



Harrow Council

**Proposal for Introduction of
Selective Licensing Scheme**

Consultation Report

APRIL 2015

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Introduction

Selective licensing is intended for private rented properties and if introduced can help improve the management and property standards thus reduce antisocial behaviour. Landlords and managing agents will be required to license their properties for a fee with the Residential Licensing Team in order to operate in the approved designated area.

Section 82 of the Housing Act 2004 allows us to operate a Selective Licensing scheme as a tool with other initiatives to help regenerate areas. We will encourage private rented landlords to improve safety and management of their properties and to deal with antisocial behaviour, which will help improve living standards and improve areas of low demand.

Section 80 and 81 of the Housing Act 2004 allows local Authorities to designate an area or the whole borough if it can demonstrate the area suffers from persistent anti-social behaviour or has low rental demand.

Currently it is costing us time and money trying to locate the landlords and managing agents of poorly managed properties and to deal with tenants occupying these types of properties. Some of the benefits of selecting licensing:

- Enforce management responsibility on landlords and managing agents
- Responsible landlords can benefit from increase in demand from their properties.
- Reduce the number of poorly managed properties
- Regulated management standards for landlords
- Support landlords to deal with bad tenants
- Improved health and safety
- Reduction in unlawful evictions
- Public Register of all licensed properties in Harrow

Since 2012 the Residential Licensing Team have been collecting data from various internal and external partners to see if any of the 21 wards would meet the requirements of selective licensing. The data included comparison of statistics of empty properties, housing complaints, crime and anti social behaviour .

The outcome of the project identified Edgware, Wealdstone and Roxeth wards as having hotspots of anti social behaviour, crime and fly tipping. They also showed low demand and a growing and large number of privately rented properties with an increasing number of associated problems. The Edgware Councillors were keen we should pilot their ward as they too have received an increase in complaints associated with private rented properties.

Working in partnership with Police and the Anti social behaviour team we will offer support and guidance to landlords and tenants to deal effectively with litter, fly-tipping, overcrowding and drug/alcohol related crime. We will protect vulnerable tenants living in poorly maintained or badly managed properties who will benefit from

improved safer and living conditions. This could result in fewer voids and reduce frequency of turnover of tenants which will benefit landlords. This will result in the community benefiting from increased housing demand and Harrow being a more attractive place to live in.

The license holder, if he/she meets the criteria for the 'fit and proper person test,' will be issued with a license which will contain a set of conditions that must meet be met for e.g.

- Provide gas, electrical safety and EPC certificates.
- Obtain references on tenants, before issuing tenancy agreement.
- Provide smoke alarms and carbon monoxide detector in the property
- Provide written valid tenancy agreements, which will state reasonable action taken where there is evidence the tenant or visitors are involved in criminal or anti-social behaviour
- Provide rent receipts.
- Ensure storage and disposal of household waste
- Ensure tenants are disposing of waste in a responsible manner.
- License holder(s) must reside in the UK

We will monitor to ensure all the licensing conditions are being met. Offences of non licensing may result in the landlord being fined up to £20,000.

Section 96 of the Housing Act 2004 enables for a Rent Repayment Order to be made to recover rent from an unlicensed property. Fines for breaches of licence conditions are up to £5,000 for each breach.

Not all properties require a license, the following are exempt:

- Local Housing Authorities or Registered Social Landlords
- Holiday lets
- One family member renting to another family member
- Long lease tenancies (21 years)
- Commercial lettings
- Properties the council has taken action to close down
- Properties which require licensing under Part 2 of the Housing Act 2004 (HMO)
- Properties we have issued a Temporary Exemption Notice which is still valid and current.

The Selective licensing scheme will appeal to good landlords and tenants, although we are aware there is a possibility of displacement of problems and landlords to areas where the scheme is not implemented.

We will have regular consultation with our stakeholders through our landlords and tenant's forums and drop in surgeries to consider if selective licensing is achieving the Councils aims and objectives in reducing anti social behaviour and creating a

demand for housing. This will enable us to discuss viewpoints, recommendations and consider the feasibility of continuing with the scheme for a further five years.

Background

We have seen a significant increase in the relocation of Eastern Europeans and Asians in a number of wards in Harrow. This has resulted in causing conflict within some parts of the community due to cultural differences between the existing and new residents. We have also seen an increase in drug and alcohol related crime, severe overcrowding, illegal conversions and beds in sheds. Most of these cases have been linked to badly managed and or run down properties.

We are currently working in partnership with the community and internal and external partners, but sometimes due to lack of information about ownership and tenure of properties, the problems raised are taking longer to resolve. We believe with the introduction of selective licensing, we could successfully and efficiently tackle the problems. This will also enable us to direct monitoring responsibility to be placed on landlords and managing agents, who are able to react swifter than enforcement agencies.

Part 3, section 80 of the Housing Act 2004 introduced powers to Local Authorities to implement selective licensing scheme for part or whole of the borough to help tackle anti social behaviour and areas in low housing demand.

We want to transform the private rented sector in the borough by using a number of tools i.e. joint partnership working with Police, landlords, agents, tenants and enforcement powers. We want to encourage best practice to improve landlords' and agents management of properties and ensure that accommodation is managed effectively, thus regenerate the area.

Aims and Objectives

Harrow has a high demand for private rented properties in Edgware ward from new arrivals into the country. Landlords are using this demand as an excuse to allow subletting and overcrowding by offering badly maintained and poorly managed properties.

Through licensing we would be able to identify the landlord and therefore tackle complaints of overcrowding, noise, fly tipping etc quicker by offering support and advice for landlords, tenants and local residents.

Our aims are to ensure:

- A regulated standard of management and condition of private rented properties. Improving the standards to ensure landlords improve their properties and manage tenancy agreements to comply with licensing conditions.
- A more settled and diverse community living with improved security and a sense of community.
- Home owners' do not sell up purely because of frustration/fear that their area is considered less appealing and houses prices being priced less than the neighbouring area.
- Encourage the good tenants to stay in the area and avoid displacement of tenants
- Harrow to be considered an attractive area to live and work in which can result in improved economic future for local businesses.

Our objectives are to have a reduction in:

- Accumulation of rubbish
- Drug and alcohol related crime
- Gang nuisance
- Illegal conversions
- Negativity due to badly managed and poorly maintained properties
- Overcrowding
- Sub-letting
- Vandalism

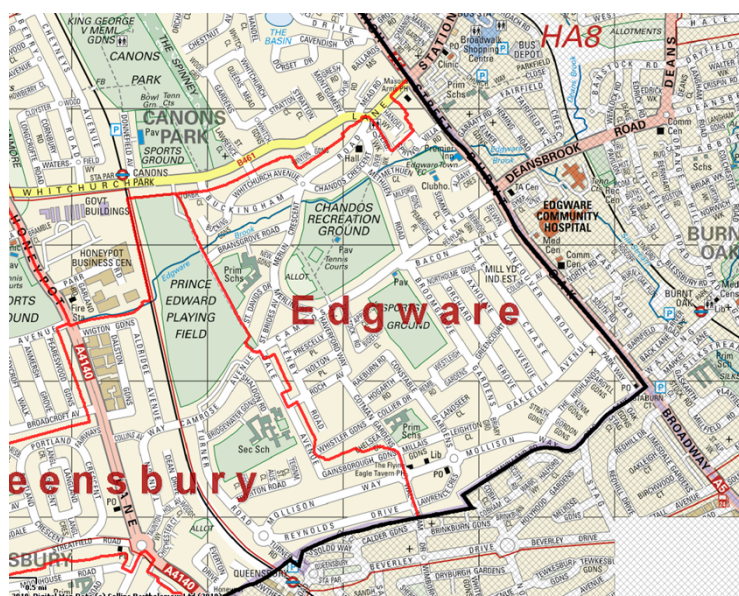
Currently we are operating a borough wide Mandatory and Additional HMO scheme. If the proposal is implemented we would like to implement selective licensing scheme in certain hotspot wards over five years as we feel landlords may displace tenants to areas exempt from licensing.

Consultation Process

The consultation for the proposal for the implementation of selective licensing in Edgware ward started in November 2014 as prescribed by legislation. The proposal has been through a comprehensive consultation process with residents, landlords, businesses and service providers. The online questionnaires are available on the Council's website.

The purpose of the consultation is to ensure that all tenants, residents, landlords, businesses and service providers in the Edgware ward views were taken into consideration about the proposal and their perception about anti social behaviour in the area. We had four different questionnaires created for the different groups. We extended our consultation to the neighbouring areas (including Brent and Barnet) as we felt displacement may impact on them.

Table 1. Map of proposed ward.



The area outlined in red indicates the proposed selective licensing area of Edgware ward.

The boundary in black indicates the neighbouring Brent and Barnet boroughs.

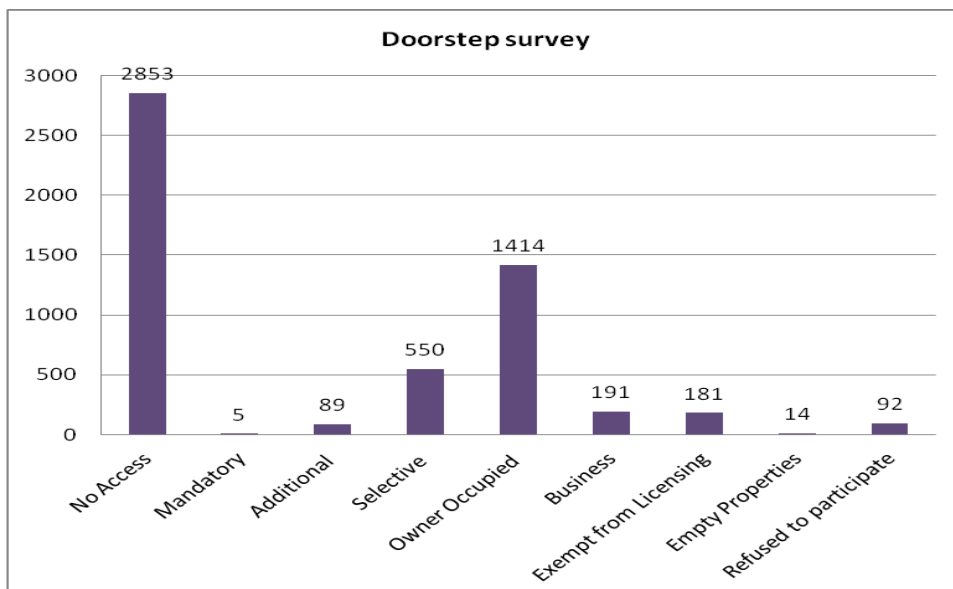
We employed fifteen graduates from Middlesex University who have either completed or are in the final year of their degree in Environmental Health. Working in a minimum of pairs, each group was given:

- List of all the roads in the Edgware ward and neighbouring areas
- Door step survey form to complete with information provided by the occupants
- Selective licensing leaflet explaining what selective licensing is and who it affects
- Three types of questionnaires (residents, landlords, businesses)
- No access card to be left at the property if no-one answered.

Our target was to gain information about the occupancy levels and tenure by knocking on every property on their list. So as to gain entry to as many properties as possible, day, evening and weekend visits were carried out. If no-one was in at the time of our visit, a card was left at the property informing we had visited and requesting the occupant to contact us so that we could discuss the purpose of the consultation. To date we have revisited every 'no access property' at least twice.

As we have a diverse and multi-cultural borough the questionnaires on request could have been translated into a variety of different languages. Following a request a copy of the resident's consultation has been translated into Gujarati.

Graph 1 below shows the data collected from the doorstep survey carried out during November 2014 to April 2015. Apart from the data showing us the tenure of the Edgware ward, it has also been useful in identifying empty properties. This data has been passed to the empty homes department who have begun their investigation to identify the owners. Thus, improving the area by bringing the properties back into use.



Graph 1

Our consultation process also included:

- Advise via email/telephone
- Regular drop in surgeries
- Online consultation on the Council website providing information about the scheme
- Edgware stakeholders forum held at Central Depot on 7th January 2015
- Landlords Forums held on 20th April 2015 held at the Cumberland Hotel
- Press release in local paper
- Engagement with Service providers

The Proposal

We believe that working jointly with our partners and the introduction of selective licensing scheme would make a significant contribution to the general regeneration of Harrow. We are therefore proposing introducing selective licensing in certain designated areas. We want to pilot Edgware ward and then extend the scheme in wards with significant low demand and growing private rented sectors with a number of associated problems during the next five years.

At the moment, the existing powers to deal with landlords and agents in areas of low demand and anti-social behaviour issues are inadequate. If the scheme is implemented it will enable the Council to impose a legal requirement on all landlords within the designated area to apply for a licence for each property they rent out in the area and comply with specific licence conditions. This will enable us to reduce and enforce on landlords whose properties are used for illegal purposes and anti social behaviour. Working in partnership with the Planning and Building Control departments, we can reduce illegal and substandard conversions.

The selective licensing scheme would enable the Council to:

- Place responsibility on the landlord/managing agent to inform the council of tenure of their properties.
- Focus on properties where management and or accommodation standards are inadequate and ensure that they are improved;
- Publish a public register of all private rented properties within the Edgware wards
- Set Licensing conditions which will state the maximum number of occupants allowed to occupy the property.
- Enable us to share intelligence with our partners to deal effectively with properties associated with criminal activities.
- Improved landlord management skills.
- Support for landlords with regards to empty homes.
- Improvement in the reputation of private landlords.
- Shorter void periods and reduce tenant turnover.
- Reduction in unlawful evictions
- Improved security and sense of community.

The Landlord or Managing Agent will be required to pay a licence fee for each property requiring a license in the designated area. The maximum fee will probably be £550.00 for a licence which lasts for up to five years.

Although licensing is applicable to all landlords and managing agents, we aim to reward good landlords with financial incentives for early application submission and for being accredited. We also will also issue them with a five year licence and lesser terms for those landlords who are unco-operative and fail in their responsibilities.

As part of our fee structure we will offer the following discounts:

- £75.00 if the Licence holder is an accredited landlord at the time of the application for the first application.
- £50.00 for every application received before our deadline of going live.

The fees will be reviewed annually as part of the Council fees and charges process.

There are concerns selective licensing could result in an increase in homelessness as Landlords deciding to sell up rather than pay the license fees or increasing rent to cover the license fees. The Council could offer these landlords incentives for us to take over their properties on a three or five year lease to help with our housing needs.

If the proposal to operate a selective licensing scheme is agreed by the Cabinet, there is a statutory three month notification period whereby we have to publish the designation before going live.

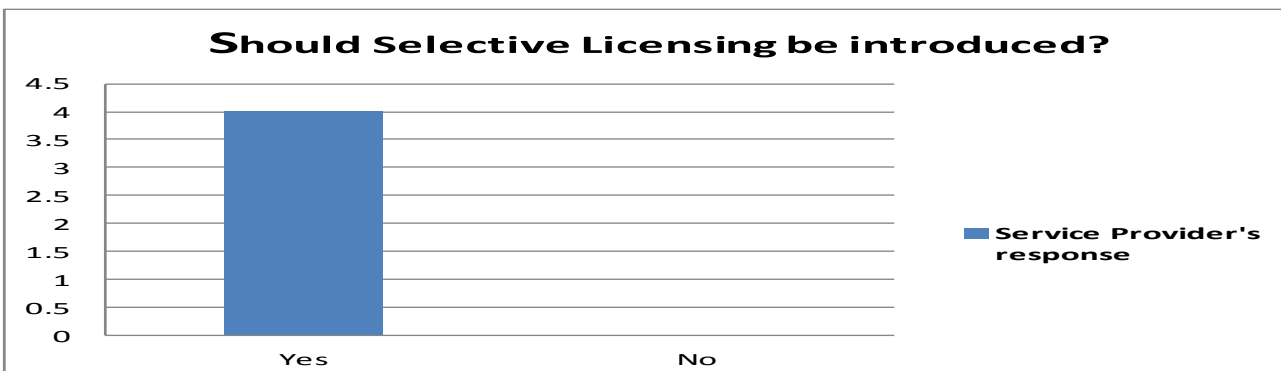
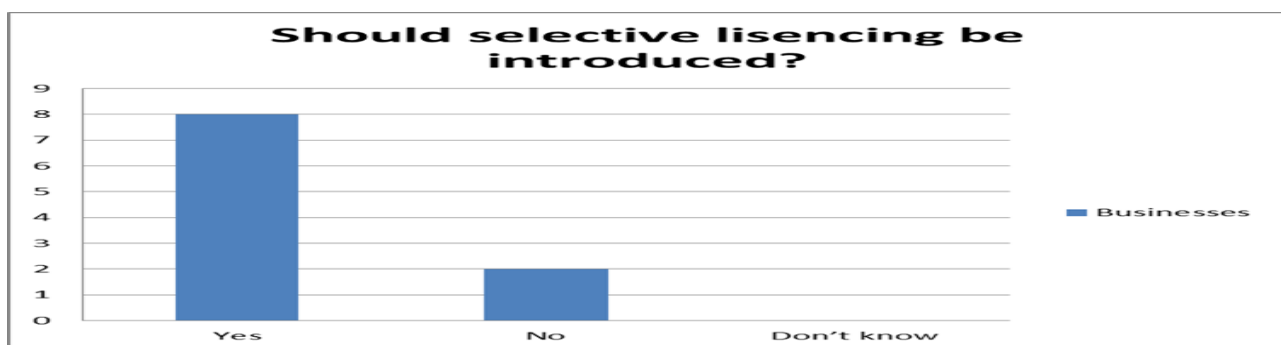
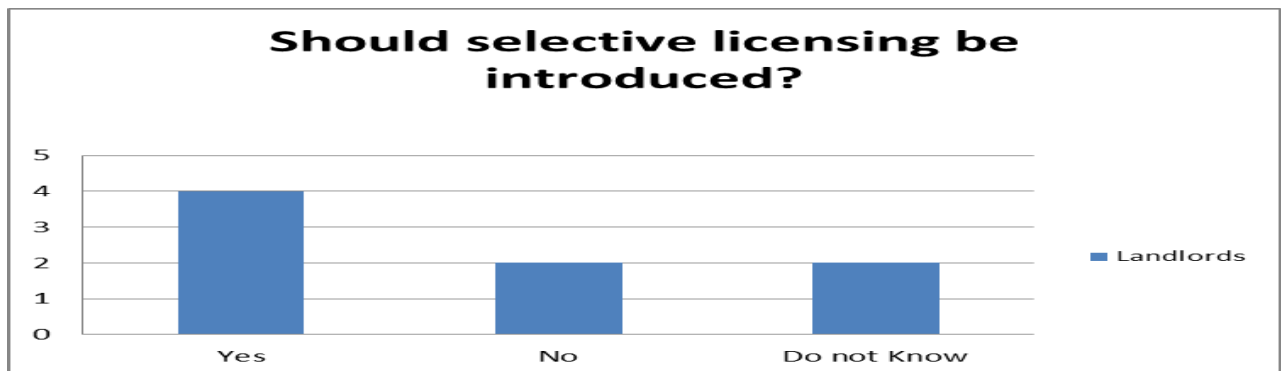
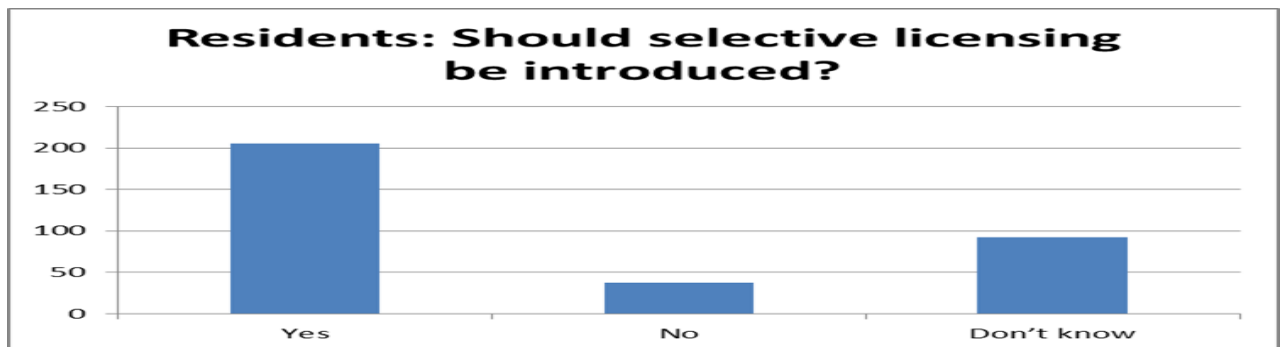
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Results of the Consultation

The full consultation responses have been included as appendices, including comments which have all been noted. Where applicable, they have been passed to the relevant services.

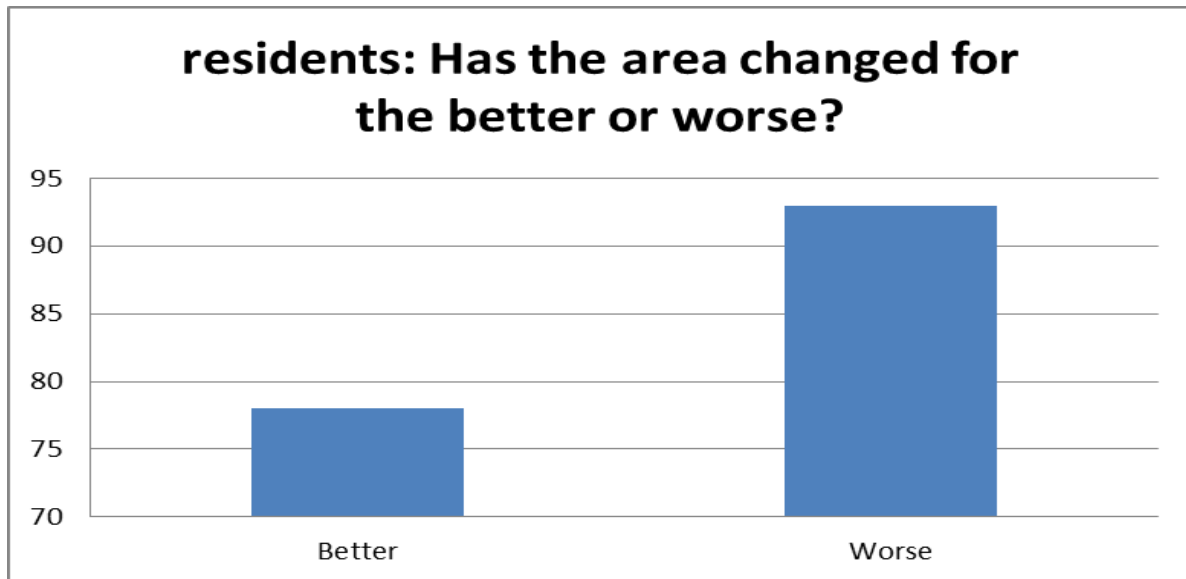
The below section highlights some of the key factors that have come out of the consultation, including the overall view that a selective licensing scheme should be implemented in Edgware Ward

Should Selective Licensing be Introduced?

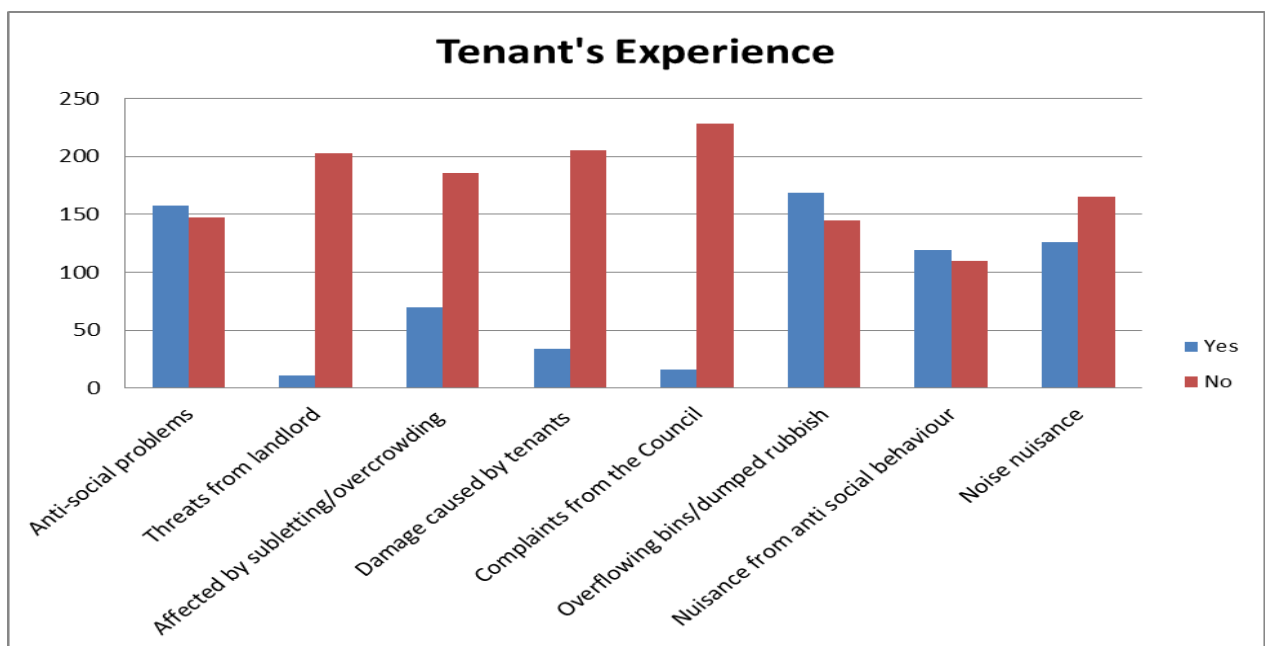


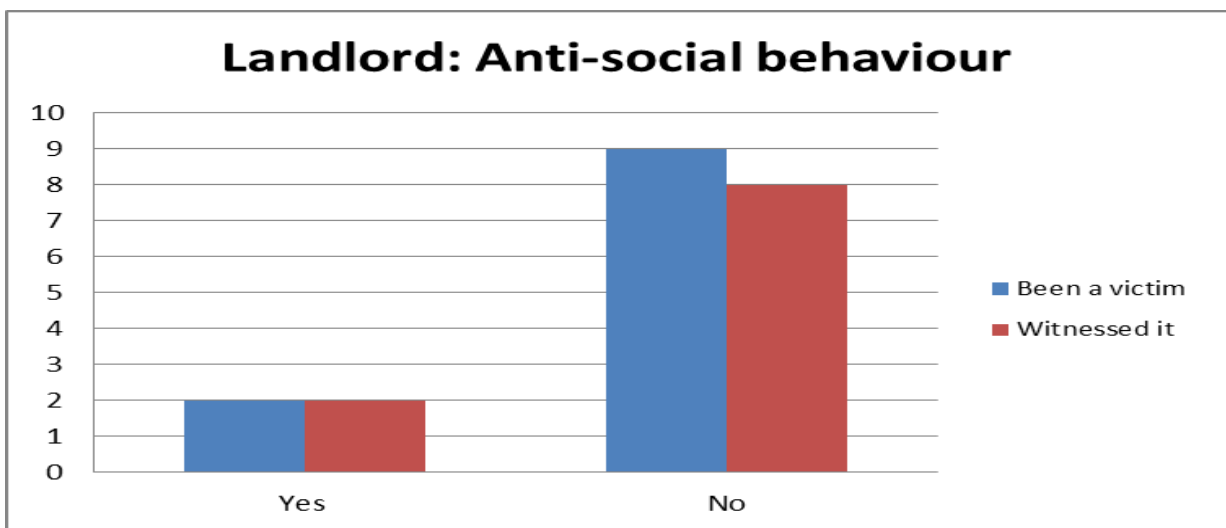
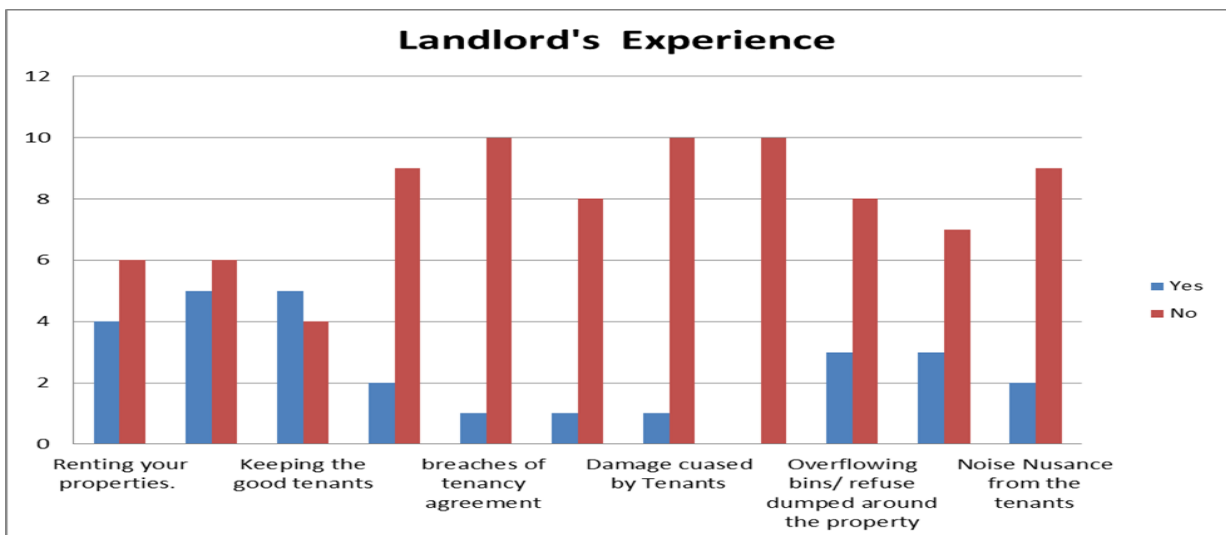
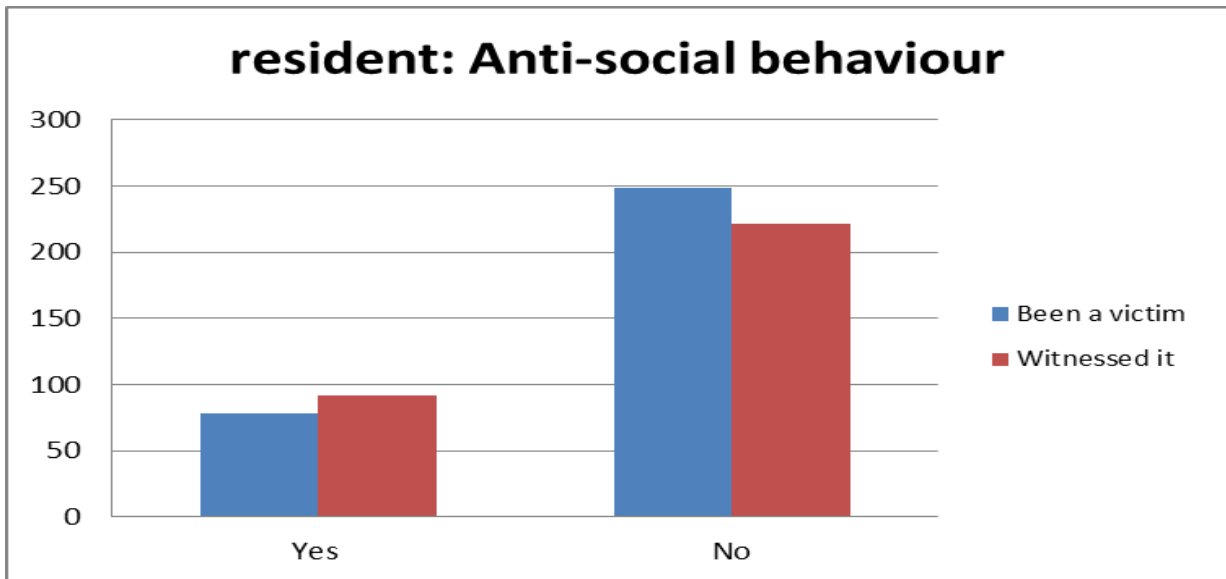
As can be seen across all sectors asked, there is support for the introduction of selective licensing in the Ward. Comments from the consultation from Landlords against an introduction related to the feeling there is already legislative powers in place to deal with issues. This takes into account powers to deal with individual people / premises. Concerns from residents related to potential increase in rents, due to concerns that the licensing fee would be high. In reality, the fee equates to less than £10 per month for a 5 year licence.

Has the area got better or worse? And Issues Associated

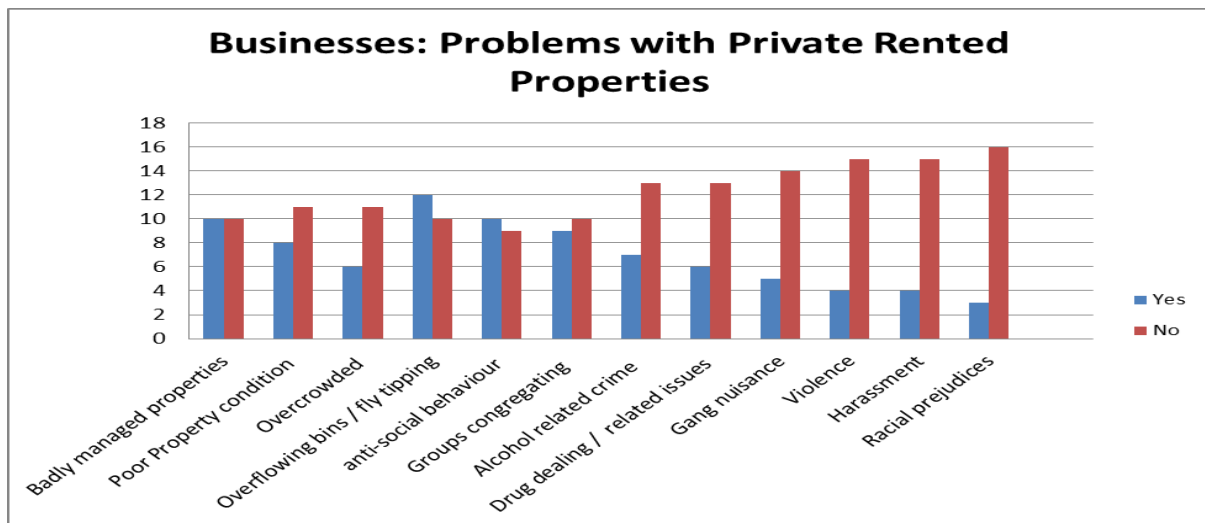


A large proportion of residents reported back concerns that they believe matters were deteriorating in the area. This was further supported by the experiences faced across the board as can be seen in the graphs below:

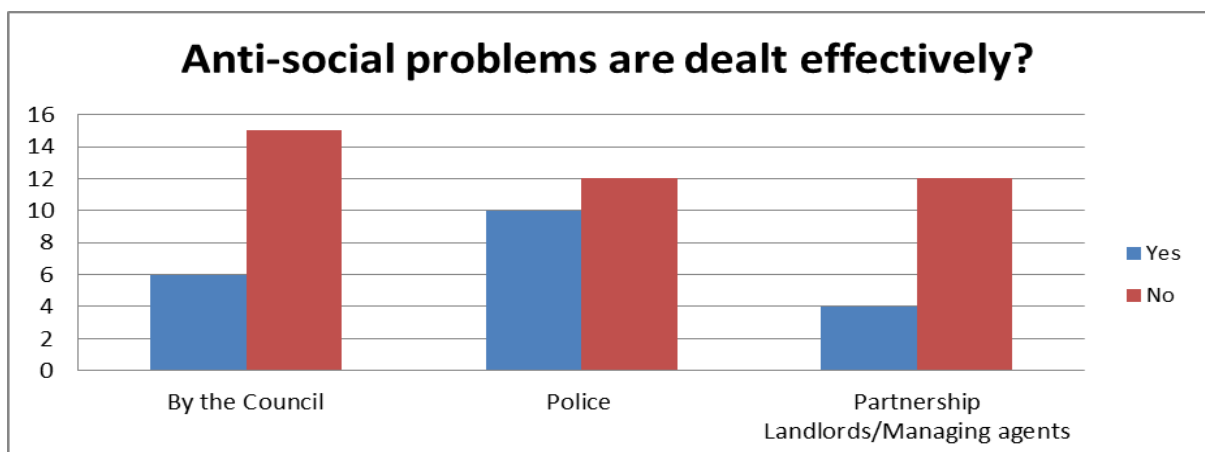




Businesses when questioned, highlighted issues they believe related to the Private Rented Sector:



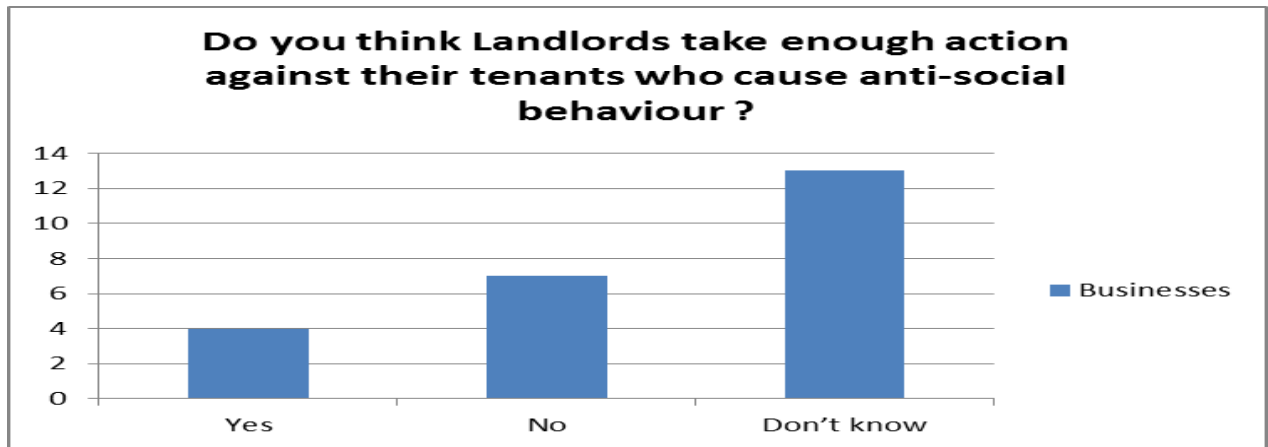
There is also concern from businesses that matters of ASB are not being dealt with effectively:



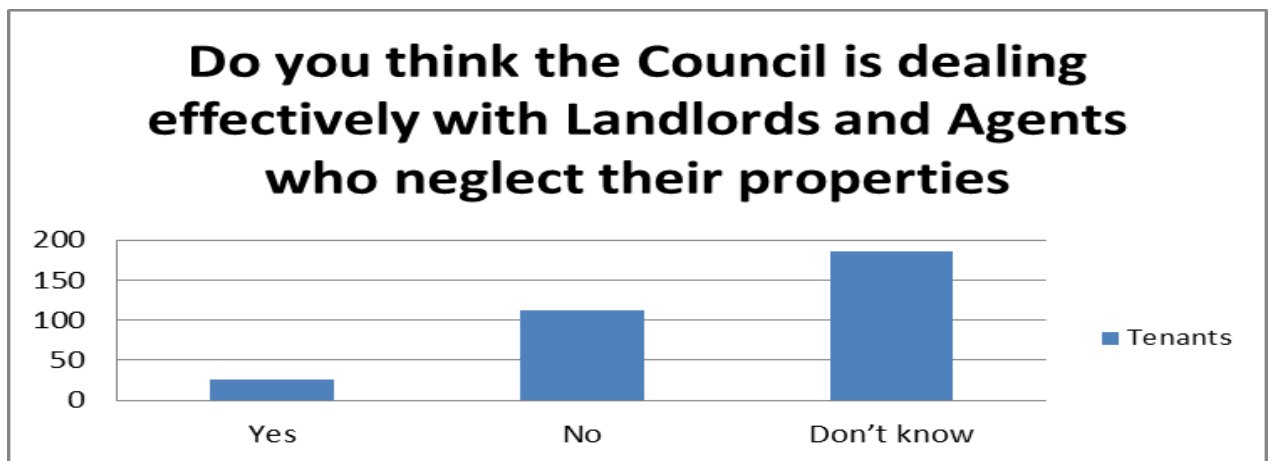
Linked to this is the business view that Landlord and managing agents need to take responsibility for their premises:



Yet feedback that this is not happening in cases:

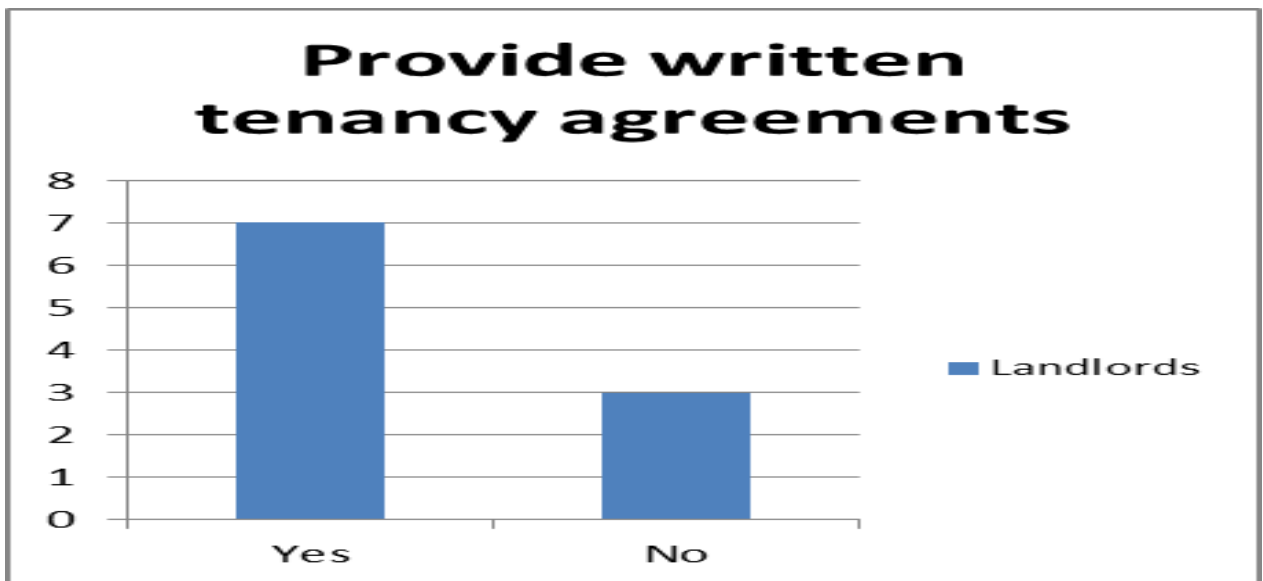
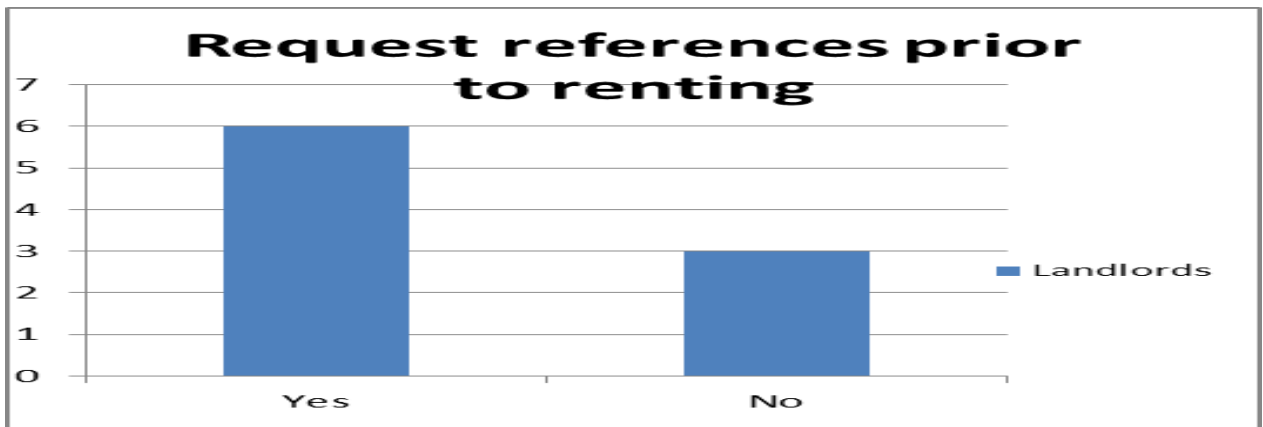
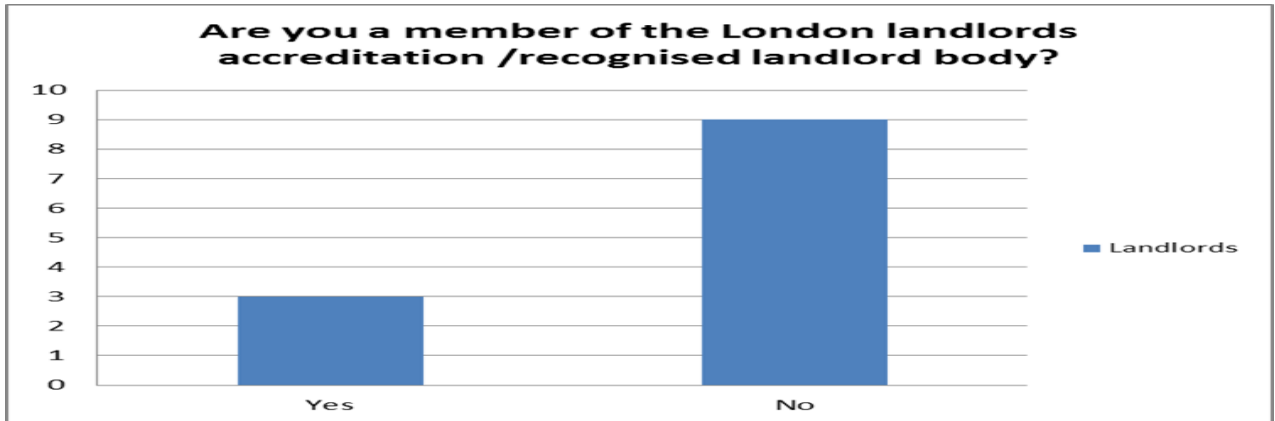


Tenants appear to support this aspect:

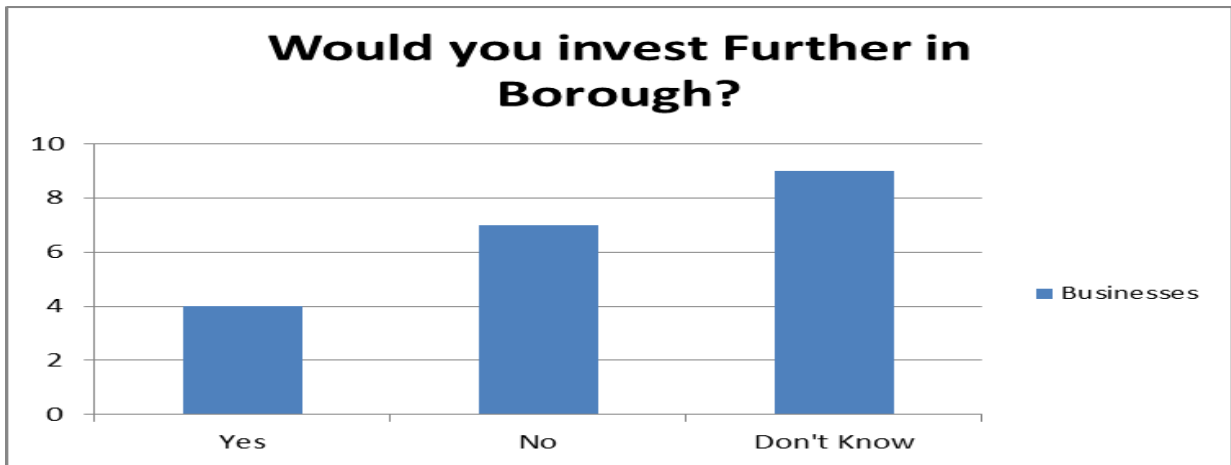


Yet it is clear that there are responsible, good landlords in the majority of cases from the feedback given by the landlords:



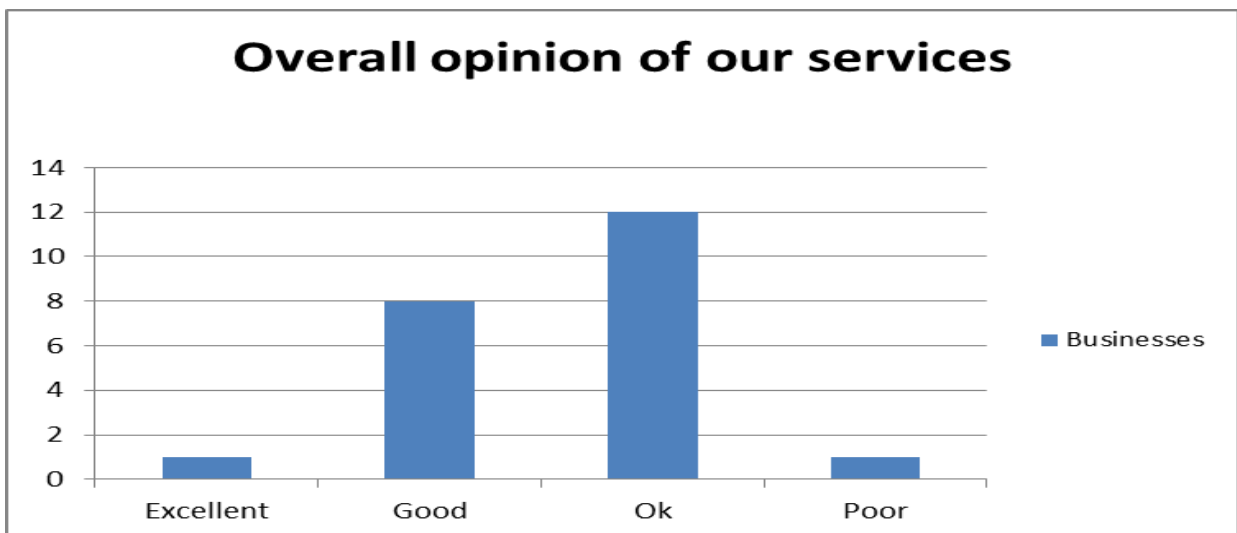
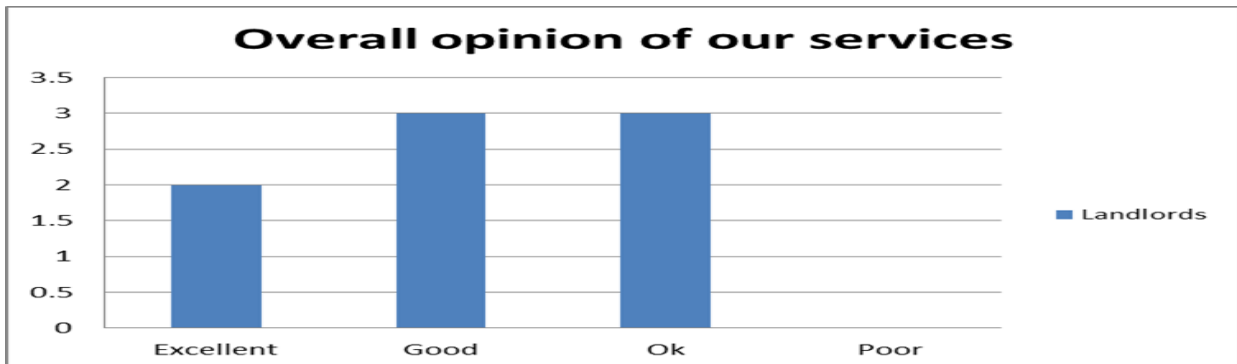


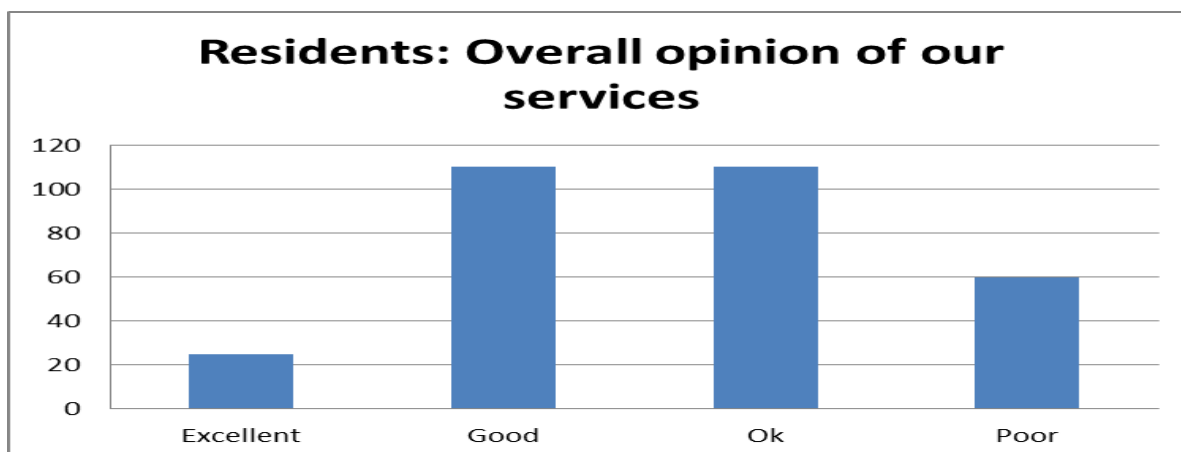
What is of concern is businesses are reporting they are looking not to invest in the area due to concerns:



Overall Opinion of Council Services:

Overall, the Council faired well in this area across the sectors, but showing poorer results from the resident side:





Resident Comments:

The comments from Residents highlight issues related to the evidence produced in the project conducted that instigated the selective licensing consultation, with a lot linked to environmental, crime, property standards and community issues. These have been highlighted in red, and all relate to the Edgware Ward:

Much worse, more crimes and anti social behaviour, too many immigrants. Alley ways and park ways are not safe
Much better because of transport link
Worse, Recently L.BH made me to move soon out of the area
Rubbish on streets. Late night noise, music, gangs of men drinking on streets. Men urinating in the streets etc
Parking along roads has become problem for people living here
It is becoming dirtier and crime is going up
Like the location per easy access to London and to countryside and motorways
Better, area is good
The Avenue on which I live has rubbish bins for the Council flats left at roadside overspill and they tipping furniture and other households.
Roads are cleaner
Worse, it became dirty -the streets full of litter most of the time people's fault
People become bad
In recent years, there is a rise in fly tipping i.e. old mattresses fridges etc dumped in the street this spoils what was once a nice area and seems coincide with the rise in buy to rent
It changed for the worse. Due to lot of illegal tenants living in small properties
Much better.
Continuous dumping of rubbish in the pavement is highly unsatisfactory
Houses in Multiple Occupation causing the gardens to some times look like a carpark
Subject to government cut backs there has been over the years some aspects have suffered but on the whole still a nice place to live in
Much worse! We live in the difficult and rather criminal area
During summer , we got loud music and people hanging around
Tenancies , street dumping
More fly tipping evident
The area have deteriorated , rubbish left on stairs , grass and path areas and kept as tidy bin close

damaged . Parking for resident of flats becoming difficult
Need little park back on the estate
Access to transport and GP
Rat run between Edgware and Queensbury and it is impossible to park by school pockets
Traffic Refuse-Chewing gum, Bottles, Cyclists
Things are just dumped outside or on landings
Worse, it used to be quiet. Now all the kids on our road and the estae are causing trouble and damage to property
Different people in 1 house,changeable all the time too many cars per house
Peaceful
Drug Dealers, prostitutes touting for business in The Highlands and Kenmore Garden. People urinating in the street
Worse, Due to fly tipping parking across dropped kerbs without permission
ing, traffic on Camrose Avenue. Lighting on Tavistock Rd
Nicer area use to be nicer more friendly
Very untidy now , suspect No.23 is an illegal drop off for immigrants too many new faces
Feel unsafe on the streets
Litter every where
Dirty back roads, messy pavements
Do not go out, cannot see
Worse for Edgware generally but better for Chandos Crescent
It has got a lot worse with ASB. The parks are unsafe the area is not well tie up
Good Service for everything
More flats have been bought by buy-to rent buyers. Tenants do not look after their gardens, neither do properties letting agencies
Too much Traffic
Too many parked cars on this road
Travelling families are gone
Edgware used to be a nice place to live but due to mass immigration especially from Eastern Europe , the area has gone be a horrible place to live in . Since but -to-let has taken place in my road, properties are no longer being looked after an most gardens are a mess!!
More litter, bins are not used , black bags cluttering pavements-people dumping litter in our hedge etc despite the council doing good job of clearing up
Since 2004, I never lock the front door over the night so I have many shoes there and not disappeared any thing
This isn't yes or no. Bad street lights. Questions gone down poor maintenance over area overall no funding for community projects, poor high streets, nothing to do
Increased numbers of properties are now let and a number of front gardens have been paved for parking with lots of properties being let, with changing tenants, I don't always know who my neighbours are?
Area has changed but not declined
Community
To make it more residential than commercial
Worse. Traffic Problems due to local schools
Changed for worse
Access to public services . Neighbourly support over the years
Worse, area not maintained by Council and property owners

It has changed for worse. There is dumping of rubbish everywhere, noise during night time and anti social behaviour at times.
better but a lot more can be done
No-one seems to have pride in their property , including local shops
Worse landlord next door
Last 20 years more quiet and more disciplined
Parking is a big problem in Methuen Road,Council has been informed many time but they do nothing it is very busy and crowded now . The area is also not very clear with rubbish dumped every where.
But some problems now
Quiet area, plenty shops and clean area
Deteriorating year by year
it used to be a very nice area to live in but now it is really horrible due to standards being lowered
The different type of unsavoury characters moving into the area plus Harrow Council standards have declined
I like where I live but there are a lot of advantages of the property and house mates cause a lot of trouble
There are so many rented properties and you do not know your neighbour
My street was in Burnt Oak when I moved here and the other side of the road is still Brent and is swept every day, our side once a month. It is disgrace
The area has close link with transport and shopping and commuting nice neighbours and resonalby well kept environment
Too old to move
Too many high occupancy properties
No change
The bath room is always needing repairs the kitchen is poorly designed and people don't pick up dog's poo
No one really care when we contacted the Council also we are at the border of Harrow Council and it seems Council gives little priority to this area
I like the roads and shops nearby
I was born in Harrow in1950. Harrow was posh years ago---- not the place any more
Its filthy and unsafe
It was very quiet and everyone knew their neighbours.
Too much litter, broken footpaths, badly maintained houses ,overall very shabby
This is governed by financial constraints
Yes and no
Neighbours are good, area is good. Only big problem is Harrow Council . It is not doing enough to tackle anti social behaviour in the estate
The neighbour are good but the problem is anyone can walk into our block and do what they want
Many open spaces close to London and other places
Its ok, not great but handy. For northern and Jubilee lines. A lot more traffic and cars since I moved here in the late 1980s
The area has become dangerous to walk alone from bus stop/station to home in the dark- there are rough people having around the street and watching you movements.Some privately rented homes have few cars that parks in the street- sometimes blocking private driveways.
no, too many noise and immigrants
Area deteriorated due to overcrowding and lack of investment by previous Councils
Most of the time

I like my flat but not the alley way next door or the flats
Becoming more and more rundown and shabby looking
Too much rubbish in the gardens and sheds
Peace and lovely neighbours
It has become terribly dirty and cars are parked inconsiderably- residents parking restrictions are badly needed

Businesses, Landlords and Service providers gave few comments.

Conclusion

Overall, the evidence base used to instigate the consultation seems to have been supported in the Edgware Ward. There is support across the sectors for the introduction of Selective Licensing in the Ward to directly impact the issues, and this includes within the private rented sector itself.

What is clear from the feedback is that there are many people in the Ward that want to, or are, trying to make a difference in their area in a positive way (including landlords) but need a Ward wide approach to ensure consistency and sustainability of approach.