Appendix 1

Landlord Licensing schemes - Peer Review

A review has been undertaken of 'additional' Licensing schemes in other Local Authorities in the South East and London boroughs.

Authority	Scheme	Financial	Methodology/Evidence	Comments
Hastings Borough Council	Proposing Selective Licensing Currently additional scheme in designated areas since 2011): Braybrooke, Castle, Central St Leonards and Gensing wards)	No information available on Selective proposal as yet.	Anti Social Behaviour (ASB)	Report not going to Cabinet yet. Members have agreed to proceed to consultation and take to Cabinet around Feb/Mar 2015.
London Borough of Brent	Requesting Additional licensing borough Wide and Selective 3 Wards (Selective subject to consultation). To defer a decision on introducing Selective Licensing in Brent to the next available meeting following a further two month consultation on which wards should be covered.	 Self financing over a five year period. £550 for five years for Additional Licensing £350 for five years for Selective Licensing (if introduced) Staffing Implications Private Housing Services currently employs a Mandatory HMO Licensing Team Leader and two HMO Licensing Officers. These will form part of a new team tasked to process all licence applications. If the predicted number of applications is received, further license application and administration officers will be employed on a 	 Consultation Questionnaires; Consultation Events A survey of private tenants was undertaken alongside a mystery shopping exercise among local letting agents. Focus groups were held with key stakeholders. Evidence A study undertaken by HQN analysed data from a number of sources, including the Census and information held by the council. A study undertaken by Mayhew Harper Ass used current and historical data linked to individual properties included in the current Local Land and Property Gazetteer (LLPG) to create new variables such as the level of turnover by address, 	 Executive Meeting: Tuesday 22 April 2014 Report – <u>Decision - Private Rented Sector - Licensing</u> Licensing in the Private Rented Sector' submitted: Report seeking approval for the introduction of an Additional Licensing scheme in the whole area of Brent and Decision - To defer a decision on introducing Selective Licensing in Brent to the next available meeting following a further two month consultation on which wards should be covered. Additional Scheme: that this will commence no later than 1 November 2014.

- temporary contract basis to deal with the demand.
- In addition Licence Enforcement Officers will also need to be employed and this may include the deployment of some existing Enforcement Officers
- Staffing and other required activities will be funded from income generated by license fee
- Costs of the scheme exclude the cost of any enforcement action on non-licensed properties but will cover the cost of processing the application and of compliance monitoring and enforcement

- benefit status and number of adults
- Data from Environmental Services and elsewhere was used to associate specific instances of ASB or noise, mapping and aggregating the data to provide evidence of the wider effects on each area as well as on specific categories of property.
- Risk profiling was used to quantify the association between specific risk factors and ASB at a property level, aiming to show which risk factors or combination thereof is best predictive of ASB/noise events and how many properties fit their description.
- Data on the private rented sector in Brent: 2001 and 2011 by Ward
- Distribution of Private Renting
- Percentage Change in Private Renting
- Relative concentration of HMOs
- Case Studies
- Private housing services casework 2010/11 to 2012/13
- Enforcement activity in Brent
- Category 1 Hazards in Inspected Property
- Selective Licensing: Private Renting and ASB by Ward
- Ward by levels of anti-social behaviour
- Anti-social behaviour
- Evidence of problems with the management of HMOs relevant to Additional Licensing.
- Evidence of problems with anti-social behaviour relevant to SL
- SL- HQN has analysed both Council

- This will precede the formal commencement of the Additional Licensing scheme and it is proposed that designation of the scheme should commence from 1st January 2015.
- In the case of Selective Licensing, as noted above, there is a need to give further consideration to the scope of the scheme.
- Proposed that further consultation should take place over the next two month period following which a further report will be made Subject to the outcome of consultation / decision of the Executive it is anticipated that designation of SL would take effect from 1st January 2015.
- Selective consultation started: 09/12/2013 Ended: 10/3/2014

			 and Police data to map anti-social and some criminal behaviour in Brent to identify where anti-social behaviour is most concentrated. The data is broken down to ward level. Some anti-social behaviour activities in Brent relative to the size of the private rented sector by ward Anti-social behaviour and related criminal behaviour in Brent by ward (as recorded by the Met Police) 	
London Borough of Croydon	Extension of Additional Licensing all Wards from 1 August 2014. This means that all properties occupied by three or more people in two or more households are licensable HMO's regardless of the number of storey's. The wards included in the scheme are Addiscombe, Ashburton, Bensham Manor, Broad Green, Coulsdon East, Coulsdon West, Croham, Fairfield, Heathfield, Kenley, Norbury, Purley, Sanderstead, Selhurst, South Norwood, Thornton Heath, Upper	Resources The Housing Enforcement Team is organised into three service areas:- HMO's One Team Leader, 3 Environmental Health Officers, 2 Housing Enforcement Officers and a licensing/admin officer. Single Household One Team Leader, 2 Environmental Health Officers, 4 Housing Enforcement Officers. (One vacancy for Team Leader, interim currently in post). Public Health & Drainage Tenforcement Officers, 2 drainage technicians. One vacancy for a Drainage Technician. The outlook for staffing is stable as budget targets for 2010 to 2011 have all been met. Contingency plans have been made for 2011 to 2012	 The reasons for wishing to introduce these changes are as follows:- To build on the success of the additional licensing scheme - this has improved the licensable stock and greatly reduced the number of "rogue" landlords. However, some of these rogue landlords have reappeared as landlords of HMO's & self-contained flats and in exempt areas. To support the Council's Crime Reduction Strategy by making irresponsible landlords accountable for their tenants' Anti-Social Behaviour and reducing large scale fraud and people trafficking. To protect vulnerable tenants from rogue landlords whose activities have increased in the exempt areas. To improve housing standards in all multiple occupied properties & self contained flats. The principle grounds are:- To reduce transience and fear of crime; 	Report Recommending Additional Licensing In The London Borough of Croydon http://www.croydon.gov.uk/contents/departments/housing/pdf/alscroyhmo Consultation on extending additional licensing scheme http://www.croydon.gov.uk/contents/departments/housing/pdf/1315416/Additional licensing consultation.pdf

	Norwood, Waddon, West Thornton, Woodside). (Currently additional in designated areas). Selsdon & Ballards, and Shirley.	which do not adversely impact on HMO services. An EHO and Enforcement Officer have recently been appointed to the HMO Team. Within the Housing Enforcement Team varying workloads are dealt with by a flexible way of working and officers maybe given short term project work in another service area of the Housing Enforcement Team.	 To better coordinate safer neighbourhood services including ASB; To better control rogue agents who lease properties from unwitting owners; To prevent displacement of the problem to wards which currently have few problems; Requests For Assistance; Notices Served; Private Sector House Condition Survey; Displacement data; To Reduce Transience And Fear Of Crime; To Better Coordinate Safer Neighbourhood Services Including ASB; Consultation; Presentations to Neighbourhood Partnership Meetings Council Web Site.
London Borough of Enfield	Proposing a borough wide scheme of both Additional and Selective Licensing	Enfield Council is proposing a cost of £575 for a license, which will cover the administrative cost of processing and approving the license for the period. Given its desire to support good landlords, a reduced license fee in the first months of the scheme will be offered to those who engage with the process. This will be set at £250.	 Consultation & evidence ASB data Growth is PSH sector Case studies Evidence from environmental services Overcrowding Housing enforcement enquiries The London Borough of Enfield (LBE) has concluded that persistent problems of anti-social behaviour (ASB) are associated with the PRS – so it is proposing the designation of Additional and Selective Licensing schemes across the Borough as a Report (Jan 2014) sets out the information on which Enfield Council is consulting on a proposal for a borough wide scheme Licensing Private Rented Housing to tackle ASB - Licensing Private Rented Housing to tackle ASB - Enfield Council Call in at Overview & Scrutiny Meeting April 2014 The Council is proposing the designation of Additional and Selective Licensing schemes

			whole, in order to deal with ASB problems, particularly in the form of rowdy behaviour, rowdy neighbours, noise and malicious or nuisance behaviour.	across the Borough as a whole as the Council believes that this will have the level of impact required to deal with the anti-social behaviour problems that exist in the Borough, and will prevent problem tenants and landlords from merely moving to another area within the Borough. If agreed will implement in October 2014?
London Borough of Haringey	Additional Licensing extended to Tottenham wards – Start 1 May 2014. The area affected covers the whole of parts of the following wards: • Bruce Grove • Northumberland Park • Seven Sisters • Tottenham Hale • Tottenham Green (Currently Additional in designated areas since Oct 2011)	 The scheme will employ five officers in delivering the extend ed Additional HMO Licensing scheme It is proposed to use three existing staff within the Team together with the funding identified to fund an additional two PO2 officers at a cost of £86,000 pa. It should be noted that the funding projections had assumed that fee income of £38,000 and £75,000 would be generated in 2013/14 and £75,000 respectively The scheme is expected to generate a minimum total of £624,000 over the 5 year term. Although the total fee income will be sufficient to support the 	 By improving the overall standard of HMO accommodation, it will be possible to improve the quality of life of those residents who live next to HMOs. Additional HMO licensing will enable the Council to use its powers to tackle the worst offenders and to focus activity and resources effectively on properties of concern. The Additional HMO Licensing Scheme will enable the Council to target problematic properties within a concentrated area, based on ward or defined boundaries. It will: Put the onus firmly on the landlord to inform the Council of the existence of an HMO (rather than expect the Council to identify HMOs reactively and then take formal action to get improvements); Reduce the burden on the Council Tax payer by setting licensing fees to cover the cost of administering the scheme; Enable the Council to create a 	Committee Report - 17/12/13 Additional HMO licensing designation in Tottenham: Haringey Council

scheme it will not flow smoothly over the 5 financial years and there may be shortfalls and surpluses arising in each of the financial years. The estimate of £624,000 is. however, a prudent figure which may compensate for isolated shortfalls arising in individual financial years. There is a small risk that, if future fee income flows fail to be realised, this will give rise to shortfalls in funding for the two PO2 officers. This must be monitored and corrective action taken if necessary.

 In order to support the robust enforcement of the licensing scheme and standards through the scheme, it is proposed that the HMO licensing fee income and the proceeds from any Rent Repayment Orders are ring-fenced. This will enable a team of five officers to be established, two of whom will be funded from fee income.

- comprehensive database of all the licensable HMO accommodation within the designated area;
- Make it easier for the Council to identify and work with those landlords whose management and/or accommodation standards are inadequate and ensure that steps are taken to bring them up to the required standard;
- Control the maximum number of occupants allowed to reside at the property, so as to assist in controlling issues with overcrowding;
- Enable the Council to promote landlord accreditation and offer incentives to good landlords through adjustments to the licence fees and the length of the licence period;
- Make it easier for the Council to develop a more co-ordinated approach, and to share intelligence, in order to address poor property standards more efficiently and effectively; and
- Help the Council tackle rogue landlords and ensure that only those landlords who are 'fit and proper' have control of an HMO.
- Consultation on this proposal first started in August 2012 which included an online questionnaire, Landlords Forum event (presenting the proposal), and presentations at local Area Forums and residents groups.
- The key stakeholders that were targeted were landlords and letting agents, tenants occupying private rented accommodation (in particular

London Borough of Harrow	Additional Licensing – Borough Wide - 2009	The Council proposes to deliver the additional licensing scheme with its current resources. The service does not have a dedicated HMO team but delivers the licensing function within its Private Sector Housing Service. However, through internal service reviews, the feasibility of establishing a dedicated HMO Investigative resource is to be considered. This will allow the service to move to a more proactive stance in dealing with emerging HMO.	those living in HMO accommodation) and local residents. The consultation was carried out through the following means: • Web Page • Online questionnaire • Hard copy questionnaire • Background information document • Landlords Forum presentation. • Landlords workshop • Mail-shot • Engagement with residents associations and Area Forums. • Promotion through publicity • Promotion at Councillors Ward Surgeries The Council is seeking permission to continue to operate a borough-wide licensing scheme as the HMOs in Harrow are spread across the whole borough and have not shown to be concentrated in any one ward.	http://www.harrow.gov.uk/www 2/documents/s70076/Housing %20Act%20- %20HMO%20Additional%20Licensing%20SoS%20nv3.pdf
London Borough of Hillingdon	Additional – Borough Wide – March 2010 Hillingdon Council	No info	Noted at Social Services, Housing and Public Health Policy Overview Committee - Wednesday, 29th January, 2014 7.00 pm	Conclusion 'Overall, Hillingdon is a very different borough to Newham. As with any other London address, Hillingdon has small pockets of

introduced an HMO Additional Licensing Scheme on the 8 March 2010 within 13 wards in the south of the Borough [1Mb],

Selective Licensing in the Private Rented Sector

PDF 115 KB Minutes:

http://modgov.hillingdon.gov.uk/do cuments/s19239/POC%20report%2 0on%20selective%20licensing%202. pdf

The Housing Strategy Manager introduced the report.

The Committee heard that the London Borough of Newham had recently introduced Selective Licensing which required every landlord renting accommodation within the borough to apply for a license. This had led other local authorities to evaluate whether selective licensing might be suitable. The following points were noted:

- Selective Licensing in Newham was introduced in response to rising levels of anti-social behaviour (ASB) within private rented accommodation.
- Newham had the largest private rented sector in London. As a result, it had a unique set of problems and Newham felt that selective licensing would enable it to better control and regulate its growing Private Rented Sector.
- Before making a decision to designate an area for selective licensing, an Authority had to consider whether there were

ASB and substandard accommodation but this is not a widespread problem which is reflected in rising house prices and high deprivation index. Of the 326 LA's across the country Hillingdon is mid table where Newham is placed much lower, with only Hackney and Liverpool below them.'

'With HMO licensing already in force across the south of the borough, already promoting Landlord Accreditation and good practice amongst our landlords there is little or no benefit to be gained from introducing Selective Licensing. This would almost certainly have a detrimental impact or our current good working relationship with local landlords and agents at a time when the Council is seeking to boost our supply of private rented accommodation to house homeless families and ease pressure on the growing cost of B&B temporary accommodation.'

London	Additional in entire	Cabinet approval to introduce	If the recommendations are adopted,	Cabinet Report - 3rd December
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Borough of Hounslow	borough from June 2014 (Previously Additional Licensing in designated areas then revoked - Notice is hereby given that the London Borough of Hounslow has on the 28th day of February 2014 issued a revocation of two additional licensing schemes in respect of houses in multiple occupation (HMOs within Hounslow Borough - and replaced borough wide). The revoked schemes are to be replaced with a new designation cited as 'the London Borough	a wider licensing scheme for certain HMOs. It is anticipated that two additional officers will be required to facilitate the scheme at a cost of approx £85,000 p.a.	 how will residents benefit? Safer, healthier living conditions for residents of HMOs in all parts of the Borough. Improved management standards in HMOs in all parts of the Borough. Reduced negative impact on the neighbourhood environment from poorly managed HMOs. 30th July 2013 consultation. 	http://www.hounslow.gov.uk/public notice - revocation of areas for addit ional licensing of hmos.pdf http://www.hounslow.gov.uk/public notice - designation of an area for a dditional licensing of hmos.pdf Notice is hereby given that the London Borough of Hounslow has on the 1st day of March 2014 designated an additional licensing scheme in respect of houses in multiple occupation (HMOs). The area affected covers the entire Borough of Hounslow. This scheme will be known as the London Borough of Hounslow Additional Licensing of Houses in Multiple Occupation Scheme 2014 ("the Scheme").
	of Hounslow Additional Licensing of Houses in Multiple Occupation Scheme 2014'			the 1st day of March 2014 and the new scheme becomes operative on the 1st day of June 2014.
London Borough of Newham*	Additional and Selective – January 2013	 The Service has identified the net cost of the scheme for 2012/13 as £329k. There are risks associated with the scheme, in 	The area of the London Borough of Newham suffers from significant and persistent anti-social behaviour related to the private rented housing stock together with poor tenancy and	http://www.newham.gov.uk/Docu ments/Housing/Private-rented- property-licensing-public- notice.pdf Search results

- particular whether the income targets will be achieved and whether these will be sufficient to offset the costs incurred.
- It is expected that income in the second year of the scheme 2013/14) will offset the costs in 2012/13 and this will be closely monitored.
- For 2014/15 and beyond a prudent approach has been taken and it is expected that the scheme will breakeven.
- The costs of the scheme identified above exclude the cost of any enforcement action. This will depend on the scale of compliance with the scheme and whether the cost of any enforcement activity would be recoverable via legal action.

property management.

- Following consultation in 2011 and 2012 the London Borough of Newham proposed to implement borough wide licensing to ensure that the private rented sector provides decent quality accommodation and that anti-social behaviour is effectively managed.
- To this end Newham proposed to declare 2 licensing designations in the summer of 2012 that will become operative in January 2013 each encompassing the whole of the borough of Newham but capturing different property use types;
- Firstly, Newham proposed to introduce a borough wide Additional Licensing designation of HMOs that will require all landlords who let a property that is occupied by 3 or more non-related occupiers that sharing some basic facilities or amenities such as a kitchen or bathroom to have a licence.
- Secondly Newham is proposed to introduce a borough wide Selective Licensing designation that will require landlords who let all other residential accommodation that falls outside of the mandatory and additional HMO definition to have a licence.

The formal consultation period ran from 20th February to 30th April 2012 and during that period, market research consultants ORS designed, managed and conducted all the following:

London Borough of Waltham Forest	Selective Licensing - April 2015 - Borough Wide	'There are a variety of ways on which a SLS scheme could be administered including delivering the scheme directly or tendering out the administration in part or as a whole. Work will need to be done to consider which option would deliver the most effective service at the most efficient cost. ' The cost of the SLS will be met from fees (where lawful) and within existing resources. Section 87 of the Housing Act 2004 provides that the Council may recover its costs of running a SLS by charging fees from the applicant All costs incurred by the authority in carrying out their functions to run a SLS are recoverable. Such fees must be reasonable and proportionate and cannot	 A residents' survey with a random sample of 415 respondents; An on-line stakeholder consultation questionnaire; A deliberative forum with private rented sector tenants; Two deliberative forums with landlords, letting agents and landlords representative organisations. Waltham Forest suffers from significant and persistent ASB that is often related to poor tenancy and property management. A comprehensive public consultation with landlords, the public and local businesses was carried out from the 8th of November 2013 to the 24th January 2014. Selective Licensing ASB and PRS link evidence. Independent report on the association between ASB and PRS. How Selective Licensing links with the wider strategic approach. The Evidence of Anti-Social Behaviour & the Private Rented Sector. 	 An update report was presented to Council Cabinet Committee meeting on 18 March 2014. A further report was presented to Council Cabinet on 24 June 2014 which approved the decision to designate the whole borough as a Selective Licensing Area from April 2015. (This means that every home in the borough that is rented out privately must be licensed by the Council). http://www.walthamforest.gov.uk/documents/selective-licensing-public-notice.pdf
		proportionate and cannot make a "surplus" for the Council.		

Costs rela enforceme landlords licensed ti not recove to the exte costs are courts aw successfu actions, re to be iden existing by remodellir enforceme (Currently have National licensing) Selective scheme Rejected Selective scheme	In note that any d to the tagainst of at have not sir premises is able. Therefore, that such of recovered by ding costs in enforcement ources will need led within logets thru the taserone Rejected Selective scheme Rejected: 'The cabinet has made the decision that they would not pursue selective licensing but they have asked us to do more work around additional licensing to see if there is any justification for further HMO licensing,' said Linda Ellen, head of housing management for Milton Keynes council has opted not to introduce borough-wide selective licensing for its private landlords after a feasibility study found it would have not significant impact on ASB. The statistics we gathered as part of the consultation just did not support the idea that it was an area experiencing a persistent problem caused by anti-social behaviour. If you can't evidence that you can leave yourself open to a legal challenge so you need strong supporting evidence to introduce it.'
	 Oxford City Council's new powers for licensing houses in multiple ver 6 years Oxford Council now requires every landlord in the city who owns a property where there

	All HMOs (3 or more people) Will review Selective Licensing at later date	There is an annual fee to license an HMO and the fees will be used to pay for the scheme so that it is self financing and there will be no cost to the taxpayer. At the same time, the council will not make a "profit" from this scheme. Staffing Costs: Up to 8 support staff Up to 8 professional staff	license every HMO in the city from the end of the month. The landlords of all two storey or single storey houses or flats occupied by three or four people will be required to obtain a licence to operate the property as an HMO.	are three or more unrelated tenants to get an HMO licence Further HMO licensing powers introduced Oxford City Council - Additional and Selective Licensing Seminar - 21 March 2013
Thanet Council	Selective Licensing – April 2012 Cliftonville West and Margate Central Wards, Margate	Resources: Thanet District Council has received £500,000 from Kent County Council to increase the size of the Housing Regeneration Team in order to deliver an enhanced enforcement service. This funding has allowed the recruitment of 4.5 Housing Improvement Officers to carry out the enforcement work and 0.5 Housing Improvement Assistant to assist with the additional administration associated with increased enforcement. Combined with the existing team there are now 8.5 officers available for enforcement including the delivery of	 The Selective Licensing Scheme was introduced in part of Cliftonville and Margate to help tackle anti-social behaviour, low housing demand and improve living conditions. Landlords are obliged to license their properties in the designated area and to comply with the terms of the Scheme. Thanet District Council took this action as part of a wider regeneration programme for the area following the latest results of the published indices of multiple deprivation. The indices look at the relationship between income, employment, health, education and skills, housing, crime and the living environment. Despite being located in the South East which is considered an affluent region, Thanet ranks 65 out of 354 based on the indices of multiple deprivation 2007 with 1 being the most deprived and 354 being the least deprived 	How does the Selective Licensing Scheme affect my home in Margate? Proposal 4. The Proposal

The office of national Statistics 2007). The office of national statistics also provides information on individual super output areas within the district and the areas covered by Margate Central and Cliftonville West wards are in the bottom 3% of the most deprived areas nationally and are the two most deprived wards in the South East of England (IMD).	
	provides information on individual super output areas within the district and the areas covered by Margate Central and Cliftonville West wards are in the bottom 3% of the most deprived areas nationally and are the two most deprived wards in the South

Woking Council	F
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Requesting Selective Licensing

Within the Town Centre, Maybury and Sheerwater and Knaphill Wards If a scheme is adopted it is proposed that it is self funded through licensing fees, in much the same way as the on street parking regime is funded, charged to landlords, however it is recognised that the investment in setting up the scheme would need to come out of the existing staffing budget.

Officer time is the greatest resource impact in setting up a scheme of this nature and where it has been adopted elsewhere (for example Newham, Oxford and Croydon) there has been substantial deployment of resources in order to collate the required information.

It is proposed that this process would require approximately 3 FTE in order to carry out the necessary research and survey work in order to adopt a scheme.

The work required to determine if a scheme is appropriate and to implement the scheme would have an initial cost to the Council. It is envisaged that this would be in the region of £150,000, predominantly made up of staff resources, but that this would

- Report proposes that Officers carry out the necessary survey work to quantify the scale of the issue in the private rented sector, define the licensing scheme conditions and consult with potentially affected persons prior to bringing a scheme back to Council for adoption.
- It is likely that this process will take about nine months to a year depending on the level of engagement through the consultation.

The work the Council is doing on houses in multiple occupation and the number of complaints about private rented conditions received indicates that there is an issue within the Town Centre, Maybury and Sheerwater and Knaphill Wards with regards to the private rented sector. This issue is further highlighted through the electoral canvass work which has emphasised areas of high rented occupation and poor conditions through over occupation. However further survey work needs to be done in order to collate all the information needed to successfully introduce a scheme.

- Report March 2014 -Requesting authorisation to consult on Selective Licensing.
- Plan to take about 9 12 months to consult .
- item 7 private rented sector woking - Google Search

be covered from savings with the existing approved staffing budgets.	nin g	
Wales to introduce compulsory Selective Li		

^{*} First council in England and Wales to introduce compulsory Selective Licensing for all private rented properties.