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TO THE CHAIRMAN AND MEMBERS OF THE **EXECUTIVE**

You are hereby summoned to attend a meeting of the Executive to be held on Thursday, 14 September 2017 at 7.00 pm in the Council Chamber, Civic Offices, Gloucester Square, Woking, Surrey GU21 6YL.

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website (www.woking.gov.uk). The images and sound recording will also be used for training purposes within the Council. The broadcast will be stopped when the confidential/Part II items on the agenda are reached. Generally, the public seating areas are not filmed. However, by entering the meeting room and using the public seating area, you are consenting to being filmed.

The Chairman of the meeting has the discretion to terminate or suspend filming, if in his/her opinion continuing to do so would prejudice the proceedings of the meeting or, on advice, considers that continued filming might infringe the rights of any individual.

As cameras are linked to the microphones, could Members ensure they switch their microphones on before they start to speak and off when finished and do not remove the cards which are in the microphones.

The agenda for the meeting is set out below.

RAY MORGAN
Chief Executive

AGENDA

PART I - PRESS AND PUBLIC PRESENT

1. Minutes

To approve the minutes of the meeting of the Executive held on 13 July 2017 as published.

2. Urgent Business

To consider any business that the Chairman rules may be dealt with under Section 100B(4) of the Local Government Act 1972.

3. Declarations of Interest

To receive declarations of disclosable pecuniary and other interest from Members in respect of any item to be considered at the meeting.

In accordance with the Members' Code of Conduct, the Leader of the Council, Councillor D J Bittleston, Councillor Mrs B A Hunwicks and Councillor C S Kemp have declared a non-pecuniary interest in Agenda Items 11, 13 and 14 arising from their positions as Directors of the Thamesway Group of Companies.

In accordance with Officer Procedure Rules, the Chief Executive, Ray Morgan, the Deputy Chief Executive, Douglas Spinks, and Strategic Director, Sue Barham, have declared an interest in Agenda Items 11, 13 and 14 arising from their positions as Directors of the Thamesway Group of Companies.

In accordance with Officer Procedure Rules, the Chief Executive, Ray Morgan, has declared an interest in Agenda Items 13 and 14 arising from his position as a Director of Bandstand Square Developments Limited.

In accordance with Officer Procedure Rules, the Deputy Chief Executive, Douglas Spinks, will declare an interest in any item in which Brookwood Cemetery is referred to arising from his position as a Director of Woking Necropolis and Mausoleum Limited, Brookwood Park Limited and Brookwood Cemetery Limited.

Questions

4. To deal with any written questions submitted under Section 3 of the Executive Procedure Rules. Copies of the questions and draft replies will be laid upon the table.

Matters for Recommendation

5. Private Rented Sector Access Scheme Policy (Pages 1 - 40)
Reporting Person – Sue Barham
6. Licensing Private Rented Accommodation - Proposal to make a selective licensing designation in part of Canalside Ward (Pages 41 - 240)
Reporting Person – Sue Barham
7. Major Works Affecting Leaseholders and Arrangement for the Payment of Service Charges (Pages 241 - 252)
Reporting Person – Sue Barham

Matters for Determination

8. Business Rates Relief Schemes (Pages 253 - 272)
Reporting Person – Leigh Clarke
9. Heathside Crescent Car Park Extension (Pages 273 - 290)
Reporting Person – Douglas Spinks
10. Housing Infrastructure Fund (Pages 291 - 314)
Reporting Person – Leigh Clarke

Performance Management

11. Performance and Financial Monitoring Information

Please bring to the meeting your copy of the Performance and Financial Monitoring Information (Green Book) July 2017.

Exclusion of the Press and Public

12. The Chairman will move and the Vice-Chair will second:-

“That the press and public be excluded from the meeting during consideration of items 13 and 14 in view of the nature of the proceedings that, if members of the press and public were present during these items, there would be disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, to the Local Government Act 1972.

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).”

PART II – PRESS AND PUBLIC EXCLUDED

Matters for Determination

13. Land Management - Former Planets Site (Pages 315 - 320)

Reporting Person – Ray Morgan

Matters for Recommendation

14. Land Management - Acquisition of Woking Town Centre Property (Pages 321 - 534)

Reporting Person – Ray Morgan

AGENDA ENDS

Date Published - 6 September 2017

For further information regarding this agenda and arrangements for the meeting, please contact Julie Northcote on 01483 743053 or email julie.northcote@woking.gov.uk



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EXECUTIVE – 14 SEPTEMBER 2017

PRIVATE RENTED SECTOR ACCESS SCHEME POLICY

Executive Summary

This report seeks approval of an Executive recommendation to Council of a Policy on how the Council intends to assist homeless households access accommodation in the private rented sector to prevent and relieve homelessness.

Across Woking, the demand for housing is high, and where households present themselves to the Council as homeless the Council is under a duty in certain circumstances to provide temporary accommodation while permanent accommodation is secured.

For some households there is likely to be a considerable delay between presenting as homeless and being offered social housing. Given the negative health and well-being impacts of living in temporary accommodation, it is often appropriate for the Council to assist households to secure a private rented tenancy.

Many homeless households are in financial hardship and are often in receipt of housing benefit to support their housing costs and in many cases are unable to provide the necessary deposits and other charges that are currently expected before being accepted as a private tenant. In these cases, the Council is able to assist through the use of deposit bonds, where the Council provides security in lieu of a cash deposit.

There is also a significant disparity between housing benefit levels and market private rents in Woking, and the proposed use of financial incentives for private landlords is a mechanism to bridge the gap and secure a private tenancy at a housing benefit rent level.

Where a household is supported to secure a private tenancy, the use of financial incentives reduces the Council's expenditure in respect of temporary accommodation, and the reduction in length of stay in temporary accommodation reduces the negative consequences associated with homelessness.

Reasons for Decision

The adoption of a policy ensures that the Council acts consistently in providing incentives and other activities to procure private rented accommodation for homeless households. It also provides private landlords with transparent information on how the Council intends to work with them in helping homeless households secure accommodation and assists in marketing the Council's schemes to private landlords.

The policy also ensures that the Council's offer to private landlords is competitive within the marketplace and that wherever possible homes across the Borough are secured for local families rather than homeless households from other local authority areas.

Recommendations

The Executive is requested to:

RECOMMEND to Council That

- i) the Private Rented Sector Access Scheme Policy, as set out in the Appendix to the report, be adopted;
- ii) the Strategic Director for Housing be delegated authority to agree leases with private landlords for accommodation to be used in accordance with the Policy;
- iii) the Strategic Director for Housing be delegated authority to make minor amendments to the Policy (specifically including changes to the scope and level of incentives) in consultation with the Portfolio Holder;
- iv) the Council's Allocation Policy be amended such that existing tenants accommodated through the Council's existing Private Rented Sector Access schemes cease to be eligible to apply for the Council's Housing Register after 31 March 2018; and
- v) the Flexible Homelessness Support Grant be used to provide the additional £95k budget provision required to deliver the Let's Rent Connect scheme and £10k for the Let's Rent Complete scheme.

This item will need to be dealt with by way of a recommendation to the Council.

Background Papers:

Sustainability Impact Assessment
Equalities Impact Assessment

Reporting Person:

Sue Barham, Strategic Director
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Contact Person:

Neil Coles, Housing Standards Manager
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Portfolio Holder:

Cllr Colin Kemp
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Shadow Portfolio Holder:

Cllr Ian Johnson
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Date Published:

8 September 2017

1.0 Introduction

- 1.1 The Council's Private Rented Access Schemes were established to assist the prevention of homelessness in the Borough. The schemes assist single households and households with dependent children that are threatened with homelessness.
- 1.2 The Council currently has three Private Rented Sector Access Schemes; Bond Scheme, Private Rented Scheme (PRS) and Private Sector Lease Scheme (PSL). The PRS and PSL schemes were established in 1999 and 2002 respectively and the Bond Scheme was established in 2010 to replace the cash rent in advance and deposits. The Private Rented Sector Access Schemes have facilitated over 1,100 new tenancies to date.
- 1.3 The schemes have been reviewed and feedback from the 19 July 2016 Housing Task Group has been used to inform the Policy.
- 1.4 The service has been the subject of an internal audit, and the findings of that process have been included in the draft Policy.
- 1.5 The revised offer has been benchmarked against other Surrey Districts and Boroughs, London Boroughs and Local Government Association good practice.
- 1.6 The Homelessness Reduction Act 2017, when enacted, will introduce significant changes to the way the Council will be required to respond to homelessness, and while this Policy may need to be adapted at that time, the adoption of this Policy will ensure that the Council has a competitive offer for securing private rented accommodation for homeless households.

2.0 Background

- 2.1 In recent years, despite the schemes providing essential tools to respond to homelessness, the popularity of the Council's Private Sector Access Schemes with private landlords has declined in line with the increase in demand for accommodation in the private rented sector across Woking. For example the number of new lettings procured through the schemes reduced from 131 during 2012/13 to 45 in 2015/16 and 38 during 2016/17.
- 2.2 The schemes have therefore become less effective as a tool to prevent homelessness at a time when homelessness is in general terms on the rise.
- 2.3 There are over 1,600 private rented tenants¹ in Woking that receive Local Housing Allowance (i.e. Housing Benefit) to assist with rent payments.
- 2.4 The average market rent for a 2 bed flat in Woking is £1,200² while the Local Housing Allowance is £966 – 20% lower than - which has resulted in private landlords being able to choose tenants that can pay a higher rent.
- 2.5 The Local Housing Allowance rates are currently subject to a four-year freeze which started in April 2016, and therefore it is anticipated that affordability issues for residents in receipt of Housing Benefit will worsen.

¹ West Surrey Strategic Housing Market Assessment 2015, Page 100

² www.home.co.uk – median market rent for a 2 bedroom property in Woking as of 08/08/17 and comparing 232 properties

- 2.6 The 2015 Strategic Housing Market Assessment (SHMA) indicates that affordability in the lower percentile has worsened in Woking³. This reflects the increase in market rent across the Borough and the difficulties households experience when trying to secure private rented accommodation.
- 2.7 The review of the schemes aims to ensure that the schemes continue to be competitive in the marketplace, and meet the Council's aims to support the prevention and relief of homelessness.
- 2.8 The Policy (Appendix 1) sets out three priorities:
- Priority 1: To prevent homelessness by assisting households threatened with homelessness to secure affordable private rented accommodation.
 - Priority 2: To relieve homelessness by assisting homeless households to secure sustainable long-term private rented accommodation.
 - Priority 3: To improve the health and well-being of homeless households by securing good quality temporary accommodation working with the private rented sector.
- 2.9 It is proposed that the priorities of the Policy are delivered through three schemes, which are in effect revised versions of the current approaches.

3.0 Changes to current schemes

- 3.1 The Council currently operates three private sector access schemes:
- i) The bond scheme – provides a rent deposit bond for residents who are unable to afford a tenancy deposit to secure a private tenancy.
 - ii) The Private Rented Scheme – provides a partially managed lettings service for homeless households.
 - iii) The Private Sector Lease Scheme – secures properties through leases to provide temporary accommodation for homeless households.
- 3.2 The proposed schemes build on the current schemes by offering lease and repair, partially managed and rent deposit bond schemes but with enhanced offers to attract private landlords to work with the Council in an increasingly competitive market.
- 3.3 To improve the presence of the schemes within the marketplace, it is proposed to deliver the schemes under the new Let's Rent brand as:
- i) Let's Rent Core – rent deposit bond scheme;
 - ii) Let's Rent Connect – partially managed lettings service; and
 - iii) Let's Rent Complete – private sector lease scheme.

³ West Surrey Strategic Housing Market Assessment 2015, Page 108

Private Rented Sector Access Scheme Policy

3.4 The table below summarises the proposed changes to the schemes:

	Bond	Let's Rent Core	Private Rented Sector	Let's Rent Connect	Private Sector Lease	Let's Rent Complete
	Rent Deposit Bond		Partially managed		Lease	
	Current	Proposed	Current	Proposed	Current	Proposed
Free service	✓	✓	✓	✓	✓	✓
Dedicated contact	✓	✓	✓	✓	✓	✓
Advice and assistance	✓	✓	✓	✓	✓	✓
Free independent inventory	✓	✓	✓	✓	✓	✓
Free dispute resolution	✓	✓	✓	✓	✓	✓
Free gas and electrical certification	✓	✓	✓	✓	✓	✓
Tenant affordability assessment	✓	✓	✓	✓	✓	✓
Guaranteed rent in advance	x	x	x	x	✓	✓
Rent paid when vacant	x	x	x	x	✓	✓
Full tenancy management	x	x	x	x	✓	✓
Tenancy sustainment	✓	x	✓	✓	✓	✓
Routine tenancy inspections	x	x	✓	✓	✓	✓
Preparation of tenancy paperwork	✓	x	✓	✓	✓	✓
Accompanied viewings	N/A	x	✓	✓	x	✓
Right to rent checks	✓	x	✓	✓	x	✓
Cash Incentive	x	x	x	£2,000	x	x
Cash Deposit	x	x	x	✓	x	x
Free £250 minor repairs	x	x	x	✓	x	x
Rent payment in advance	x	x	1 month	2 months	x	x
Rent deposit bond	6 weeks LHA	✓	£1,500	£2,500	x	x
Scheme length	Minimum 6 month tenancy		Minimum 6 month tenancy	3 year nomination period	Minimum 2 year lease	

4.0 Let's Rent Core

- 4.1 Let's Rent Core provides assistance to households to support the setting up of a new tenancy in the private rented sector. Let's Rent Core is a revised bond scheme.
- 4.2 Let's Rent Core is available to households who have a local connection to Woking and are either homeless or are threatened with homelessness and it is normally the case that the household has identified a private rented sector property that is suitable for their needs but they are unable to afford to enter into the tenancy due to the upfront costs.
- 4.3 Let's Rent Core is available in respect of properties in any location, not only within the Borough.
- 4.4 The Council will provide a 'bond' which replaces the need for a cash rent deposit and provides security to the landlord in respect of rent arrears or property damage etc. There is the option to provide a payment of rent in advance, or a cash deposit in exceptional circumstances.
- 4.5 Let's Rent Core will provide a rent deposit bond to the maximum amount of £2,500 (compared with the current amount of 6 weeks local housing allowance for the property).
- 4.6 The bond will be subject to a periodic review, and may be ended after 2 years and confirmation that the tenancy is successful.
- 4.7 The bond will be subject to an offer of a minimum 6 month Assured Shorthold Tenancy and the Council may discharge the full homeless duty in accordance with the Council's Policy on Discharging the Council's Homelessness Duty into the Private Rented Sector where a 12 month Assured Shorthold Tenancy is agreed.
- 4.8 Once a bond has been activated, the tenant agrees to abide by the terms of the tenancy agreement (e.g. pay rent on time and not to cause damage to the property), and the bond provides security to the landlord in the event that there are problems that result in a loss to the landlord.
- 4.9 Once the tenancy is in place, the household is no longer homeless or threatened with homelessness.
- 4.10 During the tenancy the household is considered to be adequately housed, and is no longer eligible to apply to the Council's Housing Register (for social housing). This is a significant change from the Council's current practice, whereby tenants renting privately and in receipt of a bond remain eligible for rehousing through the Housing Register. It is argued that this represents an inequality with other residents who rent privately and are adequately accommodated not being eligible to join the Council's Housing Register.
- 4.11 At the end of the tenancy if there are arrears or the property has been damaged (not including fair wear and tear) the Council will agree a suitable compensation payment with the landlord and the tenant is liable to repay the Council in full.

Let's Rent Connect

- 4.12 Let's Rent Connect is a revised Private Rented Sector scheme which provides the offer of a long-term private rented tenancy to households who have a local connection to Woking and are homeless. The scheme is also available to those households who do not ordinarily have a local connection to Woking, but are fleeing another area (for example in the case of domestic abuse).

Private Rented Sector Access Scheme Policy

- 4.13 Let's Rent Connect enables the Council to end its homelessness duty towards homeless households by way of an offer of private rented sector accommodation in accordance with the Council's Policy on Discharging the Council's Homelessness Duty into the Private Rented Sector.
- 4.14 Let's Rent Connect is available in respect of properties in any location, not only within the Borough.
- 4.15 Let's Rent Connect will have a range of incentives for landlords that will better compete with the market, so that the Council can secure the type and location of accommodation it needs to meet the needs of individual homeless households. It is intended that any additional costs will be partly offset by savings in respect of temporary accommodation costs.
- 4.16 The cash incentive payment to landlords is intended to be non-repayable and to increase the ability for low income households to access private rented accommodation.
- 4.17 Where the Council provides the cash incentive the landlord will be required to provide nomination rights to the Council for a three year period. This means that should the initial tenancy end within the three year period, the Council will secure further tenants to the property.
- 4.18 A Let's Rent Connect offer to a landlord will require the following:
- i) A minimum tenancy term of 12 months;
 - ii) Rent set at no higher than the Local Housing Allowance level;
 - iii) Mains-powered smoke detectors to each floor;
 - iv) Proof of ownership; and
 - v) Valid certification in respect of:
 - Gas safety;
 - Electrical safety; and
 - Energy performance;
- 4.19 Let's Rent Connect will provide the following Council services to landlords:
- i) A Non repayable cash incentive to landlord paid over 2 years with 3 year nomination rights;
 - ii) Rent in Advance of 2 months (one month to be recouped from final Housing Benefit payment);
 - iii) Free safety certificates up to the value of £250 at the start of the tenancy;
 - iv) Let's Rent bond;
 - v) Free independent inventory and dispute resolution;
 - vi) Tenant affordability assessment;
 - vii) An assessment of property condition to ensure there are no health and safety hazards;
 - viii) Access to a dedicated officer to deal with any concerns or queries (for example Housing Benefit);
 - ix) Accompanied viewings;

- x) Preparation of tenancy paperwork;
 - xi) Periodic tenancy sustainment visits tailored to meet the needs of each tenant; and
 - xii) Resettlement to assist with sourcing furniture and setting up utility bills etc.
- 4.20 At the commencement of the tenancy the Council will discharge its homelessness duty to the household as set out above. During the tenancy the household is considered to be adequately housed, and is no longer eligible to apply to the Council's Housing Register (for social housing). Again this is a departure from the current Private Rented Scheme.
- 4.21 Let's Rent Connect properties will ordinarily be provided unfurnished however carpets and other floor coverings will be required in each room, and curtains and blinds will be required to be provided to each window. Where households do not have access to necessary furniture, officers will assist the household to source furniture and in exceptional circumstances a furniture pack will be provided for the household.

Let's Rent Complete

- 4.22 Let's Rent Complete is a revised Private Sector Lease scheme that provides stable short-term temporary accommodation for households who are homeless and in priority need so that they can remain within the local area while permanent accommodation is secured for them.
- 4.23 This scheme does not require agreement from a private landlord to accept a tenant and tenants will be placed on a licence agreement to encourage short lets and fulfil lease obligations to provide vacant possession at lease end.
- 4.24 Let's Rent Complete will have uplifted lease terms that better compete with the market and to enable the Council to secure accommodation that meets the needs of homeless households.
- 4.25 Let's Rent Complete will continue to offer the property owner a guaranteed rent during the lease period as well as a range of other incentives designed to attract property owners to the scheme.
- 4.26 The Let's Rent Complete offer provides property owners with the following:
- i) Full-repairing lease for a minimum 2 year period;
 - ii) Annual lease payment paid in advance equivalent to full rent paid at 90% of the local housing allowance level;
 - iii) 4 month lease break clause;
 - iv) An assessment of property condition to ensure there are no health and safety hazards;
 - v) Guaranteed vacant possession; and
 - vi) Property returned in original condition less fair wear and tear.
- 4.27 The Let's Rent Complete offer requires the following to be present:
- i) Proof of ownership and Buildings Insurance;
 - ii) Mains-powered smoke detectors to each floor;
 - iii) Valid certification in respect of:

- Gas safety;
- Electrical safety; and
- Energy performance.

4.28 Let's Rent Complete properties will ordinarily be provided unfurnished however carpets and other floor coverings will be required in each room, and curtains and blinds will be required to be provided to each window. Where households do not have access to necessary furniture, officers will assist the household to source furniture and in exceptional circumstances a furniture pack will be provided for the household.

Tenancy sustainment

4.29 In order to promote tenancy sustainment and limit claims, an inspection programme is to be implemented for the Let's Rent Connect and Complete tenancies. No inspections will be made to the Let's Rent Core tenancies.

4.30 The inspections allow Officers to assess the condition of the property, report back to the landlord, offer guidance to tenants on their property condition and any action required to minimise a subsequent claim at the end of the tenancy. This is also an opportunity to review rent payments, Housing Benefit claims, and determine if additional support is required for the household.

4.31 Officers negotiate with tenants and landlords wherever possible to sustain a tenancy but also have a duty as a last resort to advise the landlord when they should serve a notice to end a tenancy.

4.32 In order that a tenancy is successful, Officers need the tenant history and support needs prior to viewing a property. A financial assessment is carried out with advice given to reduce debt or change spending where appropriate. Officers also ensure that income is in place prior to tenancy commencement to ensure a Housing Benefit claim can be assessed as quickly as possible due to Housing Benefit being paid to the landlord four-weekly in arrears. This type of assessment is in line with Crisis and National Practitioner Support Service good practice.

5.0 Implementation of the new schemes

5.1 There are no implementation matters to consider in respect of Let's Rent Core. The new terms will apply to new cases following adoption of the new Policy.

5.2 Current tenants benefitting from the bond scheme - although adequately housed and in many cases accommodated in the same property for several years – are eligible to apply to the Council's Housing Register. It is proposed to end this link with effect from 31 March 2018. Existing tenants will remain able to bid through the Council's Hometrak choice based lettings system to secure accommodation through the Housing Register until this date.

5.3 The new terms and conditions relating to Let's Rent Complete will apply to new leases secured following adoption of the Policy. The existing leases within the current Private Sector Leasing scheme will be converted onto Let's Rent Complete at the point of the annual rent review.

5.4 Let's Rent Connect provides the greatest level of change and there will need to be a transitional period to enable existing Private Rented Sector properties convert to Let's Rent Connect.

- 5.5 Current tenants within the Private Rented Sector (PRS) scheme - although adequately housed and in many cases accommodated in the same property for several years – are eligible to apply to the Council's Housing Register. It is proposed to end this link with effect from 31 March 2018. Existing tenants will remain able to bid through the Council's Hometrak choice based lettings system to secure accommodation through the Housing Register until this date.
- 5.6 Where current PRS scheme tenants secure alternative accommodation the property will cease to be part of the PRS scheme and the landlord will be offered the opportunity to join Let's Rent Connect.
- 5.7 Where a current PRS tenant does not secure alternative accommodation through the Council's Housing Register (or otherwise) before 31 March 2018 the landlord will be provided with 3 months notice of the Council's intention to withdraw the PRS scheme and the property will be passported onto Let's Rent Core.
- 5.8 Where a PRS scheme landlord wishes to transfer their property to join Let's Rent Connect the property will need to be vacant to enable the Council to utilise the accommodation for a homeless household.
- 5.9 The number of properties within the Let's Rent schemes will be limited to match current levels of staffing to ensure that the schemes are delivered professionally and to maximise tenancy sustainment and to reduce the risk of financial loss due to rent deposit bond claims etc.

Marketing

- 5.10 The creation of Let's Rent as a brand provides a greater opportunity for the Council to promote the scheme within the competitive private rented market. Let's Rent links closely to the Council's Let's Talk brand that is used to promote letting agent, landlord and tenant forums.
- 5.11 The proposed schemes are considered competitive within the current market and consequently it is anticipated that additional properties will be procured to support the provision of accommodation for homeless households.

6.0 Implications

Financial

- 6.1 The Let's Rent schemes are intended to provide accommodation for homeless households who are currently largely accommodated in bed and breakfast accommodation, Council-owned housing stock used as temporary accommodation, and the current private rented sector access schemes.
- 6.2 The provision of permanent accommodation for homeless households through Let's Rent Connect provides positive health and well-being benefits which represents a social value that cannot be readily monetarised.
- 6.3 During 2015/16 the average length of stay in bed and breakfast accommodation for homeless households was 27.5 days. A further stay in temporary accommodation generally followed this period either within the Council's own housing stock (used as temporary accommodation) or through the Private Rented Sector or Private Sector Lease schemes. In some cases this additional period within temporary accommodation lasted years.

Private Rented Sector Access Scheme Policy

- 6.4 The average nightly cost of providing bed and breakfast accommodation is £85.27 and the average length of stay of 27.5 nights results in a total bed and breakfast cost of £2,345 per household.
- 6.5 The additional cost of providing further temporary accommodation within the Council's housing stock is not readily available, however the reliance on the Council's housing stock reduces the availability of social housing for residents waiting for accommodation through the Council's Housing Register.
- 6.6 Each Let's Rent Connect property provides a three year nomination rights period to the Council for a maximum cost of £2,377 where all incentives are provided (e.g. £2,000 Connect incentive, maximum £250 repairs allowance, gas and electrical certification etc), based on the following assumptions:

	Set scheme level	Maximum scheme level	Fixed costs	% offers requiring incentive	Average cost
Incentive payment	£2,000	N/A	N/A	100%	£2,000
Inventory	N/A	N/A	£102	100%	£102
Minor repairs	N/A	£250	N/A	40%	£100
Gas certification	N/A	N/A	£100	25%	£25
Electrical certification	N/A	N/A	£150	100%	£150
				Total	£2,377

- 6.7 It is proposed to limit Let's Rent Connect to a maximum 40 properties each year, and based on an average cost of £2,377 this would require a budget provision of £95,080.
- 6.8 From 2017/18 the Council will receive a Flexible Homelessness Support Grant of £201k to replace the Government's current Temporary Management Fund grant, and it is proposed that the Flexible Homelessness Support Grant be used to provide the £95k budget provision for Let's Rent Connect. Any future changes to the grant funding may impact the scheme accordingly.
- 6.9 Each Let's Rent Connect nomination will result in the Council discharging its homeless duty to a homeless household and experience in other council areas suggests that in some cases the household will refuse the offer of accommodation and a further nomination may be made to another homeless household. It is estimated that 10% of offers will be refused resulting in the Council being able to discharge its homelessness duty to additional households.
- 6.10 Assuming 75% of Lets Rent Connect tenancies are sustained during the full 3 year nomination period, each Let's Rent Connect property is therefore anticipated to provide an average of 1.25 nominations during each 3 year nomination period (i.e. the portfolio of 40 properties provides 50 nominations during a three year period).
- 6.11 Factoring in the additional nominations and the estimated level of refusals reduces the average maximum cost per Let's Rent Connect property to £1,761 (from £2,377) and the

Private Rented Sector Access Scheme Policy

40 Let's Rent Connect offers would result in discharging the Council's homelessness duties to 54 households over the 3 year nomination period.

- 6.12 During 2016/17 the Council accommodated 147 homeless households in bed and breakfast accommodation. The provision of 40 Let's Rent properties would provide accommodation for 27% of those households, and this equates to a reduction in bed and breakfast costs of £93,570 (based on the net bed and breakfast cost in 2016/17).
- 6.13 Where the Council provides payment of rent in advance through Let's Rent Connect this will be funded through use of the Council's Discretionary Housing Payment fund, and £50k has been ring-fenced each year for supporting the Council's private rented sector access schemes.
- 6.14 The two months rent in advance to Let's Rent Connect landlords assists due to Housing Benefit being paid in arrears and any delays with their HB assessment. The final HB payment will be paid to the Council to recoup one of the two months paid for rent in advance.
- 6.15 The proposed Let's Rent Complete lease payments to landlords represent an uplift from the current lease payments and will result in a budget increase of £10k. It is proposed that the Flexible Homelessness Support Grant be used to provide the additional £10k budget provision for Let's Rent Complete.
- 6.16 The increased Rent Deposit Bond level within the Let's Rent Core scheme is not expected to result in a higher claim rate due to work already undertaken to reduce claim amounts through quick and responsive tenancy sustainment, tailored routine inspections and the requirement for landlords to inform the Council within 7 days of rent arrears or any other issues. During 2016/17 the average bond claim amount for tenancies ending was £893, and claims were accepted in respect of 45.5% of those tenancies. However, due to the nature of these debts, it is difficult to recover amounts owed once the debtor has left the property. Therefore there is a risk of bad debt under the scheme. The current rent deposit bonds agreed by the Council (217 in total) represent a financial risk of £275k.

Human Resource/Training and Development

- 6.17 The proposed changes will have no staffing implications and will be delivered within existing staffing resources.
- 6.18 If the volume of properties delivered through the schemes increases, for example as a result of increasing homelessness acceptances, increased staffing resources may be required.
- 6.19 The changes resulting from the implementations of the Homelessness Reduction Act 2017 from April 2018 may result in the need for additional properties to be procured through the schemes, and this would result in the need for additional staffing resources.

Community Safety

- 6.20 There are no community safety implications.

Risk Management

- 6.21 Currently the Council is using 72 void properties within the Sheerwater regeneration area as temporary accommodation for homeless households. When the Sheerwater redevelopment progresses, the availability of these units will be reduced and result in a

likely increase in emergency accommodation costs. The adoption of this policy will help to minimise any increase in these costs through the provision of a range of accommodation for homeless households.

- 6.22 The adoption of this policy will help to increase the diversity of the stock used to provide temporary accommodation, and will reduce the current disproportionate use of the Council's housing stock as temporary accommodation.
- 6.23 The Homelessness Reduction Act 2017 which is due to come into force in April 2018 is likely to increase the need for a wide range of housing solutions for households who present as homeless to the Council. The adoption of this policy will enable the Council to resolve the housing situations of households who are currently experiencing homelessness, and consequently assist in the preparations for the new homelessness regime.
- 6.24 If the proposed policy is not adopted the Council's current offer to procure properties within the private rented sector to provide homes for homeless households is not considered competitive and there is a risk that the Council will not be able to secure this type of accommodation.
- 6.25 There is a risk that properties that are offered for use for homeless households within Woking may be offered to other local authorities and in particular London boroughs for use for their homeless households. Where other local authorities discharge their homelessness obligations by placing homeless households within private rented accommodation in Woking, these households would be considered as having a local connection to Woking and would if threatened with homelessness in the future access homelessness services locally.
- 6.26 The current scope and level of incentives linked to the Let's Rent schemes have been established by benchmarking with other schemes across London and Surrey. Given the competitive private rented market it may be appropriate to alter the incentives offered through the Let's Rent Schemes at short notice. This report recommends that delegated authority be provided to the Strategic Director, in consultation with the Portfolio Holder, for amending the Let's Rent schemes as necessary to ensure the schemes remain competitive.

Sustainability

- 6.27 The adoption of this policy supports local private landlords in providing sustainable private rented accommodation for local residents.
- 6.28 The policy supports improvements in health inequalities for homeless households resulting from the reduced length of stay in temporary accommodation.

Equalities

- 6.29 The policy advances equality for those disproportionately affected by homelessness, including those with learning difficulties, mental health problems, younger people, pregnant women and those from low socio-economic groups.

7.0 Consultations

- 7.1 Consultation has been undertaken with the Housing Task Group and Portfolio Holder.

REPORT ENDS
EXE15-110

APPENDICES

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Gender	Men					X	
	Women					X	
Gender Reassignment							
Race	White					X	
	Mixed/Multiple ethnic groups					X	
	Asian/Asian British					X	

	Black/African/Caribbean/ Black British					X	
	Gypsies / travellers					X	
	Other ethnic group					X	

		Positive impact?			Negative impact?	No specific impact	<p>What will the impact be? If the impact is negative how can it be mitigated? (action)</p> <p>THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS</p>
		Eliminate discrimination	Advance equality	Good relations			
Page 18 Disability	Physical					X	
	Sensory					X	
	Learning Difficulties		X				People with learning difficulties are disproportionately affected by homelessness
	Mental Health		X				People with mental health problems are disproportionately affected by homelessness
Sexual Orientation	Lesbian, gay men, bisexual					X	
Age	Older people (50+)					X	
	Younger people (16 - 25)		X				Younger people with learning difficulties are disproportionately affected by homelessness
Religion or Belief	Faith Groups					X	

Pregnancy & maternity	X			Pregnant women are disproportionately affected by homelessness
Marriage & Civil Partnership			X	
Socio-economic Background	X			People from deprived socio-economic background are disproportionately affected by homelessness

The purpose of the Equality Impact Assessment is to improve the work of the Council by making sure it does not discriminate against any individual or group and that, where possible, it promotes equality. The assessment is quick and straightforward to undertake but it is an important step to make sure that individuals and teams think carefully about the likely impact of their work on people in Woking and take action to improve strategies, policies, services and projects, where appropriate. Further details and guidance on completing the form are [available](#).

Sustainability Impact Assessment

Officers preparing a committee report are required to complete a Sustainability Impact Assessment. Sustainability is one of the Council's 'cross-cutting themes' and the Council has made a corporate commitment to address the social, economic and environmental effects of activities across Business Units. The purpose of this Impact Assessment is to record any positive or negative impacts this decision, project or programme is likely to have on each of the Council's Sustainability Themes. For assistance with completing the Impact Assessment, please refer to the instructions below. Further details and guidance on completing the form are [available](#).

Theme (Potential impacts of the project)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Use of energy, water, minerals and materials			X	
Waste generation / sustainable waste management			X	
Pollution to air, land and water			X	
Factors that contribute to Climate Change			X	
Protection of and access to the natural environment			X	
Travel choices that do not rely on the car			X	
A strong, diverse and sustainable local economy	X			The policy supports local private landlords
Meet local needs locally	X			The policy supports the provision of local housing for homeless households
Opportunities for education and information			X	

Provision of appropriate and sustainable housing	X			The policy supports the provision of affordable housing for local residents
Personal safety and reduced fear of crime			X	
Equality in health and good health	X			The policy supports improvements in health inequalities resulting from reduced length of stay in temporary accommodation
Access to cultural and leisure facilities			X	
Social inclusion / engage and consult communities			X	
Equal opportunities for the whole community			X	
Contribute to Woking's pride of place			X	

Private Rented Sector Access Scheme Policy

Version control		
<i>Version</i>	<i>Date</i>	<i>Notes</i>



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1. Executive summary

- 1.1 The Council has a range of statutory obligations to assist households who are homeless or threatened with homelessness. In many cases this requires the Council to provide temporary accommodation while alternative accommodation is secured.
- 1.2 Due to the demand for Council housing and other forms of affordable housing that can be secured through the Council's housing register, it is often necessary to utilise private rented accommodation to reduce the negative impacts on health and well-being that result from long stays in temporary accommodation.
- 1.3 In many cases, households who the Council seek to assist are in receipt of housing benefit, and due to the disparity between housing benefit levels and market rent it is necessary for the Council to provide a range of incentives to secure private rented accommodation.
- 1.4 This policy sets out how the Council intends to work with private landlords and property owners to secure suitable accommodation for households who are homeless and threatened with homelessness, and as a result reduce the length of stay in temporary accommodation.
- 1.5 This policy formalises the work that the Council currently undertakes to secure accommodation in the private rented sector and sets out how the Council intends to work with private landlords and property owners to provide a range of different accommodation types to meet the needs of households who are assisted by the Council.

2. Background

- 2.1 Housing is a key determinant of health and well-being and poor housing directly impacts on residents' health. Where households become homeless and are accommodated in temporary housing, there is a similar negative impact.
- 2.2 Where households occupy temporary accommodation there is often a negative impact that results. Where families include children there can be disruption to schooling and educational achievement can be impacted through reduced space and privacy to study and in some cases a change of school is necessary.
- 2.3 It is therefore important that households who become homeless are assisted into long-term accommodation at the earliest opportunity to reduce the negative consequences of temporary accommodation.

3. The aims of the policy

- 3.1 The Council is committed to supporting homeless households through the use of high quality temporary accommodation and through securing suitable long-term homes.
- 3.2 As such the Council aims to reduce the length of stay in all forms of temporary accommodation, and recognises the role that the private rented sector can play in providing appropriate accommodation for households.
- 3.3 This policy aims to:
- i) Prevent homelessness by assisting households threatened with homelessness to secure affordable private rented accommodation;
 - ii) Relieve homelessness by assisting households to secure sustainable long-term private rented accommodation, and;
 - iii) Improve the health and well-being of homeless households by securing good quality temporary accommodation working with the private rented sector and reducing time spent in temporary accommodation.

4. Let's Rent

- 4.1 The Let's Rent offer is made up of three schemes:
- i) Let's Rent; Core
 - ii) Let's Rent Connect and;
 - iii) Let's Rent Complete
- 4.2 All Let's Rent schemes are underpinned by a common service offer for landlords and tenants that provides the following services:
- i) No letting or tenancy fees
 - ii) Dedicated officer contact
 - iii) Free provision of advice and assistance
 - iv) Free independent inventory to minimise disputes
 - v) Free dispute resolution
 - vi) Tenant affordability assessment

4.3 In addition to the common service offer, each Let's Rent scheme provides a distinct offer to private landlords and property owners as set out below:

	Let's Rent		
	Complete [Lease and repair]	Connect [Part managed]	Core [Bond]
Guaranteed rent in advance	✓	✗	✗
Rent paid when vacant	✓	✗	✗
Full Tenancy Management	✓	✗	✗
Free gas and electrical certification ^{1,2}	✓	✓	✗
Free end of tenancy clean	✓	✓	✗
Tenancy sustainment	✓	✓	✗
Routine inspections	✓	✓	✗
Preparation of tenancy paperwork	✓	✓	✗
Accompanied viewings	✓	✓	✗
Right to rent checks	✓	✓	✗
Cash Incentive	✗	✓	✗
Cash Deposit	✗	✓	✗
Rent payment in advance	✗	✓	✗
Rent Deposit Bond	✗	✓	✓

Let's Rent - Core

- 4.4 Let's Rent Core is a Rent Deposit Bond Scheme which assists eligible households who are able to secure private rented accommodation but do not have the financial means to give their prospective landlord a cash deposit.
- 4.5 The Let's Rent Core bond provides coverage up to £2,500.
- 4.6 The tenant will usually find their own private rented property and use the Bond in lieu of a cash deposit to secure a minimum six month assured shorthold tenancy for the property.

¹ For properties new to Let's Rent

² Gas certification only available where the property has not been rented immediately prior

- 4.7 The Council bond is a legal agreement between all parties that provides the private landlord with the financial insurance to cover any potential rent arrears or expenses in connection with tenants who act in an un-tenant-like manner.
- 4.8 Let's Rent Core can assist tenancies both within the Borough and further afield, and where there is a valid claim against the bond, the Council will recover monies from the tenant.
- 4.9 Where landlords intend to claim against the Council bond they are required to inform the Council within specified timescales to ensure that claims can be investigated efficiently and to ensure that claims do not escalate unnecessarily.
- 4.10 The full scheme details for Let's Rent Core can be found at Appendix 1.

Let's Rent Connect

- 4.11 Let's Rent Connect provides a part-managed service to private landlords where the Council finds tenants to occupy suitable private rented accommodation.
- 4.12 Let's Rent Connect provides a financial incentive to private landlords of £2,000 to secure nomination rights to the property for three years.
- 4.13 Let's Rent Connect tenants sign an Assured Shorthold Tenancy for a minimum 12 month period with the private landlord, and the Council also offers a rent deposit bond (as in Let's Rent Core).
- 4.14 The Council will undertake a range of tenancy visits to ensure that wherever possible Let's Rent Connect tenancies are sustained, and Council officers are available to assist landlords prepare the necessary tenancy documents.
- 4.15 The Council will also provide landlords with the necessary documentation that they need to satisfy the legal requirements around 'Right to Rent' checks.
- 4.16 Where Let's Rent Connect tenants are in receipt of Housing Benefit, a rent in advance payment will be made on commencement of the tenancy to ensure that there are no rent arrears while the Housing Benefit claim is being processed. This payment is recoverable by the Council at the end of the tenancy.
- 4.17 Let's Rent Connect may also incorporate a cash deposit instead of the rent deposit bond in exceptional circumstances.
- 4.18 The full scheme details for Let's Rent Connect can be found at Appendix 2 and an indicative financial comparison is set out in Appendix 4.

Let's Rent Complete

- 4.19 Let's Rent Complete is a full repair lease and fully managed scheme between the property owner and the Council. The Council then lets the property to eligible households.
- 4.20 Let's Rent Complete leases ordinarily run for a minimum two-year term, and the Council returns the property to the owner in the same condition as at the commencement of the lease. During the lease term the Council is responsible for most repairs³.
- 4.21 The lease agreement provides a guaranteed payment to the property owner which is paid annually in advance⁴, and the property owner is not liable for any losses due to void periods or most repairs.
- 4.22 The annual lease payment equals 90% of the relevant Housing Benefit amount for the property, and given the additional services offered through the scheme, provides a competitive financial return for property owners as set out in Appendix 4.
- 4.23 Council officers undertake a range of tenancy visits to ensure that wherever possible Let's Rent Complete tenancies are sustained, and Council officers will ensure that tenants have the right to rent the property.
- 4.24 At the end of the Let's Rent Complete lease period, either a further lease is agreed, or the property is returned to the owner in the same condition as at the commencement of the lease with vacant possession.
- 4.25 The full scheme details for Let's Rent Complete can be found at Appendix 3.

5. Eligibility criteria

- 5.1 Let's Rent schemes are subject to appropriate eligibility criteria as set out below.

Landlords and property owners

- 5.2 All prospective landlords for Let's Rent Core and Connect must complete an application form confirming their property details, contact details and that they are a fit and proper landlord.
- 5.3 Applications to Let's Rent Connect should also be submitted with a current gas certificate, Energy Performance Certificate, Electrical Installation Condition Report and proof of ownership.
- 5.4 Applications to Let's Rent Complete must include permission to lease from the mortgage lender and appropriate buildings insurance cover in addition to the requirements set out above.

³ Structural repairs are generally excluded

⁴ Pro rata payments for leases that commence partway through the financial year

- 5.5 The application for Let's Rent Core will outline the property, tenant and landlord requirements.

Tenants

- 5.6 To be eligible for Let's Rent, prospective tenants should be accepted by the Council as either homeless or threatened with homelessness.
- 5.7 All prospective tenants must complete a financial assessment prior to acceptance onto any of the schemes. Tenants will be encouraged to attend relevant tenant training workshops.
- 5.8 All prospective tenants must attend an interview to discuss rent payments and to establish any support or resettlement referrals required prior to viewing.

6. Property Standards

- 6.1 The Council is committed to ensuring that properties within the private rented sector meet relevant standards, and consequently all Let's Rent Connect and Complete properties will be inspected prior to acceptance on to the scheme. Let's Rent minimum property standards are set out in Appendix 5.
- 6.2 Landlords will be provided an inspection report following the inspection advising of acceptance to the scheme and any changes required before the property can be let. A final inspection will be carried out prior to letting to confirm any works required have been completed to an appropriate standard.
- 6.3 Where a gas inspection or electrical inspection identifies remedial works required, these works will be required to be undertaken before the property is accepted for Let's Rent.
- 6.4 If works are not carried out as requested, the property will not be accepted on to the Let's Rent schemes. In the event that a property is deemed to have Category 1 hazards⁵ and a property is not improved, a referral will be made to the Housing Standards Team and enforcement action will be instigated in accordance with the Council's relevant enforcement policy⁶.
- 6.5 Tenants securing their property direct with a landlord and using the Let's Rent Core scheme will be provided with a checklist for a basic tenant property inspection, including confirmation of necessary safety certificates and key information (for example the location of mains water supply stopcock, how to control the heating system etc).

7. Claim disputes

- 7.1 Landlords and tenants may request a review of claim decisions within 5 days of receiving the claim decision. The review request must be in writing and should outline the reasons for the review and include all supporting evidence.

⁵ As defined by the Housing Health and Safety Rating System Regulations 2005

⁶ Currently the Housing Standards Enforcement Policy 2017

7.2 The tenant will receive confirmation of claim details from the Council and will be given 7 days to submit a response which must include all supporting evidence. If a tenant does not make contact, the claim will be assessed without input from the tenant.

7.3 The Council's review decision will be final, however customers may wish to utilise the Council's complaints process if they remain unsatisfied.

8. Tenant debt following claim

8.1 Any agreed claim in respect of a rent deposit bond will be recharged to the tenant. Following payment from the bond the tenant will be invoiced by the Council.

8.2 If payment is not made the Council may decide to take court action to recover the debt. Any court action will increase the debt and will include court fees, legal costs and statutory interest⁷.

9. Tenancy sustainment

9.1 All Let's Rent Connect and Complete properties will receive tenancy sustainment visits within 2 weeks of a new tenancy, within the first 6 months and annually thereafter as a minimum.

9.2 Landlords and tenants will receive written confirmation of the inspection outcome within three days of the visits.

9.3 An assessment of each tenancy as well as the property condition will determine the frequency of future visits and visit frequency will be increased as required.

10. Complaints

10.1 Where a customer is not satisfied with the way they have been treated by the Council in connection with this policy they can make a formal complaint.

10.2 All complaints will be investigated and a written response will be provided within the timescale set out in the complaints policy.

10.3 Full details of the Council's complaints process can be found on the Council's website.

⁷ Currently 8%

Appendix 1 - Let's Rent Core scheme details

- 1) Landlords will only be eligible if they have met the criteria set out in this policy.
- 2) The maximum rent deposit bond level is £2,500.
- 3) To be eligible for Let's Rent Core an assured shorthold tenancy of minimum 6 months duration must be entered into.
- 4) If the property is within a 20 mile radius of Woking, the Council will pay for and instruct a professional inventory company to complete a check-in inventory prior to tenancy commencement and check-out inventory at tenancy end.
- 5) If the property is let through a Letting Agent it will be assumed that a professional inventory has been completed.
- 6) Any rent deposit bond claims will be assessed in accordance with Appendix 7.
- 7) Let's Rent Core will not be available to any prospective tenant who has a housing-related debt to the Council (including any Council-owned company), or a registered provider (i.e. housing association).
- 8) Where the Council accepts a rent deposit bond claim the Council will seek to recover all costs from the tenant.
- 9) The Council reserves the right to refuse a Let's Rent Core application at any time.
- 10) Let's Rent Core is subject to availability and may be withdrawn at any time.

Appendix 2 - Let's Rent Connect scheme details

- 1) Landlords will only be eligible if they have met the criteria set out in this policy
- 2) A landlord must not have served notice to end a tenancy in order to take advantage of landlord incentives. If a tenancy was ended in this way, the landlord will not be able to access the scheme.
- 3) A non-repayable cash incentive of £2,000 will be paid per property to landlords, providing a nominations agreement has been signed that provides the Council with future tenancy nominations for a period of three years.
- 4) If the landlord breaches the nominations agreement or is found to have breached the agreement the Council will recover any incentive payments made.
- 5) To be eligible for Let's Rent Core an assured shorthold tenancy of minimum 12 months duration must be offered to tenants nominated by the Council.
- 6) Two months rent in advance may be paid to the landlord on tenancy commencement. The landlord will be required to invoice the Council.
- 7) The landlord will be required to sign an agreement to repay the final rent payment to the Council. This is likely to be the final Housing Benefit payment if paid direct to the landlord. The landlord will be invoiced by the Council if Housing Benefit is not paid direct to them.
- 8) The Council will pay for and instruct a professional inventory company to complete a check-in inventory prior to tenancy commencement and check-out inventory at tenancy end.
- 9) If the property is let through a Letting Agent it will be assumed that a professional inventory has been completed.
- 10) The Council will pay for and instruct an annual Gas CP12 landlord certificate and/or Electrical Installation Condition Report (EICR) prior to tenancy commencement up to the value of £250. The Council will not pay for any remedial action required following EICR or any subsequent certificates.
- 11) Any rent deposit bond claims will be assessed in accordance with Appendix 7.
- 12) Let's Rent Connect will not be available to any prospective tenant who has a housing-related debt to the Council (including any Council-owned company), or a registered provider (i.e. housing association).

- 13) Where the Council accepts a rent deposit bond claim the Council will seek to recover all costs from the tenant.
- 14) Council reserves the right to refuse a Let's Rent Connect application at any time.
- 15) Let's Rent Connect is subject to availability and may be withdrawn at any time.

Appendix 3 - Let's Rent Complete scheme details

- 1) Property owners will only be eligible if they have met the criteria set out in this policy
- 2) A Let's Rent Complete lease will usually last for a minimum two year term with the Council taking responsibility for all day to day repairs, while the owner remains responsible for structural repairs.
- 3) Where both parties agree the lease may be renegotiated prior to the end of the initial lease agreement.
- 4) The lease agreement will include an annual lease payment paid in advance at the start of each financial year in April. Where a lease starts during the financial year the initial and final payments will comprise payments for each respective part of the financial year.
- 5) Lease payments will be calculated at 90% of the weekly local housing allowance rate for the property annualised.
- 6) Lease payments are made regardless of any void periods.
- 7) Lease payments will be reviewed annually and will be revised to take account of any change in local housing allowance levels (if applicable).
- 8) At the end of the lease the Council will return the property to the owner in a comparable condition to that at the commencement of the lease.
- 9) Where the Council incurs costs as a result of the tenant's behaviour the Council will seek to recover all costs from the tenant.
- 10) Council reserves the right to refuse a Let's Rent Complete application at any time.
- 11) Let's Rent Complete is subject to demand and availability and may be withdrawn at any time.

Appendix 4 - Let's Rent example financial comparison

The following example shows an indicative comparison of Let's Rent Complete and Connect when compared with letting privately through a letting agent. Please note that a number of assumptions are made and property owners should seek full financial information before proceeding.

Example two bedroom property – Let's Rent vs High Street letting agent:

	Letting through High Street Letting Agent	Let's Rent Complete	Let's Rent Connect
Annual Letting income			
Your monthly Letting Income	£1,200.00 ⁸	N/A	£966.16 ⁹
Cash incentive	N/A	N/A	£666.67 ¹⁰
Your total annual Letting Income	£14,400.00	£10,434.48 ¹¹	£12,260.59
Annual Letting costs/fees			
Allowance for annual repairs	£250.00	£0.00*	£0.00
Annual Gas test	£70.00	£0.00	£0.00
Electrical certificate	£120.00	£0.00	£0.00
Letting Agency fees (10% ¹²)	£1,728.00	£0.00	£0.00
Possible rent arrears loss (1.5%)	£198.00	£0.00	£173.91
Possible void loss (3 weeks)	£830.77	£0.00	£668.88
Inventory	£102.00	£0.00	£0.00
Paperwork preparation	Included in agency fees	£0.00	£0.00
Total net annual income	£11,101.23	£10,434.48 (Guaranteed)	£11,397.80

⁸ www.home.co.uk - median market rent for a 2 bedroom property in Woking as of 08/08/2017 and comparing 232 properties

⁹ Current local housing allowance level for a 2 bedroom property in Woking

¹⁰ £2,000 incentive for three years equals £666.67 for each of the three years pro rata

¹¹ 90% of current local housing allowance level for a 2 bedroom property in Woking

¹² Plus vat at 20%

Appendix 5 – Let's Rent minimum standards

- 1) Under the Housing Health and Safety Rating System (HHSRS), a dwelling should provide a safe and healthy living environment for both the occupants and any visitors. The HHSRS involves an evidence-based risk assessment process, which will form the basis of any inspection of a property prior to joining Let's Rent.
- 2) The property should comply with the four main Decent Homes criteria:
 - a) The property meets the current statutory minimum standard for housing (free from HHSRS Category One hazards).
 - b) The property is in a reasonable state of repair.
 - c) The property has reasonably modern facilities and services.
 - d) The property provides a reasonable degree of thermal comfort.
- 3) The other Let's Rent property standard requirements are:
 - a) Provision of an Electrical Installation Condition Report of the complete electrical installation within the property. Any Code 1 and Code 2 faults identified are to be rectified as a minimum requirement.
 - b) Completion of portable appliance testing (PAT) and certification for any electrical appliances left for use by the tenant.
 - c) Provision of a Landlords Gas Safety Record certificate for the gas installation.
 - d) Provision of an Energy Performance Certificate.
 - e) Completion of a Fire Risk Assessment for any communal stairwell.
 - f) Installation of mains operated (with battery back-up) ceiling mounted smoke detectors to each floor.
 - g) Ensuring the heating and hot water systems are fully operational and working correctly.
 - h) Cleaning the property throughout to include the kitchen units and fittings, bathroom suite and sanitary ware and floorcoverings.
 - i) Ensuring decoration is to a good standard.
 - j) Ensuring all floorcoverings are to a good standard.
 - k) Ensuring window casement handles in working order.
 - l) Ensuring any built in appliances left are fully operational and working correctly.
 - m) Completion of any other remedial work as recommended by the Council.
 - n) The property to be unfurnished, however floor coverings and curtains/blinds are to be provided throughout the property.

Appendix 6 – Rent Deposit Bonds

- 1) The Bond will be available to households that are eligible for assistance under the Housing Act 1996 as amended by the Homelessness Act 2002.
- 2) The Bond is an undertaking by the Council to cover costs up to the Bond value in the same way that a cash deposit would. There is no requirement for the landlord to protect a Bond.
- 3) A Bond can only be offered following a face to face interview with the household to confirm eligibility and that a Bond is the most suitable form of assistance.
- 4) A Let's Rent Core Bond is only valid with a minimum 6 month Assured Shorthold Tenancy signed by the landlord and tenant.
- 5) A Let's Rent Connect Bond is only valid with a minimum 12 month Assured Shorthold Tenancy signed by the landlord and tenant.
- 6) A Bond is only valid for the tenant/s and address named on the Bond form and cannot be transferred.
- 7) A Bond in joint tenant names will mean both named parties are jointly and severally liable for any claim.
- 8) The Bond will be valid for the life of the tenancy.
- 9) A Bond in a Letting Agent name may be transferred to the landlord (or another party) at a later date however no claims will be accepted for the period prior to the transfer date.
- 10) All Letting Agents are required to be registered with a valid Redress Scheme as set out in The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014¹³.
- 11) An inventory must be carried out by a professional 3rd party prior to tenancy commencement for a Bond to be valid. Without an inventory, the Bond will be void.
- 12) Tenants and landlords will be given 10 working days to verify the inventory at tenancy commencement. If any party disagrees with the noted property condition they must clearly state which items they disagree with on the Inventory Declaration Form. If the declaration form is not returned, it will be taken as an indication that all parties are satisfied with the contents of the

¹³ SI 2014 No. 2359

inventory. The inventory cannot subsequently be challenged during the claim process.

- 13) A Bond is only valid if the rent is within the Local Housing Allowance (LHA) level. A rent level above the LHA can only be agreed following a full tenant financial assessment to confirm it is affordable and should not be more than £30 pcm above the LHA.
- 14) The tenant, landlord and Woking Borough Council Officer must all sign and date the Bond for it to be valid.
- 15) A Bond can only be signed once a Council Officer has agreed the rent is acceptable and they have read the Tenancy Agreement.
- 16) A Bond will be worth a maximum of £2,500 and can be claimed on at the end of the tenancy for rent arrears and/or uninsured loss or damage to the property that is not attributable to fair wear and tear.
- 17) The Bond will not cover utility bills, Council Tax or any arrangement agreed between the landlord and tenant that the Council is not party to.
- 18) Any cash deposit provided by the tenant must be protected in a Tenancy Deposit Scheme and will have first claim.
- 19) Tenant, landlord and Council obligations will be set out in the Bond form.

Appendix 7 – Bond claims

- 1) During the tenancy, landlords must alert the Council to any rent arrears or damage within 7 days of becoming aware themselves. Council Officers will then investigate and provide support and guidance to address issues and to promote tenancy sustainment.
- 2) Any claim against the Bond must be made within 14 days of the tenancy end date or when occupation ends (unless there are exceptional circumstances). Failure to do this may result in a claim against the Bond being refused.
- 3) The Bond cannot allow 'betterment' i.e. the landlord cannot expect the tenant to pay for the full cost of an item that was not new at the start of the tenancy. Betterment also takes in to account the length of the tenancy and age of the item. This is a principal supported by case law and the Association of Residential Lettings Agents.
- 4) Any claims will be subject to completion of a claim form and supporting evidence from the landlord in the form of quotes/receipts, a full rent statement, an independent inventory completed prior to the tenancy starting and at termination of tenancy etc.
- 5) The Council may offer a compensation amount in lieu of receipts if an item has not been replaced. The value of this offer will be assessed using an agreed fair wear and tear calculation (as set out in the example below):

Compensation calculation considering fair wear and tear – carpet renewal		
A	Cost of similar carpet	£1,000
B	Age of existing carpet	3 years
C	Average useful lifespan of the item	7 years
D	Residual lifespan of the item (C – B)	4 years
E	Depreciation value rate of item (A ÷ C)	£142.85
Reasonable apportionment amount (D x E)		£571.40

- 6) The Council will assess a claim within 28 days of receipt and advise all parties in writing.

EXECUTIVE – 14 SEPTEMBER 2017

LICENSING PRIVATE RENTED ACCOMMODATION - PROPOSAL TO MAKE A SELECTIVE LICENSING DESIGNATION IN PART OF CANALSIDE WARD

Executive Summary

The Council currently operates a 'Mandatory HMO Licensing' scheme as set out by the Housing Act 2004 for larger houses in multiple occupation (with three or more storeys occupied by five or more people living in two or more households). The Housing Act 2004 also sets out powers for the Council to implement discretionary licensing schemes including so-called 'selective licensing' which requires all private rented properties in a specific area to be licensed by the Council.

Selective licensing aims to deliver improvements to the management of private rented accommodation through the imposition of licence conditions. For example there are mandatory conditions requiring the provision of adequate smoke alarms, and written tenancy agreements, and the Council is able to apply a range of conditions relating specifically to the management of the property.

Selective licensing schemes may only be implemented under certain circumstances set out in the legislation, and the Council is required to demonstrate that any proposed selective licensing designation meets the necessary criteria.

In March 2014 (EXE14-295) the Executive resolved that Officers 'develop, advertise and consult on a scheme for the selective licensing of the private rented sector under the Housing Act 2004 for adoption by the Council'. This work culminated with a public consultation that ended in April 2017 proposing that the Council designate a part of Canalside Ward as a selective licensing scheme.

The area of Canalside Ward was chosen following the completion of a stock condition survey within the area that identified the area as having a high proportion of private renting allied with poor housing conditions associated with those private rented properties. These conditions met the statutory criteria for the designation of a selective licensing scheme.

The proposal to introduce a selective licensing scheme was consulted widely as is required, and an independent market research organisation was engaged to analyse the consultation responses received. Additionally, Officers undertook a range of consultation events, and consulted individually with the key private rented sector stakeholders.

Reasons for Decision

Following completion of the public consultation in respect of the proposal to introduce a selective licensing scheme in part of Canalside Ward, it is now appropriate for a decision to be made whether to proceed with the scheme.

If it is agreed that the scheme be introduced, the Council is required to make a designation for the scheme and delegated authority is required for this purpose.

The introduction of the scheme will also require amendments to the Council's Houses in Multiple Occupation Licensing Policy to incorporate the selective licensing scheme, and it is proposed that this policy be renamed. The provision of delegated authority to make minor amendments to this policy will ensure that the policy can readily be updated to reflect minor legislative change.

Licensing Private Rented Accommodation - Proposal to make a selective licensing designation in part of Canalside Ward

Recommendations

The Executive is requested to:

RECOMMEND to Council That

- i) the Head of Democratic and Legal Services be delegated authority to designate a selective licensing designation under the Housing Act 2004 within the area of Canalside Ward set out in the report and at Appendix 1 and Appendix 2 to the report;
- ii) the selective licensing designation come into force on 01 March 2018;
- iii) the selective licensing designation cease on 28 February 2023;
- iv) the fee structure for the selective licensing scheme set out in Appendix 9 to the report be adopted and subsequently reviewed as part of the Council's fees and charges setting process;
- v) the Strategic Director for Housing, in consultation with the Portfolio Holder, be delegated authority to amend the Council's Houses in Multiple Occupation Licensing Policy to incorporate the introduction of selective licensing and rename as the Housing Standards Licensing Policy; and
- vi) the Strategic Director for Housing, in consultation with the Portfolio Holder, be delegated authority to make minor amendments to the Housing Standards Licensing Policy.

The recommendations above will need to be dealt with by way of a recommendation to the Council.

Background Papers:

Public consultation proposal document
Canalside stock condition survey headline report
Canalside stock condition survey report
Public consultation analysis report

Sustainability Impact Assessment
Equalities Impact Assessment

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Date Published:

8 September 2017

Licensing Private Rented Accommodation - Proposal to make a selective licensing designation in part of Canalside Ward

1.0 Introduction

- 1.1 The Council's strategic vision sets out a number of aims including improving health and well-being and creating a sustainable community where people want to be. Key to fulfilling these aims is ensuring that the housing stock across Woking provides a decent place to live that also supports the health and well-being of residents.
- 1.2 The private rented sector is often the only tenure choice for the most vulnerable households, and this remains the case in Woking. However, spiralling private rents have resulted in some forms of private rented accommodation becoming unaffordable for many residents, and this is especially the case for those on low incomes and/or in receipt of means-tested benefits.
- 1.3 The increasing demand for affordable private rented accommodation which has resulted in an unwelcome supply of poor quality accommodation within the private rented sector, and this combination of poor conditions, escalating rents, and lack of security of tenure is a key cause of homelessness.
- 1.4 The Council currently operates a 'Mandatory HMO Licensing' scheme as set out by the Housing Act 2004 for larger houses in multiple occupation (with three or more storeys occupied by five or more people living in two or more households). The Housing Act 2004 also sets out powers for the Council to implement discretionary licensing schemes including so-called 'selective licensing' which requires all private rented properties in a specific area to be licensed by the Council.
- 1.5 Selective licensing delivers improvements to the management of private rented accommodation through the imposition of licence conditions, and the Council is able to apply a range of conditions relating specifically to the management of the property.
- 1.6 Selective licensing schemes may only be implemented under certain circumstances set out in the relevant legislation, and the Council is required to demonstrate that any proposed selective licensing designation meets the necessary criteria.
- 1.7 The Executive has previously resolved that Officers 'develop, advertise and consult on a scheme for the selective licensing of the private rented sector under the Housing Act 2004 for adoption by the Council' (EXE14-295). This work culminated with a public consultation that ended in April 2017 proposing that the Council designate a part of Canalside Ward as a selective licensing scheme.

Background

- 1.8 The Council's discretionary power to implement selective licensing of the private rented sector is set out in Part 3 of the Housing Act 2004. This enables the Council to require either all private rented properties within an area to be licensed with the Council (selective licensing), and/or to extend the mandatory licensing of certain HMOs to encompass additional sizes of HMOs (additional HMO licensing).
- 1.9 The designation requirements are set out in Sections 80–84 of the Housing Act 2004 and specify limited criteria that the Council must demonstrate apply to any selective licensing scheme. These were supplemented by The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 which amended Section 80 in April 2015 to provide further additional conditions. Ministerial guidance (Selective Licensing in the private rented sector – A guide for local authorities) was issued in 2015 that accompanied the Order.

Licensing Private Rented Accommodation - Proposal to make a selective licensing designation in part of Canalside Ward

- 1.10 As such, the proposed area must satisfy at least one of the following conditions (summarised):
- i) Low housing demand;
 - ii) Significant and persistent problem caused by anti-social behaviour (ASB);
 - iii) Poor property conditions;
 - iv) High levels of migration;
 - v) High levels of deprivation; or
 - vi) High levels of crime.
- 1.11 Also, where a designation is considered on the grounds of property conditions, migration, deprivation, or crime the area must have a high proportion of private rented sector properties, and this is currently considered as being a minimum of 19% of the total stock in the area.
- 1.12 A selective licensing designation may only be implemented by a Council where the area in question comprises both less than 20% of the private rented sector in the borough and comprises an area of less than 20% of the total borough . Schemes that do not meet these criteria require approval from the Secretary of State.
- 1.13 A selective licensing scheme may last for a period of up to 5 years, and the scheme may be renewed providing the criteria for the designation remain, and the Council undertakes a further public consultation etc.
- 1.14 Where a licence is granted the licence will require the landlord to meet a range of licence conditions. Once the proposed designation has come into force, it will be a criminal offence for a private landlord to operate any private rented accommodation in the area without a licence. This offence is punishable by the Council issuing a civil penalty of up to £30,000, or alternatively an unlimited fine on summary conviction in the Magistrates' Court. The Council may also apply to the First-tier Tribunal for a Rent Repayment Order (RRO), to recover certain housing benefit payments made in respect of the unlicensed property.
- 1.15 Where the Council issues financial penalties, this power has been delegated to the Head of Democratic and Legal Services through the agreement of Executive recommendations to Council in respect of the adoption of the Housing Standards Enforcement Policy (EXE17-040).

Woking demographics

- 1.16 Woking has a smaller private rented sector (16.6%) than the national average (currently 19.0%), and the private rented stock is not uniformly distributed across the Borough, with higher densities found linked to transport arteries and also in areas where the housing stock is older and where newer housing stock has been delivered for the property investment market.
- 1.17 Analysis of census data shows that with the exception of small localised hot spots (for example where a single block of flats is predominantly private rented) the highest incidence of private renting in Woking is located in and around the town centre area where easy access is afforded to both transport links and employment.

Licensing Private Rented Accommodation - Proposal to make a selective licensing designation in part of Canalside Ward

- 1.18 In Woking town centre and the surrounding areas there are 10,707 properties (27% of the total housing stock) providing 2,827 private rented properties which equates to 43% of the total private rented stock across Woking.

Identifying an area for intervention

- 1.19 The distribution of service requests relating to the wide range of housing standards issues broadly matches the distribution of private renting across the Borough. Similarly the distribution of enforcement activity broadly mirrors the distribution of private rented accommodation.
- 1.20 There are areas of Woking where higher levels of private sector housing enforcement have been instigated that do not necessarily correlate with areas experiencing high levels of private renting. This can be attributed to enforcement activity relating to pockets of private renting within a small neighbourhood area rather than highlighting a key concern with the private rented stock within the neighbourhood.
- 1.21 The distribution of cases where private landlords have been subject to prosecution proceedings due to breaching housing-related legislation highlights that private landlords managing rented accommodation within the Maybury area north of the railway line have been subject to proceedings more often than landlords operating elsewhere in the Borough.
- 1.22 It can also be seen that there are other areas of Woking where high levels of requests for service and/or enforcement interventions do not then result in the instigation of prosecution proceedings, and this suggests that private landlords operating in other parts of the Borough are more likely to comply with legislative requirements than those operating with parts of Canalside Ward.
- 1.23 Canalside Ward also features consistently as an area of high private renting, with the exception of the Sheerwater area (which predominantly comprises social housing).
- 1.24 The area of Canalside Ward including the town centre and part of Maybury (shown in the map at Appendix 1 and containing the residential addresses set out at Appendix 2) comprises an area that exhibits both high levels of private renting and high levels of private sector housing enforcement action. The area is also defined by clear boundaries - i.e. the mainline railway to the south east, main roads to the majority of all other boundaries, and areas of light industrial use bordering the residential area. It is this area of Canalside Ward that is the subject of the proposal to introduce a licensing scheme for all private rented accommodation.

Assessing property conditions in the proposed selective licensing area

- 1.25 During October 2016 a housing stock condition survey was commissioned within the proposed area of Canalside Ward. The stock condition survey was undertaken by David Adamson & Partners Ltd who have a proven track record of undertaking stock condition surveys to recognised surveying and statistical standards.
- 1.26 Prior to the survey, based on Census data the area was believed to contain around 1,630 dwellings of which around 620 were thought to be privately rented. The survey comprised 300 physical surveys of dwellings within the area across all tenures. This represented a far larger sample than would normally be the case for a stock condition survey of this type, and was intended to ensure optimum accuracy and statistical robustness.

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- 1.27 The survey report detailing the results of the stock condition survey is available at Appendix 3 with the executive summary at Appendix 4, and a summary of the results is as follows:
- i) The number of dwellings in the area totals 1,827;
 - ii) The proportion of properties that fail the decent homes standard is higher than the national average;
 - iii) The number of dwellings rented privately is 804 (44%);
 - iv) The number of private rented dwellings that fail the decent homes standard is 151 (19.4%);
 - v) The proportion of owner-occupied homes (33%) is far lower than the national average (63%);
 - vi) Two-thirds of the properties in the area are flats, with one-third being houses; and
 - vii) Over three-quarters of the private rented properties are flats.
- 1.28 With 44% of the properties in the area rented privately, and almost one in five of those private rented properties currently failing the decent homes standard, the area is considered to meet the criteria for introducing a selective licensing scheme.

Public consultation

- 1.29 Before designating an area for selective licensing, the Council is required to undertake a public consultation of at least 10 weeks duration, and this took place from 1st February until 30th April 2017.
- 1.30 The public consultation exercise set out the Council's proposal to introduce a selective licensing scheme within a part of Canalside Ward, and was accompanied by a supporting document that set out the reasons why selective licensing was being considered, the evidence base, and the justification for implementing the scheme.
- 1.31 The supporting document (set out at Appendix 5) also set out the proposed fee structure for the scheme and licence conditions that would be attached to all licences issued under the scheme.
- 1.32 The consultation included an online survey that sought views of landlords, residents, and private tenants. The survey was prepared and managed by The Halo Works Ltd for the Council to ensure objectivity, and the analysis of results was also undertaken by them.
- 1.33 The consultation exercise was promoted with an initial press release, and the major private landlord associations (The National Landlords Association, Residential Landlords Association, Southern Landlords Association, and the Guild of Residential Landlords) were specifically invited to take part in the consultation.
- 1.34 The public consultation was supported by a range of activities:
- i) Specific consultation events held for letting agents and private landlords;
 - ii) Drop-in information events held for residents and private tenants;
 - iii) Information flyer included in all Council Tax bills distributed across the Borough, and delivered to each address within the proposed selective licensing area;
 - iv) Promotion through twitter and facebook;

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- v) Officer attendance at National Landlords Association meetings held in Woking and Guildford;
 - vi) Officer attendance at Southern Landlords Association meeting held in Woking; and
 - vii) Officer interview aired on Eagle Radio.
- 1.35 The consultation was also promoted by the National Landlords Association, Residential Landlords Association, and Southern Landlords Association through their websites, and the Southern Landlords Association placed an advert in the housing supplement of a local paper.
- 1.36 Throughout the consultation, interested parties were encouraged to complete the online survey, and a total of 189 responses were received. Almost half the responses were from private landlords (49%), and only 12% of responses were received from private tenants.
- 1.37 The report provided by The Halo Works Ltd (see Appendix 6) sets out the full analysis of the survey responses, and the key findings are:
- i) 89% of respondents agreed that landlords should be required to maintain properties to a high standard;
 - ii) 50% of respondents agreed that the Council should be taking action to improve the management of private rented accommodation;
 - iii) Respondents did not agree that the introduction of selective licensing would improve housing conditions;
 - iv) 45% of landlords and letting agents felt that the proposed 3 year licensing period was too short;
 - v) 73% of respondents considered the proposed licence fee of £560 was too high and 49% also considered the discounted fee for accredited landlords as being too high; and
 - vi) There were generally mixed opinions in respect of the proposed licensing conditions.
- 1.38 These results reflect the feedback received during the various events attended by landlords during the consultation, who expressed concern that the introduction of a selective licensing scheme would penalise professional landlords.
- 1.39 Landlords were particularly concerned that the proposed scheme provided no fee exemption for landlords who operated professionally, and that there were no proposals for fee discounts for portfolio landlords operating multiple properties within the proposed area.
- 1.40 Landlords also expressed the view that the Council already possessed sufficient powers to tackle criminal landlords, and that the implementation of a selective licensing scheme was not a proportionate response.
- 1.41 Consultation responses were received separately from the National Landlords Association and Residential Landlords Association and are included at Appendix 7 and Appendix 8.

The decision whether to implement a selective licensing scheme

- 1.42 There is no obligation on the Council to implement the selective licensing designation within part of Canalside Ward as set out in the public consultation. However, the poor housing conditions that have been identified within the area subject to the proposal, allied with the poor levels of compliance exhibited by a number of private landlords operating

Licensing Private Rented Accommodation - Proposal to make a selective licensing designation in part of Canalside Ward

within the area suggest that it is necessary for the Council to intervene to improve the current position in respect of private rented accommodation in the area.

- 1.43 As was raised during the public consultation, the Council currently has a wide range of enforcement powers to intervene in raising housing conditions within the private rented sector, and the recent introduction of the power to issue financial penalties for certain housing offences enables the Council to secure income to fund its private sector housing enforcement service.
- 1.44 As an alternative to implementing selective licensing, the Council could implement a proactive inspection programme of private rented accommodation within the focussed neighbourhood area. This approach would also enable private rented accommodation to be inspected and housing standards improved.
- 1.45 A neighbourhood enforcement programme not supported by a selective licensing scheme is likely to be resource intensive as the Council does not have automatic powers of entry to enter private rented accommodation to carry out property inspections. Consequently where entry is denied, Council Officers would need to apply for a warrant of entry from the Magistrates' Court to gain entry, and this may result in the need to be force entry which is disruptive to tenants and would incur Council costs.
- 1.46 There is a risk therefore that those private landlords who operate at the bottom end of the private rented market and who are more likely to exploit their tenants are less likely to be exposed where the Council has no automatic power of entry, and their properties are therefore less likely to be brought up to a decent standard.
- 1.47 A number of private landlords operating within the area have expressed the desire to work with the Council to demonstrate that their properties meet the required legislative standards. This would assist a neighbourhood enforcement programme, however the question remains as to how the Council would identify and inspect properties operated by criminal private landlords who would not wish to co-operate with the Council.
- 1.48 Many private tenants who are living in poor housing operated by criminal landlords are also fearful of harassment, intimidation, and even losing their home, and often choose not to co-operate with Officers undertaking inspections, and this can also create a significant challenge.
- 1.49 The National Landlords Association (NLA) have also cited the Leeds Rental Standard as an alternative approach for the Council to consider to improve the standard of private rented accommodation within Canalside Ward. This scheme is voluntary and provides landlords with a bespoke service from the Council if they join the scheme and become accredited.
- 1.50 It is not considered that this type of approach will have any impact on the criminal landlords that the Council seeks to address, and that such a scheme would largely replicate the existing accreditation scheme that the Council operates in partnership with the NLA. The Leeds Rental Standard also aims to tackle a specific issue with student housing market that is not currently an issue in Woking.
- 1.51 This power of entry is key to ensuring that criminal landlords who operate outside of the law and who exploit vulnerable tenants, as it would enable Officers to inspect all properties without needing to establish that an offence has been committed to be able to secure a warrant of entry.

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- 1.52 The proposal to introduce selective licensing has largely been criticised by private landlords as disproportionate due to the fees proposed, and the burden placed on professional landlords who perceive themselves to be operating to high standards.
- 1.53 The removal of costs for licence applications would ensure therefore that there would be no monetary costs associated with selective licensing for all private landlords who comply with the scheme application requirements.
- 1.54 The proposed 3-year designation has also been criticised as being too short to deliver the relevant property improvements, and the increase of the proposed designation to the maximum 5-year length addresses this concern.
- 1.55 In addition to offering free applications prior to the commencement of the scheme, it is considered that the reduction of the licence period offered for applications received after the scheme commences, (i.e. when an offence of operating a property without a licence) from 5 years to 12 months would further reinforce operating lawfully.
- 1.56 Free applications are also proposed where private landlords purchase properties within the selective licensing area. To be eligible for a free application, where sitting tenants are in occupation the valid application is to be made within 28 days of the property purchase, or in the case of an empty property, the valid application is to be made prior to occupation by new tenants.
- 1.57 On balance, it is considered that the introduction of a selective licensing scheme within part of Canalside Ward, as set out in the public consultation is the most appropriate course of action to improve housing standards within the area for the following reasons:
- i) The proposal to introduce a selective licensing scheme within the defined area of Canalside Ward meets the criteria set out in the relevant legislation, and as such should the Council introduce a selective licensing designation is likely to be considered lawful;
 - ii) The implementation of a selective licensing scheme would provide the Council with an additional tool to manage the private rented sector in the area, and significantly it would provide specific powers of entry to every property to determine whether the accommodation is private rented;
 - iii) The licence conditions would support the responsible management of private rented accommodation within the designated area;
 - iv) The increased 5 year length of selective licensing designation is appropriate to maximise the effectiveness of the scheme;
 - v) Selective licensing is considered to be the most effective method for improving housing standards within the proposed area, and as such support the health and well-being of private sector tenants;
 - vi) The introduction of financial penalties for a range of housing offences supports the implementation of a selective licensing scheme with financial penalties recovered from criminal landlords who do not comply with licensing being used to further the enforcement aims of the scheme;
 - vii) The implementation of a zero cost application process for all valid applications (i.e. complete applications with all required documents provided) received before the commencement date of the scheme would address landlord's concerns regarding

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the potential financial burden of the scheme. This would enable professional landlords to apply for a licence for no costs, and would demonstrate a clear dis-benefit to landlords who fail to apply before the commencement of the scheme; and

- viii) The implementation of a selective licensing scheme may dissuade criminal landlords from operating within the area and across the Borough.

Proposed selective licensing fees

- 1.58 The consultation exercise produced a number of responses from private landlords who were dissatisfied with the proposed fee structure. This was in the main due to the requirement for all private landlords to pay a licensing fee regardless of their level of co-operation and professionalism.
- 1.59 It was also considered that the fee discount for accredited landlords was not sufficient, despite representing one of the best fee reductions for a licensing scheme available to accredited landlords.
- 1.60 To address these concerns it is proposed that all landlords who make valid licence applications before the commencement of the scheme are not charged for their licence application. This provides all landlords who comply with the requirement to apply for a licence the ability to apply with no financial burden.
- 1.61 Where landlords fail to apply before the commencement of the scheme they will be committing a criminal offence for which the Council has a number of enforcement options available, and it is therefore appropriate for the licence fees to apply. As a criminal offence has been committed any licence issued after the commencement of the scheme will be for a maximum one year and a licence renewal application will be required to be made before the one year licence expires.
- 1.62 With the exception of the zero cost for applications received prior to commencement of the scheme, and a fee exemption for certain applications where ownership changes after the commencement of the scheme, the proposed fees remain unchanged from the consultation. The proposed fee structure can be found at Appendix 9.

Proposed licence conditions

- 1.63 Where selective licences are granted, they will include a set of conditions that the licence holder is required to comply with during the life of the licence. These include conditions that aim to maintain high levels of management competency and property standards.
- 1.64 Failure to comply with these conditions constitutes a criminal offence and the Council has a range of enforcement powers that it may use to address offences.
- 1.65 During the public consultation comments were received regarding amendments to the proposed licence conditions, and in particular from the National Landlords Association (NLA). As a result the proposed licence conditions include a number of amendments and can be found at Appendix 10.

Implementation timetable

- 1.66 If the report recommendations are agreed by Executive and Council, the selective licensing designation cannot come into force within 3 months of the Council's decision.

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- 1.67 To encourage as many professional landlords as possible to take advantage of the zero cost application process before the designation comes into force, it is considered appropriate to provide a further period before the designation comes into force.
- 1.68 It is proposed therefore, that the designation come into force on 01 February 2018 which provides an additional two weeks above the minimum time period for the designation.
- 1.69 The Council is required to take a series of steps to publicise the designation, and in addition the designation will be promoted through landlord and tenant forums in addition to the Council website.

2.0 Implications

Financial

- 2.1 The implementation of the Selective Licensing scheme will require additional staffing resources to deliver the scheme within the 5 year designation period.
- 2.2 It is assumed that 789 properties will require selective licensing (i.e. not including properties that are already licensed under the Mandatory HMO Licensing regime) and these properties will also require inspections during the duration of the selective licensing scheme.
- 2.3 This will require an additional staffing resource comprising 3.0 FTE Housing Standards Officers and 2.5 FTE Housing Standards Support Officers resulting in a staffing cost of £183k for each of the five years (assuming appointment at the mid-point of the career grade for the posts).
- 2.4 The level of income generated by the scheme through licence fees and financial penalties resulting from enforcement action will vary depending on the level of compliance. The level of licence fee income is also subject to variation due to the proportion of accredited landlords who submit a licence application that attracts a fee (due to the proposed fee discount).
- 2.5 If all private landlords complied with the requirement to licence before the commencement of the scheme no income would result. However this is considered highly unlikely and it is expected that a proportion of landlords will submit valid applications after commencement of the scheme and that there will be a small number of landlords who will fail to apply and will be subject to enforcement action.
- 2.6 Where landlords fail to comply with the requirement to licence their property under the selective licensing scheme the Council has a power to issue a financial penalty of up to £30k in lieu of instigating prosecution proceedings (as set out in the Housing Standards Enforcement Policy)
- 2.7 The individual circumstances of each case will influence the level of financial penalty issued, and in some cases it is unlikely to be appropriate to issue a financial penalty. Consequently it is estimated that an average £1,100 financial penalty would apply to all cases that have failed to apply for a licence under the scheme.
- 2.8 The total income (i.e. application fee income and financial penalties) to be generated through the scheme is expected to range between zero (where 100% of applications received prior to commencement) to £644k (where 60% of applications received prior to commencement and 20% of landlords paying licence fees qualify for the accreditation discount).

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- 2.9 Notwithstanding the above, an estimated maximum compliance level of 75% is anticipated, which would result in a net income for the scheme of £401k over the five year scheme duration.
- 2.10 There is a risk that recovery levels of any financial penalties issued may impact on the scheme costs.
- 2.11 There will be a number of set-up costs for a selective licensing scheme, including statutory publicity requirements and Land Registry costs to establish ownership information etc. It is suggested that a project budget of £10k be established for this expenditure.
- 2.12 There is currently no provision for this scheme in the draft 2018/19 budget.

Human Resource/Training and Development

- 2.13 The implementation of a selective licensing scheme will require additional staffing resources to ensure its effective delivery as set out above.
- 2.14 The lead-in period for the scheme provides a realistic opportunity for new staff to be recruited, and if there are recruitment delays, existing resources can, in the short term, be directed to deliver the selective licensing scheme.

Community Safety

- 2.15 The designation of a selective licensing scheme within the proposed area of Canalside Ward is considered to contribute positively to community safety in the area.

Risk Management

- 2.16 If the Council chooses to make a selective licensing designation, the decision is subject to the risk of a judicial review application. The risk of judicial review has been minimised through the liaison with Legal Services throughout the process and the compliance with relevant guidance and legislative requirements.
- 2.17 If the decision to designate the selective licensing scheme is subject to judicial review this may result in delays in the scheme commencing and any additional staff recruited to deliver the scheme will be reallocated to other housing standards activities. A judicial review is likely therefore to significantly impact the budgetary planning for the scheme as well as incur additional legal costs.
- 2.18 The zero cost application process may result in high levels of applications received immediately prior to the commencement date for the scheme. It is planned to provide training to other support staff within the housing service to assist with processing any peaks in demand prior to the designation coming into force.
- 2.19 The performance of the scheme will be regularly reviewed to identify whether staffing resources may be reduced or whether the 5 year designation may be revoked early should the scheme deliver the required property inspections early.
- 2.20 There is a risk that additional staff of sufficient expertise may not be readily recruited. The absence of technical staff will be addressed through the use of temporary staff at a cost within the proposed staffing budget.
- 2.21 The introduction of the selective licensing scheme may displace the poorest quality landlords from the selective licensing area into adjacent neighbourhood areas. Any

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displacement will be actively monitored, and during the operation of the selective licensing scheme additional resources will be directed to undertake proactive enforcement activities in the neighbouring residential areas.

Sustainability

- 2.22 The introduction of a selective licensing scheme will improve standards within private rented accommodation and hence improve the provision of affordable housing within the selective licensing area.
- 2.23 Improved standards in private rented accommodation safeguards personal safety and reduces the likelihood of acquisitive crime.
- 2.24 Housing is a key determinant of health and improved standards in private rented accommodation that will be delivered through the selective licensing scheme will directly reduce health inequalities for residents living in private rented accommodation in the area.

Equalities

- 2.25 Younger people, people with learning difficulties, and people with mental health problems and are often over-represented in the private rented sector, and improved accommodation standards delivered through the selective licensing scheme will provide a positive impact.
- 2.26 The area proposed for the selective licensing scheme includes lower super output areas ranked within the 5th decile for multiple deprivation, and the selective licensing scheme is likely to provide a positive impact for residents from lower socio-economic backgrounds.

3.0 Consultations

- 3.1 The proposal was consulted widely as set out in the body of the report above.

REPORT ENDS
EXE17-041

Licensing Private Rented Accommodation - Proposal to make a selective licensing designation in part of Canalside Ward

APPENDICES

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Gender	Men					X	
	Women					X	
Gender Reassignment						X	
Race	White					X	
	Mixed/Multiple ethnic groups					X	
	Asian/Asian British					X	
	Black/African/Caribbean/Black British					X	
	Gypsies / travellers					X	
	Other ethnic group					X	

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Disability	Physical					X	
	Sensory					X	
	Learning Difficulties		X				People with learning difficulties are often over-represented in the private rented sector, and improved accommodation standards will provide a positive impact.
	Mental Health		X				People with a mental health problem are often over-represented in the private rented sector, and improved accommodation standards will provide a positive impact.
Sexual Orientation	Lesbian, gay men, bisexual					X	
Age	Older people (50+)					X	
	Younger people (16 - 25)		X				Younger people are over-represented in the private rented sector, and improving accommodation standards will provide a positive impact.
Religion or Belief	Faith Groups					X	
Pregnancy & maternity						X	
Marriage & Civil Partnership						X	

Socio-economic Background	X			The area proposed for a selective licensing scheme includes lower super output areas ranked within the 5 th decile for multiple deprivation.
----------------------------------	---	--	--	---

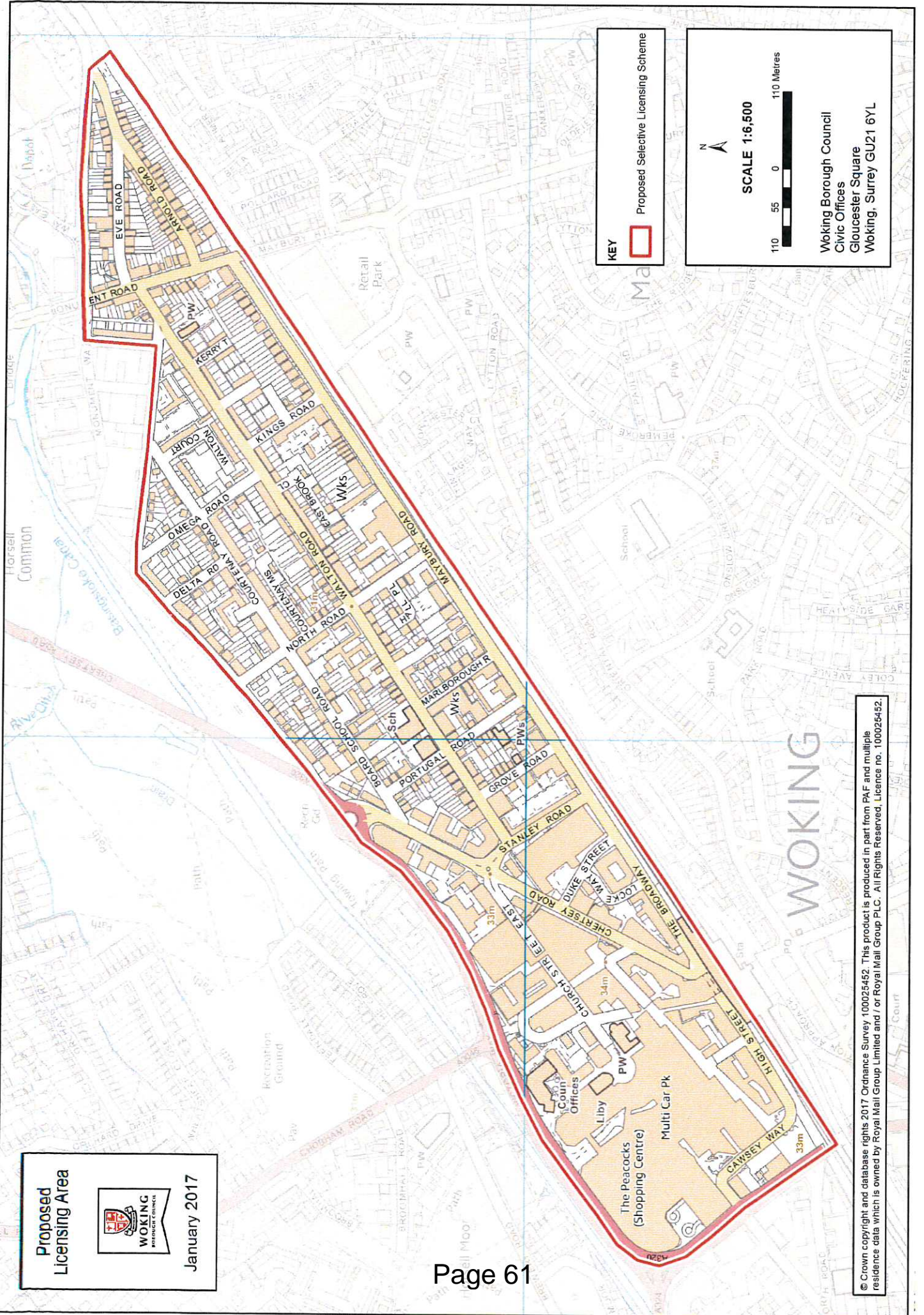
The purpose of the Equality Impact Assessment is to improve the work of the Council by making sure it does not discriminate against any individual or group and that, where possible, it promotes equality. The assessment is quick and straightforward to undertake but it is an important step to make sure that individuals and teams think carefully about the likely impact of their work on people in Woking and take action to improve strategies, policies, services and projects, where appropriate. Further details and guidance on completing the form are [available](#).

Sustainability Impact Assessment


Officers preparing a committee report are required to complete a Sustainability Impact Assessment. Sustainability is one of the Council's 'cross-cutting themes' and the Council has made a corporate commitment to address the social, economic and environmental effects of activities across Business Units. The purpose of this Impact Assessment is to record any positive or negative impacts this decision, project or programme is likely to have on each of the Council's Sustainability Themes. For assistance with completing the Impact Assessment, please refer to the instructions below. Further details and guidance on completing the form are [available](#).

Theme (Potential impacts of the project)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Use of energy, water, minerals and materials			X	
Waste generation / sustainable waste management			X	
Pollution to air, land and water			X	
Factors that contribute to Climate Change			X	
Protection of and access to the natural environment			X	
Travel choices that do not rely on the car			X	
A strong, diverse and sustainable local economy			X	
Meet local needs locally			X	
Opportunities for education and information			X	
Provision of appropriate and sustainable housing	X			The introduction of a selective licensing scheme will improve standards within private rented accommodation.
Personal safety and reduced fear of crime	X			Improved standards in private rented accommodation safeguards personal safety and reduces the likelihood of acquisitive crime.
Equality in health and good health	X			Housing is a key determinant of health and improved standards in private rented accommodation directly reduces health inequalities.
Access to cultural and leisure facilities			X	

Social inclusion / engage and consult communities			X	
Equal opportunities for the whole community			X	
Contribute to Woking's pride of place	X			Improved standards in private rented accommodation will result in improvements to the visual amenity within neighbourhoods.



Proposed Licensing Area



January 2017

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Address details within the proposed selective licensing area

The proposed area to be subject to selective licensing comprises the residential addresses as set out below:

Road name	Property numbers	Road name	Property numbers
ADDISON ROAD	All	HALL PLACE	All
ARNOLD ROAD	All	HIGH STREET, WOKING	All
BEDSER CLOSE	All	KERRY TERRACE	All
BOARD SCHOOL ROAD	All	KILRUSH TERRACE	All
BOUNDARY ROAD	All	KINGS ROAD, WOKING	All
BURLEIGH GARDENS	All	KINGSMEAD	All
CAWSEY WAY	All	LANCASTER CLOSE	All
CHAPEL STREET	All	LOCKE WAY	All
CHERTSEY ROAD	1 to 135 (odds) 2 to 100 (evens)	MARLBOROUGH ROAD	All
CHOBHAM ROAD	Town centre only from junction with Chertsey Road to Christchurch Way	MAYBURY ROAD	All
CHRISTCHURCH WAY	All	MERCIA WALK	All
CHURCH PATH	All	MOLLOY COURT	All
CHURCH STREET EAST	All	MONUMENT ROAD	1 to 53 (odds) 2 to 48 (evens)
CHURCH STREET WEST	Part from the junction with Victoria Way to Cawsey Way	MONUMENT WAY EAST	No residential properties affected
COMMERCIAL WAY	All	NORTH ROAD	All
COURTENAY MEWS	All	OMEGA ROAD	All
COURTENAY ROAD	All	PORTUGAL ROAD	All
DELTA ROAD	All	STANLEY ROAD	All
DUKE STREET	All	THE BROADWAY	All
EASTBROOK CLOSE	All	VICTORIA WAY	Town centre side from junction with Chertsey Road to Goldsworth Road
EVE ROAD	All	WALTON COURT	All
GLOUCESTER SQUARE	All	WALTON ROAD	All
GLOUCESTER WALK	All	WALTON TERRACE	All
GROVE ROAD	All	WEST STREET	All
		WOLSEY WALK	All

WOKING BOROUGH COUNCIL



**CANALSIDE WARD HOUSING CONDITION SURVEY
2016**

SURVEY REPORT

Prepared on behalf of:
WOKING BOROUGH COUNCIL
By:



David Adamson & Partners Ltd.
32 Rutland Square
Edinburgh
EH1 2BW

File Ref: E2612

January 2017

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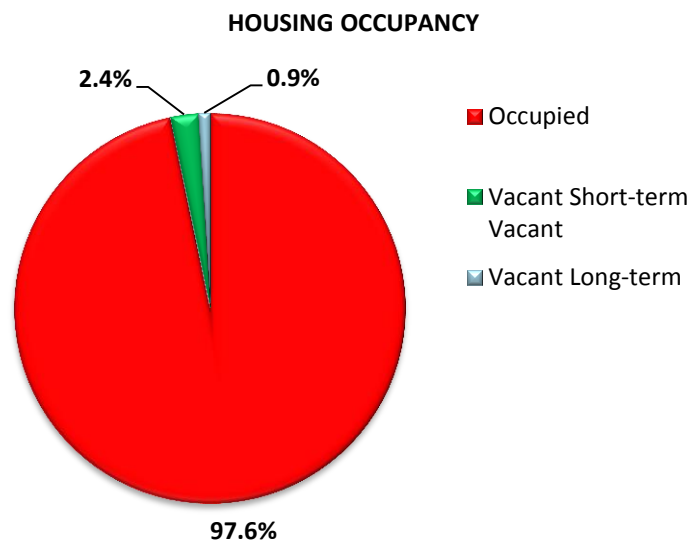
SUMMARY OF MAIN FINDINGS

1. SURVEY BACKGROUND

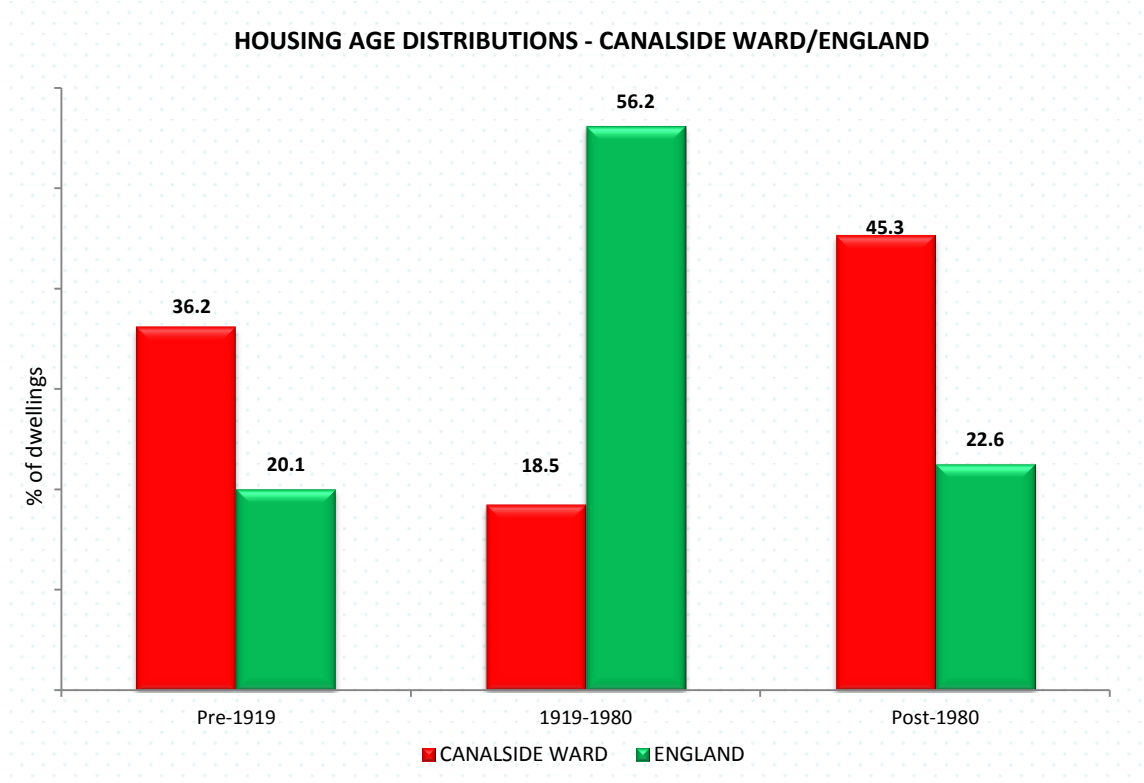
- 1.1 David Adamson and Partners Ltd were commissioned by Woking Borough Council to complete a neighbourhood stock condition survey within a defined area of Canalside Ward. Information from the study provides an up-to-date benchmark for housing locally against national housing conditions and provides a base of information for the review and further development of private sector housing strategies within the area.
- 1.2 The 2016 study has involved a comprehensive survey programme across a sample size of 300 dwellings representing 16.5% of all the dwellings in the defined survey area. Survey investigation has included both physical housing conditions (HHSRS and Decent Homes) and energy efficiency (RDSAP) of dwellings.
- 1.3 The house condition survey programme was designed and implemented according to national guidelines issued by the Department for Communities and Local Government in England.
- 1.4 Against the survey target of 300 dwellings, surveys were achieved in 302 dwellings. Information from surveyed dwellings has been weighted statistically to represent the total housing stock in the designated survey area.

2. HOUSING STOCK

- 2.1 The specific area of Canalside Ward under investigation contains a housing stock of 1,827 dwellings. At the time of survey 1,783 dwellings were occupied (97.6%); the remaining 44 dwellings (2.4%) were vacant. The majority of vacant dwellings (28 dwelling – 1.5%) have been vacant under 6 months and are expected to return to occupancy in the short-term. 16 dwellings (0.9%) were estimated to have been vacant over 6 months.



2.2 The age of a home is strongly associated with its condition and energy performance. The oldest homes (pre-1919) generally perform less well in these respects than newer homes. The housing in Canalside Ward is predominately of two building eras; 661 dwellings (36.2%) were constructed pre-1919 and 827 dwellings (45.3%) are of post-1980 construction. The housing stock in Canalside Ward is younger than the national profile.

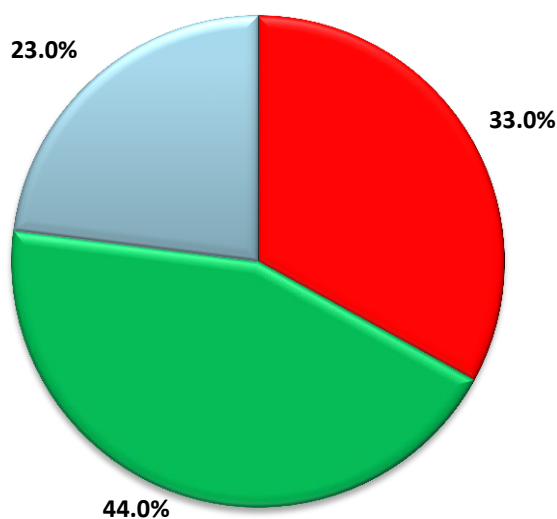


2.3 Private rented is the predominant form of tenure accounting for 804 dwellings or 44%; 603 dwellings (33%) are owner occupied and a further 420 (23%) are within the social housing sector. Rates of private rental in Canalside Ward at 44% are significantly above the national average (19.6% of dwellings nationally in 2014).

2.4 Significant national growth in private rental has been recorded since 2003, overtaking in size the social rented sector for the first time in 2012-13. Increases nationally have been related to the removal of rent controls, the introduction of assured short-hold tenancies, the growth in buy-to-let and the shortage of affordable properties for purchase.

HOUSING TENURE

■ Owner occupied ■ Private rented ■ Social housing



2.5 Housing in Canalside Ward is predominantly in flats (1,223 dwellings or 66.9%) with the remaining 606 dwellings (35.1%) in houses. Purpose built flats account for the majority of all flats (1,037 dwellings).

2.6 Significant differences in housing age and type exist between the owner occupied and private rented sectors. Owner occupied properties are more likely to be older houses than private rented dwellings.

HOUSING CHARACTERISTICS BY TENURE								
	TENURE							
	Owner occupied		Private rented		Social housing		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%	dwgs	%
DATE OF CONSTRUCTION								
Pre-1919	369	61.2	292	36.3	0	0.0	661	36.2
1919-1980	61	10.0	147	18.3	132	31.3	339	18.6
Post-1981	173	28.8	366	45.4	288	68.7	827	45.3
MAIN HOUSE TYPE								
Terraced House	192	31.8	126	15.7	45	10.7	363	19.8
Semi-Detached House	144	23.9	55	6.9	13	3.1	213	11.6
Detached House	10	1.6	5	0.6	15	3.6	30	1.6
Purpose Built Flat	234	38.8	467	58.0	336	80.0	1037	56.7
Other Flat	23	3.8	152	18.9	11	2.6	186	10.2
All Dwellings	603	100.0	804	100.0	420	100.0	1827	100.0

3. HOUSING CONDITIONS 2016 – OCCUPIED HOUSING STOCK

3.1 Housing conditions against national standards can only be measured fully within the occupied housing stock.

3.2 Of the 1,782 occupied dwellings, 1,392 dwellings (78.1%) meet the requirements of the Decent Homes Standard and can be regarded as satisfactory. The remaining 390 occupied dwellings (21.9%) fail the requirements of the Decent Homes Standard and are non-decent. Within the Decent Homes Standard itself the following pattern of failure emerges:

- **122 dwellings (6.9%) exhibit Category 1 hazards within the Housing Health and Safety Rating System (HHSRS);**
- **82 dwellings (4.6%) are in disrepair;**
- **282 dwellings (15.8%) lack modern facilities and services; and**
- **72 dwellings (4%) fail to provide a reasonable degree of thermal comfort.**

The majority of non-decent dwellings fail on one item of the Standard (264 dwellings – 67.7%), the remaining 126 dwellings (32.2%) exhibit multiple failures.

3.3 Information available from the English Housing Survey 2014/15 enables housing conditions in Canalside Ward to be placed in a national context. Housing conditions locally with regard to the Decent Homes Standard are slightly worse than the national average. Locally, 21.9% of housing fails the Decent Homes Standard compared to 19.8% of occupied housing nationally.

4. THE DISTRIBUTION OF NON-DECENT HOMES

4.1 Housing conditions vary by housing sector; these variations in Decent Homes performance reflect significantly higher rates of non-decency for:

- **Houses (49.9%) and other flats (20.2%);**
- **The owner occupied sector (25.9%); and**
- **Dwellings constructed pre-1919 (40.9%).**

DECENT HOMES COMPLIANCY BY TENURE, DATE OF CONSTRUCTION AND HOUSE TYPE (ALL OCCUPIED DWELLINGS)						
	DECENT HOMES STANDARD					
	Compliant		Non-compliant		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%
TENURE						
Owner occupied	432	74.1	151	25.9	582	100.0
Private rented	629	80.6	151	19.4	780	100.0
Social housing	332	79.0	88	21.0	420	100.0
DATE OF CONSTRUCTION						
Pre-1919	366	59.1	253	40.9	619	100.0
1919-1980	289	85.9	47	14.1	336	100.0
Post 1980	738	89.2	89	10.8	827	100.0

DECENT HOMES COMPLIANCY BY TENURE, DATE OF CONSTRUCTION AND HOUSE TYPE (ALL OCCUPIED DWELLINGS)						
	DECENT HOMES STANDARD					
	Compliant		Non-compliant		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%
MAIN HOUSE TYPE						
Terraced House	206	59.4	141	40.6	348	100.0
Semi-Detached House	77	36.1	136	63.9	213	100.0
Detached House	10	39.6	15	60.4	25	100.0
Purpose Built Flat	969	93.7	65	6.3	1033	100.0
Other Flat	131	79.8	33	20.2	164	100.0
ALL DWELLINGS	1392	78.1	390	21.9	1782	100.0

5. HOME ENERGY EFFICIENCY

5.1 The house condition survey has been supplemented by a full energy efficiency audit of surveyed properties (SAP 2012). The current SAP rating for housing in the area of Canalside Ward covered by the survey is measured at 69.5, above the average of 59.7 for housing in England. Average CO2 emissions total 2.563 tonnes per and average annual running costs for households are estimated at £635 resulting in a total household annual energy spend of £1.131M.

5.2 Variations in energy efficiency ratings reflect lower ratings for:

- ***Dwellings constructed pre-1919 (59); and***
- ***Houses (61).***

Dwellings within the social housing sector exhibit the highest average SAP rating (75) whilst the private rented sector has an average SAP of 69 and owner occupied dwellings have an average SAP of 65.

6. DECENT PLACES AND LIVEABILITY

6.1 Environmental conditions and liveability problems were based on the professional assessment by surveyors of problems in the immediate vicinity of the home. In all, 16 environmental factors were assessed and grouped into 3 categories:

UPKEEP – The upkeep, management or misuse of private and public space and buildings. Specifically the presence of: scruffy or neglected buildings, poor condition housing, graffiti, scruffy gardens or landscaping, rubbish or dumping, vandalism, dog or other excrement and the nuisance from street parking;

UTILISATION – Abandonment or non-residential use of property. Specifically: vacant sites, vacant or boarded-up buildings and intrusive industry; and

TRAFFIC – Road traffic and other forms of transport. Specifically: the presence of intrusive main roads and motorways, railway or aircraft noise, heavy traffic and poor ambient air quality.

6.2 Overall, 423 dwellings (23.1%) are located in residential environments experiencing liveability problems. Problems with upkeep affect 196 dwellings (10.7%) whilst traffic problems affect 361 dwellings (19.8%).

6.3 As an overall assessment surveyors were asked to grade the visual quality of the residential environment. Surveyors assessed the environment as poor or below average in 325 dwellings (17.8%), as average in 1,169 dwellings (64%) and as above average or good in 333 dwellings (18.2%).

7. CONCLUSIONS

7.1 Significant issues require addressing in the housing sector. 390 occupied dwellings (21.9%) fail the requirements of the Decent Homes Standard with estimated improvement costs of £1.291M net. Within the Decent Homes Standard:

- **122 dwellings (6.9%) exhibit Category 1 hazards within the Housing Health and Rating System (HHSRS);**
- **82 dwellings (4.6%) are in disrepair and at risk of future deterioration; and**
- **72 occupied dwellings (4%) fail to provide a reasonable degree of thermal comfort.**

7.2 Poor housing conditions vary across the housing indicating an initial intervention framework:

- **Houses - 292 dwellings non-decent (49.9%); and**
- **Dwellings constructed pre-1919 – 253 dwellings non-decent (40.9%).**

7.3 Over two fifths (42.9%) of the private rented households in Canalside Ward occupy purpose built flats constructed after 1980. Excluding these dwellings from the analysis increases the rate of Decent Homes failure within this sector from 19.4% to 28.2% and the rate of Category 1 hazards from 9.3% to 16.3%.

ACKNOWLEDGEMENTS

David Adamson & Partners Ltd. wishes to thank the residents of Woking Borough Council without whose cooperation this survey would not have been possible. We would also like to thank Woking Borough Council staff for their support and assistance throughout the project.

SECTION 1: SURVEY BACKGROUND AND METHODOLOGY

Chapter 1: Introduction and Background to the Study

Chapter 2: Survey Method and Response

Chapter 3: The Measurement of Housing Conditions



SURVEY BACKGROUND AND METHODOLOGY

1.0 INTRODUCTION AND BACKGROUND TO THE STUDY

1.1 This report presents the findings of a comprehensive survey of housing conditions across a specific area of Canalside Ward within the Woking Borough Council area. The survey has been completed by David Adamson & Partners Ltd. on behalf of Woking Borough Council.

1.2 Information from the study provides an up-to-date benchmark for housing locally against national housing conditions and provides a base of information for the review and further development of private sector housing strategies within the area.

1.3 This report provides a detailed overview of survey findings. In five main sections the report examines:

- ***Section 1: Survey Background and Methodology;***
- ***Section 2: A Profile of the Housing Stock;***
- ***Section 3: Housing Conditions – An Overview & National Perspective;***
- ***Section 4: Housing Conditions 2016; and***
- ***Section 5: Conclusions.***

Survey analyses are supported by technical appendices including the survey questionnaire, advice on sampling error, guidance on the interpretation of statistical data, and key survey definitions/housing standards. Data from the survey programme has also been provided electronically for further use by the Council.

1.4 The views expressed in this report are those of the consultants and do not necessarily reflect the official views of Woking Borough Council.



SURVEY BACKGROUND AND METHODOLOGY

2.0 SURVEY METHOD AND RESPONSE

- 2.1 The Government requires that private sector housing conditions are known and understood on an on-going basis and duly acted upon. The Housing Act 2004 states that 'a local authority must keep the housing conditions in their area under review with a view to identifying any action that may need to be taken by them.' Good practice dictates that private sector house condition surveys are conducted every five years and no longer than every seven years.
- 2.2 The Council is aware that there has been a substantial change in the use of the private sector housing stock within the designated area of Canalside Ward and consequently requires up-to-date information to develop private sector housing strategies and to prioritise housing support and investment.
- 2.3 The objectives for the house condition survey were clearly defined by Woking Borough Council. Information from the survey should estimate and provide an indication of:
- i) The incidence of Category 1 and 2 hazards under the Housing Health and Safety Rating System;
 - ii) The prevalence of each HHSRS hazard;
 - iii) The cost of remedying HHSRS hazards;
 - iv) The level of decent homes and the costs to remedy;
 - v) The energy efficiency of dwellings including SAP;
 - vi) A comparison between the stock condition within the area and the country as a whole;
 - vii) An assessment of the tenure split in the area;
 - viii) The number of HMOs in the area;
 - ix) An assessment of the stock by tenure.
- 2.4 A sample size of 300 dwellings was agreed with the Council representing 16.5% of a total housing stock of 1,827 dwellings within the specified area. Survey investigation has included both physical housing conditions (Decent Homes, HHSRS) and energy efficiency (RDSAP 2012). The random sample of dwellings for the survey was selected and each address advised of the survey.
- 2.5 Sample data has been grossed-up statistically to represent the total housing stock. Issues on the interpretation of grossed statistical data are outlined in Appendix A while sampling errors associated with survey data are presented in Appendix B.



SURVEY BACKGROUND AND METHODOLOGY

- 2.6 The survey generates a wide range of information on the condition of housing in the area. Copies of the survey questionnaire are attached at Appendix C. The physical survey inspection has included general housing condition/repair, the Decent Homes Standard, housing health and safety rating system and energy efficiency.



SURVEY BACKGROUND AND METHODOLOGY

3. THE MEASUREMENT OF HOUSING CONDITIONS

3.1 The measurement of housing conditions has been conducted within the decent homes framework. The Government's housing objective is to ensure that everyone has the opportunity of a decent home and so promote social cohesion, wellbeing and self-dependence. A decent home is one that satisfies all of the following four criteria:

- *It meets the current statutory minimum standard for housing;*
- *It is in a reasonable state of repair;*
- *It has reasonably modern facilities and services; and*
- *It provides a reasonable degree of thermal comfort.*

A full definition of this standard is attached in Appendix D.

3.2 MINIMUM STATUTORY STANDARDS. The Housing Act 2004 (Chapter 34) introduced a system for assessing housing conditions and enforcing housing standards. This system which replaced the former test of fitness for human habitation (Section 604, Housing Act 1985) operates by reference to the existence of category 1 or category 2 hazards in residential premises as assessed within the Housing Health and Safety Rating System (HHSRS - Version 2). For the purposes of the current survey the presence of category 1 hazards has been assumed to represent statutory failure. These are hazards falling within HHSRS bands A, B or C and accruing hazard scores of 1,000 points or more.

3.3 DISREPAIR. Many homes while not exhibiting Category 1 hazards may present evidence of disrepair which can threaten the structural integrity of the building, its wind and weatherproofing and the health and safety of the occupants. Identification of such homes provides an important indicator of housing stock 'at risk' of future physical deterioration. Definitions of disrepair have varied nationally over time. For the purposes of this survey, homes in disrepair are defined as those failing to meet decent homes repair criteria. A home is in disrepair under this definition if:

- *One or more key building components are old and because of their condition need replacement or major repair;*
- *Two or more secondary building components are old, and because of their condition need replacement or major repair.*

A full definition of building components, life expectancies and condition defects under the decent homes standard is included in Appendix D.



SURVEY BACKGROUND AND METHODOLOGY

3.4 ENERGY EFFICIENCY. Information on home energy efficiency was collected against the thermal comfort requirements of the decent homes standard and also subjected to an energy efficiency audit within the RDSAP framework. Decent homes thermal comfort requirements are outlined fully in Appendix D. Key indicators used from the energy efficiency audit include:

- *SAP rating (Standard Assessment Procedure);*
- *Carbon dioxide emissions (CO2);*
- *Energy costs; and*
- *Energy efficiency rating (EER).*

A full definition of these indicators is included in Appendix E - glossary of terms.

3.5 REPAIR AND IMPROVEMENT COSTS. Automated schedules of rates have been applied to condition data generated by the survey to assess potential investment needs within the private sector. Key cost outputs include:

- | | |
|---------------------------------|--|
| a) <i>Patch Repair:</i> | <i>Cost to address visible disrepair. Costs are based on a patch and mend approach, using like-for-like materials and with no guarantee of medium to long-term building integrity.</i> |
| b) <i>Comprehensive Repair:</i> | <i>Patch repair costs together with any additional works required to ensure building integrity and sound condition over a 10 year period.</i> |
| c) <i>Category 1 hazards:</i> | <i>Costs to address Category 1 hazards within the HHSRS.</i> |
| d) <i>Decent Homes:</i> | <i>Costs to improve non-Decent homes.</i> |

Survey costs are at first quarter 2016 and are presented net of fees, preliminaries, contingencies and VAT.

SECTION 2: A PROFILE OF THE HOUSING STOCK

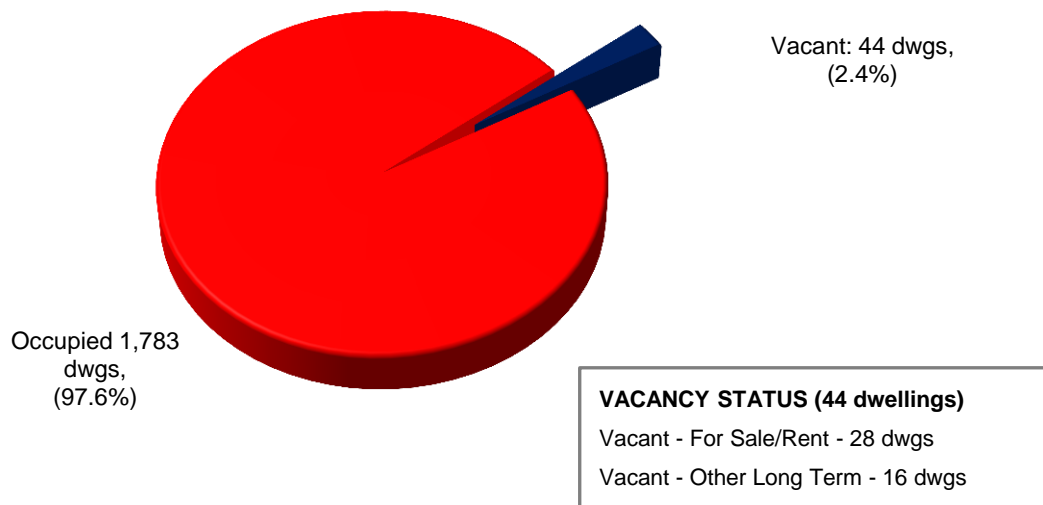
Chapter 4: The Characteristics and Distribution of Housing

4. THE CHARACTERISTICS AND DISTRIBUTION OF HOUSING

HOUSING OCCUPANCY

4.1 The specified area comprises a total housing stock of 1,827 dwellings. At the time of survey, 1,783 dwellings (97.6%) were occupied; the remaining 44 dwellings (2.4%) were vacant. The majority of vacant dwellings – 28 dwellings (1.5% of all dwellings) are transitional in nature and could return to full occupancy in the short term. The remaining 16 vacant dwellings (0.9%) are long-term vacant having been unoccupied for over 6 months. Vacancy rates are below normal housing market turnover expectations; during 2014 the average vacancy rate (all vacants) for housing across England was 4.6% (English Housing Survey, Headline Report 2014-15, CLG). Of the occupied stock, 1,665 dwellings (93.4%) were occupied by a single household whilst the remaining 117 dwellings (6.6%) contained multiple households.

FIGURE 1: HOUSING OCCUPANCY

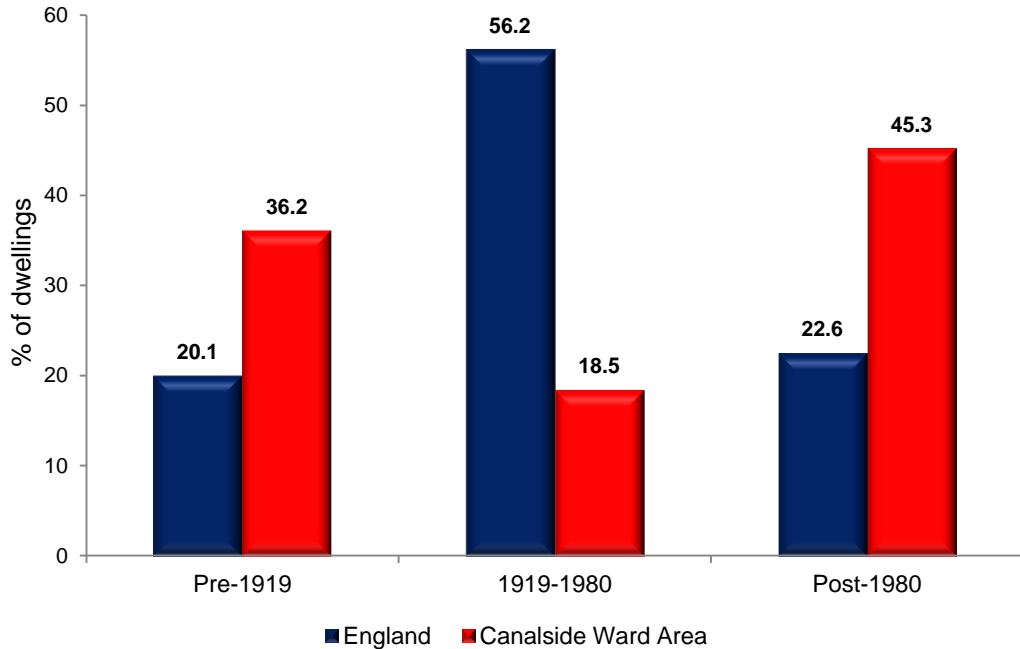


HOUSING AGE

4.2 The age of a home is strongly associated with its condition and energy performance. The oldest homes (pre-1919) generally perform less well in these respects than newer homes. The housing stock within the specified area in Woking is predominately of two building eras; pre-1919 and post 1981 construction. 661 dwellings (36.2%) were constructed pre-1919 and 827 dwellings (45.3%) were constructed after 1980. The remaining 339 dwellings (18.5%) were built between 1919 and 1980. The housing stock in the Canalside Ward area differs significantly from the national average where 20.1% of dwellings are of pre-1919

construction and 23.7% are of post 1980 construction (English Housing Survey, Headline Report 2014-15, CLG).

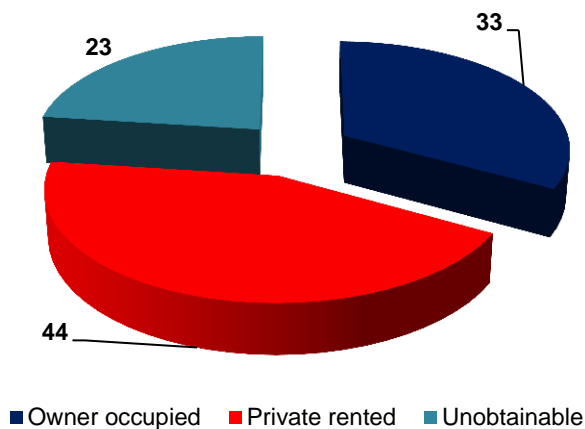
FIGURE 2: HOUSING AGE DISTRIBUTIONS - CANALSIDE WARD 2016; ENGLAND 2014



HOUSING TENURE

4.3 The proportion of privately rented dwellings within Canalside Ward is significantly higher than nationally. Locally, 804 dwellings (44%) are rented privately compared with a national figure of 19.6% across all dwellings in 2014. Conversely, the owner occupied sector accounts for only a third of dwellings in the Canalside Ward area compared with 63.2% nationally.

FIGURE 3: HOUSING TENURE DISTRIBUTIONS

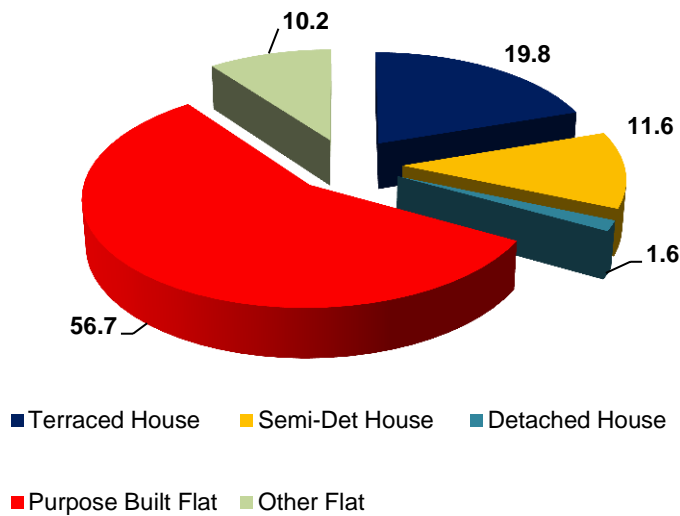


HOUSING TENURE	CANALSIDE		ENGLAND
	dwgs	%	%
Owner occupied	603	33.0	63.1
Private rented	804	44.0	19.6
Social housing	420	23.0	17.3

BUILDING/DWELLING TYPE

4.4 Houses comprise 605 dwellings (33.1%) with the remaining 1,222 dwellings (66.9%) in flats. Houses are primarily either terraced or semi-detached with only limited numbers of detached properties; flats are overwhelmingly purpose built with a smaller number being in converted buildings or flats above shops.

FIGURE 4: BUILDING TYPES



BUILDING TYPES	CANALSIDE 2016		ENGLAND 2014
	dwgs	%	%
Terraced House	363	19.8	28.8
Semi-Detached House	213	11.6	24.8
Detached House	30	1.6	17.3
Purpose Built Flat	1037	56.7	16.2
Other Flat	186	10.2	3.7
Bungalow			9.2

4.5 The distribution of building types within the study area differ significantly from the national distribution, with significantly more purpose built flats and less houses of all configurations.

HOUSING CHARACTERISTICS BY TENURE VARIATIONS

4.6 Housing characteristics differ slightly between the main tenure groups with flats particularly associated with the private rented sector; 619 private rented dwellings (76.9%) are flats compared to 42.6% of owner occupied dwellings. As a consequence of the dominance of relatively new purpose built flats within the private rented sector, the owner occupied sector has a greater proportion of dwellings constructed pre-1919.

A PROFILE OF THE HOUSING STOCK

TABLE 1: HOUSING CHARACTERISTICS BY TENURE

	TENURE							
	Owner occupied		Private rented		Social housing		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%	dwgs	%
DATE OF CONSTRUCTION								
Pre-1919	369	61.2	292	36.3	0	0.0	661	36.2
1919-1980	61	10.0	147	18.3	132	31.3	339	18.6
Post-1981	173	28.8	366	45.4	288	68.7	827	45.3
MAIN HOUSE TYPE								
Terraced House	192	31.8	126	15.7	45	10.7	363	19.8
Semi-Detached House	144	23.9	55	6.9	13	3.1	213	11.6
Detached House	10	1.6	5	0.6	15	3.6	30	1.6
Purpose Built Flat	234	38.8	467	58.0	336	80.0	1037	56.7
Other Flat	23	3.8	152	18.9	11	2.6	186	10.2
All Dwellings	603	100.0	804	100.0	420	100.0	1827	100.0

**SECTION 3:
HOUSING CONDITIONS -
AN OVERVIEW AND NATIONAL PERSPECTIVE**

Chapter 5: Housing Conditions 2016 - An Overview

Chapter 6: Housing Conditions - National Context

5. HOUSING CONDITIONS 2016 - AN OVERVIEW

5.1 Housing conditions have been measured against the Decent Homes Standard, which is only possible for occupied dwellings as many items are internal to the dwelling. A Decent Home is one that satisfies all of the following four criteria:

- *It meets the current minimum standard for housing in England (HHSRS);*
- *It is in a reasonable state of repair;*
- *It has reasonably modern facilities and services; and*
- *It provides a reasonable degree of thermal comfort.*

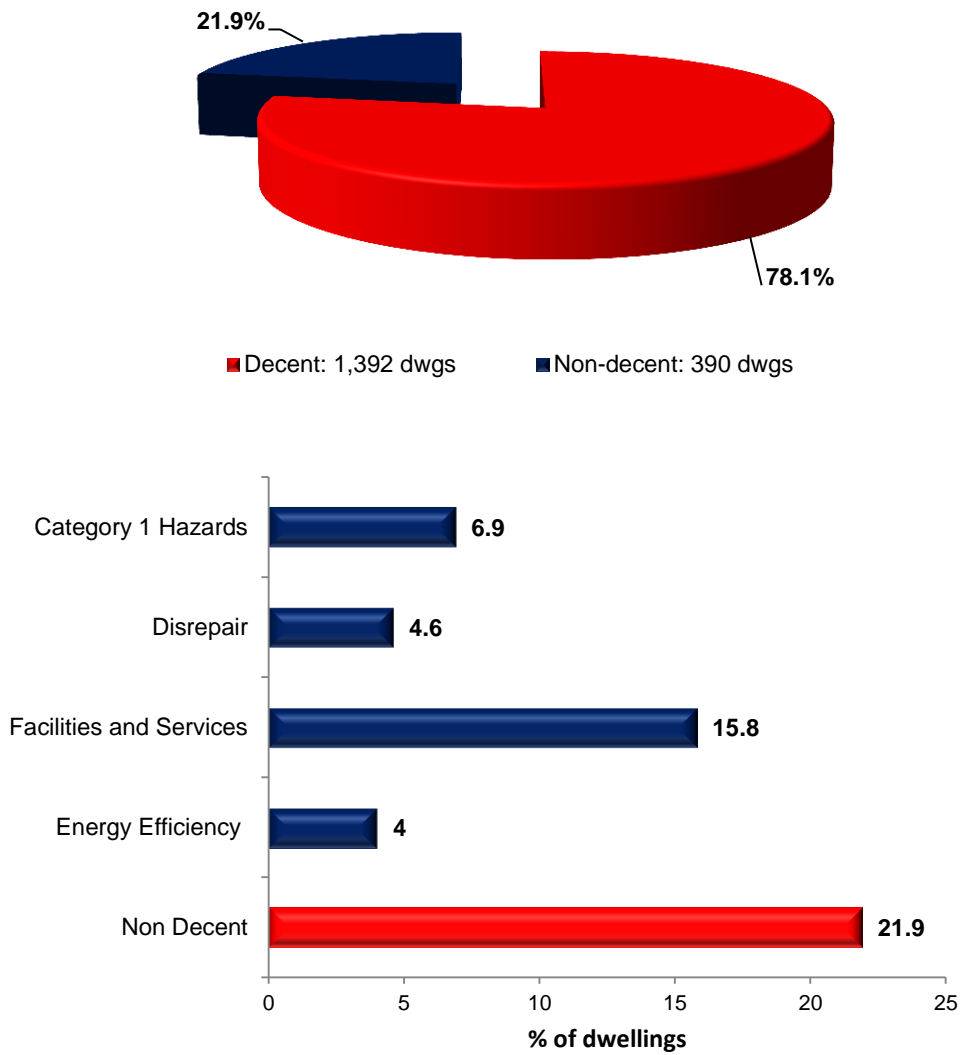
5.2 1,392 occupied dwellings (78.1%) meet the requirements of the Decent Homes Standard and can be regarded as satisfactory. The remaining 390 occupied dwellings (21.9%) fail the requirements of the Decent Homes Standard and are non-decent. Within the Decent Homes Standard itself the following pattern of failure emerges:

- *122 dwellings (6.9%) exhibit Category 1 hazards within the Housing Health and Safety Rating System (HHSRS);*
- *82 dwellings (4.6%) are in disrepair;*
- *282 (15.8%) dwellings lack modern facilities and services; and*
- *72 occupied dwellings (4%) fail to provide a reasonable degree of thermal comfort.*

The majority of non-decent dwellings (264 dwellings, 67.7%) are defective on one matter of the Decent Homes Standard; the remaining 126 non-decent dwellings (32.2%) exhibit multiple defects.

5.3 Costs to achieve decent homes are estimated at £1.292M averaging £3,312 per non-decent home.

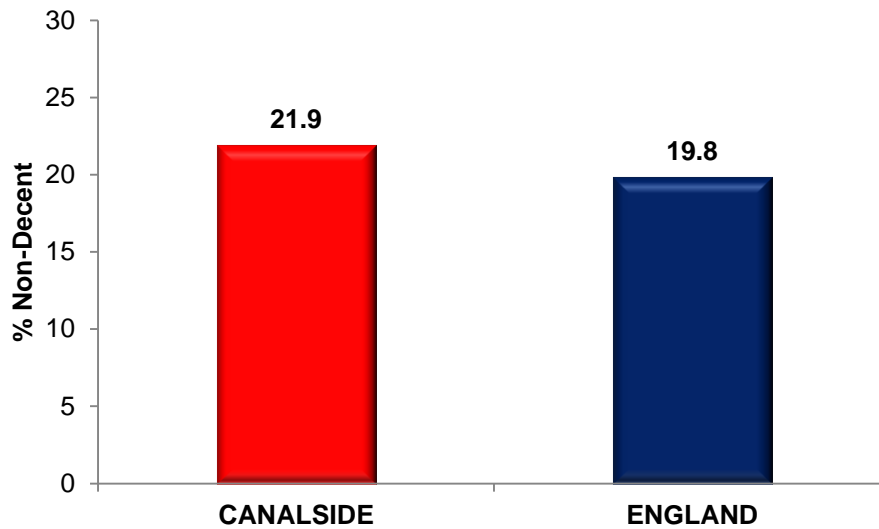
FIGURE 5: DWELLING PERFORMANCE AGAINST THE DECENT HOMES STANDARD



6. HOUSING CONDITIONS 2016 - NATIONAL CONTEXT

6.1 Information available from the English Housing Survey 2014/15 enables housing conditions in the study area to be placed in a national context. Housing conditions locally with regard to the Decent Homes Standard are slightly worse than the national average. Locally, 21.9% of housing fails the Decent Homes Standard compared to 19.8% of housing nationally (2014).

**FIGURE 6: NON-DECENT HOMES - CANALSIDE 2016;
ENGLAND 2014**



SECTION 4: HOUSING CONDITIONS 2016

Chapter 7: HHSRS Category 1 Hazards

Chapter 8: Housing Disrepair

Chapter 9: Housing Amenities and Facilities

Chapter 10: Home Energy Efficiency

Chapter 11: Decent Homes Overall Performance

Chapter 12: Non-Decent Homes - Investment Needs

Chapter 13: Decent Places - Environmental Conditions

7. HHSRS CATEGORY 1 HAZARDS

HOUSING HEALTH AND SAFETY RATING SYSTEM

7.1 The Housing Health and Safety Rating System (HHSRS) is the current approach to the evaluation of the potential risks to health and safety from any deficiencies identified in homes. The HHSRS, although not in itself a statutory standard, was introduced as a replacement for the Housing Fitness Standard (Housing Act 1985, Section 604 as amended).

7.2 Assessment of hazards is a two-stage process, addressing first the likelihood of an occurrence and secondly the range of probable harm outcomes. These two factors are combined using a standard prescribed method to give a score in respect of each hazard. There are 29 hazards, arranged in four main groups reflecting the basic health requirements. These are illustrated in table 2 and include:

- *Physiological requirements including hygro-thermal conditions and pollutants;*
- *Psychological requirements including space, security, light and noise;*
- *Protection against infection including hygiene, sanitation and water supply; and*
- *Protection against accidents including falls, electric shocks, burns/scalds and collision.*

TABLE 2: HHSRS - HAZARD GROUPINGS		
HAZARD CATEGORY	SUB-GROUPING	NATURE OF HAZARD
PHYSIOLOGICAL REQUIREMENTS	HYGROTHERMAL CONDITIONS	1. Dampness and Mould
		2. Excess Cold
		3. Excess Heat
	POLLUTANTS	4. Asbestos
		5. Biocides
		6. CO ₂ /Fuel Consumption
		7. Lead
		8. Radiation
		9. Un-combusted Fuel Gas
		10. Volatile Organic Compounds
PSYCHOLOGICAL REQUIREMENTS	SPACE, SECURITY, LIGHT AND NOISE	11. Crowding and Space
		12. Entry by Intruders
		13. Lighting
		14. Noise
PROTECTION AGAINST INFECTION	HYGIENE, SANITATION AND WATER SUPPLY	15. Hygiene, pests, refuse
		16. Food Safety
		17. Personal Hygiene, Sanitation, Drainage
		18. Water Supply
PROTECTION AGAINST ACCIDENTS	FALLS	19. Baths
		20. Level Surfaces
		21. Stairs
		22. Between Levels

TABLE 2: HHSRS - HAZARD GROUPINGS		
HAZARD CATEGORY	SUB-GROUPING	NATURE OF HAZARD
	SHOCKS, FIRES, BURNS, SCALDS	23. Electrical Hazards 24. Fire 25. Flames, Hot Surfaces
	COLLISIONS, CUTS AND STRAINS	26. Collision, Entrapment 27. Explosions 28. Position of Amenities 29. Structural Collapse

7.3 Hazard scores are banded to reflect the relative severity of hazards and their potential outcomes. There are ten hazard bands ranging from Band 'J' (9 points or less) the safest, to Band 'A' (5,000 points or more) the most dangerous. Hazards can be grouped within these bandings as Category 1 and Category 2. A Category 1 hazard will fall within Bands 'A', 'B' or 'C' i.e. 1,000 points or more.

TABLE 3: HAZARD BANDINGS AND HAZARD CATEGORISATION		
HAZARD SCORE RANGE Points....	HAZARD BAND	HAZARD CATEGORY
5000 or more	A	CATEGORY 1
2000 - 4999	B	
1000 - 1999	C	
500 - 999	D	CATEGORY 2
200 - 499	E	
100 - 199	F	
50 - 99	G	
20 - 49	H	
10 - 19	I	
9 or less	J	

7.4 The Housing Act 2004 puts local authorities under a general duty to take appropriate action in relation to a Category 1 hazard. Such action can include:

- *Improvement Notice (Section 11, Housing Act 2004);*
- *Prohibition Order (Section 20, Housing Act 2004);*
- *Hazard Awareness Notice (Section 28, Housing Act 2004);*
- *Emergency Remedial Action (Section 40, Housing Act 2004);*
- *Emergency Prohibition Order (Section 43, Housing Act 2004);*
- *Demolition Order (Section 265, Housing Act 1985); and*
- *Clearance Area Declaration (Section 289, Housing Act 1985).*

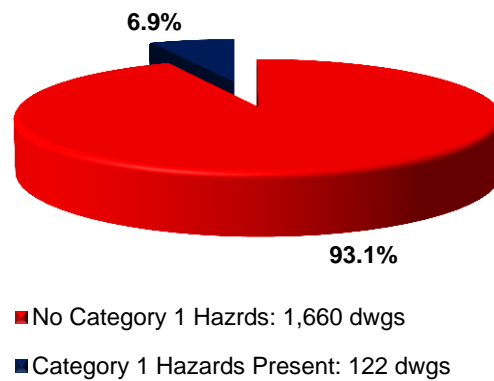
Similar powers exist to deal with Category 2 hazards but at the discretion of the local authority. Emergency measures cannot however be used, nor can clearance area or

demolition powers. The presence of Category 1 hazards is integrated within the decent homes standard and forms the main focus for our analyses.

CATEGORY 1 HAZARDS

7.5 122 occupied dwellings (6.9%) exhibit Category 1 hazards within the HHSRS and as a result fail the requirements of the Decent Homes Standard.

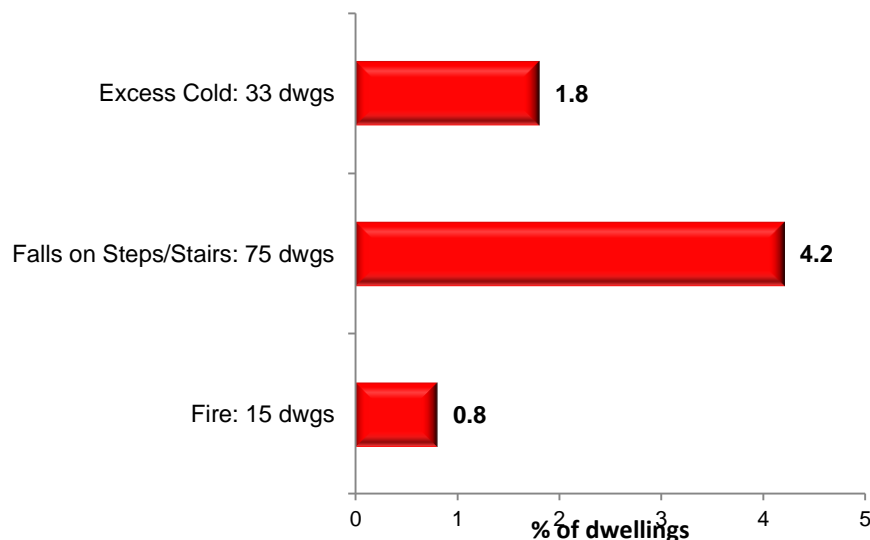
FIGURE 7: CATEGORY 1 HAZARD FAILURE



7.6 Properties fail on one of three hazards, namely falls associated with stairs/steps, excess cold and fire. Defects on excess cold are both heating and insulation driven:

- *Dwellings experiencing Category 1 hazards on excess cold are heated by either electric storage heaters or gas room heaters;*
- *Properties experiencing Category 1 hazards on excess cold have an average SAP Rating of 17 compared to an average SAP Rating for all dwellings of 70.*

FIGURE 8: CATEGORY 1 HAZARDS BY HAZARD TYPE



HAZARD DISTRIBUTIONS

7.7 Rates of Category 1 hazard failure vary by housing sector. No dwellings in the social housing sector or constructed after 1919 were found to have a Category 1 hazard. The majority of hazards are within semi-detached houses and flats either in converted buildings or above shops. The private rented sector has a slightly increased prevalence compared with the owner occupied sector.

TABLE 4: THE DISTRIBUTION OF CATEGORY 1 HAZARDS BY TENURE, DWELLING TYPE AND DATE OF CONSTRUCTION						
	HHSRS CATEGORY 1 RISK					
	No Category 1 Risks		Category 1 Risks Present		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%
TENURE						
Owner occupied	532	91.5	50	8.5	582	100.0
Private rented	708	90.7	72	9.3	780	100.0
Social housing	420	100.0	0	0.0	420	100.0
DATE OF CONSTRUCTION						
Pre-1919	497	80.3	122	19.7	619	100.0
1919-1980	336	100.0	0	0.0	336	100.0
Post-1980	827	100.0	0	0.0	827	100.0
MAIN HOUSE TYPE						
Terraced House	333	95.7	15	4.3	348	100.0
Semi-Detached House	133	62.6	80	37.4	213	100.0
Detached House	25	100.0	0	0.0	25	100.0
Purpose Built Flat	1033	100.0	0	0.0	1033	100.0
Other Flat	136	83.2	28	16.8	164	100.0
All Dwellings	1660	93.1	122	6.9	1782	100.0

7.8 As a significant proportion of the occupied dwellings (738 or 41.4%) within the study area are post 1980 purpose built flats and these do not cause the Council any concern with respect to condition, the analysis has been re-run omitting these dwellings. Table 5 below shows the distribution of Category 1 hazards once these properties have been excluded.

7.9 The rate of Category 1 hazards increases to 11.7% overall, with the incidence within the private rented sector increasing to 16.3% whilst the owner occupied rate goes up to 12.2%.

TABLE 5: THE DISTRIBUTION OF CATEGORY 1 HAZARDS BY TENURE, DWELLING TYPE AND DATE OF CONSTRUCTION EXCLUDING POST 1980 PURPOSE BUILT FLATS						
	HHSRS CATEGORY 1 RISK					
	No Category 1 Risks		Category 1 Risks Present		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%
TENURE						
Owner occupied	359	87.8	50	12.2	409	100.0
Private rented	372	83.7	72	16.3	445	100.0
Social housing	191	100.0	0	0.0	191	100.0
DATE OF CONSTRUCTION						
Pre-1919	497	80.3	122	19.7	619	100.0
1919-1980	336	100.0	0	0.0	336	100.0
Post-1980	90	100.0	0	0.0	90	100.0
MAIN HOUSE TYPE						
Terraced House	333	95.7	15	4.3	348	100.0
Semi-Detached House	133	62.6	80	37.4	213	100.0
Detached House	25	100.0	0	0.0	25	100.0
Purpose Built Flat	296	100.0	0	0.0	296	100.0
Other Flat	136	83.2	28	16.8	164	100.0
All Dwellings	923	88.3	122	11.7	1045	100.0

CATEGORY 1 HAZARD IMPROVEMENT COSTS

- 7.10 Costs to address Category 1 hazards alone within the defective housing stock are estimated at £218,023 net, averaging £1,785 per defective dwelling. Individual costs range from £1,000 to £2,800 per dwelling. Costs are net of VAT, fees and preliminaries. Costs to complete outstanding repairs in addition to HHSRS improvements within the 122 properties increases the repair /improvement bill to £411,244M, averaging £3,366 per dwelling.

8. HOUSING DISREPAIR

DECENT HOMES REPAIR STANDARD

8.1 To meet the decent homes standard, dwellings are required to be in a reasonable state of repair. Dwellings which fail to meet this criterion are those where either:

- *One or more of the key building components are old and because of their condition, need replacing or major repair; or*
- *Two or more of the other building components are old and, because of their condition need replacing or major repair.*

Key building components are those which are essential to the future integrity of the home and its continued occupancy. These include:

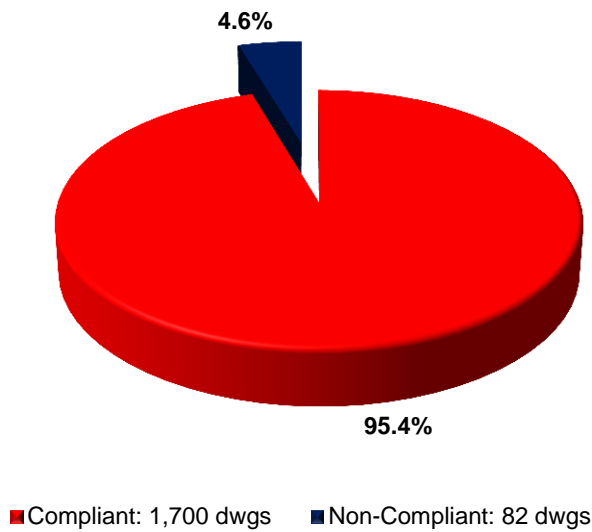
- *External walls;*
- *Roof structure and covering;*
- *Windows and doors;*
- *Chimneys;*
- *Central heating boilers;*
- *Gas fires;*
- *Storage heaters; and*
- *Electrics.*

Full details of the standard of repair required within the Decent Homes Standard are attached as Appendix D.

DECENT HOMES REPAIR COMPLIANCE

8.2 Overall, 82 dwellings (4.6%) fail the repair requirements of the Decent Homes Standard. Repair failures are recorded against both primary and secondary building elements. While dwelling disrepair is symptomatic of the natural deterioration of building elements over time it is also reflective of household activity within the housing market; namely housing transactions and home improvement. Both of these factors are known to have been depressed within the recent economic climate.

FIGURE 9: DECENT HOMES REPAIR PERFORMANCE



8.3 Elemental repair defects in those dwellings failing the repair requirements of the Decent Homes Standard are illustrated in tables 6 and 7 with regard to primary and secondary building elements. External repairs are dominated by disrepair to pointing and chimneys as well as external doors. Internally, the only repair needs significant enough to fail the Decent Homes Standard are related to the condition of the kitchen and bathroom.

TABLE 6: DWELLINGS DEFECTIVE ON DECENT HOMES REPAIR - PRIMARY BUILDING ELEMENT PERFORMANCE					
PRIMARY BUILDING ELEMENT	DECENT HOMES CONDITION				ALL DWELLINGS DEFECTIVE ON REPAIR
	COMPLIANT		NON-COMPLIANT		
	dwgs	%	dwgs	%	dwgs
Roof Structure	82	100.0	0	0.0	82
Roof Cover	72	87.4	10	12.6	82
Chimney Stacks	57	69.9	25	30.1	82
External Wall Finish	63	76.9	19	23.1	82
External Pointing	49	58.8	34	41.2	82
Lintols	82	100.0	0	0.0	82
External Wall Structure	82	100.0	0	0.0	82
Windows	70	85.3	12	14.7	82
Doors	51	61.9	31	38.1	82
Electrics	82	100.0	0	0.0	82
Heating	82	100.0	0	0.0	82

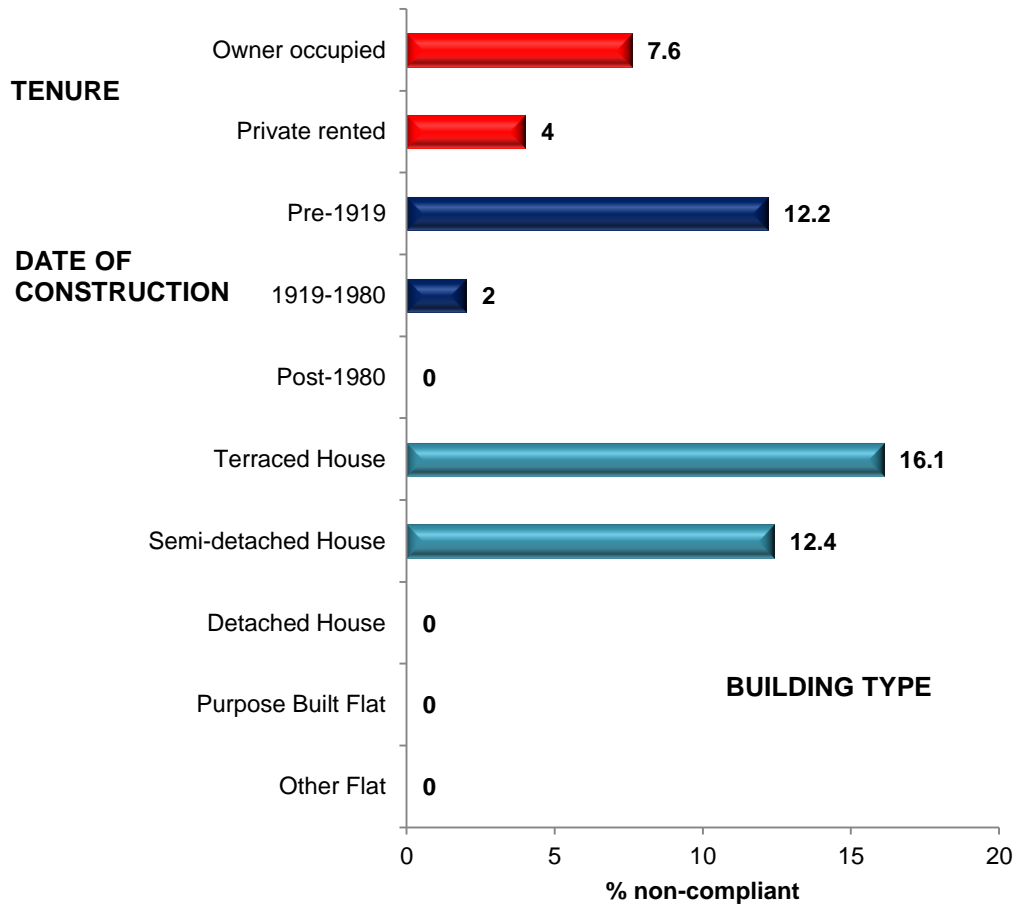
TABLE 7: DWELLINGS DEFECTIVE ON DECENT HOMES REPAIR - SECONDARY BUILDING ELEMENT PERFORMANCE

SECONDARY BUILDING ELEMENT	DECENT HOMES CONDITION				ALL DWELLINGS DEFECTIVE ON REPAIR
	COMPLIANT		NON-COMPLIANT		
	dwgs	%	dwgs	%	dwgs
Flashings	77	93.3	6	6.7	82
Rainwear	77	93.3	6	6.7	82
Underground Drainage	82	100.0	0	0.0	82
Internal Floor Structure	82	100.0	0	0.0	82
Internal Floor Finishes	82	100.0	0	0.0	82
Internal Wall Structure	82	100.0	0	0.0	82
Internal Wall Finishes	82	100.0	0	0.0	82
Internal Ceiling Finishes	82	100.0	0	0.0	82
Internal Doors	82	100.0	0	0.0	82
Fireplaces/Flues	82	100.0	0	0.0	82
Internal Balustrades	82	100.0	0	0.0	82
Plumbing	82	100.0	0	0.0	82
Kitchens	76	92.0	7	8.0	82
Bathrooms	76	92.0	7	8.0	82

DISREPAIR BY SECTOR

8.4 As might be expected, disrepair is strongly related to dwelling age with rates of disrepair significantly higher within the pre-1919 housing stock. Excluding the post 1980 purpose built flats increases the rate of non-compliance to 7.9% overall and 10.8% for owner occupiers and 7.1% within the private rented sector.

FIGURE 10: DECENT HOMES REPAIR PERFORMANCE BY TENURE, DWELLING AGE AND DWELLING TYPE



9. HOUSING AMENITIES AND FACILITIES

AMENITIES & FACILITIES

9.1 The survey has examined the amenities and facilities offered by housing in the Canalside Ward area in Woking. Three areas have been examined, including:

- a) *The amenity/modern facilities requirements of the Decent Homes Standard;*
- b) *Home security arrangements; and*
- c) *Dwelling adaptation.*

DECENT HOMES

9.2 For a dwelling to comply with the Decent Homes Standard it must possess reasonably modern amenities. A dwelling is considered not to meet this criterion if it lacks three or more of the following facilities:

- *A kitchen which is 20 years old or less;*
- *A kitchen with adequate space and layout;*
- *A bathroom which is 30 years old or less;*
- *An appropriately located bathroom and WC;*
- *Adequate sound insulation; and/or*
- *Adequate size and layout of common entrance areas for flats.*

9.3 Kitchen and bathroom amenities exhibit a modern age profile; 1,583 dwellings (88.8%) offer kitchens under 20 years old, and 1,680 dwellings (94.3%) offer bathrooms under 30 years old. Linked to this modern age profile, additional amenity defects are recorded in fewer than 4% of the housing stock:

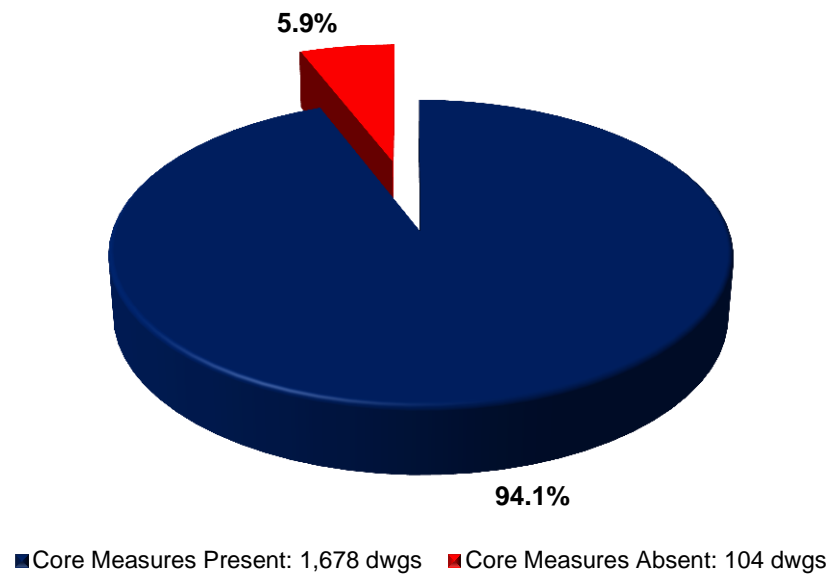
- *All dwellings have adequate space and appropriate layout in the kitchen;*
- *69 dwellings (3.9%) offer an unsatisfactory bathroom location or an unsatisfactory WC location;*
- *All flats have adequate size and layout of common entrance areas; and*
- *15 dwellings (0.8%) possess inadequate sound insulation.*

To fail the Decent Homes Standard a dwelling must be deficient on three or more amenity requirements and overall 282 dwellings (15.8%) fail the Standard. Excluding the post 1981 purpose built flats increases the rate of non-compliance to 24.5%.

HOME SECURITY

- 9.4 Rising public awareness of and media exposure to crime have placed an increasing emphasis on home security. Core security measures within the home can be assumed to include secure access door locking and window locking to ground floor windows and to upper floor windows where appropriate. Core security measures are present in 1,678 dwellings (94.1%) but absent in 104 dwellings (5.9%).

FIGURE 11: CORE HOME SECURITY MEASURES



- 9.5 1,669 dwellings (93.7%) have internal smoke alarms fitted; 113 dwellings (6.3%) have no internal smoke alarm provision.

10. HOME ENERGY EFFICIENCY

HOME ENERGY INFORMATION

10.1 Information on home energy efficiency was collected within the RDSAP framework in addition to the assessment of thermal comfort performance within the Decent Homes Standard.

10.2 Key indicators used from the energy efficiency audit include:

- **SAP Rating (Standard Assessment Procedure);**
- **Carbon Dioxide Emissions (CO₂);**
- **Energy Costs; and**
- **Energy Efficiency Rating (EER).**

The SAP Rating is based on each dwelling's energy costs per square metre and is calculated using a the Standard Assessment Procedure. The energy costs take into account the costs of space and water heating, ventilation and lighting, less any cost savings from energy generation technologies. The rating is expressed on a scale of 1 - 100 where a dwelling with a rating of 1 has poor energy efficiency (high costs) and a dwelling with a rating of 100 represents a completely energy efficient dwelling (zero net energy costs per year).

Carbon Dioxide (CO₂) emissions are derived from space heating, water heating, ventilation, lighting, less any emissions saved by energy generation and are measured in tonnes per year.

Energy costs represent the total energy cost from space heating, water heating, ventilation and lighting, less the costs saved by energy generation as derived from SAP calculations and assumptions. Costs are expressed in £'s per year using constant prices based on average fuel prices. Energy costs for each dwelling are based on a standard occupancy and a standard heating regime, thereby allowing dwellings to be compared.

The Energy Efficiency Rating (EER) is presented in bands from A - G for an Energy Performance Certificate, where a band A rating represents low energy costs (the most efficient band) and a band G rating represents high energy costs (the least efficient band). The break points in SAP used for the EER bands are:

Band A: 92-100

Band B: 81-91

Band C: 69-80

Band D: 55-68

Band E: 39-54

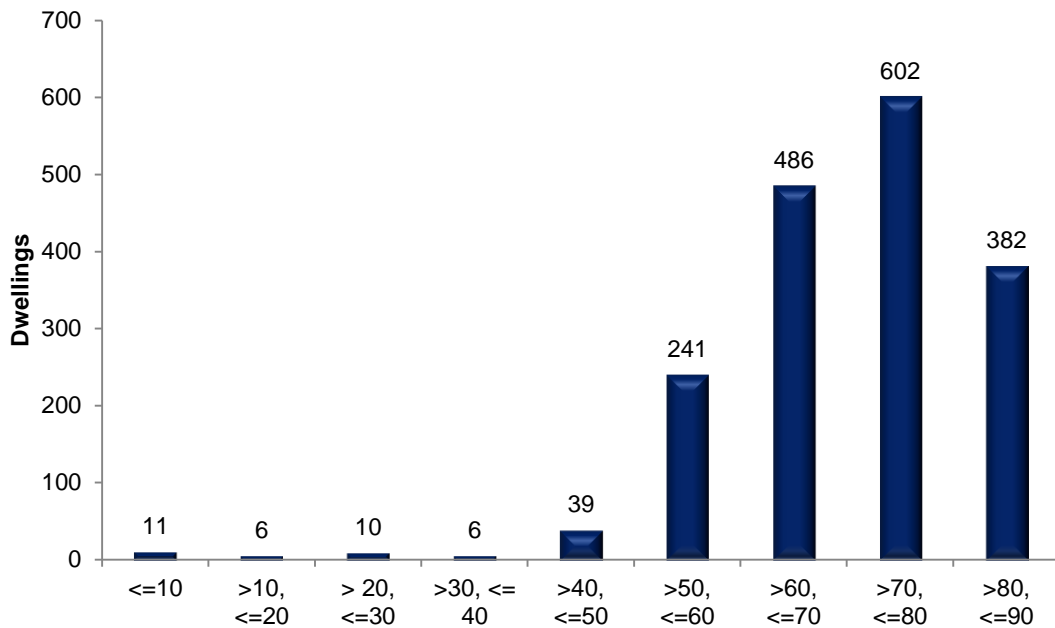
Band F: 21-38

Band G: 1-20

ENERGY EFFICIENCY PERFORMANCE

10.3 The current SAP Rating for occupied housing in the Canalside Ward area of Woking is measured at 69.5, significantly above the national average of 59.7 for all housing in England (English Housing Survey 2014 - 2015). Average CO₂ emissions equal 2.563 tonnes per annum whilst average annual energy costs are estimated at £634.49 per annum giving a total household energy bill for the area of £1.131M per annum. The lower quartile SAP Rating for housing in the area is 62.2; 34 dwellings (1.8%) have a SAP Rating under 35.

FIGURE 12: SAP RATING DISTRIBUTION



10.4 The proportion of dwellings in the lowest EER bands (E, F and G) is significantly below the national average. 9.0% of dwellings in the Canalside Ward area of Woking (161 dwellings) fall within EER bands E, F and G compared to 22.7% of dwellings nationally. Excluding the post 1981 purpose build flats brings the proportions in each band much closer to the national averages.

TABLE 8: ENERGY EFFICIENCY RATINGS (EER) CANALSIDE WARD AND ENGLAND

EER BANDING	CANALSIDE WARD 2016				ENGLAND 2014
	ALL OCCUPIED DWELLINGS		EXCLUDING POST 1981 PURPOSE BUILT FLATS		
	dwgs	%	dwgs	%	%
Band A & B (SAP 81 - 100)	301	16.9	20	2.0	1.3
Band C (SAP 69 - 80)	754	42.3	348	33.3	24.9
Band D (SAP 55 - 68)	567	31.8	519	49.7	51.1
Band E (SAP 39 - 54)	128	7.2	125	11.9	17.1
Band F (SAP 21 - 38)	16	0.9	16	1.5	4.3
Band G (SAP 1 - 20)	17	0.9	17	1.6	1.3

DECENT HOMES THERMAL COMFORT

10.5 To meet the requirements of the Decent Homes Standard dwellings must offer efficient heating and effective insulation. 72 occupied dwellings (4%) fail to meet the requirements. Variations in thermal comfort performance reflect higher rates of failure in the owner occupied sector and amongst other flats and semi-detached houses.

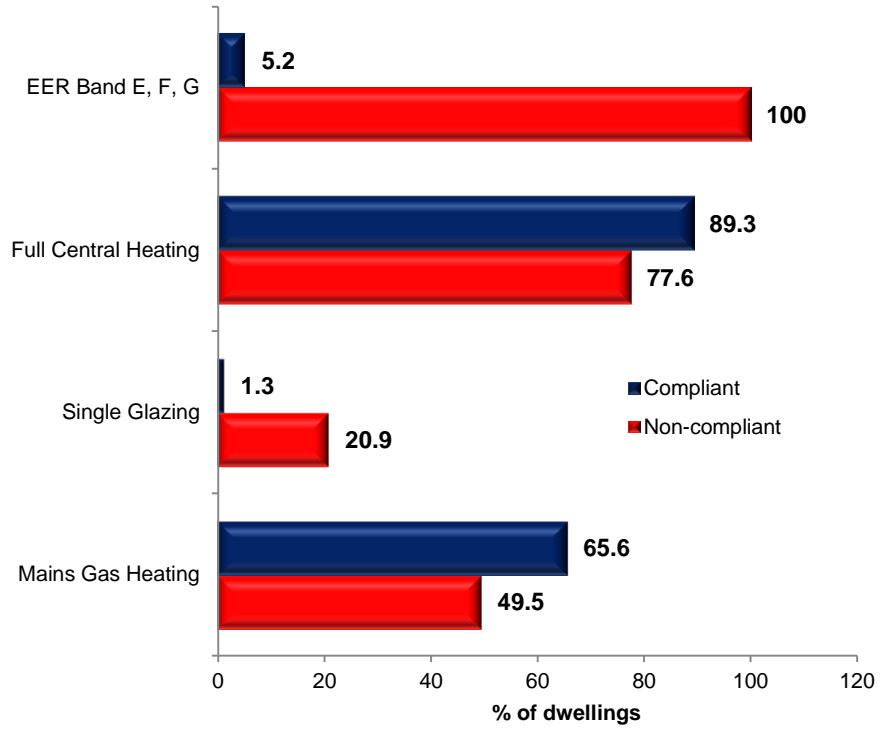
TABLE 9: DECENT HOMES THERMAL COMFORT PERFORMANCE BY TENURE, DATE OF CONSTRUCTION AND HOUSE TYPE

	DECENT HOMES THERMAL COMFORT					
	Compliant		Non-Compliant		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%
TENURE						
Owner occupied	542	93.1	40	6.9	582	100.0
Private rented	749	96.0	31	4.0	780	100.0
Social housing	420	100.0	0	0.0	420	100.0
DATE OF CONSTRUCTION						
Pre-1919	551	89.0	68	11.0	619	100.0
1919-1980	336	100.0	0	0.0	336	100.0
Post-1980	824	99.6	4	.4	827	100.0
MAIN HOUSE TYPE						
Terraced House	342	98.4	6	1.6	348	100.0
Semi-Detached House	178	83.6	35	16.4	213	100.0
Detached House	25	100.0	0	0.0	25	100.0
Purpose Built Flat	1030	99.6	4	0.4	1033	100.0
Other Flat	136	83.2	28	16.8	164	100.0
All Dwellings	1711	96.0	72	4.0	1782	100.0

10.8 Properties failing Decent Homes thermal comfort requirements have an average SAP rating of 32.4 compared to 71 for dwellings compliant with the Standard. All of the non-compliant dwellings are in EER bands E, F, G compared to 5.2% of compliant dwellings. Non-

compliant dwellings offer significantly lower levels of central heating, a higher dependency on electricity as a primary heating fuel, and lower levels of double glazing.

FIGURE 13: DECENT HOMES THERMAL COMFORT AND ENERGY ATTRIBUTES



11. DECENT HOMES OVERALL PERFORMANCE

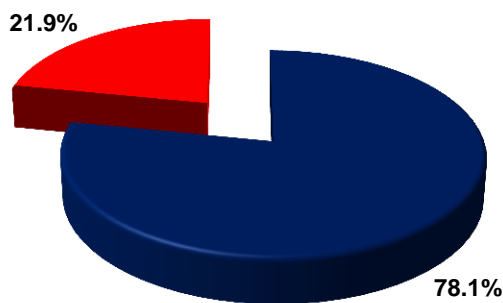
OVERALL PERFORMANCE

11.1 Rates of non-decency in the Canalside Ward area of Woking are slightly above the national average. Overall, 1,392 occupied dwellings meet the requirements of the Decent Homes Standard and are decent; representing 78.1% of all dwellings in the area. 390 dwellings fail to meet the requirements of the Decent Homes Standard and are non-decent. This represents 21.9% of the total housing in this area. The majority of non-decent dwellings (264 dwellings, 67.6%) are defective on one matter of the Decent Homes Standard; the remaining 126 non-decent dwellings (32.3%) exhibit multiple defects.

FIGURE 14: OVERALL PERFORMANCE ON THE DECENT HOMES STANDARD

A. DECENT HOMES STANDARD

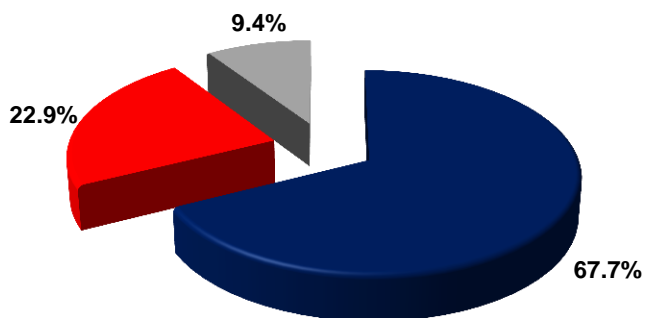
Base = All Dwellings



■ Decent: 1,392 dwgs
 ■ Non-decent: 390 dwgs

B. DEFECTIVE MATTERS

Base = 390 non-decent dwellings



■ One Defective Matter: 264 dwgs
 ■ Two Defective Matters: 90 dwgs
 ■ Three or More Defective Matters: 36 dwgs

SECTORAL VARIATIONS

11.2 Variations in decent homes performance reflect significantly higher rates of failure for:

- *Houses* : **49.9%;**
- *Dwellings constructed pre-1919* : **40.9%; and**
- *The owner occupied sector* : **25.9%.**

TABLE 10: DECENT HOMES COMPLIANCY BY TENURE, DATE OF CONSTRUCTION AND HOUSE TYPE (ALL OCCUPIED DWELLINGS)						
	DECENT HOMES STANDARD					
	Compliant		Non-compliant		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%
TENURE						
Owner occupied	432	74.1	151	25.9	582	100.0
Private rented	629	80.6	151	19.4	780	100.0
Social housing	332	79.0	88	21.0	420	100.0
DATE OF CONSTRUCTION						
Pre-1919	366	59.1	253	40.9	619	100.0
1919-1980	289	85.9	47	14.1	336	100.0
Post 1980	738	89.2	89	10.8	827	100.0
MAIN HOUSE TYPE						
Terraced House	206	59.4	141	40.6	348	100.0
Semi-Detached House	77	36.1	136	63.9	213	100.0
Detached House	10	39.6	15	60.4	25	100.0
Purpose Built Flat	969	93.7	65	6.3	1033	100.0
Other Flat	131	79.8	33	20.2	164	100.0
ALL DWELLINGS	1392	78.1	390	21.9	1782	100.0

11.3 Excluding the post 1981 purpose built flats from the analysis increases the overall rate of non-compliance to 34.5%. However, the distribution by tenure and house type remains relatively similar.

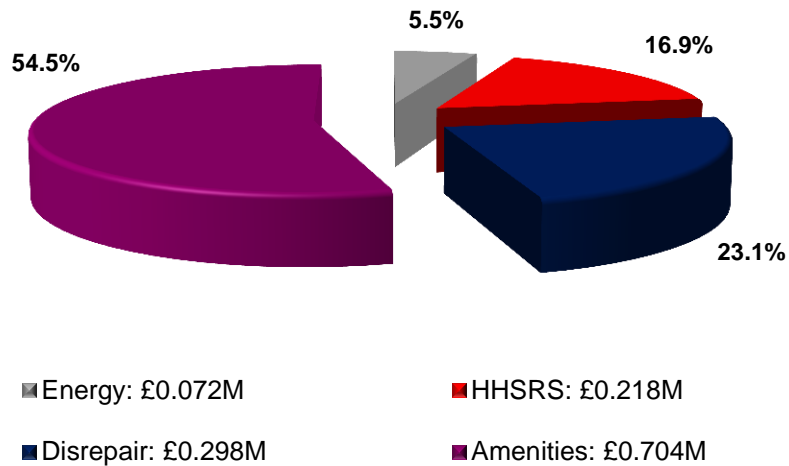
TABLE 11: DECENT HOMES COMPLIANCY BY TENURE, DATE OF CONSTRUCTION AND HOUSE TYPE (EXCLUDING POST 1980 PURPOSE BUILT DWELLINGS)						
	DECENT HOMES STANDARD					
	Compliant		Non-compliant		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%
TENURE						
Owner occupied	258	63.2	151	36.8	409	100.0
Private rented	319	71.8	125	28.2	445	100.0
Social housing	107	55.9	84	44.1	191	100.0
DATE OF CONSTRUCTION						
Pre-1919	366	59.1	253	40.9	619	100.0
1919-1980	289	85.9	47	14.1	336	100.0
Post 1980	30	33.3	60	66.7	90	100.0
MAIN HOUSE TYPE						
Terraced House	206	59.4	141	40.6	348	100.0
Semi-Detached House	77	36.1	136	63.9	213	100.0
Detached House	10	39.6	15	60.4	25	100.0
Purpose Built Flat	261	88.1	35	11.9	296	100.0
Other Flat	131	79.8	33	20.2	164	100.0
ALL DWELLINGS	684	65.5	360	34.5	1045	100.0

12. NON-DECENT HOMES INVESTMENT NEEDS

COSTS TO ACHIEVE DECENCY

12.1 Costs to address non-decency are estimated at £1.292M averaging £3,312 per non-decent home. Individual costs range from £500 linked to energy improvement measures to £10,000 linked to comprehensive failure across the standard. 23.1% of outstanding costs are associated with disrepair - estimated at £0.298M whilst 54.5% of costs are associated with amenities. Costs are at first quarter 2016 and are net of fees, preliminaries, contingencies and VAT.

FIGURE 15: COSTS TO ADDRESS NON-DECENT HOMES



COST DISTRIBUTION BY SECTOR

12.2 Costs to achieve decency by housing sector are illustrated in table 12. Adjusting for variations in sector size outstanding costs are weighted towards the private rented and terraced housing sectors.

TABLE 12: COSTS TO ACHIEVE DECENCY BY HOUSING SECTOR (ALL NON-DECENT DWELLINGS)					
	Non-decent Dwellings		Cost to Achieve Decency		
	dwgs	Row %	Average	Total	Col %
			£	£M	%
TENURE					
Owner occupied	151	25.9	3309	498234	38.6
Private rented	151	19.4	3578	541272	38.8
Social housing	88	21.0	2858	252014	22.6
MAIN HOUSE TYPE					
Terraced House	141	40.6	3695	521992	36.2
Semi-Detached House	136	63.9	3060	415801	34.8
Detached House	15	60.4	2500	37357	3.8
Purpose Built Flat	65	6.3	2415	156295	16.6
Other Flat	33	20.2	4826	160076	8.5
DATE OF CONSTRUCTION					
Pre-1919	253	40.9	3646	923846	65.0
1919-1980	47	14.1	3169	149724	12.1
Post-1980	89	10.8	2438	217951	22.9
ALL SECTORS	390	21.9	3312	1291520	100.0

TABLE 13: COSTS TO ACHIEVE DECENCY BY HOUSING SECTOR (EXCLUDING POST 1980 PURPOSE BUILT FLATS)					
	Non-decent Dwellings		Cost to Achieve Decency		
	dwgs	Row %	Average	Total	Col %
			£	£M	%
TENURE					
Owner occupied	151	36.8	3309	498234	41.8
Private rented	125	28.2	3844	482036	34.8
Social housing	84	44.1	2874	242729	23.4
MAIN HOUSE TYPE					
Terraced House	141	40.6	3695	521992	39.2
Semi-Detached House	136	63.9	3060	415801	37.7
Detached House	15	60.4	2500	37357	4.1
Purpose Built Flat	35	11.9	2500	87773	9.7
Other Flat	33	20.2	4826	160076	9.2
DATE OF CONSTRUCTION					
Pre-1919	253	40.9	3646	923846	70.3
1919-1980	47	14.1	3169	149724	13.1
Post-1980	60	66.7	2500	149429	16.6
ALL SECTORS	360	34.5	3393	1222999	100.0

13. DECENT PLACES - ENVIRONMENTAL CONDITIONS

DECENT PLACES AND LIVEABILITY

13.1 Environmental conditions and liveability problems were based on the professional assessment by surveyors of problems in the immediate vicinity of the home. In all, 16 environmental issues were assessed individually but also grouped together into 3 categories related to:

UPKEEP - The upkeep, management or misuse of private and public space and buildings. Specifically, the presence of: scruffy or neglected buildings, poor condition housing, graffiti, scruffy gardens or landscaping; rubbish or dumping, vandalism, dog excrement and the nuisance from street parking.

UTILISATION - Abandonment or non-residential use of property. Specifically: vacant sites, vacant or boarded-up buildings and intrusive industry.

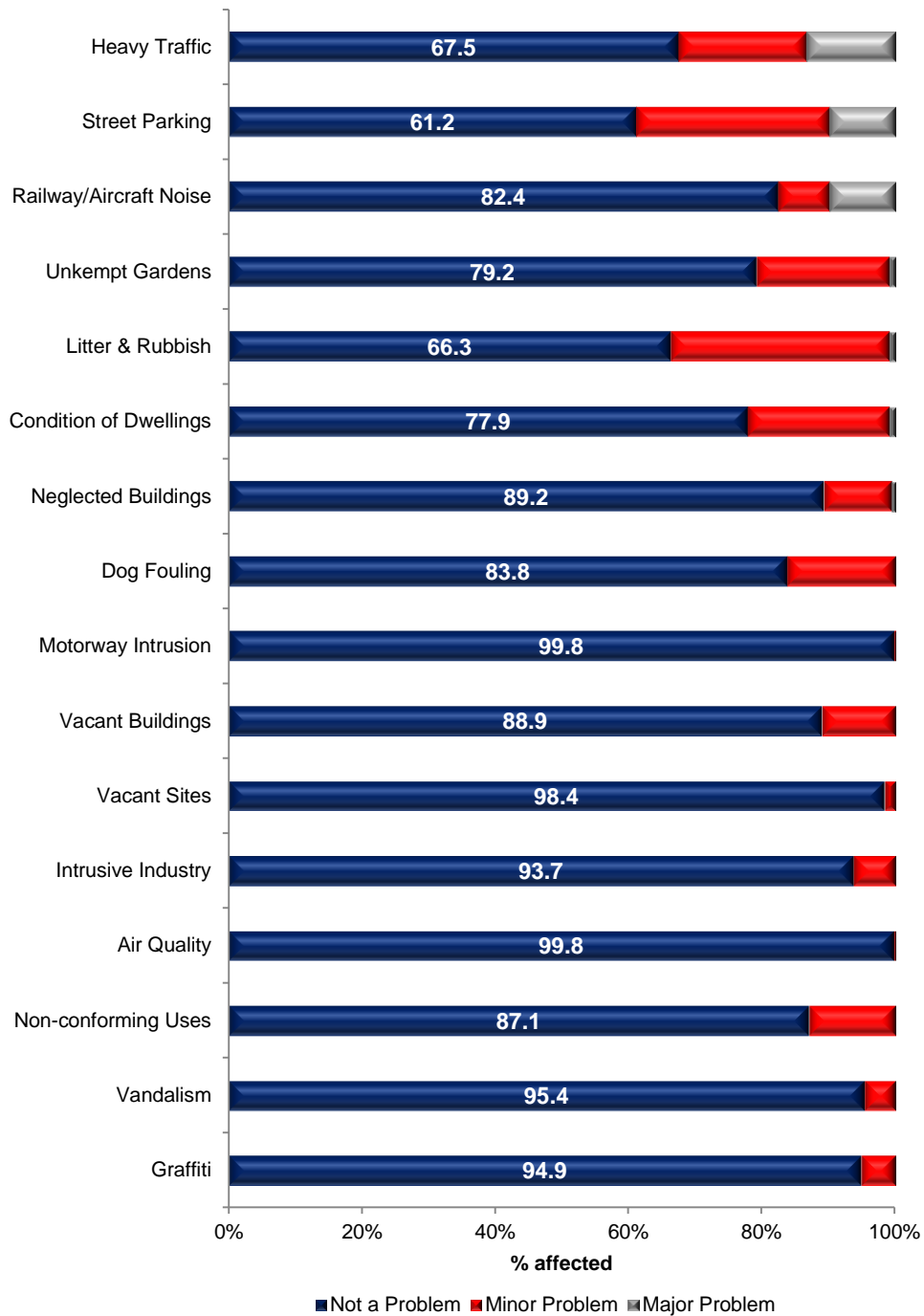
TRAFFIC - Road traffic and other forms of transport. Specifically the presence of: intrusive main roads and motorways, railway or aircraft noise, heavy traffic and poor ambient air quality.

ENVIRONMENTAL ISSUES

13.2 Environmental issues are apparent but are generally of minor impact. Major impact problems were identified against only 7 indicators, with 4 affecting less than 1% of dwellings. The most notable major issues relate to;

- **Heavy Traffic** : 242 dwellings (13.2%);
- **Street Parking** : 179 dwellings (9.8%); and
- **Railway or Aircraft noise** : 179 dwellings (9.8%).

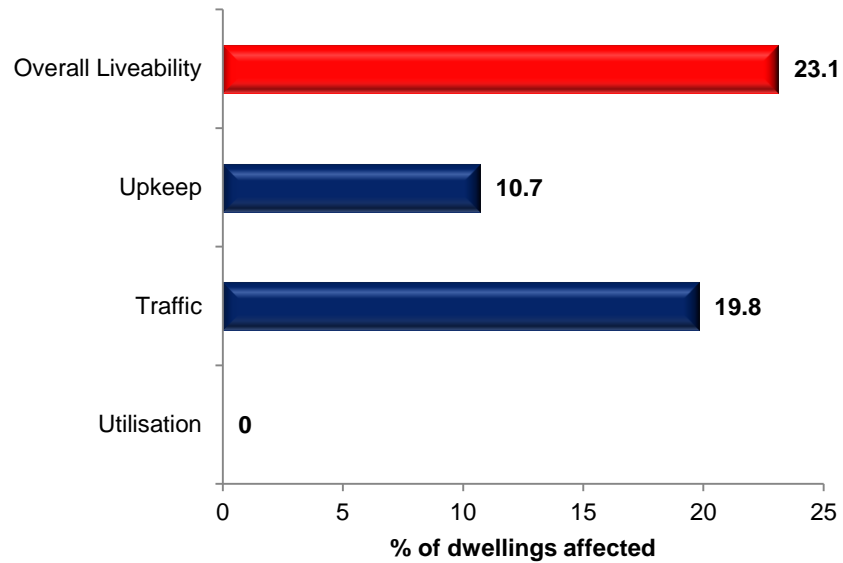
FIGURE 16: ENVIRONMENTAL ISSUES



LIVEABILITY

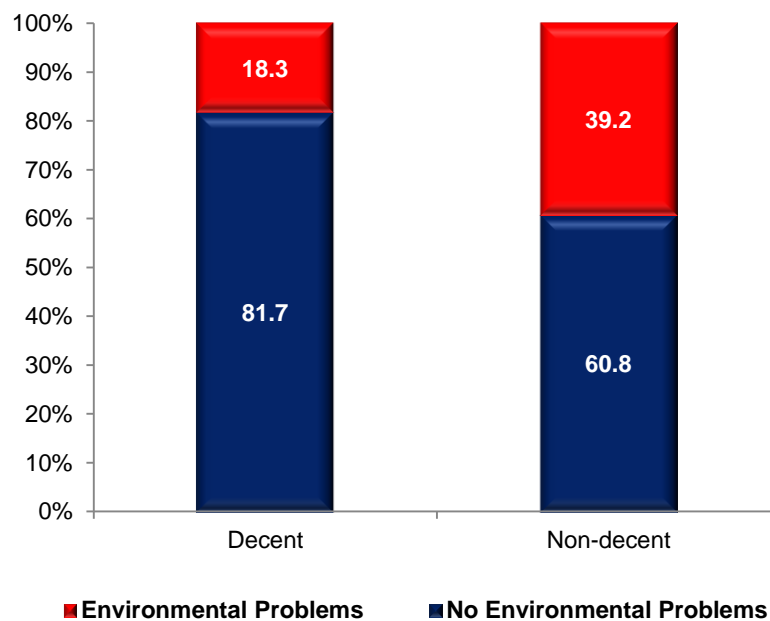
13.3 Overall, 423 dwellings (23.1%) are located in residential environments experiencing liveability problems that are a major problem. Problems with upkeep affect 196 dwellings (10.7%), traffic problems affect 361 dwellings (19.8%) and no dwellings are affected by major utilisation issues.

FIGURE 17: LIVEABILITY PROBLEMS



13.4 Environmental problems are more noted in areas of older properties; 36.4% of pre-1919 dwellings are adversely affected by local environmental problems compared to 20.2% of post 1980 dwellings. A relationship would also appear to exist between environmental conditions and housing conditions. 153 non-decent homes are located in areas affected by environmental problems (39.2%); in comparison 18.3% of decent homes are similarly affected. Almost 90% of dwellings that are both non-decent and experience liveability issues are of pre-1919 construction, over two thirds are semi-detached properties and 51% are privately rented.

FIGURE 18: ENVIRONMENTAL CONDITIONS AND HOUSING CONDITIONS



SECTION 5: CONCLUSIONS

Chapter 14: Conclusions

14. CONCLUSIONS

14.1 This report has presented the findings of a comprehensive survey of housing in the Canalside Ward area within Woking. The survey provides an important benchmark for the refinement and further development of housing strategies within this location.

14.2 The survey has been conducted across a housing stock of 1,827 dwellings. Private rented dwellings comprise 44% of the area's housing stock; significantly above the national average.

14.3 Significant issues require addressing in the housing sector. 390 occupied dwellings (21.9%) fail the requirements of the Decent Homes Standard with estimated improvement costs of £1.291M net. Within the Decent Homes Standard:

- ***122 dwellings (6.9%) exhibit Category 1 hazards within the Housing Health and Rating System (HHSRS);***
- ***82 dwellings (4.6%) are in disrepair and at risk of future deterioration; and***
- ***72 occupied dwellings (4%) fail to provide a reasonable degree of thermal comfort.***

14.4 Poor housing conditions vary across the housing indicating an initial intervention framework:

- ***Houses - 292 dwellings non-decent (49.9%); and***
- ***Dwellings constructed pre-1919 – 253 dwellings non-decent (40.9%).***

14.5 Over two fifths (42.9%) of the private rented households in Canalside Ward occupy purpose built flats constructed after 1980. Excluding these dwellings from the analysis increases the rate of Decent Homes failure within this sector from 19.4% to 28.2% and the rate of Category 1 hazards from 9.3% to 16.3%.

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APPENDICES

Appendix A: The Interpretation of Statistical Data

Appendix B: Sampling Errors

Appendix C: Survey Questionnaire

Appendix D: The Decent Homes Standard

Appendix E: Glossary of Terms

APPENDIX A:

THE INTERPRETATION OF STATISTICAL DATA

Survey data is based on sample survey investigation and the application of statistical grossing procedures to replicate housing stock totals. Interpretation of survey data must be conducted against this background and particularly with regard to the following constraints:

- a) *Data estimates are midpoint estimates within a range of sampling error. Sampling errors are discussed in Appendix B but are dependent on two factors - the sample size employed and the number or percentage of dwellings exhibiting the attribute in question.*
- b) *Data estimates are subject to rounding errors associated with statistical grossing. Table totals will therefore not necessarily remain consistent throughout the report but will normally vary by under 1%.*
- c) *Survey returns from large-scale sample surveys invariably contain elements of missing data. These may be due to surveyor error, differential access within dwellings or individual elements which are not present in all dwellings. Consistently across the survey, missing data has been kept to a minimum and represents fewer than 2% of returns.*

APPENDIX B:

SAMPLING ERRORS

NON-TECHNICAL SUMMARY

In a sample survey part of the population is sampled in order to provide information which can be generalised to the population as a whole. While this provides a cost effective way of obtaining information, the consequence is a loss of precision in the estimates. The estimated values derived from the survey may differ from the “true” value for the population for two primary reasons.

Sampling Error

This results from the fact that the survey observes only a selection of the population. If a different sample had been drawn the survey would be likely to have produced a different estimate. Sampling errors get smaller as the sample size increases.

These errors result from biases in the survey design or in the response to the survey, for example because certain types of dwelling or household may prove more difficult to obtain information for. After analysing response to the survey, the results have been weighted to take account of the main sources of response bias.

Sampling Error Calculation

Statistical techniques provide a means of estimating the size of the sampling errors associated with a survey. This Appendix estimates the sampling errors of measures derived from the physical house condition survey and from the social survey for households. The formulae enable the standard error of estimates derived from the survey to be calculated. For any estimate derived from the survey there is a 95% chance that the “true” value lies within plus/minus twice (strictly 1.96 times) the standard error.

For example, the survey estimates that 21.9% of the occupied housing stock is non-decent. The standard error for this value is estimated to be $\pm 6\%$. This means that there is a 95% chance of the value lying in the range 15.9% – 27.9%. In terms of numbers this means that of the total housing stock of 1,782 occupied dwellings, the number of dwellings which are non-decent is likely to be between 283 and 497. However our best estimate is 390 dwellings.

The simplest type of survey design is simple random sampling. This involves drawing the sample at random with every member of the population having an equal probability of being included in the sample. The standard error of an estimated proportion derived from a simple random sample can be calculated approximately as:

$$\text{S.E. (p)}_{\text{srs}} = \sqrt{\frac{p(1-p)}{n}} \quad (\text{equation i})$$

Where: p = the estimated proportion
n = the sample size on which the proportion is based

The actual survey design used a sample based upon disproportionate stratification whereby sample sizes were varied across the area framework. To estimate the sampling error in a complex design such as this, the basic method is to estimate the extent to which the design increases or decreases the sampling error relative to a sample of the same size drawn using simple random sampling. This is measured using the **design effect** (deff), which is calculated as:

$$\text{deff}(p) = \frac{\text{Estimated variance (S.E.}^2\text{) of p with complex design}}{\text{Estimated variance of p based on simple random sample}}$$

As approximate estimate of the standard error of a proportion based on the complex design can then be obtained by multiplying the standard error assuming simple random sampling had been used (equation i above) by the square root of the design effect.

The formula for calculating the standard error for proportions of dwellings or households from the survey is given below:

$$\text{S.E. (p)} = \sqrt{\frac{1}{N^2} \sum \frac{N^2}{(n_i - 1)} P_i (1 - p_i)} \quad (\text{equation ii})$$

Where: p_i = the estimated proportion with the characteristics in stratum i
n_i = the number of households/dwellings sampled in stratum i
N_i = the total number of households/dwellings existing in stratum i
N = the total number of households/dwellings

The impact of the survey design on the sampling errors of estimates is generally fairly small.

To avoid the complex calculation of the design effect in every case, it is suggested that in most cases a multiplier of 1.05 be applied to the standard error calculated assuming simple random sampling (see equation i).

APPENDIX C:

SURVEY QUESTIONNAIRE

APPENDIX D:

THE DECENT HOMES STANDARD

D.1 This appendix gives a detailed definition of the decent homes standard and explains the four criteria that a decent home is required to meet. These are:

- it meets the current statutory minimum standard for housing;
- it is in a reasonable state of repair;
- it has reasonably modern facilities and services;
- it provides a reasonable degree of thermal comfort.

D.2 The decent home definition provides a minimum standard. Landlords and owners doing work on their properties may well find it appropriate to take the dwellings above this minimum standard.

Criterion A: the dwelling meets the current statutory minimum standard for housing

D.3 **MINIMUM STATUTORY STANDARDS:** The Housing Act 2004 (Chapter 34) introduces a new system for assessing housing conditions and enforcing housing standards. The new system which replaces the former test of fitness for human habitation (Section 604, Housing Act 1985) operates by reference to the existence of Category 1 or Category 2 hazards on residential premises as assessed within the Housing Health and Safety Rating System (HHSRS - Version 2). For the purposes of the current survey the presence of Category 1 hazards has been assumed to represent statutory failure. These are hazards falling within HHSRS Bands A, B or C and accruing hazard scores in excess of 1000 points.

Criterion B: the dwelling is in a reasonable state of repair

D.4 A dwelling satisfies this criterion unless:

- one or more key building components are old and, because of their condition, need replacing or major repair; or
- two or more other building components are old and, because of their condition, need replacement or major repair.

BUILDING COMPONENTS

D.5 Building components are the structural parts of a dwelling (eg wall structure, roof structure), other external elements (eg roof covering, chimneys) and internal services and amenities (eg kitchens, heating systems).

D.6 Key building components are those which, if in poor condition, could have an *immediate* impact on the integrity of the building and cause further deterioration in other components.

They are the external components plus internal components that have potential safety implications and include:

- External Walls
- Roof structure and covering
- Windows/doors
- Chimneys
- Central heating boilers
- Gas fires
- Storage Heaters
- Electrics

D.7 If any of these components are old and need replacing, or require immediate major repair, then the dwelling is not in a reasonable state of repair and remedial action is required.

D.8 Other building components are those that have a less immediate impact on the integrity of the dwelling. Their combined effect is therefore considered, with a dwelling not in a reasonable state of repair if two or more are old and need replacing or require immediate major repair.

'OLD' AND IN 'POOR CONDITION'

D.9 A component is defined as 'old' if it is older than its expected or standard lifetime. The component lifetimes used are consistent with those used for resource allocation to local authorities and are listed at the end of this appendix.

D.10 Components are in 'poor condition' if they need major work, either full replacement or major repair. The definitions used for different components are at listed at the end of this appendix.

D.11 One or more key components, or two or more other components, must be both old and in poor condition to render the dwelling non-decent on grounds of disrepair. Components that are old but in good condition or in poor condition but not old would not, in themselves, cause the dwelling to fail the standard. Thus for example a bathroom with facilities which are old but still in good condition would not trigger failure on this criterion.

D.12 Where the disrepair is of a component affecting a block of flats, the flats that are classed as non-decent are those directly affected by the disrepair.

Criterion C: The dwelling has reasonably modern facilities and services

D.13 A dwelling is considered not to meet this criterion if it lacks three or more of the following facilities:

- a kitchen which is 20 years old or less;
- a kitchen with adequate space and layout;
- a bathroom which is 30 years old or less;
- an appropriately located bathroom and WC;
- adequate sound insulation;
- adequate size and layout of common entrance areas for blocks of flats.

D.14 The ages used to define the 'modern' kitchen and bathroom are less than those for the disrepair criterion. This is to take account of the modernity of kitchens and bathrooms, as well as their functionality and condition.

D.15 There is some flexibility inherent in this criterion, in that a dwelling has to fail on three criteria before failure of the decent homes standard itself. Such a dwelling does not have to be fully modernised for this criterion to be passed: it would be sufficient in many cases to deal with only one or two of the facilities that are contributing to the failure.

D.16 These standards are used to calculate the national standard and have been measured in the English House Condition Survey (EHCS) for many years. For example, in the EHCS:

- a kitchen failing on adequate space and layout would be one that was too small to contain all the required items (sink, cupboards, cooker space, worktops etc) appropriate to the size of the dwelling;
- an inappropriately located bathroom or WC is one where the main bathroom or WC is located in a bedroom or accessed through a bedroom (unless the bedroom is not used or the dwelling is for a single person). A dwelling would also fail if the main WC is external or located on a different floor to the nearest wash hand basin, or if a WC without a wash hand basin opens on to a kitchen in an inappropriate area, for example next to the food preparation area;

Decent homes – definition : inadequate insulation from external airborne noise would occur where there are problems with, for example, traffic (rail, road or aeroplanes) or factory noise. Reasonable insulation from these problems should be ensured through installation of double glazing; inadequate size and layout of common entrance areas for blocks of flats would occur where there is insufficient room to manoeuvre easily, for example where there are narrow access ways with awkward corners and turnings, steep staircases, inadequate landings, absence of handrails, low headroom etc.

Criterion D: the dwelling provides a reasonable degree of thermal comfort

D.17 The definition requires a dwelling to have both:

- efficient heating; and
- effective insulation.

D.18 Under this standard, efficient heating is defined as any gas or oil programmable central heating or electric storage heaters/programmable solid fuel or LPG central heating or similarly efficient heating systems. Heating sources which provide less energy efficient options fail the decent home standard.

D.19 Because of the differences in efficiency between gas/oil heating systems and the other heating systems listed, the level of insulation that is appropriate also differs:

- For dwellings with gas/oil programmable heating, cavity wall insulation (if there are cavity walls that can be insulated effectively) or at least 50mm loft insulation (if there is loft space) is an effective package of insulation under the minimum standard set by the Department of Health;
- For dwellings heated by electric storage heaters/programmable solid fuel or LPG central heating a higher specification of insulation is required to meet the same standard: at least 200mm of loft insulation (if there is a loft) and cavity wall insulation (if there are cavity walls that can be insulated effectively).

Component lifetimes and definition of 'in poor condition' used in the national measurement of the disrepair criterion

COMPONENT LIFETIMES

D.20 Table D.1 shows the predicted lifetimes of various key building components within the disrepair criterion to assess whether the building components are 'old'. These are used to construct the national estimates of the number of dwellings that are decent and those that fail.

Table D1: Component lifetimes used in the disrepair criterion

Building Components (key components marked *)	Houses and Bungalows	All flats in blocks of below 6 storeys	All flats in blocks of 6 or more storeys
LIFE EXPECTANCY			
Wall structure*	80	80	80
Lintels*	60	60	60
Brickwork (spalling)*	30	30	30
Wall finish*	60	60	30
Roof structure*	50	30	30
Chimney	50	50	N/A
Windows*	40	30	30
External doors*	40	30	30
Kitchen	30	30	30
Bathrooms	40	40	40
Heating – central heating gas boiler*	15	15	15
Heating – central heating distribution system	40	40	40
Heating – other*	30	30	30
Electrical systems*	30	30	30

IN POOR CONDITION

D.21 Table D.2 sets out the definitions used within the disrepair criterion to identify whether building components are ‘in poor condition’. These are consistent with EHCS definitions and will be the standard used to monitor progress nationally through the EHCS. The general line used in the EHCS is that, where a component requires some work, repair should be prescribed rather than replacement unless:

- the component is sufficiently damaged that it is impossible to repair;
- the component is unsuitable, and would be even if it were repaired, either because the material has deteriorated or because the component was never suitable; (for external components) even if the component were repaired now, it would still need to be replaced within 5 years.

Table D.2: Component Condition used in the disrepair criterion

Building Components	Houses and Bungalows
Wall structure	Replace 10% or more or repair 30% or more
Wall finish	Replace/repoint/renew 50% or more
Chimneys	1 chimney needs partial rebuilding or more
Roof Structure	Replace 10% or more to strengthen 30% or more
Roof Covering	Replace or isolated repairs to 50% or more
Windows	Replace at least one window or repair/replace sash or member to at least two (excluding easing sashes, re-glazing painting)
External doors	Replace at least one
Kitchen	Major repair or replace 3 or more items out of the 6 (cold water drinking supply, hot water, sink, cooking provision, cupboards)
Bathroom	Major repair or replace 2 or more items (bath, wash hand basin)
Electrical System	Replace or major repair to system
Central Heating Boiler	Replace or major repair
Central Heating	Replace or major repair
Distribution	
Storage Heating	Replace or major repair

APPENDIX E:

GLOSSARY OF TERMS

AGE/CONSTRUCTION DATE OF DWELLING

The age of the dwelling refers to the date of construction of the oldest part of the building.

BASIC AMENITIES

Dwellings lack basic amenities where they do not have all of the following:

- kitchen sink;
- bath or shower in a bathroom;
- a wash hand basin;
- hot and cold water to the above;
- inside WC.

CATEGORY 1 HAZARD

A hazard rating score within the HHSRS accruing in excess of 1000 points and falling into Hazard Bands A, B or C.

DECENT HOMES

A decent home is one that satisfies all of the following four criteria:

- it meets the current statutory minimum standard for housing.
- it is in a reasonable state of repair;
- it has reasonably modern facilities and services;
- it provides a reasonable degree of thermal comfort.

DOUBLE GLAZING

This covers factory made sealed window units only. It does not include windows with secondary glazing or external doors with double or secondary glazing (other than double glazed patio doors which count as 2 windows).

DWELLING

A dwelling is a self contained unit of accommodation where all rooms and facilities available for the use of the occupants are behind a front door. For the most part a dwelling will contain one household, but may contain none (vacant dwelling), or may contain more than one (HMO).

TYPE OF DWELLING

Dwellings are classified, on the basis of the surveyors' inspection, into the following categories:

terraced house: a house forming part of a block where at least one house is attached to two or more other houses;

semi-detached house: a house that is attached to one other house;

detached house: a house where none of the habitable structure is joined to another building (other than garages, outhouses etc.);

bungalow: a house with all of the habitable accommodation is on one floor. This excludes chalet bungalows and bungalows with habitable loft conversions, which are treated as houses;

purpose built flat, low rise: a flat in a purpose built block less than 6 storeys high. Includes cases where there is only one flat with independent access in a building which is also used for non-domestic purposes;

converted flat: a flat resulting from the conversion of a house or former non-residential building. Includes buildings converted into a flat plus commercial premises (typically corner shops).

HHSRS

The Housing Health and Safety Rating System (HHSRS) is the Government's new approach to the evaluation of the potential risks to health and safety from any deficiencies identified in dwellings. The HHSRS, although not in itself a standard, has been introduced as a replacement for the Housing Fitness Standard (Housing Act 1985, Section 604, as amended). Hazard scores are banded to reflect the relative severity of hazards and their potential outcomes. There are ten hazard bands ranging from Band J (9 points or less) the safest, to Band A (5000 points or more) the most dangerous. Using the above bands hazards can be grouped as Category 1 or Category 2. A Category 1 hazard will fall within Bands A, B and C (1000 points or more); a Category 2 hazard will fall within Bands D or higher (under 1000 points).

HMO

As defined in Section 254 Housing Act 2004, which relates predominantly to bedsits and shared housing where there is some sharing of facilities by more than one household.

SAP

The main measure of energy efficiency used in the report is the energy cost rating as determined by the Government's Standard Assessment Procedure (SAP). This is an index based on calculated annual space and water heating costs for a standard heating regime and is expressed on a scale of 1 (highly energy inefficient) to 100 (highly energy efficient).

SECURE WINDOWS AND DOORS

Homes with secure windows and doors have both of the following:

- main entrance door is solid or double glazed; the frame is strong; it has an auto deadlock or standard Yale lock plus mortise lock;

- all accessible windows (ground floor windows or upper floor windows in reach of flat roofs) are double glazed, either with or without key locks.

TENURE

Three categories are used for most reporting purposes:

owner-occupied: includes all households who own their own homes outright or buying them with a mortgage/loan. Includes intermediate ownership models;

private rented or private tenants: includes all households living in privately owned property which they do not own. Includes households living rent free, or in tied homes. Includes un-registered housing associations tenants;

social housing: primarily relates to housing association properties.

VACANT DWELLINGS

The assessment of whether or not a dwelling was vacant was made at the time of the interviewer's visit. Clarification of vacancy was sought from neighbours. Two types of vacant property are used:

transitional vacancies: are those which, under normal market conditions, might be expected to experience a relatively short period of vacancy before being bought or re-let;

problematic vacancies: are those which remain vacant for long periods or need work before they can be re-occupied.

Dwellings vacant for up to 1 month are classified as transitional vacancies and those unoccupied for at least 6 months are treated as problematic vacancies. Dwellings vacant for between 1 and 6 months can be problematic or transitional depending on whether they are unfit for human habitation and therefore require repair work prior to being re-occupied.

WOKING BOROUGH COUNCIL



**CANALSIDE WARD HOUSING CONDITION SURVEY
2016**

HEADLINE REPORT

Prepared on behalf of:
WOKING BOROUGH COUNCIL
By:



David Adamson & Partners Ltd.
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File Ref: E2612

January 2017



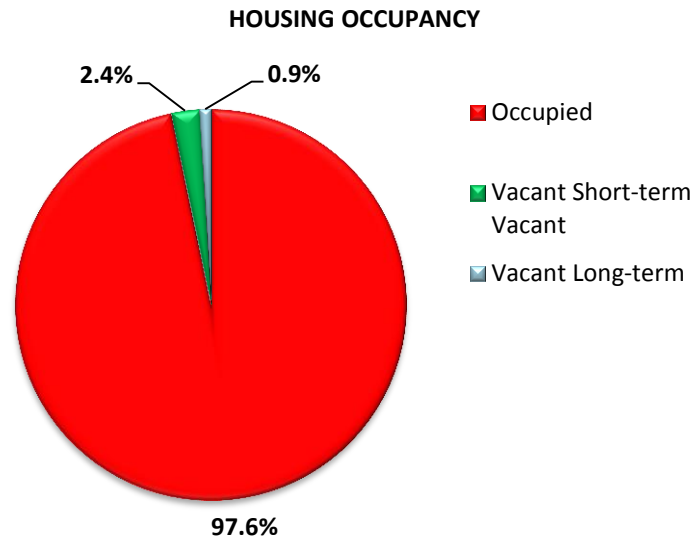
SUMMARY OF MAIN FINDINGS

1. SURVEY BACKGROUND

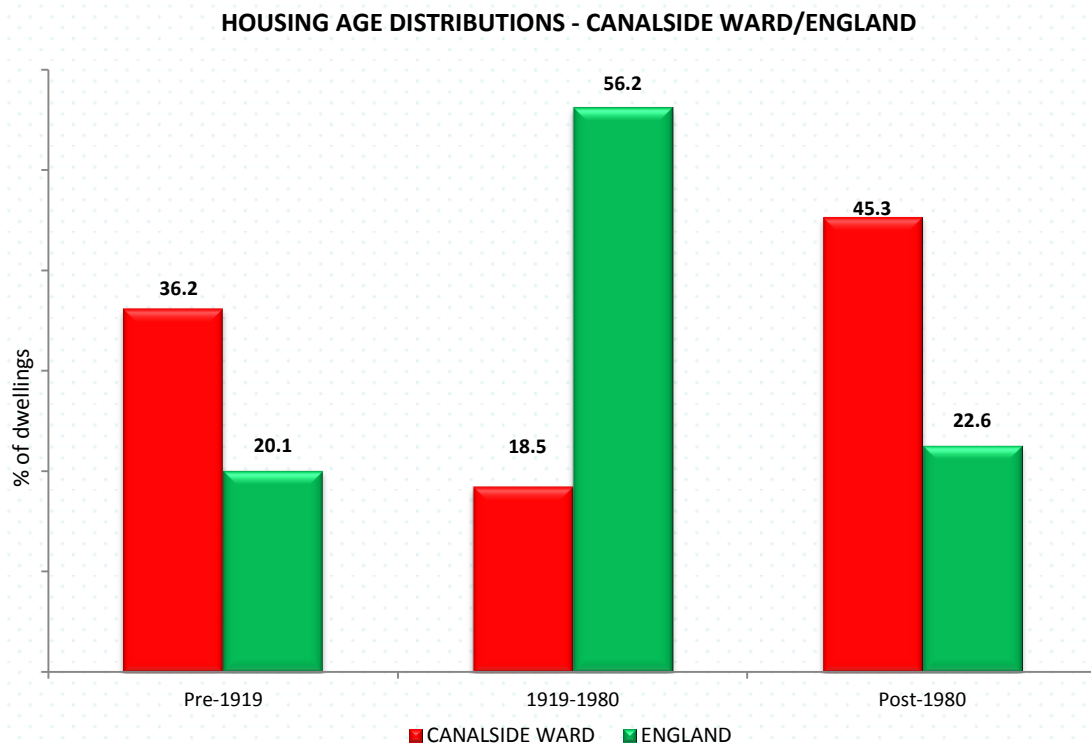
- 1.1 David Adamson and Partners Ltd were commissioned by Woking Borough Council to complete a neighbourhood stock condition survey within a defined area of Canalside Ward. Information from the study provides an up-to-date benchmark for housing locally against national housing conditions and provides a base of information for the review and further development of private sector housing strategies within the area.
- 1.2 The 2016 study has involved a comprehensive survey programme across a sample size of 300 dwellings representing 16.5% of all the dwellings in the defined survey area. Survey investigation has included both physical housing conditions (HHSRS and Decent Homes) and energy efficiency (RDSAP) of dwellings.
- 1.3 The house condition survey programme was designed and implemented according to national guidelines issued by the Department for Communities and Local Government in England.
- 1.4 Against the survey target of 300 dwellings, surveys were achieved in 302 dwellings. Information from surveyed dwellings has been weighted statistically to represent the total housing stock in the designated survey area.

2. HOUSING STOCK

- 2.1 The specific area of Canalside Ward under investigation contains a housing stock of 1,827 dwellings. At the time of survey 1,783 dwellings were occupied (97.6%); the remaining 44 dwellings (2.4%) were vacant. The majority of vacant dwellings (28 dwelling – 1.5%) have been vacant under 6 months and are expected to return to occupancy in the short-term. 16 dwellings (0.9%) were estimated to have been vacant over 6 months.

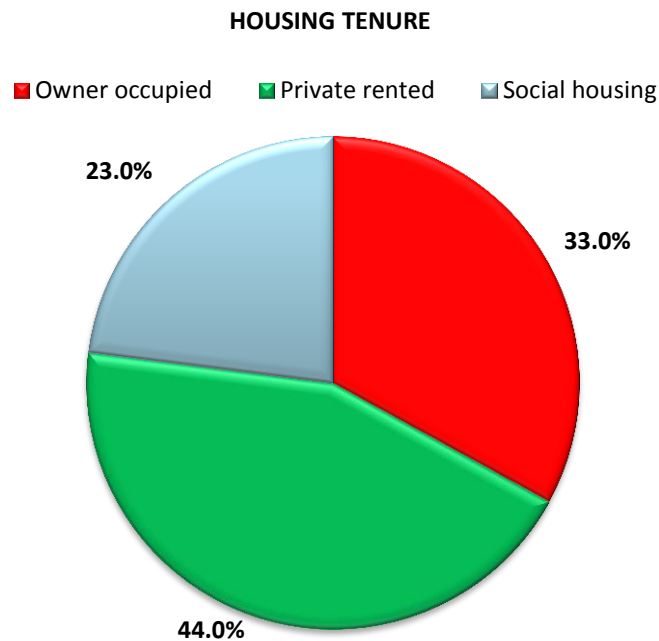


2.2 The age of a home is strongly associated with its condition and energy performance. The oldest homes (pre-1919) generally perform less well in these respects than newer homes. The housing in Canalside Ward is predominately of two building eras; 661 dwellings (36.2%) were constructed pre-1919 and 827 dwellings (45.3%) are of post-1980 construction. The housing stock in Canalside Ward is younger than the national profile.



2.3 Private rented is the predominant form of tenure accounting for 804 dwellings or 44%; 603 dwellings (33%) are owner occupied and a further 420 (23%) are within the social housing sector. Rates of private rental in Canalside Ward at 44% are significantly above the national average (19.6% of dwellings nationally in 2014).

- 2.4 Significant national growth in private rental has been recorded since 2003, overtaking in size the social rented sector for the first time in 2012-13. Increases nationally have been related to the removal of rent controls, the introduction of assured short-hold tenancies, the growth in buy-to-let and the shortage of affordable properties for purchase.



- 2.5 Housing in Canalside Ward is predominantly in flats (1,223 dwellings or 66.9%) with the remaining 606 dwellings (35.1%) in houses. Purpose built flats account for the majority of all flats (1,037 dwellings).
- 2.6 Significant differences in housing age and type exist between the owner occupied and private rented sectors. Owner occupied properties are more likely to be older houses than private rented dwellings.

HOUSING CHARACTERISTICS BY TENURE								
	TENURE							
	Owner occupied		Private rented		Social housing		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%	dwgs	%
DATE OF CONSTRUCTION								
Pre-1919	369	61.2	292	36.3	0	0.0	661	36.2
1919-1980	61	10.0	147	18.3	132	31.3	339	18.6
Post-1981	173	28.8	366	45.4	288	68.7	827	45.3
MAIN HOUSE TYPE								
Terraced House	192	31.8	126	15.7	45	10.7	363	19.8
Semi-Detached House	144	23.9	55	6.9	13	3.1	213	11.6
Detached House	10	1.6	5	0.6	15	3.6	30	1.6
Purpose Built Flat	234	38.8	467	58.0	336	80.0	1037	56.7
Other Flat	23	3.8	152	18.9	11	2.6	186	10.2
All Dwellings	603	100.0	804	100.0	420	100.0	1827	100.0

3. HOUSING CONDITIONS 2016 – OCCUPIED HOUSING STOCK

3.1 Housing conditions against national standards can only be measured fully within the occupied housing stock.

3.2 Of the 1,782 occupied dwellings, 1,392 dwellings (78.1%) meet the requirements of the Decent Homes Standard and can be regarded as satisfactory. The remaining 390 occupied dwellings (21.9%) fail the requirements of the Decent Homes Standard and are non-decent. Within the Decent Homes Standard itself the following pattern of failure emerges:

- **122 dwellings (6.9%) exhibit Category 1 hazards within the Housing Health and Safety Rating System (HHSRS);**
- **82 dwellings (4.6%) are in disrepair;**
- **282 dwellings (15.8%) lack modern facilities and services; and**
- **72 dwellings (4%) fail to provide a reasonable degree of thermal comfort.**

The majority of non-decent dwellings fail on one item of the Standard (264 dwellings – 67.7%), the remaining 126 dwellings (32.2%) exhibit multiple failures.

3.3 Information available from the English Housing Survey 2014/15 enables housing conditions in Canalside Ward to be placed in a national context. Housing conditions locally with regard to the Decent Homes Standard are slightly worse than the national average. Locally, 21.9% of housing fails the Decent Homes Standard compared to 19.8% of occupied housing nationally.

4. THE DISTRIBUTION OF NON-DECENT HOMES

4.1 Housing conditions vary by housing sector; these variations in Decent Homes performance reflect significantly higher rates of non-decency for:

- **Houses (49.9%) and other flats (20.2%);**
- **The owner occupied sector (25.9%); and**
- **Dwellings constructed pre-1919 (40.9%).**

DECENT HOMES COMPLIANCY BY TENURE, DATE OF CONSTRUCTION AND HOUSE TYPE (ALL OCCUPIED DWELLINGS)						
	DECENT HOMES STANDARD					
	Compliant		Non-compliant		All Dwellings	
	dwgs	%	dwgs	%	dwgs	%
TENURE						
Owner occupied	432	74.1	151	25.9	582	100.0
Private rented	629	80.6	151	19.4	780	100.0
Social housing	332	79.0	88	21.0	420	100.0
DATE OF CONSTRUCTION						
Pre-1919	366	59.1	253	40.9	619	100.0
1919-1980	289	85.9	47	14.1	336	100.0
Post 1980	738	89.2	89	10.8	827	100.0
MAIN HOUSE TYPE						
Terraced House	206	59.4	141	40.6	348	100.0
Semi-Detached House	77	36.1	136	63.9	213	100.0
Detached House	10	39.6	15	60.4	25	100.0
Purpose Built Flat	969	93.7	65	6.3	1033	100.0
Other Flat	131	79.8	33	20.2	164	100.0
ALL DWELLINGS	1392	78.1	390	21.9	1782	100.0

5. HOME ENERGY EFFICIENCY

5.1 The house condition survey has been supplemented by a full energy efficiency audit of surveyed properties (SAP 2012). The current SAP rating for housing in the area of Canalside Ward covered by the survey is measured at 69.5, above the average of 59.7 for housing in England. Average CO2 emissions total 2.563 tonnes per and average annual running costs for households are estimated at £635 resulting in a total household annual energy spend of £1.131M.

5.2 Variations in energy efficiency ratings reflect lower ratings for:

- **Dwellings constructed pre-1919 (59); and**
- **Houses (61).**



Dwellings within the social housing sector exhibit the highest average SAP rating (75) whilst the private rented sector has an average SAP of 69 and owner occupied dwellings have an average SAP of 65.

6. DECENT PLACES AND LIVEABILITY

6.1 Environmental conditions and liveability problems were based on the professional assessment by surveyors of problems in the immediate vicinity of the home. In all, 16 environmental factors were assessed and grouped into 3 categories:

UPKEEP – The upkeep, management or misuse of private and public space and buildings. Specifically the presence of: scruffy or neglected buildings, poor condition housing, graffiti, scruffy gardens or landscaping, rubbish or dumping, vandalism, dog or other excrement and the nuisance from street parking;

UTILISATION – Abandonment or non-residential use of property. Specifically: vacant sites, vacant or boarded-up buildings and intrusive industry; and

TRAFFIC – Road traffic and other forms of transport. Specifically: the presence of intrusive main roads and motorways, railway or aircraft noise, heavy traffic and poor ambient air quality.

6.2 Overall, 423 dwellings (23.1%) are located in residential environments experiencing liveability problems. Problems with upkeep affect 196 dwellings (10.7%) whilst traffic problems affect 361 dwellings (19.8%).

6.3 As an overall assessment surveyors were asked to grade the visual quality of the residential environment. Surveyors assessed the environment as poor or below average in 325 dwellings (17.8%), as average in 1,169 dwellings (64%) and as above average or good in 333 dwellings (18.2%).

7. CONCLUSIONS

7.1 Significant issues require addressing in the housing sector. 390 occupied dwellings (21.9%) fail the requirements of the Decent Homes Standard with estimated improvement costs of £1.291M net. Within the Decent Homes Standard:

- **122 dwellings (6.9%) exhibit Category 1 hazards within the Housing Health and Rating System (HHSRS);**
- **82 dwellings (4.6%) are in disrepair and at risk of future deterioration; and**
- **72 occupied dwellings (4%) fail to provide a reasonable degree of thermal comfort.**

7.2 Poor housing conditions vary across the housing indicating an initial intervention framework:



STOCK CONDITION SURVEY 2016

- **Houses - 292 dwellings non-decent (49.9%); and**
- **Dwellings constructed pre-1919 – 253 dwellings non-decent (40.9%).**

7.3 Over two fifths (42.9%) of the private rented households in Canalside Ward occupy purpose built flats constructed after 1980. Excluding these dwellings from the analysis increases the rate of Decent Homes failure within this sector from 19.4% to 28.2% and the rate of Category 1 hazards from 9.3% to 16.3%.

Licensing private rented accommodation

Proposal to make a selective licensing designation in part of Canalside Ward

January 2017



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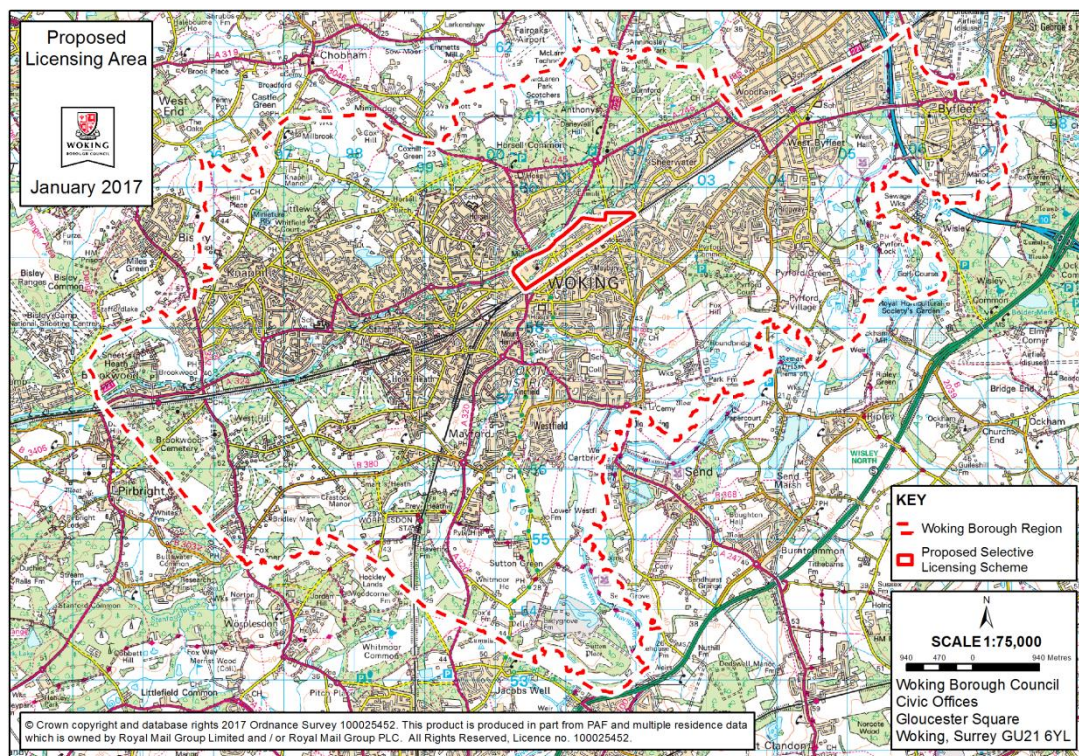
Executive summary

Woking Borough Council is proposing to introduce a licensing scheme in a defined area of the Borough that would require all accommodation that is rented privately within the specified area to be licensed.

The proposed area experiences a combination of high levels of private renting associated with poor housing conditions, and comprises 1,827 dwellings of which 44% (804) are private rented.

The proposed area in which the scheme would operate comprises part of Woking town centre and Maybury (shown in Map 1).

Map 1 – Map of the proposed licensing area



Should the Council decide to make a designation it would come into force on 01 November 2017 and would last for three years. The designation would require that all private rented accommodation within the designated area is licensed by the Council for which a fee of £560.00 would be payable by private landlords when they make an application.

The Council is required to consult on its proposal, and following the careful consideration of the responses received during the public consultation, the Council will decide whether or not to make the selective licensing designation.

Why are we considering property licensing?

Woking is an affluent borough which does not exhibit issues resulting from low housing demand, significant levels of anti-social behaviour, deprivation, or crime. Woking is also proud of its heritage – it is home to Britain's oldest purpose-built mosque dating from 1889 – and has responded positively to relatively high levels of migration over a number of years.

In short - Woking is a great place to live.

However, as a result the housing market across Woking is subject to increasingly high demand – fuelled by its location, employment opportunities and recreational space – and Woking is the second most expensive place in the UK to rent a double room ahead of London and behind Guernsey¹.

Spiralling private rents have resulted in some forms of private rented accommodation becoming unaffordable for many residents, and this is especially the case for those on low incomes and/or in receipt of means-tested benefits. This has resulted in increasing demand for affordable private rented accommodation which has resulted in an unwelcome supply of poor quality accommodation within the private rented sector.

During the last three calendar years across Woking, the Council has received 531 complaints and other service requests from private tenants relating to poor private rented accommodation – an average of 177 each year. These service requests include concerns over disrepair, overcrowding, inadequate heating, fire safety and a range of other matters.

The Council has a wide range of tools available to intervene in the private rented sector and currently utilises its powers predominantly under Parts 1 and 2 of the Housing Act 2004 (housing conditions and licensing of HMOs respectively).

Although the Council actively uses these powers this achieves limited success. Where significant health and safety hazards are found by officers inspecting private rented accommodation enforcement action is instigated, for example by serving legal notices requiring the landlord to carry out remedial works.

To promote responsible renting, the Council launched a landlord accreditation scheme for private landlords and letting agents in September 2016, however the interest in the scheme has been low. Consequently it is not considered that accreditation in itself will provide the catalyst for improving standards in the private rented sector where the poorest conditions prevail.

¹ <http://uk.easyroommate.com/s/flatshare-index/>

The benefits of a licensing scheme

The Council's strategic vision sets out a number of aims including improving the health and well-being of community, and creating a sustainable community where people want to be. Key to fulfilling these aims is ensuring that the housing stock across Woking provides a decent place to live that also supports resident's health and well-being.

The introduction of a licensing scheme within a clearly defined area of the Borough will support the Council's strategic aims through:

- Improving housing conditions;
- Encouraging professional rental standards;
- Tackling landlords operating unlawfully;
- Reducing the incidence of tenant exploitation;
- Improving property management;
- Reducing overcrowding;
- Promoting the advantages of landlord accreditation;
- Reducing the incidence of harassment and unlawful eviction, and;
- Improving neighbourhood perceptions.

If the Council introduces a selective licensing scheme it is anticipated that every private rented property within the designated area will be inspected within the life of the designation, and that where significant health and safety hazards are found, enforcement action will be taken to remedy these hazards.

The private rented sector is often the only tenure choice for the most vulnerable households, and this remains the case in Woking. The combination of poor conditions, escalating rents, and the lack of security of tenure is a key cause of homelessness.

A licensing scheme in the private rented sector will help to address this issue by improving property conditions and landlord behaviours at the bottom of the private rented market.

Legislative background

The Council's discretionary power to implement selective licensing of the private rented sector is set out in Part 3 of the Housing Act 2004. This enables the Council to require either all private rented properties within an area to be licensed with the Council (selective licensing), and/or to extend the mandatory licensing of certain HMOs to encompass additional sizes of HMOs (additional HMO licensing).

The designation requirements are set out in Sections 80–84 of the Housing Act 2004 and specify limited criteria that the Council must demonstrate apply to any selective licensing scheme. These were supplemented by The Selective Licensing of Houses (Additional Conditions) (England) Order 2015² which amended Section 80 in April 2015 to provide further additional conditions. Ministerial guidance (Selective Licensing in the private rented sector – A guide for local authorities) was issued in 2015 that accompanied the Order³.

As such, the proposed area must satisfy at least one of the following conditions (summarised):

- i) Low housing demand;
- ii) Significant and persistent problem caused by anti-social behaviour (ASB);
- iii) Poor property conditions;
- iv) High levels of migration;
- v) High levels of deprivation, or;
- vi) High levels of crime.

Also, if a designation is considered on the grounds of property conditions, migration, deprivation, or crime the area must have a high proportion of private rented sector properties, and this is currently considered as being a minimum of 19%⁴ of the total stock in the area.

A selective licensing designation may only be implemented by a Council where the area in question comprises both less than 20% of the private rented sector in the borough and comprises an area of less than 20% of the total borough⁵. Schemes that do not meet these criteria require approval from the Secretary of State.

Where a licence is granted the licence will require the landlord to meet a range of licence conditions. Once the proposed designation has come into force, it will be a criminal offence for a private landlord to operate any private rented accommodation in the area without a licence. This offence carries an unlimited fine on summary conviction in the Magistrate's Court, and the Council may also apply to the First-tier Tribunal for a Rent Repayment Order (RRO), to recover certain housing benefit payments made in respect of the unlicensed property. Additionally, the Housing and Planning Act 2016 sets out proposals for the Council to issue a fixed penalty notice of up to £30,000 as an alternative to instigating prosecution proceedings.

² The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 [SI 2015 No.977]

³ Selective Licensing in the private rented sector – A guide for local authorities

⁴ This is based on the national average for the PRS within the latest English Housing Survey – currently the 2014/15 English Housing Survey

⁵ The Housing Act 2004: Licensing of houses in multiple occupation and selective licensing of other residential accommodation (England) General Approval 2015, Paragraph 6

Woking demographics

The Borough of Woking lies in the western side of the County of Surrey. Its close proximity to London allied to excellent rail links to the capital, the south coast and the west country have resulted in Woking developing as a commuter town.

Woking is one of 11 Boroughs and Districts in Surrey and consists of 10 wards across 6,357 hectares, of which 60% is green belt.

The latest population estimate for Woking is 99,426 (2014), while the 2011 census indicated a population of 99,198 (representing a 10.4% increase since 2001). There are 39,467 households in Woking of which 6,566 are estimated to be rented privately – 16.6% of the total stock⁶.

Although Woking has a smaller private rented sector (16.6%) than the national average (currently 19.0%⁷), the private rented stock is not uniformly distributed across the Borough, with higher densities found linked to transport arteries and also in areas where the housing stock is older and where newer housing stock has been delivered for the property investment market.

Table 1 – Comparison of housing tenure by area

Area	Tenure		
	Owner-occupied	Social Rented	Private rented
England	63.6%	17.4%	19.0%
South East	68.7%	13.7%	17.6%
Surrey	73.9%	11.4%	14.7%
Woking	71.4%	11.9%	16.6%

By comparison with the rest of Surrey, Woking's private rented sector (16.6%) is larger than the average across Surrey (14.7%), and has the third-largest private rented sector within Surrey – half of one per cent smaller than the largest (Guildford Borough Council - 17.1%).

⁶ Census 2011

⁷ The English Housing Survey 2014/15

Table 2 – Distribution of housing tenure across Surrey (percentages)⁸

Council Area	Tenure		
	Owner-occupied	Social rented	Private rented
Elmbridge	73.8%	9.9%	16.3%
Epsom and Ewell	77.9%	8.0%	14.1%
Guildford	70.1%	12.8%	17.1%
Mole Valley	74.5%	12.2%	13.3%
Reigate and Banstead	74.3%	11.9%	13.8%
Runnymede	70.5%	12.9%	16.7%
Spelthorne	73.9%	12.4%	13.6%
Surrey Heath	77.6%	9.2%	13.2%
Tandridge	76.8%	10.8%	12.3%
Waverley	74.6%	12.3%	13.0%
Woking	71.4%	11.9%	16.6%

⁸ Census 2011

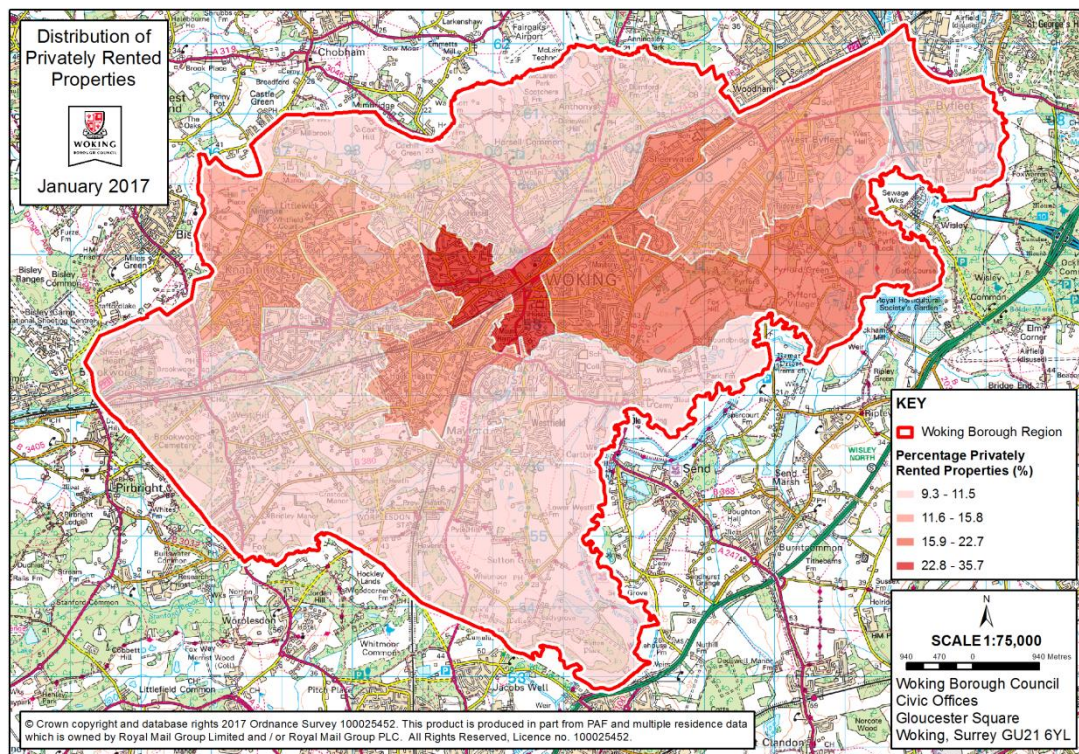
Woking's private rented sector

The Council has undertaken a desktop review of the distribution of private rented accommodation across the Borough using the most recent Census data (2011 Census).

Census data is broken down into neighbourhood areas known as Middle Super Output Areas (MSOAs) with between 3,000–5,000 residents and these are further subdivided into smaller Lower Super Output Areas (LSOAs) with 1,000–3,000 residents.

This shows that with the exception of small localised hot spots (for example where a single block of flats is predominantly private rented) that the highest incidence of private renting was located in and around the town centre area where easy access is afforded to both transport links and employment.

Map 2 – Distribution of private rented sector across Woking



Census data (see Map 2) suggests a concentration of private rented sector properties within Middle Super Output Areas 004, 006, and 008. Each of these areas have higher than the national average percentages for private renting (19.0%), and are the only MSOAs to exceed this level of private renting across Woking.

In these areas there are 10,707 properties (27% of the total housing stock) providing 2,827 private rented properties which equates to 43% of the total private rented stock across Woking.

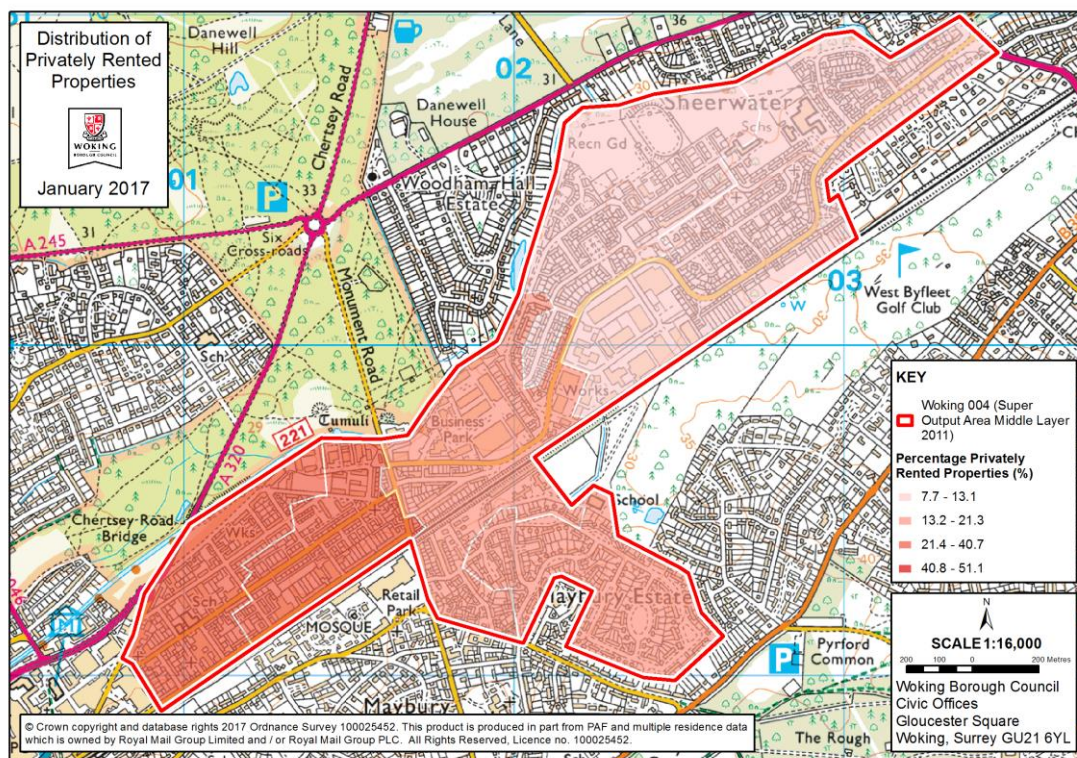
The MSOAs are in many cases diverse areas, and there is often a wide variance between the Lower Super Output Areas (LSOAs) that form each MSOA. For example LSOA 002E (West Byfleet) and LSOA 007E (Knaphill) both exhibit high levels of private renting (26.7% and 23.7% respectively), however these levels are attributable to very localised concentrations of privately rented properties rather than expressing a wider trend across a larger neighbourhood area.

Similarly, further analysis of the Middle Super Output Areas 004, 006, and 008 show variations in the level of private renting with only some LSOAs exhibiting higher than (national) average levels of private renting. These variations can be seen in Maps 3, 4 and 5.

Within MSOA 004 (see Map 3) high concentrations of private rented properties can be seen in the Maybury area north of the mainline railway and to the west of Monument Road, and while the levels of private renting reduces for the remainder of Maybury and the Maybury Estate the levels remain higher than the national average.

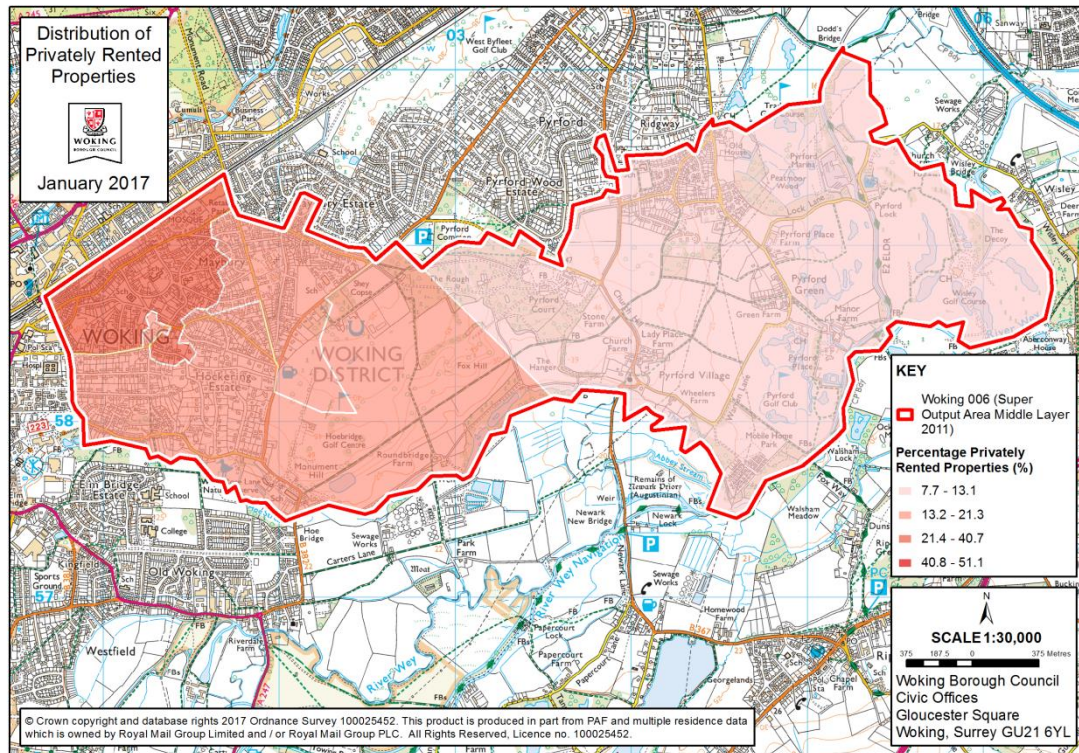
As would be expected there are reduced concentrations of private renting in Sheerwater which is predominantly an area of social housing.

Map 3 – Distribution of private rented properties within key Middle Super Output Areas (MSOAs) – Woking 004



Within MSOA 006 (see Map 4), again the level of private renting within Maybury on the southern side of the railway is high, with the concentration reducing with distance from the town centre and railway.

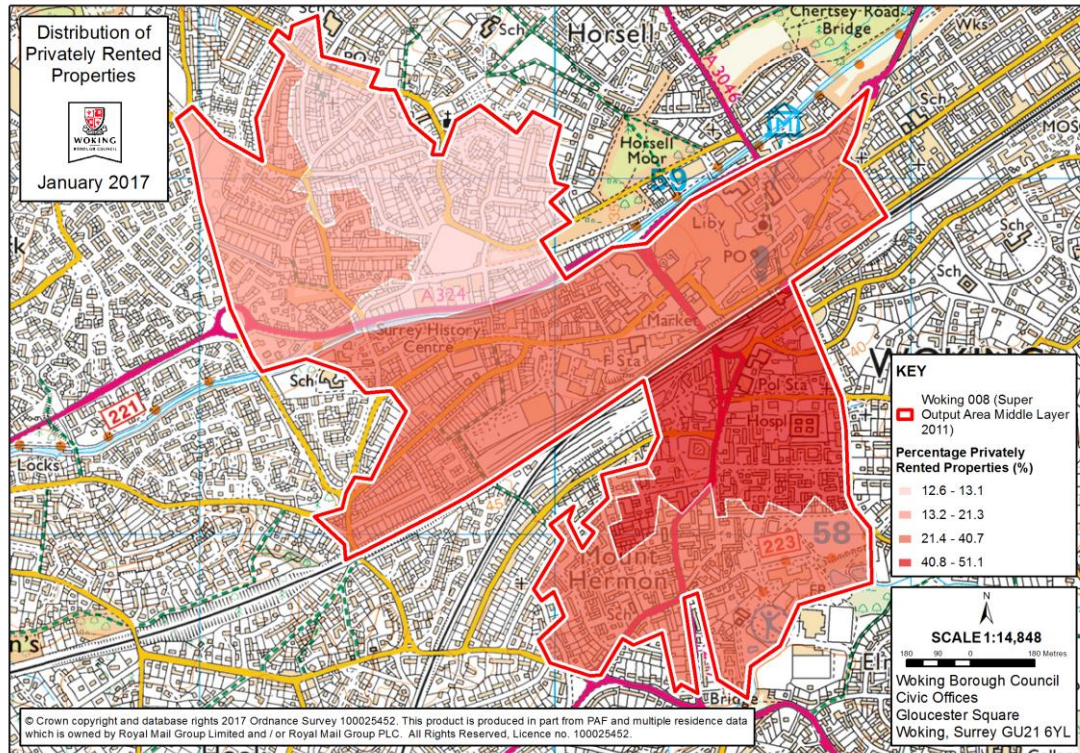
Map 4 – Distribution of private rented properties within key Middle Super Output Areas (MSOAs) – Woking 006



The distribution of private renting in MSOA 008 (see Map 5) continues the trends shown in MSOAs 004 and 006, with high concentrations of private rented properties across the town centre area north of the railway and adjacent to Maybury which once again reduce with distance from the town centre.

On the southern side of the railway the highest levels of private renting can be seen within the Mount Hermon area – an area largely characterised by blocks of purpose-built flats including large modern developments that have attracted the buy-to-rent market.

Map 5 – Distribution of private rented properties within key Middle Super Output Areas (MSOAs) – Woking 008



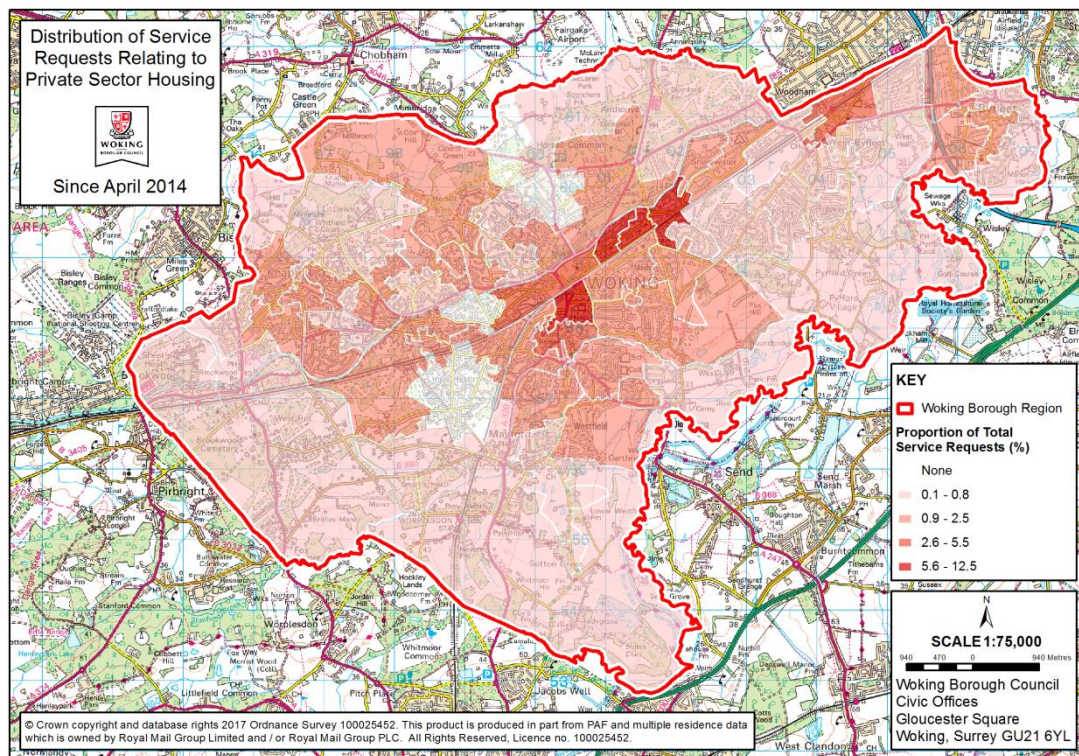
Why intervene in Canalside Ward?

Canalside Ward lies to the north of the mainline railway line and includes the town centre and Maybury areas that exhibit high levels of private renting. The Ward contains some of the oldest private rented housing stock in the Borough and the Council receives proportionally more complaints and other service requests from private tenants living in parts of Canalside Ward.

Through the interrogation of data from individual LSOAs forming Middle Super Output Areas 004A, 004C, 004D and 008A there is a clearly defined area within Canalside Ward that is formed by the town centre area and a large portion of Maybury which exhibits exceptionally high levels of private renting (of around 39%) based on Census data (and including estimates where complete data is not available for a part LSOA).

There is a strong correlation between the concentration of private renting and the number of service requests received by the Council in respect of tenants' issues with private rented accommodation, with the highest proportion of service requests being generated from the town centre and Maybury areas within MSOA 004 north of the railway, along with the Mount Hermon area south of the railway within MSOA 008.

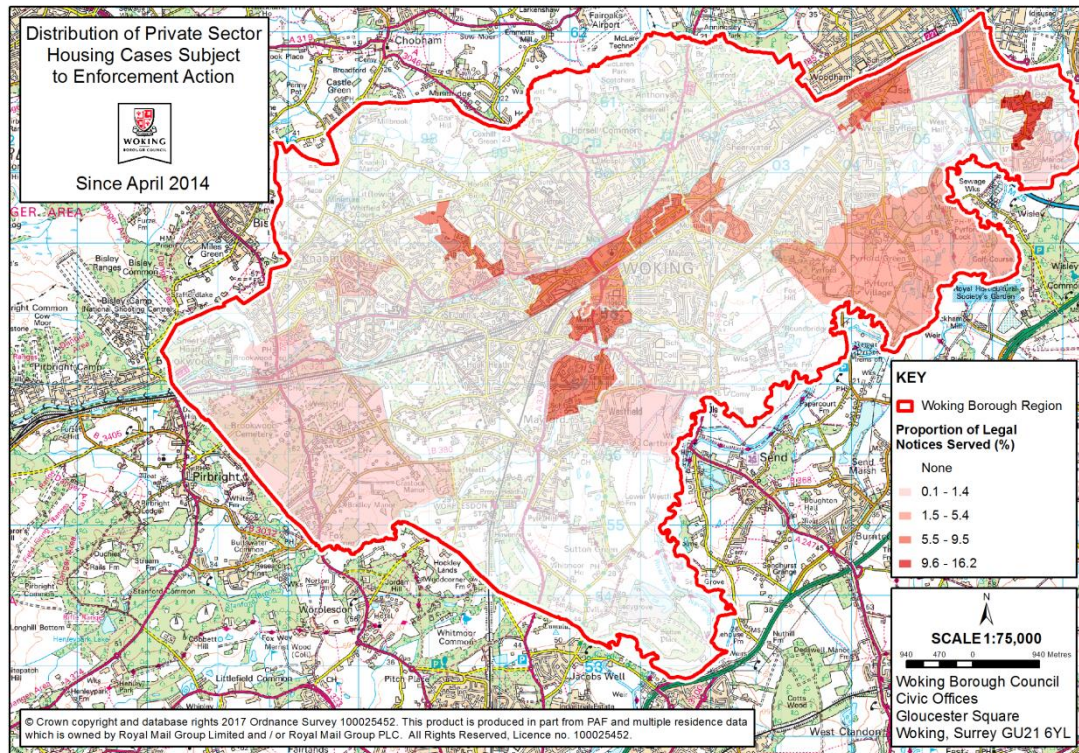
Map 6 – Distribution of service requests relating to private sector housing (since April 2014)



Unsurprisingly, the increased occurrence of enquiries from private tenants in this area has also resulted in an increased number of enforcement interventions being instigated within Canalside Ward.

It can also be seen that there are areas of Woking where higher levels of private sector housing enforcement have been instigated that do not necessarily correlate with areas experiencing high levels of private renting. This can be attributed to enforcement activity relating to pockets of private renting within a small neighbourhood area rather than highlighting a key concern with the private rented stock within the neighbourhood.

Map 7 – Distribution of private sector housing cases subject to enforcement action (since April 2014)

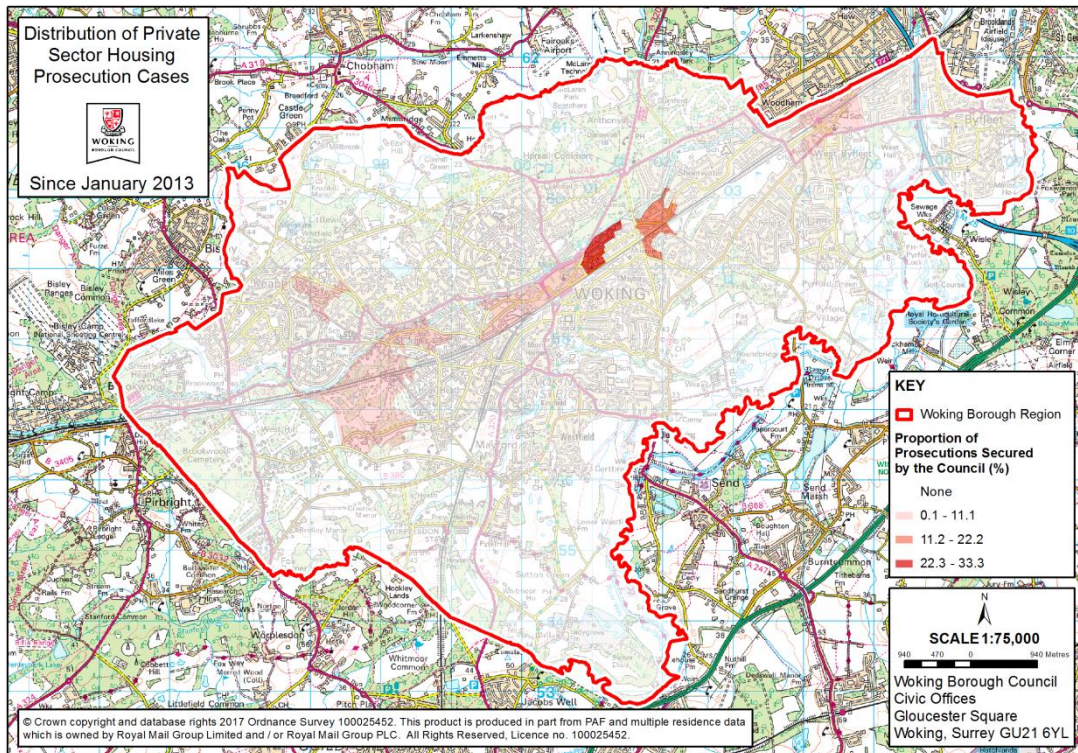


Where appropriate and proportionate, the Council instigates prosecution proceedings to protect the health, safety and welfare of private sector tenants, including cases where either the most serious offences have been identified that have warranted immediate prosecution, or where private landlords have failed to comply with the Council's enforcement action within required timescales.

The distribution of cases where private landlords have been subject to prosecution proceedings due to breaching housing-related legislation highlights that private landlords managing rented accommodation within the Maybury area north of the railway line and within MSOA 004 have been subject to proceedings more often than landlords operating elsewhere in the Borough.

It can also be seen that there are other areas of Woking where high levels of requests for service and/or enforcement interventions do not then result in the instigation of prosecution proceedings, and this suggests that private landlords operating in other parts of the Borough are more likely to comply with legislative requirements than those operating with parts of Canalside Ward.

Map 8 – Distribution of private sector housing prosecution cases (since January 2013)

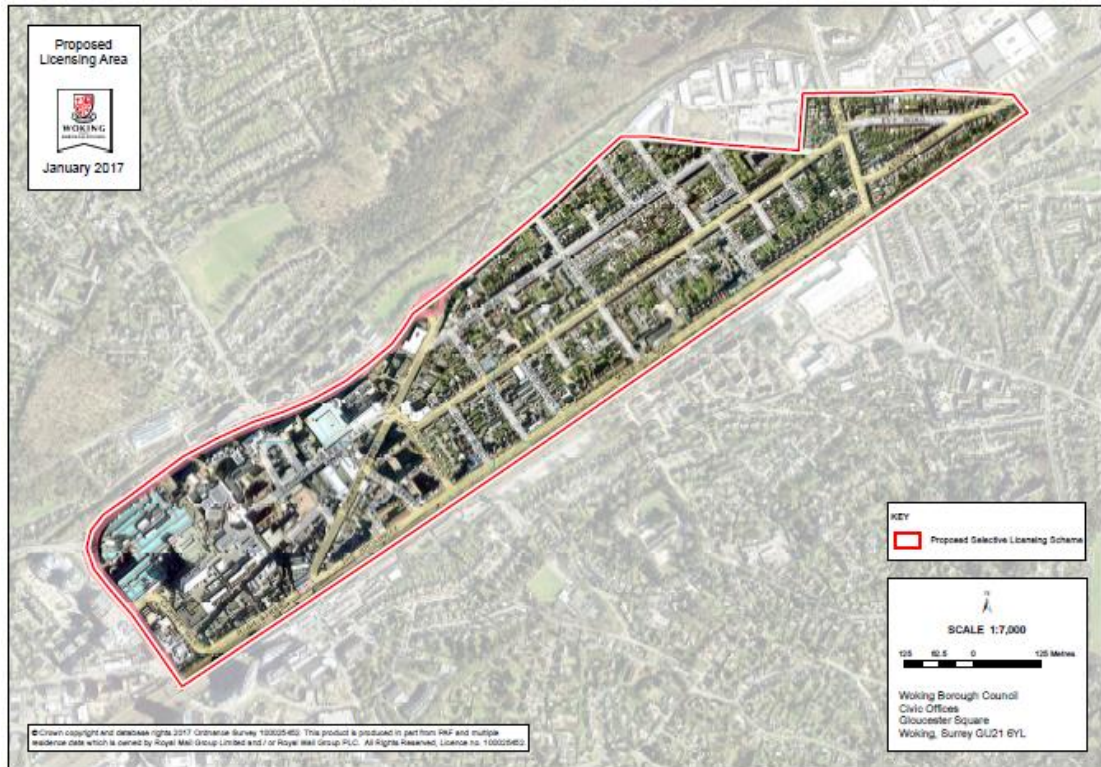


Canalside Ward also features consistently as an area of high private renting, with MSOA 004A, 004D and 008A all either wholly or partially forming part of the Ward. Further analysis of MSOA 004C also shows a high proportion of private renting within the area of that MSOA that does not cover Sheerwater (an area predominantly comprising social housing).

This area (shown in Map 9 below) comprises an area that exhibits both high levels of private renting, high levels of private sector housing enforcement action and is also defined by clear boundaries - i.e. the mainline railway to the south east, main roads to the majority of all other boundaries, and areas of light industrial use bordering the residential area.

It is this area of Canalside Ward that is the subject of the proposal to introduce a licensing scheme for all private rented accommodation (as set out below in Map 9).

Map 9 – Proposed licensing area within Canalside ward



© Getmapping plc

Assessing property conditions in the proposed licensing area

During October 2016 the Council commissioned a housing stock condition survey within the proposed area of Canalside Ward that is the subject of this proposal. The stock condition survey was undertaken by a specialist company (David Adamson & Partners Ltd) who have a proven track record of undertaking stock condition surveys for local authorities to recognised surveying and statistical standards.

Prior to the survey, based on Census data the area was believed to contain around 1,630 dwellings of which around 620 were thought to be privately rented. The survey aimed to deliver 300 physical surveys of dwellings within the area (across all tenures) and this represented a far larger sample than would normally be the case for a stock condition survey of this type, and was intended to ensure optimum accuracy and statistical robustness.

The survey report detailing the results of the stock condition survey is available separately, and a summary of the results is as follows:

The survey found:

- The number of dwellings in the area totals 1,827
- The proportion of properties that fail the decent homes standard is higher than the national average
- The number of dwellings rented privately is 804 (44%)
- The number of private rented dwellings that fail the decent homes standard is 151 (19.4%)
- The proportion of owner-occupied homes (33%) is far lower than the national average (63%)
- Two-thirds of the properties in the area are flats, with one-third being houses
- Over three-quarters of the private rented properties are flats

Housing is a key determinant of health, and poor housing impacts directly on the health and well-being of residents. Despite the enforcement activity undertaken by the Council within Canalside Ward, one in five private rented properties within the proposed area currently fail the decent homes standard.

Summary of the proposal

Woking Borough Council is consulting on the proposal to designate an area of Canalside Ward as a selective licensing scheme which will require all private rented properties to be licensed with the Council from the commencement date of the scheme.

A map of the proposed area is set out in Appendix 1, and an address list of the current properties within the area can be found at Appendix 2.

This proposal to designate an area of Canalside Ward as a selective licensing scheme is founded on:

- i) the proposed area having 44% of all properties private rented, which exceeds the requirement of a minimum of 19% of private rented dwellings, and;
- ii) that those private rented dwellings meet the criteria for poor housing conditions as set out in the Selective Licensing of Houses (Additional Conditions) (England) Order 2015⁹, in so far as;
- iii) 19.4% of the private rented dwellings in the proposed area fail the decent homes standard.

The Council is satisfied that the designation of this area as an area to which a selective licensing scheme applies is a decision that can be taken by the Council as the proposed area comprises less than 20% of the private sector housing stock in the Borough, and does not exceed 20% of the geographical area of the Borough.

How to have your say on this proposal

The Council welcomes your views on this proposal, to respond please visit:

www.woking.gov.uk/haveyoursay

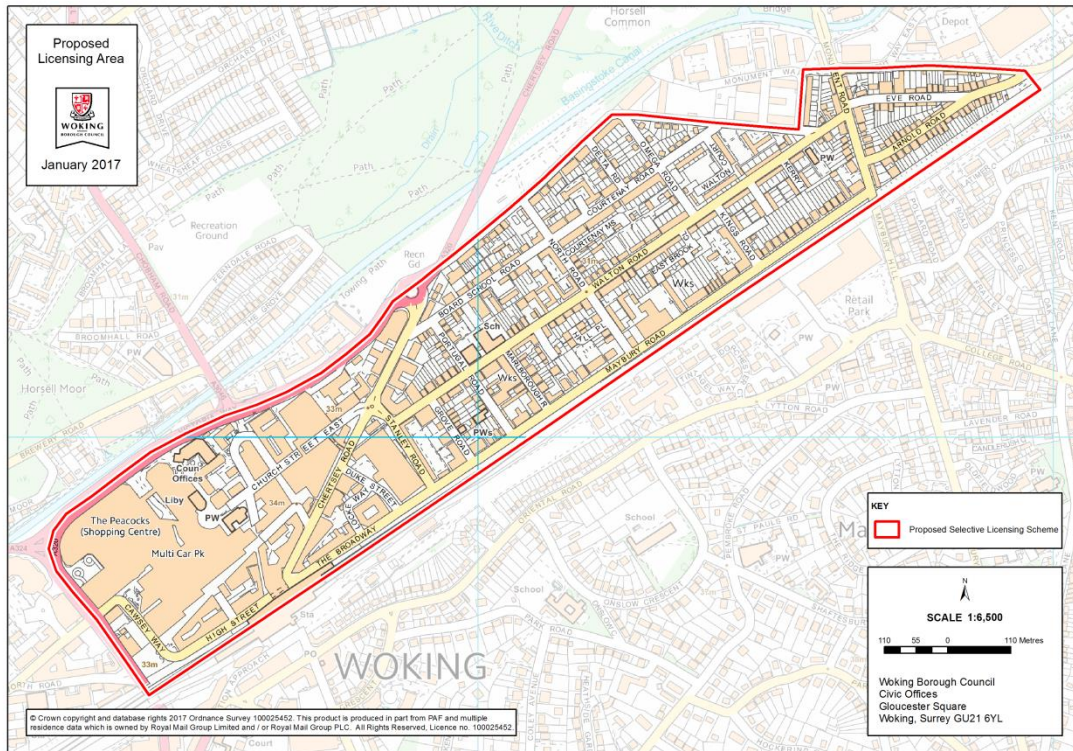
The consultation closes on Sunday 30 April 2017, all responses must be received by this date.

⁹ Paragraph 4

Appendices

Appendix 1 – The proposed selective licensing area

The area proposed to be subject to selective licensing is denoted by the red line below:



Appendix 2 – The address details within the proposed selective licensing area

The proposed area to be subject to selective licensing comprises the residential addresses as set out below:

Road name	Property numbers	Road name	Property numbers
ADDISON ROAD	All	HALL PLACE	All
ARNOLD ROAD	All	HIGH STREET, WOKING	All
BEDSER CLOSE	All	KERRY TERRACE	All
BOARD SCHOOL ROAD	All	KILRUSH TERRACE	All
BOUNDARY ROAD	All	KINGS ROAD, WOKING	All
BURLEIGH GARDENS	All	KINGSMEAD	All
CAWSEY WAY	All	LANCASTER CLOSE	All
CHAPEL STREET	All	LOCKE WAY	All
CHERTSEY ROAD	1 to 135 (odds) 2 to 100 (evens)	MARLBOROUGH ROAD	All
CHOBHAM ROAD	Town centre only from junction with Chertsey Road to Christchurch Way	MAYBURY ROAD	All
CHRISTCHURCH WAY	All	MERCIA WALK	All
CHURCH PATH	All	MOLLOY COURT	All
CHURCH STREET EAST	All	MONUMENT ROAD	1 to 53 (odds) 2 to 48 (evens)
CHURCH STREET WEST	Part from the junction with Victoria Way to Cawsey Way	MONUMENT WAY EAST	No residential properties affected
COMMERCIAL WAY	All	NORTH ROAD	All
COURTENAY MEWS	All	OMEGA ROAD	All
COURTENAY ROAD	All	PORTUGAL ROAD	All
DELTA ROAD	All	STANLEY ROAD	All
DUKE STREET	All	THE BROADWAY	All
EASTBROOK CLOSE	All	VICTORIA WAY	Town centre side from junction with Chertsey Road to Goldsworth Road
EVE ROAD	All	WALTON COURT	All
GLOUCESTER SQUARE	All	WALTON ROAD	All
GLOUCESTER WALK	All	WALTON TERRACE	All
GROVE ROAD	All	WEST STREET	All
		WOLSEY WALK	All

Appendix 3 – Key data relating to the proposed selective licensing area

The proposed area to be subject to selective licensing has the following attributes in respect to its area and the proportion of the private rented sector within the Woking Borough:

	Number of private rented sector properties	Geographical area
Woking Borough	6,566	63.60km ²
Proposed area	804	0.55km ²
Notes	12.2% of private rented properties are within the proposed area	The area comprises 0.9% of the total Borough

Appendix 4 – The details of the Super Output Areas (SOAs) forming the proposed selective licensing area

The proposed area to be subject to selective licensing comprises the following Super Output Areas:

SOA (Middle)	SOA (Lower)
Woking 004A	E00157942
Woking 004A	E00157945
Woking 004A	E00157950
Woking 004A	E00157947
Woking 004D	E00157929
Woking 004D	E00157940
Woking 004D	E00157948
Woking 004D	E00157951
Woking 004C	E00157941
Woking 004C	E00157943 (Part)
Woking 008A	E00157805 (Part)

Appendix 5 – Prosecution cases relating to housing standards offences

The following table sets out prosecutions secured by the Council since January 2013:

Date	Address	Post Code	Offence
25/03/2013	14 Chapel Street, Woking	GU21 6BY	Operating an unlicensed HMO
20/05/2013	15 Nursery Road, Knaphill	GU21 2NN	Failure to comply with Prohibition Order
16/09/2014	75A Walton Road, Woking	GU21 5DW	Operating an unlicensed HMO
14/04/2015	12 Moorholme, Woking	GU22 7QZ	Operating an unlicensed HMO; Failure to comply with HMO Management Regulations, and; Providing false documents
13/10/2015	14 Walton Road, Woking	GU21 5DL	Failure to comply with HMO Management Regulations
24/05/2016	17 Monument Road, Woking	GU21 5LR	Failure to comply with HMO Management Regulations
09/08/2016	75A Walton Road, Woking	GU21 5DW	Failure to comply with Prohibition Order
30/08/2016	21 Monument Road, Woking	GU21 5LR	Failure to comply with HMO Management Regulations
20/09/2016	18 Station Approach, West Byfleet	KT14 6NF	Failure to comply with HMO Management Regulations; Failure to comply with Improvement Notice, and; Failure to comply with Requisition for Information
11/10/16	15 Park View Court, Woking	GU22 7SE	Harassment under Section 1 (3A) of the Protection from Eviction Act 1977
10/01/16	22 Bainton Mead, Woking	GU21 3LW	Failure to comply with two Improvement Notices ¹⁰ Failure to comply with Requisition for Information ¹¹

¹⁰ Included here for completeness, but prosecution secured after time period for data analysis.

¹¹ Included here for completeness, but prosecution secured after time period for data analysis.

Appendix 6 – The proposed licence conditions to apply to licences granted

The following conditions are proposed to apply to all licences granted in the proposed selective licensing scheme.

Notices to be displayed in the property

1. *The licence holder shall ensure that:*
 - i) *A copy of the licence and all conditions are displayed prominently in the common area of the property at all reasonable times;*
 - ii) *A copy of the current gas safety certificate (if applicable) is displayed prominently in the common area of the property at all reasonable times;*
 - iii) *Details of what action should be taken by tenants in the event of an emergency are displayed prominently in the common area of the property at all reasonable times, and;*
 - iv) *A sign stating that anti-social behaviour in the premises will not be tolerated is displayed prominently in the common area of the property at all reasonable times.*

Documents to be submitted to the local authority

2. *The licence holder shall submit to Woking Borough Council:*
 - i) *A copy of the annual gas safety certificate (if applicable) each year, and;*
 - ii) *A current periodic inspection report for electrical installations within twelve months of the licence being granted.*

The electrical safety inspection must be carried out by a registered electrician (i.e. as set out by the Registered Competent Person Electrical Register (www.electricalcompetentperson.co.uk)).

Documents to be submitted to the local authority when asked

3. *The licence holder shall submit to Woking Borough Council when asked a declaration as to the:*
 - i) *Safety of the electrical appliances;*
 - ii) *Condition and positioning of the smoke alarms, and;*
 - iii) *Safety of any furniture that has been provided by the licence holder.*
4. *The licence holder shall retain copies of all tenancy agreements for the property and produce them within 14 days of a request to do so by Woking Borough Council.*
5. *The licence holder shall submit to Woking Borough Council, within 14 days of a request, a copy of the record of all complaints regarding anti-social behaviour received from occupiers, visitors and neighbours and the actions taken to prevent further complaints.*

Documents to be provided to the tenants

6. *The licence holder shall provide each occupier with a written statement of the terms on which they occupy.*

The written statement should include the following information: how deposits will be held and terms of return; an inventory of contents and condition at the commencement of the tenancy; details of rent and dates due, rent payment methods and how and when rent may be increased; and provide contact information for the property.

7. *The licence holder shall provide each tenant with a legal written tenancy agreement.*

Management duties

8. *The licence holder shall ensure that all:*

- i) Electrical appliances made available by the licence holder are kept in a safe condition;*
- ii) Smoke alarms, fire precautions and fire fighting equipment installed in the property are kept in proper working order;*
- iii) Furniture made available by the licence holder is kept in a safe condition, and;*
- iv) Smoke detection, fire alarm and emergency lighting installations are serviced at least every 12 months in accordance with BS 5839 & BS 5266 respectively.*

9. *The licence holder shall:*

- i) Keep a logbook of all maintenance, repairs, and servicing of smoke detection, fire alarm and emergency lighting installations, which shall be produced at the request of the tenants and/or the Council at all reasonable times;*
- ii) Allow entry to the common parts of the house by Council Officers or Fire Officers at all reasonable times. All reasonable assistance shall be given to those officers in carrying out their duties;*
- iii) Ensure that all houses in multiple occupation are compliant with Woking Borough Council's approved standards for houses in multiple occupation, and;*
- iv) Ensure that all amenities, facilities and equipment provided for occupants are adequately maintained and remain available for use at all times.*

Duty to notify the local authority

10. *The licence holder shall notify Woking Borough Council, in writing:*

- i) Of any proposal to increase the number of licensed persons or households living in the house, and;*
- ii) Detailing all incidents of fire, damage to equipment provided for fire safety purposes, criminal activities in the house and incidents involving carbon*

monoxide poisoning (i.e. all fires, vandalism, gas poisoning (suspected or otherwise), etc.).

11. *The licence holder and their managing agent shall inform the Council of any relevant changes in their circumstances including any:
 - i) *New convictions/cautions which may be relevant to the fit and proper person test;*
 - ii) *Change in ownership or management of the licensed property; and*
 - iii) *Substantial works carried out at the licensed property.**
12. *The licence holder shall submit a completed licence application to reapply for a licence 28 days prior to the expiry date of the existing licence.*

Anti-Social Behaviour

13. *The licence holder shall take reasonable steps to prevent occurrences of anti-social behaviour.*

One example of preventing occurrences of antisocial behaviour is obtaining satisfactory references to determine prospective tenant's suitability.
14. *The licence holder shall keep a record of all complaints regarding anti-social behaviour received from occupiers, visitors and neighbours.*

The record shall include the:

 - i) *Date and time of complaint;*
 - ii) *Name and address of complainant (person making complaint);*
 - iii) *Date and time of incident;*
 - iv) *Details of the incident/complaint (location, what exactly happened, who was involved);*
 - v) *Details of any witnesses;*
 - vi) *Name and address of the alleged 'perpetrator', and;*
 - vii) *Action taken by the licence holder to resolve the problem (e.g. contact made with the 'alleged perpetrator'; face to face or by letter or both).*
15. *The licence holder shall take all reasonable and practicable steps to reduce anti-social behaviour by persons occupying or visiting the house and shall if appropriate take legal advice and act either to issue formal warnings or evict those responsible for the anti-social behaviour.*

Permitted numbers

16. *The maximum number of occupants who can occupy the letting rooms are shown below, please note that the maximum number of occupants (of any age) must not exceed «number» at any time:*

Room location – maximum number of occupants

Room «location» – «number» Occupiers maximum

Appendix 7 – The proposed fees to apply to licence applications

The following fees are proposed to apply to all licence applications within the proposed selective licensing scheme:

Application type	Fee	Notes
<u>Licence applications</u>		
Selective licence new application	£560.00	<i>Maximum 3 year licence period</i>
Selective licence new application – accredited landlord	£200.00	<i>Applies where the proposed licence holder is an accredited landlord within the Woking Private Landlord Accreditation Scheme or other recognised accreditation scheme (e.g. NLA, RLA, LLAS)</i>
<u>Licence renewals</u>		
Selective licence renewal application	£420.00	<i>For renewal of licences issued for less than three years within the proposed scheme</i> <i>New application required if renewal application is not received before licence expires</i>
Selective licence renewal application – accredited landlord	£200.00	<i>Applies where the proposed licence holder is an accredited landlord within the Woking Private Landlord Accreditation Scheme or other recognised accreditation scheme (e.g. NLA, RLA, LLAS)</i> <i>New application required if renewal application is not received before licence expires</i>
<u>Licence variations</u>		
Change of licence holder	New application fee	<i>Licences are not transferrable and where there is a change of licence holder a new application will be required</i>
Change of property owner, freeholder, mortgagor and leaseholder	No fee	<i>Does not include change of licence holder</i>
Change of property manager	No fee	<i>Does not include change of licence holder</i>
Change of address details	No fee	<i>For a changes of address for any party</i>
Increase in the maximum number of occupiers	No fee	
Increase in the number of rooms, or changes in room sizes and/or amenities	No fee	
Licence variation instigated by the Council	No fee	

Application type	Fee	Notes
<u>Licence revocations</u>		
Revocation of licence	No fee	<i>No refund applicable where licences are revoked before their expiry date</i>
Licence application following revocation	New application fee	
<u>Others</u>		
Licence application refused	Application fee	<i>No refund given</i>
Property ceases to be licensable during the application process	Application fee	<i>No refund given</i>
Application withdrawn by applicant	Application fee	<i>No refund given</i>
Application made in error	No fee	<i>Any application fee paid refunded</i>

The proposed fees would apply from the commencement of the scheme until 31 March 2018 and will be reviewed annually in accordance with the Council's Fees and Charges Policy.

Appendix 8 – The distribution of private rented properties within key Middle Super Output Areas (MSOAs)¹²

The following table sets out the incidence of private renting in key Middle Super Output Areas across Woking:

Middle Super Output Area (MSOA)	Lower Super Output Area (LSOA)	Number of households	Number of private rented dwellings	Percentage private rented sector
Woking 004	Woking 004A	556	214	38.5%
	Woking 004B	464	75	16.2%
	Woking 004C	596	127	21.3%
	Woking 004D	681	269	39.5%
	Woking 004E	694	69	9.9%
	Woking 004F	627	67	10.7%
	Total	3,618	821	22.7%
Woking 006	Woking 006A	821	319	38.9%
	Woking 006B	604	118	19.5%
	Woking 006C	581	76	13.1%
	Woking 006D	690	53	7.7%
	Total	2,696	566	21.0%
Woking 008	Woking 008A	979	398	40.7%
	Woking 008B	539	68	12.6%
	Woking 008C	628	111	17.8%
	Woking 008D	1,031	371	36.0%
	Woking 008E	1,216	621	51.1%
	Total	4,393	1,570	35.7%
Woking 004, 006, and 008 total		10,707	2,827	26.4%
Woking total		39,467	6,566	16.6%

¹² Census 2011

Appendix 9 – The distribution of private rented properties across Woking by Middle Super Output Area (MSOA)¹³

The following table sets out the distribution of private rented properties within Middle Super Output Areas across Woking:

Middle Super Output Area (MSOA)	Number of households	Number of private rented dwellings	Percentage private rented sector (%)
Woking 001	3,174	332	10.5%
Woking 002	3,615	505	14.0 %
Woking 003	3,498	403	11.5%
Woking 004	3,618	823	22.7%
Woking 005	3,945	535	13.6%
Woking 006	2,696	566	21.0%
Woking 007	3,339	522	15.6%
Woking 008	4,393	1,570	35.7%
Woking 009	2,882	329	11.4%
Woking 010	2,509	396	15.8%
Woking 011	3,355	348	10.4%
Woking 012	2,443	227	9.3%
Total	39,467	6,566	16.6%

¹³ Census 2011

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Report for Private Landlord

Licensing Consultation

On Behalf of Woking Borough Council

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BACKGROUND

This report details the main findings from statutory consultation around the proposal to introduce a private landlord licence in one specific area of the borough. This is being considered as a means of raising the levels of accountability for landlords to ensure that their properties are maintained to a high standard and for the good behaviour of their tenants.

The consultation period ran from February 2017 until the end of April 2017. During this period, Woking Borough Council's (WBC) communications team ran an extensive campaign promoting the consultation amongst letting agents, landlords, tenants and other stakeholder groups.

The consultation was carried out using an on-line questionnaire although a paper based version was also made available on request. During the three month consultation period, **189 people** fully completed the survey although as this was an online questionnaire, a number of other respondents started but did not complete the survey in full. The survey included a highlighted map of the proposed licensing area. 95% agreed that this area was clearly marked. A number of people mentioned that they had found the scale of the map too small or the resolution too low.

Based on those completing the survey, the main respondent groups were as follows:

	Number of responses	% of total
Private landlords	92	49%
Tenant with a private landlord	22	12%
Homeowner	63	33%
Letting or Managing Agent	8	4%

58% of private landlords and letting or managing agents either rent out, or manage properties in the proposed licensing area.

20% of respondents lived within the proposed licensing area whilst a further 65% were living elsewhere in Woking Borough. Many of these had lived in the area for a long time. 81% had lived in the area for more than five years. Only 12% had lived locally for less than two years.

As well as highlighting the overall results, the report will also illustrate the views of different groups of respondents where they significantly differ. In most cases and unless otherwise stated, results have been given as a percentage of the total overall number of valid responses (all answering). These exclude any 'not applicable' responses where they applied to a question. Where percentage values do not add up to 100% this is likely to be due to computer rounding.

There were a number of open ended questions across the survey. Whilst these comments have not been individually coded, some of the key themes expressed by respondents are included in the report. A full list of comments has been supplied separately exactly as they were submitted.

SUMMARY OF KEY FINDINGS

Overall Views on Property Licensing

- 89% agree private landlords should be required to maintain their properties to a high standard. This view is equally reflected by landlords and letting agents.
- There was a mixed response as to whether the Council should be taking action to improve the management of private rented properties. 50% overall agreed and 43% disagreed.
- Overall, more respondents disagreed than agreed that a licensing scheme would improve housing conditions in the area or that it was appropriate for the Council to regulate private rented accommodation in order to improve the condition of housing.

Length of a Property Licence

- 45% of landlords/letting agents described the proposed period of three years as 'too short' with 23% saying the period to be 'about right'. Landlords and letting agents with properties in the proposed area were twice as likely to say that the proposed period of three years was 'too short' (58% v 27%) compared with those without properties in the area.

Proposed Licence Fee

- Overall, 73% said the proposed licence application fee of £560 was 'too high'. Amongst landlords and letting agents, this figure increased to 89%. The group of respondents who were most likely to say that the proposed fee was 'about right' is homeowners (36%).
- On the proposed discounted licence fee of £200, around half (49%) overall described the figure as being 'too high' whilst 28% thought this figure was 'about right'. Amongst landlords and letting agents, 19% said the figure was 'about right' and 62% 'too high'.
- 48% believe that there should be further fee discounts offered in respect of the licence application. Amongst landlords and letting agents, this increased to 66%. A number of very detailed ideas and suggestions were also submitted as to what these could be based on.

Proposed Licence Conditions

- Overall, the same number (43%) agreed with the proposed conditions as disagreed. Just 29% of landlords/letting agents agreed with the proposals whilst over half (52%) disagreed.
- The group of respondents who were most likely to agree with the proposed licence conditions is homeowners (61%) whilst 24% disagreed.
- Even amongst tenants, the number who agreed with the proposals was only marginally higher than those that disagreed (50% v 46%).

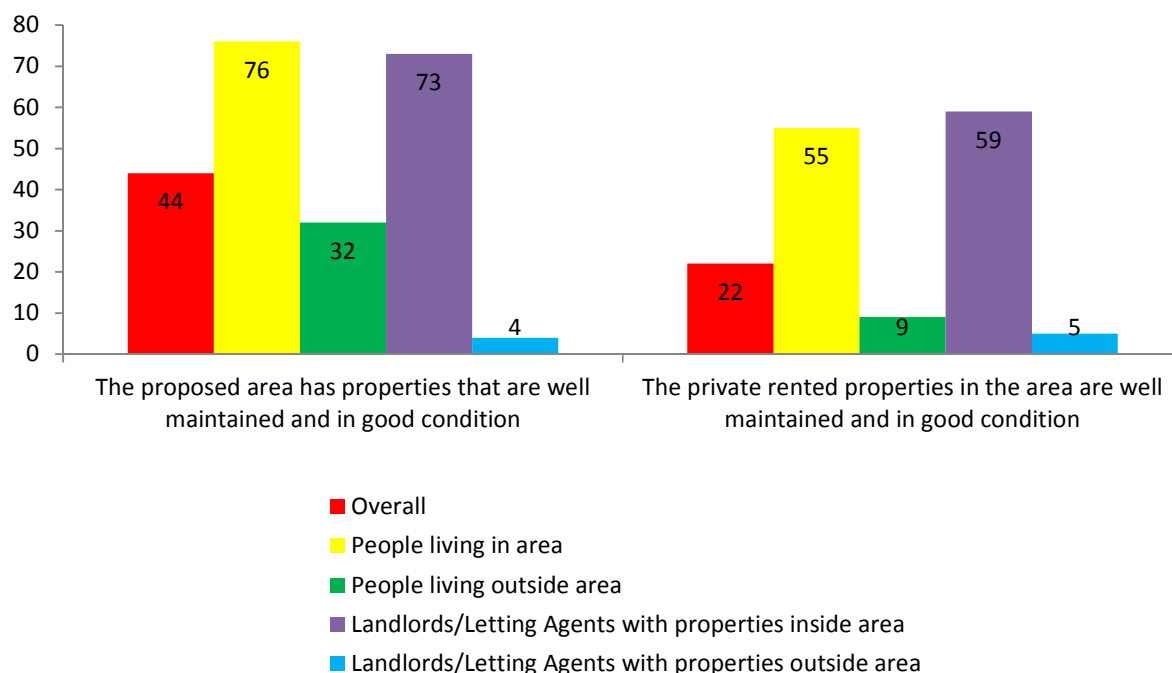
IEWS ON THE LOCAL AREA

Overall 62% of respondents agreed, that the area where the proposed licensing scheme would take place, is a reasonable place to live. 19% disagreed with the statement. Amongst people living in the area already, the agreement level was higher at 85% whilst for the landlords and letting agents who have properties in the area, the agreement figure is even higher at 93%.

More than eight out of ten (84%) of people living in the proposed area agreed that the properties there are well maintained and in good condition with only 8% disagreeing. Similarly, 81% of landlord and letting agents with properties in the area were satisfied with the quality of properties there with just 7% disagreeing.

There is a huge difference in views on the standard of the private rented properties in the area. Those living inside the proposed area were more than twice as likely (73% v 36%) as people living outside to agree that private rented properties are well maintained. The more qualified views of landlords and letting agents are also interesting. 72% of those with properties in the area said that private rented properties were well maintained compared with 20% without.

The chart below illustrates the net agreement figures for two of these statements. The net agreement figure is the % agreeing with a statement minus the % disagreeing.



The people who live in the proposed area tend to be far more positive about the standard and condition of all properties in their area. However, the net agreement score on the standard of private rented properties even from those living within the proposed area is not especially high.

Views on Property Licensing

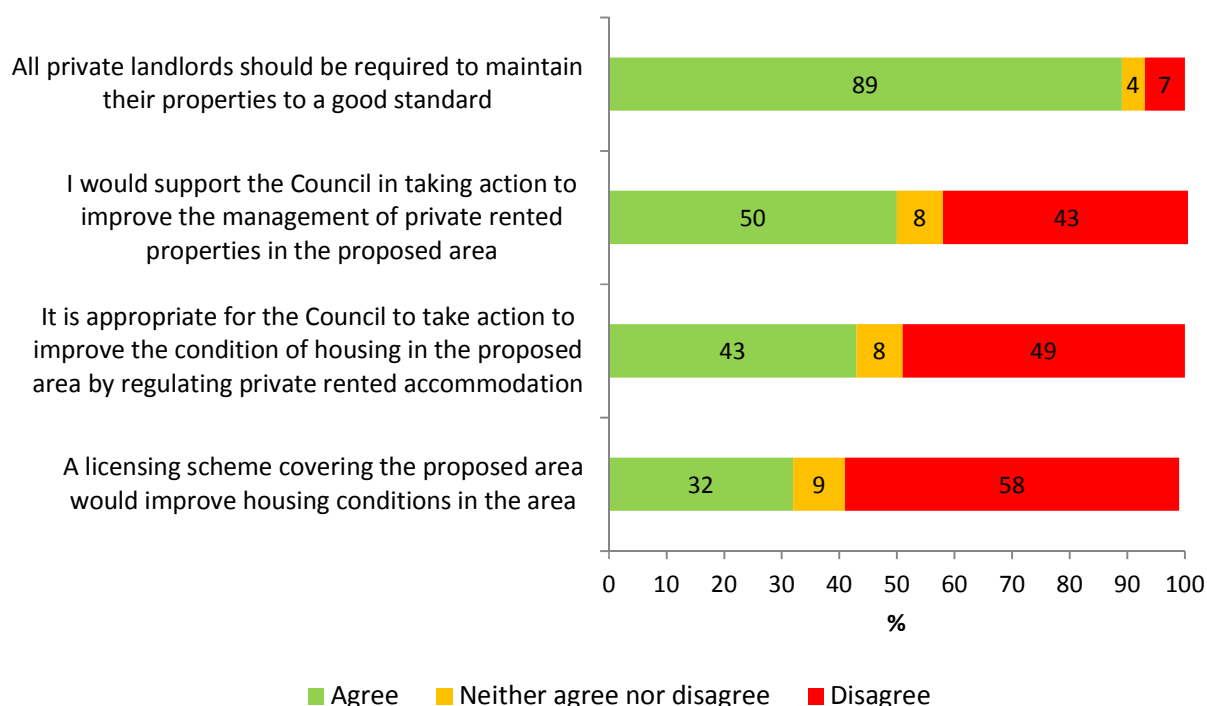
The questionnaire included the following explanatory information.

Poor housing is often linked to poor health. Around one in five private rented properties within the proposed area are not considered a 'decent' home by the Government's Decent Homes Standard. Broadly, this means the health of private tenants living in these homes is put at risk by issues such as damp and mould growth, inadequate heating, unsafe electrics and inadequate fire safety measures.

Almost nine out of ten people overall (89%) agree that private landlords should be required to maintain their properties to a good standard. 93% of landlords or letting agents with properties in the proposed area also agreed with this statement.

When it came to taking action to address the standard of privately rented properties, not everyone was sure it was the role of the Council to lead. 50% overall, supported the Council in taking action to improve the management of private rented properties whilst 43% disagreed.

The chart below illustrates the overall results for these statements.



There was less support for the idea of the Council introducing regulation to private rented accommodation as the means of improving the condition of housing. Overall, 43% agreed with this approach with 49% disagreeing, whilst almost twice as many respondents disagreed than agreed that a licensing scheme would improve housing conditions in the area.

The following table highlights the views of landlords/letting agents and tenants in more detail.

“I would support the Council in taking action to improve the management of private rented properties in the proposed area”

	Agree	Neither agree nor disagree	Disagree
Landlords/Letting Agents with properties in area	32%	12%	56%
Landlords/Letting Agents without properties in area	50%	12%	38%
Tenants Only	50%	4%	46%

“It is appropriate for the Council to take action to improve the condition of housing in the proposed area by regulating private rented accommodation”

	Agree	Neither agree nor disagree	Disagree
Landlords/Letting Agents with properties in area	24%	10%	66%
Landlords/Letting Agents without properties in area	36%	14%	50%
Tenants Only	50%	4%	46%

“A licensing scheme covering the proposed area would improve housing conditions in the area”

	Agree	Neither agree nor disagree	Disagree
Landlords/Letting Agents with properties in area	14%	9%	77%
Landlords/Letting Agents without properties in area	13%	15%	73%
Tenants Only	42%	4%	54%

Two thirds of landlord and agents with properties in the proposed area disagreed with the idea for the Council taking a regulatory approach as did 50% of landlords with properties outside of this area. Similarly, very few landlords/letting agents are convinced that a licensing scheme would improve housing conditions in the area and even amongst tenants more disagreed than agreed that a scheme would make a positive difference to the standard of housing conditions.

LENGTH OF A PROPERTY LICENCE

The next series of questions were only directed to landlords or letting agents. Over half of landlords were not members of any of the accredited landlord associations listed in the questionnaire. The associations with the most representation were NLA 18% and RLA 14%. There were also three members of the Woking Private Landlord Accreditation Scheme. Whilst only eight letting agents responded to the survey, five of these were members of ARLA.

The questionnaire included the following explanatory information.

If the licensing scheme is implemented, all private landlords would be required to apply for a licence for every property they rent privately within the proposed area. It is proposed that any licence granted would last for three years rather than the maximum five year period set out in legislation. This is the same length of licence that is currently granted by the Council for houses in multiple occupation under the requirements of Mandatory HMO (*houses in multiple occupation*) Licensing.

The key question in this section was the reaction to the proposed licence length of three years. The overall results were as follows:

Too short	About right	Too long	Don't know
45%	23%	8%	24%

Whilst 24% were unsure about what the length of the licensing period should be, by far the majority of those who had a view, thought that the period of three years is 'too short'.

There was difference in view between those landlords/agents with properties within the proposed area and those who didn't, which are illustrated in the table below. The landlords/letting agents with properties in the area were more than twice as likely to describe the proposed period as 'too short' compared with those without properties in the area.

	Too short	About right	Too long	Don't know
Landlords/Letting Agents with properties in area	58%	14%	10%	19%
Landlords/Letting Agents without properties in area	27%	37%	5%	32%

37% of landlords/letting agents without properties in the area thought that the proposed licence length was 'about right' compared with 14% of those with properties in the area. If the views of all landlords and letting agents were combined, 23% said that the licence period was 'about right' whilst 43% described the proposed period as 'too short'.

PROPOSED LICENCE FEE

The next section of questions focused on the proposed fees being considered.

The questionnaire included the following explanatory information.

The Council is able to charge for licence applications to recover the Council's administrative costs. It is proposed that landlords are charged £560 per property for each licence application. The fee would be a one-off payment covering the whole proposed licensing period. Where landlords are members of a recognised landlord accreditation scheme, it is proposed that a reduced licence fee of £200 per property will apply. It is proposed that no further discounts will be offered, for example to landlords who submit a licence application before the scheme becomes operative or where the landlord has more than one property in the proposed area.

The table below highlights the views on the proposed licence application fee of £560.

	Too low	About right	Too high	Don't know
Overall	5%	18%	73%	5%
Landlords/Letting Agents Only	-	8%	89%	3%

There is a universal view amongst all respondents that the proposed fee of £560 is 'too high'. No landlord/letting agent thought the proposed fee was 'too low'. The view of landlords/letting agents did not differ significantly whether they had properties in the area or not.

The table below highlights the views on the proposed discounted licence fee of £200.

	Too low	About right	Too high	Don't know
Overall	14%	28%	49%	9%
Landlords/Letting Agents Only	10%	19%	62%	9%

Just under a half of all respondents (49%) thought that proposed figure was 'too high' whilst just over a quarter thought that the figure was 'about right.' Once again, a majority of landlords thought that the figure of £200 was 'too high' although this time there were a number of landlords/letting agents who said it was 'about right' and in some cases 'too low'.

Once again, there was no significant difference in the views of landlords/letting agents on the proposed fee between those with properties in the proposed area and those without.

Just under half (48%) of respondents thought that there should be further fee discounts offered in respect of a licence application. Amongst landlords/letting agents this figure rose to 66% whilst only 24% of landlords/letting agents didn't feel any further discounts should be offered.

The survey also asked what any discounts should be based on. Some of the suggestions were:

The age and/or number of properties, the current condition of the property, whether the landlord has a good history of looking after their properties, whether the landlord is accredited or not, type of property (e.g. house v flat) or whether it's rented out directly or via an agent.

The full listing of comments submitted has been supplied in a separate file.

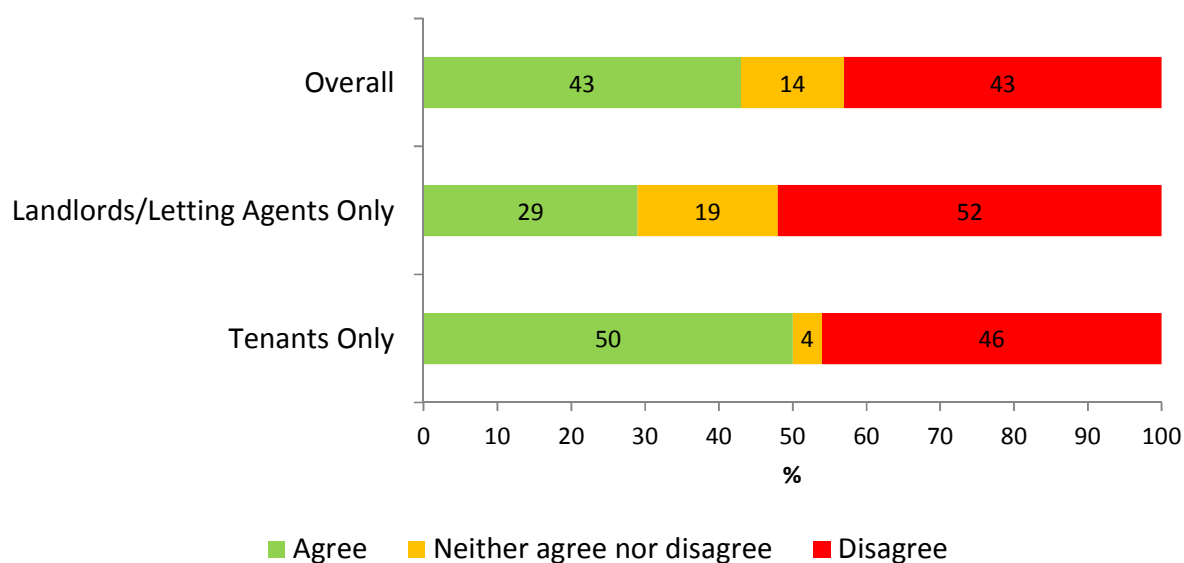
PROPOSED LICENCE CONDITIONS

The next section of questions focused on the proposed licence conditions.

The questionnaire included the following explanatory information.

When a licence is granted, it is proposed that a set of standard licence conditions will be attached to the licence to ensure that all properties are managed to consistent standards. The proposed licence conditions are consistent with the conditions applied to Mandatory HMO Licensing. A link was also provided to view these conditions.

The chart highlights the extent to which respondents agreed with the proposed conditions.



There was a mixed reaction to the proposed licence conditions. Some were in favour of the proposed conditions, but equally similar numbers were opposed. Amongst landlords/letting agents, more than half (52%) disagreed with the proposals with 29% in agreement.

The following table highlights the views of landlords/letting agents in more detail.

	Agree	Neither agree nor disagree	Disagree
Landlords/Letting Agents with properties in area	25%	11%	65%
Landlords/Letting Agents without properties in area	34%	29%	37%

The landlords/letting agents with properties in the proposed area were twice as likely to disagree with the proposed conditions as those without properties in the licensing area.



The survey also included an open ended question which asked if any of the proposed licence conditions should be changed or new ones added. Some of the suggestions included:

Too many conditions and too prescriptive, geared towards commercial rather than private landlords, the conditions should relate to the age, location and size of the property, clear standards of condition set for the accommodation, some focus on the obligations of the tenant not just for the landlord, introduce it to other areas not just in the area being proposed.

The full listing of comments submitted has been supplied in a separate file.

FURTHER COMMENTS

The final question in the survey was open ended and invited respondents to add any other comments about the proposed licensing scheme. Whilst these comments have not been individually coded, some of the themes expressed by respondents included:

- A number of people were very unhappy about these proposals
- Many concerns that the 'good' landlords will join the scheme whilst the 'bad' ones will not
- The focus is all on the landlords rather than on the behaviour of the tenant
- Suggestions that this was simply a new money making exercise from the Council
- Existing legislation is already in place to tackle poor housing conditions
- The proposals should be applied to the properties that need this not to all properties
- The proposals wouldn't make any difference to housing conditions
- The outcome of these proposals would be higher rents for tenants

The full listing of comments submitted has been supplied in a separate file.

APPENDIX ONE: VERBATIM COMMENTS

These are listed exactly as they were submitted by respondents.

If you think there should any further discounts offered in respect of a licence application, what do think these should be based on?

- 10 pounds for 3 years.
- 100% discount. This proposal is completely flawed.
- A landlord with only one rental property in the UK. This would allow those moving abroad temporarily to let their home and avoids the risk of properties being left empty. There should be no bulk licence discounts as there needs to be an even playing field between large and small landlords.
- A Landlord's property has to be of a high standard before being let via the WBC PRS. The rent is capped and is now lower than the market value. To pay an additional amount for a licence to fund a scheme to find rogue landlords in a specified area places an unnecessary tax on reputable landlords, especially those who are already assisting the local community by supplying accommodation. If this licencing scheme is implemented, landlords who have already passed the test either via the PRS or via a reputable Estate Agent who insists on relevant certificates for a property, should at least be given additional discounts.
- Ability to pay
- Adding a further tax on the community does not resolve the issues but clearly outlines the council's objective of gaining further funds through the community. I propose the Council introduce a scheme where it awards landlords with certificates and rewards for maintaining high standards rather than looking to tax the people further still. Positive encouragement goes a lot further than simply levying more taxes.
- Age of property and number of properties let out by landlord
- amount of rent charged intention in providing cheap rent to those who would otherwise be unable to live in the area whilst also providing a very high standard of accommodation the property being purchased with the intention of friends living there and paying some rent to allow them to practice providing for their own place to live if the landlord is only that by title, but is in fact a friend trusting those who will be living in the property
- As aforementioned, this whole scheme is unnecessary for our property within the proposed area, and as a professional landlord company, we will be objecting to the scheme in strong terms.
- Based on mortgage of rented property
- Based on the history of the landlord and how they have already maintained their properties over the past years.
- Based on the Landlord using a fully registered Managing Agent who manages the property on the Landlords behalf (which can cost the Landlord up to 15 % of the monthly rental) then I feel a significant discount should be applied as in general these properties are of a significant higher standard.
- Because of it being subjected only to this area, these costs will be eventually passed over to Mr in my rent, so therefore no cost,
- being a good landlord
- Being accredited or having your property managed by an accredited agency.
- By achieving a certain quality score on previous inspection. Or taking action on previous areas of concern.
- Charging landlords £560 will not bring down rents. Have you looked at your own housing stock recently?

- Current tenant's report on the state of the property and if there had been no dispute in terms of the condition of said property.
- discount depending on the number of properties within the borough
- Discount for relatively new properties/blocks (mine was built in 2004) properties/blocks which are managed by independent management companies (I pay £1800/year) if licensing every 3 years, if last inspection was more than satisfactory, discount for next 3 years If landlord owns more than one property in the area
- Discounts based on whether the property is managed by a letting agent. Badly-maintained properties are often the result of a letting/managing agent not communicating with a landlord what tenants need to have fixed in a property.
- discounts should be 100% - it's just another tax
- Earned good track record with other properties.
- Energy efficiency
- Every rental property should be subject to an inspection for a minimal fee; those that pass the inspection should be granted a certificate. Any that fail should be given an improvement notice to comply within in a reasonable time scale and they should then be charged an additional fee for a further inspection, the same again applies for a second fail & third inspection. After the 3rd fail either a hefty fine or a ban on the premises being rented out.
- Free license should be offered for members of accredited landlord association.
- Good performance/behaviour and cancellation of the fee for a period if been good performer. No point having a scheme that affects everyone if only an exception of people not a good landlord.
- How many properties the landlord has and if they passed any council inspections. The managing agents / estate agents should also make more checks, particularly electrical rather than just taking the landlords word that a property is safe. The agents charge high fees and yet seem to take no responsibility.
- I believe that there should be no fees or licensing application.
- I completely disagree that a licencing fee is necessary at all! The council already have the facility to intervene if a landlord is not adhering to standards. Why should law abiding landlords have to suffer this extra unnecessary administration?
- I completely disagree with the fee, but if it goes through I believe that once you have been checked you are a landlord providing a decent property for your tenants you shouldn't have your licence revoked unless a tenant complains about you. I have rented my flat out for 8 years and my tenants have always told me I am a very good and fair landlord. Perhaps there are unscrupulous ones out there but why should the rest of us be penalised. All this will do is create more bureaucracy and push rental prices up as landlords seek to claw back the money from their tenants. You'll be well aware of the changes the government have placed on landlords meaning everyone's profits will be hit, the timing couldn't be worse!
- I disagree with a fee entirely. This is just a moneymaking scheme.
- I do not agree with the proposal at all there are MANY good landlords that have helped make Woking an up and coming town This will discriminate against the good landlords and probably have a detrimental effect on the private rented section which is so essential for providing GOOD affordable accommodation and the growth of Woking The good and good modern properties (like mine) often feature security gates and property management so the housing is secure and maintained. I would imagine any social problems in such properties are very few. In the 10 years I have had property in Woking I have never experienced any. There are bad landlords and poor accommodation but this is not the way to sort out the problem
- I do not support the licensing at all, but if it is implemented the fee should be progressively reduce to reflect a compliant landlords record and should be increase for landlords with a poor

record

- I do not think any fee should be charged at all by the council. I disapprove of any housing licencing scheme to be created by the council.
- I do not think that there should be any fee for an obligatory accreditation scheme. It amounts to an additional tax on private landlords at a time when other taxable expenses (i.e. mortgage loan interest) is being withdrawn.
- I don't think there should be any licence fees to start off with. The council should give further discounts for the landlord own home.
- I feel that there should be no licensing fee.
- I own 9 private rented flats in the proposed area which are kept in top class condition and are professionally managed by reputable accredited estate agents. My tenants have always regarded myself as a complete professional and in all my period of ownership I have never received one complaint to the contrary the tenants have access directly to myself as well as the Management agent in case of emergency. I find it obnoxious that a fee of £560 per property is proposed while a discount of £360 per property is being offered to landlords who are members of toothless bodies. I accept that having worked in the property business in the borough since 1976 that there are many substandard properties being let by unfit landlords who should be pursued earnestly by the local authority. Unfortunately this is not happening with sufficient vigour and quite frankly licensing will only drive these people further underground while the local authority fill their coffers by penalising the many good landlords ? From my own point of view if I have to pay a fee of almost £6000 to obtain licences for properties I already rent at below market value coupled with the new revenue punitive rules I will look to sell my investments and of course this will create a further lack of properties available to the rental market. T J Keelan
- I think if the landlord has multiple properties to let, a small discount for each subsequent property would seem reasonable.
- I think it's not fair the council want a licence fee - If you want help for the safety of tenants the council should provide and pay for the vetting service - I feel this is only being implemented to benefit the council financially.
- I think there should be a nominal fee, if anything at all. I'm strongly against the licensing system in all ways. WBC has insufficient data to progress as currently proposed. They don't know how many of the 180 complaints are material or not. They don't know how many of the complaints come from within the proposed ward. They don't know how many of the complaints relate to the same landlords. They can't even tell you if complaints come from within the Canalside Ward at all. They have had 12 court action successes apparently but again can't tell you if any come from within the proposed ward. I gather that 3 of the court actions are against the same landlord. Even the counsellor for the ward stood up and stated that the objectives of the proposal were wrong and it should be aimed at multiple occupancy properties that currently fall below the level of registering. In all a proposed scheme based on no material facts at all. At the presentation a Zero fee scheme was proposed and I would have no objection to that. Landlords as me running nice properties are being penalised. This looks like money grab scheme from all good landlords. I'd be interested if the proposal goes through to how a class action by landlords would be received by the local judiciary as I feel we would have good grounds to have any licensing overturned in the local courts and if it was a class action reasonably small charges against each landlord participating. Either z zero fee scheme or no licensing at all.
- If property inspected and seen to be above average then feel should be rewarded so qualify for subsequent reduced licence fee
- If property is fit for purpose it should be free otherwise costs will be passed onto tenants
- If the council want people to maintain the quality then aim to do this and not aim to make money from it. I completely disagree with this because it clearly another form tax the council

wants impose on the property owners

- If the landlord is actively improving the accommodation there should be a zero fee
- If the landlord works with the council to improve and maintain their property, they are clearly showing willing and should not be charged a fee for the license. However, landlords who take too long to improve the condition of their properties or who fail to address the council's concerns should be charged appropriately.
- If the property is at or above the legal standard than a landlord should not pay any fee what so ever
- If the property is managed by an accredited agent the fee should be waived completely. A much simpler application should be used. Using a local accredited agent brings employment to the local area, providing benefit to Woking. If there are no complaints or no non-conformances the fee should be reduced
- If the property is rented through a Letting agency then should be no charge. A Tenancy agreement which would be in place for private rentals ALREADY PROVIDES the tenant with the full protection of the law and states all the terms and conditions that both parties have agreed to
- If the property passes without a problem there should be no fee as the landlord is obviously maintaining the property without Council intervention and the scheme is not needed to make the landlord keep the property in a reasonable standard i.e. the scheme is not required for that landlord so the landlord should not have to pay for it or the failings of other less reputable landlords.
- If you are a member of an organisation, such as RLA. If the property is let and managed through a letting agency with regular inspections made. I feel the licenses should only apply to 3 and more bedroom properties.
- If you are an accredited landlord. Or if there have been no complaints about your property
-
- If you want landlords to join and to improve housing stock the licence should be free.
- Involved with the management of a building or area, but not necessarily a fee; how will this money be spent?
- Is the £560 being proposed per property or per landlord? I earn £2,000 per year from our one bed flat and only have this one property so a fee of £560 would be a huge amount to take out of our earnings that year. Why should I pay the same amount as someone who owns 3 or 4 properties? What about if I feel my property has none of the issues that are seen as being the problems? Would there be discounts for those that keep them in good state of repair?
- It should reflect the years and the condition of properties owned by the Landlord in the area
- Just a minute! This is supposed to be a survey to decide whether a licence scheme should be implemented in the designated area. This and the previous questions imply that a licensing scheme will be implemented.
- Landlords who own and rent whole blocks or have a portfolio of (perhaps 10 or more) properties in the area to receive a volume discount.
- Landlords with multiple properties within the area should only be charged for one license. To charge per property is punitive and would seem to be more about raising revenue than standards.
- Landlords with multiple properties. They are likely to maintain all to be same/similar standards.
- Length of membership of a Landlord's Association References from landlord association/letting agent/managing agents as to professionalism as a landlord References from current/ex tenants as to professionalism as a landlord
- Membership of other accreditation schemes

- Multiple property discounts. Shouldn't need to pay at all until a breach occurs
- No fees should apply at all. Whole scheme is based on false data and facts. There is a HMO available that should be enforced rigorously. There is no justification for this scheme what's so ever. It will only generate money for council at the cost of law abiding landlords. Consequently poor tenants will pay the price.
- No fee-this will have an impact on the tenants-no one will want to rent out
- Number of properties Track record
- Number of properties in total in the portfolio of the respective Landlord
- Number of properties. General condition. The flat I own is in a controlled gated area, well supervised with a management company and committee in charge of running the building. If there have been no, or very few problems reported, it does not seem reasonable that every owner has to pay over £560 to show they are in a well-run property. This scheme should be targeted at those whose have properties where there are complaints, your background informs us that 1 in 5 have problems which means 4 out of 5 do not and yet everyone is being forced to join and pay for this scheme.
- on condition of property, landlord do not need licence outside this zone, thus extra burden on landlords and rents will rise or licences only required for multiple occupancy properties? A fee of £50 is reasonable as council has enough law to enforce improvements on housing or properties. This extra burden on central zone.
- Personal history of each landlord's management skills, standard of accommodation rented, personal references from past tenants, personal references from business associates, i.e. letting agents, history of membership of other landlord associations, i.e. Southern Private Landlords' Association and Southern Landlords' Association, long established industry leaders
- PREVIOUS HISTORY - IF THE LANDLORD HAS NO COMPLAINTS AGAINST HIM, THEN NO FEE SHOULD BE PAYABLE AT ALL. THIS WILL ENSURE THAT ONLY THE POOR/ROUGE LANDLORDS PAY FOR THE TROUBLE THEY CAUSE, NOT THE OTHER GOOD LANDLORDS.
- Private landlords who currently rent property which is fully managed by ARLA accredited Letting Agents - as the agents are already enforcing the requirements (e.g. gas safety, electricals, smoke alarms etc.), already keep documentation on improvements, deal with disputes, keep deposits etc... ... in other words the Landlord is already paying the agent to do ALL the things that Woking Council says their scheme is designed to achieve. The Landlord & Tenant would therefore receive NO BENEFIT from this scheme.... but the Landlord is facing extra cost - which means less money to invest into his property. I think there should also be a SMALL LANDLORD DISCOUNT - the current scheme hits the small private landlord (with say 1 or 2 properties) just as hard as the professional landlord with 100+ properties. This cannot be fair. ALSO - the Council do not seem to have considered the situation where, for example, someone is posted abroad for 6 months to 1 year, and temporarily rents out their house rather than leaving it empty.
- property condition
- Property condition
- Smaller properties with fewer tenants should pay less
- The condition of the property and if it is being managed by and ARLA agent. Also is it really necessary to bring properties built since 2000 into the licensing scheme.
- The council appear to be using a sledgehammer to crack a nut; the area proposed to be covered by this scheme is far too large and incorporates a large number of high quality rental properties. Any targeted activity that focuses on sub-standard or poor quality rental property in some of the designated area is to be applauded. At the proposed level of fees (or any fees at all), the real risk is that the licensing costs will simply be added to the rents charged, making the rental market less affordable for young or financially challenged people and undermining the initial

objectives of the scheme. The council need to bear in mind that central government have introduced financial penalties on private landlords in the recent budget (in relation to claiming tax relief on mortgage interest), which in itself could have a detrimental impact on tenants, either through increased rents or reduced maintenance and repair activity. Is the council really wanting to penalise tenants further by adding a potentially further unnecessary layer of costs on to landlords who provide high quality accommodation in some of the designated area?

- The current condition - if good no fees should be applicable. It is to improve bad properties not to make good landlords pay
- The landlords will simply pass some or all of the burden on to the renter. Rents are high enough as it is. If you build a stack of flats within this area, then new builds are not going to be in need of regulating, but you still want to charge £560? That's a tax which will be borne by renters in this area. Perhaps it should be limited to properties over ten years old?? Even then, £560 is ridiculously high.
- The scheme is ludicrously expensive and will only create a further bloated administration within the council. Hardly what we should aim to be doing. It will do little to improve the stock of houses in the area - those that remain well maintained and run through proper management companies will be charged more. Those with poor standards will likely remain so and be driven underground. It is likely that a number of the privately rented property in the Mayford area are not formally rented through tenancies. In short, you will create another layer of bloated administration which will do little to improve conditions.
- There should be a full discount as the fee should not be imposable by the council. Councils up and down the country have ruined private sector in the area of parking by shops on the high street, ridiculous regulations in elderly care that has driven the standards of rest homes down the tubes and countless other areas that have not improved things one iota. the council should stop interfering in matters that do not concern them.....if they wish to offer high standard of housing, buy your own property and manage that - but stop bullying your way into things that you have no investment in and have put no effort into obtaining (arguably through the hideous planning processes you administer, you have actually constrained others obtaining) and have no legitimate right to interfere with.
- There should be absolutely no charge. The council is already funded and should concentrate on enforcement.
- There should be no fee as this is just another way of making money for greedy council.
- There should be no fees either way as the winner is only Woking council to fill their coffers and no benefit to landlords or the poor people who need somewhere to live.
- There should be no licence fee
- This fee should be covered within the council tax for the Property. One of the job of the council should be monitor all properties (rented or not) and check if it worth living for anyone.
- this is just a money making scheme for the council
- This proposal should not go ahead as landlords are already being hit unfairly by the government with tax reforms and increase stamp duty. Rents will be going up as a consequence of this.
- Type of dwelling. For example, where the property is a flat with communal areas maintained by a management company and the landlord is already paying a yearly maintenance fee.
- Value for money
- We rent out a one bed single occupancy property that is managed wholly by a property mgmt. company, only has electricity supply and smoke detectors therefore we would be paying a licence of £560 just to prove that we have electrical safety records and smoke detectors. This licence is wholly unfair to single occupancy properties.
- You have to consider that any fee charged will be passed on to the tenant so it should be low or zero

If you think any of the proposed licence conditions should be changed or new ones added, please write these in the box below?

- Clear standards for the accommodation - such as no mould, pest infestations, fixtures and fittings in good condition, reasonable energy efficiency rating etc. - Without this the licensing is pretty weak. - Some timings on responding to queries, fault fixing are needed else it will be un-enforceable - A clear complaints procedure and fair arbitration, with protection for the tenant from repercussions (such as excessive rent hikes and reluctance to fix faults). - If the conditions are breached there should be: a) Compensation for the tenant b) The option for the management to be taken over by a council appointed 3rd party c) Commitment to allow the tenant to exit their contract with no penalty and cover the tenant's moving costs should the landlord breach the terms of the agreement. (Taking the licence is not enough, because the tenant is hit with the moving costs).
- Selective area coverage is unfair for the landlords - Landlords are already struggling with the high cost of maintenance especially within the Walton court area where WBC is the lease holder and we are already charged with the yearly maintenance fee. - WBC should make appropriate use of the local funds to provide the proposed service, but borough wide, without further charging the Landlords.
- A licence is not required if the property owner can demonstrate that the intention surrounding the arrangement they have with those living in the property is to provide a level of rent significantly lower than the market rate (at or near 50%); providing that those living in the property are satisfied with the standard of accommodation provided.
- All the focus is on the Landlord. In my experience, it is BAD TENANTS who are also a concern to everyone, including neighbours and other tenants. I do not see how this scheme improves the situation. Also, I did not see anything regarding Landlords who have become LIMITED COMPANIES. Are they included?
- Another way of gaining income
- Anti-social behaviour not tolerated should not be displayed. This is an insult to good tenants, implies this type of behaviour has happened before and therefore is a deterrent to letting. Electrical appliances to be kept in safe condition. Comment: Appliances must be in safe condition when tenant checked-in. No landlord can be responsible for how the tenant treats them, especially if he/she does not report that the item has broken. Ensure equipment is maintained. This can only happen if tenant reports a fault.
- Clearly these are appropriate for house shares and HMO's and are not really very well thought out for flats and houses let to professionals and families. A one size fits all approach is wrong!
- condition 1 stipulates notices to be displayed in 'common areas' - if it is a one bedroom flat or even a 3 bedroom home that does not have 'common parts' i.e. not occupied by sharers, this doesn't make sense. Many of these conditions seem to have been lifted from the HMO policy, and so are not very relevant to non-HMO housing. condition 9 part ii - as above.
- Could something be added on problems being solved in a timely way?
- Disagree money making scheme for WBC you charge enough council tax already why can't WBC force the bad landlords to do more to keep their properties maintained in good order this cost will be put on peoples rents will be increased poor tenants will be forced to pay for this license fee as well
- Displaying notices in single family occupied dwellings would consider as an extreme requirement. however except this as standard practice for blocks and or HMOs
- Electrical Certification is normally issued for 5 years if the electrical system is found to be in a good order at an inspection. Annual electrical safety checks are unnecessary unless recommended by the electrical engineer
- Enforce existing HMO law because overwhelmingly rouge landlord convictions in the area are related to multi lets anyway. Property let out under AST to single families are well maintained

in line with rest of the borough. No need for blanket enforce of licensing of every landlord in the area.

- evidence of property insurance to be provided
- Forgive me, however it sounds like the main issues you have around this area are with HMO's, I have seen nothing in your documentation to support your claims in the normal rented sector. We have one rented property in this area, maintained above and beyond legal and moral standards; we pride ourselves on the service and quality of the property that our tenants live in. A licence, paid for initially by the landlord, will not stop rogue people setting up HMO's without complying with the proper rules. All the licence will do is force landlords to raise the rent to cover this cost, therefore it will be the tenant that pays in the end. I suspect this is Woking Borough Council's way of extracting more money from landlords to cover their costs and continue with this government's relentless attack on private landlords, whilst completely missing the point. The point being, that it isn't the law abiding, above board landlords (the ones who will pay for this) you have most of your issues with, it is the unscrupulous, illegal landlords that currently don't pay any attention to the law so certainly won't pay any attention to a licence. By implementing this scheme, the landlords that you are actually after will be completely unfazed. The landlords who already comply with the rules will end up raising rents, ironically enough pushing tenants to these unscrupulous landlords because of the increase in costs; exactly the opposite of what the original aim was.
- HMO licence is specifically for multiple occupancy, same conditions cannot apply to family rented properties.
- I am happy the way things are.
- I am surprised by WBC to choose an area which is predominantly Asian. Is it all about targeting Asian people in Woking or Council had another valid reason behind this proposal.
- I believe the present law protects the tenant and only better education for the tenant is required rather than a charge to the Landlord
- I do not agree with the concept of licensing and therefore I do not agree with any of the conditions. This is just another way to raise more money from Landlords under the guise of dealing with the small number of bad Landlords. This means that all the good ones are required to pay out just because of a few bad ones. This survey is biased and pretty much assumes the licensing is going ahead and asks for responses accordingly. It should be asking whether it should be going ahead at all and asking pertinent questions in that regard. As a good Landlord I am fed up with Government and local government penalising me time after time. Surely you realise that by increasing our overheads we will pass this cost on to the tenants which means that they will have to pay even more, which is contrary to the reasons behind the changes!!
- I do not believe this is required
- I do not think that there should be a licence arrangements for landlords - or rather if one is implemented it should be free of charge
- I feel that these licences be extended to all private rented properties with inside Woking borough, in particular properties of multiple occupancy. Or problems which persist in the proposed area may increase in other parts of the borough as unsatisfactory landlord seek to get round licensing rules.
- I find the whole licence scheme unacceptable. It is a thinly veiled tax.
- I have one small flat that I keep in excellent condition with no damp, mould, or poor heating conditions. I don't see why I should have to pay £560 for a licence when I am upholding my responsibilities but other landlords are not. The main reason I rent through the council is that the kitchen is 30 years old and needs upgrading. When my current tenant moves out in about 3/4 years I intend to upgrade it then. If the council bring in this licence scheme which is going to cost me £560 from my £2,000 pa income then I will seriously have to consider evicting my

tenant, replacing my kitchen and going to the private professional market. The cost implication to me does not make it worth considering council tenants any longer if these proposals go ahead. Having said all that I can see that the council need more ammunition against these rogue landlords but if the landlords are refused a licence won't they just rent to others rather than pay out for the problems to be fixed?

- I own a very well built apartment which is regularly maintained in this area. I do not consider that paying £500+ fair. You should set out standards which are to be maintained and visit properties in rotation and charge Landlords and/or fine them if guidelines are not kept to. This means that only properties that are relevant will contribute towards your costs and Woking BC can ensure that work is completed to remedy.
- I strongly believe there is no need for a licence as the government has these money grabbing schemes to suck every penny out of the landlords. The government already have implemented taxes to be paid on the mortgage plus now the council is coming up with this pathetic idea. The council knows the properties which are not habitable so they should track them down.
- I think it should be reviewed thoroughly as I was at the presentation in HG wells and a lot of the questions were not answered. Also there is a lot of confusion as to how the data was gathered and who is actually being targeted. In the end the good landlords will pay and the bad ones won't and nothing will come of it. I fear it is just a money making ploy by the council. I also feel that this will not happen in three years and that we shall all be forced to pay many extensions and nothing will get resolved. The council should go around the estate those properties that are bad should be dealt with there and then instead of penalising all the good land lords. I strongly reject and object to this charge.
- I think landlords should be provided good safe housing. Poor people are being exploited and they are living in sub-standard accommodation. This scheme will allow the council to monitor landlords.
- I think money and effort should be centred on those landlords who do not treat tenants fairly rather than increasing the costs for all. The money landlords spend on the licence could affect how much landlords have to spend on maintenance and upkeep.
- I think people with less than one or two properties within the zone should be exempted unless MOHC. I family lets should be excluded.
- I think some of your questions rather than to low, right or too high or don't know should also have a strongly disagree option. This smacks of big brother which will insult fit and proper landlords but in practice only capture a small proportion of the rogue landlords. If you want photos of the property or statement from the tenant then let me know, but don't charge me over £500 for the privilege of providing good quality rental housing. I'm inclined to levy a matching or greater charge against WBC for the inconvenience and disruption to my tenant, myself and my letting agent and the monies to be distributed evenly between all three of us, should WBC introduce licensing fees.
- I think the documents should be located in the residence - but not prominently displayed on a wall. From all the documents to be displayed the dwelling will no longer feel like a residence. Maybe - prominently displayed or in a folder.
- I think you should make the area needing a license made bigger it should be expanded to all Maybury , the estate and east hill we are getting inundated with HMO houses (many of which I am sure don't have a license) this is dangerous for people living next door as no fire regs in place
- I totally disagree with this licence as it will only increase the rent for tenants, making things more harder for us
- If the council want to bring in a fee - they should enforce this in the whole borough not just Maybury and Sheerwater. It feels like the hard working tax payers are being targeted once

again.

- If the scheme is implemented and is really about addressing low standards, modern apartment buildings such as Enterprise Place, William Booth Place, Bramwell Place and Grosvenor Court should be exempt, as the overwhelming majority of these properties are no more than 10/12 years old and are let via reputable, ARLA registered letting agents and so standards will already be high. Ideally, the scheme would be altered to mean that if you are using an ARLA registered letting agent then you are exempt and only private landlord who let their only properties should require a license.
- In general I think probably over formalised. I would hope the tenants living in the property should be well placed to judge the conditions of somethings, e.g. Are there smoke alarms without there being excessive inspections/record keeping
- It appears that the proposed license conditions tackle matters of safety but not commercial exploitation in terms of, for example, unreasonable contract terms.
- It feels like excessive bureaucracy for many, and clamping down on the few. The license should be applied to relevant properties, not applied to all within a zone.
- It is another way of the Council's revenue generation programme.
- It should be extended to cover a greater area.
- It's good as it is. When councils interfere then we are challenged and rent is increased cos of interference by the councils
- Landlords and letting agents need to be held more accountable, we haven't seen our landlord for over a year and our shed is falling down and not overly usable anymore. Nothing is being done by leaders. I would like to see more accountability to landlords and some focus on the rent side as well. I'm concerned if we request the landlord complete works he will increase the rent too highly.
- Landlords should be encouraged to improve standards as much as tenants should be encouraged to maintain cleanliness and hygiene within their rented accommodation. This should not be levied through taxes, fines or fees.
- Landlords who breach these conditions should be prevented from letting property
- Leave it as it is
- licencing is not required my opinion
- Licencing should apply to all properties and not just certain areas, if this is not the case the proposal may well face legal challenge.
- May be Woking Council should buy and improve its own housing first rather than buy shopping centres.
- Most of them as they are not are not appropriate for one household. They are for HMOs
- Need to rigorously enforce the proposed licence conditions taking legal action promptly where appropriate, & ensuring rogue landlords are fined / banned & publicly 'named & shamed' in the media.
- No fee should be charged. If a tenant has a problem then the council should make sure that the landlord fixes it. The landlord should provide the cost. How would you implement the scheme?
- No licence conditions should be applied. No licence should be applied.
- NO NEED FOR ANY ADDITIONAL LICENSING. LOCAL GOVERNMENTS JUST GOT NEW POWERS TO ISSUE FIX PENALTIES OF UP TO £30,000 TO ROUGE LANDLORDS; WHAT MORE DO YOU WANT?????? £560 FOR A LICENSE JUST SEEMS LIKE A MONEY-MAKING SCHEME BY WBC. MORE RED-TAPE WILL NOT IMPROVE CONDITIONS, IT WILL JUST MAKE RENTS MORE EXPENSIVE!
- Once again the questions assume that the licensing scheme will go ahead and are asking about the details of implementation. At this stage the Council is only proposing to introduce a

licensing scheme - so the first question to be answered is should the scheme go ahead, Yes or No? After that it might be legitimate to ask a question If No, can you say why not . It might also be legitimate to ask questions on details along the lines of If the scheme were to go ahead . . . as long as there is a box which allows the participant to say that he/she does not think that the scheme should go ahead (and so cannot give a view on details).

- Only existing regulations should apply. Regulations for HMO should not be applied to all property types.
- please see previous comment box The proposal will not be in the interest of Woking and is a penalty on good landlords
- Really, please do not create this licence it is a big mistake. It will just push rental prices up which is worse for tenants and penalise the majority of good landlords in Woking. Tenants are free to move wherever they want to, if they're not happy with their accommodation they can move, they can complain to the agent, dispute with ARLA etc. If a landlord is not a good landlord there is a lot of choice in Woking and people will move out. I also think it is very unfair that only part of Woking is affected by this permit. I rent out a one bedroom flat that's affected by this permit but other central Woking flats that I'm competing for tenants with don't have to pay it, which means I have to put my rent up to cover it, thereby looking less attractive to tenants versus flats in areas unaffected. These plans are unnecessary, ill thought out and unfair on landlords that care about their tenants' welfare and happiness in their homes. If there are unscrupulous landlords the onus should be on the estate agents to not work with them and inform other local agents not to either. If estate agents were held responsible for unscrupulous landlords rather than creating more bureaucracy it would be much easier and fairer.
- Regular inspections every three years or so. To be paid for by landlord
- See previous script but strongly against. No material facts from WBC. Poorly thought through and un-democratic. I thought WBC was supposed to represent the needs of all of the community in the borough? Either a Zero fee scheme or no licensing. BTW I asked at the presentation how I could edit my previous response and advised that I couldn't the only way was to generate a new response, so you have received a milder response from me before.
- seems ok
- Should be introduced in stages. This is an added burden on landlords as the recent tax changes should also be taken into account. Stronger action against poor landlords is sufficient.
- Shouldn't be any sort of proposed licence fees.
- The conditions are skewed towards commercial landlords and multiple occupancy rental dwellings. They are disproportionate and inappropriate for private landlords renting out standalone properties to professional tenants.
- The conditions required should relate to the age of the property, its location and size
- The costs are too great and I do not believe that the scheme is necessary or effective. Doubtless you are only doing a consultation as you are required to by law - you will not deviate from what, seemingly, you have already decided to do.
- The Council already has powers to deal with problem tenants and problem landlords, but it is choosing instead to put the problem and the expense at the landlords' door rather than applying their powers to the owners and operators of sub-standard accommodation such as unlicensed HMOs and overspill Council leased properties. Licensing and the attendant bureaucracy is time consuming and create unnecessary expense that managing agents and landlords will pass on to tenants by putting up rents. This may lead to an increase in homelessness. Some of the licensing requirements will also place a burden on the tenants, such as property inspections and the requirement to keep a log of antisocial behaviour in communal areas of apartment buildings.

- The council has existing powers to deal with rogue landlords. Council Tax payers are funding this so why has it not been done?
- The flat I own is in a controlled gated area, well supervised with a management company and committee in charge of running the building. If there have been no, or very few problems reported, it does not seem reasonable that every owner has to pay over £560 to show they are in a well-run property. This scheme should be targeted at those whose have properties where there are complaints, your background informs us that 1 in 5 have problems which means 4 out of 5 do not and yet everyone is being forced to join and pay for this scheme.
- The licence conditions are far too detailed and it will take a huge effort by the council to police all of them. If a landlord is already not providing a decent service I do not think adding all of this will change that. Every three years an unscrupulous landlord will tidy up the property, sufficient to get a licence before simply reverting back to current behaviour. The application process and landlord administration will be time consuming. Which will incur potentially significant cost, a cost which is likely to be simply passed onto the tenant, exacerbating the affordability issue. I estimate the additional cost will add another 3%-5% to the rent I charge my tenants. Many of the conditions are simply a restatement of the law, which the Council or other authorities already have the power to enforce. Many of the conditions as written are quite unworkable. It seems you are trying to deal with HMO problems rather than single properties. If so the licence should only apply to HMOs. They are total overkill for single properties, rented to a family or a couple sharing. Item 1 is unworkable. What are the common areas of the property? If a block of flats there could be many individual landlords so all of the licences would simply provide wallpaper to the entrance hallway, making it look ridiculous. Why get involved in gas safety - there are already laws! Item 2 - will the council be able to cope with the submissions and follow up non-submissions? Electrical inspections in a HMO are legally required every 5 years so why are you trying to change this to every 3 years? Item 3 - How will the council check all of this? Item 4 - 14 days is too short. What happens if I am away on holiday? Item 5 - Landlords are not the police and do not have the powers implied in your licences conditions. Also how can an absent landlord possible comply with this? How will the Council check this? Items 8 & 9 are simply a restatement of the law. Item 10 ii is again quite unworkable. Landlords are not the police and cannot know all that happens inside a property Item 14, having to keep detailed records of antisocial behaviour is totally unworkable. Firstly landlords are not the police and have no power to intervene. Secondly, how will the council check the records are correct. Item 15 - again the licence holder, not being the police, does not have the power to evict. Item 16 - who determines this? What about a tenant who wants to have a dinner party or quiet gathering?
- The licence conditions should already be written into the tenancy agreement. Is this only a replication exercise?
- The licence should be applicable to houses with multiple occupancy and cover all the Woking area, not just the small Maybury area.
- The proposals are treating each household as a HMO - many households are let as private family accommodation so this does not apply to everyone. I think this needs to be reflected in the licence conditions.
- The proposed conditions seem a little onerous in places, and may detract from being followed. I would suggest reducing them a little in the initial phase, and strengthening later if need be.
- The proposed licence conditions are a serious overstepping of the councils moral rights, and are not merited on past performance. The proposal, and this consultation, seems to be nothing more than the council stepping through the hoops of their own bureaucratic processes rather than any serious attempt at finding out what the tenants of Woking want.
- The terms and conditions appear to be fully comprehensive and not being, or likely to be, a landlord, I cannot add to them.

- The whole idea of licencing is an expensive boondoggle. There should be no licence and, therefore, no licence conditions
- There are already strict requirements placed on professional letting agencies that address many of the matters included in these conditions; surely, if a relevant property is managed by a professional agent, there is completely unnecessary and costly duplication. That unnecessary cost duplication will ultimately be met by the tenant through increased rents.
- There are too many and they are too prescriptive. You cannot hold the landlord responsible for matters over which they have no control and they are not legally required to be notified, e.g. complaints received about the tenants. Some items are common sense, i.e. providing contact information and gas safety certificates. Seems to be giving the Council more powers.
- There should be no license scheme. I was a landlord in Bristol for 25 years, and each group of tenants agreed a contract with me. The system worked well. Outside interference by a third party is unwarranted in my opinion.
- There should be no licensing scheme.
- There should not be a licence scheme. It only covers a small area and if tenants don't like the condition of a rental property they can chose something else. My rental property is in a block of flats that is only about 5 years old and is well maintained. It is ridiculous that I should need a licence. My rental income us my pension.
- Think conditions sufficient and more important that these are met i.e. enforce these properly rather than adding to list.
- This is a ridiculous amount of administration and cost for absolutely no benefit the properties in this area especially the private rented one such as my complex (Palace Court, Maybury Road) are already maintained to an incredibly high standard and by due diligence from good private landlords. This proposal is not required and adds absolutely no benefit and serves purely as a means for the council to charge yet more money than they already do for no foreseeable or certainly tangible benefit or improvement.
- This is all highly unnecessary, and quite frankly a damn insult to the majority of Landlords!
- This is just an excuse to raise more money by the council and the thin end of the wedge. It will no doubt be rolled out over other areas of the borough and used as cash cow to extract more money. This will force good landlords (the vast majority) to put up rentals to pay the additional costs and the bad ones will just not comply / avoid the whole system somehow. All properties let through a regulated agency should be excluded as tenant is protected by terms of the tenancy agreement.
- To add to the requirement Documents to be submitted to the local authority when asked (Point 5 of Appendix 6 of the Proposal), the licence holder should maintain a log of complaints and action taken, and make this available not just to the Council, but also to occupiers and to potential occupiers prior to entering the rental agreement.
- To apply for 3 and more bedroom properties only.
- Unfortunately in this survey the questions have been biased towards the assumption that a licensing system will take place. There is nothing in the survey to give a responder the opportunity the question the realistic workings of the licence.
- We had a 'fair rent' system in place in the 1950-1960s and then the Tories scrapped it for the landlord's sake. Tenants had Security of Tenure as well as a Fair Rent, will this be implemented also? It's too little too late for most tenants of private landlords, the rents are horrendous to say the least as well as Fees up front and large Deposits! It needs a new governmental thinking about the whole of the British Isles on this issue, not just little ole Woking.
- We have been developer and letting agent, currently a landlord with several properties in the designated area and around Woking. From our experience the property stock let is in good and clean condition, the concept of licensing for this area brings absolutely nothing new. To the table and is a further hindrance and unnecessary to landlords trying hard to bridge the massive

gap, between ownership and the huge demand for good properties to let. The rogue landlords are in the extreme minority, but this scheme hits out at all landlords, it will further drive up rents at the expense of the tenants, plus reduce the number of properties to let.

Please let us have any further comments you have about the proposed licencing scheme?

- 1. What about Limited Companies? 2. This scheme disproportionately hits smaller private landlords (1, 2 or 3 properties) 3. Scheme is unnecessary for Landlords who use Letting Agents to fully manage their property. As these Letting Agents are effectively already doing what this Licence Scheme proposes, there should be an exemption for these landlords. 4. How are the reported improvements that licenced landlords are supposed to make, actually going to be checked? 5. What about temporary landlords who just rent out a home while working abroad, for example? 6. The scheme talks about common areas? In a block of flats with a mixture of owners and landlords, the common areas are shared by all... including possibly multiple landlords - how is that going to be resolved? i.e. you cannot just apply the HMO rules
- 1. I think it is expensive, burdensome and unfair to the vast majority of reasonable/good landlords. 2. There are already many enforcement powers available which Local Authorities can use to take action against landlords who do not keep their properties to a reasonable standard. These target those who actually cause the problems. 3. It is not always the landlord who is at fault, some tenants can be dreadful e.g. drying wet clothes inside without opening windows and without turning heating on = mould.
- A licencing scheme should benefit both landlords and tenants. Tenants get an enhanced certainty about the standard of the property they rent is maintained appropriately and that the landlord's dealings with them will be reasonable. Landlords have an improved status as reasonable people from whom to rent.
- A limit on the maximum number of licenses the council will grant in the area and per landlord
- A student from Bangkok told me a few years ago that he looked at accommodation in Maybury. Three different properties advertising Rooms To Let. He said that he was led into each room in the house to find TEN MATTRESSES on the floor! When asked where is the room to let he was told 'Here you share with others! No doubt the other room-mates were illegals!
- After the initial period the scheme should be extended to a wider area
- Already stated in previous answers but our main concerns relate to its applicability to single occupancy homes which is unfair and also that it should cover all of Woking not just the proposed area. This is a poorer area of Woking so it directly affects property prices for owner occupied properties and discriminates against the renters as well. Do all of Woking not just a bit of it.
- Any landlord will try his or her best to keep his/her property in good order and condition. The landlords in these areas cannot be compared with the rich people and the royals who own most of the land in the UK. The area under consideration is the most economically deprived area in Woking and Surrey. If the economic condition in these areas is improved, housing standards will improve. Council should, therefore, provide opportunities to improve the economic condition of the people in the area. Instead of spending millions and millions of pounds nearest to these areas, they should provide resources to the inhabitants including investments in educating people to improve their housing standards.
- As a landlord, developer and managing agent in Woking for the last 30 years I am also familiar with selective licencing schemes in different areas of the UK. I strongly object to the specific area designated for selective licencing. If I've understood correctly the proposal is to include an entire Ward for selective licencing. This Ward is effectively split into 2 distinct areas; to the West of Stanley Road the area is made up of generally modern purpose built flats, flats largely converted in the last 10 years within older commercial buildings and refurbished flats in older buildings. There is clearly no requirement for selective licencing in the roads to the West of

Stanley Road. I would challenge Woking Council to confirm how many rental properties are situated West of Stanley Road & what percentage of those properties they regard as 'poor quality accommodation'. As a letting and managing agent with 30 years' experience in Woking town I would estimate that less than 2% of properties in these roads would be regarded as lower quality accommodation. Indeed, I would go further to say that the area to the West of Stanley Road offers some of the highest quality accommodation in the whole of Woking. In which case why are the roads in this area of Woking being included in selective licensing? Is this simply a thinly veiled attempt to raise cash to subsidise the Council's proposed selective licensing scheme by including high quality modern purpose built accommodation & relatively recently refurbished older stock, operated by responsible landlords, within the scheme? It also feels fundamentally unfair to charge good landlords £560 per unit to subsidise the chasing of landlords offering poor quality property in a neighbouring area, and to pay for the failings of the education system, government policy, the local council planning and environmental departments. Where selective licensing is in operation in England it is standard practice for Council's to include ONLY roads where a high percentage of rental properties are in need of improvement. Selective licensing is typically operated on a ROAD specific basis NOT WARD specific. Clearly the area of concern is the older terraced properties to the East of Chertsey Road and Stanley Road, some of which have been converted into flats. If a selective licensing area is to be imposed it should be restricted to these specific roads which have a tendency towards providing poorer quality accommodation. Having observed first hand selective licensing schemes in Hartlepool and Easington in the North East of England I am NOT in favour of this type of intervention as it simply does not work. What I have witnessed is that the schemes normally fail and cease to operate at the end of the 3 or 5 year period. The main reason appears to be because the responsible landlords in the area will 'sign-up' and in the majority of cases are already complying with the conditions of the scheme. However, the 'rogue' landlords do not 'sign-up' and are simply driven further underground to avoid being detected and complying with the conditions. If the Council are intent on considering a scheme purely for the properties East of Stanley Road (going away from the town centre) proper consideration MUST be given on how the Council intends to identify the rogue landlord element and enforce compliance with the scheme conditions. The other major reason many Council's impose a selective licensing area is to deal with anti-social behaviour. However, this generally has the effect of forcing tenants alleged to be causing anti-social behaviour to vacate their properties and disperse into other areas. It simply moves the problem elsewhere. However, I note this is not regarded as a particular issue in the designated area of Woking. It therefore seems rather draconian to introduce selective licensing simply to deal with a limited number of poor quality homes in the area East of Stanley Road. Rather than simply burden hard working and responsible landlords with yet another 'tax', perhaps the Council should consider taking responsibility for the problem and deal with offending Landlords in Woking using the powers designated to their Environmental Health officers? Incidentally, your proposal note mentions what Woking Council have operated an Accreditation Scheme for landlords, but that this has failed to raise standards. As I say, I have been operating as a landlord and agent in Woking for 30 years. This is the first time I have heard that such a scheme is in existence. I know many landlords and not one has ever mentioned Woking's accreditation scheme. Has the Council considered that their Landlord Accreditation scheme could be better promoted?

- As a very responsible landlord working closely with a highly reputable letting agent, I have an excellent relationship with my tenants, a young family, who have renewed their tenancy over multiple years. I maintain the property to a high standard and deal very promptly with any problems they have. In these circumstances, I do not see why I should have to pay for an extra layer of bureaucracy that is clearly aimed at rogue operators. There is a plethora of regulation already, and rather than duplicate effort I would far rather see a campaign of education so that

tenants know their rights and responsibilities, and that there are appropriate prosecutions of operators who fail to deal with issues.

- As the criteria for your licensing proposals depend on statistics how do you establish the private rental market percentage in the area designated or in the rest of the borough. What access do you have to this kind of data? Without proof of this basis how can you avail of the statutory regulations under which you propose to make these licensing provisions.
- As we are a large portfolio housing provider, should the licencing be mobilized we will require a phased time frame to implement the application process.
- Bearing in mind the licensing cost will be passed on to the tenants the proposed charge is far too high.
- Excellent idea.
- Exploitative landlords are likely to evade licensing.
- Extend to all rented property over time
- Fine Landlords whose properties fall below standards. Do not penalise those who keep their properties in good condition.
- From experience as a landlord in other parts of the UK this type of licensing just does not work for anyone.
- Good landlords will join, rouge landlords who do not maintain their property will not. This is not a scheme that will improve the condition of the housing in the area. It will generate income for the council and penalise good landlords. Charge only the landlord who fail to maintain their properties. From the figures in your proposal the council has received an average of 177 complaints per year in the last 3 years. There are 6566 properties rented in the private sector. This means that the complaint rate is less than 1.8% per year. Is it really necessary to bring in this scheme?
- Good morning in response to the proposal to licence private dwellings, I would like to comment as follows. It seems that it is the same old story that the landlords who provide decent accommodation get tarred with the same brush as landlords who rip off their tenants and end up paying the price for regulating the market. I think it is unfair that landlords that do provide decent accommodation end up paying the price for a situation that they have not created personally. It would seem, as usual, people who adhere to decent standards as landlords are penalised, whilst, quite possibly, the exploiting landlords of properties deemed unsafe are probably going to be the ones who neglect to register their properties. You are obviously already aware of the relevant properties that are rented out privately, so why is there a need for a licensing scheme? It seems that this is just another way of raising extra finance for the local council. Also, it is probably the unscrupulous landlord who needs regulation who will try and avoid paying for the licence, so I am guessing it will only end up regulating the properties that quite frankly don't need to be regulated. Thanks for the opportunity to make my views heard, but I am a little sceptical that my views will make any difference to the outcome.
- I agree that private landlords should ensure that their properties are safe and secure for the tenants. I also think they should be responsible for the exterior appearance of their properties, and the upkeep of their gardens. The house next door to me has had a broken front garden fence for the five years I have lived here and I had rats from the overgrown back garden of the property. This two bedroom property has up to nine people living in it at any one time. I have many more such stories, but look forward to the licensing stopping the problem
- I am opposed to the proposed selective licensing scheme for the following reasons: 1. Bad landlords will be driven out of the selected area and will set up elsewhere in the Borough, thus just moving the problem. 2. The Council already has powers to deal with problem landlords but is failing to properly apply them, choosing instead to put the problem and the expense at the landlords' door. 3. Selective licensing creates an additional expense for landlords that they will need to pass on to tenants by putting up rents.

- I am unable to see how a licensing scheme of the kind proposed by Woking Borough Council will achieve the Council's stated aims of improving the quality of the rented housing stock. It would appear to me that the Council is proposing to levy a tax on all rented property in one small but densely populated part of the Council Area in order to finance enforcement action against landlords operating in any part of the Borough, rather than using its existing powers to deal with problem tenants and problem landlords effectively. This proposal is pernicious and should either be applied to the entire Woking Borough Council area or not at all.
- I believe better education on tenants' rights is required; the council has laws to protect tenants already and to fine Landlords already. A further tax on the Landlord will change nothing.
- I believe that there is a wide range of properties in the area. A number of which are purpose built blocks commanding reasonable rentals and aimed at the professional market. I believe that if these properties are not maintained to a good standard then reputable letting agents will not deal with them and they will be difficult to let, thus market forces will operate and the condition of the properties will improve. Tenants in these properties have a wide choice of properties to rent from and there is an active and deep rental market in Woking. This is an unnecessary measure which will do nothing to improve the standards of these flats yet will cost the landlord (and possibly their tenants) a significant sum of money. If the council feels there is a problem with some properties within this area, it should concentrate its efforts on the problem properties and landlords.
- I believe this is a money pulling exercise for the council and is not fair on the land lord or the tenants. I can see tenants losing out. Why is it not being rolled out across the whole country rather than on specific area
- I believe this is unfair to the area, because other areas such as old Woking, Kingfield, Westfield have houses in even worse conditions than that in Maybury, which are on rent. I have rented a few properties in Maybury all of to be in good standard and good price. I believe cos of this action by the council my cost of living will go up, and rent will go up, as it is already expensive to live in Woking
- I consider myself to be a good landlord, and have been part of the Responsible landlords scheme in Sheffield - however, bad landlords or illegal landlords will not surface because of this scheme and as ever it will only be the responsible landlords who will, 1) respond and 2) comply. I consider that instead of raising money through further taxing those who are responsible and comply, there should be stronger measures taken to heavily fine and close down those disreputable landlords who are causing this problem. There should be a black list put in place for the bad landlords who are circulated to all estate agents and councils so that bad landlords are not able to buy or continue to rent under any circumstances. Bad landlords will not pay a licence fee nor comply and if they are illegal they will be under the radar anyway.
- I consider the Woking borough council proposal to set up a selective licensing scheme for the Canalside Ward to be poorly focussed and disproportionate. I am disappointed that a Conservative council is seeking to impose additional bureaucracy and charges on the private sector. No explanation has been given as to how the £560 charge has been calculated? Why is it so expensive to administer a scheme whereby landlords must submit a gas certificate, electrical installation report and their properties are inspected once every three years? How can a cost of £450k be justified to run the scheme for three years (using 2011 census number of private rented dwellings in the area)? All that is going to happen is that rentals in the ward will rise to absorb the £560 additional charge and this will affect precisely the sector that the council is trying to help. It is mentioned that a landlord accreditation scheme was launched by the council in September 2016, three months before the publication of the proposal for a proposed licensing scheme. I have not heard of the scheme and would be interested to see what it entails. It is stated that response to the voluntary accreditation scheme has been low. Is three months really sufficient time to measure its effectiveness? How many resources have been used to publicise

the accreditation scheme? In my opinion, more time and effort need to be put into this voluntary action instead of precipitously implementing a more punitive measure. Disproportionate and marginal. The justification that Canalside ward suffers from poor property conditions seems very marginal. According to the David Adamson survey rates of “non-decency in the Canalside Ward area are slightly above the national average”. Nationally 19.8% of homes fall below the decent home standard, whereas in the ward it is 21.9%. This difference of 2% could easily be explained by statistical sampling error. The same survey indicates that the number of homes falling below the decent home standard could be as low as 15.9%, which is well below the national average of 19.8%. Poorly focussed The David Adamson survey estimated that only 19.4% of the private rented sector in the ward is non-compliant with the decent homes standard. Why is this proposal targeting the private rental sector when it is in line with the national average? The proposal does not differentiate between the age of the housing stock. According to the David Adamson survey, 89.2% of the post 1980 constructed dwellings meet the decent home standard, which is well above the national average. This is further emphasized by the fact that all category one hazards are exclusively present in dwellings constructed before 1919. Furthermore, all homes constructed after 1980 are compliant from a repair point of view. Why does the proposal not target the older dwellings and especially the pre-1919 dwellings where non-compliance is a real problem? Benefits of Licensing scheme The proposal lists a number of laudable objectives for the scheme, but is very sketchy and general how such a scheme will achieve such objectives, especially as the scheme excludes social and owner occupied housing which according to the David Adamson survey account for more 56% of the housing stock. According to the David Adamson survey decent housing in area will be improved by investment of £1.3m. The council should concentrate in incentivising / facilitating such an investment instead adding more bureaucracy and costs to the private sector. Other The council proposal fails to mention that housing in the Canalside ward has; 1) Home energy efficiency ratings that are superior to the national average. According to the David Adamson survey, energy ratings are better than the national average, Energy consumption; alongside other factors is an indication of the quality of housing. 2) Other environmental indicators that according to the David Adamson survey are “apparent but generally of minor impact”.

- I disagree that the licencing scheme should be imposed in Woking. The council should use current adequate powers to deal with rogue landlords.
- I disagree with it. There is no demand for it, and the fees are not justified.
- I do not agree that the council has made a case for the introduction of licencing. a) Adequate laws exist for the council to enforce housing standards but are poorly enforced. It is a common problem amongst councils. b) The record of 11 successful prosecutions on this subject over a 3 year period is wholly inadequate to justify the introduction of a licencing scheme. Either there is not much of a problem or the council has been poor in prosecutions. c) I do not see any statistics on the actual number of housing complaints from the chosen areas, so either they have been modest in number or the problems have been solved by council intervention not requiring prosecutions. In either case, clearly licencing is not justified and the council is doing its job under its existing powers. d) The impression is clearly there that this is a money raising venture by a council clearly strapped for resources.
- I do not believe the selective licencing proposal for certain areas of Woking Town Centre and Maybury is a good idea. I am a private landlord with properties in Woking, which are located outside the selected areas proposed for licencing. Complaints have never been made about my properties and I take pride in maintaining a good living environment for tenants. The council says that it is concerned about spiralling rents, however introducing a charge of £560 per property and increased onerous licence conditions, is only going to make rent levels higher. If the costs of the landlord implementing the licence conditions is roughly the same as the council costs, this would mean an additional cost of £1,120 per property, or £373 per year / £31 per

month. This is a significant amount of money for tenants to bear, if they are on low incomes and/or in receipt of means tested benefits. I believe it is unfair for the 80% of landlords who rent properties in the area with acceptable housing conditions, who will be required to increase their rents, due to this scheme and comply with all the additional requirements. I believe the council should concentrate on working with the landlords of the 151 dwellings, which fail the decent homes standard, in a positive manner, to implement some of the proposed conditions. If landlords are not currently meeting standard rental requirements, I find it hard to believe that they will comply with even more detailed requirements under the licencing scheme. Although I understand the reasons for the area that has been selected, I am concerned that Woking Borough Council will expand the area to the meet the 20% limit of private sector housing stock in the Borough, as it is a scheme that raises significant funds. I would like to understand what the £560 charge is for other than inspecting the property once during the life of the scheme. If significant health and safety hazards are found, surely, enforcement action would take place anyway and should not be covered by these fees. The council will be raising £450,000 through introducing the licensing scheme, which seems a great deal of money for the property visits.

- I do not think that the scheme should go ahead - for the following reasons: 1. The private rented sector is an important part of the housing market. History has shown that if measures are taken that make the job of a landlord too difficult or not sufficiently profitable then landlords will leave the market or increase rents and the market will shrink, putting even more pressure on other parts of the housing market. The licensing scheme will make the job of a landlord more difficult and increase his or her costs. Existing legislation should be used to its full extent to deal with the problem of badly maintained properties and those that do not meet legal requirements. 2. The proposed licensing scheme has an air of discrimination about it. It is greatly regretted that some councillors, speaking in the council chamber, clearly disapprove of landlords, and my concern is that this is filtering through into this licensing proposal. The area proposed for the licensing scheme also gives rise to an unwelcome feeling that there might be a racial colouring to the proposal. 3. There is a wide assumption that landlords are bad while tenants can do no wrong. This, of course, is quite a wrong assumption. It would not be accepted if it was suggested that, if landlords are to be licensed then tenants should be too. But before landlords are licensed more should be done to give them better protection against the likes of vexatious and over-demanding tenants, tenants who do not look after the property, tenants who do damage to the property, tenants that leave the property without proper notice, tenants that do not return the keys to a property, and so on and so on. Landlords should also be taken more into account in the rules for charging council tax to ensure that landlords are not unduly penalised, for instance during periods when the property is empty in between tenancies, when being renovated, or when awaiting sale or when tenants leave early.
- I do not think the licencing of private rental properties is going to make a great difference to rogue landlords. For those of us who already follow the rules and look after our rental property, it is unfair and another way of extracting money from us. Where is the fee money going to go? Who is going to monitor these licences? How can a property be assessed by paperwork and tick box exercises? Is this not another way to boost WBC coffers? As much as I understand the reasoning behind the scheme, it is always the 'good guys' who comply and pay dearly for the bad practices of others. By the way, the rent on my property has not been increased in three years - not all landlords are greedy, preferring to value our good tenants so they look after our assets!
- I don't think it is appropriate to publish the exact addresses of properties where the council has successfully secured prosecutions. I suspect this breaches the Data Protection Act (sensitive data). It is also unnecessary information. All that was needed was to say how many successful prosecutions there had been in the proposed area and what the offence was; the address doesn't add any value to the argument.
- I feel that the proposed favours tenants far more than landlords and the fact the scheme is being

used for the council to make money rather than benefiting anyone from the public.

- I feel this is just a money making idea for the council.
- I have concerns that this is the first step in rolling this out across the whole borough which will be a ploy to raise revenue and nothing more. There is legislation & powers in place for the council to deal with any breach of standards and these should be used as opposed to a revenue raising scheme. Secondly the area proposed is mainly an Asian (I am white British) area which gives rise to the question whether or not this scheme is racist.
- I have a lot of compassion for the vulnerable people who are residents in this area. I do want solutions to be found to the poor conditions and feel that criminal landlords should be prosecuted but object to the scheme to license landlords as outlined in the current proposal based on the following: 1) Further regulation is not needed. What is needed is better enforcement of current legislation. 2) Probably ineffectiveness of current proposal. Landlords who are currently operating illegally and immorally will probably not change their disposition with the addition of more regulations. There is also a probability that the problem will not be solved, but only displaced as rogue landlords move their investment property to other areas outside the regulated zone. Extension of the regulation areas will increase council costs and could damage the entire Woking rental market. 3) Endangerment to vulnerable tenants. The increases in costs will be passed on to tenants. If owning rental properties in the area becomes too onerous, the number of available properties for tenancy may be reduced. 4) Penalising law-abiding landlords in the area. Landlords who are currently complying with regulations are being penalised as they will pay and comply with new regulations, while unscrupulous landlords will not. There is a danger of damaging property value in the area as restrictions imposed in a single area will make purchasing inside the regulated area less attractive. 5) The solution does not address the root of the problem. This is a complex issue. The root of this issue is the lack of affordable housing and a significant illegal immigrant population in the area. This is creating demand that is being supplied by unscrupulous landlords. Vilifying landlords and placing extra burdens on them may have the appearance of tackling the problem, but a single prong approach will not solve the situation. A full strategy needs to be in place to tackle this issue and not simply burden the law abiding landlords who provide a valuable service. I would be in support of stricter enforcement of current legislation for law breakers without burdening law abiding landlords further. If this scheme is passed, I would request that further consideration be given to law abiding landlords so as not to unfairly disadvantage them. I believe that the discount is not sufficient for those accredited landlords. I think there should be a minimal administration fee to record their accreditation online.
- I said it all in my last comments but in short this is just another way to get money out of Landlords under the pretences of desalting with bad Landlords, of which there are far less than good ones. This is just another way to hammer the Landlords and get more income for the Council. I do not agree with this initiative at all!!
- I strongly disagree with any sort of proposed licensing fees as this will not benefit me any way what so ever. If any costs are increased on the landlord it will have an impact on my personal situation as a tenant.
- I strongly disagree with the proposed scheme as I feel it is another excuse to tax the average man. The scheme is an extreme move and the fees proposed are not justified by any stretch of the imagination. If the objective is to improve the standards of the community overall, there should be awareness campaigns, education for the landlords and tenants likewise rather than taxing the community. Those increased costs will only be passed onto the tenants and they will be forced to pay even more in an already expensive area. Awarding landlords with multiple properties with recognition, certifications and using them as case studies is the way to move forward. The council needs to seriously re-think it's draconian strategies of redeveloping and re-enterprising the community.

- I think council should keep its nose out.
- I think it's unfair where the landlords who have got their properties to a reasonable standard that they are being targeted as well as the one's who's properties are in a very bad condition.
- I think that charging landlords would only result in rising rents. Maybe to make this a scheme that won't increase rents and encourage a high standard of housing, provide a refund to landlords who fully comply throughout the licensing period, essentially making it a deposit-type scheme.
- I think the proposal sounds like a good idea. I did have second thoughts about the fees and discounts, though I'm probably not coming at the issue from the same financial mind set as landlords or the Council. My initial reaction was that £560 to register was quite high, though I do concede that most landlords would make that back very quickly, and when you consider that the cost covers three years, it is somewhat reasonable. I also think that there's a considerable difference in cost depending on whether you're a member of an accredited scheme or not. My initial thought was that the difference was surprisingly large. However, I don't know the full details of what being accredited costs and means; if being accredited encourages higher standards of accommodation, and having a lower Council fee will encourage landlords to become accredited, then it sounds good. £200 as a registering fee sounds reasonable.
- I think this is terrible for private landlords. Woking BC is blatantly discriminating against landlords in a specific designated area of Woking. I think this looks more like a money making scheme than actual concerns about tenants. The costs you have included for the application etc. are ridiculously high. At the end of the day, you will be negatively affecting the economy of Woking. Bad landlords are in the minority so too put in place harsh practices across the board is unfair and wrong. The conditions you are proposing along with the costs will mean many landlords will give tenants notice as renting housing will just be commercially unviable. In difficult economic times you will make things harder for landlords! If anything, your proposals seem to be targeting a 'specific' ethnic community. Not very inclusive and diverse to me, some may even call it 'targeted racism'! I am not in support of this and hope Ray Morgan /Cabinet at Woking scrap these proposals.
- I think this proposal is a total waste of time and rogue landlords will not be found and decent landlords following all the guidelines are being penalised. Landlords who rent via a letting agent have to abide by the conditions stated regarding health and safety of tenants or the agents will not take on the property. This legislation could lead to good landlords pulling out of Woking and the said area deteriorating further. I own and rent a fairly new one bed roomed flat with a management committee and secure gates and the tenants are found and managed by a reputable letting agent. I am very upset that I should be classed as a rogue landlord and discriminated against.
- I think this this proposal should be scrapped all together.
- I would not be in favour of extending the area proposed as I feel the majority of rented properties in Woking are well maintained and would not need these measures
- If the landlord does not want to sign up to the licensing scheme, then an option to go to an approved local letting agent should be available. The letting agent will then become responsible for meeting the standards and answering to the council
- If the proposed scheme is to be effective and protect the living standards of the tenants, it is ESSENTIAL that (a) the proposed rent is agreed (and frozen for the licence period) and the property is subject to a formal inspection BEFORE any licence is granted. Subject to a minimum standard, it is reasonable that the rental should reflect the facilities offered (b) good standards are ENFORCED and any deficiencies are remedied within an agreed SHORT period at no expense to the tenant (c) the property is subject to random inspection and enforcement notices must be issued as appropriate (d) the whole scheme is a legal requirement and does not rely on complaints by vulnerable tenants who can then be victimised and bullied by their landlords
- If you are going to do this, apply to properties that need it, not ones that are brand new or a

million miles away from needing it. Use common sense.

- I'm sure this scheme would improve the general state of housing. However, the costs are likely to in some way be passed on to the tenants. In some cases this may make their current accommodation unaffordable to them which would be unfortunate. The council already has the ability to order improvements to be made. This could be done where complaints have been made - my assumption is the tenants can tell when they are in poor conditions. The cost of the license sounds relatively significant relative to cost of corrective maintenance and likely rental income from a small property, it will also unnecessarily affect the good properties as well as the bad.
- Increasing legislation by creating a licence will not improve poor landlord standards, or ensure property managers do their job well. Dog licences did not help dogs & Landlord licences will not help tenants. WBC could offer property improvement grants. This action might actually result in improvements. The local authority should not charge a fee for their licence, or charge for a renewal. It would appear to be profiting from the private rental sector where they have failed to house those in need. Money may be diverted from potential household maintenance or improvements into the council or financed by even higher rental charges. The local authority has only served to hinder my property renovation to create an excellent small rented house situated just a few yards of my own home. WBC planning department demanded a huge sum of money for nothing. This is another of their dubious money making ventures at the expense of local residents. Simply legislating or stating that something must be done is slow, expensive and often not effective. WBC does not comply with specified standards. How on earth do they think this will put everything right? Practical building workers are needed, not office workers.
- Insert the limit of cost about rent.
- It is a good idea as long as it is enforced to many landlords just care about the money and not people's safety
- It is a huge concern that tenants living very happily in our properties (which are newly renovated and of a high spec) could be caused unnecessary disturbance end even forced to move if the property falls foul of any 'technicalities' of the licensing. For example, in a three bedroom home there are three people all on one tenancy agreement (effectively as one household), and one of these people is living in the single bedroom, which falls just below the 6.5 sq. m minimum room size. What happens? If the licence is revoked on this basis the landlord will be forced to remove that person from the room where they have been very happily living - or demolish a wall to move it 2 inches encroaching another person's bedroom causing huge unsettlement and stress for all involved. When people rent a three bedroom home the landlord can't stop them putting beds in rooms of their choosing. If a landlord has been providing good quality accommodation for many years with no complaints or issues at all but fails a DBS check on the licence application, again this would cause huge problems for both the landlord and tenants unnecessarily. Overall, we need assurance that common sense will be applied and the application of rules/conditions can take account of individual circumstances.
- It is important to be realistic, to ensure sufficient uptake and adherence. Best to get a key group onside first, this should help with wider adoption.
- It is not clear how this fee will be invested; as such why is it required and in what way will it deter bad management or lead to improvement? Is the aim to reduce the level of private rental? There is an equally big problem with landowners letting the property they live in fall into a poor condition.
- It should not be implemented at all. I think there are not enough questions about should the scheme be given the go ahead or not. Most landlords will be against it as it's just another penalty they have to pay even though they maintain their properties to a high standard. The landlord will not gain anything from this. Its rubbish to suggest living standards will go up. Most people live happily in their homes and tenants have a choice.

- It will encourage to landlords to increase the rent towards the tenants. As the landlord is paying tax on mortgages alongside home improvements. It is not the good idea to implement these licence fee to landlords.
- It will just force a very small sector of the private rented sector (the dodgy end) further underground
- It would be better to find ways of supporting landlords to invest in improving properties rather than damaging ever decreasing budgets for repairs and renewals with significant application fees and administration requirements. Recent Government tax changes will significantly limit funds landlords have to invest in properties which is a great shame.
- It'd be interesting to see how this plays out with properties that are managed by someone other than the property owner (e.g. estate agents) as our landlord is very reasonable but dealing with the agent who actually manages the property is like pulling teeth. Especially in the cases of monitoring ASB, subletting etc. I don't see how a property owner who lives in another county could monitor that properly... personally I think more needs to be done about property managers because the best I can tell is that they are all ratbags (to put it politely)
- It's outrageous that good landlords and well-kept properties must belong to this scheme!
Prosecute and fine bad Landlords .
- I've had supportive comments from Jonathan Lord MP for Woking and Will Forster Warner to my objections. Before giving your analysis to WBC I think you should make sure you contact the Counsellor for the Canalside Ward as applying a scheme where even the local Counsellor thinks it is wrong would seem obscure.
- Just another tax which would be passed on to renters with no benefits to anyone other than the councils picket.
- Maybury Ward is a proud and diverse neighbourhood containing a great variety of properties, including many modern dwellings owned and let out by professionals like me. Your proposed licensing scheme is poorly designed. It unreasonably tars all landlords in Maybury with the same brush. It is poor policy and frankly very unfair to compare my modern apartment - which is less than 10 years old, meets all the latest health and safety regulations, and is let to a professional tenant - with a run-down, overcrowded Victorian terraced house that has been let as bedsits and where maintenance and safety have been neglected. The proposed flat rate fee is also disproportionate if applied, as you propose, to all landlords, irrespective of property type. Your proposed discount for landlords who are members of an accredited association is utterly mind boggling; it is private individuals like me who maintain the highest standards – we are the backbone of Maybury's regeneration - and yet you wish to pursue a vindictive policy that penalises us in favour of conglomerates and commercial entities that take far less personal interest in this area. Incidentally, £560 every three years is far too expensive for an individual, fully compliant private landlord and yet it's peanuts for the commercial firms, so will have no effect on them. This is a very odd approach to take. Whilst I recognise the need to tackle cowboys and rogue landlords, you should realise that the individuals you're really targeting with this one-size-fits-all policy will pay no attention to the new regulations and their non-compliance will simply tie the Council up in law suits and administrative expenses. You will, however, succeed in alienating the hardworking professionals like me who have chosen to move to Woking and whose investment in high quality modern accommodation is vital to Woking's continued transformation. I let my property because my job takes me overseas; I am not in it for commercial gain. The presence of private landlords like me has done more to drive out the vagabonds and frauds than this half-baked licensing scheme ever will. Maybury has improved beyond recognition in the past thirty years and the ward has significantly benefited from the modern blocks of flats that I and fellow professionals have bought into, which have already replaced many derelict properties and commercial sites beset by criminality. We have personally contributed to raising the standards for thousands of professionals who are now proud to

consider themselves Maybury residents. In targeting only one ward within Woking Borough your proposal will also unacceptably distort capital values and the sale-ability of apartments in this part of town, which is an area that continues to need sustained, high levels of private investment. Why should I pay a 'tax' on my modern two-bedroom apartment let to professionals when the owner of an identical property let to similar individuals just the other side of the railway tracks does not have to? Your licensing scheme will simply incentivise private landlords like me to divest from the area, which will exacerbate the problem you have set out to solve. Pursuing such a discriminatory policy singling out just one ward in the town may also land the Council in legal hot water. This licensing plan is regressive, discriminatory, poorly thought through and runs completely counter to the ethos of a forward-looking, modern and tolerant town, which seeks investment from private individuals, looking for a quality investment close to London. If you wish to flush out the rogues and the charlatans from the private rental sector, then use the ample range of statutory powers you already have to hold them to account. But do remember that people like me have choices as to where we invest. Your plan is likely to have the very opposite effect to its goals and should not be pursued.

- Money making scheme for the council. Tenants can always complain about the property and the landlord should fix it. Easy
- Mr Neil Coles can, respectfully, abolish this whole matter before it goes any further.
- My comment concerns the whole principle of regulation. Yes I am sure there are gross abuses, especially in the area designated for this trial, but I believe the solution is to support landlords and make letting easier so that more people do it. The only real way to improve standards is by competition. If there are more landlords they will be gradually forced to drop their charges and offer better practice in order to get tenants. This constant crackdown on the private rented sector (with new taxes, extra stamp duty and licences) just has the effect of putting people off becoming landlords, and makes existing small landlords consider quitting. The end result - even less availability - more overcharging and abuse. I have a nice clean and tidy shared house to rent at moderate rents. The demand is huge - I get swamped and have to turn people away disappointed. More good places are urgently needed.
- My husband and I - fairly new to Woking - are very pleased with the proposed scheme. Tenants need more protection and the scheme will benefit the town as a whole.
- new properties - say less than 10 years old should be excluded from the need to licence
- No just think it's outrageous that something like this is even being considered. Why can't you just penalise and act on the landlords who you get complains about rather than penalising every landlord in the borough and charging them for a licence. I am a lawyer and I am certain WBC cannot do this. I will take this through the courts if I have too. It just seems silly money Making scheme by WBC. Makes my blood boil
- NO NEED FOR ANY ADDITIONAL LICENSING. LOCAL GOVERNMENTS JUST GOT NEW POWERS TO ISSUE FIX PENALTIES OF UP TO £30,000 TO ROUGE LANDLORDS; WHAT MORE DO YOU WANT?????? £560 FOR A LICENSE JUST SEEMS LIKE A MONEY-MAKING SCHEME BY WBC. MORE RED-TAPE WILL NOT IMPROVE CONDITIONS; IT WILL JUST MAKE RENTS MORE EXPENSIVE AS LL PASS ON COSTS TO TENANTS. CHANGES TO TAXATION OF RENT WILL MEAN LESS MONEY FOR LANDLORDS TO INVEST IN PROPERTIES. HAVING MORE RED-TAPE AND COSTS ON GOOD LANDLORDS JUST PUSH TENANTS TO POOR LANDLORDS WHO OBVIOUSLY CHARGE LESS RENT FOR WORSE PROPERTIES. WBC ALREADY HAVE ENFORCEMENT POWERS WHICH THE DON'T USE - MORE POWERS ON LICENSING WILL NOT CHANGE ANYTHING.
- No need to interfere. As it is good as it is. Other areas of Woking e.g. old Woking, king field, Westfield are in a worse condition
- Not at this point. I agree that the council should take a more proactive stance on private housing in this area of the town. The houses have the potential to be nice - however, having bought a place that was previously privately rented out - it was apparent enough the landlord's interests

were to maximise rental income by subdividing a place into very small rooms with no common areas other than a tiny kitchen and a bathroom that needed a lot of work to improve it.

- Not that I can see.
- Only as stated previously and of course it will drive investors to other areas bearing in mind also that the town centre will be a building site for many years to come.
- Please do not go ahead with it. It will not help; it will make renting in Woking more expensive, and put people off investing in Woking.
- Please drop this scheme which is just a way of the council raising money from private landlords. I am considering selling my property if this comes into effect as the costs are so great that would mean one less rental property in the area.
- please scrap it
- Rogue Landlords are not going to apply for a licence. My understanding is that no one has the authority to knock on doors to find out details of a property, e.g. whether owner occupied or let, and if tenanted inspect the condition of the property, so how is the scheme going to work? By applying for a licence, does that mean one is giving authority for the property to be inspected, or simply meaning that that Landlord is ticked off and eliminated from enquiries and would be funding authorities to make further searches to find rogue landlords?
- See previous comments re enforcement.
- See previous comments. I don't feel this is the solution for those landlords that are complying with the law and providing decent accommodation already.
- See previous text box, where you will note I am not a happy landlord at present, thank you!
- Should be targeted to private landlords only, not those using a reputable ARLA agent
- Simply not required and just an excuse for the Council to charge excessive fees.
- Some landlords are making money at behest of tenants and have substandard properties. People like me are providing a service and charge reasonable rents and always try to keep updating the properties. It also depends on tenants looking after the property. I find some are disgrace as well as landlords. I hope this does not become money making machine like in Croydon. With connections get away while others do their discounting. Are family lets included?
- Supporting documents supplied by WBC cannot be accepted. The representation that only that specific area is more affected and in particular the state of the stock. Comparison is parts of Old Woking which have higher ASBO rate and crimes reported. Taking the facts into account it leaves the Councils selected area as targeting certain ethical minority Landlords who own the majority of the housing in this area. The area should cover the whole of Woking as a Borough rather than select Roads by discretion of a local Council. As a planning Solicitor I do expect to challenge WBC should they bring into force this scheme on the current outlines. Woking is a place for all not racially divided and that will not change anytime soon.
- The basic intent should be that the standard of living should be improved. Therefore if landlords can demonstrate this by being member of accredited landlord associations, then they should not be penalised any further. Be under no illusions, part of this extra cost will somehow be passed on to the tenants one way or another. So you are making life harder for both; the tenants and the landlords. No doubt, properties managed by the estate agents, will probably be passing most of the cost to the tenants. This will make living in the area almost unaffordable. Woking is already an expensive place to live; you are making it even harder. Stop this non-sense and try to make Woking more attractive place to live rather than creating obstacles in the way!!!
- The consultation paper refers to any number of regulatory and other legal provisions for the protection of tenants which already exist! The very idea of this proposal is an indictment of the council's failure to properly apply these protections. An additional requirement for licencing will be no more effective, in the council's hands, than the existing protections. Furthermore there will be an additional financial burden on the landlord which will, obviously, be passed on to the

tenant! I also suspect that the licencing fee will prove to be inadequate to cover the costs. Civil servants are expensive. This will simply increase the financial pressure which already exists on Council budgets. I also have a problem with the statistics used. It must be the case that a decent homes test must be subjective. I have a real problem with consultants employed by the council. They will always come up with the answer required. Furthermore we are not given the percentage of homes which fail this test nationally. Why not? Is it possible that this area is actually no worse than any similar central urban area? Also what is the justification for the claim that private rented accommodation is so bad? All of the claims seem to be very woolly and not well substantiated. In short I do believe that this will be an expensive scheme; and will yield no further benefits to anyone other than a handful of civil servants.

- The council should also consider taking action against estate agents who seem unconcerned by renting out properties of a clearly unacceptable standard.
- The council should concentrate on using its existing powers rather than creating more. This scheme will be a blanket scheme taking both good and not so good landlords. They should concentrate on the bad landlords and get them to pay for any issues rather than everyone paying. The scheme will add cost to people's rent, as it will be passed onto already high rents.
- The council urgently need to reconsider the geographical area they are planning to cover with this proposed licensing and also clearly understand the ultimate objectives of such licensing and what the impact will be on the unsuspecting tenants. I am strongly in favour of rogue landlords being dealt with firmly, but the council's proposals lack any sort of targeted approach and there must be far better ways of targeting the activity?
- The flat I own is in a controlled gated area, well supervised with a management company and committee in charge of running the building. If there have been no, or very few problems reported, it does not seem reasonable that every owner has to pay over £560 to show they are in a well-run property. This scheme should be targeted at those whose have properties where there are complaints, your background informs us that 1 in 5 have problems which means 4 out of 5 do not and yet everyone is being forced to join and pay for this scheme. Although I feel it is appropriate for the Council to take action to improve the condition of housing in the proposed area by regulating private rented accommodation, forcing everyone in the area to join is too much of a blunt instrument. £560 is a huge sum to pay if one is running a well-run property. This sum seems very high if this is meant to only covers costs. Should this be the case, then the running costs need to be significantly reduced.
- The licence fee for a private landlord is higher than that of an HMO. Will it cover multiple properties? Will the council provide a recommended list of previous tenants that have rented within the borough and been good tenants? How does the council propose to make sure that all landlords within the targeted area take part in the scheme? Will letting agents be asked to only rent properties that carry the correct licence in the targeted area? What inspections and how frequent will they be? Where will the revenue from the licences go? What will the penalties be for unlicensed landlords
- The licensing scheme should be self-funding, with the Council's direct costs for the scheme being covered by the fee income.
- The proposals are grossly unfair to responsible landlords like me who has purchased a modern flat and let it to a professional tenant. Having professional tenants in the area contributes substantially to the economy of Woking. Obviously there is a need to control unscrupulous landlords, but penalising all the responsible landlords is not the way to do it. Furthermore this tick-box survey does not enable objections to be fully stated; hence my negative replies to certain questions although I am of course in favour of protecting vulnerable tenants from manipulative landlords.
- The proposed licensing scheme is a bad idea and unfairly targeting properties that are mainly owned by Asian and Italian landlords. Most properties are in a good state. Landlords are already

being hit by higher stamp duty and tax reforms. This already is going to increase rent in the area. If the proposed licensing scheme goes ahead then we will see the costs passed onto tenants.

- The proposed licensing scheme seeks to address a situation which may be the circumstances that some live in, with an action that applies to all. Those Landlords, including the Council, who are not providing suitable accommodation, do need to be challenged. I would like you to consider that some of us have a different approach to owning a property which is made more difficult by the proposed scheme, this is something you may have overlooked or 'missed' to use your language. I entered the venture of buying this property in order to provide some friends with their desired opportunity to live in Woking which they would not otherwise have had. The rent charged is approximately 50% of the market rate, in order that they do learn the discipline of paying for their accommodation, but can also continue the work they are involved in in Woking. They are very satisfied with the flat, and very grateful for the provision. It is my practice to immediately respond to any concerns they do have. It is not the intention to by any means maximise the return one might expect on the property. I imagine your efforts would be much better invested in responding to individual circumstances where what happens at a property is of concern to those living there or their neighbours. I note that a situation which one culture might consider to be overcrowding might be the usual way of life in another culture. What is an acceptable standard of living, which I would provide, may be far better than that which others may consider acceptable.
- The proposed selective licensing scheme is targeted at rogue landlords. As a professional landlord I find it unfair that your scheme is also covering 80% of properties which you consider do not fail the decent homes standard. Most landlords of flats use letting agents and adhere to the conditions in their license through their Assured Shorthold Tenancy Agreements, Management Agreements with letting agents, Managing Agents agreements with Boards of Directors and Rules and Regulations for the Building by the Boards of Directors of the building. There are very many such developments in the area of Canalside Ward which should not be included in your proposed selective licensing. I know of several landlords who feel the same way and who have properties elsewhere in the Borough. I would suggest that treating them in the same way as rogues may not encourage them to enter into agreements with the Council in the letting of other properties they may own.
- The scheme as proposed is a bureaucratic burden to the council and many landlords, who properly manage their properties. If a scheme is really necessary then there should be a tiered approach, with a simple process for single properties and a more comprehensive approach to HMOs, which seems to be the main problem you are trying to address. You are trying to have the landlord act as the police, which is not possible. I suggest you look at the Croydon selected licence scheme, which is more balanced.
- The scheme is unworkable and will only add to costs which will be passed on to tenants. Any improvements made will be marginal and only apply to a very small section of the rented market. Many of the aims stated in the proposal are not achievable through council efforts particularly related to the anti-social atmosphere. It would appear all that will happen is an ever increasing bloated council payroll ultimately funded by tenants. Schemes like this have been rolled out over the country and have already been proven not to work. Landlords are subjected to increasing costs and government or council schemes only increase costs and ultimately reduce availability of private rented accommodation.
- There is a clear difference between landlords who comply and work positively with the council and those who are driven by financial motives and do not look after their properties and tenants. I think these proposals need to reflect that. Also, these landlords provide much needed and cost effective accommodation. I would worry that these proposals might put some landlords off and result in fewer properties being available to tenants - this would put the price of rental properties up and would have a more negative effect for all tenants. Please consider this.

- There is no benefit for the landlords but all laws seem to favour tenants. Secondly the charges for the license seem too high and are sign of money making scheme for the council rather than a proposed beneficial plan.
- Think full fee of £560 for 3 years is very high although reduced fee is a much better level. Would welcome a scheme that tackles rogue landlords who are giving landlords a bad name.
- This is a blanket charge to be imposed on a selected area. Rogue landlords are likely to avoid it. So far only aggregate evidence has been presented by the council to support their case. Much more targeted (disaggregate) evidence should be presented, including the number of repeat offenders and the total number of rogue landlords and the type of property (e.g. HMOs) involved. The council already has powers to deal with HMO properties. This approach would be to the benefit of the borough as a whole.
- This is a ridiculous amount of administration and cost for absolutely no benefit the properties in this area especially the private rented one such as my complex (Palace Court, Maybury Road) are already maintained to an incredibly high standard and by due diligence from good private landlords. This proposal is not required and adds absolutely no benefit and serves purely as a means for the council to charge yet more money than they already do for no foreseeable or certainly tangible benefit or improvement.
- This is a terrible idea. Many tenants mistreat the properties they rent (out of spite? Ignorance? Lazyness? Who knows?) Why not regulate and inspect tenants? The law seems to protect them more than landlords who are somehow seen as these Victorian-era money-pits.
- This is just a money-making scheme and will have little impact on the conditions of tenants. Many of the poor conditions that tenants face are either already covered by existing laws, or should be covered by new regulations, but these should apply to ALL rented property ESPECIALLY that rented through housing associations as in my long experience they can be the worst offenders. STOP trying to punish people for doing well for themselves and get on with doing your jobs of REPRESENTING the public not trying to bleed them dry.
- This is not required as your survey and results are based for the whole of Woking and not particular to this area. I have never had any problems living in this area. Best location ever. Lived in old Woking few years ago. Hated it because most all landlords do not rent to black and Asian people
- This scheme will do no good to tenants or landlords at all. Landlord will rent up or to cover the cost. Poor tenant will pay the price. It's clearly discriminatory policy too.
- This should be confined to the area of need only and not applied to every landlord in the borough. Otherwise this will just be seen as a revenue collection opportunity with no genuine benefit to the good landlord who already complies with all necessary legislation and is under increasing financial pressure from recent government decisions.
- Use of existing regulations being enforced would achieve acceptable standards, this scheme amounts to another form of taxation, another level of regulation and bureaucracy in an already heavily regulated sector. Furthermore, if implemented, this scheme would further increase the cost of renting properties in the area to the detriment of local residents in rented properties. Should this scheme ever be adopted, it should be applied fairly to all landlords, it would be totally disproportionate to penalise those landlords in such a small area of the borough. In addition, in order to allow landlords to pass on the additional cost, there would need to be a lead-in time of 1 year.
- WBC may be able to monitor and improve housing accommodation relative to a specific house unit. They however cannot improve an area of housing stock no matter how much control or money the Council throw at it. Areas in the Borough have always been noted as poorer areas and this cannot be changed by proposed licensing. Woking is noted as an area where a large part of the housing stock is rented; fantastic fast access to London from the Station has mainly done this. Can the Council prove that money for licensing will be ring fenced and actually used for Housing

improvement. I suspect not. In my opinion the proposals are yet another way for the Executive of WBC to raise more money to fund pie in the sky schemes which in the great scheme of things will not improve Woking. It has no heart to the Town compared with other Town centres and no amount of money spent will alter this fact.

- What will you do with the £450,000 that you raise every three years...build some social housing...or spend it flashing a bit more thigh at M&S and Hilton???
- While I am fully supportive of ensuring rental accommodation is up to a minimum standard I feel that this can be achieved with current legislation. I am opposed to the current proposals for the following reasons: - There should be no fee. It is in effect an additional tax on landlords at a time when, for private landlords who own a property with mortgage they are losing their ability to claim mortgage interest as a business expense. - The fee and conditions imposed will affect house prices in the area - landlords looking to purchase in the area will look more favourably on a property in a street not in the Canalside area then an adjacent street where additional fees and conditions are imposed - I fear that the imposition of the fees will be simply passed to tenants through higher rents at a time when rent is currently already very high for many - Our tenants rent the property as their home. I think they will strongly oppose having a set of prominently displayed notices up in their home. It is bad enough having the gas safe certificate on a pin board - having all the other required notices up will make the place look like an institution.
- Whilst I feel that the proposal is largely an excellent one, I am concerned that the cost of the license would be passed onto tenants in the form of increased rent. Hopefully there will be some way to mitigate this, such as ensuring that rental increases are in line with those of previous years (just as an example)
- Woking borough council is corrupt
- Worth expanding it
- You have enough powers already



APPENDIX TWO: CONSULTATION QUESTIONNAIRE

Questionnaire Supplied by Woking Borough Council

Consultation on Licensing Private Rented Accommodation

Woking Borough Council is committed to creating sustainable communities with a high quality built environment where people want to live. The high demand for housing combined with the growth of the private rented sector in recent years has resulted in an imbalance of housing tenure in some areas of Woking. This has led to an increased prevalence of private renting in some areas.

The private rented sector is sometimes characterised by poorer housing conditions than is found in owner occupation housing. To improve the housing conditions in Woking where it is most needed, we are proposing to introduce a licensing scheme for all privately rented properties in parts of Woking Town Centre and Maybury.

If implemented, the proposed licensing scheme will come into force from November 2017. Full details of the proposal are in the Proposal document. A printed version of this is available to read at Woking Borough Council's reception desk.

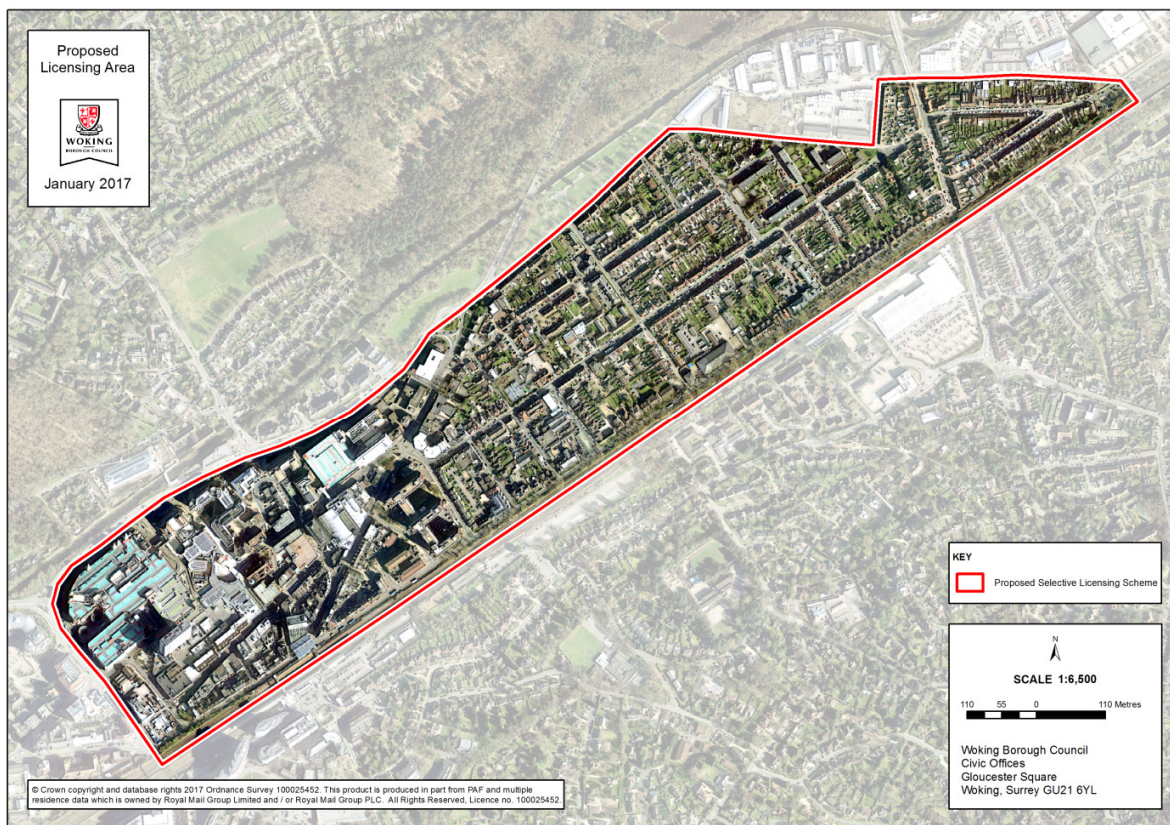
Please complete this questionnaire before Sunday 30 April 2017 and use the stamped addressed envelope provided to send to The Halo Works Ltd.

The questionnaire should only take between five and ten minutes to complete, however we suggest setting aside some time to read the accompanying proposal document before starting the survey. All responses are being analysed by The Halo Works Ltd, an independent market research company, who are evaluating the consultation responses on behalf of Woking Council and in accordance with the UK Market Research Society Code of Conduct.

If you have any queries about the consultation, please contact The Housing Standards Team at Woking Borough Council by email to propertylicensing@woking.gov.uk, or call 01483 743646.

The Proposed Area

The proposed area, marked with a red boundary line on the map, has been considered for the privately rented landlord licensing scheme. It has one of the highest proportions of homes in Woking Borough that are classed as privately rented accommodation.



Please tell us your views on the proposed area and private rented housing.

1 Do you think the proposed licensing area within the red boundary line is clearly marked on the map?

- € Yes
- € No

1.1 If 'no' how could this be improved?

2 Which of the following applies? (Please tick any that apply).

- € I am a private landlord
- € I am a letting or managing agent
- € I am a tenant with a private landlord..... Go to Q3
- € I am a tenant of New Vision Homes or Housing Association..... Go to Q3
- € I am a home owner (with or without a mortgage)..... Go to Q3
- € Other..... Go to Q3
- € Prefer not to say..... Go to Q3

For those who responded to the first two options in question 2 above, please answer question 2.1.

2.1 Do you rent out, or manage rented properties in the proposed licensing area?

- € Yes
- € No

3 Where do you live?

- € Within the proposed licensing area (within red boundary on map)
- € Elsewhere within the borough of Woking
- € Elsewhere in Surrey.....Go to Q5
- € Outside of Surrey.....Go to Q5

3.1 How long have you lived in the area?

- € Less than a year
- € Between one and two years
- € Between three and five years
- € More than five years

4 To what extent do you agree or disagree with each of the following statements?

(Please tick one option only per row).

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The proposed area is a reasonable place to live?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The proposed area has properties that are well maintained and in good condition?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The <u>private rented properties</u> in the proposed area are well maintained and in good condition?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Your Views on Property Licencing

Poor housing is often linked to poor health. Around one in five private rented properties within the proposed area are not considered a 'decent' home by the Government's Decent Homes Standard.

Broadly, this means the health of private tenants living in these homes is put at risk by issues such as damp and mould growth, inadequate heating, unsafe electrics and inadequate fire safety measures.

For more information on the Decent Homes standard, please see the document:

'A Decent Home: Definition and guidance for implementation - June 2006 update'. A printed version of this is available to read at Woking Borough Council's reception desk.

Please tell us your views on whether you feel the Council should take action to intervene in the private rented sector in the proposed area.

5 To what extent do you agree or disagree with each of the following statements?
(Please tick one option only per row).

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
All private landlords should be required to maintain their properties to a good standard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I would support the Council in taking action to improve the management of private rented properties in the proposed area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It is appropriate for the Council to take action to improve the condition of housing in the proposed area by regulating private rented accommodation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A licensing scheme covering the proposed area would improve housing conditions in the area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Length of the Property Licence

If the licensing scheme is implemented, all private landlords would be required to apply for a licence for every property they rent privately within the proposed area. It is proposed that any licence granted would last for three years rather than the maximum five year period set out in legislation. This is the same length of licence that is currently granted by the Council for houses in multiple occupation under the requirements of Mandatory HMO (houses in multiple occupation) Licensing.

Please tell us your views on the length of the proposed licenses to be granted.

6 Do you feel that the proposed licence length of three years is:

- Too short
- About right
- Too long
- Don't know

7 Which of these accredited landlord associations are you a member of?

(Please select any that apply)

- Residential Landlords Association (RLA)
- National Landlord Association (NLA)
- Woking Private Landlord Accreditation Scheme
- London Landlord Accreditation Scheme
- UK Landlord Accreditation Partnership
- Other
- None of these

8 Are you a member of the Association of Residential Lettings Agents?

- Yes
- No
- Don't know

Proposed Licence Fees

The Council is able to charge for licence applications to recover the Council's administrative costs and it is proposed that landlords are charged £560 per property for each licence application. The fee would be a one-off payment covering the whole proposed licensing period. Where landlords are members of a recognised landlord accreditation scheme, it is proposed that a reduced licence application fee of £200 per property will apply. However, it is proposed that no further discounts will be offered, for example to landlords who submit a licence application before the scheme becomes operative or where the landlord has more than one property in the proposed area.

Please tell us your views on the proposed licence fees.

9 Do you think the proposed licence application fee of £560 is:

- € Too low
- € About right
- € Too high
- € Don't know

10 Do you think the proposed discounted licence fee of £200 is:

- € Too low
- € About right
- € Too high
- € Don't know

11 Do you think there should be any further fee discounts offered in respect of a licence application?

- € Yes
- € No
- € Don't know

11.1 If 'yes', what do you think these discounts should be based on?



Proposed Licence Conditions

When a licence is granted, it is proposed that a set of standard licence conditions will be attached to the licence to ensure that all properties are managed to consistent standards. The proposed licence conditions are consistent with the conditions applied to Mandatory HMO Licensing.

Please tell us your views on the proposed licence conditions.

Further information on property licence conditions, can be found under appendix 6 in the Proposal document.

12 How far do you agree or disagree with the proposed licence conditions?

- € Strongly agree
- € Agree
- € Neither agree nor disagree
- € Disagree
- € Strongly disagree

13 If you think any of the proposed licence conditions should be changed or new ones added, please write these in the box below?



Further Comments

Have we missed anything, or do you have any further comments?

14 Please let us have any further comments you have about the proposed licencing scheme.

You can continue overleaf if necessary.

Thank you

Thank you for taking the time to complete this questionnaire. All the views we receive are important and will be carefully considered by the Council before it decides whether or not to introduce a property licensing scheme in Woking.



National Landlords Association

Response to Woking Council's proposal for selective licensing

April 2017

Introduction

1. The National Landlords Association (NLA) exists to protect and promote the interests of private residential landlords.
2. The NLA represents more than 72,000 individual landlords from around the UK. We provide a comprehensive range of benefits and services to our members and strive to raise standards within the private rented sector.
3. We seek a fair legislative and regulatory environment for the private rented sector while aiming to ensure that landlords are aware of their statutory rights and responsibilities.
4. We would like to thank Woking Council for providing the opportunity to comment on the selective licensing consultation.

Executive summary

5. Having considered the evidence presented and having undertaken our own evaluation of the circumstances faced by the residents of Woking, our position can be summarised by the following brief points:
 - Landlords have very limited authority to deal with matters related to antisocial behaviour.
 - Woking Council fails to provide evidence of how selective licensing will improve housing, outside the powers that the council already has.
 - The country is in the middle of a housing crisis, yet the council is going to make it more difficult for those on lower income to access property.
 - A landlord who receives a complaint about a tenant will move to end the tenancy because this protects the landlord's licence. This will increase the turnover of tenants, which is the direct opposite of the council's policy aims.
 - The scheme will lead to the further displacement of problem tenants in Woking.
 - The council will need an approach to prevent malicious antisocial behaviour claims that could potentially result in tenants losing their tenancies.
6. We contend that the flaws outlined above in the process and proposals must be rectified before this application is progressed.
7. Furthermore, the council's new powers to issue civil enforcement notices will resolve the issues quickly and effectively. This change in the law gives the council the powers required to solve the problems immediately and improve property standards.
8. We believe that any regulation of the private rented sector needs to be balanced. Additional regulatory burdens should focus on increasing the professionalism of landlords, improving the quality of private rented stock and driving out criminal landlords who blight the sector. These should

be the shared objectives of all parties involved to facilitate the best possible outcomes for landlords and tenants alike. As such, good practice should be recognised and encouraged, in addition to the required focus on enforcement activity. This is not the case here.

Antisocial behaviour

9. In relation to the reduction of antisocial behaviour and the authority that landlords have to tackle such activity within their properties, it should be pointed out that landlords and agents can only enforce a contract; they cannot manage behaviour (ref: House of Commons briefing note SN/SP 264, paragraph 1.1). In most circumstances, the only remedy available to landlords confronted with cases of serious antisocial behaviour in one of their properties is to seek vacant possession. In many instances, they will need to serve a section 21 notice rather than a section 8 notice identifying the grounds for possession. The former is simpler and cheaper and repossession (at present) is more certain. No reason needs be given for serving a section 21 notice and in this case the perpetrator tenant can hypothetically approach the local authority for assistance to be rehoused (ref: Homelessness Guidelines cl 8.2). Crucially, no affected party needs to offer evidence against an antisocial householder, thereby reducing the risk of intimidation, harassment and ultimately unsuccessful possession claims. The issue of antisocial behaviour will thus not appear as a factor in the repossession. However, in providing evidence to support a licensing application, the document should clarify for respondents the position of all the relevant issues under landlord and tenant law.
10. Landlords are not usually experienced in antisocial behaviour management and do not have the professional capacity to resolve tenants' mental health issues or drug and alcohol dependency. If there are allegations about a tenant causing problems (e.g. antisocial behaviour) and a landlord ends the tenancy, they will have dispatched their obligations under the selective licensing scheme, even if the tenant has any of the above issues. This moves the problems around Woking but does not help the tenant who could become lost within the system. There is no obligation within selective licensing for the landlord to solve the antisocial behaviour allegation. Rather, a landlord has a tenancy agreement with the tenant and this is the only thing they can legally enforce.
11. This was reaffirmed in February 2017 when the House of Commons library published the briefing paper 'Anti-social neighbours living in private housing (England)'. This explains: 'As a general rule, private landlords are **not** responsible for the anti-social behaviour of their tenants.'¹
12. Woking Council has many existing powers. Section 57(4) of the Housing Act 2004 states that a local authority 'must not make a particular designation... unless (a) they have considered whether there are any other courses of action available to them... that might provide an effective method of Woking with the problem or problems in question.' The council already has powers that it can use to rectify the problems and, hence, the ability to tackle many of the issues that it wants to overcome in all parts of Woking. These include the following:
 - criminal behaviour orders
 - crime prevention injunctions

¹ <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN01012>

- interim management orders
- empty dwelling management orders
- improvement notices (for homes that do not meet the Decent Homes Standard)
- directions regarding the disposal of waste (e.g. section 46 of the Environmental Protection Act 1990)
- litter abatement notices (section 92 of the Environmental Protection Act 1990)
- fixed penalty notices or confiscation of equipment (sections 8 and 10 of the Noise Act 1996)
- notices to remove rubbish from land (sections 2–4 of the Prevention of Damage by Pests Act 1949).

These powers are complemented by civil penalty notices, which the council has the power to use.

13. At the start of a tenancy, the landlord outlines to the tenant their obligations in relation to noise, just as they do with waste, compliance with relevant laws and respecting their neighbours. The landlord can only manage a tenant based on the contract for living in the rented property, not for activities in the street or in neighbouring streets. In the case of a noise complaint, the council would need to inform the landlord that the tenant's noise is excessive. The power that a landlord has then is either to warn the tenant, or to end the tenancy. If the allegation is false or disingenuous, how is the landlord to know? If the same allegation is made on more than one occasion, the landlord may end the tenancy based on an unproven allegation. This does not solve the problem, but rather moves it around the borough of Woking. The same applies to waste and antisocial behaviour issues. The tenant could be found guilty without having faced a trial. Under the reference condition within selective licensing, a guilty judgement could be given without the accusation having been tested in a court and that could result in the tenancy being ended.
14. The risk of introducing licensing is that it is likely to increase costs for those renting while not resolving the problems that the council wants to target. It will probably move the issues around the borough so they are not dealt with but instead displaced to new landlords. A more applicable and effective solution would be for the council to take a more erudite approach towards nuisance issues and develop a separate policy to tackle criminal landlords.
15. This policy will increase tenant turnover: a landlord will end the tenancy of a tenant who is perceived to be antisocial rather than lose the licence to rent out their property. The policy is harmful to tenants as it allows for malicious complaints by neighbours.

Tenants within the private rented sector

16. The social housing sector has made many efforts to remove problem tenants. Last year, nearly two-thirds of all court evictions were from the social sector. How does the council expect landlords to solve these tenants' issues when the professional sector has failed? Many of the tenants who have been removed from the social sector are now living in the private rented sector without any of the support that they need.

17. What consideration has the council given to homelessness when tenants cannot access the private rented sector? We have already seen a decline in private landlords willing to house tenants who receive local housing allowance and this policy will price them further out of the private rented sector.

Mortgage and landlord possession statistics 2016²

Year (calendar)	Landlord type		Claims issued
	Private*	Social	
2016	54,583 (39.7%)	82,789 (60.3%)	137,372 (100%)
*includes all accelerated claims			

18. We would also like to see the council develop a strategy that includes action against any tenants who are persistent offenders. These measures would represent a targeted approach to specific issues, rather than a blanket licensing scheme that would adversely affect all professional landlords and tenants alike, while still leaving criminals able to operate under the radar. Many of the problems are caused by mental health and drink and drug issues. Landlords cannot resolve these issues and will require additional resources from the council.
19. The council has failed to say what additional services it is going to provide for mental health. This will have an impact on the council's adult social care budget. We would like to know how much money has been allocated from the county to meet mental health provision, especially as this budget is already under pressure.
20. London boroughs are already housing people outside of London and Woking is an attractive proposition for many of them. Increased costs caused by the proposed licensing will make taking tenants from London even more attractive.

Waste

21. Often when tenants near the end of their contract/tenancy and are in the process of moving out, they will dispose of excess waste by a variety of methods. This often includes putting it out on the street for the council to collect. This is made worse when councils do not allow landlords to access municipal waste collection points. Local authorities with a large number of private rented sector properties need to consider a strategy for the collection of excess waste at the end of tenancies. We would be willing to work with the council to help develop this strategy.

Current law

22. A landlord currently has to comply with over 100 pieces of legislation and the laws that the private rented sector has to comply with can be easily misunderstood. A landlord is expected to give the

² www.gov.uk/government/statistics/mortgage-and-landlord-possession-statistics-october-to-december-2016

tenant a 'quiet enjoyment' of the property. Failure to do so could result in a harassment case being brought against the landlord. The law that landlords have to operate within is not always fully compatible with the aims that the council hopes for. For example, a landlord keeping a record of a tenant could be interpreted as harassment.

23. The introduction of licensing aims to tackle specific issues, many of which are related to the tenant and are nothing to do with the property or landlord. The challenge for local authorities is to work with all the people involved and not to just blame one group: landlords. We are willing to work in partnership with the council and we can help with developing tenant information packs, assured shorthold tenancies and landlord accreditation, along with targeting the worst properties in an area.
24. We also argue that a licensing scheme that is not proportional is not the best way to tackle a problem encompassing a few poorly managed and/or maintained properties. In many situations, the council should consider enforcement notices and management orders. The use of such orders would deliver results immediately, whereas the council's proposed licensing scheme would take five years. A much more effective solution would be for the council to adopt a structured approach on a street-by-street basis, targeting the specific issues and working in a joined-up fashion with other relevant agencies such as community groups, tenants and landlords.
25. We agree that some landlords, most often through ignorance rather than criminal intent, do not use their powers to manage their properties effectively. A more appropriate response would be for the council to identify issues and assist landlords. This would allow the council to focus on targeting the criminal landlords, which requires a joint approach.
26. The council should consider alternative schemes, such as the Home Safe Scheme in Doncaster and the South East Alliance of Landlords, Agents and Residents (SEAL) in Southend. Both schemes offer alternatives that the council has not reviewed or presented in its consultation.

Negative impacts of selective licensing

27. One of the dangers of the proposed selective licensing scheme is that the costs will be passed on to tenants. This would increase costs both for those who rent in Woking and for the council. Woking is the eighth most deprived district in the UK and this policy could make the situation worse. The increasing costs to Woking residents would particularly hit the most vulnerable and least able to tolerate a marginal increase in their cost of living. Also, the council has failed to explain that, as well as the council's costs for the licence, the landlords' costs for administering the licence will likely be covered by them increasing the rents. The failure to explain this shows a lack of understanding of how the private rented sector works.
28. Areas where selective licensing has been introduced have seen lenders withdraw mortgage products, thereby reducing the options to landlords reliant on finance. Downstream, this increases landlords' overheads and, subsequently, the costs for tenants rise. A landlord's credit history will show if lenders have withdrawn mortgages. Other mortgage lenders will then put a higher cost on the landlord, which ultimately increases costs for the tenant.

29. Woking Council, by proposing to introduce licensing, is implying that there are social problems that could deter investment in the area. The council does not acknowledge the impact that the stigmatisation of selective licensing could have on the area. We assert that failure to provide such information indicates a substandard and ultimately superficial consultation exercise.

Requests for supplementary information

30. We would like to understand the council's reasoning on how charging people more to live in rented accommodation will improve housing. Given that successive governments have attempted to address the issue of antisocial behaviour by using significant resources to underpin structural causes, it seems unreasonable to contend that the licensing of private property will succeed. Could the council provide evidence to support this assumption, especially given that it has not committed the extra resources required as evidenced in Newham?
31. We would like clarification on the council's policy in relation to helping a landlord when a section 21 notice is served. It would be useful if the council could put in place a guidance document before the introduction of the scheme to outline its position regarding helping landlords remove tenants who are causing antisocial behaviour.
32. We would like further explanation on how the council will work with landlords to mitigate the issue of tenants leaving a property early but where they still have a tenancy. If a landlord faces challenges with a tenant, how will the council help the landlord?
33. Finally, we would like a breakdown of the number of orders and powers listed in paragraph 12 that Woking Council has used over the past four years. Please also explain how the council has discharged the Anti-social Behaviour Crime and Policing Act 2014.

Subject: FW: Selective Licensing Proposal - Response
Attachments: image001.emz

From: India Cocking [<mailto:india.cocking@rla.org.uk>]
Sent: 25 April 2017 17:08
To: Property Licensing
Subject: Selective Licensing Proposal - Response



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25th April 2017

By email: property.licensing@woking.gov.uk

Housing Standards Team
Civic Offices
Gloucester Square
Woking
Surrey
GU21 6YL

Dear Sir/Madam

Woking Selective Licensing Proposals – Consultation Response

Thank you for the opportunity to respond to the above consultation.

I have read through your consultation documents, and though I appreciate that Woking believes there has been an increase in poorly managed rental properties, the PRS is a vital source of affordable houses in the affluent area of Woking and targeting them through licensing will do more harm than good.

The RLA believes that the Council is premature on bringing forward proposals. The Housing and Planning Act 2016 which came in on 6th April has given local authorities substantial new powers to tackle breaches

of housing legislation and drive the criminal operators from the sector. The council should wait until the impact of these new powers can be fully assessed before pressing on with more regulation in the form of selective licensing.

The RLA is opposed to the scheme and has a number of general objections to Licensing, which are attached as an appendix to this letter. Licensing schemes rarely meet their objectives. Good landlords will apply for licences and, in all likelihood, pass the cost on to tenants in the form of increased rents, doing nothing to address affordability, while the worst landlords – the criminal operators – will simply ignore the scheme, as they do many other regulations.

Within the Consultation Proposal particular interest is paid to addressing poor management and property standards, and the effort to increase housing demand. There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licenses, while prosecutions centre on whether a property is licensed or not, rather than management standards and property conditions.

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see staff time wasted processing applications, it should continue to direct its limited resources at effective enforcement activity.

To identify a particular area for the introduction of licensing highlights a belief that the area has numerous issues, potentially blighting the reputation of the area. There is also a danger that the issues that the scheme seeks to address are simply moved elsewhere, as difficult or vulnerable tenants are moved on.

Landlords, especially those with properties outside the licence area will become risk averse in terms of the tenants they let to. Tenant problems such as anti-social behaviour are impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere. Some may seek to evict already challenging tenants. This could mean additional costs to other council services, as they pick up the pieces created by the disruption to the lives of already vulnerable tenants.

Likewise, if licensing costs are passed on to tenants in the form of rent increases, then some tenants may struggle, particularly those on benefits, affected by welfare reform and frozen housing allowances.

Rather than an ineffective licensing scheme, the council should use cross-departmental and multi-agency working and effective use of existing housing legislation to support tenants and landlords in maintaining tenancies, housing condition and management standards.

There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement. More information can be supplied if required.

We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for so-called rogues to operate under the radar.

Yours Sincerely,

India Cocking
Local Government Officer
Residential Landlord Association
india.cocking@rla.org.uk

The RLA has several areas of concern in regards to selective licensing, namely:

i. Worrying trends are emerging in the case of discretionary licensing. Licensing entails a huge bureaucracy and much time, effort and expense is taken up in setting up and administering these schemes; rather than spending it on the ground and flushing out criminal landlords.

ii. Increasingly, discretionary licensing is being misused to fund cash strapped housing enforcement services. The recent Westminster sex shop Court of Appeal (*Hemming (t/a Simply Pleasure) Limited v Westminster City Council*) has brought such funding into question).

iii. Discretionary licensing is not being used for its intended purpose of a short period of intensive care; rather it is being used by the back door to regulate the PRS.

iv. The level of fees which are ultimately passed on to tenants to pay is a major worry so far as it affects landlords.

v. Despite high fee levels local authorities still lack the will and resources to properly implement licensing.

vi. Little has been done to improve property management. Opportunities to require training have been ignored. As always it has become an obsession with regard to physical standards with very detailed conditions being laid down. No action is taken against criminal landlords.

vii. We believe that a significant number of landlords are still operating under the radar without being licensed.

viii. As always it is the compliant landlord who is affected by the schemes. They pay the high fees involved but do not need regulation of this kind.

ix. Licensing is not being used alongside regeneration or improvement of the relevant areas. Insufficient resources are being employed to improve the areas.

x. Where areas are designated for selective licensing this highlights that they can be "sink" areas. This could well mean it would be harder to obtain a mortgage to buy a property in these areas.

xi. Schemes are not laying down clear objectives to enable decisions to be made whether or not these have been achieved. Proper monitoring is not being put into place to see if schemes are successful or not.

xii. There is little use of "fit and proper person" powers to exclude bad landlords.

India Cocking

Local Government Officer

Residential Landlords Association

www.rla.org.uk

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The proposed fees to apply to licence applications

The following fees are proposed to apply to all licence applications within the proposed selective licensing scheme:

Application type	Fee	Notes
<u>Licence applications</u>		
Selective licence application made before the commencement of the scheme – any landlord	No fee	<p><i>Applies where a valid application is made online before 0001hrs on the first day of operation of the selective licensing scheme.</i></p> <p><i>This fee ceases to apply for all applications following commencement of the scheme</i></p> <p><i>Maximum 5 year licence period</i></p>
Selective licence new application made after the commencement of the scheme – newly acquired property	No fee	<p><i>Applies where the property is purchased by the applicant following commencement of the selective licensing scheme and either;</i></p> <p><i>i) a valid application is made online prior to occupation, or;</i></p> <p><i>ii) where the property is purchased with sitting tenants a valid application is made within 28 days of the property purchase.</i></p> <p><i>Changes of ownership between family members or other relations do not qualify for this fee exemption</i></p> <p><i>Maximum 5 year licence period</i></p>
Selective licence new application made after the commencement of the scheme	£560.00	<i>Maximum 1 year licence period</i>
Selective licence new application made after the commencement of the scheme – accredited landlord	£200.00	<p><i>Applies where the proposed licence holder is an accredited landlord within the Woking Private Landlord Accreditation Scheme or other recognised accreditation scheme (e.g. NLA, RLA, LLAS)</i></p> <p><i>Maximum 1 year licence period</i></p>

Application type	Fee	Notes
<u>Licence renewals</u>		
Selective licence renewal application	£420.00	<i>For renewal of licences issued for less than five years within the proposed scheme</i> <i>New application (and fee) required if renewal application is not received before licence expires</i>
Selective licence renewal application – accredited landlord	£200.00	<i>Applies where the proposed licence holder is an accredited landlord within the Woking Private Landlord Accreditation Scheme or other recognised accreditation scheme (e.g. NLA, RLA, LLAS)</i> <i>New application (and fee) required if renewal application is not received before licence expires</i>
<u>Licence variations</u>		
Change of licence holder	New application fee	<i>Licences are not transferrable and where there is a change of licence holder a new application will be required</i> <i>Note fee exemptions set out above in certain circumstances</i>
Change of property owner, freeholder, mortgagor and leaseholder	No fee	<i>Does not include change of licence holder</i>
Change of property manager	No fee	<i>Does not include change of licence holder</i>
Change of address details	No fee	<i>For a changes of address for any party</i>
Increase in the maximum number of occupiers	No fee	
Increase in the number of rooms, or changes in room sizes and/or amenities	No fee	
Licence variation instigated by the Council	No fee	
<u>Licence revocations</u>		
Revocation of licence	No fee	<i>No refund applicable where licences are revoked before their expiry date</i>
Licence application following revocation	New application fee	

Application type	Fee	Notes
<u>Others</u>		
Licence application refused	Application fee	<i>No refund given</i>
Property ceases to be licensable during the application process	Application fee	<i>No refund given</i>
Application withdrawn by applicant	Application fee	<i>No refund given</i>
Application made in error	No fee	<i>Any application fee paid refunded</i>

The proposed fees would apply from the commencement of the scheme until 31 March 2018 and will be reviewed annually in accordance with the Council's Fees and Charges Policy.

Selective licensing scheme - licence conditions

The following conditions are to apply to all licences granted in the selective licensing scheme:

Notices to be displayed in the property

1. *The licence holder shall ensure that:*
 - i) *A copy of the licence and all conditions are displayed prominently in the hallway/common area of the property at all reasonable times;*
 - ii) *A copy of the current gas safety certificate (if applicable) is displayed prominently in the hallway/common area of the property at all reasonable times;*
 - iii) *Details of what action should be taken by tenant/s in the event of an emergency are displayed prominently in the hallway/common area of the property at all reasonable times, and;*
 - iv) *A sign stating that anti-social behaviour in the premises will not be tolerated is displayed prominently in the hallway/common area of the property at all reasonable times.*

Documents to be submitted to the local authority

2. *The licence holder shall submit to Woking Borough Council (within 28 days of issue):*
 - i) *A copy of the annual gas safety certificate (if applicable) each year, and;*
 - ii) *Where the licensed property is a house in multiple occupation, a copy of any electrical installation inspection report that certifies the safety of the electrical installation undertaken during the licence period.*

Electrical inspections must be completed at intervals of no more than 5 years or as recommended by the electrical contractor (which ever is the shorter).

The electrical inspection must be carried out by a registered electrician (i.e. as set out by the Registered Competent Person Electrical Register (www.electricalcompetentperson.co.uk)).

Documents to be submitted to the local authority when asked

3. *The licence holder shall submit to Woking Borough Council when asked a declaration as to the:*
 - i) *Safety of the electrical appliances;*
 - ii) *Condition and positioning of the smoke alarms, and;*
 - iii) *Safety of any furniture that has been provided by the licence holder.*
4. *The licence holder shall retain copies of all tenancy agreements for the property and produce them within 14 days of a request to do so by Woking Borough Council.*

5. *The licence holder shall submit to Woking Borough Council, within 14 days of a request, a copy of the record of all complaints regarding anti-social behaviour received from occupiers, visitors and neighbours (as set out in Condition 14 below) and the actions taken to prevent further complaints.*

Documents to be provided to the tenants

6. *The licence holder shall provide each occupier with a written statement of the terms on which they occupy.*

The written statement should include the following information: how deposits will be held and terms of return; an inventory of contents and condition at the commencement of the tenancy; details of rent and dates due, rent payment methods and how and when rent may be increased; and provide contact information for the property.

7. *The licence holder shall provide each tenant with a legal written tenancy agreement.*

Management duties

8. *The licence holder shall ensure that all:*
 - i) *Electrical appliances made available by the licence holder are kept in a safe condition;*
 - ii) *Smoke alarms, fire precautions and fire fighting equipment installed in the property are kept in proper working order;*
 - iii) *Furniture made available by the licence holder is kept in a safe condition, and;*
 - iv) *Smoke detection, fire alarm and emergency lighting installations are serviced at least every 12 months in accordance with BS 5839 and BS 5266 respectively.*
9. *The licence holder shall:*
 - i) *Keep a logbook of all maintenance, repairs, and servicing of smoke detection, fire alarm and emergency lighting installations, which shall be produced at the request of the tenants and/or the Council at all reasonable times;*
 - ii) *Allow entry to the common parts of the house by Council Officers or Fire Officers at all reasonable times. All reasonable assistance shall be given to those officers in carrying out their duties, and;*
 - iii) *Ensure that all amenities, facilities and equipment provided for occupants are adequately maintained and remain available for use at all times.*

Duty to notify the local authority

10. *The licence holder shall notify Woking Borough Council, in writing:*
 - i) *Of any proposal to increase the number of licensed persons or households living in the house, and;*

- ii) *Detailing all incidents of fire, damage to equipment provided for fire safety purposes, and incidents involving carbon monoxide poisoning (i.e. all fires, vandalism, gas poisoning (suspected or otherwise) etc.).*
11. *The licence holder and their managing agent shall inform the Council of any relevant changes in their circumstances including any:*
 - i) *New convictions/cautions which may be relevant to the fit and proper person test;*
 - ii) *Change in ownership or management of the licensed property; and*
 - iii) *Substantial works carried out at the licensed property.*
 12. *The licence holder shall submit a completed licence application to reapply for a licence 28 days prior to the expiry date of the existing licence.*

Anti-Social Behaviour

13. *The licence holder shall obtain references from any persons seeking to occupy any part of the property prior to their occupation commencing.*
14. *The licence holder shall take reasonable steps to prevent occurrences of anti-social behaviour.*
15. *The licence holder shall keep a record of all complaints regarding anti-social behaviour received from occupiers, visitors and neighbours.*

The record shall include the:

- i) *Date and time of complaint;*
 - ii) *Name and address of complainant (person making complaint);*
 - iii) *Date and time of incident;*
 - iv) *Details of the incident/complaint (location, what exactly happened, who was involved);*
 - v) *Details of any witnesses;*
 - vi) *Name and address of the alleged 'perpetrator', and;*
 - vii) *Action taken by the licence holder to resolve the problem (e.g. contact made with the 'alleged perpetrator'; face to face or by letter or both).*
16. *The licence holder shall take all reasonable and practicable steps to reduce anti-social behaviour by persons occupying or visiting the house and shall if appropriate take legal advice and act either to issue formal warnings or evict those responsible for the anti-social behaviour.*

Permitted numbers

17. *The maximum number of occupants who can occupy the «accommodation/letting rooms» are shown below, please note that the maximum number of occupants (of any age) must not exceed «number» at any time:*

Room location – maximum number of occupants

Room «location» – «number» Occupiers maximum

EXECUTIVE – 14 SEPTEMBER 2017

MAJOR WORKS AFFECTING LEASEHOLDERS AND ARRANGEMENT FOR THE PAYMENT OF SERVICE CHARGES

Executive Summary

This report sets out the proposed updates to the procedure for consulting Leaseholders for major works, which was last agreed by the Executive on 29 June 2006, and seeks approval for an updated scheme for recharging major works service charges.

The Housing Task Group considered the draft report at its meeting on 27 July 2017 and was supportive of the proposals, subject to there being no significant objections arising from the matter being discussed at the Leaseholder Forum on 6 September 2017.

Reasons for Decision

To update the existing procedures to ensure the Council consults effectively with Leaseholders and in doing so, complies with the statutory legal duty to notify Leaseholders of works and additionally, provide financial payment options that can assist Leaseholders to meet their commitments whilst adopting a sympathetic approach.

Recommendations

The Executive is requested to:

RECOMMEND to Council That

- i) **the consultation procedure and payment plan arrangements for Leaseholders outlined in the report be adopted; and**
- ii) **delegated authority be given to the Strategic Director for Housing to make minor changes to the policy in consultation with the Portfolio Holder for Housing.**

This matter will need to be dealt with by way of a recommendation to the Council.
--

Background Papers:

Leaseholders in Housing: Paying for major works (England)
Right To Buy Service Charge Loans
Previous Policy - dated June 2006

Sustainability Impact Assessment
Equalities Impact Assessment

Reporting Person:

Sue Barham, Strategic Director
Ext: 3810, E Mail: Sue.Barham@woking.gov.uk

Major Works Affecting Leaseholders and Arrangement for the Payment of Service Charges

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Shadow Portfolio Holder:

Cllr Ian Johnson
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Date Published:

8 September 2017

Major Works Affecting Leaseholders and Arrangement for the Payment of Service Charges

1.0 Introduction

- 1.1 Leaseholders have to pay an annual service charge. This is for the upkeep of their portion of day to day repairs to common parts of buildings and incorporates a service charge (e.g. cleaning, grounds maintenance, and landlord utilities) to pay for the management of the Leasehold Service.
- 1.2 Depending on the nature of the individual lease, Leaseholders also have to pay their portion of major works (either planned maintenance or capital works) about which they have been notified through formal notice, required by Section 151 of the Commonhold and Leasehold Reform Act 2002.
- 1.3 In order to maintain the condition of its social housing the Council must plan and undertake major repairs to its housing stock. It is important to ensure that systems are in place to collect the associated charges from Leaseholders with options for payment which take account of the terms of the lease and the Leaseholders ability to pay.
- 1.4 A review of the policy from 2006 has been undertaken and the updated proposals for enhanced consultation with Leaseholders and payment plans are outlined below.

2.0 Consultation Procedure

- 2.1 A forecast of major works, which may be programmed within the next five years, will be provided to Leaseholders and updated annually. The forecast will include an estimate of the cost and the percentage which would be recharged to the Leaseholder. This report will be a forecast only and subject to change dependent upon any urgent or additional works being identified during the period.
- 2.2 The letter sent out annually to all Leaseholders with the “actual” annual service charges will outline the Major Works programme for the year and clearly state where costs are likely to occur for Leaseholders. Within this letter information on the potential cost of any identified forthcoming works will be included.
- 2.3 In addition to the annual forecast and letter about service charges, individual Leaseholders will continue to be consulted at least three months before any chargeable major works are planned. This initial notification will be followed by statutory notices as appropriate. With this consultation there will be an information sheet/leaflet explaining what happens and how the work can be paid for. If the need for urgent or emergency major works arises then as much advance notice will be given as possible. Payment for non chargeable “improvements” such as entry phones and photovoltaics, will be negotiated with affected Leaseholders.
- 2.4 Leaseholders buying a property under the ‘Right to Buy’ scheme will continue to be given details of expected planned works due within five years of the sale date based on stock condition surveys. Recharges for major works will not exceed these charges within the five years from the date of the sale.
- 2.5 Details of expected planned works, due within five years of the date of a shared ownership agreement, based on stock condition surveys, will be provided to the Leaseholder. Recharges for major works will not exceed these charges within the five years from the date of the sale.
- 2.6 Service charges for major works will continue to be added as they currently are to the rent account as a separate sub account to provide the Leaseholder with a complete history of their account and Housing charges.

Major Works Affecting Leaseholders and Arrangement for the Payment of Service Charges

3.0 Proposed Payment Plan

3.1 Based on best practise, payment plan options are detailed below.

Easy Payment Option - All Leaseholders will be offered the following 'easy payment terms' if they do not wish to pay the charges in full at the point of invoicing.

Bills between £200 and £2,000

If the bill is under £2,000, the payments can be spread over a year in equal monthly payments. No interest or administration fees would be payable.

Bills £2,000 and over and less than £5,000

If the bill is between these amounts, it can be spread over two years in equal monthly payments. No interest or administration fees would be payable.

Bills £5,000 and over

If the bill is £5,000 or more payments can be spread over 5 years. No interest or administration fees would be payable.

In exceptional circumstances, the Council reserves the right to agree payment terms in excess of 5 years, should the bill be in excess of £5,000. In such circumstances both an administration fee and interest may become payable.

Failure to pay an instalment for a payment plan over 1, 3 or 5 years will make the charge payable in full immediately and interest could be charged on outstanding amounts at 0.25% above the Bank of England base rate.

Sale of the leasehold property will make the charge payable in full immediately and interest could be charged on outstanding amounts at 0.25% above the Bank of England base rate.

Details of the easy payment option will be provided to the Leaseholder at the time of the initial consultation. It will be the responsibility of the Leaseholder to apply to the Council if they would suffer hardship, and wish to be considered for the recovery methods below.

3.2 If the Leaseholder would have difficulty paying the charges under the scheme above, the 'Eligibility Criteria' for other payment options can be considered, which are detailed in Appendix A - including:

- The Limitation Option
- Voluntary Legal Charges Option
- Loan

3.3 The Limitation Option – Under the Housing Act 1996 and the 1997 Directions it is possible to limit a major works charge to a maximum of £10,000 over a five year period, and it is a duty to consider the Leaseholders ability to pay. The Council can exercise discretion to limit charges, but Directions set out specific criteria that are needed such as:

- Whether the purchase price paid by the lessee took account of the costs of works of repair, maintenance or improvements.

Major Works Affecting Leaseholders and Arrangement for the Payment of Service Charges

- Whether the costs of the work have affected the value of the property. Increases in the value must be considered before limiting the charge. For example, if the costs of the work was £15,000 and the increased value was £12,000, then the Council could not reduce the charge to below £12,000 to the limit of £10,000, but must charge a minimum of £12,000.
 - What benefits the work has for the Leaseholder, for example energy efficiency thus saving on bills, improved security, amenity and other services.
 - Whether the charge will cause exceptional financial hardship.
 - Any estimate of costs given to the Lessee prior to their purchase of the lease.
 - Any other circumstances of the Lessee which the Council considers relevant.
- 3.4 Voluntary Legal Charges Option – The Council may have the option of placing a charge on a Leaseholder’s property as an alternative to other forms of debt collection where the Leaseholder is eligible. Putting a charge on the property results in the debt accruing interest, at 0.25% above Bank of England base rate. This interest can be paid for by the Leaseholder on a monthly basis or rolled up into the debt. This means that in the event the property is sold, the Council will have a call on the proceeds of the sale to pay off the outstanding major works charge plus interest. Eligibility for the scheme is set out in Appendix A.
- 3.5 Loan Option – The Leaseholder may be entitled to a loan under the Housing Act 1985, sections 450A and 450B, if certain conditions are met. This is set out in Appendix A. The Council’s Major Works loan will beset at the same rate as the Council’s variable mortgage interest rate. The Council uses LAMAC – Loan and Mortgage Administration Centre, an external company, to administer housing advances. Loan repayments will be collected by this company. There would be a one-off set up charge and ongoing maintenance to administer this new set of loans.

4.0 Implications

Financial

- 4.1 Where charges are recovered over a longer period, the HRA will bear the loss.
- 4.2 It is a statutory requirement that charges must be invoiced to the Leaseholder within 18 months of the completion of the works to enable recovery.
- 4.3 Charges to “shared ownership” properties will be pro-rata based on the percentage of the property owned by the Leaseholder.

Human Resource/Training and Development

- 4.4 The consultation process and management of the payment plan can be absorbed within current staffing resources. There will be a need for minor additional training for Housing Management staff within NVH.

Environmental/Sustainability/Community Safety

- 4.5 Assistance to Leaseholders will contribute to community cohesion and sustainability by preserving mixed housing tenure areas.

Major Works Affecting Leaseholders and Arrangement for the Payment of Service Charges

4.6 Improved communication with Leaseholders will lead to greater engagement.

Risk Management

4.7 The adoption of this consultation procedure and payment plan will reduce the chance of the development of a poor perception of the Council's Leasehold management responsibility.

4.8 The risk of non payment of service charges due for major works will be reduced.

5.0 Consultations

5.1 There has been consultation with New Vision Homes, Housing Task Group (27 July 2017), Portfolio Holder and Leaseholders via the Leaseholder Forum (6 September 2017).

REPORT ENDS

EXE17-045

Leasehold Payment Plan – Eligibility Criteria

To be considered for the following payment plans, the property must be the Leaseholder's main residence and they must not own another property.

Sale of the leasehold property will make the charge payable in full immediately and interest could be charged on outstanding amounts at 0.25% above the Bank of England base rate.

1. Limitation Method

This method would only be available in the following circumstances to reduce the charge to £10,000:

- The major works charge is over £10,000;
- The Leaseholder is not the original purchaser of the property from the Council and was unaware of the likely major works cost at the time of purchase;
- The Leaseholder is either eligible for or in receipt of a means-tested state benefit;
- The Leaseholder has less than £8,000 in savings - anything over £8,000 to be used to pay off the amount of the charge exceeding £10,000;
- The scheme immediately reverts to immediate payment if a payment is missed (subject to officer discretion).

2. Voluntary Legal Charges Options

This option is available where:

- The Leaseholder is not the original purchaser of the property from the Council and was not aware of the work at the time of the purchase;
- The Leaseholder is of statutory retirement age
- The Leaseholder is either eligible for or in receipt of a means-tested state benefit;
- The Leaseholder has less than £8,000 in savings;
- The major works charge is over £5,000;

3. Loan Option

Under Section 450A of the Housing Act 1985, the lessee will be entitled to a loan in certain circumstances. These are:

- The loan relates to repairs carried out in the first 10 years of the lease (or the first 10 accounting years);
- The lease must be given under the right to buy provisions of the Act;
- The demand letter for the service charge must advise the tenant of their right to a loan;
- The tenant must claim the loan within 6 weeks.

The right arises in respect of a service charge exceeding the minimum (£1,500) but less than the maximum (£20,000). The loan itself must then exceed a minimum (£500). [All sums are index linked – the base date is January 1992].

Interest has to be fixed under Schedule 16 of the Act - the higher of the Standard National Rate and the applicable local average rate. Repayment is by equal instalments over the life of the loan.

Major Works Affecting Leaseholders and Arrangement for the Payment of Service Charges

The maximum repayment periods are:

Less than £1,500	3 years
£1,500 - £4,999	5 years
£5,000 +	10 years

Administration expenses may be billed to the borrower. A maximum of £100 may be put as a charge on the property, at the borrower's request.

However, under Section 450B of the Housing Act 1985, the Council may make loans in other circumstances. The Council can decide the rate provided it is reasonable. Administration expenses may be billed to the borrower. These may be put as a charge on the property, with the lender's consent. The Council can determine other terms.

A loan granted under either 450A or 450B will be a charge on the property and may exceed the equity in the property.

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Gender	Men			x			Improved communication and engagement with all Leaseholders and additional options to reduce the financial pressures of paying for major works.
	Women			x			As above
Gender Reassignment				x			As above
Race	White			x			As above
	Mixed/Multiple ethnic groups			x			As above
	Asian/Asian British			x			As above
	Black/African/Caribbean/Black British			x			As above
	Gypsies / travellers					x	
	Other ethnic group			x			As above

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Disability	Physical			x			As above
	Sensory			x			As above
	Learning Difficulties			x			As above
	Mental Health			x			As above
Sexual Orientation	Lesbian, gay men, bisexual			x			As above
Age	Older people (50+)			x			As above
	Younger people (16 - 25)			x			As above
Religion or Belief	Faith Groups			x			As above
Pregnancy & maternity			x				As above
Marriage & Civil Partnership			x				As above
Socio-economic Background			x				As above

The purpose of the Equality Impact Assessment is to improve the work of the Council by making sure it does not discriminate against any individual or group and that, where possible, it promotes equality. The assessment is quick and straightforward to undertake but it is an important step to make sure that individuals and teams think carefully about the likely impact of their work on people in Woking and take action to improve strategies, policies, services and projects, where appropriate. Further details and guidance on completing the form are [available](#).

Sustainability Impact Assessment

Officers preparing a committee report are required to complete a Sustainability Impact Assessment. Sustainability is one of the Council's 'cross-cutting themes' and the Council has made a corporate commitment to address the social, economic and environmental effects of activities across Business Units. The purpose of this Impact Assessment is to record any positive or negative impacts this decision, project or programme is likely to have on each of the Council's Sustainability Themes. For assistance with completing the Impact Assessment, please refer to the instructions below. Further details and guidance on completing the form are [available](#).

Theme (Potential impacts of the project)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Use of energy, water, minerals and materials			x	
Waste generation / sustainable waste management			x	
Pollution to air, land and water			x	
Factors that contribute to Climate Change			x	
Protection of and access to the natural environment			x	
Travel choices that do not rely on the car			x	
A strong, diverse and sustainable local economy			x	
Meet local needs locally			x	
Opportunities for education and information			x	
Provision of appropriate and sustainable housing	x			
Personal safety and reduced fear of crime			x	
Equality in health and good health			x	
Access to cultural and leisure facilities			x	
Social inclusion / engage and consult communities	x			
Equal opportunities for the whole community			x	
Contribute to Woking's pride of place			x	

EXECUTIVE - 14 SEPTEMBER 2017

BUSINESS RATES RELIEF SCHEMES

Executive Summary

The Chancellor announced at the Budget on 8 March 2017 that the Government would provide additional help to businesses who are facing large increases in business rates as a result of the 1 April 2017 rateable value re-valuation. Further detail has been issued by the DCLG with confirmation and details of the 3 new relief schemes.

This report provides an update on the 'Supporting Small Businesses' and 'Pubs Relief' schemes where the government has issued details on how these will apply.

The Discretionary Relief Scheme allocates funds to the Council over 4 years to provide support for those businesses which have experienced a significant increase in rateable value as a result of the revaluation. It is for the Council to determine how this funding should be allocated.

The proposed scheme detailed in this report is based on the government criteria for allocation of the funding, ensuring that those who it was intended for will benefit. It awards 10% additional relief to further support those businesses.

Reasons for Decision

To approve the Council's Discretionary Business Rates Relief Scheme

Recommendations

The Executive is requested to:

RESOLVE That

- i) the Discretionary Business Rates Relief Scheme as outlined in the report, and Appendix 1, be approved;
- ii) the Award of Discretionary Relief be delegated to the Revenues, Benefits and Customer Services Manager and, in his absence, his deputy (Revenues Manager); and
- iii) any appeals relating to the scheme will be determined by the Finance Director in consultation with the Portfolio Holder.

The Executive has authority to determine the above recommendation.

Background Papers:

None.

Sustainability Impact Assessment
Equalities Impact Assessment

Reporting Person:

Leigh Clarke, Finance Director
Ext. 3277, Email: Leigh.Clarke@woking.gov.uk

Contact Person:

Terry Stocks, Revenues Team Manager
Ext. 3231, E Mail: Terry.Stocks@woking.gov.uk

Portfolio Holder:

Cllr Ayesha Azad
E Mail: CllrAyesha.Azad@woking.gov.uk

Shadow Portfolio Holder:

Cllr Ann-Marie Barker
E Mail: CllrAnn-Marie.Barker@woking.gov.uk

Date Published:

8 September 2017

1.0 Introduction

- 1.1 In the Budget on 8 March 2017 the Chancellor announced that the Government would provide additional help to businesses who are facing large increases in business rates as a result of the 1 April 2017 rateable value re-valuation.
- 1.2 Further detail has been issued by the DCLG with confirmation and details of the 3 new relief schemes:
 - Supporting Small Businesses
 - Pubs Relief scheme
 - New Discretionary Relief scheme
- 1.3 The sections below provide an update on the progress in implementing the ‘Supporting Small Businesses’ and ‘Pubs Relief’ schemes and set out the proposed approach to the ‘Discretionary Relief’ scheme.

2.0 Business Rates Revaluation

- 2.1 The Valuation Office undertook a full valuation of non-domestic property, informing the new Business Rates rateable value listing effective 1 April 2017. The Business Rates payable is calculated by multiplying the rateable value by a multiplier which is set by the government each year. There are different multipliers for small businesses (46.6p for 2017/18) and larger businesses with a rateable value over £51,000 (47.9p for 2017/18).
- 2.2 The overall increase in rateable value in Woking in April 2017 was approximately 7%, however within this increase there will have been individual properties higher increases and some with reductions. The national average increase in rateable value as a result of the revaluation exercise was 10.6%. The government adjusts the multiplier to ensure a neutral impact of the revaluation and also to include an allowance for appeals and inflation.
- 2.3 Overall increases in bills in Woking were on average 3.3% which comprises an increase for the revaluation, inflation and appeals allowance, offset by a reduction in the multiplier.

Table 14 - A breakdown of the change in forecast business rates income 2016/17 to 2017/18

	£m	£m	%
2016/17 Forecast Income		19.2	
RV change	1.4	20.6	7.1%
Multiplier change	(2.0)	18.6	-9.5%
Inflation	0.3	19.0	1.8%
Appeals Adj.	0.9	19.9	4.7%
Overall Change	0.6		3.3%

- 2.4 For those ratepayers experiencing an increase in rateable value transitional relief applies so that the increase is phased over a longer period allowing time to adjust to the new level. The table below shows the maximum increases which apply.

Rate Increase Limits (Year on Year)			
Year	Small Property RV below £20,000	Medium Property RV £20,000 to £100,000	Large Property RV above £100,000
2017/18	5%	12.5%	42%
2018/19	7.5%	17.5%	32%
2019/20	10%	20%	49%
2020/21	15%	25%	16%
2021/22	15%	25%	6%

2.5 From 1 April 2017 the government also increased the threshold beneath which Small Business Rate Relief applies, and doubled that relief from 50% to 100%. Businesses with a rateable value less than £12,000 receive 100% relief and therefore pay no Business Rates. Businesses with rateable values between £12,000 and £15,000 receive tapered relief.

3.0 Supporting Small Businesses

3.1 This relief is to support properties losing some or all of their Small Business Rate Relief as a result of the 2017 Revaluation.

3.2 During 2016/17 Small Business Rate Relief applied at 100% for properties with a valuation of less than £6,000 with tapered relief applying between £6,000 and £12,000. As detailed in paragraph 2.5 above, from 1 April 2017 small businesses with a rateable value of less than £12,000 now receive 100% relief with tapered relief up to £15,000. However, some ratepayers have had large increases in their rateable value which takes them out of relief altogether.

3.3 The new relief will limit the increase in the 2017/18 charge to the greater of 5% or £600 per year. There are similar capped increases for future years through to 2021/22.

3.4 To implement this new relief requires software changes and this should be available and any qualifying account charges re-calculated by the end of September 2017. It is estimated that there are only approximately 7 businesses that could be affected by this and they have already been written to and advised of the situation.

4.0 Pubs Relief Scheme

4.1 The Pubs Relief Scheme is to recognise the important role that pubs play in urban and rural communities. A £1,000 rate relief applies for public houses with a rateable value of up to £100,000 for one year only from 1 April 2017.

4.2 The DCLG states the policy intent is to provide relief to those premises that demonstrate the characteristics that would lead it to be classified as a pub, for example being owned and operated by a brewery. Additionally the premises should be open to the general public, allow free entry other than when occasional entertainment is provided, allow drinking without requiring food to be consumed, permit drinks to be purchased at the bar.

Relief should not be given to premises such as restaurants, cafes, nightclubs, hotels, and snack bars.

- 4.3 Letters and application forms have been sent to 35 potentially qualifying public houses in the Borough however pub chains will have to only apply for a limited number of their pubs so as not to fall foul of state aid rules. A total of 12 applications have been received and awards made to date.

5.0 Discretionary Relief Scheme

- 5.1 The Chancellor announced the £300 million discretionary relief fund over 4 years from 2017/18 to provide targeted support to local businesses.
- 5.2 The funding allocations have been calculated based on the government estimation of those properties with a rateable value of less than £200,000 who have had an increase in rates between 2016/17 and 2017/18 of more than 12.5%. Woking Borough Council has been allocated:

Year	Grant Allocation
2017/18	£288,000
2018/19	£140,000
2019/20	£58,000
2020/21	£8,000

- 5.3 The design and administration of schemes to deliver this support is for local authorities to decide, and does not have to follow the methodology for allocating the funding. The only requirements are that the scheme assists businesses facing rising bills and that major preceptors are consulted.
- 5.4 A draft scheme has been prepared for Woking, applying the government allocation principles. The full details are set out in Appendix 1, the key criteria and mechanics of the scheme are:
- A property's 2017/18 full annual charged based on the rateable value following revaluation will be compared to the 2016/17 full annual charge at 31 March 2017.
 - The relief will apply to properties with a rateable value between £20,000 and £200,000. (small businesses below £20,000 will be eligible for the small business scheme or will be capped at 5% increase, see paragraph 2.4)
 - A letter and application form (see Appendix 2) will be issued to all potentially eligible rate payers, with a deadline for returning the application of 31 October 2017.
 - Relief will be allocated amongst those eligible applications up to a total value of 110% of the grant funding which allows for businesses not qualifying for the whole year (due to moving premises). The level of relief available for each business will depend on the number of applications.
 - The application will apply for all 4 years of the scheme, with the available relief being allocated across those businesses which continue to be eligible each year.

- 5.5 The maximum number of applications in 2017/18 is 117 and the number of eligible rate payers is expected to reduce during the 4 years of the scheme as businesses move and no longer occupy the comparative 2016/17 property.

6.0 Implications

Financial

- 6.1 The Council will be granted the full level of allocated funding in four quarterly payments each year. Any underspend at 31 March will have to be repaid to the government.
- 6.2 To maximise the potential benefit to local taxpayers, 110% of the allocated funding will be awarded as relief. If all ratepayers remain eligible for the entire year and qualify for the full year relief, it is possible that the total amount awarded will be claimed. In this situation 10% of the relief (£28,800 in 2017/18) will not be recovered from the government and will be a charge to the collection fund of which the cost to the Council would be 40% (£11,520). As the grant reduces in future years, the potential cost to the Council is also reduced.

Human Resource/Training and Development

- 6.3 The government has recognised the resources required by councils to administer these schemes and has allocated funding under the New Burdens doctrine.

Community Safety

- 6.4 There are no community safety issues.

Risk Management

- 6.5 Rate payers will be required to complete an application form confirming that they are eligible for the new schemes which reduces the risk of awarding funding to ineligible businesses.

Sustainability

- 6.6 There are no specific sustainability issues.

Equalities

- 6.7 There are no specific equalities issues.

7.0 Consultations

- 7.1 As a major preceptor, and as required by the government, Surrey County Council has been consulted on the details of the proposed scheme.

REPORT ENDS

EXE17-060

APPENDICES

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Gender	Men					Y	
	Women					Y	
Gender Reassignment						Y	
Race	White					Y	
	Mixed/Multiple ethnic groups					Y	
	Asian/Asian British					Y	
	Black/African/Caribbean/Black British					Y	
	Gypsies / travellers					Y	
	Other ethnic group					Y	

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
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Disability	Physical					Y	
	Sensory					Y	
	Learning Difficulties					Y	
	Mental Health					Y	
Sexual Orientation	Lesbian, gay men, bisexual					Y	
Age	Older people (50+)					Y	
	Younger people (16 - 25)					Y	
Religion or Belief	Faith Groups					Y	
Pregnancy & maternity						Y	
Marriage & Civil Partnership						Y	
Socio-economic Background						Y	

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Sustainability Impact Assessment

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Theme (Potential impacts of the project)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Use of energy, water, minerals and materials			Y	
Waste generation / sustainable waste management			Y	
Pollution to air, land and water			Y	
Factors that contribute to Climate Change			Y	
Protection of and access to the natural environment			Y	
Travel choices that do not rely on the car			Y	
A strong, diverse and sustainable local economy	Y			Provides financial support to local business
Meet local needs locally	Y			Provides financial support to local business
Opportunities for education and information			Y	
Provision of appropriate and sustainable housing			Y	
Personal safety and reduced fear of crime			Y	
Equality in health and good health			Y	
Access to cultural and leisure facilities			Y	
Social inclusion / engage and consult communities			Y	
Equal opportunities for the whole community			Y	
Contribute to Woking's pride of place			Y	

Woking Borough Council

Discretionary Relief Scheme

2017 - 2021



About the scheme

This scheme is intended to support local businesses following the 2017 revaluation and is to be known as the 'Woking Borough Council Discretionary Relief Scheme'.

This document sets out the criteria used to determine properties eligible for the discretionary relief Scheme' in Woking. The scheme does not replace any other relief.

The Council may review and amend the scheme (both in eligibility and amount of awards) at any time, especially with a view to the amount awarded and the eligibility criteria each year.

Introduction

At the Spring Budget 2017, the Chancellor announced that the Government would establish a £300 million discretionary business rate relief fund so that local authorities could devise local schemes to assist businesses that are facing rising bills as a result of a national revaluation of all business properties.

The Government published a consultation covering proposed methodology for distributing the available funding between local authorities and subsequently stated that the allocations would be as set out in the consultation.

The funding for the scheme is spread over four years. In Woking the total funding available under our allocation has been confirmed as:

2017/18 – £288,000	2019/20 - £58,000
2018/19 - £140,000	2020/21 - £8,000

It is for each local authority to design their discretionary relief scheme and determine eligibility.

The only requirement is that the scheme is within the intention of assisting business that are facing rising bills as a result of revaluation and that each authority consults with their major preceptors – for Woking this is Surrey County Council as this relates to Business rates only.

The Council does need to ensure that when it determines a scheme, operationally it can be managed within our existing systems and the resources available.

No new legislation is required to deliver the scheme. Instead, we will use our discretionary relief powers, under section 47 of the Local Government Finance Act 1988 to grant relief. Central Government will reimburse Woking using grants under section 31 of the Local Government Act 2003, up to the level of our allocation each year.

Eligibility Criteria

This section describes in principle the discretionary relief scheme in Woking. Woking Borough Council will use this section to determine eligibility for the relief.

Woking Borough Council will compare a property's 2016/17 full annual charge on 31 March 2017 compared with the property's 2017/18 full annual charge based on the rateable value following revaluation in force on 1 April 2017.

In determining the amount of funding to each Council, the Government used formula that only considered cases where the property's 2017/18 bill (before all reliefs) had increased by more than 12.5% and excluded properties with rateable values of £200,000 and over.

Woking Borough Council's scheme applies both these elements and hence will only consider awards where the 2017/18 bill has increased (as above) by more than 12.5% and the 1 April 2017 rateable value is less than £200,000.

In considering relief to remaining ratepayers, Woking will also exclude relief to:

- **Empty Properties.** The Council wants to encourage properties being brought back into use.
- **New rate payers becoming liable on or after 1 April 2017.** New ratepayers would not have seen an increase in their rate bills at the property.
- **Ratepayers with properties with a rateable value below £20,000 on 1st April 2017.** As part of the re-valuation the national business rates scheme provides a number of reliefs for small businesses including: Capping increase to maximum of 5% for those small properties with a rateable value of below £20,000 plus all small business with rateable value below £15,000 receive tapered relief up to 100% of the charge.
- **Precepting Authorities & Government Depts.** Section 47 relief cannot be awarded to a precepting authority (e.g. Woking Borough Council, Surrey County Council/Surrey Police).

How Much Relief Will Be Available?

A letter including an application form will be issued to all potentially eligible rate payers with a rateable value of between £20,000 - £200,000. Applicants will be required to declare they have met the above criteria and don't breach the European Union state aid rules if relief is granted.

The deadline for returning the application will be 31st October 2017, this will allow a calculation of the amount of relief to be granted based on the number of applications received.

It is estimated that there will be a maximum of 45 applications for properties with a rateable value between £100,000 - £200,000 and 72 applications for properties with a rateable value between £20,000 - £100,000.

As an illustration, based on the Government funding and the estimates, Woking Borough Council could grant the following:

Rateable Value	Disc Relief Amt 17/18	Disc Relief Amt 18/19	Disc Relief Amt 19/20	Disc Relief Amt 20/21
RV 100,000 - 199,999	£3,000	£1,500	£750	£100
RV 20,000 - 99,999	£2,000	£1,000	£375	£50

It is very unlikely that the maximum estimates will apply as some properties will have been empty and won't meet the criteria. During 2017/18 some qualifying properties will cease to qualify due to changes i.e. moves. Therefore 110% of the government funding will be awarded to support eligible local businesses to the greatest extent possible.

Compensation Arrangements

Woking will be granted the full funding allowance paid quarterly, and have to pay back any underspend at the 31st March each year.

State Aid

State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid.

However, our discretionary relief scheme will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013).

The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a rolling three-year period (consisting of the current financial year and the two previous financial years). The application form requires ratepayers to declare they do not exceed the limit.

Delegated Authority to Award Relief

The award of Discretionary Relief is delegated to Revenues, Benefits & Customer Service Manager and, in his absence, his deputy (Revenues Manager).

There is no statutory appeal rights against a decision regarding discretionary rate relief unless the decision is so unreasonable that no reasonable person could have reached it ('Wednesbury Rules'). However, the Council recognises that ratepayers should be entitled to have a discretionary decision reviewed if dissatisfied with the outcome. Only the ratepayer or authorised agent may appeal against the decision not to award relief or the level of relief awarded. Appeals must be made within four weeks of the notification of decision. Appeals must be in writing specifying reasons why a decision should be amended and supported by relevant new or additional evidence.

An appeal will be deemed to be discontinued if further evidence requested from the ratepayer has not been received within four weeks of the request. Appeals against decisions made under delegated authority will be determined by the Finance Director, in consultation with the Portfolio Holder, to ensure the decision is consistent with the scheme.



Civic Offices
Gloucester Square
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Surrey GU21 6YL

Telephone (01483) 755855
Facsimile (01483) 768746
DX 2931 WOKING
Email wokbc@woking.gov.uk
Website www.woking.gov.uk

Our ref: BRates/Disc

Dear Sir/Madam,

Business Rates Discretionary Relief Scheme

The Chancellor announced at the Budget on 8th March 2017 that the Government would provide additional help to businesses who are facing large increases in business rates as a result of 1st April 2017 rateable value re-valuation. A letter (BRIL 4/2017) was issued by the DCLG on 20th June 2017 providing local authorities with further information and confirmation of the amount of Government funding. Woking Borough Council has been granted a maximum funding allocation of £288,000 in 2017/18, £140,000 in 2018/19, £58,000 in 2019/20 and £8,000 in 2020/21. The funding allocation has been based on the Governments estimation of properties with a rateable value of less the £200,000 who have had an increase in rates from 2016/17 to 2017/18 of more than 12.5%. In addition properties with a rateable value of below £20,000 receive additional protection to limit the percentage of increase as part of the 2017 re-valuation.

There are over 2,500 business rated properties within Woking Borough Council and the funding needs to be targeted at those who are facing the largest increases and based on the Governments funding calculation criteria.

Woking Borough Council's Discretionary scheme to allocate this funding has been set using the following criteria:

1. The charge payer must have had a charge in 2016/17 up to 31st March 2017.
2. The chargeable premises must have been in occupation i.e. it is not an empty/un-occupied property.
3. The 2017 Rateable Value of the premises is above £20,000 but below £200,000.
4. The increase in the full 2017/18 charge compared to the full 2016/17 charge is 12.5% or more.

You have been sent this letter as your 2017 rateable value is above £20,000 but below £200,000 and therefore you may qualify for this discretionary relief. In order to apply you must meet the criteria above, complete and return the attached application form **by 31st October 2017**.

Provided circumstances remain the same relief will be award each year on a reducing scale from 2017/18 to 2020/2021. The amount will be dependant upon the number of successful applications received.

Yours sincerely,
Terry Stocks

Revenues Team Manager

For further information please contact Terry Stocks on 01483 743231 (Direct Line) or
Email Terry.Stocks@woking.gov.uk
EF389EAE

**Application for
Business Rates
Discretionary
Relief
2017/18 to 2020/21
Only**



In the Spring Budget 2017, the Government announced new discretionary relief funding for those businesses who are facing large increases as a result of 1st April 2017 rateable value re-valuation. The scheme does not continue after 2020/21 and funding reduces each year from 2017/18.

General Principles

1. All decisions in respect of applications for discretionary rate relief must be taken in accordance with statutory requirements and give due consideration to any guidance issued by the Secretary of State.
2. Decisions shall be taken in accordance with the Council's Constitution.
3. The charge payer must have had a charge in 2016/17 up to 31st March 2017.
4. The chargeable premises must have been in occupation i.e. not empty/un-occupied.
5. The 2017 Rateable Value of the premises is above £20,000 but below £200,000
6. The increase in the full 2017/18 charge compared to the full 2016/17 charge is 12.5% or more.

State Aid

Awards of Section 47 Reliefs are required to comply with the EU law on State Aid. In this case, this involves returning the attached form for relief stating that the qualifying conditions are met and declaring to this authority that the award of relief will NOT cause the de-minimis level for state aid to be breached.

The applicant for the Relief needs to declare that they do not exceed the €200,000 state aid limit under the European Commission rules, they should retain a copy of the application form for 3 years and produce it on any request by the UK public authorities or the European Commission. Furthermore, information on this aid must be supplied to any other public authority or agency asking for information on 'De Minimis' aid for the next three years.

APPLICATION FORM:

Please complete and return the following pages if you wish to apply for Section 47 Relief.

You must declare that you meet the criteria for the relief and it is advisable that you keep a copy of the application form in respect to the state aid declaration.

Business Rates Account Number : (This will start with 30.....)	
Name of Business:	
Address of Business :	
Is the premises currently occupied?	Yes/No
Was the premises empty during between 01/04/16 to 31/03/17	Yes/No (If Yes please provide dates below) From..... To.....
Date the relief is requested from:	01/04/2017
Date the relief is requested to:	31/03/2021
The premises meet the relief application criteria	Yes/No

Declaration:

I declare that the information I have given on this form is correct and complete.

I know I must write and tell you of any changes in circumstances which might affect this request (For example, if the property becomes un-occupied or the type of business changes and you no longer meet the criteria for relief)

I understand that if I do not give you correct information or, if I do not tell you everything you need to know, you remove the relief and I will be liable for the increased charge.

**Application for
Business Rates
Discretionary
Relief
2017/18 to 2020/21
Only**



I declare that I comply with EU law on State Aid on the basis that, including this award the business shall not receive more than €200,000 in total of De Minimis aid within the current financial year or the previous two financial years.

I declare that I wish to apply for Section 47 Relief and that the business meets the criteria as per the guidelines.

Signed

Name in block capitals
.....

Position in Business/Company
.....

Date...../...../.....

Please send the completed form back in the envelope provided to:
Business Rates, Woking Borough Council, Civic Offices, Woking, GU21 6YL

We will contact you once a decision on the application has been made.

EXECUTIVE - 14 SEPTEMBER 2017

HEATHSIDE CRESCENT CAR PARK EXTENSION

Executive Summary

The Council's approved Investment Programme incorporates a provision of £10m to enable the extension of Heathside Crescent car park.

This report seeks Executive authority to enable Officers to implement the extension to the car park within the approved budget subject to Planning Consent.

The proposed extension provides an increase in car parking spaces at the site from 479 spaces to 793 spaces, a net increase of 314 spaces at an average cost of some £32,000 per space. The current income budget for the site is £985,000 net of VAT, an average of £2,056 per space.

The annual cost of the extension, based on an investment of £10m financed by a 50 year annuity loan at 2.6% is some £359,000. The additional income if the car park is used at the same level as current would be £645,000. Whilst this produces a potential surplus of £286,000 this would only be in a full year and with a similar level of occupation. Accordingly, when budgets are prepared for future years this potential income will be dampened to reflect general activity levels prevailing in the town at the time.

The investment is a positive investment with a return of 2%+. It also enables the town centre to be better served by car parking provision as economic activity increases. As agreed by Council when approving the development of Victoria Square, further investments in the provision of additional car parking spaces are being pursued at the Victoria Way car park, the Peacocks/Wolsey Place/ToysRUs "Shoppers" car parks and at any potential "park and stride sites" at the edge of the town centre. Each of these other sites will be considered on their merits in due course.

The Executive is requested to authorise the Deputy Chief Executive to implement the extension of Heathside car park subject to Planning Consent.

Reasons for Decision

To enable the implementation of the extension of Heathside Crescent car park subject to Planning Consent.

Recommendations

The Executive is requested to:

RESOLVE That

the Deputy Chief Executive be authorised to implement the extension of Heathside Crescent car park based on a budget of £10m subject to Planning Consent.

The Executive has authority to determine the above recommendations.

Background Papers:

Planning Application.

Sustainability Impact Assessment
Equalities Impact Assessment

Reporting Person:

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Contact Person:

Douglas Spinks, Deputy Chief Executive
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Portfolio Holder:

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Shadow Portfolio Holder:

Cllr Ann-Marie Barker
E Mail: CllrAnn-Marie.Barker@woking.gov.uk

Date Published:

8 September 2017

1.0 Introduction

- 1.1 The Council's approved Investment Programme incorporates a provision of £10m to enable the extension of Heathside Crescent car park.
- 1.2 This report seeks Executive authority to enable Officers to implement the extension to the car park within the approved Investment Programme budget of £10m subject to Planning Consent.

2.0 Heathside Crescent Car Park Extension Proposal

- 2.1 The "Project Mandate" approved by the Corporate Management Group in accordance with project management procedures is attached at Appendix 1. The Mandate provides an outline of the purpose of the proposal and the breakdown of costs.
- 2.2 Also attached for information are three plans from the Planning Application showing the ground floor layout (level 1 and 2) and the elevations of the car park. These will be subject to consideration and determination by the Planning Committee and the approval sought in this report is subject to Planning Consent being obtained.
- 2.3 The proposed extension provides an increase in car parking provision at the site from 479 spaces to 793 spaces, a net increase of 314 spaces at a total cost of £10m which equates to an average cost of some £32,000 per space.
- 2.4 The car park will need to be closed during the construction period. However, as with Brewery Road car park redevelopment, it is reasonable to assume that car users will utilise other available spaces in the town centre with any significant downturn in total income receivable from car park operations.
- 2.5 The Executive is requested to authorise the Deputy Chief Executive to implement the extension of Heathside Crescent car park based on a budget of £10m subject to Planning Consent.

3.0 Implications

Financial

- 3.1 The capital cost of the proposed extension is £10m which is in accordance with the provision included in the approved Council Investment Programme. The investment has been approved by Council to be financed from borrowing and has been taken into account when setting Council borrowing limits.
- 3.2 The proposed method of financing for the purpose of this appraisal is a 50 year annuity loan at 2.6% which gives rise to an annual revenue charge of some £359,000. The actual financing arrangements will be determined by the Council's Chief Finance Officer in accordance with delegated authority so as to achieve the most economically advantageous position for the Council.
- 3.3 The current income budget for the site is £985,000 net of VAT, an average of £2,056 per space.
- 3.4 The potential additional income, based on current usage and price is some £645,000 per annum net of VAT. Accordingly the net additional income for the Council, after taking into account financing costs of £359,000 is some £286,000 per annum in a full operational

year (2019/20 onwards). This a potential return of 2.86% or at least, after dampening some 2%+.

- 3.5 In preparing the annual budget for 2019/20 the income expectation will be dampened to allow for an initial lower take up of spaces.
- 3.6 The current aggregate off street car park income of £7.453m is assumed to be substantially unaffected by the temporary loss of Heathside Crescent car park during the construction period which is substantially in 2018/19 with its full operation coming into effect for 2019/20. The risk of any adverse impact will however be taken into account when considering the contingency and reserves strategy when determining the 2018/19 revenue budget.
- 3.7 Further investments in the provision of additional car parking spaces are being pursued at the Victoria Way car park, the Peacocks/Wolsey Place/ToysRUs “Shoppers” car parks and at any potential “park and stride sites” at the edge of the town centre. Each of these other sites will be considered on their merits in due course.

Human Resource/Training and Development

- 3.8 There are no human resource or training issue arising from this report.

Community Safety

- 3.9 There are no community safety issues arising from this report provided the car park is closed during the construction period.

Risk Management

- 3.10 Risk management issues will be addressed as part of the construction project in accordance with normal project management procedures.
- 3.11 There is a slight risk that aggregate car park income will be adversely affected during 2018/19 due to the current 479 car park spaces being taken out of use. However as was witnessed by the development of the Brewery Road car park, the Council did not forego income as car users used other Council car park sites. The risk of some adverse impact will however be taken into account when determining the Council’s revenue budget for 2018/19.
- 3.12 The failure to provide additional car park spaces in accordance with the Council’s ambitions may adversely affect the economic vitality of the town centre. Proceeding with the implementation of the extension will contribute to reducing that risk.
- 3.13 Timely implementation of the extension to Heathside Crescent car park during 2018/19 will minimise the risk of too many car park spaces being out of use at any one time due to the works in respect of Victoria Square taking some parts of the Shoppers car park out of use in 2019/20 before the opening of the new centre in October 2020 and the occupation of the residential units during 2021.

Sustainability

- 3.14 The provision of additional car parking will support the economic sustainability of Woking town centre.

Equalities

3.15 There are no equalities issues raised by this report.

4.0 Consultations

4.1 The Portfolio Holder has been consulted in the preparation of this report.

REPORT ENDS
EXE17-061

APPENDICES

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Gender	Men					X	
	Women					X	
Gender Reassignment						X	
Race	White					X	
	Mixed/Multiple ethnic groups					X	
	Asian/Asian British					X	
	Black/African/Caribbean/Black British					X	
	Gypsies / travellers					X	
	Other ethnic group					X	

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Disability	Physical					X	
	Sensory					X	
	Learning Difficulties					X	
	Mental Health					X	
Sexual Orientation	Lesbian, gay men, bisexual					X	
Age	Older people (50+)					X	
	Younger people (16 - 25)					X	
Religion or Belief	Faith Groups					X	
Pregnancy & maternity						X	
Marriage & Civil Partnership						X	
Socio-economic Background						X	

The purpose of the Equality Impact Assessment is to improve the work of the Council by making sure it does not discriminate against any individual or group and that, where possible, it promotes equality. The assessment is quick and straightforward to undertake but it is an important step to make sure that individuals and teams think carefully about the likely impact of their work on people in Woking and take action to improve strategies, policies, services and projects, where appropriate. Further details and guidance on completing the form are [available](#).

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Officers preparing a committee report are required to complete a Sustainability Impact Assessment. Sustainability is one of the Council's 'cross-cutting themes' and the Council has made a corporate commitment to address the social, economic and environmental effects of activities across Business Units. The purpose of this Impact Assessment is to record any positive or negative impacts this decision, project or programme is likely to have on each of the Council's Sustainability Themes. For assistance with completing the Impact Assessment, please refer to the instructions below. Further details and guidance on completing the form are [available](#).

Theme (Potential impacts of the project)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Use of energy, water, minerals and materials			X	
Waste generation / sustainable waste management			X	
Pollution to air, land and water			X	
Factors that contribute to Climate Change			X	
Protection of and access to the natural environment			X	
Travel choices that do not rely on the car			X	
A strong, diverse and sustainable local economy	X			The additional car parking spaces will support
Meet local needs locally	X			The local economy and the travel needs of local residents.
Opportunities for education and information			X	
Provision of appropriate and sustainable housing			X	
Personal safety and reduced fear of crime			X	
Equality in health and good health			X	
Access to cultural and leisure facilities			X	
Social inclusion / engage and consult communities			X	
Equal opportunities for the whole community			X	
Contribute to Woking's pride of place			x	

Project Mandate

The Project Mandate is the first document to be produced in the life of a project. The Mandate is designed to (a) provide a very brief outline of what the project is and what it is looking to achieve and (b) aid in prioritising the project. Every new project mandate will be reviewed and assessed by CMG on a weekly basis. A mandate should take no longer than 1 hour to complete.

Prepared by:	David Loveless	Project Name:	Heathside Crescent Multi-Storey Car Park – Refurbishment and Extension
---------------------	----------------	----------------------	--

1. What is the project?

- Redevelopment of Heathside Crescent multi-storey car park increasing the total parking provision from 479 to 793 spaces resulting in a net additional 314 car parking spaces;
- Formation of vehicle entrance route off White Rose Lane with the exit route remaining on Heathside Crescent;
- Improvement works to internal circulation routes and ramps.

2. What are the objectives of the project?

- To generate income from the Council from additional parking provision;
- To maintain a healthy and buoyant local economy;
- To provide additional parking south of the railway line resulting in a reduction in the traffic burden on Victoria Way;
- To ensure a key council asset is redeveloped;
- To update and modernise the architectural appearance of the car park;
- Improvements to lighting systems resulting in possible reduction in energy consumption;
- Improve facilities for people with disabilities;
- Promote sustainable vehicles with the provision of bays with electric charging points;
- To improve security measures to reduce antisocial behaviour in the car park.

3. Who will be involved in the project?

This should include the anticipated **Project Manager** and **Project Sponsor** as a minimum.

Person:	Role within project:	W.T Access:
Douglas Spinks	Project Sponsor	YES
David Loveless	Project Manager	YES

4. What is the proposed timetable for this project?

Planning Application Period	(July – September 2017)
Contractor Selections & Appointment (Framework)	(August – September 2017)
Detailed Design Period / Negotiate Contract Sum	(October – December 2017)
Lead in Period – 2 months	(January – February 2018)
Works – 12 months	(March 2018 to February 2019)
Snagging Period	(March 2019)
Defects Period (12 Months)	(March 2019 to February 2020)

5. Estimate of project cost

Budget Estimate:

• Building Works	£ 6,500,000.00
• Contractors Preliminaries, Profit & Overheads	£ 1,700,000.00
• Professional & Statutory Fees	£ 625,000.00
• Contingency Allowance	£ 660,000.00
• Inflation Allowance	£ 515,000.00
• Total	£10,000,000.00

6. Funding?

Investment Programme 2017 / 18 - £5 million
Investment Programme 2018 / 19 - £5 million

7. Strategic Assessment Score?

Strategic Assessment Score 18.

8. Any other comments?

None.

9. Has the mandate been agreed with the Sponsor?

Mandate has been viewed and agreed with the Sponsor prior to submission.

DO NOT SCALE OFF THIS DRAWING
EXCEPT FOR PLANNING PURPOSES
ALL DIMENSIONS TO BE CHECKED ON SITE

Notes:

Level	No. of Original Parking Spots	No. of Deleted Parking Spots	Total	Existing Spots
1	19	60	79	115
2	36	0	36	42
3	112	0	112	113
4	46	0	46	48
5	112	0	112	113
6	46	0	46	48
7	112	0	112	n/a
8	46	0	46	n/a
9	58	0	58	n/a
10	42	0	42	n/a
11	58	0	58	n/a
12	46	0	46	n/a
Total	733	60	793	479

Replacement Tree
Acer campestre Esriik
18-20cm girth

Tree removed



Rev.	Description	Drawn	Check	Date
A	Generally updated	DK	NBO	06-12-16
B	Generally updated	DK	NBO	12-12-16
C	Generally updated	KG	NBO	06-04-17
D	Generally updated. Exit barriers added	DK	NBO	12-05-17
E	Parking Schedule updated	NBO	NBO	22-05-17
F	Amended to suit Arboricultural Report	NBO	NBO	31-05-17
G	Amended to suit further Arboricultural advice	NBO	NBO	02-06-17
H	Amended to suit further Arboricultural advice	DK	NBO	15-06-17
J	Schedule amended	DK	NBO	28-06-17

Fielding Architecture
41 CHOBHAM ROAD, WOKING, SURREY, GU21 6AD
Tel: 01483 764407 Fax: 01483 763728
email: mail@bdrfielding.co.uk

Client: Woking Borough Council

Project: Heathside Carpark Alterations

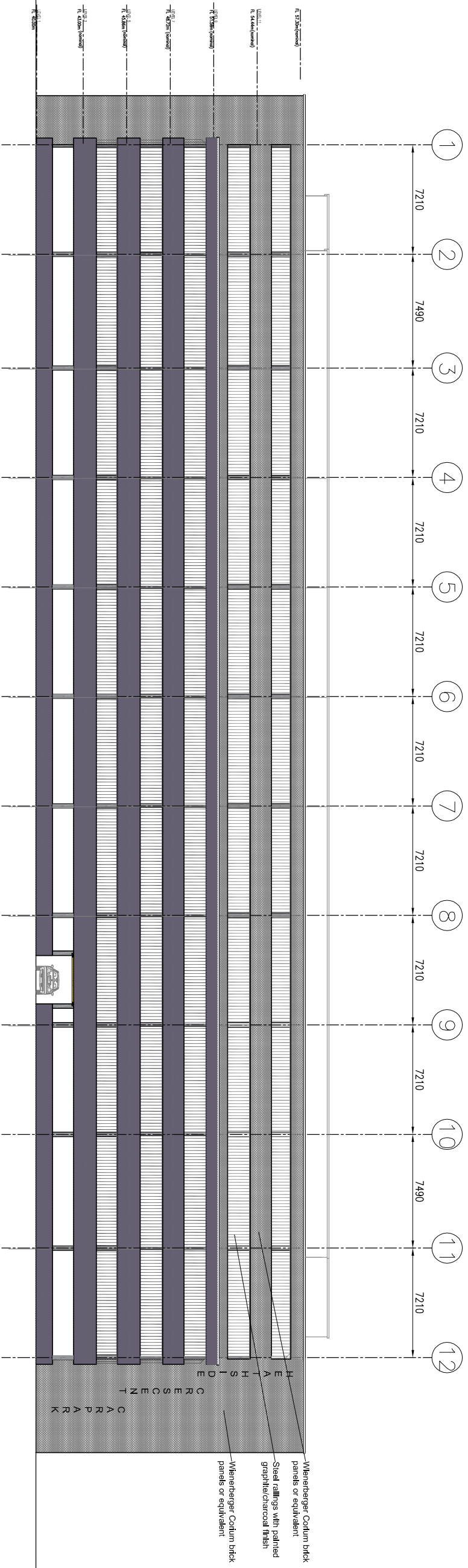
Drawing Title: Proposed Floor Plans Level 1&2

Scale: 1:200 @ A1

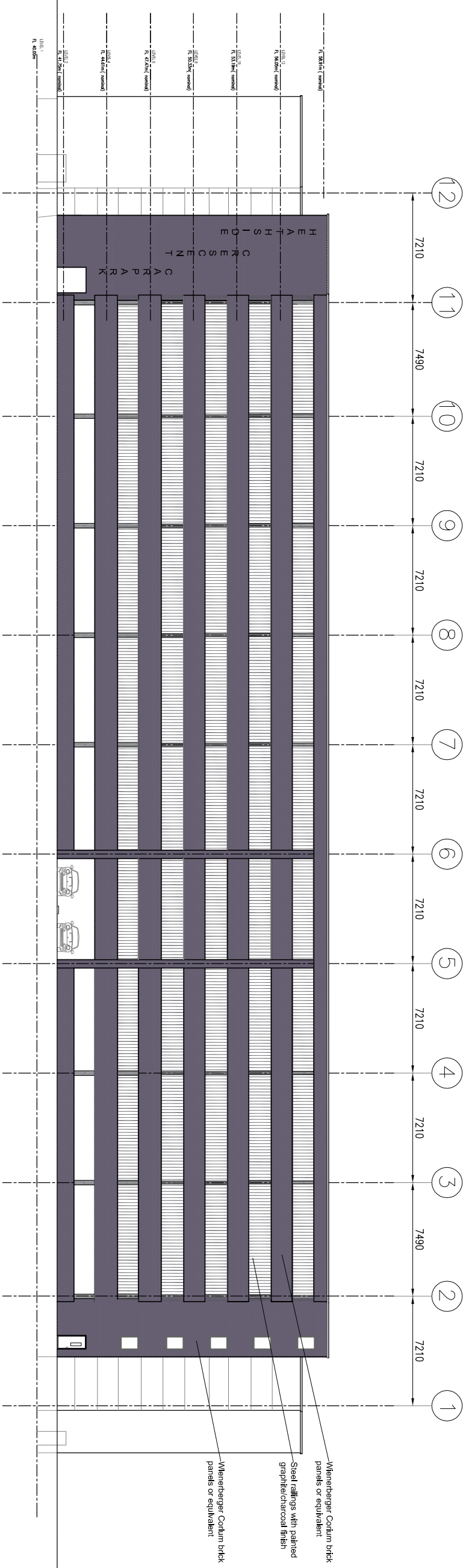
Date: October - 2016
Drawn: KG
Check: NBO

Job Drawing No.: 12840.36[P]J01

Notes:



SOUTH ELEVATION



NORTH ELEVATION

Rev.	Description	Drawn	Check
A	Generally updated	DK	NBO
B	Minor amendments	DK	NBO
C	Removal of levels 13 & 14	KG	NBO
D	Minor amendments	DK	NBO
E	Materials added	DK	NBO



Fielding

 Architecture

 41 CHOBHAM ROAD, WOKING, SURREY, GU21 6AD

 Tel: 01483 764407 Fax: 01483 763728

 email: mail@bhf-fielding.co.uk

CLIENT: Woking Borough Council

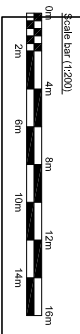
 PROJECT: Heathside Carpark Alterations

DRAWING TITLE: Elevations

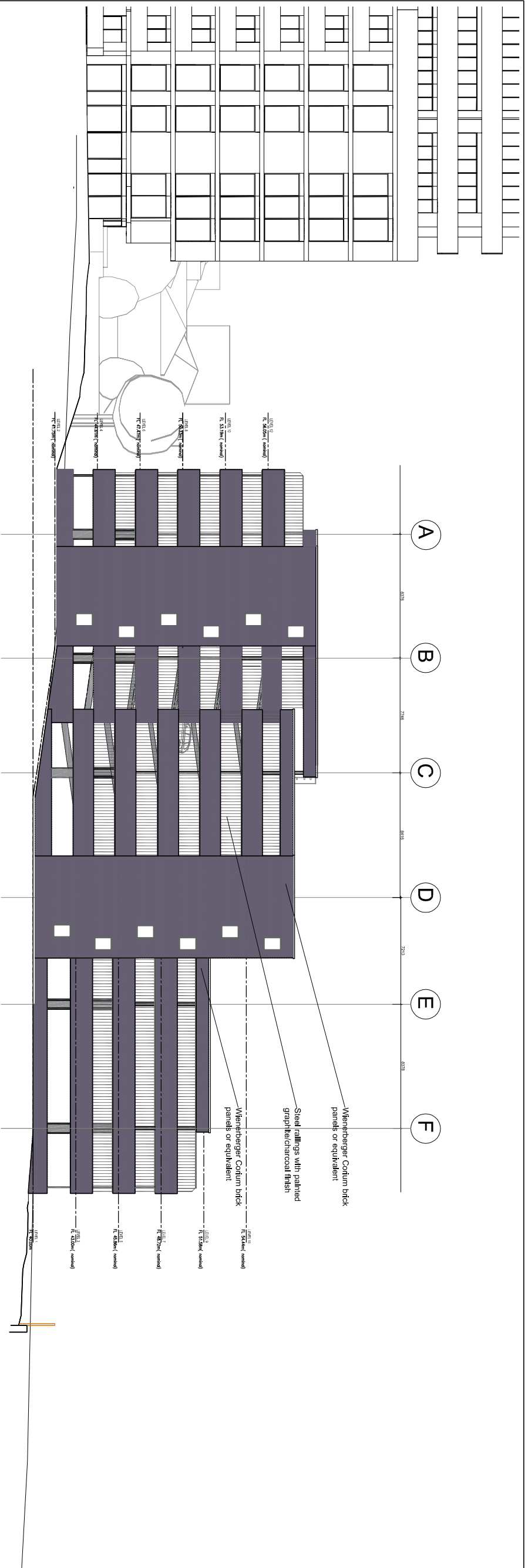
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 DATE: October - 2016

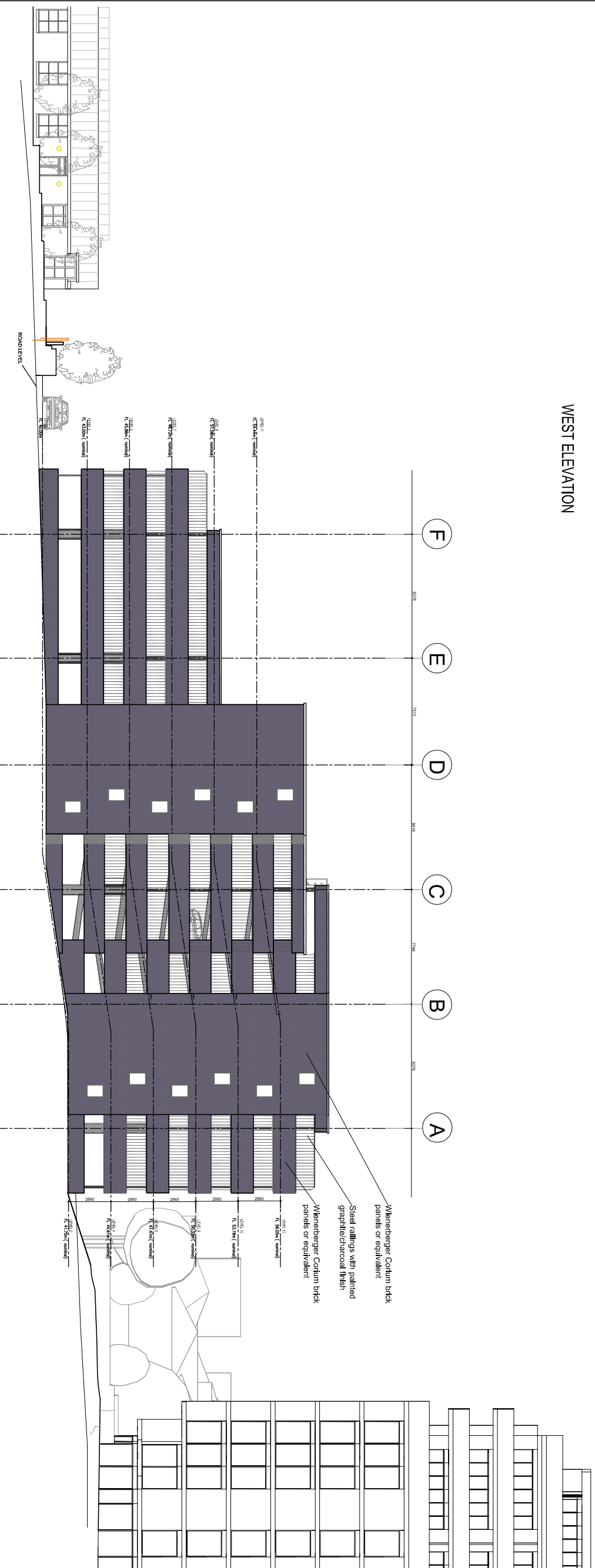
 JOB/DRAWING No.: 12840_36[PL]10



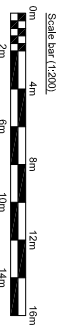
Notes:



WEST ELEVATION



EAST ELEVATION



Rev.	Description	Drawn	Checked	Date
A	Generally updated	DK	NBO	15-12-16
B	Minor amendments	DK	NBO	12-05-17
C	Amended to show new levels, generally updated	KG	NBO	05-04-17
D	Minor amendments	DK	NBO	12-05-17
E	Materials added	DK	NBO	22-05-17

Fielding
Architectural

41 CHOBHAM ROAD, WOKING, SURREY, GU21 6JD
Tel: 01483 764407 Fax: 01483 763728
email: mail@bdfelding.co.uk

CLIENT
Woking Borough Council

PROJECT
Healthside Carpark Alterations

DRAWING TITLE
East and West Elevations

SCALE
1:100 @ A1

DATE
October - 2016

JOB DRAWING NO.
12840.36[P]J09

EXECUTIVE - 14 SEPTEMBER 2017

HOUSING INFRASTRUCTURE FUND

Executive Summary

In July 2017 the DCLG launched the Housing Infrastructure Fund. This is a government capital grant programme of up to £2.3 billion intended to allow the necessary physical infrastructure to be developed to deliver 100,000 new homes. The funding will be awarded to Local Authorities on a highly competitive basis.

It is proposed that Officers submit a bid for the funding as detailed in the report.

Reasons for Decision

To secure external funding to increase the provision of housing within the Borough.

Recommendations

The Executive is requested to:

RESOLVE That

- (i) the Finance Director be authorised to draft and submit a bid for Marginal Viability Funding under the Housing Infrastructure Fund for phase 1 of the Sheerwater Regeneration Project;
- (ii) the Finance Director be authorised to draft and submit a bid for Marginal Viability Funding under the Housing Infrastructure Fund for the Victoria Square Project; and
- (iii) the Chief Executive be authorised to work with Surrey County Council to draft and submit an expression of interest for Forward Funding under the Housing Infrastructure Fund for the highway network upgrade south of the railway.

The Executive has the authority to determine the above recommendations.

Background Papers:

None.

Sustainability Impact Assessment
Equalities Impact Assessment

Reporting Person:

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Portfolio Holder:

Cllr Ayesha Azad
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Shadow Portfolio Holder:

Cllr Deborah Hughes
E Mail: CllrDeborah.Hughes@woking.gov.uk

Date Published:

8 September 2017

1.0 Introduction

- 1.1 In July 2017 the DCLG launched the Housing Infrastructure Fund (HIF). This is a government capital grant programme of up to £2.3 billion intended to allow the necessary physical infrastructure to be developed to deliver 100,000 new homes (this equates to £23,000 per dwelling). The funding will be awarded to Local Authorities on a highly competitive basis. A copy of the DCLG guidance is appended to the report at Appendix 1.
- 1.2 A prescriptive definition of physical infrastructure is not provided by the DCLG but they have indicated this could include;
- Transport and travel, utilities, schools, community and healthcare facilities, land assembly and site remediation, heritage infrastructure, digital communications, green infrastructure (such as parks) and blue infrastructure (such as flood defences and sustainable drainage systems).
- 1.3 The fund provides two types of grant or intervention;
- Bids can be made of up to £10 million for Marginal Viability proposals.
 - Bids can be made of up to £250 million for Forward Funding proposals.
 - Higher levels of funding may be awarded to exceptional bids that can demonstrate a robust case for widespread and transformational delivery of new homes.
- 1.4 Officers have reviewed the Council's existing and proposed development sites across the borough to explore whether this funding source could be utilised. This report proposes that 3 bids are submitted as detailed below.
- 1.5 Bids need to be submitted by 11:59pm on 28th September 2017. Multiple bids can be made but need to be ranked.

Marginal Viability Proposals (Bids Of Up To £10 Million)

- 1.6 This element of the funding is intended for developments which are being held back because the cost of putting in infrastructure and building the homes are too great.
- 1.7 The DCLG places certain conditions on the grant including;
- It intends to provide the final infrastructure funding to enable the project to go ahead and the homes to follow at pace.
 - The funding will typically be awarded when planning permission is in place and the DCLG will prioritise strong schemes which can start spending straight away.
 - The DCLG intends to award funding to development projects which cannot take place without the assistance of the Fund.
- 1.8 The Council's projects which incur the most infrastructure costs, and would secure the highest level of this funding, are the Sheerwater Regeneration Project and the Victoria Square Development.
- 1.9 The Sheerwater Regeneration project has received planning permission and there are an estimated £17m infrastructure costs associated with the project. The Council approved the scheme on 6 April 2017 and will consider detailed financing arrangements in early 2018, construction works would commence quickly and new homes would follow at pace.

- 1.10 To reduce the marginal affordability of the project, and for the rents charged to new tenants to be at an affordable level, normal developer profit levels have been suppressed. Therefore the Sheerwater Regeneration Scheme would not take place as a normal development project.
- 1.11 The project therefore fits with the funding criteria set by the DCLG and it is the WBC officer's view that a submission should be made for phase 1 of the Sheerwater Regeneration.
- 1.12 There is an opportunity to increase the number of apartments within the New Victoria scheme but it will inevitably give rise for requests for more parking provision. There are already an estimated £50m+ of Infrastructure costs included in the Victoria Square project. Whilst the project has already commenced and would therefore not normally fit with the above criteria set by the DCLG the additional dwellings and related parking requirement may enable an argument to be put that the additional parking infrastructure would allow 49 more new dwellings to be built. This report therefore proposes that a bid be made for Marginal Viability funding for the additional parking infrastructure under the Victoria Square project.

Forward Funding Proposals (Bids Of Up To £250 Million)

- 1.13 This funding is designed to help local authorities achieve large scale growth. The contribution could represent a significant portion of the upfront development cost and is intended to give the markets confidence to provide further investment making more land available for development.
- 1.14 Only upper tier authorities can bid for this funding so it would be necessary to make a joint bid with Surrey CC with county as the lead bidder.
- 1.15 Other conditions of the funding include;
- The scheme won't happen without the aid of the funding.
 - The Scheme has support locally.
 - Spend is expected between 2019/20 and 2020/21.
- 1.16 Officers have reviewed the sites within the borough where this large scale development may be possible and would recommend working with Surrey CC to submit a joint bid for the highway network upgrade south of the railway.

2.0 Conclusion

- 2.1 The details of the Housing Infrastructure Fund were only announced in July 2017 but bids are due to be submitted by 28th September 2017. Due to these timescales it is not possible to present the detailed bid submissions to the Executive prior to the deadline.
- 2.2 It is requested that Officers be authorised to determine the bid amount and bid ranking for each funding application based on the details in the final submissions.

3.0 Implications

Financial

3.1 The financial implications are implicit in the body of this report.

Human Resource/Training and Development

3.2 There are no human resource/training and development implications arising directly from this report.

Community Safety

3.3 There are no community safety implications arising directly from this report.

Risk Management

3.4 There are no risk management implications arising directly from this report.

Sustainability

3.5 There are no sustainability implications arising directly from this report.

Equalities

3.6 There are no equalities implications arising directly from this report.

4.0 Consultations

4.1 No consultations have been undertaken in connection with this report.

REPORT ENDS

EXE17-062

APPENDICES

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

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		Eliminate discrimination	Advance equality	Good relations			
Gender	Men					√	
	Women					√	
Gender Reassignment						√	
Race	White					√	
	Mixed/Multiple ethnic groups					√	
	Asian/Asian British					√	
	Black/African/Caribbean/Black British					√	
	Gypsies / travellers					√	
	Other ethnic group					√	

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
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	Mental Health					√	
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Age	Older people (50+)					√	
	Younger people (16 - 25)					√	
Religion or Belief	Faith Groups					√	
Pregnancy & maternity						√	
Marriage & Civil Partnership						√	
Socio-economic Background						√	

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Use of energy, water, minerals and materials			√	
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Pollution to air, land and water			√	
Factors that contribute to Climate Change			√	
Protection of and access to the natural environment			√	
Travel choices that do not rely on the car			√	
A strong, diverse and sustainable local economy			√	
Meet local needs locally			√	
Opportunities for education and information			√	
Provision of appropriate and sustainable housing			√	
Personal safety and reduced fear of crime			√	
Equality in health and good health			√	
Access to cultural and leisure facilities			√	
Social inclusion / engage and consult communities			√	
Equal opportunities for the whole community			√	
Contribute to Woking's pride of place			√	



Department for
Communities and
Local Government

An introduction to the **Housing Infrastructure Fund**

Ministerial Foreword

We hear time and again that putting infrastructure in early could make all the difference in making new land available and getting homes built. Without the right infrastructure, no new **community will thrive** – and no existing community will welcome new housing if it places further strain on already stretched local resources.

- Our ambitious policies in our **Housing White Paper** will mean more and better homes, welcomed by existing communities because they add to, rather than subtract from, what is already there. So I'm delighted to be launching the Housing Infrastructure Fund – up to **£2.3 billion** of government funding to help ensure the right infrastructure is in place at the right time to unlock the high quality new homes that this country so badly needs.

I urge local authorities to make the most of this opportunity – to come forward with infrastructure proposals that **show real ambition for the future**, in a way which works for existing communities and new residents.



The Rt Hon Sajid Javid MP
Secretary of State for Communities and Local Government



Introducing the Housing Infrastructure Fund

The Housing Infrastructure Fund is a **government capital grant programme** of up to **£2.3 billion**, which will help to deliver up to 100,000 new homes in England.

Funding will be **awarded to local authorities** on a **highly competitive basis**, providing grant funding for new infrastructure that will unlock new homes in the areas of greatest housing demand.

This booklet sets out the purpose of the Housing Infrastructure Fund, how it works, how we will select which proposals to fund, and how to find out more.

You can find more information on our webpage, and the online bidding forms will be made available during July:

www.gov.uk/government/publications/housing-infrastructure-fund

We are inviting local authorities to apply by Thursday 28 September 2017.



Purpose of the Fund

The Housing Infrastructure Fund will:

- Deliver new physical **infrastructure** to support new and existing communities;
- Make **more land** available for housing in high demand areas, resulting in **new additional homes** that otherwise would not have been built;
- Support **ambitious local authorities** who want to step up their plans for growth and make a meaningful difference to overall housing supply; and
- Enable local authorities to recycle the funding for other infrastructure projects, **achieving more** and delivering new homes in the future.



How the Fund works

We understand that different types of intervention are needed. The Fund provides:

1. Marginal Viability Funding: Numerous housing sites all over the country are being held back because the costs of putting in the infrastructure and building the homes are too great.

For these types of development, we will provide the **final, or missing, piece of infrastructure funding** to get additional sites allocated or existing sites unblocked quickly. We expect the infrastructure to be built soon after schemes have been awarded funding, and for the homes to follow at pace.

2. Forward Funding: We recognise that infrastructure is funded in a variety of ways, and at different times in the development process. This can make it extremely difficult for local authorities to take a strategic approach and plan for infrastructure provision.

In these circumstances, we will back a small number of strategic and high-impact infrastructure schemes. We may put in the **first amount of funding**, which then gives the market confidence to provide further investment and make more land available for development and future homes.



How much is available for proposals?

The Fund is available over four years from **2017/18 to 2020/21** and we will be looking for some Marginal Viability proposals that can spend in 2017/18. All funding must be committed by March 2021.

- Bids can be **up to £10 million** for **Marginal Viability** proposals.
- Bids can be **up to £250 million** for **Forward Funding** proposals.

Higher levels of funding may be made awarded to **exceptional bids** that can demonstrate a robust case for widespread and transformational delivery of new homes.

Decisions on funding allocations will be taken at a programme level. The split between the two funding streams will depend on the bids received but we would expect the majority of our funding to go to forward funding proposals.

We may decide, on the basis of the bids we receive, not to allocate all of the £2.3 billion in this wave. We may run another wave of funding in future with potentially different criteria.

Who can bid?

Local authorities in England can bid in the following ways:

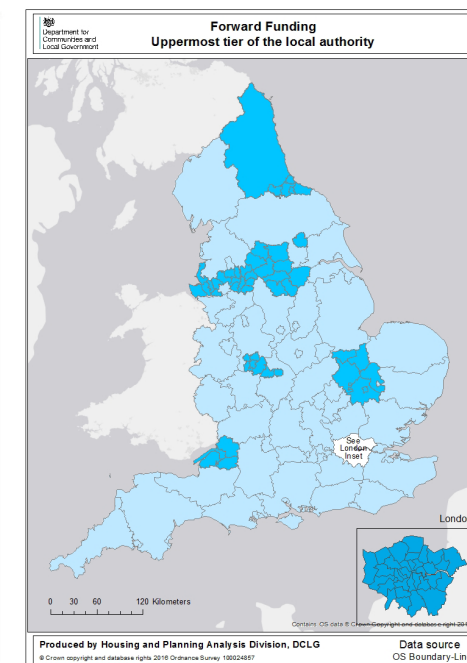
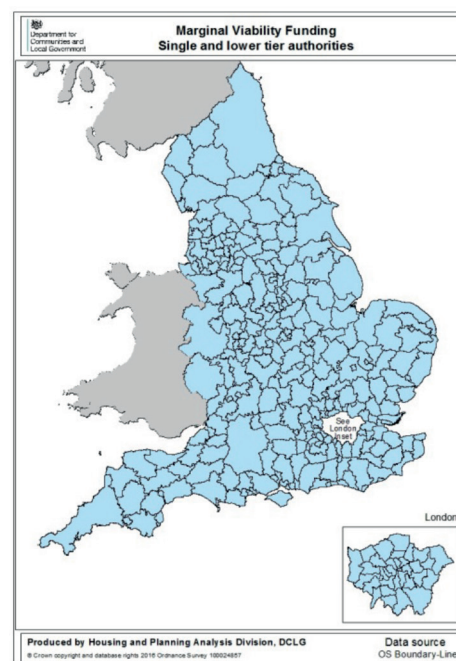
- For Marginal Viability Funding, **single and lower tier** local authorities can bid.
- For Forward Funding, the **uppermost tier** of local authority can bid:
 - The Greater London Authority
 - Combined authorities.
 - Single and upper tier authorities, where they are outside London and combined authority areas.

This is because these schemes are big, strategic, and it will take time and resource to develop the bids.

Authorities can submit multiple bids and will need to rank them in order of priority.

We call on all tiers of government to work together, and with their Local Enterprise Partnerships, to develop strong bids.

We also encourage local authorities to submit **joint bids** where they will unlock additional housing at scale.



What makes a bid eligible?

The bid must:

- Require **grant funding** to deliver **physical infrastructure**¹ and provide strong evidence that the infrastructure **is necessary** to unlock new homes and cannot be funded through another route.
- Support delivery of an **up to date plan** or **speed up getting one in place**.
- Have **support locally**
- Spend the funding **by 2020/21**.



¹ We do not have a prescriptive definition of physical infrastructure. It could, for example, include transport and travel, utilities, schools, community and healthcare facilities, land assembly and site remediation, heritage infrastructure, digital communications, green infrastructure (such as parks) and blue infrastructure (such as flood defences and sustainable drainage systems).

What do bids need to demonstrate?

Eligible applications will be assessed on how well they meet the following criteria:

The proposal takes a **strategic approach**, with strong local leadership and joint working to achieve higher levels of housing growth in the local area, in line with price signals, and supported by clear evidence.

The proposal is **value for money**, on the basis of an economic appraisal following the principles set out in the Green Book and the **DCLG Appraisal Guide**.

The proposal can be **delivered**. This is about both delivering the infrastructure and how that will then lead to the delivery of new homes. It also means all the key delivery partners need to be working together.

More detailed information, including **examples**, is given in the Marginal Viability and Forward Funding **supporting documents**.

We will prioritise schemes based on their impact against these criteria, with an emphasis on value for money. We may also take into account our funding profile, the geographical capacity of an area to deliver the infrastructure development, and wider economic considerations.



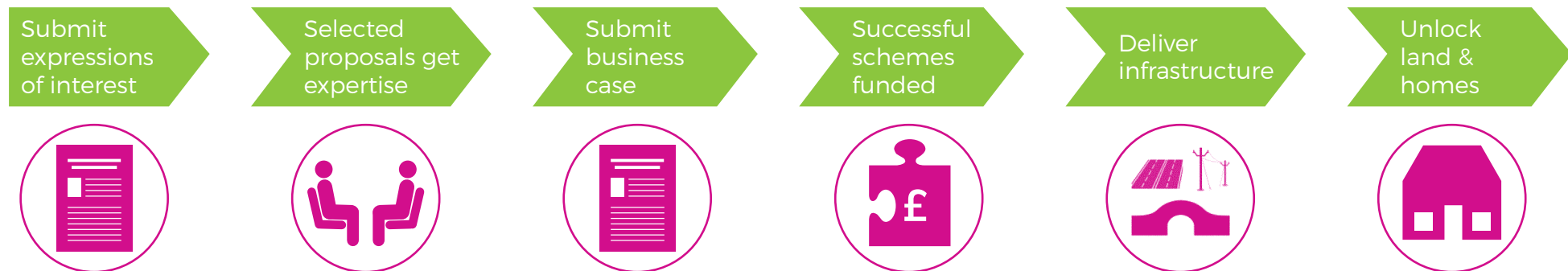
How and when to apply for funding?

Marginal Viability bids will be assessed through a **one stage process**. Eligible local authorities can submit business cases online by **28 September 2017**. These will be assessed and funding awards announced from late 2017 or early in 2018.



Forward Funding bids are much bigger and will go through a **two stage process**. Eligible local authorities can put in expressions of interest online by **28 September 2017**. These will be assessed and the best will go through to stage two.

In **stage two**, we will provide access to experts and constructive challenge. Local authorities will then develop business cases and submit these in Spring 2018. These will be assessed and funding awards announced from the Summer.



Using the Fund

Funding will be paid using section 31 of the Local Government Act 2003.

The Housing Infrastructure Fund is not to be used to displace other sources of available funding or bail out developers. We are looking for developers to do their bit to deliver the new and better homes that this country needs. Local authorities will also be responsible for spending any funding received in accordance with all applicable legal requirements.

Engagement and monitoring

We need to ensure that we are getting the best outcomes for taxpayers. We will work with successful local authorities to develop case studies and to agree and monitor key deliverables and outcomes, such as:



Spend



Delivery of infrastructure



Delivery of homes

More information is set out in the supporting documents.

Where can I find further information and support?

Our webpage has more information, including:

- **Marginal Viability** supporting document
- **Forward Funding** supporting document
- a **Ready Reckoner** to test the value for money of proposals

The **online forms** for submitting bids will be made available on our website during July 2017.

You can also call or email us.



www.gov.uk/government/publications/housing-infrastructure-fund



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July 2017

ISBN: 978-1-4098-5072-4

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