

## **Analysis of Alternative scheme Proposals**

Each of the 7 alternative proposals received during the consultation are reproduced in full at the end of this section.

### **1) Proposal for an Alternative Approach to Selective Licensing – Kash Walayat OBE 6/2/25**

#### **Summary**

Alternative compliance scheme to run parallel to the selective licensing scheme borough wide. Proposal that Landlords submit specific set of evidence, including photos of interior and exterior, proof of NRLA membership, certificates etc. as part of the streamlined process. Fee of £250 for the 5 years. Refreshed documents to be submitted annually. Should these documents be incomplete, not submitted or issues arise then a requirement to apply for a selective licence and join the full scheme.

#### **Key features**

- Runs alongside formal selective licensing
- Self-regulation
- Borough-wide
- Lower fees

#### **Response**

This is a well-considered and presented alternative scheme. The proposal considers the imminent Renter Rights legislation and wider legal responsibilities. The core of the model suggests similar requirements to the Governments proposed landlord Database with an enforcement element for inadequate documentary compliance.

The Government database is scheduled to come into operation nationally in August 2026. As written, the streamline proposal considers a voluntary document based alternative scheme to be administered alongside formal selective licensing. Those complying with the voluntary scheme would be exempt from selective licensing but would pay an administration fee of £250 / property. If they fail to deliver the voluntary scheme's requirements the property would again be subject to formal selective licensing.

It is not clear that the legislation and government guidance would allow for a licence exemption within a declaration, based on the operation of the voluntary scheme.

This would then require the voluntary scheme properties to be licenced at the reduced fee. If it then failed to comply with the voluntary scheme conditions, the licence would have to be formally revoked, before a demand was made for a new licence application and fee to enter the councils' selective licensing scheme. This is likely to be an overly complex process with increased administration fees and the chance of properties not relicensing.

The proposal does not consider the additional control and responsibilities provided by Licence Conditions which are attached to each selective licence.

Under this proposal council officers would have no contact with the tenants of properties entered into the voluntary streamline scheme. The proposal only requires

the required documentation and photos of the interior and exterior of the property to be compliant. This provided little reassurance of the actual quality of the letting or management practices. If, as would be expected, large numbers of landlords opted for this option, the proposed fees for the streamline scheme would be insufficient to fund the selective licensing scheme or verification visits on the voluntary scheme.

The proposal names one benefits would be the ability to rolled this model out wider that the proposed selective licensing areas, perhaps district wide, which may help resolve the funding issue. Unfortunately, the data does not currently support a brough wide selective licensing declaration, which would remove the incentive for landlords outside of declared areas, to join the voluntary scheme

Based on the levels of hazards and poor management identified over the previous two schemes, there would be little confidence that a bureaucratic, paper-based licensing scheme would deliver the improvements to tenants living conditions, that a property inspection bases scheme could provide. It may also be open to abuse.

### **Appraisal**

#### **Strengths**

- Accepts that there are responsible landlords and assists in building relationships between the council and the private rented sector.
- Reduces the resources required in respect of inspections.
- Suggests a district wide compliance scheme.
- Suggests a partial self-regulation model.
- Suggests similar documentary evidence currently required by SL and Government Bill.

#### **Weaknesses**

- This proposal could not operate district wide within selective licensing (SL), as SL can only be declared where one of the 6 qualifying criteria can be demonstrated.
- The complexity of delivery of the proposal would generate increased administration costs whilst reducing income, creating a serious risk to the viability of the financial scheme.
- After two periods (10 years) of SL within Rotherham, the evidence of non-compliance and poor levels of proactive management, does not provide confidence which would support a self-regulation model.
- Concerns around the monitoring of property conditions, this would be done under the streamlined compliance scheme by way of submitting evidence and photographs rather than inspections.
- Experience in the current scheme suggests landlords fail to provide timely copies of annual certificates. This would generate significant work chasing up documentation and potentially converting the status of the property.
- The streamlined compliance scheme is not legally enforceable, albeit non-compliance would lead to a requirement to apply for a selective licence.
- The streamline alternative offers a bureaucratic model, similar outcome to the proposed landlord data base in the Renters rights Bill, with enforcement and additional fees for those who fail to make a competent

application or fail to provide annual documentary updates. There is no independent verification of the actual standards within a property.

- Resource intensive in terms setting up and running a parallel scheme to the selective licensing schemes.

### **Appraisal against Area Plan Objectives**

- If it were possible to operate this type of scheme, as proposed, on a district wide model, it would offer significant fee income, which would support local Areas Plan objectives. It is unlikely that it would be legally possible to apply a district wide scheme unless it was voluntary. It is also unlikely that landlords would voluntarily accept this additional cost to their business, especially, those who offer poor accommodation on a voluntary basis.

Selective licensing is a self-funding project, the fee income based on this proposal would be £250 for a 5-year licence for compliant applications, which is a 75% reduction on the standard licence fee of £995 proposed in the consultation. If 50% of applicants within the consulted scheme boundaries, provided full voluntary applications, this would represent a loss of £1,568,977.50 in fee income. It would not be possible deliver the proposed Area Plans described and costed within the Cabinet report.

### **Risk**

- The practicalities of running a parallel scheme and enforcing that scheme alongside a selective licensing scheme will likely create a significant resource issue.
- Unlikely to recover all costs.
- Likely to be difficulties/ challenges if issues and status of property is changed to require full selective licence and fee.
- The submission of documentation doesn't necessarily provide a true reflection of property conditions and management standards.
- Identification of non-compliant properties unlikely without significant levels of verification inspections. Tenants would be left in hazardous homes and the Area Plan objectives would not be met.

### **Practical/Beneficial Alternative?**

- The streamlined initial approach does not go far enough to safeguard against poor property management and housing conditions. The approach is based upon documentary evidence only.
- The approach presents challenges in terms of enforcing a requirement to join the full selective licensing scheme should issues be identified.

## **2) Proposal for an Alternative Approach to Selective Licensing – Jamie Smyth, Director, Livin Residential Lettings 12/3/25**

### **Summary**

Introduction of an approved/accredited property management scheme using accredited Letting Agent and the formation of a landlord steering group. Property management agents meeting strict criteria (such as RICS, ARLA Propertymark, or Safeagent membership) could be recognised as approved agents for consideration by RMBC. Approved agents would submit regular property condition reports, including photographic or video evidence, to RMBC for review. This ensures ongoing compliance without unnecessary financial penalties. Approved agents would be required to meet high standards that already exceed selective licensing conditions.

The Landlord Steering Group would serve as a platform for responsible landlords to work alongside RMBC. It will also provide a forum for reporting issues in each designated area to focus RMBC enforcement. Suggestion of a mandatory database, property condition reports and targeted enforcement.

### **Key features**

- Replaces formal selective licensing
- Using private letting agents
- Self-regulation
- Lower fees
- Steering group
- Waiting for outcome of Renters Rights Bill or suggesting elements within the Bill

### **Response**

The alternative suggested is not a practical or beneficial alternative when considered across the majority of landlords, who do not use Letting Agents. There is no legislation which could compel landlords to use Letting agent. As presented, this alternative scheme it could not achieve the same objectives as described in the Area Plans for the proposed selective licensing designation. There is no specific fee structure offered accepting a suggestion of a significantly reduced fee, which is unlikely to generate sufficient fees to fund the anticipated levels of necessary enforcement, and to deliver the Area Plan objectives, based on the experience of non-compliance in the two previous selective licensing schemes.

This scheme suggests a landlord steering group, this element is viable and welcomed and will be within the recommended proposal.

### **Appraisal**

#### **Strengths**

- Encourage landlords to utilise an approved managing agent and thus improve standards.
- Detailed analysis of data collected as proposed would be beneficial and might enable the Council to assess how best to utilise resources.

- The use of a landlord steering group in the manner suggested will be beneficial and assist in building good relationships between the Council and those in the private rented sector.
- Training and education improve standards where the landlord is engaged and increases confidence amongst tenants.
- Documented evidence of Landlord's engagement.

### **Weaknesses**

- All proposals are voluntary and unenforceable; they rely upon the engagement of landlords.
- There is no requirement for a landlord to engage an agent and any scheme in respect of Using an approved/accredited managing agent would be unenforceable.
- The Landlord Steering Group will only be effective in respect of those who choose to engage and has no legal standing.

### **Appraisal against Area Plan objective**

The proposed scheme, within the limitations of those landlords using accredited Letting Agents as proposed, may be able to address some of the Area Plan objectives around improved management of private sector properties. The non-specific, but significantly reduced fee structure would not support wider area interventions.

### **Risk**

- No enforcement options should a landlord choose not to use an approved agent and not engage with the work of the steering group.
- Risk of limited impact as relies upon voluntary engagement and would require a significant number of landlords to engage in order to have any real impact.
- Landlords cannot be required to engage in any of the schemes proposed.
- The worst landlords normally do not choose to engage in voluntary schemes and therefore the poorest standards of tenancy management will not be addressed.
- Costs cannot be recovered.
- Targeted enforcement would only be in respect of those engaging in the schemes properties identified as a problem and therefore would not reach where truly needed.

### **Practical/ Beneficial Alternative?**

- Using an approved/accredited agent will tackle poor management and housing conditions but only in limited circumstances given that any scheme would be voluntary. Such a scheme will therefore have only a limited impact and only for the period of time whereby there is engagement with the scheme.
- This alternative does not provide for a sufficient impact upon management standards across the sector/areas of designation proposed.
- Targeted enforcement enables an approach to tackle poor housing conditions and management in very restrictive circumstances.
- Voluntary schemes are legally unenforceable and therefore only have an impact in relation to those who choose to partake and engage. Any impact

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will be limited as a result and will not sufficiently address poor management practices/ standards.

- The suggestions to instigate a landlord steering group is a positive aspect of this proposal.

### **3) Proposal for an Alternative Approach to Selective Licensing – Bricknells Letting Agents S/L 04/03/20205**

#### **Summary**

Reference to the Renters Right Bill coming into force and that there will be a mandatory property database for Council's to utilise. The Council would write to all landlords in the relevant areas and request inspections. The 'good landlords' would not object. There would be a nominal charge for inspections. The Council could then focus on those who are not signed up to the database or have refused access for inspections. The Council could also set up an accreditation scheme utilising agents who can conduct the inspection on behalf of or in conjunction with the Council negating the need for the Council to inspect. The proposal acknowledges that some do not use agents and self-manage instead, and they could implement a 'pay for inspection' basis. This would focus existing powers on the areas where there is a greater need.

#### **Key features**

- Replaces formal selective licensing
- Using private letting agents
- Self-regulation
- Borough-wide
- Lower fees
- Steering group
- Waiting for outcome of Renters Rights Bill or suggesting elements within the Bill

#### **Response**

This alternative scheme accepts the need for intervention in parts of the housing market within Rotherham. It anticipates the introduction of the national Landlord database. This legislation has not completed its parliamentary process at the time of writing. If enacted, the Landlord Database is scheduled to become operational in August 2026, when failure to be on the database will be a criminal offence. The proposal suggests Council accredited Letting agents to provide confidence in their proactive management and allowing landlords to pay per inspection in a voluntary arrangement, followed up by traditional enforcement and focus on advice and guidance from the Council. The proposal does not fit within a selective licensing framework and would have to be initiated as a voluntary initiative. This would not allow for licences or licence conditions. There would be no statutory framework for fees or compulsion to engage until the national Database was initiated. A voluntary scheme, based on levels of non-compliance with mandatory schemes, is not likely to be effective. It may also prejudice compliant landlords, who would join the initiative, other would use the lack of compulsion avoid engaging.

#### **Appraisal**

##### **Strengths**

- Resources can be assessed and used in a targeted way.
- Support and assistance available for landlords regarding inspections.

### **Weaknesses**

- The use of any accreditation scheme is voluntary and nor enforceable should landlords choose not to engage.
- The proposal addresses those who do not use Letting agents and self-manage their properties, but as above there is nothing to require a landlord to pay for an inspection. Selective licensing can only create a fee for a licence under the Housing Act 2004.
- It would not be possible to deal with no access issues through the selective licensing framework.
- The proposal to utilise existing enforcement options deals only with hazards/defects within a property/exterior of property and does not deal with the overall management standards in the same way the selective licensing framework does.

### **Appraisal against Area Plan objective**

The voluntary nature of the proposed scheme, within the limitations of those landlords using accredited Letting Agents as proposed, may be able to address some of the Area Plan objectives around improved management of some private sector properties. The non-specific, but significantly reduced fee structure would not support wider area interventions.

### **Risks**

- Not all costs can be recovered.
- Resource intensive in respect of the set-up of an agent accreditation scheme.
- No enforcement options should a landlord not engage in the voluntary scheme.
- In the absence of the selective licensing framework the existing enforcement options are restrictive.
- The proposal only addresses inspections of the properties and does not deal with overall management standards.

### **Practical/ Beneficial Alternative?**

- In the absence of a Selective Licensing framework the alternative legislation available is restrictive and therefore management standards are unlikely to be improved.
- Voluntary schemes are legally unenforceable and therefore only have an impact in relation to those who choose to partake and engage. Any impact will be limited as a result and will not sufficiently address poor management practices/ standards.



#### **4) Proposal for an Alternative Approach to Selective Licensing – Mr. Monir 18/2/25**

##### **Summary**

St.Leger Homes is an Arm's Length Management Organisation (ALMO), a Company limited by guarantee, wholly owned by the Doncaster Council. It provides services for the Council under the auspices of a formal Management Agreement with the Council. The alternative proposal is to adopt the St. Ledger homes letting model offering a comprehensive management service to private landlords charging 12% of rental income. It is proposed that the Council sets up a business arm to take properties off private landlords and manage them for a fee. The model includes a database where private tenants could access well managed private sector properties. The council benefit by gaining control of more properties to assist in managing the council waiting list and homelessness issues. The Landlords benefit from passing the management of their properties to a trusted Letting Agent. St Leger Homes offers a private residential property management service to manage homes on behalf of private landlords to increase the number and choice of properties offered.

##### **Key features**

- Replaces formal selective licensing
- Using private letting agents
- Self-regulation
- Borough-wide
- Lower fees

##### **Response**

In this model the Council would act as a commercial Letting Agent offering a similar package to those available from high street Letting Agents. There are several legal, commercial and logistical issues with setting up this type of scheme and it could not be achieved in the short term. As with any Letting agent, the ultimate responsibility for the condition of the property rest with the landlord's willingness to invest and to allow the Letting Agent to deliver improvement. This does not release the landlord from their legal responsibilities or give the council the power to ensure standards are maintained. The model competes in the market for properties to manage and would have no power to insist problematic landlords offer their properties to them. Though it may be considered that a Council backed letting Agent may offer confidence and high levels of compliance, this proposal is not comparable with the proposed selective licensing model. It could not deliver area-based initiatives to contribute to the Area Plans.

##### **Strengths**

- Removes landlord management responsibilities and gives to responsible nominated agent via the Council.
- Likely to improve standards for tenants and local community, more likely to pursue enforcement against problem tenants.

##### **Weaknesses**

- This would entail the Council offering a service as a managing agent on a commercial basis and likely engaging an external company in that role.

- Unlike with a leasing scheme this wouldn't be used as Council stock and therefore could result in potential conflict with the Council's duties as a social housing provider.
- Resource intensive.
- Does not present a long-term solution to poor management of private rented properties, need to consider terms and length of any agreement and that only acting in capacity as a managing agent with overall control remaining with the Owner of the property.
- Does not tackle poor management techniques, simply removes the responsibility for a period of time.
- Requires engagement of landlord, it isn't mandatory and does not address standards/issues around those landlords who chose not to join the scheme. No enforcement powers available for those who choose not to.
- Unlikely to be financially viable, the Council would need to assess charge of an initial fee and then percentage of the rent. The setting up of such a scheme would be costly – fee for the management agent, contractual issues, dealing with collection of rent and payment upon receipt.
- The ultimate responsibility for the condition of the property rest with the landlord's willingness to invest and allow the Letting Agent to deliver improvement. This does not release the landlord from their legal responsibilities or give the council the power to ensure standards are maintained.

### **Appraisal against Area Plan objective**

The proposed scheme if initiated could offer high levels of management to private sector properties but it could not focus its delivery in any specific area of need so is unlikely to be able to deliver the objectives of an Area Plan.

### **Risks**

- Not own stock with ultimate control remaining with the Landlord/owner.
- Resource intensive - Likely need to appoint management company – cost of this and the set up of such a scheme. Cost likely to exceed that charged and any short fall would then fall to public purse or alternatively charges too high which would impact uptake.
- Voluntary scheme.
- Council still responsible if managing agent appointed and there are issues/termination of contract.
- Lack of enforcement options.

### **Practical/ Beneficial Alternative?**

- This option allows the Council to tackle poor management and housing conditions but only in limited circumstances given that any scheme would be voluntary. Such a scheme will therefore have only a limited impact and only for the period of time whereby there is engagement with the scheme.
- This alternative does not provide for a sufficient impact upon management standards across the sector/areas of designation proposed.
- There would be a significant impact upon the Council in terms of resources to set up and maintain such a scheme.

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- Likely not a financially viable scheme and this would result in an impact upon the public purse as the cost would likely exceed the fees paid.

## **5) Proposal for replacement of Selective Licensing in Masbrough – Landlord steering group 17/3/25**

### **Summary**

Mandatory registration of all private landlords on a central database. Requirement for landlords to submit property condition reports and works project plan. Online platform for tenants to raise concerns with landlord and then Council with clear procedures for investigating tenant complaints. Targeted enforcement approach – data analysis, pro-active inspections. Landlord and tenant education and support.

### **Key features**

- Replaces formal selective licensing
- Self-regulation
- Lower fees / unclear funding mechanism
- Steering group
- Waiting for outcome of Renters Rights Bill or suggesting elements within the Bill

### **Response**

The alternative proposal is well presented. It mentions many of the same objectives as the selective licensing proposal and the measures identified in the Renter Rights Bill. The database in this proposal is likely to be significant to develop and would not be cost effective just for Masbrough. It is likely that the National database in the proposed Bill will deliver a similar database. The current timetable expects the national database to be operational by August 2026 which is likely to be before any standalone system might take to initiate. There are also significant Data protection issues with a shared database. The proposal mentioned cost being shared between stakeholders without identifying these stakeholders or proposing a funding mechanism. The model does not address wider area issues, already identified, in the Area Plans, which would require a mandatory basis achieve compliance. A voluntary scheme, based on levels of non-compliance with mandatory schemes is not likely to be effective. It may also prejudice compliant landlords, who would engage whilst others would use the lack of compulsion to avoid engaging.

### **Strengths**

- Detailed analysis of data collected as proposed would be beneficial and would enable the Council to utilise resources in respect of any required enforcement in a targeted way.
- The use of a landlord steering group in the manner suggested will be beneficial and assist in building good relationships between the Council and those in the private rented sector.
- It is suggested that the portal will be funded by Stakeholders.
- Training and education improve standards where the landlord is engaged and increases confidence amongst tenants.
- Documented evidence of Landlord's engagement.
- The proposal is similar to the proposals in the Renters Rights Bill.

### **Weaknesses**

- All proposals are voluntary and unenforceable; they rely upon the engagement of landlords.

- The Landlord Steering Group will only be effective in respect of those who choose to engage and has no legal standing.
- If the portal is funded by Stakeholders what level of control will the Council have in respect of this and how will it be managed, again if not used there is no means to enforce.
- The proposal suggests that it will improve tenant protection. The measures are all voluntary and are measures that should already be in place for tenants for a well-managed property.
- The uptake for training and education previously offered has been low.
- The proposal is similar to the proposals in the Renters Rights Bill. Much of the infrastructure would be expensive and would need a long lead period to develop, especially as this has been proposed as a Masbrough specific alternative.

### **Appraisal against Area Plan objective**

The proposal is specific to the Masbrough. The existing data identifies this area as having the worst levels of housing conditions, the worst level of improvement between the SL schemes and the highest levels of criminality. The area has significant deprivation. The objectives in this Area Plan extend beyond simple house condition, which this voluntary proposal will not be able to consider. The proposed project plan would cause delay in delivery, as much of the data is available and the proposed funding structure is vague which is unlikely to deliver in the short to medium term.

### **Risks**

- No enforcement options.
- Risk of limited impact as relies upon voluntary engagement and would require a significant number of landlords to engage in order to have any real impact. Landlords cannot be required to engage in any of the proposals.
- The worst landlords normally do not choose to engage in voluntary schemes and therefore the poorest standards of tenancy management will not be addressed.
- Costs cannot be recovered.

### **Practical/ Beneficial Alternative?**

- Targeted enforcement enables an approach to tackle poor housing conditions and management in very restrictive circumstances.
- Voluntary schemes are legally unenforceable and therefore only have an impact in relation to those who choose to partake and engage. Any impact will be limited as a result and will not sufficiently address poor management practices/standards.

6) **Two Alternative Proposals to the 2025-2030 Selective License Scheme, – Tracy Cartland-Ward, Landlord 16/3/25**

**Summary**

The first proposal

To put pause any new proposal until the draft Area Plans has been finalised and all can consider and until Renters Right Bill is finalised and enacted. Then undertake a further consultation with a steering group of stakeholders.

The second proposal

To apply a borough-wide Selective Licensing scheme for all private sector landlords where the landlord is licensed not the property. Create an accredited surveyor list to undertake private HHSRS to submit to the council. Cause managing agents to sign up to a marketing commitment to only market properties which pass HHSRS inspection at no cost to agent.

Proposed fee structure suggests max £600 per property for fully compliant landlords after a list of discounts. Non-compliant landlords pay more.

Key features

- Replaces formal selective licensing
- Using private letting agents
- Self-regulation
- Borough-wide
- Lower fees
- Steering group
- Waiting for outcome of Renters Rights Bill or suggesting elements within the Bill

**Response**

First proposal

The draft Area Plans were summarised in the 'ambition' at each area face to face meeting, after consultation feedback, the plans are being altered to address the issues raised and will be provided in the final Cabinet Paper as the objective of any declaration. Area Plans are live documents and can develop over the life of the declaration. The proposal mentions a stakeholder steering group which will be recommended as a feature of any new declarations, offering the opportunity to influence the activity within each area. The council is aware of the Renters Rights Bill / Act and its provision which may impact any selective licensing declaration. Any decision will be made in full appreciation of this.

Second proposal

The change to the general consent in 2024 allows the Council to consider whole borough schemes. The qualifying criteria remain the same. It is not likely that a borough-wide scheme could be declared as the circumstances of the private sector vary considerably across the borough and would not fit the qualifying criteria. There is no legal mechanism to require compulsion for Letting agents to restrict marketing.

Private accredited surveyors were an option in the first selective licensing scheme.

There was limited take up and some issues with quality of inspection, verification inspection created duplication and additional costs. Inspections by Council officers are more effective as the officers look for more issues than housing standards, which can contribute to Area Plan objectives. The fee structure was based on a borough-wide declaration and in that context would have had merit. In a smaller scheme the fee must reflect the costs of delivering the declaration objectives.

### **Strengths**

- A consistent approach across the Borough in relation to the PRS.

### **Weaknesses**

- Will require significant resources in order to implement such a scheme. The legal test needs to be fully considered and met in order to implement a Borough wide scheme.

### **Appraisal against Area Plan objective**

First proposal would not deliver against Area Plan objectives in the short /medium term.

Second proposal - A borough-wide scheme if it could be legally declared could offer the opportunity to deliver local Area Plan objectives. Other aspects of the proposal are not enforceable, so would rely on voluntary uptake and effective delivery, therefore are less likely to achieve Area plan objectives.

### **Risks**

- Costs will not be met.
- Legal challenge.
- Significant resources will be needed.

### **Practical/ Beneficial Alternative?**

- Low chance of a district-wide scheme being possible within mandatory declaration criteria.
- Licensing landlord not property and limiting letting agent marketing unenforceable.
- Private surveyor may have merit if sufficient safeguards in place, but low take up in earlier scheme shows only larger portfolio holder are likely to take up the option. Cost saving to single property landlord likely to be low against licence discount.

7) **Alternative Proposals to the 2025-2030 Selective License Scheme - Private Sector Leasing Option – suggestion raised at consultation meeting as a complimentary scheme to support area plan objectives**

**Summary**

The Council would lease private sector properties from private owners on a 5+ year lease. The Owner would have no direct responsibility in law for the letting and the council would have full control over the management and letting of the property. This model exists in other local authorities and in government backed resettlement schemes.

Property owners who do not want the responsibility to act as a landlord could lease the property to the council. The management would be passed to vetted private sector letting agents (via procurement processes), who would offer a full management package for a fee. Properties would be let at market rent on a shorthold tenancy. The council would retain a proportion of the rent to maintain the property, the owner would have monthly income but no responsibility in law for the letting. Owners would retain the Capital asset value of the asset. The property would be returned to the owner at the end of the lease or a new lease agreed. Development of the lease offer can be via selective licensing steering group.

**Key features**

- Runs alongside formal selective licensing
- Using private letting agents
- Remove reluctant landlords from the market and offers option other than sale of asset.
- Provides professional management
- Provides additional properties for the council to offer to those on the waiting list or in need.
- Assists in the homelessness provision.

**Response**

In isolation this scheme is unlikely to address poor management and property conditions as it relies upon voluntary engagement of landlords. When offered within a selective licensing environment as a standalone initiative it offers an alternative for reluctant landlords, who wish to retain their asset, but not to have the responsibility of being a landlord. If take- up is large enough, the improved management could have a positive effect on an area contributing to the Area Plan objectives. The infrastructure provided by a leasing scheme provided the council with an effective mechanism to make better use of Management Orders and Empty Property Management Orders, increasing enforcement options within the selective licensing areas. The initiative operating within the selective licencing areas would act as a pilot for a boroughwide initiative. This option has been supported by a number of landlords during consultation who accept that they do not have the time or commitment to become professional landlords.

**Strengths**

- Removes reluctant Landlord.
- Opens up new properties for homelessness and wider lettings.



- Provides funding and options to owners of empty properties to bring the property back into use.
- Provides some control over lets in SL areas to change the letting environment and drive change.
- Provides a viable mechanism for the use of Management and Empty Homes Management Orders.
- Possible trial for a wider initiative outside of selective licensing areas.
- Opportunity for tenants to be given a probation period in a less secure tenancy, prior to being offered social tenancy.

### **Weaknesses**

- Voluntary scheme with no enforcement options available.
- Would need a minimum level of take up to be viable.
- Would need a lot of setting up, needs a detailed contractual package developing – it would be resource intensive initial stages.
- The smaller income for Landlords and financial implications may not be attractive.
- We need to protect council from properties in serious disrepair due to costs to repair by the design of the package offered.
- If agent pulls out council would still have lease responsibilities.
- Increase to housing stock but only for lease period with risk of this not continuing.
- Less secure tenancies.

### **Appraisal against Area Plan objective**

Area plans generally are trying to improve the professionalism and quality of the rented sector. Many of the poor practices experience over previous schemes result from accidental or part time landlords who do not have the commitment or knowledge to operate a professional letting business. This voluntary addition to mandatory selective licencing could offer an effective alternative to the benefit of the area.

### **Risks**

- Funding/cost implications.
- Resource intensive to set up and would still require Council oversight.
- Leases would only be for a specific period – this could create uncertainty where used as part of Council stock.

### **Practical/ Beneficial Alternative?**

- Provides a useful tool for bringing empty properties back into use but would need to work in conjunction with selective licensing.

## **ALTERNATIVE PROPOSALS PUBLISHED IN FULL**

### **1) Kash Walayat OBE 6/2/25**

#### **Proposal for a Streamlined Landlord Compliance Scheme as an Alternative to Selective Licensing**

##### **1. Background**

- 1.1 Rotherham Council is currently consulting on the future of Selective Licensing for the period 2025 to 2030. The consultation, which began on January 6, 2025, and will run until March 17, 2025, seeks input from private tenants, landlords, agents, businesses, and residents in the proposed areas. Feedback collected will be presented to the Council's Cabinet in April 2025 for consideration before any final decisions are made.
- 1.2 The proposed Selective Licensing scheme includes the following six areas within the borough-
  - Brinsworth
  - Dinnington
  - Eastwood / East Dene / Clifton / Town Centre / Boston Castle
  - Masbrough
  - Parkgate
  - Thurcroft
- 1.3 The current scheme mandates a licensing fee of £995 per property, covering a five-year period. The intent of the scheme is to improve housing standards and ensure landlords comply with legal requirements. However, many responsible landlords feel penalised despite maintaining high compliance standards, while the scheme places a significant financial and administrative burden on them.

##### **2. Disadvantages of the Existing Scheme (Implemented 01/04/2020)**

- 2.1 While the Selective Licensing scheme introduced in April 2020 aimed to improve rental housing conditions, it has presented several challenges-
  - **High Cost for Responsible Landlords-** The fee applied to all landlords regardless of compliance, penalizing those who already maintain high standards.
  - **Limited Coverage-** The scheme only applies to designated areas, leaving many non-compliant landlords outside of enforcement efforts.
  - **Resource Allocation Issues-** The Council spends resources monitoring and inspecting already compliant landlords instead of focusing on problem properties.
  - **Administrative Burden-** The licensing process is time-consuming and cumbersome, leading to delays in takeup, approval and renewals.
  - **Tenant Displacement Risks-** Some landlords pass on licensing costs to tenants, increasing rental prices in designated areas.

### 3. Proposed Alternative Compliance Scheme

3.1 A streamlined scheme is proposed to run in parallel to the proposed Selective Licensing, which ensures that responsible landlords are not penalised while targeting rogue landlords effectively.

3.2 **Requirements for the Streamlined Scheme-** Landlords opting for this slim scheme must submit the following documentation for each property-

- A current Tenancy Agreement
- A valid Electrical Installation Condition Report (EICR)
- A valid Energy Performance Certificate (EPC) with minimum of E rating
- A valid Gas Safety Certificate (if applicable)
- Information Commissioner's Office (ICO) Certification
- Proof of Deposit Registration (if a deposit has been taken)
- Proof of Registration with the National Residential Landlords Association (NRLA)
- Photographs of the property's interior and exterior

3.3 **Fee Structure-**

- A one-time administrative fee of **£250 per property** for the proposed **fiveyear period**.

3.4 **Ongoing Compliance-**

- Landlords must submit updated versions of the above documentation annually within **28 days of the anniversary** of their initial submission or start date of the proposed selective licensing scheme.
- The Council will review these submissions using a slim down risk based approach and if all documents are in order, they will notify landlords of the next annual submission date.
- If documentation is incomplete, not provided, or issues are identified, the landlord will be required to **join the full Selective Licensing scheme** with 28 days.
- The **£250 fee already paid will be deducted from the full licensing cost** of £995.

3.5 **Benefits of the Streamlined Scheme-**

- **Lower Costs for Responsible Landlords-** This scheme provides significant savings compared to the £995 full licensing fee.
- **More Comprehensive Coverage-** This approach enables a wider range of properties to be included beyond the limited designated areas.
- **Encourages Compliance-** Landlords have an incentive to remain compliant as it is more cost-effective and efficient.
- **Council Resource Optimisation-** Resources can be better allocated to target non-compliant landlords.

3.6 **Wider Compliance and Assurance to the Council –** The streamlined compliance scheme provides wider regulatory assurance by incorporating additional legal and operational safeguards beyond just housing conditions. Requiring landlords to register with the Information Commissioner's Office

(ICO) ensures they adhere to data protection regulations when handling tenant information, mitigating risks of data misuse. Additionally, proof of deposit registration guarantees that tenant deposits are securely protected within an approved tenancy deposit scheme and registration with a professional body, these elements will provide an additional financial security and compliance with legal requirements

#### **4. Potential Conflicts with the Renters' Reform Bill**

- 4.1 The proposed Renters' Reform Bill introduces several reforms that may overlap with existing Selective Licensing schemes, potentially leading to redundancy and questioning the necessity of implementing a full licensing scheme when many provisions are set to become law.
- 4.2 **Abolition of Section 21 "No-Fault" Evictions-** The Bill seeks to eliminate Section 21 evictions, requiring landlords to provide a valid reason for terminating a tenancy, such as rent arrears or anti-social behavior. This change aligns with objectives of Selective Licensing aimed at ensuring tenant security and responsible landlord practices.
- 4.3 **Introduction of a Private Rented Sector Database-** The Bill proposes creating a comprehensive database of rental properties and landlords, enhancing transparency and aiding enforcement of housing standards. This database could serve functions similar to those of Selective Licensing schemes, such as monitoring landlord compliance and property conditions.
- 4.4 **Application of the Decent Homes Standard to the Private Rented Sector-** Extending this standard to private rentals mandates that properties meet specific criteria, ensuring safe and habitable living conditions. This requirement overlaps with Selective Licensing objectives to improve housing quality.
- 4.5 **Prohibition of Discrimination Against Tenants-** The Bill aims to make it illegal for landlords and agents to discriminate against tenants based on benefits or having children, promoting fairer access to housing. While Selective Licensing schemes may not directly address discrimination, this provision complements broader efforts to ensure equitable treatment in the rental market.

#### **5. Addressing Potential Redundancies**

- 5.1 Given these overlaps, implementing a full Selective Licensing scheme may lead to duplication of efforts and unnecessary administrative burdens. The proposed streamlined compliance "slim" scheme offers a more efficient alternative by focusing on key compliance areas without replicating forthcoming legal requirements.
- 5.2 By aligning the streamlined scheme with the Renters' Reform Bill, the Council can ensure that resources are utilised effectively, targeting non-compliant landlords while supporting responsible ones. This approach minimizes

redundancy and leverages new legislative frameworks to maintain housing standards.

## **6. Retaining Council Powers without Full Selective Licensing for the Slim Scheme**

- 6.1 The Council can retain its enforcement powers and oversight capabilities without implementing full Selective Licensing by ensuring that landlords enrolled in the streamlined compliance scheme meet all necessary legal and regulatory requirements (see para 6.5 for summary of local authority existing powers).
- 6.2 Regular documentation submissions ensure that landlords remain compliant, and any failure to provide the required documentation or meet safety standards would trigger immediate escalation to the full Selective Licensing scheme. This conditional approach maintains a strong regulatory framework without subjecting compliant landlords to unnecessary administrative burdens.
- 6.3 The Council can also conduct targeted audits and inspections based on risk assessments rather than blanket enforcement, allowing resources to be directed toward properties with compliance concerns while minimizing disruption for responsible landlords.
- 6.4 This approach ensures that non-compliant landlords can be effectively identified and brought into the full scheme, while compliant landlords benefit from a lighter regulatory touch. The Council retains the ability to enforce housing standards, penalise breaches, and take necessary legal action against landlords who fail to comply, ensuring robust tenant protections and maintaining housing quality across the borough.
- 6.5 Summary of Existing Council Powers Under the Housing Act**  
The Council already possesses significant enforcement powers under the **Housing Act 2004**, which allows it to take action against landlords who fail to meet required housing standards. These powers include:
- **Improvement Notices (Section 11 & 12)** - The Council can serve improvement notices requiring landlords to rectify hazards identified in rental properties.
  - **Prohibition Orders (Section 20 & 21)** - The Council can prohibit the use of properties or specific parts of properties that pose serious risks to tenant health and safety.
  - **Hazard Awareness Notices (Section 28)** - These notices inform landlords of potential hazards in their properties and recommend remedial actions.
  - **Emergency Remedial Action (Section 40)** - In extreme cases where tenants are at immediate risk, the Council can undertake remedial work and recover costs from the landlord.
  - **Banning Orders (Housing and Planning Act 2016)** - For persistent offenders, the Council can apply for banning orders, preventing landlords from renting properties.

- **Civil Penalties (Housing and Planning Act 2016)** - The Council can impose financial penalties of up to £30,000 for breaches of housing regulations.
- **Rent Repayment Orders (Section 96)**- Tenants and the Council can apply for repayment of rent where landlords have failed to comply with licensing or enforcement requirements.

These existing enforcement mechanisms provide the RMBC Council with the authority to regulate landlords and uphold housing standards, making full Selective Licensing unnecessary for compliant landlords under the streamlined scheme.

## 7. Comparison of Council Powers under Different Schemes

7.1 The following table outlines how the Council retains its enforcement and oversight powers under the Streamlined Compliance Scheme, the Full Selective Licensing Scheme, and the Renters' Reform Bill:

<b>Council Power</b>	<b>Streamlined Compliance Scheme</b>	<b>Full Selective Licensing</b>	<b>Renters' Reform Bill</b>
Requirement for landlords to register	Yes, with proof of compliance	Yes, mandatory licensing	Proposed national database
Annual compliance checks	Yes, landlords submit documentation annually	Yes, through Council inspections	No, compliance enforced through general regulation
Targeted audits and risk assessments	Yes, Council conducts selective audits	Yes, full inspections required	No specific audits outlined
Enforcement against non-compliant landlords	Yes, escalates to full licensing if non-compliant	Yes, penalties and revocation of license	Yes, penalties for non-compliance
Protection of tenant deposits	Yes, proof of deposit registration required	Yes, included in licensing requirements	Yes, required under tenancy law
Data protection compliance	Yes, ICO registration required	Not explicitly required	Yes, aligns with broader data protection laws
Gas, Electrical, and Energy safety compliance	Yes, landlords must submit valid certificates	Yes, inspections ensure compliance	Yes, part of property safety regulations
Council oversight on property conditions	Yes, based on submitted evidence	Yes, through inspections	Yes, subject to enforcement through legal provisions
Legal recourse against landlords	Yes, non-compliant landlords must join full licensing scheme	Yes, fines and penalties apply	Yes, penalties for failing to meet standards

- 7.2 The above table highlights how the streamlined scheme retains essential regulatory functions while reducing unnecessary administrative burdens. It ensures compliance, focuses resources on non-compliant landlords, and aligns with the proposed Renters' Reform Bill, making it a practical and effective alternative to full Selective Licensing for the Slim Scheme landlords.

## **8. Conclusion**

- 8.1 The proposed streamlined compliance scheme not only addresses the disadvantages of the existing Selective Licensing model but also anticipates and integrates forthcoming legislative changes under the Renters' Reform Bill. This proactive approach ensures that the Council's efforts are complementary to national reforms, reducing duplication and enhancing the effectiveness of housing regulation in Rotherham. Additionally, by implementing this scheme alongside the full Selective Licensing scheme, the Council can offer a fairer, more cost-effective, and resource-efficient system that benefits compliant landlords while effectively addressing rogue landlords.

31/01/25

## **2) Proposal for an Alternative Approach to Selective Licensing – Jamie Smyth, Director, Livin Residential Lettings 12/3/25**

### **Proposal for an Alternative Approach to Selective Licensing Introduction**

As a director of an RICS-regulated residential property management company in South Yorkshire, managing over 100 properties, I am committed to ensuring high standards in the private rented sector. Rather than imposing a **blanket selective licensing scheme** on all landlords, I propose a **more targeted, data-driven approach** that encourages responsible management while focusing enforcement on problem properties.

This proposal recommends the introduction of an **Approved/Accredited Property Management Agents Scheme** and the formation of a **Landlord Steering Group (LSG)** to work collaboratively with RMBC to improve housing standards without excessive financial burdens on compliant landlords.

### **Key Elements of the Alternative Proposal**

#### **1. Approved/Accredited Property Management Agents Scheme**

This scheme would create a **structured, compliance-led approach** where accredited agents work with RMBC to uphold property and tenancy standards.

##### **1.1 Accreditation & Reporting**

- Property management agents meeting **strict criteria** (such as **RICS, ARLA Propertymark, or Safeagent** membership) **could** be recognised as approved agents for consideration by RMBC.
- Approved agents would submit **regular property condition reports**, including **photographic or video evidence**, to RMBC for review.
- This ensures **ongoing compliance without unnecessary financial penalties**.

##### **1.2 Robust Management Standards**

Approved agents would be required to meet high standards that already **exceed** selective licensing conditions, including:

- **Comprehensive tenant vetting procedures.**
- **Regular property inspections** with documented reports.
- **Maintenance tracking and compliance checks** (e.g., gas safety, electrical safety, EPCs).
- **A clear complaints resolution process** for tenants.
- **Proactive engagement with tenants** to prevent anti-social behaviour and tenancy breaches.



## 2. Landlord Steering Group (LSG) – A Collaborative Approach

The **Landlord Steering Group** would serve as a platform for **responsible landlords** to work alongside RMBC, ensuring **direct accountability** while improving housing standards in a **fair and transparent** manner. It will also provide a forum for reporting issues in each designated area to focus **RMBC enforcement** where it is truly needed.

### 2.1 Data-Driven Registration & Monitoring

- **Mandatory landlord registration** with a **central database**, including property details and compliance records.
- **Regular property condition reporting** to track maintenance and safety compliance.
- **Landlord Steering Group and Training Attendance – Mandatory.**

### 2.2 Targeted Enforcement Approach

- **RMBC to focus enforcement resources on identified problem properties**, rather than penalising compliant landlords.
- **Use of data analysis** to identify high-risk areas with poor housing standards.
- **Increased enforcement for non-compliant landlords**, with penalties for repeated breaches.

## 3. Reduced Administrative Burden for RMBC

- Instead of processing **thousands** of individual landlord applications, RMBC could **oversee a streamlined process** by working directly with **accredited agents and the LSG**.
- This would **free up council resources** to focus on genuine problem areas **where intervention is required**.

## 4. Dedicated RMBC Liaison Officer

- Agents could pay a **reduced per-property fee (significantly lower than the proposed £995 per property)** to fund a **designated RMBC officer**.
- This officer's role would be to **work directly with accredited agents**, ensuring compliance, addressing issues, and **intervening only where necessary**.
- This maintains **council oversight without placing an unnecessary financial burden** on compliant landlords.

## 5. Focus on RMBC's Own Housing Stock & Social Housing Providers

(Noted: This element **cannot be included** as part of the legal framework for selective licensing)

- If the council is **serious about improving housing standards and dealing with anti-social behaviour**, it should **assess the condition of its own housing stock** and that of **social housing providers it funds**.

- **Why aren't these properties subjected to the same scrutiny as private landlords?**

#### **Potential Benefits of the Alternative Approach**

- **Maintain High Standard Without Excessive Costs** – Allows good landlords to continue delivering high standards **without financial penalties**.
- **More Effective Enforcement** – **Targets non-compliant landlords** rather than applying a **blanket licensing scheme**.
- **Stronger RMBC & PRS Relationship** – A **healthy relationship** where both **hold each other to account** for housing standards, working together to **improve communities**.
- **Reduced Costs for Tenants** – Avoids **unnecessary rent increases** due to excessive licensing fees.
- **Improved Outcomes for RMBC** – **More efficient allocation of resources** rather than blanket administration of selective licensing.
- **Improved Housing Standards Across All Sectors** – Ensures **RMBC and social housing providers meet the same standards** expected of private landlords.

#### **Conclusion**

This proposal offers a **balanced, effective, and fair alternative** to selective licensing by **targeting enforcement where it is genuinely needed**, while recognising and supporting **responsible landlords**.

I welcome the opportunity to discuss this further and explore how we can work together to achieve the **best outcome for tenants, landlords and RMBC**.

Jamie Smyth BSc (Hons) MRICS

Director

Livin Residential Lettings Ltd & Workin Commercial Property

**3) Proposal for an Alternative Approach to Selective Licensing – Bricknells Letting Agents S/L 04/03/20205**

Extracted from a longer response to the consultation.

*An alternative*

At Bricknells we are members of ARLA (Association of Residential Letting Agents), NRLA (National Residential Landlords Association) and the Leaders Council. We manage many properties within the proposed selective licensing areas on behalf of landlords.

In our management of properties we reference, vet tenants, conduct regular inspections (being mindful of the Fitness for Human Habitation Bill 2018), manage tenancies and address issues of property maintenance and repair.

Landlords pay a fee for our services and if the scheme progresses having to pay a further £900 plus, for council inspections and notices appears to be duplication.

There are a number of 'good agents' operating in the borough, would it not be prudent to leverage their expertise? Could the council set up an associate scheme for agents whereby through a council accreditation scheme with continuing council oversight they can be leveraged to conduct inspections and reporting on behalf of and in conjunction with the council.

To become accredited and pay for the scheme then maybe a nominal fee could be levied. Accreditation would give an added layer to an agent's qualifications, with costs either passed on to landlords or absorbed.

With landlords there are two types, those that employ an agent and those that self-manage.

So, for those that would use an accredited agent there would no need to be levied a selective licence fee as their agent would fulfil all inspections and would be happy to share their inspection reports for council oversight thereby negating the need for a council inspection.

For those landlords that self-manage or do not use an accredited agent the council would inspect on a 'pay for inspection' basis as indicated above in lieu of the selective licence fee.

This would allow the council to narrow the imposition of licencing and focus their existing powers of enforcement to those areas of greater need. As currently if the scheme were introduced as is, then council resources would be spread 'too thin' to become effective.

**4) Proposal for an Alternative Approach to Selective Licensing – Mr. Monir**  
**18/2/25**

**From:** Zahir Monir >

**Sent:** 18 February 2025 18:50

**To:** Chris Stone <

**Subject:** Re: Badsley moor lane selective licensing

Good Afternoon Chris

We can't we adopt the st ledger homes private landlord scheme.

The council sets up a business arm takes properties off landlords manages them for a small fee. The advantages are all check ups done by council for tenants. All paperwork to a high standard. Their could be a database and good landlords will go for this opportunity. Their will no anti social behaviour, council does check ups and has a in-house meaintenance team. They will be no homeless and less issues around hazards etc.

Can this be looked or can you contact st ledger homes.

Thanks

Zahir



## **5) Proposal for replacement of Selective Licensing in Masbrough – Landlord steering group 17/3/25**

This alternative proposal is reproduced in full, but the format had been changed to allow inclusion in this document

### **Proposal to replace selective licensing By Landlord Steering Group**

#### **Masbrough region**

#### **OUR PROPOSAL**

Key elements of this system:

- **Landlord registration with detailed property information:**
  1. Mandatory registration of all private landlords with a central database, including property details, contact information, and tenancy agreements.
  2. Regular updates required to maintain accurate information.
- **Property condition reporting:**
  1. Requirement for landlords to submit detailed property condition reports at regular intervals, covering aspects like safety, maintenance, and energy efficiency.
  2. Landlords to give works project plan being a 5yr proposal and other details as required on the form.
  3. Use of standardized reporting forms to facilitate easy comparison and identification of potential issues.
- **Tenant feedback mechanism:**
  1. Secure online platform for tenants to report housing concerns directly to Landlord in the first instance and then to local authority being Environmental Health Dept.
  2. Clear procedures for investigating tenant complaints and addressing issues promptly.
- **Targeted enforcement approach:**
  1. Data analysis to identify high-risk areas with poor housing standards.
  2. Plan of action to be agreed to raise standards in housing and locations with all stakeholders.
  3. Increased enforcement capacity to conduct proactive inspections in these areas and support the issue of penalties for non-compliance.
- **Landlord / Tenant education and support:**
  1. Provision of online resources and workshops to educate landlords on best practices for property management and tenant rights.
  2. Approved Contractors' listings, including pooling contract offering.
  3. Incentives for landlords who demonstrate high standards of property management.
  4. This is not limited to holding Landlord meetings to discuss any issues they

face and the Landlord Steering Group to provide support.

5. Tenants meeting to be held to address problems they face with Landlords or the property and / or any other issues related to housing locality and services, the feedback channelled back to relevant authorities to ensure accountability and results.
6. Owner / Occupier meetings to be held and their concerns to be addressed.

Potential benefits of replacing selective licensing:

- **Reduced administrative burden on landlords:** Eliminates the need for separate licensing applications in designated areas, thus enabling streamlining compliance processes.
- **More targeted approach:** Allows for focused interventions in areas with the most pressing housing concerns, rather than blanket licensing.
- **Improved tenant protection:** Enhanced mechanisms for tenant feedback and complaint resolution.
- **The SL is having an adverse effect on the owner occupiers** who are seeing their property values decreasing, lenders not borrowing in these localities due to council's SL mapping, It is having an adverse effect.
- **The LSG can ensure better co-operation and deliverability from the Landlord to the council relevant bodies, and with all stakeholders and vice versa.**
- **Greater accountability:** Clearer data on landlord compliance and property conditions.

### Data collection and analysis:

Ensuring robust data collection and analysis capabilities to identify high-risk areas effectively.

- **Enforcement capacity:** Building adequate enforcement capacity to respond to tenant complaints and investigate potential violations.
- **Consultation with stakeholders:** Engaging with landlords, tenants, and local communities to gather feedback and address concerns throughout the development process.

### Rationale

Why should area related Landlord Steering Groups be setup and supported by the council?

The main reason for having consultations is it look at how the Landlords and SL can work together and achieve the results as directed by central Govt. We have two options Landlords either agree with the SL team or disagree and submit their proposals that addresses the requirements and delivers the required results.

Throughout the last 10 years it has been Selective licensing V Landlords, tenants and owner occupiers who are all dismayed, disgruntled and in totality wholly against Selective Licensing, they have seen no value or benefit of Selective Licensing.

The LA Licensing Dept has been operating for 10 years being two terms it has not achieved the desired goal of un-licensing in this location and after 2 terms being 10years it is saying it needs more terms hence the mapping of this location once again, this shows a failure. After all their reports and un-licensing, a certain area. National media had done a report on the conditions of the properties in that location, which highlighted Selective Licensing's comprehensive failure borough wide.

It has not just failed the housing stock; it has failed the owner occupiers, its failed landlords and tenants as Landlords have passed the cost on to the tenants and SL has not addressed tenants' issues in relation to their comprehensive housing issues.

Tenants' rights have not been protected within the SL schemes, they believe they have been targeted due to many reasons.

SL has also failed owner occupiers who have seen a significant drop in standards in the locality and significant valuation drop on their residences, furthermore the SL regime has affected the lenders appetite to borrow funds for purchases / remortgages in the areas of SL.

We respectfully submit with the resources of the council availed to them, they have failed miserably and have not achieved the desired result of raising the location's

housing stock to a satisfactory level where the location can be moved out of SL that alone is another prime evidence of failure, if they haven't achieved it in the last 10 years they will not be able to remove it in the next 5 years, the area has not benefitted whatsoever from SL. It is time for the LSG to be created and let it deliver for a period of 5 years.

### **Execution Strategy**

- Proper partnerships with all stakeholders
- Local direct knowledge would benefit the end result being better housing
- The locations would lift above in quality of housing, tenants and property values. It would also see a rise in Private investors investing into these localities.
- It would create a better working environment for council depts especially not wasting council resources but having targeted involvement with the environment health Dept as well as other dept's with LSG.

### **Technical/Project Approach**

This would involve implementing a comprehensive, data-driven landlord registration system, incorporating mandatory property condition reporting, robust tenant engagement mechanisms.

With initial all stakeholder meetings addressing their concerns with the requirements of the Environmental Health Dept & other council bodies to deliver to their requirements as a JV.



## Resources

Using technology to create reporting and data gathering routes

## Project Deliverables

- Data collection and analysis:
  - Landlord and Property registration with up-to-date certifications, reports on portal
  - tenant registration with occupant/s details
  - Ensuring robust data collection and analysis capabilities to identify high-risk areas effectively.
- Enforcement capacity:
  - Building with portal adequate enforcement capacity for reporting tenant complaints and other information to Environmental Health for investigating potential violations.

## Benefits to the RMBC

Financial savings being paramount at the time when the council is struggling to meet and provide essential services for of all the residents of the borough as oppose to spending the funds on a selected few.

All stakeholders been on one page and working together.

A positive way of raising the housing stock quality and retaining housing within the Borough and potential for increase of housing availability.

Whereas we are projecting a better service, registration, monitoring, reporting and data gathering and due to the stakeholders' commitments, we will strive to meet central Government requirements.

The reasons for a Local Councils to exist is to provide services to the people of its borough, if the people of the borough prefer the way of LSG. Which guarantees retainment of the current housing stock coupled with its saving for the council's finances and resources it would meet the expectations of the stakeholders and therefore this proposal should be approved.

## Timeline for Execution

Key project dates are outlined below. Dates are best-guess estimates and are subject to change until the LSG proposal is approved.

Description	Start Date	End Date	Duration
Project Start	1/9/25	30/08/30	60 months
Milestone 1 Initialize registration of all Landlord and properties currently tenanted within location			

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12months for existing properties and ongoing for new properties Stakeholder meetings to and support Stakeholders are landlords, tenants, EHD, Owner occupiers			
Milestone 2 All data on properties to be availed on portal			24 months
Milestone 3 Setup data gathering program with all stakeholders			24 months
Milestone 4 Setting up tenant reporting portal Reporting of problem properties			12months
Inspection & Auditing of systems on yearly basis with data delivery mechanism to all stakeholders			ongoing
Phase 2 Identifying problems areas and reporting routes to Stakeholders for			
Milestone 5 Audit systems ongoing and ensure Environmental Health have all relevant information  Ensure data delivering  Final report to be submitted to all stakeholders With recommendations			

Final report to be submitted to all stakeholders  
With recommendations

### EXPECTED RESULTS

#### Financial & Policy Benefits

Saving RMBC finances and targeted use of resources

Retaining & increasing of housing availability for the Borough

A working relationship between Environmental Health Landlords and tenants

### OTHER BENEFITS

- The locations would lift positively upwards, in quality housing
- tenants would have a voice and direct access to portals.
- The estates property values would increase.

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- It would also see a rise in Private investors investing into these localities.
- It would create a better working environment for council depts especially not wasting council resources but having targeted involvement with the environment health Dept as well as other dept's with LSG.
- The stakeholders will be directly involved as under SL it was SL V Stakeholders
- Removing all diss-advantages of Selective licensing on the location on residents, tenant's owner occupiers with direct benefits for investors and owner occupiers to move forward and gain investment to buy and sell the properties within location.
- Lifting the location out of poverty.

### **PRICING**

Stakeholders to pay for the portals and setting up all procedural requirements, reporting portals, data gathering and wholesome deliverability. In essence all costs borne by stakeholders on an equal basis

6) **Two Alternative Proposals to the 2025-2030 Selective License Scheme, – Tracy Cartland-Ward, Landlord 16/3/25**

Extracted from a longer response to the consultation.

**PROPOSED ALTERNATIVES**

1. Take a pause and put any new proposal on hold until the following are available:
  - The Draft Area Plan is finalised and released, so that all can see it, analyse it and understand the data used to form the proposed scheme.
  - The finalisation of the Renters Rights Bill, so that we can apply funds without waste on duplication of activities and ensure the scheme works alongside the new regulations.
  - Have an independent consultation on any new proposed scheme, that is designed in collaboration with the PRS arena, including steering groups representative of landlords, tenants and residents.
2. Design a scheme that seeks to license all PRS properties in the Rotherham borough, given that all tenants deserve the right standard of living conditions not just those in identified areas. Such a scheme to also encourage agents in the area to ensure they are not complicit in turning a blind eye to landlords who are not providing the standard of living compliant with HHSRS.

This proposal is like the Smart Rent Wales scheme and other councils e.g. Newham borough have shown applying SL to all PRS housing not otherwise on license, has worked and provided a cost effective way of sharing the burden on improvements for all tenants across all landlords.

Below of the main points I would consider and reason for inclusion, when looking further at this alternative:

**A. All landlords in the PRS Sector in the Rotherham Borough must apply**

- This ensures that the council do not have to fight to identify landlords who have not applied for license as ALL landlords, not otherwise licensable MUST apply
- You could also incorporate into this a scheme where the Landlord is licensed, such that they apply for ALL properties in the PRS within the borough on one application, listing multiple properties – thus reducing an administrative burden.
- When submitting the application, it must be sent with all regulatory certificates Gas, EICR, EPC and more importantly include an HHSRS inspection within the last 5 years, with evidence of any remediation

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and improvements where the inspection failed.

- It should be noted with the current proposed scheme, with increased expansion of areas, it would be near impossible for all properties to be physically inspected by the council themselves, or without spending vast sums from the fees raised to have outsourced contractors do the inspection.
- A process could also be introduced where HHSRS surveyors used are those on the councils approved list, similar to the drop kerb scheme, or are HHSRS surveyors recommended by a registered agent, who also must mark the HHSRS report as verified. These will ensure the council can be satisfied the inspections are true and valid.

### **B. All Agents renting property in the PRS space in Rotheram Borough MUST also register at NO COST, to ensure agents are committed to only marketing properties that meet the living standards set within HHSRS**

- This will result in landlords not being able to market, as easily, a property that does not meet the desired criteria of living,
- Initially this may result in some landlords leaving properties empty, but increase council tax on a empty property and no rent income would soon hurt the bad landlords pockets.
- I am also committed and prepared to work with the council and have ideas on how the council could use empty properties in the area, to reduce the use of public funds for emergency housing.

### **C. Self Managing Landlords**

- Where a landlord self manages, this would bypass the Agent marketing test, I would proposed this is addressed in the fee structure.

### **D. Fee Structure**

- Such a scheme would reduce the burden on the council, which spent 3x the cost inspecting properties in the last scheme, using outside HHSRS contractors who were often creating issues to help keep them in business.
- I would propose either a main fee per landlord with a small fee per property (and I do mean small, this proposal does not seek to create a large financial burden on any landlord or tenant). Or a very small fee per property – noting that this proposal is for all properties in the PRS arena to apply for license. No landlord should be paying more than a £120 per year per property in my view if you have the right scheme (after discounts for good landlords who do all in their power to ensure the

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conditions of their properties pass the HHSRS system).

- Discounts on the full price should be given against the following:
  - Full license applied for within a given time frame
  - All documentation provided in full with the application and verified/certified where necessary.
  - Discount if a verified HHSRS inspection with the last 5 years is provided (A new HHSRS verified inspection report would be required when that 5 year period ends – even if they are in the middle of the SL scheme period)
  - If not using a landlord fee structure then discounts for landlords with multiple properties who license ALL properties they have in a single submission, with full documentation
  - If using a landlord structure then fee per landlord set in brackets of property number, i.e. a landlord with 1 property is not paying the same as a landlord with 20 properties etc.
- Fines/No discount to those not applying within a given period of SL commences (or within a given period of taking ownership of a property)

I appreciate this proposal is only an outline at this point and will require further detail & analysis, but is in my opinion a safer, fairer way to apply a scheme.

Include all for a lower fee per unit which may have the outcome of no increase being passed to tenants and create THE safest, NO 1 PRS housing sector any borough has ever brought to our nation of renters.

I am committed to being part of a steering group to work on this should the proposal be considered for review and further analysis.

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### 7) **Two Alternative Proposals to the 2025-2030 Selective License Scheme, – Private sector Leasing**

This proposal was based on conversations with landlord during the consultation face to face meetings, who identified that other councils and government agencies offered leasing options which allowed reluctant landlords to retain their properties with no risk whilst making good use of the asset.

The lease scheme described above is based on existing schemes in other areas to reflect the verbal proposals received.