

CONSULTATION RESPONSES

Formal consultation was carried out during from 17th September for an 8 week period

We received 13 responses in total and a further written statement from North Wales Fire & Rescue Service and North Wales Police, which are detailed below. In response to the comments received within the questionnaires a detailed Officers response are outlined in Table 1 below

Supporting Statements received North Wales Fire and Rescue Service and North Wales Police

Following statement from Alastair Horton

Ymgynghorydd Addysgu Busnesau/ Swyddog Cydymffurfio Diogelwch Tân Busnes
Business Education Advisor/ Business Fire Safety Compliance Officer:

“Fire deaths and injuries in the county’s HMO/bed-sit properties still occur and rogue and/or absentee landlords remain. HMO properties in Rhyl remain a major concern to North Wales Fire & Rescue Service as they pose a potentially high fire and life risk due to the combination of typically poor management and lack of maintenance/fire safety provision. Landlords of HMO’s remain difficult to identify and to engage with, despite the best efforts of the fire service and Denbighshire County Council’s enforcement team, who continue to work closely together. Premises are visited on a regular basis via a joint working approach with many serious issues are discovered during inspections – absentee landlords with little or no management of the premises, inadequately maintained fire safety systems or provisions, combustible materials on the means of escape and poor security arrangements increasing the risk of arson within the premises.”



HEDDLU GOGLEDD CYMRU
Gogledd Cymru diogelach

NORTH WALES POLICE
A safer North Wales

I am PC 1718 Les Jones of the North Wales Police, currently stationed in Rhyl, as a Partnerships Officer for the County of Denbighshire. Part of my role is to research police events and incidents that take place, which create and cause repeat demand for the police service and a drain on the public purse. Often problem solving aspects in reducing Police demand relies on partnership working with identified stakeholders.

I work closely with many external agencies, including several departments within Denbighshire County Council; my duties also involve working with the private sector such as private landlords and the business community. Many of the landlords or agents I speak to reside out of the area, some in the South of England.

I have worked in Rhyl, and in particular West Rhyl, for over 10 years, as a beat neighbourhood Officer, literally walking the streets and engaging with the public within that community. The area is a recognised area of deprivation, with many residents also living in poverty. The area has a large concentration of rented properties, and the largest in the Town, many are flats have single Male/Female occupancy.

Over 67% of the population of West Rhyl are unemployed or unemployable, many have addictions to alcohol or drugs, and many have mental health issues.

Often members of the public complain to me and my colleagues about drug dealing and general anti-social behaviour by certain sections of the West Rhyl community. Often these people who cause harm to the community live within Homes of Multiple Occupancy, HMO's within West Rhyl.

I have researched and cross referenced Police incidents and the locations of those incidents. Not surprisingly these incidents take place at HMO locations. When further research and visits have taken place, signals and indicators of poor HMO location management are obvious.

Often the locations are in poor conditions externally, with rubbish and general detritus strewn everywhere. Rooms within the building are often in worse conditions, and in my opinion, are often unsafe.

Obviously some landlords are more responsible than others, and I can say North Wales Police rarely attend a well-run and well managed HMO. West Rhyl also has a large concentration of properties belonging to Clwyd Alyn, the largest registered

social landlord in North Wales, with over 550 in Rhyl, mainly in West Rhyl.

I recently conducted a public survey in West Rhyl, where 40 residents were spoken to at random. Many gave feedback on the perception West Rhyl has, as a run-down poor relation to other parts of the Town, mainly due to the high concentration of flats and rented properties.

Consequently as a result of poorly run and badly managed rented properties, this creates a tangible negative impact on the Town in general, to both locals and visitors during the summer months.

Over the years a multi-agency team approach has taken the work of dealing with crime, disorder and anti-social behaviour involving HMO locations forward. The team concept of working together to address issues within HMO locations pays huge dividends to the community, crime and ASB drops off, savings are made to the public purse, and in general as highlighted on my survey, people feel safer in West Rhyl, and within the locations in question.

The community of West Rhyl includes an area of high concentration of rented properties, and this area where people and families live has been linked to a Victorian slum. I have a catalogue of photographs which back up this description. Colleagues who are often called to incidents in the area have describes certain zones in West Rhyl as ghettos.

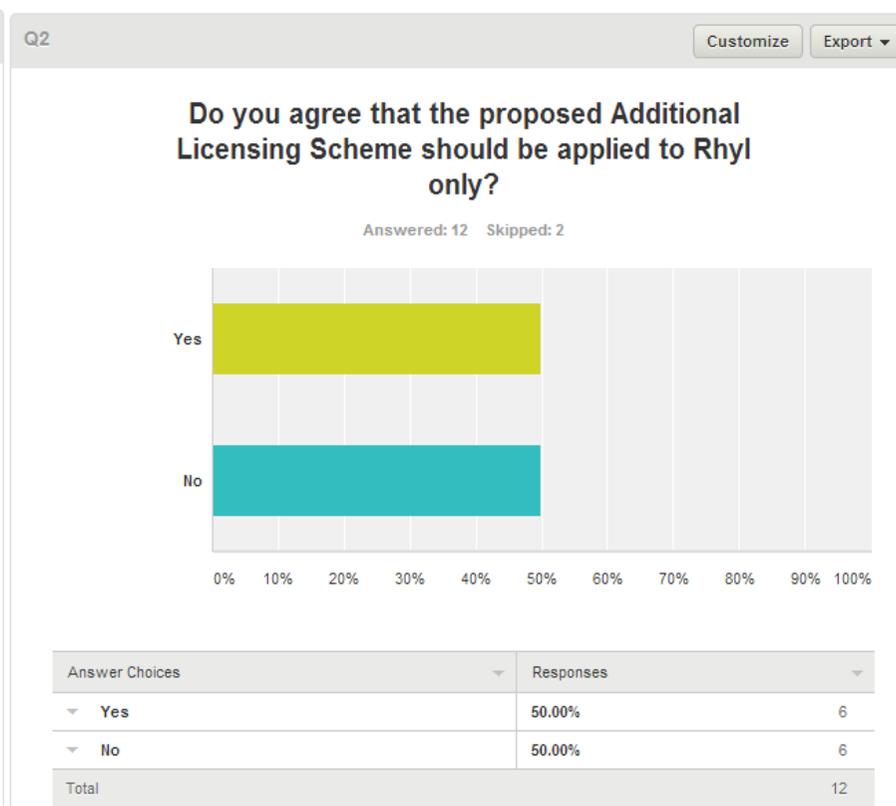
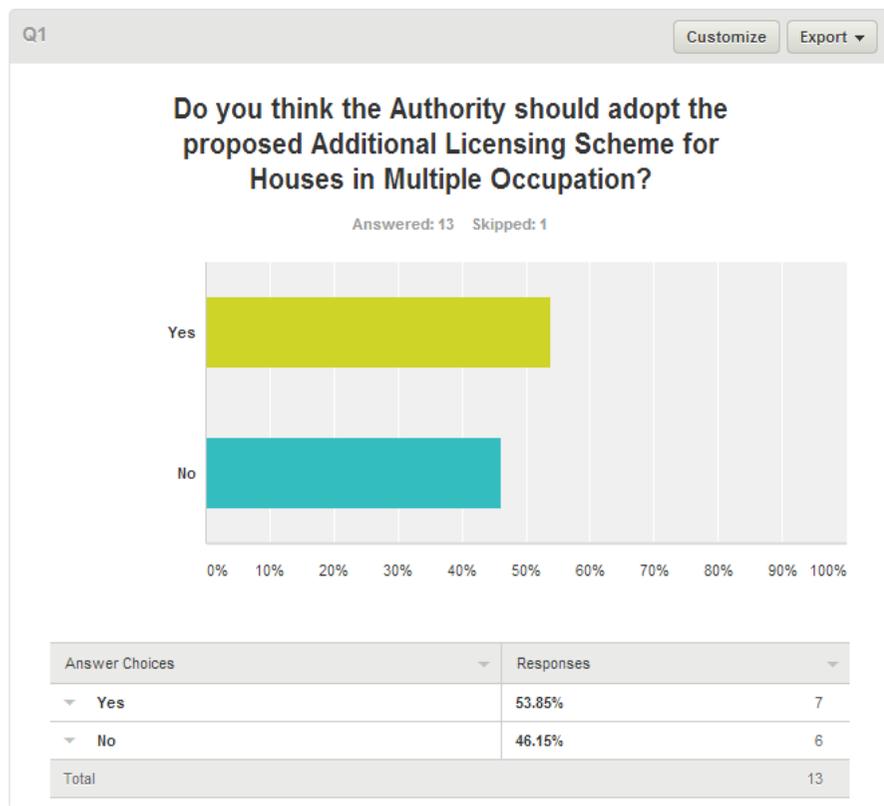
In my opinion private landlords have a duty of care not only to their tenants, but to the community where their properties are located. This includes the physical appearance of the property, and its curtilage. Tenants have a responsibility to keep the properties clean and to acceptable standards. Landlords or local agents who act for those landlords, who reside out of the area, need to pay greater attention to the locations and tenants.

In my opinion if HMO locations or indeed any private rented property should be well managed, in good conditions, clean and acceptable, with regular contact between tenant/owner/agent. This in turn should attract good standard of tenant who will comply with the required standards.

This ideology and positive work can be demonstrated and evidenced by good quality landlords, where as previously mentioned North Wales Police, never or rarely attend their locations.

Rhyl, especially west Rhyl is currently undergoing a transformation with private sector investment hopefully taking place in the coming years. HMO's and private sector rents are here to stay, so it's important the progress made thus far with this sector of the community continues.

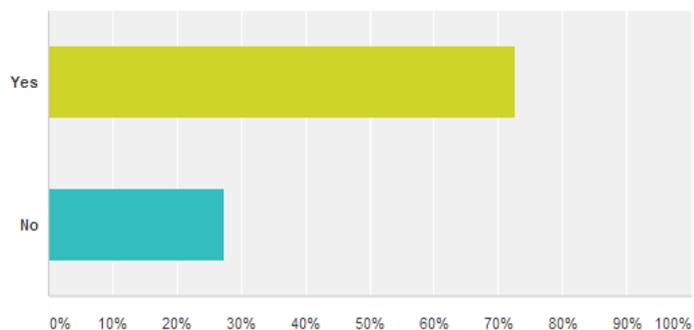
PC 1718 Les Jones, Partnerships Officer, Denbighshire |



Q3 Customize Export

Do you agree that the proposed scheme should be applied to all HMO properties in Rhyl?

Answered: 11 Skipped: 3

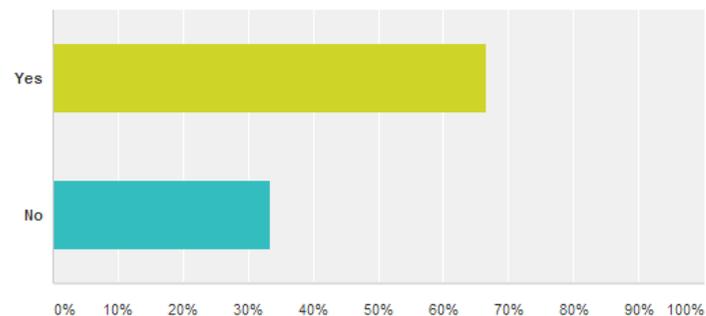


| Answer Choices | Responses | |
|----------------|-----------|----|
| Yes | 72.73% | 8 |
| No | 27.27% | 3 |
| Total | | 11 |

Q4 Customize Export

Do you agree with the proposed new licensing Conditions which will apply to both the Additional Licensing Scheme and the Mandatory Licensing Scheme?

Answered: 12 Skipped: 2

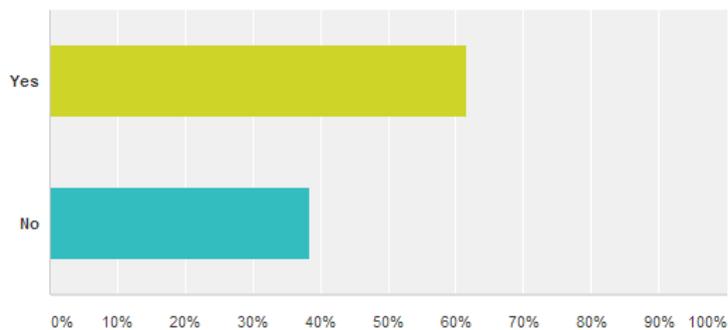


| Answer Choices | Responses | |
|----------------|-----------|----|
| Yes | 66.67% | 8 |
| No | 33.33% | 4 |
| Total | | 12 |

Q5 Customize Export

Do you agree with the decision to apply the same Fees to the Additional and Mandatory Licensing Scheme as is currently in place?

Answered: 13 Skipped: 1

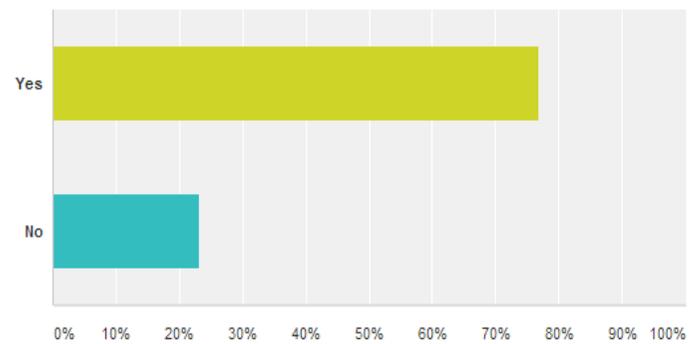


| Answer Choices | Responses |
|----------------|-----------|
| Yes | 61.54% 8 |
| No | 38.46% 5 |
| Total | 13 |

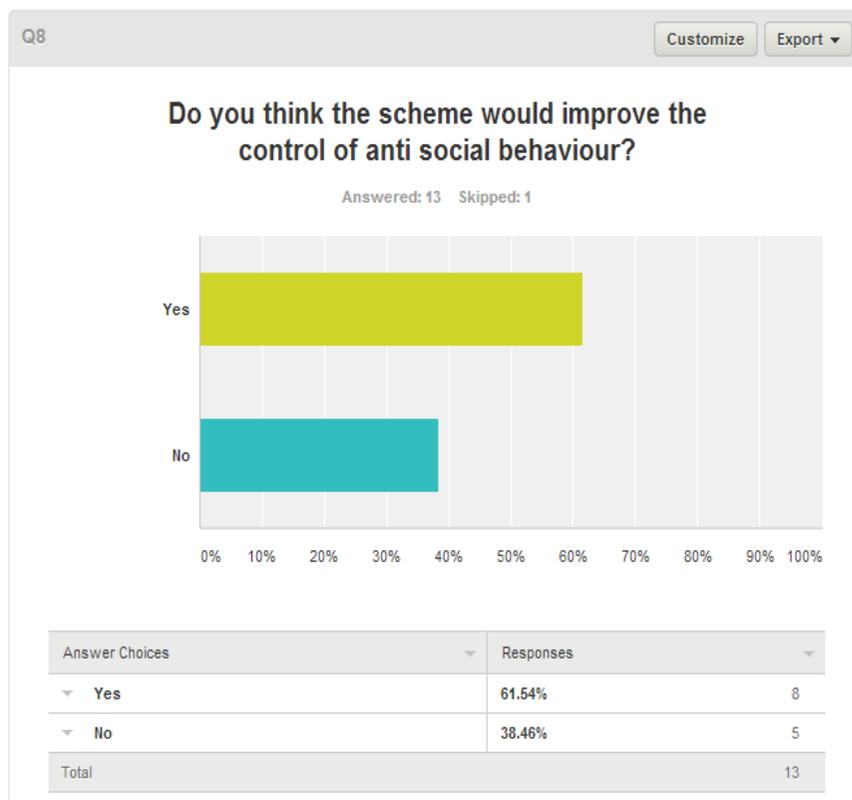
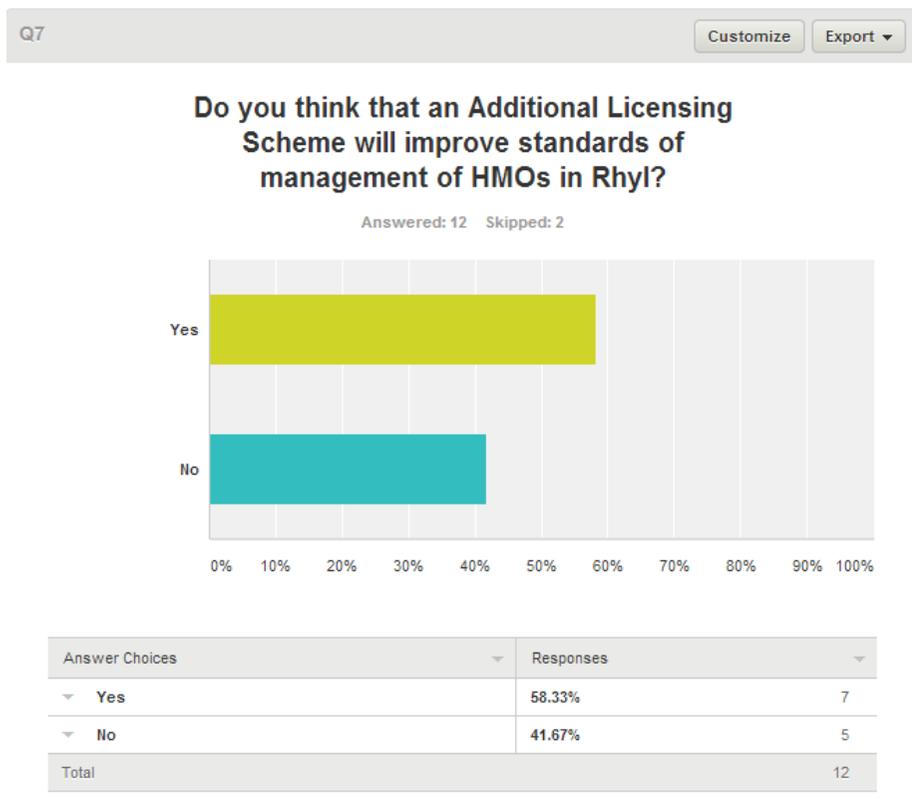
Q6 Customize Export

Would you agree for financial incentives or discounts to be applied to the licensing fees?

Answered: 13 Skipped: 1



| Answer Choices | Responses |
|----------------|-----------|
| Yes | 76.92% 10 |
| No | 23.08% 3 |
| Total | 13 |



Q9. What other measures could the Authority consider to improve standards of HMO's in Rhyl? Responses in Table 1 below

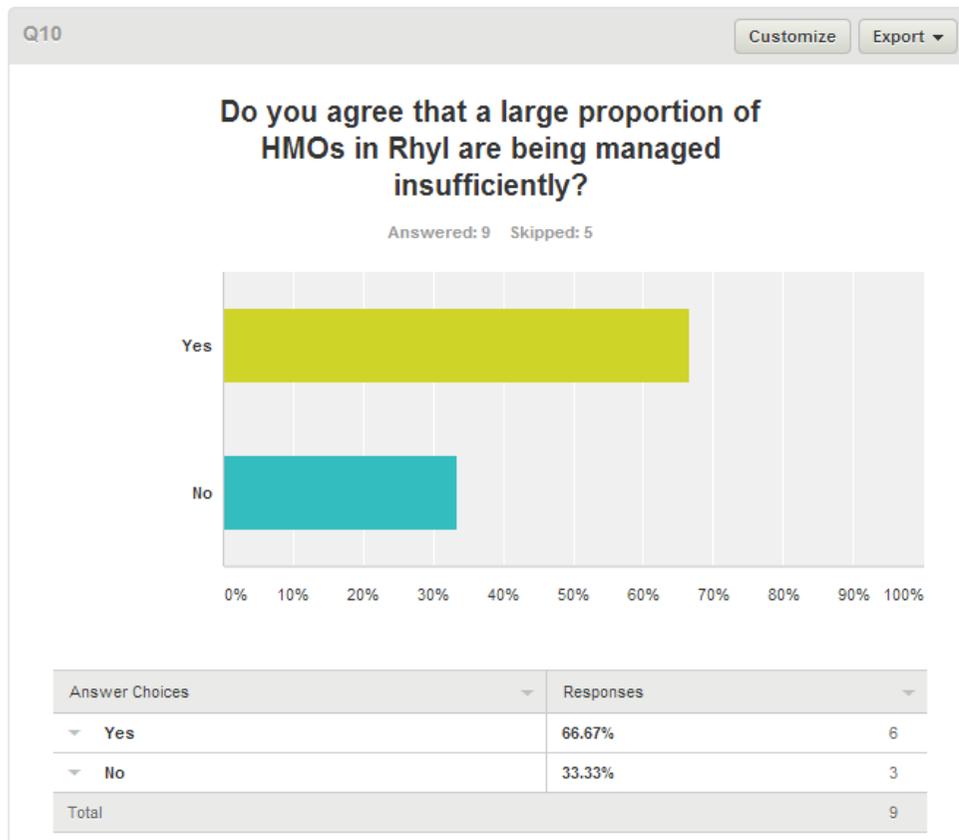


Table 1 - Responses to questions/comments received through the consultation

| | Question | Comments | Officer Response |
|---|--|---|--|
| 1 | Do you think the Authority should adopt the proposed Additional Licensing Scheme for Houses in Multiple Occupation? | <p>The new national mandatory registration and licensing scheme should suffice</p> <p>Because the scheme only targets Rhyl. Are there no bad landlords elsewhere?</p> <p>Because it will in our extra payments for a licence when some landlords cannot afford the extra cost.</p> <p>There is enough legislation in place. This is the private sector and infringes European Legislation on rights of individuals</p> <p>Extra costs for landlords - extra costs for Council for little return</p> | <p>The new mandatory registration scheme will collect details on landlords and the properties that they own. It does not deal with property standards, conditions and management requirements unlike the Additional Licensing Scheme.</p> <p>The Licensing Scheme is an additional and adoptive piece of legislation made available to Local Housing Authorities by the Housing Act 2004. The legislation does not infringe on any existing European Legislation or Human Rights Act.</p> <p>Fees in the new Scheme have been retained at the 2010 levels and are in line with those charged by other Local Authorities.</p> <p>The Scheme is principally to protect individual tenants and ensure they have access to good quality and safe accommodation. However by ensuring a good standard of accommodation and management practises the benefits extend to neighbouring properties and local communities.</p> |
| 2 | Do you agree that the proposed Additional Licensing Scheme should be applied to Rhyl only? | <p>Bad landlords should be targeted wherever they are!</p> <p>All of Denbighshire</p> <p>Why just Rhyl. One law should apply to all if it is implemented.</p> <p>What is the difference of a poorly managed property in one town from another?</p> <p>Rhyl is the scourge of our county and needs the people in it who have caused this (landlords and tenants) got rid of (as they won't change; if you can't change the man, change the man!)</p> <p>Surely not applicable if answer to Q1 is "No"?</p> <p>Other areas need supervision</p> | <p>The authority agrees that all private sector tenants should be afforded protection from poor landlords. Any PRS tenant can currently complain to the Authority for redress against poor property conditions. The Authority has an active approach to tackling properties in poor condition.</p> <p>The Additional Licensing Scheme is proposed for Rhyl only as the majority of the Authorities HMO's are within this area. Evidence from the Authority, Police and Fire Service indicate that the majority of complaints and incidences are also within the Rhyl area.</p> <p>The Authority considers that it would be disproportionate to introduce a Licensing Scheme in other areas or district wide as they is not enough evidence to justify this in accordance with the requirements of the general approval for designating additional licensing areas . We can keep under review the need to extend additional licensing to other areas if the evidence demonstrate the need for such an intervention.</p> |
| 3 | Do you agree that the proposed scheme should be applied to all | <p>I agree with licensing IF it is FREE not just to give the Council extra revenue</p> | <p>The proposed Licence fees has been calculated in line with Government guidelines, the fee can only recover the costs of the Local Authority.</p> |

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| | <p>HMO properties in Rhyl?</p> | <p>Only properties are in need. Why licence properties that do not need licensing</p> <p>As the good decent landlords need to know their efforts are appreciated and they are not just being targeted as easy bait because the others aren't local or don't care etc</p> <p>See response to Q1</p> <p>Too blunt approach and it looks like council is only interested in making money out of landlords so it appears very negative</p> | <p>Proposal to apply discounts and incentives have been included within the new proposed free structure</p> <p>The Authority has a private rented sector action plan which aims to work more closely with good landlords, supporting them in their business. This plan is currently ongoing.</p> |
| 4 | <p>Do you agree with the proposed new licensing Conditions which will apply to both the Additional Licensing Scheme and the Mandatory Licensing Scheme?</p> | <p>As above. What happens when landlords cannot afford major works which should be carried out and further costs of licensing are added. There will be fewer rented properties and where would all the new tenants go.</p> <p>This legislation was intended for multiple occupancy sharing facilities. The Council are using this as a curs to licence landlords through the back door with due process as required by statute procedures</p> <p>Extra costs for landlords - Lot of time and effort in administration for Council</p> <p>This will not improve housing standards - likely to do the opposite as it would increase costs to landlords</p> | <p>The proposed new conditions have been updated to reflect changes in guidance and legislation. No additional onerous conditions have been added.</p> <p>Landlords already have a duty to provide safe and healthy properties for their tenants to use as their homes, it is reasonable to expect that routine maintenance and repairs are considered in a landlord's business plan.</p> <p>The Authorities evidence shows that there have been significant actions taken to improve properties within the previous Scheme. Some of these improvements have been carried out under licence conditions, which extend beyond the basic health and safety requirements of Part1 of the Housing Act 2004.</p> <p>Shared houses have already been licensed under the Mandatory scheme, which there were only 30 HMO properties, the majority of HMO in Rhyl are those which have been poorly converted into flats; these would fall within the Additional Licensing scheme.</p> <p>Proposal to apply discount and incentives have been included within the new proposed free structure</p> |
| 5 | <p>Do you agree with the decision to apply the same Fees to the Additional and Manadatory Licensing Scheme as is currently in place?</p> | <p>There should be NO fees then everyone would be safer when the HMO's are inspected.</p> <p>Currently excessive and unjustifiable, all agreed together does not equate to the cost of implementing the scheme</p> <p>I do know that some landlords have said they feel the fees are too excessive and it has been recently found that some landlords are running on a very little, or no</p> | <p>The proposed Licence fee has been calculated in line with Government guidelines, the fee can only recover the costs of the Local Authority.</p> <p>In addition the new proposed Scheme will operate a range of discounts to reflect any cost savings to the Authority, for example fully completed application.</p> |

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| | | <p>profit basis, based on their excessive outgoings, especially those running one property flats.</p> <p>Lower fees / on a scale so those who do things properly / more quickly, etc pay a lesser fee - There's got to be some reward for the good guys out there and worse penalties for the baddies!</p> <p>Too expensive</p> <p>Too expensive and look like a council grab</p> | |
| 6 | <p>Would you agree for financial incentives or discounts to be applied to the licensing fees?</p> | <p>There should be no fee for licensing. If houses in HMO need work to make them safe and healthy to live in, then how does the Council expect landlords to afford the costs of work and licensing. Although the idea of licensing is a good idea, I think the Council is only doing it to increase revenue.</p> <p>The fair grant system that was once available in the past for those who needed it, and was a great help to all, but I know times have changed and so any future financial incentives or discounts to fees etc that could be found, and realised, would be well appreciated by all who need them.</p> <p>As Q5 - Council tax exemptions whilst empty widening might encourage owners to take the time to improve their properties.</p> <p>I pay £1200 for my licence. Could use this to improve living standards in house. Maybe 50% off</p> <p>?</p> <p>Fee should be renawl low to encourage rather than penalise which is how it is</p> <p>Discounts could be applied to landlords who are accredited and belong to a landlord association and regular attend the forum. Reduction in cost for completing the form right first time</p> | <p>The new proposed Scheme will operate a range of discounts to reflect any cost savings to the Authority, for example fully completed application.</p> <p>Capital funding to local authorities for funding private sector renewal has been significantly reduced or withdrawn. The Authority does encourage landlords and tenants to take up offers to improve the energy efficiency of the properties and reduce fuel poverty.</p> <p>Council Tax legislation are outside the scope of this legislation, however this is an issue the Service can take up with Council Tax Department for further discussion.</p> |

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| 7 | <p>Do you think that an Additional Licensing Scheme will improve standards of management of HMOs in Rhyl?</p> | <p>HMO's in Rhyl should be up to standard by now due to licensing / inspection scheme that has been in place for last few years.</p> <p>Rigged question! Standards of occupancy is the question which should include tenant behaviour</p> <p>As long as it's vigorously enforced and seen by the decent people of Rhyl to be so.</p> <p>Because good landlords comply bad landlords will not</p> <p>It will just create hostility towards the council and landlords will do whatever they can to avoid doing a good job (carrot is better than stick)</p> | <p>The Licensing Scheme should not be seen as a one in a 5 year event. HMO's once brought up to standard, if necessary are risk rated depending on size of the property; its compliance with relevant regulations and the management. Those properties that are deemed to be of a higher risk are inspected more frequently and in line with good practice good properties need less regulating. This allows the Authority to focus its resources where they are most needed.</p> <p>Denbighshire are one of only two local authorities in Wales to have used the powers contained within the 2004 Housing Act to take over management of unlicensed HMO.</p> <p>The new proposed Scheme will operate a range of discounts to reflect any cost savings to the Authority, for example fully completed application.</p> |
| 8 | <p>Do you think the scheme would improve the control of anti-social behaviour?</p> | <p>It's the tenants who behave in an anti-social fashion NOT the landlords - this scheme does not regulate the tenants!</p> <p>There will always be an element of anti-social people whether in HMO's, Council Housing or any other</p> <p>HOW?</p> <p>High Court ruling has already stated landlord is not responsible and has no authority in tenancy act</p> <p>Rhyl would never improve until the drunks/druggies/undesirables are the exception roaming around town and not the norm as it is now.</p> <p>Why would it? Anti-social behaviour is a tenant thing not a landlord's and this is about landlords. The council often is desperate to house the tenants that are anti-social so the council as a whole has conflicting interests which is two parts pushing in opposite directions. Biggest improvement made in council</p> | <p>The Authority has a private rented sector action plan which aims to work more closely with good landlords, supporting them in their business. This plan is currently ongoing but includes support to landlords who accept tenants who have been referred by the Authority.</p> <p>Antisocial behaviour can be dealt with by other agencies such as the Council and NW Police; however the aim of the scheme is to prevent ASB from escalating to a point where intervention is required. Landlords do have the ability under their tenancy agreements to require tenant to behave in a good tenant like manner. Often early advisory intervention is all that is required to prevent further problems from arising.</p> <p>Landlords also have the ability to terminate tenancies on the grounds of ASB.</p> <p>New powers under the Anti-Social Behaviour, Crime and Policing Act 2014 may also benefit landlord in working more closely with the local authority to deal with anti-social behaviour affect the local community.</p> |
| 9 | <p>What other measures could the Authority consider to improve standards of HMOs in Rhyl?</p> | <p>I do not see the need for an additional licensing scheme, one mandatory licensing scheme should be enough and should apply to ALL properties that are rented to tenants to ensure a consistent standard across the country.</p> | <p>Mandatory Licensing can only be applied to a specific type of HMO as defined in the Housing Act 2004. The purpose of an Additional Scheme is to extend the requirement to other types of HMO that falls outside the Act's definition.</p> <p>The Council has no powers to deal with HMO's that either have planning consent or</p> |

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| | | <p>The Authority already has enough power and is in danger of reducing the sock of housing for tenants who cannot afford to buy houses. DCC should build their own Council flats or houses in competition with the private sector.</p> <p>Bedsits should not be allowed and if non were then standards of anti social behaviour, management and general well being would all improve.</p> <p>Go after the bad landlords first not the compliant ones</p> <p>See accompanying letter</p> <p>Get rid of poor tenants! Proposal makes no consideration of them. This is a all one sided proposal that is not constitutional.</p> <p>Encourage a certificate of accreditation for tenants. Also a possible record of good practice or otherwise, for tenants and landlords for future tenancy reference.</p> <p>Haven't a clue</p> <p>Those landlords who receive housing benefit directly from council to have that money withheld and spent on Council workers doing the necessary improvements if the landlord won't</p> <p>Make the fines for non compliance hurt. As it is now, you see odd things in the news whereby a fine has been issued that costs a lot less than doing the work so they're never going to do it! Big fines, take property in payment.</p> <p>Not sure what the standards are like now</p> <p>?</p> <p>Approach the whole thing from a landlords perspective</p> | <p>established use. The Authorities Planning guidance would currently not allow the creation of multi occupied properties with shared accommodation or substandard self-contained accommodation.</p> <p>As previously mentioned that Authorities PRS action plan does encourage good landlords and includes proposals for tenant's certification.</p> <p>Housing Benefit legislation is outside the scope of this legislation, however this is an issue the Service can take up with Housing Benefit Department for further discussion.</p> |
| 10 | <p>Do you agree that a large proportion of HMOs in Rhyl are being managed insufficiently?</p> | <p>See reply to question 7. DCC have powers to ensure HMO's are managed satisfactorily and in accordance with regulations.</p> | <p>The proposed Scheme will allow the Authority to identify those properties that require the most attention.</p> <p>Resources can be focused on the least compliant properties and Landlords. With the</p> |

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| | <p>It should be applied to the whole County.</p> <p>See letter</p> <p>We live in a democracy and that means that public officials actions represent the will of the people no an individual policitian / Councillors personal vendetta!</p> <p>In my opinion, health, safety and well run improved conditions, and correct up to date building regulations are all a must in HMO's, flats and in fact any building.</p> <p>No</p> <p>We need to shake out the unscrupulous landlords who have undersirables in their disgusting properties and have caused the whole of Rhyl being an unpleasant place to visit and shop problem. As long as it targets the actual culprits - the owners of the worst run and maintained and not just the easy bait like complaint, decent landlords and agents.</p> <p>We need to shake out the unscrupulous landlords who have undesirables in their disgusting properties and have caused the whole Rhyl being an unpleasant place to visit and shop problem. As long as it targets the actual culprits - the owners of the worst run and mai</p> <p>Don't Know - Mine isn't. Not sure what you mean by "insufficiently". If adopted paperwork to be bi-lingual (Not like this form!)</p> <p>Can't comment as I do not Know</p> <p>There are better ways of approaching the quality of housing and management of properties. Advice & help to landlords, grants to improve properties (many landlords are waiting until grants reach there streets) As i agent would like to see more positive promo of good agents to wards landlords of promotion of Arla membership</p> | <p>aim to improve the reputation of the private rented sector and the Town.</p> <p>The Authority has a Corporate Objective that everyone despite their tenure should have access to good quality housing; The Authority recognises the major importance of the private rented sector and that good landlords should be encouraged to provide good quality housing.</p> <p>The Licensing Scheme should not be seen as a one in a 5 year event. HMO's once brought up to standard, if necessary are risk rated depending on size of the property; its compliance with relevant regulations and the management. Those properties that are deemed to be of a higher risk are inspected more frequently and in line with good practise good properties need less regulating. This allows the Authority to focus its resources where they are most needed.</p> <p>Denbighshire are one of only two local authorities in Wales to have used the powers contained within the 2004 Housing Act to take over management of unlicensed HMO.</p> <p>Capital funding to local authorities for funding private sector renewal has been significantly reduced or withdrawn. The Authority does encourage landlords and tenants to take up offers to improve the energy efficiency of the properties and reduce fuel poverty.</p> <p>We are continually working with landlord to encourage better management within their properties, by promoting the All Wales Accreditation Scheme, we currently have over 100 landlords accredited in Denbighshire. We run a biannual Landlord Forum and produce a newsletter to over 300 landlords and Agents on our mailing list.</p> |
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