

Appendix 7

Draft Proposal to Designate a Selective Licensing Scheme

Draft Proposal for Consultation

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Contents

Document Control	1
Sources of Guidance and Reference	4
Forward.....	5
1.0 Introduction and Context	6
2.0 What is a Selective Licensing Scheme?.....	8
Conditions in relation to housing conditions	9
The first set of conditions is:	9
Conditions in relation to migration	10
The second set of conditions is:	10
Conditions in relation to deprivation	10
The third set of conditions is:	10
Conditions in relation to crime	11
The fourth set of conditions is:	11
2.1 Penalties	13
3.0 The Proposal.....	15
4.0 Why do we need a Selective Licensing Scheme?	18
4.1 Low Housing Demand	19
4.2 Significant and Persistent problems of Anti-social Behaviour	19
4.3 High levels of Crime.....	21
4.4 Poor Property Conditions	22
4.5 High Levels of Migration.....	23
4.6 High Levels of Deprivation	23
4.6.1 English Indices of Deprivation 2015	24
5.0 How does Selective Licensing fit in with other Strategies and Activities of the Council and its partners?.....	26
5.1 Housing Strategy	26
5.2 Homelessness Prevention	27
5.3 Alternative Courses of Action Considered.....	28
5.3.1 Landlord Accreditation.....	28
5.3.2 Engagement with Landlords	28
5.3.3 Community Safety Partnership	29
5.3.5 Dealing with Statutory Nuisance & Noise	30

6.0	What are the Benefits of a Selective Licensing Scheme?	31
7.0	What are the potential risks and how have these been considered, prevented or managed?.....	33
8.0	Review of the Designation	35
9.0	How is the Consultation being undertaken?	36
10.0	How do I make comments on this proposal?	39
	Appendix 1 - Maps Showing Locations of Proposed Selective Licensing Areas	40
	Appendix 2 - Proposed Street Lists for Selective Licencing Designation.....	44
	Appendix 3 - Evidence to support Selective Licensing Designations	48
	Appendix 4 - Proposed Licence Fees and Charges	73
	Appendix 5 – Selective Licencing Conditions.....	78

Abbreviations

ASB	Anti-Social Behaviour
BRE	Building Research Establishment
ELHP	East London Housing Partnership
HMOs	Houses of Multiple Occupation
HSCR	Housing Stock Condition Report
LSOA	Lower Super Output Area
LSOAs	Lower layer Super Output Area
PRS	Private Rented Sector
RSL	Registered Social Landlord
TIMs	Tenure Intelligence Model

Sources of Guidance and Reference

This document has been researched and drafted with due reference to the following sources of guidance and good practice, in addition to those sources referenced within the body of the document. Whilst some of the referenced documents are dated and may not reflect the current law, the relevance of certain elements of the guidance has been considered. The list of documents referred to includes but is not exclusive to the following

1. Great Britain. Department for Communities and Local Government. (2010). *Approval steps for additional and selective licensing designations in England*. London. Department for Communities and Local Government
2. Mitchell. S., & Murphy. J. Shelter. (2006). *Selective Licensing for local authorities – A good practice guide*. London. Shelter
3. Great Britain. Unknown. (2011). *Additional and Selective Licensing under general consent: A guide for practitioners from LG Regulation*. London.
4. Great Britain. Department for Communities and Local Government. (2016). *The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of other residential accommodation (England) General Approval 2015*. London. Department for Communities for Local Government
5. Great Britain. Department for Communities and Local Government. (2015). *Selective Licensing in the private rented sector – A guide for Local Authorities*. London. Department for Communities and Local Government.

Examples of good practice have been reviewed from Local Authorities with a Selective Licensing Scheme in place and lessons have been learned from those authorities who have had their Selective Licensing designations subject to Judicial Review proceedings.

Forward

This Council believes that the implementation of a combination of additional and selective licensing will, alongside other existing and proposed activities, improve conditions in the private rented sector (PRS) and reduce the negative impact poorly managed rented houses have on the local community.

The low supply and high demand for housing means that the market alone will not drive up standards in the PRS. For many of the Borough's most vulnerable residents there are limited options to meet their housing needs and they are therefore more willing to pay for substandard and sometimes dangerous accommodation.

This report outlines the analysis of several datasets and current research to determine where the evidence meets the legal criteria to implement a selective licencing scheme in specific parts of the borough as part of a co-ordinated approach to tackle the problems identified. It also details and explains the consequences of the proposed selective licensing scheme, so that consultees have an opportunity to consider and provide an informed response to the proposal.

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1.0 Introduction and Context

The population of Havering is projected to increase by 10% by 2020, an increase of 24,000 people. This is expected to place significant pressures on the housing market in the Borough, particularly the demand for affordable housing.

The number of people owning their own home in Havering, rather than renting social or Council housing, is higher than the average for London or England. In 2011, 10,464 properties in Havering were owned by the local authority, 3,355 by Registered Social Landlords, 71,698 were owner-occupied and 9,601 were privately-rented. The latest figures suggest that, in 2016, there are approximately 100,000 dwellings in total, of which 17,037 are now privately-rented.

Pensioner households comprise the biggest proportion of households in Havering, making up nearly 30% of all households, 15.6% of which are lone-pensioner households.

Havering is considered to be a safer place to live than other areas in London and, according to the national average, other boroughs nationally. Although, there are differences within wards as to the level of criminal offences for many types of crime, all parts of the Borough are affected to some degree. Benefit-dependent young families and single people in social housing are likely to be the most worried about becoming a victim of crime.

Further, many single-person, benefit-dependent households are transient and this can lead to a high turnover of residents. The constant movement of single people within the PRS means that it is difficult to create and sustain any feeling of community. This is likely to contribute to the high levels of crime and anti-social behaviour (ASB) in the borough.

Overcrowding is less common in Havering than the England and London averages, although there are differences between wards, with residents of Gooshays and Heaton wards most likely to experience overcrowding. Increased mortality rates, tuberculosis, respiratory conditions and childhood meningitis can all be linked to overcrowded housing conditions.

Overall Havering is not a highly deprived area, but there are inequalities and pockets of deprivation, particularly within the Gooshays, Heaton and South Hornchurch wards. It has one Lower Super Output Area (LSOA) - a geographical area defined for statistical purposes, with average population of 1,500 - that falls within the 10% most deprived areas of England and a further 12 LSOA's that fall within the 20% most deprived areas. Unemployment levels in Havering are estimated to be similar to national averages but Gooshays and Heaton wards have the highest proportions of people claiming Job Seeker's Allowance. There is good evidence to suggest that deprivation and social exclusion can impact upon a number of aspects of life including employment, crime, education/skills, health, housing and the environment.

The areas selected for this proposed designation were chosen due to high number of private rented properties and higher than average and higher than should be

expected levels of anti-social behaviour taking into account the sizes of the areas under consideration.

The Council has undertaken research regarding tenure type in the areas of interest and found that the proportion of privately rented dwellings is significantly higher than for the remainder of Havering.

In order to gain a more accurate picture about the levels and distribution of private rented housing in the borough, the London Borough of Havering has been working with colleagues at the London Borough of Newham to develop a new Tenure Intelligence Model (TIMs) for Havering. This has been developed using information from a number of sources that the Council already holds in its Data Warehouse. The model analyses the information held, indicates properties that are privately rented and predicts addresses that may be multi-occupied.

In England as a whole the average proportion of housing stock within the private rented sector is around 19%. This analysis has shown that the proportion of privately rented housing in Havering is around 17% of its total housing stock (17,037 households) compared with 100% in 2011.

This growth has been due largely to the activities of 'buy to let' investors, who have replaced owner-occupiers in many of our streets and neighbourhoods.

The average proportion of privately rented housing in Brooklands ward is 27.5%, Romford Town 26.5%, Heaton 14.9% and Gooshays 13.9%. Whilst Heaton and Gooshays wards have a relatively low percentage of private rented dwellings overall, they have a disproportionate proportion of associated ASB and crime levels.

The Council is required by virtue of section 80(9) of the Housing Act 2004, when considering making a designation for selective licensing, to take reasonable steps to consult all persons who are likely to be affected by the designation. It is also required to consider any representations made in accordance with the consultation and not withdrawn.

Accordingly the Council wants to hear the views of its residents and businesses and landlords who rent properties in the borough to ensure that the areas identified for the proposed selective licensing are the most in need of such intervention to reduce the levels of persistent antisocial behaviour and poor housing that can lead to social issues in the area. The ways in which you can respond to this consultation are detailed in section 10 of this document.

2.0 What is a Selective Licensing Scheme?

The Housing Act 2004 provides for three different schemes for the licensing of privately-rented housing:

1. **Mandatory licensing;**
2. **Additional licensing**
3. **Selective licensing**

Mandatory licensing - requires local authorities to licence all HMOs of three or more storeys, occupied by five or more people living in two or more single households.

Additional licensing – Part 2 of the Housing Act 2004 gives local authorities power to licence HMOs that are not covered by mandatory licensing, if the local authority considers that a significant proportion of the HMOs in the area are being managed sufficiently ineffectively as to give rise to one or more particular problems either for those occupying the HMOs or for members of the public.

- **Selective Licensing – Part 3** of the 2004 Act allows for the licensing of residential accommodation falling outside Part 2 of the Act;
- The definition of “dwelling” under this part means a building or part of a building occupied or intended to be occupied as a separate dwelling;
- “house” means a building or part of a building consisting of one or more dwellings;

Part 3 applies to a house if:

- (a) it is in an area that is for the time being designated under section 80 as subject to selective licensing, and
- (b) The whole of it is occupied either:
 - (i) Under a single tenancy or licence that is not an exempt tenancy or licence under subsection (3) or (4), or
 - (ii) Under two or more tenancies or licences in respect of different dwellings contained in it, none of which is an exempt tenancy or licence under subsection (3) or (4).

It is intended to address the impact poorly managed rented properties can have on the local environment and to improve housing conditions. Part 3 of the Housing Act 2004 sets out the scheme for licensing private rented properties in a local authority area. Under Section 80 of the Act a local housing authority can designate the whole or any parts of its area as subject to selective licensing. Where a selective licensing designation is made it applies to all Part 3 houses falling within the designated area, other than certain specified exemptions.

In order to introduce Selective Licensing the Council has to demonstrate one of the following criteria in the designated area:

Criterion 1

- That the area is, or is likely to become, an area of **low housing demand** and making the 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;

Section 80 (4) In deciding whether an area is, or is likely to become, an area of low housing demand a local housing authority must take into account (among other matters).

- (a) The value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority consider to be comparable (whether in terms of types of housing, local amenities, availability of transport or otherwise);
- (b) The turnover of occupiers of residential premises;
- (c) The number of residential premises which are available to buy or rent and the length of time for which they remain unoccupied; or

Criterion 2

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

In other words, due to significant and persistent anti social behaviour and a lack of appropriate action by private sector landlords;

On 27th March 2015, the Selective Licensing of Houses (Additional Conditions) Order 2015 came into force. The Order imposes a number of additional conditions for the purposes of section 80(2)(b) of the 2004 Act, which a local housing authority must consider are satisfied in relation to the area before making a selective licensing designation under this provision. The additional conditions introduced by this Order are detailed as follows:

Conditions in relation to housing conditions

The first set of conditions is:

- (a) that having carried out a review of housing conditions under section 3(1) of the 2004 Act, the local housing authority considers it would be appropriate for

a significant number of the properties referred to in article 3(1) (a) to be inspected, with a view to determining whether any category 1 or category 2 hazards exist on the premises;

- (b) that the local housing authority intends to carry out such inspections as referred to in paragraph (a), with a view to carrying out any necessary enforcement action; and
- (c) 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, including any licence conditions imposed under section 90 of the 2004 Act, contribute to an improvement in general housing conditions in the area.

Conditions in relation to migration

The second set of conditions is:

- (a) that the area has recently experienced or is experiencing an influx of migration into it;
- (b) that a significant number of the properties referred to in article 3(1) (a) are occupied by those migrants referred to in paragraph (a); and
- (c) 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:
 - (i) the preservation or improvement of the social or economic conditions in the area; and
 - (ii) ensuring that the properties referred to in article 3(1) (a) are properly managed, and in particular, that overcrowding is prevented.

Conditions in relation to deprivation

The third set of conditions is:

- (a) that the area is suffering from a high level of deprivation, which affects a significant number of the occupiers of properties referred to in article 3(1) (a); and
- (b) 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 a reduction in the level of deprivation in the area.
- (c) In determining whether an area is suffering from a high level of deprivation, the local housing authority may have regard to the following factors in relation to the area:
 - (a) the employment status of adults;
 - (b) the average income of households;
 - (c) the health of households;

- (d) the availability and ease of access to education, training and other services for households;
- (e) housing conditions;
- (f) the physical environment; and
- (g) levels of crime.

Conditions in relation to crime

The fourth set of conditions is:

- (a) that the area suffers from high levels of crime;
- (b) that the criminal activity affects those living in the properties referred to in article 3(1) (a), or other households and businesses in the area; and
- (c) that making a designation will, when combined with other measures taken in the area by the local housing authority, other persons together with the local housing authority or by the police, contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.

Havering Council seeks its designation on the basis of criterion 2, significant and persistent anti-social behaviour and high levels of crime – this is the main criterion on which this designation has primarily been based in all four of the selected wards, and additional conditions 1 and 3 in relation to poor property conditions and high levels of deprivation were also relevant when designating Gooshays and Heaton Wards.

Under the Selective Licensing Scheme, all Part 3 houses will require a licence. In respect of each application the authority must either grant or refuse to grant a licence. They may grant a licence either to the applicant or to some other person, if both he and the applicant agree.

Exemptions to the designation include (but are not limited to) to following:

- Properties already licensed as a HMO under the existing mandatory scheme;
 - Properties let by the Local Authority or Registered Social Landlord (RSL);
 - Properties already subject to a Management Order or Empty Dwelling Management Order;
 - Properties subject to a Temporary Exemption Notice;
 - Holiday Lets; and
 - Tenancies under a long lease and business tenancies.
- (a) When an application is received, the Council will consider if the applicant is the most appropriate person to be the designated licence holder. In considering this matter the authority must have regard to the provisions under section 88 of the Act and be satisfied that the proposed licence holder:
- (i) is a fit and proper person to be the licence holder, and
 - (ii) is, out of all the persons reasonably available to be the licence holder in respect of the house, the most appropriate person to be the licence holder;

- (b) that the proposed manager of the house is either:
 - (i) the person having control of the house, or
 - (ii) a person who is an agent or employee of the person having control of the house;
- (c) that the proposed manager of the house is a fit and proper person to be the manager of the house; and
- (d) that the proposed management arrangements for the house are otherwise satisfactory.

In deciding for the purpose of section 88 whether a person is fit and proper to be the licence holder or (as the case may be) the manager of the house it must have regard to evidence within subsection (2) or (3).

- (2) Evidence is within this subsection if it shows that the person has:
 - (a) committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c. 42) (offences attracting notification requirements);
 - (b) practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business; or
 - (c) contravened any provision of the law relating to housing or of landlord and tenant law.
- (3) Evidence is within this subsection if:
 - (a) it shows that any person associated or formerly associated with P (whether on a personal, work or other basis) has done any of the things set out in subsection (2)(a) to (c), and
 - (b) it appears to the authority that the evidence is relevant to the question whether P is a fit and proper person to be the licence holder or (as the case may be) the manager of the house.

Landlords who own more than one property within the adopted areas would need to apply for a licence for each individual self contained unit of accommodation, be they self contained houses or flats in single household occupation or in multiple occupation.

A house divided into multiple self contained lettings all under the same ownership would require a selective licence for each unit of accommodation.

A house divided into multiple non self-contained units (ie bedsits with shared cooking or bathroom facilities) would need to apply for an “additional licence” for the whole property, rather than a selective licence.

The licence would be valid for up to 5 years and would contain a series of conditions that the licence holder would be required to comply with.

The proposed standard licence conditions are attached at **Appendix 5**.

Prior to issuing a licence all properties will be inspected to ensure that they provide suitable and safe accommodation. During the course of the five year licence period, further inspections would be made of some of the licensed properties on an area by area basis. Properties would be assessed using the Housing Health and Safety Rating System (HHSRS) and, where applicable, the Management of Houses in Multiple Occupation (England) Regulations 2006. Any works required to mitigate hazards would be required in accordance with the Council's Enforcement Policy.

2.1 Penalties

It is a criminal offence to rent a property within the designation area without applying for a licence. Failure to comply could lead to prosecution and an unlimited fine. In addition, the Council or the tenants could apply to the Residential Property Tribunal for a Rent Repayment Order requiring the landlord or agent to repay any rent paid. It is also important to note that once a Selective Licensing designation has been made, no Housing Act 1988 Section 21 (notice to quit) notices may be issued in relation to a short hold tenancy of the whole or part of an unlicensed property whilst it remains unlicensed.

In addition, landlords and managing agents who have a previous poor management record or have failed in the past to comply with the Council's requirements to maintain and manage their properties maybe unable to obtain a Licence, or will be given a one year Licence and subjected to more frequent checks.

If the person who applies for a licence owns or manages a property which has previously been the subject of a formal notice, leading to works in default or prosecution proceedings, issued by a local authority under the provisions of the Housing Act 2004 (for example an improvement notice, prohibition order, hazard awareness notice, emergency remedial action, emergency prohibition order, demolition order and clearance area powers) that may make the proposed Licence holder an unsuitable candidate. Furthermore, if the person who applies for the licence has had a licence revoked or refused by any local authority or owns a property subject to an Interim or Final Management Order, then it is unlikely that they will be deemed to be a "fit and proper person" to hold a licence.

In cases where the person applying for the licence cannot be considered a "fit and proper person", and the property is to continue being rented, an alternative person will have to apply to be the licence holder, such as a suitable managing agent. If a suitable licence holder cannot be found then the Council may have to take over the management of the property by the issuing of an Interim Management Order.

The Private Sector Housing Team would carry out a programme of pro-active inspections and will be expected to take a zero tolerance approach where unlicensed properties or breaches of conditions are found. It is anticipated that 100% compliance with the licensing scheme would eventually be achieved.

Where a breach of a condition on a licence is identified, the licence holder may be prosecuted for each breach, a fine of up to £20,000.

Although the penalties placed on non-compliant landlords can be high, the aim of the scheme is to address the social problems that are evident in specific areas of the borough and to reduce and eliminate the anti-social behaviour of some tenants. The Council recognises that it will be necessary for them to provide adequate support to landlords to help them to deal with problem tenants. Support will also need to include the education of tenants so that they understand their rights and their responsibilities.

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3.0 The Proposal

It is proposed that Havering Council will designate two areas, individually coloured yellow on the map shown in Appendix 1 as the Selective Licensing Areas. The first area, "Harold Hill", is made up of around half Gooshays and half Heaton wards. The second area is "Romford" and is made up of most of Brooklands ward and around 30% of Romford Town ward. These two areas combined cover less than 7% of Havering's total geographical area and represent just under 19% of its private rented housing stock. These areas have been selected following careful consideration of the evidence available in relation to antisocial behaviour linked to the PRS.

A map of Havering with an overlay of the areas of the proposed designations, together with more detailed maps of each area can be found in **Appendix 1** at the end of this document.

A list of the individual streets (and part streets) can be found in **Appendix 2**.

The designation will be used as a tool to tackle anti-social behaviour and high levels of crime in all areas identified through improving the quality of the management of rented accommodation, and to tackle deprivation in Gooshays and Heaton wards. Detailed evidence to support the proposed designation can be found in **Appendix 3**.

The most significant problems have been identified within Brooklands, Gooshays, Heaton and Romford Town wards. Although these wards have issues relating to anti-social behaviour, it would not be feasible to declare the whole of those wards as part of the designation because targeting the areas suffering from the highest degree of anti-social behaviour is anticipated to be most cost effective and successful approach and proportionate to the problems that exist. The designation is therefore focused on specific parts of Romford Town, Heaton and Gooshays wards and the majority of Brooklands ward. This is due to;

1. The higher proportion of privately rented accommodation being located in these areas;
2. The degree of anti-social behaviour recorded in these areas; and
3. The link between anti-social behaviour and rented accommodation.

If the designation is adopted and is as successful as planned, it may be that further designations are considered in the future.

There are currently two specific areas of concern, predominantly within Harold Hill and Central Romford. A significant number of roads are located within those areas and are shown on the maps contained in Appendix 1. Whilst the Council has areas which are of particular interest, part of the consultation process is to seek public input and as such certain roads (in particular some with lower recorded levels of ASB) may not be included in an eventual recommendation, if the case for Selective Licensing is not proven to be required in those specific roads. The Council is seeking responses as part of this consultation not only in regard to whether a selective licensing scheme should proceed, but also in relation to whether or not all or only some of the roads suggested should be included in such a scheme, or indeed if any roads not currently identified should be added. Any final designation will be on

the basis of making an informed decision following completion of a public consultation and consideration of all suggestions and representations received during that process.. A wide area has been researched and is being consulted on to ensure that all known problem areas within the wards of Brooklands, Romford Town, Gooshays and Heaton have been considered. This is to ensure that the public can have significant input into the proposal.

Additional wards of South Hornchurch and Rainham & Wennington have not been considered for inclusion within the scheme at this stage. The research, implementation and management that is required over the five year life of the scheme will be labour intensive and for South Hornchurch and Rainham & Wennington, this action is not considered warranted due to the levels of anti-social behaviour recorded. Taking a broad brush approach to cover additional areas or the entire Borough is not considered warranted or appropriate at this time.

It is anticipated that the Selective Licensing Scheme will be put forward for a decision in Summer 2017 and, if agreed, would become active three months from the date of approval. The designation would run for an initial period of 5 years. Should the Council wish to continue licensing after 5 years, it would need to apply for a new designation. The Council is planning ahead in terms of staff resourcing and administrative systems so that if the designation is adopted, it would be appropriately managed, resourced and enforced.

The Council is planning ahead in terms of staff, resourcing and administrative systems so that, if the designation is made, it will be appropriately managed, resourced and enforced. Initial projections indicate that an average of five dedicated FTE staff per year will be needed to process licence applications and administer the scheme over the full 5 year period, although these resources will need to be proportionately aligned and managed in accordance with the demands of the scheme. In order to ensure maximum flexibility it is envisaged that staffing will be largely met through fixed term temporary contracts throughout the duration of the designation. The purchase of a purpose made licensing software system is also being considered by the Council which should streamline the administrative process and enable licences to be issued more quickly.

It is expected that compliant landlords would apply for a licence shortly after the designation, however it will be necessary to introduce a comprehensive and robust enforcement programme to capture unlicensed properties and landlords who breach licence conditions. The Council is planning to proportionately expand its current team of housing enforcement officers to enable a proactive and co-ordinated approach to enforcement to be achieved. Enforcement activity will initially focus on unlicensed houses during the first year of the scheme's operation, followed by a programme of both random and intelligence-led inspections of licensed premises thereafter to ensure compliance with licence conditions. The Council intends to follow examples of activities carried out in neighbouring boroughs of Barking & Dagenham and in Newham as the basis for its planned PRS licensing enforcement activities.

There would be a charge for the initial licence application as shown, with certain discounts available. The proposed full Schedule of Selective Licensing Fees and Charges is included in **Appendix 4**.

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4.0 Why do we need a Selective Licensing Scheme?

Havering, due to its lower rental costs (than Inner London), excellent transport links to London and parks, is popular with residents, with more people having moved into this London Borough in 2015 than any other.

Havering Council has seen significant growth in the Private Rented Sector (PRS). The Census 2011 revealed that the PRS in Havering had more than doubled over the past 10 years, and the growth of this sector is set to continue. Havering's privately rented housing stock in 2011 made up 11% of dwellings (the London average being 25%). The average of Havering's privately rented stock is now around 17% (17,037 households), with two wards having a PRS level of 26.5% (Romford Town) and 27.5% (Brooklands) which is similar to the levels of PRS found in Inner London.

Growth of the PRS has been largely through the activities of 'buy to let' investors and these new landlords have replaced owner occupiers in many of our streets and neighbourhoods. The high property values and increasing demand for affordable housing in London has resulted in many landlords investing in properties on the outskirts of London, such as in Havering. As well as the increasing proportion of PRS homes in certain areas there is evidence to support the fact that levels of ASB and crime reported are higher in areas that have a high percentage of PRS homes. With such growth in mind, there is a need to ensure effective management of these properties in order to prevent rogue landlord activity, maintain good standards and ensure a thriving sector and well managed stock for future years to come.

Another issue that is of great concern to the Council is the significant rise in the number of Houses in Multiple Occupation (HMOs) which has led to increased complaints of antisocial behaviour by occupiers of neighbouring homes and a number of campaigns and petitions were organised by residents in the Borough to challenge the development of shared homes and the management practices conducted by local landlords. In conjunction with a Selective Licensing Scheme therefore the Council is also proposing to extend the Licensing requirements of HMOs by introducing a Borough-wide Additional Licensing Scheme.

Furthermore, whilst there is currently no evidence that can be used to justify the perceived problems associated with the migration of rogue landlords into Havering, the Council is mindful of the potential negative impact that the relatively recent licensing schemes introduced by the neighbouring London Boroughs of Barking and Dagenham, Newham, Waltham Forest and Redbridge may have on our private rented sector. If Havering does not take this opportunity to implement greater regulation of the private rented sector there could be a rise in rogue landlord activity due to displacement of unprofessional landlords from neighbouring authorities that would be damaging to the local housing market.

Having considered the main recognised means of private rented regulation currently operating in other local authorities it is appropriate for Havering to now consider introducing some form of licensing scheme in order to monitor and control the activity of private rented sector landlords in the Borough.

For the Council to designate either (a) the area of their district, or (b) an area in their district as subject to selective licensing, the requirements of subsections (2) and (9) under Section 80 of the 2004 Act must be met. The authority must consider that it satisfies the first or second set of general conditions mentioned in subsection (3), or it meets any of the conditions specified in an order under subsection (7) as an additional set of conditions. These conditions are explained in Section 2.0 earlier in this document.

4.1 Low Housing Demand

When deciding if an area is suffering from, or likely to become, an area of low housing demand, it is recommended that local authorities consider the following factors;

- The value of residential premises in the area, in comparison to the value of similar properties in other comparable areas;
- The turnover of occupiers of residential premises (both rented and owner-occupied);
- The number of residential premises which are available to rent or buy, and the length of time they have remained unoccupied; and
- The general appearance of the locality and the number of boarded up shops and properties.

Based on the prevailing data Havering is unable to demonstrate that there is low housing demand in the areas proposed to be designated a Selective Licensing Area, or indeed within any other part of the Borough. Whilst there are clear variations in property values between specific parts of the Borough, this has historically always been the case and is not attributable to tenure. Generally the demand for housing within the proposed Selective Licensing Areas is high, with property for sale being purchased quickly, often by buy to let investors, and despite rapidly rising property prices, the demand for private rented accommodation within the Borough continues to exceed supply. As such, the Council does not propose to support a designation based on the low housing demand test.

4.2 Significant and Persistent problems of Anti-social Behaviour

In order to meet this general condition relating to anti-social behaviour the Council must demonstrate:

- (a) that the area is experiencing a significant and persistent problem caused by anti-social behaviour;
- (b) 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
- (c) 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.

Antisocial behaviour is not exclusively but can include acts of;

- Verbal abuse, intimidation or harassment behaviour of tenants or neighbours;
- Noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity;
- Animal related problems;
- Vehicle related nuisance;
- Anti-social drinking or prostitution;
- Illegal drug taking or dealing;
- Graffiti and fly posting; and
- Litter and waste within the curtilage of the property.

A landlord has responsibility to ensure that her/his tenants do not cause annoyance or nuisance to other persons living, working or visiting the immediate neighbourhood. If anti-social behaviour is being carried out within the immediate vicinity of the property, and is being caused by the occupiers of it, then it would be reasonable to expect a landlord to ensure that those persons are not conducting themselves in such a way that is adversely impacting on the local community. This applies equally to visitors to the property.

Anti-social behaviour is defined by Housing Act 2004 as:

1. "Conduct on the part of occupiers of, or visitors to, residential premises;
2. (a) which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or
(b) which involves or is likely to involve the use of such premises for illegal purposes".

Anti-Social Behaviour (ASB) is a problem within specific parts of Havering and is the main basis for this proposal.

Guidance issued by Department for Communities and Local Government, titled "*Approval steps for additional and selective licensing designations in England*" (February 2010) gives further explanation of the definition of anti-social behaviour. Whilst it should be noted that the guidance referred to is now dated and may not necessarily reflect current advice, it indicates that an area can be deemed to be suffering from significant and persistent anti-social behaviour if it suffers from;

- **Crime:** Tenants not respecting the property in which they live and engaging in vandalism, criminal damage, burglary, robbery/theft and car crime;

- **Nuisance Neighbours:** Intimidation and harassment, noise, rowdy and nuisance behaviour, animal related problems, vehicle related nuisance. Tenants engaged in begging, anti-social drinking, street prostitution and kerb crawling, street drugs market within the curtilage of the property; or
- **Environmental Crime:** Tenants engaged in graffiti and fly posting, fly tipping, litter and waste, nuisance vehicles, drugs paraphernalia, fireworks misuse in/around the curtilage of the property.

Anti-social behaviour overlaps with statutory nuisances defined in the Environmental Protection Act 1990, Section 79. The different types of anti-social behaviour are dealt with by a number of different enforcement agencies and data has been gathered from them to show the extent of the problems in the areas proposed for the Selective Licensing designation and where possible for the areas immediately adjacent to the proposed areas and the Borough as a whole to give a comparison.

In order to demonstrate the problems Havering is experiencing in relation to Anti-social behaviour and crime, evidence has been obtained via a number of sources, including;

- Metropolitan Police & Community Safety partnership – ASB & Crime Evidence;
- London Borough of Havering Street Scene Enforcement – Flytip Evidence; and
- London Borough of Havering Environmental Health – Nuisance Evidence.

Through activity in Community Safety, Environmental Health and Planning, the Council is actively dealing with several problem areas in the Borough where private sector landlords are failing to take appropriate action to combat anti-social behaviour.

The data analysis contained in **Appendix 3** shows the total number of ASB reports received in Havering and their respective correlation to the private rented sector.

The data provided by the Police, London Borough of Havering's Street Scene Enforcement Service and Environment Health combine to show a significant problem of anti-social behaviour in the areas under consideration for Selective Licensing. With the high numbers of privately rented properties in these areas this shows a strong correlation between the number of complaints received and their relative prevalence in these areas of large numbers of privately rented properties.

4.3 High levels of Crime

In considering whether an area suffers from a high level of crime, the authority should consider;

- Whether the area has displayed a noticeable increase in crime over a relatively short period of time, eg 12 months;

- Whether the crime rate is significantly higher than in other parts of the local authority area, or it is higher than the national average; and
- Whether the impact of crime in the area affects the local community and the extent to which a selective licensing scheme can address the problems.

The licensing scheme must be part of a wider strategy to address crime in the designated area.

Brooklands and Romford Town wards specifically have high rates of PRS and include a number of geographical neighbourhoods with combinations of high levels of crime and ASB which affects households and businesses in the proposed designation areas. All locations identified are within close proximity to good public transport links and for this reason it is anticipated that these locations will continue to be favourable for PRS development. It is anticipated that making a selective licensing designation in these areas will, when combined with other existing and proposed measures, contribute to a reduction in the levels of crime in the areas for the benefit of those living in the areas.

Development of PRS in areas which already have high rates of ASB and crime, but low levels of PRS, might contribute to even higher levels of offending (including victimisation against those in PRS) such as is happening in Gooshays ward.

4.4 Poor Property Conditions

Local housing authorities can address property conditions through their powers under Part 1 of the Housing Act, which are extensive. A local housing authority should not use its Part 3 powers (Selective Licensing) where it is appropriate to tackle small numbers of properties which are in poor condition and are adversely affecting the character of the area and/or the health and safety of their occupants. The local authority may consider it appropriate to make a Selective Licensing Scheme as part of a wider strategy to tackle housing conditions so it can prioritise enforcement action under Part 1 of the Act, whilst ensuring that properties are properly managed through licence conditions under Part 3 to prevent further deterioration.

In 2008, the East London Housing Partnership, ELHP, commissioned the Building Research Establishment (BRE) to report on the condition of the stock in the East London Boroughs. BRE reported on the full range of Decent Homes criteria for each Borough on a ward-by-ward and super-output area basis. Most notably, it found that: 19% of private sector homes contain at least one Category 1 Hazard - where the risk is considered serious and the Council has a duty to take action. 34% of private sector homes in Havering were non-decent, 9% of private sector homes were non-decent and are occupied by a vulnerable household and 17% of private sector homes in Havering had inadequate thermal comfort.

The latest Housing Stock Condition Report (HSCR) provides a detailed update on different measures indicating the condition of the private sector stock. According to the HSCR, the condition of private sector housing in Havering is better than the national average when compared to the 2009 English Housing Survey. It was found that the percentage of private stock within Category 1 Hazard was 8% lower than

national average. However there are still more than 12,000 private sector dwellings in the Borough with Category 1 Hazard and more than 4,000 classified as being in a state of disrepair. More than a half of the current enforcement caseloads relate to the hazards of excess cold, mould and damp.

4.5 High Levels of Migration

This legal test is set out in Article 5 of the Selective Licensing of Houses (Additional Conditions) Order 2015. For an area to be designated under this article (subject to Article 3), the conditions are;

- that the area has recently experienced or is experiencing an influx of migration into it;
- that a significant number of the properties referred to in article 3(1)(a) are occupied by those migrants referred to in paragraph (a); 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:
 - (i) The preservation or improvement of the social or economic conditions in the area; and
 - (ii) Ensuring that the properties referred to in article 3(1)(a) are properly managed, and in particular, that overcrowding is prevented.

Havering has one of the lowest direct intakes of overseas migrants amongst London authorities, with only 2,683 new national insurance applications registering to Havering during 2015/16.

However, in addition to international migration, people move between different regions within the UK. Although Havering does not appear to be one of the favoured locations where migrants moving to the UK first choose to locate, evidence shows that many migrants move to different locations once in the country. During 2015 Havering (other than Bexley) was the only London authority to experience a net inflow of migrants, with the level of net internal migration recorded as + 6.95 per 1000 population. This is significant when compared to neighbouring authorities such as Newham and Waltham Forest who experienced net outflows of migrants at the rates of 22.43 and 21.59 per 1000 population respectively.

Whilst these figures may seem significant, Government guidance suggests that the migration test should relate to relatively recent increases in migration (say 15% over a 12 month period). Movement into the area is not a new phenomenon as higher than average levels of migration have been a theme for some years. As such, based on prevailing data the Council does not propose to support a designation based on the migration test.

4.6 High Levels of Deprivation

This legal test is set out in Article 6(1) of the Order. For an area to be designated under this article (subject to Article 3), the conditions are;

- (a) That the area is suffering from a high level of deprivation, which affects a significant number of the occupiers of properties referred to in article 3(1)(a); and
- (b) 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 a reduction in the level of deprivation in the area.

In determining whether an area is suffering from a high level of deprivation, the local housing authority may have regard to the following factors in relation to the area:

- (a) the employment status of adults;
- (b) the average income of households;
- (c) the health of households;
- (d) the availability and ease of access to education, training and other services for households;
- (e) housing conditions;
- (f) the physical environment; and
- (g) levels of crime.

The evidence contained in table 11 of Appendix 3 demonstrates how deprivation in Gooshays and Heaton wards relate specifically to the above stated factors but to summarise, when looking at the 16 total LSOA's within Gooshays and Heaton wards;

- One neighbourhood (in Gooshays ward) has a LSOA that falls within the 10% most deprived in England;
- Seven neighbourhoods in Gooshays and Heaton wards have LSOA's that fall within the 20 % most deprived in England.
- Six neighbourhoods in Gooshays and Heaton wards have LSOA's that fall within the 30% most deprived and
- the remaining two neighbourhoods (Heaton Ward) have LSOA's that fall within the 40% most deprived in England

4.6.1 English Indices of Deprivation 2015

The term deprivation covers a wide range of issues and refers to unmet needs caused by a lack of resources of all kinds, not just financial. The English Indices of Deprivation attempt to measure multiple deprivations by taking into account a range of factors.

The Indices of Deprivation 2015 provide a set of relative measures of deprivation for small areas (Lower-layer Super Output Areas) across England, based on seven domains of deprivation. The domains were combined using the following weights to produce the overall Index of Multiple Deprivation (IMD);

- Income Deprivation (22.5%)
- Employment Deprivation (22.5%)

- Education, Skills and Training Deprivation (13.5%)
- Health Deprivation and Disability (13.5%)
- Crime (9.3%)
- Barriers to Housing and Services (9.3%)
- Living Environment Deprivation (9.3%)

LSOAs (Lower-layer Super Output Areas) are small areas designed to be of a similar population size, with an average of approximately 1,500 residents or 650 households. There are 32,844 Lower-layer Super Output Areas (LSOAs) in England. They were produced by the Office for National Statistics for the reporting of small area statistics.

A range of summary measures are available for higher-level geographies including local authority districts and upper-tier local authorities, local enterprise partnerships, and clinical commissioning groups.

The Index of Multiple Deprivation, domain indices and the supplementary indices, together with the higher-level geography summaries, are collectively referred to as the Indices of Deprivation.

5.0 How does Selective Licensing fit in with other Strategies and Activities of the Council and its partners?

In making a selective licensing designation, the local authority must, under section 81 of the 2004 Act:

- (a) ensure that it exercises its power to designate consistently with its housing strategy and
- (b) seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour, both as regards (i) combining Part 3 licensing with other available courses of action and (ii) combining Part 3 licensing with measures taken by other persons.

Further, it must not make a Part 3 designation unless:

- (a) it has considered whether there are any other courses of action available to them that might provide an effective method of achieving the objectives that the designation would be intended to achieve, and
- (b) it considers that making the designation will significantly assist it to achieve the objective or objectives.

The Council considers that the data collected gives strong evidence to support the implementation of a Selective Licensing Scheme, in the four wards under consideration., A summary of how the licensing proposals are consistent with the overall housing strategy together with brief details of existing and proposed measures the Council considers will support landlord licensing, are as follows;

5.1 Housing Strategy

The Council's Housing Strategy for 2013-2016 identified the following priorities for Private Sector Housing

Our key priorities;

- Improve our understanding of the local private rented sector;
- Continue to improve access to the private rented sector to tackle increasing housing demand;
- Improve private rental property standards and management practices;
- Examine the potential of developing new, private rented accommodation;
- Help older and vulnerable people to remain safe and independent in their own homes;
- Identify and target poor conditions and inadequate energy efficiency in the private housing sector; and
- Bring empty homes in the private sector back into use.

The proposed selective licensing designation will support this strategy in a number of ways. Property licensing will facilitate greater interaction with private sector landlords and lead to an improved understanding of the current PRS market. Licence conditions and increased support packages will ensure properties are effectively managed and prevent long term problems associated with antisocial behaviour caused by private sector tenants. The licensing inspection will also ensure that poor property conditions and inadequate energy efficiency are identified and acted upon, which will serve to improve living standards for tenants. Empty homes that are detrimental to the surrounding areas or attract anti-social behaviour or generally are a cause of concerns to residents will not be affected specifically by selective licensing, however the process of gaining a better understanding and knowledge of Havering's private rented sector will assist the Council to identify the locations of empty dwellings in the Borough so that targeted action can be taken to return them back to use and maximise opportunities to meet housing need.

5.2 Homelessness Prevention

Under Section 81 of the Housing Act 2004 a co-ordinated approach with homelessness prevention is also required.

In this regard, the formal designation of a selective licensing scheme would provide additional protection for assured short-hold tenants in unlicensed Part 3 houses. It would, for example, preclude a landlord from serving a notice under section 21 of the Housing Act 1988 (notice requiring possession) so long as the property remains unlicensed; and would help to mitigate the risk of unlawful eviction by improving the management practices of PRS landlords.

It is recognised that the designation of a selective licensing scheme might result in a small number of houses being taken out of the rental market by reluctant landlords, leading to a potential increase in homeless households.

In the discharge of its homelessness functions, however, in particular its homelessness prevention duty, the Council provides those threatened with homelessness with housing options and advice. It also operates a private sector leasing scheme by which the number of units available for rent is increased. Accordingly, if households find themselves displaced or threatened with homelessness because of the licensing designation, the local authority will help them to explore the accommodation options available to them with a view to securing alternative and affordable housing.

The Council intends to adopt a co-ordinated approach with its housing strategy in relation to empty properties in order to ensure that houses that become vacant as a result of withdrawal from the private rented market will be targeted for action under its Empty Homes policy. This should protect against premises remaining vacant for prolonged periods of time which may attract antisocial behaviour. It would also ensure that valuable housing resources are not wasted.

5.3 Alternative Courses of Action Considered

Under Section 81 of the Housing Act 2004, the Council must consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of achieving the objectives that the designation of the Selective Licensing Scheme is intended to achieve and must consider that making the designation will significantly assist the council in achieving the objectives of the scheme.

The overall aim of the designation of a Selective Licensing Scheme is to reduce the levels of ASB associated with privately rented properties by improving the standards of management. By doing so, it is anticipated that the levels of crime and deprivation in the identified wards will also reduce.

5.3.1 Landlord Accreditation

Landlord accreditation is considered to be an effective tool in improving management of privately rented dwellings. The Council has previously encouraged voluntary accreditation among its landlords but the uptake has been poor, with only the most co-operative and professional landlords choosing to undertake accreditation training. Consequently, Havering has just 205 landlords registered with the London Landlord Accreditation Scheme, fewer than most other London boroughs; and it is likely that those accredited are not in fact the landlords most in need of regulation. The Council previously encouraged landlords to undertake accreditation training as well as meeting property accreditation standards as a condition of accepting properties onto their private sector leasing scheme, but since this has ceased to be a requirement under the Council's leasing scheme, very few landlords in Havering have undertaken this training. While it is possible that some landlords are accredited with other organisations, or are members of recognised landlord associations, there is no available data to suggest that they are.

It is intended, therefore, that the introduction of selective licensing will greatly improve the uptake of accreditation. Indeed, one of the conditions of licences granted under the proposed licensing scheme would require all licence holders to undertake relevant accreditation training and/or become members of a recognised landlord association within six months of a licence being granted.

5.3.2 Engagement with Landlords

To maximise the benefits of implementing a licensing scheme, the Council intends to facilitate regular landlord forums, to provide opportunity for pro-active engagement with landlords in the borough. In addition, the Council aims to ensure that appropriate support will be available to assist landlords to deal with problem tenants and anti-social behaviour by providing practical support and information to both landlords and tenants via the Housing service's tenancy sustainment team or where appropriate through the Community Safety Partnership. The Council does not, however, consider that these forums or support will be sufficient to tackle the problems it has identified as, like landlord accreditation, they are likely to appeal only, or predominantly, to those willing to engage with the Council voluntarily.

5.3.3 Community Safety Partnership

Community Safety aims to tackle issues arising from Houses in Multiple Occupation with support from key partner agencies such as the Police, Planning, Building Control, Environmental Services and Housing.

A range of powers and tools are available to Councils to deal with ASB or nuisance caused by private tenants or their visitors.

The focus of Community Safety action is not in relation to building control and planning issues and its associated powers, but rather powers contained within the ASB Crime and Policing Act 2014, which we use in conjunction with our partners to resolve nuisance behaviour from residents of Houses in Multiple Occupation or those responsible for management of such premises. Community Safety seek to use the powers contained within the ASB Crime and Police Act 2014 which include but are not limited to:

- Community Protection Notices
- Closure Notices/Orders
- Civil Injunctions
- Criminal Behaviour Orders
- Public Spaces Protection Orders

The Council also manages the monthly MARAC (Multi-Agency Risk Assessment Conference) and ASB Panels, both of which can address issues concerning the occupants of privately rented homes as well as other accommodation. The panels allow for a multi-agency, problem-solving approach to the cases reviewed.

Effective though these powers and Panels can be, the Council does not consider them suitable or effective to address the problems associated with the PRS that its research has identified. Few, if any, are aimed at or capable of regulating the management and occupation of PRS dwellings; and others, for example civil injunctions, are more suitable for addressing the problem behaviour of individuals.

5.3.4 Action under Part 1 of Housing Act 2004

The Council's Environmental Health Department are able to take formal action under Part 1 of the Housing Act where they identify serious disrepair or Category 1 hazards assessed under the Housing Health and Safety Rating System (HHSRS). The type of action that can be taken includes serving Improvement Notices, Hazard Awareness Notices, Prohibition Orders or taking emergency remedial action. Whilst these actions can be effective in securing property improvements, the Council only become aware of such problems when the tenants make a complaint. It is widely acknowledged that the majority of vulnerable tenants living in the worst housing simply will not complain for fear of retaliatory eviction by their landlord.

Currently the Council is unable to inspect privately rented homes unless it is made aware of actual or potential problems by the occupier. The introduction of selective licensing will enable the Council to carry out routine inspections of all properties

within the licensing designation, ensuring that poor or unsafe housing conditions are identified and remedied more effectively, thereby raising the standard of accommodation in the PRS.

Licensing will also ensure that the Council is made aware of the person responsible for managing the property, thereby reducing the time taken to track down the liable party. Presently, this can be problematic and costly in terms of both time and resources, especially in the case of absent landlords.

The Council anticipates a material increase in enforcement activity of licensing is introduced and intends, therefore, to increase the number of Enforcement Officers available to deal with these matters.

5.3.5 Dealing with Statutory Nuisance & Noise

The Council's Environmental Health Service currently investigates complaints of statutory nuisance under the Environmental Protection Act 1990.

Nuisance complaints often relate to noisy or anti-social neighbours. Whilst the Council has powers under the 1990 Act to prosecute offenders or, in some cases, to encourage parties to participate in mediation to resolve ongoing issues, its powers are less suited to addressing the problems associated with PRS homes that the Council has identified.

Selective licensing will, by making licences subject to conditions, compel landlords to take greater responsibility for the management of their properties and the behaviour of their tenants. It is more likely, therefore, to be an effective means of addressing ASB and nuisance associated with the PRS in the borough.

6.0 What are the Benefits of a Selective Licensing Scheme?

The London borough of Newham have been operating borough wide additional and selective licensing schemes for the last 4 years and are now consulting on their proposals to continue their designations for a further five year period. Newham council say they have seen many benefits from running the existing licensing schemes. It has allowed them to find and prosecute criminal landlords who exploit tenants and undermine responsible landlords by bringing the profession into disrepute; they have also seen a reduction in anti-social behaviour and an improvement in housing conditions.

This Council anticipates that, by introducing greater regulatory control of the PRS, selective licensing will deliver similar benefits for Havering, including the following:

- Improvement in the physical condition, management practices and overall quality of the private rented stock;
- Informed landlords and responsible tenants;
- Improved protection for vulnerable groups living in privately rented accommodation;
- Economic benefits for tenants as a result of better landlord management practices;
- Benefits to neighbourhoods and local communities in terms of reducing anti-social behaviour to improve problem areas, making these safer and more desirable places to live;
- Reduced environmental costs tackling fly tipping and other forms of environmental crime through ensuring better management of private rented homes;
- Improved links and knowledge with local landlords for the local authority, contributing to a better understanding of private rented sector conditions;
- Prevention of rogue landlord activity;
- The encouragement of absentee or unprofessional landlords to employ an agent to actively manage their properties;
- Support for landlords in dealing with anti-social tenants;
- Education for tenants in their responsibilities to behave in a tenant like manner;
- Education for tenants to ensure they only live in properties that meet a minimum standard;
- Promotion of landlord accreditation and the aspiration to let property to a higher standard and to act in a professional manner with well written tenancy agreements, inventories and protected deposits;
- Encouragement of landlords not to take tenants with a poor reference;

- Improvement of the image and desirability of the area;
- Encouragement in the market to increase values of property in the area; and
- Reduced tenant turnover leading to a more settled community which should lead to an enhanced sense of community cohesion, educational attainment and reduce demands on public services.

Additionally, implementing a Selective Licensing Scheme would contribute to a number of the Council's corporate objectives.

The Council has a Mission Statement which can be summarised in three words "**Clean, Safe, Proud**". These words represent its vision for the future;

- Havering will be **clean** and we will care for the environment;
- People will be **safe**, in their homes and in the community; and
- Our residents will be **proud** to live in Havering.

The Council's goals and objectives are set out in the **Corporate Plan 2015-16** which is the Council's overall strategy that states how it will achieve its vision. It breaks down the vision into the three main objectives: Those objectives include:

- **Supporting the community** - by spending money on things that matter most - Clean, safe streets; and
- **Using our influence** - to encourage people to do the right things – keep Havering tidy, be good neighbours and lead healthier lives.

7.0 What are the potential risks and how have these been considered, prevented or managed?

- **There is the risk that making a designation could have a negative impact on the proposed areas.** Both good and bad landlords could leave the area due to the licence fee and perceived increased obligations. Whilst some residents, particularly homeowners, may view this as a welcome prospect the Council is mindful that removal of any PRS homes from the private rental market could lead to increased homelessness. The Council will therefore seek to actively engage with local landlords during the consultation period in order that any concerns they may have can be addressed in order to persuade good landlords to remain in Havering's PRS market
- **There could be an increase in abandoned and vacant properties** as landlords take them out of use. This has been considered and will be through the work of the Council as contained within the Empty Homes Strategy.
- **There could be an increase in homelessness applications** as persons are displaced by reluctant landlords. This has been considered and will be managed through the work of the Council and its homelessness prevention functions. The Council will also use its powers under the Protection of Eviction Act 1977 to intervene and will seek to prosecute landlords who are found to have unlawfully evicted tenants
- **Speculative landlords could move their business elsewhere** to an area where there are not the additional perceived burdens of a Selective Licensing designation. This cannot be controlled but the private rented market in Havering is buoyant and reluctant landlords are likely to be replaced by landlords willing to comply.
- **There could be resistance from some landlords** who view a designation as additional control by the Council over their business. This can be managed by ensuring that landlords are made fully aware of the likely benefits to the overall area that making the designation will bring improved desirability, a settled community, increased property prices etc. In addition, the "added value" package of measures which the scheme will offer in terms of landlord training and support and other services to assist them in managing their properties should increase the support of the scheme. The cost of a licence spread over the five year life of the licence is not unreasonable for the services which will be provided.
- **There is a risk to neighbouring Boroughs** that displaced landlords and problem tenants moved to other areas, however all our neighbouring London boroughs are already operating similar landlord licensing schemes and neighbouring authorities will be consulted on these proposals.
- **Rental charges may increase** as a result of landlords passing on the cost of obtaining a licence to their tenants. The Council will try to discourage this by keeping licence fees as low as possible and by offering a package of additional discounts to landlords who apply early.

A pre-consultation initial screening equalities impact assessment has been completed on the basis of perceived impacts. A full public consultation is being

undertaken which will inform the final equalities impact assessment. Copies of supporting documentation will be made available through the Council's website. Examples of best practice have been used from other Local Authorities. The lessons learned from a successful application for a Judicial Review of another Local Authority's designation have also informed our considerations. As part of the consultation process, landlords are encouraged to be involved in the detailed planning of the scheme.

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8.0 Review of the Designation

Whilst the designation is intended to last for five years, Section 84 of the Act requires the Local Housing Authority to review the operation of the designation from time to time. If following a review, it is considered appropriate to do so, the designation may be revoked. This could occur if the findings of a review of the operation of the designation before the end of the five years found that the set objectives of reducing ASB in the area, improving the management and conditions of the privately rented sector and the wider community of the area had been achieved.

Alternatively, if the designation is not in fact tackling the issues identified by the Council, the Council may consider that the designation should be revoked and take alternative measures to address the issues.

PRS licensing, such as selective licensing, is however a long-term remedy and is unlikely to yield instant results. Accordingly, if, in the initial phases of the designation, there has been little improvement in the PRS, this will not necessarily mean that the designation has failed in its objectives.

9.0 How is the Consultation being undertaken?

Section 80(9) of the Act states that when considering making a designation for selective licensing the local housing authority must :

- (a) Take reasonable steps to consult persons who are likely to be affected by the designation; and
- (b) Consider any representations made in accordance with the consultation and not withdrawn.

The minimum consultation period required for the designation to fall within the *Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of other residential accommodation (England) General Approval 2015* is ten weeks.

This is the period that Havering has adopted for consultation about its proposed selective licensing scheme.

The Council will use the following means of consulting with persons likely to be affected by the proposed designation:

- Havering Council website, including an online landlord questionnaire: <https://www.3.havering.gov.uk/pages/services/consultations.aspx>
- Havering Council Facebook page;
- Havering Council's Twitter feed;
- Notice given to London Property Licensing for publication on its website.
- Direct mail-out to landlords and managing/letting agents in the borough and surrounding areas;
- Visits to managing/letting agents;
- Mail drop to residents and businesses or services in the borough and surrounding areas, who are likely to be affected by the designation;
- Direct mail and email to local community groups;
- Press releases to local media/press, including the local newspaper of neighbouring local authorities;
- Public Notice placed in national newspaper;
- Posters in streets, libraries, businesses and other public areas, both in the borough and in neighbouring boroughs;
- Article in Living Magazine, the Council's free magazine delivered to every home in the borough;
- Drop in sessions at various venues in the borough (venues to be confirmed).

Groups to be consulted include:

- Landlords associations, including:
 - National Landlords Association
 - Residential Landlords Association
 - National HMO Network
- Residents associations
- Local managing agents and the Association of Residential Managing Agents
- Local estate agents and the National Association of Estate Agents
- Local businesses, service providers and residents
- Neighbouring local authorities

The Council will send all known landlords and letting agents a letter or email explaining the proposal and how it may affect them. The letter will include links to the Council's website where this full consultation document is available, and will invite landlords to complete the landlord questionnaire.

The Council will contact the National Landlords Association (NLA), Residential Landlords Association (RLA), National HMO Network, Association of Residential Letting Agents (ARLA) and National Association of Estate Agents directly by letter and where applicable, email. The Council also intends to offer a presentation for their members about the licensing proposals.

The Council will arrange a number of drop-in sessions for residents and landlords to be held at regular intervals throughout the consultation period and at various venues throughout the borough, at different times of the day. Full details of where and when these sessions are to take place will be stated on the Council's website and via other promotional material. The drop-in sessions will be informal, so landlords or other members of the public can call in at any time. The sessions will be held so that landlords can find out more about the licensing proposal, ask any questions and provide any comments/feedback. Council staff will be on hand to answer any questions.

Occupiers, businesses and service providers in Romford and Harold Hill and in the immediately surrounding areas

Mail drop: all properties in Gooshays, Heaton, Romford Town and Brooklands wards - where there is a high concentration of HMOs - and in the immediately surrounding areas will receive an overview letter, information leaflet, a copy of the tenants' questionnaire and pre-paid return envelope by mail-drop.

The leaflet and letter will explain the licensing scheme and its potential implications. The letter will encourage residents to visit the Council's website to obtain further information; and to complete the relevant questionnaire, either in the enclosed hard copy or online. The letter will also advise those interested to contact the Council for details of the drop-in sessions detailed above.

All other residents in Havering

The Council will issue press releases to local media to promote awareness of the consultation. It will also position posters around the borough advertising the consultation.

The posters will be placed in public libraries and other public spaces; and the Council will also ask some local venues (eg cafes and pubs) to display them.

Information will be available on the Council's website, so that those with internet access will be able to find out more about the proposal as well as completing an online survey. Direct mail outs are also proposed to be sent with Council tax bills to every resident and business as a final reminder to ensure everyone is made aware of the consultation.

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10.0 How do I make comments on this proposal?

For general enquiries about this consultation please contact:

Phone: (01708) 434114

Email: landlordlicensing@havering.gov.uk

To complete an online resident or landlord questionnaire, or to download or print the questionnaire, visit:

<https://www.3.havering.gov.uk/pages/services/consultations.aspx>

The questionnaire also invites comments regarding the scheme.

All questionnaires and comments should be returned to;

Private Sector Housing
Selective Licensing Consultation
London Borough of Havering
Town Hall
Main Road
Romford
RM1 3SL

Appendix 1 - Maps Showing Locations of Proposed Selective Licensing Areas

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Figure 1: Proposed Selective Licensing Areas

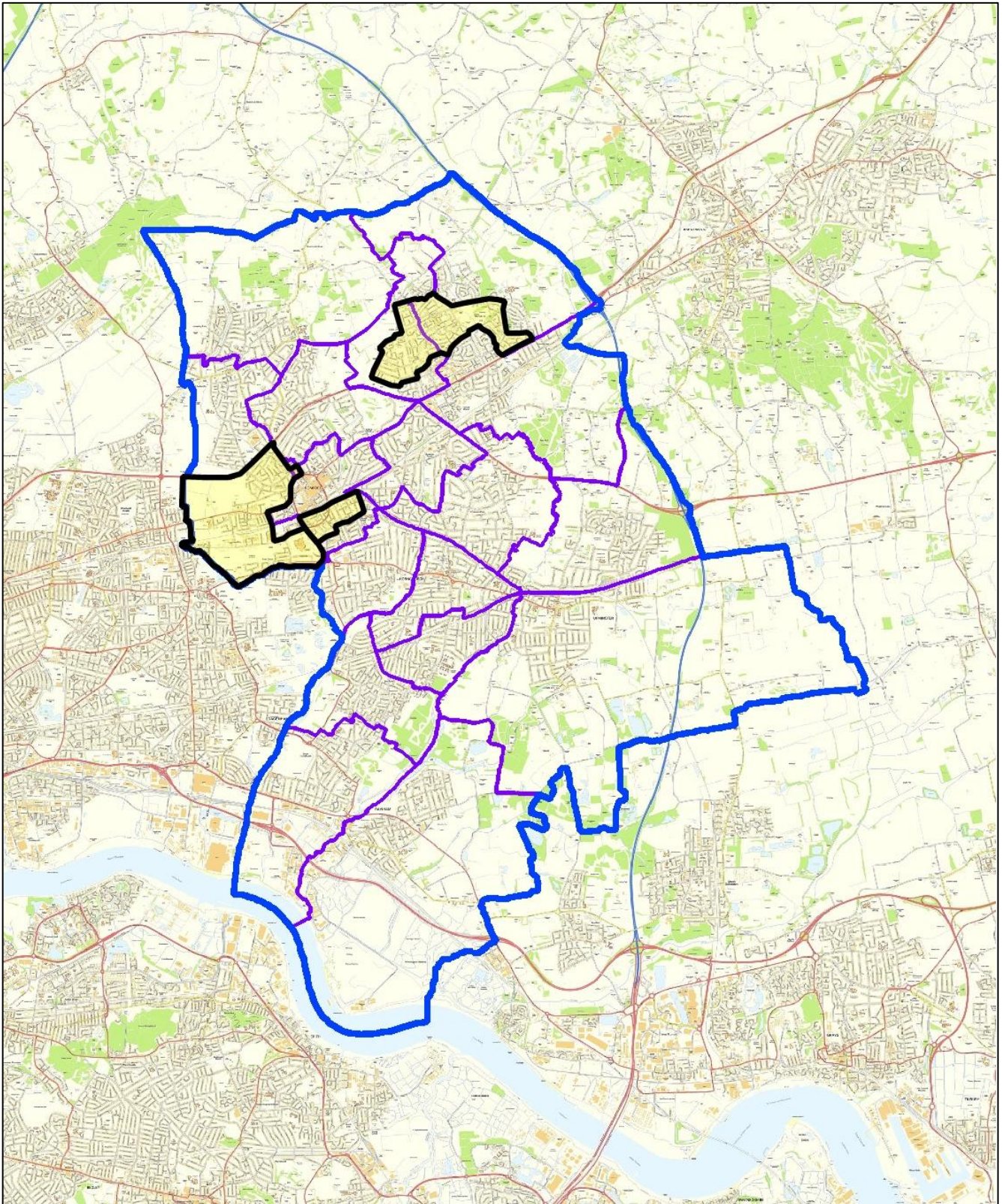


Figure 2: Proposed Selective Licencing Area 1 – Harold Hill

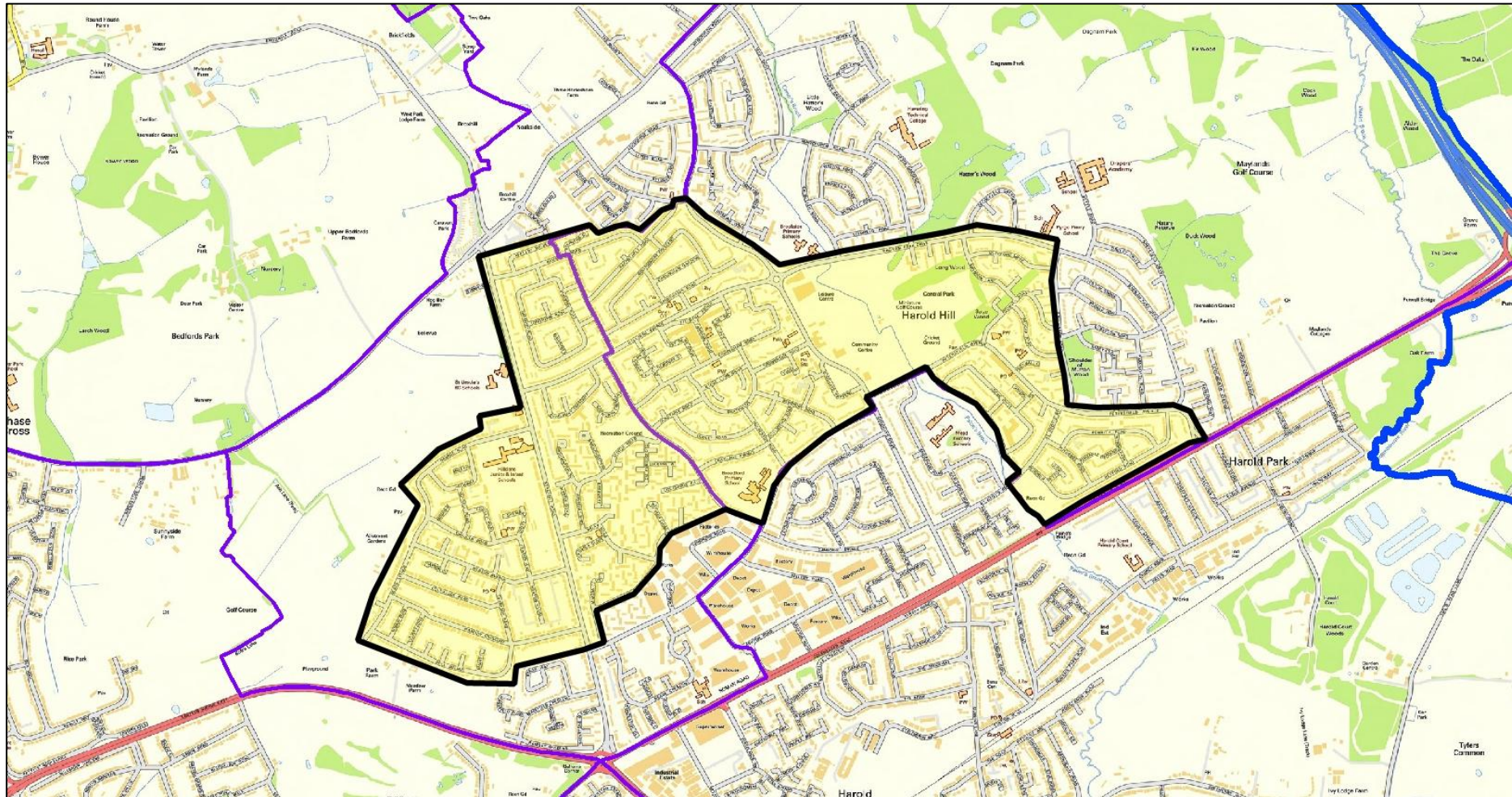
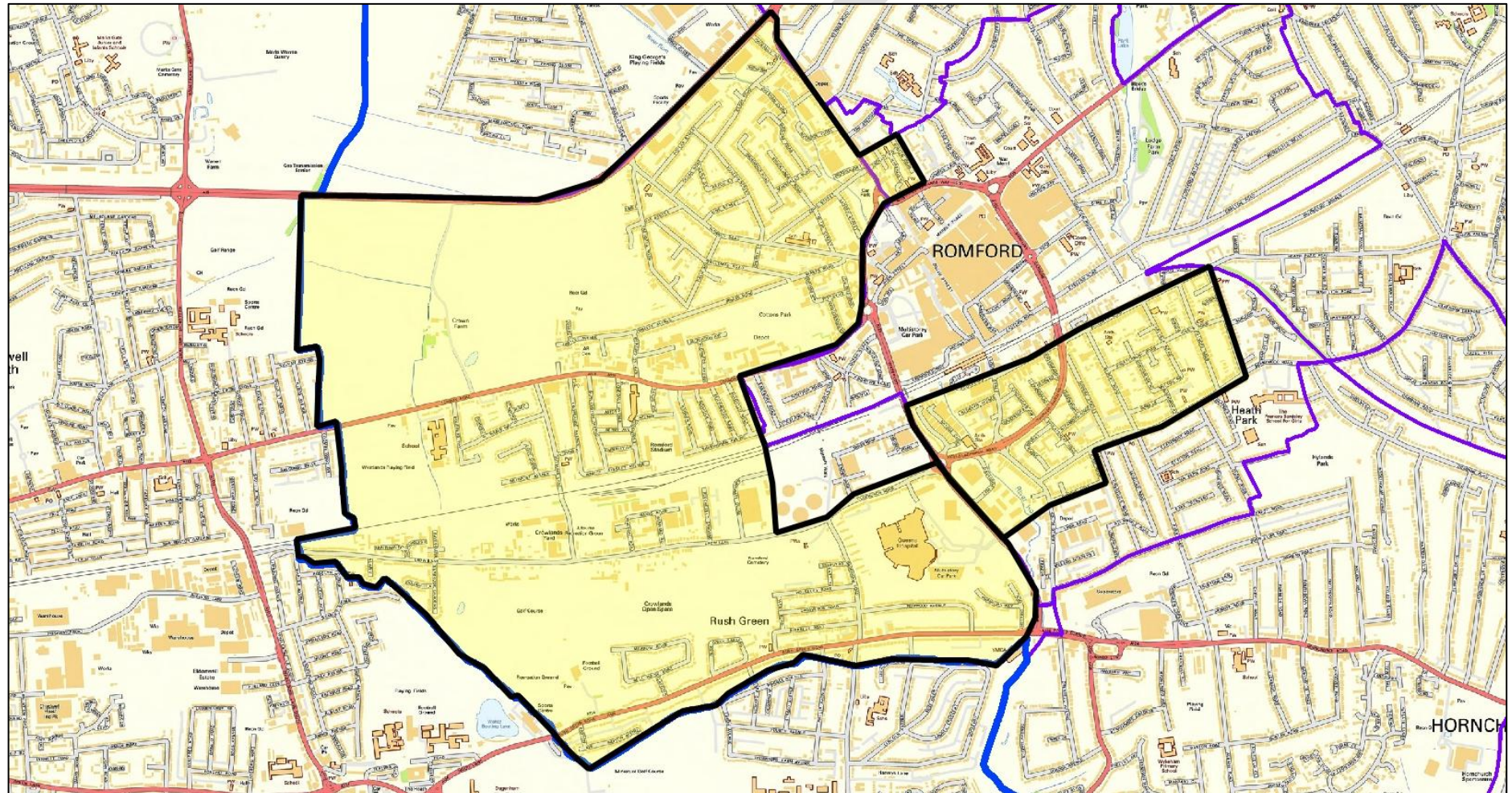


Figure 3: Proposed Selective Licensing Area 2 – Romford



Appendix 2 - Proposed Street Lists for Selective Licencing Designation

Table 1: Harold Hill

Gooshays Ward		Heaton Ward
Barnstaple Path	Hailsham Road	Appleby Drive
Barnstaple Road	Hilldene Avenue	Appleby Green
Bridgwater Close	Kings Lynn Drive	Archway
Bridgwater Road	Montgomery Crescent	Bell Avenue
Bridgwater Walk	Newbury Close	Bosworth Crescent
Chatteris Avenue	Newbury Gardens	Charlbury Crescent
Chippenham Close	Newbury Road	Chaucer Road
Chippenham Road	Paines Brook Way	Coleridge Road
Chippenham Walk	Penrith Road	Cowley Road
Colne Drive	Penzance Gardens	Daventry Gardens
Cricklade Avenue	Penzance Road	Daventry Green
Dagnam Park Close	Petersfield Close	Daventry Road
Dagnam Park	Petersfield Avenue	Edenhall Close
Drive(part)	(part)	Edenhall Glen
Dagnam Park Gardens	Redcar Road	Edenhall Road
Dagnam Park Square	Redruth Gardens	Elliott Gardens
Darlington Gardens	Redruth Road	Grange Road
Darlington Path	Retford Close	Hailsham Gardens
Dartfields	Retford Path	Hailsham Road
Dewsbury Close	Trowbridge Road	Harrow Crescent
Dewsbury Gardens		Heaton Avenue
Dewsbury Road		Heaton Close
Dudley Road		Heaton Way
Dulverton Road		Hilldene Avenue
Dunstable Close		Keats Avenue
Dunstable Road		Longtown Close
Edenhall Road		Longtown Road
Faringdon Avenue		Masefield Close
Farnham Road		Masefield Crescent
Gooshays Gardens		Meynell Road
Gooshays Drive		Morris Road
Guildford Gardens		Smart Close
Guildford Road		Straight Road (part)
Hailsham Close		Tennyson Road

Table 2: Romford Town

Romford Town Ward	Brooklands Ward	
Albert Road Alexandra Road Aveley Road Boundary Road Carlisle Road Claremont Road Douglas Road Dunton Road Dymoke Road George Street Gloucester Road Hearn Road King Edward Road Kings Road Kyme Road Kingsmead Avenue Lennox Close London Road (part) Manor Road Melton Gardens Milton Road Moss Lane Oldchurch Road (part) Park Lane Princes Road Queen Mary Close Regarth Avenue Richmond Road Shaftesbury Road Shakespeare Road South Street (part) Victoria Road (part) Waterloo Gardens Waterloo Road Wheatsheaf Road	Ainsley Avenue Alan Gardens Astor Avenue Barkwood Close Barton Avenue Bear Close Beech Street Beechfield Gardens Bellhouse Road Birkbeck Road Bournebrook Grove Braithwaite Avenue Bridport Avenue Brooklands Approach Brooklands Close Brooklands Road Burlington Avenue Burnham Road Cedar Close Cedar Road Cherry Street Clayton Road Como Street Cottons Approach Cromer Road Crow Lane Crowlands Avenue Crown Drive, Romford Dagenham Road Derby Avenue Drummond Avenue Drummond Road East Road, Rush Green Eddy Close Esher Avenue Fernden Way Goldsmith Avenue Gorseway	Knightsbridge Gardens Lessington Avenue Lilac Gardens Lilliput Road Lime Close Linden Street London Road Lonsdale Avenue Lowlands Gardens Maple Street Marina Gardens Marks Road Marshalls Road Mawney Road Meadow Road Medora Road Mildmay Road Norfolk Road North Street Norwood Avenue Nursery Walk Oak Street Oldchurch Gardens Oldchurch Road (part) Olive Street Palm Road Pettley Gardens Poplar Street Pretoria Road Raven Close Recreation Avenue Richards Avenue Riverside Close Rom Crescent Romside Place Rush Green Gardens Rush Green Road Seabrook Gardens Sheringham Avenue

Romford Town Ward	Brooklands Ward	
	Grosvenor Road Hainault Road Holland Road Honey Mews Horace Avenue Hornford Way Jubilee Avenue Jubilee Close Jutsums Lane Kensington Road Kimberley Avenue Knighton Close Knighton Road	South Street Southern Way Spring Gardens Stanford Close Vignoles Road Vine Street Weald Way West Road, Rush Green

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Appendix 3 - Evidence to support Selective Licensing Designations

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Anti-Social Behaviour and Crime

The data produced in this evidence base uses recorded crime and ASB data, as reported to and recorded by the Metropolitan Police, for the period October 2015 to September 2016 and a Private Rented Sector (PRS) property list. There are over 17,000 PRS properties in Havering, and there were over 17,000 crime and ASB reports recorded during the specified time frame.

Not all the captured data relating to antisocial behaviour and crime has been matched to specific PRS addresses in Havering.

The analysis has been completed using data aggregated to Lower Super Output Area level (LSOA, sub-ward), geographical areas with an average of 1,600 residents and 650 households. This has included establishing the rate of PRS, crime and ASB at this geographic level, developing index statistics to highlight disproportionality in respect of each variable, and correlation analysis to identify statistically significant links between the variables.

Data Analysis

The data used for this analysis shows that there are 17,304 PRS properties in Havering, accounting for 16.8% of all properties in the borough. These are spread throughout 150 LSOA's, ranging from as few as 5% (LSOA E01002253 in Cranham ward to 71% (LSOA E01002249 in Brooklands ward). The raw incident record data for ASB showed there were 6,761 reports in the 12-months to September 2016, equating to a rate of 69.6 per 1,000 households; similarly raw record level crime data (excluding crime at businesses) showed there were 10,600 offences during the same timeframe, equating to a rate of 109.1 per 1,000 households.

Table 3: Data Breakdown		
Variable	Number	Average Rate Per LSOA
LSOA	150 LSOA's	
PRS	17,304 PRS properties	16.8% of properties
ASB	6,761	69.6 per 1,000 households
Crime	10,600	109.1 per 1,000 households

An index score was produced for the variables PRS, ASB and Crime; where the total rate for each is divided by the Havering average and multiplied by 100. An index score of 100 is produced when the rate is comparable to the borough average (ie if an LSOA has 16.8% PRS this is proportionate to the borough average, which equals 100), whilst an index score exceeding 100 is disproportionately high (ie if the rate of PRS is 33.6%, twice the borough average, then the index score would equal 200). Using index statistics, scores were generated for each of the three variables to identify the following:

- LSOAs where high rates of PRS correlated with high rates of ASB
- LSOAs where high rates of PRS correlated with high rates of crime
- LSOAs where high rates of PRS correlated with high rates of crime and ASB

There were 18 LSOAs with disproportionately high rates of PRS, of which 8 had higher than average rates of ASB and 7 had higher than average rates of Crime. Five LSOA geographical areas had disproportionately high levels of PRS correlated with high crime and ASB.

ASB and crime in these locations is already high due to significantly higher day time populations and high footfall (Romford and Hornchurch town centres). This is a more significant factor than the prevalence of PRS housing. This factor could be weighted against if data on victim’s addresses was available to remove crimes perpetrated against visitors from outside Havering; however, this is not readily available.

A correlation analysis, see Table 4, was performed using the data which identified no statistical significance overall between the rate of PRS housing and crime or the rate of PRS housing and ASB. Unsurprisingly, there was a correlation between incidences of crime with ASB.

Table 4: Correlation Analysis – a score of 1 is highly significant, 0 is not significant at all			
Variable	PRS	ASB	Crime
PRS	1		
ASB	0.51	1	
Crime	0.53	0.75	1

Whilst there was no significant statistical correlation identified across the entire borough, a crude analytical breakdown of ASB and crime rates by LSOA’s grouped according to their total proportion of PRS property showed that areas with more than 25% PRS had above average rates of ASB and Crime. There were 20 LSOA areas which had more than 25% PRS, accounting for 13% of all LSOAs, containing 16% of all households and 32% of all PRS households, contributing to 31.3% of all ASB and 23.3% of all crime. More than two-thirds of PRS properties were in areas with average or below average rates of crime and ASB. Table 5 provides a full breakdown of this data.

Table 5: Breakdown of PRS, Crime and ASB data by LSOA grouped by % of PRS

% PRS	PRS H'holds	% of all PRS H'holds	ASB Reports	% ASB Reports	ASB Rate	Crime Records	% Crime Records	Crime Rate
5-15%	6,267	37	2,620	39	49	4,802	45	90
15-25%	5,304	31	2,024	30	72	3,330	31	119
25-35%	2,759	16	986	15	108	1,289	12	141
35-45%	1,821	11	888	13	179	893	8	180
45-55%	353	2	24	<1	37	62	1	96
65-75%	530	3	219	3	294	224	2	300
Total	17,034	100	6,761	100	70	10,600	100	109

Lower Super Output Areas with high rates of PRS, ASB and/or Crime

Table 6: The table below shows all the LSOA areas of note where PRS, ASB and/or crime rates are notable.

LSOA_CODE	STWARDNAME	PRS Housing	ASB Re	Crime F	PRS % c	ASB rate per	Crime rate per	PRS Index	ASB Index	Crime Index
E01002243	Brooklands	299	57	114	35	67	135	198	97	123
E01002247	Brooklands	233	48	123	32	66	169	180	95	155
E01002249	Brooklands	530	219	224	71	294	300	399	422	275
E01002250	Brooklands	179	39	130	28	61	202	157	87	186
E01002293	Harold Wood	269	94	105	34	117	131	189	169	120
E01002345	Rainham and Wen	282	165	140	37	218	185	210	314	170
E01002350	Romford Town	263	137	116	37	193	163	208	277	150
E01002353	Romford Town	218	163	165	26	196	198	147	282	182
E01002356	Romford Town	380	310	325	37	299	313	206	430	287
E01002358	Romford Town	288	81	87	36	102	110	205	147	101
E01002361	St Andrew's	309	138	111	38	168	135	211	241	124
E01002368	South Hornchurch	217	144	144	31	207	207	175	297	190
E01002379	Squirrel's Heath	166	51	69	25	77	105	141	111	96
E01032741	Romford Town	195	225	159	29	339	240	165	488	220

Table 7- Crime: Metropolitan Police – Total Offences by Wards – Rolling 24 Months to February 2016

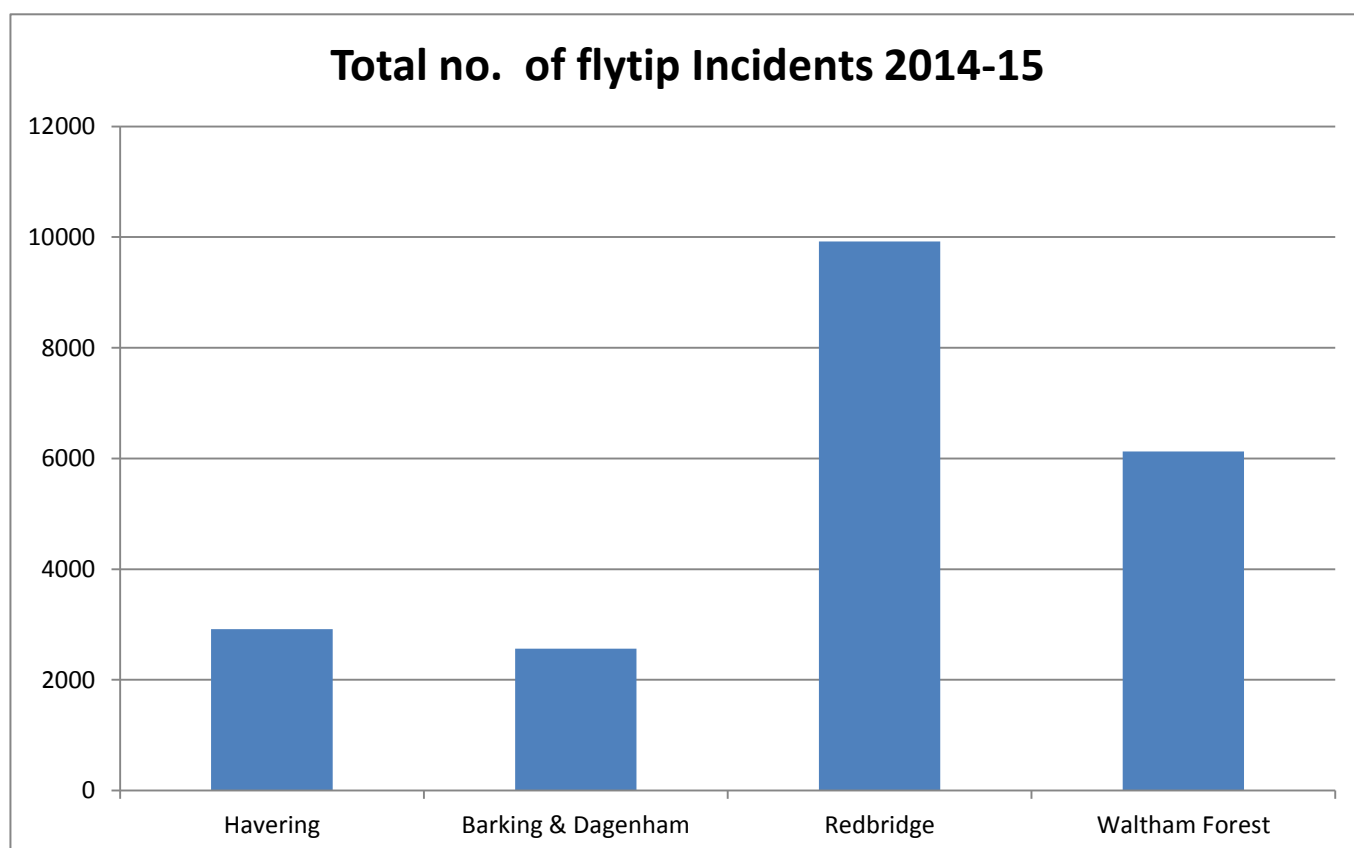
Type of Offence	Violence Against Persons	Sexual Offences	Robbery	Burglary	Theft & Handling	Fraud	Criminal Damage	Drugs	Other	Total Notifiable Offences
Havering Ward	Total incidents									
Brooklands	0	6	6	7	0	1	2	0	2	90
Cranham	0	1	1	1	0	0	0	0	0	23
Elm Park	0	2	2	1	0	2	0	0	1	43
Emerson Park	1	2	2	2	0	0	0	0	1	25
Gooshays	1	8	8	4	0	3	3	0	2	86
Hacton	0	1	1	0	0	3	0	0	2	19
Harold Wood	0	6	6	0	1	0	1	0	2	69
Havering Park	0	3	3	5	0	3	1	0	0	64
Heaton	0	4	4	7	0	1	0	0	5	77
Hylands	0	5	5	1	0	0	0	2	2	39
Mawneys	1	2	2	4	0	2	0	0	0	41
Pettits	1	5	5	0	0	0	0	0	0	28
Rainham & Wennington	0	9	9	7	0	0	1	0	0	81
Romford Town	1	12	12	4	0	2	2	0	6	216
St Andrew's	1	4	4	0	0	1	0	0	0	67
South Hornchurch	0	5	5	5	0	2	1	0	2	62
Squirrel's Heath	0	5	5	4	0	0	2	0	1	45
Upminster	0	2	2	2	0	0	0	0	1	38

Fly-tipping and Refuse

Fly-tipping is a serious problem in Havering. A major contributory factor to rubbish on the streets and on properties is the waste that comes out of residential premises and is not presented in the right location or manner, or on the correct day for collection. There is extensive evidence of hundreds of gardens in the borough being blighted by all sorts of waste that can be properly disposed of for free at the Council's recycling centre or collected as part of weekly refuse collection service. Larger Items such as mattresses; old furniture and household appliances can be collected and disposed of by the Council for a small fee.

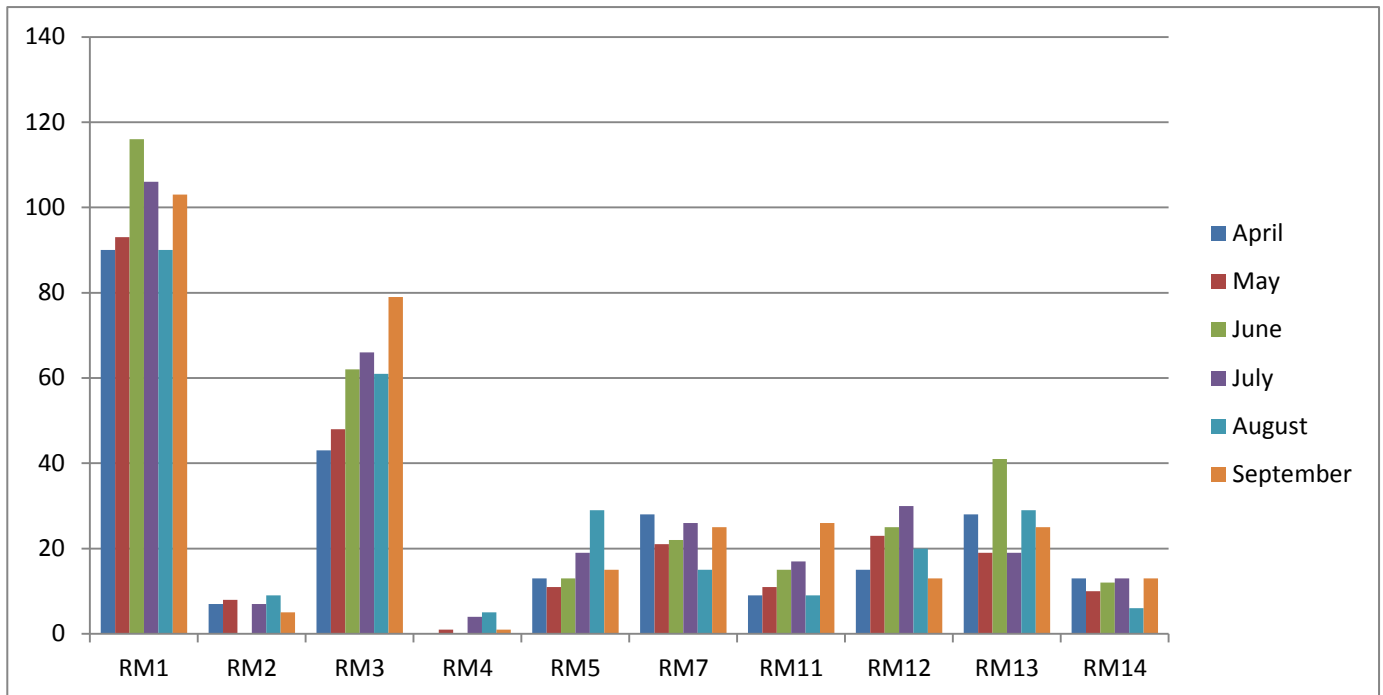
The problem experienced in Havering is significant and has a major impact on how residents feel about their borough, in terms of its look and feel, and the pride people take in the general environment. Household appliances and other material often end up on the public highway despite the presence of various alternative disposal facilities.

Graph 1: Comparison with other London Boroughs

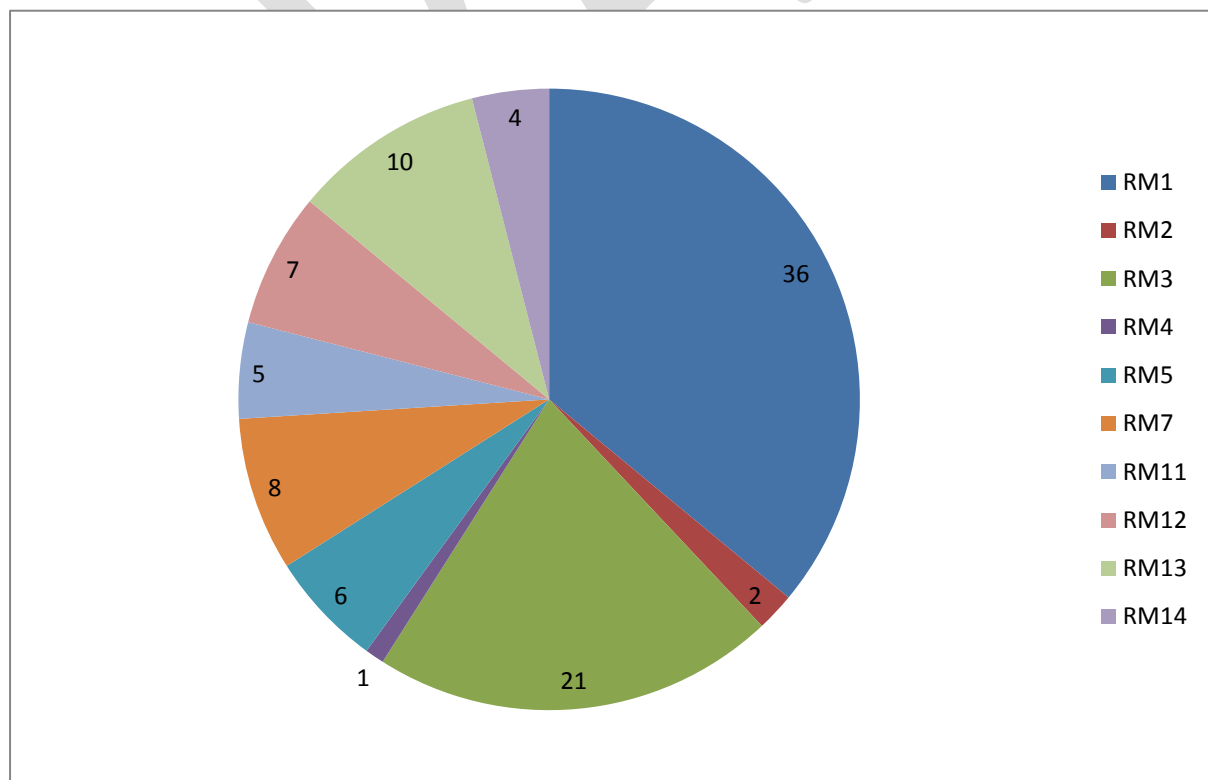


The tables below illustrates that Harold Hill and Central Romford experience the highest number of flytip incidents compared to other parts of the Borough.

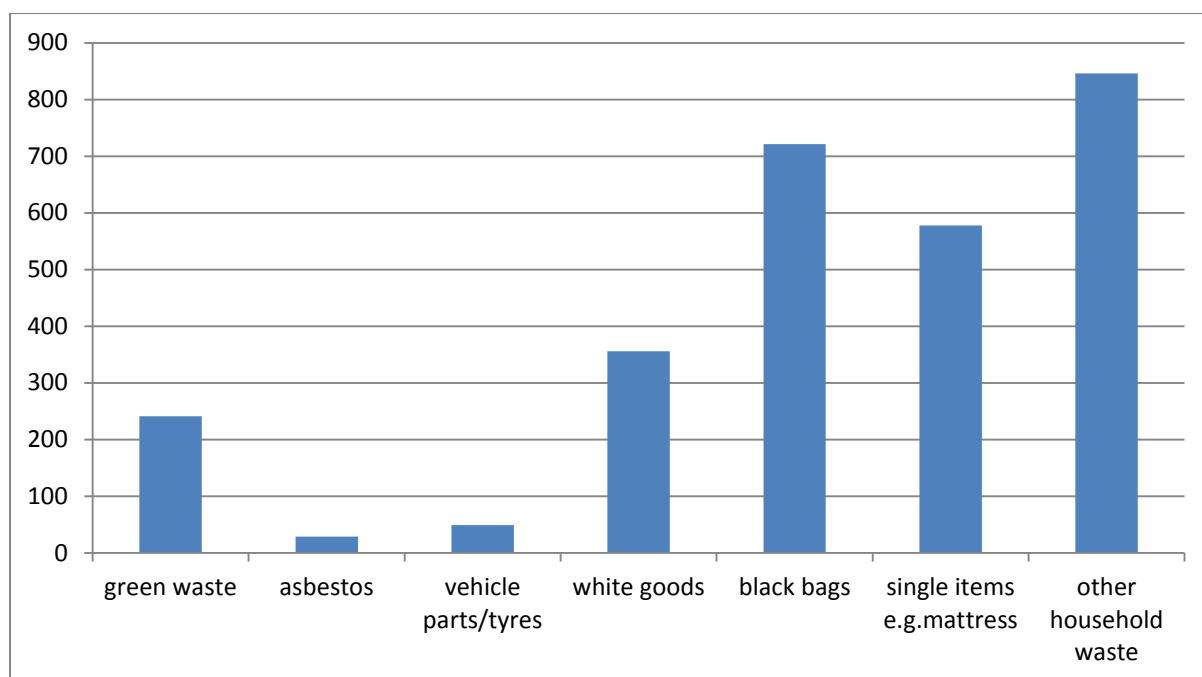
Graph 2: Flytip incidents by postcode April to September 2016



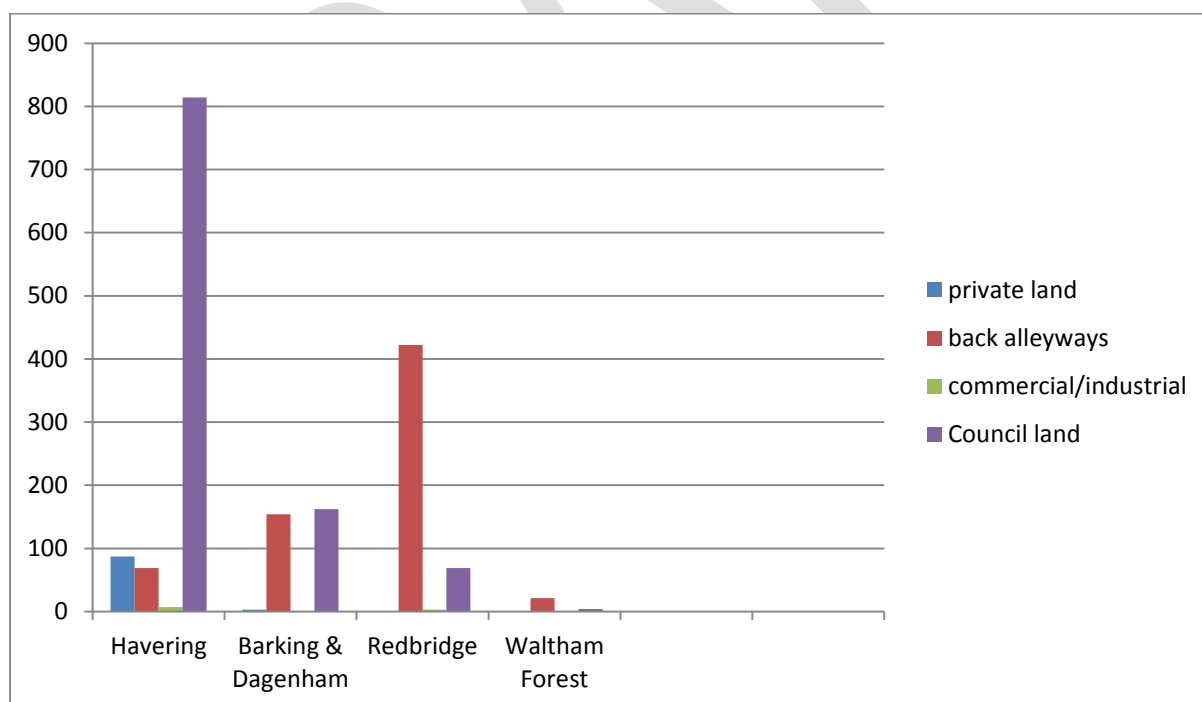
Graph 3: Flytip incidents by area postcode 2014-15



Graph 4: Fly tip Incidents by type 2014-15



Graph 5: Flytip Locations by authority



The Council incurred costs of £137,518 in removing fly tips in the borough during the year 2014-15 and further costs of over £244,000 in taking action in relation to waste issues during the same period. The table below demonstrates the scale of the problem and provide comparisons with other neighbouring London Boroughs.

Table 8: Action Taken by local Authority 2014-15

LA Name	Total Actions	Investigations	Warning Letters	Statutory Notices	Fixed Penalty Notice Actions	Duty of Care Inspection	Stop and Search Actions	Formal Caution Actions	Prosecution Actions
Barking & Dagenham	3100	583	1061	709	357	390	0	0	0
Redbridge	6306	3316	2401	109	134	288	44	0	10
Havering	7404	3205	2909	820	190	268	2	4	5
Newham	8620	1658	4083	757	2122	0	0	0	0
Waltham Forest	17361	6763	285	3159	408	6557	163	4	22

Deprivation

The Index of Multiple Deprivation 2015 is the official measure of relative deprivation for small areas (or neighbourhoods) in England. The Index of Multiple Deprivation (IMD) ranks every small area in England from 1 (most deprived area) to 32,844 (least deprived area). It is common to describe how relatively deprived a small area is by saying whether it falls among the most deprived 10 per cent, 20 per cent or 30 per cent of small areas in England (although there is no definitive cut-off at which an area is described as 'deprived'). To help with this, deprivation 'deciles' are published alongside ranks. Deciles are calculated by ranking the 32,844 small areas in England from most deprived to least deprived and dividing them into 10 equal groups. These range from the most deprived 10 per cent of small areas nationally to the least deprived 10 per cent of small areas nationally.

The most recent edition of the English Indices of Deprivation was published in September 2015. There are 150 LSOA's in Havering. The following table illustrates the deprivation rankings at ward level in Havering. The IMD Decile scores of 1 or 2 show where the most deprived areas of the borough are. Of the 9 LSOA's contained within the Gooshays Ward 1 is in the 10% most deprived areas in England, whilst 4 are among the 20% most deprived areas. Similarly Heaton Ward has 4 of its 8 LSOA's falling within the 20% most deprived areas in England.

Table 9: Deprivation Rankings at Ward Level in Havering

L.A. District Code (2013)	L.A. District Name (2013)	Index of Multiple Deprivation (IMD) Rank (where 1 is most deprived)	IMD Decile (where 1 is most deprived 10% of LSOAs)	Derived Ward
E09000016	Havering	8,069	3	Gooshays
E09000016	Havering	5,467	2	Gooshays
E09000016	Havering	6,535	2	Heaton
E09000016	Havering	6,806	3	Heaton
E09000016	Havering	5,830	2	Gooshays
E09000016	Havering	9,049	3	Gooshays
E09000016	Havering	3,805	2	Gooshays
E09000016	Havering	8,189	3	Gooshays
E09000016	Havering	12,469	4	Harold Wood
E09000016	Havering	20,825	7	Havering Park
E09000016	Havering	7,299	3	Havering Park
E09000016	Havering	12,810	4	Havering Park
E09000016	Havering	7,004	3	Havering Park
E09000016	Havering	12,240	4	Havering Park
E09000016	Havering	2,537	1	Gooshays
E09000016	Havering	3,287	2	Gooshays
E09000016	Havering	7,952	3	Gooshays
E09000016	Havering	3,892	2	Harold Wood
E09000016	Havering	4,507	2	Heaton
E09000016	Havering	3,625	2	Heaton
E09000016	Havering	14,344	5	Havering Park
E09000016	Havering	13,949	5	Havering Park
E09000016	Havering	9,020	3	Havering Park
E09000016	Havering	12,465	4	Mawneys
E09000016	Havering	18,312	6	Mawneys
E09000016	Havering	11,313	4	Heaton
E09000016	Havering	4,143	2	Heaton
E09000016	Havering	8,879	3	Heaton
E09000016	Havering	9,942	4	Heaton
E09000016	Havering	17,569	6	Harold Wood
E09000016	Havering	23,665	8	Harold Wood
E09000016	Havering	17,513	6	Harold Wood
E09000016	Havering	18,346	6	Harold Wood
E09000016	Havering	20,093	7	Harold Wood
E09000016	Havering	23,508	8	Pettits

Selective Licensing Scheme

L.A. District Code (2013)	L.A. District Name (2013)	Index of Multiple Deprivation (IMD) Rank (where 1 is most deprived)	IMD Decile (where 1 is most deprived 10% of LSOAs)	Derived Ward
E09000016	Havering	23,403	8	Pettits
E09000016	Havering	19,368	6	Pettits
E09000016	Havering	28,011	9	Pettits
E09000016	Havering	20,192	7	Pettits
E09000016	Havering	19,582	6	Mawneys
E09000016	Havering	21,050	7	Mawneys
E09000016	Havering	17,847	6	Mawneys
E09000016	Havering	16,952	6	Pettits
E09000016	Havering	20,560	7	Pettits
E09000016	Havering	25,582	8	Pettits
E09000016	Havering	19,741	7	Emerson Park
E09000016	Havering	22,433	7	Emerson Park
E09000016	Havering	19,079	6	Harold Wood
E09000016	Havering	20,461	7	Squirrel's Heath
E09000016	Havering	25,366	8	Squirrel's Heath
E09000016	Havering	24,958	8	Squirrel's Heath
E09000016	Havering	12,564	4	Brooklands
E09000016	Havering	14,386	5	Brooklands
E09000016	Havering	8,927	3	Mawneys
E09000016	Havering	19,893	7	Mawneys
E09000016	Havering	14,514	5	Mawneys
E09000016	Havering	22,824	7	Pettits
E09000016	Havering	29,332	9	Romford Town
E09000016	Havering	28,466	9	Squirrel's Heath
E09000016	Havering	25,993	8	Squirrel's Heath
E09000016	Havering	17,779	6	Squirrel's Heath
E09000016	Havering	19,154	6	Squirrel's Heath
E09000016	Havering	7,867	3	Brooklands
E09000016	Havering	16,529	6	Romford Town
E09000016	Havering	4,965	2	Romford Town
E09000016	Havering	14,043	5	Romford Town
E09000016	Havering	10,897	4	Romford Town
E09000016	Havering	22,543	7	Emerson Park
E09000016	Havering	25,881	8	Emerson Park
E09000016	Havering	28,239	9	Hylands
E09000016	Havering	24,470	8	Hylands
E09000016	Havering	29,787	10	Romford Town
E09000016	Havering	23,439	8	Squirrel's Heath
E09000016	Havering	28,922	9	Emerson Park
E09000016	Havering	27,441	9	Emerson Park
E09000016	Havering	24,433	8	Emerson Park
E09000016	Havering	28,564	9	Emerson Park
E09000016	Havering	16,122	5	Hylands
E09000016	Havering	8,982	3	Romford Town
E09000016	Havering	19,322	6	Romford Town

Selective Licensing Scheme

L.A. District Code (2013)	L.A. District Name (2013)	Index of Multiple Deprivation (IMD) Rank (where 1 is most deprived)	IMD Decile (where 1 is most deprived 10% of LSOAs)	Derived Ward
E09000016	Havering	16,361	5	Romford Town
E09000016	Havering	16,636	6	Romford Town
E09000016	Havering	17,472	6	Brooklands
E09000016	Havering	11,481	4	Brooklands
E09000016	Havering	11,781	4	Brooklands
E09000016	Havering	14,796	5	Brooklands
E09000016	Havering	12,820	4	Brooklands
E09000016	Havering	9,183	3	Brooklands
E09000016	Havering	24,888	8	Cranham
E09000016	Havering	29,297	9	Cranham
E09000016	Havering	17,373	6	Cranham
E09000016	Havering	28,305	9	Cranham
E09000016	Havering	26,400	9	Upminster
E09000016	Havering	32,089	10	Cranham
E09000016	Havering	31,826	10	Cranham
E09000016	Havering	32,359	10	Cranham
E09000016	Havering	29,405	9	Upminster
E09000016	Havering	26,712	9	St Andrew's
E09000016	Havering	19,443	6	St Andrew's
E09000016	Havering	14,052	5	St Andrew's
E09000016	Havering	13,741	5	St Andrew's
E09000016	Havering	21,929	7	St Andrew's
E09000016	Havering	25,810	8	Hylands
E09000016	Havering	23,946	8	Hylands
E09000016	Havering	25,040	8	Hylands
E09000016	Havering	22,639	7	Hylands
E09000016	Havering	12,825	4	Hylands
E09000016	Havering	21,711	7	Cranham
E09000016	Havering	23,595	8	Hacton
E09000016	Havering	13,760	5	Hacton
E09000016	Havering	28,488	9	St Andrew's
E09000016	Havering	27,462	9	Upminster
E09000016	Havering	24,467	8	Hacton
E09000016	Havering	23,037	8	Hacton
E09000016	Havering	26,944	9	St Andrew's
E09000016	Havering	18,440	6	St Andrew's
E09000016	Havering	21,467	7	St Andrew's
E09000016	Havering	24,466	8	Upminster
E09000016	Havering	30,621	10	Upminster
E09000016	Havering	32,568	10	Upminster
E09000016	Havering	30,930	10	Upminster
E09000016	Havering	32,423	10	Upminster
E09000016	Havering	23,006	8	Elm Park
E09000016	Havering	24,754	8	Hacton
E09000016	Havering	27,782	9	Hacton

Selective Licensing Scheme

L.A. District Code (2013)	L.A. District Name (2013)	Index of Multiple Deprivation (IMD) Rank (where 1 is most deprived)	IMD Decile (where 1 is most deprived 10% of LSOAs)	Derived Ward
E09000016	Havering	27,742	9	Hacton
E09000016	Havering	25,823	8	Hacton
E09000016	Havering	17,869	6	Elm Park
E09000016	Havering	16,283	5	Elm Park
E09000016	Havering	15,312	5	Elm Park
E09000016	Havering	26,377	9	Elm Park
E09000016	Havering	6,745	3	Elm Park
E09000016	Havering	17,872	6	Elm Park
E09000016	Havering	10,161	4	Elm Park
E09000016	Havering	19,887	7	South Hornchurch
E09000016	Havering	17,337	6	South Hornchurch
E09000016	Havering	16,267	5	South Hornchurch
E09000016	Havering	3,600	2	South Hornchurch
E09000016	Havering	12,004	4	South Hornchurch
E09000016	Havering	9,073	3	South Hornchurch
E09000016	Havering	16,170	5	South Hornchurch
E09000016	Havering	9,344	3	South Hornchurch
E09000016	Havering	19,766	7	Rainham and Wennington
E09000016	Havering	15,318	5	Rainham and Wennington
E09000016	Havering	23,661	8	Rainham and Wennington
E09000016	Havering	20,596	7	Rainham and Wennington
E09000016	Havering	12,657	4	Rainham and Wennington
E09000016	Havering	5,819	2	Rainham and Wennington
E09000016	Havering	11,885	4	Rainham and Wennington
E09000016	Havering	14,508	5	Rainham and Wennington

Both Gooshays and Heaton Wards have a significantly higher number of tenants claiming Housing and Council Tax Benefits than the Borough average of 18.18% with Heaton averaging 35.38% and Gooshays at 38.77%¹, although these comparisons do not distinguish between PRS and social housing tenants.

In addition, the proportion of population of working age within these areas who are claiming Income Support is around double the Borough's average rate, as is the percentage of low income pensioners claiming Pension Credits.

¹ Havering Data Intelligence Hub

Local Health Profiles

Public Health England publishes online local health profiles for all electoral wards in England. The table overleaf presents data retrieved in September 2016 in respect of Gooshays Ward. Information on a wide range of indicators is compared to the England average to highlight whether they are significantly worse than average, not significantly different from average, or significantly better than average. 28 out of the 55 indicators within Gooshays ward are significantly worse than the England average. For comparison the Havering averages have also been included to demonstrate how Gooshays ward is significantly worse than the Havering average.

There are clear links between deprivation and life expectancy, with life expectancy of males being on average 6.8 years and females being on average 5.8 years less in the most deprived areas than in the least deprived areas.²

The average life expectancy of females living in Gooshays Ward is 81.5 years (Havering Average 83.9) and for males the average is 76.7 years compared to the borough average of 80.2 years.

² Public Health England – Havering Local Health Profile

Table 10: Extract from local health profile for Gooshays Ward (Public Health England) 2015

Indicators ● significantly worse ● significantly better ● not significantly different from average	Gooshays Ward	Havering Average	England Average	Summary Chart
Low Birth Weight Births (%)	8.4	7.4	7.4	
Child Development at age 5 (%)	48.7	60.2	63.5	
GCSE Achievement (5A*-C inc. Eng & Maths) (%)	51.3	62	58.8	
Unemployment (%)	6.3	3.6	3.8	
Long Term Unemployment (Rate/1,000 working age population)	18.9	9.3	10.1	
General Health - bad or very bad (%)	7.1	5.2	5.5	
General Health - very bad (%)	1.6	1.2	1.2	
Limiting long term illness or disability (%)	19.9	17.3	17.6	
Households with central heating (%)	98.1	98	97.3	
Overcrowding (%)	13.2	7.4	8.7	
Provision of 1 hour or more unpaid care per week (%)	9.9	10.6	10.2	
Provision of 50 hours or more unpaid care per week (%)	2.9	2.5	2.4	
Pensioners living alone (%)	40.4	31.9	31.5	
Obese Children (Reception Year) (%)	12.9	10.1	9.4	
Children with excess weight (Reception Year) (%)	25.9	22.9	22.5	
Obese Children (Year 6) (%)	25.5	19.7	19.1	
Children with excess weight (Year 6) (%)	40	34.9	33.5	
Obese Children (Year 6) (%)	1111.9	974.2	1180.9	
Children's and young people's admissions for injury (Crude rate/100,000 aged 0-17)	1.4	1.4	1.5	
Occasional smoker (modelled prevalence, age 11-15) (%)	4	2.7	3.1	
Regular smoker (modelled prevalence, age 11-15) (%)	3.7	3.8	4	
Occasional smoker (modelled prevalence, age 15) (%)	10.7	7.5	8.7	
Regular smoker (modelled prevalence, age 15) (%)	5.5	5.6	5.9	
Occasional smoker (modelled prevalence, age 16-17) (%)	17.9	12.9	14.8	
Regular smoker (modelled prevalence, age 16-17) (%)	2.5	1.2	1.5	
Deliveries to teenage mothers (%)	118.6	114	139.6	
Admissions for injuries in under 5s (Crude rate per 10,000)	116.3	106.3	150	
Admissions for injuries in under 5s (Crude rate per 10,000)	609.4	597.2	509.5	
Admissions for injuries in under 5s (Crude rate per 10,000)	29.9	27.3	24.1	
Admissions for injuries in under 5s (Crude rate per 10,000)	14.2	13.4	20	

Selective Licensing Scheme

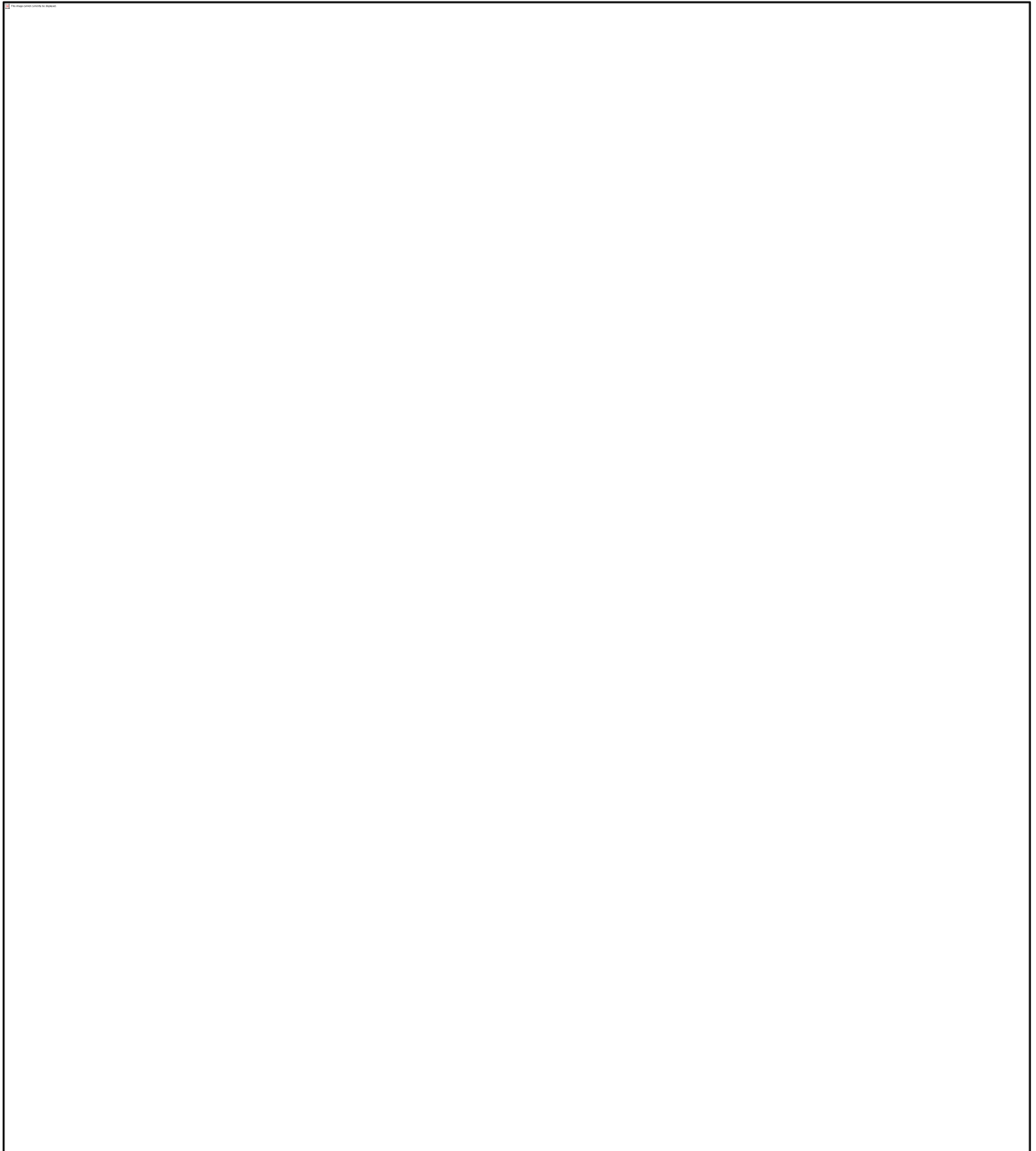
Emergency admissions in under 5s (Crude rate per 1000)	23.2	29.4	28.7	
A&E attendances in under 5s (Crude rate per 1000)	110	88.4	100	
Obese adults (%)	133.4	99.9	100	
Binge drinking adults (%)	103.6	90.7	100	
Healthy eating adults (%)	136.8	105.4	100	
Emergency hospital admissions for all causes (SAR)	161.1	99.8	100	
Emergency hospital admissions for CHD (SAR)	99.8	96.2	100	
Emergency hospital admissions for stroke (SAR)	100.1	95.3	100	
Emergency hospital admissions for stroke (SAR)	94.6	95.8	100	
Emergency hospital admissions for Myocardial Infarction (heart attack) (SAR)	158.6	104.3	100	
Emergency hospital admissions for Chronic Obstructive Pulmonary Disease (COPD) SAR)	92.3	98.5	100	
Incidence of all cancer (SIR)	99.7	95.8	100	
Incidence of breast cancer (SIR)	115.2	104.3	100	
Incidence of colorectal cancer (SIR)	108.4	98.5	100	
Incidence of lung cancer (SIR)	82.6	69.8	100	
Incidence of prostate cancer (SIR)	81.5	91.7	100	
Incidence of prostate cancer (SIR)	113.3	95.8	100	
Hospital stays for self harm (SAR)	125.2	92.6	100	
Hosp	122.7	94	100	
ital stays for alcohol related harm (SAR)	116.9	101.9	100	
Emergency hospital admissions for hip fracture in 65+ (SAR)	120.2	100	100	
Elective hospital admissions for hip replacement (SAR)	120	92.5	100	
Elective hospital admissions for hip replacement (SAR)	159.2	100	100	
Elective hospital admissions for knee replacement (SAR)	115.9	95.5	100	
Deaths from all causes, all ages (SMR)	164.2	99.9	100	
Deaths from all causes, under 65 years (SMR)	110.7	89.2	100	
Deaths from all causes, under 75 years (SMR)	120.8	100.4	100	
Deaths from all cancer, all ages (SMR)				
Deaths from all cancer, under 75 years (SMR)				
Deaths from circulatory disease, all ages (SMR)				
Deaths from circulatory disease, under 75 years (SMR)				
Deaths from coronary heart disease, all ages (SMR)				
Deaths from coronary heart disease, under 75 years (SMR)				
Deaths from stroke, all ages (SMR)				

Deaths from respiratory diseases, all ages (SMR)				
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Table 11 Index of Deprivation % in relation to specific issues (taken from local health profile data)

	Gooshays ward	Heaton ward	Havering average	England average
Unemployment	3.1	2.9	1.6	1.8
Long term unemployment (working age population)	7.5	7.3	3.7	4.3
Income deprivation	25.9	24.5	13.2	14.6
General health bad or very bad	7.1	7.3	5.2	5.5
Overcrowded housing	13.2	10.9	7.4	8.7

Figure 4: Map showing Havering wards by deprivation quintile and (in parentheses) number of LSOAs in each ward



Source: English Indices of Deprivation 2015

Poor Housing Conditions

Evidence of Disrepair

The table below provides a snapshot of the categories of hazard identified within a sample of properties within the London Borough of Havering

Table 11: Percentage HHSRS Ratings

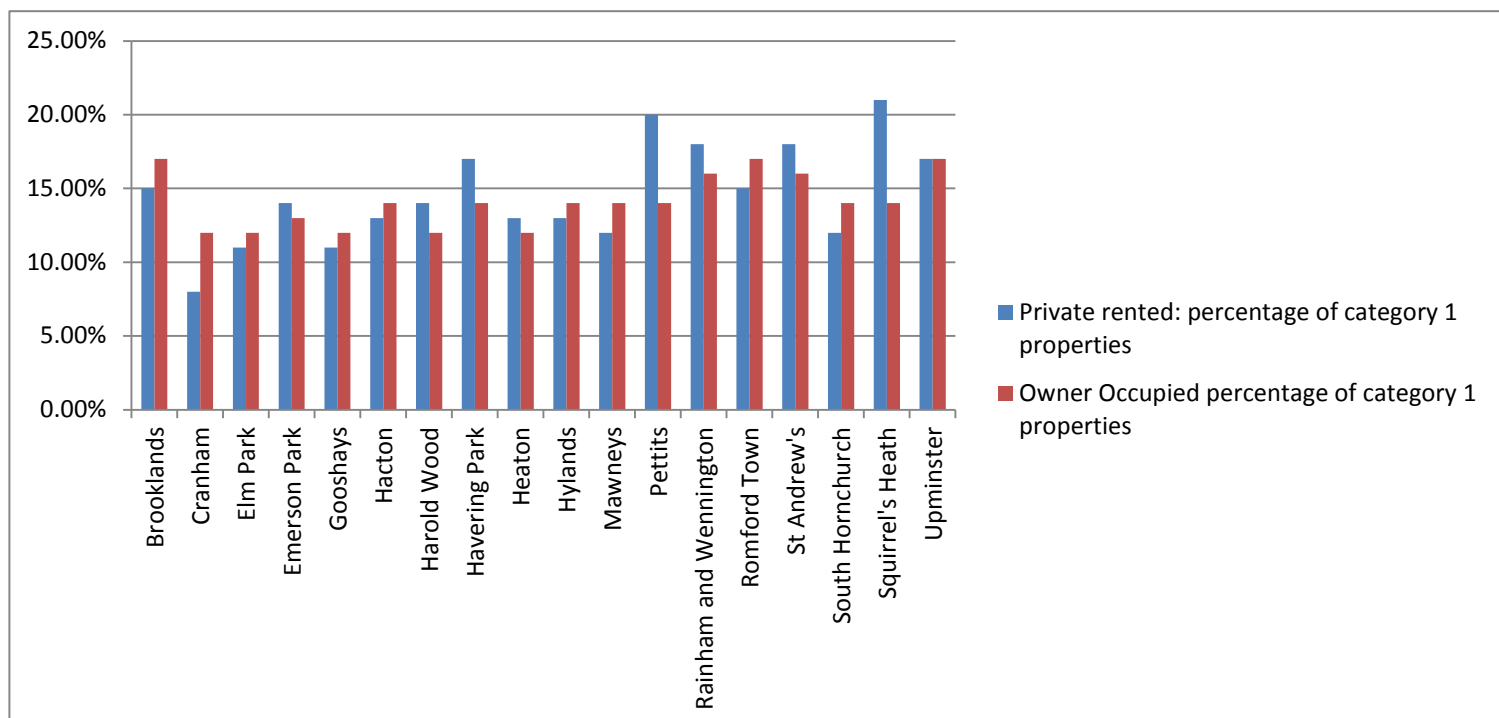
Ward Code	Ward Name	Ave. SAP	Stock Level	Percentage HHSRS Ratings								
				Cat .1	Excess Cold	Falls	Fire	Excess Heat	Damp and Mould	Cat.2	Disrepair	Vulnerable
E05000306	Brooklands	51	Private Rented	15.00%	7.00%	5.00%	1.00%	0.00%	1.00%	34.00%	6.00%	34.00%
E05000307	Cranham	57	Private Rented	8.00%	2.00%	5.00%	0.00%	0.00%	0.00%	15.00%	6.00%	30.00%
E05000308	Elm Park	55	Private Rented	11.00%	3.00%	6.00%	1.00%	0.00%	0.00%	23.00%	4.00%	38.00%
E05000309	Emerson Park	50	Private Rented	14.00%	6.00%	7.00%	1.00%	0.00%	1.00%	31.00%	6.00%	22.00%
E05000310	Gooshays	55	Private Rented	11.00%	3.00%	6.00%	1.00%	0.00%	0.00%	20.00%	5.00%	55.00%
E05000311	Hacton	54	Private Rented	13.00%	6.00%	6.00%	0.00%	0.00%	0.00%	26.00%	6.00%	26.00%
E05000312	Harold Wood	58	Private Rented	14.00%	4.00%	7.00%	1.00%	0.00%	0.00%	28.00%	4.00%	32.00%
E05000313	Havering Park	53	Private Rented	17.00%	5.00%	9.00%	1.00%	0.00%	1.00%	31.00%	6.00%	49.00%
E05000314	Heaton	56	Private Rented	13.00%	2.00%	10.00%	0.00%	0.00%	0.00%	25.00%	4.00%	55.00%
E05000315	Hylands	53	Private Rented	13.00%	4.00%	7.00%	1.00%	0.00%	0.00%	26.00%	5.00%	28.00%
E05000316	Mawneys	53	Private Rented	12.00%	4.00%	6.00%	1.00%	0.00%	1.00%	26.00%	4.00%	31.00%
E05000317	Pettits	49	Private Rented	20.00%	7.00%	10.00%	1.00%	0.00%	1.00%	41.00%	6.00%	29.00%
E05000318	Rainham & Wennington	51	Private Rented	18.00%	9.00%	7.00%	1.00%	0.00%	0.00%	37.00%	6.00%	33.00%
E05000319	Romford Town	56	Private Rented	15.00%	7.00%	6.00%	1.00%	0.00%	0.00%	32.00%	5.00%	29.00%
E05000320	St Andrew's	52	Private Rented	18.00%	9.00%	7.00%	1.00%	0.00%	0.00%	32.00%	6.00%	32.00%
E05000321	South Hornchurch	52	Private Rented	12.00%	4.00%	6.00%	1.00%	0.00%	0.00%	25.00%	3.00%	38.00%
E05000322	Squirrel's Heath	51	Private Rented	21.00%	10.00%	6.00%	1.00%	0.00%	1.00%	46.00%	7.00%	28.00%
E05000323	Upminster	50	Private Rented	17.00%	8.00%	7.00%	1.00%	0.00%	1.00%	31.00%	8.00%	22.00%

Table 12: Owner occupied properties: rankings of wards from worst to best

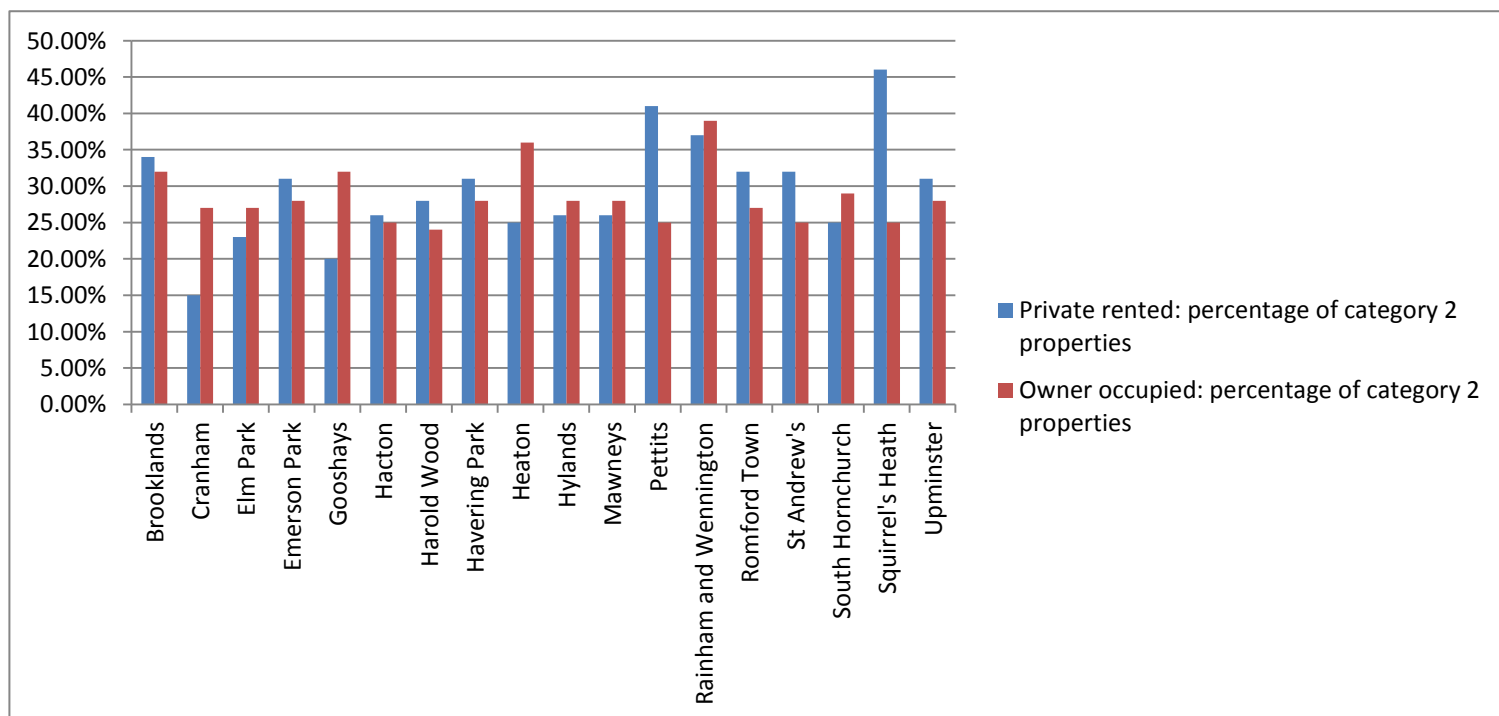
Rank (1= worst, 18= best)	Category 1 Hazards	Category 2	disrepair	excess cold	falls	fire	Vulnerable	Damp/ mould	Average simpleSAP	
1	Squirrel's Heath (SH)	21.00%	SH 46.00%	UP 8.00%	SH 10.00%	HE 10.00%	BR 1.00%	GO 55.00%	BR 1.00%	PE 49
2	Pettits (PE)	20.00%	PE 41.00%	SH 7.00%	RW 9.00%	PE 10.00%	EP 1.00%	HE 55.00%	EM 1.00%	EM 50
3	Rainham and Wennington (RW)	18.00%	RW 37.00%	BR 6.00%	SA 9.00%	HP 9.00%	EM 1.00%	HP 49.00%	HP 1.00%	UP 50
4	St Andrew's (SA)	18.00%	BR 34.00%	CR 6.00%	UP 8.00%	EM 7.00%	GO 1.00%	EP 38.00%	MA 1.00%	BR 51
5	Havering Park- (HP)	17.00%	RT 32.00%	EM 6.00%	BR 7.00%	HW 7.00%	HW 1.00%	SO 38.00%	PE 1.00%	RW 51
6	Upminster (UP)	17.00%	SA 32.00%	HA 6.00%	PE 7.00%	HY 7.00%	HP 1.00%	BR 34.00%	SH 1.00%	SH 51
7	Brooklands (BR)	15.00%	EM 31.00%	HP 6.00%	RT 7.00%	RW 7.00%	HY 1.00%	RW 33.00%	UP 1.00%	SA 52
8	Romford Town (RT)	15.00%	HP 31.00%	PE 6.00%	EM 6.00%	SA 7.00%	MA 1.00%	HW 32.00%	CR 0.00%	SO 52
9	Emerson Park (EM)	14.00%	UP 31.00%	RW 6.00%	HA 6.00%	UP 7.00%	PE 1.00%	SA 32.00%	EP 0.00%	HP 53
10	Harold Wood (HW)	14.00%	HW 28.00%	SA 6.00%	HP 5.00%	EP 6.00%	RW 1.00%	MA 31.00%	GO 0.00%	HY 53
11	Hacton (HA)	13.00%	HA 26.00%	GO 5.00%	HW 4.00%	GO 6.00%	RT 1.00%	CR 30.00%	HA 0.00%	MA 53
12	Heaton (HE)	13.00%	HY 26.00%	HY 5.00%	HY 4.00%	HA 6.00%	SA 1.00%	PE 29.00%	HW 0.00%	HA 54
13	Hylands (HY)	13.00%	MA 26.00%	RT 5.00%	MA 4.00%	MA 6.00%	SO 1.00%	RT 29.00%	HE 0.00%	EP 55
14	Mawneys (MA)	12.00%	HE 25.00%	EP 4.00%	SH 4.00%	RT 6.00%	SH 1.00%	HY 28.00%	HY 0.00%	GO 55
15	South Hornchurch (SO)	12.00%	SH 25.00%	HW 4.00%	EP 3.00%	SO 6.00%	UP 1.00%	SH 28.00%	RW 0.00%	HE 56
16	Elm Park (EP)	11.00%	EP 23.00%	HE 4.00%	GO 3.00%	SH 6.00%	CR 0.00%	HA 26.00%	RT 0.00%	RT 56
17	Gooshays (GO)	11.00%	GO 20.00%	MA 4.00%	CR 2.00%	BR 5.00%	HA 0.00%	EM 22.00%	SA 0.00%	CR 57
18	Cranham (CR)	8.00%	CR 15.00%	SH 3.00%	HE 2.00%	CR 5.00%	HE 0.00%	UP 22.00%	SO 0.00%	HW 58

Rank (1= worst, 18= best)	Category 1 Hazards	Category 2	disrepair	excess cold	falls	fire	Vulnerable	Damp/mould	Average simpleSAP	
1	Squirrel's Heath	21.00%	SH 46.00%	UP 8.00%	SH 10.00%	HE 10.00%	BR 1.00%	GO 55.00%	R 1.00%	PE 49
2	Pettits	20.00%	PE 41.00%	SH 7.00%	RW 9.00%	PE 10.00%	EP 1.00%	HE 55.00%	EM 1.00%	EM 50
3	Rainham and Wennington	18.00%	RW 37.00%	BR 6.00%	SA 9.00%	HP 9.00%	EM 1.00%	HP 49.00%	HP 1.00%	UP 50
4	St Andrew's	18.00%	BR 34.00%	CR 6.00%	UP 8.00%	EM 7.00%	GO 1.00%	EP 38.00%	MA 1.00%	BR 51
5	Havering Park	17.00%	RT 32.00%	EM 6.00%	BR 7.00%	HW 7.00%	HW 1.00%	SO 38.00%	PE 1.00%	RW 51
6	Upminster	17.00%	SA 32.00%	HA 6.00%	PE 7.00%	HY 7.00%	HP 1.00%	BR 34.00%	SH 1.00%	SH 51
7	Brooklands	15.00%	EM 31.00%	HP 6.00%	RT 7.00%	RW 7.00%	HY 1.00%	RW 33.00%	UP 1.00%	SA 52
8	Romford Town	15.00%	HP 31.00%	PE 6.00%	EM 6.00%	SA 7.00%	MA 1.00%	HW 32.00%	CR 0.00%	SO 52
9	Emerson Park	14.00%	UP 31.00%	RW 6.00%	HA 6.00%	UP 7.00%	PE 1.00%	SA 32.00%	EP 0.00%	HP 53
10	Harold Wood	14.00%	HW 28.00%	SA 6.00%	HP 5.00%	EP 6.00%	RW 1.00%	MA 31.00%	GO 0.00%	HY 53
11	Hacton	13.00%	HA 26.00%	GO 5.00%	HW 4.00%	GO 6.00%	RT 1.00%	CR 30.00%	Haro 0.00%	MA 53
12	Heaton	13.00%	HY 26.00%	HY 5.00%	HY 4.00%	HA 6.00%	SA 1.00%	PE 29.00%	HW 0.00%	HA 54
13	Hylands	13.00%	MA 26.00%	RT 5.00%	MA 4.00%	MA 6.00%	SO 1.00%	RT 29.00%	HE 0.00%	EP 55
14	Mawneys	12.00%	HE 25.00%	EP 4.00%	SO 4.00%	RT 6.00%	SH 1.00%	HY 28.00%	HY 0.00%	GO 55
15	South Hornchurch	12.00%	SO 25.00%	HW 4.00%	EP 3.00%	SO 6.00%	UP 1.00%	SH 28.00%	RW 0.00%	HE 56
16	Elm Park	11.00%	EP 23.00%	HE 4.00%	GO 3.00%	SH 6.00%	CR 0.00%	HA 26.00%	RT 0.00%	RT 56
17	Gooshays	11.00%	GO 20.00%	MA 4.00%	CR 2.00%	BR 5.00%	HA 0.00%	EM 22.00%	SA 0.00%	CR 57
18	Cranham	8.00%	CR 15.00%	SO 3.00%	HE 2.00%	CR 5.00%	SH 0.00%	UP 22.00%	SH 0.00%	HW 58

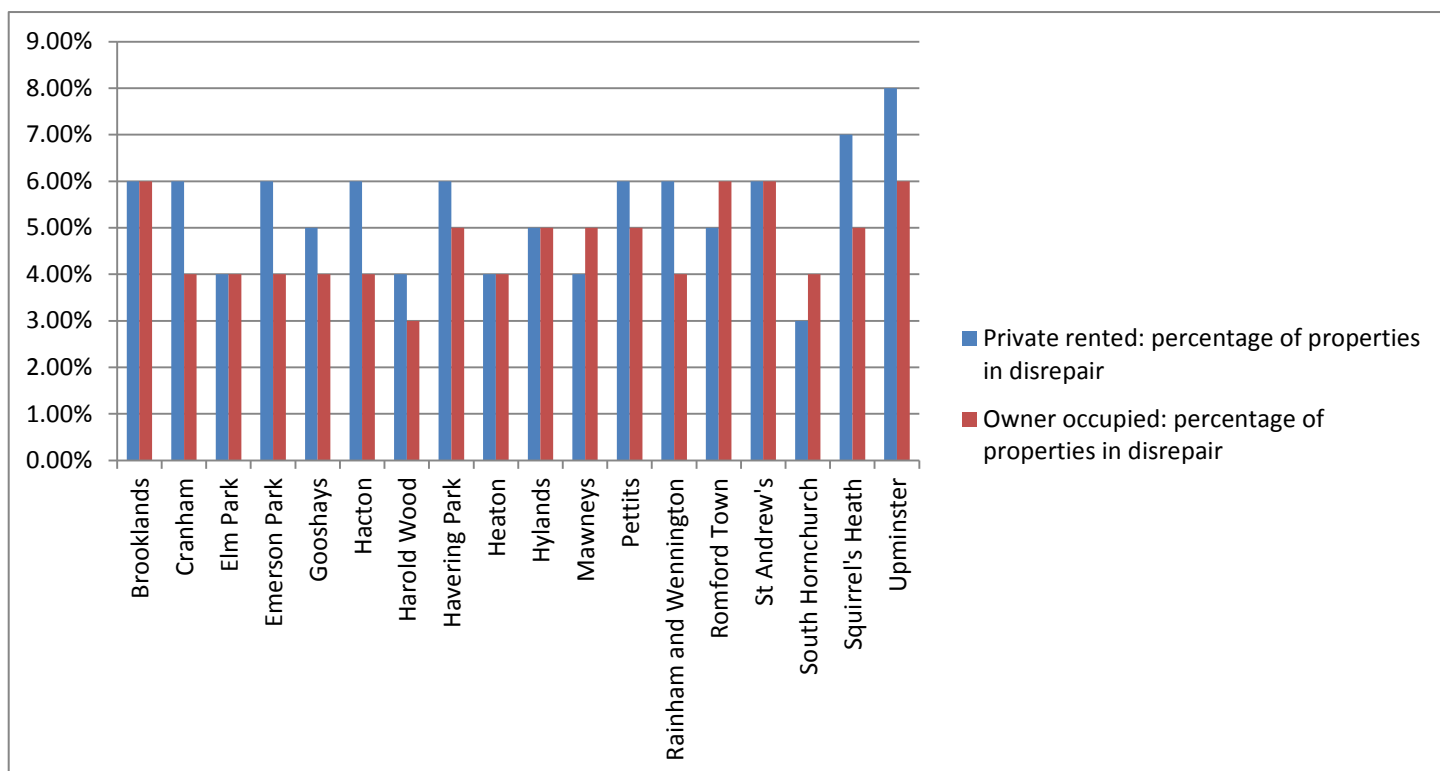
Graph 6: Comparisons of Percentages of Category 1 Hazard in Owner Occupied and Private Rented Properties in Havering Wards



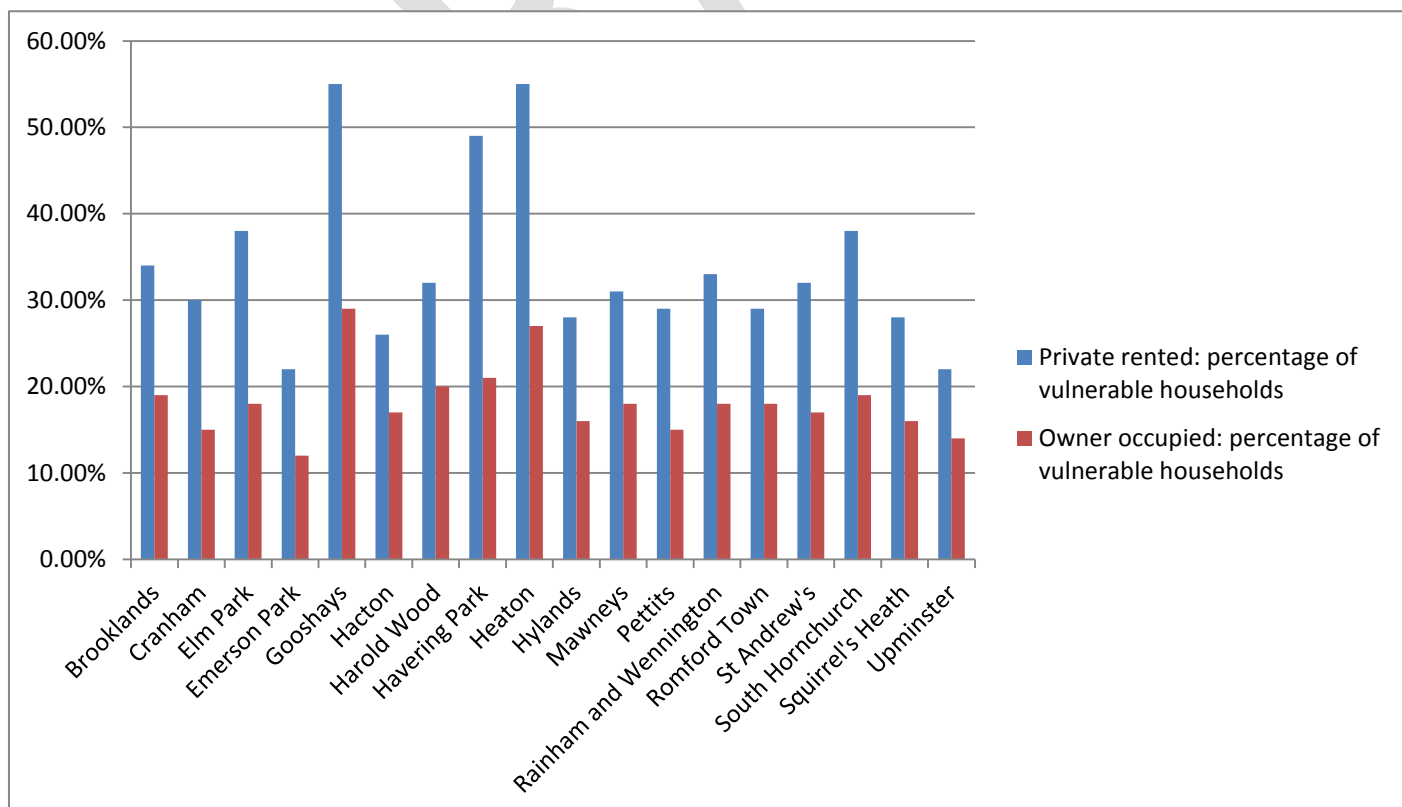
Graph 7: Comparisons of Percentages of Category 2 Hazard in Owner Occupied and Private Rented Properties in Havering Wards



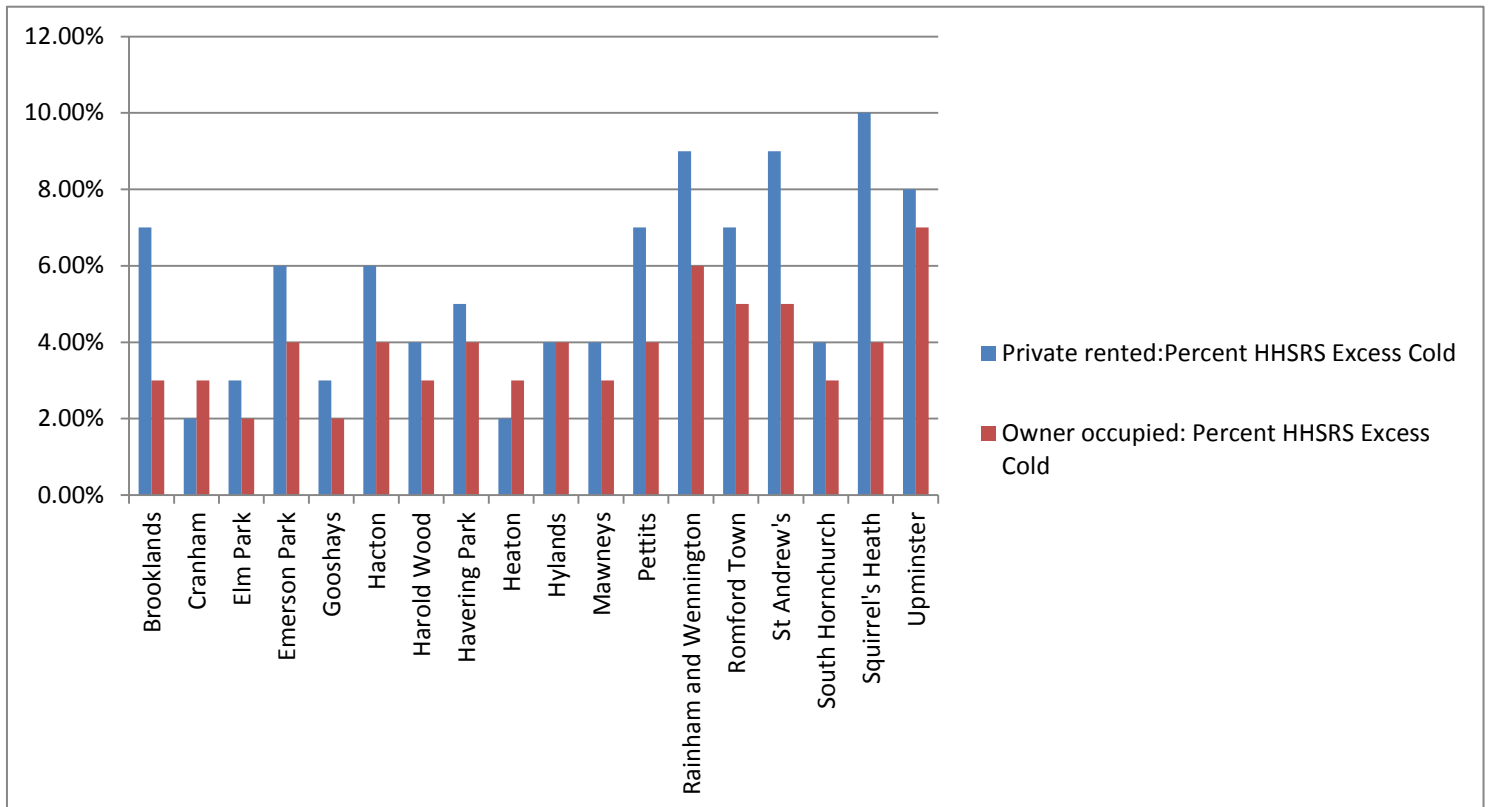
Graph 8: Comparison of Percentages of Properties in Disrepair in Owner Occupied and Private Rented Properties



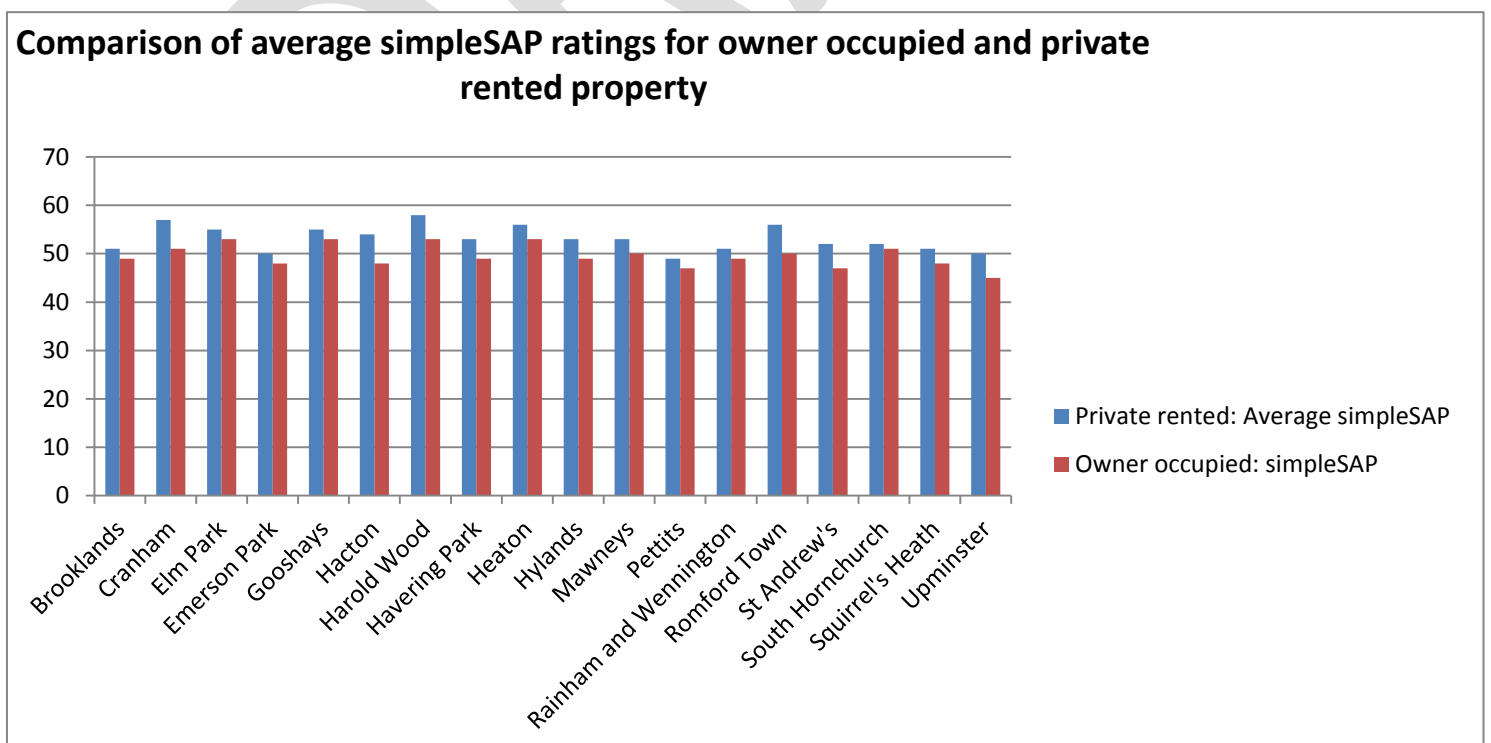
Graph 9: Comparison of Percentages of Vulnerable Households in Owner Occupied and Private Rented Properties



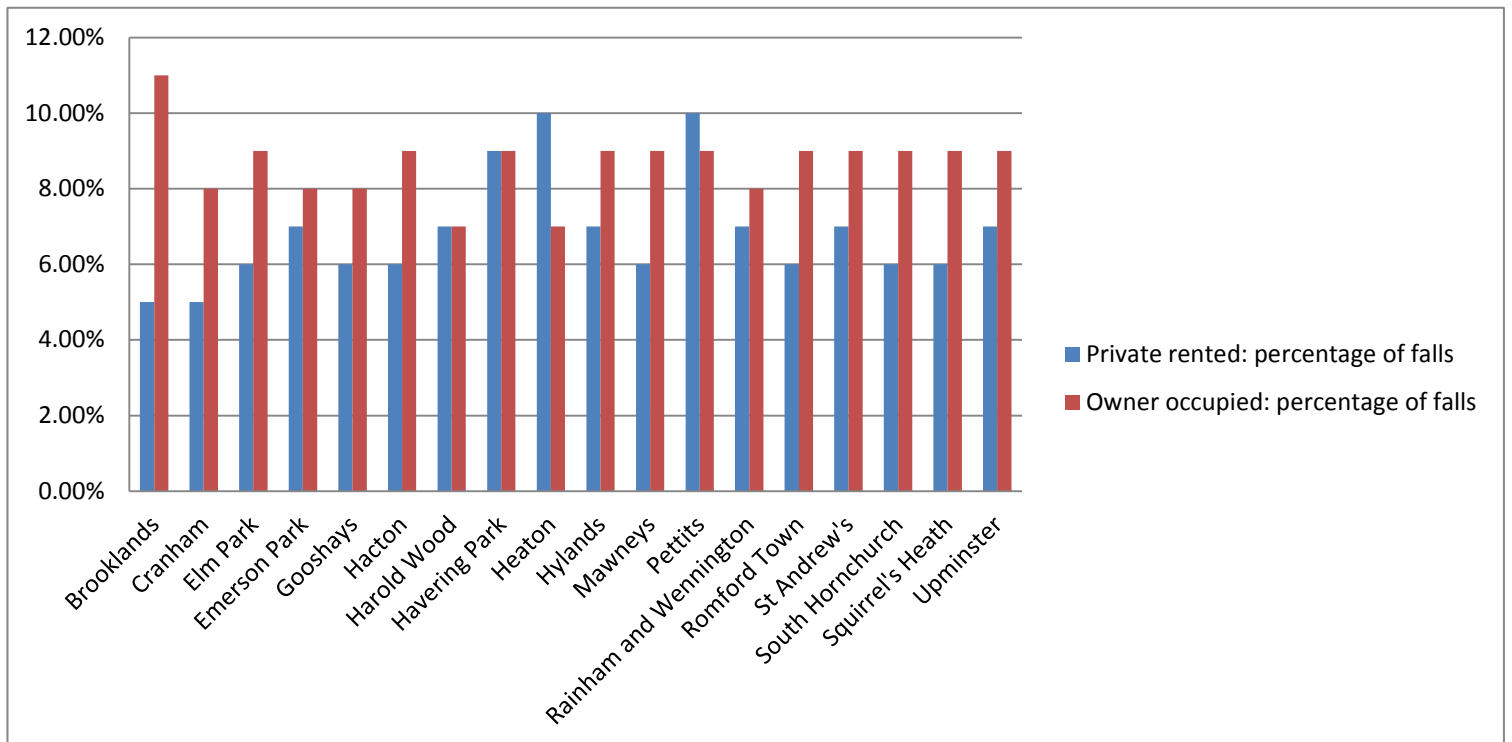
Graph 10: Comparison of Percentages of Properties with Excess Cold in Owner Occupied and Private Rented Properties



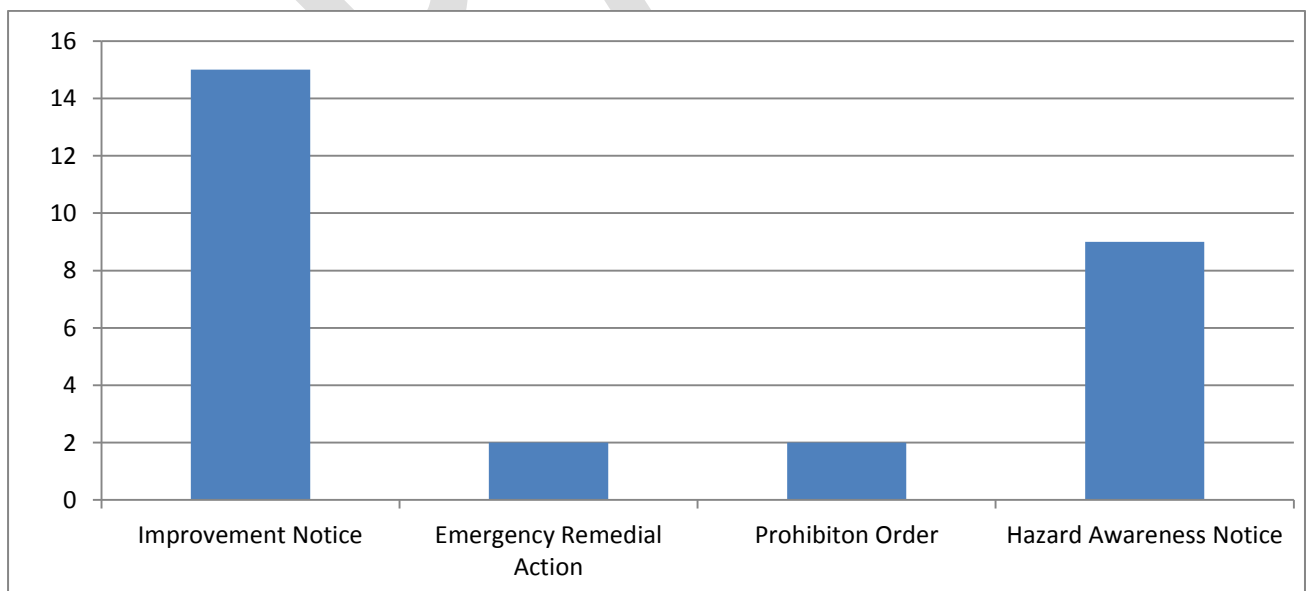
Graph 11: Comparison of Average Simple SAP Ratings for Owner Occupied and Private Rented Property



Graph 12: Comparison of Percentages of Falls in Owner Occupied and Private Rented Properties



Graph 13: Actions Taken Borough wide under Part 1 of Housing Act 2004 between 1/4/14 and 1/11/16



Appendix 4 - Proposed Licence Fees and Charges

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In setting the licence fees, the Council may, by statute, take into account (a) the costs it incurs in carrying out its functions under Part 3 to the 2004 Act (Selective Licensing) and (b) the costs it incurs in carrying out its functions under Chapter 1 of Part 4 to the 2004 Act (Interim and final management orders), so far as they are not recoverable under or by virtue of any provision of that Chapter. In particular, the cost of applying for a licence must be reasonable and proportionate.

At present, the licence fee has been set to cover the administration and associated costs of the licence application. However the Council continues to work on the licence fee model and will be considering an alternative fee structure inclusive of costs under section 63 (7) and Section 87 (7) of the Housing Act 2004 prior to the start of the formal consultation.

The Council intends to review the fees annually and adjust them to reflect any changes in costs.

If a landlord wishes to submit a paper application, or requires additional help with the application process, the Council will charge a supplementary fee**. General advice is provided, however, at no extra cost.

All licences will be valid for a period of five years unless the proposed licence holder is a person of concern***.

The proposed fee structure is as follows;

Table 13: Fees

Fee Type	Fee Amount
Additional (HMO) Licence Fee (Online Application)	£800
Additional (HMO) Licence Fee (Paper Application)	£900
Selective Licence Fee (Online Application)	£500
Selective Licence Fee (Paper Application)	£600
Additional Charge for Assisted Applications**	£100 per Application

Table 14: Available Discounts

Discounts	
Early Bird Discount 25%	For applications made prior to the implementation date
Discount 10%	For accredited landlords or members of recognised landlord associations

Discount 10%	For multiple applications or where an Applicant has had “fit and proper person” check in the last 6 months
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- *. If a landlord is making multiple applications and is an accredited landlord, he/she/it may apply for both discounts 2 and 3.
- ** The Council will not charge a fee for assisted applications if the need for assistance is the consequence of a characteristic protected by the Equality Act 2010, such as disability, and in all the circumstances charging the fee would be disproportionate..
- *** A Person of Concern is a person who: (a) is being or has been investigated for fraud relating, directly or indirectly, to his/her/its position as a landlord, manager or controller of let premises, or other involvement in letting premises, or (b) is or has been subject to enforcement action or prosecution relating to contraventions of the Housing Acts and/or regulations made under them.

Table 15: Other Fees and Charges Applicable

Licence Variation	Licence Variation Fee
Change of address details of any existing licence holder, manager, owner, mortgagor, freeholder, leaseholder etc.	No Fee
Change of mortgagor, owner, freeholder, and leaseholder (unless they are also the licence holder or manager)	No Fee
Reduction in the number of maximum occupiers and/or households for licensing purposes	No Fee
Variation of licence instigated by the Council	No Fee
Change of licence holder (Full fee applicable to licence type)	£500.00 or £800.00
Change of manager (unless they are also the licence holder)	No Fee
Increase in the maximum number of occupiers and/or households resulting in changing from a selective licence to additional licence will be £300.00. This sum accounts for the difference in fee .	£300.00

Table 16: Actions and Applicable Charges

Action	Applicable Fee
Revocation of licence	No fee
Application to licence following revocation of licence I (full applicable fee)	£500 or £800.00
Application refused by the Council	Application fee with no refund
Application withdrawn by the applicant	Application fee with no refund
Application made in error – out of Borough	No fee, and a refund will be made

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Table 17: Operational costs of Licensing Schemes

London Borough of Havering HMO Additional and Selective Licencing over 5 Years	% of Clients Expected to be charged	Fee	Estimated Client Numbers who will pay the full Fee	Estimated Income Receivable	Estimated Client Numbers Receiving Early Bird Discount	Further Discounts Available		Estimated Income Receivable from Clients who receive an Early Bird fee Discount Percentage Receivable	Estimated Number of Clients who are Members of a Landlord Association	(See Note 1) Estimated Further Discount Receivable from Clients who are Members of a Landlord Association	Total
						Discount Rate	Discount Rate				
						25%	10%				
Income											
HMO Additional Licence		£800	350	£280,000	650	£390,000	100	-£8,000			£662,000
Selective Licence		£500	1,225	£612,500	2,275	£853,125	250	-£12,500			£1,453,125
Subtotal			1,575	£892,500		£1,243,125		-£20,500			£2,115,125
Additional Charges											
Additional supplement for paper applications	5%	£100	79	£7,875							£7,875
Charge for assisted applications	5%	£100	79	£7,875							£7,875
Subtotal			158	£15,750							£15,750
Total Estimated Income Over 5 years											£2,130,875
Expenditure											
Operational Costs											
Staff Cost				£1,326,800							
Overhead Costs				£593,580							
				£1,920,380							
Start up cost											
IT system				£57,500							
Publicity				£21,736							
				£79,236							
Setup costs											
Staff Cost				£121,259							
Materials/Printing forms etc				£10,000							
				£131,259							
Total Estimated Expenditure Over 5 years											£2,130,875

Note 1

Clients who receive a further 10% discount for being a member of a Landlord Association will already have been included within the numbers of full or early bird discount fee payers

Appendix 5 – Selective Licencing Conditions

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This Appendix contains the conditions that would form part of a selective property licence.

Some of the conditions are mandatory; and the Housing Act 2004 requires the Council to insert them.

The 2004 Act also gives the Council discretion to insert further conditions, for example to control occupancy, to help reduce anti-social behaviour, to safeguard the health and safety of occupants and to ensure good management practices.

FAILURE TO COMPLY WITH THESE CONDITIONS IS A CRIMINAL OFFENCE

Permitted Occupation

- 1) The Licence Holder must not allow a new resident to occupy the house or any part of the house if that occupation:
 - a) exceeds the maximum permitted number of persons for the house as detailed in the schedule of permitted occupation below.
 - b) exceeds the maximum permitted number of households for the house as detailed in the schedule of permitted occupation below.
 - c) exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation below.

A new resident means a person who was not an occupier of the house and/or the specific room at the date of the issue of the licence.

Occupancy and Maximum Permitted Person per Letting

- 2) A condition will contain details on maximum numbers allowed in a dwelling and maximum numbers of persons per room.

Notification of Changes

- 3) The licence holder shall inform the Council directly, in writing or by email, of the following within 28 days of the change occurring:
 - a) Any change in the ownership or management of the property.
 - b) Any change in address, email or telephone number for the licence holder and/or agent.
- 4) The address of the licence holder given on their application form shall be used as the address for the proper service of any letter, notice or other document between the Council and the Licence Holder. It is the Licence Holder's responsibility to ensure that they take all reasonable steps to collect and act upon any letter, notice or other document sent to that address on a regular basis.
- 5) The licence holder must advise the Council directly, in writing or by email, of any changes to the construction, layout or amenity provision of the house that

would affect the licence or licence conditions, at least 28 days before starting works.

Tenancy Management

- 6) The licence holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property and details of the arrangements in place to deal with repair issues and emergency issues. Copies of the written statement of terms must be provided to the Council for inspection within 7 days upon demand.
- 7) The licence holder shall ensure that only he or an agent listed on this licence creates new tenancies or licences to occupy for this property whilst this licence is in force. Copies of any new written terms of tenancies must be provided to the Council for inspection within 28 days upon demand.
- 8) The licence holder shall not cause or permit any person who has previously applied for a property licence in respect of the premises and has either;
 - (a) been found not to be a Fit and Proper person, or
 - (b) been made subject to a Banning Order under the Housing and Planning Act 2016 to have active control or management of the premises, or to carry out or arrange any repair/improvement or other building works at the premises.
- 9) The licence holder must: (a) obtain references from any person who wishes to occupy the property before entering into any tenancy, licence or other agreement enabling them to do so; and (b) not enter into any such agreement if the person is unable to provide suitable references
- 10) The licence holder must: (a) retain copies of all references for the duration of this licence and (b) provide the Council with a copy of any such reference or references within 28 days of any request to inspect it or them.
- 11) The licence holder shall ensure that they carry out adequate checks that show satisfactory proof that the occupiers and individual within a property issued with a selective licence, belong to a single household. Evidence for this must be retained for the duration of the licence. This information must be provided to the Council within 28 upon demand.
- 12) The licence holder shall protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the Council within 28 days on demand.
- 13) The licence holder must provide to the Council, in writing, details of the tenancy management arrangements that have been, or are to be, made to prevent or reduce anti-social behaviour by persons occupying or visiting the property. Copies of these must be provided to the Council within 28 days on

demand and amongst other things shall contain the following:

- a) Provision of an emergency 24hr contact number (including out of hours response arrangements)
 - b) Formal arrangements for the disposal of rubbish and bulky waste
 - c) Written records of property inspections for management and repair issues at.
- 14) The licence holder shall ensure that inspections of the property are carried out at least every three (3) months to identify any problems relating to the condition and management of the property. The records of such inspections shall be kept for the duration of this licence. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection and issues found and action(s) taken. Copies of these must be provided to the Council within 28 days on demand, (the Council may also increase the frequency of visits if the licence holder is cause of concern).
- 15) The licence holder shall not ignore or fail to take action to address problems of antisocial behaviour (ASB) resulting from the conduct on the part of occupiers of, or visitors licensed premises and must comply with the requirements of paragraphs (a) to (h) below:
- a) If the Licence Holder receives a complaint from any person or organisation (including the London Borough of Havering) regarding antisocial behaviour involving the tenants or visitors of the licensed property, the licence holder must contact the tenant within 14 days of receiving the complaint. The licence holder must inform the tenant in writing of the allegations of the antisocial behaviour and of the consequences of its continuation.
 - b) If the Licence Holder is informed by the Council, Police or other organisation that any occupier/s have entered in to a 'Community Resolution'; or has been issued with an Acceptable Behaviour Contract; or court proceedings for a civil injunction have been obtained against the occupier/s; or if the occupier/s have been prosecuted in the Criminal Courts for acts associated with ASB, the licence holder must visit the property within 7 days of being notified.
 - c) During the visit the Licence Holder must provide the tenant with a warning letter advising them (amongst any other things) why their behaviour is not acceptable, that they are responsible for the conduct of their visitors and include the impact on any victims/local community and of the consequences of its continuation.
 - d) Any letters, emails, legal notices or other documents relating to antisocial behaviour, which are sent or received by the licence holder, or the agent on their behalf of the licence holder, must be copied and kept for 5 years by the licence holder.
 - e) Where the licence holder has reasonable grounds to suspect that the antisocial behaviour involves criminal activity the licence holder shall ensure that the appropriate authorities are informed.

- f) The Licence Holder shall co-operate with the Police and Local Authority in resolving problems of ASB in any licensed house under their control. (For example, they (or a person or agent instructed by them) should attend any case conferences or multiagency meetings or provide information to the Police or Local Authority when requested.)
- g) Any correspondence, letters and records referred to in conditions 15(a) to (f) must be provided by the Licence Holder to the Council within 28 days on demand.

Conditions 16-21 will not apply to for all licences.

- 16) The Licence Holder shall, within 6 months of the date of issue of this licence, attend specified Training and become an Accredited Landlord. If the Licence Holder hasn't already done this in the previous 5 years.
- 17) Where appropriate if the Landlord is required under a condition of the licence to attend a training and accreditation with the London Landlord Accreditation Scheme (LLAS) or via an equivalent professionally recognised organisation listed in condition 19 the Licence Holder shall do this by;
 - a) Booking and completing the LLAS one day training course or equivalent professionally recognised training course.
 - b) Agreeing to comply with the UK Landlord Accreditation Partnership's Code of Conduct or equivalent professionally recognised code.
 - c) Being a Fit and Proper Person.
- 18) To book the course and for more information on fulfilling the requirements in 18 b and c, you should visit www.londonlandlords.org.uk or call 020 7974 6975.
- 19) The other equivalent professionally recognised organisations and qualifications are;
 - Attend and pass the 'NLA Foundation Course' run by the National Landlords Association (www.landlords.org.uk).
 - Become an 'Accredited RLAAS Landlord' through the RLA Accreditation Scheme as a Residential Landlords Association (www.rla.org.uk)
 - Become a member of Association of Residential Letting Agents (ARLA) (www.arla.co.uk)
 - Foundation Letting Course (England) of National Approved Letting Scheme (NALS) (www.nalscheme.co.uk/)
 - Attend and pass Accreditation Day Seminar of the Midland Accreditation Scheme (MLAS) (www.mlas.org.uk/)
- 20) The Licence Holder shall continue to be an accredited Landlord with LLAS or registered with the equivalent professionally recognised scheme for the duration of this licence.

- 21) The Licence Holder shall keep the accreditation certificate or documents issued by LLAS or equivalent professionally recognised scheme for the duration of the licence and must provide a copy to the Council within 28 days of demand.

Property Management

- 22) The licence holder shall ensure that, if they are informed, in writing, by email or other form of communication, a complaint of disrepair or pest infestation in the property by the tenant or local authority, they should take action to remedy the disrepair and/or infestation, if it is required. The licence holder shall respond in writing to this complaint, within 14 days.
 - a) Any correspondence, letters and records referred to in condition 21 must be provided by the Licence Holder to the Council within 28 days on demand.
- 23) The licence holder shall ensure that any repairs, improvement works or treatments at the property must be carried out by a competent person(s) who is employed directly by the licence holder or an agent/employee of the licence holder. Copies of receipts and/or invoices for any repair/improvement works must be provided to the Council for inspection within 28 days upon demand.
- 24) If gas is supplied to the property, the licence holder shall take all reasonable, practicable steps to ensure that all gas installations and appliances are in a safe condition. The licence holder must have available a current valid gas safety certificate obtained within the last 12 months by a Gas Safe registered Engineer. (Or if the boiler was installed less than 12 months ago, a Gas Safe Installation Certificate.) This must be provided to the Council within 28 days on demand.
- 25) The licence holder shall take all reasonable practicable steps to ensure that all electrical appliances provided in the property are in a safe condition. The licence holder must submit to the council, for their inspection, an electrical appliance test report in respect of all electrical appliances that are supplied by the landlord to the Council within 28 days of demand.
- 26) The licence holder shall take all reasonable practicable steps to ensure that the electrical installation in the property is in a safe condition. The licence holder must submit to the council, for their inspection, an unexpired 'satisfactory' electrical installation condition report (EICR) for the property within 28 days of demand.
- 27) The Licence Holder must ensure the EICR is supplied by a competent person who is appropriately qualified to issue this report. If the person issuing the EICR is not properly registered with the Electrical Contractors Association (ECA), National Inspection Council for Electrical Installation Contracting (NICEIC), ELECSA, NAPIT or Registered Competent Person Scheme (www.electricalcompetentperson.co.uk), the licence holder must also provide

written evidence that the electrician has the necessary qualification/s, skills and experience to issue the condition report within 28 days of demand. (PLEASE NOTE: The Council will not contact the electrician on your behalf).

- 28) The Licence Holder must give new tenants within 7 days of the start of their occupation, the following information on Waste and Recycling, in writing;
- The collection days for the refuse and recycling bins for the property.
 - Details on what they can and can't recycle.
 - How they can dispose of bulky waste.
 - General waste guidance from the Council's website:

A copy of the information provided to the tenant must be kept for 5 years and provided to the Council within 28 days on demand.

- 29) The Licence Holder must provide the tenants adequate arrangements for the disposal of refuse and recycling. The Licence Holder must ensure that there are suitable and appropriate receptacles for the storage of household refuse and recycling between collections, so that bags or loose refuse and recycling are not stored outside the property.
- 30) The Licence Holder shall be required to carry out regular checks and ensure that the common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities, other than waste stored in appropriate receptacles for the storage of household refuse and recycling.
- 31) The licence holder must not discard old furniture, bedding, rubbish or refuse from the property on the public highway or pavement immediately outside the property or on private land, other than for the purpose of presenting it for an arranged collection. The Licence holder should also ensure that occupiers of the property are made aware of and observe any refuse or bulky waste collection arrangements that exist.
- 32) The licence holder must ensure any type of rubbish which the Council does not routinely collect such as hazardous waste is disposed of in a safe manner.
- 33) If the Licence Holder becomes aware that the tenant or a tenant's visitor is dumping or leaving old furniture, bedding, rubbish or refuse from the property on the public highway or private land, they must write a warning letter to the tenant, within 14 days advising them to remove the items immediately. Copies of this letter must be kept and must be provided to the Council within 28 days on demand.
- 34) The Licence Holder shall be required to carry out regular checks and ensure that the property is free from pest infestation. Where the licence holder becomes aware of a pest problem or infestation at the property they shall, within 7 days becoming aware, take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and these must be provided to the Council within 28 days

on demand.

- 35) The Licence Holder shall ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation. (A bathroom or lavatory is to be treated as a room used as living accommodation).
- 36) The Licence Holder shall ensure each smoke alarm installed in any room, hall, landing, bathroom or lavatory in the house shall be kept in proper working order.
- 37) The Licence Holder shall submit to the Council, on demand, a declaration by him as to the condition and positioning of any such smoke alarm.
- 38) The Licence Holder shall ensure each smoke alarm installed in any other location in the house shall be kept in proper working order.
- 39) The Licence Holder shall ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. ("Room" includes a hall or landing. A bathroom or lavatory is to be treated as a room used as living accommodation).
- 40) The Licence Holder shall ensure each any carbon monoxide alarm installed in any room in the house shall be kept in proper working order.
- 41) The Licence Holder must supply the authority, on demand, a declaration by him as to the condition and positioning of any such carbon monoxide alarm.
- 42) The licence holder shall ensure that any fire fighting equipment and fire alarm equipment are maintained in good working order. The licence holder must submit to the council, for their inspection, a copy of all periodical inspection report/test certificates for any automatic fire alarm system, emergency lighting and fire fighting equipment provided in the property. These must be provided to the Council within 28 days on demand.
- 43) The licence holder shall ensure that furniture made available in the property is in a safe condition. All upholstered furniture and covers and fillings of cushions and pillows should comply with current fire safety legislation. A declaration as to the safety of such furniture must be provided to the Council within 28 days on demand.

Documents to be displayed

- 44) The licence holder shall display a copy of the licence to which these conditions apply in the common parts of the property. Alternatively copies of the Licence must be provided to all tenants/occupiers before the start of their tenancy.
- 45) The licence holder shall display a notice with the name, address and

emergency contact number of the licence holder or managing agent in the common parts of the property. Alternatively copies must be provided to all tenants/occupiers at the start of their tenancy and provided to the Council within 28 days on demand.

- 46) The licence holder shall display a copy of the current gas safety certificate in the common parts of the property. Alternatively copies must be provided to all tenants/occupiers at the start of their tenancy and provided to the Council within 28 days on demand.

Financial Management

- 47) No other persons other than the Licence Holder or the agent named on the licence can collect and receive rental monies from the tenant(s) at this property. These monies can be passed onto any third parties if required.
- 48) Where rents are collected or received from the tenant(s) then a rent receipt must be issued and recorded. Copies of the rent receipts and records must be provided to the Council for inspection within 28 days on demand.
- 49) The licence holder must provide to the Council details in writing of the payment arrangements to settle the annual council tax account within 21 days of demand. It is the landlord's responsibility to notify the Council upon vacation of the premises by the outgoing tenant as soon as practicably possible otherwise the landlord may become liable for any outstanding council tax balances that remain unpaid in respect of the property..

General Conditions

- 50) When requested, the licence holder must arrange for access to be granted at any reasonable time and must not obstruct council officers in carrying out their statutory duties including the surveying of the property to ensure compliance with licence conditions and any other relevant legislation.
- 51) The licence holder shall provide the Council, within 28 days of receiving a written notice, with the following particulars as may be specified in the notice with respect to the occupancy of the house:
- a) The names and numbers of individuals/households accommodated specifying the rooms they occupy within the property.
 - b) Number of individuals in each household.
- 52) The licence holder shall ensure that whilst any alteration or construction works are in progress, the work is carried out to ensure the safety to all persons occupying or visiting the premises.
- 53) The licence holder shall ensure that on completion of any works, the property shall be left in a clean tidy condition and free from builders' debris.

Limitations of Licence

54) **LICENCE TRANSFER:** This licence can NOT be transferred to another person or organisation or property.

55) **REGISTERED COMPANIES:** If the licence holder is a registered company and it is dissolved while the licence is in force, the licence ceases to be in force on the date of dissolution.

56) **PLANNING PERMISSIONS**

This property licence does NOT grant, any planning approvals, consents or permissions under the Town and Country Planning Act 1990 or any related planning legislation, retrospectively or otherwise.

If this property is operating as a House in Multiple Occupation (HMO) this may represent a breach of planning control and you should ensure the correct planning permissions are in place.

This property licence does not offer any protection or excuse against any enforcement action taken by the Planning Department. If you are unclear on the matters outlined above you should seek professional planning advice.

57) **BUILDING CONTROL:** This property licence does NOT grant any Building Regulations approvals, certification, consent or permissions, retrospectively or otherwise. This property licence does not offer any protection or excuse against any enforcement action taken by the Building Control Department.

58) **PROPERTY CONDITION:** This property licence is NOT proof or evidence that the house is safe and free from hazards and defects. The property licence does not prevent criminal or civil legal action being taken against the licence holder, or anyone else with an interest in the property, if any hazards or nuisances are found or any other problems discovered in relation to the condition of the property.

59) It is not the responsibility of the London Borough of Havering Property Licensing Team to ensure the property is compliant with the above limitations.

60) **PROSECUTION/CONTRAVENTIONS CONSEQUENCES:** Please note that any prosecutions or enforcement action or legal action taken against the licence holder or anyone associated with licence holder, or the management of the property, may affect the licence holders 'fit and proper' status. The Council can revoke or vary the licence at any time, giving proper statutory notice.

61) **CONSUMER RIGHTS & UNFAIR PRACTICES:** The licence holder will ensure that any tenancy agreement they use is free from unfair terms and complies with all legal requirements under consumer law, including those within the Consumer Rights Act 2015. Licence holders should carefully read the Competition and Markets Authority (CMA) 'Unfair Contract Terms

Guidance' (CMA37) and follow this guidance when conducting their business, drawing up tenancies, contracts, or the service of notices on tenants and/or agents.

It is also recommended that licence holders refer to the 'Guidance on Unfair Terms in Tenancy Agreements' (OFT356), which it should be noted is not up to date in terms of legal developments since publication in 2005, but still remains a useful reference guide to types of tenancy contract standards terms that are potentially 'unfair'.

The licence holder must act in good faith at all times and must not conduct actions which would be considered a 'misleading action' or a 'misleading omission' as defined by the Consumer Protection from Unfair Trading Regulations 2008. Full information should be supplied to any prospective tenant including details of this licence.

Licence holders should ensure that all goods supplied as part of a let of furnished residential accommodation must be safe, including gas and electrical installations and appliances.

Further advice on all the above requirements can be found here:

<https://www.gov.uk/government/publications/unfair-contract-terms-cma37>
<https://www.gov.uk/government/publications/unfair-terms-in-tenancy-agreements--2>.
<https://www.businesscompanion.info/en/quick-guides/good-practice/consumer-protection-from-unfair-trading>
<https://www.businesscompanion.info/en/quick-guides/product-safety/goods-in-rented-accommodation>

PENALTY FOR BREACH OF LICENCE CONDITIONS: Failure to comply with any of the above licence conditions may result in similar enforcement action as described above and/or prosecution.

The fine for a breach of licence condition is now UNLIMITED for each offence.