

# London Borough of Barking and Dagenham

## Consultation Outcome Report

May 2024

## CONTENTS

INTRODUCTION.....	4
SUMMARY OF KEY FINDINGS.....	11
ONLINE SURVEY RESULTS.....	12
Views on the private rented sector in Barking and Dagenham .....	12
Experiences of the private rented sector in Barking and Dagenham .....	16
Awareness of current schemes.....	21
Impact of current licensing schemes .....	23
Views on proposed new selective licensing scheme .....	29
Views on proposed new additional HMO licensing scheme.....	31
Views on proposed licence conditions.....	34
Views on proposed licence fees and discounts.....	41
Alternatives to property licensing.....	46
Improving support for landlords and tenants.....	48
Other views and suggestions on the proposed schemes.....	52
PUBLIC MEETINGS.....	54
STAKEHOLDER VIEWS.....	56
WRITTEN RESPONSES.....	57
NEXT STEPS .....	59
APPENDICES .....	60
Appendix A: Demographic profile of respondents.....	61
Appendix B: Communication visuals.....	64
Appendix C: Communication survey questions .....	84
Appendix D: Full written responses to the consultation.....	106

Insert Table of Figure

DRAFT

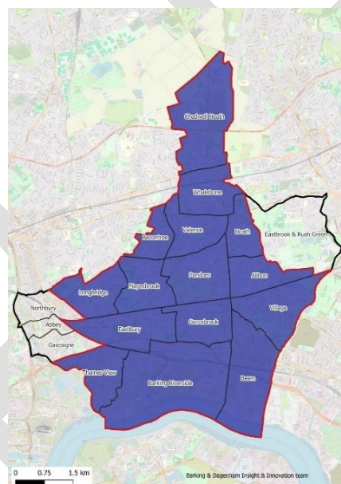
# INTRODUCTION

## About this consultation

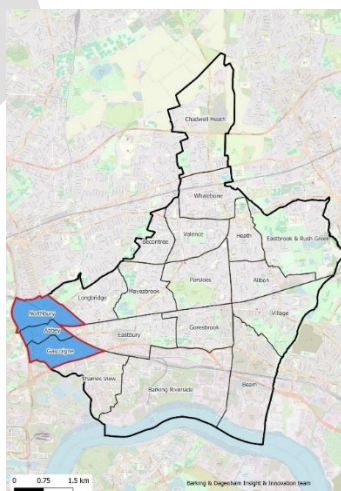
This consultation sought input on the future of property licensing in Barking and Dagenham, including a range of new supporting initiatives. Through the proposals in the consultation, we aim to set standards, tackle poor management, and improve the quality of private rented homes. We value all views and experiences regarding the local private rented sector, including thoughts on our proposed initiatives, whether these were positive or negative. All input helps to shape the approach of delivering our mission to ensure every renter can take pride in their home.

Barking and Dagenham are proposing to introduce a borough-wide selective licensing scheme across three designation areas, targeting deprivation, poor property conditions and ASB. These designations are:

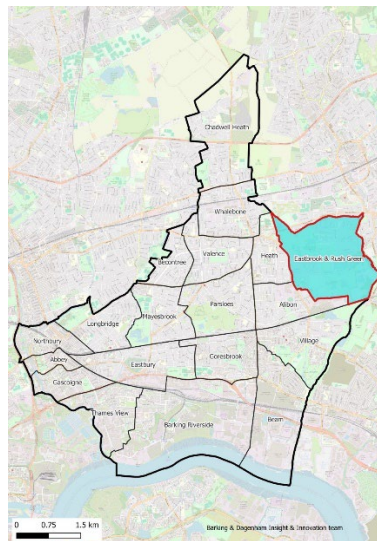
Designation 1 (deprivation, poor property conditions, and ASB) – Alibon, Barking Riverside, Beam, Becontree, Chadwell Heath, Eastbury, Goresbrook, Heath, Longbridge, Mayesbrook, Parsloes, Thames View, Valence, Village, Whalebone.



Designation 2 (deprivation and poor property conditions) – Abbey, Gascoigne, Northbury.

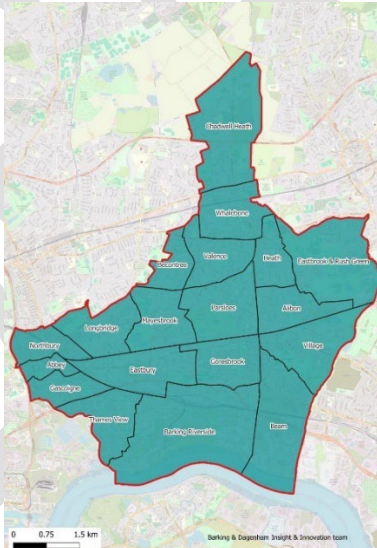


## Designation 3 (ASB) – Eastbrook & Rush Green.



Under the scheme, landlords of private rented properties in the borough will be required to obtain a licence to rent out their property to a single-family household or two unrelated sharers (excluding properties falling within certain exemption criteria). Landlords will be charged an associated fee for registration and the scheme will run for a five-year period.

We are also proposing to introduce a borough wide Additional HMO licensing scheme, under one designation.



The consultation focused on respondents' experiences and views of the private rented sector in Barking and Dagenham, views on how the current scheme has worked, the proposed designations and licence conditions. Views were also provided on the fees and discounts, alternatives to licensing and how support can be improved for tenants and landlords.

### Consultation Methods

The public consultation took place over a 10-week period from 16<sup>th</sup> February 2024 to 26<sup>th</sup> April 2024. An online survey was used via One Borough Voice, the Council's survey and outreach platform, was

used as the principal method of consultation, with paper copies of the questionnaire and a phone line available for those who preferred to complete the survey in that manner. A consultation email address was also set up for interested parties to provide written comments and ask any questions. These comments have also been analysed and included in the appendices.

### Online survey

The online survey hosted on our One Borough Voice platform covered: views on the current state of the PRS, experiences of the local PRS, view on the impact of existing property licensing schemes, opinions on proposed new selective licensing scheme and additional HMO licensing scheme including designations, licence conditions, and fees and discounts, alternatives to the proposed schemes, and suggestions for enhancing support for private landlords and tenants.

Our online survey was completed by 824 respondents and a breakdown of the respondent profile is below. The demographic profile of respondents can be found in Appendix 3.

Figure 1: Respondent profile to the online survey

	Number of respondents	Percentage of total
Resident – private tenant	133	16.1%
Resident – other tenures	155	18.8%
Landlord	493	59.8%
Managing or Letting Agent	13	1.6%
Partner or community organisation representative	4	0.5%
Any other type of local business representative	2	0.2%
Other	24	2.9%
<b>Total</b>	<b>824</b>	<b>100%</b>

### Public meetings

Throughout the consultation, the response rate and demographic profile of respondents was periodically reviewed. Originally, the landlord respondents were much higher, so the Council responded by posting letters to all private rented homes and pop-up stalls were organised for Barking Market and Dagenham Heathway to increase the number of tenant and resident respondents.

Seven public meetings were held as part of this consultation, which were all bookable by Eventbrite. Two of these were held in person at Barking Town Hall, in the evening on 3<sup>rd</sup> April 2024 and at lunchtime on 5<sup>th</sup> April 2024. Due to a higher online take up, five sessions were held online, one at lunchtime on 14<sup>th</sup> March 2024 and the remainder in the evening on 12<sup>th</sup> March, 9<sup>th</sup> April, 11<sup>th</sup> April and 16<sup>th</sup> April 2024. These meetings offered people the chance to hear and see Barking and Dagenham’s proposals, and to ask questions and to voice their own opinions. In total, 33 people attended the meetings, whilst 71 booked to attend.

Figure 2: Attendance Breakdown

Meeting Date	No. of people booked to attend	No. of attendees
12 <sup>th</sup> March 2024	16	6
14 <sup>th</sup> March 2024	6	4
3 <sup>rd</sup> April 2024	14	5
5 <sup>th</sup> April 2024	9	8*
9 <sup>th</sup> April 2024	3	1
11 <sup>th</sup> April 2024	12	4
16 <sup>th</sup> April 2024	11	5

\*including 3 unregistered attendees who received a letter in the mail

### Written responses

Respondents were given the opportunity to submit written responses to the consultation, either via letter or to the dedicated consultation email address. 14 email responses were received, 3 written responses were received via letter, and 5 letters of support were received. Full copies of the written responses can be found in Appendix D. A summary of the written responses can be found on page 58.

### Stakeholder interviews

We spoke to seven stakeholders representing external agencies in and around Barking and Dagenham. Three other stakeholders were invited to take part in an interview. The stakeholders interviewed were:

1. National Residential Landlords Association (NRLA) – landlord agency
2. Propertymark – property agent body
3. SafeAgent – property agent body
4. Cambridge House Safer Renting – tenant support
5. Justice for Tenants – tenant support
6. Home Office
7. Metropolitan Police

A summary of the stakeholder views can be found on page 57.

### Communication Channels

The council used a wide range of communication channels to promote the consultation and make stakeholders aware of the proposals.

Activities to engage all stakeholder groups, inside the borough, and raise their awareness included:

- Adding a banner to the top of the council website on all pages from 18<sup>th</sup> April to 26<sup>th</sup> April 2024.
- Issuing press releases on 16<sup>th</sup> February and 19<sup>th</sup> April 2024
- Using the council's social media:
  - o 18 X (Twitter) posts with a total of 5.5k impressions, 1.4% engagement rate, 8 shares, and 8 likes

- 26 Facebook posts, with a total of 61k people reached, 62.2k impressions, 119 clicks, 14 shares, and 29 likes
- Digital advertising on local newspaper websites from Thursday 14<sup>th</sup> March to Friday 26<sup>th</sup> April 2024 which resulted in 144,792 impressions, 525 clicks, and a 0.44% click through rate
- Working with the faith forum to distribute consultation documents to all faith leads in the borough.
- Letter drop to 18,523 private rented homes on 15<sup>th</sup> April 2024, which included information about the public meetings being held
- Leaflet drop to a random selection of 4,800 houses on 23<sup>rd</sup> and 24<sup>th</sup> April 2024
- The consultation was included as an item in emails sent to resident mailing lists on:
  - 28<sup>th</sup> February 2024 – 37,944 recipients, 12,440 opens, 78 clicks
  - 13<sup>th</sup> March 2024 – 38,191 recipients, 13,216 opens, 72 clicks
  - 27<sup>th</sup> March 2024 – 41,554 recipients, 12,513 opens
  - 10<sup>th</sup> April 2024 – 38,518 recipients, 14,679 opens, 45 clicks
  - 24<sup>th</sup> April 2024 – 38,635 recipients, 10,784 opens, 99 clicks
- Adverts were added to outdoor digital boards across the borough. The campaign on the outdoor digital boards ran from 26<sup>th</sup> February to 26<sup>th</sup> April 2024
- Text message sent to 20,000 residents via the Thames View GP text messaging service on 23<sup>rd</sup> April 2024
- Advertising posters placed in all 11 Community Hubs in the borough throughout the duration of the consultation
- Four drop-in sessions per week from 19<sup>th</sup> April 2024 to 26<sup>th</sup> April 2024 at Whalebone Lane Community Reporting Hub and Dagenham Library Community Reporting Hub
- Local authority officers handing out business cards during all visits during the period of the consultation
- Pop up stalls in Barking Market on 4<sup>th</sup> April and 25<sup>th</sup> April and on Dagenham Heathway on 10<sup>th</sup> April 2024.
- Officers handing out consultation business cards outside Ripple Road Mosque on 26<sup>th</sup> April 2024
- Council staff laptop screensaver from 28<sup>th</sup> March to 26<sup>th</sup> April 2024
- The Leaders briefing on 1<sup>st</sup> March 2024
- CEO's briefing to all staff on 1<sup>st</sup> March 2024
- Council staff newsletter on 28<sup>th</sup> February 10<sup>th</sup> April and 24<sup>th</sup> April 2024

Activities to engage all stakeholder groups, outside the borough, and raise their awareness included:

- A digital campaign on the London Property Licensing website. London Property Licensing is the leading website for informing private landlords in the UK. The campaign started on 26<sup>th</sup> February 2024 and ran until 26<sup>th</sup> April 2024. the campaign included:
  - A 300x400 pixel banner advert was placed on the home page and sixteen London borough pages from 27<sup>th</sup> February 2024 to 26<sup>th</sup> April 2024. Anyone clicking on the advert was taken directly to the council's licensing consultation webpage.
  - From 27<sup>th</sup> February to 26<sup>th</sup> April 2024, high profile scheme promotion was achieved by inserting a banner headline which remained one of the top three rotating landscape images at the top of the LPL home page. The banner headline had a hyperlink to the LPL Barking & Dagenham property licensing consultation webpage.
  - On 26<sup>th</sup> February 2024, the LPL Barking & Dagenham webpage was updated with information about the licensing consultation and a direct link to the council's



consultation webpage in the orange 'At a Glance box' to encourage people to find out more and take part in the consultation.

- From 27<sup>th</sup> February to 26<sup>th</sup> April 2024, a LBBB licensing consultation listing was displayed on the LPL website and promoted on the home page, the licensing consultations page, and on sixteen borough pages. The listing summarised the purpose of the consultation and explained how people could take part.
- The consultation webpage promoted consultation events taking place on 12<sup>th</sup> and 14<sup>th</sup> March and 3<sup>rd</sup> and 5<sup>th</sup> April 2024.
- A news article about the additional and selection licensing consultation was published on 3<sup>rd</sup> March 2024 and promoted via social media and the LPL newsletter.
- A regular newsletter is sent out to people who have requested updates on housing regulation and property licensing schemes. The newsletter is widely distributed to landlords, letting agents, organisations, local authority officers and government officials. The consultation was promoted in newsletters distributed on 4<sup>th</sup> March and 8<sup>th</sup> April 2024 with each newsletter sent to between 3,729 and 3,742 people. The newsletters also displayed the LBBB banner advert with a direct link to the consultation page on the council's website.
- Tweets about the licensing consultation were published on the LPL X (Twitter) feed on average every 9-11 days, timed to cover mid-week and weekends with a variety of morning, afternoon and evening posts between 04/03/2024 and 26/04/2024. During this period, the LPL Twitter feed had over 2,300 followers which generated impressions, likes and retweets.
- On 5<sup>th</sup> March and 23<sup>rd</sup> April 2024, posts about the licensing consultation were published on the London Property Licencing LinkedIn and Facebook pages.
- Email to all London borough CEOs on 16<sup>th</sup> April 2024
- Email to all London Private Sector Housing team leaders on 25<sup>th</sup> March 2024, notifying them of the consultation.

Activities to engage all stakeholder groups, inside and outside the borough, and raise their awareness included:

- Placing adverts in local and neighbouring borough newspapers:
  - Barking and Dagenham Post – 13<sup>th</sup> March and 17<sup>th</sup> April 2024
  - Newham Recorder – 13<sup>th</sup> March and 17<sup>th</sup> April 2024
  - Ilford Recorder – 14<sup>th</sup> March and 18<sup>th</sup> April 2024
  - Romford Recorder – 15<sup>th</sup> March and 19<sup>th</sup> April 2024
- Running a digital advertising campaign from 23<sup>rd</sup> February 2024 to 26<sup>th</sup> April 2024 which resulted in 3,663,392 impressions, 8,814 clicks to the consultation page with a cost per click of 0.68p, which is a good figure considering the landlord strategy. The digital campaign placed adverts on websites and social media pages related to Barking and Dagenham and the private rented sector, including:
  - rightmove.co.uk
  - gumtree.com
  - zoopla.co.uk
  - propertytorenovate.co.uk
  - homebuilding.co.uk
  - theprimarymarket.com
  - facebook.com
  - Instagram.com

- [dailymail.co.uk](https://www.dailymail.co.uk)
- [investing.com](https://www.investing.com)
- [metro.co.uk](https://www.metro.co.uk)
- An email to 10,806 licence holders on 28<sup>th</sup> February 2024 to inform them about the consultation and NRLA landlord forum session we were presenting at
- The consultation was included on the landlord newsletter sent to 10,814 licence holders on 28<sup>th</sup> March 2024
- An email to 10,823 licence holders on 12<sup>th</sup> April 2024 to inform them about the consultation
- A final chance email to 10,830 licence holders on 23<sup>rd</sup> April 2024 to inform them about the consultation

DRAFT

## SUMMARY OF KEY FINDINGS

The key findings from the online survey are summarised by respondent type in the table below.

	Overall	Residents – Private tenants	Residents – Other tenures	Landlords, managing & letting agents	Organisations, businesses & other respondents
Agree with Selective Licensing in designation 1	32%	60%	56%	16%	50%
Disagree with Selective Licensing in designation 1	35%	10%	18%	47%	34%
Agree with Selective Licensing in designation 2	30%	56%	51%	17%	33%
Disagree with Selective Licensing in designation 2	31%	9%	17%	40%	33%
Agree with Selective Licensing in designation 3	28%	48%	47%	16%	40%
Disagree with Selective Licensing in designation 3	31%	9%	16%	41%	30%
Agree with the Additional HMO Licensing designation	45%	62%	64%	34%	70%
Disagree with the Additional HMO Licensing designation	25%	7%	18%	33%	23%
Agree with the proposed fee for Selective Licensing designations (percentage of 'about right' responses only)	15%	29%	24%	7%	38%
Disagree with the proposed fee for Selective Licensing designations (% of 'much too high' responses only)	54%	17%	27%	73%	28%
Agree with the proposed fee for Additional HMO Licensing designation (% of 'about right' responses only)	18%	31%	20%	12%	41%
Disagree with the proposed fee for Additional HMO Licensing designation (% of 'much too high' responses only)	39%	16%	26%	50%	24%
Agree with the proposed silver compliance award discount for both schemes	45%	43%	39%	48%	49%
Disagree with the proposed silver compliance award discount for both schemes	20%	12%	18%	24%	21%
Agree with the proposed gold compliance award discount for both schemes	44%	45%	40%	44%	46%
Disagree with the proposed gold compliance award discount for both schemes	21%	9%	18%	35%	21%
Agree that the proposed conditions for Selective Licensing designations 1-3 are reasonable	32%	55%	48%	20%	45%
Disagree that the proposed conditions for the Selective Licensing designations 1-3 are reasonable	40%	9%	22%	55%	24%
Agree that the proposed conditions for the Additional HMO Licensing designation are reasonable	30%	48%	51%	18%	46%
Disagree that the proposed conditions for the Additional HMO Licensing designation are reasonable	19%	8%	15%	24%	21%

Figure 3: Summary of responses to the online survey (overall/by respondent type)

## ONLINE SURVEY RESULTS

---

In this section, we present the results of our online survey. We received a total of 824 responses, from a range of stakeholders within and outside the borough. The demographic profile of respondents is detailed in Appendix A.

### Views on the private rented sector in Barking and Dagenham

To commence the main survey, we sought respondents' views on the effectiveness of the local private rented sector by asking whether they perceived the sector to be facing any of the challenges we had identified in our consultation evidence report.

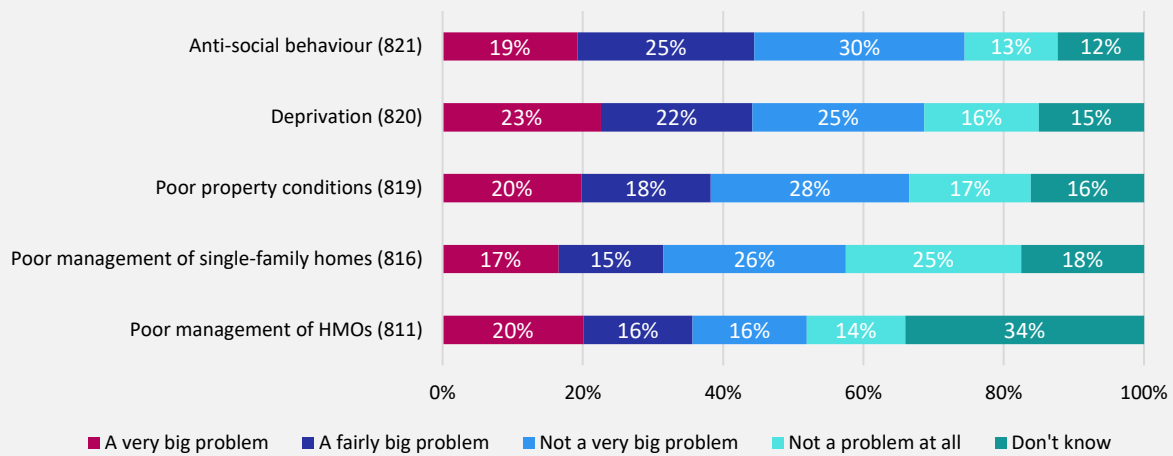
Thinking about the private rented sector, to what extent do you believe the following to be problem in Barking and Dagenham?

- Anti-social behaviour (such as noise nuisance and harassment of neighbours)
- Deprivation worsened by poor quality and insecure housing (such as fuel poverty or unlawful rent rises)
- Poor property conditions (such as damp and mould)
- Poor management of single-family private rented homes (including singles, couples and two unrelated sharers).
- Poor management of shared private rented homes for multiple households (HMOs).

For all five issues, a significant portion of respondents, comprising almost a third or more, identified them as either fairly or very big problems. These proportions ranged from 32% for the management of single-family rented homes up to 45% for deprivation. Following deprivation, anti-social behaviour was the second most cited issue by respondents as a fairly or very big problem (44%).

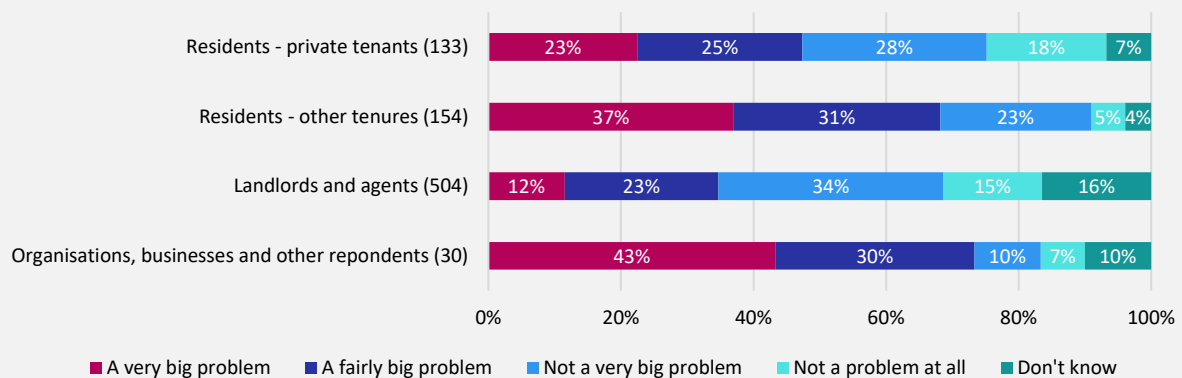
Conversely, a higher proportion of respondents disagreed with the notion of poor property conditions being a problem (45%) compared to those who agreed (38%). The same pattern emerged for the management of single-family homes, with more respondents disagreeing (32%) than agreeing (51%). Notably, respondents were most likely to be uncertain about whether the management of rented HMOs was a problem in the borough, with 34% indicating they did not know. Figure 4 shows the levels of agreement or disagreement with issues identified as a concern by the Council.

**Figure 4: Extent that identified issues were perceived as problems within the private rented sector in Barking & Dagenham**



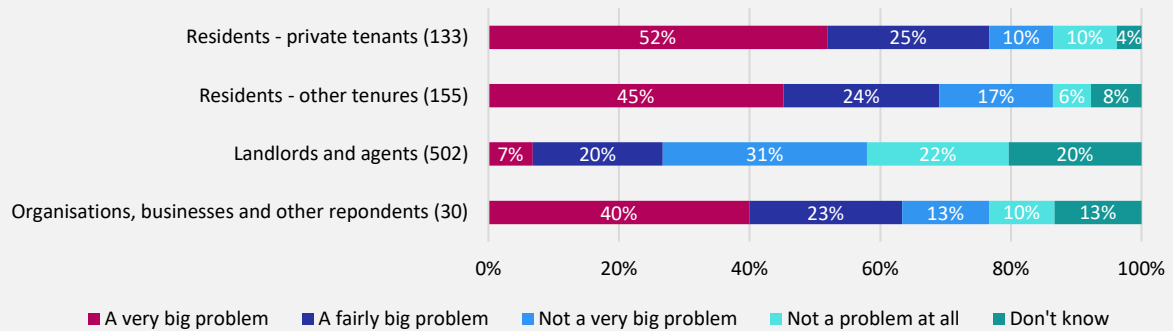
Views varied when broken down by type of respondent. Organisations, businesses, and other respondents were more inclined to perceive anti-social behaviour (ASB) as a very or a fairly big problem in the private rented sector (73%). This sentiment was echoed by private tenants themselves, with nearly half considering it a considerable issue (48%). An even larger proportion of other residents in the borough felt ASB was a problem of significance (68%). In stark contrast, private landlords and agents were most likely to consider ASB to be of little or no concern (49%). Full results are shown below in figure 5.

**Figure 5: Extent that ASB was perceived as a problem within the private rented sector in Barking & Dagenham - by respondent type**



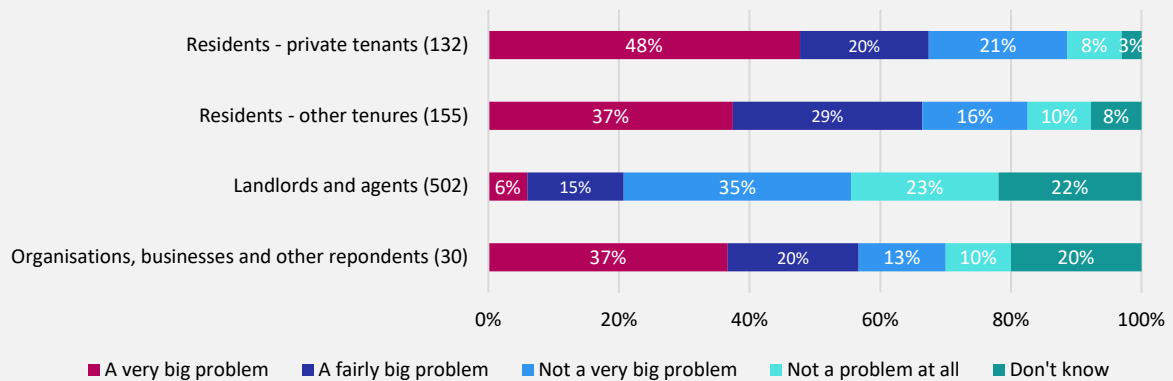
Nearly two-thirds or more of private tenants (77%), other residents (69%), and organisations, businesses, and other respondents (63%) believed deprivation was a fairly or very big problem. Conversely, landlords and agents were least likely to view it as a significant issue (27%). Full results are shown below in figure 6.

**Figure 6: Extent that deprivation was perceived as a problem within the private rented sector in Barking & Dagenham - by respondent type**



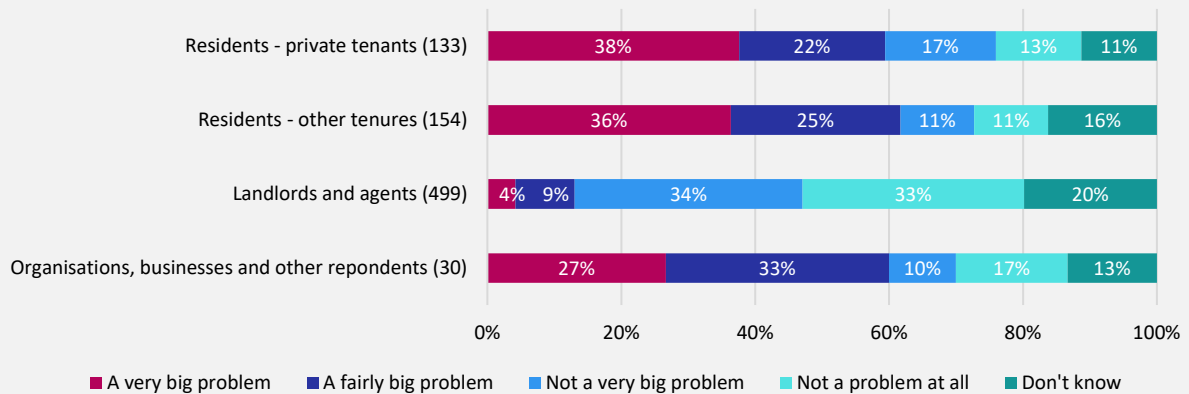
The extent of poor property conditions was considered a fairly big problem by the majority of respondents from private tenants (52%), residents of other tenures (45%) and businesses organisations and other respondents (40%). The second most popular response across the above three respondents was that it was a fairly big problem. Landlords either assessed poor property conditions as either not a big problem (31%) or not a problem at all (22%). Full results are shown below in figure 7.

**Figure 7: Extent that poor property conditions was perceived as a problem within the private rented sector in Barking & Dagenham - by respondent type**



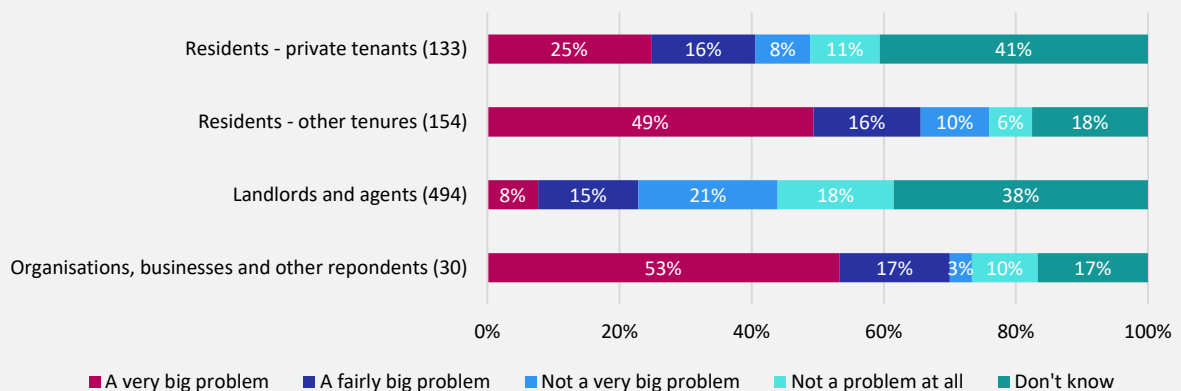
The extent of poor management of single family homes was felt by private sector tenants (48%) and residents of other tenures (37%) to be a very big problem with and for businesses, organisations and other respondents to be a fairly big problem (37%). The majority of landlords felt that it was either not a very big problem (35%) or not a problem (23%). Full results are shown below in figure 8.

**Figure 8: Extent that poor management of single-family homes was perceived as a problem within the private rented sector in Barking & Dagenham - by respondent type**



The extent of poor management of HMOs was questioned and the highest responses were that it was viewed as a very big problem by 38% of private tenants and as a fairly big problem by 22%. It was viewed as a very big problem by 36% and a fairly big problem by 25% of residents of other tenures. Businesses, organisations and other respondents had 33% report it as a fairly big problem and 27% as a very big problem Landlords tended to respond that it was not a big problem (34%) or not a problem at all (33%). Full results are shown below in figure 9.

**Figure 9: Extent that poor management of HMOs was perceived as a problem within the private rented sector in Barking and Dagenham - by respondent type**

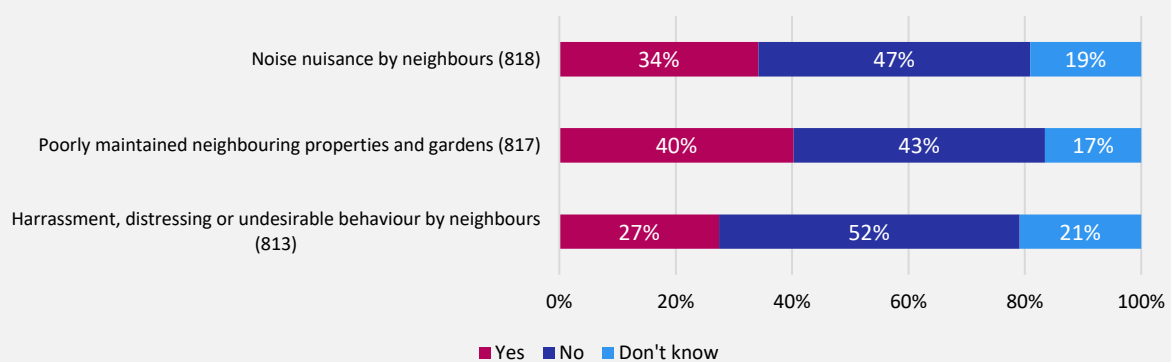


## Experiences of the private rented sector in Barking and Dagenham

Please indicate if, in the past 3 years, you or anyone you know have experienced any of the following issues related to private rented homes in Barking and Dagenham.

- Anti-Social Behaviour
  - o Noise nuisance by neighbours
  - o Poorly maintained neighbouring properties and gardens
  - o Harassment, distressing or undesirable behaviour by neighbours.
- Poor property conditions
  - o Disrepair
  - o Overcrowding
  - o Illegal or poor-quality conversions
  - o Concerns about fire safety
- Poor management
  - o Unlawful rent increases by a landlord or agent (outside terms set by tenancy agreement)
  - o Unfair additional charges by a landlord or agent
  - o Poor landlord or agent responses to tenants' complaints
  - o Failure by landlord or agent to protect tenancy deposits.

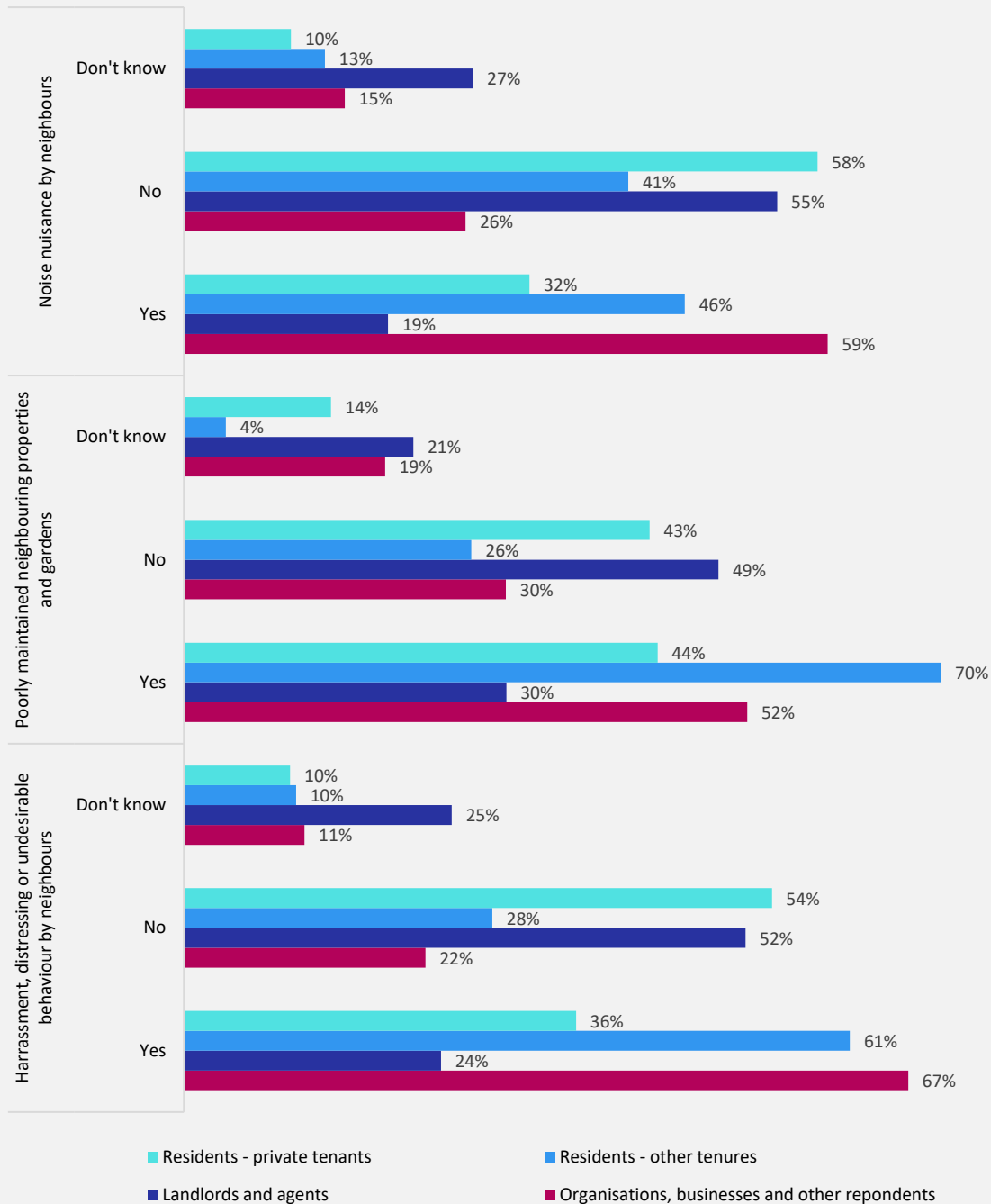
**Figure 10: Experiences of ASB related to the private rented sector in Barking and Dagenham**



Survey respondents were asked questions around their experience of the private rented sector in Barking and Dagenham. The first question asked about their experiences of ASB. 34% of respondents had experience noise nuisance by neighbours, whilst 47% hadn't. 40% of respondents had experienced poorly maintained neighbouring properties and gardens, whilst 43% hadn't. Finally, 27% had experience harassment, distressing or undesirable behaviour by neighbours whilst 52% hadn't. Full results are shown above in figure 10.

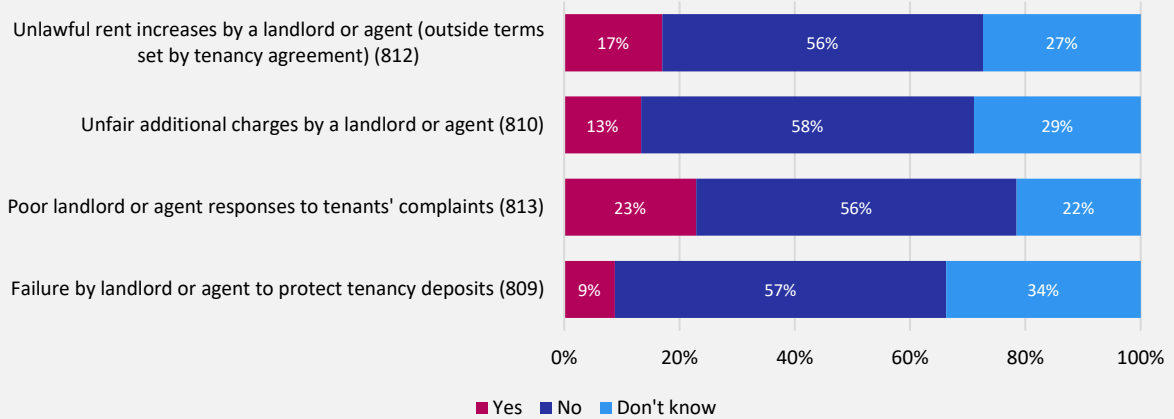


**Figure 11: Experiences of ASB related to the private rented sector in Barking & Dagenham - by respondent type**



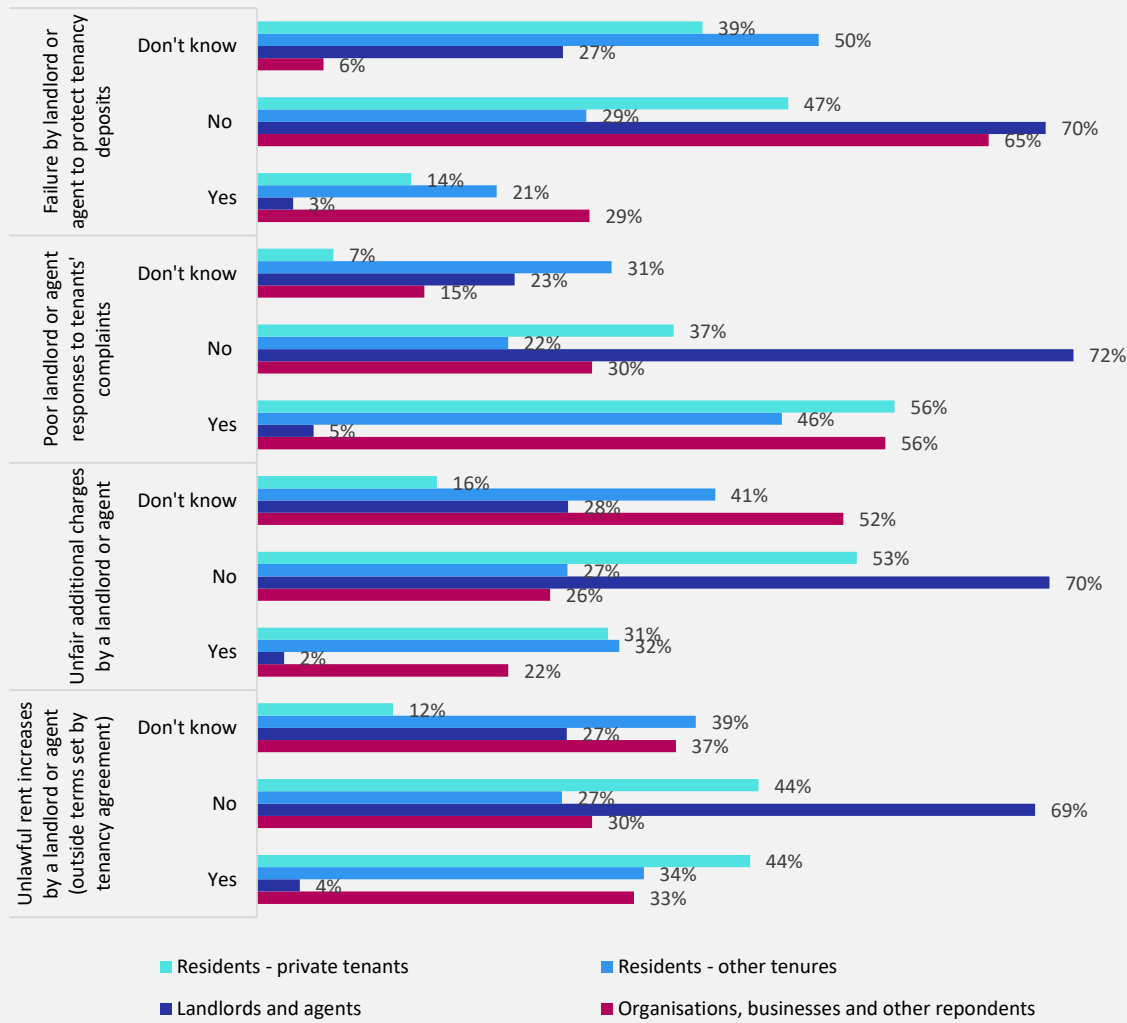
This graph shows the breakdown of respondents but respondent profile. Namely, private tenants, other residents, landlords and agents, and organisations, businesses and other respondents. Those categorised as organisations, businesses and other respondents had experienced the most noise nuisance by neighbours (59%) and the most harassment and undesirable behaviour by neighbours (67%), while residents (other tenures) had experienced the most poorly maintained neighbouring properties and gardens (70%). Full results are shown above in figure 11.

**Figure 12: Experiences of poor management related to the private rented sector in Barking & Dagenham**



The second experiences question was regarding their experiences of poor management of private rented properties in Barking and Dagenham. 17% of private tenant respondents had experienced unlawful rent increases beyond those set by their tenancy agreement. 13% had been given unfair additional charges by their landlord or agent. 23% said they had received poor landlord or agent responses to their complaints, and 9% stated their landlord or agent had failed to protect their tenancy deposit. Full results are shown above in figure 12.

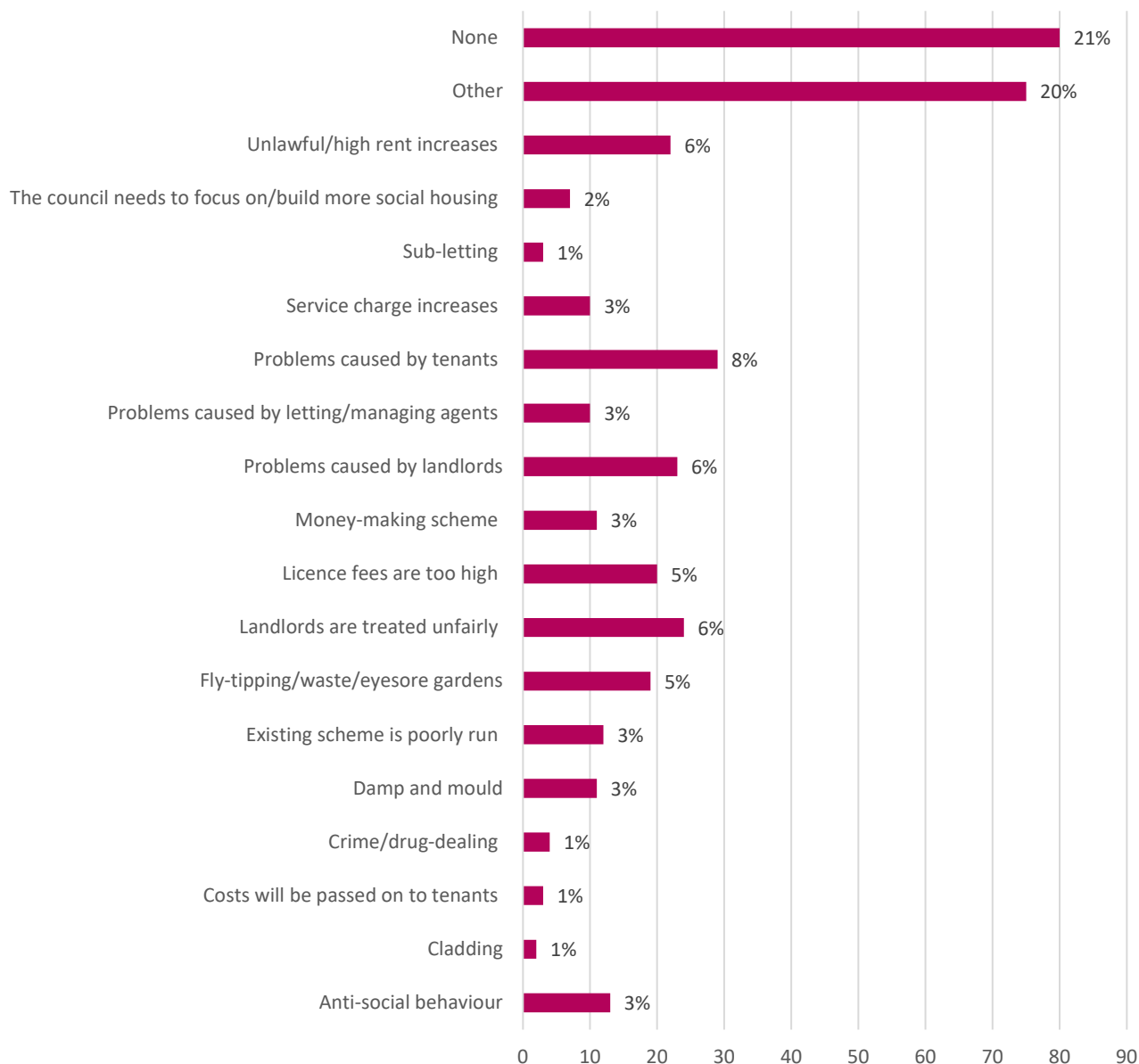
**Figure 13: Experiences of poor management related to the private rented sector in Barking and Dagenham - by respondent type**



When broken down by respondent type, you can see that organisations, businesses and other respondents had the most experience with landlords or agents failing to protect tenancy deposits (29%). 56% of private tenant residents, and 56% of organisations, businesses and other respondents had experienced poor responses to tenants' complaints. Other tenure residents were the highest percentage (32%) to have experienced unfair additional charges by landlords or agents. Finally, private tenants were the most common respondent type to have experience unlawful rent increases (44%). Full results are shown above in figure 13.

Are there any other issues you would like to tell us about?

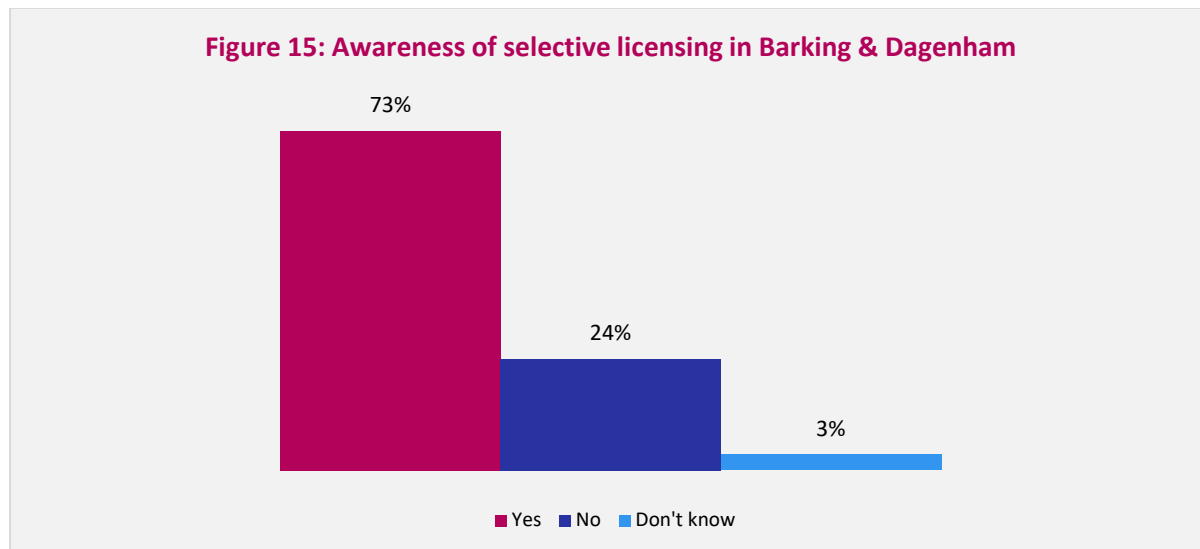
Figure 14: Survey comments around experiences in Barking and Dagenham (themed by common responses)



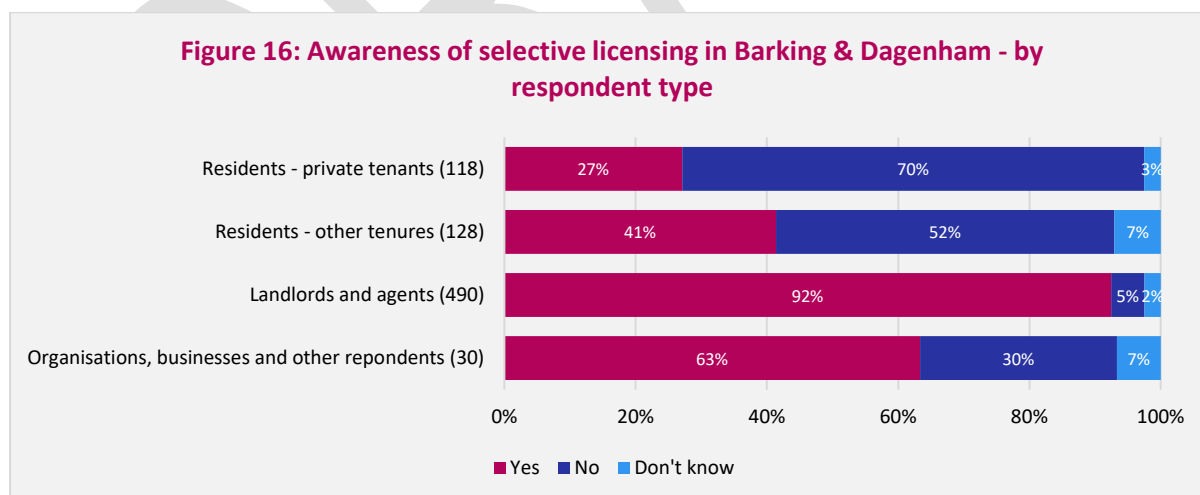
Respondents were asked to tell us about their experiences of the private rented sector in Barking and Dagenham and were given the opportunity to tell us about any other issues they have faced that had not yet been mentioned. Comments show that the most common issues faced are **problems caused by tenants** (29 respondents), **landlords being treated unfairly** (24 respondents), **problems caused by landlords** (23 respondents), and **unlawful/high rent increases** (22 respondents). Full results are shown above in figure 14.

## Awareness of current schemes

Before taking part in this consultation, were you aware of the selective licensing scheme for single-family privately rented homes?



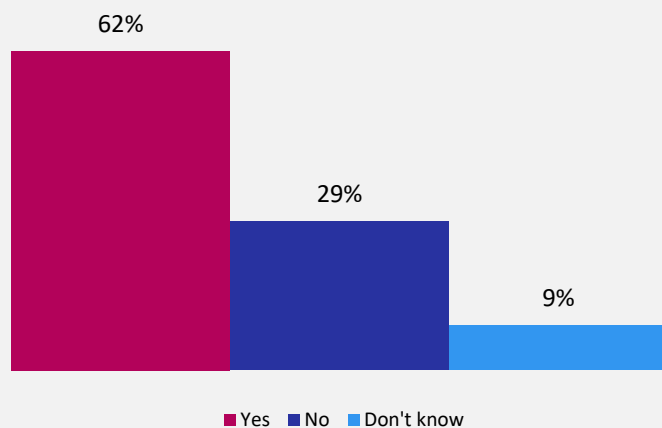
Survey respondents were asked whether they were aware of the selective licensing scheme for single-family privately rented homes in Barking and Dagenham before taking part in the consultation. 73% of respondents said they were aware of the scheme, while 24% were not aware of the scheme. Full results are shown above in figure 15.



When broken down to respondent type, 92% of landlords and agents were aware of the selective licensing scheme whilst on 27% of private tenant residents and 41% of residents from other tenures were aware. Organisations, businesses and other respondents had slightly more awareness of the scheme than residents at 63%. Full results are shown above in figure 16.

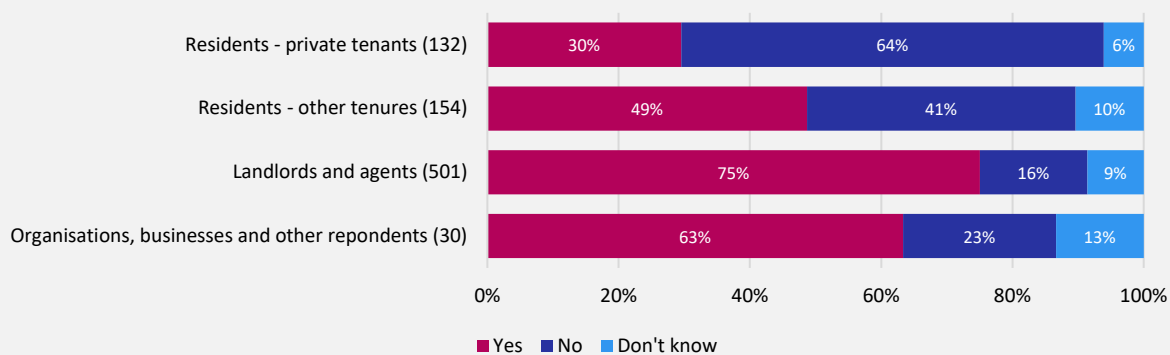
Before taking part in this consultation, were you aware of the mandatory licensing scheme for large, shared homes (HMOs) let to 5 or more unrelated people?

**Figure 17: Awareness of mandatory HMO licensing in Barking & Dagenham**



Survey respondents were asked whether they were aware of the mandatory licensing scheme for large, shared homes (HMOs) let to five or more unrelated people in Barking and Dagenham prior to taking part in the consultation. 62% of respondents were aware of the scheme while 29% were not. Full results are shown above in figure 17.

**Figure 18: Awareness of mandatory HMO licensing in Barking & Dagenham - by respondent type**

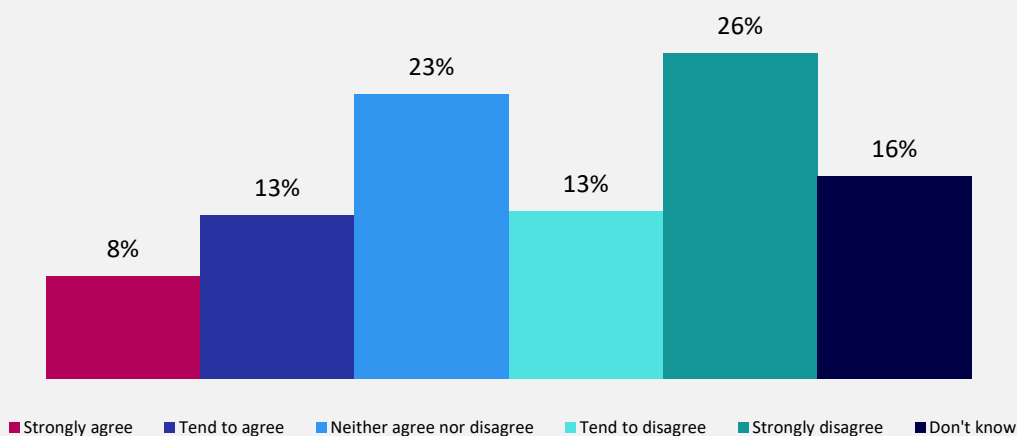


When broken down into respondent type, landlords and agents again were the most aware of the scheme at 75%, followed by 63% of organisations, businesses and other respondents. Residents were again the least aware of the mandatory HMO licensing scheme with 49% of residents from other tenures being aware of the scheme and only 30% of private tenants knowing about the scheme prior to consultation participation. Full results are shown above in figure 18.

## Impact of current licensing schemes

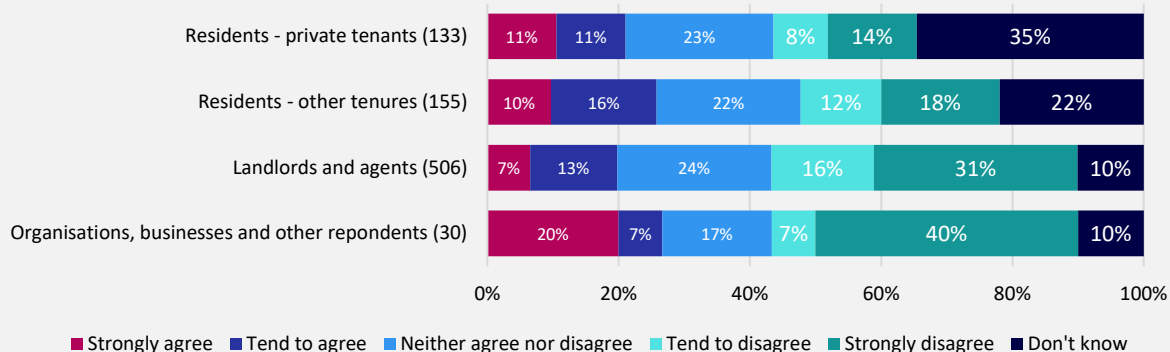
To what extent do you agree that the current selective licensing scheme has helped to improve the condition and management of private rented properties in Barking and Dagenham?

**Figure 19: Extent of agreement that the current selective licensing scheme has helped to improve the condition and management of private rented properties in Barking and Dagenham (N: 824)**



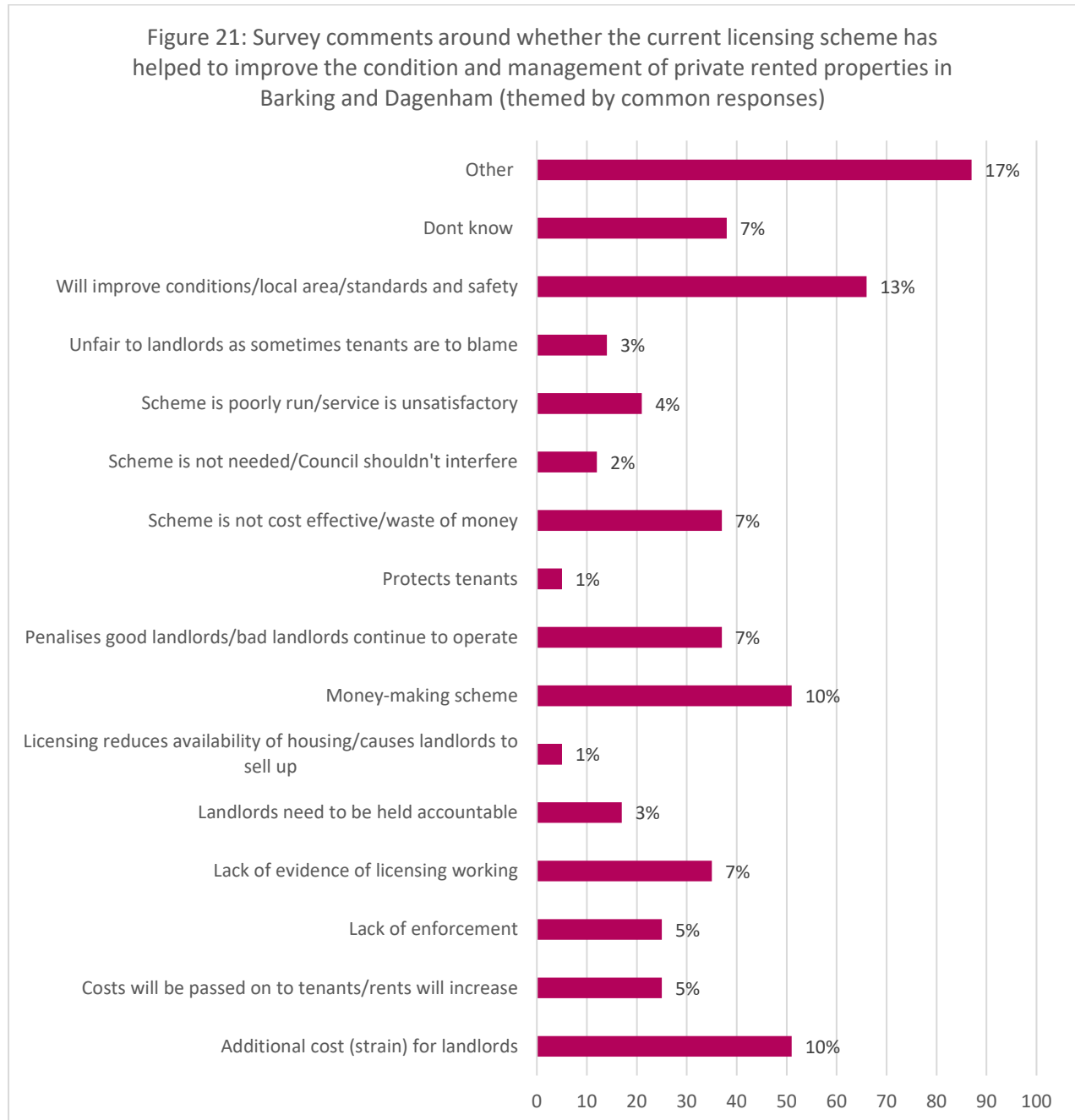
The next section of the survey moved on to look at the impact of the current licensing schemes. This was firstly done by asking survey respondents the extent to which they agree that the current selective licensing scheme has helped to improve the condition and management of private rented properties in Barking and Dagenham. 8% of respondents strongly agreed, and 13% tended to agree. Conversely, 13% tended to disagree and 26% strongly disagreed. 23% neither agreed nor disagreed and 16% didn't know. Full results are shown above in figure 19.

**Figure 20: Extent of agreement that the current selective licensing scheme has helped to improve the condition and management of private rented properties in Barking & Dagenham - by respondent type**



When broken down by respondent 40% of businesses, organisations and other respondents strongly disagreed with the statement that the scheme had improved property conditions. 31% of landlords also strongly disagreed. Residents from private tenures tended not to know (35%) as did residents from other tenures (22%). Full results are shown above in figure 20.

Please give the reason for your answer.



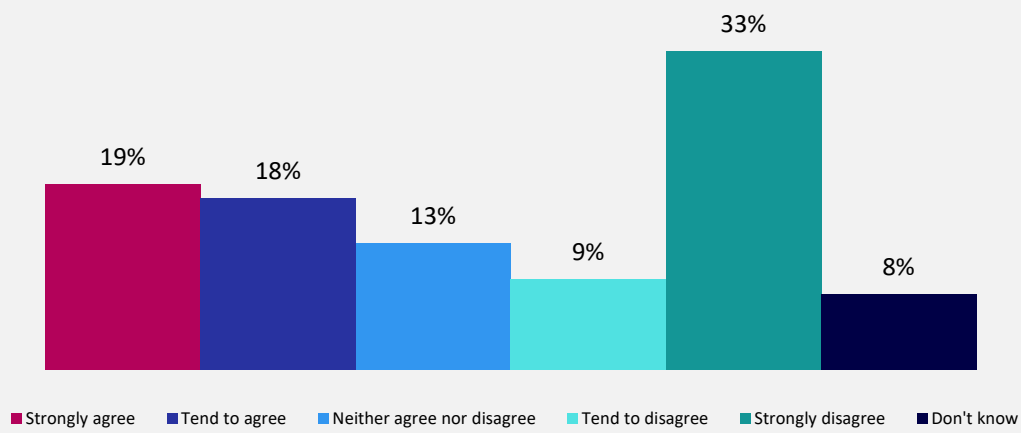
Respondents were asked whether they felt that the current licensing scheme had helped to improve the condition and management of private rented properties in Barking and Dagenham. 8% strongly agreed, 13% tended to agree, 23% neither agreed nor disagreed, 13% tended to disagree, 26% strongly disagreed, and 16% didn't know. They were then asked to provide a reason for their answer. The most common response was that it has **improved conditions/local area/standards and safety**



(66 respondents), followed by it being a **money-making scheme** (51 respondents), and the **additional cost being a strain for landlords** (51 respondents). Full results are shown above in figure 21.

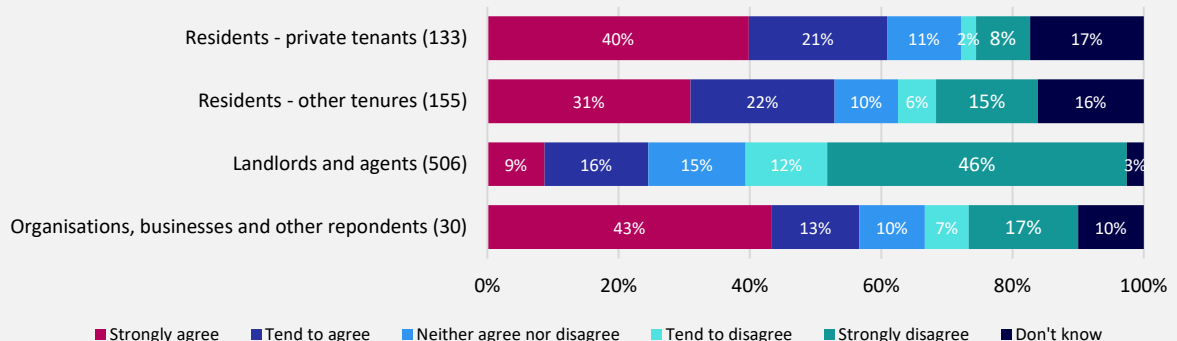
To what extent do you agree that the Council should continue to use selective licensing as a tool to help to improve, or further improve, the condition and management of private rented homes?

**Figure 22: Extent of agreement that the Council should continue to use selective licensing as a tool to help to improve, or further improve, the condition and management of private rented homes (N: 824)**



Whilst 33% of respondents disagreed that the council should continue to use selective licencing, the majority of respondents agreed with the continued use of selective licensing. Strongly in agreement were 19% and a further 18% tended to agree. Full results are shown above in figure 22.

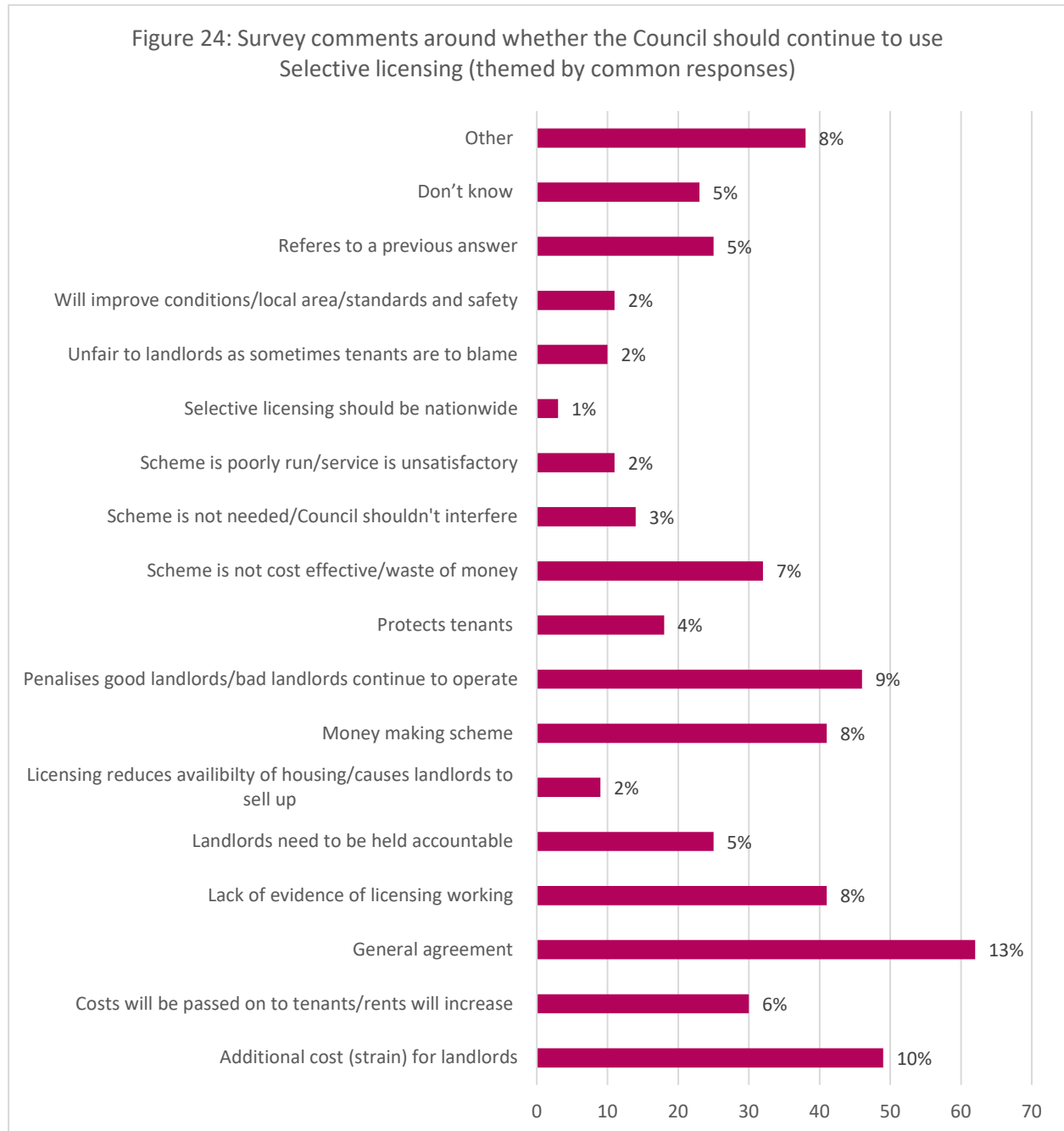
**Figure 23: Extent of agreement that the Council should continue to use selective licensing as a tool to help to improve, or further improve, the condition and management of private rented homes - by respondent type**



When broken down by respondents 43% of organisation and businesses were strongly in favour of continuing selective licensing with 13% tending to agree. 40% of private tenants also strongly agreed with 21% tending to agree. For residents in other tenures 31% strongly agreed with a further 22%

tending to agree. The majority of landlords (46%) strongly disagree with the continuance of selective licensing. Full results are shown above in figure 23.

Please give the reason for your answer.

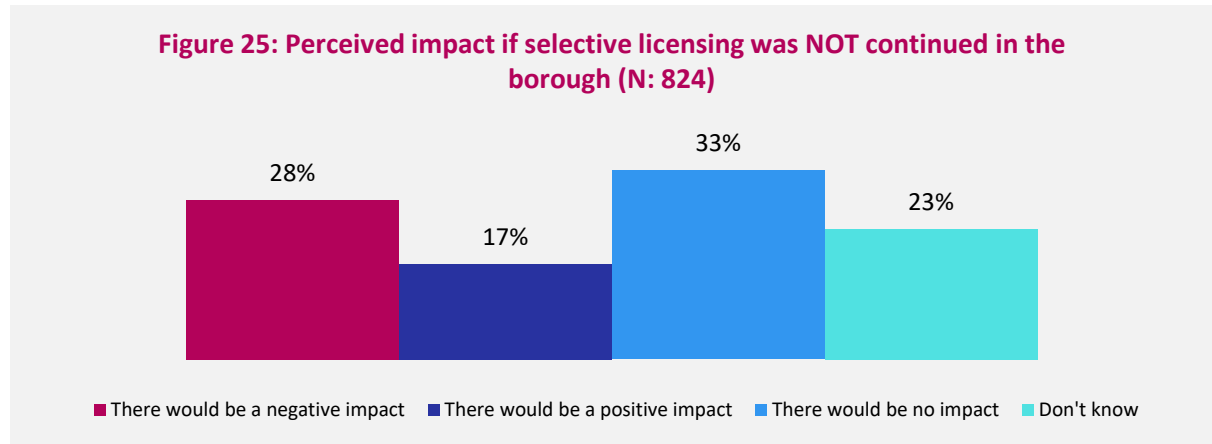


Following their views on the impact of the current licensing scheme, respondents were asked whether they thought the Council should continue to use selective licensing as a tool to help improve, or further improve, the condition and management of private rented homes in Barking and Dagenham. 19% strongly agreed, 18% tended to agree, 13% neither agreed or disagreed, 9% tended to disagree, 33% strongly disagreed, and 8% didn't know. When asked to give a reason for their answer, the most common response was a **general agreement** with the continued use of selective licensing (62 respondents). This was followed by the **additional cost being a strain to landlords** (49

respondents), and that **licensing schemes penalise good landlords while bad landlords continue to operate** (46 respondents). Full results are shown above in figure 24.

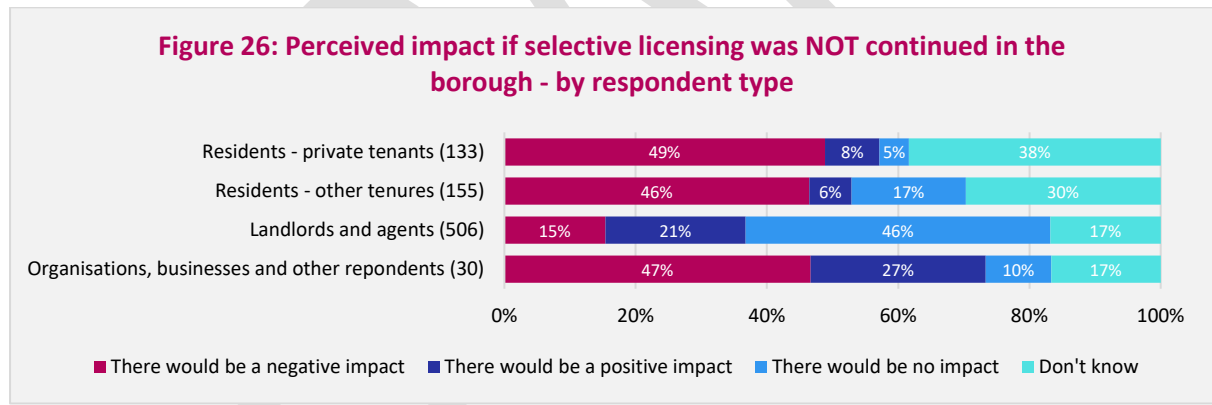
If selective licensing was NOT continued in the borough, what impact do you think this would have?

**Figure 25: Perceived impact if selective licensing was NOT continued in the borough (N: 824)**



33% of respondents felt there would be no impact. The next highest response was that there would be a negative impact (28%). Full results are shown above in figure 25.

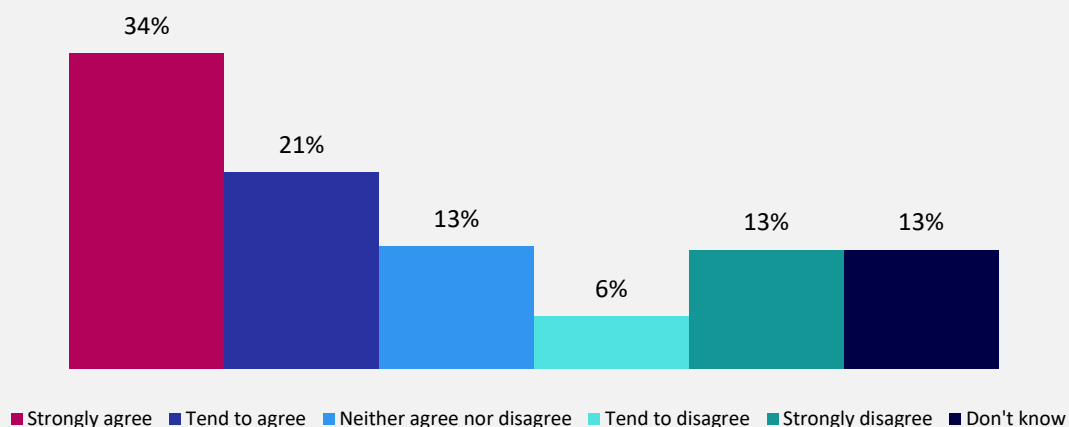
**Figure 26: Perceived impact if selective licensing was NOT continued in the borough - by respondent type**



When broken down into respondents, the majority of businesses, organisations and other respondents (47%) felt there would be a negative impact if selective licencing was discontinued. The majority of private tenants (49%) and residents of other tenures (46%) also felt the impact would be negative. 46% of landlords felt there would be no impact. Full results are shown above in figure 26.

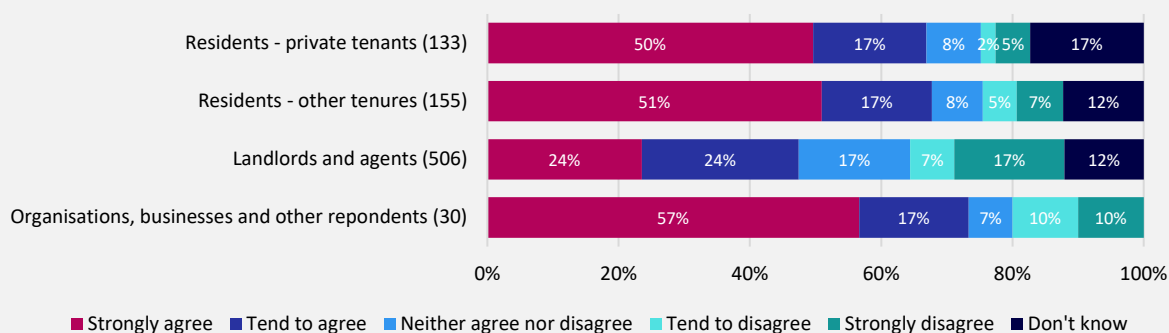
To what extent do you agree that all HMOs, regardless of size, should be subject to a form of property licensing to help to improve their condition and management?

**Figure 27: Extent of agreement that all HMOs, regardless of size, should be subject to a form of property licensing to help to improve their condition and management (N:824)**



The majority of respondents felt that all HMOs should be subject to a form of property licensing regardless of size with 34% strongly agreeing and 21% tending to agree. Full results are shown above in figure 27.

**Figure 28: Extent of agreement that all HMOs, regardless of size, should be subject to a form of property licensing to help to improve their condition and management - by respondent type**

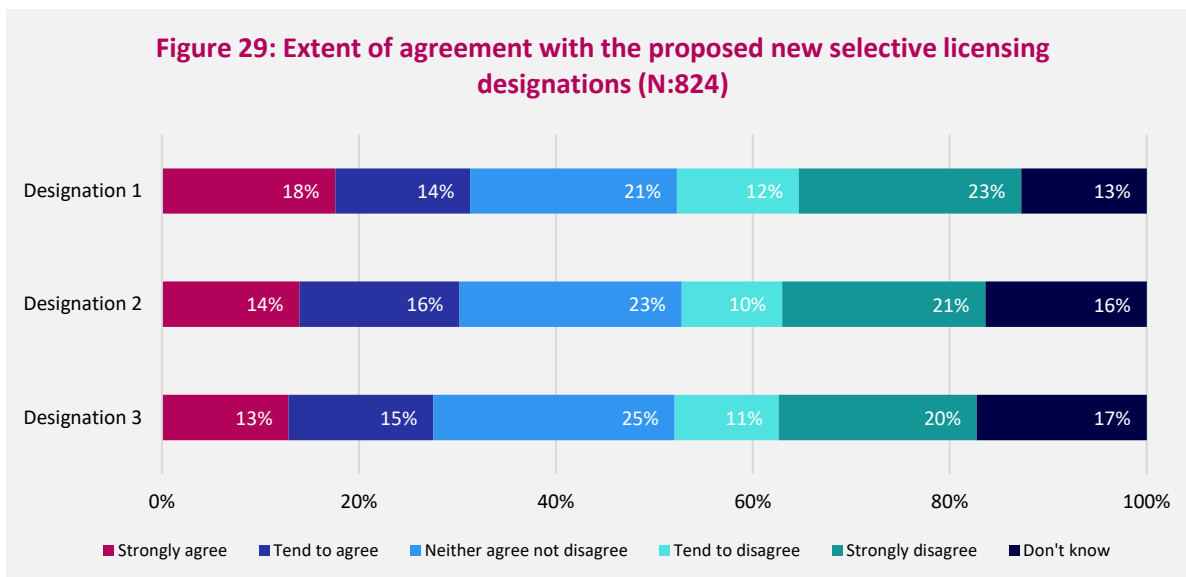


When broken down by types of respondents 57% of businesses, organisations and other respondents were strongly in agreement that all sizes of HMOs should be subject to property licensing. 51% of residents of other tenures were also strongly in agreement and 50% of private tenants with a further 17% tending to agree across all the above categories. Landlords were also broadly in agreement with 24% strongly agreeing and 24% tending to agree. Full results are shown above in figure 28.

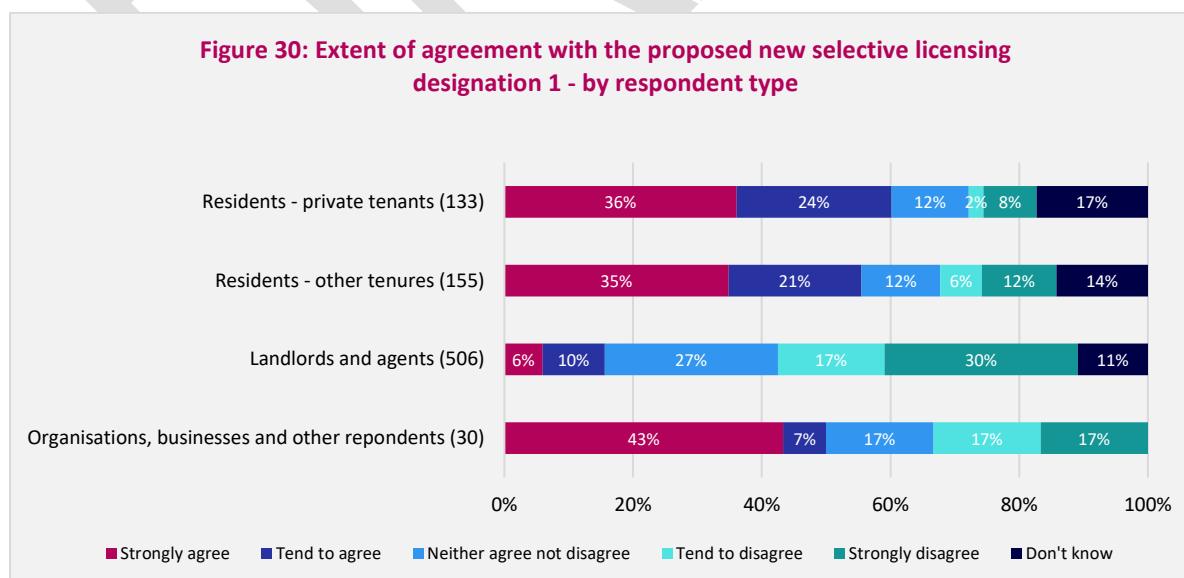
## Views on proposed new selective licensing scheme

Respondents were asked the extent to which they agreed with each of the three proposed selective licensing designations. The results of this question are shown in the below graph.

To what extent do you agree with the Council's proposed new targeted selective licensing designations?

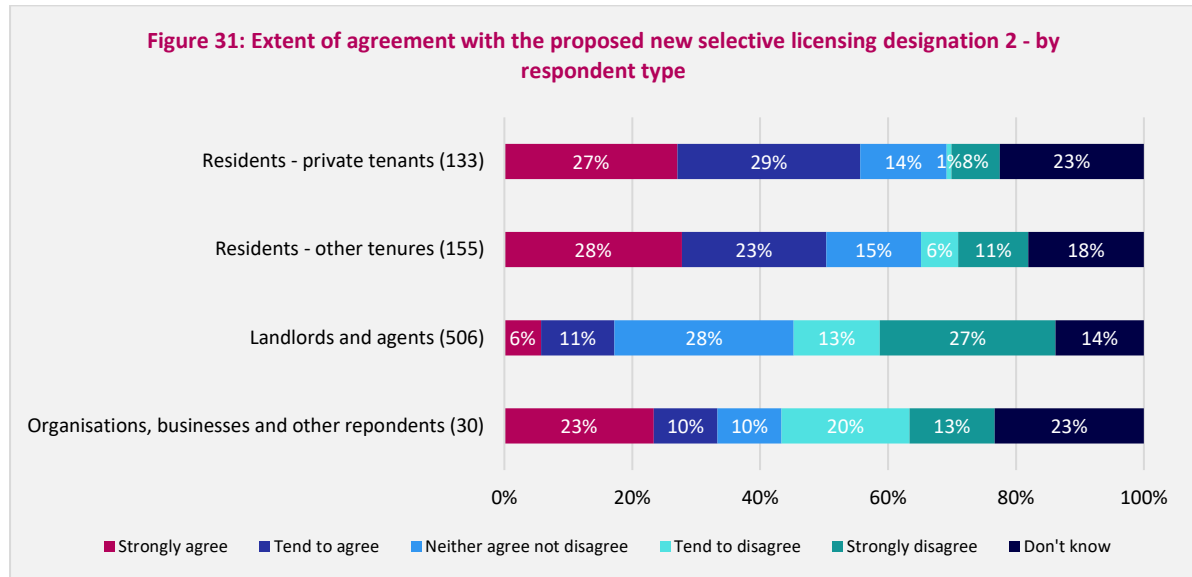


With the exclusion of designation 1 where most respondents (23%) strongly disagreed with the proposed designation most respondents were neither in agreement nor disagreement with the proposed designations. 23% of respondents said they were neither in agreement nor disagreement with designation 2 and 25% for designation 3. Full results are shown above in figure 29.

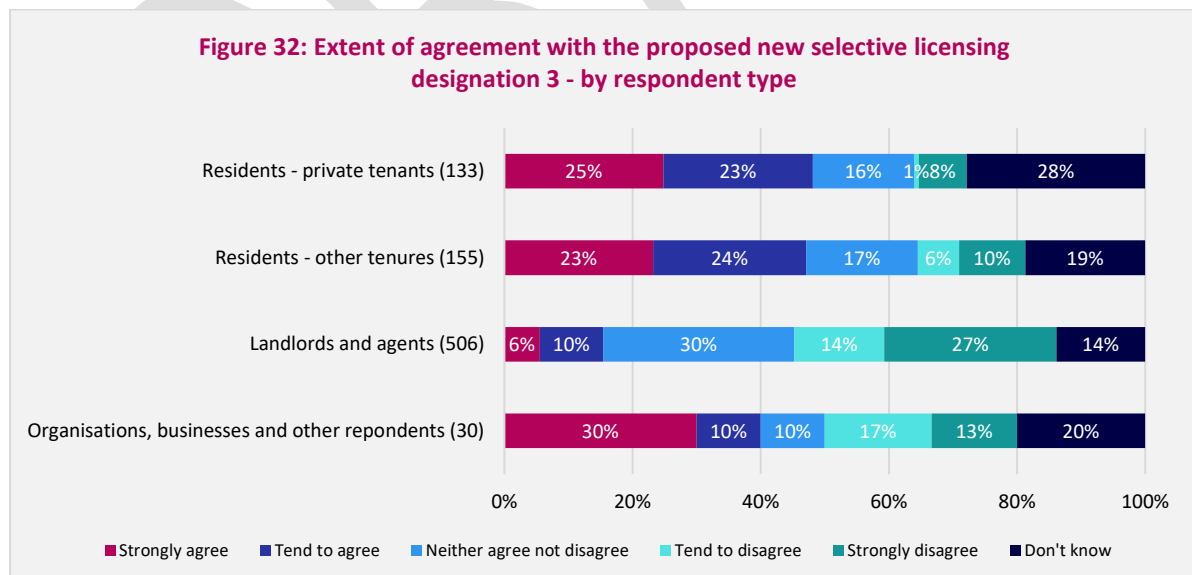


43% of businesses, organisations and other respondents strongly agreed with the proposed designation 1. 36% of private tenants were in strong support of the scheme whilst 24% tended to

agree. 35% of residents from other tenures were strongly in support with 21% tending to agree. The majority of landlords (30%) strongly disagreed with the proposed designation 1 with 27% neither agreeing not disagreeing. Full results are shown above in figure 30.



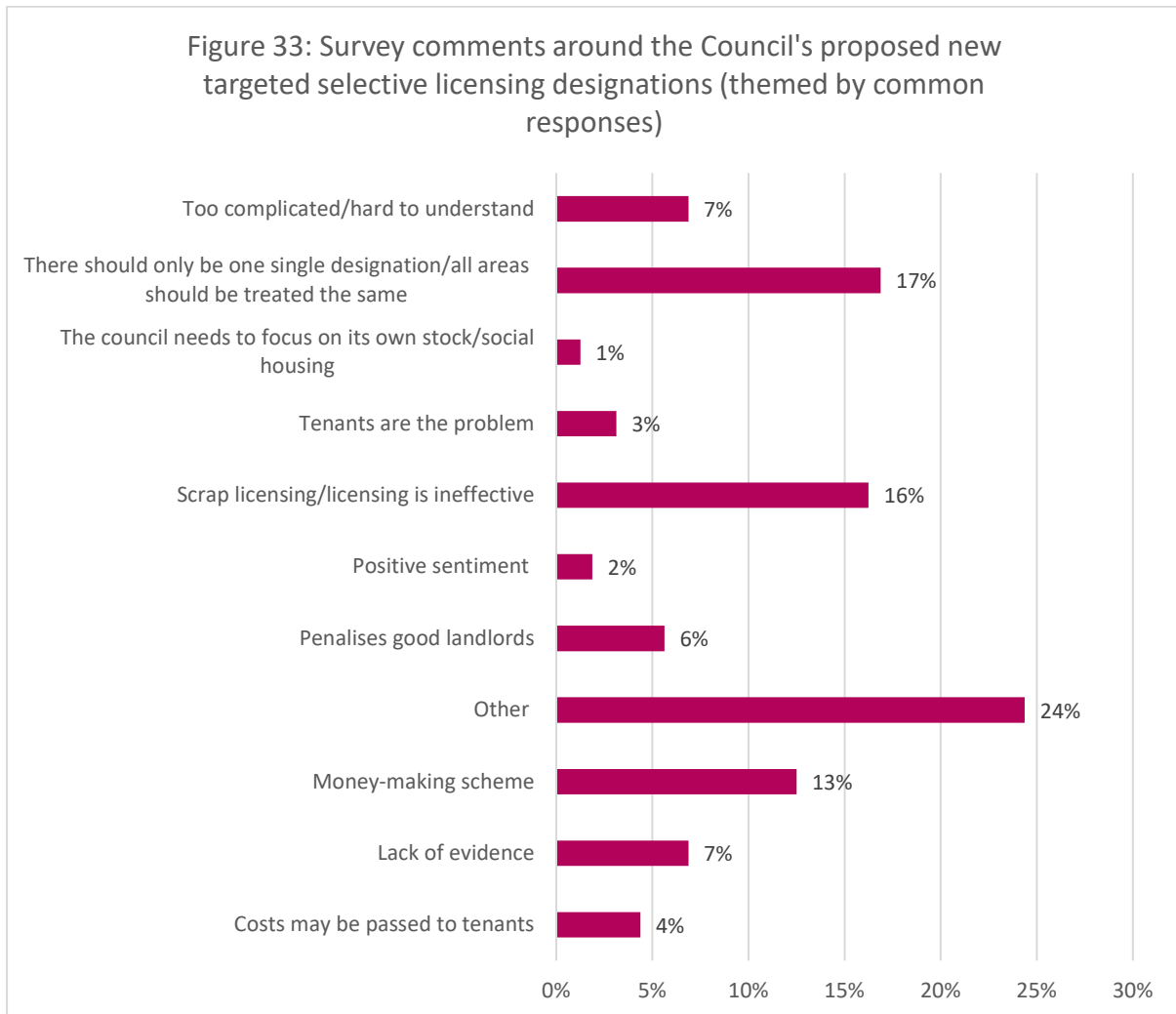
Designation 2 found 27% of private tenants strongly in favour with 29% tending to agree. 28% of residents from other tenures agreed with the designation and 23% had the tendency to agree. 23% of organisations were in favour although 23% indicated that they did not know. 28% of landlords neither agreed not disagreed with 27% in strong disagreement with the designation. Full results are shown above in figure 31.



Designation 3 found strong agreement in 30% of business and organisational respondents with 20% not knowing. 25% of private residents were in strong agreement with 23% tending to agree. Residents of other tenures recorded 24% tending to agree and 23% expressed strong agreement.

Most landlords 30% neither agreed nor disagreed with 20% responding that they were unsure. Full results are shown above in figure 32.

Please give the reasons for your answer in the box below.

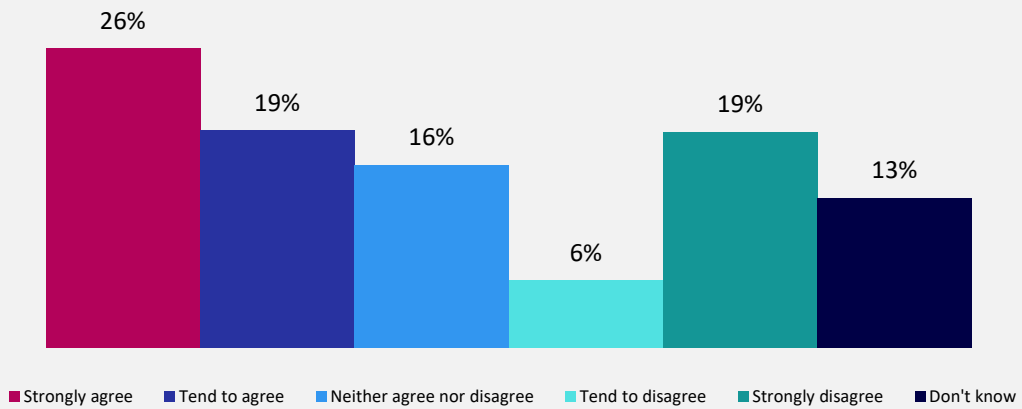


They were then asked to provide the reason for their answer. The most common response was that **there should be one designation so that all areas are treated the same** (27 respondents), followed by the sentiment that **licensing should be scrapped and/or licensing is ineffective** (26 respondents), and that licensing is a **money-making scheme** (20 respondents). Full results are shown above in figure 33.

## Views on proposed new additional HMO licensing scheme

To what extent do you agree with the Council's proposal to introduce a new additional licensing scheme to improve the condition and management of small houses in multiple occupation?

**Figure 34: Extent of agreement with the Council's proposal to introduce a new additional licensing scheme to improve the condition and management of small houses in multiple occupation (N: 824)**

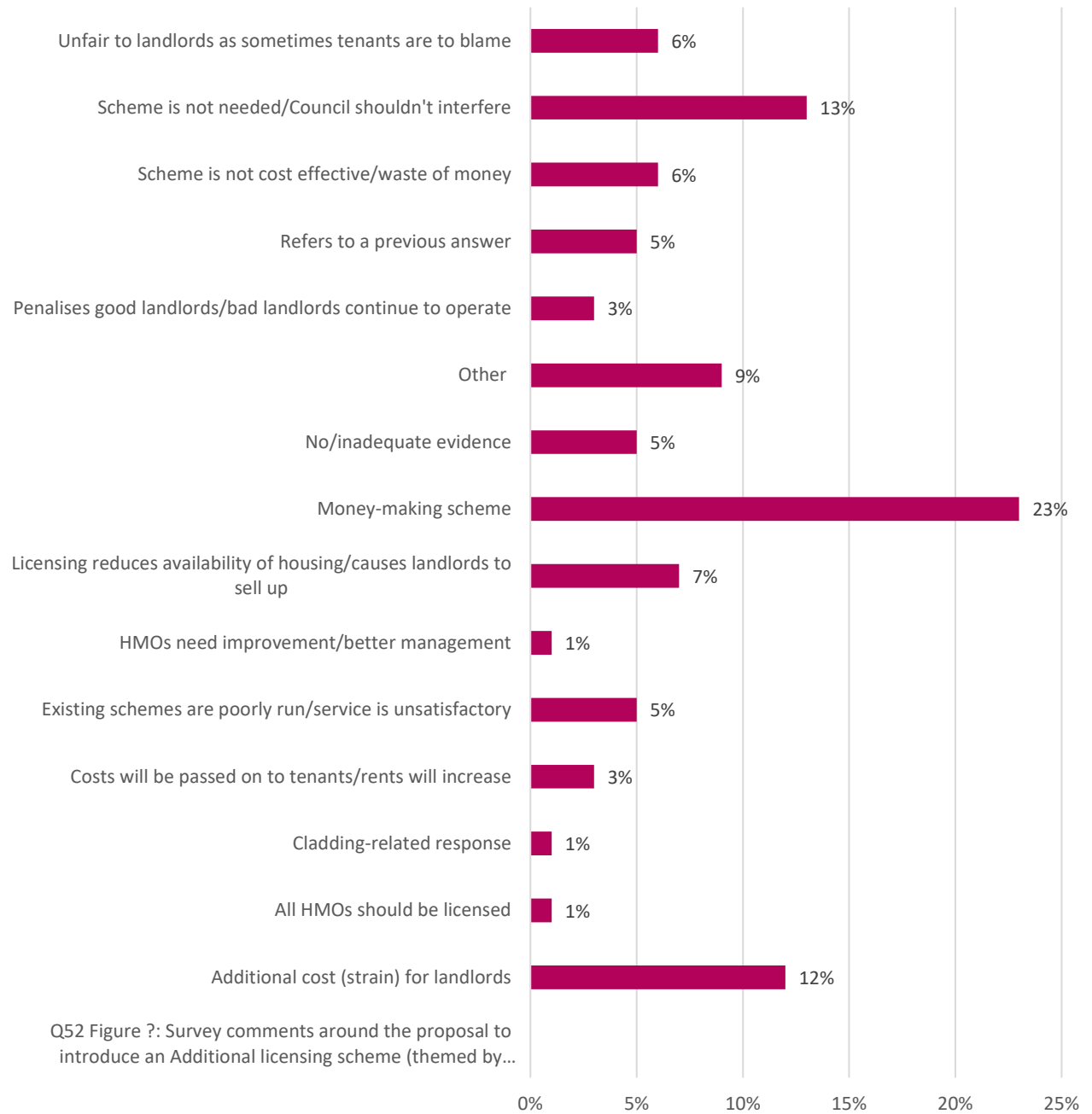


The majority of respondents 26% strongly agreed with the proposal to introduce an additional licencing scheme to manage small houses in multiple occupancy. Full results are shown above in figure 34.

Please give the reasons for your answer in the box below.



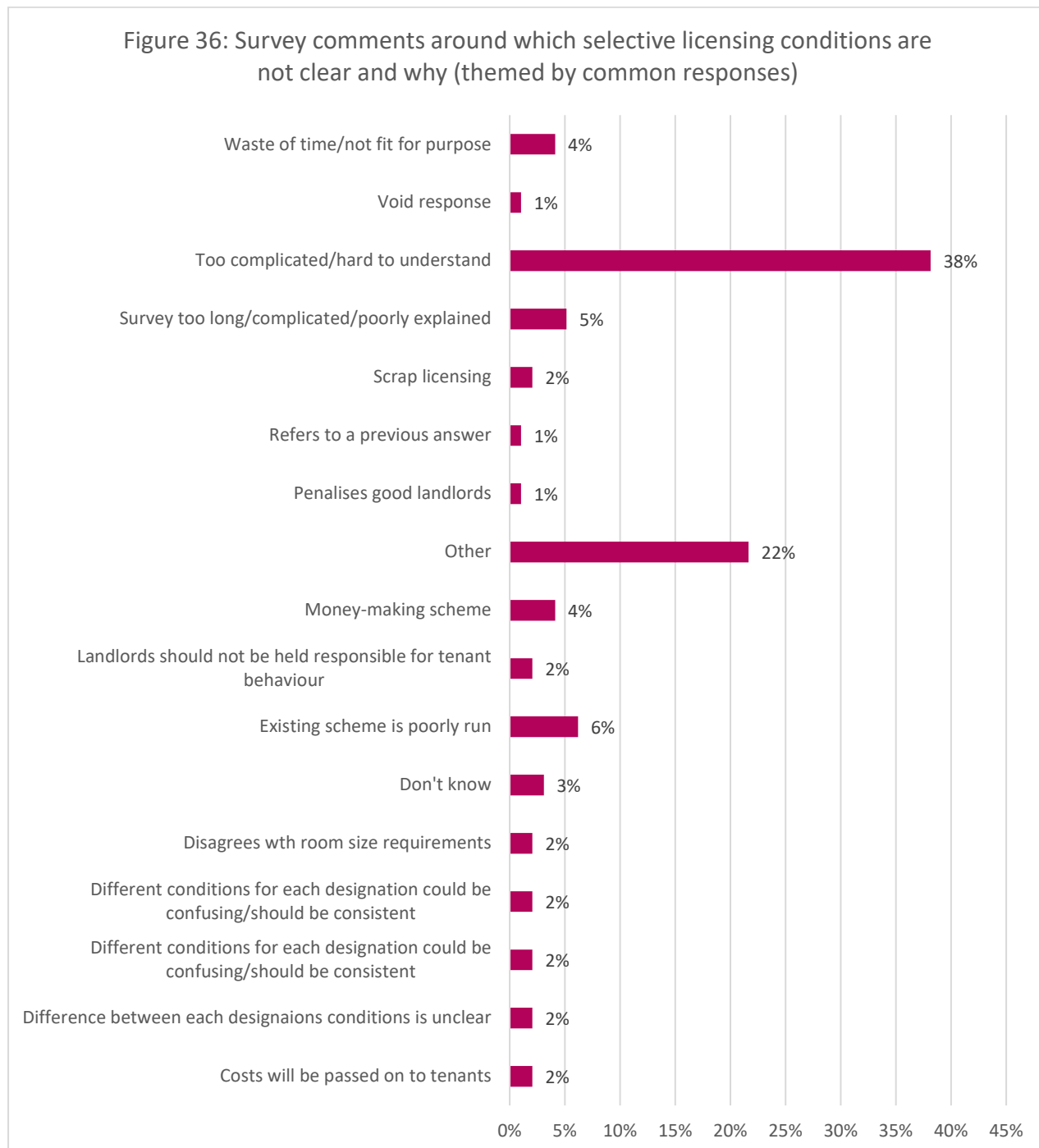
Figure 35: Survey comments around the proposal to introduce an Additional licensing scheme (themed by common responses)



Survey respondents were asked the extent to which they agreed with the Council's proposal to introduce a new additional licensing scheme to improve the condition and management of small houses in multiple occupation. 26% strongly agreed, 19% tended to agree, 16% neither agreed or disagreed, 6% tended to disagree, 19% strongly disagreed, and 13% didn't know. They were asked to give a reason for their answer. The most common response was that additional licensing would be a **money-making scheme** (23 respondents), the next most common response was that **the scheme is not needed and the council should not interfere** (13 respondents), closing followed by the **additional cost being a strain to landlords** (12 respondents). Full results are shown above in figure 35.

## Views on proposed licence conditions

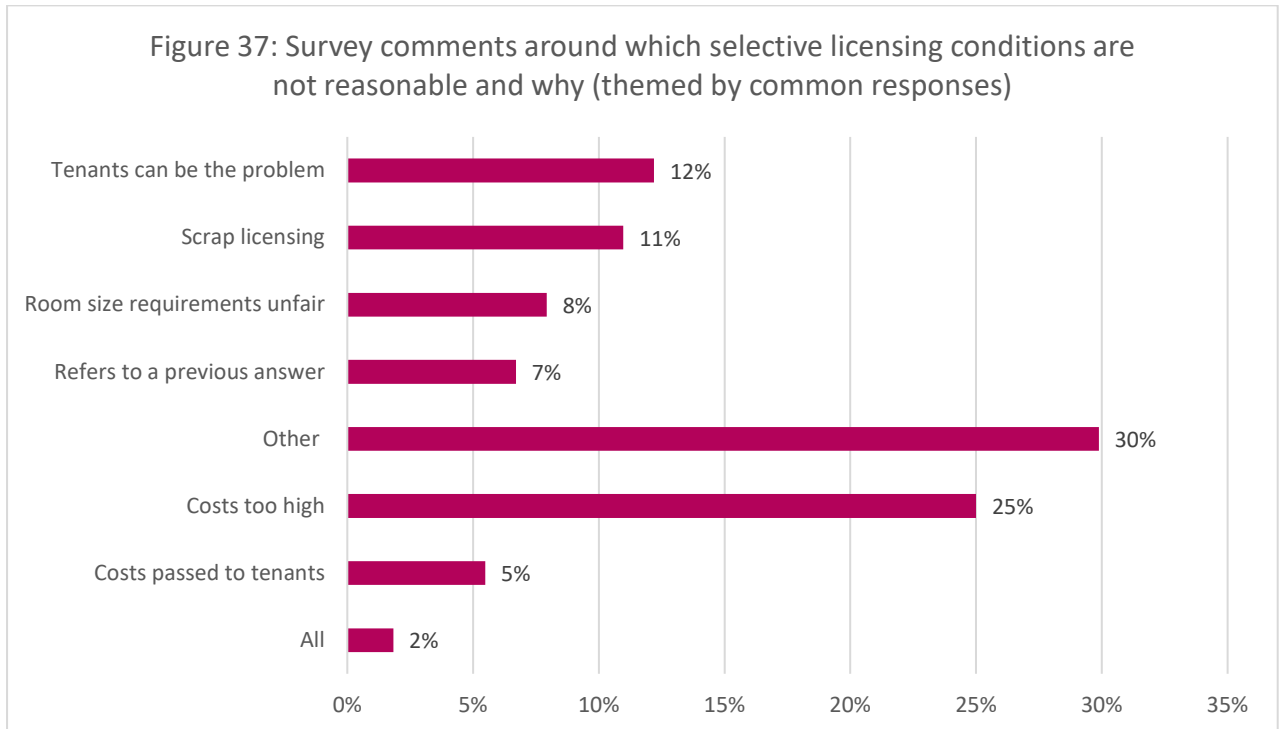
Do you think the proposed selective licensing conditions are clear and understandable?



Respondents were asked whether they thought the proposed selective licence conditions were clear. 46% said yes, 28% said no, and 27% didn't know. Those who responded no were asked to state which conditions were not clear and why. The most common response to this question was that they were

**too complicated/hard to understand** (37 respondents), followed by the **existing scheme being poorly run** (6 respondents), and the **survey being too long/complicated/poorly explained** (5 respondents). Full results are shown above in figure 36.

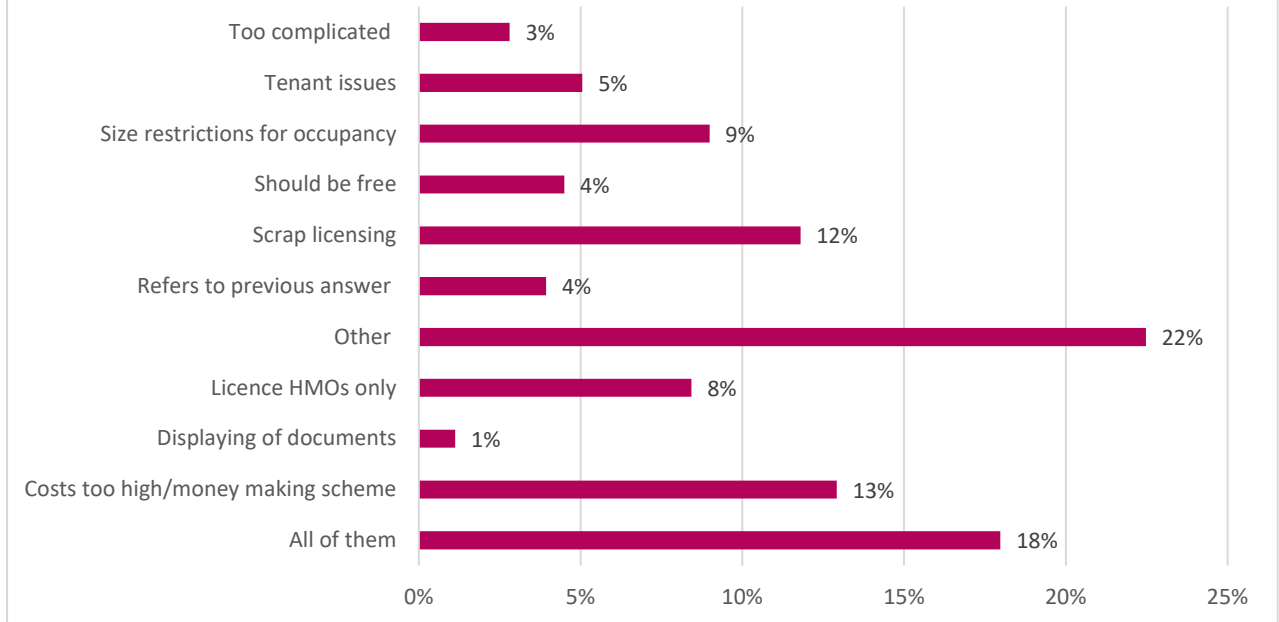
Do you think the proposed selective licensing conditions are clear and understandable?



Respondents were then asked whether they thought the proposed selective licensing conditions were reasonable. 32% said yes, 40% said no, and 28% didn't know. If they responded no, they were asked which conditions were not reasonable and why. The most common response to this question was that the **costs were too high** (41 respondents), followed by the sentiment that **tenants can be the problem** (20 respondents), and the sentiment that **licensing should be scrapped** (18 respondents). Full results are shown above in figure 37.

Do you think there are any selective licensing conditions that should be removed?

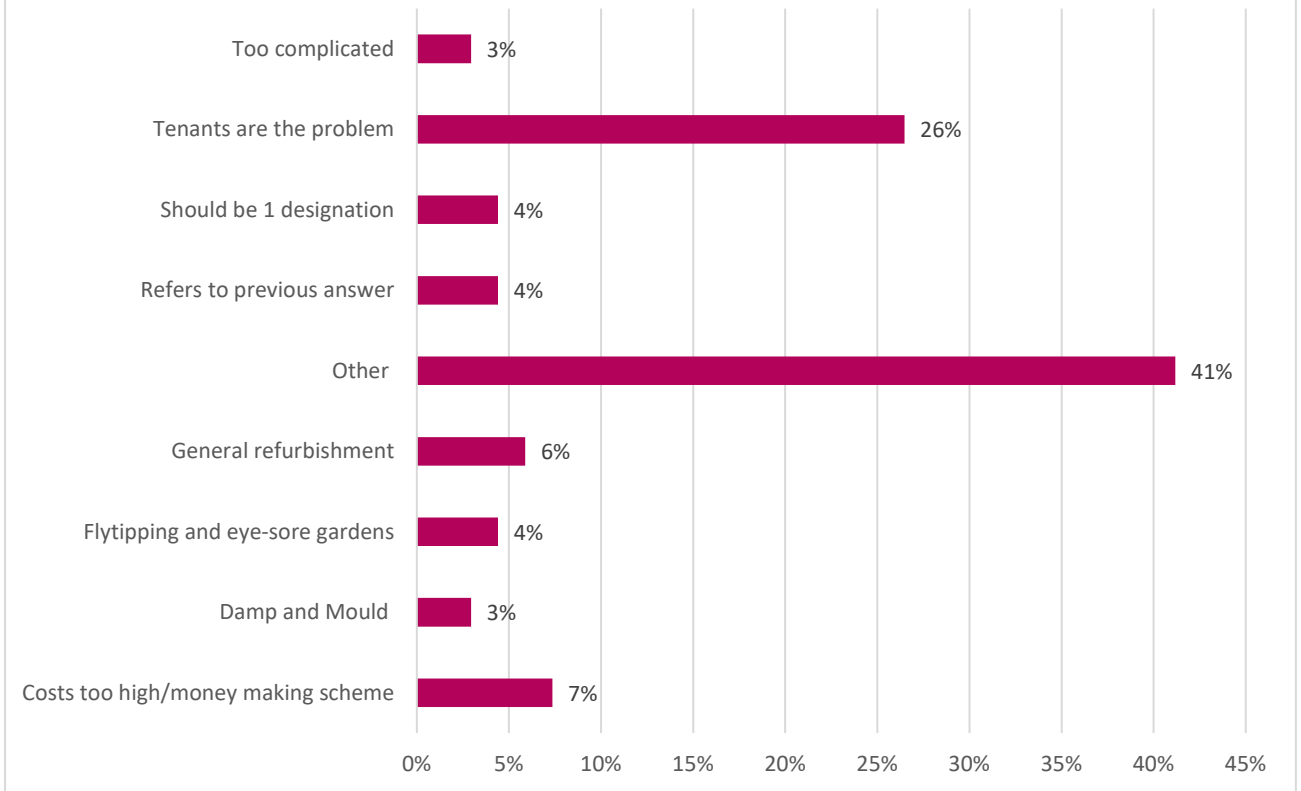
Figure 38: Survey comments around which selective licensing conditions should be removed and why (themed by common responses)



Next, respondents were asked whether any of the proposed selective licensing conditions should be removed. 33% responded yes, 23% responded no, and 43% didn't know. If they responded yes, they were asked which conditions should be removed and why. The most common response was **all of them** (32 respondents), then the **costs being too high/it being a money-making scheme** (23 respondents), followed by **scrap licensing** (21 respondents). Full results are shown above in figure 38.

Do you think there are any selective licensing conditions that should be added?

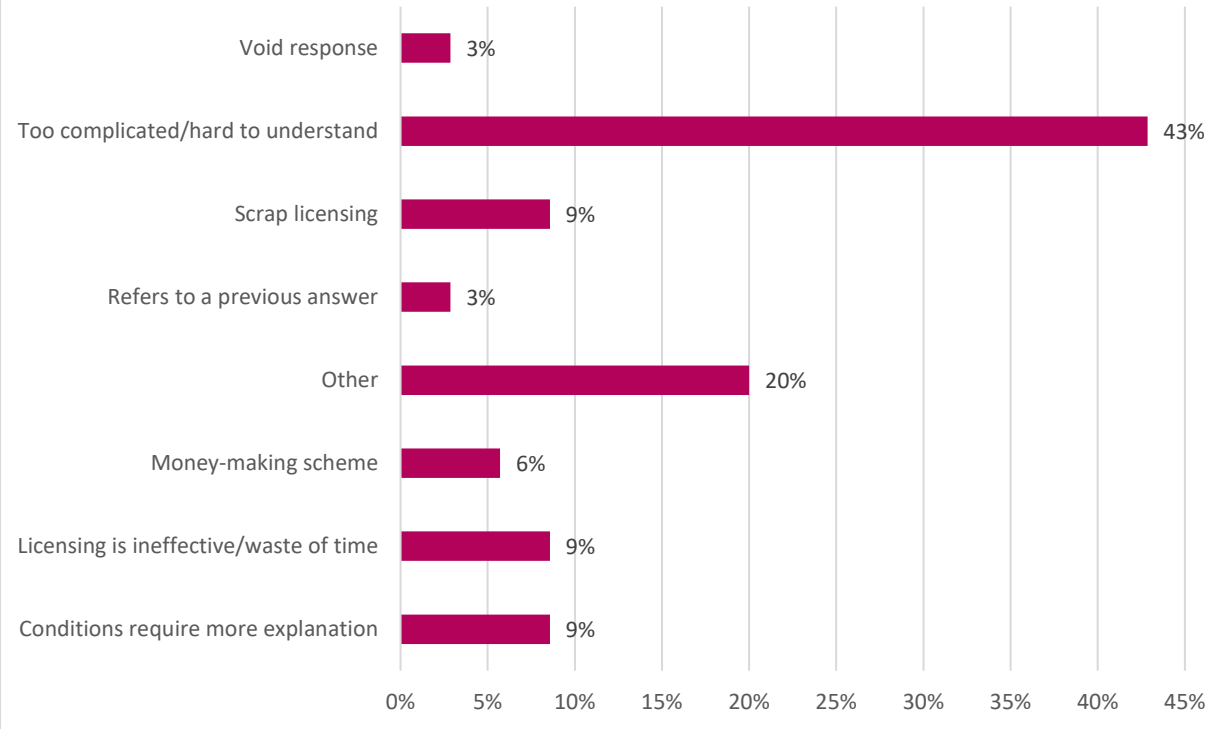
Figure 39: Survey comments around which selective licensing conditions should be added and why (themed by common responses)



The last question regarding selective licence conditions asked respondents whether there were any conditions they thought should be added. 11% said yes, 43% said no, and 46% didn't know. Those who responded yes were asked which conditions should be added and why. The most common response was the sentiment that **tenants can be the problem** (18 respondents), followed by the costs being too high/licensing being a money-making scheme (5 respondents), and finally the request for conditions around **general refurbishment** (4 respondents). Full results are shown above in figure 39.

Do you think the proposed additional HMO licensing conditions are clear and understandable?

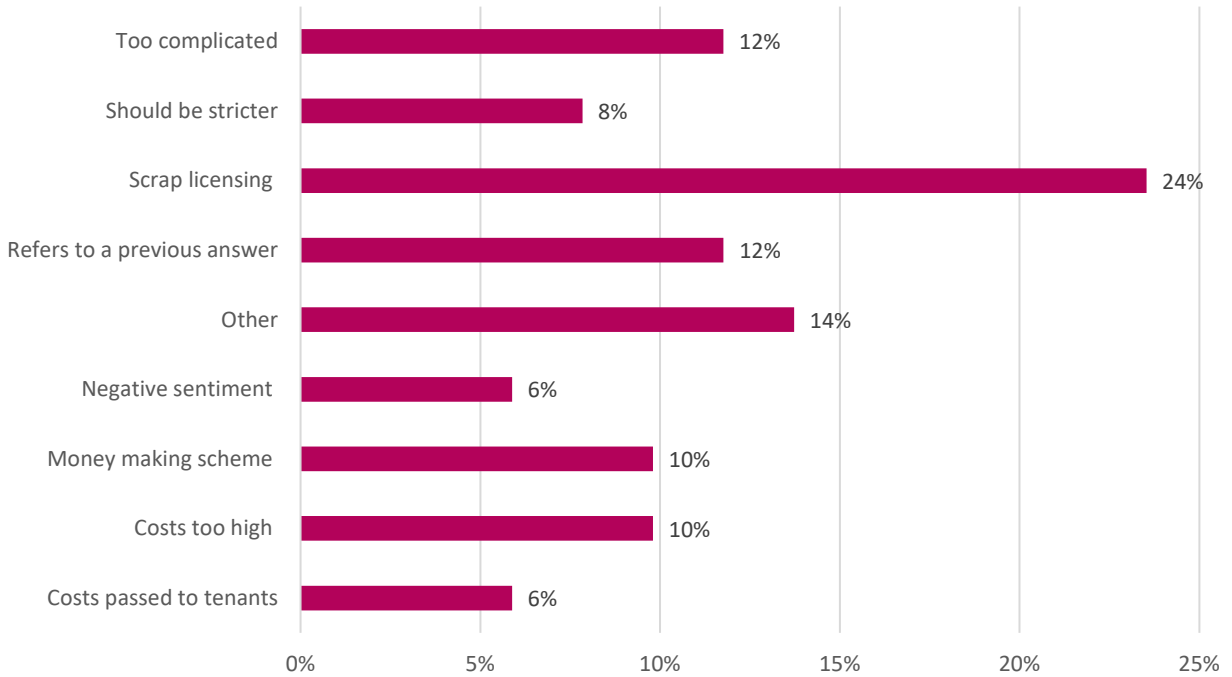
Figure 40: Survey comments around which additional licensing conditions are not clear and why (themed by common responses)



Respondents were asked whether they thought the proposed additional licence conditions were clear. 35% said yes, 16% said no, and 49% didn't know. If they responded no, they were asked to state which conditions were not clear and why. The most common response to this question was that they **were too complicated/hard to understand** (15 respondents), followed by **the conditions requiring more explanation** (3 respondents), the sentiment that **licensing is ineffective** (3 respondents), and that **licensing should be scrapped** (3 respondents). Full results are shown above in figure 40.

Do you think the proposed additional HMO licensing conditions are reasonable?

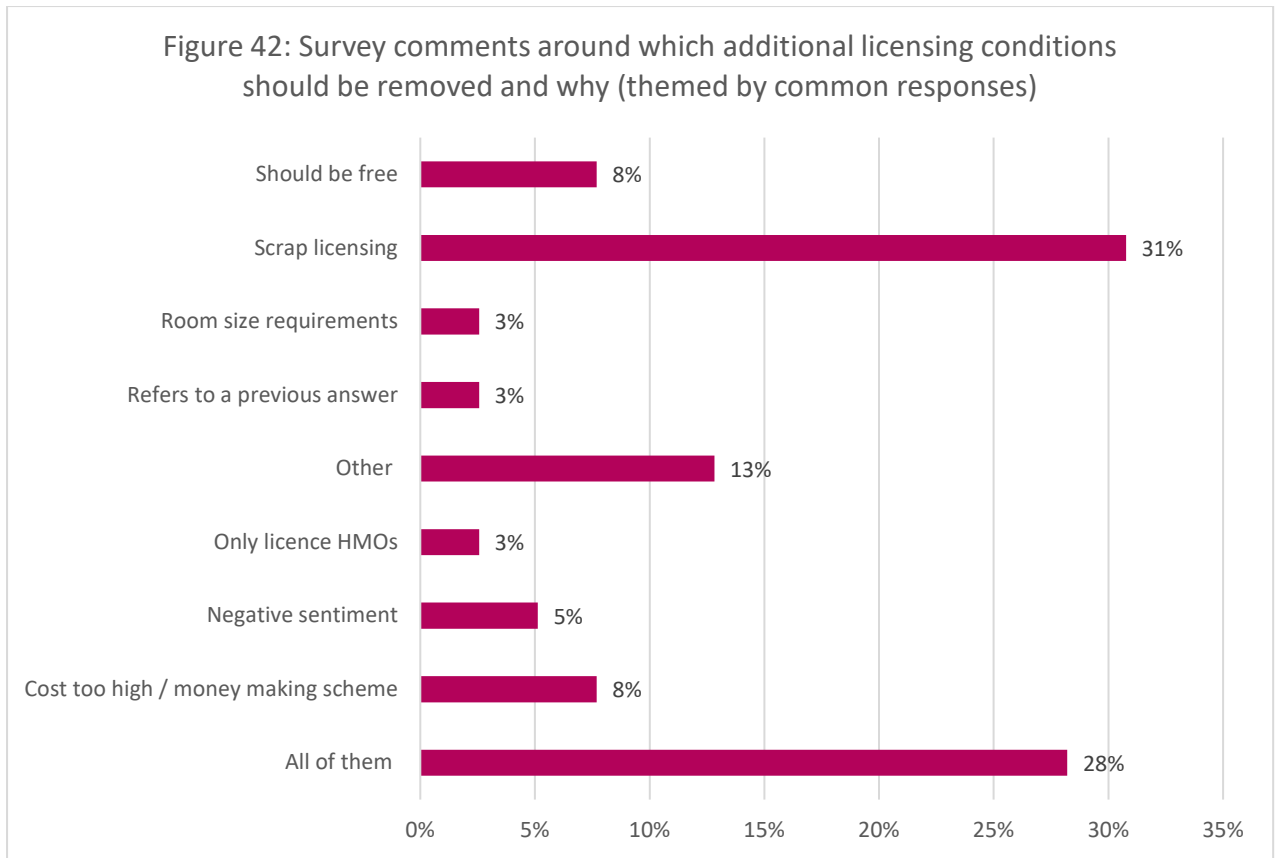
Figure 41: Survey comments around which additional licensing conditions are not reasonable and why (themed by common responses)



Respondents were then asked whether they thought the proposed additional licensing conditions were reasonable. 30% said yes, 19% said no, and 51% didn't know. Those who responded no were asked which conditions were not reasonable and why. The most common response to this question was the sentiment to **scrap licensing** (12 respondents), followed by them being **too complicated** (6 respondents), it being a **money-making scheme** (5 respondents), and the **costs being too high** (5 respondents). Full results are shown above in figure 41.

Do you think there are any additional HMO licensing conditions that should be removed?

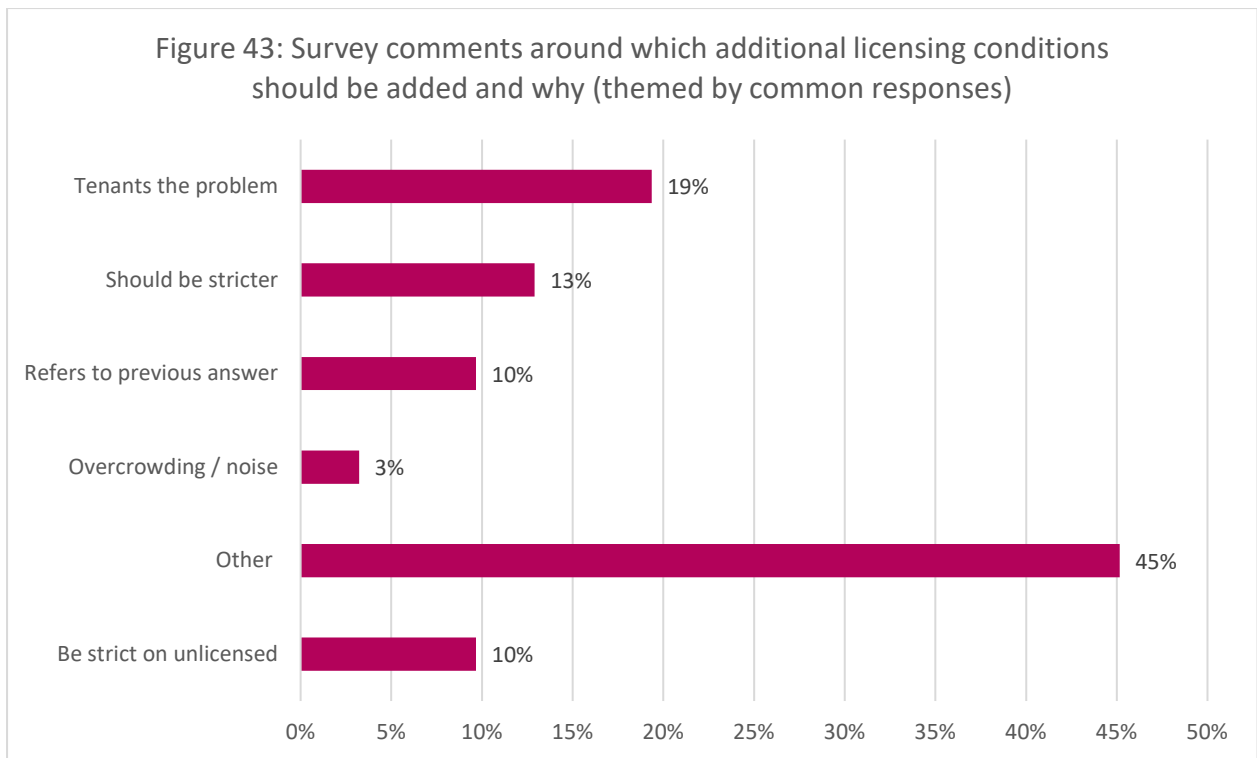
Figure 42: Survey comments around which additional licensing conditions should be removed and why (themed by common responses)



Next, respondents were asked whether any of the proposed additional licensing conditions should be removed. 11% said yes, 27% said no, and 61% didn't know. If they responded yes, they were asked which conditions should be removed and why. The most common response was to **scrap licensing** (12 respondents), followed by **all conditions should be removed** (11 respondents), and that it **should be free** (3 respondents) and the **costs are too high/it is a money-making scheme** (3 respondents). Full results are shown above in figure 42.

Do you think there are any additional HMO licensing conditions that should be added?



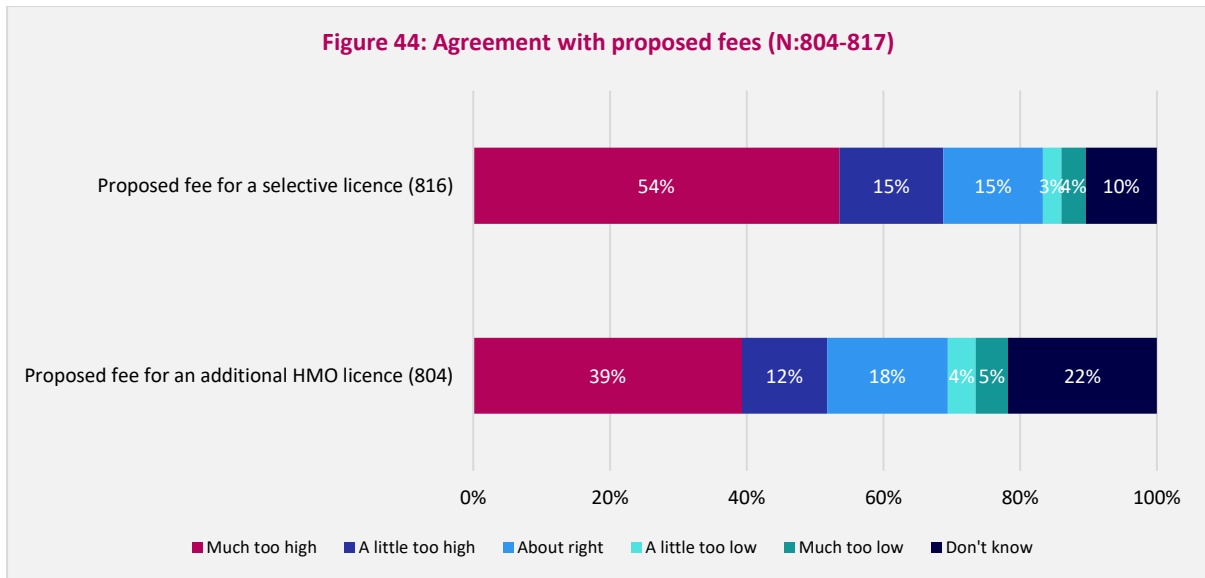


The last question regarding additional licence conditions asked respondents whether there were any conditions they thought should be added. 7% said yes, 29% said no, and 64% didn't know. Those who responded yes were asked which conditions should be added and why. The most common response was the sentiment that **tenants can be the problem** (6 respondents), followed by the view that it **should be stricter** (4 respondents), and that we need to **be strict on unlicensed properties** (3 respondents). Full results are shown above in figure 43.

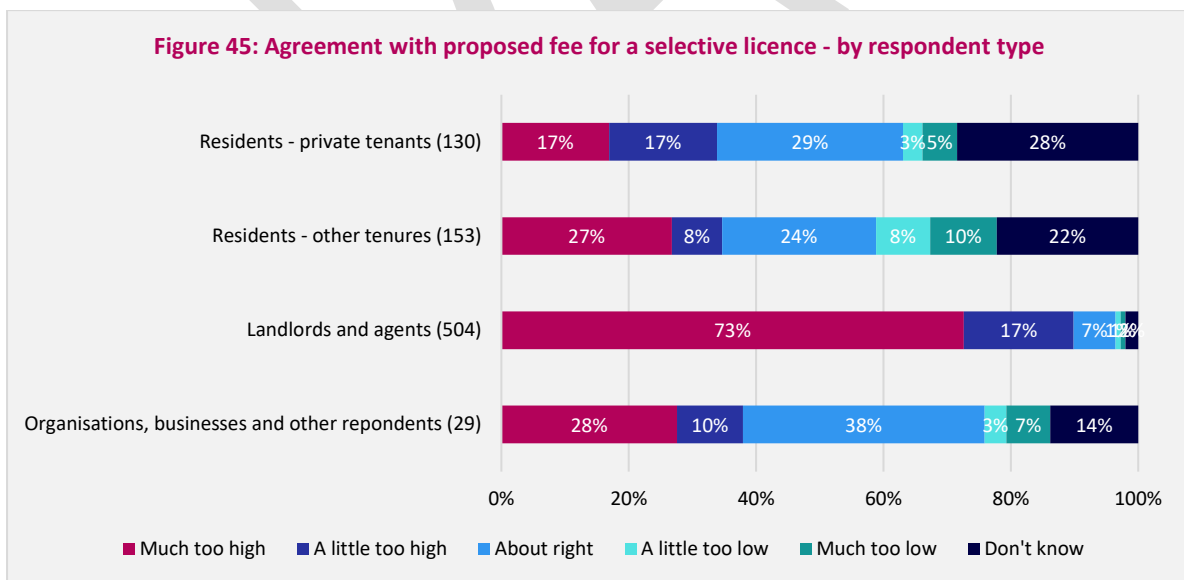
## Views on proposed licence fees and discounts

Please tell us what you think about the proposed fees:

- The proposed fee for selective licensing
- The proposed fee for additional HMO licensing?

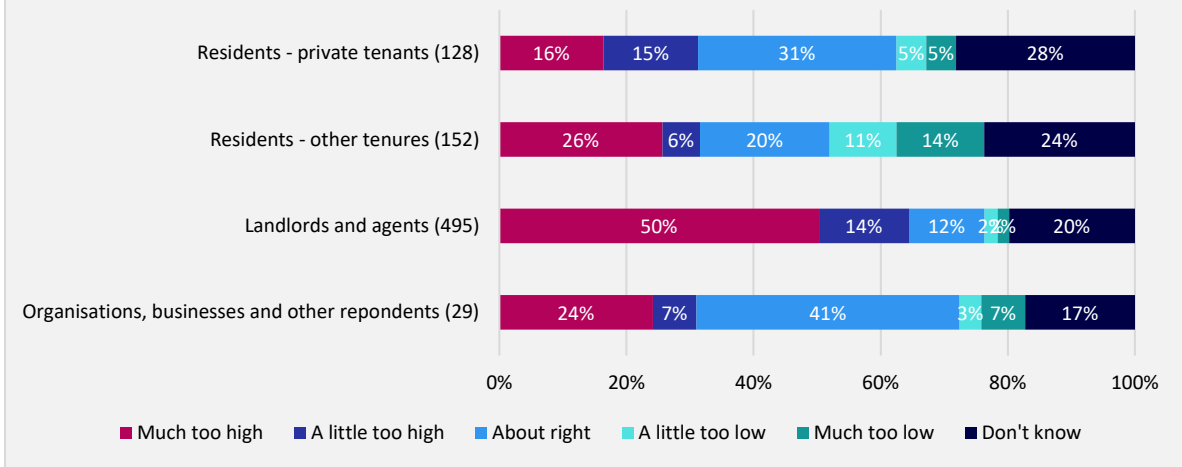


The majority of respondents felt that the proposed fees were too high. 54% of selective licence fee respondents and 39% of HMO licence respondents. Full results are shown above in figure 44.



When broken down into respondent types 73% of landlords had responded that the selective licence fees proposed were much too high. The majority of businesses and organisational respondents (38%) felt it was about right. The majority of private residents felt the fees were about right (29%) or they didn't know (28%) and a small majority of residents from other tenures (27%) felt the fees were too high with the next highest response (22%) being that they didn't know. Full results are shown above in figure 45.

**Figure 46: Agreement with proposed fee for an additional HMO licence - by respondent type**

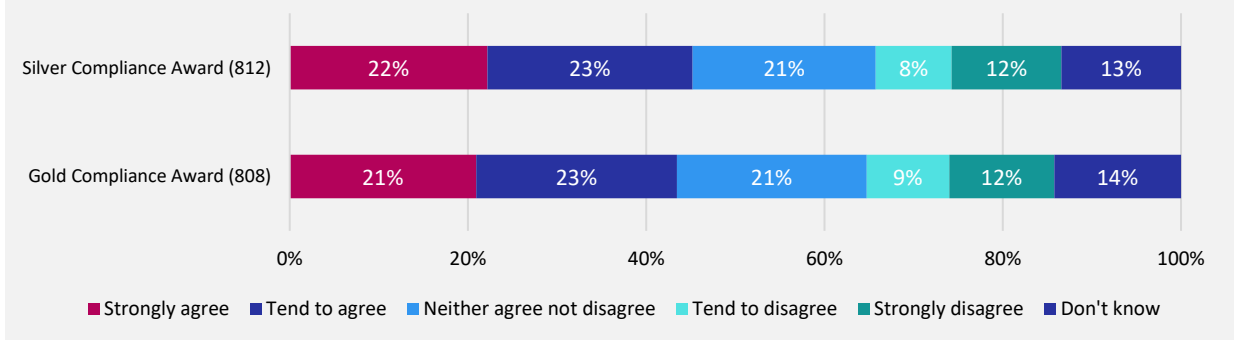


By respondent 50% of landlords had responded that the additional HMO licence fees proposed were much too high. The majority of businesses and organisational respondents (41%) felt it was about right. Most private residents felt the fees were about right (31%) and the majority of residents from other tenures (26%) felt the fees were too high with the next highest response (24%) being that they didn't know. Full results are shown above in figure 46.

**To what extent do you agree with the proposed discounts?**

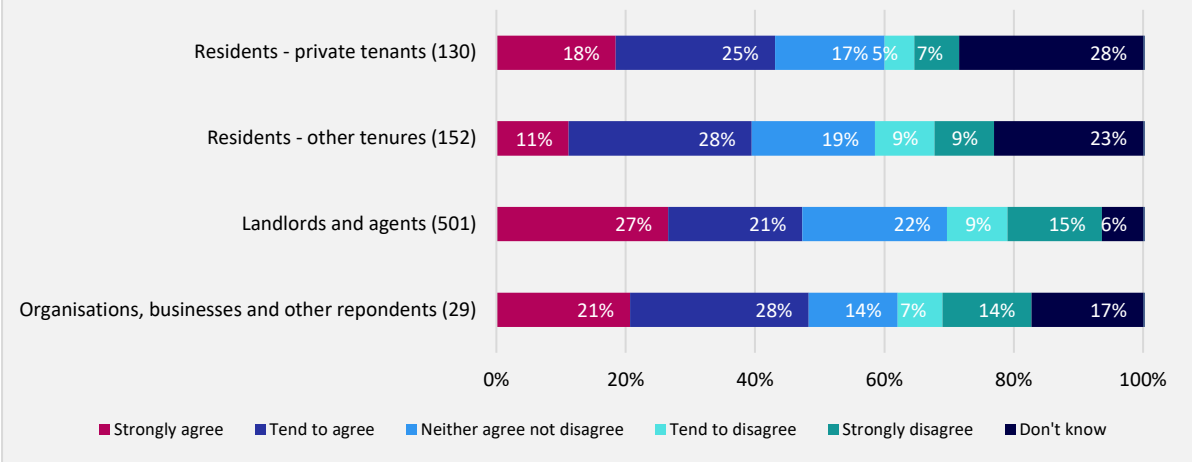
- Silver Compliance Award Discount
- Gold Compliance Award Discount

**Figure 47: Extent of agreement with proposed discounts**



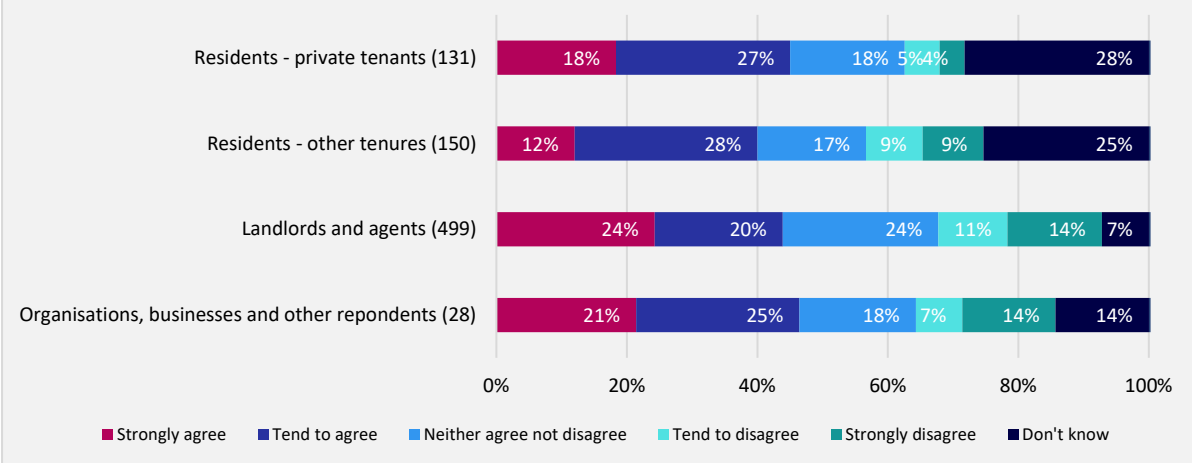
Most respondents tended to agree with the proposed discounts. 23% of respondents **tended to agree** with the silver compliance award with 22% **strongly in agreement**. 23% of respondents **tended to be in favour** of the Gold compliance award with a further 21% in **strong agreement**. Full results are shown above in figure 47.

**Figure 48: Extent of agreement with proposed silver compliance award - by respondent type**



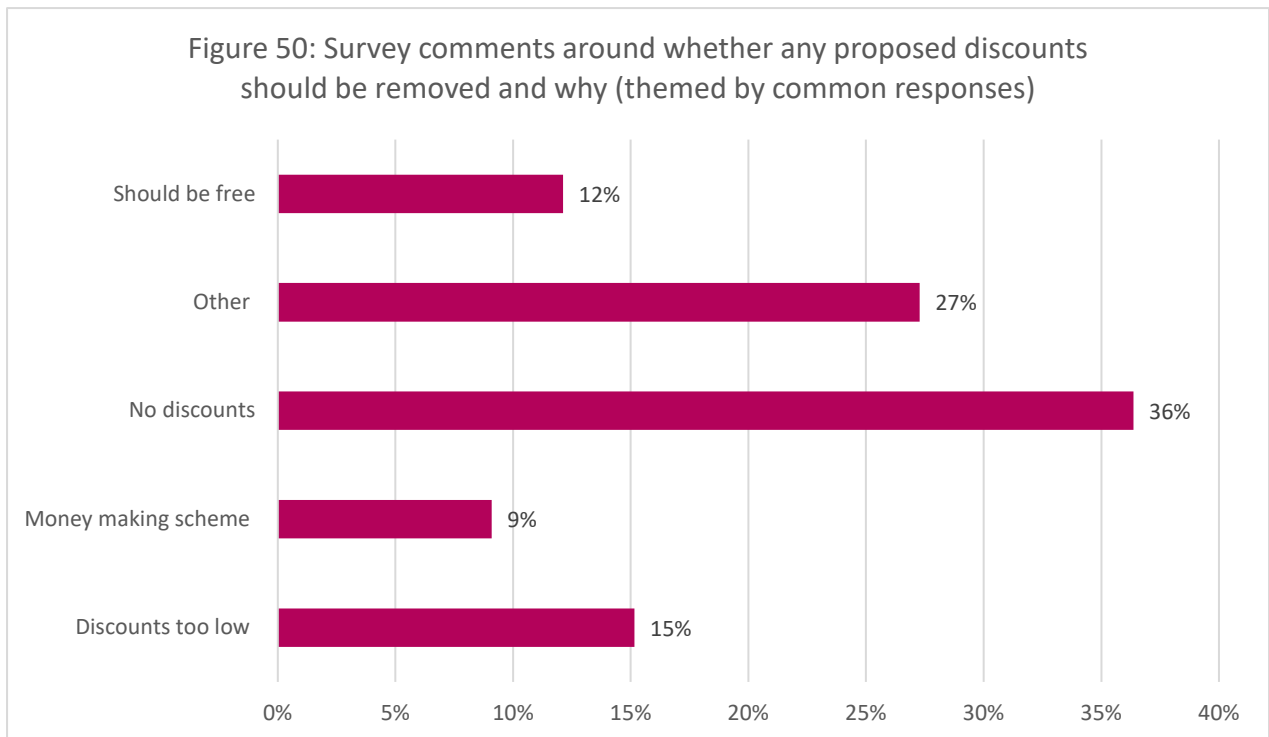
When broken down by respondent the majority of landlords (27%) were strongly in favour of the silver compliance award with 21% tending to agree. Most private tenants responded that they didn't know (28%) with the second highest respondents being that they tended to agree (25%). Most residents in other tenures tended to agree (28%) as did businesses, organisations and other respondents also at 28%. Full results are shown above in figure 48.

**Figure 49: Extent of agreement with gold compliance award - by respondent type**



Respondents were similarly broadly in favour of the gold compliance award. 24% of landlords strongly agreed with 20% tending to agree. 25% of business, organisations and other respondents were strongly in favour with 21% of business and organisational respondents tending to be in agreement. Most residents of other tenures were unsure or tended to agree as did most tenants in private tenure, here 28% didn't know and 27% tended to agree. Full results are shown above in figure 49.

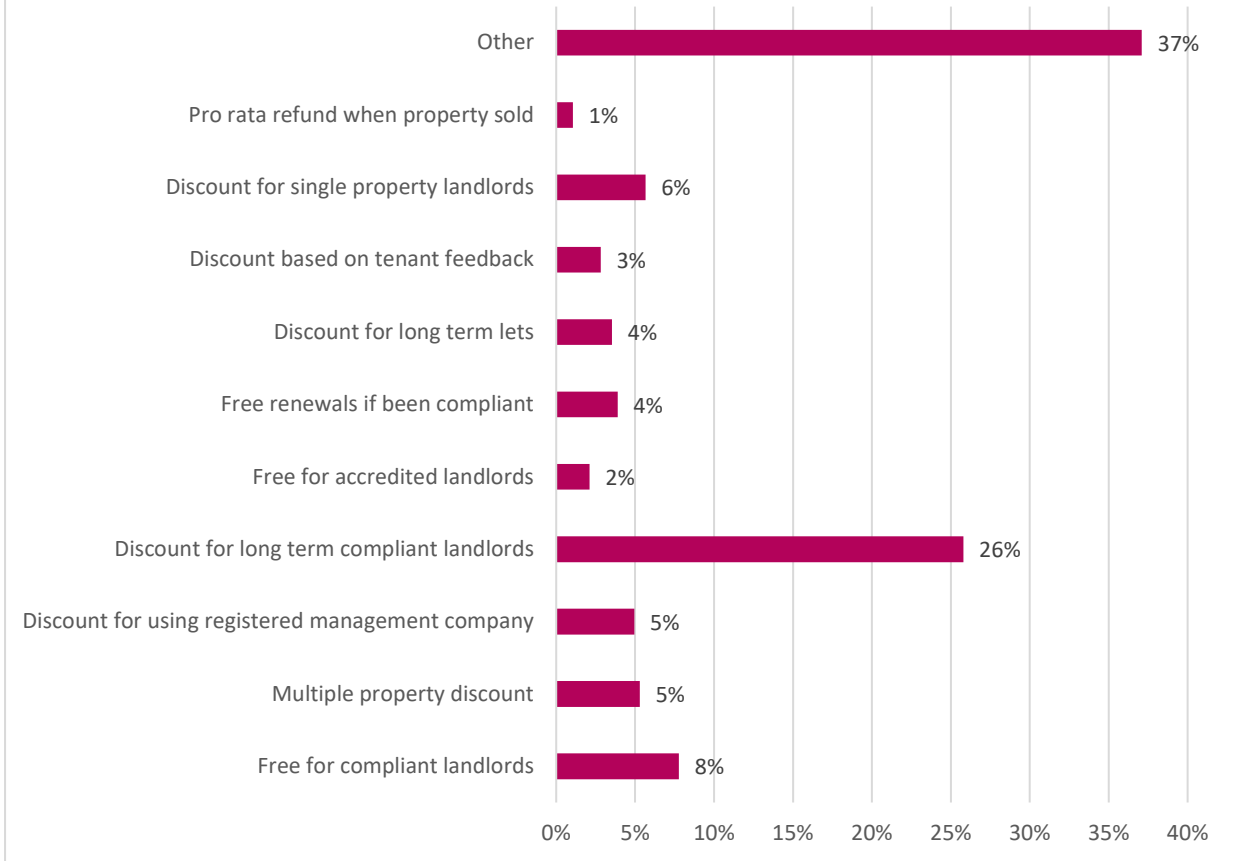
Do you think there are any proposed discounts that should be removed?



In the section covering the proposed fees and discounts, respondents were asked whether they thought there were any discounts that should be removed. 6% said yes, 60% said no, and 33% didn't know. If they responded yes, they were asked which discounts should be removed and why. The most common response was that **there should not be any discounts** (12 respondents), followed by the **discounts being too low** (5 respondents), and the suggestion that it **should be free** (4 respondents). Full results are shown above in figure 50.

Do you think there are any additional discounts that should be considered?

Figure 51: Survey comments around whether any additional discounts should be considered (themed by common responses)

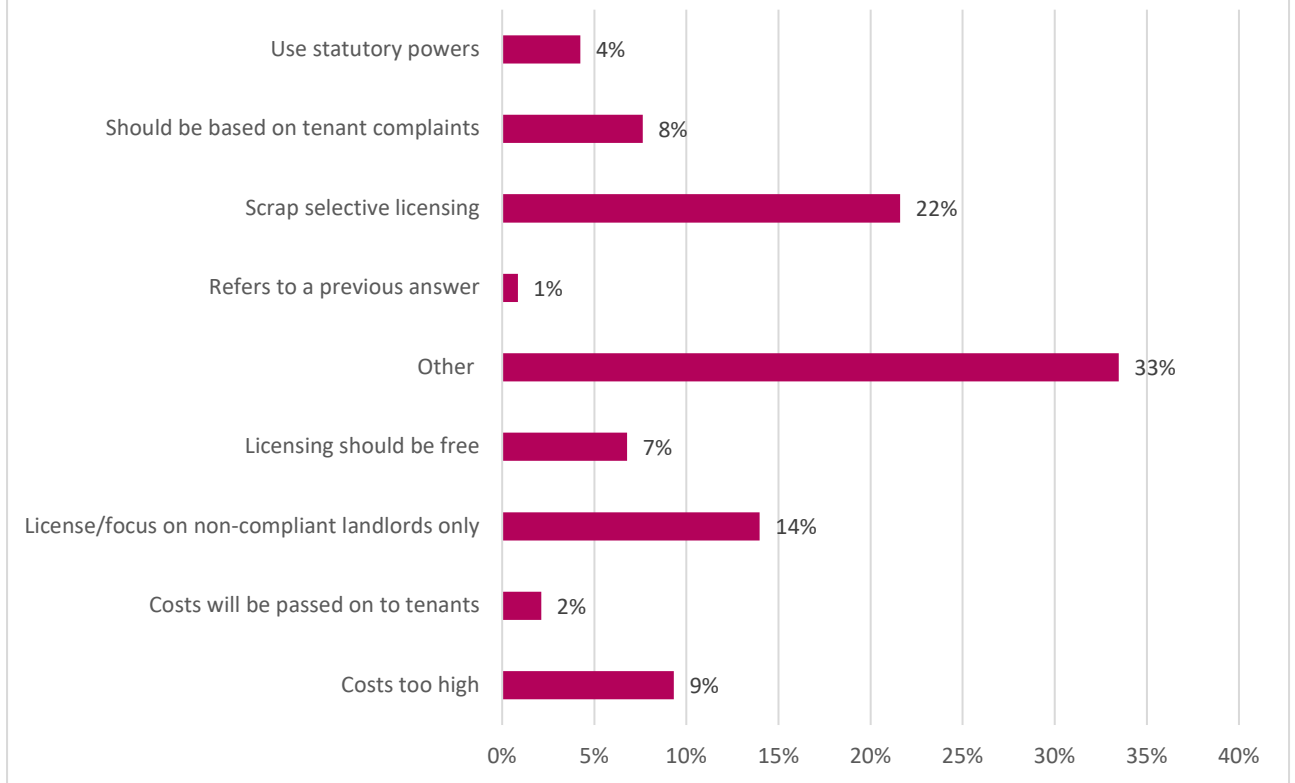


Respondents were also asked whether there were any additional discounts that should be considered. 44% said yes, 19% said no, and 37% didn't know. If they responded yes, they were asked which additional discounts should be considered. The most common response by far was that there should be a discount for **long term compliant landlords** (73 respondents), followed by it being **free for compliant landlords** (22 respondents), and the request for a discount for **single property landlords** (16 respondents). Full results are shown above in figure 51.

### Alternatives to property licensing

Do you think the Council should consider alternatives to the selective licensing scheme?

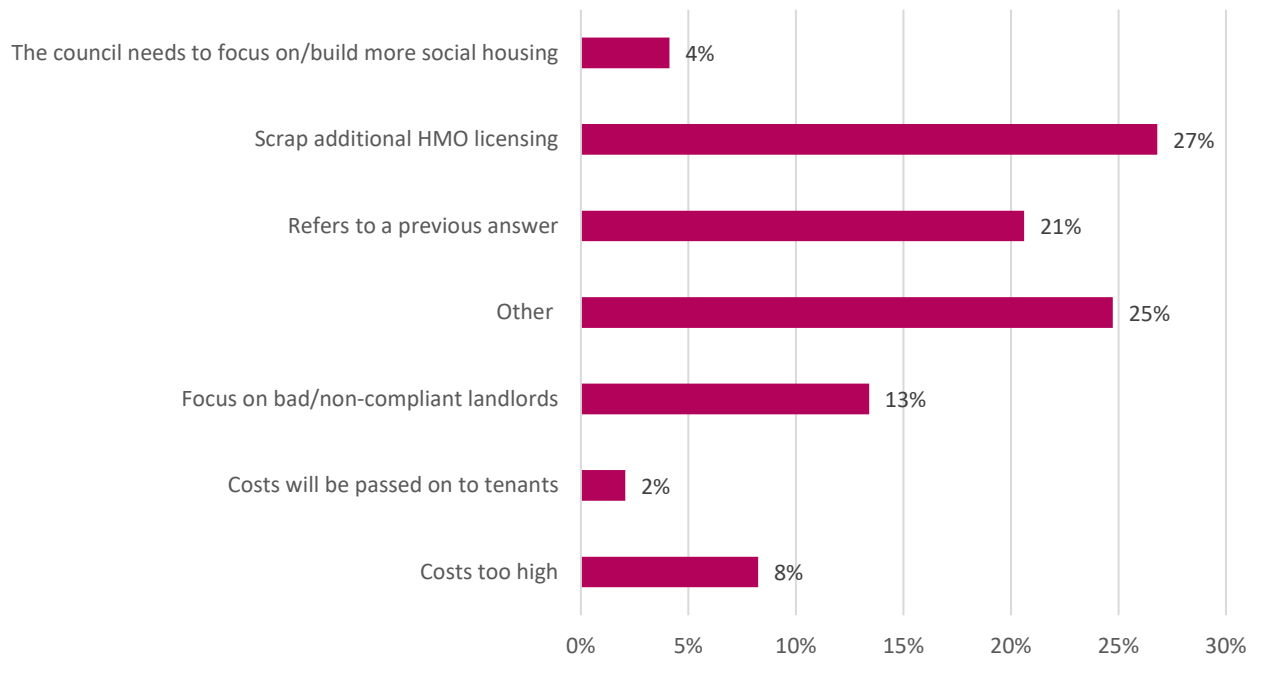
Figure 52: Survey comments around whether the Council should consider any alternatives to the selective licensing scheme (themed by common responses)



In the section covering alternatives to property licensing, respondents were asked whether the Council should consider any alternatives to the selective licensing scheme. 45% said yes, 20% said no, and 34% didn't know. If they responded yes, they were asked to tell us which alternatives the Council should consider. The most common response theme was to **scrap selective licensing** (51 respondents), followed by **only licensing/focusing on non-compliant landlords** (33 respondents), and the view that the **costs are too high** (22 respondents). Full results are shown above in figure 52.

Do you think the Council should consider alternatives to the additional HMO licensing scheme?

Figure 53: Survey comments around whether the Council should consider any alternatives to the additional licensing scheme (themed by common responses)



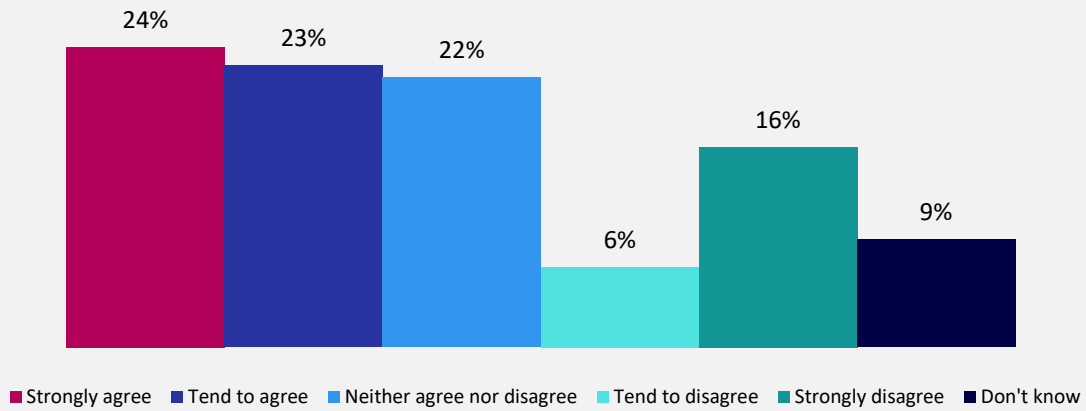
In the section covering alternatives to property licensing, respondents were asked whether the Council should consider any alternatives to the additional licensing scheme. 24% said yes, 26% said no, and 50% didn't know. Those who responded yes were asked to tell us which alternatives the Council should consider. The most common response theme was to **scrap additional HMO licensing** (26 respondents), followed by **only licensing/focusing on non-compliant landlords** (13 respondents), and the view that the **costs are too high** (8 respondents). Full results are shown above in figure 53.

## Improving support for landlords and tenants

To what extent do you agree with the Council's proposed plans to improve support for private tenants?

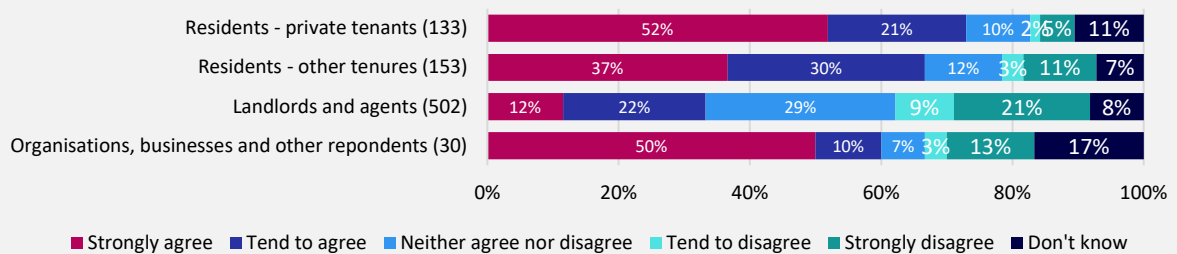


**Figure 54: Extent of agreement with additional proposals to support private tenants (N: 818)**



The broad majority of respondents (24%) were strongly in favour of additional proposals to support private tenants with the second highest response being the number of respondents (23%) who tended to agree. Full results are shown above in figure 54.

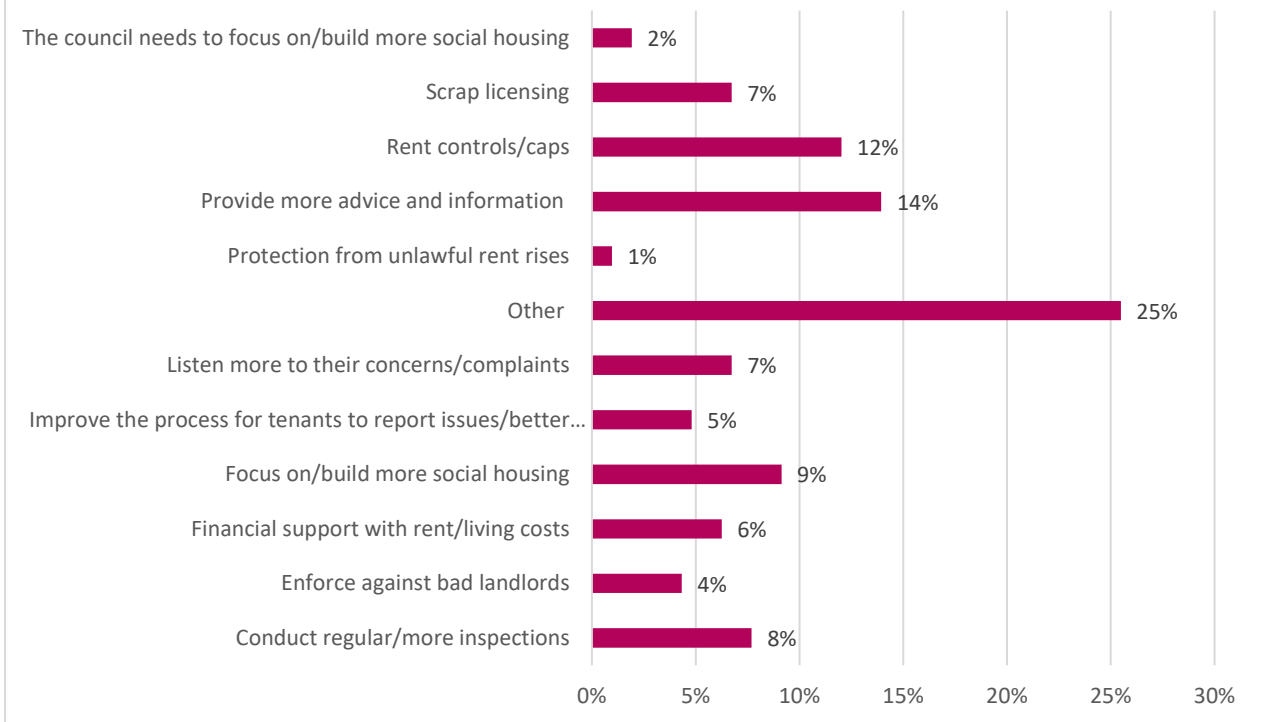
**Figure 55: Extent of agreement with additional proposals to support private tenants - by respondent type**



Broken down by type of respondent private tenants were strongly (52%) in support of the proposal to give additional support to private tenants with 21% tending to agree. 37% of residents of other tenures supported proposals with 30% tending to agree. 50% of businesses, organisations and other respondents supported the proposals. The majority of landlords 29% neither agreed not disagreed. Full results are shown above in figure 55.

Do you think there is anything more the Council could be doing to support private tenants?

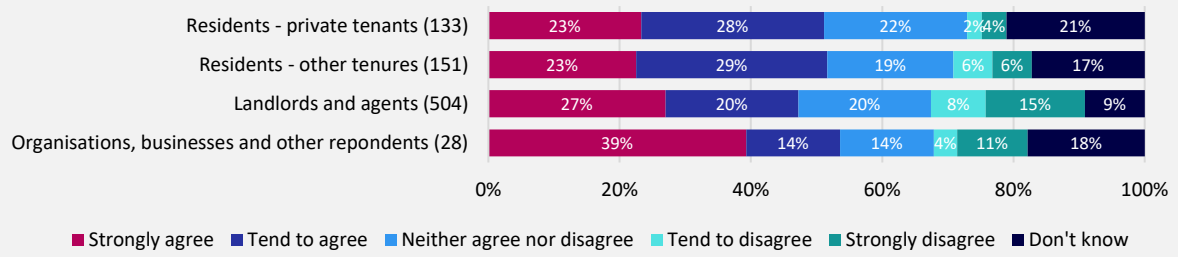
Figure 56: Survey comments around what more the Council could be doing to support private tenants (themed by common responses)



Survey participants were asked whether the Council could be doing to support private tenants. 32% said yes, 29% said no, and 39% didn't know. If they responded yes, they were asked what more they thought the Council could be doing. The most common response was a request for **more advice and information** (29 respondents), followed by **rent controls/caps** (25 respondents), and a request for the Council to **focus on/build more social housing** (23 respondents). Full results are shown above in figure 56.

To what extent do you agree with the Council's proposed plans to improve support for landlords?

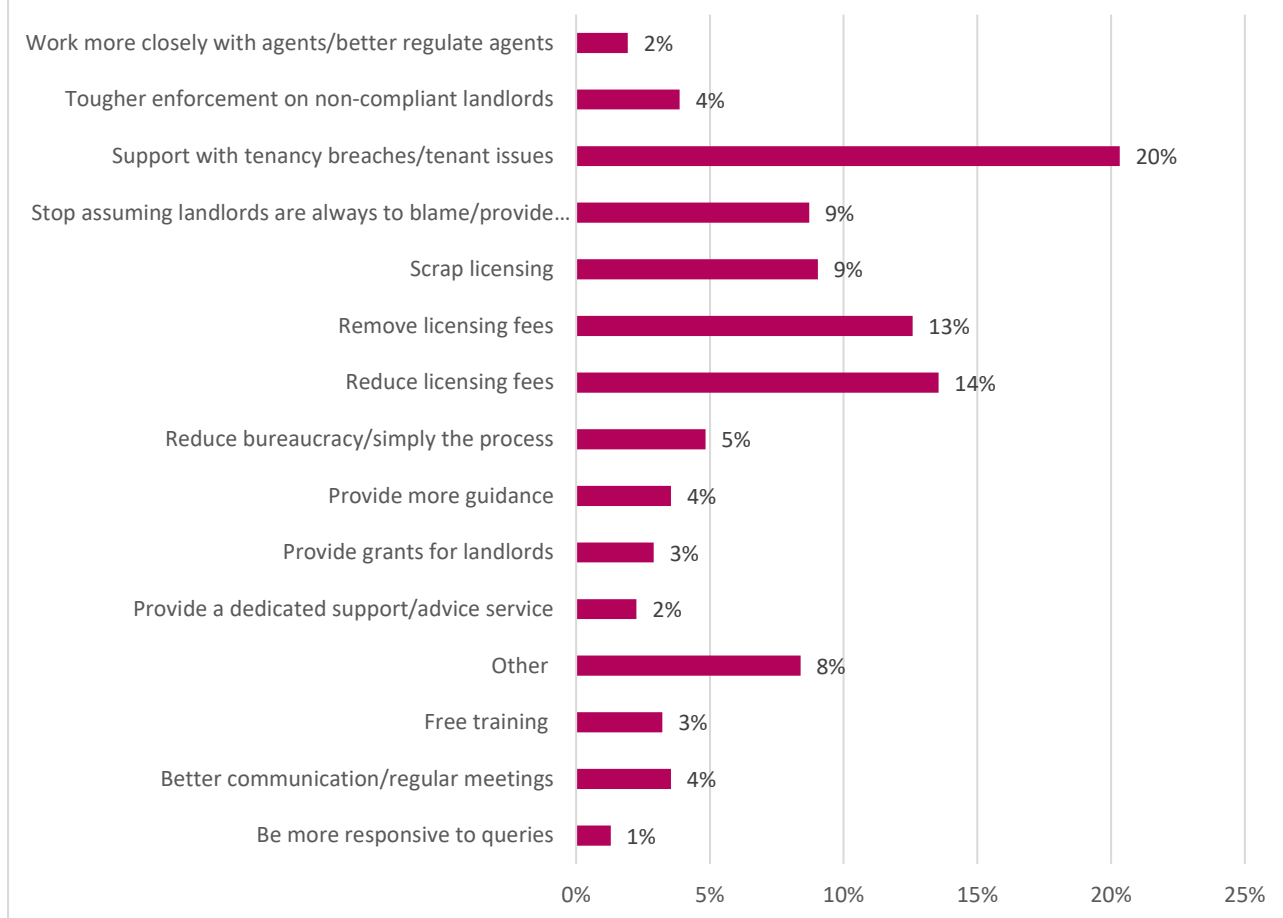
**Figure 57: Extent of agreement with additional proposals to support private landlords - by respondent type**



Proposals to support private landlords were strongly agreed by 27% of landlords and 39% of businesses, organisation and other respondents. Residents of both tenures also tended to agree with 28% of private tenants and 29% of residents of other tenures. Full results are shown above in figure 57.

Do you think there is anything more the Council could be doing to support landlords?

Figure 58: Survey comments around what more the Council could be doing to support private landlords (themed by common responses)

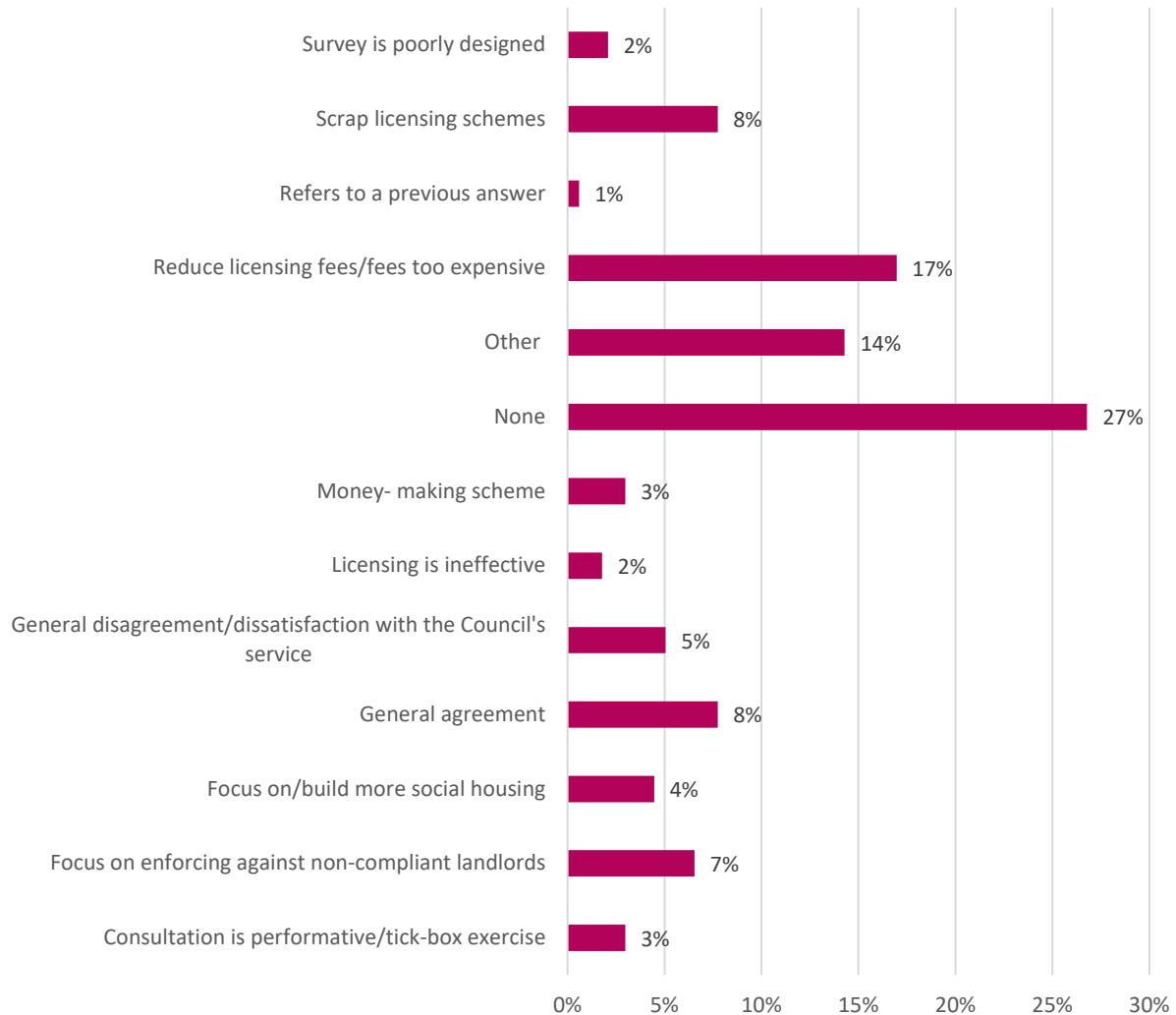


Survey participants were also asked whether there was anything more the Council could be doing to support private landlords. 49% said yes, 17% said no, and 34% didn't know. Those who responded yes were asked what more they thought the Council could be doing. The most common response was requesting **support with tenancy breaches/tenant issues** (63 respondents), followed by **reducing licensing fees** (42 respondents), and **removing licensing fees** (39 respondents). Full results are shown above in figure 58.

### Other views and suggestions on the proposed schemes

Are there any other comments you would like to make about the licensing proposals discussed in this consultation?

Figure 59: Survey comments relating to any other comments respondents would like to make regarding the licensing proposals (themed by common responses)



In the final section of the survey, respondents were asked if they had any other comments they would like to make about the licensing proposals discussed in the consultation. The most common feedback was around the **fees being too expensive/reducing licensing fees** (57 respondents), a **general agreement with the proposals** (26 respondents), and the request to **scrap licensing** (26 respondents). Full results are shown above in figure 59.

## PUBLIC MEETINGS

### Proposed Designations

Some participants asked queries around the selective licensing designations and how these were decided upon, particularly why some wards were covered by deprivation, poor property conditions, and anti-social behaviour, and others were not. This included the validity of the data used.

### Fees and Discounts

A few participants commented that the fees were quite high for landlords who are struggling with interest rates being so high. It was also questioned whether the scheme is a way to fund enforcement, suggesting that good landlords are paying for bad landlords.

A few landlords asked if there would be a discount for landlords who have multiple properties. Similarly, it was commented that landlords who have had a number of compliant properties in the previous scheme do not require intervention would be paying the same as new landlords who need further investigation and advice.

Some questioned the subjectivity of the compliance discount based on which officer undertakes the compliance inspection as well as queries being raised around the criteria for passing or failing the inspection. A few landlords who have Barking and Dagenham as the freeholder of their property questioned whether they would qualify for the compliance discount if they had an outstanding repair that was the Council's responsibility.

### Occupancy

A few landlords commented on the difficulty in proving that a relative is living in their property making them exempt from licensing.

Multiple landlords also raised concerns around the occupancy numbers and bedroom size requirements. One particular query being in relation to a couple living in a flat licensed to two adults and then having a baby and whether this would lead to eviction.

### Other

Some landlords asked whether they could get access to local refuse sites as part of the licence to reduce flytipping.

There were requests for tenant and landlord leaflets and forums for the Council to provide additional advice and information and answer questions. Particular advice around dealing with tenant anti-social behaviour was requested.

It was suggested that the licensing application form should ask landlords to declare whether they have protected their tenant's deposit.

Multiple landlords and managing agents questioned whether the documentation required as part of the application would be the same as previously and whether there was a way to resubmit old applications without having to refill out and attach the information required. This was particularly raised by landlords with multiple properties and managing agents who fill out many applications on behalf of their clients.

Landlords commented on the proposed national landlord portal and the double cost and governance implications of that.

DRAFT

## STAKEHOLDER VIEWS

.

[to be added]

DRAFT



## WRITTEN RESPONSES

### Licensing Fees

Stakeholders raised questions concerning the charge for the licensing fee in the light of current pressures on the market and fears that the associated costs would be passed on to renters or would encourage landlords to leave the market. A stakeholder felt the schedule of fees were too complicated. One respondent felt that licencing and the increased risks posed increased rent to the tenant by £50 per month. One stakeholder asked for the fees to be brought into line with neighbouring boroughs. The two-part statutory payment regime was queried as was the length of licence for someone who had applied partway through the current scheme. One representation queried why licencing renewals were not discounted but agreed with the £50 accreditation discount but felt it should apply whether a landlord or a designated property manager.

### Better placed to identify poor property conditions.

The feedback from stakeholders was positive and most respondents reported that they felt that licensing helped to improve property standards with other conditions was strengthened. Several respondents highlighted that licencing was one of the most important tools the Council could have to tackle exploitative practices and support residents and pointed out that statutory powers alone were insufficient to improve the sector and that licencing had brought long overdue regulation to the sector. One stakeholder wanted further detail around an evaluation of the current scheme and wanted further details about what would be done in the future scheme to drive up property standards.

### ASB

One respondent felt that landlords have limited powers to deal with ASB and should be supported more by the local authority. They highlighted the cost of dealing with ASB under the threat of licence conditions. One stakeholder felt that eviction proceedings for continuing ASB after 14 days was too punitive for what could be low level ASB another stakeholder felt the focus should be on tenancy sustainment rather than eviction.

### Tenant and Resident Support and Concerns

One Stakeholder commented that the licence scheme enabled behavioural change amongst both tenants and residents. Another requested that tenants are given more information about where HMOs are licensed and sited in their area. One stakeholder wanted the principles outlined to apply to their council owned property and one wanted Air B&B's to be licensed and questioned how licensing could improve mandatory HMOs that had been subject to enforcement in the past. One stakeholder was pleased with the focus on tenancy sustainment. One stakeholder felt that licencing additional licencing schemes resulted in a lack of flexibility for renters as if circumstances in households changed the licencing fees could potentially increase. One representation felt tenants rather than landlords should be responsible for pests and proper disposal of waste.

### Landlord Support and Concerns

Many Stakeholders reported that they felt licencing was positive for both landlords and tenants with others responding they felt there was no benefit and commented that unlicensed properties were the issue so the focus should be on these. One respondent felt it was understandable that the local authority had concerns about inexperienced or accidental landlords and felt that further discounts

for accreditation would address this and welcome closer work in partnership with landlords. Some respondents felt that legislative powers alone were sufficient to tackle poor housing. One stakeholder felt that there should be more support for landlords specifically when tenants damaged properties and there were requests for assistance for those with English as a second language. Response times for support was highlighted as a pain point. Stakeholders welcomed clearer guidelines for landlords to help them avoid enforcement and reference was made to further clarification around the frequency and nature of property inspections. One stakeholder supported proposals to inspect every property whilst another felt that the licencing process should be streamlined, and visits should be conducted on a risk basis to avoid the cost of onsite inspections with the resulting discount passed to landlords. Another stakeholder expressed the desire to expand the scheme across the UK. One respondent felt that there was a conflict of interest where we were encouraging landlord accreditation and welcomed clearly defined KPIs to show the success of the scheme. One stakeholder objected to our proposals around damp and mould namely that it was not purely attributable to the rented sector. It was commented that data showing poor property conditions whilst the scheme has been assessed as successful is incongruous. One stakeholder proposed that safety certificates could be uploaded to a portal to automate the system and reduce costs. One stakeholder questioned the difficulty licencing Section 257 HMOS posed to letting agents who might not have the information to assess compliance. Several representations asked for clarification on licencing conditions. One representation was around the requirement to conduct credit reference checks to ensure affordability and proof of identity which was felt to require an equality impact assessment.

## NEXT STEPS

[to be added]

DRAFT

## APPENDICES

Appendix A: Demographic profile of respondents

Appendix B: Communication visuals

Appendix C: Consultation survey questions

Appendix D: Full written responses to consultation

DRAFT

## Appendix A: Demographic profile of respondents

### By Gender

	Number of respondents	Percentage of total	LBBB benchmark comparison (Census 2021)
Male	430	52.2%	48.7%
Female	331	40.2%	51.3%
Non-binary	2	0.2%	
Let me specify	1	0.1%	
Prefer not to say	52	6.3%	
Did not answer	8	1%	
<b>Total</b>	<b>824</b>	<b>100%</b>	

### By Age Band

	Number of respondents	Percentage of total	LBBB benchmark comparison (Census 2021)
Aged 18-24	4	0.5%	
Aged 25-34	62	7.5%	15.2%
Aged 35-44	236	28.6%	16.3%
Aged 45-54	228	27.7%	13.1%
Aged 55-64	178	21.6%	9.1%
Aged 65-74	65	7.9%	4.9%
Aged 75 and over	16	1.9%	3.8%
Prefer not to say	30	3.6%	
Did not answer	5	0.6%	
<b>Total</b>	<b>824</b>	<b>100%</b>	

### By Disability

	Number of respondents	Percentage of total
Yes	111	13.4%
No	626	76.0%
Prefer not to say	82	10.0%
Did not answer	5	0.6%
<b>Total</b>	<b>824</b>	<b>100%</b>

### By Ethnic Group

	Number of respondents	Percentage of total
White – English / Welsh / Scottish / Northern Irish / British	238	28.9%
White - Irish	4	0.5%

White - Roma	1	0.1%
Any other white background	62	7.5%
Black / African / Caribbean / Black British - African	110	13.3%
Black / African / Caribbean / Black British - Caribbean	30	3.6%
Any other Black / African / Caribbean background	5	0.6%
Asian / Asian British - Indian	115	14.0%
Asian / Asian British - Pakistani	40	4.9%
Asian / Asian British – Bangladeshi	66	8.0%
Asian / Asian British - Chinese	5	0.6%
Any other Asian background	25	3.0%
Mixed / Multiple ethnic background – White and Black Caribbean	4	0.5%
Mixed / Multiple ethnic background – White and Asian	3	0.4%
Any other mixed / multiple ethnic background	10	1.2%
Prefer not to say	98	11.9%
White – Gypsy or Irish Traveller	0	0%
Mixed / Multiple ethnic background – White and Black African	0	0%
Did not answer	8	1.0%
<b>Total</b>	<b>824</b>	<b>100%</b>

### By Respondent Type

	Number of respondents	Percentage of total
Resident – private tenant	133	16.1%
Resident – other tenure	155	18.8%
Landlord	493	59.8%
Managing or Letting Agent	13	1.6%
Partner or community organisation representative	4	0.5%
Any other type of local business representative	2	0.2%
Other	24	2.9%
<b>Total</b>	<b>824</b>	<b>100%</b>

### Landlord Accreditation

	Number of respondents	Percentage of total
National Residential Landlords Association (NRLA)	105	22.2%
London Landlord Accreditation Scheme (LLAS)	34	7.2%
UK Association of Letting Agents (UKALA)	6	1.3%

Safe Agent	1	0.2%
Association of Residential Lettings Agents (ARLA)	5	1.1%
Royal Institution of Chartered Surveyors (RICS)	5	1.1%
None of the above	321	67.7%
Other	10	2.1%
<b>Total</b>	<b>474</b>	<b>100%</b>

#### Properties owned or managed within Barking and Dagenham

	None	1	2-4	5-9	10-24	25-100	100+
Additional HMO	296	109	42	3	6	1	0
Mandatory HMO	409	13	7	2	0	0	0
Selective	53	288	119	18	9	2	1

#### Properties owned or managed outside Barking and Dagenham

	None	1	2-4	5-9	10-24	25-100	100+
Additional HMO	105	36	29	12	10	7	1
Mandatory HMO	168	10	4	0	1	1	0
Selective	29	73	65	20	16	5	5

## Appendix B: Communication visuals

### Business cards



### Leaflet



### Eventbrite

### LBBB website poster



### LBBB website pop-up



### Share your opinion on property licensing

We're asking for opinions about property rules in Barking and Dagenham. We want to improve rental homes and make sure they're managed well, and your opinion is important to us.

Visit the [property licensing consultation page](#) on the One Borough Voice website and leave your feedback!

The survey closes on Friday 26 April.

Home / Housing Advice Service

## Housing advice and homelessness prevention

Housing advice and homelessness prevention	Avoiding losing your current home	Affordable housing
Housing Options Finder tool	If you are homeless now	<b>Housing Advice Service</b>
If your landlord is trying to evict you	Finding a new private rented property	Homelessness Reduction Act

Poster at Abbey Nursery Community Hub



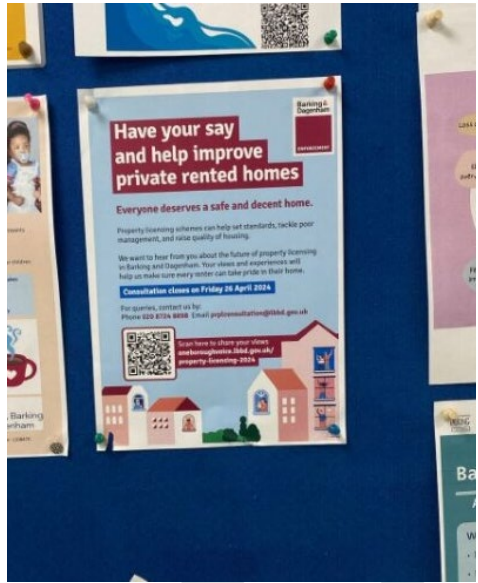
Pull up banner at Community Reporting Hub



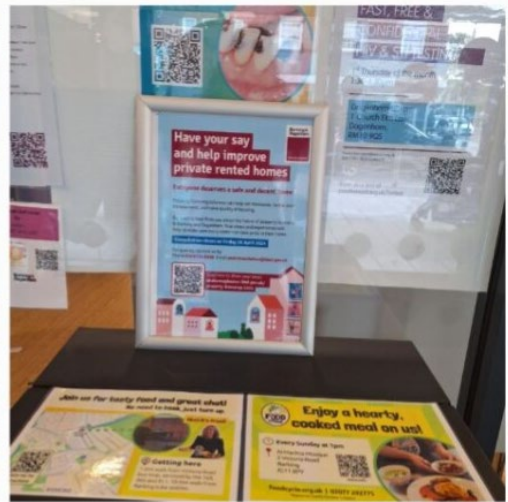
Pop up banner at Robert Jeyes Library



Posters at Marks Gate Community Hub



Dagenham Library Posters



Sue Bramley Centre Poster

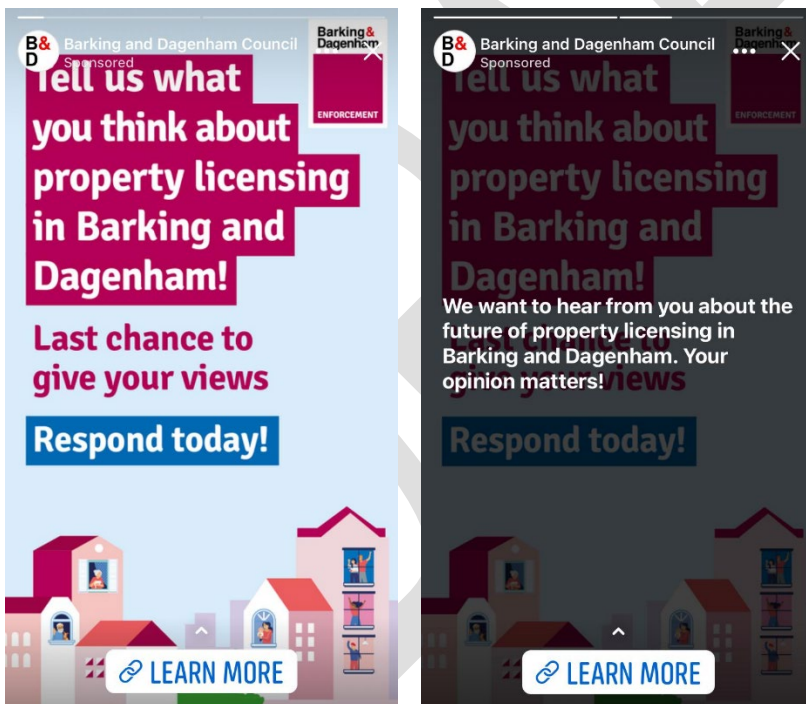


Village Community Hub Poster





Instagram advertisement



Facebook advertisement



Clear channel digital screen example



Barking and Dagenham Post online banner – the same was included in Newham Recorder, Ilford Recorder and Romford Recorder

**Have your say and help improve private rented homes**

Everyone deserves a safe and decent home. Property licensing schemes can help set standards, tackle poor management, and raise quality of housing.

[Find out more](#)



**Top stories**

Man 'armed with



**Railing banners**









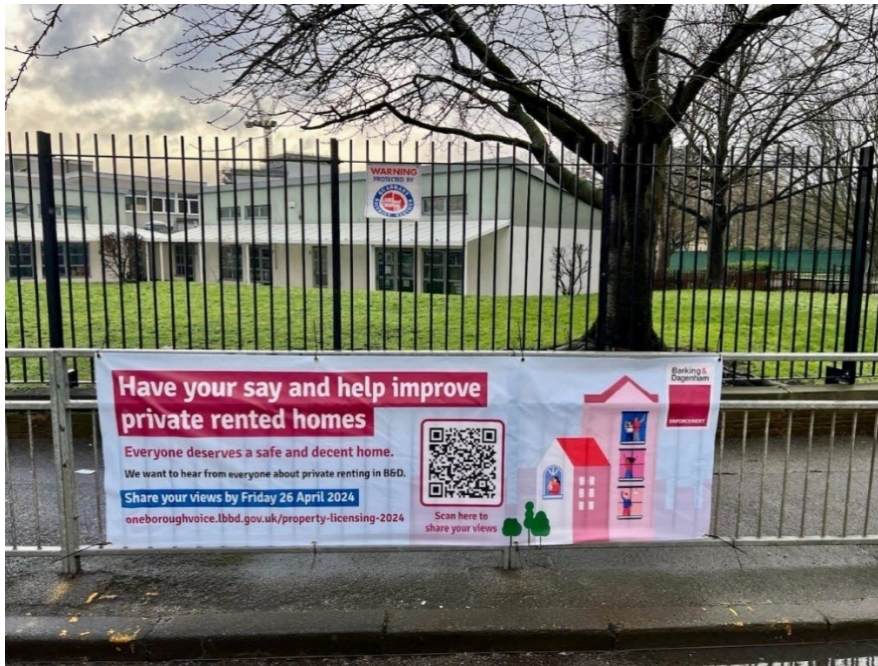












Press releases

[Home](#) / [News](#) / Barking and Dagenham Council launches consultation on the future of property licensing schemes in the borough

## Barking and Dagenham Council launches consultation on the future of property licensing schemes in the borough

📅 19 February 2024

The east London council is inviting residents and private landlords to have their say on the future of property licensing schemes in Barking and Dagenham with the aim of improving the quality of private rented homes.

Barking and Dagenham Council's existing Selective Licensing Scheme has been providing protection for private renters living in single-family homes since 2015. Throughout that time, the council has licensed over 17,000 properties and inspected over 8,000 properties to make sure landlords are providing safe and decent homes for their tenants.

The council has identified the need for further property licensing schemes to maintain and improve the standards of private rented homes and respond to the current challenges faced by the sector.

A replacement Selective Licensing Scheme is being proposed, along with a new Additional Licensing Scheme to cover small, shared Houses in Multiple Occupation (HMOs) let to two or three people and outside the scope of mandatory licensing.

Both schemes offer the unique benefit of allowing the council to undertake proactive property inspections and set conditions on property management. Robust enforcement action will be taken when requirements aren't met.

The council is proposing to offer discounts for landlords based on best practice:



Home / News / Time's running out! Have your say and help improve private rented homes in Barking and Dagenham

## Time's running out! Have your say and help improve private rented homes in Barking and Dagenham

22 April 2024

Residents, landlords and private tenants in Barking and Dagenham are being encouraged to not miss out on the opportunity to share their views on the future of property licensing in the borough.

The east London council has been consulting on their plans since Friday 16 February with over 450 people already having sent in their views.

However, the council is now urging everyone else let them know their thoughts before the consultation closes on Friday 26 April.

Property Licensing Schemes have a range of benefits for both landlords and private tenants including:

### Tenants

- **Healthy home assurance:** The council inspects every private rented home to make sure they are mould-free, safe and of a good standard.
- **Quality improvement:** Licensing schemes provide councils with better insight to address non-compliant landlords, improving overall property quality and management.
- **More stability:** Improved management practises result in longer tenures and fewer unplanned moves or instances of homelessness.
- **Possible financial savings:** Tenants may benefit from reduced heating costs in previously poorly insulated homes and have a better chance of regaining their deposit.

Newspaper advert



# Go-kart company fined almost £120K for death

## Schoolgirl died in tragic incident after pre-safety check failures



Ruwaida Abd Adan was described by her family as 'sweet and compassionate'. Image: Family of Ruwaida Abd Adan

By Ruby Urquy  
Local News Editor

A go-kart company must pay almost £120,000 after an investigation into the death of a Newham schoolgirl who was crushed by her headrest. The company had failed to complete pre-safety checks on the day of the incident.

Ruwaida Adan, 11, had visited Capital Karts in Barking as part of a day out organised by a Newham youth group in August 2023. The 11-year-old was crushed by her headrest when her go-kart was launched on a slope and she was thrown into the air. She died of her injuries in hospital on the day of the incident.

Capital Karts Trading, which operates near Capital Karts, was ordered to pay a fine of £120,000 for failing to complete pre-safety checks on the day of the incident. The company was also ordered to pay a fine of £120,000 for failing to complete pre-safety checks on the day of the incident.

The company's headrest failed to meet the required safety standards. The company was also ordered to pay a fine of £120,000 for failing to complete pre-safety checks on the day of the incident.

by a mistake for over a month. Capital Karts' health and safety policy and procedures stated "before starting work on the premises, all safety checks were to be carried out by trained staff before events were started in the karts. However, Ruwaida was not told to remove her headrest and wear a harness and a helmet over the top of her head.

"Though there were posters displayed at the venue informing users how to use the karts, the company was not told to remove her headrest and wear a harness and a helmet over the top of her head.

The group also heard that the go-kart was not checked for safety before the incident. The company was also ordered to pay a fine of £120,000 for failing to complete pre-safety checks on the day of the incident.

Capital Karts Trading, which operates near Capital Karts, was ordered to pay a fine of £120,000 for failing to complete pre-safety checks on the day of the incident.

Karts had accounted for what happened. "We express our heartfelt gratitude to the presiding judge, just in Barking and Dagenham Council for bringing this prosecution."

Ms Adnan said Ruwaida was a "loving, kind, trusting, and generous" child who was only 11 years old when her whole life changed. "She had the most beautiful smile and was the sweetest soul," she said.

Ms Adnan said Ruwaida was a "loving, kind, trusting, and generous" child who was only 11 years old when her whole life changed. "She had the most beautiful smile and was the sweetest soul," she said.

Capital Karts has been contacted for comment by the Local Democracy Reporting Centre (LDRC).

# Police officer denies raping and stalking

A serving Metropolitan Police officer has been charged with raping and stalking a woman. The woman, who cannot be named for legal reasons, on February 1, she has also been charged with controlling and coercive behaviour between January 1, 2021 and February 1, 2024.

The officer, who is 35, was charged with rape on Monday, accused of raping the victim, who cannot be named for legal reasons, on February 1, she has also been charged with controlling and coercive behaviour between January 1, 2021 and February 1, 2024.

The officer, who is 35, was charged with rape on Monday, accused of raping the victim, who cannot be named for legal reasons, on February 1, she has also been charged with controlling and coercive behaviour between January 1, 2021 and February 1, 2024.

The officer, who is 35, was charged with rape on Monday, accused of raping the victim, who cannot be named for legal reasons, on February 1, she has also been charged with controlling and coercive behaviour between January 1, 2021 and February 1, 2024.

**Time's running out! Have your say and help improve private rented homes!**

**Last chance to share your views. Respond today!**

Property licensing schemes can help set standards, tackle poor management, and raise quality of housing.

We want to hear from you about the future of property licensing in Barking and Dagenham. Your views and experiences will help us make sure every renter can take pride in their home.

**Consultation closes on Friday 26 April 2024.**

For queries contact us by:  
Phone 020 8724 8898  
Email [prplconsultation@lbbd.gov.uk](mailto:prplconsultation@lbbd.gov.uk)

Scan here to share your views  
[oneboroughvoice.lbbd.gov.uk/property-licensing-2024](https://oneboroughvoice.lbbd.gov.uk/property-licensing-2024)

LBDD staff laptop screensaver

**We're consulting on the future of property licensing in the borough.**

**Resident, tenant or landlord – your opinion matters!**

**Have your say and help improve rented homes!**

[oneboroughvoice.lbbd.gov.uk/property-licensing-2024](https://oneboroughvoice.lbbd.gov.uk/property-licensing-2024)

## London Property Licensing Advertisements

**Are you a landlord of a property in Barking and Dagenham?**

We're consulting on the future of property licensing schemes in the borough, and we want to hear your views.

### London Borough of Barking & Dagenham

If you need help understanding the property licensing rules in Barking and Dagenham you have come to the right place! We are experts in housing regulation and have produced this free guide to help you understand the council's property licensing schemes.

If you find that you need a licence for your rented property our support doesn't end there. Our Landlord Suppliers Directory ([view here](#)) lists companies that offer a licence application handling service. You can also find companies offering a wide range of other goods and services to help you manage your property portfolio and achieve compliance.

### Licensing Requirements

Do I need a licence to rent out my property?

#### At a Glance

##### Licence Overview

In Barking & Dagenham, mandatory HMO and selective licensing schemes apply borough wide. The council are consulting on plans for new additional and selective licensing schemes from 16 February to 26 April 2024 ([more information](#)).

##### More Information

Planning HMO Article 4 Direction 2012  
 Selective Licensing Designation 2019

##### Contacting the Council

Tel: 020 8724 8899  
 Email: [PS@london.gov.uk](mailto:PS@london.gov.uk)  
 Weblink: [Barking & Dagenham property licensing](#)



## Consultation

### Barking & Dagenham Additional and Selective Licensing Consultation – 16 February to 26 April 2024

Friday, February 16th, 2024 - Barking & Dagenham Council



DRAFT

## Appendix C: Communication survey questions

### Property Licensing Consultation 2024

#### Welcome

##### Have Your Say

We are seeking your input on the future of property licensing in Barking and Dagenham and a range of new supporting initiatives. Through the proposals in this consultation, we aim to set standards, tackle poor management, and improve the quality of privately rented homes.

We value your views and experiences regarding the local private rented sector, including your thoughts on our proposed initiatives and whether you agree with them or not. Your input will help shape the approach of delivering our mission to ensure every renter can take pride in their home!

##### What This Survey Covers

In this survey, we will seek:

- Your views on the current state of the private rented sector
- Your experiences of the local private rented sector
- Your views on the impact of existing property licensing schemes
- Your opinions on proposed new selective licensing scheme and additional HMO licensing scheme, including fees and licence conditions
- Alternatives to the proposed schemes
- Your thoughts on enhancing support for both landlords and tenants.

Our online survey should take no more than **12 minutes** to complete.

##### Deadline for Responses

Please submit your responses by **Friday 26th April 2024**.

##### Privacy and Data Protection

Your privacy is important to us. We will collect and record your answers to this survey for statistical purposes to inform our decision. Responses to this survey will also be made publicly available after the consultation has closed in the form of a report on the results of this consultation exercise.

Rest assured that any personal information provided will be kept confidential and processed in accordance with privacy and data protection legislation. If you have any questions about how your personal information will be used, please get in touch with our Data Protection Officer by email at [dpo@lbbd.gov.uk](mailto:dpo@lbbd.gov.uk).

## About you

### What information do we collect and why?

When consulting with the public, we ask people to provide details of their personal characteristics such as age and ethnicity.

This information helps us to know who is, and who is not, taking part in surveys and gives us an indication of whether the views represent everyone who lives in Barking and Dagenham.

**The information collected will not be used to identify yourself and will be used solely for monitoring purposes.**

We would be grateful if you could complete the following personal information about yourself.

Please select the boxes that best describe you.

---

### What age band are you in?

(Choose any one option)

- Aged 18 to 24
- Aged 25 to 34
- Aged 35 to 44
- Aged 45 to 54
- Aged 55 to 64
- Aged 65 to 74
- Aged 75 or over
- Prefer not to say

### How would you describe your gender?

(Choose any one option)

- Male
- Female
- Non-binary
- Let me specify
- Prefer not to say

Answer this question only if you have chosen Let me specify for How would you describe your gender?

### How would you describe your gender?

## What is your ethnic group?

(Choose any one option)

- White - English / Welsh / Scottish / Northern Irish / British
- White - Irish
- White - Gypsy or Irish Traveller
- White - Roma
- Any other white background
- Black / African / Caribbean / Black British - African
- Black / African / Caribbean / Black British - Caribbean
- Any other Black / African / Caribbean background
- Asian / Asian British - Indian
- Asian / Asian British - Pakistani
- Asian / Asian British - Bangladeshi
- Asian / Asian British - Chinese
- Any other Asian background
- Mixed / Multiple ethnic background - White and Black Caribbean
- Mixed / Multiple ethnic background - White and Black African
- Mixed / Multiple ethnic background - White and Asian
- Any other mixed / multiple ethnic background
- Prefer not to say

Answer this question only if you have chosen Any other white background for What is your ethnic group?

### Any other white background (please state)

Answer this question only if you have chosen Any other Black / African / Caribbean background for What is your ethnic group?

### Any other Black / African / Caribbean background (please state)

Answer this question only if you have chosen Any other mixed / multiple ethnic background for What is your ethnic group?

### Any other mixed / multiple ethnic background (please state)

Answer this question only if you have chosen Any other Asian background for What is your ethnic group?

### Any other Asian background (please state)

**Do you have any physical or mental health conditions or illnesses lasting or expected to last 12 months or more?**

(Choose any one option)

- Yes
- No
- Prefer not to say

## Respondent type

**Are you responding to this consultation as a...**

(Choose any one option) (Required)

- Resident Landlord
- Managing or lettings agent
- Partner or community organisation representative
- Any other type of local business representative
- Other

Answer this question only if you have chosen Resident for Are you responding to this consultation as a...

## Please confirm your full postcode

Answer this question only if you have chosen Resident for Are you responding to this consultation as a...

## What type of accommodation do you live in?

(Choose any one option)

- Own property – Owned with a mortgage or loan.
- Own property – Owned outright.
- Rented – Rented from the Council.
- Rented – Rented from a private landlord.
- Rented – Rented from a Housing Association or another Registered Social Landlord.
- Rented – Other rented or living at a property rent free.
- Both – Part rent and part mortgage (shared ownership). Other (provide details)

Answer this question only if you have chosen Landlord for Are you responding to this consultation as a...

## Are you an accredited with or a member of any of the following? (Please tick all that apply)

(Choose all that apply)

- National Residential Landlords Association (NRLA) London
- Landlord Accreditation Scheme (LLAS)
- UK Association of Letting Agents (UKALA) Safeagent
- Association of Residential Lettings Agents (ARLA) Royal
- Institution of Chartered Surveyors (RICS) None of the above
- Other (please specify)

Answer this question only if you have chosen Landlord for Are you responding to this consultation as a...

**Do you live in Barking and Dagenham?**

(Choose any one option)

- Yes
- No

Answer this question only if you have chosen Yes for Do you live in Barking and Dagenham?

**Please confirm your full postcode**

Answer this question only if you have chosen No for Do you live in Barking and Dagenham?

**Please specify which local authority area you live in.**

Answer this question only if you have chosen Managing or lettings agent for Are you responding to this consultation as a...

**Which organisation do you represent?**

Answer this question only if you have chosen Managing or lettings agent for Are you responding to this consultation as a...

**Is your organisation based in Barking and Dagenham?**

(Choose any one option)

- Yes
- No

Answer this question only if you have chosen Yes for Is your organisation based in Barking and Dagenham?

**Please confirm the full postcode of your organisation.**

Answer this question only if you have chosen No for Is your organisation based in Barking and Dagenham?

**Please specify which local authority area your organisation is based in.**

Answer this question only if you have chosen Partner or community organisation representative for Are you responding to this consultation as a...

**Which organisation do you represent?**

Answer this question only if you have chosen Partner or community organisation representative for Are you responding to this consultation as a...

**Is your organisation based in Barking and Dagenham?**

(Choose any one option)

- Yes
- No



Answer this question only if you have chosen Yes for Is your organisation based in Barking and Dagenham?

**Please confirm the full postcode of your organisation.**

Answer this question only if you have chosen No for Is your organisation based in Barking and Dagenham?

**Please specify which local authority area your organisation is based in.**

Answer this question only if you have chosen Any other type of local business representative for Are you responding to this consultation as a...

**Which business or organisation do you represent?**

Answer this question only if you have chosen Any other type of local business representative for Are you responding to this consultation as a...

**Is your business or organisation based in Barking and Dagenham?**

(Choose any one option)

- Yes
- No

Answer this question only if you have chosen Yes for Is your business or organisation based in Barking and Dagenham?

**Please confirm the full postcode of your business or organisation.**

Answer this question only if you have chosen No for Is your business or organisation based in Barking and Dagenham?

**Please specify which local authority area your business or organisation is based in.**

Answer this question only if you have chosen Other for Are you responding to this consultation as a...

**Please specify your connection to Barking and Dagenham.**

Answer this question only if you have chosen Other for Are you responding to this consultation as a...

**Do you live in Barking and Dagenham?**

(Choose any one option)

- Yes
- No

Answer this question only if you have chosen Yes for Do you live in Barking and Dagenham?

**Please confirm your full postcode**

Answer this question only if you have chosen No for Do you live in Barking and Dagenham?

Please specify which local authority area you live in.

### About your properties (for landlords and managing/letting agents)

How many properties do you or your organisation own or manage in Barking and Dagenham for each of the following types?

Questions	None	1	2 - 4	5 - 9	10 - 24	25 - 100	100+
Let to three or four unrelated sharers: Small HMO							
Let to five or more unrelated sharers: Large HMO							
All other rental properties: Let to a single household (family, couple or single person) or two unrelated sharers							

Note: Please provide a best estimate for each property type.

### Do you own or manage properties outside of Barking and Dagenham?

(Choose any one option)

- Yes  
 No

Answer this question only if you have chosen Yes for Do you own or manage properties outside of Barking and Dagenham?

### How many properties do you or your organisation manage outside of Barking and Dagenham?

Questions	None	1	2 - 4	5 - 9	10 - 24	25 - 100	101+
Let to three or four unrelated sharers: Small HMO							
Let to five or more unrelated sharers: Large HMO							
All other rental properties: Let to a single household (family, couple or single person) or two unrelated sharers							

### Your views on the private rented sector in Barking and Dagenham

The Private Rented Sector (PRS) is the fastest-growing housing tenure in Barking & Dagenham, crucially serving many of our residents' fundamental right to a place to call home. It now accounts for over 30% of homes in the borough.

In recent years, the role of the PRS in Barking & Dagenham has also changed significantly, fuelled by the needs of its increasingly diverse renters.

With an acute shortage of social housing and rising house prices, the PRS has become a long-term housing solution for many of our most deprived and vulnerable residents.

Such growth can pose various challenges.

Please tell us your thoughts on the sector's effectiveness and the challenges it may face.

---

Thinking about the private rented sector, to what extent do you believe the following to be problem in Barking and Dagenham?

Questions	Not a problem at all	Not a very big problem	A fairly big problem	A very big problem	Don't know
Anti-social behaviour (such as noise nuisance and harassment of neighbours)					
Deprivation worsened by poor quality and insecure housing (such as fuel poverty or unlawful rent rises)					
Poor property conditions (such as damp and mould)					
Poor management of single-family private rented homes (including singles, couples and two unrelated sharers).					
Poor management of shared private rented homes for multiple households (HMOs).					

### Experiences of the private rented sector in Barking and Dagenham

We are eager to learn about individual experiences within the private rented sector in Barking and Dagenham.

Please use the tick boxes below to indicate if, in the past 3 years, you or anyone you know have experienced any of the following issues related to privately rented homes.

#### Anti-social behaviour

Questions	Yes	No	Don't know
Noise nuisance by neighbours			
Poorly maintained neighbouring properties and gardens			
Harassment, distressing or undesirable behaviour by neighbours.			

#### Poor property conditions

Questions	Yes	No	Don't know
Disrepair			
Overcrowding			
Illegal or poor quality conversions			
Concerns about fire safety			

#### Poor management

Questions	Yes	No	Don't know
Unlawful rent increases by a landlord or agent (outside terms set by tenancy agreement)			
Unfair additional charges by a landlord or agent			
Poor landlord or agent responses to tenants' complaints			
Failure by landlord or agent to protect tenancy deposits			

Are there any other issues you would like to tell us about

## Awareness of current schemes

Private rented property licensing schemes require all landlords in the areas they cover to obtain a licence to rent out a privately rented home.

The main objective of such schemes is to improve the private rented sector by verifying that landlords and agents are 'fit and proper' to manage properties and that their rental homes are decent and safe.

Each licence is subject to specific conditions relating to property use and management. Breaching these conditions can result in fines or the revocation of the licence.

In Barking and Dagenham, we currently have two property licensing schemes in operation:

1. **Mandatory HMO licensing:** Since April 1, 2006, local councils across England have been required to implement a Mandatory HMO licensing scheme. This scheme typically covers larger shared homes (HMOs) rented by five or more people in two or more households. It encompasses shared amenities HMOs and excludes converted buildings.
2. **Selective licensing:** Since 2014, Barking and Dagenham have enforced two borough-wide Selective Licensing schemes, each lasting for five-year terms. Selective licensing generally applies to all single-family homes rented to one household, including singles, couples, and two unrelated sharers. The current Selective licensing scheme will expire in August 2024.

We're curious to know if you were aware of our current schemes.

---

### Before taking part in this consultation, were you aware of the selective licensing scheme for single-family privately rented homes?

(Choose any one option)

- Yes  
 No  
 Don't know

### Before taking part in this consultation, were you aware of the mandatory licensing scheme for large, shared homes (HMOs) let to 5 or more unrelated people?

(Choose any one option)

- Yes  
 No  
 Don't know

## Impact of current licensing schemes

Since 2019, as a result of our Mandatory HMO (covering larger shared homes) and Selective (covering single-family homes) private rented property licensing schemes we have:

- Issued 17,556 Selective licences and 345 mandatory HMO licences.
- Conducted over 8,000 property compliance inspections.
- Served over 4,500 Housing Act Notices on landlords to improve property conditions.
- Handled almost 8,000 requests from private landlords and tenants.

In addition, the schemes have enabled us to:

- Introduce a quarterly newsletter for licensed landlords to advise on best practice.
- Partner with the London Landlord Accreditation Scheme to deliver training sessions.
- Hire an officer to help resolve tenant and landlord disputes.
- Successfully identify and enforce against 496 unlicensed landlords.

Currently, we do not have a scheme in place that covers smaller shared homes (HMOs) rented out by three or four people, forming two or more households.

Please complete the following questions to share your thoughts on the necessity and impact of our current licensing operations.

---

**To what extent do you agree that the current selective licensing scheme has helped to improve the condition and management of private rented properties in Barking and Dagenham?**

(Choose any one option) (Required)

- Strongly agree
- Tend to agree
- Neither agree nor disagree Tend
- to disagree
- 
- Strongly disagree Don't know

**Please give the reason for your answer below.**

**To what extent do you agree that the Council should continue to use selective licensing as a tool to help to improve, or further improve, the condition and management of private rented homes?**

(Choose any one option) (Required)

- Strongly agree
- Tend to agree
- Neither agree nor disagree Tend
- to disagree
- 
- Strongly disagree Don't know

**Please give the reason for your answer in the box below.**

**If selective licensing was NOT continued in the borough what impact do you think this would have?**

(Choose any one option) (Required)

- There would be a negative impact
- There would be a positive impact
- There would be no impact
- Don't know

**To what extent do you agree that all HMOs, regardless of size, should be subject to a form of property licensing to help to improve their condition and management?**

(Choose any one option) (Required)

- Strongly agree
- Tend to agree
- Neither agree nor disagree Tend
- to disagree
- 
- Strongly disagree Don't know

## Proposed new selective licensing scheme

Selective licensing can be used as an additional tool to help tackle a range of social and physical factors affecting a local area that are linked to the private rented sector (PRS).

All factors can be used as grounds for making a designation and must meet specific criteria set by the Government. Some conditions also require evidence that the proposed area to be covered by a designation has a higher proportion of privately rented properties than the national average.

Our Insight and Innovation Hub conducted an extensive study to examine challenges within the borough's PRS and identify potential grounds for the continuation of Selective Licensing. This study integrated council intelligence, stakeholder input, and national/regional data.

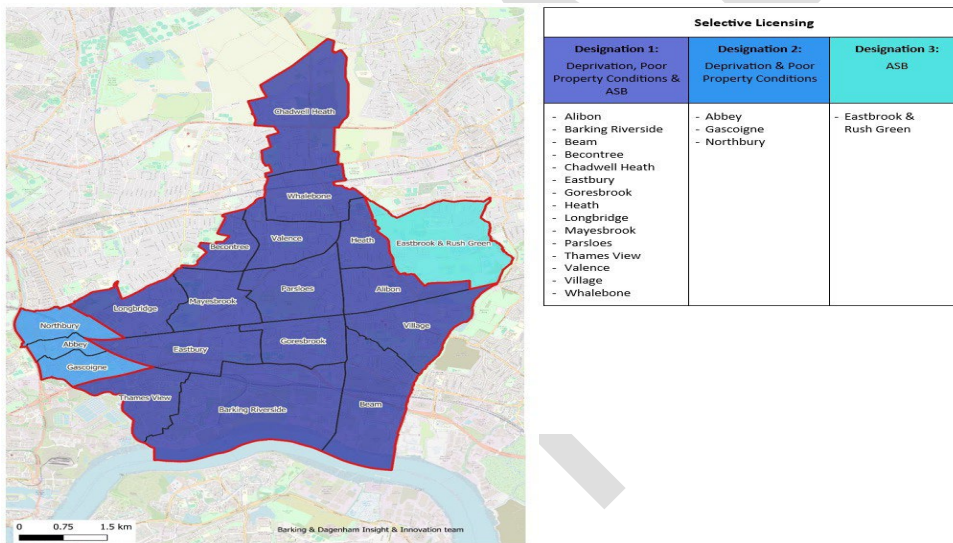
Findings revealed persistent high levels of deprivation, rising anti-social behaviour, and significant concerns regarding property conditions in the PRS. The most pressing of these problems varied for each of our Wards.

Based on these findings, we are proposing a new multiple-designation Selective Licensing scheme aimed at strengthening our approach to addressing these challenges:

- Designation 1 - Deprivation, poor property conditions and ASB
- Designation 2 - Deprivation and poor property conditions
- Designation 3 - ASB

Together, we believe these designations offer borough-wide protection for private renters in single-family homes (including singles, couples, and two unrelated individuals) and will contribute to improving standards within the PRS.

Map of Selective Licensing Proposed Designations 2024-2029



### To what extent do you agree with the Council's proposed new targeted selective licensing designations?

(Required)

Questions	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
Designation 1						
Designation 2						
Designation 3						

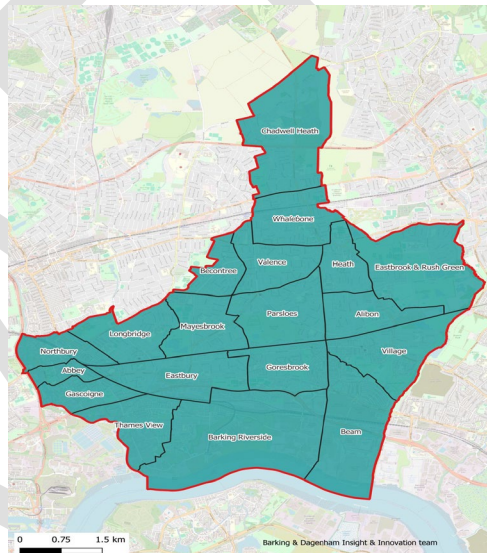
Please give the reasons for your answer in the box below.

### Proposed new additional HMO licensing scheme

Additional HMO licensing can be introduced when a significant number of smaller shared homes (HMOs) let to 3 or 4 people in the proposed area are believed to be poorly managed, leading to issues for residents.

Over the past 3 years, HMOs have become an increasing concern for the Council and residents. Our study found that HMOs in Barking and Dagenham have a higher prevalence of anti-social behavior, are more likely to fail compliance audit inspections, and be poorly managed.

For this reason, we believe it is crucial for all HMOs across the borough, regardless of size, to be licensed.



Map of Proposed Additional HMO Designation 2024-2029

To what extent do you agree with the Council's proposal to introduce a new additional licensing scheme to improve the condition and management of small houses in multiple occupation?

(Choose any one option) (Required)

- Strongly agree
- Tend to agree
- Neither agree nor disagree Tend
- to disagree
- Strongly disagree Don't know

Please give the reason for you answer below.

## Licence Conditions

Each property licence is issued with a set of conditions, which vary across designations as they are tailored to their specific grounds for introduction. However, they generally relate to tenancy management, the conduct of licence holders, property standards, and occupancy levels, with some conditions being required by law.

Different sets of conditions exist for single-family homes (selective licensing) and shared homes (additional HMO licensing).

We are eager to hear your thoughts on our proposed selective licensing conditions for our three designations. While most conditions across the designations are the same, some conditions are specific to the issues each designation seeks to address, such as anti-social behaviour.

Additionally, we would like your feedback on our proposed additional HMO licensing conditions, which will also be applied to mandatory HMO licences.

The full set of conditions can be found in the following Appendices:

- [Appendix 2 - Designation 1: Selective Property Licence Conditions \(231 KB\) \(pdf\)](#) • [Appendix 3 - Designation 2: Selective Property Licence Conditions \(222 KB\) \(pdf\)](#) • [Appendix 4 - Designation 3: Selective Property Licence Conditions \(231 KB\) \(pdf\)](#) • [Appendix 5 - Additional HMO Licence Conditions \(237 KB\) \(pdf\)](#)

---

## Selective licensing conditions – Designations 1-3

**Do you think the proposed selective licensing conditions are clear and understandable?**

(Choose any one option)

- Yes  
 No  
 Don't know

Answer this question only if you have chosen No for Do you think the proposed selective licensing conditions are clear and understandable?

**Please can you tell us which conditions are not clear, and why.**



**Do you think the proposed selective licensing conditions are reasonable?**

(Choose any one option)

- Yes
- No
- Don't know

**Please can you tell us which conditions are not reasonable, and why.**

**Do you think there are any selective licensing conditions that should be removed?**

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen Yes for Do you think there are any selective licensing conditions that should be removed?

**Please can you tell us which conditions should be removed and why.**

**Do you think there are any selective licensing conditions that should be added?**

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen Yes for Do you think there are any selective licensing conditions that should be added?

**Please can you tell us which conditions should be added and why.**

## Additional HMO licensing conditions

**Do you think the proposed additional HMO licensing conditions are clear and understandable?**

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen No for Do you think the proposed additional HMO licensing conditions are clear and understandable?

**Please can you tell us which conditions are not clear, and why.**

**Do you think the proposed additional HMO licensing conditions are reasonable?**

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen No for Do you think the proposed additional HMO licensing conditions are reasonable?

**Please can you tell us which conditions are not reasonable, and why.**

**Do you think there are any additional HMO licensing conditions that should be removed?**

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen Yes for Do you think there are any additional HMO licensing conditions that should be removed?

**Please can you tell us which conditions should be removed and why.**

## Do you think there are any additional HMO licensing conditions that should be added?

(Choose any one option)

- Yes  
 No  
 Don't know

Answer this question only if you have chosen Yes for Do you think there are any additional HMO licensing conditions that should be added?

### Please can you tell us which conditions should be added and why.

## Proposed fees and discounts

A fee will be charged for all licences to cover the costs of operating each proposed new licensing scheme.

Both schemes are designed to be cost neutral, ensuring compliance with statutory requirements to avoid profit from either scheme.

We will collect licence fees in two parts:

- **Part A:** Collected upon application, covering processing and determination costs, including the initial compliance audit inspection. This fee is non-refundable, regardless of application outcome.
- **Part B:** Collected upon Council's determination to grant a licence, covering scheme administration, management, and enforcement. We will only issue licences upon receipt of the Part B fee.

### Licence Fees

The cost of new applications, including renewals:

Type of licence	Part A	Part B
Selective	£650	£300
Additional HMO	£1000	£400

All properties will undergo an initial compliance audit inspection within six months of application before licences are granted.

Licences will be issued from the date of application and will remain valid for up to 5 years.

### Discounts

We are eager to recognise and reward the many good landlords providing safe and decent homes for our residents. We are therefore pleased to share that we will be offering a new discount to celebrate best practice.

This will be awarded in two tiers based on the licence holder's accreditation status and compliance with required property standards during the initial compliance audit inspection.

Tier	Requirements	Amount
Silver compliance award	Satisfactory rating from compliance audit inspection (property meets the standards when inspected)	Discount on the Part B fee of £200
Gold compliance award	Landlord accredited AND Satisfactory rating from compliance audit inspection (property meets the standards when inspected)	Discount on the Part B fee of £250

To maximise uptake and help landlords prepare, we have developed tailored inspection guidance for both schemes.

Our complete fee structure and inspection guidance can be found in the following appendices:

- [Appendix 6 - Fees & Charges. \(220 KB\) \(pdf\)](#)
- [Appendix 7 - Property Condition Guidance for HMOs \(132 KB\) \(pdf\)](#)
- [Appendix 8 - Property Condition Guidance for Single Household Properties \(158 KB\) \(pdf\)](#)

**Please tell us what you think about the proposed fees...**

Questions	Much too low	A little too low	About right	A little too high	Much too high	Don't know
The proposed fee for selective licensing						
The proposed fee for the additional HMO licensing						

**To what extent do you agree with the proposed discounts?**

Questions	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
Silver Compliance Award Discount						
Gold Compliance Award Discount						

**Do you think there are any proposed discounts that should be removed?**

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen Yes for Do you think there are any proposed discounts that should be removed?

**Please can you tell us which discounts should be removed and why.**

**Do you think there are any additional discounts that should be considered?**

(Choose any one option)

- Yes
- No
-

Don't know

Answer this question only if you have chosen Yes for Do you think there are any additional discounts that should be considered?

**Please can you tell us which additional discounts should be considered.**

### Alternatives to Property Licensing

Property licensing is not a stand-alone tool. Through the proposed new schemes, we aim to enhance and complement our broader initiatives to improve standards in the private rented sector rather than replacing them.

However, we understand that some may have differing opinions on our approach.

We're keen to hear your thoughts on whether you believe we should consider alternatives to the proposed property licensing scheme.

**Do you think the Council should consider alternatives to the selective licensing scheme?**

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen Yes for Do you think the Council should consider alternatives to the selective licensing scheme?

**Please can you tell us which alternatives the Council should consider.**

**Do you think the Council should consider alternatives to the additional HMO licensing scheme?**

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen Yes for Do you think the Council should consider alternatives to the additional HMO licensing scheme?

Please can you tell us which alternatives the Council should consider.

### Improving support for landlords and tenants

Alongside the proposed new licensing schemes, we are committed to enhancing our support for landlords and tenants. Below are some of our proposed initiatives:

- Creating localised advice packs for private tenants to inform them about their rights and responsibilities. • Collaborating with tenant representative bodies to establish a private tenant forum.
- Employing an additional Council officer to assist in resolving landlord and tenant disputes.
- Developing localised advice packs for private landlords, offering guidance on compliance and providing helpful tips for addressing common issues.
- Organising more two-way engagement opportunities for local landlords, in-person and online.

We value your feedback on these proposals and welcome any additional suggestions you may have for further improvements.

---

### To what extent do you agree with the Council's proposed plans to improve support for private tenants?

(Choose any one option)

- Strongly agree
- Tend to agree
- Neither agree nor disagree Tend
- to disagree
- Strongly disagree Don't know

### Do you think there is anything more the Council could be doing to support private tenants?

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen Yes for Do you think there is anything more the Council could be doing to support private tenants?

### Please can you tell us what more you think the Council could be doing?

**To what extent do you agree with the Council’s proposed plans to improve support for landlords?**

(Choose any one option)

- Strongly agree
- Tend to agree
- Neither agree nor disagree Tend
- to disagree
- 
- Strongly disagree Don't know

**Do you think there is anything more the Council could be doing to support landlords?**

(Choose any one option)

- Yes
- No
- Don't know

Answer this question only if you have chosen Yes for Do you think there is anything more the Council could be doing to support landlords?

**Please can you tell us what more you think the Council could be doing?**

**Would you be interested in taking part in focus groups to support further research about the following topics? (Please select all that apply)**

(Choose all that apply)

- Improving support for tenants
- Improving support for landlords No
- 

Answer this question only if you have not chosen No for Would you be interested in taking part in focus groups to support further research about the following topics? (Please select all that apply)

**Please provide your full name**

(Required)

Answer this question only if you have not chosen No for Would you be interested in taking part in focus groups to support further research about the following topics? (Please select all that apply)

**Please provide your email address**

(Required)

Answer this question only if you have not chosen No for Would you be interested in taking part in focus groups to support further research about the following topics? (Please select all that apply)

**Telephone number (optional)**

**Other comments**

**Are there any other comments you would like to make about the licensing proposals discussed in this consultation?**

**Almost there**

We are legally obliged to offer to send you a copy of the final licensing designation(s) if any of the proposed licensing schemes are approved for implementation.

These are supporting documents that define various aspects, including the area where licensing will be required, as well as detailing the start date and duration of the designation(s).

Please confirm if you are happy to be sent a copy of any final licensing designation(s) resulting from this consultation.

**Should any of our proposed licensing schemes be approved, would you like to receive a copy of the final licensing scheme designation?**

(Choose any one option)

- Yes
- No

Answer this question only if you have chosen Yes for Should any of our proposed licensing schemes be approved, would you like to receive a copy of the final licensing scheme designation?

**Please provide your name**

(Required)

Answer this question only if you have chosen Yes for Should any of our proposed licensing schemes be approved, would you like to receive a copy of the final licensing scheme designation?

**Please provide your email address**



(Required)

Answer this question only if you have chosen Yes for Should any of our proposed licensing schemes be approved, would you like to receive a copy of the final licensing scheme designation?

**Please provide your address (optional)**

**Are you interested in Green Financing for your rental property?**

We are currently conducting research to gauge landlord interest in potential Green Finance loans.

Loans will be offered to help improve the energy efficiency of rental homes and reduce their carbon footprint.

**If you are a landlord, are you willing to take part in our short survey regarding Green Finance loans?**

(Choose any one option)

- Yes
- No

Answer this question only if you have chosen Yes for If you are a landlord, are you willing to take part in our short survey regarding Green Finance loans?

**Please provide your email address and we send you a separate link to our Green Finance survey.**

**Ready to submit**

Before you submit your response, we would like to thank you for participating in our survey. Your responses will help inform our decision-making process regarding the proposed new schemes. All feedback shared will be carefully analysed and considered.

We aim to publish the results of this consultation in early Summer. The proposed schemes will then be updated as necessary and submitted to the Council's Cabinet for approval in June 2024.

Pending approval, the proposed new Additional HMO licensing scheme is expected to be introduced in late September 2024.

Given the scale of our proposed new Selective licensing scheme, we will need to make an application to the Secretary of State for Levelling Up to confirm the scheme, subject to Cabinet approval. If successful, we hope to introduce the scheme in late 2024.

If you have any questions regarding this consultation, please don't hesitate to contact us.

**Additionally, we would appreciate it if you could share this survey link with your friends, family, and contacts. The more input we receive, the better informed our decisions will be!**

(Required)

## Appendix D: Full written responses to the consultation

### London borough responses

#### Response 1 (23/04/2024)

Dear Fiona

##### **Selective and Additional HMO Private Rented Property Licensing Schemes**

I am writing in response to your public consultation on the renewal of your private rented property licensing schemes and wish to convey that Enfield is a borough which shares an interest in your Council's proposal to introduce further licensing schemes.

It is evident from the progress you have made in your current scheme that significant improvement has been achieved in addressing poor tenancy and management practices and improving property conditions for residents living in the private rented sector in Barking and Dagenham.

Enfield successfully introduced borough wide additional HMO licensing in September 2020 and selective licensing in September 2021, and we are seeing the improvements the schemes are making to our resident's lives as they benefit from improved living conditions and better managed properties. Licensing has provided additional enforcement powers to tackle these issues by requiring all landlords to sign up to management conditions that help ensure they adopt a responsible approach to the management of their properties and identify those landlords whose management arrangements are inadequate. We are of the view this could not have been achieved by using existing powers alone.

We consider Barking and Dagenham's new licensing proposals will continue to make further improvements in your private rented sector by identifying those HMOs and private rented properties that continue to be managed ineffectively. With the socio-economic factors and the shortage of housing facing London boroughs, it is even

more important that we utilise the powers available to us to regulate the growing private rented sector.

Enfield is in full support of your proposals for a new boroughwide selective and additional HMO licensing scheme, and we consider that property standards and safety will continue to be improved in your borough with the implementation of the proposed new licensing schemes.

We wish you every success in your new proposals.

Yours sincerely



Doug Wilkinson  
Director of Environment and Street Scene

Victoria Lawson  
Chief Executive  
Islington Council  
Islington Town Hall  
Upper Street  
N1 2UD  
[www.islington.gov.uk](http://www.islington.gov.uk)

Barking and Dagenham  
Property Licensing Consultation

**Sent via email to:**  
[prplconsultation@lbbd.gov.uk](mailto:prplconsultation@lbbd.gov.uk)

23 April 2024

Dear Chief Executive,

**Re: Barking and Dagenham Property Licensing Consultation  
Selective and Additional HMO Private Rented Property Licensing Schemes**

I write in response to your letter of 16 April 2024 containing details of your property licensing proposals and evidence base.

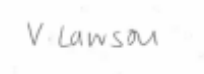
Your aims align with both our corporate plan objective to provide a 'safe place called home' and our Private Rented Sector Charter which sets out our commitment to stand alongside private renters and work with private landlords to maintain and improve standards.

The Private rented sector covers over 30% of housing in Islington and rents account for about 70% of renters' gross earnings. We want Islington's private rented sector to be high quality, low carbon, affordable and sustainable so that Islington's residents have a good choice of quality homes in clean, safe, and vibrant neighbourhoods and landlords meet their obligations to their tenants.

We believe from our own experience that amongst other things property licensing significantly contributes to improving property and management standards, increasing opportunities in the sector for low-income households and helping to improve communication across the sector,

We believe your evidence base, and consultation demonstrate that you have met the statutory thresholds for adoption, and we support your proposals.

Yours sincerely



Victoria Lawson

Chief Executive, Islington Council

### Response 3 (24/04/2024)

**Councillor Syed Ghani**  
**Cabinet Member for Enforcement & Community Safety**  
**London Borough of Lambeth**

Dear Cllr Ghani

**Re: London Borough of Barking & Dagenham - Private Rented Property Licensing Consultation**

I am writing to express support for the implementation of large-scale selective and additional licensing schemes in the London Borough of Barking & Dagenham to tackle identified problems including poor housing conditions and anti-social behaviour in privately rented homes within the borough.

Waltham Forest Council fully supports the introduction of selective and additional licensing schemes in Barking & Dagenham. We recognise the importance of the private rented sector in providing homes for people who want to live in the borough. Our experience is that many landlords take their responsibilities very seriously and provide well managed rented homes that are maintained to a good standard but there are widespread issues of disrepair and housing hazards in the private rented sector and poorly managed properties that give rise to significant and persistent ASB compared to homes in other sectors. In this regard, we believe that your proposed schemes will give your authority the best opportunity to ensure that all private sector landlords across the borough meet the highest possible standards.

We believe that selective licensing has brought long overdue regulation to the private rented sector, and we share your view that your scheme objectives cannot adequately met by means other than large scale property licensing. We have seen the merits of selective licensing first hand since it came into force in Waltham Forest on 1 April 2015. Through the administration and enforcement of successive selective licensing schemes, we have overseen the improvement of close to 5000 privately rented homes.

We also know that poorly managed HMOs not only place extra demands on the Council, but they create problems for their tenants and the community around them. It is vital that all HMOs are of an adequate standard, are managed effectively and offer a safe home to their occupiers and we believe that additional HMO licensing provides additional regulatory controls to deliver these objectives.

Our licensing schemes have helped Waltham Forest Council to effectively regulate private housing and tackle rogue landlords. It has enabled us to drive up property standards and

---

[walthamforest.gov.uk](http://walthamforest.gov.uk)



increase confidence in the private rented sector, as well as help to reduce anti-social behaviour. At the same time, we have been able to administer the scheme in a way that the borough's responsible landlords experience a light-touch approach to enforcement and are supported in the letting and management of their rented homes.

Licence fees are funding vital front line enforcement action to realise our identified licensing scheme objectives. We have been able to develop and maintain the capacity to carry out proactive/programmed intelligence-led inspections of privately rented homes, as opposed to a purely reactive service. We recognise that residents in homes in the worst condition are often reluctant to complain to the local authority through fear of eviction.

Our proactive approach to the administration and enforcement of our licensing schemes has enabled Waltham Forest to demonstrate the progress made in tackling damp and mould issues in the private rented sector following the increased prominence of the issue in the wake of the inquest verdict in the tragic and avoidable death of Awab Ishak.

Private rented licensing, which we made 'digital by default', has also enabled us to better connect to and communicate with landlords through our regular landlord forums and e-newsletters and we currently have more than 17k subscribers. We are also able to provide support to responsible landlords.

If, following careful consideration of the responses to the consultation, Barking & Dagenham decides to go ahead with the licensing schemes, I hope that the Secretary of State gives the necessary permission in relation to the large-scale selective licensing schemes, thereby supporting the Council in driving up standards in the sector and tackling rogue landlords.

I strongly believe that rented property licensing schemes are an invaluable way for London councils like Barking & Dagenham and Waltham Forest to help solve London's housing crisis.

Yours sincerely,



Cllr Khevyn Limbajee  
**Cabinet Lead Member for Community Safety**



## Response 4 (29/04/2024)

Dear Fiona,

I write to express LB Newham support for LB Barking & Dagenham proposed property licensing schemes for borough wide additional and selective licencing schemes, as set out in your February 2024 [consultation](#) and any subsequent application to DLUHC if agreed by your governance process.

We support and commend LB Barking & Dagenham's proposals for a large-scale property-licensing scheme in 2025. As you will be aware LB Newham has operated a wide-scale, licensing scheme since 2013 and having neighbouring boroughs operate similar schemes will strengthen protections for private tenants in London.

We hope that with these approaches rogue landlords find it difficult to continue operating in the wider London area and encourage more professional behaviour in the private rented sector. In Newham, over 50 percent of residents live in the PRS, where amongst the worst housing conditions in the borough are found and over a quarter of Newham's PRS properties have been found to have serious health and safety hazards, which are key indicators of poor property conditions. The borough's private rented sector is also home to some of our most vulnerable residents with some of the worst conditions experiencing the worst exploitative practices.

Our third round of property licensing schemes covering 40,000 plus properties, are amongst the most important tools the Council has to tackle exploitative practices and support our residents. through robust and rigorous enforcement activity; demonstrate zero tolerance of poor and rogue landlords; introduce a 'Fairer Newham' standard in the PRS so that all landlords provide high quality housing that have good space standards, are safe and well managed and establish minimum standards of energy efficiency with high standards of security.

Please do not hesitate to contact me if you would like to discuss this letter.

Yours faithfully

## Response 5 (30/04/2024)

Dear Fiona

### **Proposals on future of property licensing**

As a north London borough, we have a shared interest in your Council's proposal to introduce property licensing schemes. The housing crisis and challenges with managing a growing private rented sector are similar to those experienced by Camden. It's good to see the positive outcomes achievable utilising the discretionary tools available to local authorities to ensure private renters can access decent, safe and affordable homes.

We recognise the challenges of regulating the private rented sector using our statutory powers alone and the need to utilise all powers available to improve this important sector. Camden council renewed its boroughwide additional HMO licensing scheme in 2020 and we are starting our preparations to review and the need to renew again in 2025. The scheme has resulted in improvements in safety for tenants and the management of properties overall, however, more work is needed as some landlords fail to complete works required to meet minimum standards.

We at Camden support your proposals for introducing additional HMO and selective licensing scheme.

Yours sincerely



Darren Wilsher  
Private Sector Housing Service Manager  
Housing Allocations, Lettings and Private Housing

## Email responses

### Response 1 (28/02/2024)

“as a landlord i feel that this scheme should be extended country wide and is an excellent idea to weed out landlords who do not bother with their properties and put their tenants at great risk from faults with the property.

i am 100% for the licensing”

### Response 2 (28/02/2024)

“The licensing carry a cost to landlords which will pass this on the tenants, who are already under pressure due to the raise of energy and mortgages cost which have an impact on they rent cost

The licensing doesn’t have a beneficial impact on tenants and landlords

Please decommission the scheme”

### Response 3 (28/02/2024)

“What about the non compliant tenants and the lack of support when they trash a home.”

### Response 4 (29/02/2024)

“We are happy for you to introduce the two tier licensing option, on top of the mandatory HMO. This system will improve flexibility and allow both tenants and landlords to behave better.

Thank you.”

### Response 5 (29/02/2024)

“Hello,

In reference to your email I received recently concerning the new proposed Barking and Dagenham selective license scheme, your FAQ document does not cover what I consider a fundamental question which is, if one currently possesses a selective license that is valid until after the new scheme’s proposed date will I have to apply for a new license or will I only have to apply once the current license expires? If one does have to apply for a new license will I receive a refund or credit for any remaining validity?

The reason I ask is because my current selective license is valid until 2027.

Thank you.”

**Response 6 (01/03/2024)**

“HI

I am a landlord, I have paid for the licence which I am not sure what this actually does, as lots of the rest of the country doesn't apply it, it seems unfair some do some don't

The first licence a person came out to inspect, on the renewal no one came out to inspect just took the money how does that stop dodgy landlords, I thought this was to sort out the good from the bad With the economic situation as it is, landlords have mortgages to pay to keep the houses for renters, and then to pay out large amounts of money for a licence what do we get for it

I had 7 properties which I rented out, but now down to two which I am selling each year as the fact that the safeguard for landlords is poor only for tenants, so I have had enough

So I feel the licences are unfair, I have to show that my property is safe and pay for the licence, does the council have to show how they conduct themselves NO”

**Response 7 (01/03/2024)**

“not consent for these licensing schemes. thank you”

**Response 8 (04/03/2024)**

“We are seeking clarification and further information on your current consultation. We have noted that, of the 17,000 properties that have been licensed, 8,000 have been inspected. Could you please confirm the percentage of those inspected that were fully compliant with licensing conditions?

We would also like clarification on your proposals for compliance awards. From the brief description, it looks as though a landlord operating within the law would be recognised with a Silver Compliance Award and that a Gold Award would be offered if the landlord was also Accredited? Are we misreading this information? Does Accreditation rely on evidence of competent management? Do you seek the view of the tenants in this regard?”

**Response 9 (11/03/2024)**

“Dear sirs,

Will the new license include the mass of airBNB properties currently being rented in the borough that does not currently require a license according to yourselves.

These are not just rooms or sheds [redacted] but houses such as [redacted] but this is not limited to [redacted] there are a huge amount of unlicensed properties being rented.

Plus with the new license will there be better enforcement?

[redacted] is a HMO but has a selective licence, no action taken despite complaints”

**Response 10 (13/03/2024)**

“As a Resident in the borough and paying full Council Tax

Could you please tell me when was the Accounts of the council has been Externat Audited and what was the outcome



As resident we would like to and have the rights to know our council tax payments to council are going to right places and to right organisation as supposed to

Your promptly answer will be appreciated”

**Response 11 (05/04/2024)**

“I attended today just as a council tenant not private. And found the meeting interesting.

However, I wanted to say a couple of points in that, as a council tenant, (and vulnerable due to health issues and of a mature age), I find the amount of multiple occupied properties in my road quite alarming. And lots of comings and goings with so many people at all hours.

Does a council tenant have a right to know what properties are HMOs right near to them, as we don't know who these people are coming and going at all hours. I have done a few emails to prpl over the years asking if certain addresses near me are HMOs and everything they email back saying no. As many rear extentions are appearing and new people going through front doors at all times. So my concerns are that they are not registered.

It is alarming because you do not know who is living in your Borough. I want to see council tenants kept informed of what goes on if its happening near and they are feeling un-informed.

You mentioned all these inspections and rules and registration and paying fees and monitoring but I feel that many of these properties in my road are not registered. I want to find out.

Also there seems all this support for private tenants but what about council tenants? I heard mention of a Council Tenants Forum but I have never heard of this or what it is or how to access it. Is there anyone I can contact about what it offers? I myself live in an old, mouldy property and have issues, and my landlord, LBBB doesn't seem to address this issue well at all. I don't know how to access guidance and information and would it be the same guidance that a private tenant would receive?

Like you said, sometimes accessing information is extremely difficult. And needs improving.

If HMOs are going to keep increasing on every road, then I want to see more information available to neighbouring properties who are affected by them. Council tenants or not. As we get affected by fly-tipping and noise increases. How do we know if they are illegals or sex offenders.

Anyway it was good to attend the meeting and hear some of what's going on.”

#### **Response 12 (12/04/2024)**

“Good afternoon,

I am suggesting that the scheme is scrapped or that there needs to be guidelines on what is applicable. I believe that the LBB make up their own rules on the spot, which leave landlords who are offering housing in a difficult situation.”

#### **Response 13 (12/04/2024)**

“Hi Prplconsultation,  
[redacted]

Yes it's good for all rental properties in the market to have a valid licence. For the best interest of the landlord and tenants.

Thank you”

#### **Response 14 (25/04/2024)**

“Thank you for initiating such an important agenda; specially in the time of the "Cost of living" crisis

I would like you to consider the following few points which effect the Licensing Policy:

1. .The cost of the license should be affordable by all walks of life; at the moment this 2 tier payment is not helpful and it is too high
2. .To compare the current price with other boroughs and bring the licensing cost in line with the other neighbouring boroughs
3. .To abolish the 2 tier licensing application and bring it to one tier only procedure; where you only apply once and don't have to wait for 2<sup>nd</sup> round of approval or payment
4. .To abolish the set time frame and honour the full payment to a full period cycle; at the moment if someone receives a license which is at the end of the term. That person has paid nearly £1000.00 for only few months [ie, 2 -3 months] oppose to who has applied at the beginning of the term enjoying 4 years period. This seems discriminatory and at a certain degree a financial abuse the applicant's finance by default of the current policy

Thank you for your kind help; and i really hope you will kindly look into the above and change the current practice to a better one”

### **Long-form responses**

#### **Response 1 (31/03/2024)**

PRPL Consultation team  
London Borough of Barking & Dagenham  
Barking Town Hall  
1 Town Square  
IG11 7LU

Dear PRPL Team

I have just filled out the online consultation form. While we share a common interests in driving standards in the PRS, concern on deprivation and poverty and ASB, I found the online form lacking in the ability to challenge the consultation report therefore I would like to add the following additional comments.

### **Standards the scheme will be held to**

The PRPL scheme consultation addresses many areas of concern in the Borough and how having a licence scheme will improve them. I note with interest that at no point does it detail what a success will look like, which is a common theme amongst the previous two scheme consultations. While I disagree that the scheme will achieve what the Borough wants it to, should it go ahead, it is only correct that defined goals are put in place to measure it. Without this how do we know if it has been a success? How would the Borough know how to improve it for the future without measurable targets?

The report does not mention any learnings from the two previous schemes, to make this version more successful, though those previous schemes had common goals. Does the outcome of the previous schemes make no difference to the future? Without evidence to show the previous schemes have achieved measurable goals, even if they missed the targets due to Covid, it could be viewed as the Borough is going to implement a scheme regardless of whether it makes a difference to the standard of the PRS or not for financial reasons.

### **Scheme costs**

The report details the PRPL scheme is to be self-funding and not a profit centre (pg42). Could we see the evidence of the forecasts for this please? Two schemes have now been run in the Borough but not one piece of data detailing income and costs has ever been produced for public scrutiny.

The report details that there have been 17,556 and 345 HMO licences issued under the current scheme, for which I paid £685 for each of mine.

- $17,556 + 345 = 17,901$  licenses issued.
- $17,901 \times £685 = \mathbf{£12,262,185}$  revenue generated.

I note that HMO licences cost more than £685 and the report also indicates 203 financial penalty notices where issued, therefore the total income will be higher than the above figure.

While understanding £12.2m is a modest sum to the overall Council budget, it is not an inconsiderable sum of money. How was this spent? The council must publish details that stand up

to basic scrutiny (staff numbers, office costs, expenses, legal costs etc) to demonstrate the scheme is not paying for wider council services.

### **Deprivation and Poverty**

The report gives no mention to other causes of deprivation and poverty other than the condition of housing. To do this is a fundamental error and would have the reader believe that it is the major cause and a PRPL scheme will make a significant difference to deprivation in the Borough. Regrettably this is just not the case. Using a simple google search asking “causes of deprivation in the UK” brings back a first answer from the NHS. [NHS England » Deprivation](#) listing 7 factors which are;

- Income
- Employment
- Education
- Health
- Crime
- Barriers to housing and services
- Living environment

You will note living environment is last, income and routes to generate greater income such as employment and education are first, second and third. **Lifting income is the way to address deprivation and poverty.** While everyone should have a decent standard of housing it makes the smallest contribution to overall deprivation. The Borough is listed as the highest deprivation rate in London, this is probably no surprise as it is the cheapest Borough in London to live in, therefore will attract the lowest paid [London’s 8 remaining ‘affordable’ areas with prices below city average | Evening Standard](#) . While I don’t doubt the census data quoted is correct (pg24), it also needs to be compared with average household income etc to provide a balanced analysis. If a millionaire lived in a substandard rented house, would you still class them as deprived?

The increase in poverty rates across the country is a stain on society in general. This is again linked to income not housing. Pg25 references fuel poverty which is a problem UK wide, again this is income linked. Many household incomes did not have sufficient flex to pay for the increase in energy prices caused by a war in Ukraine. This is the cause of the “rapid increase in prices since late 2021” that is referenced. The PRS cannot be held responsible for this.

Pg 26 references how the PRPL is going to help with deprivation;

*“Conducting inspections on all licensable properties will have a tremendous impact on uncovering tenant welfare issues such as addiction, depression, alcoholism, mental health issues, unemployment, and modern slavery.”*

It would appear the council is using a PRS scheme to collect data on tenant medical welfare! This seems unfair to place this burden on a landlord. All the conditions listed above are complex but in the vast majority of occurrences have nothing to do with the condition of a property. A PRS licence will have no impact on alcoholism.

### **Antisocial behaviour**

Everyone should be able to live in quiet enjoyment of their surroundings, therefore ASB needs to be tackled. I am however disappointed in the report as it draws a link between the occurrence of reports of ASB in the PRS, however at no point does it ask why? Does it not seem odd to the council that in the majority of cases Private tenants will have greater earnings than social tenants, probably leading to less deprivation, but create more ASB? Every other section of the report it argues deprivation increases the other issues. The Borough needs to give detail on how a licensing scheme will reduce ASB so it can be measured.

I would also like to highlight that the report essentially strikes a line through the data it does not like at this point in the Abbey, Gascoigne and Northbury wards. Traditionally these have been the areas in the borough that one avoided due to behaviour and crime levels [Barking and Dagenham crime rate Interactive maps and visualisation \(crimesinmyarea.co.uk\)](#). It is somewhat convenient when LBBD has a multi-million pound house building joint venture, with associated financial interest, in these wards and they are not included in ASB areas as buyers are enticed into the Borough?

**Prevention of ASB is far better than cure.** My worst experience of this was of a tenant who appeared initially everything one would want, smartly dressed, on time for a viewing and with perfect references. Everything went wrong very quickly with ASB from noise, drugs and police action and it took 12 months to evict him through the courts. Undoubtedly his previous letting agency gave him a glowing reference to get rid of him. **We need a database of problem tenants to stop them moving round the borough passing the problem on.** I understand the council cannot publish a list of names (I suspect a list of banned landlords would be fine though!) however any help in this regard would demonstrate a desire to help landlords avoid problem ASB tenants. A scheme even as high level as an old-fashioned banking status enquiry with responses such as “not known to council” or “known to council” would help. **It would also give a tangible benefit for the licence cost.**

### Housing standards & overcrowding

This topic has been an area of concern for me for a number of years and I have some sympathy with the Borough’s view here. I have at times entered properties owned by other landlords and been surprised at the low standards of maintenance and materials used. Rightmove photos of properties coming onto the market often have the same effect on me. Whether these properties actually fail basic standards however is hard to tell. While I don’t doubt some properties require work, the report does not split the amount of CAT1 and CAT2 hazards. How many CAT1 threat of injury hazards were found? Does the result merit a Borough wide licencing scheme to address the issue?

One area we can agree on is overcrowding, which I suspect is widespread across London and the Borough. I handle all enquiries from prospective tenants and c50% of these for a two bed flat will involve 3+ adults with children wanting to move in. Most sound genuinely surprised when I say it is too many for the property, which leaves me to assume that they expect to be able to do this. Even pre-scheme we have never “over occupied” properties as we viewed this leading to increased wear and tear for little gain. Over crowding will undoubtedly lead to tenant damp issues through extra washing and cooking, more noise for neighbours through extra comings and goings and potentially increased litter etc.

One point often overlooked here is I believe it also drives up the overall cost of renting. Often enquiries have two or three adult workers with one looking after the children. Overall this increases the household income meaning as a collective higher rent can be paid, forcing households with only one income into smaller accommodation. Without this overoccupancy I expect there would be a natural brake on affordability.

## **Training, Knowledge & Relationship between PRS and LBB**

This is another position I find myself in agreement with the consultation scheme proposals. The PRS is highly fragmented in nature and in the main the average landlord only has one property. As a business with over 10 properties, we spend time staying up to date with legislation and matters effecting the sector and regularly attend NRLA meetings at the town hall. I am often surprised at these events by some of the questions asked and lack of knowledge of responsibilities. The data (pg34) regarding protecting deposits backs this up.

Encouraging landlords to become accredited to gain a discount on the Licence cost I think is an excellent proposal to address this. Up until now there has been no incentive for a Landlord to become accredited to the Borough scheme and I find it surprising that the report (pg46) seems to imply the Council has been surprised by this. Why would people invest time for no tangible return? This partly springs from the them & us relationship that has slowly evolved over time when the council withdrew from participating in LBB&D NRLA meetings and dealings where limited for the majority of Landlords to inspections or paying money over. Hopefully going forward the Council will send a representative at least twice a year to meet with us.

The reference to a Green Loans scheme is welcome. The Borough should however be very aware that a significant amount of landlords are under financial strain due to increases in mortgage costs and to take on significant renovations will push them into a loss for the financial year. My own interest costs are increasing by over £25k this year as an example. I would expect it highly unlikely for there to be any great enthusiasm for this scheme as in my experience tenants never ask to see an EPC, which would indicate energy efficiency is not the greatest concern when choosing a property. The breakeven point on investment is hard to demonstrate on a business case, over improvements to a kitchen / new carpet and paint which tenants do want.

### **Enforcement and case studies**

Good outcomes for tenants where the council have enforced the law are being used as a justification for the scheme. The report itself on pg13 highlights that;

*“80% of the complaints we receive from tenants about illegal eviction are in unlicensed properties. Tenants of unlicensed properties have not been afforded the same level of protection as the tenants of landlords who have complied with the requirement to licence their properties. Had a licence been applied for, it would have set out conditions to ensure there is adequate management of the property.”*

I disagree that with the assumption these landlords would have acted differently and applied for a licence unless they were caught. The Borough has had a scheme for 10 years now and it is well known about. Landlords operating outside the scheme are doing so for a reason. This maybe they don't care, but is more likely that they want to operate “under the radar”. Case study 1 is a perfect example. Having read it, my 20 years' experience in the sector immediately raised questions.

- Why would a landlord operate without a tenancy agreement giving him the right to enforce using the law? Why would a landlord not want any written record of the rent amount, when it is due and a record of it being paid? The only reason is illegal motives probably not wanting to declare the income for tax.

- Why would a tenant accept a rental deal where nothing is written down? Why are they paying cash? Is their income being taxed? Are they working in the grey economy? No reputable Landlord takes cash and a reputable Tenant being paid in official ways knows this.
- Why did one tenant disappear so quickly when it was clear the authorities were on his side? If you have nothing to hide and all is above board why not take protection from the law? He had the upper hand in the situation as demonstrated by the tenant who stayed and received a tenancy agreement. Did he not want the authorities learning about his arrangements?

I suspect that the majority of these cases for some reason it suited both parties to operate outside of the law at least initially. The PRS therefore makes no difference to people with these motives.

### **Does the data justify a scheme?**

There has been a PRS licencing scheme in LBBB for 10 years now, yet in a 53 page report there is not one statistic that shows any of the reasons for renewing the scheme getting better over that time. Why is that? The question therefore must be asked what have the schemes achieved? Has the current scheme been measured against its stated aims? What was the outcome of that analysis? What has been learnt before starting the next one?

Pg14 details enforcement activities under the scheme so far;

- 17,901 licences issued with 509 notices relating to standards. **Is 2.8% of housing stock sufficient for PRPL scheme?**
- 64 criminal landlords, action paid for by the 99+% that operate legally. **Should legal landlords pay for the illegal ones?**

After reading the document in detail I struggle to see any compelling link between the issues the Borough raises and how licencing landlords will solve the problems. The lack of any data showing improvement over the last 10 years supports this. This leads me to wonder why the scheme exists? A recent communication sent from LBBB stated its real income had dropped by 40%. The conclusion I come to is the Borough has a legal obligation to fulfil its housing enforcement duties and it needs to fund them. The PRPL scheme is simply the way it pays for it. Perhaps LBBB just needs to be honest and admit this rather than the charade of a licensing scheme which illegal landlords don't take any notice of, and legal landlords have to pay for and don't benefit from.

### **Next steps**

While I expect little change in the final proposal submitted to the Secretary of State, I hope it will be distributed to the Landlord body as part of on going relationship building. As a landlord with multiple properties in the Borough I would be happy to discuss my views in person with the council the project team would feel this is beneficial.

## Contents

- 1) Forward
- 2) Summary
  - a. Current Proposal
  - b. Outlined Alternative Proposal
- 3) Overall Response to Proposal
  - Lack of Reference to the Success or otherwise of the existing scheme
  - Benefits of Licensing scheme to residents, tenants and landlords (Page 12)
  - The Case for more Property Licensing in Barking & Dagenham (Page 16)
  - Poor Property Conditions (Page 19)
  - How Will licensing help to improve factors contributing to deprivation in impacted neighbourhoods? (Page 26)
  - Anti-Social Behaviour (Page 29)
  - Assessing the Potential Risks of the New Scheme (Page 45)
  - What Are the Alternatives (Page 46)
- 4) Alternative Selective Licensing Scheme - Outline of Approach
  - Objective
  - Current Approach
  - Proposed Approach
  - Discounts
  - Outsource recommendation
  - Overall
  - Benefits of Alternative Scheme
  - Downside of Alternative Scheme
  - Suggested KPI's

## APPENDIX 1 – Documents referred to

[Barking and Dagenham Property Licensing Consultation 2024 | One Borough Voice \(lbbd.gov.uk\)](#)

[Housing Ombudsmen Report on LBBB 2022/23](#)

[Copy of Letter to LBBB Chief Exec from Rt. Hon. Micheal Gove MP](#)

[U.K. landlords are being forced to sell their properties despite surging rents | Fortune Europe](#)

[Awaab Ishak: Toddler's death from mould triggers review of landlord guidance | UK News | Sky News](#)





## **Forward:**

As a Landlord I saw that LBBB were looking to extend their licensing scheme and I have to say my heart sank. Although I do condone a licensing scheme as a way of assisting Councils, Landlords and Tenants the approach that LBBB are taking is flawed.

My properties are in Kent but I help other Landlords ensure they meet their obligations and maintain good practice and that is how I came to know of the existing scheme, I assisted a Landlord in great distress to get her licence. The main reason I had to step in was because she doesn't have email and English is not her first language. LBBB pretend to send letters to people but in reality they don't and just email copies, they hide behind data protection laws so that Landlords can't ask others to assist which makes it even more frustrating. These issues do not seem to have been considered in the new proposal so the assumption is exactly the same approach is intended.

I have always held the belief that if I keep my tenants happy then they won't give me any concerns, an approach which has worked well for me for the last 12 years. The experience with LBBB taught me to avoid LBBB and any area with licencing when making additional investments. I've recommended to the Landlord I helped that should the tenant leave she should sell up, if banning Section 21 was to look like being introduced then of course she would have to evict the family prior to that coming in to force.

## **Notes:**

- a) The Page numbers indicated in the Contents and section headings refer to the published "Property Licensing Consultation: Evidence Report February 2024" document.
- b) In the Appendix above I list various documents referred to. The first link being the LBBB Consultation page which has the documents I reviewed in forming this feedback.



## Summary:

On the current proposal;

- It is acknowledged that a Licensing Scheme could be helpful for Tenants, Landlords and the Council. But the proposal by LBBB is only beneficial to LBBB and in the main detrimental to Landlords and Tenants.
- The proposed scheme increases rents. The proposal implies Landlords will not pass on the costs to tenants which then adds doubt as to the credibility of who came up with the scheme.
- The scheme reduces further the yield a landlord makes so encourages them to sell. If they do sell it is unlikely they will go to neighbouring boroughs, as the proposal ridiculously implies. They will either leave permanently or reinvest where the best return is – no where near London. The result, lack of rental properties in LBBB and thus higher rents.
- The proposal has not assessed the impact of the existing scheme. It gives data on the increase of renting over 10 years where as it is more relevant the impact since licensing was introduced – especially since one of the objectives is to improve affordable housing.
- There is no data to support that the existing scheme was successful, just comments that it was but no relevant facts. There are no references to the problems of the existing system which therefore undermines this as an unbiased proposal.
- The benefits of the scheme are not justified by the high cost with no consideration as to how to keep the costs as low as possible.
- LBBB can not properly manage their own properties, which are excluded from this licensing. So why is it thought they should be the ones dictating to private landlords how to manage their properties. Perhaps they should spend a couple of years sorting out their properties to understand fully what will help landlords and therefore what will help tenants.
- There is no support for Landlords with the current scheme, so what differences are proposed with the new scheme?
- With the existing scheme LBBB were renowned for lack of response and mismanagement particularly to Landlords which adds further cost for Landlords. Even in the consultancy a response time of 5 days was specified but six weeks later still no response to questions, implying nothing has changed.
- Aligning with the NRLA by marketing their membership and training courses introduces a conflict of interest. LBBB should be independent.
- Whatever scheme is introduced there should be KPI's defined to be able to measure the success or otherwise of the scheme. So that any future proposal will be easier to justify.

The outlined Alternative Proposal, detailed later;

- Acknowledges that LBBB have identified that problem properties are mainly those that are not licenced. So give a reduction to properties with existing licences rather than marketing NRLA courses.
- The current scheme is severely under staffed. The proposed one would require less man power and achieve just as much benefits, if not more.
- Whatever scheme is introduced there should be KPI's defined to be able to measure the success or otherwise of the scheme. So that any future proposal will be easier to justify.



## Overall Response to the Documents

Having read through the whole document there were some areas where I was particularly insulted as a Landlord, which has extended the time I have spent on this since I have tried to be pragmatic and calm down, apologies if I should have waited longer but I realise time is running out for this document to be considered. I would like to specifically point out these extracts.

*"we will make it clear that tenants should not be blamed for damp and mould."* So this is all about blaming Landlords then?

In reference to the problem of Damp (page 19) and thus mould. *"The tragic death of two-year old Awaab Iwshak, who died in 2020 due to prolonged exposure to mould in his home"* this implies that this tragic incident was the result of a private landlord, where in fact it was Social Housing which is not covered by the proposal. Plus of course on the 23 Sept 2023 LBBB were written to by Rt. Hon. Michael Gove MP for failure to address reports of damp and mould by a family for two years. Why not refer to the more recent LBBB example of how not to deal with an issue?

*"The private rented sector (PRS) in Barking & Dagenham has rapidly grown by over a third since 2011"* surely that's due to the lack of Social Housing? The Council seeks private landlords to help them out? If you want to reverse that then build more Social Housing. I think of more interest would be what has happened over the last 3 years – Landlords leaving in droves.

### Lack of Reference to the Success or otherwise of the existing scheme

I was surprised when reading the document that there is no data indicating how effective the previous licencing schemes have been. Indeed in several sections it indicates that data shows huge problems with standards but in other sections it comments how successful the schemes are. Surely you can't have it both ways? Has the scheme shown improvement or hasn't it and where is the data to support the conclusion?

The use of data does also seem to be selective, for example indicating that the Private Rented Sector in Barking & Dagenham has grown by a third since 2011. My expectation is that the sector will have reduced as a result of implementing this licencing scheme so why not present that information? I do find it interesting that although Private Rentals has increased since 2011, Social housing has decreased which would actually indicate there has not been an overall increase in rentals as Private Landlords are replacing the Council in providing housing, presumably as Social Housing was sold to tenants and not replaced.

It is also perhaps worth pointing out that if this scheme were to apply to Social Housing the additional cost to LBBB would be around £22.2m, so instead of improving their own housing it looks like the Council prefers to blame private landlords. With LBBB's recent track record of being a landlord it does seem ironic that they portray themselves as an organisation that Private Landlords should look to as a good example of being a landlord when in fact it appears they have no interest in the welfare of their own tenants.

A section missing from the proposal is the problems with the existing system so that assurance can be given that lessons were learnt and thus improvements either made or planned. But presumably there are no planned changes to improve the system? With my own experience I can certainly help write that section and in my research I was reassured that I am not alone in my experience, with some Landlords realising they can complain to the Housing Ombudsman who agreed that LBBB were wrong.

## **Benefits of Licensing scheme to residents, tenants and landlords (Page 12)**

Reading through the benefits I do not see anything that makes me think something will be improved by having a licensing scheme. Most of the points will not be impacted at all and those remaining basically mean the Council has a bigger stick to hit landlords with, where as current legislation is more than enough. Normally when one indicates benefits of a scheme consideration is given to the downside or cons. Should we presume there are no downsides to the scheme?

Later in the document you indicate that *"Inspections enable us to check every gas safety certificate, electrical installation condition report and energy performance certificate for each privately rented property."* That statement is of course wrong. There is no need to visit to check those documents, far more efficient to use email and of course Energy Performance Certificates are available online for everyone to see. Which does make it seem that this is a scheme to generate work for the sake of it with the added benefit of being able to harass and stress landlords and tenants.

## **The Case for more Property Licensing in Barking & Dagenham (Page 16)**

In this section it is stated *"Our property licensing schemes have had a tremendous impact on improving the quality and health of many residents lives."* and later there is a statement that to maintain progress it is crucial to continue with the licensing. If you need an additional quote how about *"Our property licensing schemes have had a tremendous impact on driving away landlords and increasing rents in the borough."*

Surely this would be the perfect section to indicate what difference licencing has made for example based on the number of private rented properties in the area, how many are now licenced and how many remain. If you have licenced 90% and it appears the problems are with non-licenced properties it would seem it is a huge cost for little extra benefit? I would expect targets to be set to increase the % licenced with projections provided to indicate what the benefits are and rather than sending out marketing bulletins to landlords who are licenced be more pro-active in informing people that licencing is needed. The first I became aware of it was when the Council sent a threatening letter to the property. A flyer in the Council Tax would be the obvious way to make sure at least the tenants are informed and encourage them to engage with their landlord.

## **Poor Property Conditions (Page 19)**

There is a long section on various factors that are being improved by licencing. Again surely data must be available on how the previous licencing schemes have improved these items. I am a bit dubious over things like ASB, Deprivation and Child Poverty as I would expect these issues to be more prevalent in Social Housing, although perhaps an explanation is that due to not enough Social Housing being available private landlords are being looked to to house these people and now you want to threaten landlords if they have taken on such tenants. In Public of course you will also have a go at landlords for not housing such people.

One comment I want to specifically respond on is – *"we will make it clear that tenants should not be blamed for damp and mould."* (page 23 last para) – It certainly sets the tone for what this licensing is about, a blame culture against landlords for everything. My experience of black mould in my properties is I have had it reported to me by tenants twice. On both occasions I immediately sought expert advice and on both occasions the problem was tenants leaving clothes to dry in the house without ventilation. So the solution was educating the tenants which then resolved the problem. I certainly wouldn't leave it two and a half years like LBBB have a history of.

## **How Will licensing help to improve factors contributing to deprivation in impacted neighbourhoods? (Page 26)**

You mention in this section that inspections will have a tremendous impact on uncovering tenant welfare issues such as addiction, depression, alcoholism, mental health issues, unemployment and modern slavery. So what impact have the previous schemes had on this area? As a landlord I would deem it invasive of me to analyse tenants to assess such problems and I am wondering if with the current over defensive approach to personal privacy it raises concerns. Should I as a landlord be warning tenants that the Council will be assessing their mental state as part of the visit, plus of course how is it justified that Landlords should be subsidising the Councils social services – far better the Council attempts to engage with Landlords to help such people rather than send out constant threats to Landlords.

Later it is commented that unaffordable housing has a detrimental impact on health, which I fully agree with. But then that is a downside of the licencing scheme since it increases rents. Both directly in terms of the cost of it and indirectly where Landlords are fed up of being victimised and go where they are appreciated. Leaving fewer landlords in the Borough and thus allowing rents to be raised.

## **Anti-Social Behaviour (Page 29)**

I wondered if the data could be cross compared with Social Housing areas. I do find it odd that Private Landlords are singled out. Be assured ASB is of concern to Landlords especially with the threats to remove the use of Section 21's as then we have very limited powers to do anything, a big part of why many landlords are selling up. That possibility and LBBB's licencing makes it a huge risk for a landlord to own property in the borough. I would hope for support from the Council in such situations, with advice, but I get the impression I will just be issued with a letter threatening removal of my licence unless I sort it out which then means I have to pay the anti-social tenant £30k to leave. Feel free to correct my thinking.

## **Assessing the Potential Risks of the New Scheme (Page 43)**

### **Some may argue that it penalises good landlords**

So your conclusion is yes it does? This we agree on.

### **Landlords may sell, leave the market, or move to other areas**

You seem to think that if a landlord were to sell up they would do that in order to repurchase in a different London Borough. Be assured if a Landlord sells up he/she is unlikely to reinvest in a new property rental and if they did they would look at where the best yields are. London does not figure anymore, the cost of licencing reduces the yield plus the stress and hassle factor gives a red flag. From my experience I would definitely not reinvest anywhere with licencing. Perhaps assess how many licences in the first scheme were renewed to give an indication of that and of course read the press where headlines such as "London in rent crisis as thousands of landlords tried to sell last year" are not uncommon.

### **Landlords may pass on the costs to tenants**

You end that paragraph with the comment "With all the other influencing factors, the cost of the licence spread over the period of 5 years is not likely to be a determining factor in the rent level."

Which has left me flabbergasted. Of course the costs gets passed to the tenant, I wonder if tenants realise that £50 per month of their rent is to pay for this scheme due to the extra costs and risks it puts on landlords. How much do you think your scheme costs a landlord? It is a lot more than your fee and since you state *"not likely to be a determining factor"* you clearly haven't bothered to find out.

LBBB are a landlord so if the cost is that insignificant perhaps LBBB will volunteer to include their properties in the scheme, it would only cost £22m for the fees plus of course then there is the admin overhead. It would certainly raise the standards of living accommodation for residents which is apparently the purpose of it.

### **What Are the Alternatives (Page 46)**

I wanted to comment on one of the alternatives you have considered – A reduced selective property licensing scheme without further government approval – where you mention that you could apply a licencing scheme to upto 20% of the Borough but your reason for not considering this was *"could be unfair and unjust to the landlord community as a whole."* Thanks for making me laugh at least. The whole scheme is unfair and unjust so the fact you are proceeding with it means that does not matter to you. You really think if my property was in a Ward where the scheme was introduced but other wards didn't have it I would be annoyed because my fellow landlords were not being charged. No I would be annoyed that I was unlucky to be in that Ward. I think this just goes to show that you haven't realised that a vast majority of landlords are real people with families and who care about their fellow man and their community. We are not about ripping people off to get lots of money or in a competition with other Landlords.

This leads me on to another alternative which I explain in the next section.

DRY

## Alternative Selective Licensing Scheme

I have considered the document provided, mainly in terms of the objectives of the scheme and I do see that, on balance, licensing has advantages. It is a shame LBBB doesn't leverage them but perhaps they realise benefits that they do not disclose. Saying that, as with anything, along with advantages there are also disadvantages which for whatever reason LBBB ignore or perhaps even worse have not considered. Perhaps because they perceive the disadvantages to only impact landlords but in reality landlords pass on any cost to tenants. It is tenants that ultimately end up paying for any scheme or in the case of tenants on benefits it is the government, presumably.

So the proposal I want to make is something that would be at a significantly lower cost than has been presented, yet provide improved benefits for all stakeholders. I have only looked at the Selective Licensing aspect, as HMO is not something I am that familiar with and I don't want to waste too much time on a proposal which will be ignored anyway but I would expect the proposal for Selective Licensing could easily be adapted to lower costs in the HMO area to.

### Outline of Approach

#### Objectives:

- Tenants need to have a safe living environment at a reasonable price.
- Helps Landlords meet their obligations and encourages them to invest in the borough.
- Provides data to LBBB to assist them with their overall housing strategy and enforcement approach to focus their resources to deliver the best value.

#### Current Proposed Approach:

The current scheme involves the filling out of a 12 page document which is then submitted to LBBB and a visit arranged to apparently assess the suitability of the property to be licenced. The questions asked, the response times and all communication is very random. There is no escalation process when things don't go right so in reality a licence can take several years to obtain for no apparent reason other than increasing the landlords costs as each year LBBB add an additional fee.

#### Alternative Approach:

##### Cost Savings Against Proposal:

The current proposal does not give data on the overall cost of the schemes and the breakdown of that budget. So it makes it difficult to compare with an alternative which has the objective of lowering the cost. So I have had to make some assumptions based on previous experience of going through the licencing process. I am confident that this alternative proposal would significantly lower the cost by at least 25% and I would expect nearer to 50% - so much so that I have given my time for free to write this document!

##### General Approach:

The licencing process should be reviewed and streamlined. If all the data in the existing form is really verified it is very inefficient, it may be out of date in a month anyway so the form should be revised to record what is relevant. The tenant should be contacted to verify the data – with a process for if the tenant does not respond.

Based on that information it should be decided if a visit will add additional value – for example no response from the tenant, gaps in the data, first licence this landlord has applied for. It is presumed

that a site visit is very expensive compared to office work so focusing on properties of concern lowers the cost substantially, plus for "good" landlords it limits the cost and stress of the process.

Data will be retained to indicate which properties have been visited so that later analysis can be done as to which properties later had issues and that information used to improve the assessment process, if needed.

**Ongoing Data Relevance:**

The current scheme does not track ongoing compliance. So after 5 years or even 1 year much of the data is out of date. Presumably this means its usefulness to the Council reduces overtime. It is suggested that as part of the scheme the landlord is obligated to update the data and a portal provided to do this. For Gas Certificates, Electric Certificates and EPC – automated alerts will help remind Landlords to obtain them and upload them and then when uploading the annual Gas Certificate they can check the other data is still correct. If certificates are not received this would be flagged to LBBB and may trigger a visit. Potentially an annual reminder for the landlord to check the data held would also ensure it is kept updated. But please don't send a reminder threatening enormous fines – at least for the first one – there really is no need and the mental anguish it causes will only put further strains on Councils Social Services in the future.

**Discounts:**

Possibly it is prudent for all newly licensed properties to be visited, personally I think other factors should also be considered but I would hope that LBBB now have the data from the existing scheme to know if a large % of new applications benefited from a visit. But certainly the need to revisit all existing licensed properties should be reviewed and that aspect should be considered for a fee reduction. It would help encourage Landlords to be licenced if it was a significant discount as then it doesn't add costs that are added to the rent on an ongoing basis – it becomes more a one-off expense.

**Out Source the Scheme**

It is realised that with the Council providing the current scheme it will get very expensive for them to stop it, the associated redundancy costs and IT Infrastructure to decommission. So consider out sourcing, ideally the whole scheme but if not at least the IT aspect as that lowers the risk as well as the overall cost since suppliers can leverage providing services to other Councils. Contracts could be issued for the term of the licence and thus if a replacement is not agreed the Council has lowered the risk. It also makes budgeting far easier and the ability to lower costs by issuing a tender.

**Overall:**

As a landlord I would very much welcome more of a partnership approach with Councils. Most Landlords do care about our tenants and we often hear of problems families have but feel helpless in helping them. It is in our interests to support our tenants as as you know it is very costly for us if tenants can't pay their rent and far better if we can find them accommodation they can afford. Contacts to direct people to for help are useful. With the LBBB current Licensing process I have been left thinking to definitely not contact them about anything, I get the impression the LBBB response will be to encourage the tenant to sue the landlord for something. There seems to be a culture of harass and threaten Landlords whenever possible. It would be really lovely if that could change and instead we work together to improve housing in the Borough.



#### Benefits of this new proposed Scheme:

- It should result in a lower cost, which will ultimately help to lower housing costs for tenants.
- Working smarter by lowering visits allows the Council to focus their resources better.
- Ongoing tracking ensures data is updated and is relevant when it is needed.
- Reminding Landlords, rather than threatening them, sells the scheme better to Landlords which may help stop the selling up. Which again would reduce rental costs.
- An outsourced IT Solution should be much more cost effective and flexible for budgeting.
- Working with an outsourcer on IT should allow for far better data output. Allowing analysis to be done to focus resources. If the outsourcer is rewarded for numbers of licenced properties they may even assist the Council in finding unlicenced properties.
- If LBBD retain the rights to any developed system they may benefit from licencing the system to other Councils

#### Downside of this new proposed Scheme:

- Without visiting all properties there is a chance that properties neglected may not get identified.
  - To reduce the risk more communication with tenants to encourage them to contact landlords and then if no response to then contact the Council
- Tenants with welfare issues are less likely to be identified.
  - Working with landlords would be far more efficient than visiting every property. It is in a Landlords interest to ensure our tenants are well.
- It may result in fewer Council staff needed for any new scheme.
  - Already the Council seem understaffed and a transfer could be done over time with natural churn.

#### Licensing Scheme KPI's:

KPI = Key Performance Indicators

One concern of the current proposal is the lack of reference or comparison to the current scheme. It seems to be assumed that the scheme was a great success even though when you read the detail you wonder if the scheme made any difference at all other than harassing landlords and increasing rents for tenants.

To address this there should be clear KPI's defined before the scheme starts specifying the current landscape and what is expected to be achieved in each of the next five years. So that when the next renewal is considered it can be seen what worked well, what didn't and the areas where more thought is needed.

Example KPI's could be along the lines of;

1. Number of days from application to a) Response b) Issue of licence.
2. Number of properties licenced – split by property size / number of bedrooms
3. Number of visits made and outcomes
4. Definitions of what is a serious breach and what isn't
5. Average rents in the region – to compare to other London Boroughs and the rest of the UK
6. Number of staff employed by LBBD directly in relation to the scheme
7. Budget against actual for the scheme (surely this is available with the current scheme and is relevant to any new scheme. – or is a freedom of information request needed?)

#### Response 3 (26/04/2024)

Proposed Additional and Selective Licensing Scheme in the London Borough of Barking & Dagenham

Safeagent Consultation Response

26 April 2024

An Introduction to safeagent

Safeagent is a not for profit accrediting organisation for lettings and management

agents in the private rented sector. Safeagent (formerly NALS) provides an overarching quality mark, easily recognised by consumers, with minimum entry requirements for agents. Safeagent operates a government approved client money protection scheme and is a training provider recognised by the Scottish and Welsh governments for agents meeting regulatory requirements in those devolved nations.

Safeagent agents are required to:

- deliver defined standards of customer service
- operate within strict client accounting standards
- maintain a separate client bank account
- be included under a Client Money Protection Scheme

Agents must provide evidence that they continue to meet safeagent criteria on an annual basis to retain their accreditation. The scheme operates UK wide and has 1,700 firms with over 3,000 offices, including agents within the London Borough of Barking & Dagenham.

We very much welcome the opportunity to contribute to this consultation exercise.

Overview

We understand the council introduced a borough wide selective licensing scheme which extended licensing to almost all private rented properties and the scheme ends on 31 August 2024. Over the last five years, we understand there has been no additional licensing scheme.

We understand Barking & Dagenham Council is seeking to roll out new additional and selective licensing schemes. Firstly, a borough wide additional licensing scheme. Secondly, a borough wide selective licensing scheme comprising three separate designations. In preparing this consultation response, we have carefully considered the information published on the council's website.

As an overarching point, we would encourage the council to reflect on proposals in the Renters Reform Bill to implement a national Property Portal. Under the proposals, all private landlords in Barking & Dagenham will be required to register on the portal and upload relevant gas, electrical and other safety certification.

Enforcement of the property portal is likely to be delegated to the council. With this enhanced information on the private rented sector and the opportunity to scrutinise safety certification on every property, we would ask the council to consider whether a smaller more targeted selective licensing scheme would make better use of limited resources.

Current licensing scheme

Within the licensing evidence base, we could find limited information about the benefits achieved by operating additional and selective licensing schemes over the last decade.

The report says over 8,000 inspections have been completed and 509 notices served requiring improvements to be carried out. It is unclear whether all notices were complied with and what impact these thousands of inspections have had on driving up housing standards across the borough.

We would welcome a more comprehensive evaluation of the previous licensing schemes and a clear explanation of what would be done differently to drive up housing standards if licensing schemes are renewed for another five years.

Evidence base

The council's concern about accidental or inexperienced landlords letting and managing their own properties without full knowledge of the rules and regulations is understandable. We would encourage the council to consider how to encourage landlords to use safeagent accredited firms to drive up the quality and management of properties in the private rented sector. One way to do this is to offer more generous accreditation fee discounts to landlords who outsource letting and management of their property to an accredited agent. This encourages unregulated

agents to up their game and seek accreditation through an organisation like safeagent, which in turn benefits all their landlords and tenants.

We are pleased to see the council is carrying out around 160 licence inspections a month, although we would question the ability to upscale this inspection programme to include many thousands of properties that will be received when a new licensing scheme is launched.

We are pleased the council recognise the importance of tenancy sustainment and have employed a tenancy sustainment officer. We would question the decision to add a licence condition which requires the landlord to start eviction proceedings if any ASB continues 14 days after a warning has been given, regardless of the circumstances. We think that approach is too blunt a tool to resolve what could be low level ASB where removing the tenant's home is not an appropriate solution. We would suggest a more collaborative approach between the council, landlord, agent and tenant to explore issues and seek solutions.

We would question the mechanism used to assess poor property conditions in the evidence base. It seems the council have consolidated all category 1 and category 2 hazards as being indicative of poor condition. We think that is the wrong approach. A key driver should be category 1 hazards, these being more serious hazards where the council has a duty to act. Category 2 hazards cover a much wider spectrum. Effectively, all hazards that are not category 1 must be category 2, as there is no category 3. It extends from higher level Band D hazards (close to the category 1 threshold) down to very low level B and J hazards where there is an insignificant risk of harm. Including low level category 2 hazards that require no intervention will artificially inflate the data.

Regarding tenancy deposits, it seems an assumption has been made that properties with no registered deposits in the national approved schemes are noncompliant. We think this assumption misinterprets the data. Firstly, not all landlords take tenancy deposits. Secondly, some landlords or agents utilise alternative insurance backed deposit replacement schemes where no deposit is paid, so there is no deposit to protect. We anticipate failure to protect deposits is more prevalent in properties being operated illegally without a licence.

The report indicates there could be 323 smaller shared houses that would fall within an additional licensing scheme. We could find no analysis of these 323 properties to show why the council think the criteria for implementing an additional licensing scheme has been met. When analysing the data, it is necessary to discount larger HMOs that are already licensable under the mandatory HMO licensing regime. One of the downsides of additional licensing, alongside selective licensing, is that it reduces flexibility in the market. For example, a two bedroom flat with a selective licence can alternate between a single household, two sharers or a couple and an unrelated friend. If additional licensing is introduced, letting the property to a couple and an unrelated friend, or permitting a new partner to move into a flat occupied by two single sharers would require an additional licence application and higher fee payment. The current approach of requiring a selective licence for all such lettings is simpler, cheaper and easier to administer.

In summary, we would encourage the council to reconsider whether it is necessary to run an additional licensing scheme alongside selective licensing and focus any selective licensing scheme on the area of greatest concern to enable limited resources to be targeted to achieve more meaningful results.

Section 257 HMOs (certain converted blocks of flats)

The consultation proposal indicates the council wish to include section 257 HMOs within the proposed additional licensing scheme.

We have concerns about including all such properties within the additional licensing scheme due to the difficulty experienced by letting agents in knowing when a

property was converted and whether the conversion satisfies the relevant building standards. It is not something that is reasonable for a letting agent to assess. In situations where there is a freeholder and separate long leaseholders, the situation is further complicated by the need to determine whether less than two thirds of the flats are owner-occupied. Only the freeholder may possess this information and the tenure of each flat may vary over time.

This would make it extremely difficult for a safeagent letting agent to assess whether a licence is required, despite their best endeavours. For example, it may be that the building did not require a licence when a flat was rented out, but subsequently requires licensing because another leaseholder in the building has rented out their flat. As such, a letting agent could find themselves committing an offence of managing a flat in a licensable building without a licence, simply because another flat had been rented out without their knowledge.

Bringing section 257 HMOs within the additional licensing scheme could also be problematic for long-leasehold owner-occupiers who find their flat is within a licensable building. The licensing fee may push up their service charge and could cause difficulties with their mortgage lender. As the licence would need to be disclosed to a prospective purchaser, some mortgage lenders may be reluctant to lend on a residential mortgage for a flat within a licensed HMO, thus adversely impacting the property's value.

It is also the case that the 2015 general approval to introduce an additional licensing scheme only applies if the council has consulted persons likely to be affected by the scheme designation. Without actively consulting long leaseholder owner occupiers and explaining the implications of licensing section 257 HMOs, the conditions in the general approval would not be met and the additional licensing scheme could not be introduced without Secretary of State approval.

Whilst we are opposed to the idea of including all section 257 HMOs within the additional licensing scheme, we recognise that there are circumstances where a particular type of section 257 HMO may be worthy of more intensive regulation. For example, where a landlord has converted a property into cramped and poorly designed studio flats entirely for private rental without any planning or building regulation approval.

In such circumstances, the additional licensing scheme could be restricted to section 257 HMOs where the whole building and all the individual flats within it are in single ownership or considered to be effectively under the same control. In response to our feedback, several councils have adopted this approach.

Other councils such as Westminster City Council, Newham Council and the Royal Borough of Kensington and Chelsea have listened to our feedback and excluded all section 257 HMOs from their additional licensing schemes.

We would encourage Barking & Dagenham Council to give this further thought and either narrow the section 257 HMO licensing criteria or remove them entirely from the scheme.

#### Licensing fees

We recognise the council need to charge a reasonable fee to cover the cost of administering and enforcing the licensing scheme. It is important that the council implement an efficient and streamlined licence application processing system. This will help to minimise costs and keep fees at a reasonable level, thereby minimising upward pressure on the rent that is charged to tenants.

We understand the council is proposing to charge a selective licence application fee of £950 per property. This would be the highest selective licensing fee in London and significantly above the London average selective licensing fee which is currently £750 (Source: London Property Licensing, 2024).

We are unsure why it is more expensive to operate a selective licensing scheme in Barking & Dagenham than in any other borough. No financial modelling has been

provided. The schedule of fees shows 68% of the licence fee is for processing the licence application and only 32% for operating the scheme and enforcing against landlords who fail to apply. We would encourage the council to review their financial modelling as it should not cost £650 to process one selective licence application using a modern integrated online application system.

We also note the council is offering no discount for licence renewals. As regulations impose a streamlined licence application process for licence renewals, we question the justification for retaining the same cost for licence renewals.

We understand the council is proposing to charge an additional licence application fee of either £1,300 or £1,400 per property which we acknowledge, whilst expensive, is much closer to the London average. Whereas the draft schedule of fees says £1,400, the FAQ document says £1,300. Given this discrepancy, we would encourage the council to adopt the lower figure.

We note the council is proposing a £200 discount following a 'satisfactory 'rating' following an audit inspection. We could find no reference to the assessment criteria in this regard. For example, is it referring to category 1 hazards where the council has a duty to act? The criteria should be published, and consulted upon, to enable landlords and agents to prepare for the assessment and to ensure a fair and equitable approach is adopted by all officers undertaking these assessments.

Whilst we welcome the £50 accreditation discount for safeagent accredited firms if the property has a satisfactory rating, we would request this applies regardless of where it is the licence holder or designated property manager that is a safeagent accredited firm.

We think the schedule of fees is unduly complicated. If the council is unable to recruit sufficient staff to undertake inspections in a timely manner, it will cause a bottleneck in the system as the second fee instalment cannot be calculated until an inspection has been undertaken. In other areas, we have seen licence approvals delayed for a year or two where councils have underestimated the licensing workload.

#### Licence Conditions

We have studied the proposed list of standard licence conditions in Appendix 2, 3, 4 and 5.

We have made some suggestions to help improve and fine tune the wording of the conditions. This in turn should help landlords and agents to understand and comply with the requirements.

#### Appendix 2, 3 & 4 - Selective licence conditions

##### Condition 1:

We have serious reservations about the drafting of the 'Permitted Occupancy' condition. Within a single family property, the landlord or letting agent has no control over which rooms are used for sleeping by different members of the family. Some councils apply an overarching occupancy limit of one household or two unrelated sharers whereas others impose no such occupancy limit. Whilst in theory the council could impose a numerical occupancy limit for the property, individual room limits would not be appropriate in this scenario. Further the table of acceptable room sizes is not representative of any legal room size standard. It would be inappropriate, and unreasonable, to prevent an adult (age undefined) from sleeping in a bedroom less than 8.4m<sup>2</sup>.

##### Condition 2.2:

We think the council are overreaching by seeking to define in very prescriptive terms what constitutes a reference. In doing so, this goes far beyond the prescribed condition in Schedule 4 of the Housing Act 2004. For example, insisting the landlord must commission a professional credit check for someone reliant on housing benefit or Universal Credit, and insisting the reference covers their ability to pay the rent, whereas the landlord or agent has no control over what information is provided. We

see significant unintended equality and exclusion implications and would ask that this is considered under the equalities impact assessment.

Condition 2.4:

Similar to condition 2.2, we see significant unintended equality and exclusion implications from this condition. We would invite the council to consider what proof is required. For example, would the council expect a letting agent to demand birth certificates from every child to prove they are related to their parents, what proof would be required for adopted or fostered children, what proof that siblings or cousins are related and what proof for asylum seekers given right to remain who retain no documentation from birth? Whilst clearly the landlord and agent must decide the tenants are appropriate for the type of licence, this condition effectively prevents new tenancies being entered into unless documentary evidence is produced for every occupant. We consider this to be unworkable in practice.

Condition 2.5:

The requirement is to provide TDPS prescribed information within 30 days, and not at the time the deposit is taken.

Condition 2.6(h) (designation 1 and 3 only):

We are concerned this clause requires the licence holder to issue the tenant with a section 8 notice even if they have full knowledge the evidence is insufficient for the court to award possession. We think the service of a section 8 notice should be an option of last resort and not the default option after 14 days. We would encourage the council to review the wording and focus more on tenancy sustainment rather than eviction which will invariably lead to homelessness and a duty on the council to provide temporary accommodation for families with young children.

Condition 3.1 & 3.2:

The wording appears to confuse a request for service (repair request) with a complaint that something was not done in response to a service request. This leaves it unclear whether condition 3.2 is referring to repair requests or complaints.

Condition 3.3:

It is unreasonable to demand that landlords and agents collect public liability insurance certificates for every contractor who visits the property to undertake work. For example, would this demand apply to a Gas Safe Registered contractor servicing the boiler, or an NICEIC registered contractor undertaking an EICR? We think this goes beyond what the legislation intended, is impractical and unnecessary.

Condition 3.10:

We think the reference to 'regular checks' is unhelpful as it is open to interpretation what that means. For single family properties, it is common practice to undertake a six monthly inspection which balances the need to monitor the condition and occupancy of the property with the tenant's right to quiet enjoyment. We would suggest that timescale is inserted in the condition. This would also ensure consistency as condition 3.18 refers to six-monthly inspections.

Conditions 3.11 / 3.12:

This would be the tenant's responsibility during the tenancy. If it transpires the tenant is breaching the terms of their tenancy and not disposing of waste correctly, it would be reasonable to write to them along the lines set out in condition 3.14.

Conditions 3.15:

Depending on the nature of the pest problem and any contributory factors, this may be the tenant's responsibility. We note the council's tenancy conditions say council tenants are responsible for taking reasonable steps to keep the property free from rats, mice, insects and other pests. We think the same approach should apply in

the private rented sector.

Condition 3.19:

It is unclear what verification checks are intended under this condition and how this would be done in practice. For example, if the children are at school and one parent is at work, can the letting agent trust the word of the other parent saying the family still live there, or must they all be seen and spoken to in person? We would also question whether it is appropriate for a landlord or agent to directly question children on such matters.

Condition 6.3(a):

In a single family property, a landlord or agent would have no knowledge of which family member sleeps in which room, and this could be subject to change. They could only confirm the names and numbers of individuals the property is rented to.

Appendix 5 - Additional licence conditions

Condition 1:

We have reservations about the drafting of the 'Permitted Occupancy' condition.

Firstly, the council is required to apply the room size conditions in Schedule 4 of the Housing Act 2004 (as amended) and that has not been done.

There are errors in the drafting of this condition. For example, it says bedrooms of less than 6.51m<sup>2</sup> can never be used as sleeping accommodation. That is incorrect. A smaller room can be occupied by a child under 10 years of age. Further it lists no permitted occupancy limit for any bedroom less than 9m<sup>2</sup>, whereas the statutory minimum for someone over 10 years old is 6.51m<sup>2</sup>.

Rather than add the prescribed room size conditions in Schedule 4 of the Housing Act 2004, the council has applied local guidance as a prescriptive condition. We understand this approach contravenes established case law. Whilst local guidance can be published and can provide a helpful steer to landlords and letting agents, it cannot be imposed as an absolute prescriptive requirement. It is for the council to assess the appropriate occupancy limit on a case by case basis when HMO licence applications are submitted.

Condition 2.2:

The requirement is to provide TDPS prescribed information within 30 days, and not at the time the deposit is taken.

Condition 2.3:

We think the council are overreaching by seeking to define in very prescriptive terms what constitutes a reference. In doing so, this goes far beyond the prescribed condition in Schedule 4 of the Housing Act 2004. For example, insisting the landlord must commission a professional credit check for someone reliant on housing benefit or Universal Credit to pay the rent, and insisting the reference covers their ability to pay the rent, whereas the landlord or agent has no control over what information is provided in a reference. We see significant unintended equality and exclusion implications and would ask that this is considered under the draft equalities impact assessment.

Condition 2.7(h)

We are concerned this clause requires the licence holder to issue the tenant with a section 8 notice even if they have full knowledge the evidence is insufficient for the court to award possession. We think the service of a section 8 notice should be an option of last resort and not the default option after 14 days. We would encourage the council to review the wording and focus more on tenancy sustainment rather than eviction which will invariably lead to homelessness and a duty on the council to provide temporary accommodation for families with young children.

Condition 3.1 & 3.2:

The wording appears to confuse a request for service (repair request) with a complaint that something was not done in response to a service request. This

leaves it unclear whether condition 3.2 is referring to repair requests or complaints.  
Condition 3.3:

It is unreasonable to demand that landlords and agents collect public liability insurance certificates for every contractor who visits the property to undertake work. For example, would this demand apply to a Gas Safe Registered contractor servicing the boiler, or an NICEIC registered contractor undertaking an EICR? We think this goes beyond what the legislation intended, is impractical and unnecessary.

Condition 3.10:

We think the reference to 'regular checks' is unhelpful, as it is open to interpretation what that means. For HMOs, this could be a three monthly inspection which balances the need to monitor the condition and occupancy of the property with the tenant's right to quiet enjoyment. We would suggest that timescale is inserted in the condition. This would also ensure consistency as condition 3.20 refers to threemonthly inspections.

Conditions 3.11 / 3.12:

This would be the tenant's responsibility during the tenancy. If it transpires the tenant is breaching the terms of their tenancy and not disposing of waste correctly, it would be reasonable to write to them along the lines set out in condition 3.14.

Conditions 3.15:

Depending on the nature of the pest problem, any contributory factors and the nature of the letting, this may be the tenant's responsibility. We note the council's tenancy conditions say council tenants are responsible for taking reasonable steps to keep the property free from rats, mice, insects and other pests, and we think the same approach should apply in the private rented sector.

Condition 3.16:

Not all HMOs fall within the remit of the Regulatory Reform (Fire Safety) Order 2005. For example, many safeagent accredited firms will let properties to sharers on a single joint tenancy with exclusive use of the property. The condition should make clear that whilst all properties must be fire safe, a written fire risk assessment is not required in that scenario as the Fire Safety Order does not apply.

Condition 3.21:

It is unclear what verification checks are intended under this condition and how this would be done in practice. For example, it is unusual for letting agents to visit a property when all tenants are present as they may be at college, work, socialising or on holiday. An agent cannot insist all tenants attend scheduled inspections. Common signs of over occupation can include a bed set up in the living room, although it can be difficult to differentiate between an occasional overnight guest and someone staying for longer. We would encourage the council to reflect carefully on what is reasonable and draft the licence condition accordingly.

General

We would encourage the council to standardise the timescale and process for providing documentation to the council. Firstly, we think it should be a written request. A request made verbally could lead to misunderstanding and unintended non-compliance. Secondly, we think the timescale should be standardised. The conditions impose timescales of between 7 days and 28 days for providing information. We would suggest this is standardised to 21 or 28 days. We think 7 days is unreasonably short, particularly if an email is sent to someone on holiday or absent from the office due to illness.

Appendix 7 – Property Condition Guidance for HMOs

The guidance needs to make clear what is a legal requirement and what is a recommendation to encourage best practice.



On page 2, we note it states all glass in windows must be safety glass. That is incorrect and would only be appropriate if it was low level glazing at heightened risk of impact damage.

#### Appendix 8 – Property Condition Guidance for single family properties

The guidance needs to make clear what is a legal requirement and what is a recommendation to encourage best practice.

##### All internal rooms

Whilst it is good practice to encourage tenants to keep any staircase and hallway within their letting clear of storage, this cannot be enforced.

##### Bathrooms and kitchens

It is not practical to deliver hot water to wash hand basins at 41oC. No heating engineer could achieve that precise result.

Whilst it is good practice to have a heat alarm in the kitchen of a single-family property, it is not a legal requirement.

##### Windows and doors

There is no requirement for all windows to be fitted with safety glass.

There is no requirement for thumb turn locks to final exit doors in a single family property. If the council wish to suggest that, the guidance should make clear it is a recommendation,

##### Delivering effective enforcement

It is vital that the council have a well-resourced and effective enforcement team to take action against those landlords and agents that seek to evade the licensing scheme.

Without effective enforcement, new regulatory burdens will fall solely on those that apply for a licence whilst the rogue element of the market continue to evade the scheme and operate under the radar. This creates unfair competition for safeagent members who seek to comply with all their legal responsibilities. They are saddled with extra costs associated with the licence application process and compliance, whilst others evade the scheme completely.

##### Recognising the important role of letting agents

Letting agents have a critical role to play in effective management of the private rented sector. We would encourage the council to explore mechanisms for effective liaison with letting agents and to acknowledge the benefits of encouraging landlords to use regulated letting agents such as safeagent licensed firms.

##### Regulation of letting agents

To achieve better regulation of the private rented sector and improve consumer protection, it is important the council takes a holistic approach that extends far beyond the proposed licensing scheme.

Since October 2014, it has been a requirement for all letting agents and property managers to belong to a government-approved redress scheme. In May 2015, new legislation required agents to display all relevant fees, the redress scheme they belong to and whether they belong to a client money protection scheme. On 1 April 2019, new legislation required letting agents and property managers that hold client money to be members of a government approved client money protection scheme.

At safeagent we operate one of the six government approved client money protection schemes.

To assist councils in regulating the private rented sector and effectively utilising these enforcement powers, we developed an Effective Enforcement Toolkit.

Originally published in June 2016, the second edition was published in 2018. The third and most recent edition of the safeagent Effective Enforcement Toolkit, developed in conjunction with London Trading Standards, was published in 2021.

It can be downloaded free of charge from our website: [safeagent-Effective-Enforcement-Toolkit-2021.pdf \(safeagents.co.uk\)](https://safeagents.co.uk/safeagent-Effective-Enforcement-Toolkit-2021.pdf)

Should you wish to discuss any aspect of this consultation response, please do not hesitate to contact me. Can you also please confirm the outcome of the consultation exercise in due course.

Isobel Thomson  
Chief Executive

DRAFT