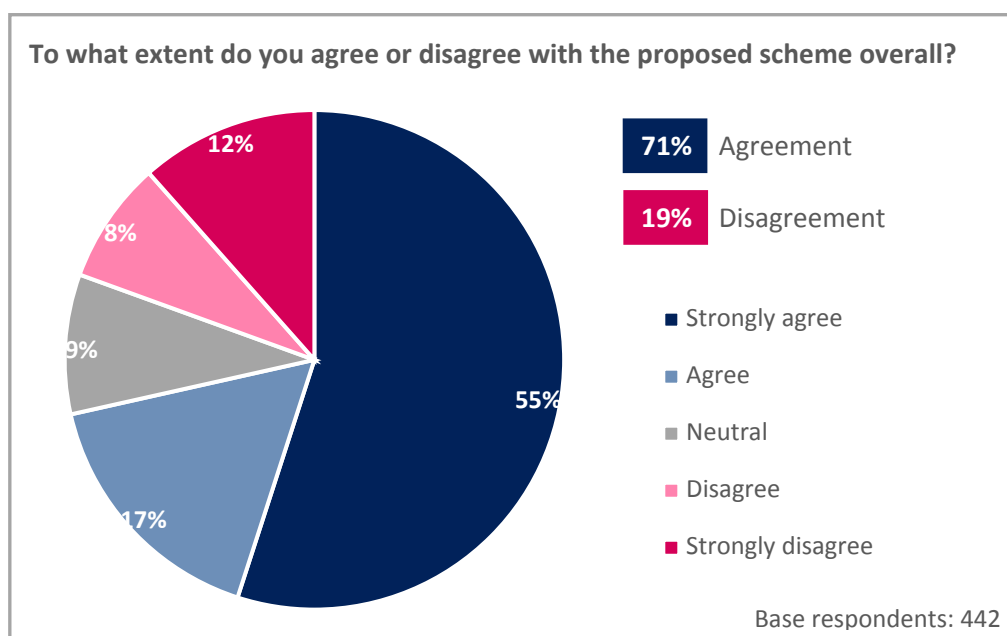


Figure 2

17. The questionnaire then proceeded to ask a range of more detailed questions on elements of the proposed scheme. Firstly respondents were asked what they felt about the area of the city covered by the proposed scheme (Figure 3). In total, 75% of respondents agreed to some extent with the proposed area; of this 53% strongly agreed and 22% agreed. Overall, 14% of respondents disagreed generally with the proposed area of which 7% strongly disagreed and 7% disagreed.

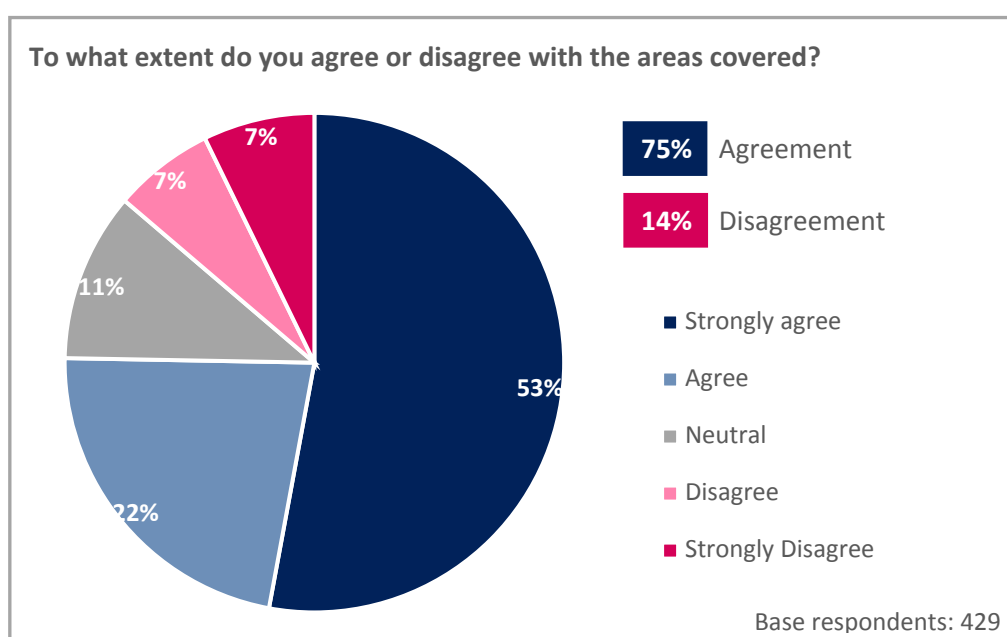


Figure 3

18. Respondents were then asked to what extent they agreed or disagreed with the proposed requirement for all HMOs in the designated area to be licensed (Figure 4). There was a high level of agreement for this element of the proposed scheme as 70% of respondents strongly agreed with the proposals and 15% agreed. This totalled 85% of respondents expressing a level of agreement. Overall 12% of respondents specified a level of disagreement (5% disagree and 7% strongly disagree).

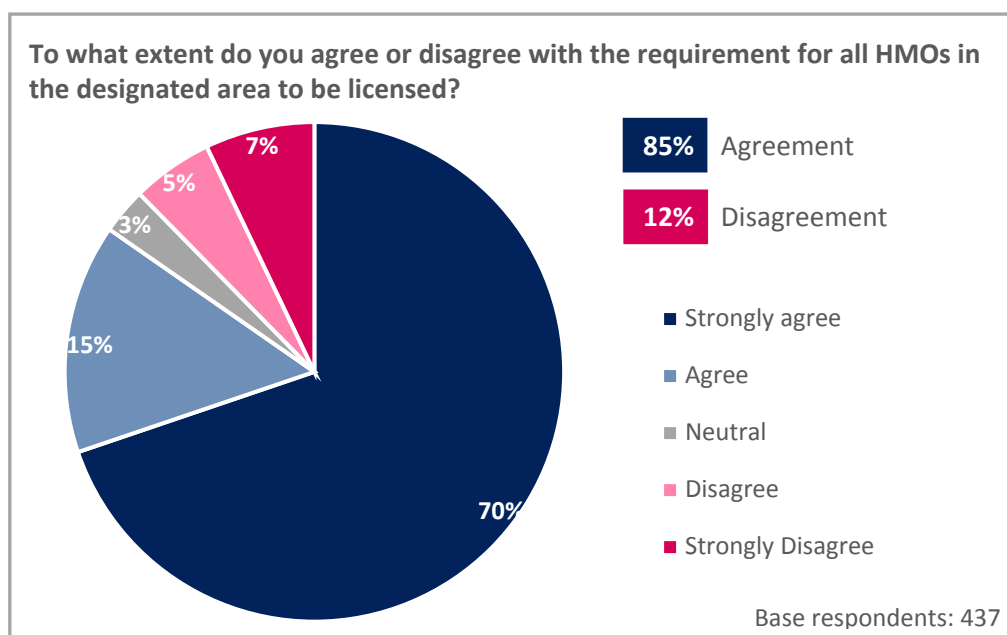


Figure 4

19. The next 4 questions asked for opinions on different aims of the proposed scheme. First respondents were asked about the aim to improve the internal housing conditions of HMOs. This question had one of the highest levels of agreement and one of the lowest levels of disagreement of questions in the consultation (Figure 5). In total 87% of respondents selected either agree or strongly agree when asked the question. Of this 66% strongly agree and 22% agree. In total, 7% of respondents selected either disagree (3%) or strongly disagree (4%).

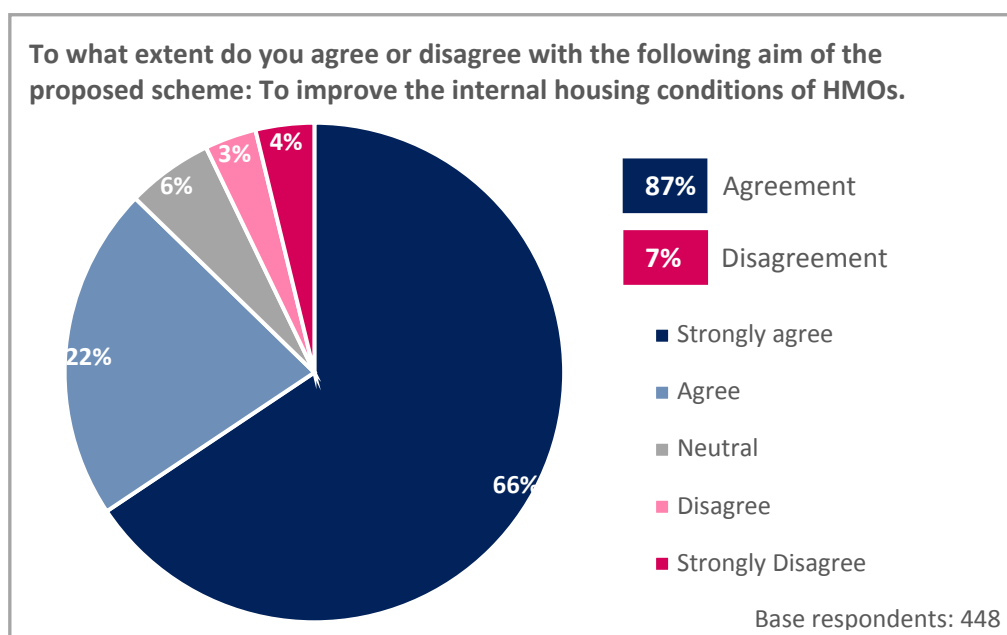


Figure 5

20. A similar question was then asked about the aim to improve the external housing conditions of HMOs (Figure 6). Overall, 68% of respondents selected strongly agree and 17% selected agree on the questionnaire which totals 85% in agreement overall. Of the remainder, 5% of respondents disagreed with the aim and 4% strongly disagreed.

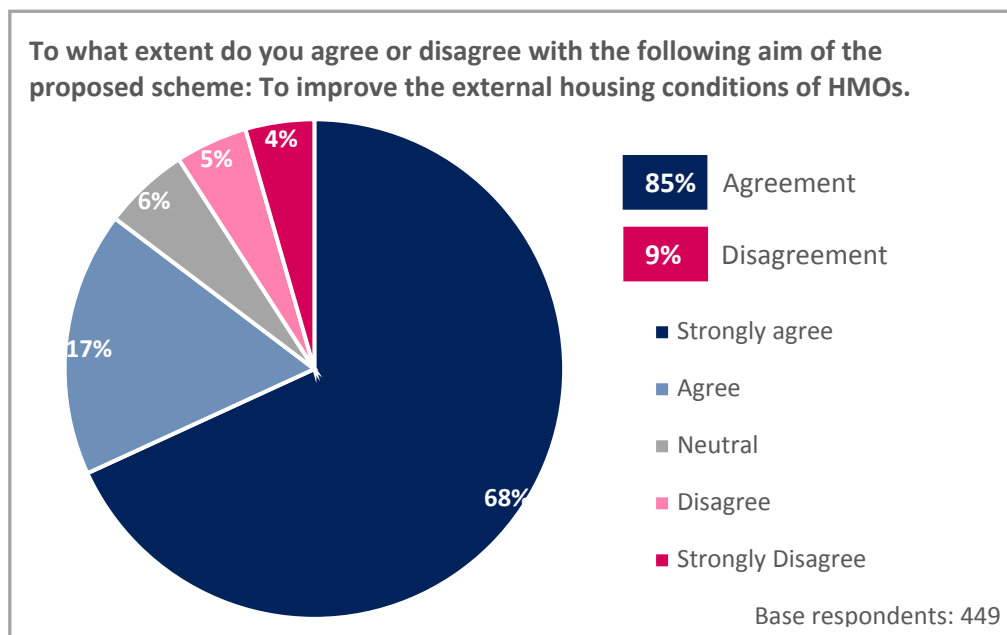


Figure 6

21. The next question asked respondents to what extent they agreed or disagreed with the aim to ensure the health and safety of tenants in HMOs. This question received the highest level of agreement across the consultation (Figure 7). In total, 89% of respondents specified either strongly agree or agree. Of this 71% said strongly agree and 18% agree. The lowest level of disagreement was also observed for this question in the consultation. 3% of respondents disagreed with the aim and 4% strongly disagreed, representing a level of disagreement expressed by 6% of respondents.

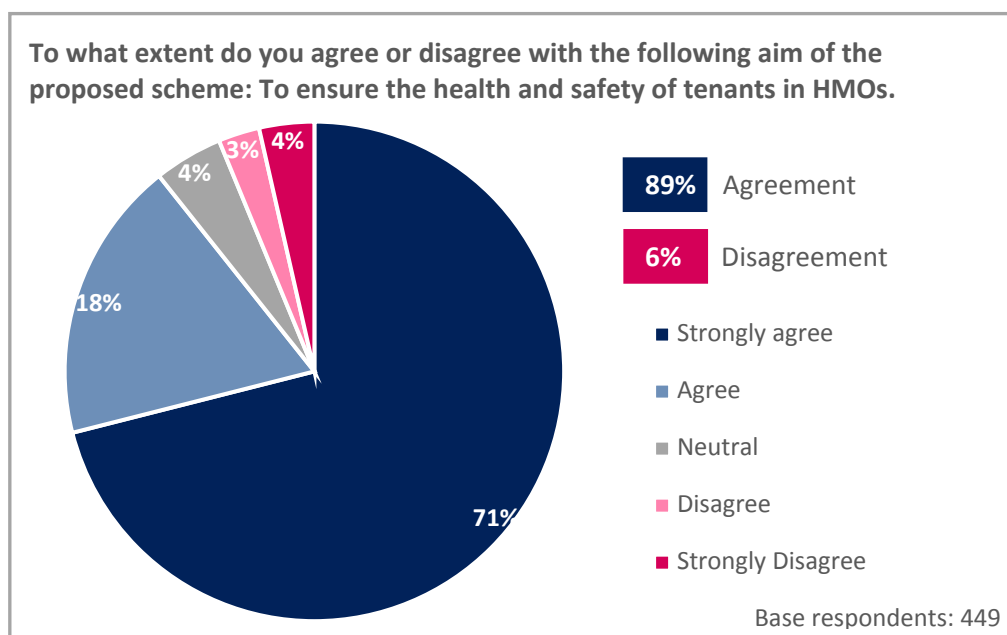


Figure 7

22. Respondents were then asked to what extent they agreed or disagreed with the aim of the proposed scheme to reduce anti-social behaviour associated with HMOs. Overall 85% of respondents agreed with the aim to some extent (Figure 8). Of this, 72% of respondents strongly agreed with the proposals and 13% agreed. In total 3% of respondents disagreed with the aim and 6% of respondents strongly disagreed which meant 9% of respondents expressed disagreement with the aim to reduce anti-social behaviour associated with HMOs.

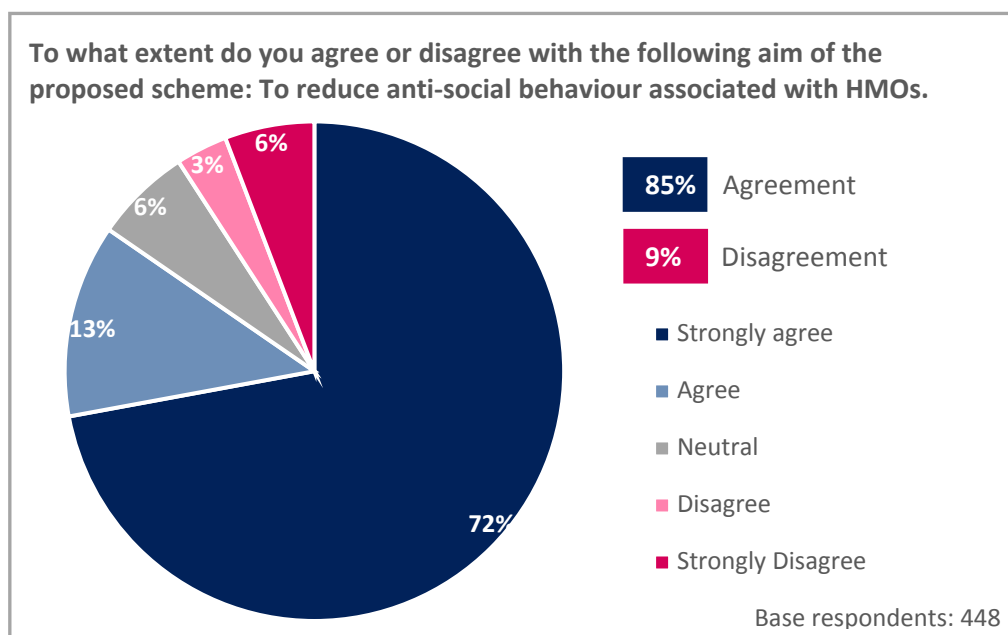


Figure 8

23. After the questions asking about specific elements and aims of the proposed scheme, respondents were asked what impact the proposed scheme might have on them or their community if it were implemented. Figure 9 highlights the results from this question. The majority of respondents felt that there would be a positive impact on them or their community from the proposed scheme. In total 76% of respondents felt this way ranging from a very positive impact (35%), a fairly positive impact (27%) and a slightly positive impact (13%). In total, 12% of respondents felt that the proposed scheme would have a negative impact on them or their community. Of this, 2% felt it would be a slightly negative impact, 4% a fairly negative impact and 6% a very negative impact. The remaining 12% of all respondents felt that there would be no impact on them or their community at all if the proposed scheme were to be implemented.

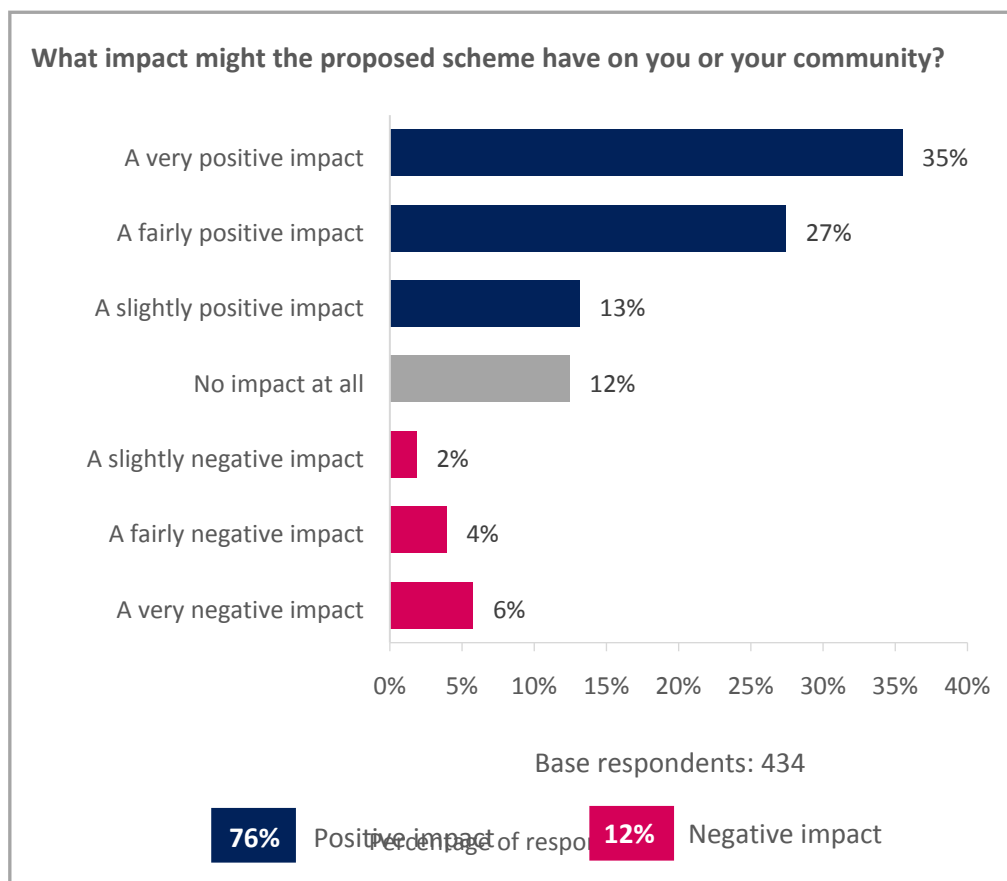


Figure 9

24. Respondents were then given the opportunity to let us know about any personal impacts or equality issues we may have overlooked in the formation of the proposed scheme in a free text comment box. When analysing the free text comments from the questionnaire, all comments from all questions were analysed and categorised together. For example, if a respondent commented on an impact of the proposed scheme in a different free text question that comment will have been regrouped with all other comments on impacts to ensure that an accurate picture of opinions can be calculated across the entire consultation. In total, 247 respondents provided a comment to at least one question in the questionnaire.
25. Figure 10 highlights the themes of comments across the questionnaire surrounding the potential impacts of the proposed additional licensing scheme. The table following figure 10 includes example quotes that encompass the sentiment of the themes of these comments. Most frequently mentioned was the negative impact that high licensing fees would create high rents for HMO tenants. A total of 21 respondents mentioned this is a comment. The second and third most written comments on the impact of the proposed scheme were both positive. In total, 18 respondents wrote about the positive impact the proposed scheme would have on housing quality and 15 respondents spoke of the positive impact that the proposed scheme would have on the local area.



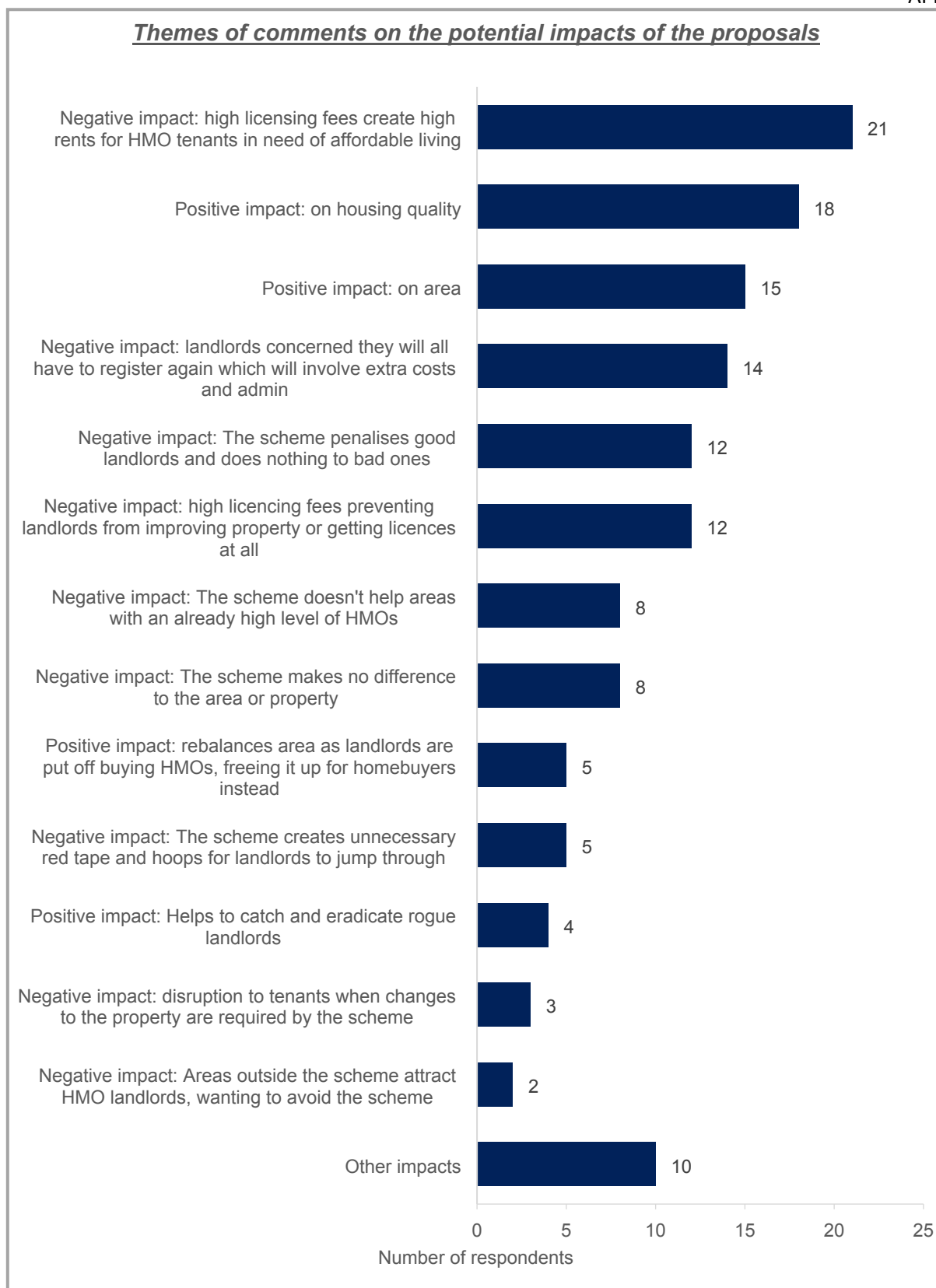


Figure 10

Theme of comment	Comments on the potential impacts of the proposals
Negative impact: high licensing fees create high rents for HMO tenants in need of affordable living	<i>"The fees are too high. It is not made clear in this consultation that the fees are almost always going to result in increased rent, whether the landlord is a good one or not - so tenant respondents to this questionnaire are likely to think they are getting something for nothing. No downside for them."</i>

	<p><i>"HMO housing drives up the rental prices in an area far above what the properties are worth. "</i></p> <p><i>"Unfortunately this will more of a negative impact than a positive impact overall, this will increase the cost of living on the average person, and it is already too high!"</i></p>
Positive impact: on housing quality	<p><i>"The existing HMO scheme has had a beneficial effect on the quality of housing available at all levels in our City."</i></p> <p><i>"I think the scheme has had a significant impact on HMO's and provides a level of regulation and safety that otherwise would not be there. "</i></p> <p><i>"The HMO scheme has been very beneficial for improving conditions for tenants"</i></p>
Positive impact: on area	<p><i>"This is an excellent scheme which I fully support and has clearly benefited the specific areas listed in this consultation."</i></p> <p><i>"If the proposal is accepted then the areas will have the positive benefits of looking more kept; by keeping the number of HMOs to a manageable amount; not turning the area into a rent Ghetto and making landlords more responsible to the area and their tenants."</i></p> <p><i>"Hope the licensing scheme can be continued as it has had a dramatically beneficial effect on my local community"</i></p>
Negative impact: landlords concerned they will all have to register again which will involve extra costs and admin	<p><i>"We do not have an issue with the Licensing scheme as it stands. We understand that any new licensing after 30th June 2018 has to be separate from old licensing due to a new central government mandate. However, the costs to Southampton City Council (staff, overheads, administration and costs of running the scheme) will be continuous. We understand that the fees are set so that the Council recovers its costs, not makes a profit. It would be FAIR therefore that those Landlords that have paid a FULL cost for a new licence in the last six months of the old scheme are given a discount or forgiven the renewal fee."</i></p> <p><i>"As someone whose license (without condition) under the existing additional scheme is dated November 2016 I feel it would be unfair to ask me to pay to re-license my property again within two years; existing licenses should be valid for 5 years from the date they were granted."</i></p> <p><i>"We have a three person student house in Portswood and were granted the HMO licence in March 2017. I am disappointed that we will have to pay another £520 this June to reapply. There should be a process for grandfathering the existing licence."</i></p>
Negative impact: The scheme penalises good landlords and does nothing to bad ones	<p><i>"Indiscriminate HMO licensing simply penalises responsible landlords, and seems to do nothing to prevent abusive landlords from continuing to exploit tenants."</i></p> <p><i>"insufficient attention has been given to the rogue landlords, so those who are doing the right thing are paying for a licence and do not gain"</i></p> <p><i>"While the good landlords keep the council busy with inspections of their up together properties, the rouges are free to carry on unchallenged."</i></p>
Negative impact: high licencing fees preventing landlords from improving property or getting licences at all	<p><i>"Landlords charged extra for renting their property will have less income coming in to make repairs and fulfil requirements to home tenants."</i></p> <p><i>"This will lead to responsible landlords with only one or two properties spending money on a licence rather than on their properties."</i></p>

	<i>"The license have been applied to a student HMO area, the license is costly, could have spent this money on improving the house quality than the license bureaucracy."</i>
Negative impact: The scheme doesn't help areas with an already high level of HMOs	<p><i>"What about Highfield? This area has been overrun with houses transferred to multiple occupancy student occupation. I grew up here and the area has been ruined by the transfer of houses to this type of occupancy. A very well looked after and highly thought of area of Southampton, now has families fast disappearing and no clear action to remedy this."</i></p> <p><i>"The existing scheme is good but it came too late for some streets, where the permissible % of HMOs in any street had been exceeded. There appears to be no provision for helping those streets to return to an acceptable level of HMOs."</i></p> <p><i>"Too many licenses have been issued for HMO's, article 4 was supposedly going to change this, but it was a case of too little too late."</i></p>
Negative impact: The scheme makes no difference to the area or property	<p><i>"The HMO scheme does not impact the local neighbourhood at all."</i></p> <p><i>"As a landlord, the scheme makes no difference to the safety of the property that I lease."</i></p> <p><i>"In my opinion in dealing with hundreds of HMOs throughout the city I consider the whole HMO licencing scheme to be a pointless exercise, it has had no positive impact on HMOs at all."</i></p>
Positive impact: rebalances area as landlords are put off buying HMOs, freeing it up for homebuyers instead	<p><i>"So far this has had a beneficial effect on Portswood, discouraging private landlords from competing with family purchasers."</i></p> <p><i>"Limiting the number of HMOs available increases the amount of housing available for long term residents to rent or buy, rather than letting out a considerable area to students and cutting out residents."</i></p>
Negative impact: The scheme creates unnecessary red tape and hoops for landlords to jump through	<p><i>"Whilst the aims are easy to agree with the implementation of the current scheme involves a ridiculous level of pointless red tape."</i></p> <p><i>"The current scheme imposes requirements that are not necessary in every case and not required by the tenants. As a landlord I had to spend over £2,500 on alterations in a single high-standard well-maintained property which the tenants found a nuisance. But I passed the cost on to them via increased rent because I am running a business, so who benefited? I could have spent the money on other, more relevant, improvements such as re-pointing, but they are not within your HMO standards."</i></p>
Positive impact: Helps to catch and eradicate rogue landlords	<p><i>"We are determined to help Southampton City Council eradicate rogue landlords from our industry and HMO licensing helps us to achieve this aim."</i></p> <p><i>"I have a friend in Bevois Valley area whose landlord was operating outside of the scheme and should not have been. They have been without heating for months and the property is in a poor state of repair. I strongly support licensing to improve conditions for tenants such as these and think that penalties for rogue landlords should be heavier."</i></p>
Negative impact: disruption to tenants when changes to the property are required by the scheme	<p><i>"So tenants settled in a property fit for purpose have to be kicked out because you make rules all of a sudden in the middle of their agreement because modifications have to be made. How is this fair?"</i></p> <p><i>"The current scheme imposes requirements that are not necessary in every case and not required by the tenants. As a landlord I had to spend over £2,500 on alterations in a single high-standard well-maintained property which the tenants found a nuisance."</i></p>

<p>Negative impact: Areas outside the scheme attract HMO landlords, wanting to avoid the scheme</p>	<p><i>“How will the Council ensure the effect of licensing in these (admittedly HMO-dense) areas will not cause second-order effects of causing other areas of the city to become more desirable for HMO landlords looking to escape the direct and indirect costs of licencing, impacting quality of life for tenants and other residents, and influencing housing availability for single-family tenants and buyers.”</i></p> <p><i>“many landlords in the other areas are benefitting from the strict HMO in the other areas and totally flaunting health and safety. If you are going to do HMO properly all of Southampton should be covered.”</i></p>
<p>Other impacts</p>	<p><i>“My concern with HMO is that they have to share a bathroom between so many! male and female what about a bit of privacy and getting landlords to put in en-suites. Just because they are down on their luck don't have to be treated like animals. Respect!!!”</i></p> <p><i>“By targeting certain areas of Southampton the scheme indicates there is a level of discrimination as those wards are likely to include migrant communities.”</i></p> <p><i>“I live in a large town house in Oxford Street, which hasn't increased in value much since 2005 when we brought it and best suited to a rental as an HMO which we applied for and we declined based on the ratio % in our area which is a bit unfair as the most of the housing in the area is flats so the % you apply in our area is not based on a level playing field.”</i></p>

26. The next question asked respondents to identify and write down any suggestions or alternatives they felt the council should consider regarding the proposed scheme. Figure 11 shows the themes of comments surrounding suggestions and alternatives and the subsequent table provides examples of comments that encompass the sentiment of these themes. The highest number of comments suggested that external conditions of HMOs needed to be improved and there should be a certain standard met. In total 45 respondents raised comments of this sentiment. A total of 35 respondents made suggestions related to rubbish and bins. A number of these comments related to the storage of bins themselves. The third most common suggestion was that there should be more and harsher action for landlords that aren't meeting the correct standards for their HMOs. 34 respondents mentioned this specifically in their comments.

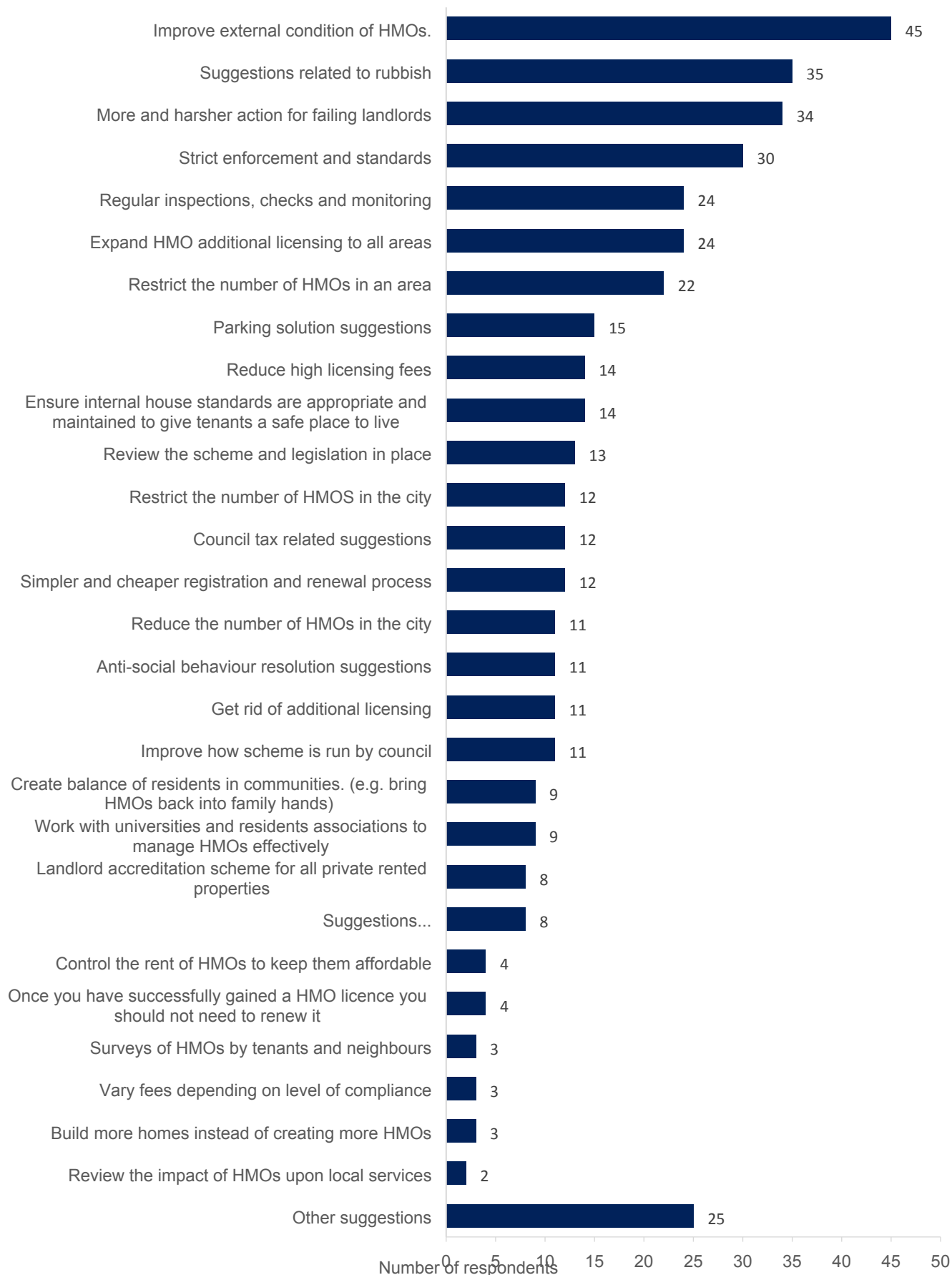
**Comments relating to suggestions and alternatives**

Figure 11

Theme of comment	Comments on the suggestions and alternatives
Improve external condition of HMOs.	<p><i>"Building and garden appearance should have a standard attached."</i></p> <p><i>"Stricter rules on landlords to upkeep areas."</i></p> <p><i>"That the external of the property be kept in a good state of repair i.e. Painted, guttering etc. and that any garden area be maintained for the sake of neighbouring properties and to discourage vermin"</i></p>
Suggestions related to rubbish	<p><i>"Making it mandatory for all HMO's to have bin storage preferably in the back garden when there is side access, otherwise an enclosed area in the front garden, to tidy up the visual street scene, and for the use of it to be enforced by landlords making it a part of the tenants contract."</i></p> <p><i>"More frequent bin collections in these areas"</i></p> <p><i>"Cleaning up the pavements in the Polygon area and asking the Bin Collection Department to actually make more effort to empty the bins. This is a problem now they have moved to every other week for the collections as all the bins are overflowing with rubbish."</i></p> <p><i>"FINE students for leaving wheelie bins obstructing PUBLIC footpath"</i></p> <p><i>"Landlords should be held more accountable for their tenants as the rubbish and dustbins used by HMO properties has a great impact on the area that houses HMO'S."</i></p>
More and harsher action for failing landlords	<p><i>"Heavier penalties for non-compliance"</i></p> <p><i>"I would like to see more prosecutions for those who fail to meet the standards and to see the publicly shamed and prevented from being landlords."</i></p> <p><i>"The scheme should ensure that less responsible landlords who continue to fail to meet conditions imposed on their license bear the cost."</i></p> <p><i>"You should consider heavy penalties for those owners who contravene the regulations. It is not enough to have them, they should be enforced."</i></p>
Strict enforcement and standards	<p><i>"Scheme will ONLY give a positive impact if it is rigidly enforced and policed"</i></p> <p><i>"It will only work if it is enforced - as with everything."</i></p> <p><i>"minimum accommodation standards could be introduced"</i></p> <p><i>"The success of the scheme inevitably depends on effective enforcement and follow-up on conditions imposed on HMOs. It is in everyone's interest that this happens."</i></p>
Expand HMO additional licensing to all areas	<p><i>"Licensing should apply to ALL areas of the City."</i></p> <p><i>"I think all areas of Southampton should have to have the same HMO rules and regulations as if not landlords will just look to buy other properties outside the regulated area."</i></p> <p><i>"Why can't the licensing scheme be extended to the whole city in order to improve the quality and safety baseline of all HMOs under the Council's influence? Problem landlords exist throughout the city, and surely tenants and residents in all areas and perceived affluence should have the right to a decent home, not only those in areas of the city considered (perhaps) less affluent."</i></p>

Regular inspections, checks and monitoring	<p><i>“Regular checks on HMOs are essential for the scheme to be successful”</i></p> <p><i>“There should be regular patrols and inspections of these properties”</i></p> <p><i>“Using local neighbourhood wardens to monitor the state of such properties e.g. general tidiness and repairs; refuse bins left on pavements; careless parking etc.”</i></p>
Restrict the number of HMOs in an area	<p><i>“There needs to be a limit on the number of HMOs in each road”</i></p> <p><i>“That the present ruling which effectively caps the creation of ANY further HMO be adhered to. Just because the new HMO enforcement is being introduced it should NOT MEAN HOUSES WHICH ARE NOT ALREADY HMO SHOULD BE GRANTED IN THIS AREA WHICH IS ALREADY FULL TO CAPACITY WITH SUCH PROPERTIES.”</i></p> <p><i>“Perhaps implement a limit on number of HMO’s permitted in any one area to preserve communities”</i></p>
Ensure internal house standards are appropriate and maintained to give tenants a safe place to live	<p><i>“There is a great need to ensure HMO houses are habitable.”</i></p> <p><i>“Improve the internal housing conditions of HMOs – The existing standards set are not high enough in terms of energy efficiency and quality. You should raise the standards required”</i></p> <p><i>“Please ensure that the premises are in good order and safe. Just ensure that those who have to live in this houses, are in good well maintained properties please.”</i></p>
Reduce high licensing fees	<p><i>“reduce charges to Landlords.”</i></p> <p><i>“Reduce the fees this time round, especially for property already licensed.”</i></p> <p><i>“that the license fee should be reduced for landlords with a single property and who are resident within the area, and those who are committed to providing accommodation at below market rates whilst upholding the standard requirements.”</i></p>
Parking solution suggestions	<p><i>“Parking MUST be included. It’s already a bit of a nightmare, and we’re getting new flats around the corner with no parking to add to the problem.”</i></p> <p><i>“Ban student in HMO's from having cars, UNLESS they have off-road parking”</i></p> <p><i>“Consider the effectiveness of parking permit schemes and the impact of permit schemes on areas immediately adjacent to the neighbourhoods in which the permit schemes operate.”</i></p>
Review the scheme and legislation in place	<p><i>“If possible, redefine a small HMO to three or more people comprising more than two households.”</i></p> <p><i>“The scheme should not be restricted by the number of floors in the building, any property that fits the criteria of an HMO should require a license. Also the rules should apply anywhere in the city, creating exemptions, creates complication.”</i></p> <p><i>“HMO should not have the need to enforce sinks in each room, as this then this becomes a bed sit and insurances do not cover. landlords have big problems with insurance companies in HMO with sinks in each room.”</i></p>
Simpler and cheaper registration and renewal process	<p><i>“Simplified and cheaper renewal process where a landlord has already gone through the full-blown procedure before and is looking to carry on a similar basis as before.”</i></p> <p><i>“Make sure that basic registration is as easy as it can be.”</i></p>

	<p><i>"Please make renewing easier, this is so time consuming and from a business perspective I have no idea what is going on. Left very much in limbo while no one seems to have a clue what they are doing or what is happening. A break in licence is not good for business or safety consistent."</i></p> <p><i>"Consideration should be given to automatically registering and licencing existing HMO's that have no outstanding conditions. Licences were very expensive to obtain under the current scheme and some where only recently issued. It would be unfair on tenants to expect landlords to incur a high cost for re-licencing as this will have to be passed on in the rental charges."</i></p>
Council tax related suggestions	<p><i>"Make landlords pay the council tax."</i></p> <p><i>"Council Tax per "occupancy" rather than property"</i></p> <p><i>"Charge students council tax, they make up a large proportion of the city, so they should contribute to the council, be it only a reduced fee, perhaps 20% but at least something, this will also help them manage their money and promote awareness for paying bills and taking responsibility."</i></p>
Restrict the number of HMOS in the city	<p><i>"I think the Council needs to ensure there is a limit on the HMOs in the City"</i></p> <p><i>"Do not increase the number of licensed HMOs"</i></p> <p><i>"Too many HMOs already - need to stop further ones"</i></p>
Get rid of additional licensing	<p><i>"Following the mandatory scheme for 5 or more tenants in any number of storeys would cover most issues, additional schemes not required, they confuse people and rogue landlords do not respond but honest landlords are penalised."</i></p> <p><i>"Additional licence scrap not required or needed in a normal house."</i></p> <p><i>"Remove additional HMO licencing scheme and just keep the mandatory licensing."</i></p>
ASB resolution suggestions	<p><i>"with anti-social behaviour. I think there should be sanctions for the property owner so that they have to take responsibility for their property (instead of just reaping in the cash while the rest of us have to put up with their anti-social tenants)"</i></p> <p><i>"Provide a means to complain about nuisance noise from HMOs."</i></p> <p><i>"let the landlords notify their tenants that they must respect other permanent residents"</i></p> <p><i>"1). Landlords made accountable for tenant anti-social behaviour through wording in landlords HMO licence agreement. 2). HMO tenancy agreement should contain clause on anti-social behaviour, and be a condition of HMO licence being issued to landlord."</i></p>
Reduce the number of HMOs in the city	<p><i>"Greatly reduce the number of these properties."</i></p> <p><i>"I would like to see large houses of multiple occupancy reduced."</i></p> <p><i>"Limiting the number of HMOs available"</i></p>
Improve how scheme is run by council	<p><i>"As a Landlord, I have no issues with the intent of the scheme BUT, the timescales are ridiculously short - the new scheme should have been in place AT LEAST 6 months prior to the close of the existing scheme."</i></p>



	<p><i>“Continuity of surveyors’ opinions have made the acquisition of the last HMO difficult despite having a certified/qualified building site safety officer as a tenant who oversaw the safety aspects of the property. We have finally ticked all boxes and now will have to start again, hopefully this time around it will run smoothly.”</i></p> <p><i>“Why don’t you plan ahead people with houses can’t just upgrade them at a drop of agar. We aren’t all millionaires. This just adds to stress. Didn’t you know these schemes were running out? Why send us an email a month before?? I don’t even understand what the email means are we criminals after 30th June or what?”</i></p>
Work with universities and residents associations to manage HMOs effectively	<p><i>“Make the university contribute to the costs of cleaning up after students.”</i></p> <p><i>“Projects to positively engage students with their community whilst at university should be supported. Our neighbour regularly organised gardening days (taking care of the HMO front gardens) and welcome parties for the students. This is all organised and financed by ourselves. Surely the university has a fund or can link this to volunteering projects?”</i></p> <p><i>“More support for residents associations such as OARA. Perhaps provide street cleaning tools and equipment, as they help support the upkeep of the area so well.”</i></p>
Create balance of residents in communities. (e.g. bring HMOs back into family hands when put on the market)	<p><i>“I would love to see a limit on the percentage of houses in the area that can become HMO to allow a balance of families, students and young professionals in the area.”</i></p> <p><i>“At present there appears to be no way that an HMO density can be brought down in a high area of 80% to the councils current recommendation of 10%. Recently a 'sandwiched' property had one of its adjacent HMO's sold, to remain as an HMO. There needs to be mechanisms introduced to rebalance HMO/family housing.”</i></p>
Suggestions related to planning permissions/extensions and changes to HMOs	<p><i>“Do not issue a license without Planning Permission first being granted.”</i></p> <p><i>“Just to say that the collaboration between the Council's HMO team and Planning team should be much better. The planning team should ensure that the correct planning permissions are in place when a new HMO licence is issued.”</i></p> <p><i>“It should be the practice of the planning department to make developers aware when submitting plans, which properties will and will not be allowed HMO licenses, this should discourage the habit of speculative extension of properties for purposes of running an HMO.”</i></p>
Landlord accreditation scheme for all private rented properties	<p><i>“introduce a Landlord accreditation Scheme as tested by several other local authorities across England, requiring all Landlords to register their properties and provide there contact details to SCC. For landlords living outside of the UK, they should be made to provide a person of authority (this could be a letting agent) who has the responsibility to act for the absent landlord.”</i></p> <p><i>“Mandatory Annual Licensing for all private rented properties within Southampton City Council.”</i></p> <p><i>“All landlords should be made to join the scheme, of any property. That would give Tennant's a greater choice and landlords a better price, if they were consistent with higher scores.”</i></p>
Build more homes instead of creating more HMOs	<p><i>“rather than increase the density build more homes with proper facility's either Council or Private Developers and not squeeze people into old housing stock.”</i></p> <p><i>“Building more council homes. A lot more. Such that HMOs are no longer necessary or desired.”</i></p>

	<i>"Look at brownfield sites for purpose built accommodation (...) why is low cost housing not being built (...) this would then free up family homes from being made into HMO's, we constantly have letters from estate agents saying they urgently need homes like ours so this needs a big re-think"</i>
Vary fees depending on level of compliance	<i>"A lesser licensing fee for those landlords that are fully compliant (using a set criteria) and a higher fee for those that are not."</i>  <i>"Reduce the fees for compliant landlords and increase fines for non-compliant."</i>
Surveys of HMOs by tenants and neighbours	<i>"Has the council ever done a questionnaire/ survey for the tenants to assess the service they are getting and if the properties are safe / maintained. This may highlight the rogue landlords who could then be investigated."</i>  <i>"Each house that has HMO licencing should have neighbour surveys to check if the landlords/tenants are behaving as they should!"</i>  <i>"Maybe a regular questionnaire could be given to private home owners living next to multiple occupancy to comment on rubbish, nuisance etc. Without this impacting on the home owner when coming to sell their home. The feedback could be given to the landlord with an expectation to respond and take action via the council."</i>
Control the rent of HMOs to keep them affordable	<i>"It would be nice if rent controls and minimum accommodation standards could be introduced, but I fear that that is outside your range of responsibility."</i>  <i>"I do feel landlords should have a ceiling they can rent at"</i>  <i>"Whilst I totally agree with the proposals, you appear to have omitted any proposals regarding disproportionate rents."</i>  <i>"ensure that rents are controlled and aren't extortionate"</i>
Review the impact of HMOs upon local services	<i>"available infrastructure - doctors etc. - should be considered when allowing hmo's in an area"</i>  <i>"Perhaps a review of the impact on local services should be included such as surgeries, schools, parking &amp; waste with a view to a landlord levy to help pay for additional resources."</i>
Other suggestions	<i>"If these houses are a business do they pay business rates to cover waste disposal etc."</i>  <i>"There should be HMO's further outside of central Southampton, and designated buses can transport students into the city during the day. This would free up property in main Southampton for locals who want to build lives."</i>  <i>"Had any consultation or discussion been undertaken with the banks and finance providers as they are reluctant to fund HMOs."</i>  <i>"Hopefully getting funding from government to rejuvenate empty buildings/areas"</i>

27. Respondents were asked if they had any further comments that they wanted to provide regarding the consultation. The themes of these comments are displayed in figure 12 and the subsequent table provides examples of quotes categorised to each theme. Many of the additional comments related to existing issues that they had with HMOs. In total, 33 people commented on the problems with rubbish in areas with a lot of HMOs. 23 respondents commented on the current issues of parking when HMOs have multiple cars causing overcrowded street parking. There were also 21 comments on the antisocial

behaviour associated with HMO tenants. There were also 19 comments approving the scheme and thinking that it was a good idea generally.

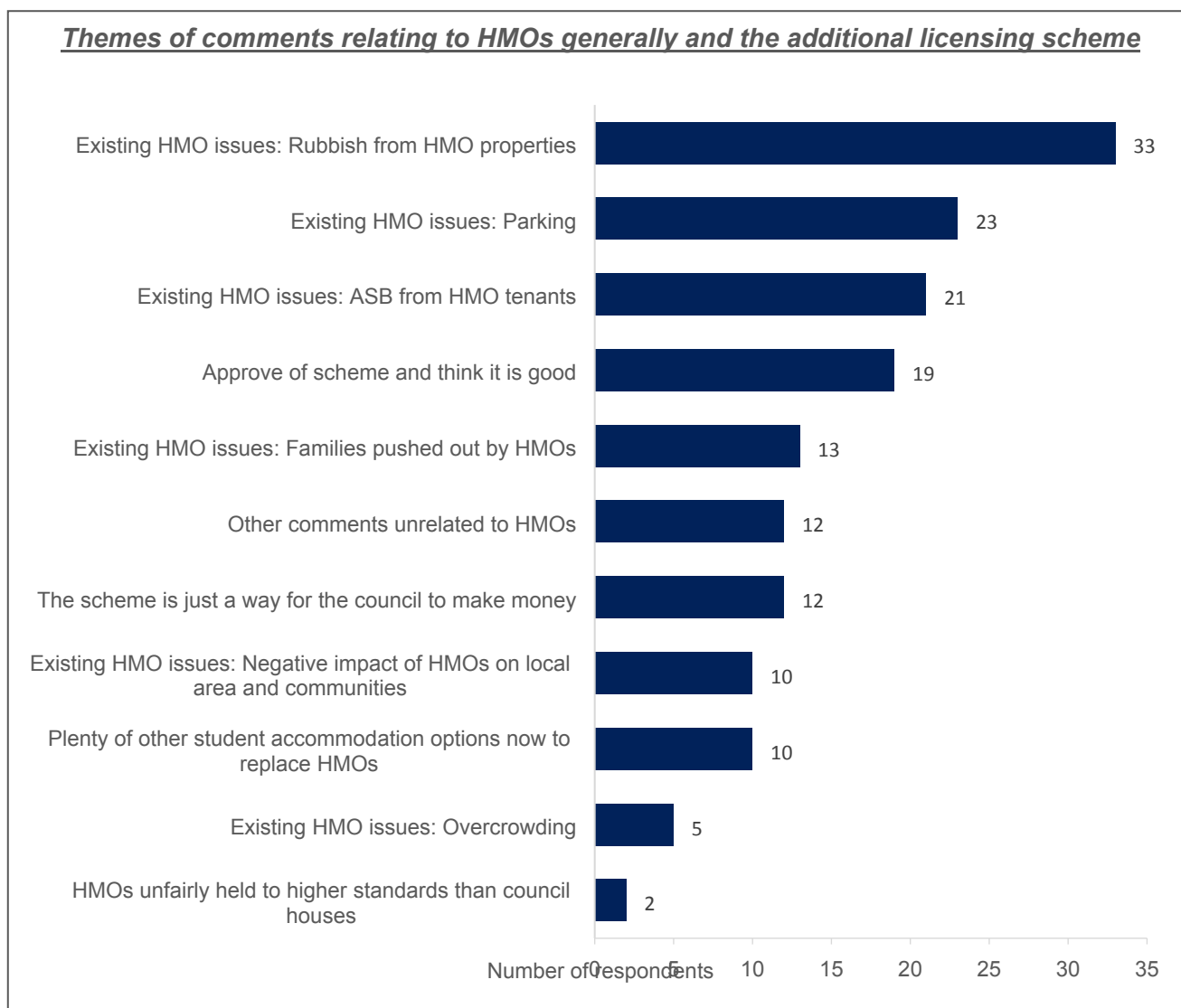


Figure 12

<b>Theme of comment</b>	<b>Comments on the suggestions and alternatives</b>
Existing HMO issues: Rubbish from HMO properties	<p><i>“the HMOs in our area are usually strewn with rubbish, alcohol bottles”</i></p> <p><i>“Living in an area with a lot of hmo's, my main concern is the amount of rubbish and incorrect use of bins for recycling etc.”</i></p> <p><i>“There are too many hmo's and to many students that do not look after the area causing rubbish to spill out over full up bins on to the streets and not cleaning up”</i></p>
Existing HMO issues: Parking	<p><i>“Parking! With the Uni and Portswood School in our area we residents cannot go out in there he day for fear of being unable to park anywhere until 5/6pm. This happens daily during term time and then the HMO and students leave during summer and parking returns!”</i></p> <p><i>“Parking issues do result where HMO have several cars.”</i></p> <p><i>“Parking often causes problems in neighbourhoods where there are houses of multiple occupancy. “</i></p>

	<i>"Too many HMOs in an area leading to an increase in on street car parking where landlords are not required to make suitable provision for off-road parking."</i>
Existing HMO issues: ASB from HMO tenants	<p><i>"I live in Portswood, and am frequently woken by rowdy and drunken students / young people walking home in the small hours during terms times. Anything to limit the proliferation of this poor behaviour such as licencing HMO's I fully support"</i></p> <p><i>"to many student houses of 8 or 9 residents no thought for locals who live near or next door to them noise is bad at last 3 days of the week ,mainly due to alcohol."</i></p> <p><i>"We live off Lodge Road in a student area. There are also a lot of families with young children. Some evenings music is very loud at an unreasonable hour (after 11pm). It's not fair that these people are disturbed."</i></p>
Approve of scheme and think it is good	<p><i>"I think the existing Licencing scheme has been very good and the HMO wardens in our area (Bevois) have made a huge difference."</i></p> <p><i>"The existing HMO scheme has had a beneficial effect on the quality of housing available at all levels in our City."</i></p> <p><i>"Maintaining the licencing of these properties can only do good for the community and the tenants"</i></p> <p><i>"We are immensely grateful for the existing scheme and the team who deliver it. They have brought joined-up thinking, a holistic approach and practical action and solutions. Barry Olson, our HMO Warden, along with the wider HMO team, has been superb in developing local knowledge, acting as a hub for concerns, signposting to other agencies who can help and providing prompt and effective responses. The loss of the scheme and his/their expertise and action would be disaster for our area (...) We also believe the scheme provides excellent value for money. (...) We wholeheartedly support the proposal that it should be renewed. (...) thank you to the councillors and HMO team who have worked hard to make HMO licencing work for the benefit of our community. They have made a real difference."</i></p>
The scheme is just a way for the council to make money	<p><i>"How about the fact that you use this as a means of generating money, not to benefit tenants or landlords - it's a simple tax grab without offering benefits to those taxed."</i></p> <p><i>"I view the scheme simply as a means of raising additional revenue for Southampton City Council."</i></p> <p><i>"Voluntary HMO schemes that become mandatory are just about raising more revenue for the council."</i></p> <p><i>"It just seems like a scam for the council to raise more funds which will effectively come out of student pockets."</i></p>
Existing HMO issues: Families pushed out by HMOs	<p><i>"Not enough affordable housing for families. HMO housing drives up the rental prices in an area far above what the properties are worth. Families who have to rent because they cannot afford to buy are left out of the equation and are left to struggle."</i></p> <p><i>"I know from other families that they are unable to afford housing in the area as houses for sale get snapped up by investors to convert into HMOs. This he's lead to an in balanced population."</i></p>

	<p><i>"We are very upset that there are loopholes whereby these landlords may sneak in new HMO tenants into family houses and then it becomes almost impossible to get them out once they are in. We would move our family out of Southampton if these HMO's continue to infiltrate residential areas."</i></p>
Plenty of other student accommodation options now to replace HMOs	<p><i>"There's a huge amount of purpose built student flats being constructed right now, do we really need to convert every house in the city to HMOs also? Leave something for regular households!"</i></p> <p><i>"Given the amount of student halls built in Southampton over the last 3 years I do not understand why we need to license yet more HMO properties."</i></p> <p><i>"With the vast number of student accommodation units recently and currently being built, possibly the pressure of HMO's around the two universities is easing."</i></p> <p><i>"With all the build of student accommodation, there now is no need to increase HMOs, as already licensed ones will now become available, plus property within HMO already licensed areas have dramatically reduced in value!"</i></p>
Existing HMO issues: Negative impact of HMOs on local area and communities	<p><i>"Large areas of the city are simply extensions to the university campuses and halls of residences and it is hugely detrimental to the permanent long-term communities in those areas."</i></p> <p><i>"It also ruins communities due to the transient nature of people living in HMO's, we have a residents group and have tried to include people living in HMO,s in our area with no success."</i></p> <p><i>"The area has lost a lot of its community cohesion due to the over development of houses becoming extended into gardens to maximise rental income for landlords, with no regard to neighbouring communities. "</i></p> <p><i>"I feel strongly that no further licences should be issued in Portswood. We already have many too many HMO's in very poor condition in this area. These have changed the atmosphere in Portswood significantly and detrimentally since we moved here nearly 40 years ago."</i></p>
Existing HMO issues: Overcrowding	<p><i>"There are too many multiple occupancy properties in Southampton which has led to overcrowding"</i></p> <p><i>"The place is over occupied as it is"</i></p> <p><i>"the area of Bevois is overcrowded enough as it is"</i></p>
HMOs unfairly held to higher standards than council houses	<p><i>"I feel that the private landlords in Southampton do a fantastic job and that the city council should look at standards in their own housing stock which quite frankly appalling in many cases and many council tenants are nightmare tenants."</i></p> <p><i>"I also fail to understand why the expectation for HMO is different to that for Council Housing, some of whom do not maintain their properties. This indicates double standards."</i></p>

## Other written feedback

28. There were three written responses received from organisations separately from the online questionnaire from the University of Southampton, National Landlords Association, and Inner Avenue Residents' Association. The following section outlines key points raised by the organisations.

29. Potential positive impacts of the proposed scheme:

- Brings vibrancy to the area.
- Ensures a balance of accommodation available in the areas.
- Reduction in complaints on the condition of HMOs.

30. Potential negative impacts of the proposed scheme:

- Additional pressure placed on council housing due to increased rent.
- Costs passed on to tenants in increased rent.
- Increase in numbers of HMOs in other wards.
- Increase threat of homelessness through increased rent.
- Increased home and car insurance for residents in the area.
- Landlords evicting tenants as a result of anti-social behaviour just moves the problem to somewhere else.
- Landlords will be discouraged from renting to families as they will not have their shared housing status reappointed which would stagnate the housing stock rather than landlords renting their properties to the demand of the community.
- Licensing does little to resolve the issues with tenants themselves such as anti-social behaviour.
- Limited benefits to landlord or tenants.
- Mortgages have been withdrawn in areas with additional licensing – bad impact on the landlord's credit history.
- Raise house prices generally in the area as seen in other areas of the country. Also raises house prices specifically of properties which are HMOs.
- Rent increases result in residents moving out of areas.
- Shortage of supply of shared housing due to the prevention of new entries to the market which puts existing HMOs at a premium and added value.
- Tenants are forced to endure substandard living conditions for a significant proportion of their tenancy including mould, condensation, and pests due to the problems falling outside of the council's 'priority' or 'category 1 hazard' list. This impacts the tenants' quality of life, comfort and wellbeing.
- The length of time taken to enforce the law against a tenant causing anti-social behaviour is often longer than the tenancy. Risk that tenant will cause damage to property in the meantime.
- When licenses are issued with conditional work that has to be completed, tenants are often in situ when work is being carried out which can be highly disruptive to the tenants.

31. Suggestions and alternatives to the proposed scheme:

- Allow landlords to move between shared usage and renting to families but retain their licence.
- Enforce and fine bad landlords.
- Improve current system of screening license holders who are not suitable. Prosecuted landlords can still carry on running HMOs even though properties have serious problems and disrepair.
- Improve the communication and publicity of the scheme. In particular make it accessible in student-friendly information. Include: The basic standards a tenant should expect of a HMO; information on how to find out if the landlord is licenced; the rights of tenants and residents to complain about the condition of the HMO; and contact details for complaints or queries.

- Make sure that correct planning permission is in place when a license is issued. Currently new licenses have been issued to HMOs that have no planning permission and then not subsequently followed up to ensure planning permission was obtained. Unfair that some landlords ensure they have the proper licence and correct planning permission when others are operating with no licence or without planning permission.
- Policies should be put in place to tackle sub-letting.
- Recognise and encourage good practice and poor activity should be enforced.
- Support landlords by providing guidance outlining the council's position on helping landlords to remove tenants causing anti-social behaviour, in particular in HMOs where other tenants also involved or affected. Help landlords use their legal powers effectively to manage their properties.
- Support landlords with ways to tackle overcrowding
- The proposal should be put on hold until after the roll out of the mandatory extension by government in October 2018.

32. General comments about the scheme and HMO licensing:

- Agreement with the proposed scheme.
- Appreciation of the current work of the HMO team.

### Feedback on the consultation process

33. The council is committed to make the whole consultation process as transparent as possible. As a part of this, any feedback on the consultation process itself received during the course of the consultation is summarised in this section.

34. Overall, of the 452 respondents who took part in the consultation, a total of 4 commented on the consultation process itself.

35. The comments made regarding the consultation process are shown in the table below.

<b>Comments on the consultation process</b>
<i>"Given that the scheme expires in a few months I feel this process should have been started 6 months ago"</i>
<i>"It appears that the proposed scheme has not been properly explained to me and therefore more explanation is required before I can comment further."</i>
<i>"There isn't really sufficient detail in the information provided to assess the potential impacts of setting up the proposed scheme so it seems a bit of a pointless question to ask. For instance no examples of conditions are provided there are no notes about how the council grants, imposes conditions on or revokes licences. I am not really sure what the point of this survey is - I can't see many people disagreeing with the aim of improving people's living conditions; I'm not sure what your aiming to get from asking people."</i>
<i>"Thought should also be given to the impact of the HMO licence and the availability of bank finance. Some discussion should be initiated to understand why banks are reluctant to finance HMOs. If this is not resolved, this could result in significant increase in empty unlet properties. Had any consultation or discussion been undertaken with the banks and finance providers as they are reluctant to fund HMOs."</i>

## Conclusion

36. The consultation sought views on proposals for the designation of an additional houses in multiple occupation licensing scheme covering Bevois, Bargate, Portswood and Swaythling following the expiry of the current licensing scheme covering these four wards in June 2018.
37. In total, 452 respondents completed the questionnaire which ran for 12 weeks from 28 February 2018 to 22 May 2018. In addition 3 organisations provided written submissions to the consultation.
38. Overall, there was a relatively high level of agreement from respondents to the consultation. A summary of the quantitative question responses is shown in the summary table below.

Question		Agreement	Disagreement
<b>1</b>	To what extent do you agree or disagree with the proposed scheme overall?	71%	19%
<b>2a</b>	To what extent do you agree or disagree with the following elements of the proposed scheme: The areas covered	75%	14%
<b>2b</b>	To what extent do you agree or disagree with the following elements of the proposed scheme: The requirement for all HMOs in the designated area to be licensed	85%	12%
<b>3a</b>	To what extent do you agree or disagree with the following aims of the proposed scheme: To improve the internal housing conditions of HMOs in the proposed areas	87%	7%
<b>3b</b>	To what extent do you agree or disagree with the following aims of the proposed scheme: To improve the external housing conditions of HMOs in the proposed areas	85%	9%
<b>3c</b>	To what extent do you agree or disagree with the following aims of the proposed scheme: To ensure the health and safety of tenants in HMOs in the proposed areas	89%	6%
<b>3d</b>	To what extent do you agree or disagree with the following aims of the proposed scheme: To reduce anti-social behaviour associated with HMOs in the proposed areas.	85%	9%
<b>4</b>	If the proposed scheme was to be implemented, what impact do you feel this might have on you or your community?	<b>Positive impact</b>	<b>Negative impact</b>
		76%	12%

39. The most frequently mentioned themes of comments regarding potential impacts of the proposed scheme included:
- The negative impact that high license fees could create higher rents for tenants.
  - The positive impact on housing quality.
  - The positive impact on the proposed areas.
40. The most frequent suggestions or alternatives to the proposed scheme were:
- Improve the external condition of the HMOs
  - Sort of the problems with rubbish associated with HMOs
  - Increase and have harsher action for failing landlords
  - Have stricter enforcement and standards
41. In conclusion, this consultation allows Cabinet to understand the views of residents and stakeholders on the proposals that have been consulted on. Therefore it provides a sound base on which to make a decision.