

**Report of Private Sector Housing Manager
To
Portfolio Holder for Housing
On
12 March 2025**

Introduction of Selective Licensing in Areas of Mansfield District

1. PURPOSE

This report seeks approval for the designation of selective licensing areas in Mansfield. This would require all privately rented residential accommodation which fall outside the definition of mandatory Houses in Multiple Occupation (HMOs) within the designated areas to be licensed under Part 3 of the Housing Act 2004.

Key Decision – Yes

Wards Affected – Bancroft; Central; Eakring; Market Warsop; Rock Hill; West Bank, Wainwright

2. RECOMMENDATIONS

To be Resolved by Portfolio Holder

- (i) To approve the designation of a selective licensing scheme for the five areas as set out in the Executive Report and Appendices. The selective licensing scheme would be introduced in June 2025 and will be enforceable from September 2025 and last until 2030.
- (ii) To approve the licence conditions to be attached to licenses issued under the selective licensing scheme as set out at **Appendix 7** to this report.
- (iii) To approve the licensing fees as set out in **Paragraph 4.32** of this report
- (iv) To authorise the Assistant Director - Housing to publish a Notice of Designation in accordance with the Housing Act 2004

3. REASONS FOR THE RECOMMENDATION

- 3.1 The introduction of the selective licensing scheme would help to address antisocial behaviour and poor housing within the private rented sector in the designated areas.

4.0 BACKGROUND

- 4.1 Section 80 of the Housing Act 2004 provides for the introduction of a scheme of selective licensing of private landlords in a local housing authority's area. The powers in the Act came into force in April 2006.
- 4.2 The aim of selective licensing (SL) is to raise standards in the private rented Sector. It has primarily been developed with the need to tackle problems in areas low housing demand, high levels of migration, high deprivation, significant crime or antisocial behavior and poor housing standards. An area can be designated if it suffers from one of these conditions.
- 4.3 In an area subject to selective licensing, all privately let properties must be licensed and if they are let without being licensed, or fail to comply with licensing conditions, the authority can take enforcement action.
- 4.4 The council is considering selective licensing to improve housing standards, address antisocial behaviour, and enhance property management. This initiative aligns with Mansfield District Council's "Towards 2030" strategy, which aims to enhance health, wellbeing, community safety, and economic growth by upgrading poor-quality private rented homes and targeting rogue landlords.

Statutory Consultation

- 4.5 Legislation requires a statutory consultation period of at least 10 weeks to gauge public opinion and gather feedback before a SL designation can be considered. The consultation on the 5 areas was launched on the 7th of October 2024 and ran until the 16th of December 2024.
- 4.6 Local housing authorities must conduct a comprehensive consultation, taking reasonable steps to engage residents, including tenants, landlords, managing agents, and community members within and around the proposed designation. The consultation should be widely publicised through diverse communication channels.

Consultation Strategy

- 4.7 Throughout the 10-week statutory consultation period, running from October 7th to December 16th, the council executed a comprehensive consultation strategy aimed at engaging as many residents, landlords, and businesses in the area as possible.

4.8 Table 1 below highlights the measures and actions taken to achieve this.

Action	Details	Timing
Leaflet drop	Distributed to 2,200 properties across the 5 areas.	Week 1
Letters to landlords and letting agencies	Sent to over 300 landlords and letting agencies.	Week 1
Follow-up letters to landlords	Sent to over 300 landlords, including a link to the online video of the drop-in event.	Week 7
Leaflet drop	Distributed to 1,200 properties, advertising drop-in events.	Week 5
Emails to landlords and letting agents	Sent to over 100 landlords and letting agents.	Week 1&8
Face-to-face drop-in events	Two events held: one in Central and one in Market Warsop.	Week 6
Social media strategy	Posts made throughout the 10-week consultation period.	Weeks 1–10
Paid social media posts	Posts advertising drop-in events, targeted to specific postcodes.	Various weeks
Landlord online briefing event	Held to discuss selective licensing.	Week 5
Recording of online event	Published on the council's website and YouTube channel.	During period
Video link shared	Sent to over 100 landlords and letting agents.	During period
2 x Official press release	Full press release issued.	Week 1&7
Printed press coverage	Coverage in CHAD newspaper.	During period
Online media coverage	Articles published by CHAD and other housing publications.	During period

Action	Details	Timing
NRLA and other landlord bodies (DASH, EMPO) emails	Sent two emails to Mansfield members encouraging responses to the consultation.	During period
Discussions with landlord bodies (DASH, EMPO, NRLA)	Discussed proposals and take in feedback from these organisations	During period
Messages sent out on the “Next Door” app	Messages sent out to people who use the app to the proposed selective licensing areas.	During period
Dedicated Selective Licensing Email inbox	Email inbox set up for any questions about selective licensing to be sent to.	During period
Statutory consultation survey	10-week online consultation process	7 th Oct – 16 th Dec

Areas Selected for Consultation

4.9 The areas proposed for selective licensing were chosen following a thorough assessment of specific data and information aligned with the designation criteria. A detailed analysis is available in the *Decision to Consult on Selective Licensing Report and the Portfolio Holder for Housing Decision* taken September 27, 2024.

4.10 The 5 areas chosen for consultation were,

Area 1 – Streets within the Central ward (324 properties)

Area 2 – Streets within West Bank ward and Wainwright ward (175 properties)

Area 3 – Streets within the Market Warsop ward (215 properties)

Area 4 – Streets within the Rock Hill ward and Eakring ward (222 properties)

Area 5 – Streets within the Central ward and Bancroft ward (285 properties)

Total number of properties: 1221 (See **Appendix 3** for maps of Areas)

Survey Methodology

- 4.11 To ensure a comprehensive and targeted analysis of consultation feedback, respondents were asked to specify both the area their input related to and their role, such as landlord, landlord agent, resident, or representative of another organization, including businesses. This dual approach allowed the council to identify area-specific issues, priorities, and unique perspectives while capturing the diverse viewpoints of all stakeholder groups.

Overall Survey Feedback Summary

- 4.12 The full analysis for each area is detailed in **Appendix 1**, with the raw data available in **Appendix 2**. This summary provides a comprehensive overview of the survey results. Across all five surveyed areas, approximately 130 survey respondents offered in-depth feedback on housing conditions, landlord practices, and community well-being. Representing a diverse range of perspectives including landlords, residents, letting agents, and other stakeholders the feedback ensures a well-rounded understanding of the challenges and opportunities within the PRS.
- 4.13 Collectively, the landlords who responded reported owning or managing at least 177 properties within the proposed selective licensing areas, along with an estimated 112 properties nearby (within a one-mile radius). This substantial sample of housing stock and the broad range of participant backgrounds provide a robust foundation for understanding local challenges and identifying where improvements may be most effective.

Table 2 – Breakdown of responses

Area	Total Responses	Landlords	Residents	Letting/ Managing Agents	Other (Incl. Businesses)	Properties (Inside Proposed Area)	Properties (Within 1 Mile)
Area 1	37	19 (53%)	11 (31%)	2 (6%)	4 (11%)	55	34
Area 2	17	7 (44%)	8 (50%)	0 (0%)	1 (6%)	22	2
Area 3	26	8 (31%)	12 (46%)	3 (12%)	3 (12%)	30	42
Area 4	26	13 (50%)	8 (31%)	2 (8%)	3 (12%)	35	14
Area 5	24	15 (63%)	7 (29%)	0 (0%)	2 (8%)	35	20

4.14 Key Issues Identified Across the Areas

The consultation revealed consistent patterns of concern throughout Areas 1–5. High levels of antisocial behaviour, problems with rubbish and fly-tipping, poor property conditions, and periodic difficulties with tenant turnover featured prominently. Many respondents also noted issues with crime, non-energy-efficient homes, and instances of poor or inconsistent property management. While the

severity and specific combination of problems varied from area to area, the core themes remained similar, indicating widespread challenges in maintaining quality housing and ensuring responsible landlord conduct.

Alignment with the Council's Objectives

4.15 The issues identified mirror the Council's key objectives for introducing selective licensing:

- **Raising Housing Standards:** Respondents frequently mentioned substandard properties, poor maintenance, and inadequate energy efficiency. Selective licensing provides a framework to ensure that landlords meet minimum habitability and safety standards, promoting better living conditions for tenants.
- **Reducing Antisocial Behaviour:** High levels of nuisance behaviour and crime were noted across multiple areas. By clarifying landlord responsibilities—such as informing tenants about acceptable behaviour and taking reasonable steps to address nuisance—the selective licensing scheme can help reduce disturbances that harm community quality of life.
- **Improving Management Practices:** Many participants supported clearer, enforceable landlord obligations, including valid safety certifications, written tenancy agreements, and transparent repair processes. Selective licensing can formalise these expectations, encouraging consistent, professional management and more stable tenancies.
- **Protecting and Empowering Tenants:** Setting enforceable standards ensures that tenants—especially those living in the most affected areas—have safer, more secure accommodation. This supports the Council's broader aim of fostering thriving, balanced communities.

Suitability of the Proposed Areas

4.16 Across the consulted areas, feedback on whether each location was suitable for a selective licensing designation was often shaped by who responded rather than by a nuanced consideration of specific streets. In areas where landlords formed the majority of respondents (area's 1,4,5), there was a pronounced tendency to oppose selective licensing outright, rather than to offer insights on where it might be most effective or needed. Although the survey aimed to pinpoint whether narrower or alternative boundaries (e.g., certain streets) might be more appropriate, much of the landlord feedback simply rejected the concept of selective licensing, irrespective of local conditions. As a result, while some respondents did highlight genuine concerns such as antisocial behaviour or poor property standards the overall 'no' response in these areas appears less about the unsuitability of the proposed boundaries and more about a broader dislike of licensing itself. Ruling out selective licensing solely on landlord-dominated opposition risks overlooking the underlying issues that licensing aims to address.

- 4.17 One street that drew attention from several landlords during the drop-in consultation was Manvers Street in Warsop, with some questioning why it was included in the proposed area. After reviewing this street and all five areas, we decided to remove two streets in Warsop because they are primarily not within the private rented sector. The updated map can be found in **Appendix 3**.

Landlord and resident Drop in Events

- 4.18 Drop-in events were held in both the Central and Warsop areas for both landlords and residents to come and discuss the proposals and ask questions. Despite being well publicised through social media, traditional media, emails, and flyers delivered to properties within the areas, attendance was unfortunately limited. The feedback from the events can be found in **Appendix 4**.
- 4.19 Landlords responding to the consultation in Warsop generally support a licensing scheme to improve housing and reduce antisocial behaviour but worry about the financial strain, especially for those with multiple properties. They call for flexible payment options, accreditation discounts, and clear benefits for compliant landlords. Meanwhile, a local resident highlighted drug dealing and other disturbances, suggesting targeted measures might be most effective. These views echo the online consultation feedback, indicating a shared desire to enhance housing standards and tackle ASB without unduly penalising responsible landlords.

Sector Consultation Feedback

- 4.20 **The National Residential Landlords Association (NRLA)** reviewed our data and overall rationale and broadly supports the proposed scheme, recognising the need to improve the area in line with our objectives. They emphasised the importance of adequate staffing for both administration and enforcement, clear communication about inspection and enforcement processes, transparent use of licence fees (including an annual audit), and specialised officers to manage antisocial behaviour and mediate between landlords, tenants, and the council. If the scheme is approved, these recommendations will be incorporated into its development and delivery.
- 4.21 **East Midlands Property Owners (EMPO)** feedback recognises that selective licensing, if properly targeted and robustly enforced, can be an effective way to improve housing standards. However, they emphasise the importance of thorough controls, enforcement, and landlord training to ensure meaningful outcomes and avoid unintended consequences such as increased rents. EMPO welcomes Mansfield District Council's choice to focus on five specific areas rather than adopting a blanket scheme and highlights the value of landlord training in boosting compliance. While future legislative changes (such as the Renters' Rights Bill) could reduce the need for such schemes, EMPO is prepared to support Mansfield's

proposal in the interim, offering its expertise and collaboration to maximise the schemes relation 's effectiveness.

- 4.22 **DASH** highlighted their role in supporting local authorities, landlords and housing professionals, to improve standards in the private rented sector, particularly in relation to licensing schemes. They emphasised commitment their commitment to ensuring landlords are informed about new legislation and other initiatives. DASH has welcomed the Councils inclusion of professional development opportunities for landlords and agents, recognising the importance in maintaining a well-managed licensing scheme. They also expressed support for the Council's decision to offer a reduced license fee for accredited landlords, acknowledging this as a positive incentive by maintaining high standards.
- 4.23 **Nottinghamshire Police** fully endorse the proposals to the introduction of selective licensing in Mansfield, suggesting it will enhance community safety and improve local housing conditions. They highlight that the scheme addresses properties in disrepair and landlord-tenant issues—particularly where landlords fail to communicate effectively or engage in threatening, sometimes criminal, behaviour. The feedback further indicates that the proposed selective licensing areas align closely with known hotspots for antisocial behaviour and crime, with active operations (e.g., Operation Fencer in Warsop) and Home Office-funded patrols in places like the Portland ward. In practice, the Police have used the evidence of high crime and ASB in these areas to guide other housing decisions—for instance, advising that a NACRO property be located elsewhere to better serve tenants and reduce community risk.

4.24 Broad Support for Key Measures

Across all five areas, there was near-universal agreement that landlords should:

- Provide written tenancy agreements
- Maintain valid safety certifications (gas, electrical, carbon monoxide)
- Ensure properties are clean, safe, and habitable before letting
- Supply appropriate refuse/recycling bins and communicate waste collection schedules
- Inform tenants about antisocial behaviour standards and how to report repairs

Such consistency underscores the strong appetite for formalising these baseline landlord duties, a core element of selective licensing schemes.

Balancing Oversight with Fairness and Support for Landlords

- 4.25 While many respondents endorsed the principle of stronger regulation, some voiced concerns about potential cost burdens, bureaucratic complexity, and inadvertently penalising compliant landlords. These insights highlight the importance of a balanced approach to selective licensing, one that marries robust management standards with supportive measures. In response, the Council will

introduce practical options such as “early bird” discounts, clear guidance on meeting standards, and signposting for support towards energy-efficiency improvements. The council intends to introduce training sessions, advice services, and closer links to accreditation schemes also featured positively in feedback, suggesting that reinforcing best practices can help foster closer landlord-tenant relationships without creating undue financial strain.

- 4.26 By providing reasonable fee structures and maintaining open communication channels, the aim is to encourage prompt compliance while ensuring that responsible landlords are not disproportionately affected. Furthermore, a dedicated community protection resource will be introduced to assist both residents and landlords in meeting their obligations, creating a constructive environment that fosters safer, compliant, and well-managed properties while improving overall housing quality.

Conclusion and Recommendations

- 4.27 The consultation findings suggest that targeted regulation through selective licensing could significantly improve local housing conditions, reduce antisocial behaviour, and ensure responsible property management. While many respondents supported the principle of stronger landlord obligations, concerns about cost, fairness, and the risk of penalising conscientious landlords also emerged.

- 4.28 In light of these considerations, **it is recommended** that the Council introduce selective licensing in the identified areas, accompanied by measures to address potential unintended consequences. Specifically:

a) Supportive Measures:

- Provide clear guidance and training to help landlords meet licensing requirements.
- Offer accessible channels for queries and advice, ensuring that both landlords and tenants remain well-informed.

b) Financial Incentives:

- Implement early-bird discounts for prompt compliance.
- Signposting for grants or loans for property improvements, particularly around energy efficiency, to alleviate cost burdens.

c) Robust Enforcement:

- Maintain firm but fair oversight to tackle persistent non-compliance, ensuring that responsible landlords are not unfairly penalised.

- 4.29 By combining firm regulations with practical assistance, selective licensing can foster safer, better-managed neighbourhoods and create a more resilient, higher-quality private rented sector.

Costs of Scheme

- 4.30 A fair but robust approach will be taken towards enforcement within any newly designated selective licensing area. Councils can recover costs associated with administering and performing the relevant functions of a selective licensing scheme. To achieve a cost-neutral scheme the licence fees will have to be calculated with a view to recovering this cost over the 5-year period. Councils are not allowed to make a profit from licence fees or use it for other purposes.
- 4.31 The legislation requires intensive consultation and evidence base to implement designation. The Council is required to consult fully with residents, tenants and landlords, managing agents and local businesses, both within the proposed areas and in the surrounding areas. The Government Guidance also states that consultation on the designation must also contain the fee proposals as well as the scheme itself.

Licensing Fee

- 4.32 A licensing fee of £800 is proposed for the areas. Discounts will be available for applicants who apply within the first three months of the designation period and are accredited by a recognised sector body. A £50 "early bird" discount will be deducted from the fee to encourage landlords to apply as soon as possible. Additionally, a further £100 discount will be applied if the landlord is a member of a recognised body, such as the National Residential Landlords Association (NRLA), DASH, or East Midlands Property Owners. This acknowledges and supports responsible landlords. The licensing fee will be subject to a year on year inflation increase. A benchmarking exercise has been carried out to compare neighbouring authorities fees and the £650-£800 range is within the same fee range as other districts.
- 4.33 It is expected that up to 1221 licence applications will be received. The estimated income of £931,800 will be collected to fund additional posts being added to the establishment for five years. The total cost of these posts is £922,481, the additional £9,319 will be allocated to Landlord events and training.
- 4.34 The council cannot make a profit from the licensing scheme, the intention is to operate the scheme on a cost neutral basis, modelling income and expenditure over a 5-year period and matching staffing resources and costs. The proposed licence fee has been determined with reference to the cost of the Scheme over the 5-year period.
- 4.35 The proposed model provides for sufficient staffing resource to maintain a scheme which is robust in terms of enforcement but will allow integration of value-added elements such as specific resource to tackle antisocial behavior, property condition

and landlord and tenant engagement to improve on issues which have a Council-wide impact (e.g. waste enforcement and crime).

- 4.36 Enforcement costs cannot be included in the costings, although costs are applied for when a prosecution is successful (but cannot be applied for when cases do not reach the courts). Where appropriate, civil penalties will be used as an alternative to prosecution for non-compliance to minimise enforcement costs and avoid criminalisation of non-compliant landlords unduly.

Resource Implications

- 4.37 The scheme would be administered by the Private Sector Housing team within the Housing Service. It is anticipated that additional enforcement officers and administrative support would be required to deliver the scheme, managed by the Senior Environmental Health Officer and Private Sector Housing Manager.

Next steps

- 4.38 Following designation, the Council will initiate the implementation process. This includes establishing a dedicated service to deliver the scheme, formally set out through an establishment report detailing the policy framework, operational requirements, and associated procedures. Additional recruitment will be required for these posts and will be subject to a further key decision to increase the establishment for delivery of selective licensing.
- 4.39 In accordance with statutory guidelines, formal notices of designation will then be published. The Council will respond to all formal representations received during the consultation, making those responses available online and in the designated localities. Subject to mandatory notice periods, it is intended that enforcement of the scheme will commence in the summer, ensuring a structured rollout that aligns with both legislative requirements and the ability to deliver a successful service.

5.0 Options Available

- 5.1 Option 1 (recommended) - To approve the designation of selective licensing areas within Mansfield and formally implementing a selective licensing scheme to raise standards and improve management practices

- 5.2 Option 2 – not to approve the designation of selective licensing areas, relying on existing legislative powers and voluntary measures to address ongoing issues.

6.0 Risk Assessment of Recommendations and Options

Option 1 - Recommended

Risk	Risk assessment	Risk level	Risk management
Legal challenge by landlords	Landlords may contest the designation or its process. Potential for judicial review or appeals if the scheme is perceived as unfair or inadequately justified	Medium	<p>Ensure compliance with all legislative requirements.</p> <p>Maintain a clear, evidence-based rationale for designation.</p> <p>Keep transparent records and communication channels</p>
Impact on compliant landlords	<p>Potential financial or administrative burdens.</p> <p>May discourage future investment or result in costs passed on to tenants</p>	Medium	<p>Provide guidance, training, and potential fee discounts.</p> <p>Signposting grants or loans to offset costs (e.g., for energy-efficiency improvements).</p> <p>Maintain transparent fee structures.</p>
Resident or Tenant Discontent	Most tenants benefit from improved property standards, some residents may object to additional regulations.	Low	<p>Communicate benefits of improved safety and quality standards.</p> <p>Offer accessible channels for tenant queries or concerns.</p> <p>Monitor community feedback and address issues promptly.</p>

Option 2

Risk	Risk assessment	Risk level	Risk management
Persistent Substandard Housing	No additional regulatory tools for raising standards. Risk of ongoing poor conditions and management practices in the private rented sector.	High	Rely on existing Housing Act powers and reactive enforcement. Encourage voluntary accreditation for landlords. Conduct targeted inspections based on complaints and data.
Ongoing Antisocial Behaviour	Lack of a structured framework to address nuisance and crime. Community concerns may remain unaddressed, causing deteriorating neighbourhood conditions.	High	Strengthen multi-agency collaboration with police and environmental health. Increase public awareness and reporting options for antisocial behaviour. Use current ASB enforcement powers.
Reputational Risk to the Council	Perceived failure to address housing issues or protect tenants. Loss of public trust and damage relationships with residents and responsible landlords	Medium	Implement targeted programs for property improvements. Increase outreach and support for vulnerable tenants. Develop alternative strategies to enhance housing standards.

- 6.1 In line with Section 81(4) of the Housing Act 2004 and government guidance, an evaluation of alternative solutions has been completed (see **Appendix 6**) to achieve the objectives of the proposed selective licensing scheme.
- 6.2 When proposing selective licensing, local authorities must assess economic impacts on scheme delivery and landlords. The Council has evaluated these, as detailed in **Appendix 6**, and developed strategies to mitigate risks.

7.0 Alignment To Council Priorities

- 7.1 This report links directly to the Council's corporate strategy Making Mansfield Towards 2030 with regards to "Our Communities", "Our Organisation", and "Our Environment themes".

8.0 Implications

(a) Legal

Pursuant to Section 112 of the Local Government Act 1972, the Council has power to appoint such officers on such reasonable terms and conditions as it thinks fit for the proper performance of its functions. 3.01.4 Chief Officers may use whatever means they consider appropriate to discharge those functions allocated to them, including engaging and deploying staff.

(b) Finance

The income of £931,800 will be collected to fund the four posts being added to the establishment for five years. The total cost of these posts is £922,481, the additional £9,319 will be allocated to Landlord events and training.

As the income will be collected entirely in year one, an earmarked reserve will be set up to hold the income collected, to allocate budget to the posts in future years.

There will be no impact on the bottom line of the budget as the income and expenditure will offset each other and any remaining will be allocated to an earmarked reserve.

There may be some redundancy costs at the end of the five years, these costs cannot be predicted at this time.

(c) Human Rights

It is not considered that the recommendation within this report will infringe on the principles of the Human Rights Act 1998.

(d) Equality and Diversity

It is not envisaged that approving the recommendation within this report will adversely disadvantage any groups.

(e) Climate change and environmental sustainability

There are no negative implications in respect of climate change and environmental sustainability.

(f) Crime and Disorder

The objectives of selective licensing is to improve property conditions as well as reduce anti-social behaviour within the targeted areas. Properly resourced, the outcome of selective licensing is expected to see a reduction in antisocial behaviour, environmental crime and nuisance behaviour.

(g) Data Protection

Applications for Selective Licensing will be through the Idox Cloud platform for which data protection was considered when taking the decision to enter into a contract with Idox in December 2023.

9. Comments of Statutory Officers

- (a) Monitoring Officer – no additional comments
- (b) Section 151 Officer – no additional comments

10. Consultation

Statutory consultation – see paragraph 4.8 above

11. Background Papers

Private Sector Housing Update Report to Overview and Scrutiny Communities Committee – 30th July 2024.

Decision to Consult Report, Portfolio Holder for Housing, Decision Report and Meeting - 27th Sept 2024.

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