

Selective Licencing – Frequently Asked Questions

What is ‘Selective Licencing’?

Selective Licencing is a discretionary tool given to local authorities to enable them to better address issues within designated areas.

Landlords in areas where Selective Licencing schemes are operating are required to apply to the Council for a licence for any private rented sector property they own.

Why is Selective Licencing needed?

The Private Rented Sector in West Lindsey is continuing to grow and selective licencing is a legislative tool available to Councils to address specific issues. The Council believes that this intervention will help to improve standards in the Private Rented Sector and in turn improve the quality of life for its residents.

Why is it only some areas?

Selective Licencing can only be introduced in areas which meet certain criteria set by legislation. The Council has reviewed available evidence to propose areas which meet this criterion, and produced an evidence report which can be found in the document list on the consultation webpage: www.west-lindsey.gov.uk/selectivelicensing2022.

How long does Selective Licencing last?

A Selective Licencing scheme lasts for a maximum period of 5 years.

How do I find out if Selective Licencing affects my property?

The proposed Selective Licencing areas can be found within the evidence report and are split over two proposed designations.

Should a Selective Licencing scheme, or schemes, be designated, notification will be given which will include a designated area map outlining which areas are affected.

How would I apply for a Selective Licence for my property?

If a Selective Licencing scheme is designated, you will be able to apply for a licence via the Councils website. A link to this will be made available at the time the application process opens.

How long would a Selective Licence application take for the Council to process?

The time taken to process an application varies dependent on what information and documentation is provided when an application is made. We cannot put a definitive timescale on the processing of an application but would endeavour to process all applications expediently.

Once an application has been confirmed to be completed by the Council, with no matters outstanding, landlords would be able to operate within the designated areas whilst this is being processed.

How would I pay for my Selective Licence?

If a Selective Licensing scheme is designated, you will be able to pay for your Selective Licence via the application portal. The application fee will be split in to two parts. The second part of the payment will be required prior to a final licence being granted.

How much would I have to pay for a Selective Licence?

The Council has proposed a fee structure which can be found within the evidence pack: which can be found in the document list on the consultation webpage: www.west-lindsey.gov.uk/selectivelicensing2022. The proposed fee as part of the consultation is £675 per licence. There are circumstances where proposed discounts would apply.

Licences last for a maximum duration of five years, running from the day on which the licence is granted. The Council has discretion to issue a licence for a shorter period where appropriate.

If I have more than one property, would I need a Selective Licence for each?

If you have more than one private rented sector property which falls within a designated Selective Licensing area, a licence will be needed for each property.

Is Selective Licensing a money-making scheme for the Council?

No, the Council is not permitted to receive financial gain from the licence fees obtained. Any licence fee charged would only cover costs associated with administering the licensing scheme over the designated scheme period.

What are “Licence Conditions”?

Selective Licences are accompanied by a set of conditions which must be complied with for the duration of any scheme designation. Some of the conditions are set out as being mandatory under the legislation, but the Council can also impose additional conditions. A draft set of Selective Licence conditions has been made available on the consultation webpage: www.west-lindsey.gov.uk/selectivelicensing2022.

Are there any exemptions from Selective Licensing?

Yes, there are a number of statutory exemptions from Selective Licensing. There are circumstances where a licence will not be required at all if the situation remains the same over the duration of a scheme, such as where the occupier is a member of the landlord's family, or shares living accommodation with the landlord.

There are also circumstances where properties may be temporarily exempt from a scheme for three months where the property will no longer be licensable after this period.

These are outlined in full within "Selective Licensing – Procedure and Approach" on the Selective Licensing webpage: <https://www.west-lindsey.gov.uk/my-services/housing-and-home-choices/improving-housing-standards/selective-licensing/>

Should a designation be made for a Selective Licensing scheme, you will be able to apply for an exemption from the scheme on the Council's website.

Would I be entitled to a refund if I sell my property during a Selective Licensing scheme?

No, if the property was licensable at the time you paid for your licence, you would not be entitled to a refund if you sell the property part way through a designation.

Where payment of a licence fee has been received, no refund will be given except in circumstances where either; a licence application has been made and the house was not required to be licensed at the time of payment, or; in cases where a licence fee has been calculated incorrectly at the point of application and an overpayment has been made.

Would a licence transfer to a new buyer if I sell my property during a Selective Licensing scheme?

No, selective licences cannot be transferred from one person to another. If you sold a property during a Selective Licensing scheme you would need to contact the Council so that the existing licence could be revoked, and the purchaser would need to apply for a new licence if the property remained in the private rented sector.

Will my property be inspected before a Selective Licence is issued?

The Council is proposing to inspect 50% of licensable properties if a Selective Licensing scheme is designated. The inspections will take place over the course of the five-year period, and this can either happen before or after the licence is granted.

During the five-year period of any scheme, the Council will also respond to any complaints about properties and utilise its existing regulatory powers to deal with any issues that are not covered under the selective licensing conditions.

What evidence is there that Selective Licensing works?

The Council has previously delivered a Selective Licensing scheme between July 2016 and July 2021 in the south west ward of Gainsborough. A full review was conducted at the conclusion of the previous scheme, and evidences a number of positive outcomes and successes.

If the proposed schemes do progress and are approved, when would they come into force?

Subject to the consultation and subsequent approval, the Gainsborough South West Ward proposed designation would be planned to commence in Autumn 2022. The broader scheme would be unlikely to start until 2023, due to the approval process requiring Secretary of State consent.