



CABINET

18 January 2017

Subject Heading:

Consultation on Proposed Licensing Schemes for Houses in Multiple Occupation (HMOs) and the other Private Rented Housing Sector

Cabinet Member:

Councillor Damian White
Deputy Leader and Cabinet Member for Housing
Councillor Osman Dervish
Environment, Regulatory Services and Community Safety

CMT Lead:

Steve Moore
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Financial summary:

The operational costs of the scheme and schedule of proposed fees and charges are set out in Appendices 2a and 2b to this report. The financial objective of the scheme is to be self-financing and the fees have been set accordingly. Any unforeseen changes in legislation that may impact on the costs modelling will be addressed through close monitoring and consideration at the time including the potential of available budget including contingency.

Is this a Key Decision?

Yes - significant effect on two or more Wards

When should this matter be reviewed?

September 2018 or one year following the implementation date of the proposed licensing regime(s)

Reviewing OSC:

Towns and Communities

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[X]
People will be safe, in their homes and in the community	[X]
Residents will be proud to live in Havering	<input type="checkbox"/>

SUMMARY

- 1.1 The purpose of this report is to ask Cabinet to agree the steps for the business case for the proposed introduction of five year selective and additional licensing schemes within the Private Rented Sector in the London Borough of Havering, as required by Cabinet on 23rd September 2015. In addition approval is requested to commence an informal consultation, and thereafter for the formal consultation required before the proposed adoption of both schemes.
- 1.2 The Department for Communities and Local Government (DCLG) Non-Statutory Guidance published in March 2015 explains the criteria for making a selective licensing scheme and discusses the type of evidence needed to support a designation. This report identifies the evidence relied upon to satisfy the criteria for selective and additional licensing and the steps required for an extensive consultation exercise. To assist Cabinet in the decision making process for the preparation of a new scheme a timeframe and finance detail has been included within the report and details of other steps required to comply with the relevant legislation which is necessary before the declaration of any new scheme.
- 1.3 Additional factors are outlined in the report to support the introduction of Additional and Selective Licensing Schemes in Havering
- 1.4 The report examines the potential risks of the proposed introduction of Selective and Additional Licensing Schemes and suggests ways in which they can be mitigated. Legal opinion is that the best way of mitigating risk would be to undertake an initial informal consultation. This would enable engagement and provide opportunity to seek to confirm those issues of principal interest to parties who may wish to make representations at formal consultation stage whether in support or, particularly, against the proposed schemes including their evidence bases. Informal consultation would be for 4 weeks and capture of this feedback would demonstrate that the Council had made concerted attempts to work with the private rental sector, would assist the final content of the proposed schemes upon which any formal consultation would be made and is consistent with current best practice.
- 1.5 It is proposed that, on completion of the informal consultation and consideration of feedback, the decision as to whether to progress either or

both of the proposed schemes to formal consultation and the final content of the business case justifications for the proposed additional/selective licensing schemes including agreement to any necessary changes prior to formal consultation be delegated to the Leader of the Council in consultation with the Lead Member for Housing.

RECOMMENDATIONS

1. Subject to paragraph 2.3 Cabinet is asked to approve the preparation of the business case for the following property licensing schemes in the private rented housing sector and formal consultation in accordance with statutory requirements preceded by an informal consultation for a period of 4 weeks as follows:
 - (a) Additional Licensing Schemes for landlords of Houses in Multiple Occupation (HMOs) as described in the proposal paper attached as Appendix 6;
 - (b) A Selective Licensing Scheme for landlords of non-HMO privately rented residential accommodation in the selected locations set out in the proposal paper, attached as Appendix 7.
2. The fee structure for the Additional and Selective Licensing Schemes, as detailed in *Appendix 2b* of this report and Appendix 4 of each of the attached proposed consultation documents. Appendix 2a to this report also sets out the expected operational costs of the proposed schemes but notes that the licence fee has currently been set to cover only the administration and associated costs of the licence application. The Council continues to work on the licence fee model and will be considering alternative fee structures inclusive of costs under Section 63 (7) and Section 87 (7) of the Housing Act 2004 prior to the start of any formal consultation.
3. That following completion of the informal consultation and consideration of matters raised, power to authorise whether to progress either or both of the proposed schemes to formal consultation on proposed designation and the final form and content of the additional and selective licensing schemes themselves, including any changes to the fee structure, be delegated to the Leader of the Council in consultation with the Lead Member for Housing. It also be noted that subject to the above the informal consultation may result in either or both of the proposed schemes not proceeding at this stage.

REPORT DETAIL

- 1.1 More people moved into residential accommodation in Havering in 2015 than in any other London borough. This was due to lower rental costs than in Inner London, excellent transport links to London and the M25 and the amount of public open space. Havering Council has seen significant growth in the private rented sector. The 2011 Census revealed that the private rented housing sector in Havering had more than doubled over the previous 10 years, and the growth of this sector is forecast to continue.
- 1.2 In 2011 11% of dwellings in Havering were privately rented (compared with the London average of 25%). Havering's privately rented stock now represents around 17% of the total housing stock (17,035 households), with two wards having a level of 26.5% (Romford Town) and 27.5% (Brooklands). This growth 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. Havering has also experienced a significant rise in the growth of Houses in Multiple Occupation (HMOs) in recent years.
- 1.3 The rise in HMOs has led to increased complaints of anti-social behaviour by occupiers of neighbouring homes and a significant number of campaigns and petitions organised by residents in the borough to challenge the development of HMOs and the management practices conducted by local landlords. 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, maintain a thriving affordable private rented sector and ensure well managed stock for future years to come.
- 1.4 Having considered the main recognised means of private rented regulation currently operating in other local authorities it is appropriate for Havering to consider introducing a selective and additional licensing scheme in order to monitor and control the activity of private rented sector landlords in the borough.
- 1.5 Following a review of the current status of the private rented sector in Havering carried out by the Towns and Communities Overview and Scrutiny Sub-Committee Topic Group, it was agreed at Cabinet on 23 September 2015 that a full business case would be developed with following recommendations.
- 1.6 Introduce a Selective Licensing Scheme in the Wards of Brooklands, Gooshays and Heaton, subject to consultation and development of a cost neutral business case; and
- 1.7 Introduce a Selective Licensing Scheme covering the rest of the borough or other specific identified wards, subject to consultation, development of a cost neutral business case and the Secretary of State's approval.

- 1.8 These recommendations to focus on Selective licensing were based on an understanding of the relevant legislative processes at that time. The legal landscape around licensing is continually evolving and on more detailed legal advice the Council is now proposing to introduce separate additional and selective licensing schemes.
- 1.9 Currently, mandatory licensing under Part 2 of the Housing Act 2004 applies to houses in multiple occupation comprising three or more storeys, occupied by five or more persons, living in two or more single households. Additional licensing, again under Part 2 of the 2004 Act, applies to HMOs of a description given by the local authority in any designation it makes under section 56 of the 2004 Act. Selective Licensing, by contrast, applies to other residential accommodation – Part 3 houses, as defined by sections 79 and 99 of the 2004 Act. The Government has recently announced its intention to extend the scope of mandatory licensing under Part 2 of the 2004 Act to include HMOs occupied by five or more persons in two or more households, regardless of the number of storeys. It has not, however, legislated to give effect to that proposal but if enacted, the extension would not cover all of the HMOs that the Council intends to include in its additional licensing scheme.
- 1.10 The evidence base collated at the time to support the September 2015 Cabinet decision to proceed with development of a business case was concluded to be fit for purpose having regard to the prevailing legal climate at that time. In the interim, successive licensing proposals by other authorities and the legal outcomes of these has placed a heavier emphasis on the evidential tests needed to justify proposed schemes. This is reflected in current legal advice reflected in this report that stronger evidence is required than that originally anticipated in 2015.
- 1.11 The introduction of these property licensing schemes will enable a significant change in the way that anti-social behaviour and poor management associated with some of the private rented sector is tackled. The implementation of the licensing schemes will enable the Council to investigate who is responsible for the day to day management and any problems associated with the properties in addition to undertaking enforcement activities such as compliance inspections and audit checks of the licence conditions.

2. Current status of Private Rented Sector Regulation in Havering

- 2.1 The Council currently operates the following methods of regulatory control of the private rented sector:
- **Mandatory Licensing of HMOs** – This is a requirement under Part 2 of the Housing Act 2004. Section 254 requires all local authorities in England and Wales to licence properties that are three or more storeys high, with five or more persons who form two or more households and contain shared facilities. A mandatory HMO licence will specify the maximum

number of people who may live in the HMO along with specific licence conditions that the landlord must comply with.

- **The Housing Health & Safety Rating System (HHSRS)** is a risk-based evaluation tool used to identify potential risks and hazards to health and safety of occupants as a result of deficiencies present in private rented sector dwellings and to take appropriate action in order to reduce or remove those hazards, within the terms of under Part 1 of the Housing Act 2004. Property inspection and assessments will usually only be carried out on a reactive basis in response to complaints received. It is a known fact that the most vulnerable tenants living in unsafe or overcrowded accommodation will not complain for fear of reprisals.
- **Article 4 Directions** – The Council’s response to recent community-led campaigns concerning the development of new HMOs has led to the Council deciding to exercise one of the additional discretionary regulatory controls available under the Town and Country Planning Act 1990 (Article 4 Directions). This has the effect of removing the permitted development rights in relation to the change of use from dwelling houses to an HMO. The Council’s implementation of two Article 4 Directions is designed to provide stronger planning control over the creation of new HMOs in the borough. Whilst any successful Article 4 can be expected to help improve conditions for new HMO stock, other property types in the wider private rented stock are left unaddressed by this method of regulatory control

2.2 Further regulatory control of the private rented sector could achieve the following improvements through the implementation of licensing schemes:

- Improvement in the physical condition, management practices and overall quality of bedsit type accommodation
- Informed landlords and responsible tenants
- Improved protection for vulnerable groups living in HMOs
- 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 and crime, making Havering a safer and more desirable place 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 and training on management of their properties
- 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
- Better reputation of private landlords in the borough

3. **The Legal Framework**

3.1 The Housing Act 2004 allows Councils to licence privately rented housing in three ways:

- **Mandatory Licensing**
- **Additional Licensing**
- **Selective Licensing**

3.2 **Mandatory Licensing** Currently, mandatory licensing under Part 2 of the Housing Act 2004 places a duty on all local authorities to licence houses in multiple occupation comprising three or more storeys, occupied by five or more persons, living in two or more single households. (However as previously set out in the report, the Government intends to extend the scope of mandatory licensing under Part 2 of the 2004 Act to include HMOs occupied by five or more persons in two or more households, regardless of the number of storeys however there is no legislation in force regarding this proposal).

3.3 **Additional Licensing** provides a power for local authorities to licence HMOs which are not covered by mandatory licensing. Part 2 of the Housing Act provides for Additional Licensing of HMOs which are less than 3 storeys high or for example occupied by fewer than five or more people in two or more households.

3.4 An additional licensing scheme should only be considered if the Council believes a significant proportion of HMOs in the area are being managed sufficiently ineffectively as to give rise to, or be likely to give rise to, problems for the occupants or for members of the public.

- 3.5 **Selective Licensing** allows local authorities to introduce licensing for privately rented properties accommodating single households. It is intended to address the impact that 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 this Act, a local housing authority can designate the whole or any part(s) of its area as being subject to Selective Licensing. Where a Selective Licensing designation is made it applies to all Part 3 Houses which may be houses or flats as defined by sections 79 and 99 of The Housing Act 2004 which are privately rented property in the area, subject to certain exemptions for example Registered Social Landlords, or HMOs which are required to be licensed under Part 2 of the Act through an Additional Licensing Scheme.
- 3.6 If the local authority makes a Selective Licensing designation that covers (i) 20% or less of its' total geographical area and (ii) includes less than 20% of its privately rented properties then the scheme will not need to be submitted to the Secretary of State for Communities and Local Government (DCLG) for approval. Larger Selective Licensing Schemes covering a wider designation or whole borough will require specific Government approval.
- 3.7 For each designation different considerations apply. For the Council to introduce a Selective Licensing Scheme applying to non HMOs it has to be satisfied it is an area in which one or more of the following general conditions apply. It is worth noting for the condition relating to 'anti-social behaviour' the Council must show some or all landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat and effectively deal with the problem.
- 3.8 These general conditions are:
- (i) That the area is, or is likely to become, an area of low housing demand;
 - (ii) That the area is experiencing a significant and persistent problem caused by antisocial behaviour;
 - (iii) The area has poor property conditions;
 - (iv) The area has high levels of migration;
 - (v) The area has high levels of deprivation;
 - (vi) The area has high levels of crime.
- 3.9 The authority must also be satisfied 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(s).
- 3.10 In considering whether to designate an area for Selective Licensing on one or more of the grounds set out in 3.8 but excluding those set out in 3.8 i) and ii)

above , the local authority may only make a designation if the area has a high proportion of property in the private rented sector compared with the national figure.

- 3.11 Nationally the private rented sector makes up around 19% of the total housing stock in England so if the actual proportion of privately rented properties in a given area is more than 19%, the area can be considered as having a high proportion of privately rented properties. This is important when considering the high proportion of private rented sector in wards such as Brooklands and Romford Town.
- 3.12 Prior to adopting designations of either of the property licensing schemes, the local authority must *consider* (a) whether there are any other courses of action available that might provide an effective method of achieving the objectives that the designation would be intended to achieve; and (b) that making the designation will significantly assist it to achieve the objective or objectives.
- 3.13 Before making a designation under either Part 2 (additional licensing) or Part 3 (Selective Licensing) of the Housing Act 2004, the Council has a duty to formally consult all persons likely to be affected by the designation and to consider any representations made. If the designation does not require the confirmation of the Secretary of State because of its extent, the formal consultation must be for a minimum of ten weeks.

4. **Evidence to support further regulation of Havering's Private Rented Sector**

Additional Licensing

- 4.1 The Council has undertaken a proactive HMO inspection programme of 2-storey and non-licensable HMOs in order to gain knowledge about the quality of the accommodation, to work with landlords to improve standards and fire safety and to ensure greater compliance with the Management Regulations.
- 4.2 This inspection programme revealed that there were unsatisfactory management practices in place in a significant number of cases. It was identified that a large number of 2 storey HMOs contravened one or more of the conditions required under the HMO Management Regulations, or failed to meet the minimum standards set out under the adopted East London Standards for HMOs, or both.
- 4.3 More detail is provided in the proposed Additional Licensing Scheme consultation document, but evidence has been gathered showing a proportion of HMOs in the area are being managed sufficiently ineffectively as to give rise to, or be likely to give rise to, problems for the occupants or for members of the public. On this basis it is proposed that scheme of Additional Licensing should be introduced to cover all HMOs with the Borough although the

proposal document also includes the opportunity for consultation on the merits or otherwise of any additional licensing scheme being restricted to selected wards.

Selective Licensing

- 4.4 Recent data obtained through data analysis using the Tenure Intelligence Model (TIMs) created by LB of Newham has indicated that the proportion of private rented housing stock is approximately 17% borough-wide. Although overall this is below the national average of 19%, the level of private rented housing within the areas originally proposed to be included within a Selective Licensing Scheme exceeds this figure.
- 4.5 The population of the Borough 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.
- 4.6 Evidence has been obtained to ascertain whether a case can be made for designating an area(s) for Selective Licensing having regard to the requisite general conditions listed in paragraph 3.8 of this report. This is detailed in the proposed Selective Licensing Scheme consultation document and the conclusions summarised below:

General Condition	Evidence Supporting Proposed Designated Areas
Crime	Area 1 (“Harold Hill”) and Area 2 (“Romford”)
Anti-social behaviour	Area 1 (“Harold Hill”) and Area 2 (“Romford”)
Poor Property Conditions	Area 1 (“Harold Hill”) and Area 2 (Romford)
Deprivation	Area 1 (“Harold Hill”)
Low Housing Demand	None
Migration	None

5. Proposed Selective Licensing Designated Areas

- 5.1 It is proposed that Havering Council should designate two distinct areas coloured yellow on the maps presented in *Appendix 1* as Selective Licensing areas. The first area is “Harold Hill” and is made up of around 50% each of Gooshays and Heaton Wards. The second area “Romford” is made up of most of Brooklands ward and around 25% 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.

6. Fees

- 6.1 The operational costs of the scheme and schedule of proposed fees and charges are set out in Appendices 2a and 2b to this report. The financial objective of the scheme is to be self-financing and the fees have been set accordingly. Any unforeseen changes in legislation that may impact on the costs modelling will be addressed through close monitoring and consideration at the time including the potential of available budget including contingency.
- 6.2 The Council continues to work on the licence fee model and will be considering an alternative fee structure which may enable the Council to include aspects of enforcement work not currently included.
- 6.3 Funding arrangements for enforcement may for example be woven into the current "Clean and Safe" review of enforcement. Work on this will continue and provision is made within the report recommendations for this to be reviewed and agreed by the Leader in consultation with the Lead Member for Housing as part of the decision whether to progress one or both of the proposed schemes to the next stage, ie formal consultation.

7. Consultation

- 7.1 It is proposed that initially an informal consultation is carried out and that a formal consultation exercise would thereafter be undertaken which will be for both or either of the property licensing schemes.

At the informal consultation stage, the capture of early feedback will be invaluable in providing the Council an informed basis of how to proceed with the formal consultation. It will also assist with militating against any potential challenge (s) to the proposed property licensing schemes.

8. On-going engagement

- 8.1 The subject of property licensing sits within a legal landscape which is complex and continually evolving including the relevance of decisions elsewhere made under case law. For these reasons it should be noted that the programme set out within the appended business cases reflects the current situation and will be subject of on- going risk analysis and monitoring so that any external influencing factors can be identified and considered and the detailed programming adjusted accordingly as the need may arise.
- 8.2 The Council has initiated briefings for all members to be kept informed on matters related to HMOs and property licensing schemes. A Member briefing on 19 January has been arranged as part of that process. It is intended that such briefings will continue at regular intervals in addition to updates given through the Council's formal business.

- 8.3 Based on current programming it is anticipated that if the Council decides to proceed with the proposed property licensing schemes, the implementation process will start during September 2017 and will need to include the notice period enabling landlords and the council to prepare for the new scheme. The timing of decision making and the introduction of the scheme (including the lead in notice) depends to some extent on the consultation feedback.

REASONS AND OPTIONS

- 1.1 The designation of Additional and Selective Licensing Schemes would provide a means for (i) controlling the use and management of all private rented housing within the most problematic areas of Havering, (ii) maximise the opportunity to improve conditions and management practices within the worst affected areas and (iii) create a level playing field for HMO landlords across the whole of the borough. The informal consultation exercise will cover the proposals for both schemes simultaneously, thus reducing the Council's costs.
- 1.2 The proposed introduction of Additional and Selective Licensing Schemes is also subject to a formal consultation in order to seek the views of tenants, landlords, residents and businesses that may be affected by the proposals. If the designation does not require the confirmation of the Secretary of State because of its extent, the formal consultation must be for a minimum period of not less than ten weeks.
- 1.3 The proposed informal consultation documents are presented in *Appendix 6* (Additional Licensing Scheme) and *Appendix 7* (Selective Licensing Scheme). Preceding the formal consultation with the period of informal consultation will enable engagement and an opportunity to seek to confirm those issues of principal interest to parties who may wish to make representations at formal consultation stage.
- 1.4 The results of informal and formal consultation will be fully considered and a further report submitted to Cabinet in summer 2017 detailing the outcome and, if appropriate, seeking formal approval for the designation of an Additional Licensing Scheme and/or Selective Licensing Scheme for prescribed roads.
- 2. Reasons for the decision:**
- 2.1 It is considered that the potential effects of the designation of Additional and/or Selective Licensing Schemes in neighbouring local authorities may exacerbate the problems which exist within Havering's private rented sector. The licensing regimes may threaten to displace the worst landlords from those

boroughs and drive them into boroughs that do not operate any form of non-mandatory private rented housing licensing which are, therefore, seen as being more lightly regulated.

- 2.2 Although evidence is required to substantiate this perceived risk, Havering could be considered to have a buoyant private rental market and is an attractive area for property investors, some of whom may have chosen to leave other boroughs due to the introduction of property licensing schemes. Property licensing in Havering may therefore be viewed as a preventative measure in this regard.
- 2.3 In response to these issues, it is anticipated that the introduction of more robust controls, such as those achievable through Selective and Additional Licensing, will potentially (i) prevent the possible migration of rogue landlords into Havering, (ii) provide an opportunity to drive up standards within the private rented sector by improving the management of those properties and (iii) reduce antisocial activity often linked to poorly managed properties. A more proactive approach to tackle these complex issues will see benefits for landlords, tenants and local residents.
- 2.4 A summary of the risks associated with the proposed schemes is presented in *Appendix 3*.

3. Other options considered:

- 3.1 Five options were considered. The benefits and risks associated with each of these are summarised in *Appendix 4*.

IMPLICATIONS AND RISKS

1. Financial implications and risks:

- 1.1 The estimated income and expenditure costs associated with operating the Additional and Selective licencing scheme has been calculated and is shown in *Appendix 2*.
- 1.2 Income received from the Licences will cover but not exceed the cost of providing the Licensing function. At present the proposed licence fee is for administering the property licensing scheme. 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.

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- 1.3 Licences may be issued for up to a five year period and the overall income and expenditure for that time period is shown. The proposal is to charge a fee of £800 for the Additional licence and £500 for the Selective licence. It is expected that there will be a high compliance rate of applications in view of the discount of 25% for early applications. In addition, those who provide evidence of being members of a landlord association will receive a further 10% discount.
- 1.4 Due to the two proposed discounts it has mitigated the risk of the income receivable from the licencing fees being greater than the estimated licencing scheme operating costs.
- 1.5 The Council incurs costs associated with poorly managed private sector housing and associated ASB (eg dumped rubbish and graffiti); these proposed licensing measures should reduce the Council's expenditure on such matters.
- 1.6 Cleared: Comie Campbell *Interim Strategic Finance Business Partner* 16/12/2016.

2. Legal implications and risks:

- 2.1 This report seeks Members approval for the commencement of work on proposed new designation schemes, including agreement to begin an informal consultation and thereafter formal consultation exercise.
- 2.2 Under The Housing Act 2004 (the Act), a Local Housing Authority has the power to designate the whole or any parts or parts of its area as being subject to Selective Licensing and/or Additional Licensing for Houses in Multiple Occupation (HMOs).
- 2.3 The effect of designation is that all privately rented properties (save where an exemption applies), would require a licence. In order to make new designations, the Council will need to meet certain requirements set out in the Act (see below) before they are implemented.
- 2.4 Under Section 80 of The Housing Act 2004 the Local Authority can designate whole or any part or parts of its area as subject to Selective Licensing and this applies to privately rented property in the area.
- 2.5 Before designating a Selective licensing area, the Council must consider:
 - a) That its area is or is likely to become an area of low housing demand and that the conditions in the areas will be improved by the designation combined with other measures; or.
 - b) That the area is experiencing a significant and persistent problem caused by anti-social behaviour which is not being dealt with by private

sector landlords and that designation will in combination with other measures lead to a reduction in or elimination of the problem.

- 2.6 Under The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 a Selective Licensing Designation may be made if the area to which it relates satisfies one or more of the following conditions, that is the area is one experiencing:
- 1) Low Housing Demand (or is likely to become such an area)
 - 2) A significant and persistent problem caused by antisocial behaviour
 - 3) Poor property conditions
 - 4) High levels of migration
 - 5) High level of deprivation
 - 6) High levels of crime
- 2.7 Before designating an Additional licensing area, the authority must consider that a significant proportion of the HMOs of the relevant description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- 2.8 Additionally before making the designations, the council must ensure that they are consistent with its overall housing strategy and must seek to adopt a co-ordinated approach in tackling issues of homelessness, empty properties and anti-social behaviour affecting the private rented sector in its use of property licensing , whether on its own or in combination with other measures.
- 2.9 Designations must not be made unless the Council has considered other available courses of action that would achieve the same objectives as the proposed designation and that the making of the designation will significantly assist them in dealing with any problems identified.
- 2.10 With effect from 1st April 2015 a local housing authority will now need to apply to the Secretary of State for Communities and Local Government for confirmation of any scheme which would cover more than 20% of their geographical area, or that would affect more than 20% of privately rented homes in the local authority area.
- 2.11 Therefore under the new arrangements if a designation is made which covers 20% or less of its geographical area or privately rented properties, the scheme will not needed to be submitted to the Secretary of State provided the authority has consulted for a period of not less than ten weeks on the proposed designation.
- 2.12 If the local authority makes two designations at the same time, each of which account for less than 20% of the area or privately rented stock but cumulatively account for more than 20% of either, both schemes will need to be submitted to the Secretary of State for their approval. Therefore it is

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imperative the data and evidence gathered by the authority is carefully analysed to determine whether or not it meets this threshold.

- 2.13 The Council must consult with persons likely to be affected by the designation. This includes residents, and local or national businesses, tenants, landlords and their managing agents both in and outside the area. In *R (Regas) v LB Enfield* [2014] EWHC 4173 His Honour Judge McKenna ruled that the local authority had failed to consult those outside the area who were likely to be affected.
- 2.14 If the designation does not require the confirmation of the Secretary of State because of its extent, the formal statutory consultation must be for a prescribed minimum period of not less than 10 ten weeks.
- 2.15 Legal opinion recommends the Council undertakes an informal consultation exercise for a period of at least 4 weeks. This will effectively be a public engagement and listening exercise, which will enable the Council to gauge the public's response to the proposals, allow those an opportunity who are likely to be affected by the designations to set out their issues , concerns and suggestions or support before any period of formal consultation begins. Furthermore it is considered good practice to obtain the initial views of the stakeholders to use that information to shape any further options the Council wishes to put forward in the formal consultation. It is also likely to raise at an early stage, any potential challenge (s) to the proposed property licensing schemes.
- 2.16 Any representations made during the informal and formal statutory consultation exercise must be carefully considered before the designations are made.
- 2.17 To ensure an effective informal and formal statutory consultation, it must take place when proposals are still at a formative stage; it must include sufficient reasons for the proposals to enable consultees to consider them, and respond to them intelligently; enough time must be allowed; and the consultation responses must be taken conscientiously into account when a decision is taken on whether to designate.
- 2.18 Once both schemes have been fully drafted for the formal statutory consultation, the designations may be challenged by Judicial Review. The authority should consider alternative options in the event of a successful challenge. The time limit for issuing a claim for Judicial Review is three months from the date of the designation.
- 2.19 The Council must ensure that it has due regard to its equalities duty under s.149 of the Equality Act 2010 when considering whether to designate its area and if there is an adverse impact on those with protected characteristics caused by the proposed designations, that consideration is given to any mitigating steps that can be taken. The duty should be taken into account during the design of the consultation process and in communicating any

agreed changes. An equalities assessment of the proposals will usually ensure compliance with this duty.

- 2.20 The local authority has the power under section 63 of the Housing Act 2004 to fix a fee for Houses in Multiple Occupation (HMOs) and under section 87 for Selective licensing of other residential accommodation. Although the Government may make regulations specifying the maximum fees which can be charged, no regulations have yet been made. Subject to any potential future Regulations, the local authority may take into account all of its operational costs when setting the fee (costs under Part 2, Part 3 and Chapter 1 of Part 4 of The Housing Act 2004).
- 2.21 Local authorities are expected to set a fee rate which is transparent, accountable and directly related to the functions under the Housing Act 2004. Fees cannot be used to raise extra revenue for the local authority and the level of fee rates must also be set at an amount which is sufficient to reflect the true costs of both schemes.
- 2.22 At present the proposed licence fee model includes the costs of administering the proposed licensing schemes. However Counsel's advice may be sought to consider an alternative fee structure inclusive of costs under section 63 (7) and section 87 (7) Housing Act 2004 taking into account the Supreme Court judgement in the case of *R (on the application of Hemmings (t/a Simply Pleasure Ltd) and others) v Westminster City Council UKSC 25* as it is arguable the extent to which licence fees can include enforcement costs.
- 2.23 Provision is made within the recommendations to this report for the Leader in consultation with the Lead Member for Housing to be authorised to decide any alternative fee structure.
- 2.24 Further legislation may be introduced by the Government in the future which may affect the subsequent decisions, processes, and degree of risk associated with the proposed licensing schemes.
- 2.25 The Government has recently announced its intention to extend the scope of mandatory licensing under Part 2 of the Housing Act 2004 to include HMOs occupied by five or more persons in two or more households, regardless of the number of storeys. However it has not yet legislated to give effect to that proposal and at the time of writing this report, it is not known when Government intends to pass them. However, if enacted, it is likely the extension of the definition of mandatory HMOs which the Council intends to include within the proposed additional licensing scheme will not cover all of the HMOs in the borough. If and when appropriate, Counsel's advice will be sought on the full implications of this extension on the proposed licensing schemes.

3. **Human Resources implications and risks:**

- 3.1 Staffing implications for resourcing the administration and operation of the Licensing schemes are covered within the budget model.

4. **Equalities implications and risks:**

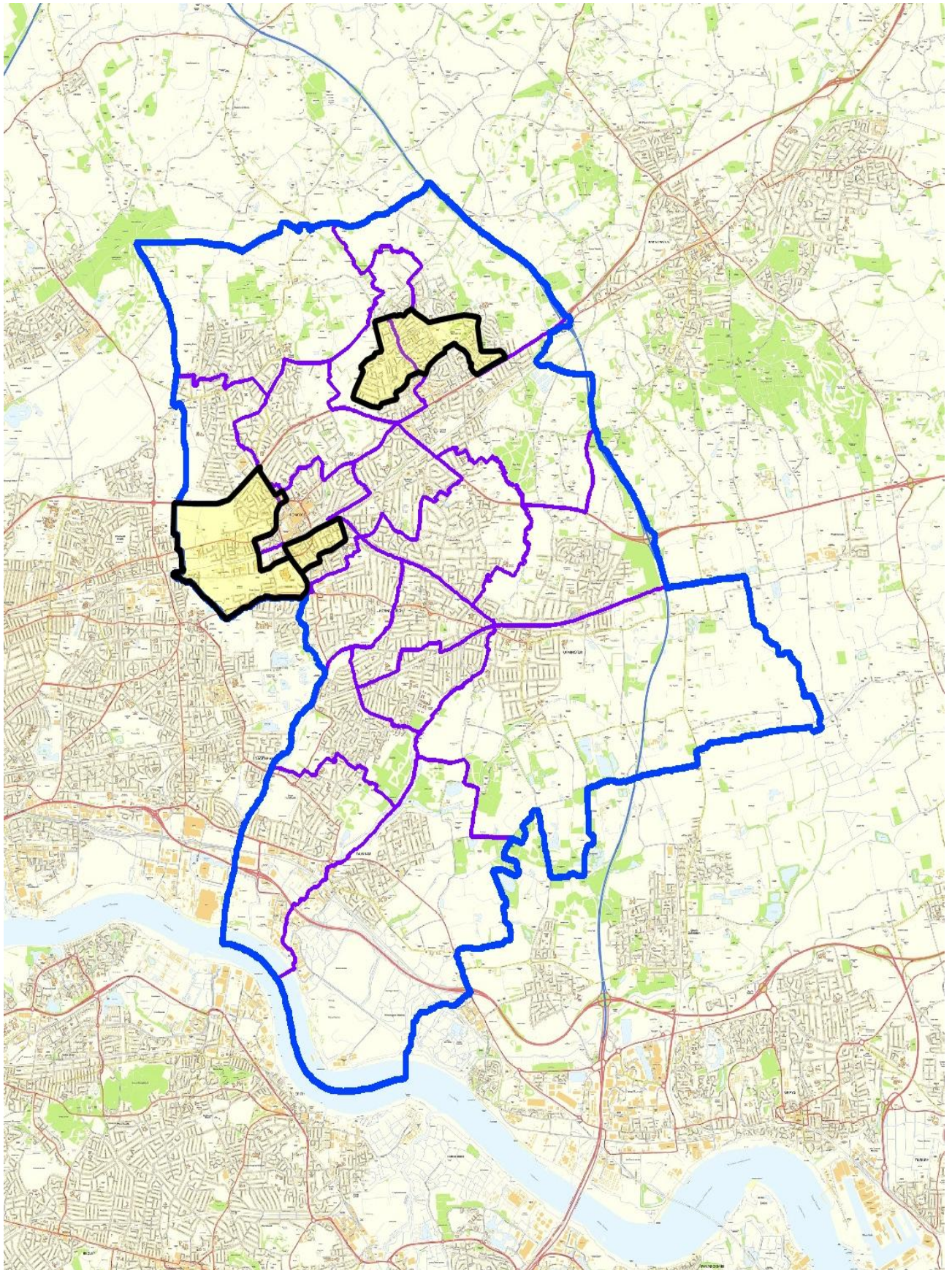
- 4.1 An equalities impact assessment (EIA) has been carried out and is attached as *Appendix 5*. Copies of the EIA will be appended to each of the licensing scheme proposals as part of the informal and any formal consultation.

BACKGROUND PAPERS

None

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Appendix 1 Maps showing Proposed Designated Selective Licensing Areas (yellow)

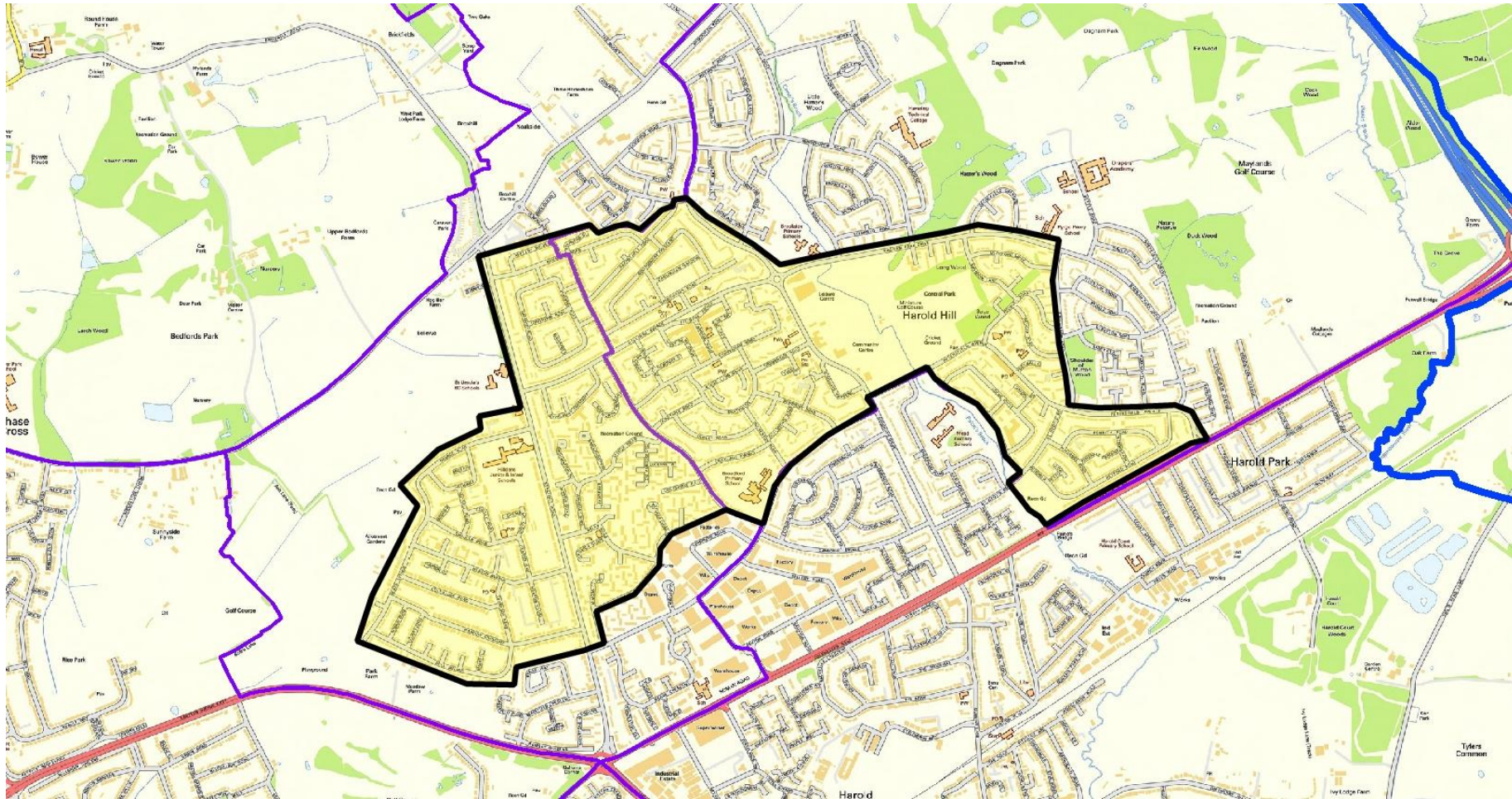


Borough Map Showing Proposed Designated Selective Licensing Areas (yellow)



Havering

LONDON BOROUGH

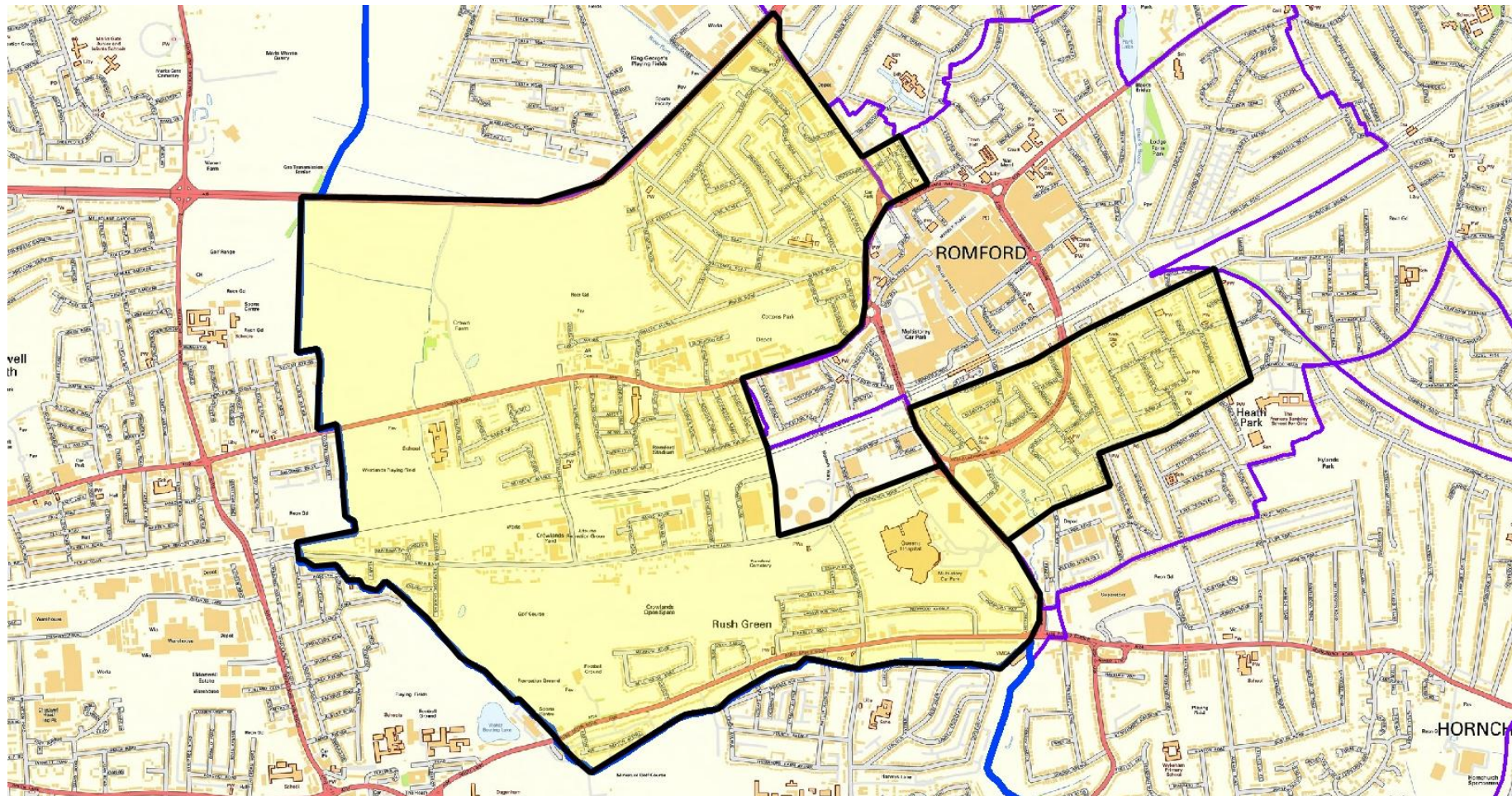


Area 1 Harold Hill



Havering

LONDON BOROUGH



Area 2 Romford



Appendix 2a Operational Costs of Scheme

TABLE 1		Further Discounts Available								
						Discount Rate			Discount Rate	
						25%			10%	
London Borough of Havering HMO Additional and Selective Licence 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	Estimated Income Receivable from Clients who receive an Early Bird fee	Discount Per centage	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
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 applicator	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 2b Schedule of Proposed Fees & Charges

Proposed Fees and Charges

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 2 to the 2004 Act (Licensing of HMOs) 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 may 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 4: 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 5: Available Discounts

Discounts		
1	Early Bird Discount 25%	For applications made prior to the implementation date
2	Discount 10%	For accredited landlords or members of recognised landlord associations
3	Discount 10%	For multiple applications or where an Applicant has had "fit and proper person" check in the last 6 months

* 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 6: 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)	£500.00 (selective) or £800.00 (additional)

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Change of manager (unless they are also the licence holder)	No Fee
Increase in the maximum number of occupiers and/or households resulting in a change from a selective licence to additional licence. This sum accounts for the difference in fee.	£300.00

Table 7: Actions and Applicable Charges

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

Appendix 3 Key Risks Identified

Description of Risk	Description of impact	Probability of risk	Level of Impact	Risk prevention, management or mitigation
1. Landlords do not apply for licences/ Low level of compliance.	<p>ASB and other problems are not solved.</p> <p>Landlords operate illegally.</p> <p>LA resources are taken up with enforcement and prosecutions.</p>	medium	high	<p>Plans to engage with Landlords by means of introducing Landlords' Forum in Havering and package of added value measures to be promoted to landlords.</p> <p>Requirements of proposal and intended outcomes widely advertised and promoted to landlords during consultation.</p> <p>Operation of robust enforcement programme to ensure illegally operating landlords are penalised</p>
2. Landlords apply for Judicial Review of the designation	<p>LA resources are taken up with defending an application for Judicial Review</p> <p>Proposed scheme may be declared unlawful</p>	medium	high	<p>Proposals prepared following all available guidance and best practice learned from other Local Authorities including those whose schemes had been the subject of Judicial Review applications.</p> <p>Wide range of detailed and robust evidence gathered to support the scheme and withstand challenge</p> <p>Full consultation to take place in accordance with legal requirement</p>
3. Number of HMO landlords may evict tenants and convert houses back into	Loss of much needed low cost shared accommodation	high	medium	Proposal to concentrate selective licensing scheme around locations where there are high concentrations of HMOs will act as a safety net to ensure licensing

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Description of Risk	Description of impact	Probability of risk	Level of Impact	Risk prevention, management or mitigation
single family homes	Increase in homelessness			and deter landlords from converting existing HMOs back to single dwellings
4. Some landlords may sell their properties or leave vacant.	<p>Increase in abandoned and vacant properties and loss of rental properties</p> <p>Increased homelessness</p>	low	medium	<p>Managed through the work of the Council under its Empty Homes Strategy</p> <p>Buoyant rental market due to high demand may lead to new property owners joining the market</p> <p>Managed through the work of the Council's Housing Options service and initiatives such as the Private Housing Solutions.</p>
5. Displacement of criminal landlords	Effect on neighbouring areas where unprofessional landlords chose to purchase property or displaced tenants move to.	medium	high	<p>Neighbouring London Boroughs already operating additional and/or selective licensing schemes.</p> <p>Other authorities will be fully consulted on proposals and their representations considered informing the final proposals.</p> <p>Option to extend local scheme if problems increase in other areas of the Borough</p>
6. Local Authority inadequately manages the scheme or inadequately resources the scheme	<p>Need to revoke the designation before the end of the five year designation.</p> <p>ASB and other problems are not resolved.</p> <p>Resources spent in the</p>	low	high	<p>Full business model drafted to show resource implications for the duration of the scheme and management decisions made on the basis of this.</p> <p>At present the Fees set cover a proportionate cost of administering and monitoring the schemes (however please note the Council is also considering an alternative fee structure to potentially include</p>

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Description of Risk	Description of impact	Probability of risk	Level of Impact	Risk prevention, management or mitigation
	research and implementation of the scheme is wasted. Inadequate resources in place to undertake other statutory and non-statutory functions			enforcement costs as set out in Appendix 2b above) ICT systems compatible with existing software Additional staff to be employed as necessary to administer schemes and undertake property inspections to help minimise the impact on other non-statutory functions Scheme managed and resourced for the five year life of the designation

Appendix 4 Options Appraisal

Option	Benefits	Risks
<p>1. Borough-wide Additional Licensing Scheme</p>	<p>Will provide an opportunity to improve standards and management practices in all HMOs and create a level playing field for landlords.</p>	<p>Landlords may avoid licensing by returning property back to single household occupation and risk creating a shortage of single person accommodation in Havering. Properties that have been converted to self-contained units will be excluded from licensing unless a selective scheme is also adopted.</p> <p>May prove unnecessary due to the Government's pending plans to extend the current mandatory licensing requirements to include some of the "smaller" HMOs and the cost of full consultation exercise will have a cost implication.</p>
<p>2. Part Borough Additional Licencing Scheme (Brooklands, Gooshays & Heaton wards)</p>	<p>Will address the growing concern about poor management practices and antisocial tenants of HMOs within the identified wards in the short term.</p> <p>Proposals by Government to extend mandatory licensing may address problems across the rest of the borough in the longer term.</p>	<p>The growing number of properties that have been converted to self-contained units would not be subject to additional licensing. An area based scheme would cause inconsistency in regulation and confusion amongst landlords and tenants. An area based approach to HMO licensing would not affect a significant number of HMOs (estimated at no more than 100 dwellings) but may result in problems being shifted to other parts of the borough. The cost of the consultation exercise may also be disproportionate if a designation is restricted to this option.</p>
<p>3. Selective Licensing Scheme in the three wards stated above</p>	<p>Will enable better controls over non HMO private rented housing within these wards including unlawful conversions to self-contained units. The additional income achievable from a larger licensing scheme will enable the funding of significant staff resources to carry out property inspections and monitoring in respect of</p>	<p>Landlords wishing to avoid licensing may move into other parts of the borough and risk private rented accommodation shortages in regulated wards.</p>

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	licensable properties.	
Option	Benefits	Risks
4. Borough-wide Selective Licensing Scheme	Would create a level playing field among landlords throughout the borough and deter the migration of rogue landlords to Havering. Will also enable a significant change in the way anti-social behaviour and or management in the PRS is tackled	<p>Suitable evidence could not be demonstrated to justify taking forward such a scheme across the whole of the borough and the prospect of being granted the necessary Secretary of State approval for such an ambitious scheme within Havering is doubtful.</p> <p>The initial resources required to implement borough wide selective licencing and ongoing funding for enforcement work may be cost prohibitive</p>
5. Do Nothing	Proposals by Government to extend mandatory HMO licensing to include smaller HMOs of less than three storeys may resolve many of the existing problems associated with HMOs without the need to introduce an additional licensing scheme or to carry out an extensive and expensive consultation exercise	<p>This approach would not support the growing public concerns about the private rented sector in Havering. It is not yet clear what extent of accommodation or number of occupiers this will relate to and there is not yet a proposed Implementation date for the Government's proposals so this fails to address immediate concerns.</p> <p>The Council will need to increase the resources within its private sector housing enforcement team in order to be able to ensure more effective enforcement within the private rented sector.</p>

Equality Impact Assessment (EIA)

Document control

Title of activity:	Private Sector Landlord Licensing
Type of activity:	Strategy
Lead officer:	Wendy Laybourn, Senior Private Sector Housing Strategy Officer Regulatory Services/Neighbourhoods Directorate
Approved by:	Patrick Keyes Assistant Director of Regulatory Services/Neighbourhoods Directorate
Date completed:	21 November 2016
Version Number	V3
Saved in:	W:\Dat03\Public Protection\PPDir>Selective Licensing\master documentsEqIA V3 (final).doc
Scheduled date for review:	TBC (Spring 2017) -following completion of full public consultation

The Corporate Policy & Diversity team requires **5 working days** to provide advice on EIAs.

Did you seek advice from the Corporate Policy & Diversity team?	Yes
Does the EIA contain any confidential or exempt information that would prevent you publishing it on the Council's website?	No

1. Equality Impact Assessment Checklist

The Equality Impact Assessment (EIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service. It also helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#).

Please complete the following checklist to determine whether or not you will need to complete an EIA. Please ensure you keep this section for your audit trail. If you have any questions, please contact the Corporate Policy and Diversity Team at diversity@havering.gov.uk

About your activity

1	Title of activity	Private Sector Landlord Licensing
2	Type of activity	Strategy
3	Scope of activity	<p>Under the provisions of Part 2 of the Housing Act 2004 the Council is proposing to designate the whole of Havering as an Additional Licensing area. This will have the effect of requiring landlords of <u>all</u> houses in multiple occupation (HMO) whereas, currently, Havering operates the mandatory scheme for HMOs which are 3 storeys and above to obtain a property licence, whereas, currently, Havering operates the mandatory scheme for HMOs which are 3 storeys and above. In addition the Council is proposing to designate part of its area as a Selective Licensing area under Part 3 of the Housing Act which will have the effect of requiring residential properties within the designated areas that are rented out privately to be licensed by the Council.</p> <p>Selective Licensing is being proposed to support other measures available to the Council to reduce antisocial behaviour and improve standards of management in certain areas within the private rented sector where significant problems exist.</p> <p>These proposals will be subject to a full public consultation with landlords, residents, businesses and community groups across the borough and all other potentially affected stakeholders whereby they will be invited to comment on the proposals. All feedback received will then be fully considered prior to making a final informed decision.</p> <p>The designations are intended to last for five years and</p>

		<p>the Council will be required to review the designations from time to time within this period. Havering is proposing to review the designations at the end of year 1 and at year 5 of their operation. If following a review, it is considered appropriate to do so, the designations may be revoked.</p> <p>The aims of Havering Council's Private Sector Landlord Licensing Project are:</p> <ul style="list-style-type: none"> • To exercise the Council's powers under the provisions under Part 2, section 55-56 and Part 3 Section 79 -80 of Housing Act 2004 • To improve management practices and improve housing conditions within the private rented residential sector and to deter the activities of rogue or unprofessional landlords within the Borough.
4a	Is the activity new or changing?	<p>The process of making Additional and Selective Licensing Designations is a new activity for Havering, but is an established legislative procedure and has been invoked by other Boroughs to ensure better management practices and control over its private rented sector in the interests of those people occupying private rented accommodation and the broader community.</p>
4b	Is the activity likely to have an impact on individuals or groups?	<p>Yes, the process of making these designations will impact on the following individuals/ groups :</p> <ul style="list-style-type: none"> • Landlords who operate HMOs of 2 storeys or below or who rent out single household accommodation within the designated zones • Tenants who occupy or are potential occupiers of HMOs and general privately rented homes within designated areas • Borough residents and businesses located within the vicinity of HMOs or high concentrations of privately rented residential accommodation. • Interest groups (eg ethnic groups or low income households who support the provision of HMO accommodation and/or poor quality private rented sector (PRS) homes.
5	If you answered yes:	<p>Initial Screening EIA completed (pre-consultation)</p> <p>Section 149 of the Equality Act 2010 stipulates the Public Sector equality duty. A public authority must, in the exercise of its functions, have due regard to the need to:</p> <p>a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under</p>

		<p>this Act.</p> <ul style="list-style-type: none">b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>Section 2 of this EIA addresses the public sector equality duty insofar as Havering holds information about the levels of anti-social behaviour (ASB) and crime in or close to areas where there is a high existence of HMOs. This data has been developed over recent years because the borough has envisaged an increasing need for a licensing scheme beyond the statutory licensing of three storey HMOs. In support of this is the reality for Havering Council's public duty that circumstances surrounding the topic of HMOs are fast developing within the local community and there are associated and growing social tensions, being fuelled by the perceived lack of Council control over the suitability and impact of HMO developments happening on the ground and poor management of existing HMOs.</p> <p>The Council has addressed these concerns in part by its implementation of Article 4 Directions under the Town & Country Planning Act 1990 in order to achieve a balanced control in relation to how and where HMOs are proposed to be formed in the future. This however does not address the growing concerns relating to existing poorly managed and poor quality HMOs, hence the proposal to consider a comprehensive HMO Additional licensing scheme across the Borough.</p> <p>Coupled with this is the proposal to designate a number of Selective Licensing zones, predominantly in locations surrounding high intensity HMO hotspots, which should serve to prevent avoidance of licensing by returning HMOs either back into single family units or shared accommodation that falls below the licencing threshold.</p> <p>Inherent within the statutory process of making Additional and Selective Licensing designations is the requirement to publicise the proposals within the community and to take into account all representations received when deciding whether or not to confirm the designations</p> <p>Once the consultation has been completed and representations taken into account then, should the Council decide to proceed with the Licensing</p>
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		Designations, the statutory 3-month period prior to any Licensing Designations coming into effect would provide an adequate timeframe for measures to be introduced to mitigate the impact on groups with relevant protected characteristics.
6	If you answered no:	N/A

Completed by:	Wendy Laybourn, Senior Private Sector Housing Strategy Officer Regulatory Services/Neighbourhoods Directorate
Date:	21 November 2016

2. Equality Impact Assessment

The Equality Impact Assessment (EIA) is a tool to ensure that your activity meets the needs of individuals and groups that use your service. It also helps the Council to meet its legal obligation under the [Equality Act 2010 and the Public Sector Equality Duty](#).

For more details on the Council's 'Fair to All' approach to equality and diversity, please visit our [Equality and Diversity Intranet pages](#). For any additional advice, please contact diversity@haverinq.gov.uk

Please note the Corporate Policy & Diversity Team require **5 working days** to provide advice on Equality Impact Assessments.

Please note that EIAs are public documents and must be made available on the Council's [EIA webpage](#).

Understanding the different needs of individuals and groups who use or deliver your service

In this section you will need to assess the impact (positive, neutral or negative) of your activity on individuals and groups with **protected characteristics** (this includes staff delivering your activity).

Currently there are **nine** protected characteristics (previously known as 'equality groups' or 'equality strands'): age, disability, sex/gender, ethnicity/race, religion/faith, sexual orientation, gender reassignment, marriage/civil partnership, and pregnancy/maternity/paternity.

In addition to this, you should also consider **socio-economic status** as a protected characteristic, and the impact of your activity on individuals and groups that might be disadvantaged in this regard (eg carers, low income households, looked after children and other vulnerable children, families and adults).

When assessing the impact, please consider and note how your activity contributes to the Council's **Public Sector Equality Duty** and its three aims to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity, and
- Foster good relations between people with different protected characteristics.

Guidance on how to undertake an EIA for a protected characteristic can be found on the next page.

Guidance on undertaking an EIA

Example: Background/context	
<i>In this section you will need to add the background/context of your activity. Make sure you include the scope and intended outcomes of the activity being assessed; and highlight any proposed changes.</i>	
<i>*Expand box as required</i>	
Example: Protected characteristic	
<i>Please tick (✓) the relevant box:</i>	Overall impact: <i>In this section you will need to consider and note what impact your activity will have on individuals and groups (including staff) with protected characteristics based on the data and information you have. You should note whether this is a positive, neutral or negative impact.</i> <i>It is essential that you note all negative impacts. This will demonstrate that you have paid 'due regard' to the Public Sector Equality Duty if your activity is challenged under the Equality Act.</i> <i>*Expand box as required</i>
Positive	
Neutral	
Negative	

Evidence: *In this section you will need to document the evidence that you have used to assess the impact of your activity.*

When assessing the impact, please consider and note how your activity contributes to the three aims of the Public Sector Equality Duty (PSED) as stated in the section above.

It is essential that you note the full impact of your activity, so you can demonstrate that you have fully considered the equality implications and have paid 'due regard' to the PSED should the Council be challenged.

- *If you have identified a **positive impact**, please note this.*
- *If you think there is a **neutral impact** or the impact is not known, please provide a full reason why this is the case.*
- *If you have identified a **negative impact**, please note what steps you will take to mitigate this impact. If you are unable to take any mitigating steps, please provide a full reason why. All negative impacts that have mitigating actions must be recorded in the **Action Plan**.*

**Expand box as required*

Sources used: *In this section you should list all sources of the evidence you used to assess the impact of your activity. This can include:*

- *Service specific data*
- *Population, demographic and socio-economic data*

Suggested sources include:

- *Service user monitoring data that your service collects*
- *[Havering Data Intelligence Hub](#)*
- *[London Datastore](#)*
- *[Office for National Statistics \(ONS\)](#)*

If you do not have any relevant data, please provide the reason why.

**Expand box as required*

The EIA

Background/context:

Havering has an important and growing private rented sector (PRS) that provides affordable housing options for local people. The Council realises that the majority of landlords operate professionally, however the Council is concerned about increasing levels of anti-social behaviour (ASB) associated with those rented properties that fail to meet satisfactory levels of tenancy and property management.

There is a perception and a growing body of evidence that poorly managed privately rented properties are having a negative effect on neighbourhoods – antisocial behaviour, nuisance neighbours and properties, and accumulations of refuse are just three issues which have been linked to the failure of private landlords to manage

properties and tenancies in an effective way. High demand and affordability issues for those residing in the PRS has resulted in overcrowding, sub-letting and illegal conversions with associated elevated levels of ASB and wider neighbourhood nuisance problems.

The London Borough of Havering wants to ensure that all private rented properties in the borough offer residents a choice of safe, quality and well managed accommodation. We recognise that in order to achieve this there is a need for a robust and coherent regulatory framework in which this market operates.

Havering has identified that problems in the private rented sector of poor property and tenancy management and antisocial behaviour, particularly but not exclusively in relation to houses in multiple occupation (HMOs), are distributed across the borough. To tackle these issues we are proposing to introduce a comprehensive borough-wide Additional Licensing designation in respect of HMOs in combination with an area based Selective Licensing designation for other types of privately rented properties in areas where significant problems exist.

The evidence base to be used in relation to the selection of areas to be designated under a Selective Licensing scheme has been linked to the criteria of ASB and crime, high levels of deprivation and poor housing conditions.

HMO Locations

Information has been provided from checks of the housing benefit system (where credit is paid to individuals in shared accommodation or HMOs known on the Public HMO Register), the public HMO register, Liberty Housing properties, addresses which are suspected of being HMOs, and data from council tax records for properties of shared accommodation and bedsits. A total of 265 addresses have been considered as part of this data exercise. The distribution and type/category of HMO by ward within Havering is shown in the table below.

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Row Labels	Benefits	Council Tax	HM1 HMO - Bedsits	HM2 HMO - Section 257	HM3 HMO - Shared House	HMO Public Register	Liberty Housing	Suspected	Grand Total
Brooklands	4	11	9	2	5	1		4	36
Cranham		1			1				2
Elm Park	1	3	1		2	7		2	16
Emerson Park		1			1		1		3
Gooshays	6	4					1	9	17
Hacton	1	1	3						5
Harold Wood	1	2			3	4	1	6	13
Havering Park	2	5	1		2	3	2	1	15
Heaton	5	8	2		2	1	4	12	32
Hylands			3		1				4
Mawneys	1	2	4		1			3	11
Pettits	1	3	1				1	1	7
Rainham and Wenningt	3	2	1	1	3	1	3	2	16
Romford Town	4	12	20	4	4	10	1	1	56
South Hornchurch	6	7	2		1			1	17
Squirrel's Heath		2	2		1	4			9
St. Andrew's		1	3				1		5
Upminster		1							1
Grand Total	35	66	52	7	27	31	15	32	265

- HMO Public Register – addresses confirmed and registered as HMOs.
- Benefits List – Properties in receipt of housing benefit identified as HMO/Shared Accommodation not on public register.
- Council Tax List – Properties recorded on council tax register as being HMO/Bedsit/Shared Accommodation
- HM1 HMO – Bedsits – these are known HMOs below the mandatory licence level.
- HM2 HMO – Section 257 – these are known HMOs below the mandatory licence level.
- HM3 HMO – Shared House – these are known HMOs below the mandatory licence level.
- Liberty Housing properties, which are HMOs
- Suspected, unconfirmed HMO – addresses which are currently being investigated by planning.

It should be noted that some addresses appear on multiple lists. Addresses are not duplicated/double counted in the table above. Those on official lists (HM1, 2, 3, Liberty Housing and HMO Public Register) have been removed from the Benefits, Council Tax and Suspect, unconfirmed lists.

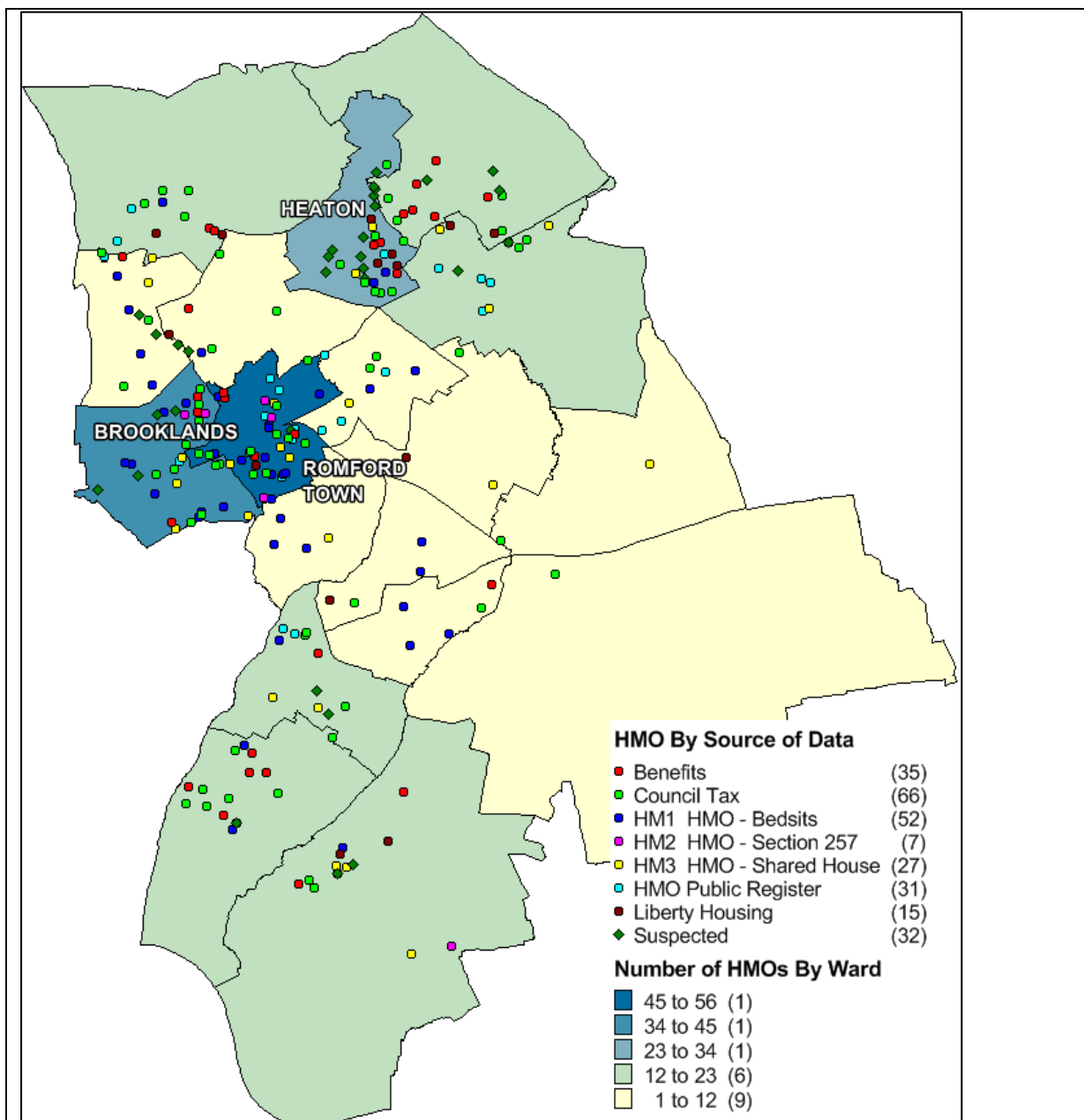
Just fewer than one-third of the properties identified are categorised as HM1, HM2, HM3 – below the mandatory licence level. Whilst these properties are spread throughout most wards, they are concentrated largely around Romford Town (28) and Brooklands (16) wards, the biggest contributor being HM1 (Bedsits).

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Where licensable HMOs are more prevalent are Heaton (29), Gooshays (20), Brooklands (19) and Romford Town (18). The Harold Hill area (Heaton, Gooshays and Harold Wood wards) contains 39% of HMOs known either to the public register, Liberty Housing or in receipt of housing benefit payments, and the highest proportion of suspected HMOs currently being investigated by planning are also in Harold Hill.

Harold Hill, which is a key area of concern of residents and Councillors, is home to approximately 13,000 residential properties, with 429 sales being made in the previous 12-months (according to RightMove) and 46 rentals advertised, including house shares and room renting (according to RightMove). Whilst this may be an emerging issue, it should be stressed that the significant majority of properties in Harold Hill are unaffected.

The map below shows the distribution of aforementioned categories of HMOs, with clear clusters of properties notable within Brooklands, Romford Town and Heaton wards. The thematic shading denotes the total number of HMOs per ward, ranging from 45-56 (darkest shaded regions) to 1-12 (lightest shaded regions) – please refer to the table above for Ward number breakdowns.



ASB and Crime

The table below provides the total number of records for noise complaints, police calls for service, police calls for domestic violence and total crime and crime related incident records, where the venue was a HMO. The total number of HMOs identified in Havering accounts for less than 0.3% of all properties (265 of approximately 100,000). Proportionately, these properties were over-represented in all areas observed (most notably calls regarding domestic violence and noise), however, in volume terms the amount of calls/complaints generated accounted for $\geq 1.27\%$ of the borough total.

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Category	No. Addresses	Total Number of Noise Complaints 2014-15	Total Number of Police Calls (exc. Domestic Violence) 2014-15	Total Number of Police Calls regarding Domestic Violence 2014-15	Total Number of Crimes Recorded 2014-15
HMO Public Register	31	2	11	10	13
Benefits List	35		17	25	14
Council Tax List	66		14	5	9
HM1 HMO Bedsits	52		22	23	21
HM2 HMO Section 257	7		1	7	10
HM3 HMO Shared House	27	1	2	4	23
Liberty Housing	15		5	2	9
Suspected	32	4	5		3
Total HMOs	265	7	77	76	102
Borough Total (to nearest hundred/thousand)	100,000 (addresses)	700 (complaints)	94,000 (calls)	6,500 (calls)	15,000 (crimes)
HMOs as per cent of borough total	0.3%	1.0%	0.08%	1.27%	0.6%

There is a strong correlation between the location of HMOs and significant areas where burglary is disproportionately high in Havering. There are 25 geographical areas of the borough which were identified as containing 40% of all household burglary in the previous 12-months. These 25 areas take up just 7% of the borough physical geographical area and contain 20% of the boroughs housing stock. Within these locations are 198 of our HMO accommodation (74%).

It is worth noting that numerous burglary studies have found rates of burglary are higher in areas of private renting and areas with multiple HMOs due to the transient nature of the population in these locations (with many residents being short term), which can enable offenders to operate with more anonymity than they might in more established communities (social organisation and informal social control are more vulnerable in transient areas). Significant concentrations of HMOs in small geographical areas may lead to elevated levels of crimes such as household burglary and vehicle crime.

Age: Consider the full range of age groups	
<i>Please tick (✓) the relevant box:</i>	
Positive	<input checked="" type="checkbox"/>
Neutral	<input type="checkbox"/>
	<input type="checkbox"/>
Overall impact:	
Housing and the quality of housing has a major impact on health and wellbeing of all age groups. Investment in improving poor, overcrowded or inappropriate housing will improve the quality of life of residents and have a preventative effect on future health and social care need. By driving up standards, licensing in the long term can deliver better individual health outcomes	

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Negative		
Evidence:		
2014	Number	Percentage of population (%)
All persons	245,974	100.0
0-4 years	15,563	6.3
5-9 years	14,812	6.0
10-14 years	13,735	5.6
15-19 years	15,045	6.1
20-64 years	141,237	57.4
65+ years	45,582	18.6
Sources used: Mid-year population estimates 2014; Office for National Statistics (ONS); Produced by Public Health Intelligence.		

Disability: Consider the full range of disabilities; including physical mental, sensory and progressive conditions		
<i>Please tick (✓) the relevant box:</i>		Overall impact: A large proportion of the private rented sector in Havering consists of houses with gardens but this can cause accessibility issues for disabled people as private landlords are less likely to spend money adapting properties to meet the needs of disabled people. One of the aims of licensing is to have a better informed landlord's community where they are clearer about their responsibilities and the support that is available to disabled people.
Positive	<input checked="" type="checkbox"/>	
Neutral	<input type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence:		
*		
Sources used:		

Sex/gender: Consider both men and women		
<i>Please tick (✓) the relevant box:</i>		Overall impact: No differential impact has been identified on the grounds of this protected characteristic in respect of landlords who may be affected by
Positive	<input type="checkbox"/>	

Neutral		the licensing proposals as it applies equally to all landlords operating in Havering irrespective of sex / gender.
Negative (short term only)	✓	Evidence suggests that Houses in Multiple Occupation are twice as likely to be occupied by Males, predominantly under the age of 30, as shared accommodation is often the only type of affordable accommodation available to them and they usually have no access to social housing accommodation. Additional licensing proposals could impact on this group negatively in the short term due to the possibility that some landlords may seek to return converted houses currently used as bedsit type accommodation back into single family homes in order to avoid licensing requirements which may result in consequential shortages of HMO accommodation and evictions. This is however only expected to be the case for poorly managed properties in the worst condition and may have the beneficial effect of driving bad landlords out of the market which, in the longer term, should result in increased availability of better quality and well managed bedsit type accommodation. Residents that are displaced as a result of this process will have access to housing advice albeit it may not be possible for the Council to make a direct offer of alternative accommodation in all cases
<p>Evidence: Community Safety report using data collected from Havering databases and Metropolitan Police records stated that of all known HMOs in the Borough, 67% were occupied by males.</p>		
<p>Sources used: Data on noise nuisance collated by London Borough of Havering and Metropolitan Police records of reported crime and anti-social behaviour (for period April 2015-March 2016)</p>		

Ethnicity/race: Consider the impact on different ethnic groups and nationalities		
<i>Please tick (✓) the relevant box:</i>		Overall impact: There is a significant concentration of migrant households in HMOs and low quality homes where this is the only affordable form of accommodation for a working household on low wages.
Positive		
Neutral		
Negative (short term)	✓	Vulnerable, such as new arrivals in the country may be more likely to be affected by poor housing conditions. Overcrowding disproportionately affects migrants. PRS Tenants within ethnic minority groups are therefore likely to be adversely affected by licensing in the short term due to the potential of a shortage of HMO accommodation resultant from licensing requirements. However, they should be positively affected in the longer term by way of better quality accommodation and landlord management practices and more

		<p>protection from eviction to be implemented through licence conditions. Housing advice will be available to any tenant that has been displaced as a consequence of licensing.</p> <p>The Private Sector Landlord Licensing proposal applies equally to all landlords operating within the London Borough of Havering irrespective of ethnicity / race therefore this group will not be negatively affected. A range of measures will be implemented in order to support landlords to respond to reports of antisocial behaviour and unsocial tenants.</p>
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Evidence:

No local data is yet specifically available on the profile of protected characteristics associated with privately managed HMOs. This is because HMOs generally have highly transient occupants and /or data is not available to the Council because currently licensing provisions under the Housing Act do not apply to the premises in question. Some equality profile data specific to the management of HMOs by the Council itself is available and is detailed below, however that profile data will not necessarily be consistent with that of the private rented sector and it will not necessarily show the whole picture due to the complexity of data collection. It is included at this stage of the process because it serves as a useful indicative benchmark about several of the protected characteristics

Equality Profile data for HMOs managed on behalf of LB Havering

This data was collected about the profile of tenants who occupy HMOs managed by Havering. In respect of the proposed licensing designations subject of this Equality Assessment the data below does not specifically represent the picture for existing private sector HMOs and is referenced solely for guideline purposes.

Ethnicity- Summary Total tenants in sample: 91-		
Black African	8	8.8%
Black Caribbean	8	8.8%
Black other	4	4.4%
Not Known/ no response	6	6.6%
White and Asian	3	3.3%
White and Black African	2	2.2%

Sources used:

This snapshot data represents all tenants responding to survey who were occupying HMOs managed by Havering as at 9 June 2015 sourced from the housing database.

Religion/fait: Consider people from different religions or beliefs including those with no religion or belief

Please tick (✓) the relevant box:

Positive

Overall impact:

No differential impact has been identified on the grounds of this protected characteristic. The Private Sector Landlord Licensing

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Neutral	<input checked="" type="checkbox"/>	proposal applies equally to all tenants and Landlords operating within Havering irrespective of religion / faith. However housing advice will be available to any tenant that has been displaced as a consequence of licensing.
Negative	<input type="checkbox"/>	
Evidence: N/A		
Sources used: N/A		

Sexual orientation: Consider people who are heterosexual, lesbian, gay or bisexual		
<i>Please tick (✓) the relevant box:</i>		Overall impact: There is no information relating to sexual orientation of landlords. Selective licensing aims to reduce antisocial behaviour which is likely to benefit people who suffer from homophobic crime and incidents. A range of measures will be implemented in order to support landlords to respond to reports of antisocial behaviour and unsocial tenants.
Positive	<input checked="" type="checkbox"/>	
Neutral	<input type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence: There is insufficient data available to measure accurately the potential effect of these proposals in relation to sexual orientation of tenants.		
Sources used: N/A		

Gender reassignment: Consider people who are seeking, undergoing or have received gender reassignment surgery, as well as people whose gender identity is different from their gender at birth		
<i>Please tick (✓) the relevant box:</i>		Overall impact: No differential impact has been identified on the grounds of this protected characteristic. The Private Sector Landlord Licensing proposal applies equally to all tenants and landlords operating in Havering irrespective of gender reassignment. Housing advice will be available to any tenant that has been displaced as a consequence of licensing.
Positive	<input type="checkbox"/>	
Neutral	<input checked="" type="checkbox"/>	
Negative	<input type="checkbox"/>	
Evidence: N/A		

Sources used: N/A

Marriage/civil partnership: Consider people in a marriage or civil partnership	
<i>Please tick (✓) the relevant box:</i>	Overall impact: No differential impact has been identified on the grounds of this protected characteristic. The Private Sector Landlord Licensing proposal applies equally to all tenants and landlords operating in Havering irrespective of marriage / civil partnership.
Positive	
Neutral ✓	
Negative	
Evidence: N/A	
Sources used: N/A	

Pregnancy, maternity and paternity: Consider those who are pregnant and those who are undertaking maternity or paternity leave		
<i>Please tick (✓) the relevant box:</i>	Overall impact: Proposed restrictions on numbers of occupants in HMO bedsit rooms may impact upon pregnant tenants as the addition of a baby may result in a breach of licence conditions where the total number of occupants in a room will exceed two persons. Landlords will be responsible for ensuring premises do not become overcrowded and therefore may be forced to take action to evict certain tenants that fall within this protected characteristic and thus increase risk of homelessness. Housing advice will be available to any tenant that has been displaced as a consequence of licensing and in many cases tenants falling within this protected characteristic will be owed a homeless duty by the Council's housing service.	
Positive		
Neutral		
Negative ✓		
Evidence: There is no available evidence to directly link homeless approaches from pregnant women to bedsit type accommodation but data recorded on homeless approaches by pregnant women and/ or applicants with dependent children is shown below. Section E2: Applicant households found to be eligible for assistance, unintentionally homeless and in priority need during the quarter, by priority need category		
Total households with dependent children	Household includes, a pregnant woman and there are no other dependent children	6. Total Applicants

86	11	122

*

Sources used:

Quarterly P1d Housing Statistical return (1/7/16 to 30/9/16) -from LBH Housing database-homeless approaches

Socio-economic status: Consider those who are from low income or financially excluded backgrounds

Please tick (✓) the relevant box:

Positive in the long term

✓

Neutral

Negative in the short term

✓

Overall impact:

Vulnerable residents and those on low incomes have found that access to housing appropriate to their needs has been restricted by a lack of affordability and large numbers find themselves living in the worst PRS properties or shared accommodation. Changes to the national welfare system has had a negative impact on the provision of quality housing options due to displacement of benefit dependent households into cheaper accommodation as a result of the Local Housing Allowance rent caps. Some landlords may decide to increase rents or leave the cheaper private rented market altogether if landlord licensing is introduced in Havering and this could negatively impact tenants due to an increase in evictions and homelessness.

On the positive side, a significant protection that would be provided for assured short-hold tenants is that a s.21 Notice to evict tenants cannot be used by the landlord where a property is subject to licensing, but has not been licensed, and the Courts will therefore refuse to issue Possession Orders on that basis. The life chances of residents are closely linked to the quality of their neighbourhoods and their housing accommodation. Licensing seeks to address some of these issues by driving up the quality of the PRS and will improve housing conditions and security of tenure, particularly for the poorest tenants, over the longer term.

Evidence:

The Council does not have any data to demonstrate this expectation, however on the basis of experience of other Councils who have introduced additional and/or selective licensing the effects of licensing on tenants sharing this protected characteristic have not been reported to be significantly negative.

The proportion of households on low income benefits within the key areas affected by this scheme are tabulated below

	Heaton Ward	Gooshays Ward	Havering Average
Income support claimants (% of working age population)	3.47	3.68	1.74

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Income Support claimants, Carers and others (% of Income Support claimants)	17.86	19.44	18.54
Income Support claimants, Incapacity Benefit reasons (% of Income Support claimants)	14.29	8.33	11.61
Income Support claimants, Lone Parent (% of Income Support claimants)	67.86	72.22	69.85

Sources used:

Havering Data Intelligence Hub

Conclusion

Overall it is anticipated that the introduction of Additional Licensing and area based Selective Licensing is likely to bring about significant benefits to groups with protected characteristics, particularly those who are disadvantaged and who have no alternative to renting in the private sector. The main purpose of the scheme is to reduce antisocial behaviour and improve housing conditions which will benefit all residents and particularly those who have protected characteristics. Making our Borough a safe place to live is a top priority for Havering Council and the implementation of landlord licensing schemes will support this vision.

Vulnerable groups will also benefit from overall improvements in management standards due to the ability of the Council to better identify those properties that are being rented privately and the improved ability to enforce standards to the private rented sector, especially in the locations where the greatest problems currently exist.

The Equality Assessment has identified some potential for adverse impacts, particularly to the lower income groups, if landlords decide to increase rents or withdraw from the private rental market altogether as this could put tenants at an increased risk of homelessness. Although any adverse impacts are only expected to be short term, the Council proposes to mitigate this risk by proposing to offer a reduced licence fee to landlords who apply within the first three months of the scheme operating. It is also proposed to launch a major publicity campaign when the Licensing schemes are introduced to make tenants and landlords aware of their rights and obligations and what tenants can do if threatened with eviction. Specific actions are set out in more detail in the Action Plan below.

Overall it is considered that the benefits of this initiative far outweigh any negative impacts to groups with protected characteristics.

If the proposed Licensing Schemes are introduced, it is intended to closely monitor the situation on an ongoing basis and to carry out a major review after the scheme has been in place for 12 months.

Action Plan

In this section you should list the specific actions that set out how you will address any negative equality impacts you have identified in this assessment.

Protected characteristic	Identified negative impact	Action to be taken to mitigate impact*	Intended outcomes and monitoring**	Timescale of actions	Lead officer
Sex/Gender	Males, particularly those under the age of 35 may be negatively impacted by the implementation of Additional HMO licensing as bedsit unit numbers may reduce as a direct result of licensing and enforcement of standards leading to a consequential rise in the number of evictions	The implementation of a Selective Licensing scheme alongside HMO licensing in areas with high concentrations of HMOs should dissuade landlords from reverting shared houses back to single household accommodation by removing the ability for landlords to avoid licensing altogether Wherever possible, displaced private tenants to be supported by rehousing within existing stock of privately leased shared accommodation managed by the Housing Department	Numbers of homeless declarations from young males resulting from closure of HMOs due to licensing requirement to be monitored.	From designation of the additional licensing scheme and ongoing	PRS Licensing Lead

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Protected characteristic	Identified negative impact	Action to be taken to mitigate impact*	Intended outcomes and monitoring**	Timescale of actions	Lead officer
Ethnicity/Race	Migrant households with no entitlement to public funds or social housing may be displaced due to their inability to afford potential increases in rent or reduction in availability of shared accommodation	<p>Licensing will prevent lawful eviction of tenants from premises which are required to be, but not licensed, so should provide additional protection from eviction in some cases.</p> <p>Early bird discounts and other incentives to reduce licence fee to be incorporated into fee structure in order to minimise the risk of rent increases for tenants.</p>	Numbers of households presenting as homeless to be monitored by housing department	From designation of the additional licensing scheme and ongoing	PRS Licensing Lead
Pregnancy Maternity & Paternity	Pregnant women and new mothers may face eviction from HMO accommodation as a result of licensing and enforcement of licence conditions limiting occupancy	Housing authority to exercise homelessness duties to eligible tenants by assisting tenants to secure alternative suitable accommodation either in private rented or social housing sector	Housing Department to exercise homeless duties to vulnerable residents	From designation of the additional licensing scheme and ongoing	PRS Licensing Lead

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Protected characteristic	Identified negative impact	Action to be taken to mitigate impact*	Intended outcomes and monitoring**	Timescale of actions	Lead officer
Socio-economic status	Low income/benefit dependant households	<p>Licensing will be beneficial in the longer term as housing standards should improve and greater security of tenure will discourage landlords from exploitation of vulnerable tenants.</p> <p>Licence fees will be set at a level designed to cover costs in order to minimize the burden on landlords and minimize the likelihood that the charges will be passed onto tenants through increased rents. There is also a proposal to offer an early bird discount so that landlords can benefit from reduced fees if they apply early.</p>	Private tenants to be supported if there are negative consequences arising from the Council's enforcement approach	From designation of the additional licensing scheme and ongoing	PRS Licensing Lead



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Review

The EIA will be reviewed by the Project Manager following completion of the full consultation exercise in order to incorporate informed information. Following implementation of the licensing scheme(s) a further review will be carried out after 12 months of the schemes operation and annually thereafter in order to ascertain if there has been any significant negative impact upon groups with protected characteristics.

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Appendix 6 Proposed Additional Licensing Scheme Consultation Document

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Appendix 7 Proposed Selective Licensing Scheme Consultation Document