



# Public Document Pack

Arun District Council  
Civic Centre  
Maltravers Road  
Littlehampton  
West Sussex  
BN17 5LF

Tel: (01903 737500)  
Fax: (01903) 730442  
DX: 57406 Littlehampton  
Minicom: 01903 732765

e-mail: [committees@arun.gov.uk](mailto:committees@arun.gov.uk)

Committee Manager - Jane Fulton (Ext 37611)

5 December 2023

## **POLICY AND FINANCE COMMITTEE**

A meeting of the Policy and Finance Committee will be held in **Council Chamber, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** on **Wednesday 6 December 2023 at 6.00 pm** and you are requested to attend.

Members: Councillors Stanley (Chair), Nash (Vice-Chair), Birch, Brooks, Cooper, Greenway, Gunner, Oppler and Pendleton

### **AGENDA – SUPPLEMENT – ITEM 10 – ENVIRONMENT COMMITTEE RECOMMENDATION**

10. **ENVIRONMENT COMMITTEE - 21 NOVEMBER 2023 [15 MINUTES]** (Pages 1 - 98)

The Committee will receive the minutes from the meeting of the Environment Committee held on 21 November 2023.

The minutes are now attached along with the Officer's report as background information.

There is a recommendation for the Committee to consider in relation to Additional Houses in Multiple Occupation Licensing Scheme.

Note : If Members have any detailed questions, they are reminded that they need to inform the Chair and relevant Director in advance of the meeting.

Note : Filming, Photography and Recording at Council Meetings – The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link [Filming Policy](#)

This page is intentionally left blank

# Public Document Pack Agenda Item 10

Subject to approval at the next Environment Committee meeting

271

## ENVIRONMENT COMMITTEE

21 November 2023 at 6.00 pm

Present: Councillors Wallsgrove (Chair), Worne (Vice-Chair), Blanchard-Cooper, P. Bower, Brooks, Elkins, Greenway, Madeley, May, Warr and Wiltshire

Councillors Bicknell, Cooper, Mrs Cooper, Goodheart, Gunner and Haywood were also in attendance for all or part of the meeting.

[Note: Councillor Worne was absent from the meeting during discussion of all or part of Minute 383]

### 376. DECLARATIONS OF INTEREST

Councillor Greenway declared a Personal Interest in Agenda Item 7 as a Member of Bersted Parish Council and a Member of Friends of Bersted Brooks.

### 377. MINUTES

A query was raised regarding Minute 89 around the cost of producing the discs. Officers confirmed they believed this was showing correctly in the Minutes.

The Minutes of the meeting held on 07 September 2023 were approved by the Committee. These would be signed after the meeting.

### 378. ITEMS NOT ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

[During discussion of this Item, Councillor Greenway declared a Personal Interest as a Member of West Sussex County Council]

[During discussion of this Item, Councillor Elkins declared a Personal Interest as a Member of West Sussex County Council]

The Chair confirmed that there was one urgent item for the Committee to consider, which would be discussed under Item 4 of the meeting. She explained that following Wednesday night's Full Council meeting where the urgent item entitled 'Storm Ciaran and Flooding Impacts' was considered and approved, an urgent report had been circulated to Members of the Environment Committee entitled 'Arun Flood Forum Following Storm Ciaran'. This Item was business of such urgency as to require

Environment Committee - 21.11.23

immediate attention by the Committee in accordance with Committee Procedure Rule 3.1(vii).

Upon the invitation of the Chair, the Group Head of Environment and Climate Change introduced the report to Committee. He explained a report had been taken to Full Council on 08 November 2023 following Storm Ciaran which followed unprecedented rainfall in October 2023 and resulted in flooding impacts across the District. Full Council recognised the impacts on residents and business and recommended the Environment Committee establish a Forum to review the incident, to investigate and consider the contributing factors, impacts and possible solutions. The Forum would be made up of various partners responsible for flood preparation, planning and response, including the Environment Agency, Southern Water, West Sussex County Council and others. The Forum was to be Chaired by a suitably qualified independent person, and authority was delegated to the Environment Committee. In accordance with the Civil Contingencies Act (CCA) 2004 the District Council took the lead role in coordinating the recovery from an incident. He then took Members through the recommended Terms of Reference for the Forum, which were set out in Appendix 1, and explained this had been based on the model of other flood forums across the nation that were already operating.

The Chair then invited questions, and Councillor Greenway proposed an amendment to the Terms of Reference as shown in italics below. This was shared to the screen for Members to see.

### ***Terms of Reference - Arun Flood Forum***

#### ***1. Purpose of the Forum***

*The main purpose of the Forum is to:*

- Understand the issues behind the main flooding events which occurred within the District following Storm Ciaran in October 2023.*
- Understand other recent flooding events which have occurred within the District where homes and businesses have been affected.*
- To understand the impact new development **and climate change have both** has had on these flooding events.*
- To make recommendations on practical and deliverable measures to reduce the impact of flooding on the District's residents, businesses and the environment, and to promote the implementation of permanent and sustainable solutions to mitigate or alleviate flooding.*
- The Forum will also seek to improve communication between the flood risk management authorities and representatives from flood affected communities.*
- **To highlight and signpost to residents funding opportunities, and help educate residents about what more they can do to protect their own properties.***

## 2. Scope

*The Forum will focus on areas of flood risk resulting from the Storm Ciaran event but will cover other areas of flood risk as determined by the Forum.*

## 43. Objectives

*The Forum will work to:*

- *Clearly establish the impact of flooding following the events following Storm Ciaran*
- *Clearly identify the highest risk areas to flooding resulting from the above review – which communities and businesses are at highest risk.*
- *Hear from communities and businesses affected by the flooding events.*
- *Understand the relationship between new developments and the functional flood plan, how they are drained and the impact on existing built up areas.*
- *Understand the various agencies roles and responsibilities in dealing flooding both in terms of prevention and solutions.*
- *Set out measures to mitigate these risks, from those already established and identify additional measures to assist in future flooding events.*
- *Consider the key agencies' responsibilities and their working relationships with the Council and each other.*
- *Establish what arrangements there are for involving and consulting local communities in determining flood prevention plans and in flood response and recovery arrangements.*
- *Ensure that partners' own organisations are aware of and can respond to flood related issues within their assigned duties and resources.*
- *Review procedures for flood prevention, response and recovery.*
- *Arrange periodic and appropriate training or information exchange for relevant personnel, including partners' own workforces, emergency services, volunteers and other stakeholders on the operational aspects of flood risk management.*
- *Make recommendations for appropriate action by the Council and partner agencies.*
- *Actively address funding opportunities to support projects / proposals resulting from the Forum.*
- *Ensure that the Council's interests are represented at regional and national level in respect of flood policy development and funding.*

## 4. Chairing

- *The Forum will be chaired by an independent professional, **with experience of chairing meetings, creating action plans, and understanding technical issues.***
- *The Chair will be chosen by the Chief Executive's Recruitment and Selection Panel.*

Environment Committee - 21.11.23

- **The Chair will be responsible for communicating and engaging with other bodies, partners, landowners and other stakeholders to facilitate their engagement with the forum.**

#### **5. Membership Attendees**

- ~~The Forum will be chaired by an independent professional.~~
- ~~Up to 4 District Councillors from flood affected wards (with not more than one representative from each ward). All other Members are able to attend to observe and ask questions.~~
- ~~Up to 4 Parish Council representatives, who should be the Chair or Vice Chair of their Parish Council, (with not more than one representative from each parish)~~
- **Any Arun District councillor, West Sussex County councillor and town/parish councillor within the Arun District can attend all meetings of the Forum.**
- Appropriate officer representation from Southern Water
- Appropriate officer representation from the Environment Agency
- Appropriate officer representation from West Sussex County Council as the Lead Local Flood Authority
- Relevant officer representation from Arun District Council
- ~~The group may co-opt representatives of other organisations to sit on the group as appropriate.~~
- **Any affected business, resident, landowner or interested party within the District.**

#### **6. Meetings and frequency**

- The group will meet 4 times per year or as determined by the Forum.
- All meetings to be held in person.

#### **7. Leadership and Governance**

- The Forum would not be a committee, sub-committee or working party of the authority. Instead, it would be a body established by the Environment Committee and the appropriate statutory power for its establishment would be the Council's general power of competence under Section 1 of the Localism Act 2011.
- Agendas and minutes of the Forum meetings will be reported to Environment Committee.
- Forum member representatives attendees will determine for themselves how they wish to report back to their own organisations and communities on the work of the group.
- **Attendance at Membership of the Forum meetings** provides no undertaking or commitment by any member organisation to make available funding for any scheme or proposal, but representatives will use their best endeavours to secure funding from appropriate sources.

- *ADC will provide secretariat services for the Forum.*

#### **98. Decision-Making Process**

- *The Forum will make recommendations to Environment Committee where they relate to ADC decisions. It will have no decision-making authority.*

#### **109. Communication**

- *Communication resulting from the Forum meetings will be shared through ADC Communications team.*

#### **Proposed Forum topics /meetings—~~one subject per meeting~~**

- *To hear from affected communities and business representatives*
- *National Flood Forum experience, role and responsibilities*
- *Environment Agency (EA) responsibilities and actions*
- *Southern Water (SW) responsibilities and actions*
- **ADC responsibilities and actions**
- *WSCC (Lead Local Flood Authority (LLFA)) responsibilities and actions and ADC's role*
- *Impact of planning and development*
- **Landowners responsibilities and actions**

Councillor Greenway explained that during the debate at Full Council, Members had commented that it did not just relate to storm Ciaran, so he had tried to remove reference to this in the amendment. He was disappointed that Climate Change had not been mentioned in the Terms of Reference, so the amendment reflected this under Purpose. He had also included ways that members of the public may be able to help themselves right now, such as highlighting and signposting funding opportunities, and helping to educate residents about what more they could do to protect their own properties. He felt there was also little mention of responsibilities of landowners and riparian owners, so he amended the attendees to include them. He felt the Membership contradicted itself as although only allowed 4 District Councillors, it mentioned other Members could attend and observe, and he questioned what the role of the designated District Councillors would be on the Forum. He wanted to open this up to include West Sussex County Councillors and Parish Councillors. Under the possible Forum topics he had added 'Arun District Council's Responsibilities and Actions', and had crossed out one subject per meeting as he felt this may not take up a whole meeting. He had added in a section for Chairing the meeting to include how the Chair would be chosen and what their responsibilities would be.

The amendment was seconded by Councillor Madely.

The Interim Chief Executive Officer and Director of Environment and Communities explained to Members that the Chief Executive's Recruitment and

Environment Committee - 21.11.23

Selection Panel would not be able to select the Chair of the Forum, as the purpose of the Panel was solely to select the Chief Executive.

With the agreement of the Committee the Chair announced a short adjournment to allow Members the opportunity to study the amendment.

Upon resuming the meeting, the proposer of the amendment, Councillor Greenway, with the agreement of the seconder, Councillor Madeley, altered his amendment as shown below in italics, which was shared to the screen for all Members to see. He explained that he had removed Paragraph 4 which related to the Chair, which he had done due to the advice of the Interim Chief Executive Officer and Director of Environment and Communities that the Chief Executive's Recruitment and Selection Panel would not be able to select the Chair of the Forum. He explained he would like Paragraph 5 to return to the Substantive, with the small amendment of allowing District and County Councillors to be able to attend the forum to observe and ask questions.

## **Terms of Reference - Arun Flood Forum**

### **1. Purpose of the Forum**

*The main purpose of the Forum is to:*

- *Understand the issues behind the main flooding events which occurred within the District following ~~Storm Ciaran in October 2023.~~*
- *Understand other recent flooding events which have occurred within the District where homes and businesses have been affected.*
- *To understand the impact ~~new~~ development **and climate change have both** ~~has~~ had on these flooding events.*
- *To make recommendations on practical and deliverable measures to reduce the impact of flooding on the District's residents, businesses and the environment, and to promote the implementation of permanent and sustainable solutions to mitigate or alleviate flooding.*
- *The Forum will also seek to improve communication between the flood risk management authorities and representatives from flood affected communities.*
- ***To highlight and signpost to residents funding opportunities, and help educate residents about what more they can do to protect their own properties.***

### **2. Scope**

*The Forum will focus on areas of flood risk resulting ~~from the Storm Ciaran event but will cover other areas of flood risk~~ as determined by the Forum.*

### **3. Objectives**

*The Forum will work to:*

- *Clearly establish the impact of flooding following the events following Storm Ciaran*

- *Clearly identify the highest risk areas to flooding resulting from the above review – which communities and businesses are at highest risk.*
- *Hear from communities and businesses affected by the flooding events.*
- *Understand the relationship between new developments and the functional flood plan, how they are drained and the impact on existing built up areas.*
- *Understand the various agencies roles and responsibilities in dealing flooding both in terms of prevention and solutions.*
- *Set out measures to mitigate these risks, from those already established and identify additional measures to assist in future flooding events.*
- *Consider the key agencies' responsibilities and their working relationships with the Council and each other.*
- *Establish what arrangements there are for involving and consulting local communities in determining flood prevention plans and in flood response and recovery arrangements.*
- *Ensure that partners' own organisations are aware of and can respond to flood related issues within their assigned duties and resources.*
- *Review procedures for flood prevention, response and recovery.*
- *Arrange periodic and appropriate training or information exchange for relevant personnel, including partners' own workforces, emergency services, volunteers and other stakeholders on the operational aspects of flood risk management.*
- *Make recommendations for appropriate action by the Council and partner agencies.*
- *Actively address funding opportunities to support projects / proposals resulting from the Forum.*
- *Ensure that the Council's interests are represented at regional and national level in respect of flood policy development and funding.*

#### **4. Membership**

- *The Forum will be chaired by an independent professional.*
- *Up to 4 District Councillors from flood affected wards (with not more than one representative from each ward). All other **District and County Councillors** are able to attend to observe and ask questions.*
- *Up to 4 Parish Council representatives, who should be the Chair or Vice Chair of their Parish Council, (with not more than one representative from each parish)*
- *Appropriate officer representation from Southern Water*
- *Appropriate officer representation from the Environment Agency*
- *Appropriate officer representation from West Sussex County Council as the Lead Local Flood Authority*
- *Relevant officer representation from Arun District Council*
- *The group may co-opt representatives of other organisations to sit on the group as appropriate.*

#### **5. Meetings and frequency**

- *The group will meet 4 times per year or as determined by the Forum.*
- *All meetings to be held in person.*

Environment Committee - 21.11.23

## **6. Leadership and Governance**

- *The Forum would not be a committee, sub-committee or working party of the authority. Instead, it would be a body established by the Environment Committee and the appropriate statutory power for its establishment would be the Council's general power of competence under Section 1 of the Localism Act 2011.*
- *Agendas and minutes of the Forum meetings will be reported to Environment Committee.*
- *Forum member representatives **attendees** will determine for themselves how they wish to report back to their own organisations and communities on the work of the group.*
- ***Attendance at Membership of the Forum meetings** provides no undertaking or commitment by any member organisation to make available funding for any scheme or proposal, but representatives will use their best endeavours to secure funding from appropriate sources.*
- *ADC will provide secretariat services for the Forum.*

## **7. Decision-Making Process**

- *The Forum will make recommendations to Environment Committee where they relate to ADC decisions. It will have no decision-making authority.*

## **8. Communication**

- *Communication resulting from the Forum meetings will be shared through ADC Communications team.*

### **Proposed Forum topics / ~~meetings~~ — ~~one subject per meeting~~**

- *To hear from affected communities and business representatives*
- *National Flood Forum experience, role and responsibilities*
- *Environment Agency (EA) responsibilities and actions*
- *Southern Water (SW) responsibilities and actions*
- ***ADC responsibilities and actions***
- *WSSC (Lead Local Flood Authority (LLFA)) responsibilities and actions and ADC's role*
- *Impact of planning and development*
- ***Landowners responsibilities and actions***

Members were then given additional time to read the altered amendments to the Terms of Reference, as above. Members confirmed they understood these amendments, and the Chair invited debate as follows:-

- *This forum was important to residents as all areas were affected by flooding.*
- *It was felt important that Climate Change was included as there had been a dramatic increase to rainfall which had an impact, particularly where ditches were overflowing. It was asked whether this process would address the duties*

- under the Flood and Water Management Act of all the parties involved. The Group Head of Environment and Climate Change confirmed it would.
- It was asked how it would be decided which District Councillors would sit on the Forum, as it was felt that all wards were flood-affected. The Interim Chief Executive Officer and Director of Environment and Communities explained this would be decided by Members, but it would be a collaborative forum and would report back to the Environment Committee. It was an opportunity to examine the issues behind the main flooding events which had occurred within the District.

The amendment was put to the vote and was declared CARRIED.

Turning to the substantive, the amended recommendations were proposed by Councillor Blanchard-Cooper and seconded by Councillor Greenway.

The Committee

RESOLVED that

The Terms of Reference, as amended by Committee, be approved.

### 379. PUBLIC QUESTION TIME

The Chair confirmed one question had been submitted, which is briefly summarised below:

1. From Jan Malpas to the Chair of the Environment Committee, regarding Beach Access for all.

*(A schedule of the full question asked and the response provided can be found on the [Environment Committee Public Question Web page](#))*

### 380. QUARTER 2 BUDGET MONITORING REPORT

Upon the invitation of the Chair, the Group Head of Finance and Section 151 Officer introduced the report to Committee. He explained that the report was a forecast of outturn verses budget as at Quarter 2 (at the end of September). He drew Members' attention to table 1 on page 14, the bottom line showed a revenue budget underspend of £55k, which was a change of around £58k from the previous quarter, smaller amounts in the overall Committee budget. The main reasons were outlined in Paragraphs 4.2-4.7 of the report. Building Control Fees were around £35k lower than budget, which he felt was due to the general economic downturn; Car Parking Income was £55k higher than budget income, parking fees were increased in January this year, and it was fair to say those had not generated the extra level of income hoped for,

Environment Committee - 21.11.23

however it was higher than budget income; he corrected that Cemeteries and Churchyards should read £21k underspend not overspend and this was related to staffing costs; Cleansing Services were showing £152k overspend which was predominantly due to two reasons, inflation was still high, and there was a back-dated pay increase for the contract staff involved in delivering that service; Parks and Greenspaces were showing £125k underspend, which was largely due to staff vacancies; he corrected that Management and Support costs should say a £53k underspend change since quarter 1, the report incorrectly said £125k. With regards to the Capital Programme the only issue to report was the slippage of £200k on the skate park, which was a result of capacity issues.

There were no questions from Members.

The Committee noted the report.

381. BERSTED BROOKS PARK

The Chair confirmed that this Item would be withdrawn for consideration at this meeting without discussion, and would instead be on the agenda for the next meeting of the Environment Committee on 23 January 2024. The reason for this was that the Item was not time sensitive and Members had requested a briefing for Members of the Environment Committee and Ward Members by the Lead Officer.

382. ADDITIONAL HOUSES IN MULTIPLE OCCUPATION LICENSING SCHEME

Upon the invitation of the Chair, the Principal Environmental Health Officer introduced the report to Committee. The report had originated from a Full Council resolution with two strands, the first relating to the quantity of Houses in Multiple Occupation (HMOs). Planning Policy Committee had implemented Article 4 Directions in January 2023, which meant that any new HMOs in the wards of River, Hotham and Marine now required planning permission. This report related to the second strand, which was the quality of HMOs, and proposed an extension to the type of HMOs requiring a licence. Currently there was a mandatory national HMO licence scheme that required any property with five or more people forming two or more households, sharing facilities to hold a licence. The Housing Act 2004 gave Local Authorities the discretion to introduce additional HMO licensing schemes. This could be to extend the type of properties that required licensing and could apply to the whole district or certain wards. The Council commissioned a report by the Building Research Establishment (BRE) and following the evidence and data provided, a public consultation took place between 12 June – 20 August 2023 on the proposal to introduce an additional HMO licensing scheme in the wards of River, Hotham and Marine. This would include properties occupied by three or four occupants forming two or more households, sharing facilities. It would also include Section 257 HMOs, which were properties converted into self-contained flats where the conversion did not meet current Building Regulations, with less than two thirds of the flats owner-occupied.

The aims of the scheme was to improve the standard of accommodation in the three wards. The report included a summary of the consultation results and feedback. There had been 99 responses to the survey, 69 being owner-occupiers, 14 tenants, 10 landlords and 6 other. 5 individual representations had been made. In summary there was agreement and support for the types of properties to be included within the scheme, the wards to be targeted and what the aims of the scheme would achieve. However, it must be noted that the highest number of respondents were from either tenants or owner occupiers, as opposed to landlords.

The HMO Licensing was a cost recovery scheme, and an analysis of the current mandatory licensing regime had been undertaken to ensure the Council had used a clear evidence base to set fees in order to fully recover the allowable costs incurred in regulating these properties. The proposed fees were shown at paragraph 4.35 and would be set for the 5 year term of the license. There was a risk to realising this income, based on the accuracy of figures from the BRE and also the risk of potential for landlords to choose to move out of the market. Resources would be required in terms of a Team Leader, HMO Officer and Technical Support Assistants, which were identified at paragraph 4.29. The additional licensing scheme, if introduced, would be for a five year period, after which time the Council would be required to evaluate its success, undertake another public consultation and a report would be provided to Members again with regards to whether the scheme should continue and/or be expanded to other wards. Currently these properties were not proactively inspected, and this scheme was a cost recovery way of introducing such a programme to enable inspections to ensure minimum standards and improve private rented sector accommodation for some of the more vulnerable residents.

Members then took part in a question-and-answer session and the following points were made:

- It was felt the consultation response rate was disappointing, and there was concern not enough weight had been given to landlords' views. The Principal Environmental Health Officer agreed that the response rate was disappointing, however letters had been sent to all households and businesses within the three wards, two landlord events had been held, and the consultation had been widely publicised.
- There was concern around the costs. The Principal Environmental Health Officer explained that they had broken down all of the costs and the admin involved in the tasks, and were confident that the fees stated would cover the cost to provide the scheme. This would be kept under review.
- There was concern that some existing landlords may choose not to continue providing accommodation.
- One Member stated there were differences between the fire brigade fire conditions and Local Authorities Coordinators of Regulatory Services (LACORS) fire guidance. The Principal Environmental Health Officer explained that the LACORS guidance needed to be followed, which was enforced by the Local Authority as they were the lead for fire safety in HMOs.

Environment Committee - 21.11.23

- There was concern this would apply to homeowners taking in lodgers. The Principal Environmental Health Officer explained that where people took in up to two lodgers the property would not be classed as an HMO.
- It was suggested that consultation in future be available in simpler English or multiple languages. The Principal Environmental Health Officer explained they had tried to provide the information as simply as possible, but took the comments on board.
- The National Residents Landlords Association (NRLA) had offered to work with the Council to develop a dispute resolution service, and Officers views on this were sought. The Principal Environmental Health Officer explained the Council had a good relationship with the NRLA, and had responded to say they welcomed the idea of sharing best practice.
- The letter on page 105 from a local property manager made one Member think this may not be a good idea, most of the small private HMOs were not badly managed and it could drive some landlords out of business. The Member felt Arun should not expand too far outside of its' statutory duties, and financially It didn't seem like a good time to be doing this.

The recommendations were proposed by Councillor Blanchard-Cooper and seconded by Councillor Worne.

#### The Committee

##### RESOLVED that

1. It recommends to Full Council to Designate the whole of the three wards of Marine, Hotham and River as subject to Additional Licensing under section 56(1)(a) of the Housing Act 2004 for all Houses in Multiple Occupation that contain three or four occupiers making up two or more households irrespective of the number of storeys, and those properties defined as Section 257 Houses in Multiple Occupation under Housing Act 2004. Such designation to take effect in the financial year 2024/2025 and last for 5 years, the specific date to be agreed by the Group Head of Technical Services in consultation with Legal Services.
2. The fees for Additional HMO Licensing as set out in 4.35 be agreed for 2024/25.
3. It recommends to Policy and Finance Committee that the resources as set out in paragraph 4.29 are agreed in order to implement the additional HMO licensing scheme within the three wards of River, Marine and Hotham.

### 383. AIR QUALITY STRATEGY

Upon the invitation of the Chair, the Environmental Health Team Manager introduced the report, which concerned adoption of an Air Quality Strategy for Arun. Air pollution was associated with a number of adverse health impacts and was recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affected the most vulnerable in society. The Government had recently published their revised Air Quality Strategy (2023) and had revised the local air quality management framework which Arun followed, which now placed a new requirement on Local Authorities without air quality management areas to produce an air quality strategy, setting out the action that they would take to improve air quality in their area. Air quality monitoring carried out by the Council continued to indicate that there was good air quality within the District and the air quality objectives for Nitrogen Dioxide were being met. This was carried out through a system of 26 Nitrogen Dioxide monitoring tubes.

This first Air Quality Strategy set out the steps that were already being taken to help improve air quality, as part of the Sussex Air Quality Partnership and specifically within Arun, and the proposed priority areas. The air quality work was in relation to public health management and not directly to do with sustainability, although there were direct links as set out in part 14 of the report. The priority areas for focus within Arun included continuing with existing workstreams such as the NO<sub>2</sub> monitoring programme, amendments to the taxi licensing policy and our work as part of Sussex Air, which could be met within existing resources. Initial work to determine the feasibility of smoke control areas, investigate use of fixed penalty notice powers relating to idling vehicles, and evaluating options for proactive dust monitoring of large construction sites, would also be carried out utilising existing capacity within the Environmental Health Service. However, the ability to take some of these items forward, for example should it be determined appropriate to introduce a smoke control area or a programme of proactive dust monitoring, may be contingent on identifying additional capacity or resources, such as may be available through Defra grants, or revenues received from fixed penalty notice receipts.

Members (and a non-Committee Member given permission to speak) then took part in a question-and-answer session and the following points were made:

- It was asked what progress had been made across Arun regarding installation of on-street electrical charge points. The Group Head of Technical Services explained electric vehicle charge points were being rolled out across the County. There had been some lessons learnt from phase one roll-out where six charge points were being installed at every location, there was now a different approach involving earlier consultation with stakeholders. The intention was now to install two electric charge points at most locations, ensuring the infrastructure was there, and more could be installed as required.
- Clarification was sought on the impact of taxis. The Environmental Health Team Manager explained they were looking at revision of the taxi licence policy to look at introducing emission standards for taxi vehicles, and a report was going to Licensing Committee in December in relation to that matter.

Environment Committee - 21.11.23

- It was asked whether buses would be monitored, in particular the measuring of particulates. The Environmental Health Team Manager explained the impact of busses would not be monitored directly. Any additional measures would need separate funding, however every year as part of the Sussex Air Quality Partnership there were opportunities to apply for funding through Defra, so this was something that could be looked at in the future.
- It was asked whether there were sufficient number of electric charge points at Harwood Road and Arun Civic Centre. The Group Head of Technical Services was confident there were sufficient numbers for Arun's modest fleet of electric vehicles.
- It was asked that the Group Head of Technical Services noted that electric vehicle charge points needed to be accessible.

The recommendations were proposed by Councillor Madeley and seconded by Councillor Bower.

The Committee

RESOLVED that

1. The Air Quality Strategy be adopted.
2. Authority be given to the Group Head of Technical Services to make minor and administrative amendments to the Strategy.

#### 384. VARIATION TO PARKING FEES

Upon the invitation of the Chair, the Group Head of Technical Services introduced the report to Committee. He explained The Off-Street Parking Strategy 2021-2026 set out that the Council would review the charges annually. Inflation over the last 12 months had been running at around 10%, Consequently, three car parking fee options had been prepared from which the Committee was asked to select one. Option A delivered the smallest increase in revenue for the Council, which had been achieved by increasing fees overall by 5%, and represented a below inflation increase and thus a real term cut in income. Option C delivered the highest increase in revenue, with higher increases across all fees. This had been based on inflation plus 5%, for a 15% increase in fees overall. Option B delivered a medium increase in revenue, with fees increasing broadly in line with inflation, which was the recommended option, and would prevent the Council's income reducing in real terms. He then went onto explain the other recommendations.

Councillor Blanchard-Cooper proposed an amendment to the Officer recommendations, which was to add an additional proposed amendment to the Parking Order under recommendation 2, as follows:

**2.3e. To change West Green car park tariff banding to replace reference to 3 hours with 4 hours.**

Councillor Blanchard-Cooper explained current parking times restricted the use of the Harvester restaurant and Windmill Theatre, and this change would be more suitable when these facilities were back in use.

This amendment was seconded by Councillor Warr.

Councillor Greenway raised a Point of Order asking whether the substantive recommendations should be proposed and seconded before an amendment could be made. The Committee Manager advised that in Committee it was often the case that amendments be made to the Officer recommendations prior to the substantive recommendations being proposed and seconded, however if Members wanted to Move the recommendations prior to amendments being put forward, this would also be acceptable.

Following the opportunity being given to debate the amendment, it was put to the vote and declared CARRIED.

Councillor Elkins proposed an amendment to recommendation 2.6 as follows (deletions are shown in ~~strikethrough~~):

- 2.6 The development of a plan for improving ~~and introducing fees to~~ the car park to the rear of the Bluebird Café, Ferring Rife, Ferring.

Councillor Elkins explained that the matter of introducing fees had been raised over a number of years. It was a very popular location, and had mixed ownerships and was often flooded with an enormous amount of water. Councillor Elkins felt the existing wording implied it was a prerequisite that fees would be introduced, and he felt this should not be the case.

This amendment was seconded by Councillor Bower.

The Interim Chief Executive Officer and Director of Growth suggested that Councillor Elkins consider rewording his amendment to (additions shown in **bold**):

- 2.6 The development of a plan for improving and introducing fees to the car park to the rear of the Bluebird Café, Ferring Rife, Ferring, **and to report the outcome of these investigations to Committee for further consideration.**

Councillor Elkins was happy with these changes to the amendment, but felt strongly the word 'consider' in relation to introducing fees, should be included. With the agreement of the seconder, the amendment was therefore altered to (additions shown in **bold**):

Environment Committee - 21.11.23

- 2.6 The development of a plan for improving and **consider** introducing fees to the car park to the rear of the Bluebird Café, Ferring Rife, Ferring, **and to report the outcome of these investigations to Committee for further consideration.**

Debate was opened on the amendment and support was offered for this. One Member was concerned about the linkage between introducing fees and paying for the improvements to the car park. The Interim Chief Executive Officer and Director of Growth explained investigations had not yet been conducted and ownership had not yet been looked into, therefore they were not yet aware of the costings of improvements and so were not currently in a position to look at how this would be funded.

Upon taking the vote, the amendment was declared CARRIED.

Returning to the substantive, the Chair invited Members to debate and ask questions on the recommendations.

It was asked whether further information could be circulated to Committee regarding paragraph 4.14, the solar canopy for Mewsbrook car park. The Group Head of Technical Services explained they were looking for approval to develop a proposal, it would then be brought back to Committee.

One Member felt that increasing car park charges would not support the needs of businesses, workers, shoppers, commuters, and visitors. There was concern no usage report of the car parks was included in the report, and he felt that Option B rise was too high and would increase higher than inflation. Reassurance was sought that the new pay and display machines used by Arun would allow for periods of less than 2 hours to be purchased. The Group Head of Technical Services explained that this was correct regarding the parking machines, and the Parking Services Review would address the concerns around the usage information.

The Committee gave their permission for a non-Committee Member to speak. It was requested that Committee exclude the car park in Middleton-On-Sea from recommendation 2.3. It was felt Arun could establish user data in a cheaper and more user-friendly way. The car park was extremely well used and did not suffer from long-stayers or abandoned vehicles. The Parish Council wanted to encourage use of the car park and it was felt this may have the opposite effect. There were also concerns that charges may be required for this at some point in the future if ticket machines were installed. The Group Head of Technical Services explained that the car parks would remain free under the proposals.

Clarification was sought on the free tickets. The Group Head of Technical Services explained users would be obliged to obtain a free ticket from the machine. The purpose of this was to gather data on the usage of the car park and also to enable

enforcement of long-staying and abandoned vehicles. He pointed out that Felpham Parish Council, where two of the car parks were situated, had confirmed their support for the installation of the machines.

The recommendations were proposed by Councillor Worne and seconded by Councillor Wallsgrove.

#### The Committee

##### RESOLVED that

1. Parking fee option B be introduced with effect from 01 April 2024.
2. Authority be delegated to the Group Head of Technical Services to advertise, consider representation and determine the following proposed amendments to the Parking Order:
  - a. To agree the redefinition of all short and long stay car parks as 'town centre' car parks.
  - b. To agree to the addition of Eldon Way car park to Arun District Council's Parking Order and the associated charging tariff as set out in Appendix 1.
  - c. To agree the installation of parking ticket machines within the three free car parks operated in partnership with Middleton-On-Sea and Felpham Parish Councils.
  - d. To agree the cessation of refunds issued for the cancellation of virtual parking permits for Arun District Council car parks.
  - e. To change West Green car park tariff banding to replace reference to 3 hours with 4 hours.
3. Authority be delegated to the Group Head of Technical Services to introduce and revise annually an administration fee for road closures based on the cost recovery principal.
4. A feasibility assessment for the installation of a solar canopy in Mewsbrook car park, be undertaken.
5. The development of a plan for improving and to consider introducing fees to the car park to the rear of the Bluebird Café, Ferring Rife, Ferring, and to report the outcome of these investigations to Committee for further consideration.
6. A Parking Services Review be commissioned, and its scope as set out in paragraphs 4.17 – 4.30.

Environment Committee - 21.11.23

385. UPDATE ON BEACH ACCESS FOR ALL - BOGNOR REGIS

[During discussion of this Item, Councillor Madeley declared a Personal Interest as the Ward Councillor for Felpham West]

Upon the invitation of the Chair, the Senior Coastal Engineer introduced the report to Committee. He explained this followed a report brought to Committee in February. The report illustrated the steps taken to meet the short-term objectives. A survey of existing ramps was attached as an appendix to the report, which presented methodology and identified that two ramps were suitable for future clearance. Those ramps were Blakes Road and Gloucester Road. The selection criteria applied principles from national standards and considered the entire access chain, thinking about transport, local infrastructure such as toilets, parking and cafes. It was important to note that the supporting provisions were extremely important when delivering accessible infrastructure. The report also begun to consider some of the medium and long-term objectives, exploring potential funding sources, possible stakeholders and talking to neighboring authorities about their experiences. Worthing Borough Council had kindly provided a statement under 4.6, they had their own issues in developing their model. Steps had been taken to commence stakeholder engagement and some positive meetings with Voluntary Action Arun & Chichester (VAAC), whose connections would help to progress stakeholder engagement along with the Vice-Chair of his Committee. Officers were looking to hold stakeholder engagement meeting in January.

Members then took part in a question-and-answer session which is summarised below.

There was concern that the two ramps to access the beach were in Gloucester Road and Blakes Road, which were used by jet skis and the sailing club. The Senior Coastal Engineer explained that they were looking to work actively with jet ski users and Felpham Sailing Club. There was a local business that had an interest in working with the Gloucester Road ramp, and it was hoped an agreement could be come to regarding managing this ramp.

It was suggested the best place for a ramp would be in the centre of Bognor Regis opposite Place St Maur, and it was asked whether the possibility of using ramps there had been excluded. The Senior Coastal Engineer explained the ramps that had been discounted were primarily due to them being covered in shingle, the shingle was the primary coastal defence. The possibility of a new ramp in that area would need to be looked at alongside a major capital project such as renewal of the sea defences.

The Senior Coastal Engineer and Group Head of Environment and Climate Change were thanked for their work on this report and also the Bognor Regis Beach Access Working Party, and it was clear they had wanted to support making the beach accessible. Immediate action had taken place allowing some access onto the beach during the summer of 2023, and this work would be continued for the 2024 season.

One Member was disappointed with what had been achieved so far, and hoped to see other things in place such as clearing shingle from more ramps, installing and a trial with beach wheelchairs, and he felt a budget was required. He hoped to see a metal roller ramp installed in the summer of 2024. The Group Head of Environment and Climate Change reminded Members that Committee agreed to the objectives set out in the report in February, and it was based on taking lots of small steps with the aim of helping as many people as possible. This was aimed at access for all, and the stakeholder meeting would invite people to make representations, to clearly understand people's aims and objectives. Nothing was discounted at this time, but Officers were keen not to embark on projects that would not be supported by stakeholders. One of the aims was for Bognor and the coast along this stretch to become an exemplar for access for all. The Senior Coastal Engineer explained that they needed to focus on the mental barriers as well as the physical solutions, and it was really important that supporting infrastructure was in place as this was instrumental in overcoming barriers, such as having toilet facilities etc.

A non-Committee Member given permission to speak by the Committee, and hoped that the stakeholder group were able to discuss the possibility of more Arun-owned ramps being cleared of shingle, so further investigations could take place.

The report was noted.

386. KEY PERFORMANCE INDICATORS 2022-2026 - QUARTER 2 PERFORMANCE REPORT FOR THE PERIOD 1 APRIL 2023 TO 30 SEPTEMBER 2023.

Upon the invitation of the Chair, the Group Head of Technical Services introduced the report, the purpose of which was to update the Committee with the Quarter 2 Performance Outturn for the Key Performance indicators for the period 1 April 2023 to 30 September 2023.

Members then took part in a question-and-answer session and the following points were made:

- CP39 (Building Control) – Were we continuing to see an increase in this return? The Group Head of Technical Services confirmed in October it had improved to 65%
- CP39 (Building Control) – Was there a reduction in people requesting Building Control Services, were people are seeking independent services? The Group Head of Technical Services explained Arun's market share in building regulation work was much higher than that of neighbouring authorities. Arun have been struggling for some time to recruit for a Senior Building Control Surveyor, however the market supplement for this had now been revised, and they were in a position to recruit for this post with a greater prospect of success. The team had been carrying out large volumes of work and also new competency assessment requirements that they were having to go through which was time consuming, so it was felt it was testament to the team's hard work that they were in the position they were.

Environment Committee - 21.11.23

- CP24 (Household Waste and Recycling) – It was asked whether there was a plan to achieve the targets. The Group Head of Environment and Climate Change explained the insight gained in the food waste trial showed that where food waste was collected separately, recycling rates could reach upwards of 60%, and the Government had clarified this would be mandated from March 2026. A report would be going to the Committee in March 2024.
- CP25 (Contractor Green Space Management) – of 57 sites, 11 had failed to meet contractual standards and 7 had exceeded. Could Members be provided with a breakdown of this. The Group Head of Environment and Climate Change would provide a breakdown to Members after the meeting.
- CP37 and CP40 – these targets were both set at 100%, which neither were currently meeting, and it was asked whether the target was too high? The Group head of Technical Services felt a target of 99% would be more appropriate.
- CP24 (Household Waste and Recycling) – It was asked whether seagull proof bags and smaller boxes for people with no frontage, would be continued. The Group Head of Environment and Climate Change would circulate information regarding this to Members after the meeting.

The report was noted.

### 387. OUTSIDE BODIES

Upon the invitation of the Chair, Councillor Wiltshire gave a brief update on The Local Government Association Coastal Special Interest Group (LGA Coastal SIG), explaining they were currently a number of things they were promoting including Motion for the Ocean.

### 388. WORK PROGRAMME

Upon the invitation of the Chair, the Group Head of Technical Services presented the Work Programme to Committee, explaining that the Disabled Facilities Grant Item had been removed from the January meeting, as this had to be adopted by all Districts before the end of the calendar year. Revisions to the policy were very minor and were all in relation to providing larger grants for people in the District, reflecting the construction inflation increases. A Bathing Water Quality report had been added.

The Group Head of Environment and Climate Change explained that the Rights to the River Arun, which was a Motion at Full Council, would also be added to the Work Programme in due course.

Members were concerned that there were no budget reports on the Work Programme. The Group Head of Finance confirmed a Budget report would come to the January Committee.

It was asked whether a scrutiny report around the cleansing services could be added to the Work Programme. At Policy and Finance Committee the results of the residents survey showed there was a distinct split of East and West around cleanliness, and it was hoped an item specifically around this could be brought in order that it be scrutinised.

A non-Committee Member given permission to speak was concerned that regular reports brought to Committee in the past, such as tree planting, an annual update on engineering service, food safety plan etc, were not currently showing. It was asked that a review be undertaken regarding this to ensure the previously regular items were added to the Work Programme. The Chair confirmed this would be looked into.

The Work Programme was noted.

(The meeting concluded at 8.45 pm)

This page is intentionally left blank

# Arun District Council

|   |  |
|---|--|
| <b>REPORT TO:</b>   | <b>Environment Committee 21 November 2023</b>                    |
| <b>SUBJECT:</b>   | <b>Additional Houses in Multiple Occupation Licensing Scheme</b> |
| <b>LEAD OFFICER:</b>  | <b>Karl Roberts – Interim CEO and Director of Growth</b>         |
| <b>LEAD MEMBER:</b>   | Councillor Sue Wallsgrove  |
| <b>WARDS:</b>   | <b>River, Marine and Hotham</b>                                  |
| <b>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:</b><br>The Council’s Vision 2022 – 2026 has four key themes, one of which is “delivering the right homes in the right places”. To achieve this, amongst other measures, the council will “ensure the existing housing stock in the district (private sector and council owned) is maintained to a high standard”.  |  |
| <b>DIRECTORATE POLICY CONTEXT:</b><br>The service vision set out in the Directorate of Growth business Plan is to “raise the standard of private sector housing within the District and improve the health and wellbeing of its residents”.<br>Introducing an Additional Houses in Multiple Occupation (HMO) Licensing Scheme will provide the resources to enable a proactive inspection regime of the properties included within the scheme. It will also provide greater confidence that there are adequate safeguards in place to help ensure that people in these types of properties are provided with appropriate, safe, good standard and affordable accommodation in private rented sector properties in the wards where the scheme is in place. |  |
| <b>FINANCIAL SUMMARY:</b><br>With any licensing scheme fees can be charged to cover the cost of administering the scheme.   |  |

## 1. PURPOSE OF REPORT

- 1.1. To provide the results and outcomes of the 10 week statutory consultation on a proposed additional HMO Licensing scheme in the wards of River, Hotham and Marine.

## 2. RECOMMENDATIONS

- 2.1. The Environment Committee having considered the results of the consultation in relation to the proposed additional HMO Licensing Scheme as summarised in the report resolves:

- 2.1.1. To recommend to full Council to Designate the whole of the three wards of Marine, Hotham and River as subject to Additional Licensing under section 56(1)(a) of the Housing Act 2003 for all Houses in Multiple Occupation that contain three or four occupiers making up two or more households, irrespective of the number of storeys, and those properties defined as Section 257 Houses in Multiple Occupation under Housing Act 2004. Such designation to take effect in the financial year 2024/2025 and last for 5 years, the specific date to be agreed by the Group Head of Technical Services in consultation with Legal Services.
- 2.1.2. The fees for Additional HMO Licensing as set out in 4.35 be agreed for 2024/25.
- 2.1.3. To recommend to Policy and Finance Committee that the resources as set out in paragraph 4.29 are agreed in order to implement the additional HMO licensing scheme within the three wards of River, Marine and Hotham.

### **3. EXECUTIVE SUMMARY**

- 3.1. At the Environment Committee on 14 July 2022 members agreed to instigating the consultation process for a proposed additional licensing scheme for HMOs for the wards Marine, Hotham and River, to cover privately rented properties occupied by three or four people making up two or more households and properties converted into self contained flats that meet the definition of Section 257 HMOs.
- 3.2. The statutory 10 week consultation took place between 12 June to 20 August 2023 and this report details the results and outcomes of this consultation.

### **4. DETAIL**

- 4.1. At the meeting of Full Council on 25 February 2020 a resolution was passed which stated: -  
  
*“The Council is asked to support a request for officers to explore what options might exist for introducing further controls on the definition, number and quality of homes in Multiple Occupation and prepare appropriate reports for the relevant decision body of the Council”*
- 4.2. On 5 November 2020, the Housing and Customer Services Working Group recommended to Cabinet to continue to research and gather further evidence to help establish whether additional HMO licensing or selective licensing of the private rented sector was justified.
- 4.3. In addition Planning Policy presented a report to Development Control Committee on 28 October 2020 to recommend to Full Council that further research was undertaken to establish robust evidence to determine the justification and role for designating Article 4 Direction(s).

- 4.4. Both of these committee decisions were agreed and officers from Private Sector Housing and Public Health Team and Planning Policy jointly procured the services of a consultancy to undertake the required additional research.
- 4.5. The Building Research Establishment (BRE) were successful with their quote and project proposal and have provided the Council with a report on their findings.
- 4.6. The BRE report was presented to the Environment Committee on 14 July 2023. The Committee agreed to the instigating of the consultation process for a proposed additional licensing scheme for HMOs for the wards Marine, Hotham and River, to cover privately rented properties occupied by three or four people making up two or more households and properties converted into self-contained flats that meet the definition of Section 257 HMOs.
- 4.7. Section 257 HMOs are a converted block of flats, either the whole building or part of the building, where the following apply:
- The building or part of it (including those with commercial premises within the overall building and including common parts of buildings) has been converted into self contained; and
  - The conversion into self contained flats did not (and still does not) meet the Building Regulations 1991 (or later); and
  - Less than two thirds of the flats are owner occupied.
- 4.8. Planning Policy presented the research findings to Planning Committee on 26 October 2022 who resolved that:
- Notice be given of the authority's intention to designate Article 4 Directions under Article 4 (1) Schedule 3 (1) separately, for the three Wards of Marine, Hotham and River, following a notice period of six weeks (including to the Secretary of State) commencing on 2 November 2022 (which specifies a twenty one day representation period).
  - Any representations and amendments be reported back to Planning Committee on 11 January 2023, prior to recommending the Article 4 Directions be confirmed by Full Council on 18 January 2023 to commence on 19 January 2023.
  - The collective evidence studies demonstrably showed harm to the wards of River, Marine and Hotham, arising from the concentration of HMO developments and that this be used as a material consideration in determining further HMO proposals in those areas.
- 4.9. Therefore the outcome of this article 4 directive coming into force on 19 January 2023, means that a planning application is required to change the use of a dwelling house to a HMO which are shared houses occupied by between 3 and 6 unrelated individuals, as their only main residence, who share basic amenities such as a kitchen or bathroom.

4.10. The Article 4 direction is in the River, Hotham and Marine wards where existing future high concentrations of HMOs are considered likely to be harmful to the amenity or wellbeing of local residents and communities, As a result, the making of Article 4 direction ensures that the issue and impacts arising from this form of development can be properly assessed through planning policy.

Consultation Outcomes

4.11. The Private Sector Housing and Public Health Team carried out a 10 week statutory consultation on the proposed additional HMO licensing scheme between 12 June – 20 August 2023.

4.12. See paragraph 5.0 below for details of how the consultation took place.

4.13. The consultation results and feedback report is provided in Appendix 1 to this report. There were 99 responses to the survey, 69 being owner occupiers, 14 tenants, 10 landlords and 6 other. There were also 5 individual representations provided.

4.14. 55% of respondents said that they did not, based on their experience or opinion, agree that private landlords within the district maintain their properties to a good standard.

4.15. 29.6% thought that properties within the River ward Littlehampton, Hotham and Marin wards in Bognor Regis were more poorly maintained than those within the district as a whole.

4.16. The majority of respondents strongly agreed with the types of properties to be included within the proposed scheme:

| Type of Property  | Percentage Strongly Agree |
|---|---------------------------|
| Houses with 3 or 4 Occupants in 2 or more households sharing facilities                                     | 41.8%                     |
| Purpose built rented flats with 3 or 4 occupants in 2 or more households sharing facilities                 | 34.7%                     |
| Building converted into flats with 3 or 4 occupants in 2 or more households in each flat sharing facilities | 43.9%                     |
| Common parts of buildings converted into section 257 flats  | 28.6%                     |

4.17. 38.8% of respondents either strongly disagreed or disagreed with the proposed licence fee. 20.4% of respondents strongly agreed or agreed with the proposed licence fee.

- 4.18. Representation was received from the National Residential Landlords Association (NRLA). They have a shared interest with the Council in ensuring a high quality private rented sector but strongly disagrees that the introduction of additional licensing is the most effective approach to achieve this aim both in the short term and long term.
- 4.19. Representation was received from Littlehampton Town Council:
- “This consultation was considered by the Town Council’s Planning and Transportation Committee at its meeting held on Monday 17 July 2023, particularly with reference to the proposed introduction of additional HMO licensing in the River Ward in Littlehampton and supported the Scheme. Members welcomed the move to capture accommodation which otherwise escaped the legislation and regulations for this type of housing that were currently in place. The majority of private landlords were considered responsible. However, it was clear from both the representation and reports that Members received from constituents, that the new regime and the proposed system of reporting, would provide a much needed mechanism for raising these issues and seeking redress.”*
- 4.20. The low response, in comparison to the number of properties within the three wards effected and the number of letters and emails circulated as part of the consultation, does make extrapolation of the results difficult. This has to be borne in mind when assessing any meaningful conclusion.
- 4.21. In summary there was agreement and support for the types of properties to be included within the scheme, the wards to be targeted and what the aims of the scheme will achieve. However, it must be noted that the highest number of respondents were from either tenants or owner occupiers, as opposed to landlords.

## Resources

- 4.22. The BRE previously provided a stock modelling report in 2020 on the wider private sector housing stock. Research undertaken by the BRE uses stock modelling data, they therefore use a variety of sources for example, national annual house condition surveys, Energy Performance Certificate data, tenancy deposit data and Experian data. This enables them to make a predictive assessment of house conditions and the geographical distribution of properties of interest.
- 4.23. Using this report and data the Private Sector Housing and Public Health Team checked these figures in terms of mandatory licensed HMOs. This established that around a third of the properties identified within the report were actually HMOs that required a licence.
- 4.24. Using the recent research undertaken by the BRE it identified that there would be a potential 344 additional properties requiring a license in the 3 wards. Based on previous findings the figures for the 3 to 4 person HMOs in the three wards have been reduced by one third, to project a more accurate fee income.

- 4.25. There is no comparable data to determine the accuracy of the Section 257 numbers provided therefore those within the BRE report have been included but it is acknowledged they may not be 100% accurate.
- 4.26. In total therefore there is estimated to be an additional 267 HMOs that would fall within scope of the proposed scheme
- 4.27. From experience of administering the mandatory HMO scheme the fee process has been broken down into its respective tasks and the time taken for each grade of officer eg. Team Leader, HMO Officer and Technical Support Assistant.
- 4.28. The cost to the Council of the respective posts are:

| <b>Post</b>                 | <b>Grade</b> | <b>Cost (£)</b> |
|-----------------------------|--------------|-----------------|
| Team Leader                 | Scale 11     | 57,224          |
| HMO Officer                 | Scale 9      | 49,026          |
| Technical Support Assistant | Scale 5      | 33,992          |

- 4.29. In view of this the proposed increase in resources to implement the proposed additional HMO licensing scheme is:

| <b>FTE</b> | <b>Post</b>         | <b>Cost (£)</b> |
|------------|---------------------|-----------------|
| 1.0        | Team Leader         | 57,224          |
| 0.4        | HMO Officer         | 19,610.40       |
| 0.3        | Technical Support   | 10,197.60       |
|            | <b>TOTAL</b>        | 87,032          |
|            | <b>Over 5 Years</b> | 435,160         |

- 4.30. The aim of the Team Leader post would be to undertake a case load and be operational as well as having management/supervisory responsibilities.
- 4.31. There will be additional costs in terms of IT for all staff and equipment for inspections for the Team Leader and HMO Officer, that will be required. The approximate cost for these are:

|              |      |
|--------------|------|
| Laptop       | £550 |
| Mobile Phone | £374 |

|                                |      |
|--------------------------------|------|
| Damp Meter                     | £200 |
| Disto (Laser measuring Device) | £150 |
| Lone Working Device            | £200 |
| Personal Protective Equipment  | £500 |

4.32. With any licensing scheme fees can be charged to recover the cost of administering the scheme. An analysis of the current mandatory licensing regime has been undertaken to ensure the Council has used a clear evidence base to set fees in order to fully recover the allowable costs it incurs in regulating these properties.

4.33. This continues to be reviewed to ensure tasks are being undertaken by the appropriate member of staff, that the times allocated to each task are an accurate average and whether efficiencies can be made by use of IT systems.

4.34. The fees cover the administration of the HMO Licensing process:

- Receipt of application
- Checking the application, documentation provided and fee payments
- Inspection of the property,
- Producing a draft license for consultation,
- Dealing with any representations made as part of the consultation
- Producing the final license
- Follow up visits and correspondence to ensure works identified as part of the licence conditions are completed

The fees do not cover other work undertaken by the HMO Officers:

- Proactive checks to identify unlicensed HMOs
- Enforcement of unlicensed HMOs – undertaking investigations, gathering evidence, obtaining and executing warrants, inspections, PACE interviews, Enforcement Review Panel, prosecution or civil penalty notices etc
- Working with landlords to reduce the number of occupants so the property falls outside of the scope of licensing – issuing a Temporary Exemption Notices
- Range of service requests of non licensed HMOs
- Planning consultations

4.35. Proposed fees for the additional HMO Licensing Scheme

| <b>Part One: Initial Application Fee</b>   | <b>Amount Payable</b> |
|--|-----------------------|
| Three-person or four person house base fee | £1662.10              |
| <b>Part Two: Licence Issue Fee</b>         | <b>Amount Payable</b> |
| Licence Issues Fee                         | £355.30               |

| <b>Part One: Initial Application Fee</b>            | <b>Amount Payable</b> |
|---|-----------------------|
| Three person or four person flat/apartment base fee | £1497.10              |
| <b>Part Two: Licence Issue Fee</b>                  | <b>Amount Payable</b> |
| Licence issue fee                                   | £355.30               |

| <b>Part One: Initial Application Fee</b>   | <b>Amount Payable</b> |
|--|-----------------------|
| Section 257 HMO base fee per building up to two storeys – only external parts and common parts such as hallways and landings under the control of the freeholder | £1332.10              |
| Section 257 HMO case fee per building more than two storeys – only external parts such as hallways and landings under the control of the freeholder              | £1386                 |
| <b>Part Two: Licence Issue Fee</b>   | <b>Amount Payable</b> |
| Licence Issue Fee  | £355.3                |

4.36. Using the BRE research and the potential number of new properties requiring licensing and the proposed license fees the fee income over 5 years is estimated at £466,135.80.

4.37. Summary of finances:

Estimated Income Generation over 5 Years:

|      |             |
|------|-------------|
| Fees | £466,135.80 |
|------|-------------|

Resources Over 5 Years:

|               |                 |
|---------------|-----------------|
| Salaries      | £435,160        |
| Equipment etc | £4,498          |
| <b>TOTAL</b>  | <b>£439,658</b> |

- 4.38. The proposed resources are therefore within the estimated income generation.
- 4.39. Any Additional HMO licensing scheme that is designated by a Local Authority lasts for a 5 year period and the Council would be required to review the scheme to determine whether it should continue and/or be expanded. A further report would therefore be presented to the Environment Committee with the results of the review and recommendation as to whether the scheme should continue for a further 5 years and consider whether the scheme should be expanded to additional wards within the district.
- 4.40. In conclusion the research showed that based upon modelled data there is sufficient evidence to support the introduction of an additional HMO licensing scheme in Arun. The analysis indicates that conditions in many of these properties where sharing of cooking, washing or toilet facilities is happening or where a building has been converted without Building Control approval into self-contained flats, may be below acceptable standards.
- 4.41. Therefore introducing an additional HMO licensing scheme will provide greater confidence that there are adequate safeguards in place to help ensure that people in these types of properties are provided with appropriate, safe, good standard and affordable accommodation in private rented sector properties in the wards where the scheme is in place.
- 4.42. Whilst the consultation received a low response rate, there was a general support of the scheme, its aims, the type of properties and the wards included.
- 4.43. The resources required for the proposed scheme have been calculated and outlined in paragraph 4.29, these are expected to broadly be recovered from licensing fees.
- 4.44. It is therefore recommended to proceed with the process for designation of the three wards for a period of 5 years.
- 4.45. As required by the legislation a review of the outcomes and impact of the scheme will take place prior to the 5 year expiry of the designation of the scheme. A report will be presented to the Environment Committee on the findings of this review to make a decision as to whether the scheme should be extended and designated for a further 5 year period and whether additional areas within the district should be included.

## **5. CONSULTATION**

- 5.1. A public statutory 10 week consultation took place between 12 June – 20 August 2023.
- 5.2. The Council's website was used to detail the proposals and provide information and a copy of the consultation document was available.
- 5.3. The consultation was advertised in local media and social media posts to advise that it was taking place and how to participate.
- 5.4. Paper copies of the consultation document and posters showing the details of the proposed scheme were available in the Arun Civic Centre and Bognor Regis Town Hall. Paper copies of the consultation document were also available at a number of local libraries within the district.
- 5.5. Students enrolled at the University of Chichester were able to view the consultation document at the University's accommodation office.
- 5.6. Feedback could be provided via an online survey form which was accessible from the Council's website.
- 5.7. Letters/leaflets advertising the consultation were sent to all residents and businesses within the wards of River, Hotham and Marine.
- 5.8. Two Landlords forum events took place:
  - In person Landlords Forum meeting held at Arun Civic Centre 26 July 2023
  - Remote meeting via Zoom, hosted and organised by National Residential Landlords Association (NRLA) 18 August 2023.
- 5.9. A wide portfolio of stakeholders and other people affected by the proposal, as well as internal stakeholders and department have been contacted regarding the consultation, including ward members, Councillors at both district and parish level, local MPs, landlord/property owners in the proposed ward areas and neighbouring ward areas tenants in the proposed ward areas, West Sussex Fire and Rescue Service, Sussex Police, letting and managing agents, the University of Chichester and Bognor Regis College, landlords on the Chichester and Arun Accreditation Scheme, landlord representatives such as the NRLA, local resident associations, Citizens Advice, West Sussex County Council, neighbouring local authorities and general public.

## **6. OPTIONS / ALTERNATIVES CONSIDERED**

- 6.1. To agree not to pursue additional HMO licensing. Officers would therefore continue to investigate complaints reactively rather than being able to proactively tackle the standard of accommodation through inspection.

- 6.2. To employ additional staff to implement a proactive inspection regime without introducing additional HMO licensing of the private rented sector. This approach would assist with tackling poor housing conditions, but without the creation of a licensing scheme enforcement powers are more restricted. This option would also require additional funding from the Council's general fund to recruit staff and unlike with a licensing scheme costs cannot be recovered through fees.

## **7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER**

- 7.1. The income projected to be received with the introduction of this scheme over the 5 year period is by no means guaranteed. The additional core increase in cost to the establishment, as detailed would be a permanent cost. There is a risk that could result in additional growth, should the income fail to materialise. Other options could be explored to mitigate any potential growth, with a more flexible approach to the staffing required.

## **8. RISK ASSESSMENT CONSIDERATIONS**

- 8.1. The BRE report identified that the wards of River, Hotham and Marine had the largest number of HMOs which were in disrepair and poorly managed. Not introducing the proposed additional HMO licensing scheme would mean that a proactive inspection regime is not implemented to be able to ensure these properties are brought up to minimum health and safety standards.
- 8.2. Using the research undertaken by the BRE it identified that there would be a potential 344 additional properties requiring a license in the 3 wards. Having previously checked the accuracy of BRE stock modelling on mandatory licensed HMO figures it has been established that the figures provided were a third accurate. Based on this the figures for the 3 to 4 person HMOs in the three wards have been reduced by one third, to project a more accurate fee income.
- 8.3. Comparable data is not available to determine the accuracy of the properties classified as Section 257 numbers provided therefore those within the BRE report have been included but it is acknowledged they may not be 100% accurate. In total therefore there is estimated to be an additional 267 HMOs that would fall within scope of the proposed scheme.
- 8.4. The BRE data is based on modelling and therefore there is a risk that the figures provided could be over or under estimated, which will have an impact on the income generation.
- 8.5. The scheme, if designated, would be for a period of 5 years after which a review of its outcomes and impacts is undertaken. A further report would be presented to Environment Committee for a decision as to whether, based on the review findings, the scheme should continue for a further 5 years and also whether it should be expanded to other wards within the district. If the Environment Committee decide not to continue the scheme beyond the initial 5 years then there is the risk of potential redundancy costs for staff if redeployment is not possible within the Council.

8.6. From experience Private Sector Housing and Environmental Health have experienced difficulties in recruitment of qualified staff, therefore there is a risk that any proposed positions may be difficult to recruit to.

## **9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER**

9.1. This report asks Committee to recommend to full Council to Designate the whole of the three wards of Marine, Hotham and River as subject to Additional Licensing under section 56(1)(a) of the Housing Act 2003.

9.2. This report further asks the committee to agree to the schedule of fees. Charges for HMO License fees are governed by Section 63(3),(4) and (7) of the Housing Act 2004 and the *Provision of Services Regulations 2009*(as amended). The Provision of Services Regulations have been considered by the Courts in *Gaskin v London Borough of Richmond*, and *Hemming v Westminster City Council*. These provisions and the court judgements establish that (1) Fees charged by the Council must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities. (Regulation 18(4) of the Regulations) and (2) that fees should not be used as an economic deterrent to certain activities or to raise funds.

## **10. HUMAN RESOURCES IMPACT**

10.1. The recruitment of additional staff as identified within paragraph 4.29 of the report will be required, with support from the HR Team.

10.2. As detailed in paragraph 8.5 above, if the scheme does not continue beyond the initial 5 year period there will be potential implications of redundancy for those staff employed. It is not possible to predict what these costs will be as it is dependant upon who is employed and factors such as whether they have continuous service and their age which will impact upon the redundancy calculations.

10.3. Fixed term contracts are appropriate for employment up to a 2 year period, there after the member of staff would be protected and have additional rights in terms of redundancy for example. Contracts could be offered on a 5 year basis however, it would be made clear as part of the recruitment process, through the advert and at interview, and in any job offer correspondence that funding for the role is only for a fixed period and stating for how long. Any employee on a fixed term would not be treated any less favourably the only difference from the start of their employment is that they have a possible end date, and a clause addressing this could be included in any contract of employment.

10.4. Recruiting on this basis would not be practical for the 5 year term of the scheme and would not be a means of reducing costs.

## **11. HEALTH & SAFETY IMPACT**

- 11.1 There are direct health and safety impacts from these proposals. Risk assessments are already in place in relation to inspections and other visits made to HMOs, and these are kept under review to ensure that all reasonably practicable measures are taken to ensure the safety of officers.
  
- 11.1. The proposed Additional HMO Licensing Scheme would ensure minimum health and safety standards within privately rented accommodation for some of the more vulnerable residents in the wards of River, Hotham and Marine.

## **12. PROPERTY & ESTATES IMPACT**

- 12.1. There will be no direct impact on the management of the Council's property portfolio

## **13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE**

- 13.1. An Equality Impact Assessment has been completed and is attached at Appendix 2. The provision of this does not affect disproportionately one or more of the nine characteristics outlined in the Equality Act 2010.

## **14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE**

- 14.1. The additional licensing scheme applies to the wards of River, Marine and Hotham these are the most deprived areas within the district therefore the scheme will have a positive impact on those tenants who are socio economically disadvantaged. Good quality housing is important for people to achieve their educational and professional potential.
  
- 14.2. The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards which can include excess cold and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. As well as the health benefit there will also be reductions of emissions associated with heating where homes are made to be more energy efficient, either through improvements to building envelopes or improvements to heating systems

## **15. CRIME AND DISORDER REDUCTION IMPACT**

- 15.1. Property licensing is intended to raise the standards of condition and management by landlords of rented properties. With greater engagement with landlords it is anticipated this will help reduce anti social behaviour and crime.

## **16. HUMAN RIGHTS IMPACT**

- 16.1. Consultation in relation to the proposed Additional HMO Licensing scheme was carried out as details in paragraph 5.0 of this report. The consultation whilst statutory also provided an opportunity for the public, businesses and stakeholders to provide feedback, ensuring that any human rights concerns could be highlighted and considered by the Environment Committee.

## **17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS**

- 17.1. Consultation feedback has been managed in accordance with GDPR provisions. Consultation responses are reported back to Committee within this report, and have been appropriately summarised and/or redacted to ensure compliance with GDPR.

---

### **CONTACT OFFICER:**

Name: Louise Crane

Job Title: Principal Environmental Health Officer

Contact Number: 01903 737669

### **BACKGROUND DOCUMENTS:**

[Additional HMO licensing consultation 2023 | Arun District Council](#)

[Environment Committee Report 14 July 2022](#)

Appendix 1 – Consultation results and feedback report

Appendix 2 – Equality Impact Assessment

# Proposal to implement a Houses in Multiple Occupation (HMO) Additional Licensing Scheme in River, Hotham and Marine wards in Arun District.

## Survey results and feedback to the 2023 public consultation – Summary Findings



**Arun Additional HMO Licensing Consultation**

Arun District Council (the “council”) ran a public consultation for 10 weeks between 12 June and 20 August 2023 on a proposal to introduce Additional HMO Licensing in River ward in Littlehampton and Hotham and Marine wards in Bognor Regis.

The council wanted to know the views about the proposals from tenants, landlords, residents, letting agents and businesses living or operating in the area and that could be affected by the proposals outlined in the consultation document. The consultation also wanted to know the views of those that operate outside of the proposed licensing area who might be indirectly affected.

An online survey was available for consultees to complete on the dedicated website page. Paper copies of this survey were also available if requested by those unable to complete the survey online.

The consultation was advertised through a variety of means including:

- A dedicated Additional HMO Licensing webpage on the council’s website.
- A QR code directing people to the website.
- Displays for the duration of the consultation at The Arun Civic Centre in Littlehampton and at Bognor Regis Town Hall.
- Paper copies of the full consultation document were available to view at The Arun Civic Centre in Littlehampton and at Bognor Regis Town Hall.
- Paper copies of the full consultation document were available to view at local libraries within the district for the duration of the consultation.
- Over 12,700 letters sent to every address within the three proposed wards (River, Marine and Hotham).
- E-mails sent to managing and letting agents within Arun district.
- Paper copies of the full consultation document were available to view at the University of Chichester Bognor Regis campus accommodation office for the duration of the consultation. The University accommodation office and Student’s Union also sent out e-mails advising of the consultation to their students.
- Advertising of the consultation in local media and on the council’s Twitter and Facebook accounts.
- E-mails and/or letters were also sent to adjacent local authorities, West Sussex Fire and Rescue Service, Citizen’s Advice, local Councillors, national landlord associations, Tenant’s Union, Parish Council’s in the proposed wards, Bognor and Littlehampton Town Councils, landlords currently registered on the Chichester and Arun Landlord Accreditation Scheme, and current mandatory licensed HMO licence holders.

- E-mail signatures containing details and website links (including a QR Code) of the consultation sent out with all e-mails from the Private Sector Housing and Public Health team.

Although the council advertised the proposals widely and tried to reach as many groups and different relevant persons and groups as it could, it is acknowledged that this isn't a guaranteed way to reach all those individuals or groups that might be affected by the proposals or who might have wished to have responded. For example, there will be some landlords who live outside of the district or those proposed wards who won't have heard about the consultation if their tenants didn't pass on the letter received; didn't look at local media; their agents didn't advise them; or they are not part of a national landlord association or scheme or aren't in regular contact or liaison with the council. At the current time there is no requirement to be registered as a landlord and the Private Sector Housing team do not hold a list or register of local landlords. Similarly, there will have been tenants who didn't receive the letter sent to their address as it may have been picked up by another tenant in the same building, for example. The majority of respondents to the online survey was expected to be from owner-occupiers of properties within the proposed wards and where the targeted letter-drop was undertaken, and that proved to be the case.

## **Survey results – Summary Findings**

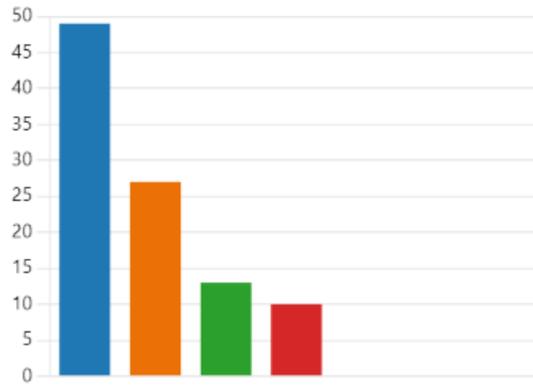
In total 99 responses to the online survey were received (fourteen from tenants, ten from landlords, 69 from owner-occupiers and six from "others"). This was below what was expected and was disappointing considering the number of letters and e-mails that were issued and the wide advertising of the proposals. It was expected that the majority of respondents would be owner-occupiers within the proposed wards, it was surprising however, that even those landlords and tenants who were fully aware of the proposals and have in the past commented on issues regarding licensing, maintenance and repair of properties, and have previously been quite vocal about mandatory licencing regimes, failed to submit any response or complete the online survey regarding the council's proposals.

The low figure does mean that extrapolation of the results is perhaps difficult, and this has to be borne in mind in assessing any meaningful conclusion. The low number of respondents may have a disproportionate effect on the overall results; however, even if the numbers responding was low, the percentage responding to each question would be consistent across the survey and so are comparable between each of the respondent categories.

(Note that some figures are rounded up/down where there is a percentage with a fraction of a total and so in some cases the totals may amount to just over or just under 100%.)

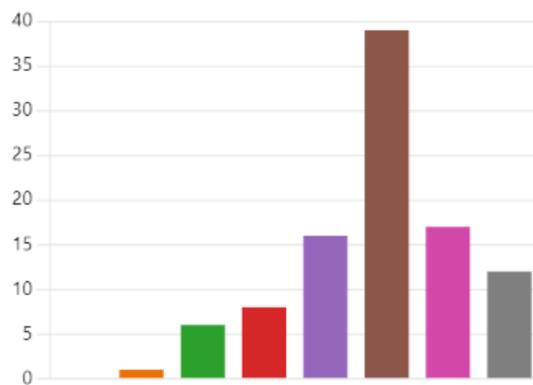
### 1. All respondents – Title

|            |    |
|------------|----|
| Mr         | 49 |
| Mrs        | 27 |
| Ms         | 13 |
| Miss       | 10 |
| Doctor     | 0  |
| Councillor | 0  |
| Other      | 0  |



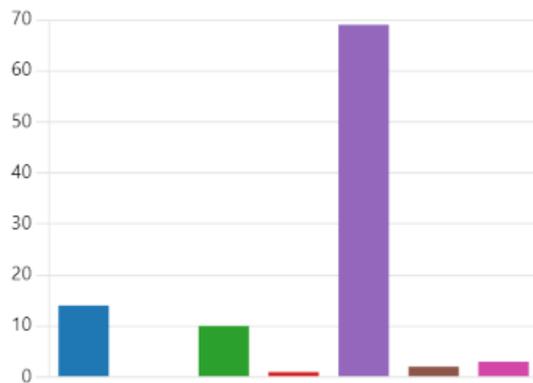
### 2. All respondents - What age band do you fall into?

|            |    |
|------------|----|
| Under 18   | 0  |
| 18-24      | 1  |
| 25-34      | 6  |
| 35-44      | 8  |
| 45-54      | 16 |
| 55-64      | 39 |
| 65-74      | 17 |
| 75 or over | 12 |



### 3. All respondents - Which of the following apply to you in regard to a property you live in within Arun District?

|                                     |    |
|-------------------------------------|----|
| Tenant in a privately rented pro... | 14 |
| Tenant in Social Housing            | 0  |
| Landlord                            | 10 |
| Managing agent/agent                | 1  |
| Owner-occupier                      | 69 |
| Other                               | 2  |
| None of the above                   | 3  |



### 4. Privately renting tenants - What sort of property do you live in?

|                                       |    |
|---------------------------------------|----|
| Entire house (only you or you a...    | 2  |
| Shared house (you or you and y...     | 1  |
| Self-contained flat (it has its ow... | 11 |
| Shared flat (you share bathroom...    | 0  |
| Other                                 | 0  |

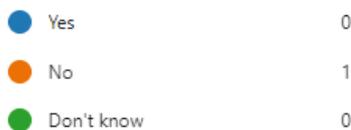


**5. Privately renting tenants - If you ticked that you live in a shared house or shared flat, how many people live in the property?**



It can be deduced therefore that there was only one respondent who was a tenant in a shared property and all of the other tenants in private sector housing must be living in self-contained accommodation, such as a house or flat where they do not share any facilities, either living as a single occupant or as part of a single household.

**6. Privately renting tenants - If you ticked that you live in a shared house or shared flat, does the property currently have a House in Multiple Occupation (HMO) licence?**



**7. Privately renting tenants - Are you a full-time student attending the University of Chichester?**

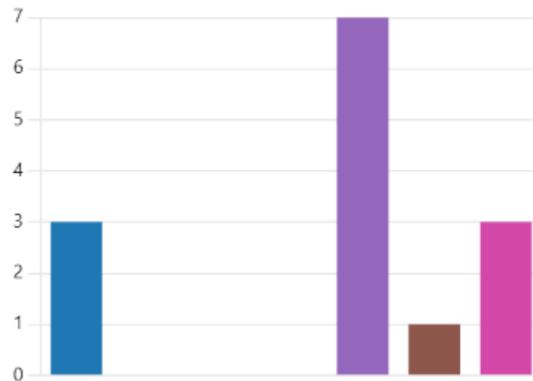


**8. Privately renting tenants - Is the property you rent registered on the Arun and Chichester Landlord Accreditation Scheme?**



**9. Privately renting tenants - Do you live or work in one of the wards proposed for the additional HMO licensing designation?**

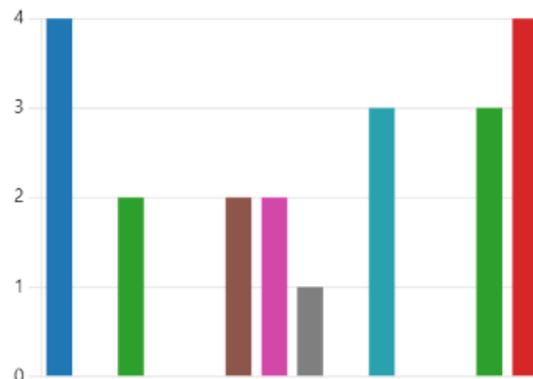
|  |   |
|--|---|
| ● Yes - I live in River ward           | 3 |
| ● Yes - I work in River ward           | 0 |
| ● Yes - I live in Hotham ward          | 0 |
| ● Yes - I work in Hotham ward          | 0 |
| ● Yes - I live in Marine ward          | 7 |
| ● Yes - I work in Marine ward          | 1 |
| ● No - I don't live or work in any ... | 3 |



**Privately renting tenants were asked the following questions relating to their accommodation:**

**10. As a tenant renting from a private landlord, have you had problems with any of the following issues? Respondents were able to choose as many as were applicable (and thus the total numbers/percentage may be higher than the 14 privately rented respondents that answered):**

|  |   |
|--|---|
| ● Damp and disrepair                   | 4 |
| ● Overcrowding                         | 0 |
| ● Lack of heating                      | 2 |
| ● Lack of basic amenities (bath/sh...  | 0 |
| ● Lack of safety measures              | 0 |
| ● Dirty and poorly maintained co...    | 2 |
| ● Rubbish and waste accumulations      | 2 |
| ● General lack of management an...     | 1 |
| ● Lack of tenancy paperwork            | 0 |
| ● Poor response to requests for re...  | 3 |
| ● Harassment and/or illegal evicti...  | 0 |
| ● Retaliatory eviction, for example... | 0 |
| ● Other                                | 3 |
| ● None                                 | 4 |



- Damp and disrepair – 4 (28.6%)
- Overcrowding – 0 (0%)
- Lack of heating – 2 (14.3%)
- Lack of basic amenities (bath/shower, kitchen facilities, etc.) – 0 (0%)
- Lack of safety measures – 0 (0%)
- Dirty and poorly maintained communal stairs and hallways – 2 (14.3%)
- Rubbish and waste accumulations – 2 (14.3%)
- General lack of management and supervision – 1 (7.1%)
- Lack of tenancy paperwork – 0 (0%)

Poor response to requests for repairs – 3 (21.4%)  
 Harassment and/or illegal eviction including pressure to leave without notice – 0 (0%)  
 Retaliatory eviction, for example, evicted after complaining of disrepair – 0 (0%)  
 Other – 3 (21.4%)  
 None – 4 (28.6%)

Other = Fly-tipping/waste – 2 (14.2%)  
 Unaffordable rent increases – 1 (7.1%)

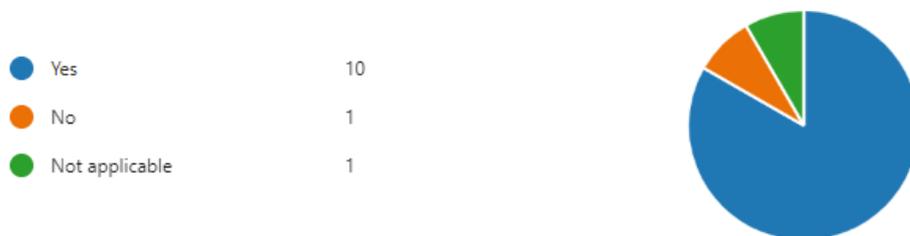
**11. If a respondent said they had experienced issues they were asked about how they went about resolving the issue(s) and who they contacted.**

Of the responses received to this question, two people replied that they contacted their landlord and two people stated that they contacted their managing agent.

**12. They were then asked if this was successful in resolving the matter.**



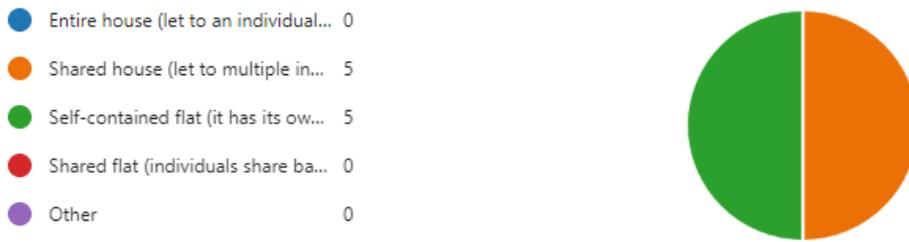
**13. When tenants were asked if the issue(s) they had encountered were at the same property that they still lived in:**



**Tenants renting from a Social Housing Provider/Housing Association were asked a number of questions relating to their accommodation; however, no tenants who live in social housing completed the survey and therefore there is no data or feedback to provide.**

**Landlords were asked the following questions relating to their rented properties. (If landlords wished to answer the survey as an owner-occupier (or other title), they were required to complete a further survey).**

**14. Landlords were asked what sort of property they rent out in Arun District:**

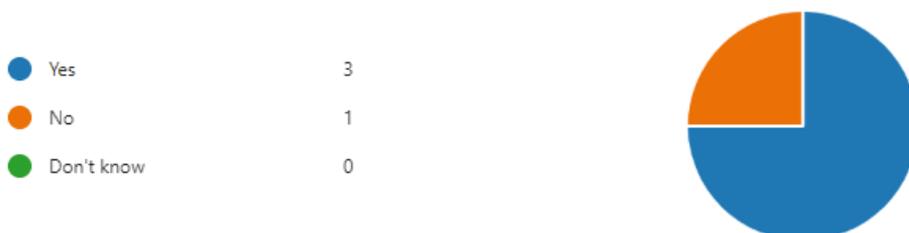


The responses indicate that half of the landlord respondents say they let out a shared house with four or more occupants and therefore could potentially fall into the proposed scheme definition if their rented properties are also within the proposed scheme wards.

**15. Landlords who responded that they rented shared houses or flats were then asked how many people live in the property.**

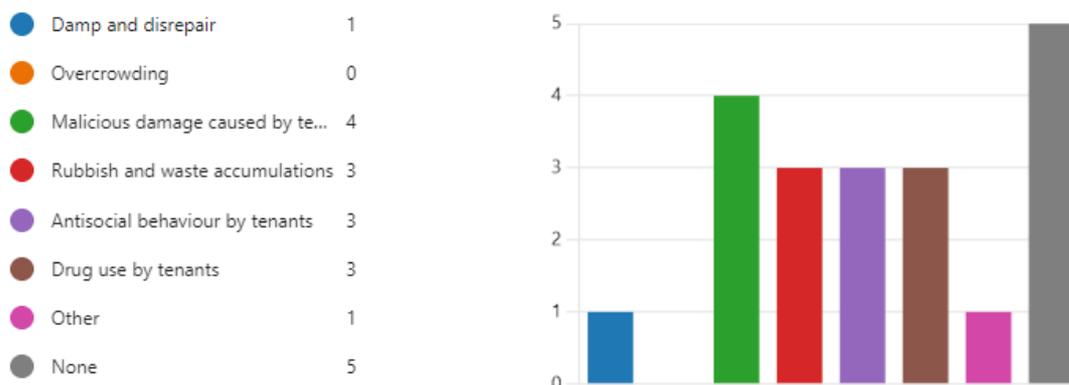


**16. Landlords were asked whether the shared house or flat that they rent out currently had a House in Multiple Occupation (HMO) licence:**



The single response of “no” is in relation to a HMO that has only four occupants, and thus is not required to be mandatorily licensed at this time; however, it would fall within the remit of the proposed additional licensing scheme..

**17. As a landlord renting out a property, have you had problems with any of the following issues? Respondents were able to choose as many as were applicable (and thus the number may be higher than the total of 10 landlord respondents):**



As five out of the ten respondents (50%) stated that they had no problems, if the remaining figures are divided between the other five respondents, the percentage totals are double to the figures shown, for example the 1 response for damp and disrepair actually becomes 20 percent of the total responses and malicious damage caused by tenants actually becomes 80 percent of the total responses (again allowing for the fact that respondents could tick as many issues as they liked).

**18. Landlords were asked whether they were a member of a national landlord association?**

|       |   |
|-------|---|
| ● Yes | 7 |
| ● No  | 3 |

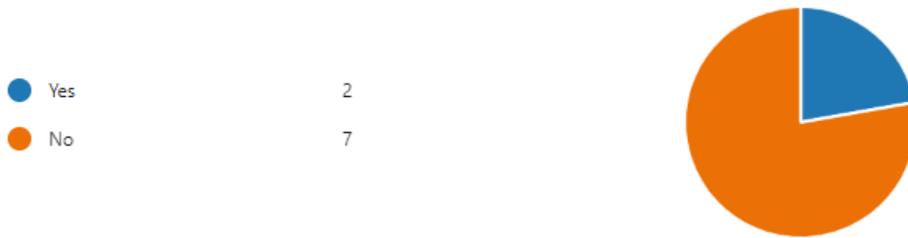


**19. Landlords were asked whether they had heard of the Chichester and Arun Landlord Accreditation Scheme:**

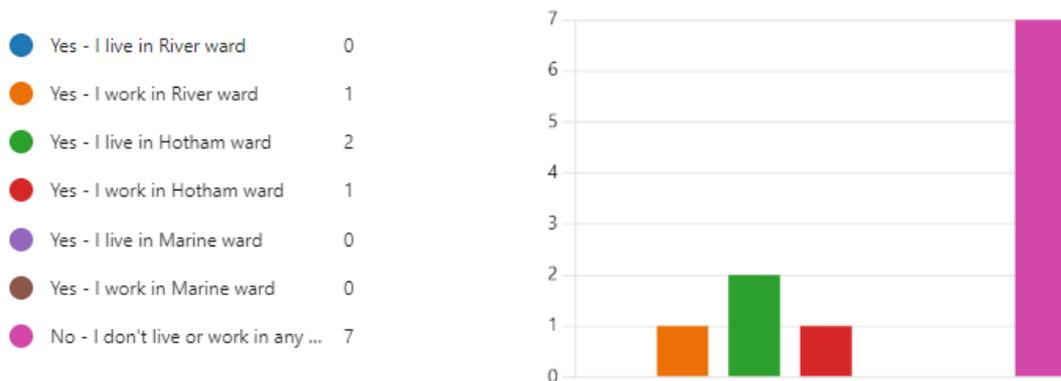
|       |   |
|-------|---|
| ● Yes | 8 |
| ● No  | 2 |



**20. Landlords were asked whether they were registered on the Chichester and Arun Landlord Accreditation Scheme:**



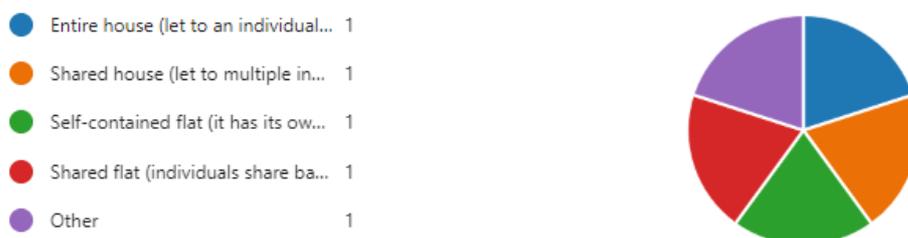
**21. Landlords were asked whether they live or work in one of the wards proposed for the additional HMO licensing designation? (Total may be more than 10 as some landlords may work and live in a particular ward).**



**Managing agents/agents were asked the following questions relating to the rented properties the manage or let. (If managing agents wished to answer the survey as a resident, they were required to complete a separate survey).**

Only one respondent identified themselves as a managing agent, and so each response where there is a total of more than 1 or there are multiple responses to the same question, means that all apply to that one individual agent, for example in question 31 below, each type of property has a single response and so it has to be deduced that the agent manages each type of these properties.

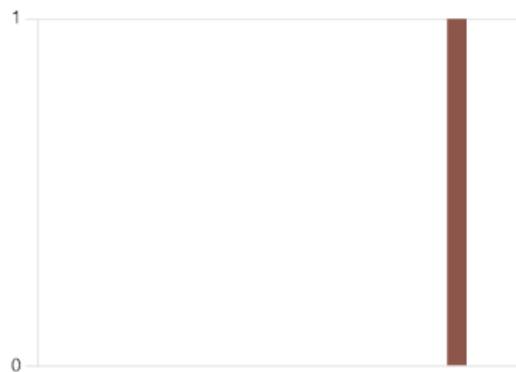
**22. What sort of property do you manage in Arun District?**



Although the figures represent 25% for each category, as it is based on one managing agent respondent, the figure for each sector could also be shown as 100% for each category as the answer to each is a positive one and is unlikely that each type of property is actually represented by an equal 25% share of the agent’s clients’ properties.

**23. As a managing agent, have you had problems with any of the following issues?  
Respondents were able to choose as many as were applicable:**

- Damp and disrepair 0
- Overcrowding 0
- Lack of heating 0
- Lack of basic amenities (bath/sh... 0
- Lack of safety measures 0
- Dirty and poorly maintained co... 0
- Rubbish and waste accumulations 0
- General lack of management an... 0
- Lack of tenancy paperwork 0
- Poor response to requests for re... 0
- Harassment and/or illegal evicti... 0
- Retaliatory eviction, for example... 0
- Malicious damage by tenants 0
- Drug use by tenants 0
- Antisocial behaviour by tenants ... 0
- Antisocial behaviour in the distri... 1
- Other 0
- None 0



**24. Managing agents were asked whether they live or work in one of the wards proposed for the additional HMO licensing designation?**

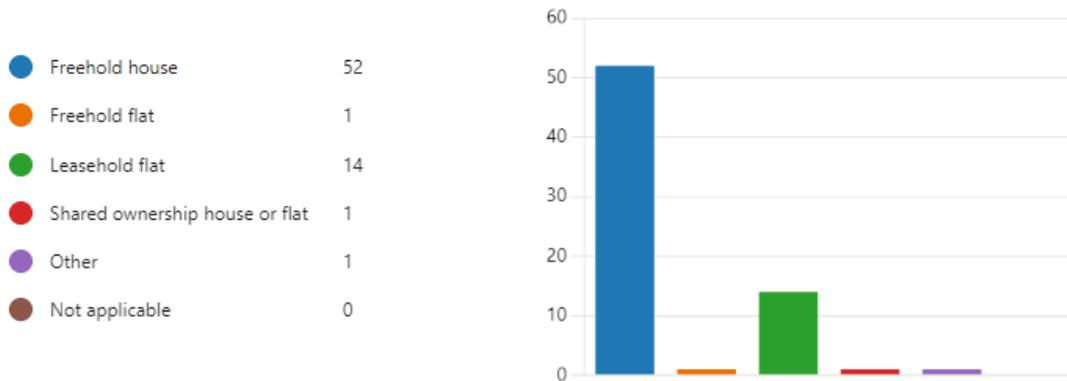
- Yes - I work in River ward 0
- Yes - I work in Hotham ward 1
- Yes - I work in Marine ward 1
- No - I don't work in any of theses... 0



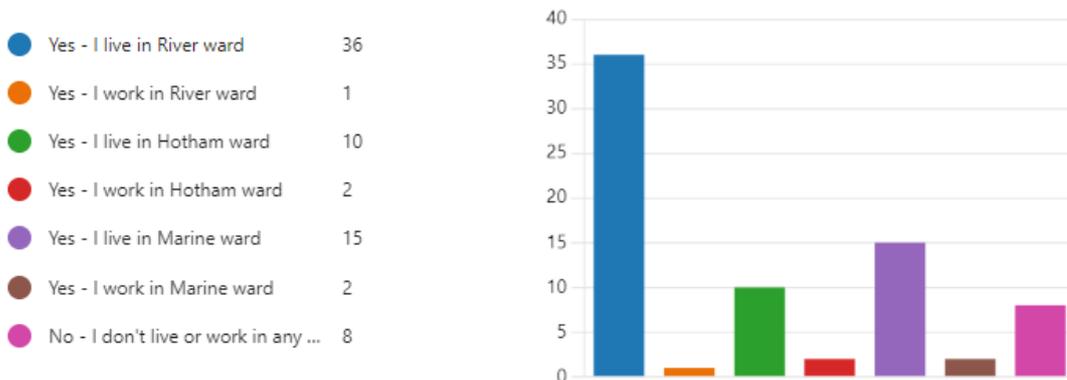
As only one managing agent identified themselves as such, it can be deduced that the overall figures above can be stated as being 100% work in Hotham and Marine wards and the fifty percent split is entirely due to the way the question is posed.

**Residents owning and living in their own property (“owner-occupier”) were asked the following questions relating to their property.**

**25. Which of the following applies to you in regard to a property within Arun District that you live in?**



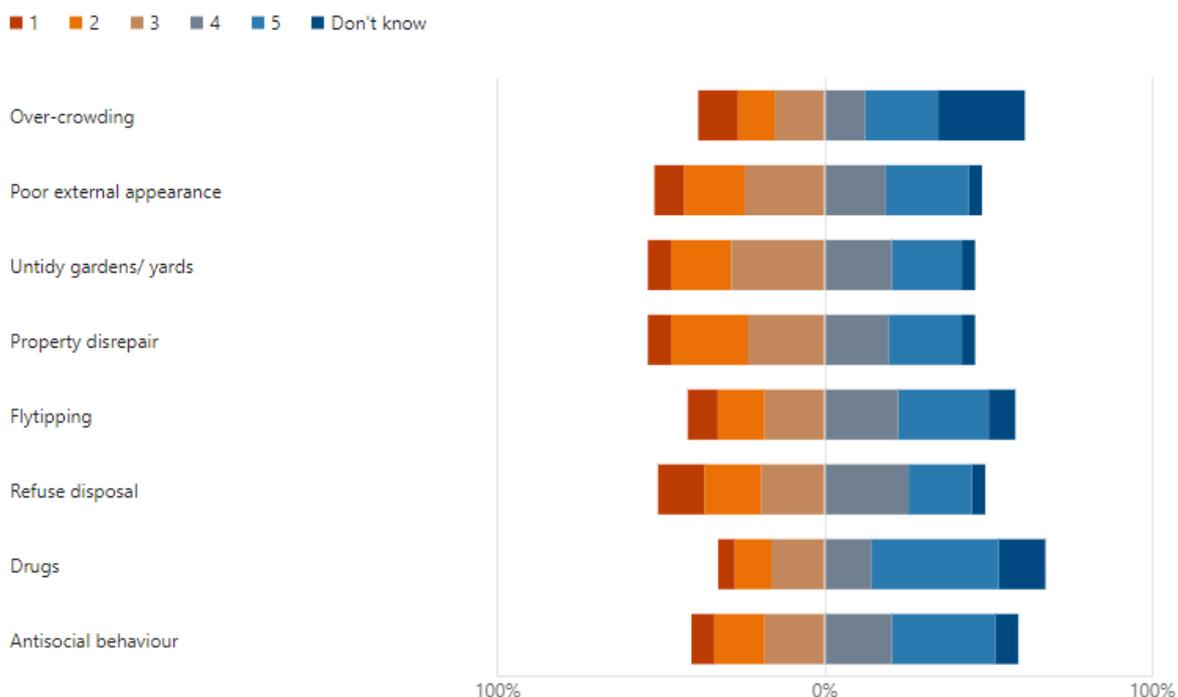
**26. Owner-occupiers were asked whether they live or work in one of the wards proposed for the additional HMO licensing designation?**



**All respondents were asked a number of questions regarding the proposed additional HMO licensing scheme. All responses are out of 99 - the total number of respondents to the online survey.**

**27. Respondents were asked, thinking about the housing within Arun District as a whole, how much of a problem were each of the following on a scale of 1-5 with 5 being the highest and 1 being the lowest:**

**All respondents (99)**



**Overcrowding**

|                      |              |
|----------------------|--------------|
| 1 - Less of an issue | 12.2%        |
| 2                    | 11.2%        |
| 3                    | 15.3%        |
| 4                    | 12.2%        |
| 5 - More of an issue | <b>22.4%</b> |
| Don't know           | 26.5%        |

27% of tenants were concerned about overcrowding being an issue, whereas 20% of landlords didn't feel this was a problem. 24% of owner-occupiers also considered this to be a high priority issue.

**Poor external appearance**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 9.2%         |
| 2                    | 18.4%        |
| 3                    | 24.5%        |
| 4                    | 18.4%        |
| 5 – More of an issue | <b>25.5%</b> |
| Don't know           | 4.1%         |

18% of tenants considered this as being a problem, whereas 20% of landlords considered the same and 30% of owner-occupiers considered this to be a problem.

### Untidy gardens/yards

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 7.1%         |
| 2                    | 18.4%        |
| 3                    | 28.6%        |
| 4                    | 20.4%        |
| 5 – More of an issue | <b>21.4%</b> |
| Don't know           | 4.1%         |

50% of landlords considered that this was only a “moderate” issue, whereas a quarter of owner-occupiers and a third of tenants considered that this was a problem.

### Property disrepair

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 7.1%         |
| 2                    | <b>23.5%</b> |
| 3                    | 23.5%        |
| 4                    | 19.4%        |
| 5 - More of an issue | 22.4%        |
| Don't know           | 4.1%         |

Interestingly more tenants considered this to be a lesser problem, along with landlords, whereas owner-occupiers considered it to be more important.

### Flytipping

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 9.2%         |
| 2                    | 14.3%        |
| 3                    | 18.4%        |
| 4                    | 22.4%        |
| 5 – More of an issue | <b>27.6%</b> |
| Don't know           | 8.2%         |

Landlords, owner-occupiers and “other respondents” were in general more concerned about flytipping than tenants and considered it to be a problem.

### Refuse disposal

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 14.3%        |
| 2                    | 17.3%        |
| 3                    | 19.4%        |
| 4                    | <b>25.5%</b> |
| 5 – More of an issue | 19.4%        |
| Don't know           | 4.1%         |

36% of tenants considered this to be a problem, whereas 30% of landlords considered it wasn't and a similar number (29%) of owner-occupiers also considered it to be a problem.

### Drugs

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 5.1%         |
| 2                    | 11.2%        |
| 3                    | 16.3%        |
| 4                    | 14.3%        |
| 5 – More of an issue | <b>38.8%</b> |
| Don't know           | 14.3%        |

18.2% of tenants both considered this to be a problem and not a problem, presumably reflecting issue faced by tenants in different properties and areas where they may have experienced such issues. 20% of landlords considered that this was a problem and 45% of owner-occupiers considered this to be a large problem.

**Antisocial behaviour**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 7.1%         |
| 2                    | 15.3%        |
| 3                    | 18.4%        |
| 4                    | 20.4%        |
| 5 – More of an issue | <b>31.6%</b> |
| Don't know           | 7.1%         |

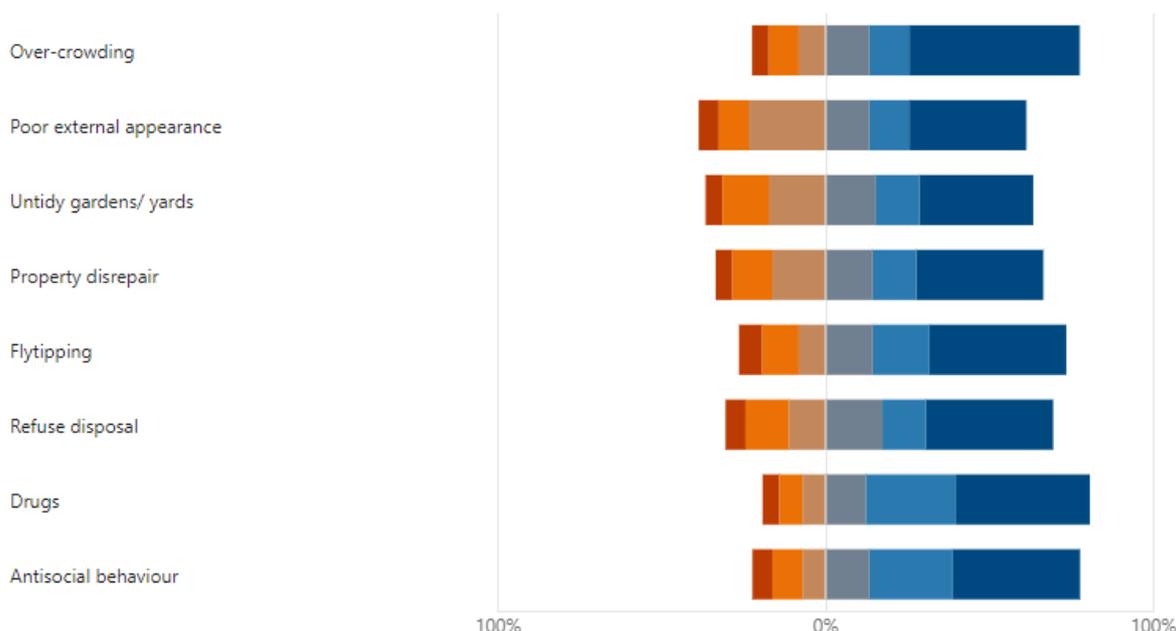
27.3% of tenants and 36% of owner-occupiers considered this to be a large problem and 40% of landlords considered it to be a problem.

**28. Respondents were then asked, thinking about the housing within the proposed additional HMO licensing scheme wards, how much of a problem were each of the following on a scale of 1-5 with 5 being the highest and 1 being the lowest:**

**River ward, Littlehampton**

**All respondents (99)**

1 2 3 4 5 Don't know



**Overcrowding**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 5.1%         |
| 2                    | 9.2%         |
| 3                    | 8.2%         |
| 4                    | <b>13.3%</b> |
| 5 – More of an issue | 12.2%        |
| Don't know           | 52%          |

14.2% of tenants considered this to be less of an issue, 16% of owner-occupiers considered it to be a problem and 10% of landlords responded in each of the 1-4 bands (i.e. from less of a problem through to more of a problem).

### **Poor external appearance**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 6.1%         |
| 2                    | 9.2%         |
| 3                    | <b>23.5%</b> |
| 4                    | 13.3%        |
| 5 – More of an issue | 12.2%        |
| Don't know           | 35.7%        |

The majority of tenants (21.4%) did not consider this to be a problem, 40% of landlords considered it a moderate problem as did 18.8% of owner-occupiers, with a slightly smaller percentage (18.8%) considering it to be a problem.

### **Untidy gardens/yards**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 5.1%         |
| 2                    | 14.3%        |
| 3                    | <b>17.3%</b> |
| 4                    | 15.3%        |
| 5 – More of an issue | 13.3%        |
| Don't know           | 34.7%        |

28.5% of tenants considered that this wasn't a major issue, whereas 20% of landlords considered it was a moderate issue or issue. 39% of owner-occupiers considered this to be an issue.

### **Property disrepair**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 5.1%         |
| 2                    | 12.2%        |
| 3                    | 16.3%        |
| 4                    | <b>14.3%</b> |
| 5 – More of an issue | 13.3%        |
| Don't know           | 38.8%        |

14.2% of tenants considered this to be a problem, whereas only 10% of landlords did and over 30% of owner-occupiers considered this to be a problem.

### **Flytipping**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 7.1%         |
| 2                    | 11.2%        |
| 3                    | 8.2%         |
| 4                    | 14.3%        |
| 5 – More of an issue | <b>17.3%</b> |
| Don't know           | 41.8%        |

Most tenants did not consider this to be an issue, 30% of landlords considered this a large problem and over 35% of owner-occupiers considered that this was a problem.

### **Refuse disposal**

|                      |      |
|----------------------|------|
| 1 – Less of an issue | 6.1% |
|----------------------|------|

|                      |              |
|----------------------|--------------|
| 2                    | 13.3%        |
| 3                    | 11.2%        |
| 4                    | <b>17.3%</b> |
| 5 – More of an issue | 13.3%        |
| Don't know           | 38.8%        |

Only 7% of tenants thought that this was a problem, 40% of landlords considered it is a problem and two-thirds of owner-occupiers considered that this is a problem.

### **Drugs**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 5.1%         |
| 2                    | 7.2%         |
| 3                    | 7.1%         |
| 4                    | 12.2%        |
| 5 - More of an issue | <b>27.6%</b> |
| Don't know           | 40.8%        |

14.2% of tenants consider this to be a problem, 20% of landlords both considered it was a problem and not a problem and 31.8% of owner-occupiers considered this was a large problem.

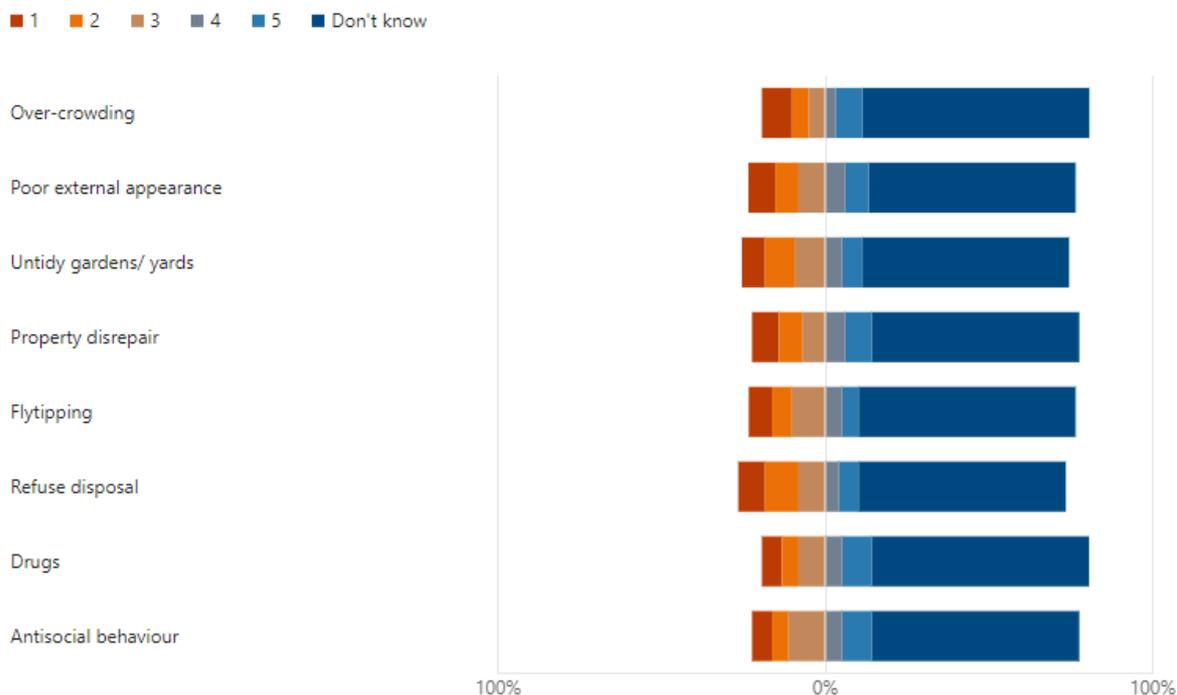
### **Antisocial behaviour**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 6.1%         |
| 2                    | 9.2%         |
| 3                    | 7.1%         |
| 4                    | 13.3%        |
| 5 – More of an issue | <b>25.5%</b> |
| Don't know           | 38.8%        |

21.3% of considered that anti-social behaviour was a large problem whereas only 10% of landlords did. 30.4% of owner-occupiers considered that this was a large problem.

## Hotham ward, Bognor Regis

### All respondents (99)



### Overcrowding

|                      |             |
|----------------------|-------------|
| 1 – Less of an issue | <b>9.2%</b> |
| 2                    | 5.1%        |
| 3                    | 5.1%        |
| 4                    | 3.1%        |
| 5 – More of an issue | 8.2%        |
| Don't know           | 69.4%       |

7% of tenants considered this was a problem as did 10% of landlords and owner-occupiers.

### Poor external appearance

|                      |             |
|----------------------|-------------|
| 1 – Less of an issue | <b>8.2%</b> |
| 2                    | 7.1%        |
| 3                    | <b>8.2%</b> |
| 4                    | 6.1%        |
| 5 – More of an issue | 7.1%        |
| Don't know           | 63.3%       |

14.3% of tenants thought this was less of a problem as did 10% of landlord and 8.7% of owner-occupiers.

### Untidy gardens/yards

|                      |             |
|----------------------|-------------|
| 1 – Less of an issue | 7.1%        |
| 2                    | <b>9.2%</b> |
| 3                    | <b>9.2%</b> |
| 4                    | 5.1%        |
| 5 – More of an issue | 6.1%        |
| Don't know           | 63.3%       |

Few tenants considered that this was an issue and the majority of landlords didn't think this was much of a problem. 14.4% of owner-occupiers considered this to be a problem.

### **Property disrepair**

|                      |             |
|----------------------|-------------|
| 1 – Less of an issue | <b>8.2%</b> |
| 2                    | 7.1%        |
| 3                    | 7.1%        |
| 4                    | 6.1%        |
| 5 – More of an issue | <b>8.2%</b> |
| Don't know           | 63.3%       |

14.3% of tenants did not think there was much of a problem in this respect, most landlords agreed with that but 10.1% of owner-occupiers considered that this was a problem.

### **Flytipping**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 7.1%         |
| 2                    | 6.1%         |
| 3                    | <b>10.2%</b> |
| 4                    | 5.1%         |
| 5 – More of an issue | 5.1%         |
| Don't know           | 66.3%        |

21% of tenants considered this was less of an issue and did 30% of landlords but 15% of owner-occupiers considered it was a problem.

### **Refuse disposal**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 8.2%         |
| 2                    | <b>10.2%</b> |
| 3                    | 8.2%         |
| 4                    | 4.1%         |
| 5 – More of an issue | 6.1%         |
| Don't know           | 63.3%        |

Most tenants didn't feel this was an issue, 10% of landlords responded for each of the scoring bands 1-4, and 13% of owner-occupiers considered it was a problem.

### **Drugs**

|                      |             |
|----------------------|-------------|
| 1 – Less of an issue | 6.1%        |
| 2                    | 5.1%        |
| 3                    | 8.2%        |
| 4                    | 5.1%        |
| 5 – More of an issue | <b>9.2%</b> |
| Don't know           | 66.3%       |

21% of tenants considered that this was a moderate or higher level problem, 10% of landlords responded for each of the scoring bands 1-4 and 13% of owner-occupiers considered this was a problem.

### **Antisocial behaviour**

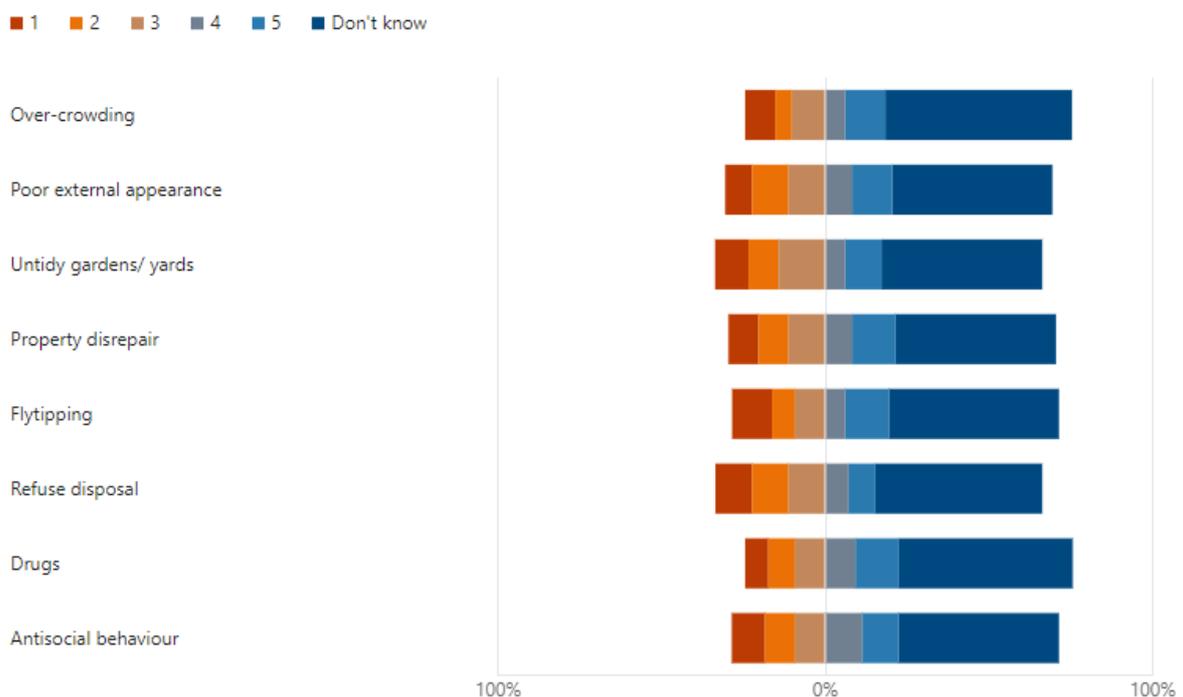
|                      |      |
|----------------------|------|
| 1 – Less of an issue | 6.1% |
| 2                    | 5.1% |

|                      |             |
|----------------------|-------------|
| 3                    | 11.2%       |
| 4                    | 5.1%        |
| 5 – More of an issue | <b>9.2%</b> |
| Don't know           | 63.3%       |

14.3% of tenants considered this was a problem as did 10% of landlords and 11.6% of owner-occupiers considered this was a higher level problem.

## Marine ward, Bognor Regis

### All respondents (99)



### Overcrowding

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 9.2%         |
| 2                    | 5.1%         |
| 3                    | 10.2%        |
| 4                    | 6.1%         |
| 5 – More of an issue | <b>12.2%</b> |
| Don't know           | 57.1%        |

14.3% of tenants agreed this was a problem, 10% of landlords agreed, and 15.9% of owner-occupiers considered that this was a problem.

### Poor external appearance

|                       |              |
|-----------------------|--------------|
| 1 – Less of an issue  | 8.2%         |
| 2                     | 11.2%        |
| 3                     | 11.2%        |
| 4                     | 8.2%         |
| 5 – More of a problem | <b>12.2%</b> |
| Don't know            | 49%          |

14% of tenants considered that this was a problem and 10% of landlords considered this was a problem in the scoring bands 1-4; whilst 23% of owner-occupiers considered this was a higher level problem.

### **Untidy gardens/yards**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 10.2%        |
| 2                    | 9.2%         |
| 3                    | <b>14.3%</b> |
| 4                    | 6.1%         |
| 5 – More of an issue | 11.2%        |
| Don't know           | 49%          |

28.6% of tenants didn't think this was much of a problem, 10% of considered the same, although 20% considered this as a moderate problem, but 14.5% of owner-occupiers considered this a large problem.

### **Property disrepair**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 9.2%         |
| 2                    | 9.2%         |
| 3                    | 11.2%        |
| 4                    | 8.2%         |
| 5 – More of an issue | <b>13.3%</b> |
| Don't know           | 49%          |

14.3% of tenants considered this was a problem, whereas 10% of landlords felt it was less of a problem and 16% of considered this to a larger problem.

### **Flytipping**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 12.2%        |
| 2                    | 7.1%         |
| 3                    | 9.2%         |
| 4                    | 6.1%         |
| 5 – More of an issue | <b>13.3%</b> |
| Don't know           | 52%          |

14.3% of tenants considered this was a large problem, landlords were split evenly over scoring bands 1-4 on the level of problems regarding flytipping and 16% of owner-occupiers considered this to be a larger problem.

### **Refuse disposal**

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | <b>11.2%</b> |
| 2                    | <b>11.2%</b> |
| 3                    | 11.2%        |
| 4                    | 7.1%         |
| 5 – More of an issue | 8.2%         |
| Don't know           | 51%          |

21% of tenants considered this to be a problem, landlords were again split evenly over scoring bands 1-4 on the level of problems regarding refuse and 17.2% of owner-occupiers considered this was more of a problem.

## Drugs

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 7.1%         |
| 2                    | 8.2%         |
| 3                    | 9.2%         |
| 4                    | 9.2%         |
| 5 – More of an issue | <b>13.3%</b> |
| Don't know           | 53.1%        |

More than a third of tenants considered that there were problems regarding drugs as did 20% of landlords and more than 24% of owner-occupiers.

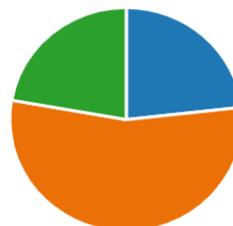
## Antisocial behaviour

|                      |              |
|----------------------|--------------|
| 1 – Less of an issue | 10.2%        |
| 2                    | 9.2%         |
| 3                    | 9.2%         |
| 4                    | <b>11.2%</b> |
| 5 – More of an issue | <b>11.2%</b> |
| Don't know           | 49%          |

Almost a third of tenants considered antisocial behaviour as a problem, as did a similar number of landlords and almost a quarter of owner-occupiers.

**29. Respondents were asked, based on their experience or opinion, whether they thought that private landlords within the district maintain their properties to a good standard?**

|              |    |
|--------------|----|
| ● Yes        | 23 |
| ● No         | 54 |
| ● Don't Know | 22 |



**Yes: Overall 23.5%**

(Tenants – 28.8%; Landlords – 80%; Owner-occupiers – 11.6%; Other – 50%)

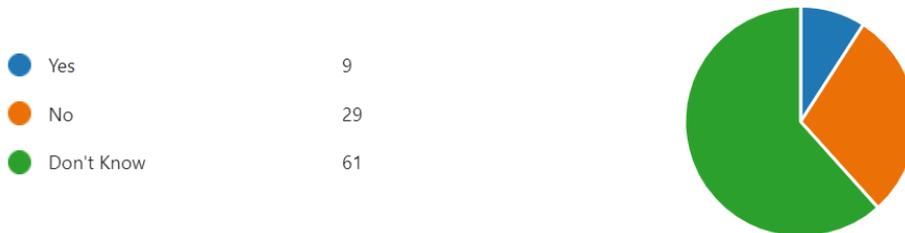
**No: Overall 55%**

(Tenants – 35.7%; Landlord – 10%; Owner-occupiers – 65.2%; Other – 50%)

**Don't know: Overall 21.4%**

(Tenants – 35.7%; Landlords – 10%; Owner-occupiers – 23.2%; Other – 0%)

**30. Respondents were asked whether they thought that properties within River ward, Littlehampton and Hotham and Marine wards in Bognor Regis are better or more poorly maintained than those within the district as a whole?**



**Better maintained: Overall 9.2%**

(Tenants - 7.1%; Landlords - 20%); Owner-occupiers – 5.8%; Other – 16.6%)

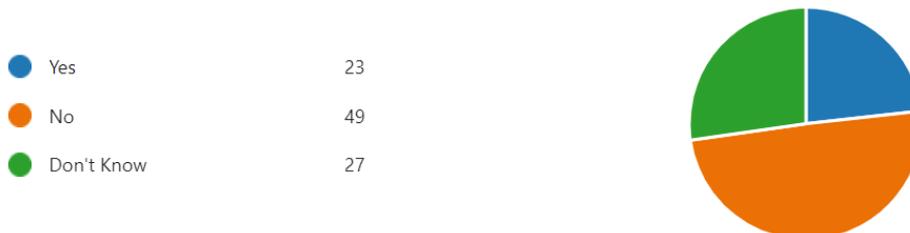
**More poorly maintained: Overall 29.6%**

(Tenants - 28.5%; Landlords – 0%; Owner-occupiers – 43.4%; Other – 50%)

**Don't know: Overall 61.2%**

(Tenants - 64.2% (9); Landlords - 80%; Owner-occupiers - 50.7%; Other – 33.3%)

**31. Respondents were asked whether they thought that private landlords act responsibly in letting, managing and maintaining their properties within the district?**



**Yes: Overall 23.5%**

(Tenants – 21.4%; Landlords – 80%; Owner-occupiers – 13%; Other – 50%)

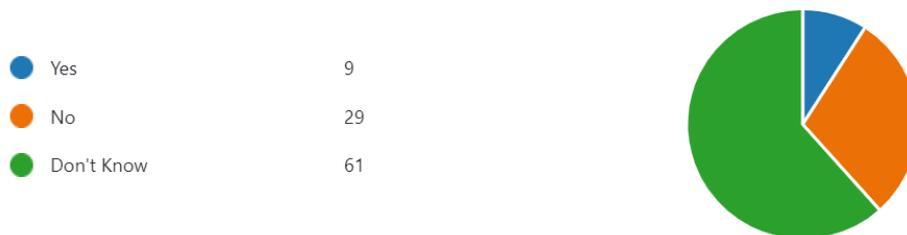
**No: Overall 50%**

(Tenants – 14.2%; Landlords - 10%; Owner-occupiers – 64%; Other – 33.3%)

**Don't know: Overall 26.5%**

(Tenants – 64%; Landlords - 10%; Owner-occupiers – 23%; Other – 16.6%)

**32. Respondents were asked whether they thought that landlords of properties within River ward, Littlehampton and Hotham and Marine wards in Bognor Regis are better or worse at managing and maintaining their properties than those within the district as a whole?**



**%/number of all respondents (Total 99)**

**Better: Overall 9.2%**

(Tenants – 7.1%; Landlords – 20%; Owner-occupiers – 5.8%; Others – 16.6%)

**Worse: Overall 29.6%**

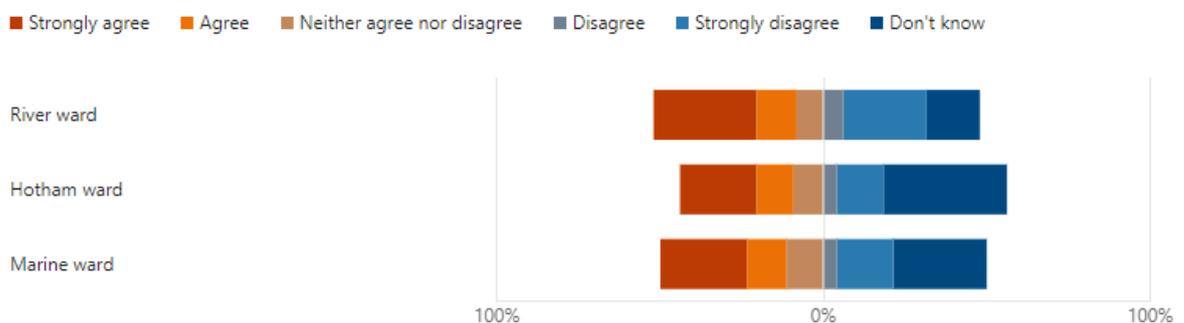
(Tenants – 28.5%; Landlords – 0%; Owner-occupiers – 43.4%; Others – 50%)

**Don't know: Overall 61.2%**

(Tenants – 64.2%; Landlords – 80%; Owner-occupiers – 50.7%; Others – 33.3%)

**33. Respondents were asked to what extent they agreed that the proposed licence scheme locations are appropriate.**

**All respondents (99)**



**River ward**

|                |       |
|----------------|-------|
| Strongly agree | 31.6% |
| Agree          | 12.2% |

|                            |       |
|----------------------------|-------|
| Neither agree nor disagree | 8.2%  |
| Disagree                   | 6.1%  |
| Strongly disagree          | 25.5% |
| Don't know                 | 16.3% |

21.3% of tenants that responded strongly disagreed, as did 40% of landlords; however, 40% of owner-occupiers strongly agreed with the proposal for River ward. %0% of “others” strongly disagreed. Ignoring the “neither agree nor disagree” and “don’t know” responses, overall, 43.8% of respondents agreed and 31.6% disagreed that River ward was an appropriate location for additional licensing.

### **Hotham ward**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | <b>23.5%</b> |
| Agree                      | 11.2%        |
| Neither agree nor disagree | 9.2%         |
| Disagree                   | 4.1%         |
| Strongly disagree          | 14.3%        |
| Don't know                 | 37.8%        |

14.2% of tenants that responded either strongly agreed or strongly disagreed, as did 20% of landlords for the same answers; however, 29% of owner-occupiers strongly agreed with the proposal for Hotham ward. 16.6% of “others” either disagreed or strongly disagreed. Ignoring the “neither agree nor disagree” and “don’t know” responses, overall, 34.7% of respondents agreed and only 18.4% disagreed that Hotham ward was an appropriate location for additional licensing.

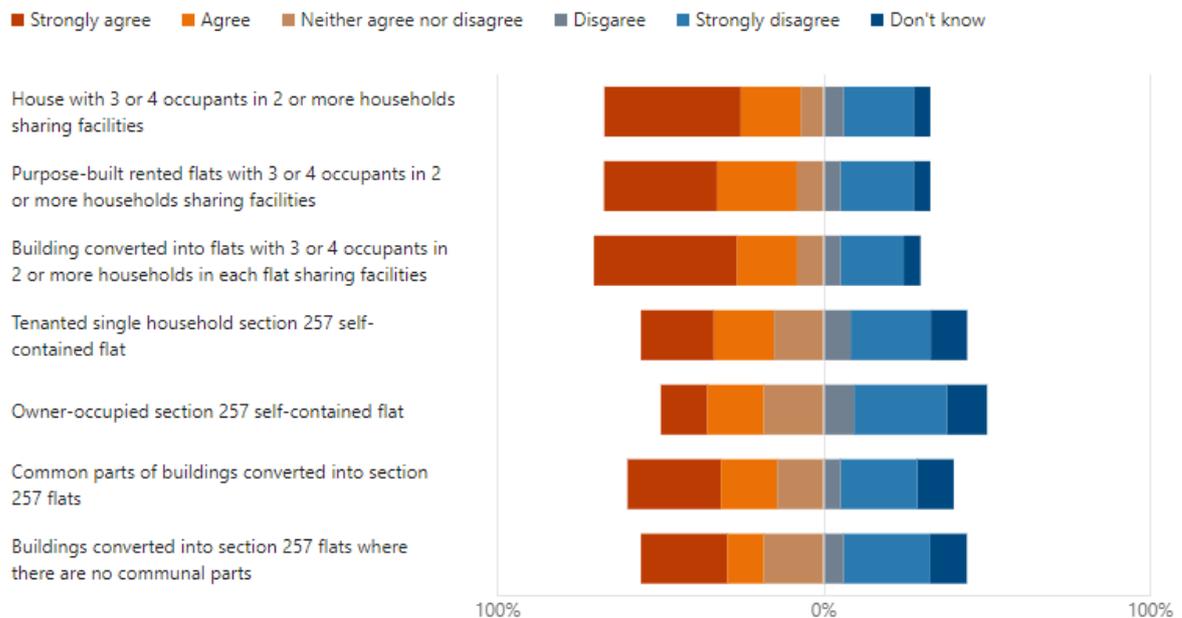
### **Marine ward**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | <b>26.5%</b> |
| Agree                      | 12.2%        |
| Neither agree nor disagree | 11.2%        |
| Disagree                   | 4.1%         |
| Strongly disagree          | 17.3%        |
| Don't know                 | 28.6%        |

14.2% of tenants that responded agreed, and 20% of landlords strongly agreed. 33.3% of owner-occupiers strongly agreed with the proposal for Marine ward. 16.6% of “others” either disagreed or strongly disagreed. Ignoring the “neither agree nor disagree” and “don’t know” responses, overall, 38.7% of respondents agreed and only 21.4% disagreed that Marine ward was an appropriate location for additional licensing.

## Properties that are proposed to be included in Arun’s additional HMO licensing scheme

34. Respondents were asked whether they thought that the properties/parts of properties proposed should be included in any additional HMO licensing scheme.



### House with 3 or 4 occupants in 2 or more households sharing facilities

#### All respondents (99)

|                            |       |
|----------------------------|-------|
| Strongly agree             | 41.8% |
| Agree                      | 18.4% |
| Neither agree nor disagree | 7.1%  |
| Disagree                   | 6.1%  |
| Strongly disagree          | 21.4% |
| Don't know                 | 5.1%  |

21% of tenants strongly agreed that this type of property should be included in any additional HMO licensing scheme, as did 40% of landlords and 49% of owner-occupiers. 50% of “other” respondents strongly disagreed.

### Purpose-built rented flats with 3 or 4 occupants in 2 or more households sharing facilities

#### All respondents (99)

|                            |       |
|----------------------------|-------|
| Strongly agree             | 34.7% |
| Agree                      | 24.5% |
| Neither agree nor disagree | 8.2%  |
| Disagree                   | 5.1%  |
| Strongly disagree          | 22.4% |
| Don't know                 | 5.1%  |

21% of tenants strongly agreed that this type of property should be included in any additional HMO licensing scheme, as did 70% of landlords who either agreed or strongly agreed, and 40% of owner-occupiers also strongly agreed. 66.6% of “other” respondents strongly disagreed.

### **Building converted into flats with 3 or 4 occupants in 2 or more households in each flat sharing facilities**

#### **All respondents (99)**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | <b>43.9%</b> |
| Agree                      | 18.4%        |
| Neither agree nor disagree | 8.2%         |
| Disagree                   | 5.1%         |
| Strongly disagree          | 19.4%        |
| Don't know                 | 5.1%         |

28.5% of tenants strongly agreed that this type of property should be included in any additional HMO licensing scheme, as did 80% of landlords who either agreed or strongly agreed, and 51% of owner-occupiers also strongly agreed. 50% of “other” respondents strongly disagreed.

### **Tenanted single household section 257 self-contained flat**

#### **All respondents (99)**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | 22.4%        |
| Agree                      | 18.4%        |
| Neither agree nor disagree | 15.3%        |
| Disagree                   | 8.2%         |
| Strongly disagree          | <b>24.5%</b> |
| Don't know                 | 11.2%        |

28.5% of tenants agreed that this type of property should be included in any additional HMO licensing scheme; however, 70% of landlords strongly disagreed and only 30% either strongly agreed or agreed, and 29% of owner-occupiers also strongly agreed, with 16% strongly disagreeing. 66.6% of “other” respondents strongly disagreed, although 33.3% agreed.

### **Owner-occupied section 257 self-contained flat**

#### **All respondents (99)**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | 14.3%        |
| Agree                      | 17.3%        |
| Neither agree nor disagree | 18.4%        |
| Disagree                   | 9.2%         |
| Strongly disagree          | <b>28.6%</b> |
| Don't know                 | 12.2%        |

28.5% of tenants agreed that this type of property should be included in any additional HMO licensing scheme; however, 70% of landlords strongly disagreed and only 10% strongly agreed and 10% agreed. 35% of owner-occupiers strongly agreed

or agreed, with 20% disagreeing or strongly disagreeing. 66.6% of “other” respondents strongly disagreed, although 16.6% agreed.

### Common parts of buildings converted into section 257 flats

#### All respondents (99)

|                            |              |
|----------------------------|--------------|
| Strongly agree             | <b>28.6%</b> |
| Agree                      | 17.3%        |
| Neither agree nor disagree | 14.3%        |
| Disagree                   | 5.1%         |
| Strongly disagree          | 23.5%        |
| Don't know                 | 11.2%        |

36% of tenants strongly agreed or agreed that this type of property should be included in any additional HMO licensing scheme; however, 60% of landlords strongly disagreed and 10% strongly agreed and 20% agreed. 52% of owner-occupiers strongly agreed or agreed, with 21% disagreeing or strongly disagreeing. 66.6% of “other” respondents strongly disagreed, with only 16.6% agreeing.

### Buildings converted into section 257 flats where there are no communal parts

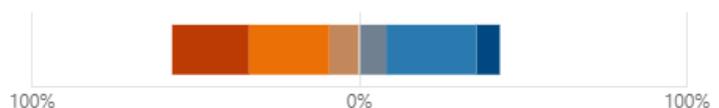
#### All respondents (99)

|                            |              |
|----------------------------|--------------|
| Strongly agree             | <b>26.5%</b> |
| Agree                      | 11.2%        |
| Neither agree nor disagree | 18.4%        |
| Disagree                   | 6.1%         |
| Strongly disagree          | <b>26.5%</b> |
| Don't know                 | 11.2%        |

36% of tenants strongly agreed or agreed that this type of property should be included in any additional HMO licensing scheme; however, 60% of landlords strongly disagreed and 20% strongly agreed and 10% agreed. 40.5% of owner-occupiers strongly agreed or agreed, with 29% disagreeing or strongly disagreeing. 66.6% of “other” respondents strongly disagreed, with only 16.6% agreeing.

### 35. Respondents were asked to what extent overall did they agree that the property types in the proposed scheme are appropriate.

■ Strongly agree  
 ■ Agree  
 ■ Neither agree nor disagree  
 ■ Disagree  
 ■ Strongly disagree  
 ■ Don't know



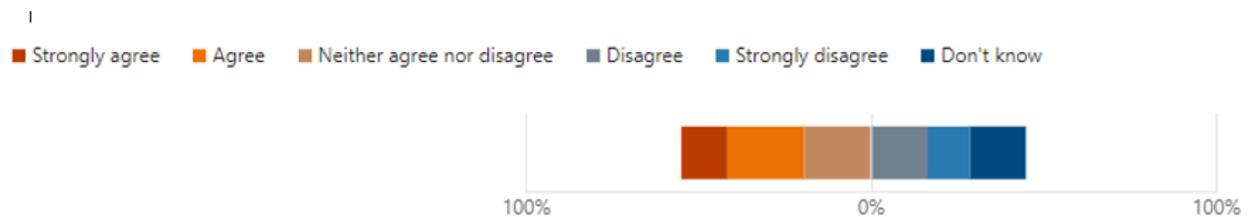
#### All respondents (99)

|                            |              |
|----------------------------|--------------|
| Strongly agree             | 23.5%        |
| Agree                      | 24.5%        |
| Neither agree nor disagree | 9.2%         |
| Disagree                   | 8.2%         |
| Strongly disagree          | <b>27.6%</b> |

Don't know 7.1%

36% of tenants strongly agreed or agreed overall that the property types proposed should be included in any additional HMO licensing scheme; however, 60% of landlords strongly disagreed and 20% disagreed whereas only 10% strongly agreed and 10% agreed. 61% of owner-occupiers strongly agreed or agreed, with 23% disagreeing or strongly disagreeing. 66.6% of "other" respondents strongly disagreed, with 33.3% disagreeing.

**36. Respondents were asked to what extent they agreed with the council's HMO Standards (note that these are largely already in place and already applicable to all current HMO properties).**

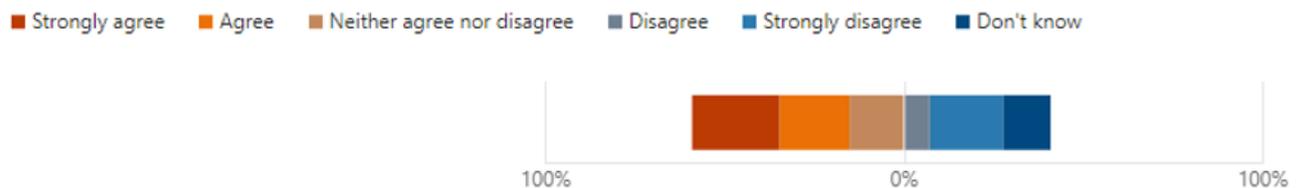


**All respondents (99)**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | 13.3%        |
| Agree                      | <b>22.4%</b> |
| Neither agree nor disagree | 19.4%        |
| Disagree                   | 16.3%        |
| Strongly disagree          | 12.2%        |
| Don't know                 | 17.3%        |

21% of tenants strongly agreed or agreed with the council's HMO Standards and 50% of landlords strongly agreed or agreed with 30% disagreeing or strongly disagreeing. 36% of owner-occupiers strongly agreed or agreed, with 30% disagreeing or strongly disagreeing. 33.3% of "other" respondents strongly agreed, but also with 33.3% strongly disagreeing.

**37. Respondents were asked to what extent did they agree with the proposed scheme licence Conditions (note that these are already in place and applicable to current mandatory licensable HMO properties)?**



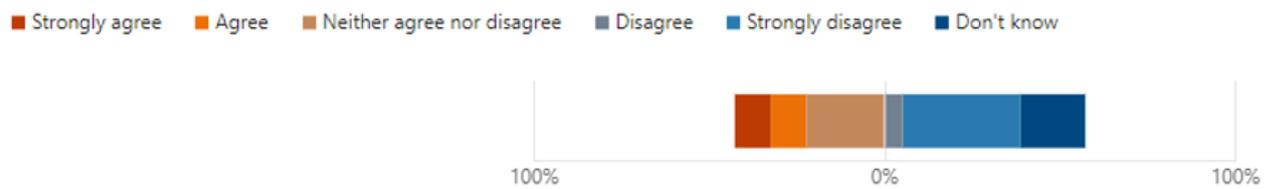
**All respondents (99)**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | <b>24.5%</b> |
| Agree                      | 19.4%        |
| Neither agree nor disagree | 15.3%        |
| Disagree                   | 7.1%         |

|                   |       |
|-------------------|-------|
| Strongly disagree | 20.4% |
| Don't know        | 13.3% |

36% of tenants strongly agreed or agreed with the council's HMO licence Conditions with only 7% disagreeing or strongly disagreeing. 60% of landlords strongly agreed or agreed with 30% disagreeing or strongly disagreeing. 46% of owner-occupiers strongly agreed or agreed, with 26% disagreeing or strongly disagreeing. 66.6% of "other" respondents strongly disagreed, with 16.6% also disagreeing.

**38. Respondents were asked to what extent did they agree with the proposed licence scheme fees?**

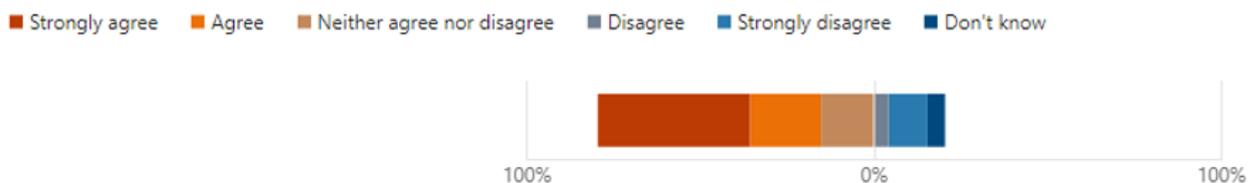


**All respondents (99)**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | 10.2%        |
| Agree                      | 10.2%        |
| Neither agree nor disagree | 22.4%        |
| Disagree                   | 5.1%         |
| Strongly disagree          | <b>33.7%</b> |
| Don't know                 | 18.4%        |

Just 7% of tenants strongly agreed or agreed with the council's proposed additional HMO licence fees with 36% disagreeing or strongly disagreeing. This was no doubt as a reflection that tenants believed that costs would be passed on to them in the form of rent increases. Unsurprisingly, 70% of landlords disagreed or strongly disagreed, although 30% neither agreed nor disagreed with the proposed fees. 27.5% of owner-occupiers strongly agreed or agreed, with 35% disagreeing or strongly disagreeing. 50% of "other" respondents strongly disagreed.

**39. Respondents were asked whether they thought that applicants for a HMO licence, whether mandatory or as part of an additional licensing scheme, should be required to provide a Disclosure and Barring Service (DBS) check.**



**All respondents (99)**

|                |              |
|----------------|--------------|
| Strongly agree | <b>43.9%</b> |
| Agree          | 20.4%        |

|                            |       |
|----------------------------|-------|
| Neither agree nor disagree | 15.3% |
| Disagree                   | 4.1%  |
| Strongly disagree          | 11.2% |
| Don't know                 | 5.1%  |

43% of tenants either strongly agreed or agreed that landlords should be required to provide a DBS check and only 40% of landlords strongly agreed or agreed, whereas 69.5% of owner-occupiers strongly agreed or agreed. 83% of “other” respondents strongly agreed or agreed. Only 7% of tenants, 13% of owner-occupiers and 16.6% of “other” stated that they disagreed or strongly disagreed. 40% of landlords, the same number that strongly agreed or agreed strongly disagreed with the need to provide a DBS check.

**40. Respondents were asked whether they thought that any additional licensing scheme should include other areas within Arun District in addition to River, Hotham and Marine wards.**



|            |              |
|------------|--------------|
| Yes        | <b>33.7%</b> |
| No         | 23.5%        |
| Don't know | 42.7%        |

28.5% of tenants said that they thought additional HMO licensing should also be introduced in other wards within the district, but half that number said that they didn't think it should be introduced elsewhere. 20% of landlords stated that it should be introduced elsewhere, whereas 50% said it shouldn't. 38% of owner-occupiers said that they thought additional HMO licensing should also be introduced in other wards within the district but just 16% said that they didn't think it should be introduced elsewhere. One-third of “others” thought that it should be introduced in other wards as well, but two-thirds said that it shouldn't.

In general responses to which other areas should be included did not specify particular wards, but instead indicated that all parts of the district should be treated the same.

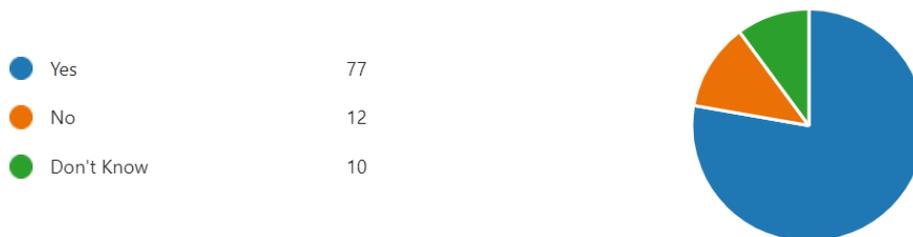
**41. Respondents were asked whether they thought that all HMOs should be required to be managed by a professional manager or agent.**



|            |            |
|------------|------------|
| Yes        | <b>52%</b> |
| No         | 32.7%      |
| Don't know | 15.3%      |

21.5% of tenants agreed that HMOs should be managed by a professional manager or agent with a similar number (20%) of landlords agreeing; however, 60% of owner-occupiers and 83% of “others” agreed. 28.5% of tenants, 70% of landlords, 11.5% of owner-occupiers and 17% of “others” said “no” to the question.

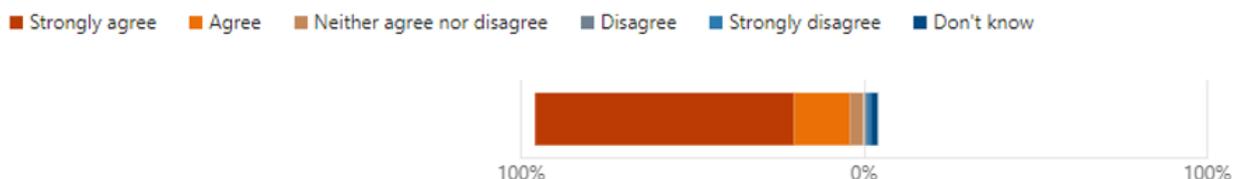
**42. Respondents were asked whether they considered that shorter licences (i.e. less than the five year norm) should be issued for those properties that are found to be sub- standard or fail to meet minimum standards during the licensing process. (Action will then be required by the landlord to bring them up to standard.)**



|            |              |
|------------|--------------|
| Yes        | <b>78.6%</b> |
| No         | 12.2%        |
| Don't know | 9.2%         |

57% of tenants agreed with a similar number, 60%, of landlords agreeing. A very large proportion of owner-occupiers (83%) agreed on issuing shorter licences and 100% of “others” agreed.

**43. Respondents were asked whether they agreed that landlords should effectively and adequately manage their rented properties.**

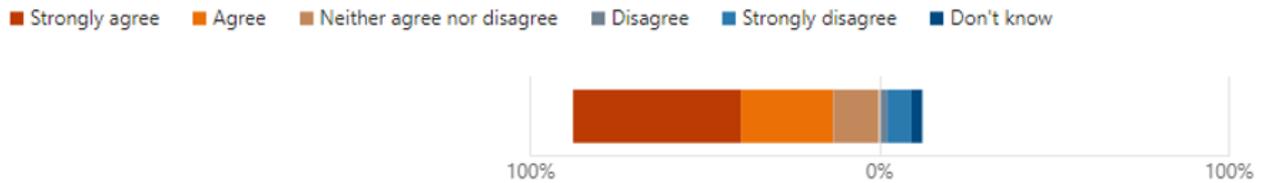


**All respondents (99)**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | <b>75.5%</b> |
| Agree                      | 16.3%        |
| Neither agree nor disagree | 4.1%         |
| Disagree                   | 0%           |
| Strongly disagree          | 1%           |
| Don't know                 | 2%           |

79% of tenants, 80% of landlords, 97% of owner-occupiers and 83% of “others” strongly agreed or agreed that they considered it was important that landlords effectively manage their rented properties. Pleasingly apart from one “other” respondent who surprisingly stated that they strongly disagreed!

**44. Respondents were asked whether they agreed that landlords should receive training where they fail to meet required standards, let out sub-standard properties or fail to undertake proper management or maintenance (as well as being required to undertake any remedial actions).**



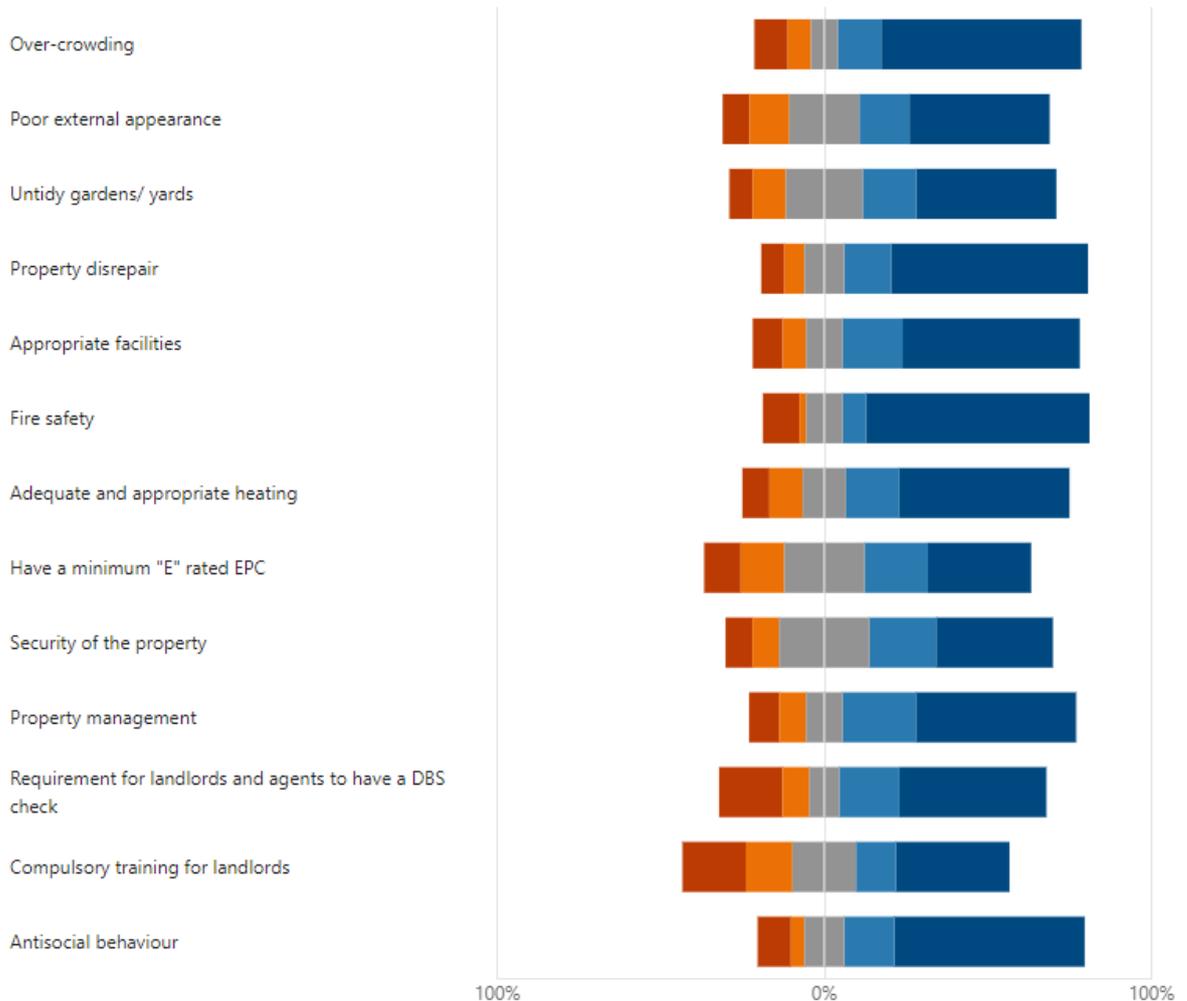
**All respondents (99)**

|                            |            |
|----------------------------|------------|
| Strongly agree             | <b>48%</b> |
| Agree                      | 26.5%      |
| Neither agree nor disagree | 13.3%      |
| Disagree                   | 2%         |
| Strongly disagree          | 7.1%       |
| Don't know                 | 3.1%       |

71% of tenants, 80% of landlords, 72% of owner-occupiers and 83% of “others” stated that they strongly agreed or agreed with training for those landlords that let substandard properties. Only 20% of landlords disagreed or strongly disagreed, 9% of owner-occupiers disagreed or strongly disagreed and 16% of “others” strongly disagreed. No tenants disagreed or strongly disagreed.

**45. Respondents were asked which matters relating to HMOs (including self-contained section 257 flats) they considered as the most important matters for inclusion in any additional licensing scheme to help improve the housing, on a scale of 1-5 with 5 being the highest and 1 being the lowest.**

■ 1 ■ 2 ■ 3 ■ 4 ■ 5



**All respondents (99)**

1 = least important; 5 = most important

**Over-crowding**

- 1 – 10.2%
- 2 – 7.1%
- 3 – 8.2%
- 4 – 13.3%
- 5 – **61.2%**

1 = least important; 5 = most important

### **Poor external appearance**

1 – 8.2%  
2 – 12.2%  
3 – 21.4%  
4 – 15.3%  
5 – **42.9%**

### **Untidy gardens/ yards**

1 – 17.1%  
2 – 10.2%  
3 – 23.5%  
4 – 16.3%  
5 – **42.9%**

### **Property disrepair**

1 – 7.1%  
2 – 6.1%  
3 – 12.2%  
4 – 14.3%  
5 – **60.2%**

### **Appropriate facilities**

1 – 9.2%  
2 – 7.1%  
3 – 11.2%  
4 – 18.4%  
5 – **54.1%**

### **Fire safety**

1 – 11.2%  
2 – 2%  
3 – 11.2%  
4 – 7.1%  
5 – **68.4%**

### **Adequate and appropriate heating**

1 – 8.2%  
2 – 10.2%  
3 – 13.3%  
4 – 16.3%  
5 – **52%**

### **Have a minimum "E" rated EPC**

1 – 11.2%  
2 – 13.3%  
3 – 24.5%  
4 – 19.4%  
5 – **31.6%**

1 = least important; 5 = most important

### **Security of the property**

1 – 8.2%  
2 – 8.2%  
3 – 27.6%  
4 – 20.4%  
5 – **35.7%**

### **Property management**

1 – 9.2%  
2 – 8.2%  
3 – 11.2%  
4 – 22.4%  
5 – **49%**

### **Requirement for landlords and agents to have a DBS check**

1 – 19.4%  
2 – 8.2%  
3 – 9.2%  
4 – 18.4%  
5 – **44.9%**

### **Compulsory training for landlords**

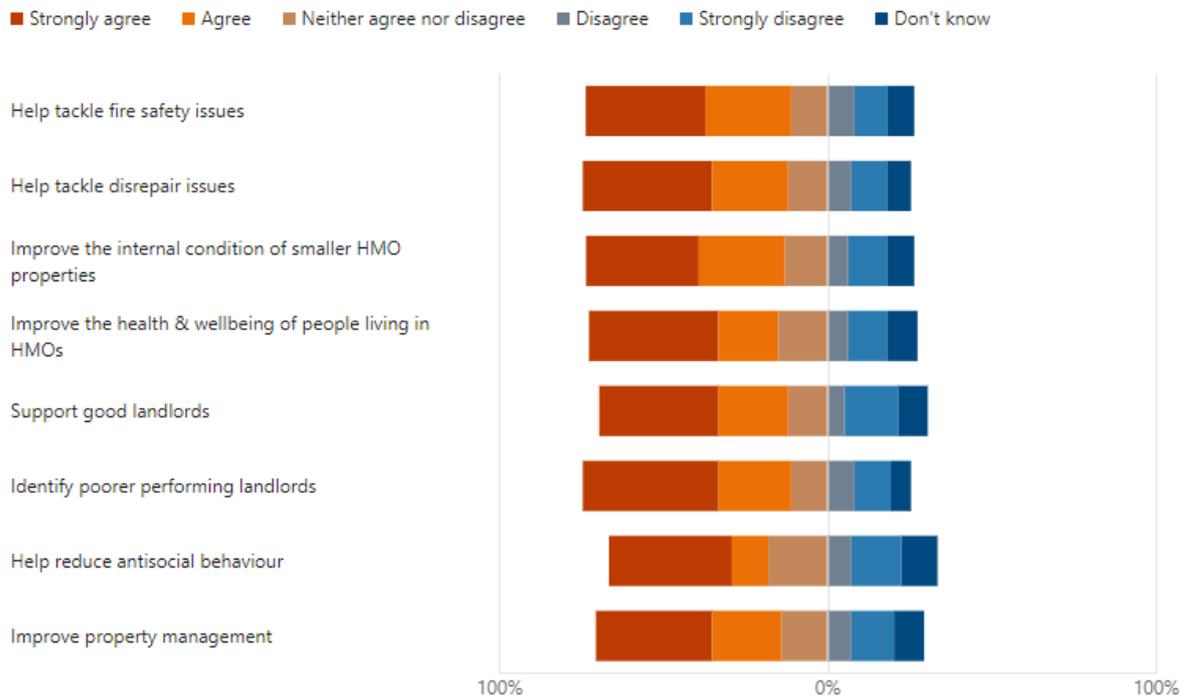
1 – 19.4%  
2 – 14.3%  
3 – 19.4%  
4 – 12.2%  
5 – **34.7%**

### **Antisocial behaviour**

1 – 10.2%  
2 – 4.1%  
3 – 12.2%  
4 – 15.3%  
5 – **58.2%**

In all cases, tenants, landlords, owner-occupiers and “others” all considered that these were important matters with the highest proportion of answers for all questions being in the 3, 4 or 5 scoring and with the majority being in the 4 and 5 scoring band. The only deviation from this was with regards to requiring landlords to have a DBS check and compulsory training for landlords. For these two points all respondent categories scored them in the 3, 4 or 5 bands, apart from landlords 60% of whom disagreed with having to have a DBS check and 50% disagreed with compulsory training for landlords. This isn't perhaps completely unsurprising.

**46. Respondents were asked to rate what they think about the following statements. Additional licensing will help to:**



**All respondents (99)**

1 = strongly agree; 2 = agree; 3 = neither agree nor disagree; 4 – disagree; 4 = strongly agree

**Help tackle fire safety issues**

- 1 – 36.4%
- 2 – 26.3%
- 3 – 11.1%
- 4 – 8.1%
- 5 – 10.1%
- Don't know – 8.1%

**Help tackle disrepair issues**

- 1 – 39.4%
- 2 – 23.2%
- 3 – 12.1%
- 4 – 7.1%
- 5 – 11.1%
- Don't know – 7.1%

**Improve the internal condition of smaller HMO properties**

- 1 – 34.3%
- 2 – 26.3%
- 3 – 13.1%
- 4 – 6.1%
- 5 – 12.1%
- Don't know – 8.1%

1 = strongly agree; 2 = agree; 3 = neither agree nor disagree; 4 = disagree; 5 = strongly disagree

### **Improve the health and wellbeing of people living in HMOs**

1 – **34.3%**  
2 – 26.3%  
3 – 13.1%  
4 – 6.1%  
5 – 12.1%  
Don't know – 8.1%

### **Support good landlords**

1 – **36.4%**  
2 – 21.2%  
3 – 12.1%  
4 – 5.1%  
5 – 16.2%  
Don't know – 9.1%

### **Identify poorer performing landlords**

1 – **41.4%**  
2 – 22.2%  
3 – 11.1%  
4 – 8.1%  
5 – 11.1%  
Don't know – 6.1%

### **Help reduce antisocial behaviour**

1 – **37.4%**  
2 – 11.1%  
3 – 18.2%  
4 – 7.1%  
5 – 15.2%  
Don't know – 11.1%

### **Improve property management**

1 – **35.4%**  
2 – 21.2%  
3 – 14.1%  
4 – 7.1%  
5 – 13.1%  
Don't know – 9.1%

In all cases, the majority of tenants and owner-occupiers all agreed or strongly agreed with the statements and the individual respondent categories reflected the overall percentages for all 99 respondents. For landlords it was a slightly more mixed bag, with for example, 30% strongly agreeing that additional licensing would help tackle fire safety issues, but also 30% stating that they strongly disagreed with the statement. Similarly, 30% of landlords stated that they strongly disagreed that the scheme would tackle disrepair and 30% stated that they strongly agreed or agreed with the statement. 40% of landlords did state that it would help to tackle the internal conditions of smaller HMOs, as did 43% of tenants and 34.5% of owner-occupiers.

30% of landlords and 36% of tenants (and 74% of owner-occupiers) strongly agreed or agreed that the proposed scheme would help identify poorer performing landlords.

**47. Respondents were asked whether they thought that there is already sufficient management of smaller HMO properties without an additional licensing scheme.**

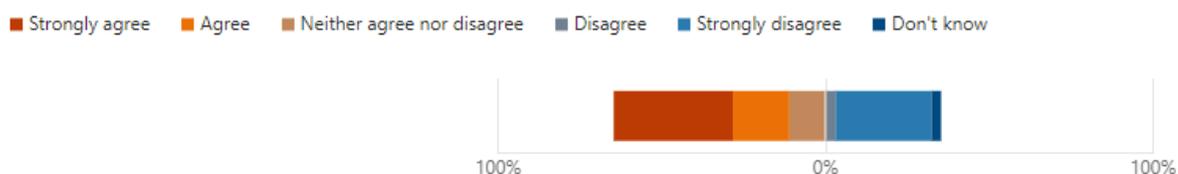


**All respondents (99)**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | 13.1%        |
| Agree                      | 6.1%         |
| Neither agree nor disagree | 18.2%        |
| Disagree                   | 15.2%        |
| Strongly disagree          | <b>31.3%</b> |
| Don't know                 | 16.2%        |

Just 14% of tenants but 60% of landlords stated that they agreed or strongly agreed that there was sufficient management of smaller HMOs already, along with just 13% of owner-occupiers. 33.3% of others also agreed or strongly agreed. 14% of tenants, 10% of landlords, 58% of owner-occupiers and 50% of “others” stated that they disagreed or strongly disagreed that there was already sufficient management of smaller HMOs.

**48. Respondents were asked to what extent overall did they agree with the proposed additional HMO licensing scheme.**



**All respondents (99)**

|                            |              |
|----------------------------|--------------|
| Strongly agree             | <b>36.4%</b> |
| Agree                      | 17.2%        |
| Neither agree nor disagree | 11.1%        |
| Disagree                   | 3%           |
| Strongly disagree          | 29.3%        |
| Don't know                 | 3%           |

36% of tenants agreed or strongly agreed with the overall proposed scheme, as well as 30% of landlords, 64% of owner-occupiers and 16.6% of “others”; whereas 28.5% of tenants, 60% of landlords, 25% of owner-occupiers and 66.6% of “others” disagreed or strongly disagreed with the overall proposed scheme.

**49. Respondents were asked if they had ever been a victim of antisocial behaviour within Arun District.**



**All respondents (99)**

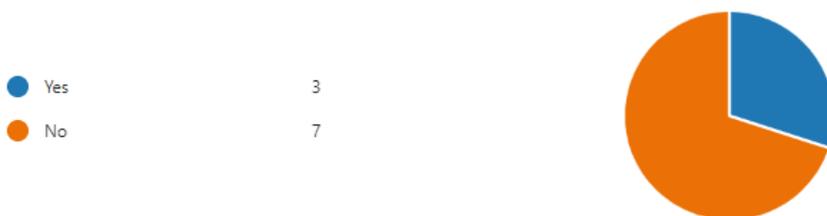
|     |              |
|-----|--------------|
| Yes | <b>60.6%</b> |
| No  | <b>39.3%</b> |

**Privately renting tenant respondents (14):**



|     |            |
|-----|------------|
| Yes | <b>23%</b> |
| No  | <b>77%</b> |

**Landlord respondents (10):**



|     |            |
|-----|------------|
| Yes | <b>30%</b> |
| No  | <b>70%</b> |

**Owner-occupier respondents (69)**



|     |              |
|-----|--------------|
| Yes | <b>46.4%</b> |
| No  | <b>53.6%</b> |

**50. All respondents were asked whether they had any comments about the potential positive and/or negative impacts that the options outlined in this consultation may have on individuals with a protected characteristic under the Equality Act 2010?**



**All respondents (99)**

|            |              |
|------------|--------------|
| Yes        | 13.1%        |
| No         | <b>48.5%</b> |
| Don't know | 38.4%        |

**Respondents were asked to provide any other comments that they wished to make about the proposed additional HMO licensing scheme.**

It was clear that there was a mixed response to the proposed additional HMO licensing scheme from the answers provided throughout the survey, including this question regarding the overall comments about the scheme. It was also clear that some respondents believed that the scheme proposed to create more HMOs in these areas, whereas the reality is that these HMOs already exist and are HMOs in the eyes of the law but are not being checked or inspected on a regular basis. Some respondents did not appreciate that the improvement of these already-existing HMOs is the reason for the proposal. It was also apparent that many respondents had not read either the consultation document or the online information prior to submitting their response, and this was reflected in their responses as many raised points that were covered in both the report and online details. The newly instigated Planning Article 4 Direction in regard to the numbers of new HMOs in these wards appears to be more relevant to a lot of the comments received, and it is hoped that these respondents also took part in the Planning consultation when the Article 4 Direction was proposed in 2022.

“If it encourages good landlords and discourages those who see multiple occupancy as a good investment with little or no costs then it has to be a positive move.”

“There is a great shortage of accommodation for single people. Where I live is really good quality, with en-suites (which is necessary for my disability). Also I couldn't afford to live in a flat now, see below. I am concerned that some of the wording of the report appears to stereotype people who live in an HMO? I am sure some fit the description, but I have worked continuously in Arun for 26 years, for local government. I think some people reading the report will think that everyone who lives in an HMO is out of work, claiming benefits, and is guilty of anti-social behaviour. That is not true. It creates a prejudice on the part of the public to people - who for example, work in public service as I do, and earn half what you would need to buy even the smallest flat locally.”

“The accreditation scheme already in place would work if it was expanded.”

"I am pleased to know that my local council is showing some concern regarding increased use of properties as HMOs in my local area as increased occupancy of houses and increases in car parking issues which come with it are a big concern."

"As already stated it creates a second class society which I believe will back fire on the whole community it time."

"HMO Licensing schemes currently put the burden of managing anti-social behaviour on landlords, without understanding the legal framework that landlords are required to operate within. HMO officers need to engage with the Police and Social Services, rather than rely on landlords to deal with ASB. Landlords are not their tenant's parents, and are hugely restricted in their options for removing tenants who commit ASB without a conviction from the police."

"Why River Ward. We have enough HMOs here."

"its simple just stop all these HMO bedsits."

"I see this as a ruse to create more HMOs disguised as trying to manage them effectively."

"I dont care how you do this but I am sick of these places lowering the quality of life for residents whilst the landlords benefit. They must held to account and there have to be serious consequences for them if their tenants cause problems."

"It's the council properties that are the problem and where the council put tenants in private HMOs without proper referencing, degrading the area as a result, not adding more licensing to private smaller HMO's. The council with charities move bad tenants from area to area, causing untold issues to both areas."

"I hope the additional HMO licensing is approved."

"Perhaps ADC could lead by example and deal with the peeling front doors and constantly overflowing rubbish bins outside the blocks of flats it owns in London Road, Bognor Regis?! ;)"

"We live in River Ward and are disgusted by HMOs which are pulling our area down and allowing greedy landlords to take advantage of poor people."

"This scheme shouldn't apply to family homes."

"It is so important that a balanced selection of properties are in all areas. All should be monitored as much as possible so that Bognor remains a pleasant place to live and invest in."

"It would be good to have a release of an "accessible English version" of the consultation document as the affected wards do contain many residents who have "English as a second language" or may need documents in simple english due to learning difficulties.

It would of been nice if the consultation included case studies of other councils which have introduced an additional HMO licensing scheme and whether this has been successful. No "possible" negatives or concerns about the implimentation or effect of the HMO licensing scheme were published either, which may have given a fairer analysis.

There is also mention that HMO licenses may be given without inspection during high demand,

which would likely happen at the start of this licensing scheme period and on each 5 year mark renewal date. I worry that this might affect quality checks that the scheme hopes to introduce.”

“Is stressed through the consultation document that the HMO licensing scheme will address anti-social issues but these are not detailed in how or why the HMO scheme would help resolve this.”

“I am also concerned with the HMO licensing scheme digital setup as no plans have been published on whether an open-source/open-code solution will be used for license application and management website/form/software.”

“Landlord will pass the cost onto tenants. Owners will see their costs go up to. I'd expect this as madness in an already struggling and broken housing sector. I hope that whoever makes these decisions will think about people and how much financial pressure is already on them. I hope they don't all live in ivory towers. I'm alright Jack mentality.”

“As mentioned, HMOs have been the bane of our lives for far too long. I appreciate people fall on hard times and sometimes need help, however when the tenants of these properties have complete disregard for their immediate neighbours and how their actions affect the local community something has to be done.”

“No more should be built.”

“We don't need.”

“There is a UK-wide shortage of rental housing. Rents are already very high and renters have great difficulty finding and paying for any rental housing at all. See today's BBC article <https://www.bbc.co.uk/news/business-65903095>.”

“The proposed scheme will make the situation a lot worse, the proposed scheme discourages and punishes virtuous people who want to (a) help their fellow-men and fellow-women by sharing their homes (b) reduce loneliness. The proposed scheme is essentially anti-social.”

“Include single occupant renters/leaseholders living in properties built before 1980.”

“In the highlighted wards there needs to be a parallel focus (including investment) to improve the general appearance of the area to provide a 'better living environment. The streets in the area are poorly maintained and grubby (weeds and filth everywhere). Better traffic management needs to be considered to reduce speeds and prevent parking on pavements denying clear pedestrian access. Where there are anti-social hot spots CCTV should be considered. Also services for HMO areas need to be considered (i.e. does the current rubbish collection service really work or should there be communal bins).”

“I don't think this document will reduce the levels of deprivation nor safeguard the tenants nor the local community. It's a small step in the right direction in the huge issue of homelessness & deprivation. Proposed tenants should prove that they are local residents with the same criteria as council tenants to be rehoused.”

“Every landlord needs to be accountable for their HMO Business.”

“Give a bonus! If a landlord is constantly supplying a "good service" and their tenants are more than happy either give a financial discount or inspect less regularly.”

"A large house near my home has been turned in to a HMO and is being run on air b&b. This means that the car parking is not large enough as some users come in mobile homes and this is leading to over crowded roads as some of the properties in the same road only have on street parking. This is on an approach road to schools nearby. Also puts pressure on water supply and drainage etc. Over crowding will only lead to slum like conditions which do no one any good. Where are the doctors, dentists, school places for these extra people?"

"I would like to think the additional HMO licensing would help to provide more appropriate accommodation for people in our area."

"HMO scheme is good and I support this. Student accommodation in general needs looking at. It is pretty dire by some landlords. More help needed for council checks."

"The stronger and tighter the legislation, the better! I also think that people living in the neighbourhoods of proposed HMOs should be mail-shotted and asked for their opinions before licences are granted and that those opinions are actually taken into account when decisions are made."

"I unfortunately don't think this proposal will change anything, very much hoping I'm wrong."

"Unnecessary and burdensome on good landlords and bad landlords will not respond will do the minimum and the housing will not change the anti social behaviour of anyone. Experience shows me that anti social people will rip the smoke detector of the wall, light up the joint and blow it in your direction and stick up the middle finger to anyone with the courage to ask them to desist. And this scheme will not stop anti social behaviour because the occupants are not being licensed."

"River ward doesn't have the facilities to support more residents, the roads are too small, local dentists, doctors and schools are full and parking is already a big issue."

"They should definitely NOT be in the High Street."

"Care should be taken so there are not too many in one area."

"Inspections should be annually. I don't know if this is included but if not it should be and notice should be taken of the tenants' comments and action taken to expedite necessary repairs and improvements."

"I would support an open minded pragmatic approach to dealing with your problems. I would welcome all sincere efforts for mutual benefit. Experience proves that ADC are politically bigotted / not sincere and act illegally in their approach to Landlords. Happy to prove with real life examples regarding your Section 21 policy advice etc. Act within the law and I'll engage with you."

"If licensing helps some people it is a good thing. Inevitably the cost will reflect to the rent, which is not a good thing."

"Please do not put this through just because not many people object. Most people probably think it is pointless to object as you will do it anyway. Please leave things as they are. If you must meddle make it the big commercial landlords, not the small people."

"My flat, or the block I live in, would suffer a significant loss of value....put yourself in my situation."

"I think it is essential that any scheme takes into account the impact a HMO will have on existing residents of nearby properties and the social makeup of the area. The properties should be monitored for anti-social behaviour and drugs use and an effort should be made to ensure that tenants with a history of drug use and or anti-social and criminal behaviour are not concentrated together to live in a building where they can have a negative influence on each other and act as a group."

## **Representations received**

"This consultation was considered by the Town Council's Planning and Transportation Committee at its meeting held on Monday 17 July 2023, particularly with reference to the proposed introduction of additional HMO licensing in the River Ward in Littlehampton and supported the Scheme. Members welcomed the move to capture accommodation which otherwise escaped the legislation and regulations for this type of housing that were currently in place. The majority of private landlords were considered responsible. However, it was clear from both the representation and reports that Members received from constituents, that the new regime and the proposed system of reporting, would provide a much needed mechanism for raising these issues and seeking redress." - **Littlehampton Town Council**

*"Morning,*

*I object strongly to your thoughts of licensing all/most hmo's of any size for reasons below*

- 1 most private HMO's are managed satisfactory*
- 2 council HMO's are a disgrace, no management at all*
- 3 Private HMO's below license amounts currently, would give up, as if license comes in, would make it unviable to continue housing vulnerable people,*
- 4 Council cannot provide homes for people, so smaller HMO's are a valuable asset to the community and keeping people off the street*
- 5 Smaller HMO's being better managed keep the people in a safe environment, unlike council HMO's*
- 6 Council and Licensed HMO's that the council put tenants into are where the problems are, not the smaller ones, that are properly managed*
- 7 Smaller HMO's house thousands of vulnerable people, that can't live directly in the community, and the landlord/agent becomes an unpaid carer to a degree.*
- 8 smaller HMO's are more manageable, allowing more people to be housed adequately.*
- 9 Most of the smaller HMO's, being managed properly, unlike Council ones, are not even noticed in the community, as they are an asset, not a problem.*

*As you can see, Being an agent, we see the good and bad types. we watch council HMO's daily, drug dealing and parties daily. Unmanaged, so the tenants have a free-for-all in them.*

*These bring down communities, and where the council put tenants into private HMO's, generally 6 rooms +, these become a dangerous place to be around.*

*I could list many of both types, but there is no comparison between large and small.*

*Not seen a small HMO in a desperate state for many years, only council unmanaged and currently licensed private ones, the council have control of putting tenants in. 6 rooms and above.*

The staff you have don't actually know good from bad, they want to crucify private landlords, if they refuse council tenants, as experienced many, many times.

*I'll have a receipt of delivery and what happens next. Regards" – Local property manager/agent & landlord*

*"Nothing personal but having been a landlord for 41 years with a few rental properties in the Arun District I have already decided to evict my tenants and sell my properties when the Renters Reform Bill becomes law in any case. If I can not sell at the price I want then after the appropriate time the properties will either go to airbnb or be relet at substantially increased rents. With the onerous new legislation I can not offer rentals at substantially below market price anymore. Sorry but I and many other landlords are not even prepared to co-operate or waste our time on meaningless discussions anymore as it is with those who have never been landlords who always know best. When this scheme comes into force, which it will as it is an excuse for an income stream then please let me know ?. Sorry but we are not going to hang around to be whipping boys anymore. There will be substantially less rental properties available in the future so it is your problem not the landlords so you will have to just deal with it. Many thanks" – Local landlord*

*"Dear Whoever is dealing with this.*

*Public Consultation  
Re HMO Licensing Arun District Council*

*I am the owner and occupier of the above flat and have been for over 40 years since December 1982. As my flat is the basement/garden flat of No 5. I have my own entrance and rear door into my private garden with its own back gate. I am Independent of the rest of the building. I own a share of the Freehold along with the remaining other three self-contained flat owners*

*Therefore, I feel that I do not live in premise with HMO requirement. I do not need a Licence to Live in my Home!!!*

*It strikes me that Arun District Council are trying to force Owner/Occupiers out of their own homes in order to downgrade the area by declaring it an HMO area. It looks like you have a hidden Agenda. This area of Bognor Regis has already been downgraded by Arun District by permitting Hilary House Hotel a number of years ago to be changed from a quite seaside holiday hotel establishment to a rowdy HMO for residents from outside the area. Unfortunately, often the Police are in attendance which is not good for our Property Prices. Also, another HMO was permitted change of use from Care Home beside Tesco Express Aldwick Road. This road is one of the main throughfares to Pagham*

*Sadly, I have to admit the area has gone downhill over the last 10 to 15 years as the local village shops in the local Aldwick Road Conservation Area, consisting of Banks, Butchers, Ironmongers, Dry Cleaners, Hairdressers, Victoria Park Post Office with instore Chemist and Grocers, closed to be replaced predominantly by Estate Agents and offices. The community feel of the area has gone. Plus, parking has become a nightmare in the area. Because before there used to be shops with owners living above them, with one car per shop. Now the shops are offices with a number of staff with cars, plus the above premises have been converted into flats. The three closed banks are now offices or flats employees park in side streets making it very much hit and miss parking for residents. The double yellow lines outside properties 5 and 6 Park Road where not there when I moved in in 1982. But over the years whenever the yellow lines have been renewed, they have extended now to being short of being outside number 4. When WSCC Highways upgraded the Aldwick Road Traffic Lights to include pedestrian*

*crossing, they parked their very large shipping container of equipment outside my property for 12 weeks on the double yellow lines! When I spoke to the Highways person in charge, to find out when the container was being removed, as it made my flat very dark, I was told that there was no need for the double yellow lines to be outside our properties it was safe for it to end between houses 7 and 6. It seems that the only people who are benefitting from the yellow lines is Arun District Council with the money raised in fining the motorists who live in Park Road as every night cars have to park on the yellow lines on both sides of the road. The parking needs to be addressed, perhaps Park Road needs to be closed to through traffic to allow parking bays to be along one side only. All through traffic from Pagham to be directed at Gossamer Lane roundabout along Aldwick Road. Any other traffic can go along Silverstone Avenue It would help to make Marine Drive safer for the public and visitors to the area.*

*When I moved into the area the majority of the flats were Owner Occupied. Unfortunately, as they sold the buy to let market culture came in. Landlords and Estate Agents are only interested in MONEY. They do not Vet potential Tennent's, i.e., they let Garden Flats to people who do not know one end of a Hoe from the other. They do not even go out into the gardens from one year to the next, hence gardens become overgrown and impinge on the enjoyment of neighbouring properties. In other words, overgrown bushes which are now trees, also an eyesore. I use my garden all the time and regularly maintain it and pay for garden waste collection. At times I struggle to stay positive especially last summer when my garden had a rat problem and I was not able to sit and relax in it as I could not cope with seeing rats running along the fences and across my patio to hide amongst my flower borders, I spent a lot on rat boxes and bait. Both sides of me have overgrown gardens. I know the neighbours in flats above are fed up with having to look down on the gardens like I am living next door. We have been in touch with the letting agents who claim they will look into it and say it is the Tennent's responsibility. So, nothing is done to improve the situation. Unfortunately, I think the properties are let out to DHS as no one else is prepared to rent the properties. The trouble is the gardens are overgrown when the properties are viewed and people are foolish enough to take up the tenancy and improvements to garden and properties are never carried out. People should refuse to rent them, then both landlords and Estate Agents would have to pull their fingers out and get on with all improvements required.*

*I feel that the Estate Agents should be licensed before they are allowed to let out properties and they need to Vet the Landlords and their properties in the first place to ensure the tenant's go into the right property for their requirements. After 6 months the property should be checked by the licensing authority, if they are not looking after the property, they should be relocated to a more suitable home. Housing associations should be housing DHS clients and not the private sector. Bring back the old council housing. The Licensed Estate Agents Register should be kept and enforced by the Local Authority just like any other Public Register and any fees collected from this service would help to fund the administration costs of the Authority.*

*Meanwhile us homeowners struggle to maintain our homes having to juggle our purse strings. As absentee landlords along this road could not care less about the maintenance of their property and leave it to the remaining owners/occupiers to try and stretch the funds to maintain the property. They do not show their faces or contribute, even for the building insurance unfortunately, we have one in our house, we have never met him, and another owner lives half the time abroad and does not come near the building, all very unsatisfactory and a great worry. Decisions for works are made by the remaining owners/occupiers, who often pay extra, just to complete works. Scaffolding alone, before works commence is over £1000.*

*Unfortunately, my own flat/home needs a lot of work done to it, to make it more user friendly and my friends would say habitable, as being a basement and a property of over a hundred years it suffers from damp, I had works carried out in 2016 but not successful. My flat would benefit from double glazing etc. I am a Pensioner with health problems living on my own and to be honest I do not know where to start. Can I get grants, if so, how do I apply.*

*These are difficult times for everybody due to the Countries Financial Crisis, with rising costs everyday for energy, food etc. Covid and Brexit have been used as an excuse to inflate the costs. My fingers are crossed that my old central heating boiler will last another season. As I do not want to commit to replacing it at this time, despite the engineer recently trying to talk me into an upgrade.*

*At the moment we are slowly progressing in maintaining the exterior of the, building, having painted the front and now working on the Rear. We are trying to keep costs to a minimum. We are only able to do this due to the fact that one of the owners works on a building site and therefore is used to working on scaffolding. He has given up his free time to carry out the painting, hence it is a long process depending on his valuable time at Weekends only and the British Weather.*

*If the drains become blocked, which happens from time to time, as owner/occupier of the basement flat, I am the only one aware of the problem as my toilet starts to gurgle. I therefore use my drain rods, not a pleasant job, but it has to be done. Each time I save the fund over £100.00. No one is ever aware of the problem. Job is done.*

*We the Owner/Occupiers are trying to improve our homes and the local area for ourselves to enjoy and the enjoyment of visitors to the location. We really need the full support of yourselves, the local authority who we all pay large sums to each year in the form of Council Tax. I dread to think how much you collect just from Park Road. We could do with financial support (as these lovely Victorian Houses are money pits), as well as giving us encouragement and incentive to carry on upgrading the area for everyone's wellbeing. This is a conservation area. The West End of Bognor Regis, which we are so lucky to be living in this lovely prime location. West End of most towns usually mean the posh end, but you are helping to downgrade it to the poorest end of the town which was always was the East End.*

*The only recent thing I have seen the council spend our money on which took forever to complete, which increased the costs to the authority is the fountains beside The Regis Centre, which I considered to have been a total waste of government resources especially if it came out of the pot from central government to up lift rundown coastal resorts, like Bognor Regis. It is very strange how Littlehampton where your offices are, seem to be constantly upgraded over the years and Bognor Reis sinks further into becoming derelict. Which is a great shame as it is a fantastic resort and place to live. It is also a great shame Southern Water are allowed to pollute our beautiful beach and sea from Aldwick Avenue, which I am sure has affected this year's tourist trade to the whole of the area.*

*Therefore, I do not want to pay for an HMO Licence for my home which does not apply also, I do not benefit from any rents collected by the owners/Landlords in the rest of the building. I do not go upstairs as do not know the tenant's All the flats are self-contained not sharing bathrooms or cooking facilities*

*When a landlord registers with a licensed Estate Agent, if the property is substandard then the Estate Agents should reject the property until the individual landlord has complied, I agree they should take full responsibility for their property, but not at the expense of genuine owner occupiers who live in the buildings. If they want the income from these buildings, then they must be enforced to maintain their property and to contribute into the house funds for the insurance etc.*

*Thank you for taking time to read my views on this worrying matter.*

*Yours faithfully" – Local flat Owner-Occupier*

*“To whom it may concern...*

*I live at [REDACTED] and have done for nearly 9 years. I bought the flat because of it's original features, layout and location.*

*Over time I have spent a lot of money updating the tired and abused interior by installing a brand new bathroom, a new boiler and putting in a heating system, carpets, curtains, paint and I'm just waiting on having a new kitchen put in. After spending all this money I am concerned that if you chose Marine Ward as an HMO area this will have a serious affect on the value of my property.*

*Since we already have 2 HMOs very local to us I am surprised that you require more. You seem to have an agenda for lowering the standards at our end of Bognor, no money out of your 12 million funding will be spent in our direction. As it is we all see drug deals happening on a regular basis and the police and ambulance attend frequently.*

*You seem to think that by turning Park Road into a load of HMOs that it will improve it visually, well you are wrong! Many of the owner occupiers work hard on their block by having it painted on a regular basis, this in itself is a costly affair with scaffolding costly over £1000 and then paint etc. Myself and another neighbour are able to paint our own blocks saving thousands, both front and rear as we don't mind climbing the scaffolding. We spend a lot of money on our block as old properties need a lot of maintenance from cleaning the guttering, having the roof repaired, interior and exterior paintwork down to unblocking drains.*

*Sadly many of the flats along here are rented out, neither the agents nor the landlords are willing to spend out on improvements. This is the area that needs to be addressed. I know of one landlord who has never contributed to anything, not even building insurance for 18+ years, leaving others to pay the extra when they cannot afford to do so.*

*We have nowhere to park our cars, we put up with cars, vans, lorries and motorbikes roaring up and down our road. If you wanted to help us we would appreciate it very much if you could close our road and give us herringbone parking like they have in Brighton and Worthing.*

*As regards the costing of the license....do we not pay enough council tax to you. This is just a money spinning idea to generate more revenue for you – once again at our cost, no benefits. We have a close knit community here, oh I forgot to mention that we clean the grass/weeds out of our road/pavement...I have pictures to prove this too. We only want the best for Park Road and the beautiful flats we live in, it seems though that you don't.*

*Kind regards” – Local flat owner-occupier*

16 June 2023

19 JUN 2023

Arun District Council  
Civic Centre  
Maltravers Road  
LITTLEHAMPTON  
West Sussex  
BN17 5LF

Dear Sirs

**HMO – Licensing Consultation**

Thank you for your recent correspondence regarding the above.

I am **against** anymore properties being divided up into HMO's especially in the Town Centre. Our town centre is crying out for a more diverse "shopping experience" and not more HMO's. The town centre is not very attractive for visitors and, indeed, residents and this will kill the town off. My parents who have lived in Littlehampton all their lives do not even come into the town centre anymore preferring to go into Rustington where the shopping experience is more attractive to them. My mother, in particular, finds it quite off putting coming into the town on her own as she does not feel particularly safe when there are certain people openly drinking/taking drugs on the street. I myself am beginning to feel the same way.

I am **for** having those HMO's we have already got/will be getting having to have an additional license but as stated above I do not want to see my town and surrounding area being overrun with HMO's.

The town centre has undergone extensive repaving and planting of trees etc. which looks lovely but what is the point if we have no shops! I want to go into the town to see a selection of shops, not just barbers, nail bars, vape shops and charity shops. We have to bring in a more diverse selection and encourage people into the town where there is something different not just the same old, same old. The Friday "market" is not going to bring people into the town. The market needs a total overhaul and we need a proper "farmers market". Three or four shabby stalls does not make a market!

Also, we need more affordable housing for couples, young families not just single people sharing a kitchen/bathroom, i.e. bedsits.

As stated above, I urge the council not to grant planning permission for anymore HMO's in our town. The old Lloyds bank will be the next up for conversion and I hope that the council will deny this lovely old building the same fate as Barclays Bank.

Yours faithfully

Local Resident

“Dear Sir or Madam,

### **Additional Licensing Proposals**

The NRLA is a newly formed association following the merger of the National Landlords Association and the Residential Landlords Association. Our membership represents over 95,000 landlords and agents, the largest organisation in the sector. Members own and manage around 10% of the PRS, equating to half a million properties.

Thank you for the opportunity to respond to the above consultation regarding the introduction of additional licensing in Arun. The NRLA objects to the relevance of Additional Licensing schemes by Local Authorities. Although we sympathise with the aims of Birmingham City Council, we believe that Licensing does not align with the successful completion of these objectives.

The NRLA seeks a fair legislative and regulatory environment for the private rented sector while ensuring landlords know their statutory rights and responsibilities.

### **Main Objections**

#### ***Antisocial behaviour and low housing***

Landlords are usually not experienced in managing antisocial behaviour and do not have the professional capacity to resolve tenants' mental health issues or drug and alcohol dependency. Suppose there are any allegations about a tenant causing problems, and a landlord ends the tenancy. In that case, the landlord will have fulfilled their obligations, even if the tenant has any of the above issues.

This moves the problems around Arun District Council but does not help the tenant, who could become lost in the system, or worst, move towards the criminal landlords. They will also blight another resident's life.

Furthermore, the overcrowding issue is complicated for a landlord to manage if the tenant has overfilled the property. A landlord will tell a tenant how many people are permitted to live on the property and that the tenant is not to sublet it or allow additional people to live there. Beyond that, how is the landlord managing this matter without interfering with the tenant's welfare? Equally, how will the council assist landlords when this problem arises? It is impractical for landlords to monitor tenants' everyday activities or sleeping arrangements. Where overcrowding occurs, the people involved know what they are doing and that they are criminals, not landlords. The council already has the power to deal with this.

Regarding reducing antisocial behaviour, landlords must tackle such activity within their properties; it should be highlighted that landlords and agents can only enforce a contract; they cannot manage behaviour.

Arun District Council has many existing enforcing powers that can rectify the identified problems as part of the council's housing strategy. These include:

1. Criminal Behaviour Orders
1. Crime Prevention Injunctions
1. Interim Management Orders
1. Empty Dwelling Management Orders
1. Improvement Notices (for homes that do not meet the Decent Homes Standard)
1. Litter Abatement Notices (Section 92 of the Environmental Protection Act 1990)

1. Fixed Penalty Notices or Confiscation of equipment (Sections 8 and 10 of the Noise Act 1996)
1. Directions regarding the disposal of waste (for example, Section 46 of the Environmental Protection Act 1990)
1. Notices to remove rubbish from land (Section 2-3 of the Prevention of Damage by Pests Act 1949)

### ***Waste management***

When tenants are nearing the end of their contract/tenancy and are moving out, they will dispose of excess household waste through various methods. These include but are not limited to putting waste out on the street for the council to collect. This is in the hope of getting their deposit back and is made worse when the council does not allow landlords access to municipal waste collection points. Local authorities with many privately rented properties need to consider a strategy for collecting excess waste at the end of a tenancy in place of selective licensing.

Would the council consider a free/low-cost service for private landlords to remove numerous bunk items when tenants vacate the property and not dispose of such waste beforehand if such a mechanism is not already in place?

### ***Licence fees and staff levels***

With the licence fee being exceptionally high, it is understandable that landlords have raised concerns about how the council has calculated the figure to be charged should the scheme come into force. The council should have included a cost breakdown of how they calculated the licence fee structure for transparency. The council have also confirmed that inspections, after a licence is granted, will only be done on a case-by-case basis subject to a complaint by a tenant in the property. Therefore, the Part B licence fee of £323 is high as enforcement action is not guaranteed for each licenced property. Consequently, the council should consider reducing this Part B fee to take into consideration the high cost of the Part A fee, and the fact that enforcement is not confirmed for all properties during the lifetime of the scheme.

### ***Conclusions and alternatives***

The NRLA believes local authorities need a healthy private rented sector to complement the other housing in an area. This provides a variety of housing types that can meet the needs of residents and landlords in the area. The sector is regulated, and enforcement is essential for keeping criminals who exploit landlords and tenants. An active enforcement policy that supports good landlords is crucial as it will remove those who exploit others and create a level playing field. It is essential to understand how the sector operates as landlords can often be victims of criminal activity and antisocial behaviour with their properties being exploited.

The NRLA advocates using council tax records to identify tenures used by the private rented sector and those landlords in charge of those properties. Unlike discretionary licensing, landlords do not require self-identification, making it harder for criminal landlords to operate under the radar. With this approach, the council would not need to consult and implement changes immediately.

If the scheme is approved, the council should consider providing an annual summary of outcomes to demonstrate to tenants and landlords' behaviour improvements and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall.

The NRLA has a shared interest with Arun District Council in ensuring a high-quality private rented sector but strongly disagrees that the introduction of additional licensing is the most effective approach to achieve this aim both in the short term and long term.

Yours Faithfully” – **Policy Officer, National Residential Landlords Association**

“The National Residential Landlords Association (NRLA) exists to protect and promote the interests of private residential landlords.

The NRLA would like to thank the council for the opportunity to respond to the consultation. We are happy to discuss any comments that we have made and develop any of the issues with the local authority.

The NRLA 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.

#### Summary

The NRLA believes that local authorities need a healthy private rented sector to compliment the other housing in an area. Arun has seen the development of an unhealthy situation due to policies of lack of house building which has resulted in high rents and where the those on lowest incomes have greater difficulty renting in the private rented sector. This has created more house sharing. The ability to provide a variety of housing types that can be flexible around meeting the needs of both the residents that live and those who want to live in the area is being met by landlords in the area. There are already significant challenges around shortage of housing in the Borough, and we have concerns that this will be exasperated by this policy.

The sector is regulated, and enforcement is an important part of maintaining the sector from criminals who exploit landlords and tenants. An active enforcement policy that supports good landlords is important as it will remove those that exploit others and create a level playing field. This has been lacking in Arun. We have concerns around the council’s approach to licensing, your proposal is not about inspecting properties that come under Additional Licensing. Currently the council is poor on inspections compared to comparable local authorities. Some schemes are delivering multiple inspections, up to 3 of every property during the scheme. This is not being proposed within your scheme, with your financial modelling proposed, inspections will not happen. Multiple inspections push criminals out of the sector and drives up the standards for landlords and tenants – you don’t appear to be doing this.

We understand that the council have a reactive enforcement policy, but it is important to understand how the sector operates. Landlords are often victims of criminal activity with their properties being exploited, both through subletting and criminals exploiting properties through county lines and other criminal activity.

We believe the council should adopt an approach similar to the Leeds Rental Standard, which supports the compliant landlords and allows the local authority to target the criminals. Having considered the evidence presented, as well knowing the area very well and having undertaken our own evaluation of the circumstances faced by landlords, tenants and residents of Arun, a number of questions are raised:

- In following Hemmings and the Gaskin court cases, and with the fee is split. Monies paid by a landlord clearly now coming under the service directive (which has been adopted into UK legislation). Can the council provide a breakdown of your costs in relation to part A and part B monies paid by a landlord and how you make sure that it is apportioned to the individual landlord and works done in connection to the license. Your part a fee is five times that of neighbouring councils, and part B is significant lower, highlighting a lack of inspections.

- The documentation provided fails to indicate what additional funding will be available to support the expansion of licensing. Licensing will have an effect on housing especially as many tenants have mental health, alcohol, or drug related illnesses. How do landlords' access these services to support their tenants? Equally it will have an impact on the council delivering support services, and accommodation in the borough.
- The council fails to say how it will prevent malicious claims of poor housing being made, which could result in tenants losing their tenancies. Can this be provided and how will it operate?
- The council fails to say how the proposal will tackle rent-to-rent, modern day slavery, indentured labour, subletting, criminal enterprise/county lines or even Airbnb. These are all increasing in the county.

We would like clarification on these points so that the private rented sector has confidence in any scheme that is delivered, and it will deliver against its set aims. Equally the current proposal for fees needs to be corrected in line with the law. What is the service that a landlord can expect in line with the service directive which has been incorporated into UK law. How can the council charge such a high fee for part A compared to every other council in England.

The NRLA will judge the scheme against the criteria that the council is proposing the scheme under. We are not opposed to licensing schemes, what we wish to see is them delivered against what they are proposed to do. What we wish to know is how is the local authority going to deliver against what it is proposing. As you will be aware, the NRLA publishes data against performance. This is also proposed in the Renters Reform Bill, where councils will be judged on inspections and outcomes.

We believe that any regulation of the private rented sector must be balanced. Additional regulatory burdens should focus on increasing the professionalism of landlords, improving the quality of private rented stock and driving out the criminals who act as landlords and blight the sector. These should be the shared objectives of all the parties involved, to facilitate the best possible outcomes for landlords and tenants alike. Good practice should be recognised and encouraged, in addition to the required focus on enforcement activity. How does the local authority plan to communicate best practice to the landlord and tenants of Arun? Will Arun commit to inspect each property at least once?

Additional licensing will also introduce new social economic group of tenants into licensing. The law is clear landlords do not manage their tenants; they manage a tenancy agreement. If a tenant is non cooperative, or causing a nuisance a landlord can end the tenancy, will the council make it clear in the report that they will support the landlord in the ending of the tenancy?

#### Consultation

Licensing is a powerful tool. If used correctly by Arun Council, it could resolve specific issues. We have historically supported/worked with many local authorities in the introduction of licensing schemes (additional and selective) that benefit landlords, tenants and the community. From what has been presented there is still work needed to be done to make a scheme work. You introduced the one of the most expensive licensing schemes in the country and detrimentally affected the poorest the most. The government review into selective licensing highlighted how costs were transferred through to the tenants. We are disappointed that the local authority has not engaged with the NRLA to deliver a successful scheme, as other local authorities have. Equally you have not looked at other more successful schemes which have delivered better outcomes and managed to inspect all the properties multiple times for the local authority, tenants and landlords.

#### Costs

While any additional costs levied on the private rented sector runs the risk of these being passed through to the tenants, as has previously been established (Selective Licensing review by Government <https://www.gov.uk/government/publications/selective-licensing-review>). The introduction of licensing with interest rates increasing will have an impact on cash flow for many landlords.

This will also the issue of insurance is often overlooked as a cost, as premiums increase for everyone (homeowners and landlords) when a local authority designates an area with licensing it is indicating problems in the area. This will add costs to those renting as well as to owner-occupiers. Already Arun is expensive to live, and this will continue affecting those on the lowest income.

A joined-up coordinated approach within the council will be required. Additional costs in relation to housing along with support services will be incurred if the council's goal is to be achieved. Yet there is no evidence from the council that this will be done – can this be provided? How will landlords feed into system if they suspect a tenant is at risk? What support will be put in place so a landlord can support a tenancy where a tenant has mental health, alcohol, drug issues or they have problems and need support. The NRLA works with many local authorities on this.

#### Criminal Activity

In addition, the proposal does not take into account rent-to-rent or those who exploit people (both tenants and landlords). Landlords who have legally rented out a property that has later been illegally sublet; the property still has a license. With the council not inspecting the ability of criminals to exploit will remain.

In many cases a landlord does not rent the property as an HMO but is illegally sublet. There is no license holder, and the landlord can end the tenancy (of the superior tenant, the sub tenants have no legal redress) but the landlord would need support the local authority in criminal prosecution. But what is the process for landlords, it would help if the council could document how this would work. Often, landlords are victims, just as much as tenants. What support will the council provide for landlords to whom this has happened? Will the council support an accelerated possession order?

The issue of overcrowding is difficult for a landlord to manage if it is the tenant that has overfilled the property. A landlord will tell a tenant how many people are permitted to live in the property, and that the tenant is not to sublet it or allow additional people to live there. Beyond that, how is the landlord to manage this matter without interfering with the tenant's welfare? Equally, how will the council assist landlords when this problem arises? It is impractical for landlords to monitor the everyday activities or sleeping arrangements of tenants. Where overcrowding does take place, the people involved know what they are doing and that they are criminals, not landlords. The council already has the powers to deal with this.

#### Tenant behaviour

Landlords are usually not expected to manage the behaviour of tenants, and they do not expect to, with the introduction of the scheme this creates more challenges for landlords and tenants. The contractual arrangement is over the renting of a property, not a social contract. They do not and should not resolve tenants' mental health issues or drug and alcohol dependency or ASB. If there are allegations about a tenant causing problems (e.g. nuisance) and a landlord ends the tenancy, the landlord will have dispatched their obligations under the additional licensing scheme, even if the tenant has not committed these issues. This could end tenancies for those who are innocent. This will create further problems for the individual under the Renters Reform Bill.

Where there is a problem, it will be moved around the borough, but does not actually help the tenant, who could become lost in the system, or worst moved towards the criminal landlords. They will also blight another resident's life. There is no legal obligation within additional licensing for the landlord to resolve an allegation of behaviour. Rather, a landlord

has a tenancy agreement with a tenant, and this is the only thing that the landlord can legally enforce.

#### Tenancy Management

In many situations, the council should consider enforcement notices and management orders. The use of such orders would deliver immediate results.

We would also like to see the council develop a strategy that includes action against any tenants who are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket licensing scheme that would adversely affect all professional landlords and tenants alike, while leaving criminals able to operate covertly. Many of the problems are caused by mental health or drink and drug issues. Landlords cannot resolve these issues and will require additional resources from the council.

Often when tenants are nearing the end of their contract/tenancy and are in the process of moving out, they will dispose of excess household waste by a variety of methods. These include putting waste out on the street for the council to collect. This is in hope of getting their deposit back, this is made worse when the council does not allow landlords access to 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 such a strategy. An example is the Leeds Rental Standard, which works with landlords and landlord associations to resolve issues while staying in the framework of a local authority.

#### Current law

A landlord currently must comply with over 130 pieces of legislation, and the laws with which the private rented sector must comply can be easily misunderstood. A landlord is expected to give the tenant a 'quiet enjoyment' of the property. Failure to do so could result in a harassment case being brought against the landlord by the tenant. The law within which landlords must operate is not always fully compatible with the aims of the council. For example, a landlord keeping a record of a tenant and how many people are entering the property could be interpreted as harassment. This will include monitoring sleeping arrangements.

#### Changes to section 21

We would like clarification on the council's policy in relation to helping a landlord when a section 21 notice (or future notice as currently being consulted upon under the Renters Reform Bill) is served. If the property is overcrowded or the tenant is causing antisocial behaviour, as per what the council says in the consultation. What steps will the council take to support the landlord? It would be useful if the council were to put in place a guidance document before the introduction of the scheme, to outline its position regarding helping landlords to remove tenants who are manifesting antisocial behaviour.

The change to how tenancies will end and a move to a more adversarial system under the Renters Reform Bill, will mean landlords will become more risk adverse to take tenants that do not have a perfect reference and history. This will place a greater burden on homelessness and affordable housing in the borough, where there is already a shortage.

We would be willing to work with the council and develop a dispute resolution service which we have with other local authorities. It also poses a question where does the council expect people to live who have been evicted due to a tenancy issue." - **National Residential Landlords Association**

## EQUALITY IMPACT ASSESSMENT

|   |                                  |                                |                   |                                    |          |
|---|----------------------------------|--------------------------------|-------------------|------------------------------------|----------|
| <b>Name of activity:</b>                                | Additional HMO Licensing Scheme  | <b>Date Completed:</b>         | 19 September 2023 |                                    |          |
| <b>Directorate / Division responsible for activity:</b> | <b>Growth/Technical Services</b> | <b>Lead Officer:</b>           | Nat Slade         |                                    |          |
| <b>Existing Activity</b>                                | <b>N</b>                         | <b>New / Proposed Activity</b> | <b>Y</b>          | <b>Changing / Updated Activity</b> | <b>N</b> |

### What are the aims / main purposes of the activity?

To introduce an additional Houses in Multiple Occupation (HMO) licensing scheme in the three wards of River in Littlehampton and Marine and Hotham in Bognor Regis. This will apply to HMOs that contain three or four occupiers making up two or more households, irrespective of the number of storeys, and those properties defined as Section 257 Houses in Multiple Occupation under the Housing Act 2004.

### What are the main actions and processes involved?

Implementation of additional HMO licensing, which would require licences to be obtained for HMOs that contain three or four occupiers making up two or more households, irrespective of the number of storeys, and those properties defined as Section 257 Houses in Multiple Occupation under the Housing Act 2004 and within the wards of River, Hotham and Marine. This would be managed and enforced by the Private Sector Housing and Public Health Team. A fee is required as part of the application and the fees are set on a cost recovery basis.

### Who is intended to benefit & who are the main stakeholders?

The intended outcomes are to ensure all HMOs comply with minimum standards of safety, quality and management. This will benefit the tenants of the properties, the residents and the neighbourhood.

#### **Key stakeholders**

**Internal:** Private Sector Housing and Public Health Team, Environmental Health, Community Safety and Wellbeing, Housing, Revenue and Benefits, Planning, Building Control, Legal

**External:** Sussex Police, West Sussex Fire & Rescue Service, Landlords, Letting Agents, National Residential Landlords Association, University of Chichester, West Sussex County Council, Citizens Advice.

### Have you already consulted on / researched the activity?

In 2022 the Building Research Establishment (BRE) were commissioned to provide data on key private rented sector housing variables for the Council in order to establish whether there was evidence to consider the introduction of additional HMO licensing scheme, Article 4 Directive or selective licensing for either the entire district or specific wards.

A public statutory 10 week consultation took place between 12 June and 20 August 2023, regarding a proposed additional HMO licensing scheme in the wards of River, Hotham and Marine.

The Council's website was used to detail the proposals and provide information and a copy of the consultation document was available.

The Consultation was advertised in local media and social media posts to advise that was taking place and how to participate.

Paper copies of the consultation document and posters showing the details of the proposed scheme were available in the Arun Civic centre and Bognor Regis Town Hall. Paper copies of the consultation document were also available at a number of local libraries within the district.

Students enrolled at the University of Chichester were able to view the consultation document at the University's accommodation office.

Feedback could be provided via an online survey form which was accessible from the Council's website.

Letters/leaflets advertising the consultation were sent to all residents and businesses within the wards of River, Hotham and Marine.

Two landlords forum events took place:

- In person Landlords Forum meeting held at Arun Civic Centre 26 July 2023
- Remote meeting via Zoom, hosted and organised by National Residential Landlords Association (NRLA) 18 August 2023.

A wide portfolio of stakeholders and other people affected by the proposal, as well as internal stakeholders and department have been contacted regarding the consultation, including ward members, Councillors at both district and parish level, local MPs, landlord/property owners in the proposed ward areas and neighbouring ward areas tenants in the proposed ward areas, West Sussex Fire and Rescue Service, Sussex Police, letting and managing agents, the University of Chichester and Bognor Regis College, landlords on the Chichester and Arun Accreditation Scheme, landlord representatives such as the NRLA, local resident associations, Citizens Advice, West Sussex County Council, neighbouring local authorities and general public.

### Impact on people with a protected characteristic (What is the potential impact of the activity? Are the impacts high, medium or low?)

| Protected characteristics / groups            | Is there an impact (Yes / No) | If Yes, what is it and identify whether it is positive or negative   |
|---|-------------------------------|--|
| <b>Age</b> (older / younger people, children) | No                            | Between the 2011 and 2021 census the average (median) age of Arun residents increased by two years from 47 to 49 years of age. This is a higher than the Southeast whole figure which is 41 and for England which is 40 years. The number of people aged 50 to 64 years rose by around 15.2%, whilst the number of residents between 35 and 49 years fell by 5.8%.<br>The impact of licensing is neutral in terms of age.<br>The licensing scheme provides advice and guidance as well as an enforcement element |

|  |    |  |
|--|----|--|
|  |    | <p>this should be of value to landlords of all ages, especially those who may be concerned about complying with the requirements of the new scheme.</p> <p>Assistance is available by phone and email from Council Officers for those having difficulty using online application or payment systems.</p>   |
| <b>Disability</b> (people with physical / sensory impairment or mental disability)   | No | <p>Property licensing is intended to raise the standards of condition and management by landlords of rented properties. Therefore, tenants with a disability should benefit from the licensing regime as there are minimum standards set for amenities and licence conditions relating to the property which landlords must comply with.</p> <p>There is no known impact on landlords who have a disability, except in as much as assistance is available by phone and email from council officer for those having difficulty using on line application and payment systems.</p> |
| <b>Gender reassignment</b> (the process of transitioning from one gender to another.)  | No | <p>There is no known impact on landlords or tenants who have gender re-assignment.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>   |
| <b>Marriage &amp; civil partnership</b> (Marriage is defined as a 'union between a man and a woman'. Civil partnerships are legally recognized for same-sex couples) | No | <p>There is no known impact on landlords or tenants due to marriage or civil partnership.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>  |
| <b>Pregnancy &amp; maternity</b> (Pregnancy is the condition of being pregnant & maternity refers to the period after the birth)                                     | No | <p>There is no known impact on landlords or tenants due to pregnancy or maternity.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>   |

|  |            |   |
|--|------------|---|
| <p><b>Race</b> (ethnicity, colour, nationality or national origins &amp; including gypsies, travellers, refugees &amp; asylum seekers)</p> | <p>No</p>  | <p>There is no known impact on tenants due to race. Landlords in providing a service are not allowed to discriminate against tenants or prospective tenants for any protected characteristic including race.</p> <p>There is no known impact on landlords due to race. The licensing scheme provides advice and guidance as well as an enforcement element, and the advice and guidance should be of value to all landlords irrespective of their race.</p>   |
| <p><b>Religion &amp; belief</b> (religious faith or other group with a recognised belief system)</p>                                       | <p>No</p>  | <p>There is no known impact on landlords or tenants due to religion or belief.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p> <p>Certain buildings occupied by a religious community are exempt from additional licensing.</p> |
| <p><b>Sex</b> (male / female)</p>  | <p>No</p>  | <p>There is no known impact on landlords or tenants due to sex.</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>   |
| <p><b>Sexual orientation</b> (lesbian, gay, bisexual, heterosexual)</p>  | <p>No</p>  | <p>There is no known impact on landlords or tenants due to sexual orientation</p> <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p>   |
| <p>Whilst <b>Socio economic</b> disadvantage that people may face is not a protected characteristic; the potential impact</p>              | <p>Yes</p> | <p>The additional licensing scheme applies to the wards of River, Marine and Hotham these are the most deprived areas within the district therefore the scheme will have a positive impact on those tenants who are socio economically disadvantaged. Good quality housing is important for people to achieve their educational and professional potential.</p>   |

|   |  |  |
|---|--|--|
| on this group should be also considered |  | <p>The process of requiring a licence will mean that action will be taken to raise the quality of private rented accommodation, resolve hazards and ensure higher standards. The improved standards will be particularly beneficial for the most vulnerable tenants, who perhaps currently live in sub-standard accommodation. These more vulnerable residents often fall into one or more equality groups.</p> <p>Properties managed by a social landlord are exempt.</p> |
|---|--|--|

|  |
|--|
| <b>What evidence has been used to assess the likely impacts?</b>   |
| <p>Building Research Establishment report 14 January 2022 and Public Consultation 12 June – 20 August 2023.</p> <p>In addition experience of administering the mandatory licensing scheme which has been in place since 2006 and applies to the whole district and properties occupied by 5 or more, forming 2 or more households and sharing of facilities.</p> |

Page 97

|   |          |   |          |
|---|----------|---|----------|
| <b>Decision following initial assessment</b>                      |          |   |          |
| <b>Continue with existing or introduce new / planned activity</b> | <b>Y</b> | <b>Amend activity based on identified actions</b> | <b>N</b> |

|                          |                        |                     |                 |
|--------------------------|------------------------|---------------------|-----------------|
| <b>Action Plan</b>       |                        |                     |                 |
| <b>Impact identified</b> | <b>Action required</b> | <b>Lead Officer</b> | <b>Deadline</b> |
|                          |                        |                     |                 |
|                          |                        |                     |                 |
|                          |                        |                     |                 |

|  |  |
|--|--|
| <b>Monitoring &amp; Review</b>                   |  |
| <b>Date of last review or Impact Assessment:</b> |  |

|   |  |
|---|--|
| <b>Date of next 12 month review:</b>                                      |  |
| <b>Date of next 3 year Impact Assessment (from the date of this EIA):</b> |  |

|                                     |                   |
|-------------------------------------|-------------------|
| <b>Date EIA completed:</b>          | 19 September 2023 |
| <b>Signed by Person Completing:</b> | Louise Crane      |