



Barnet Council



Consultation on proposals for a selective licensing scheme for privately rented properties 2024-2029 – Executive Summary

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Executive Summary

1.0 Background

- 1.1 This report sets out the findings of the consultation on proposals for a selective licensing scheme (Phase 2) for privately rented properties 2024-2029, undertaken by the London Borough of Barnet Council (Barnet Council).
- 1.2 Following a consultation in 2021, Barnet Council renewed its borough-wide additional licensing scheme for houses in multiple occupation from October 2022 and approved the introduction of a selective licensing scheme (Phase 1) in Burnt Oak, Colindale North and Colindale South (except for some regeneration areas), which is intended to commence in early 2024.
- 1.3 The previous consultation also proposed two further phases of selective licensing. It was decided not to proceed with those proposals, but to reconsult on an alternative proposal following analysis of data relating to new ward boundaries.
- 1.4 The Council is now proposing a further selective licensing scheme (Phase 2) in ten more wards. The scheme will help the Council work together with landlords to make sure that homes are safe and well managed.
- 1.5 Under the proposals, landlords would need to obtain a licence for privately rented properties within the scope of the selective licensing scheme, for which there is a fee payable. The fee is charged to cover the costs of processing an application and the cost of monitoring compliance with licence conditions.
- 1.6 As part of the decision-making process, Barnet Council undertook a consultation with landlords, letting agents, tenants, residents and other third parties. Enventure Research was commissioned to undertake the coding of open ended and 'other' responses and independently analyse and report on the results.

2.0 Approach to the consultation

- 2.1 The consultation was initially open for 12 weeks from 22 February but was subsequently extended to 31 July 2023 (22.5 weeks). The primary method to receive feedback was an online survey published on www.engage.barnet.gov.uk, together with information detailing the background of the proposals. A total of 369 responses were received and seven written responses were received by email. Despite the longer consultation period, there were fewer responses than for the previous consultation in 2021, when there was 466 online responses and nine written responses by email.
- 2.2 The report contains several tables and charts that present the survey results. In some instances, the responses may not add up to 100% and where responses have been combined (e.g. strongly agree and tend to agree), the combined percentage may differ by one percentage point compared with the individual percentages. Furthermore, questions in the survey were not routed or compulsory, meaning respondents could answer any question or skip questions. This resulted in varying base sizes.

3.0 Respondent profile

- 3.1 The Council is required by law (the Equality Act 2010) to pay due regard to equalities in eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations between people from different groups.
- 3.2 The protected characteristics identified in the Equality Act 2010 are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership. In addition to answering questions on these characteristics, respondents were asked to provide information about the electoral ward in which they live, housing tenure and employment status.
- 3.3 More detail of the respondent profile and protected characteristics, including the ward they live in, can be found in section 4 of the main report. A summary of the protected characteristics is shown in section 2 of the main report.

4.0 Key findings

4.1 Overall, the majority of respondents opposed the introduction of the selective scheme

Overall, the majority (70%) of respondents opposed the introduction of the selective scheme for privately rented properties in Barnet.

Opposition, however, was stronger amongst managing or letting agents and private landlords (100% and 94% opposing respectively) and support was stronger amongst owner occupiers and those renting from private landlords (63% and 43% support respectively).

Most respondents to the consultation were landlords or letting agents.

The majority (45%) of respondents were private landlords, with 8% stating they were a managing or letting agent or work for a managing or letting agent. Only 20% of respondents said they rented their home from a private landlord. A further 14% of respondents were owner occupiers.

Reasons stated why people were opposed to the proposed scheme included:

- Landlords would exit the market
- The number of rental properties would reduce and so increase homelessness
- Rents would increase as the cost of the licence would be passed on to tenants
- It is just a money-making exercise for the council
- It penalises good landlords, whilst bad landlords will not get a licence
- Unnecessary red tape and bureaucracy
- Concern that the council would not be able to adequately resource the scheme
- Fees are too high

Reasons stated why people supported the scheme included:

- Too many poor properties
- Poor conditions affecting tenants' health
- Landlords need to be better regulated
- To make landlords maintain their properties
- Landlords making short-term profit at the expense of tenants
- To identify more rented properties
- Reduce crime and ASB
- To protect tenants

4.2 High costs of heating and lack of energy efficiency in the property are two of the main concerns that respondents who rent privately have

Two of the top three problems experienced by respondents who rent privately were related to energy. A third (32%) said high costs of heating was a serious issue (serious and very serious combined) and 28% said the lack of energy efficiency in the property was either serious or very serious. Damp and mould was also a major concern, identified by almost three in ten respondents (28%) as serious or very serious.

4.3 Almost three in ten respondents who rent privately feel their health is adversely affected to some extent or a great deal

Almost three in ten respondents (28%) who rented privately felt that their health had been adversely affected by the condition of the property either a great deal or to some extent. Three in five (59%) said their health had not been affected at all.

4.4 Almost two-thirds of respondents disagree with the areas selected by the Council for selective licensing

Almost two-thirds of all respondents (64%) said they disagreed with the proposed areas selected by the Council (58% strongly disagree and 6% tend to disagree). A quarter (26%) said they agreed with the proposal (18% strongly agree and 8% tend to agree).

Managing or letting agents and private landlords disagreed the most (93% and 87% respectively). By comparison 44% of those who rent from a private landlord and 47% of owner occupiers agreed with the areas selected.

Respondents did not specifically state the reasons for disagreeing with the areas selected, but rather referred to their general objections to introducing a selective licensing scheme in response to this question.

4.5 Almost three in five respondents disagree with the conditions to be applied to licences

Almost three in five respondents (57%) said they disagreed with the conditions to be applied.

Managing or letting agents and private landlords disagreed the most (78% and 77% respectively), compared with those that rent from a private landlord and owner occupiers (45% and 57% respectively).

The main reasons for disagreeing were that there are already sufficient regulations and checks, however, many simply referred to their general objections to introducing a selective licensing scheme in response to this question.

4.6 Just over seven in ten respondents disagree with the indicative fees for the new selective licensing scheme

Just over seven in ten respondents (72%) said they disagreed with the indicative licence fees for the new selective licence scheme proposed. However, almost a quarter (23%) said they agreed with the proposal.

Managing or letting agents and private landlords disagreed the most (100% and 89% respectively), compared with owner occupiers and those that rent from a private landlord (50% and 30% respectively).

The main reasons for disagreeing were that the fees were generally considered to be too high for landlords to pay and as a result costs will be passed on to tenants.

4.7 Almost two thirds of respondents disagree with the stated benefits that the licensing scheme will bring to the private rented sector in Barnet

Almost two-thirds of respondents (65%) said they disagreed with the stated benefits that the selective licensing scheme will bring to the private rented sector. Just over a quarter (27%) said they agreed with the proposal.

Private landlords and managing or letting agents disagreed the most (85% and 82% respectively), compared with those that rent from a private landlord and owner occupiers (50% and 67% respectively).

The main reason for disagreeing was the perceived financial burden on landlords, although most respondents referred to their general objections to introducing a selective licensing scheme in response to this question.

4.8 Generally, respondents believe that the new selective licensing scheme will have a negative impact

Overall, respondents believed the new licensing scheme will have more of a negative impact than a positive one. The statistics were as follows:

- Impact on themselves and their family (51% said a negative impact v 24% that said a positive impact)
- Impact on landlord businesses (93% said a negative impact v 4% that said a positive impact)
- Impact on organisations throughout Barnet (64% said a negative impact v 21% that said a positive impact)
- Impact on the local area (43% said a negative impact v 22% that said a positive impact)
- Impact on Barnet as a whole (46% said a negative impact v 24% that said a positive impact)

Private tenants who considered that the proposal would have a negative impact on them and their family did not give any reasons for this view.

A reason stated by landlords who considered that the proposal would have a negative impact on their business was that landlords would exit the market as a result.

5.0 Consultation

5.1 The detail of the consultation was broadly very similar to the previous consultation in 2021 relating to selective licensing. Any revisions to the 2021 proposals were incorporated into these proposals and so a lot of feedback had already been considered. The main difference in this consultation related to the areas that were proposed to be included following a reassessment of data based upon new ward boundaries.

5.2 Focus groups for the previous consultation were not well supported, with only 25 tenants or other residents and four landlords taking part. As the feedback from these events had already been taken into account, the advice of the Barnet Consultation and Engagement Manager was that there would be no further benefit in undertaking further focus groups for this consultation.

5.3 The consultation was promoted by Barnet Council through the following:

- Council website pages
- Press release
- Social media campaign via X (formerly known as Twitter) and Facebook
- Barnet First paper magazine (distributed to all household in Barnet)
- Barnet First e-newsletter
- Communities Together Network bulletin
- Advert in Barnet Times (print and online)

6.0 Survey of responses

6.1 The following figures provide a breakdown of respondents in respect to how, and in what capacity, they are responding to the consultation, in which area they live, work, have a business, and if they are a landlord or agent, how many properties they let or manage.

Figure 1 - (Q1) Which of the follow best describe why you are completing this questionnaire?
Base - All respondents (369)

Response	Respondents	Percentage of respondents
I am a private landlord	165	45%
I rent my home from a private landlord	73	20%
I am an owner occupier (with or without a mortgage)	53	14%
I am a managing or letting agent or work for a managing or letting agent	31	8%
I work for a local authority	9	2%
I work for an organisation that represents landlords, or managing or letting agents	6	2%
I work for an organisation that has an interest in private renting in Barnet or the surrounding areas	6	2%
I rent my home from the Council	5	1%
I rent my home from a housing association	5	1%
I work for or own a business	3	1%
I work for an organisation that represents private tenants	3	1%
Other interested party or organisation (please state type of organisation in the box below)	10	3%
TOTAL RESPONSES	369	100%

- 6.2 The majority of respondents (93%) said they either lived, worked, have a business or owned / rented a property in *the London Borough of Barnet* area.
- 6.3 The largest proportions of respondents who responded to say if they either lived, worked, had a business or owned / rented a property in, were from the *Hendon ward* (13%) or *Edgware ward* (12%).
- 6.4 Almost four in five respondents (78%) said they were completing the questionnaire as an *individual*, and one in five (20%) said they were completing it as a *business / company*.
- 6.5 Of the respondents who were completing the questionnaire as a business or company, over nine in ten (92%) said this was *based within the borough of Barnet*.
- 6.6 Respondents who let or managed private rented properties were asked how many properties they rented. The most common response was *one property*, mentioned by two in five respondents (41%). A third (33%) said they let or managed *two to five properties*. One in nine (11%) said they let or managed *more than 50 properties*.

6.7 If the wards that the private rented properties are situated, the most common response was *Golders Green ward* (22%).

7.0 Experiences of living in private rented properties

7.1 Respondents were asked if they lived in a house or flat occupied by a single family, or one person or two persons who may or may not share facilities (either a house or flat), known as an SFO. A total of 100 respondents (29%) said they lived in a SFO.

7.2 Respondents who rented privately were subsequently asked to identify any problems they had experienced whilst living in SFO properties in Barnet. High costs of heating was the biggest concern, identified by 32% of respondents as either a serious or very serious problem. Damp and mould was highlighted by 28% of respondents, and another energy related issue was lack of energy efficiency in the property, highlighted by 24%. Poor repair was highlighted by 18% of respondents. 8% of respondents highlighted overcrowding and 8% highlighted anti-social behaviour. 4% highlighted crime.

8.0 Health

8.1 Respondents who rented privately were asked if they felt their health had been adversely affected by the condition of their property. As shown in the figure below, one in ten (10%) said it had been affected *a great deal*, a further 18% *to some extent* and 12% *not very much*. Three in five (59%) said it had *not been affected at all*.

Figure 2 – (Q10) Do you feel your health has been adversely affected by the conditions of the property?

Base – Respondents who rent privately (49)

Response	Number of responses	Percentage
Not at all	29	59%
Not very much	6	12%
To some extent	9	18%
A great deal	5	10%
Don't know / not sure	-	-
TOTAL RESPONSES	49	100%

9.0 Proposals to introduce selective licensing schemes for other privately rented properties

9.1 The consultation asked respondents if they agreed or disagreed with the proposal to include a greater number of privately rented properties in ten further wards in Barnet (in addition to those in Burnt Oak, Colindale North and Colindale South).

9.2 Almost two-thirds of all respondents (64%) said they *disagreed* with the proposed areas selected by the Council (58% strongly disagree and 6% tend to disagree). A quarter (26%) said they *agreed* with the proposal (18% strongly agree and 8% tend to agree).

9.3 Subgroup analysis highlights that certain groups were more likely to agree (strongly agree and tend to agree – overall combined 24%) with the areas selected by the Council for selective licensing. These groups were:

- Those that rent from a private landlord (44%)
- Owner occupiers (47%)

Groups more likely to **disagree** (strongly disagree and tend to disagree – overall combined 64%) with the areas selected by the Council for selective licensing were:

- Private landlords (87%)
- Managing or letting agents (93%)

9.4 Respondents who disagreed with the proposed areas did so for a variety of reasons, however, most reasons quoted were more about their objections to the scheme generally, rather than about the areas to be covered. Of the relevant reasons given, 22% stated that there were no problems in the area and that properties are well maintained, and 12% stated that the scheme should apply more widely, to all areas and rental properties.

9.5 Almost three in five (57%) said they disagreed with the conditions to be applied (6% *tend to agree* and 51% *strongly disagree*). Around three in ten (31%) said they agreed with the proposal (18% *strongly agree* and 13% *tend to agree*).

9.6 Subgroup analysis highlights that certain groups were more likely to **agree** (strongly agree and tend to agree – overall combined 31%) with the conditions that are to be applied to licences under the proposed selective licensing schemes. These groups were:

- Those that rent from a private landlord (45%)
- Owner occupiers (57%)

Groups more likely to **disagree** (strongly disagree and tend to disagree – overall combined 57%) with the with the conditions that are to be applied to licences under the proposed selective licensing schemes were:

- Private landlords (77%)
- Managing or letting agents (78%)

9.7 Those who previously indicated that they disagree with the conditions were asked why this was. However, several of the reasons quoted were more about their objections to the scheme generally, rather than about the licence conditions to be applied. Of the relevant reasons given, 25% stated that there are already *enough existing regulations* and checks in place and *new the conditions would be duplicating existing regulations.*, and 12% stated that

the scheme should apply more widely, to all areas and rental properties. One in five respondents (21%) also believed the conditions would be an *additional cost or burden for landlords*.

9.8 Just over seven in ten of respondents (72%) said they *disagreed* with the indicative licence fees for the new selective licence scheme proposed (8% tend to disagree and 64% strongly disagree). However, almost a quarter (23%) said they *agreed* with the proposal.

9.9 Subgroup analysis highlights that certain groups were more likely to **agree** (strongly agree and tend to agree – overall combined 23%) with the indicative licence fees for the new selective licence scheme. These groups were:

- Those that rent from a private landlord (30%)
- Owner occupiers (50%)

Groups more likely to **disagree** (strongly disagree and tend to disagree – overall combined 72%) with the with the conditions that are to be applied to licences under the proposed selective licensing schemes were:

- Private landlords (89%)
- Managing or letting agents (100%)

9.10 Respondents disagreeing with the indicative fees were given the opportunity to provide their reasons for doing so. Just over two in five respondents (43%) said they disagreed because they thought costs will be passed on to tenants and rents will be increased. A third (34%) said the fees would be too high and a quarter (23%) said it would be an additional cost or burden for landlords. However, several of the reasons quoted were more about their objections to the scheme generally, rather than about the indicative licence fees.

Figure 3 – (Q16) If you disagree, please say why. There were further objections not related to the areas of scope (115 individual comments) that are not shown.

Base - Respondents who disagreed with the indicative licence fees for the new selective scheme (176) - respondents could provide more than one response/reason

The table below shows responses for the above figure.

Response	Number of responses	Percentage
Costs will be passed on to tenants/rents will increase	76	43%
Too expensive/fees too high	59	34%
Additional cost/burden for landlords	41	23%
Just a money making scheme	29	16%
Unnecessary/few problems exist	12	7%
Lack of transparency/detail about costs	6	3%
Fees too low/should be increased	5	3%
Fees higher than in other areas where licensing introduced	5	3%
Should be free/no charge for service	4	2%
Less money available for property repairs	4	2%
Fees should be structured/on a sliding scale	3	2%
Cost will increase with inflation	2	1%

Objections not related to the level of the indicative licence fees	115	-
TOTAL RESPONSES	361	-

- 9.11 Almost two-thirds of respondents (65%) said they disagreed with the stated benefits of the proposed scheme (7% tend to disagree and 58% strongly disagree). Just over a quarter (27%) said they agreed with the proposal (19% *strongly agree* and 8% *tend to agree*).
- 9.12 Subgroup analysis highlights that certain groups were more likely to **agree** (strongly agree and tend to agree – overall combined 27%) with the stated benefits that the selective licensing scheme will bring to the private rented sector in Barnet. These groups were:
- Those that rent from a private landlord (67%)
 - Owner occupiers (50%)
- Groups more likely to **disagree** (strongly disagree and tend to disagree – overall combined 65%) with the with the conditions that are to be applied to licences under the proposed selective licensing schemes were:
- Private landlords (85%)
 - Managing or letting agents (82%)
- 9.13 Respondents who disagreed that the selective licensing scheme will bring benefits to the private rented sector in Barnet were asked to state why this was. Several of the responses did not directly relate to the stated benefits of the scheme, but all substantive responses have been reproduced below as they may relate to what the respondent considers to be a benefit. These issues are also captured in the reasons for objecting to the scheme generally. As shown in the figure below, one in five respondents (21%) were concerned that the *costs of the licensing scheme would be passed on to tenants through rent increases* and a further 20% thought that *some landlords would leave the rental market* which would result in *fewer properties being available*. Other reasons included *additional costs or burden for landlords* (20%), there are already *sufficient regulations and powers that should be enforced* (20%), and that *licensing doesn't always work and won't solve the problems* (19%).

Figure 4 – (Q18) If you disagree, please say why.

Base – Respondents who disagreed with the stated benefits (136) - respondents could provide more than one response/reason

The table below shows all responses.

Response	Number of responses	Percentage
Costs will be passed on to tenants/rents will increase	29	21%
Landlords will exit the market/fewer rental properties available	27	20%
Additional cost/burden for landlords	27	20%
Enough regulations/enforce existing powers	27	20%
Licensing doesn't work/won't solve problems	26	19%
Penalises responsible landlords/focus on bad landlords	25	18%
No/unclear benefits	22	16%
Just a money making scheme	19	14%
Bad landlords will not register	15	11%
Will be difficult/costly to administer	14	10%
Too much regulation/red tape	12	9%

Unnecessary/few problems exist	10	7%
Won't improve housing quality/less money for repairs	8	6%
Council should prioritise spending elsewhere	8	6%
TOTAL RESPONSES	269	-

10. Impact of the new selective licensing scheme on individuals and the borough

- 10.1 Half of those who rented privately (51%) said the proposed scheme would have a *negative impact* on themselves and their family, compared with 24% that said it would have a *positive impact*. Of those private renters who said the scheme would have a negative impact on them and their family, comments made as to why they also opposed the scheme related to increased rents and shortage of rental properties.
- 10.2 Almost three in five (58%) tenants (not privately renting) said the proposed scheme would have a *positive impact* on themselves and their family living in the area. This compares with 15% that said it would have a *negative impact*. One respondent stated that it would help to tackle properties that are in disrepair and bring them back up to standard.
- 10.3 Over nine in ten landlord respondents (93%) said the proposed scheme would have a *negative impact* on their business. By contrast, only a very small proportion of landlord respondents (4%) that said it would have a *positive impact*. Comments made by landlords who think the scheme will have a negative impact on their business include that it penalises good landlords and that it is an expensive scheme and would cause landlords to leave the rental market.
- 10.4 Almost two-thirds (64%) of organisations (excluding landlord businesses), said the proposed scheme would have a *negative impact* on their business. This compares with 21% that said it would have a *positive impact*.
- 10.5 Overall, just over two in five (43%) of all respondents who answered the question said the proposed scheme would have a positive impact their local area. This compares with 22% that said it would have a *negative impact*.
- 10.6 Subgroup analysis highlights that certain groups were more likely say the proposed scheme will have a positive impact on their local area (22% overall). These groups were:
- Renting home from private landlord (24%)
 - Owner occupiers (positive impact) (61%)
- Groups more likely to say it would have a negative impact (43% overall) were:
- Private landlords (55%)
 - Managing or letting agents (52%)
- 10.7 Overall, almost half of respondents who answered the question (24%) said the proposed scheme would have a *positive impact* on the whole borough of Barnet. This compares with 46% that said it would have a negative impact.
- 10.8 Subgroup analysis highlights that certain groups were more likely to say the proposed scheme will have a positive impact the whole of Barnet (24% overall). These groups were:
- Renting home from private landlord (29%)

- Owner occupiers (positive impact) (59%)

Groups more likely to say it would have a negative impact (46% overall) were:

- Private landlords (58%)
- Managing or letting agents (68%)

10.9 Respondents also had the opportunity to leave comments about the impact that the new selective licensing scheme. A summary of the comments include:

- Will result in fewer properties being available
- Will result in higher rents
- Additional cost/burden for landlords
- Unsure/need more detail/guidelines

11.0 Overall support for the selective licensing schemes

11.1 Finally, respondents were asked if they supported or opposed the introduction of the selective licensing scheme for privately rented properties in Barnet. Overall, seven in ten (70%) opposed the selective licensing scheme (7% opposed and 63% strongly opposed). This compares to 28% that *support* it (8% tend to support and 20% strongly support).

11.2 Subgroup analysis highlights that certain groups were more likely to support the introduction of the selective scheme (28% overall). These groups were:

- Renting home from private landlord (43%)
- Owner occupiers (positive impact) (63%)

Groups more likely to oppose the introduction of the selective scheme (70%) were:

- Private landlords (94%)
- Managing or letting agents (100%)

11.3 The table below show the support or opposition to the re-introduction of an additional licensing scheme by ward.

Figure 5 - Support or oppose the re-introduction of an additional licensing scheme for privately rented properties in Barnet by ward (live, rent a property work or have a business in)? Wards mentioned that are in scope for the proposed scheme are highlighted.

Base – Respondents who answered the question and who specified which ward they were in (98)

Ward	Support	Neither support nor oppose	Oppose
Burnt Oak ward	1	-	3
Childs Hill ward	6	-	-
Cockfosters	1	-	-
Cricklewood	4	1	3
East Barnet ward	2	-	-
East Finchley ward	4	-	-
Edgware ward	6	-	5
Finchley Central	2	-	2
Finchley Church End ward	3	-	2
Golders Green ward	1	-	3

Hendon ward	5	1	6
High Barnet ward	2	-	2
Mill Hill ward	3	-	8
New Barnet ward	-	-	1
North Finchley ward	3	-	2
Underhill ward	1	-	-
West Finchley ward	1	-	1
West Hendon ward	3	-	-
Other	5	-	5
TOTAL RESPONSES	53	2	43

- 11.4 Respondents were asked to provide their reasons why they either supported or opposed the re-introduction of an additional licensing scheme. The figure below shows the results. A third (32% overall) said they thought the *costs would be passed on to tenants* or that *rents will increase*. Most of these opposed the introduction of the selective scheme. Nearly three in ten (28% overall) believed *landlords would leave the sector and there would be fewer rental properties on the market*.

Figure 6 – (Q21) Please give reasons for your answer.

Base - Respondents who answered the question (165) - respondents could provide more than one response/reason

