

## Additional Licensing performance against preset Objectives, and Targets

### Introduction

It is intended that the introduction of additional 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

As such at the outset clear objectives and targets were approved by committee to ensure transparency in scheme delivery. It was also made clear that where we fall short, to set out the steps we will take to correct our path to the final outcomes at the end of the five-year schemes.

Besides monitoring, a critical element to achieving our objectives and targets, was to ensure that the scheme is adequately resourced, enabling us to do what we say we will and ultimately to ensure that the schemes are successful in protecting some of our most vulnerable residents.

The analysis of various available data sources for the full consultation business case estimated that the baseline number of HMOs expected to require either licensing for the first time or to re-licence, is 3,101. It is acknowledged based upon previous experience that there may be some natural change in the tenure of properties over time that may affect the profile from that at the time of the consultation.

This is the first formal review of these targets.

### Targets

Target 1
<p>1. Monitor licensing compliance against the predicted number of licensable HMOs:</p> <p>a). To investigate all 3,101 properties identified as likely HMOs in the baseline and any further properties subsequently identified over the five-year period of the scheme.</p> <p>b). To ensure that at least 95% of identified licensable HMOs are licenced at the conclusion of the five-year scheme.</p> <p>c). To take appropriate enforcement action in accordance with the Regulatory Services Enforcement Policy in place at the time in at least 95% of cases, in relation to properties that have been formally identified as a licensable HMO and fail to apply for an additional licence within 6 months of first contact.</p>

Target 1 update (1/10/22-31/10/23)
<p>a). 796 applications have been received (334 mandatory and 462 additional). 36 applications have been withdrawn or cancelled (this may be due to application error, or change in circumstances), 244 are in the process of being issued and 324 have been issued. 192 are awaiting inspections to be booked. These are booked 1 month in advance. 43 Temporary Exemption Notices (TEN) (applied for as an alternative to obtaining a licence when the property is due to fall out of the licensing criteria in 3 months) have been served and 1 TENS refused. In total there are 992 licences on the HMO Register.</p> <p>b). To date a significant amount of the teams allocated enforcement resource has been taken up by a small number of the most complex cases. One case in particular has consumed the majority of 1 officers time for several months leading to an Injunction being obtained, in a first for Barnet, preventing access to the premises. This has provided much needed respite for neighbours, whilst the Council has also ensured that all residents have been provided with the rehousing support needed.</p> <p>c). As part of the Council's review of Regulatory Services, a revised enforcement policy has been drafted and adopted and a data sharing agreement agreed across all key enforcement partners in the Council to ensure that the legal sharing of data in line with GDPR is easier to enable more seamless enforcement action. 170 service requests are under investigation and 336 service requests have been investigated and closed many of which will have resulted in licensing applications. Three Emergency Prohibition Orders, 2 Suspended Improvement Notices and 2 Suspended Prohibition Orders have been served.</p>
Target 2
<p>2. Monitor and ensure compliance with licence conditions:</p> <p>a). To inspect 100% of HMOs prior to determining a licence application (subject to covid or other public health restrictions).</p> <p>b). To carry out compliance checks of 95% of licenced HMOs within 3 months of expiry of any major conditions.</p>
Target 2 update
<p>a). In the first 12 months of the scheme 100% of HMOs were inspected prior to determining a licence application. In addition, all licences that were issued under covid restrictions have now been inspected.</p> <p>b). Compliance checks have not been completed of 95% of licensed HMOs within 3 months of expiry of major conditions. 1,111 inspections of HMOs have been completed as part of the HMO Licensing process and conditions compliance reviews.</p>
Target 3
<p>3. Monitor improvement of property conditions and management standards in HMOs:</p> <p>a). Take appropriate enforcement action to reduce category 1 hazards as defined by the Housing Act 2004 by at least 95% through a combination of</p>

informal and formal actions, in accordance with the Regulatory Services Enforcement Policy in place at the time.

- b). Take appropriate enforcement action to reduce overcrowding in at least 95% of HMOs identified as being overcrowded, through a combination of informal and formal actions in accordance with the Regulatory Services Enforcement Policy in place at the time.
- c). To ensure that at least 70% of major conditions are complied with as appropriate, following compliance checks, or through a combination of informal and formal actions in accordance with the Regulatory Services Enforcement Policy in place at the time.
- d). Improve the Energy Performance Certificate (EPC) rating of the building to an E or above in 70% of properties through a combination of informal and formal actions in accordance with the Regulatory Services Enforcement Policy in place at the time, including action under the Minimum Energy Efficiency Standards (MEES) by the end of the five-year period of the scheme.

#### Target 3 update

- a). 55 category 1 hazards have been identified under the Housing Act 2004 and the appropriate action taken. 24 units in licensed HMOs have had category 1 hazards as defined by the Housing Act 2004 reduced.
- b). This aspect has been difficult to extract the relevant data from the Idox data management system. All rooms are measured as part of the HMO Licensing process and occupancy levels set. If these are being exceeded the landlord has 18 months to rectify the situation as part of the licence conditions unless extreme overcrowding is identified. Occupancy levels are monitored as part of the conditions compliance process.
- c). 66% of major conditions in mandatory HMOs have been complied with and 55% in additional HMOs. Compliance is currently higher in mandatory HMOs as the higher risk properties are prioritised for reinspection. Whilst this is behind the preset targets, performance has been gradually improving over the past two months now that the relevant officers are fully trained and familiar with Barnet's systems and processes.
- d). Standard conditions linked to loft insulation and heating are included in all licences issued. Any category 1 hazards identified linked to Excess Cold are followed up in line with the Enforcement Policy as appropriate.

#### Target 4

4. Monitor and take action to reduce the incidence of ASB in licensed HMOs:
- a). To take appropriate action in relation to reported ASB incidents in licenced HMOs over the life of the scheme through a combination of informal and formal actions in accordance with the Regulatory Services Enforcement Policy in place at the time. This will include service requests received via the Public Health and Nuisance Team, Noise Service in Regulatory Services and Community Safety.
  - b). ASB data to be reviewed on a quarterly basis and any licensed HMOs linked with repeated ASB incidents to be investigated in accordance with the Regulatory Services Enforcement Policy in place at the time.

#### Target 4 update

The HMO Licensing Team work closely with the Council's Community Safety Team, Noise Nuisance Team, Trading Standards Team, Planning Enforcement Team and The Barnet Group as appropriate. Where HMOs are identified as having ASB issues they are reviewed at Task and Finish Groups and the appropriate follow up action agreed by the partners. Community Safety attended a Private Sector Housing Team meeting to provide training to the team. Trading Standards are due to attend in the New Year.

#### Target 5

5. Improve the professionalism of landlords by providing appropriate support, information and training:
- a) Arrange 1 landlord event per annum and ensure they are appropriately promoted
  - b) Produce an annual newsletter for landlords, managing agents and letting agents
  - c) Provide ongoing support to landlords to assist them in understanding and complying with the property licensing schemes.
  - d) To promote membership of Atlas to landlords (the London Landlord Accreditation Scheme).

#### Target 5 update

- a) The first forum has been delayed until early 2024 due to a lack of availability of a suitably sized venue. We are also currently liaising with Atlas to host an accreditation training event for landlords in 2024
- b) The web pages were updated to be more informative, although an annual newsletter has not yet been created.
- c) Ongoing and extensive support is provided to landlords in relation to submission of applications, conditions compliance and advice in relation to property improvement/development. Often plans submitted are not up to the relevant standards. Where requested assisted licensing is provided for landlords at an additional fee.
- d) Where management issues are identified during the licensing or conditions inspection, licence holders are requested to complete accreditation training, with Atlas. If statutory notices are served the related charge is waived if accreditation training is completed. A 10% fee reduction is offered for applications for HMO Licences where the applicant is accredited. There are now 1,641 accredited landlords in the borough, up from 1,501 at the start of the scheme.

#### General Service Standards

1. Deal with phone calls immediately or, where this is not possible call you back within one working day or at an agreed time.
2. Acknowledge your letter/email within three working days and a full response within ten working days
3. Staff will carry identity badges at all times and produce them on request
4. All staff will be trained in relation to Diversity and Inclusion
5. Contact licence applicants within 15 working days where applications are incomplete
6. Respond within 10 working days of any representations submitted following the issuing of the Notice of Intention to issue a licence

7. Issue the licence within 5 working days of the expiry of the Notice of Intention to issue a licence where no comments are received
8. Licences will be issued or refused within 90 days of a complete application subject to full property access in a timely manner and payment of the second fee.

**General Service standards update**

On system review it has been found not to be possible to generate the data for points 1 and 2. Daily cover is provided for calls and email responses.

All permanent staff are trained in relation to Diversity and Inclusion as part of their induction training.

All staff carry photograph identification badges at all times.

Licences are not currently issued within 90 days of receipt of the application due to delays in recruitment due to the transfer of services from Capita to LBB causing a backlog.