

Housing and Growth Committee

17th February 2022

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| Title | Selective and additional licensing designation |
| Report of | Chairman of Housing and Growth Committee |
| Wards | All |
| Status | Public |
| Urgent | No |
| Key | Yes |
| Enclosures | <p>Appendix 1 – Schedule of consultation activity and coverage</p> <p>Appendix 2 – Consultation Report</p> <p>Appendix 3 – Council response to issues raised in consultation</p> <p>Appendix 4 – Final report on additional licensing scheme 2016-2020</p> <p>Appendix 5 – Summary of proposed changes as a result of consultation responses</p> <p>Appendix 6 – Standards for properties under the Additional HMO Licensing Scheme</p> <p>Appendix 7 – Conditions for properties under the Selective Licensing Scheme and Additional HMO Licensing Scheme</p> <p>Appendix 8 – Fees for licensing</p> <p>Appendix 9 – Equalities Impact Assessment</p> <p>Appendix 10 – Updated property condition data based upon new wards and boundaries coming into effect on 5th May 2022</p> <p>Appendix 11 – Objectives, targets, and reporting timetable for the proposed schemes</p> <p>Appendix 12 – Draft designation for additional licensing</p> <p>Appendix 13 – Draft designation for selective licensing for Burnt Oak, Colindale North and Colindale South Wards</p> <p>Appendix 14 – Draft Communications plan</p> <p>Appendix 15 – Revised Development and Regulatory Services Enforcement Policy</p> |
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Summary

This report is to advise the committee of the outcome of the public consultation into the proposed designations for a borough-wide additional licensing scheme for houses in multiple occupation (HMOs) and three selective licensing schemes for other types of private rented properties in the new wards of Burnt Oak, Colindale North and Colindale South (Designation A), West Hendon, Cricklewood and Childs Hill (Designation B) and Hendon, Golders Green and Edgware (Designation C). The new wards come into effect on 5th May 2022. It outlines changes to the proposed schemes in response to comments received and further analysis of data related to the ward boundary changes, including a proposal to re-consult on Designations B and C. The report seeks approval from the committee to make the additional and selective licensing designations appended to the report.

Officers Recommendations

1. That the committee note:

- the consultation activity and coverage in Appendix 1,
- the consultation report in Appendix 2,
- the council's response to comments received in Appendix 3,
- the final report on the additional licensing scheme 2016-2020 in Appendix 4,
- the Equalities Impact Assessment in Appendix 9,
- the updated property condition data based upon new wards and boundaries and resultant conclusions and proposals in Appendix 10.
- the objectives, targets, and reporting timetable in Appendix 11,
- the communications plan in Appendix 14.

2. That the committee approve:

- the proposed amendments to the schemes in Appendix 5,
- the adoption of the standards for licenced properties in Appendix 6,
- the conditions for licenced properties in Appendix 7,
- the fees for property licensing in Appendix 8,
- the updated Enforcement Policy in Appendix 15

3. That the committee approve:

a. the making of the designations for:

- a borough-wide additional licensing scheme in Appendix 12,
- a selective licensing scheme in the new wards of Burnt Oak, Colindale North and Colindale South as detailed in Appendix 13

b. for the Deputy Chief Executive to be delegated to sign each designation on an appropriate date in the future, as discussed in paragraphs 4.2 and 4.3, to bring those schemes into force, no sooner than three months from the date of designation.

1. Why this report is needed

- 1.1 At a time when the demand for low-cost accommodation is high, not just in Barnet, but across London and nationally, it falls upon local authorities to ensure that the standard of accommodation within their borough is of a satisfactory standard, regardless of the cost. It must be safe, not overcrowded and so not impact upon the health and wellbeing of those who live in it. The accommodation should also not have an adverse impact upon the neighbourhood it is in, through poor visual impact caused by mismanagement, or the anti-social behaviour of those living or visiting the accommodation.
- 1.2 A wide range of homes, of all types of tenure and size is required in Barnet to meet current and future needs. The private sector makes up a quarter of Barnet's housing and must thrive to be able to contribute to the availability of high quality, safe, warm and well-maintained homes.
- 1.3 The Housing Act 2004 enables local housing authorities to introduce licensing schemes for specified types of private rented accommodation, which includes the making of conditions attached to the issue of a licence, designed to improve the standard and management of the property. A fee is payable by the licence holder. An analysis of the private rented sector in Barnet has demonstrated that there is a need for such licensing schemes.
- 1.4 At the Housing and Growth Committee on the 14th of June 2021, members approved the recommendations of the report, which can be found in the background papers. The report set out a proposed consultation based upon a detailed data analysis and business case for the introduction of:
 - A borough-wide additional licensing scheme for HMOs, to replace the now expired scheme that ran from 5th July 2016 to 4th July 2021.
 - Three selective licensing schemes for all other privately rented properties in the new wards of:
 - a. Burnt Oak, Colindale North and Colindale South – Selective licensing designation A
 - b. West Hendon, Cricklewood and Childs Hill – Selective licensing designation B
 - c. Hendon, Golders Green and Edgware – Selective licensing designation C
- 1.5 Following approval of the report, a public consultation was conducted, running for a period of 13 weeks from 5th August to 5th November 2021. Views on the proposals were invited via an online survey in SurveyMonkey. The extensive consultation was publicised widely, using various channels, both inside and outside the borough, including local press, Barnet First, Barnet Council's website, social media and direct emailing of interested parties. A full schedule of the consultation activity and coverage is in Appendix 2.
- 1.6 Part 2 of this report goes on to set out details of the consultation. It also discusses the findings of the final report into the previous additional HMO licensing scheme and a review of the data relating to property conditions that has since consultation, been converted to reflect the new wards. Resulting amendments to the proposed schemes and licence conditions are set out.

- 1.7 The report recommends that the committee approve the designation of a new borough-wide additional licensing scheme and a selective licensing scheme for the new wards of Burnt Oak, Colindale North and Colindale South (Designation A), subject to the exclusion of new developments and regeneration sites namely:
- Colindale Gardens
 - Beaufort Park
 - The Pulse (former Colindale hospital sites)
 - Edition (Former Newspaper library site)
 - Trinity Square (Former Barnet and Southgate College)
- 1.8 Delegated authority is sought for the Deputy Chief Executive to sign the designations at an appropriate time.
- 1.9 The report also seeks the committee's approval of the proposed standards, conditions and fees for property licensing and the revised enforcement policy.
- 1.10 The report proposes the commencement of the borough-wide additional licensing scheme in early July 2022 and allowing for bedding-in, phased increase of resourcing and recruitment for selective licensing designation A to commence in early January 2023.
- 1.11 It is not recommended that the originally proposed selective licensing designations for West Hendon, Cricklewood and Childs Hill (Designation B) or for Golders Green, Hendon and Edgware (Designation C), proceed at this time following a review of property condition data against the new ward boundaries. A further consultation on, to-be-confirmed, based on revised selective licensing proposals is proposed to take place later in 2022. A report to confirm these proposals will be submitted to a future committee prior to consultation.

2. **Reasons for recommendations**

2.1 Additional licensing

- 2.1.1 The report to Housing and Growth Committee on 14th June 2021 included an appendix with a review of the then existing additional licensing scheme. As the scheme had not concluded, this was an interim report. The scheme ended on 4th July 2021 and the review has now been updated as a final report on the outcomes of the scheme and is at Appendix 4 of this report. The following key points arise in the report:
- 2.1.2 On 1st July 2016 there were 194 licenced HMOs in the borough. By 4th July 2021, there were a total of 555 Additional HMO licences on the register and 663 mandatory licenced HMOs, a total of 1,218 HMOs licenced in the borough.
- 2.1.3 Across the five years of the scheme, a total of 667 additional HMO licences were issued and 792 mandatory licences in the same timescale. (The difference from the number in force at the end of the scheme is due to landlords requesting revocations because of a change in property use, property sale etc).
- 2.1.4 1,459 HMOs in total were licenced under both the mandatory and additional schemes across the 5-year period.

- 2.1.5 81% of these licences were issued in 3 months or less from validation. In higher risk premises, 86% were issued in 3 months or less.
- 2.1.6 171 First Temporary Exemption, notices were served and 31 second Temporary Exemption Notices (TENS). 12 TENS refusals were served.
- 2.1.7 All licenced HMOs in the borough were inspected and assessed under the Housing Act 2004 (as amended) before a licence was issued (apart from when COVID-19 restrictions were in place).
- 2.1.8 As a result of licensing properties that in many cases had not been previously inspected, and some of which were unknown to the council, many category 1 hazards (the most serious hazards) were identified. A significant proportion were reduced to a safe level through education and working with landlords without the need for enforcement action. In total, 681 units of accommodation across the borough had serious hazards reduced.
- 2.1.9 76.6% of all additional HMO licences had to have major conditions applied. Major conditions are those conditions applied due to a major defect or hazard in the property, such as insufficient automatic fire detection (AFD), means of escape from fire, installation of facilities etc.
- 2.1.10 A total of 242, or 57% of licences that had major conditions applied were complied with in the time given. It should be noted that for some of the remaining 43%, the time period given for compliance had not expired at the end of the scheme. Licences remain in force until they expire, even if the expiry date is after the scheme formally ends.
- 2.1.11 There has been an increase of 214 properties, incorporating 680 letting units within them, with category 1 hazards removed compared to the period before the scheme.
- 2.1.12 Bad or rogue landlords were subject to enforcement action, such as service of notices and prosecution or issue of a fixed penalty. Across the scheme, 29 Financial Penalty notices were issued with a total penalties of over £180,000 and landlords were found guilty of 61 offences in court.
- 2.1.13 Complaints about both licenced and unlicenced HMOs dropped from 326 in the five years before the scheme, to just 116 in the five years of the scheme.
- 2.1.14 HMO licensing is one of many complementary activities across a number of partner organisations that contribute to tackling ASB. Data available for the year April 2018 to March 2019 showed that there was a 10.9% reduction in ASB calls to the police and a 12.9% reduction in repeat ASB calls, compared with the previous 12 months. Whilst this cannot all be accredited to HMO licensing, it is acknowledged that it will have made at least some contribution to this reduction.
- 2.1.15 Additional licensing has enabled the council to improve the condition and management of HMOs in the borough.
- 2.1.16 Additional licensing has enabled the council to identify and inspect HMOs we wouldn't otherwise have known about. Many more properties subject to mandatory HMO licensing were identified and licenced through the implementation of additional licensing.
- 2.1.17 Additional licensing has given the council the resources to be able to undertake this work

that they otherwise would not have had.

2.1.18 The standard of management in the HMO sector has improved through licensing and accreditation of landlords.

2.1.19 Resources and time (adversely affected by the COVID-19 pandemic) have not allowed officers to get around to finding the numbers of unlicensed HMOs and taking enforcement action to see that they are licenced, that the council would have liked to do and as a result there are still many more HMOs that remain unlicensed across all parts of the borough.

2.1.20 The narrow definition of HMOs included in the scheme of four persons who do not form a single household meant that smaller HMOs that are substandard did not fall within the scope of or benefit from licensing.

2.2 Selective licensing

2.2.1 The new wards of Burnt Oak, Colindale North and Colindale South in Designation A are the most deprived in Barnet in terms of the overall 2019 Index of Multiple Deprivation (IMD) rank. Burnt Oak is also most deprived in relation to income deprivation, access to housing and services and crime and Colindale for income deprivation, access to housing and services, environment and crime. The large numbers of private rented properties in these areas means that a significant number of occupiers are affected by the deprivation. Selective licensing in these areas alongside council strategies, including regeneration will help to reduce deprivation in these areas.

2.2.2 Following the conversion of the property condition data to new wards, the private rented sector in the new wards of West Hendon, Burnt Oak, Childs Hill, Hendon, West Finchley and Edgwarebury Edgware, Mill Hill, Cricklewood, Golders Green and Finchley Church End is seen as suffering from the worst property conditions in Barnet. There are a significant number of properties that it would be appropriate to inspect to determine if there are category 1 or category 2 hazards present. It is the intention to inspect those premises with a view to carrying out any necessary enforcement action. This action would be consistent with the council corporate plan and strategies contribute to an improvement in the general housing conditions in those areas. However, with only Burnt Oak included in the proposed Designation A, a further consultation is proposed for a selective licensing scheme for some or all of these other new wards. In designation A however, for Burnt Oak it has been stated that the designation is for poor property conditions in addition to deprivation.

2.2.3 The data in Section 8 – Part G of the full consultation business case shows that there are high numbers of anti-social behaviour cases (ASB) in the private rented sector. The review of data in Appendix 11 shows ASB cases relating to suspected private rented properties are above average in Colindale South, Colindale North and Burnt Oak, as well as in seven other wards. Colindale North and Colindale South have the highest numbers of ASB cases proportionally to the number of PRS properties. The making of the designations, when combined with other measures, such as in the Community Safety Strategy, will impose conditions on landlords to take appropriate action to combat ASB and so lead to a reduction or elimination of the problem in those areas.

2.2.4 The data in Section 8 – Part K of the full consultation business case shows that alongside a number of other new wards, Burnt Oak features above average for both residential burglary and total crime in the borough. Above average numbers of crimes have also been

linked to PRS properties in Burnt Oak along with other wards. However, there has not been a noticeable increase in crime over a relatively short period, such as in the previous 12 months, as suggested in the guidance. The making of the proposed designation will not therefore specify crime as a ground for the designations, but undoubtedly the designations will help with the reduction of crime in the Burnt Oak and also Colindale areas to some extent.

2.2.5 The remaining criteria of low housing demand and high levels of migration are not considered to be grounds for the proposed designation.

2.3 The consultation (August – November 2021)

2.3.1 An external research company – Eventure Research was procured to conduct online forums with residents and landlords, analyse the online responses and to produce the final report on the outcomes of the consultation in relation to Additional and Selective Licensing. This report can be found at Appendix 2 and the response to representations in appendix 3. In summary, there were 466 online respondents and nine written responses via email (including one from Barnet Public Health), with overall more people in support (53%) of the proposed additional licensing scheme than opposed (40%), but with less people in support (39%) of the proposed selective licensing schemes than opposed (54%). Tenants and other residents tended to support the proposals, whilst landlords and agents tended to oppose them.

2.3.2 Three events were arranged with those interested in participating. One event, which was attended by 25 participants, was held with tenants (private, Council and housing association) and homeowners. Two events were held with landlords and letting agents, each attended by two participants.

2.3.3 The key findings from the consultation report are:

2.3.4 *Just over half of respondents support the re-introduction of an additional licensing scheme for HMOs.*

Overall, 53% support (strongly support and tend to support combined) the re-introduction of an additional licensing scheme for HMOs. A third (33%) strongly oppose it. Respondents renting their home and owner occupiers were more inclined to support this proposal than landlords and letting agents. The most common response for opposing it was that respondents thought it was simply a money-making exercise for Barnet Council and there was no need to enforce existing regulations.

2.3.5 *Two in five support the selective licensing scheme.*

Overall, 40% support (strongly support and tend to support combined) the selective licensing scheme. Over half (54%) strongly oppose it. Respondents renting their home (56%) and owner occupiers (55%) were more inclined to support this proposal than landlords (11%) and letting agents (13%). The most common response for opposing it was that respondents thought it was simply a money-making exercise for Barnet Council and there was no need to enforce existing regulations.

2.3.6 *Problems encountered by tenants differed between HMOs and other private rented properties.*

For respondents living in HMOs, the top three problems experienced in their home were poor noise/sound insulation (mentioned by 52% of respondents), poor security (42%) and poor management of common parts (39%). For respondents in other private rented properties, the top three problems were high costs of heating (41%), damp and mould (34%) and lack of energy efficiency in the property (29%). Participants in the discussion groups, however, spoke a lot about the problems they encountered with antisocial behaviour.

2.3.7 Health is impacted more in HMOs.

Respondents living in HMOs reported that their health had been adversely affected more than respondents living in other private rented properties. In HMOs 16% said it had been affected a great deal and 35% said to some extent. This compares with 11% saying a great deal and 21% to some extent in other private rented properties.

2.3.8 The majority of respondents supported the proposed additional HMO licensing scheme and selective licensing scheme conditions.

There was greater support for the various additional HMO licensing scheme conditions compared with the selective licensing scheme. The conditions that received the most support for the additional HMO licensing scheme were to ensure all gas installation and appliances are safe (supported by 88%), security of a property should be of a satisfactory standard (83%) and the licence holder should take action to remedy disrepair (82%). The conditions to receive the most support for the selective licensing scheme were to ensure all gas installation and appliances are safe (supported by 75%), security of a property should be of a satisfactory standard (71%) and the licence holder should take action to remedy disrepair (69%) and minimum standards of heating and energy efficiency are met (69%).

2.3.9 Respondents believe the benefits of the licence schemes will be property and landlord focused.

Helping ensure that HMOs and private rented properties are better maintained and managed and helping identify poorer performing landlords of HMOs and private rented properties were the top benefits of the licensing schemes. In both cases, landlords and letting agents were more negative compared with tenants and owner occupiers.

2.3.10 Comments from the qualitative events:

2.3.11 Tenants are concerned about the lack of repairs and maintenance.

Tenants are concerned about poor quality accommodation and amenities, and landlords not acting on issues raised.

2.3.12 Tenants are worried that landlords will evict them if they raise concerns

There was genuine concern displayed by some tenants that if they complained to the landlord about the property and asked for something to be repaired or dealt with, that they may be evicted, or that rent would be increased.

2.3.13 Support from Barnet Council for tenants could be improved

Tenants spoke about a general lack of support from Barnet Council for tenants and

landlords. If there is a reported problem that has not been fixed, tenants said there is little help from Barnet Council. This is also the case when tenants have tried to sort out antisocial behaviour and crime, as the police point the tenant towards the Council.

2.3.14 Antisocial behaviour is a big problem for tenants.

Antisocial behaviour was an increasing problem being experienced by tenants and residents. They spoke about other tenants being antisocial and causing problems, but not being dealt with by the landlord. This has made living in the accommodation very difficult, particularly when children are involved.

2.3.15 Tenants were keen to see licence holders take their responsibilities seriously and undertake maintenance properly and make necessary repairs.

It was agreed that servicing and maintaining fire safety equipment was very important and landlords should be responsible for this, but landlords and letting agents did not believe that Barnet Council should impose conditions that require mains-wired equipment or the requirements to submit annual gas safety certificates.

2.3.16 Antisocial behaviour is a cause for concern for landlords.

Antisocial behaviour was seen as an issue, but landlords and letting agents did not agree that they should be responsible for dealing with or preventing it.

2.3.17 There was a mixed response on the impact of the licensing conditions.

Tenants and residents thought the introduction of licensing conditions will help reduce neighbourhood problems (e.g. noise, nuisance and rubbish), but landlords and letting agents were not as positive. Tenants also thought the licensing conditions would help identify and assist the poorer performing landlords to raise standards.

2.3.18 Concern that rents will be increased to cover the costs.

Tenants were particularly concerned that rents will be increased to cover the cost of the licence fee that landlords will have to pay.

2.3.19 Incentives and fines are needed to encourage landlords to sign up to the licence fees

Although there was a mixed opinion, some participants suggested taking a different approach and offering incentives to good landlords, such as refunding some of the fee if there are no problems after five years and implementing fines to those landlords that break the rules, so it is the poorer performing landlords that are essentially paying most of the costs to administer the licencing scheme.

2.3.20 Barnet Public Health stated that “we believe that these schemes can help, improving existing housing by improving condition, maintenance and management of HMOs across the whole borough and also all other privately rented properties in the areas identified for selective licensing, as well as by reducing the incidence of anti-social behaviour arising from the private rented sector. The selective licensing schemes will also contribute in the reduction of deprivation in our most deprived wards. Those outcomes are beneficial from public health perspective, as they are not only contributing towards better health of individuals, but also communities. Overall, we believe that the potential benefits to public health outweigh the few foreseen risks. The

benefits are likely to impact more vulnerable groups most greatly, such as the elderly and poorer households, and therefore can help to address health inequalities. We feel that introducing such standards in HMOs is particularly important if HMOs are going to remain as a way to cope with increased demand for housing.”

2.3.21 However, Barnet Public Health did pick up on some concerns raised by other respondents regarding the impacts of the fees. These comments are addressed in Appendix 3.

2.4 Response to consultation comments

2.4.1 All consultation comments have been reviewed and considered, A full schedule of all comments received is provided in Appendix 3 – Council response to issues raised. This includes detailed responses to each comment. Some comments relating to the same issue have been grouped together and a single response is provided to avoid unnecessary repetition. Some comments have resulted in changes to the final proposals, which are set out in the following sections.

2.4.2 Some changes have been made to the proposed licence conditions have been made as listed below. These are included in the final proposed conditions set out in Appendix 7.

- Licence conditions have been numbered to assist in referencing and some amendments made.
- Automatic submission of some documents such as gas safety certificates is replaced by a requirement that they are provided upon request of the council.
- The requirement for smoke alarms for selective licensing has been amended.
- The selective licensing condition on heating has been removed.
- The selective licensing condition on security has been amended.
- The selective licensing condition on management practices has been amended.
- The selective licensing condition on licence holder inspections has been amended.
- The selective licensing condition on maintenance of gardens has been amended.
- The condition for both schemes on managing anti-social behaviour has been amended.
- The condition for both schemes on waste disposal has been amended.
- The conditions for both schemes on energy efficiency have been amended.
- The condition for additional licensing on display of the licence and conditions has been amended and a similar requirement added to the selective licence conditions.
- The additional licensing condition on the council’s HMO standards has been removed and inserted into the Notes section.
- Mandatory room size conditions have been added to the additional licensing conditions.
- Fire precautionary facilities conditions for additional licensing have been clarified.

- Miscellaneous minor drafting and organisational amendments have been made to the text of both of the licence scheme conditions to make them clearer.
- Amendments have been made to reflect conditions which are required by statute and specifically by Schedule 4 to the Housing Act 2004 (as amended) and The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018.
- Some amendments have been made to allow the Council to require the submission of documents on written request or otherwise as specified in licence conditions.

2.5 Recommendations and amendments to the proposals for additional licensing

2.5.1 Following the consultation there are a number of proposed amendments to the additional licensing proposals set out in the consultation. These are set out in detail in Appendix 5 and are summarised below.

2.5.2 It was suggested by one consultation respondent, representing a letting agent accreditation organisation, that a smaller additional licensing scheme should be implemented. The data has been re-examined in the light of this comment and the conversion of property condition data to reflect the new wards. Whilst there are clearly smaller numbers of HMOs in some wards, these wards collectively still amount to some 600 plus HMOs that did not come forward to be licenced under the previous scheme. Further, some of the wards with the smallest numbers of HMO were some of the worst, a greater proportion of them requiring major conditions to be applied to the licence. In all there are estimated to be 2,546 HMOs remaining unlicensed HMOs across the borough.

2.5.3 It was further suggested by the same consultation respondent that the definition of HMO properties in scope under section 257 of the Housing Act was amended for clarity. This suggestion has been accepted.

2.5.4 Following consideration of the review of the previous additional licensing scheme and the feedback from the consultation, notwithstanding the suggestion in paragraph 2.5.2 in relation to additional licensing, it is recommended that a further borough-wide additional HMO licensing scheme should be designated as proposed in the consultation, subject to the section 257 HMO scope definition amendment that licensing is restricted to situations where the building is three or more storeys in height, comprises at least three flats, all the flats are privately rented and both the building and the self-contained flats it contains are under the same ownership or considered by the council to be effectively under the same control. The full scope is now as set out in the designation in Appendix 12.

2.5.5 One minor drafting amendment is proposed for the council's adopted standards for HMOs. The standards are set out in Appendix 6.

2.5.6 Two minor amendments are proposed to the fees for additional licensing as a result of the consultation. The final proposed fees are set out in Appendix 8.

2.6 Recommendations and amendments to the proposals for selective licensing

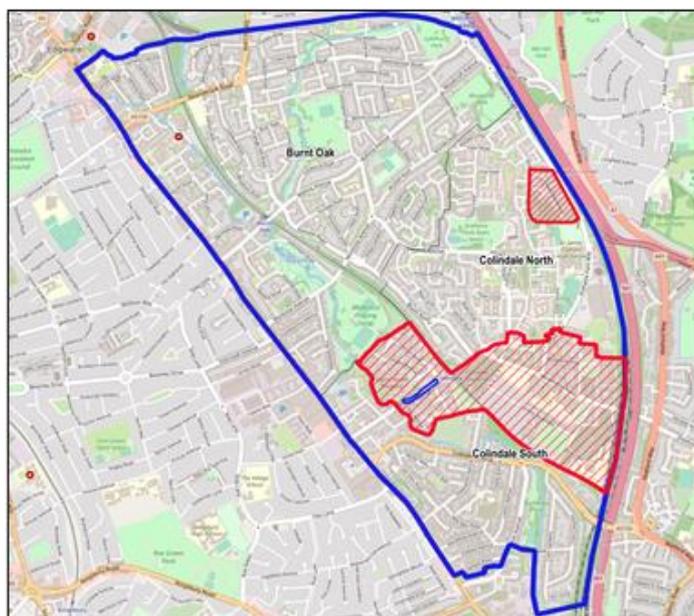
2.6.1 Following consideration of the feedback from the consultation in relation to selective licensing, there are a number of proposed amendments to the proposals set out in the consultation. These are set out in detail in Appendix 5 and are summarised below.

2.6.2 It was suggested by a respondent that a smaller selective licensing scheme be implemented. In light of this comment and as a result of the conversion of the data on property conditions to the new wards since the consultation (Appendix 10), the selective licensing proposals were revisited. Although a smaller scheme is not proposed per-se, it is now proposed that designation A proceeds, but in the light of the data showing a different ward ranking of worst property conditions than previously believed, that further designations are subject to renewed proposals and another consultation on these in the future.

2.6.3 A respondent that provided written comments by email questioned why Colindale was being considered for selective licensing when there were many new developments in the area that would not be suffering from the issues the scheme is designed to improve. Colindale and Burnt Oak remain the borough's most deprived residential areas and so will continue to benefit from selective licensing despite the pockets of regeneration. Indeed, regeneration is one of the complementary strands of work by the council that will sit alongside selective licensing to reduce deprivation in the area. Nevertheless, it is now recommended that selective licensing designation A is designated as proposed in the consultation subject to specifically excluding the following five regeneration sites from the designation to address the valid comment received:

- Colindale Gardens
- Beaufort Park
- The Pulse (former Colindale hospital sites)
- Edition (Former Newspaper library site)
- Trinity Square (Former Barnet and Southgate College)

The full scope is now as set out in the designation in Appendix 13 and the map of the designated area is shown in Map 1 below.



Map 1. Selective licensing designation

 Area within the designation  Areas excluded from the designation

N.B. The area delineated with a blue line along Colindale Avenue is included within the designation.

2.6.4 A minor correction to a typographical error in the council standards has been made. The standards are in Appendix 6.

2.6.5 Some changes to the proposed selective licensing conditions have been made as discussed in paragraph 2.6. These are included in the conditions set out in Appendix 7.

2.6.6 The following minor amendments are proposed to the fees for selective licensing as a result of the consultation. The fees are set out in Appendix 8.

- The fees for renewal of an additional licence have been clarified such that they include applications where a licence issued under the previous scheme has expired.
- The discount to licence fees for accredited landlords has been extended to include accredited managing agents, subject to the council being satisfied with full details of the accreditation scheme and that it meets at least the same standard as the London Landlord Accreditation Scheme.

2.7 Licensing scheme outcomes

2.7.1 The introduction of additional and selective licensing will:

- Improve private rented sector housing conditions.
- Contribute to an improvement in the health outcomes of residents in the most deprived areas and highest risk properties by improving property conditions.
- Seek to reduce deprivation and inequalities, in conjunction with other key council strategies (including the Barnet Plan, housing strategy, homelessness and rough sleeping strategy, local plan and community safety strategy).
- Help to tackle anti-social behaviour linked with the private rented sector alongside these other strategies.

2.7.2 Now that the previous additional licensing scheme has ended, Barnet is one of only a few London boroughs with no private sector property licensing schemes. Table 1 shows the position in January 2022 in London boroughs. Those with schemes are shaded. Boroughs neighbouring Barnet are in bold. There is a mix of borough-wide and localised schemes.

| Borough | Additional Licensing | Selective Licensing | Note* |
|----------------------|----------------------|---------------------|---|
| Barking and Dagenham | * | | Additional licensing ended August 2019 |
| Barnet | * | | Additional licensing ended 5th July 2021 |
| Bexley | | | |
| Brent | | | |
| Bromley | | | |
| Camden | | | |
| City of London | | | |
| Croydon | | * | Selective licensing refused June 2021 |
| Ealing | * | * | Consultation on new schemes ended August 2021 |
| Enfield | | | |
| Greenwich | | * | Consultation on selective licensing ended in 2020 |
| Hackney | | | |
| Hammersmith & Fulham | * | * | Consultation on new schemes ended August 2021 |
| Haringey | | * | Consultation on selective licensing ended in September 2021 |
| Harrow | | | |
| Havering | | | |
| Hillingdon | | | |
| Hounslow | | | |
| Islington | | * | Consultation planned for further selective licensing in 2022 |
| Kensington & Chelsea | * | | Consultation on additional licensing ended June 2021 |
| Kingston Upon Thames | | | |
| Lambeth | * | | Additional licensing due to start 9 December 2021 |
| Lewisham | | * | Consultation on selective licensing due to end 5 January 2022 |
| Merton | | | |
| Newham | | | |
| Redbridge | | | |
| Richmond Upon Thames | | | |
| Southwark | * | * | Consultation on replacement schemes ended in June 2021 |
| Sutton | | | |
| Tower Hamlets | | | |
| Waltham Forest | | | |
| Wandsworth | | | |
| Westminster | | | |

Table 1. Additional and selective licensing in London boroughs. Source: London Property Licensing

- 2.7.3 Anecdotally, it is believed that boroughs with licensing schemes and the approach to inspection and enforcement that comes with such schemes can displace problem landlords into nearby boroughs without schemes, causing those boroughs even more severe problems. With almost complete coverage of selective and additional licensing schemes in Barnet's immediate neighbouring boroughs, this is a concern whilst Barnet does not operate any schemes.
- 2.7.4 Newham and Waltham Forest have had large-scale additional and/or selective licensing since 2013 and 2015 respectively. Newham's experience is that "Licensing has proved invaluable in driving housing standards up in the growing private rented sector and helps both tenants and landlords manage rented properties to a higher standard". In addition,

89% of respondents who responded to a face-to-face survey agreed that continuing the scheme would improve property condition and management. (*Newham Council Cabinet report, Licensing of privately rented properties, 15 June 2017*).

- 2.7.5 As a result of implementing licensing, Waltham Forest has improved over 5,685 properties and has sent over 21,000 warning letters to landlords, agents and property managers. Licensing schemes have resulted in prosecution or issuing of a civil penalty to nearly 200 landlords. They have also taken over the full management of over 20 properties. Waltham Forest has implemented a second five-year borough-wide additional licensing scheme and received Secretary of State's approval for a new selective licensing scheme in all but two wards, which commenced in 2020.
- 2.7.6 Newham's borough-wide selective licensing scheme ran from 2013 to 2017. The Secretary of State approved a second selective licensing scheme covering all but one ward in 2017, which came into operation in 2018. The consultation on renewing the scheme found that residents were supportive of the scheme, with 81% of residents agreeing (35% strongly agreeing) that the scheme had been effective in improving the condition and management of PRS properties.
- 2.7.7 A research report by *Metastreet* in 2018, titled: *Landlord Licensing in the Private Rented Sector: Research Report for Core Cities UK* undertook a review of landlord licensing in England. It reported the following findings:

"The report argues that large-scale selective licensing schemes are an important tool for local authorities seeking to tackle rogue landlords and improve standards in the private rented sector, as well as helping to address wider issues such as anti-social behaviour. Mandatory licensing of Households in Multiple Occupation (HMOs) is not sufficient to address the scale of problems in many areas as it excludes smaller HMOs and is challenging to enforce without the additional powers and resources that selective licensing provides.

Benefits of selective licensing identified include:

- *Greater enforcement capability, including powers of entry: This increased capacity can be clearly seen in London, where the four London councils with borough-wide selective licensing account for 73.7% of all prosecutions across the capital's 33 boroughs.*
- *Resources: In a context of significant cuts to council budgets, licensing provides ringfenced income for local authorities to fund regulation and enforcement over a sustained period.*
- *Data and intelligence: Enabling councils to better understand the scale of the private rented sector and target their interventions.*
- *Improved housing conditions and tackling Anti-Social Behaviour (ASB): Licensing conditions, backed by enforcement, can lead to improvements in standards and safety as well as helping local authorities to tackle crime and ASB.*
- *Joint working: Licensing provides the intelligence and legal framework that enables enhanced partnership working with other agencies.*

- *Engagement with landlords: Licensing enables councils to engage with landlords and helps to inform and professionalise the market.*

However, licensing itself is not a ‘catch all’ solution. Criticisms raised in relation to schemes that are overly bureaucratic, insufficiently targeted, and poorly enforced, are valid where the approach has not been well designed and implemented. To maintain effectiveness and legitimacy, large-scale licensing schemes should be backed by robust, targeted enforcement, and be part of a wider strategy to improve the PRS and/or tackle ASB.”

- 2.7.8 A BRE report in 2010 titled: *Evaluation of the impact of HMO licensing and selective licensing looked at the impact of the relatively few selective schemes in operation at the time, and found early evidence of positive impacts, including:*

Selective licensing as part of a wider strategy. Schemes were often introduced alongside other initiatives to support regeneration, community cohesion, ASB. Selective licensing appeared to have added the following:

- a. *Safeguarding investment in regeneration by avoiding ‘cheap’ properties being purchased by investors from outside the area.*
- b. *Helping to control ASB and security of the tenancy, by involving the landlord and having properly drawn up tenancy agreements that could be used to deal with persistent ASB.*
- c. *Ensuring that landlords who were unwilling to join voluntary accreditation schemes took steps to improve the physical standards and management of their properties*
- d. *Giving local authority staff and others contact with good landlords, building relationships and helping to change each other’s perceptions of the other.*

3. Alternative options considered and not recommended

- 3.1 The council could decide to do nothing – i.e. not have an additional or selective licensing scheme. This is not considered a viable option due to the significant scale of poor housing conditions and poor management of private rented property in the borough and the increasing growth of the sector. This is demonstrated in the evidence base. (Data based upon the new wards, which was not available at the time of writing the previous report is provided at Appendix 10 and confirms the earlier conclusions). The ageing housing stock in the borough, coupled with the increased demand for private rented accommodation has enabled landlords to rent out sub-standard properties to individuals and families who have few other options. Doing nothing would mean the council would only have at its disposal the mandatory HMO licensing scheme that is already in place for larger HMOs for tackling housing management in a scaled-up approach. The council would continue to rely on Part 1 Housing Act 2004 enforcement powers alone, which would be on a case-by-case basis in response to complaints and service requests.
- 3.2 The council could introduce a smaller additional licensing scheme, as suggested by one respondent. Houses in Multiple Occupation (HMOs) have been shown to be spread across the borough in every new ward, but with greater concentrations in certain wards, particularly to the west of the borough. Notwithstanding lower numbers of HMOs in some

areas, there are two significant factors that support the decision to propose a borough-wide additional licensing scheme:

- The twelve new wards with the lowest number of HMOs range between 35 and 78 HMOs that have not been licenced under the previous scheme. These twelve wards account for an estimated 645 HMOs in total. This is a significant number of HMOs that did not come forward for licensing under the previous scheme. Those that do not come forward tend to be the least effectively managed.
- Even those areas that had lower numbers of licenced HMOs under the previous scheme or the mandatory scheme were shown to not be being managed sufficiently effectively, as most, if not all HMOs in some wards required the application of major conditions, meaning that they had significant issues, such as lack of adequate fire precautions.

A smaller additional licensing scheme is therefore not recommended.

- 3.3 The council could implement additional licensing but no selective licensing schemes. The consultation and the re-analysis of the data against new wards has not changed the view that a selective licensing scheme in Burnt Oak, Colindale North and Colindale South (designation A) will help the council to tackle the worst deprivation in the borough.
- 3.4 The council could implement alternative selective licensing options, including the original proposals consulted upon. Whilst the new wards of West Hendon, Cricklewood, Childs Hill, Golders Green, Hendon and Edgware are still shown to be amongst the worst for poor property conditions in Barnet, the re-analysis of the data against new wards has shown that further wards, including West Finchley and Edgwarebury are also amongst the worst wards and actually ranking above Golders Green, Cricklewood and Edgware. It is therefore considered that it is more appropriate, other than designation A, to delay implementation of further selective licensing designations to enable a further consultation to be conducted on new proposals that consider the following extra wards:
- West Finchley
 - Edgwarebury
 - Mill Hill
 - Finchley Church End
- 3.5 The Council could have included the regeneration areas in the selective licensing designation. However, this would have unnecessarily included many brand-new properties that would not benefit from selective licensing.
- 3.6 Whilst consultation results were not overwhelming, considering the evidence base demonstrating the significant scale of poor housing conditions and poor management of private rented property in the borough and the increasing growth of the sector and consultation responses, the options for implementing the borough wide additional licensing scheme and selective licensing designation A are preferred. This will complement the mandatory HMO licensing scheme that is already in place for larger HMOs.

- 3.7 The authority must not make a particular designation for Additional HMO licensing under section 56 unless—
- (a) they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question, and
 - (b) they consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).
- 3.8 The other courses of action available were considered in the report of 14th June 2021 and Section 5 of the full consultation business case and none were deemed to provide the solutions to problem HMOs that additional licensing would provide. The experience from the previous additional licensing scheme and experience of other boroughs has demonstrated that the designation will significantly assist in improving the standard and management of HMOs in the borough.
- 3.9 Section 81 (4) specifies the authority must not make a particular designation under section 80 for Selective Licensing unless they have:
- (a) considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of achieving the objective or objectives that the designation would be intended to achieve, and
 - (b) they consider that making the designation will significantly assist them to achieve the objective or objectives (whether or not they take any other course of action as well).
- 3.10 The other courses of action available were considered in the report of 14th June 2021 and Section 5 of the full consultation business case (and again in section 3 of this report) and none were deemed to provide the solutions to problems in the private rented sector (PRS) that selective licensing would provide. The experience from the previous additional licensing scheme and evidence from other boroughs has demonstrated that the designations will significantly assist in improving the standard and management of the PRS in the borough.

4. Post decision implementation

- 4.1 If members approve the proposed designations, then it is essential that the council puts in place a clear plan on how it will operate the proposed schemes and that this is regularly monitored and kept on track. The learning from the previous additional licensing scheme and the number of unlicensed properties remaining at the end of the scheme bring this into sharp focus. A clear set of objectives and targets have therefore been devised for each scheme, with a proposal for regular monitoring and reporting on progress. A resourcing plan has also been devised that, subject to the ability to make timely staffing appointments, will see the successful achievement of the objectives and targets. Appendix 11 sets out the objectives, targets and reporting plans.
- 4.2 Appendices 12 and 13 are the proposed notices of designation. The relevant dates will be inserted once the appropriate date for commencement has been determined, taking into account relevant practicalities.

- 4.3 If members approve the designation for a new borough-wide additional licensing scheme for five years, then the designation notice at Appendix 12 will be signed at an optimal time, setting out a date for coming into force no sooner than three months from the date of the designation. To ensure adequate time to set up the scheme, including recruitment of adequate staff to operate the scheme, it is proposed that this date will be on or around the 4th July 2022.
- 4.4 The new wards of Burnt Oak, Colindale North and Colindale South are 5.9% of the geographical area of Barnet. In addition, the percentage of Barnet's PRS in these areas is approximately 11.84%. Therefore, under both criteria Designation A is within the scope of the general approval. This designation will therefore be made under the general approval provisions of the General Approval issued on 1 April 2015 (by the Secretary of State). Any future selective licensing schemes featuring two or more new wards will take the percentage of the PRS collectively with Designation A above 20% and so will require confirmation by the secretary of state.
- 4.5 If members approve selective licensing Designation A, for Burnt Oak, Colindale North and Colindale South Wards, then the designation notice at Appendix 13 will be signed at the optimal time, setting out a date for coming into force no sooner than three months from the date of the designation. In view of the need to ensure effective implementation of the licensing schemes, including bedding in of the additional licensing scheme and setting up and recruitment of adequate staff for selective licensing, it is proposed that the coming into force will be no earlier than the 9th January 2023. This designation will be made under the general approval provisions of the General Approval issued on 1 April 2015.
- 4.6 If members agree with the decision not to proceed with the selective licensing Designation B, for West Hendon, Cricklewood and Childs Hill Wards and Designation C, for Hendon, Golders Green and Edgware Wards, but to undertake a further consultation based upon the revised data in Appendix 10, then a further report will be brought to the committee later in 2022 to seek approval to re-consult on revised proposals.
- 4.7 Non-statutory guidance, DCLG 'Selective Licensing in the Private Rented Sector – A Guide for Local Authorities' states that "Likewise if the local housing authority makes two or more designations at the same time, each of which account for less than 20% of the area or private rented stock, but cumulatively account for more than 20% of either, all of the schemes will need to be submitted to the Secretary of State for confirmation." It will therefore be necessary to ensure the making (signing) of any future designations following re-consultation is at a later date than that for Designation A. This is likely to be the case, even if the re-consultation takes place before the implementation date of Designation A. In practice this staggered introduction is beneficial to enable an incremental scaling up of staff and resources for such a large overall combination of additional and selective licensing schemes and was the original intention for the proposed Designations B and C.
- 4.8 Once designations have been made, the council must communicate the decisions, including notifying all persons consulted. The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 specify the requirements for publication of the decision. Appendix 14 sets out the proposed communications plan to meet the publication requirements.
- 4.9 Once the designations have been published, a recruitment exercise will be undertaken to ensure that sufficient resources are in place to manage both the administration of the

schemes and the inspection and enforcement elements. Further details of resourcing arrangements are set out in section 5.2 of this report.

- 4.10 The Regulatory Services Enforcement Policy has been reviewed and updated generally and includes the approach that will be taken in respect of the enforcement of the new property licensing schemes. Appendix 15 sets out the proposed policy.
- 4.11 Key to the success of these schemes and to be consistent with the aims of the Housing Act 2004, is that they do not operate in isolation and are part of a wider, well planned, coherent initiative, with an associated commitment of resources. Whilst the Corporate Plan, Housing Strategy, Homelessness and Rough Sleeping Strategy, Community Safety Strategy and Local Plan (Core Strategy) all complement these proposals in improving the private rented sector, it is not sufficient to simply reference them, without linking property licensing with the activities therein.
- 4.12 To address this, should approval of the proposals be granted by the committee, a comprehensive engagement plan will be established with direct input from relevant parties both within the council and partner organisations, including at least:
- Barnet Homes
 - Metropolitan Police
 - London Fire Brigade
 - Immigration Enforcement (UK Border Agency)
 - HMRC
 - Planning Enforcement
 - Council Tax
 - Regeneration
 - Building Control
 - Community Safety
 - Corporate Anti-Fraud
- 4.13 As mentioned earlier, annual reports will be made to the committee on the progress of the scheme. Should circumstances suggest that it is appropriate to consider revocation of the designation, this will be brought to the attention of the committee.
- 4.14 The additional licensing scheme will be resourced to enable both processing of proactive licence applications and for active identification of HMOs and prompting applications with enforcement where these are not forthcoming.

5. Implications of decision

5.1 Corporate Priorities and Performance

5.1.1 The proposals outlined in this report further Barnet's Corporate Plan – The Barnet Plan 2021 – 2025 and its stated priorities as follows:

- **Healthy**
Addressing homelessness and the longer-term impacts of COVID-19
- **Thriving**
Building a Barnet fit for the future, where all residents, businesses and visitors benefit from improved Housing, infrastructure & economic opportunity

5.1.2 Sections 4 and 9 of the full consultation business case set out how this proposal is in accordance with The Barnet Plan 2021-2025 and Barnet Housing Strategy 2019-2024.

5.1.3 Section 9 of the full consultation business case sets out how the proposals were consistent with the Homelessness and Rough Sleeping Strategy 2019-2024, the Barnet Community Safety Strategy 2015-2020 and approach to empty properties in the Housing Strategy.

5.1.4 The recommendations of this report are consistent with the Barnet Housing Strategy 2019 – 2024:

- The strategy refers to the previous additional licensing scheme, specifically the progress made and that more resources need to be applied to licence more properties.
- The strategy goes on to commit to a fresh approach to the private rented sector being adopted by the council, with a focus of Licensing, Enforcement, Advice, and Data.
- The strategy makes a commitment to consider the case for making use of a selective licensing scheme in areas where there is evidence of a higher prevalence of poor conditions in the private rented sector, persistent anti-social behaviour, high levels of deprivation, high levels of migration or high levels of crime.

5.1.5 The aims and objectives of the licensing scheme were set out in the full consultation business case, which was provided as an appendix to the committee report dated 14th June 2021.

- For additional licensing, it was estimated that between 1,492 and 1,986 HMO in Barnet were being managed sufficiently ineffectively and so would benefit from licensing, as it would raise standards of property condition and management and reduce anti-social behaviour.
- For selective licensing, there are estimated to be 5,050 privately rented properties in the three wards in Designation A. A YouGov survey for Shelter published in October 2021 showed problems (including damp and mould, unable to heat their home and fear of eviction) experienced by 39% of private renters in England is leaving them stressed and anxious. An earlier Shelter report in 2014, titled Can't complain: why poor conditions prevail in private rented homes, showed 61% of private renters have

experienced mould or damp, leaking roofs or windows, electrical hazards, animal infestations or gas leaks in the last 12 months. This could mean as many as between 1,970 and 3,081 properties in the three wards may need to be inspected for the presence of category 1 and category 2 hazards. The schemes, alongside other council and partner strategies will significantly help to improve the condition and management of housing, reduce anti-social behaviour and crime associated with the private sector and contribute to the reduction of deprivation in the Burnt Oak, Colindale North and Colindale South areas.

- 5.1.6 As mentioned above, Appendix 12 sets out the performance targets in detail. However, comprehensive performance indicators and robust performance monitoring will be developed. Performance will be monitored regularly to ensure that progress with the objectives is achieved. Performance will be reported regularly to the departmental management team and the council's Commissioning Team. A full annual review of the schemes will be reported to the committee around June each year, commencing in 2023. This review will identify any performance improvements required. It will also enable the council to determine if the schemes should be brought to an end before the expiry of five years, if the objectives are no longer appropriate.
- 5.1.7 Ward profile analysis will enable the performance against deprivation reduction to be monitored over the course of the schemes, as well as any updates to the Index of Multiple Deprivation (IMD) that are released over the lifetime of the schemes.
- 5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 5.2.1 The legislation relating to both types of scheme requires a local authority to "make such arrangements as are necessary to secure the effective implementation". It is therefore essential that, should the decision be made to make the proposed designation, the scheme is properly administered with adequate resources to secure effective implementation, to process applications within a reasonable time and to enforce the scheme thereafter.
- 5.2.2 It is a requirement that fees charged for property licensing schemes should be reasonable, proportionate and not exceed the cost of delivering the scheme. It is proposed that the schemes should however be self-financing and that the income from licensing fees (over five years) should equate to the cost of delivering the administration and enforcement of the schemes. The fees proposed in Appendix 8 are calculated on this basis.
- 5.2.3 Based upon the estimated costs of delivering the schemes, the proposed fee for a typical additional HMO licence will be £1,404.02 and for a selective licence will be £750.
- 5.2.4 The proposed fees for both additional licensing and selective licensing have been reviewed by the Finance Service and are believed to be accurate and cover all permissible associated costs for a cost recovery model. Authorities cannot use licensing schemes for income generation. Depending upon timing, the usual annual fee review may have resulted in changes to these fees by the time any other proposed designations, if approved, come into effect.
- 5.2.5 The fee is made up of two elements; Part 1 of the fee is for the application for a licence and covers the costs of processing, administration and validation of the application. Part 2 of the fee covers the running costs of the scheme, including the licensing inspections and enforcement.

- 5.2.6 The fees proposed for the new additional licensing scheme are in line with those already approved by the Council for HMO licensing this financial year. This is reasonable as costs will not have increased in year. They will be reviewed in line with the Council's fee review cycle in December 2022. All fees will subsequently be reviewed annually, although even if selective licensing Designation A does not come into effect until January 2023, no fee review will be applied as the initial fees charged must be as consulted upon.
- 5.2.7 The administration and enforcement staff delivering these licensing schemes will initially be jointly employed by CAPITA the council's delivery partner for Regulatory Services and LBB subject to commercial agreement. However, since the schemes are proposed to run for five years, this will take them beyond the scheduled end date for the contract. Any staffing resources for the licensing schemes will transfer to the council or any alternative service provider under TUPE at the end of the contract if it is not extended or renewed and will be the subject of future contractual negotiations.
- 5.2.8 Licensing income from the schemes will be collected by the council and each scheme will need to be managed as a five-year account against the costs of delivering the scheme subject to any contractual arrangements between the council and Capita plc. Total income and expenditure will be reviewed and adjusted annually and should be equal.
- 5.2.9 The income and operating costs have been assessed below for the full five years of both schemes based on the evidence base. These are indicative at this stage. This will be subject to regular review and resources will be flexed accordingly. The projections do not accommodate fluctuations in running costs and any variation in fee income. Where applications are not forthcoming this will affect the income and operating cost profiles.
- 5.2.10 The previous additional licensing scheme demonstrated clearly how licensing applications can fluctuate wildly from expected numbers and whilst the current projections would appear to demonstrate a profit, this is based on 100% applications being submitted which is highly unlikely, and the costings have been based on a certain number of assumptions which will be reviewed. It is more likely that applications would fall short of this, and a significant amount of time will be taken up with enforcement activity. A scaled profile has been added below to accommodate different scenarios. If there did start to be a significant profit or loss margin the staffing and or fees would be adjusted as appropriate in the annual review. Any excess funds would be used to fund further licensing activity within the scope of the declared schemes.
- 5.2.11 From discussing Selective Licensing with several other London boroughs, application numbers are much more reliable. As such a 100% profile has been used. These would however still require a regular review and adjustment of fees/staffing as appropriate.

Additional Licensing

| | Operating costs | 100% Licensing fee income | 85% Licensing fee income | 50% Licensing fee income |
|---------------|-----------------|---------------------------|--------------------------|--------------------------|
| Year 1 | £752,856.08 | £900,276.00 | £765,234.60 | £450,138.00 |
| Year 2 | £703,692.42 | £1,008,948.00 | £857,605.80 | £504,474.00 |
| Year 3 | £739,931.49 | £1,018,406.00 | £865,645.10 | £509,203.00 |
| Year 4 | £717,510.70 | £793,852.00 | £674,774.20 | £396,926.00 |
| Year 5 | £722,685.26 | £673,948.00 | £572,855.80 | £336,974.00 |
| Total | £3,636,675.95 | £4,395,430.00 | £3,736,115.50 | £2,197,715.00 |

Selective Licensing

| | Operating costs | 100% Licensing fee income |
|---------------|-----------------|---------------------------|
| Year 1 | £877,288.32 | £951,525 |
| Year 2 | £803,956.44 | £951,525 |
| Year 3 | £582,148.22 | £634,350 |
| Year 4 | £426,465.03 | £317,175 |
| Year 5 | £430,215.03 | £3,171,750 |
| Total | £3,120,073.04 | £3,171,000.00 |

5.2.12 Income received from a Rent Repayment Order or from a Civil Penalty arising from enforcement of licensing schemes can be retained by the local housing authority if it is used to further the local authority's statutory functions in relation to their enforcement activities covering the private rented sector, as specified in regulations. Any such amounts are not predictable.

5.2.13 The new licensing team staff will require standard issue council IT equipment and licences.

5.2.14 The new licensing team staff will join Regulatory Services working in a hybrid way at home and in Colindale. The pressures on Colindale will increase as the team expands and this should be reviewed at each stage in recruitment and implications considered by LBB.

5.2.15 The legislation and guidance require licensing schemes to work alongside other strategies and initiatives to jointly achieve the outcomes of the licensing schemes. Should the schemes come into effect, the property licensing team will need to work with other services and organisations to ensure that the objectives are met. For example, Community Safety and the Metropolitan Police in reducing the effects of ASB and crime arising from the private rented sector. Advice and support from Legal Services will be required for additional enforcement action that may arise from dealing with the worst properties and reluctant landlords.

5.3 Legal and Constitutional References

5.4 Additional licensing

- 5.4.1 Section 56 of the Housing Act 2004 ('the Act') provides local authorities with the power to designate the area of their district, or an area in their district as being subject to additional licensing in relation to a description of HMOs specified in the designation. The authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- 5.4.2 Before making the designation, the authority must take reasonable steps to consult persons who are likely to be affected by the designation, and consider any representations made in accordance with the consultation that are not withdrawn.
- 5.4.3 The power to make such a designation makes all HMOs described in the designation in the area in question subject to the provisions of Part 2 of the Act.
- 5.4.4 Section 57 of the Act requires an authority exercising the power to designate an area under Section 56 to ensure that the exercise of the power is consistent with its overall housing strategy.
- 5.4.5 The authority must also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector, both—
- (a) as regards combining licensing under Part 2 with other courses of action available to them, and
 - (b) as regards combining such licensing with measures taken by other persons.
- 5.4.6 The authority must not make a particular designation under section 56 unless—
- (a) they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question, and
 - (b) they consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).
- 5.4.7 The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 gives every local housing authority that designates an area of their district as subject to additional licensing in relation to a description of HMOs specified in the designation made under section 56(1) of the Act, the Secretary of State's general approval (subject to conditions) for that designation for the purposes of section 58(1)(b) of the Act.
- 5.4.8 Section 58 of the Act requires that the date the designation comes into force specified by the authority must be no earlier than three months after the date on which the designation is confirmed.
- 5.4.9 Section 59 of the Act specifies that as soon as a designation is made by an authority, they must publish in a prescribed manner a notice stating –

- (a) that the designation has been made,
- (b) whether or not the designation was required to be confirmed and either that it has been confirmed or that a general approval under section 58 applied to it (giving details of the approval in question),
- (c) the date on which the designation is to come into force, and
- (d) any other information which may be prescribed

5.4.10 Section 60 of the Act states that a designation ceases to have effect at the time that is specified for this purpose in the designation and that time must be no later than five years after the date on which the designation comes into force. A local housing authority must from time to time review the operation of any designation made by them. If following a review, they consider it appropriate to do so, the authority may revoke the designation and if they do, the designation ceases to have effect at a time that is specified by the authority for this purpose and the authority must publish notice of the revocation in such manner as prescribed by regulations.

5.4.11 Under section 61 of the Act, every HMO to which the designation applies must be licenced, unless a temporary exemption notice is in force, or an interim or final management order is in force in relation to it. Section 61 also requires every local authority must take all reasonable steps to secure that applications for licences are made to them in respect of HMOs in their area which are required to be licensed but are not.

5.4.12 Section 63(7) of the Housing Act 2004 states that: *“when fixing fees under this section, the local housing authority may (subject to any regulations made under subsection (5)) take into account:*

- (a) *all costs incurred by the authority in carrying out their functions under this Part, and*
- (b) *all costs incurred by them in carrying out their functions under Chapter 1 of Part 4 in relation to HMOs (so far as they are not recoverable under or by virtue of any provision of that Chapter)”*.

5.4.13 However, the EU Directive and the Provision of Services Regulations 2009 which was subsequently passed states, at Regulation 18(4):

“Any charges provided for or by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities.”

5.4.14 Once fees are set, the council is expected to review its fees and adjust them where necessary to reflect previous deficits or surpluses. It can take into account the cost of administering the licence over a five-year period.

5.4.15 The fees and charges are reviewed annually and, in line with case law, will be a split fee with the second element payable by successful applicants i.e. those eligible.

5.5 Selective licensing

5.5.1 Section 80 of the Housing Act 2004 (and associated Regulations) provides local authorities with the power to designate the area of their district, or an area in their district as being subject to selective licensing.

5.5.2 Under Section 80 of the Act, to make a designation, the authority must consider that any of certain general conditions are satisfied in relation to the area, as set out in the following paragraphs (a) and (b).

(a) The authority must consider that the area is or is likely to become an area of low housing demand and that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to the improvement of the social or economic conditions in the area.

(b) The area is experiencing a significant and persistent problem caused by anti-social behaviour, that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem.

5.5.3 The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 introduced another route for designation of selective licensing:

(a) that the area contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area;

(b) that the properties referred to in sub-paragraph (a) are occupied either under assured tenancies or licences to occupy; and

(c) that one or more of the sets of conditions in articles 4 to 7 is satisfied (see below).

- Conditions in relation to housing conditions
- Conditions in relation to migration
- Conditions in relation to deprivation
- Conditions in relation to crime

5.5.4 Section 8 of the full consultation business case considered borough data against each of these six specified conditions. This data has been updated against the new wards in Appendix 10.

5.5.5 Section 80 of the Act requires that, before making a designation the local housing authority must take reasonable steps to consult persons who are likely to be affected by the designation and consider any representations made in accordance with the consultation and not withdrawn.

5.5.6 Section 81(2) of the Act specifies that the authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy.

5.5.7 Section 81 (3) specifies the authority must also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour,

both –

- (a) as regards combining licensing with other courses of action available to them, and
- (b) as regards combining such licensing with measures taken by other persons.

5.5.8 Section 82 of the Act requires that a designation of an area as subject to selective licensing cannot come into force unless—

- (a) it has been confirmed by the appropriate national authority; or
- (b) it falls within a description of designations in relation to which that authority has given a general approval in accordance with subsection (6).

5.5.9 Designation A falls within the general approval conditions in subsection (6) and so can come into force after the appropriate period (at least three months) after designation.

5.5.10 Any further designations following the proposed further consultation will require confirmation by the Secretary of State and if approved by the committee an application for confirmation will be made to the Secretary of State once prepared in accordance with guidance. The designations may not come into force earlier than three months of the date of the confirmation.

5.6 Paragraph 5 of The Housing Act 2004: Licensing of houses in multiple occupation and selective licensing of other residential accommodation (England) General Approval 2015, states that the general approval is not given if a designation has not been consulted on for at least 10 weeks. It also not given if a designation of an area falls within either of the following criteria:

- a) the designation, either by itself, or in combination with other selective licensing designations made by the local housing authority, would cover more than 20% of the geographical area of the local housing authority; or
- b) the designation, either by itself, or in combination with other selective licensing designations made by the local housing authority, would affect more than 20% of privately rented homes in the local housing authority area, based on figures from census data.

5.7 Section 87 (7) states: *When fixing fees under this section, the local housing authority may (subject to any regulations made under subsection (5)) take into account—*

(a) all costs incurred by the authority in carrying out their functions under this Part, and

(b) all costs incurred by them in carrying out their functions under Chapter 1 of Part 4 in relation to Part 3 houses (so far as they are not recoverable under or by virtue of any provision of that Chapter).

5.8 However, the EU Directive and the Provision of Services Regulations 2009 which was subsequently passed states, at Regulation 18(4):

“Any charges provided for or by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities.”

5.9 Once fees are set, the council is expected to review its fees and adjust them where necessary to reflect previous deficits or surpluses.

- 5.10 The fees and charges are reviewed annually and, in line with case law, will be a split fee with the second element payable by successful applicants.
- 5.11 Case law in this area is mostly related to the consultation process, its duration and extent but there have also been challenges linked to the level of evidence to justify a designation and the alternatives, failure to meet approval requirements etc, and such failures can lead to Judicial Review challenge(s) against the council.
- 5.12 The Barnet Council Constitution, Article 7 – Committees, Forums, Working Groups and Partnerships (April 2021) gives the Housing and Growth Committee responsibility for housing matters including housing strategy, homelessness, social housing and housing grants, commissioning of environmental health functions for private sector housing.
- 5.13 Article 10 – Decision Making, sets out that apart from matters reserved to Full Council, committees (and sub-committees) will be responsible under their terms of reference for all decisions which are key (as defined in Article 2).

5.14 **Insight**

- 5.14.1 The statutory requirements and government guidance requires local housing authorities to take decisions relating to additional and selective licensing based upon evidence in relation to the specific areas in which they are proposed to be designated. A detailed analysis of all relevant matters for both proposed schemes was undertaken and formed the basis of the decisions as to the conditions of property in the borough warranting the designation of these schemes. (Section 8 – the Evidence chapter of the full consultation business case.) As already mentioned, this data has been converted to the new wards. (Appendix 10).
- 5.14.2 The analysis has used data from a wide range of recognised sources, including the GLA data store and the Office for National Statistics (ONS), as well as the environmental health Idox Uniform database for private sector housing.
- 5.14.3 Depending upon the specific guidance, data has been analysed to provide both long term trends and the current position, as required for the relevant criterion.
- 5.14.4 Depth of data and accuracy have been considered to ensure that the conclusions reached are as robust as possible and to give confidence both for the public consultation and submission to the Secretary of State for confirmation.
- 5.14.5 Support in compiling data was provided from both the Intelligence and Insight Hub and the Regulatory Services Community Protection (Regulation) Analyst within Re.
- 5.14.6 The results of the consultation have been analysed by Eventure Research employed to undertake the consultation and produce the report in Appendix 2 and informed the amendments summarised in Appendix 5.

5.15 **Social Value**

- 5.15.1 The additional licensing scheme and introduction of selective licensing will help the council to protect some of the most vulnerable members of society, who often end up in

sub-standard accommodation and who do not know who to turn to, or are afraid to ask for help in relation to their living conditions. Licensing will enable council officers to make contact with vulnerable people living in this accommodation and if necessary direct them to other services.

5.15.2 The licensing schemes will contribute to the council improving the general appearance of neighbourhoods, protect the environment, reduce ASB, improve energy efficiency and reduce fear of crime.

5.15.3 The schemes will assist the council in knowing where in the borough the PRS is located, as well as where the bad landlords are and to promote other relevant services to both good and bad landlords.

5.16 Risk Management

5.16.1 There is a risk that the evidence base does not meet the requirements of the legislation and guidance and does not adequately support the case for the selective licensing scheme. As described above, a thorough and detailed analysis of data from multiple sources has been compiled over several months, aiming to ensure that each point has been considered in turn and is fully supported by the data. For example, a selective licensing scheme is not proposed in areas of the borough where the evidence does not strongly support the case for it and a borough-wide designation is not proposed as the evidence available does not support this approach. This determination is likely to be considered by the secretary of state in considering any future applications for confirmation of selective licensing schemes during the lifetime of Designation A.

5.16.2 There is a risk of legal challenge to proposals following designation. In *R (Regas) v London Borough of Enfield* [2014] EWHC 4173, the High Court held that the London Borough of Enfield's decision under the Housing Act 2004 to designate the whole borough for both additional licensing of houses in multiple occupation and selective licensing of private rented sector properties was unlawful for a failure to properly consult. Although Enfield carried out a consultation, the court held that the consultation was insufficient, both in terms of duration and the extent to who was consulted. In light of this, the Barnet consultation ran for 13 weeks, rather than the minimum 10 weeks required. The consultation extended to neighbouring boroughs as it is important to consider businesses, services and residents or neighbouring boroughs who may be affected.

5.16.3 In the case of *R (Moseley) v Haringey London Borough Council* [2015] 1 All ER 495, although not to do with additional or selective licensing schemes, the court reasserted the principles set out in the earlier case of *R (Gunning) v Brent London Borough Council* [1985] 84 LGR 168 when undertaking a consultation:

- (i) consultation should take place when proposals are still at a formative stage,
- (ii) sufficient reasons should be given for any proposal to allow intelligent consideration and response,
- (iii) adequate time should be provided for consideration and response, and
- (iv) the outcome of the consultation has to be conscientiously taken into account in finalising any proposals.

- 5.16.4 Additionally, the degree of specificity with which the public authority should undertake the consultation might be dependent on the identity of those being consulted.
- 5.16.5 Feedback from the consultation has been fully considered prior to bringing these proposals back to this committee.
- 5.16.6 It should be highlighted that in June 2021, the Secretary of State decided not to approve the application for consent by London Borough of Croydon in relation to their proposed selective licensing scheme for 28 wards. Reasons given for this refusal were that the Council did not provide sufficient evidence of housing conditions under s.3(1) of the 2004 Act. The Secretary of State was not satisfied that the Council have met the statutory criteria in Article 4 Selective Licensing of Houses (Additional Conditions) (England) Order 2015.
- 5.16.7 The business case for the proposed selective licensing schemes was drawn up to address each legislative requirement and those in the guidance and so it is not believed that the reasons stated by the Secretary of State for refusal to give confirmation for Croydon would be applicable to Barnet's case.
- 5.16.8 The Court of Appeal case of *Brown v Hyndburn Borough Council* [2018] EWCA Civ 242 related to the removal by the court of conditions which the council had applied to its selective licensing scheme. It held that the power to regulate the "management, use or occupation" of a house does not entitle a local authority to impose conditions requiring the introduction of "new facilities or equipment".
- 5.16.9 The conditions in Appendix 8 have been re-written to ensure that they do not impose the introduction of new facilities and equipment.

5.17 Equalities and Diversity

- 5.17.1 Equality and diversity issues are a mandatory consideration in the decision-making of the council.
- 5.17.2 Decision makers should have due regard to the public-sector equality duty in making their decisions. The equalities duties are continuing duties. They are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the duties should precede the decision. It is important that Housing and Growth Committee has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public-sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:
- 5.17.3 A public authority must, in the exercise of its functions, have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.17.4 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, involves having due regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

5.17.5 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

5.17.6 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- Tackle prejudice, and
- Promote understanding.

5.17.7 Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are Age, Disability, Gender reassignment, Pregnancy and maternity, Race, Religion or belief, Sex, Sexual orientation, marriage and Civil partnership

5.17.8 The full EqIA was completed once the consultation exercise concluded. Responses were reviewed and taken into account in preparing the consultation feedback. There is no negative impact on any persons with protected characteristics.

6. Equalities impact assessment

6.1 An equalities impact assessment (EqIA) has been undertaken on the proposals following the consultation, which is at Appendix 9. Overall, the findings of the assessment were that large scale improvement to housing conditions and management standards of private rented properties resulting from the proposed selective and additional licensing schemes would positively impact residents, landlords and tenants in the private sector, and particularly those who are most vulnerable. Feedback from the public consultation raised concerns about potential issues such as the cost of licence fees being passed onto tenants in rent increases and a potential for increased evictions.

6.2 Of a total of 466 consultation responses, private tenants represented 22% of respondents, with 26% being owner occupiers and 5% being social tenants. 31 respondents stated that they lived in an HMO in Barnet.

- 6.3 Respondents indicated a range of issues relative to HMOs that they thought were a serious or very serious problem. The percentage of respondents believing this to be the case ranged from 23% for overcrowding up to 54% for poor noise/sound insulation.
- 6.4 51% believed their health has been adversely affected by the condition of the property to some extent or a great deal.
- 6.5 39% of private tenants believed that the proposed additional licensing will help improve the health & safety of tenants living in HMOs.
- 6.6 30% of private tenants expressing an opinion, believed that the proposed additional licensing scheme would have a positive impact on them and their family.
- 6.7 46% of owner occupiers believed that the proposed additional licensing scheme would have a positive impact on them and their family.
- 6.8 49% of private tenants and 48% of owner occupiers believed the proposed additional licensing scheme would have a positive impact on their local area. Overall, 45% of private tenants and 46% of owner occupiers believed there would be a positive impact on the borough from the scheme.
- 6.9 26% of respondents stated that they lived in a privately rented property that is not an HMO in Barnet.
- 6.10 Respondents indicated a range of issues relative to private rented properties that they thought were a serious or very serious problem. The percentage of respondents believing this to be the case, ranged from 12% for overcrowding up to 41% for high costs of heating.
- 6.11 32% believed their health has been adversely affected by the condition of the property to some extent or a great deal.
- 6.12 55% of private tenants believed that the proposed selective licensing will help improve the health & safety of tenants living in other private rented properties.
- 6.13 49% of private tenants expressing an opinion, believed that the proposed selective licensing schemes would have a positive impact on them and their family.
- 6.14 48% of owner occupiers believed that the proposed selective licensing schemes would have a positive impact on them and their family.
- 6.15 44% of private tenants and 43% of owner occupiers believed the proposed selective licensing schemes would have a positive impact on their local area.
- 6.16 The EqIA has determined that there will be a positive impact in relation to the protected characteristics of Age, Disability, Race/Ethnicity, Religion or belief and Sex and the other key groups of, those living in all wards for additional licensing and the proposed wards for selective licensing, those living in HMOs and other private rented properties as well as some owner occupiers living nearby, those in deprivation in the employment domain and those private renters in receipt of housing benefits.

6.17 The EqIA has determined there is no negative impact on the protected characteristics of Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity and Sexual Orientation from the proposals.

7. Corporate Parenting

7.1 The licensing proposals could have a positive impact for care leavers as rented accommodation is potentially where these residents may end up being housed.

8. Consultation and Engagement

8.1 As a matter of public law, the council has a duty to consult on proposals to vary, reduce or withdraw services in the following circumstances:

- where there is a statutory requirement in the relevant legislative framework
- where the practice has been to consult or where a policy document states the council will consult then the council must comply with its own practice or policy.
- exceptionally, where the matter is so important that there is a legitimate expectation of consultation.

8.2 Consultation is also recommended in other circumstances, for example to identify the impact of proposals or to assist with complying with the council's equalities duties.

8.3 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:

- Comments are genuinely invited at the formative stage
- The consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response
- There is adequate time given to the consultees to consider the proposals
- There is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision
- The degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting
- Where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.

8.4 Consultation and engagement was agreed through the HAG report of 14th June 2021. A 13-week consultation exercise was undertaken, and feedback collated, reviewed and fed into amendments to the scheme as appropriate.

8.5 Full details of the consultation are included in paragraphs 2.3. 1– 2.3.21

9 Environmental Impact

- 9.1 Property licensing schemes result in the visual improvement of property. This can be in terms of repair and renovation of dilapidations and poorly maintained properties and also in terms of keeping the land within the curtilage of privately rented properties tidy and free from rubbish and pests and also reducing fly-tipping in the area generally.
- 9.2 The additional HMO licensing schemes will help reduce carbon emissions through the improvement of energy efficiency in properties subject to licensing.

10. Background papers

- 10.1 Previous Decision – Housing Committee 2nd February 2015 -resolved to consult on the proposals for an additional licensing scheme.
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=699&MID=7937#AI11020>
- 10.2 Previous Decision – Housing Committee 2nd February 2016 Decision Item 7 – resolved to designate a borough-wide additional licensing scheme.
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=699&MId=8269&Ver=4>
- 10.3 Previous Decision – Housing and Growth Committee 14th June 2021 – resolved to consult on proposed additional and selective licensing schemes.
<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=696&MId=10845>
- 10.4 Housing Act 2004. <https://www.legislation.gov.uk/ukpga/2004/34/contents>
- 10.5 Selective licensing in the private rented sector: a guide for local authorities
<https://www.gov.uk/government/publications/selective-licensing-in-the-private-rentedsector-a-guide-for-local-authorities>
- 10.6 The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418588/General_consent_final_2_.pdf
- 10.7 Consultation documents. [Consultation on new property licensing scheme proposals in Barnet | Engage Barnet](#)
- 10.8 Newham Council Cabinet report, Licensing of privately rented properties, 15 June 2017
<https://www.newham.gov.uk/housing-homes-homelessness/rented-property-licensing/12>
- 10.9 Landlord Licensing in the Private Rented Sector: Research Report for Core Cities UK - Metastreet 2018
https://metastreet.co.uk/files/Core_Cities_UK_Metastreet_licensing_report_Oct_2018.pdf
- 10.10 Evaluation of the impact of HMO licensing and selective licensing – CLG / BRE 2010
<https://webarchive.nationalarchives.gov.uk/ukgwa/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/1446438.pdf>
- 10.11 An Independent Review of the Use and Effectiveness of Selective Licensing – MHCLG 2019

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833217/Selective_Licensing_Review_2019.pdf

- 10.12 Can't complain: why poor conditions prevail in private rented homes - Shelter 2014
https://assets.ctfassets.net/6sxvmndn0s/3GJonP7hBbHHrzBf7IXVGa/f3ac165c3de1941f401c21114fa9031b/2014_6430_05_9M_Renters_Campaign_Brief_V6_opt.pdf
- 10.13 Health of one in five renters harmed by their home – Shelter (YouGov) 2021
https://england.shelter.org.uk/media/press_release/health_of_one_in_five_renters_harmed_by_their_home