

# Extended Licensing Scheme – Appendices Pack

## Agenda

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In April 2014 the Executive approved the introduction of an Additional Licensing scheme, covering all Houses in Multiple Occupation (HMOs) in the borough and in August 2014 approved the introduction of a Selective Licensing scheme, covering all private rented housing in the wards of Harlesden, Wembley Central and Willesden Green. Both schemes came into effect in January 2015 and run to 31<sup>st</sup> December 2019. This report proposes a further extension of Selective Licensing, setting out the rationale for the scheme taking account of progress since 2015 and changes to the regulations covering Selective Licensing.

**Ward Affected:**  
All Wards

**Lead Member:** Lead Member for Housing and Welfare Reform (Councillor Harbi Farah)  
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# The case for extending Selective Licensing in Brent

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## ***Executive Summary***

In January 2015 Brent introduced Borough-wide private rented sector Additional Licensing, and, Selective Licensing in three electoral wards Harlesden, Wembley Central and Willesden Green. The purpose of Additional Licensing is to ensure that a larger proportion of rented accommodation in Brent is managed effectively. Selective Licensing is focussed on improving the management and housing standards of privately rented properties in areas where evidence has shown there to be ongoing anti-social behaviour problems.

Brent now wishes to extend Selective Licensing to all or most of the borough to tackle similar problems in other areas. For Selective Licensing to be introduced DCLG guidance stipulates that there should be evidence of a low demand for privately rented housing and/or significant and persistent ASB behaviour. *These criteria were expanded in March 2015*, to include the additional conditions of: poor property conditions, high migration, population churn, and deprivation and crime. <sup>1</sup>

On the one hand the extra conditions widen the criteria for its introduction so making it more flexible. On the other hand, DCLG guidance also requires confirmation from the Secretary of State for any Selective Licensing Scheme (SLS) which will cover more than 20% of the geographical area or will affect more than 20% of privately rented homes. The practical effect of this is that Brent needs to support its aims with the necessary hard evidence.

This research finds that borough wide Selective Licensing is justified and more likely to achieve Brent's housing strategy than a more piecemeal approach. The reasons are:

- Private renting in Brent continues to grow. Based on the Census it grew by 72.1 % to 35k properties between 2001 and 2011 and now accounts for 31.5% of the entire housing stock and 41.5% of the private stock. The results of this research are that it is still increasing in size with closer to 37k properties being privately rented of which 56% are estimated to be HMOs.
- Private renting is spreading outwards from traditional private rented hotspots in the southeast to neighbouring wards. Not only that, private renting is encroaching northwards to previously unaffected and more affluent wards including Barnhill, Fryent, Preston, Queensbury, Alperton and Sudbury.
- Population turnover in Brent is three times higher than in the rest of England with migration a major factor adding significantly to housing pressures. <sup>2</sup> Although inflows tend to balance outflows, international migrants are much more likely to remain in Brent than internal migrants thereby increasing the ethnic diversity of Brent but also adding to pressures on Council services.

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<sup>1</sup>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418551/150327\\_Guidance\\_on\\_selective\\_licensing\\_applications\\_FINAL\\_updated\\_isbn.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418551/150327_Guidance_on_selective_licensing_applications_FINAL_updated_isbn.pdf)

<sup>2</sup>

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/migrationwithintheuk/datasets/localareamigrationindicatorsunitedkingdom>

- Brent is ranked 39<sup>th</sup> in England among local authorities in terms of deprivation which exists in concentrated pockets throughout the borough. However, we find that private renting is more highly correlated with housing disrepair and ASB than it is with deprivation and that property disrepair is affecting more affluent as well as deprived wards.

The results since the introduction of Licensing in January 2015 have been mixed.

- Of the estimated 21k HMOs in the borough only 1,653 Mandatory and Additional Licenses have been issued or 8% of the total. The report details some of the reasons which include problems of HMO identification but also the evasive behaviour of landlords. Even with much higher levels of enforcement including more prosecutions it will be difficult to improve compliance.
- Under Selective Licensing any rented property, subject to certain exemptions, is eligible to be licensed and so the level of proof as to whether it is an HMO or not is much less restrictive. Selective Licensing which only applies to three Brent wards currently has led to 3,330 licenses being issued and so has been very successful in terms of take-up. This equates to an estimated 94% of single family eligible properties in those wards but excludes known and potential HMOs.
- For the reasons given in the report the option to extend Selective Licensing borough-wide is stronger than the alternative of limiting its extension to 20% of the private rented stock and 20% of the area. However, the case would need careful presentation because it would mean applying to the Secretary of State. Based on the evidence presented the second option would be too limited in scope.

Accompanying the report is a database of all privately owned properties in Brent each with a Unique Property Reference Number (UPRN) plus aligned ASB data. The database is designed to serve various purposes in taking the strategy forward and includes details such as benefit status, occupancy, housing conditions and ASB incidents. The database includes a risk assessment of every privately owned UPRN to say whether is private rented or not and if more or less likely to be an HMO or single family household.

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## 1. Introduction

*In 2013 Brent Council asked Mayhew Harper Associates to undertake research in connection with the introduction of discretionary licensing of its privately rented sector. On the basis of work undertaken then we identified that roughly a third of all residential properties in Brent were being privately rented. Although estimates are necessarily approximate, of these an estimated 19.3k were HMOs and 16.7k single family rented or 36k in private rented properties in total.*

*This research informed the decision to introduce borough wide Additional Licensing in Brent and Selective Licensing Schemes in three wards, Harlesden, Willesden Green and Wembley Central, which became effective 1<sup>st</sup> January 2015. Brent Council now wishes to extend Selective Licensing for all or most of the privately rented properties in its area. It considers that this will address several of its key priorities, including an elimination or significant reduction in anti-social behaviour (ASB), and help to improve overall quality and management of rented accommodation and the socio-economic status of borough residents.*

*The new research is designed to build on previous work by ascertaining evidence of the link between private renting and the incidence and occurrence of anti-social behaviour, in addition to that of the additional conditions of poor housing etc. Using the expanded criteria which were introduced by the Government in March 2015, the aim is to extend and contextualise the evidence to include poor housing conditions, levels of deprivation, migration and crime which will also be relevant for introducing selective licensing schemes.*

*The Council's priorities are:*

- *A clearer understanding of its private rented sector*
- *An understanding of how ASB, environmental issues and other council enforcement services are linked to individual properties and areas of high private renting*
- *The creation of a database of properties in the borough with a unique property reference number for each and aligned with a risk assessment of whether the property is private rented or not .*

### 1.1 Background to Brent

Brent is one of the most culturally diverse boroughs in the UK. People from black, Asian and minority ethnic backgrounds make up 64 per cent of the total population, in which there is also a growing Eastern European, Filipino and Somali population presence. It also ranks 39 in the most deprived boroughs in England based on the 2015 Index of Multiple Deprivation.

Brent has the fifth highest level of private renting in London. In addition, there is a greater reliance than in many other places on welfare benefits and social housing. Due to a lack of affordable homes, Brent also has high levels of temporary accommodation especially compared with other London boroughs.

The publication of the Borough Plan 2015-2019 Brent foresees more housing being built in the borough across all tenures, with more shared ownership schemes to help people into home ownership. A key part of the strategy includes taking action to increase the supply of affordable, good quality housing.

Importantly, it also includes raising private rented housing standards throughout the borough following the introduction of Additional and Selective Licensing schemes. The plan aims to cover 90 per cent of eligible privately rented properties coupled with action to enforce and raise standards in non-compliant properties.

All HMOs in Brent are already subject to Mandatory or Additional Licensing. The main purpose of this report is to evaluate the case for extending Selective Licensing from three wards currently to possibly the whole of Brent, but also to evaluate the take up of licensing since the schemes were introduced in January 2015.

## 1.1 Types of licensing

The generic term 'discretionary licensing' means any licensing of residential property under the Housing Act 2004 (the Act) that goes beyond the national mandatory HMO licensing requirements contained in the Act. Licensing is mandatory for all HMOs which have three or more storeys and are occupied by five or more persons forming two or more households.<sup>3</sup>

The two types of recognised discretionary licensing are:

- (a) Additional: where a council can impose a licence on other HMOs in its area which are not subject to mandatory licensing, but where the council considers that poor management of the properties is causing problems either for the occupants or the general public (DCLG is consulting on whether to merge this with Mandatory Licensing – see footnote 3).
- (b) Selective: covering all privately rented properties in areas which suffer or are likely to suffer from low housing demand and also to those that suffer from significant and persistent ASB.

For their introduction Councils must consult local landlords before their initiation and the schemes must be widely publicised when they come into force. Additional Licensing means that a Local Authority can specify the maximum number of people who can occupy the house, and attach conditions relating to the management of the building, as well as making sure amenities are kept up to standard. Failure to comply may lead to the withdrawal of a licence or other sanctions including fines.

The Selective Licensing (SLS) is a more general power. For its introduction there should be evidence of a low demand for privately rented housing and significant and persistent ASB behaviour. *Using expanded criteria introduced in March 2015*, the criteria relating to ASB were extended to include areas experiencing low housing demand, poor property conditions, influxes of migration and population churn, high levels of deprivation or crime.

On the one hand the extra conditions widen the criteria for its introduction so making it more flexible. On the other hand, the new guidance also requires confirmation from the Secretary of State for any Selective Licensing scheme (SLS) which will cover more than 20% of the geographical area or will affect

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<sup>3</sup> The government is currently consulting on modifying this definition to increase the number of properties subject to mandatory licensing in order to streamline the present dual arrangements. They wish to: 1. remove the storey rule so all houses with 5 or more people from 2 or more households regardless of how many floors; 2. Extend mandatory licensing to flats above and below business premises; 3. Set a minimum room size of 6.52sq-m in line with the existing overcrowding standards (Housing Act 1985).  
<https://www.gov.uk/government/consultations/houses-in-multiple-occupation-and-residential-property-licensing-reforms>

more than 20% of privately rented homes. In a borough like Brent this could be difficult to achieve as the problems do not fit neatly into wards.

Brent introduced two new schemes in January 2015 sitting alongside a long-standing existing Mandatory HMO scheme for which 380 licences were in force at the time of this research. These were a borough-wide Additional Licensing scheme for which 1,272 licenses had been issued, and a Selective Licensing Scheme in three wards for which 3,330 licences had been issued. At the time of writing, latest data show 538 Mandatory Licenses, 1,451 Additional and 3,756 Selective Licenses in force.

The cost of a licence varies according to whether the property is an HMO or a 'single family' residence. Mandatory and Additional licences cost £540 and last for up to five years and are priced per property rather than per individual. Selective Licences cost £340. Administrative or other surcharges may apply (e.g. depending on the number of rooms). In addition there is a £40.00 discount per application for landlords who are accredited to the London Landlord Accreditation Scheme (UKLAP).

The Mandatory, Additional and Selective schemes are now well embedded in Brent but there are justified concerns that the total number of licenses in force falls short of the total private rented stock which according to the 2011 Census comprised 34,000 properties, and which has grown to an estimated 37,000 properties today.

In the three Selectively Licensed wards an estimated 94% of eligible properties have been licensed. However, the equivalent percentage for HMOs in the same three wards is only 14% and so must be considered disappointing. In this research, we focus mainly on the scope for further extensions to Selective Licensing by analysing the evidence for its wider introduction, but also suggest how Additional Licensing could be improved.

Our approach is based on identifying from administrative data the current size of the PRS and then comparing it with the number of currently licensed properties. We use this to produce evidence of the size of the PRS, but also to substantiate links between PRS and poor housing conditions, crime and ASB, deprivation, migration and overcrowding. Based on our analysis we find that changes to the PRS have been such that Selective Licensing is justifiable on a wide area basis but also that much more enforcement work may be needed to support the extension of Additional Licensing.

The information resulting from all of our analysis is contained in a database in which all properties are assessed for known or probable rental status using a 'risk score' approach. This information will be useful to Brent Council going forward e.g. for identification and enforcement purposes, and will be handed over at the end of the project.

## **2. Approach and method**

### **2.1 Data sources**

The difficulty with private rented properties is that there is only very partial information about whether an individual property is private rented or not i.e. the known PRS is only a fraction of the total PRS. However, thanks to the introduction of Additional and Selective Licensing we now have a much higher confidence that our estimates using administrative data sources are robust.

Although alternative information on the PRS exists at ward level using the 2011 Census, ward level data must be considered a blunt instrument not only since it often contains a wide mix of neighbourhoods covering a large area but also because it is increasingly out of date.

A further complication is that rules on the conditions for introducing Selective Licensing have recently been extended to include areas experiencing poor property conditions, influxes of

migration, a high level of deprivation or crime, and low housing demand. As a result, it is necessary to identify and quantify any links between them.

We adopt these wider criteria where it is appropriate to do so subject to the availability and granularity of data. However, we discounted low housing demand as one of the issues affecting Brent. Currently high property prices are crowding out owner occupiers and effectively encouraging a buy-to-let culture and this looks set to continue.

We also find that deprivation as measured by the Index of Multiple Deprivation is variously correlated in areas with high levels of ASB and with a large PRS. We further find that the PRS is even more highly correlated with ASB and poor housing conditions than it is with social deprivation suggesting that landlords and tenants must bear much of the responsibility for this, especially in more affluent areas.

In the eyes of the legislation it is necessary to link cause and effect – for example, it should be possible to identify an event such as noise disturbance to an exact address and to link it whether it is private rented or not. For this reason data available at a household level turns out to be more useful and is more up to date as far as housing conditions and ASB are concerned. However, ward level data is still useful for providing a borough overview e.g. including the spread of renting over time.

Household level data includes reported dilapidations and disrepairs at address level, noise and enviro-crime. However, other data including Police-reported ASB and fly tipping, graffiti etc, was available at ward level only. For these reasons the report distinguishes two types of analysis – one at ward level and the other at property level.

We also benefited from having access to data on benefit households (Housing Benefit and Council Tax Reduction Scheme), Council Tax records, current HMO stock, Electoral Register, and so on. These are used primarily to help inform whether a property is likely to be private rented or not and are useful proxies for low income, occupancy etc.

Our task entailed cleaning all the data sources and geo-referencing them by matching them to the Local Land and Property Gazetteer (LLPG). The end result was a database with one record for each address linked to various different attributes, for example the occurrence of a noise complaint, if it was a benefit household or not and so on.

In the context of Selective Licensing an individual UPRN represents a property or household for this analysis. By linking each administrative dataset to the LLPG at address level, the tenure or likely tenure of each UPRN was established by a process of elimination. For example, non-residential UPRNs and any UPRNs relating to communal establishments or residential institutions were excluded as they are not relevant.

For the same reasons, council stock and housing association stock were removed.

Note, however, that our data on housing association stock is based on information from 2012, and is linked to 14,000 UPRNs on the current LLPG. However, it is known that the size of the housing association stock 2014-2015 was more like 17,000, so up to 3,000 UPRNs in our database may not be identifiable as social housing tenure.

By comparing published data with the Council's own administrative data sources at a household level, we identified 99,397 private sector properties altogether, excluding student accommodation, hostels and care homes, and social housing. Of these, 5,264 are known PRS including 380 Mandatory Licensed HMOs, 1,273 Additional Licensed HMOs (at the time of this analysis).

There were 3,356 Selective Licensed properties based on three wards with Selective schemes, and 255 unlicensed properties receiving student Council Tax discounts. Another 13,632 UPRNs were deemed as 'potential PRS' if they received Housing Benefit, or were a 'Right to Buy' property, or if had made an application for an HMO licence (but not issued).

The remaining 80,501 private tenure UPRNs could be either PRS or owner occupied.

As can be seen, the bulk of these properties are of unknown tenure. We evaluated them using risk factor analysis to determine whether they were likely to be privately rented or single family or HMO. How this was done is described in detail later but is based on using predictors such as benefit status of each property, the number of adult occupants, Council Tax band, housing conditions and ASB.

## **2.2 Structure of report**

The rest of this report is structured as follows:

Section 3 analyses structural changes in the size of the PRS and other tenancy types between Censuses in 2001 and 2011 down to ward level

Section 4 considers trends in housing conditions and ASB using available administrative data and ranks wards by the size of the PRS, housing conditions and ASB

Section 5 profiles private sector properties and identifies risk factors that are highly predictive of single family or HMO status to estimate the size of the PRS and assign 'risk scores' to individual properties

Section 6 reviews Selective Licensing options

Section 7 contains our conclusions

## **3. Structural changes in tenancy based on the Census**

### **3.1 Census data**

Census data on private renting is available but only down to ward level. The Census breaks down households into three main tenure types: owner occupied, social housing or private rented. According to the 2011 Census 49% of the housing stock in Brent is owner occupied, 27% is social housing and 35% is private rented.

The total stock of residential properties is 110k but latest household projections suggest that it is closer to 122k in 2016. Although the 2011 Census must be considered slightly dated, the structural changes in tenancy are an important guide to what has been happening in Brent compared with elsewhere and what is likely to happen in the future.

Table 1 (a) and (b) show important changes in tenure structures in Brent as compared with London as a whole. They show that social housing in Brent rose by 11.3% over the 2001 to 2011 period whereas in London it fell by 0.6%. Meanwhile owner occupation fell by 12.5% and in London by 5.1%.

The biggest changes, however, were in private renting. In London it rose by 65.5% and in Brent by 72.5%. The fact that the changes in Brent are even higher than for London as a whole must be considered synonymous with Brent's position as the borough of choice for many newcomers including migrants.

(a)

London boroughs	2001	2011	Change %
Owner occupied	1,704,719	1,618,315	-5.1
Social housing	790,371	785,993	-0.6
Private rented	520,907	861,865	65.5
Total	3,015,997	3,266,173	8.3

(b)

Brent	2001	2011	Change %
Owner occupied	55,927	48,960	-12.5
Social housing	23,881	26,591	11.3
Private rented	20,183	34,735	72.1
Total	99,991	110,286	10.3

*Table 1: Change in Tenancy between 2001 and 2011 in (a) London and (b) Brent*

Brent is characterised by higher density housing in the south east corner of the borough and in Wembley and the surrounding area. Further north densities are lower and large areas of green space are common. Here most properties are of inter- or post-war construction – typically semi-detached houses at lower densities.

Southern wards tend to be more socially deprived although there are pockets of more affluent areas such as Queens Park and Brondesbury Park. Over time the quality and appearance of the housing stock has tended to worsen even in more affluent areas and we find that private renting is partly to blame for this.

At ward level, Census data shows significant changes in the PRS over the period. This is seen in Figures 1(a)-(c). These maps are overlaid with a grid (1.0 x 1.0 sq. kms.) for ease of identification of different areas of the borough. For example in 2001, Figure 1(a), the highest percentages of private rental properties are located in Southern wards with the highest (>30%) concentrated in Willesden Green (G6 to H7).

By 2011, Figure 1(b), private renting had intensified in wards already popular for private renters and had also spread northwards into other wards such as neighbouring Preston (C4 and C5) and Dollis Hill (G5 and G6), and also farther afield to wards such as Fryent, Barnhill and Welsh Harp.

Turning to Figure 1(c), which shows the percentage change over the period, there have been significant increases in private renting in most wards over the period but especially in wards such as Tokyngton (D5 to E6), and Kensal Green (G8 to H8). Wards such as Northwick Park (A3 to B5) and Kenton (B2 to C3) are still largely owner-occupied. These and other wards such as Stonebridge in the south (E6 to F8), which is the largest ward by area, consists mainly of Council stock and hence shows little alteration over the period.

Whereas the whole of Brent operates Additional Licensing, Selective Licensing is currently restricted to three wards highlighted in Figure 1(d), Harlesden (F7), Wembley Central (C6 to C7) and Willesden Green (G6 to H7). These wards were selected at the time because they had large private sectors and also scored highly on typical ASB indicator such as noise complaints and fly-tipping.

Annex A gives a table of housing tenure by ward in 2001 and 2011 based on the Census. Post-Census our analysis suggests that private renting has continued to increase and our estimates put the number of privately rented properties in Brent having increased to around 37,000 and that most wards are being affected.

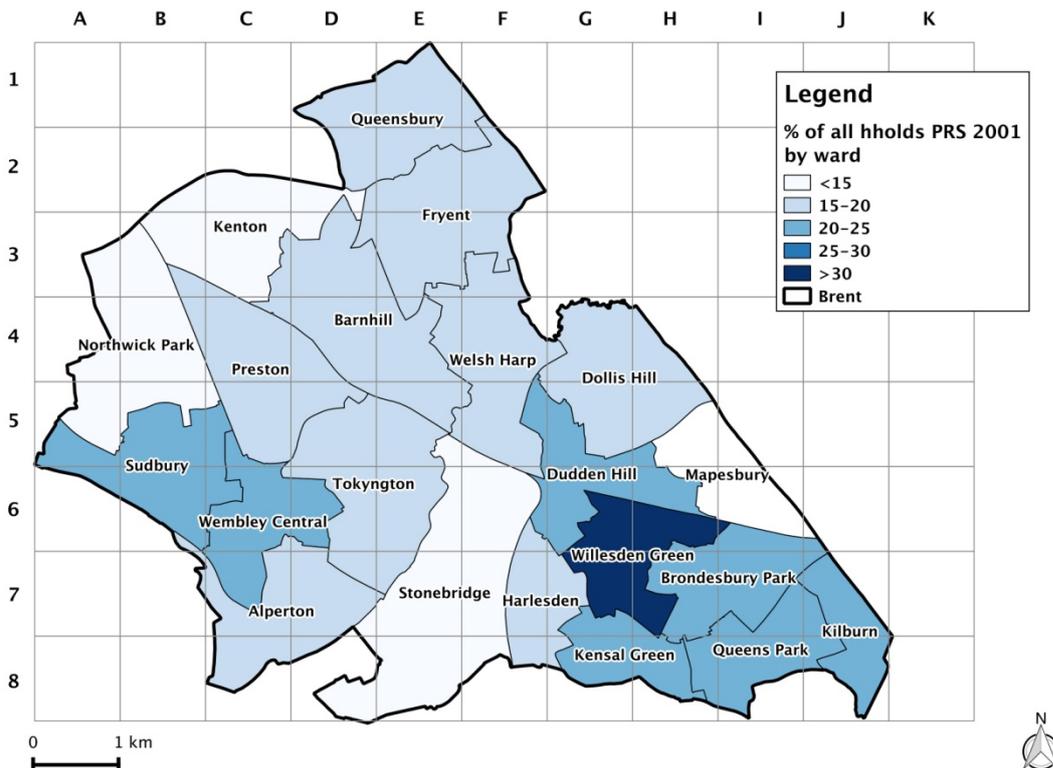


Figure 1(a): The percentage of all households in the private rented sector according to the 2001 Census

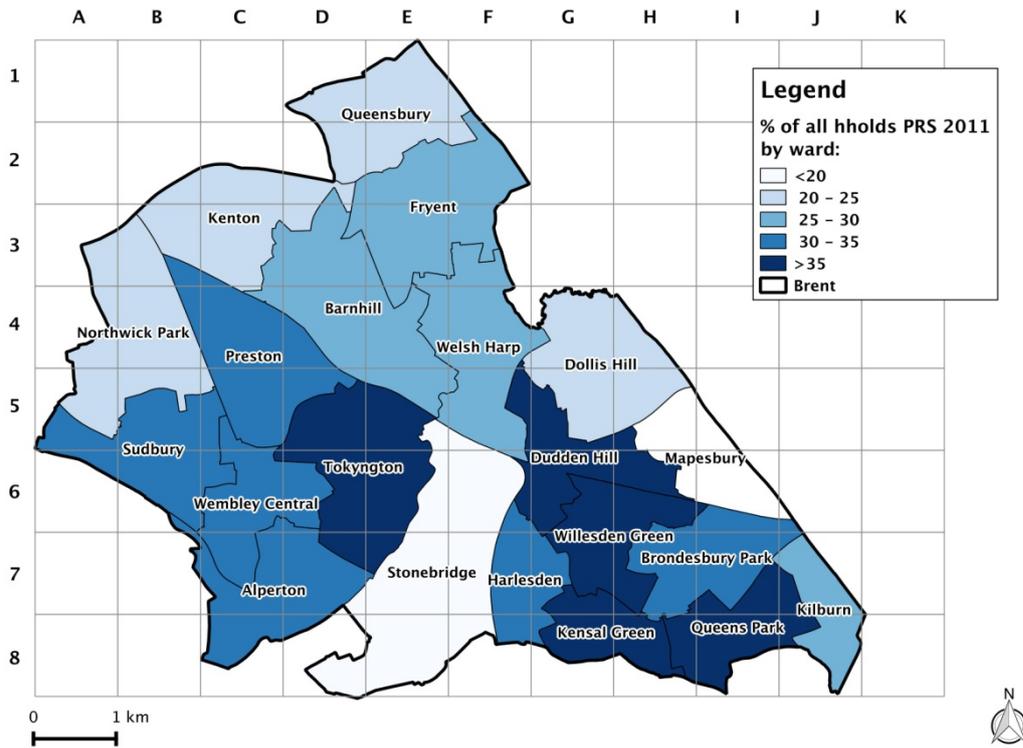
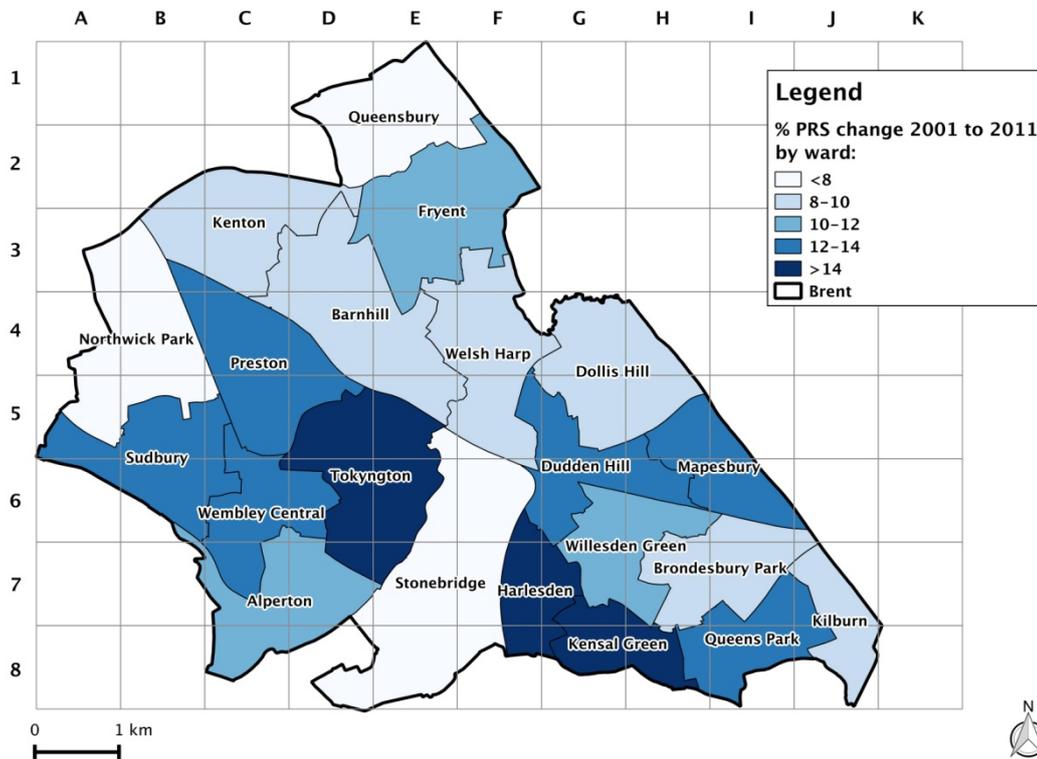


Figure 1(b): The percentage of all households in the private rented sector according to the 2011



Census

Figure 1(c): The percentage change in the size of the private rented sector between 2001 and 2011

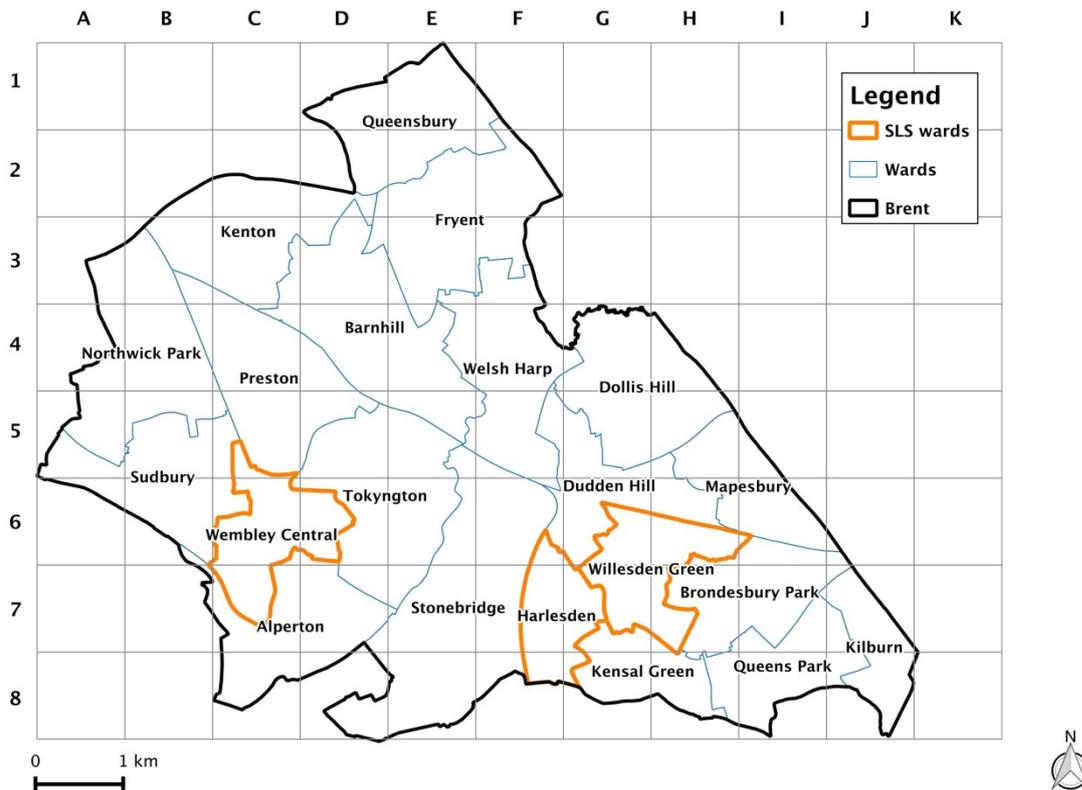


Figure 1(d): Wards covered by Selective Licensing as of January 2015

#### 4. Housing conditions, anti-social behaviour and private renting

This section analyses patterns and trends in ASB and poor housing conditions and considers to what extent they are correlated with private renting at ward level. Brent wards are ranked on six different ASB, crime, and housing indicators to determine which wards are most/least affected and which indicators are most/least correlated with private renting.

##### 4.1 Data availability

According to DCLG guidance ASB is deemed to occur when it falls into one of three categories<sup>4</sup>:

- **Crime:** Tenants not respecting the property in which they live, including vandalism, criminal damage, and robbery/theft or car crime
- **Nuisance neighbours:** Noise, nuisance behavior, animal-related problems, vehicle-related nuisance etc.
- **Environmental crime:** Graffiti, fly-posting, fly-tipping, litter around a property, dilapidations

<sup>4</sup> Approval steps for additional and selective licensing designations in England (page 10): <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/housing/pdf/154091.pdf>

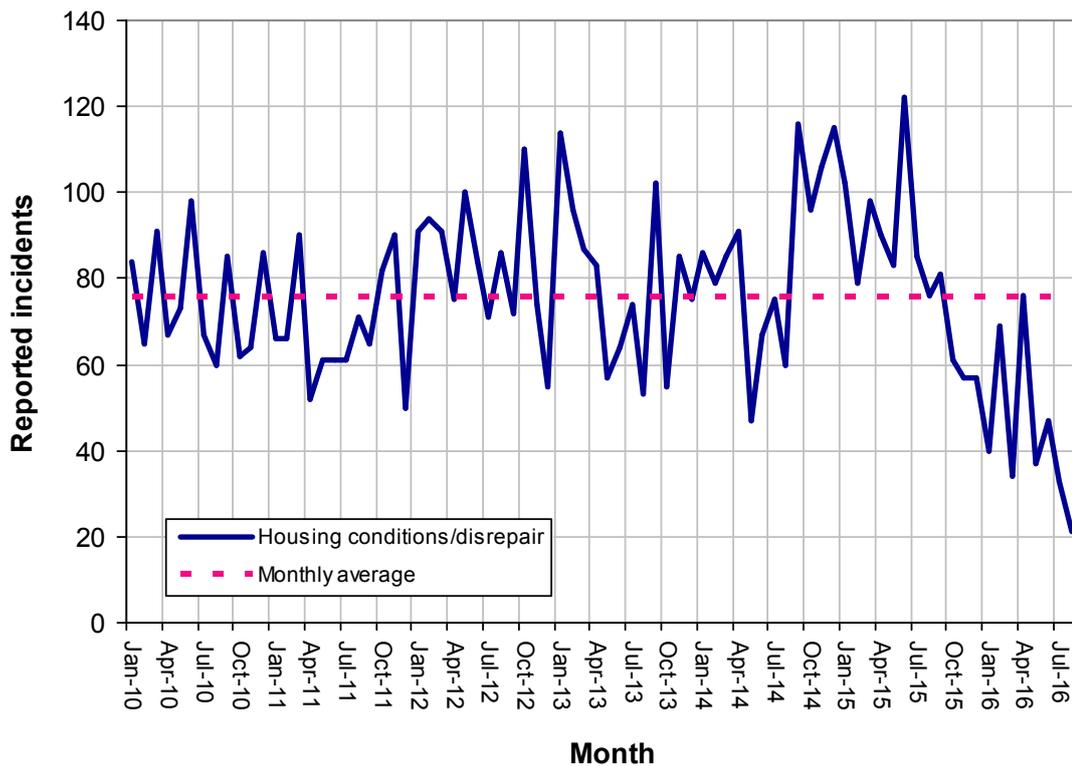
Data sets provided included:

- Environmental crime at household (property and other levels) for the period January 2013 to October 2016. This included reports of noise related incidents and other categories of ASB ranging from pest infestations to pollution incidents.
- Property conditions and disrepairs at address level data spanning the period January 2010 to August 2016, which include a range of different problems including drainage, overcrowding and HMO enforcement.
- Police reported ASB at ward level by financial year from 2013/14 to 2015/16. The data were not broken down by type of ASB but the number of reports totalled 27,729 over the period.
- Data on over 14,000 fly- tipping incidents at ward level between September 2015 and September 2016
- Data on council reported ASB incidents. However, this was limited in size and contained incomplete location references or other details (e.g. type of complaint). Because ASB may be communicated in more than one way to the responsible authorities (e.g. the police), we were satisfied that any gaps would be covered by other sources above.

## **4.2 Patterns through time**

An analysis of incident patterns over time is helpful for showing seasonality or trends. Good examples are variations in notifications of poor property conditions and enviro-crime.

(a) Property conditions



(b)

Figure 2: Monthly notifications of housing disrepair and other property conditions from January 2010 to August 2016.

Figure 2 shows the patterns of incidents from January 2010 to August 2016 which are running at 960 incidents each year or 80 notifications a month; however, these can fluctuate two-fold month on month. We also note a tendency for the incidents to peak in the first quarter of each calendar year which is probably indicative of adverse weather events.

The general trend is upwards until July 2015 but there appears to have been a fall off in activity from then until the present which might be due to a reporting lag in the recording system or possibly the result of conditions improving due to the granting of licences. Of the incidents reported almost 88.9% are housing disrepairs and the remainder chiefly HMO enforcement related (4.3%) with 'other' accounting for the remainder.

**(c) Enviro-crime**

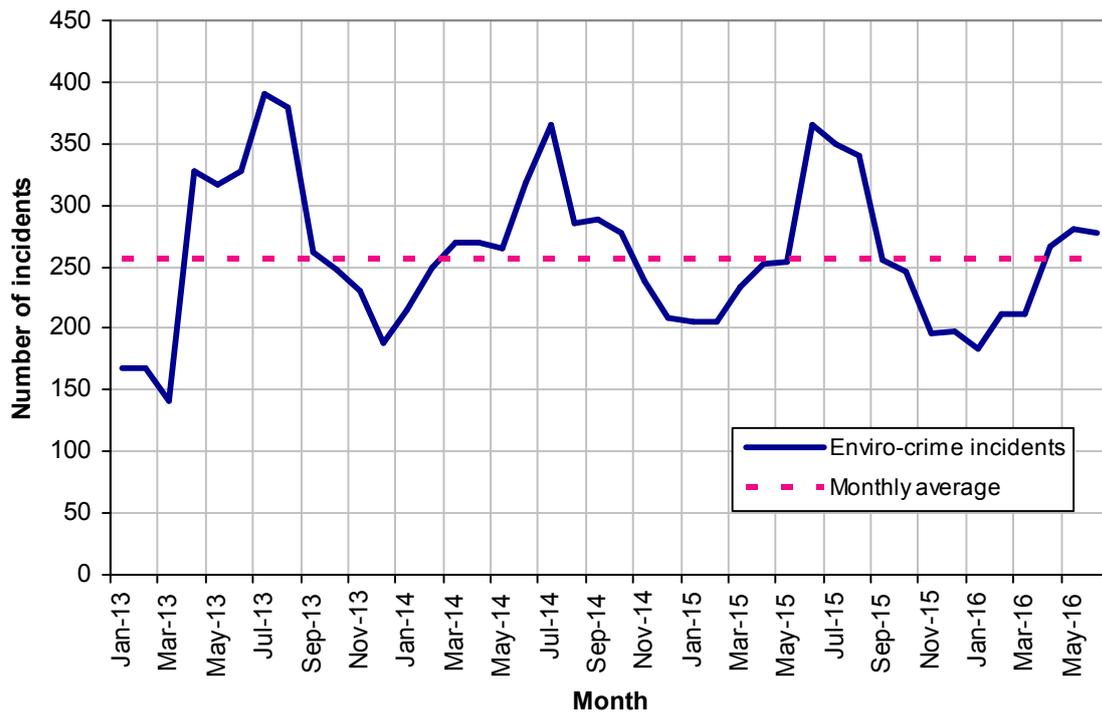


Figure 3: Monthly reported Enviro-crime incidents January 2013 to October 2016

Figure 3 shows the pattern of enviro-crime from January 2013 to October 2016 of which there were almost 12,000 incidents. Periodicity is clearly seasonal with peaks occurring around July each year with an average incidence of over 250 reports per month.

Almost 50% of incidents are noise related, with ‘pollution’ and ‘rubbish’ accounting for 24% of incidents. Pollution here covers a range of types from smoke discharges, to noxious fumes and miscellaneous occurrences caused by poor drainage etc.

**4.3 Property conditions and all forms of ASB at ward level**

In this section we compare each of the indicators of ASB levels of private renting at ward level. However, we repeat the earlier caution that because there is a correlation between private tenure and ASB at a ward level it does not necessarily imply cause and effect, only association.

Table 2 ranks each ward according to the size of the PRS (column 1) from high to low (1 being the highest ranked ward and 21 the lowest). Each of the ensuing six indicators is ranked similarly by ward. For example, the penultimate column shows that Police reported ASB is highest in Wembley Central and lowest in Kenton and Northwick Park.

A final column provides an overall ranking based on all six indicators in order to derive an overall assessment of conditions in each ward. Note that some wards are tied in which case they are given the same ranking. Shaded rows are wards in which Selective Licensing is in force. These are Harlesden, Wembley Central and Willesden Green.

The two bottom rows of Table 2 are correlation measures that range from -1 (negatively correlated) to +1 (positively correlated) which indicate the degree of association between the ranked information based on the risk factors with the size of the PRS in each ward.<sup>5</sup>

For example, it finds that there is a positive +0.68 correlation between poor property conditions and private renting indicating strong association.

The following additional points can be made:

- Based on the 'rank of ranks' (see final column) there is a +0.76 correlation between the concentration of private renting and the six indicators used indicating a high level of association throughout the borough.
- The wards currently subjected to Selective Licensing score highly on all key measures such as poor property conditions. Only Wembley Central scores higher on enviro-crime and fly tipping.
- Wards such as Kenton and Northwick Park where private renting is least established scores lower on almost every indicator. By contrast Kilburn and Mapesbury with the highest concentrations of private renting are ranked joint third.
- The most correlated indicators with private renting are enviro-crime (+0.79), fly-tipping (+0.74), and property conditions (0.68). The lowest correlated indicators are Police-reported ASB (0.58) and Council reported ASB (0.57) [although it must be noted that the sample size for this indicator was relatively small].

#### 4.4 Relationship between deprivation, ASB and the PRS

The previous section established a strong association between PRS, ASB and housing conditions at ward level. However, DCLG guidance states that a Selective Licensing designation may be made if, in addition to the ASB criterion, an area is subject to high levels of deprivation. Annex B is map of Brent showing high levels of deprivation in south central parts but also scattered pockets of deprivation interspersed with areas of relative affluence.

We tested the correlation between private renting and deprivation using the Index of Multiple Deprivation (2015) and comparing it to the association between private renting and ASB.<sup>6</sup> We found that wards experiencing higher deprivation were indeed correlated with private renting (correlation +0.41) but it was not a perfect match i.e. private renting occurred in both deprived and more affluent areas.

Previously, we showed that private renting is highly correlated with ASB including poor property conditions (+0.76) which is much higher than the correlation with deprivation. In our view, so long as ASB and poor property conditions as well as deprivation are associated with private renting all

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<sup>5</sup> The correlation coefficient used is based on Spearman's rank coefficient which is designed for use with ranked data.  $\rho = 1 - \frac{6D}{n(n^2 - 1)}$ , where D is the sum of the squared differences in ranks between x and y and n is the number of wards.

<sup>6</sup> The IMD combines information from seven domains including employment, income and health to produce a relative measure with which areas in England may be compared. For Brent we created a weighted average of LSAO IMD scores that applied at ward level.

three criteria are persuasive arguments for an extension to Selective Licensing either alone or in combination.

In other words, this means for example that an area does not have to be deprived for Selective Licensing to be justified because more affluent areas are also affected by poor property conditions and/or ASB. Examples include overgrown front gardens, dilapidated exteriors or over-flowing dustbins. Landlords and tenants must bear much of the responsibility for this.

Ward	PRS rank <sup>(1)</sup>	Council ASB	Property condition	Enviro-crime all	Enviro-crime Noise	Fly-tipping	Police ASB	Ranks of ranks <sup>(2)</sup>
Alperton	15	7	11	15	18	19	14	13
Barnhill	13	15	9	12	9	8	11	10
Brondesbury Park	8	17	18	18	10	15	16	19
Dollis Hill	18	10	16	20	17	14	15	17
Dudden Hill	7	12	3	9	7	5	13	8
Fryent	16	12	17	13	15	17	19	18
Harlesden	6	8	1	5	4	1	3	2
Kensal Green	5	5	6	7	6	2	6	5
Kenton	21	20	21	17	20	20	21	21
Kilburn	3	5	7	3	2	9	4	3
Mapesbury	1	2	4	8	5	4	7	3
Northwick Park	20	20	20	21	21	16	20	20
Preston	11	18	15	14	10	12	18	15
Queens Park	4	12	14	1	1	6	8	7
Queensbury	17	9	19	10	12	13	10	12
Stonebridge	19	4	9	11	8	18	5	9
Sudbury	10	16	8	19	19	7	17	14

Tokyngton	9	11	11	6	13	21	9	11
Welsh Harp	14	19	13	16	16	11	12	15
Wembley Central	12	3	4	2	14	10	1	6
Willesden Green	2	1	2	4	3	3	2	1
	Correlation coefficient	0.47	0.68	0.66	0.79	0.74	0.58	0.76

Table 2: Ward table comparing the size of the PRS with housing conditions and ASB based on rank: Note (1) PRS ranking based on 2011 Census (1 = most, 21=least); (2) Combines ranks across all indicators (1= most affected, 21=least affected)

## 5. Identification of the private rented sector

### 5.1 The concept of a risk ladder

Previously we argued that because there is a correlation at ward level between, say, poor housing conditions and private renting, it does not necessarily mean that private renting is to blame. To ascertain this we need to show that the privately rented properties are more exposed to ASB and poor housing conditions than owner-occupied properties.

There are no complete data at a household to say whether a property is rented or not unless a property is visited or it currently holds a licence. However, it is possible to assign a 'score' to each property to identify whether it is 'high risk' or otherwise and to test whether privately rented stock is poorly maintained or the source of ASB (such as noise complaints).

To help with this we introduce the concept of a risk ladder to quantify the association between specific risk factors and housing conditions at an individual property level in order to identify if private renting is culpable. This is a more accurate approach since it avoids averaging across highly differentiated areas of mixed tenancy at ward level. However, we need to test this hypothesis for each type of licence.

A risk ladder is a table that enumerates all possible combinations of risk factors, and quantifies the number of households exposed to each risk factor combination. It means we are able to profile properties that have applied for licences and use that information to identify properties that have *not* applied for licences but which share the same risk profiles.

How predictive these risk factors are of housing conditions depends on how many properties share these characteristics. Risk factor selection involves testing different combinations of property level risk factors to find out which are most predictive of different categories of private renting – in this case either an HMO or single family rented property.

We are relatively fortunate since discretionary licensing has been in place in Brent since January 2015. This means that we can test the predictive power of different risk factors against known licensed properties to then identify non-licensed private rented properties which are not covered by a scheme or have yet to apply for a licence from the Council. Currently, there are just over 5,000 licences in force covering both discretionary and mandatory licensing which is only around 13% of the potential total PRS.

Of the two discretionary schemes, Selective Licensing covering just three wards is proportionately the most successful in take up terms to date. Our analysis below suggests that 94% of possible single family private rented properties in the three wards are licensed but only 14% of the estimated number of HMOs.

If selective licensing is extended borough-wide this will make a large difference and help to close the gap between licensed and unlicensed single family rented properties but it is unlikely to close the gap between licensed and unlicensed HMOs where a different approach may be needed. In this regard, there may be scope to learn from other boroughs such as Newham, Waltham Forest or Barking and Dagenham.

This section identifies specific characteristics of each type of tenancy that are helpful for assigning risk scores to every property based on probable rental status. Such information is valuable because it can be used to follow up probable non-compliant households, but also because the same information can also be used to justify whether a local scheme meets statutory criteria for its introduction (e.g. the association with poor housing conditions or ASB).

## **5.2 Risk factor profiling of the private rented sector**

At a property level we found that a small group of risk factors are highly predictive of private tenure type. These include the benefit status of the property (i.e. eligibility for Housing Benefit or Council Tax Reduction both of which are a proxy for low income), the number of adults at an address (based on the Electoral Register), the presence or history of housing dilapidations or noise complaints (using household level data).

Also useful were Council Tax bands which are also available at address level. These vary on a scale from A to H from smaller properties (A) to large properties (H). We found for example that single family private rented properties were much more likely to range from band A to C whereas HMOs were more likely to be larger properties ranging from band D to H.

The use of these risk factors resulted in clear differences depending on tenure type. For example, in the case of single family rented properties eligibility for Housing Benefit was much more predictive than was the case for HMOs. For HMOs, the absence of eligibility for help with paying for Council Tax was more predictive than Housing Benefit.

### **(a) Single Family private rented properties**

We begin with private rented single family rented properties. The term 'single family' is a misnomer since it refers to any rented property in which occupants share facilities such as a kitchen as would a family household, but in which occupants are not necessarily related.

Excluding hostels, homes and student accommodation (but not student rented properties) located in the three wards covered by Selective Schemes, Harlesden, Wembley Central and Willesden Green, we identified 14,131 privately owned properties altogether. Table 3 segments each of these properties according to any one of four risk factors giving 16 possible combinations.

Column one shows the number of properties exposed in each risk category and column two the number currently licensed. The next four columns show whether or not a risk factor applies in that risk category (denoted by 'Y'). The risk factors are: whether Housing Benefit is claimed; there are two or more adults living at the address; the presence or history of dilapidations or noise complaints, and last whether it is Council Tax band A-C.

The final two columns give the actual and predicted percentages of properties that have been licensed in each risk category in which the predicted values have been determined using regression analysis. Values range from 75.3% in the highest risk category (row 1) in the presence of all four risk factors to 7.2% in the lowest risk category (row 16) in which none of the risk factors applies.

Of the 14,131 properties in these three wards, 23.6% (bottom cell of penultimate row) are licensed and the remainder unlicensed. The figures at the foot of each column are the number of occurrences of each variable of risk factor. For example 3,330 properties are Selectively Licensed, 3,085 are eligible for Housing Benefit, 6,851 contain two or more adults, and 1,297 are attributed with ASB including poor housing disrepairs.

Further analysis shows that properties receiving housing benefit are 4.9 times more likely to be private rented, 2.4 times more likely if there are dilapidations or noise complaints, 3.1 times more likely if the property is in tax band A-C and 1.1 times more likely if there are two or more adults at the address. These factors are multiplicative so that if all four risk factors apply then the odds of the property being private rented are  $4.9 \times 2.4 \times 3.1 \times 1.1 = 39.3$  times more likely relative to a property exposed to none of these risk factors.

Figure 4 plots the predicted percentage of private renting against the observed percentage based on Table 3. As can be seen the correspondence is high with the four risk factors accounting for 92.4% of the variance in licensed properties suggesting a good 'fit' i.e. a property is more likely to be private rented as more of these risk factors apply. With other household level data such as number of rooms or storeys, it might have been possible to improve on this but we consider the results sufficient to identify the scope for licensing in other wards across the borough especially if they are allied with local information and visual inspections (e.g. for enforcement purposes).

Category	Number in category	Occurrences	Housing Benefit at address	2 or more adults at address	Dilapidations or noise	CT band A-C	Known SLS	Predicted %
1	106	69	Y	Y	Y	Y	65.1	75.3
2	273	204	Y		Y	Y	74.7	74.2
3	713	388	Y	Y		Y	54.4	56.0
4	1,582	834	Y			Y	52.7	54.6
5	37	19	Y	Y	Y		51.4	49.4
6	22	11	Y		Y		50.0	48.0
7	203	77		Y	Y	Y	37.9	38.0
8	266	102			Y	Y	38.3	36.7
9	196	77	Y	Y			39.3	28.9
10	156	72	Y				46.2	27.8
11	2,222	489		Y		Y	22.0	20.4
12	3,093	613				Y	19.8	19.5
13	238	40		Y	Y		16.8	16.4
14	152	27			Y		17.8	15.7
15	3,136	202		Y			6.4	7.6
16	1,736	106					6.1	7.2

total	14,131	3,330	3,085	6,851	1,297	8,458	23.6	
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Table 3: Risk ladder showing the percentage of Selectively Licensed properties according to the risk factors given in the three Brent wards subject to Selective Licensing

Scope for Selective Licensing Brent-wide

As we move down Table 3 it is less likely that a property will be private rented. For example, below row ten the probability of being a single family private rented property drops by more than half. Up to row ten all but two rows claims Housing Benefit and the two rows that do not are associated with dilapidations or noise.

If we define this group as properties at 'highest risk' of being single family private rented then apply to the whole of Brent then it suggests there are around 16k similar properties across the whole of Brent which would be similarly at risk, which gives us a reasonable measure of the total number of possible licenses if Selective Licensing was extended borough-wide.

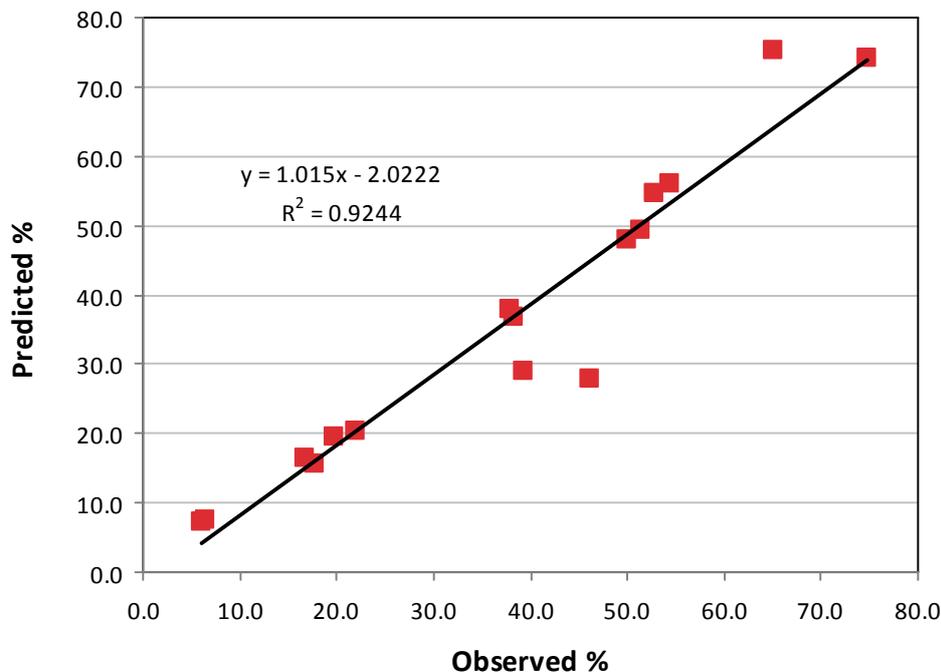


Figure 4: Chart showing the correspondence between the actual percentages of licensed properties and the predicted percentages based on the risk factors in Table 3

Our presumption is that the same risk factors would apply not only in the three already Selectively Licensed wards but throughout Brent. However, for its wider introduction there should be evidence of persistent ASB behaviour and include areas experiencing poor property conditions, deprivation or high levels of crime.

To show that this is the case, Figure 5 is a hotspot map based on the top ten risk categories in rows 1-10 of Table 3. Overlaid on the map are contours showing the concentration of disrepairs and noise complaints. Although Selective Licensing is currently only implemented in three wards, it is clear that its introduction would be justifiable in many other areas.

Several other points are noteworthy:

- The highest densities of high risk single family private rented residences are located in the south east corner of Brent (cells F5 to J8) and generally south of row 4. These hotspots strongly correlate with the incidence of poor housing conditions and property attributable ASB.
- The main wards affected are Welsh Harp, Dudden Hill, Mapesbury Harlesden, Willesden Green, Kensal Green and Kilburn. Other wards in this corner of Brent are less affected but there are signs of encroachment (e.g. in Queens Park). Of these Willesden Green and Harlesden are already Selectively Licensed and this map strongly justifies their inclusion as part of the earlier scheme.
- North of row 5 the effect is diluted because of large areas of green space and lower residential densities. However, emergent hotspots of private renting are visible in Fryent (E2) and Barnhill (D4) where building densities are lower but there is also green space. The contours affirm some local evidence of links to ASB including disrepairs e.g. cell E2 and F2.

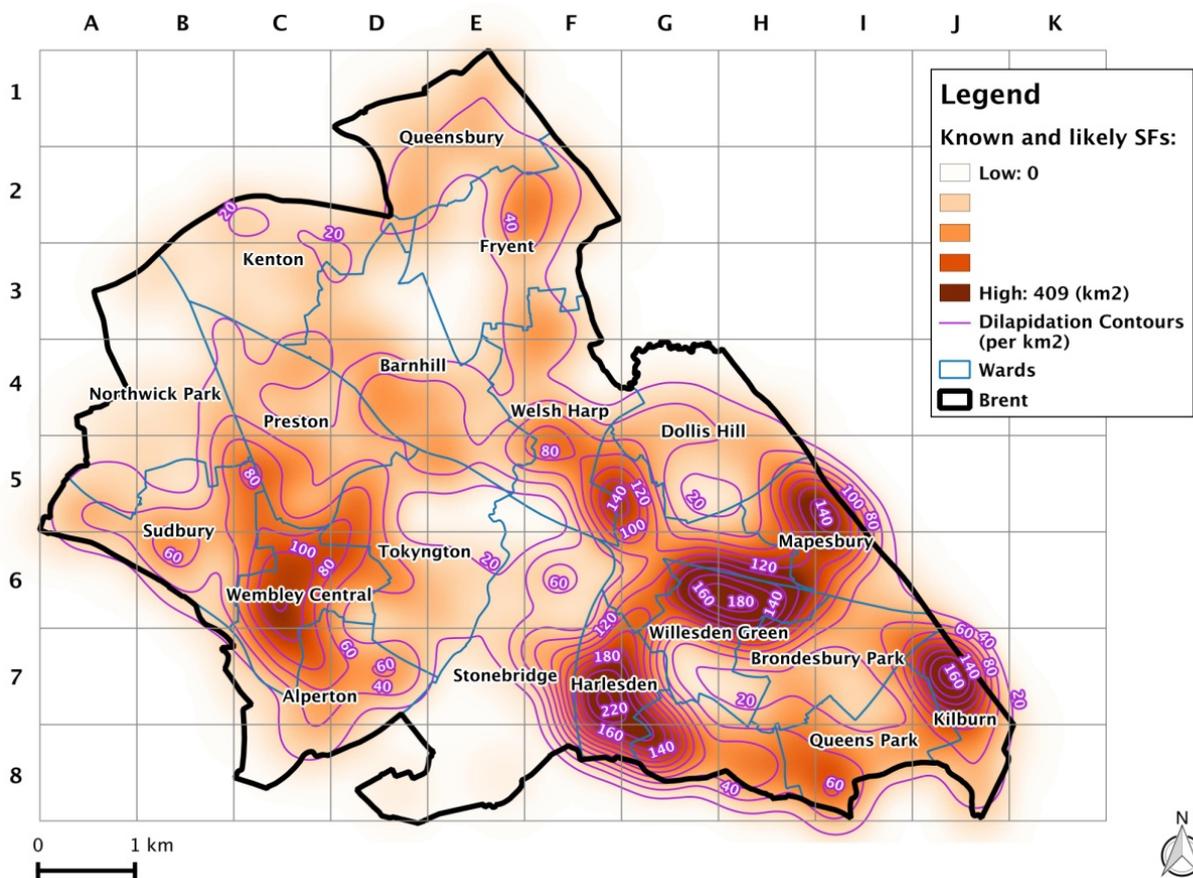


Figure 5: Hotspot map showing concentrations of high risk single family rented properties and contours of poor housing conditions and noise complaints.

**(b) Mandatory and additional licensing**

Mandatory and additional licensing applies to HMOs on a borough-wide basis. We combine them because although properties are defined differently under the legislation our analysis finds that they

share the same risk factors. By combining them we increase the sample size of licensed properties, thereby strengthening our ability to predict which other properties are at high risk of being HMOs.

We found that the most predictive risk factors of HMO status are: whether *no* Council Tax reduction is claimed at an address; there are *three* or more adults living at the address; the presence or history of dilapidations or noise complaints, and last whether it is Council Tax band D-H. The reason for this is that HMOs tend to locate in larger properties as opposed to single family private rented properties.

Table 4, based on 99, 397 privately owned properties, shows the corresponding risk ladder for HMOs. As before, there are 16 risk sub-categories altogether as defined by the presence or absence of each risk factor. Column one shows the number of properties exposed in each risk category and column the number of those which are currently licensed. The next four columns show whether or not a risk factor applies in that risk category (denoted by 'Y').

Although the scheme is borough-wide, the number of licenses issued is far fewer than in the Selective case, and so the percentages are uniformly smaller. This is seen in the final two columns which give the actual and predicted percentages of properties licensed. They now range from 16.3% in the highest risk category (row one) to 0.1% in the lowest risk category (row 16) in which none of the risk factors applies.

In further analysis, we find that a property receiving no help with Council Tax is 7.6 times more likely to be an HMO, 1.7 times more likely if there are three or more adults at the address, 6.7 times more likely if there are reported disrepairs or noise complaints at the address, and 2.3 times more likely if the property is in tax band D-H. Since risk factors are multiplicative, it means that if all four risk factors apply then the odds of the property being an HMO are  $7.6 \times 1.7 \times 6.7 \times 2.3 = 202$  times more likely relative to a property exposed to none of these risk factors.

Figure 6 plots the predicted percentage of private renting against the observed percentages in Table 4. As can be seen the correspondence is high with the four risk factors accounting for 98% of the variance in licensed HMOs properties suggesting a good 'fit' between the risk factors and HMO status. The problem is that the actual number of additional licenses issued is very low compared with the total number of HMOs believed to exist altogether.

It means that it is difficult to estimate how many unlicensed HMOs there are altogether other than by extrapolation – and more difficult than it is to estimate the number of single family private rented households. Previous work using a different methodology estimated that there were approximately 19k HMOs in Brent but our current estimates suggest that this has grown to around 21k properties.

Risk category	No of households	Number of licenses issued in category	No Council Tax Reduction at address	3 or more adults at address	Reported dilapidations or noise	Council Tax Band D to H	Observed HMOs as % of risk category	Predicted HMOs %
1	931	148	Y	Y	Y	Y	15.9	16.3
2	1,513	165	Y		Y	Y	10.9	10.1
3	398	35	Y	Y	Y		8.8	7.9
4	1,912	77	Y		Y		4.0	4.7

5	16,237	442	Y	Y		Y	2.7	2.8
6	118	79		Y	Y	Y	0.8	2.5
7	28,319	475	Y			Y	1.7	1.6
8	276	4			Y	Y	1.4	1.4
9	4,706	8	Y	Y			1.7	1.3
10	49	1		Y	Y		0.0	1.1
11	28,193	191	Y				0.7	0.7
12	935	6			Y		0.9	0.6
13	2,065	11		Y		Y	0.3	0.4
14	5,057	1				Y	0.2	0.2
15	588	10		Y			0.2	0.2
16	8,100	0					0.1	0.1
Total	99,397	1,653	82,209	25,092	6,132	54,516	1.7	

*Table 4: Risk ladder showing the percentage of HMOs segmented according to the risk factors given across the whole of Brent*

If it is accepted their true number is much higher than the number of licenses issued it must also be presumed that the great majority are below the 'radar' from an enforcement standpoint. However, the predictive strength of the risk factors would suggest that through a systematic use of the database accompanying this research it should be possible to uncover any of them especially if coupled with street surveys and home visits.

Take for example high risk rows one to four in Table 4. None receive help with paying Council Tax, all four are associated with poor housing conditions or noise, two contain three or more adults and two are tax bands D to H. Of the 4,754 properties shown only 425 or 8.9% are licensed currently which means that 4,329 are unlicensed and so ought to be easy to trace through the database.

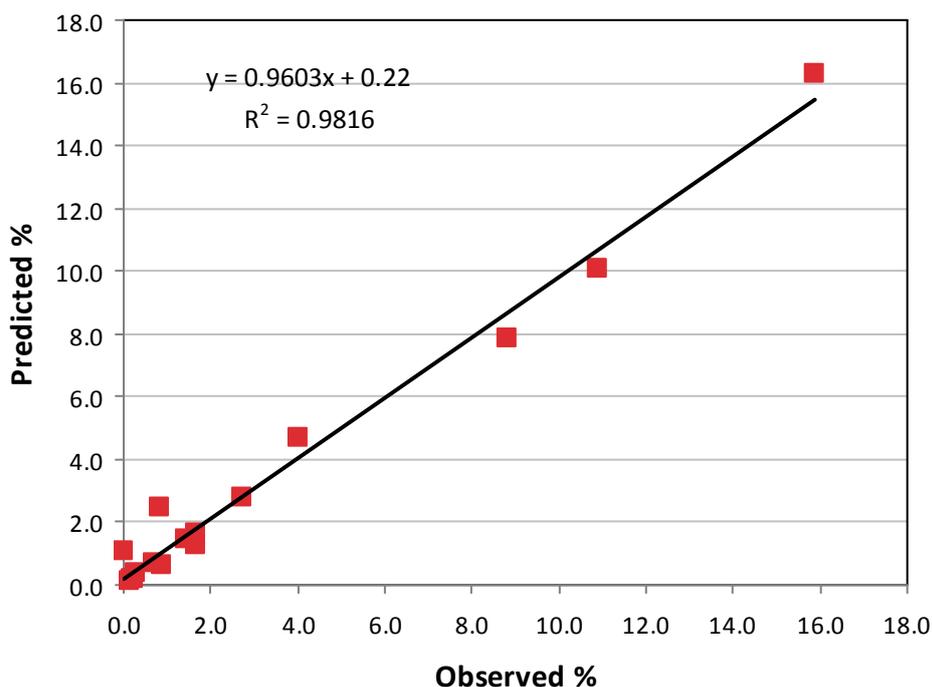


Figure 6: Chart showing the correspondence between the actual percentages of Mandatory and Additional licensed properties and the predicted percentages based on the risk factors in Table 4

Scope for increasing take up of Additional Licensing Brent-wide

Clearly our results imply that the take up of licences under the Selective scheme has been more successful than under the Additional scheme. Reasons for this are necessarily speculative but could be due to the greater difficulty of tracing and engaging landlords including:

- Failure among tenants to forward Council correspondence to non-resident landlords
- A high turnover of tenants relative to tenants in Selectively Licensed properties
- The higher complexity of the license application process for HMOs (e.g. in deciding what kind of licence to apply for and additional form filling)
- A deliberate desire to avoid paying the licences among certain landlords though lack of engagement with the Council
- The higher cost of HMO licences as compared with Selective Licences

Figure 7 (a) is an HMO hotspot map based on all properties exposed to risk factors in the first five rows of Table 4. As previously, overlaid on the map are contours showing the concentration of dilapidations and noise complaints across the borough.

The following points are noteworthy:

- HMOs are geographically more diffuse as well as more numerous than single family rented properties with most areas of the borough affected. The strongest hotspots occur in wards such as Wembley Central and Tokyngton (C6 to D7) where concentrations correlate very well with the incidence of poor housing conditions.

- Numbers of issued HMO licences, although very low, are proportionately higher in the south of the borough. However, there are northern HMO hotspots like Queensbury, Northwick Park, and Kenton where the number of licences issued to date is much fewer than elsewhere suggesting complacency among landlords.

A joint map showing the distribution of the whole PRS is given at Annex C

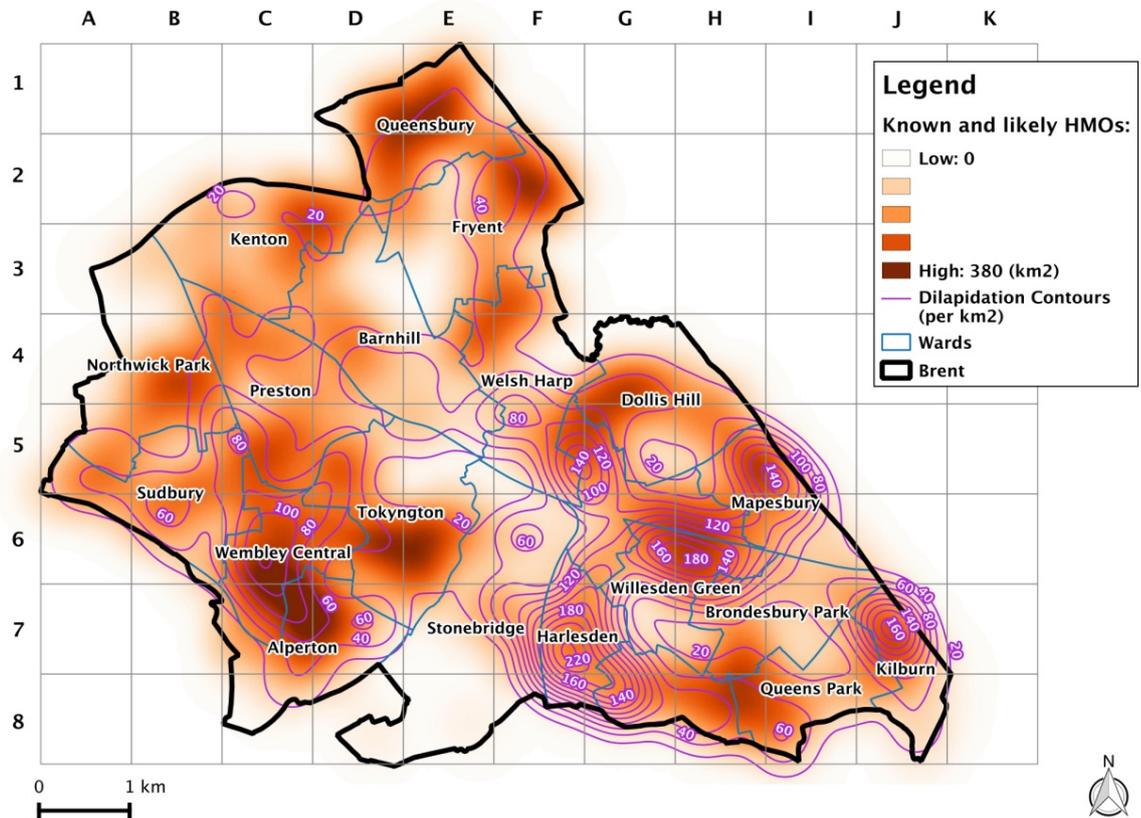


Figure 7: Hotspot and contour map showing concentrations of high risk HMOs, attributable ASB and poor housing conditions

### 5.3 Migration, population turnover and overcrowding

DCLG local authority guidance states that a Selective licensing designation may be made if an area is also experiencing high levels of ‘migration’. This turns out to be a very strong argument for extending Selective Licensing in Brent’s case as is shown below.

According to ONS, annual inflows account for between 8% and 10% of the resident population. This is over seven times the rate experienced by England as a whole and is higher than the London average. Of this percentage between 2.5% and 4.5% is international in origin.

Taking one year with another outflows tend to balance inflows but it is noteworthy that inflows of international migrants exceed outflows by over 2 to 1. By contrast outflows of internal migrants exceed inflows i.e. the other way around indicating a build-up of international migrants over time.

This finding is supported by the number of new migrant GP and National Insurance Registrations which are running at an annual rate of 15k and 23k. The evidence is that these pressures are not

new and that this is reflected in its increasingly diverse black and minority ethnic population, high rents and the lack of affordable housing.

Migration is strongly associated with private renting because new arrivals to Brent will tend to gravitate towards private renting rather than other tenures including social housing. At a property level this therefore provides another tool for identifying privately rented concentrations including overcrowding to bolster the case for Selective Licensing.

These points are highlighted in Figure 8 which is a map produced from property level data in 2016, based on the density of adults per square kilometre. The map has been overlaid with contours showing adult population churn between 2014 and 2016 which is also measured in persons per square kilometre using the Electoral Register.

The darker the hotspots the more adults there are and the steeper the contours the higher the rate of population turnover. The map confirms that turnover and overcrowding are localised and correspond with already identified private rental hotspots especially in areas such as Kilburn (J7 and J8) but Kilburn is not alone.

Other wards similarly affected include Wembley Central, Willesden Green and Mapesbury. These are traditionally the areas that have been most vulnerable but the phenomenon is increasingly becoming borough-wide as may be inferred from the density and proximity of turnover contours in other areas.

It is especially noteworthy that both density and churn is high in areas such as Queensbury (see cell E1), Sudbury (B5), Fryent (E2) and parts of Kenton (C2), suggesting that private renting is impacting over a wide area and not just in the traditional hotspots.

A more detailed analysis enables us to determine whether properties experiencing churn or overcrowding is more likely to be private rented HMOs or single family rented. Using a cut-off of five or more adults per address and a turnover of five or more adults as a proxy for large HMOs<sup>7</sup>, we found that:

- Large HMOs experience higher occupancy and churn than single family private rented properties or smaller HMOs, indicating that smaller private rented single family properties are a more stable group, findings which are also consistent with earlier analysis.
- Wembley Central and Alperton rank highest on both occupancy and churn, followed by Kenton, Queensbury and Tokyngton. This finding is consistent with the identified HMO hotspots in Figure 7.
- Wards with lower occupancy include Harlesden and Willesden Green which are already Selectively Licensed and also Kilburn, Kensal Green, Dudden Hill and Mapesbury all of which are more likely to be single family rented but this is only a guide as the HMO map in Figure 5 shows

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<sup>7</sup> Any HMO is a property rented out by at least 3 people who are not from 1 'household' (e.g. a family) but share facilities like the bathroom and kitchen. A large HMO is one rented to 5 or more people who form more than 1 household and is at least 3 storeys high.

- Stonebridge (E7, E8 and F7), the largest Brent ward, which despite ranking low on both occupancy and turnover, is a special case since it comprises mainly Council stock and does not therefore contribute greatly to the PRS.

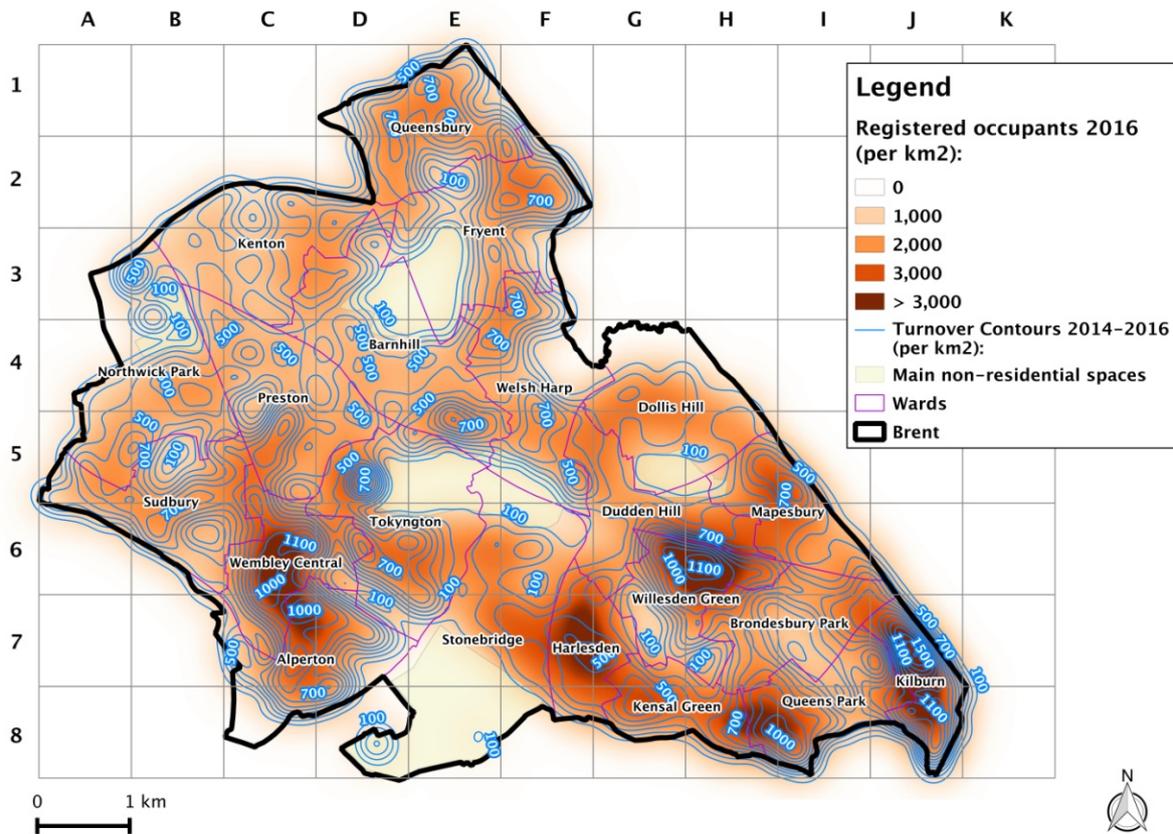


Figure 8: Hotspot and contour map of Brent showing adult population density in 2016 and churn between 2014 and 2016

## 6. Discretionary Licensing options

### 6.1 Discretionary Licensing to date

As we have seen, Brent’s experience of discretionary licensing to date has been mixed. The introduction of borough-wide Additional Licensing has not been a resounding success. The number of licences issued to date falls far short of the expected number even based on more conservative estimates of the number of HMOs.

Reasons given earlier for the low take-up include the higher complexity of the licence application process for HMOs and the difficulty of identifying and engaging with landlords. The way forward in this sector is likely to include a combination of better local intelligence at an address level using all the information resources of the Council backed up by stronger enforcement including prosecutions.

In contrast, the introduction of Selective Licensing appears to have been more successful. Table 3 showed that 23.6% of all residential private and over 90% of eligible properties UPRNs had applied for licences in the wards affected, Harlesden, Willesden Green and Wembley Central. If this experience is extended borough wide less enforcement will be required than would be the case with increasing Additional Licenses. This in turn will generate a stronger stream which could be allocated to enforcement.

## 6.2 Case for borough wide Selective Licensing

For these reasons our research suggests that in the immediate term Brent is more likely to achieve its housing strategy if it widens the introduction of Selective Licensing, especially as the evidence strongly suggest that it is both easier to target and compliance is better.

There are essentially two options which are given below. Of these the second is likely to be too limited for Brent's needs given the growth and spread of the PRS and the experience of licensing to date.

- Option one is to make Selective Licensing borough-wide. The case would need careful presentation because it would mean applying to the Secretary of State. For example, it would mean including parts of the borough where the evidence for private renting and the link with for example to deprivation is not strong as in other areas. The key point here is that ASB is not confined to only the more deprived wards.
- Option 2 is to restrict its extension only to areas most affected by poor housing conditions and ASB in order to comply with Government guidance covering 20% or less of the PRS and 20% or less of the borough area. The reason why this is attractive is because rental hotspots clearly bunch in some wards more than others. The match is imperfect however and ignores the steady march of private renting northwards and eastwards (Annex D critiques this option in more detail).

There are eight key reasons why borough-wide Selective Licensing is more suitable:

1. Private renting in Brent continues to grow. Based on the Census it grew by 72.1 % to 35k properties between 2001 and 2011 and now accounts for 31.5% of the entire housing stock and 41.5% of the private stock. The results of this research are that it is still increasing in size with closer to 37k properties being privately rented.
2. Traditionally private renting has congregated in certain areas of the borough especially in the southeast in wards comprising Kilburn, Harlesden and Willesden Green and but also in Wembley Central. However, this is changing as private renting spreads to neighbouring wards like Mapesbury, Welsh Harp, Dudden Hill and Tokyngton.
3. Not only that, private renting has spread northwards to previously unaffected wards including Barnhill, Fryent, Preston, and Queensbury, and eastwards to Alperton and Sudbury. Only Northwick Park and Kenton remain relatively unaffected, although this is bound to change given the high cost of owner occupancy and increasing population pressures.
4. Population turnover in Brent is three times higher than in the rest of England with migration a major factor adding significantly to housing pressures. Although inflows tend to balance outflows, international migrants are much more likely to remain in Brent than internal migrants thereby increasing the ethnic diversity of Brent but also adding to pressures on Council services.

5. Brent is ranked 39<sup>th</sup> in England among local authorities in terms of deprivation which exists in concentrated pockets throughout the borough. However, we find that property disrepair is even more highly correlated with private renting than with deprivation and that property disrepair is affecting more affluent as well as less affluent wards. This argues for a borough-wide rather than ward-based approach to Selective Licensing.
6. In 2015 Brent implemented Additional Licensing borough-wide in order to deal with the increasing number of un-regulated HMOs. It also introduced Selective Licensing in three wards, Harlesden, Wembley Central and Willesden Green. The results however, have been mixed and in the case of Additional Licensing this has not led to reductions in disrepairs.
7. Despite there being an estimated 21k HMOs in the borough only 1,653 Mandatory and Additional Licences have been issued or 8% of the total. The report details some of the reasons for this which includes problems of HMO identification but also the evasive behaviour of landlords. Even with much higher levels of enforcement including more prosecutions it is unlikely that this can be significantly improved upon.
8. Under Selective Licensing any rented property is eligible to be licensed and so the level of proof as to whether it is an HMO or not is much less restrictive. Selective Licensing which only applies to three Brent wards has led to 3,330 licenses being issued. This equates to an estimated 94% of single family eligible properties in those wards and equates to 23.6% of all private sector properties.

## **7. Conclusions**

The research finds that case for an extension to borough-wide Selective Licensing is very strong. The private rented sector continues to grow in size with an estimated 37k private rented properties in 2016 as compared with 34k in the 2011 Census. Single family private rented properties are more numerous in the south of the borough with particular concentrations in southeast wards, but they are also rapidly spreading elsewhere which are not currently covered by the existing licensing scheme.

Selective Licensing introduced in three wards in 2015 appears to have been considerably more successful in terms of the number of licences issued as compared with Additional Licensing even though this scheme is borough wide and covers more properties. This suggests that if Selective Licensing is widened the take-up of licenses should be as least as good in already Selectively Licensed wards and better than they have been in the Additional Licensing sector.

Although HMOs are more numerous than single family rented properties, and despite the fact that Additional Licensing is borough-wide, there are still problems to be addressed in this sector. Licence take up has slowed due to several reasons including the greater difficulty in identifying and contacting landlords, extra complexity and the cost of licence requirements. Problems include a lack of cooperation from tenants, high occupant turnover and evasive behaviour of some landlords, all of which combine to frustrate enforcement activity.

The report also finds that overcrowding and population churn is strongly associated with private rental hotspots. This occurs more so with HMOs which add to the weight of evidence for the need to increase borough-wide HMO enforcement. Overcrowding and population churn increases the cost of providing services in the areas affected also to general overheads without necessarily generating

additional income for the Council or other services. This is evidenced for example by the increasing number of new NHS migrant registrations currently running at 23k a year.

Of the criteria required for the introduction of Selective Licensing the research finds a strong association between private sector renting and ASB including housing disrepair and also a strong association with a range of ASB indicators at property and ward level regardless of private rental type. It is noteworthy that this association applies whether or not a privately rented property is located in a deprived or more affluent ward, suggesting that both landlords and tenants are responsible.

Because Selective Licensing has only been in place in three wards since 2015, it is too early to show whether it has led to improved housing conditions generally. However, among wards such as Kensal Rise, Kilburn, Tokyngton and Queens Park which are not Selectively Licensed, it is noteworthy that the rankings have worsened on indicators such as noise and enviro-crime. A digest of the arguments for a borough-wide extension to Selective Licensing is shown in Table 5.

Evidence	Comment
<b>The PRS has grown significantly</b>	According to the Census PRS grew by 72.1% between 2001 and 2011 accounting for 35.5% of housing stock. Updated figures in this report suggest that it is closer to 37k today as compared with 35k in 2011. Of the total around 56% are estimated to be HMOs.
<b>Private renting has spread to most areas of Brent</b>	Whereas traditionally it was concentrated in the south around Kilburn, Willesden Green and Harlesden, private renting is now commonplace throughout Brent and spreading even to previously unaffected wards in the north such as Barnhill, Fryent, Preston, and Queensbury.
<b>Population turnover is three times higher than in the rest of England</b>	Although migrant inflows tend to balance outflows, international migrants are much more likely to remain in Brent than internal migrants thereby increasing the ethnic diversity of Brent over time, thus adding to housing and other pressures on Council services.
<b>Property disrepairs and poor housing maintenance is an ever- growing problem</b>	Although Brent is noted for its pockets of deprivation, property disrepair and other negative manifestations of private renting is becoming widespread even in less deprived areas This impacts negatively on the visual appearance of neighbourhoods, blighting the quality of life as well as adding to the cost of Council services.
<b>Additional Licensing introduced in 2015 is still bedding in</b>	Although borough-wide Additional Licensing was introduced in 2015 in order to deal with the increasing number of un-regulated HMO, the take-up of licenses remains below the believed number of HMOs in the borough.
<b>Selective Licensing also introduced in 2015 has been relatively successful to date</b>	The number of unregulated single family private rented properties in Brent is almost as high as the estimated number of HMOs. In the three Brent wards with SLS, take up of licences has been very high and much higher than the number of Additional licences.

Table 5: A digest of the main arguments for borough-wide Selective Licensing

Accompanying this report is a database of all privately owned properties in Brent each with a unique property reference number plus aligned ASB data. The database is designed to serve various purposes in taking the strategy forward which will include details such as benefit status, occupancy, housing conditions and ASB incidents. The database includes a risk assessment of every privately owned UPRN to say whether is private rented or not and more or less likely to be an HMO or single family household.

**Annex A: Census breakdown of tenure by ward in 2011**

Ward name	All Households	Owner-occupied	Social housing	Private rented sector (PRS)	% PRS of all tenures	% difference in PRS compared with 2001
Alperton	4,156	2,358	504	1,294	31.1	11.9
Barnhill	5,407	2,475	1,440	1,492	27.6	9.6
Brondesbury Park	5,338	2,392	1,147	1,799	33.7	9.4
Dollis Hill	4,264	2,267	944	1,053	24.7	9.0
Dudden Hill	5,198	2,324	1,035	1,839	35.4	12.0
Fryent	4,374	2,532	606	1,236	28.3	10.3
Harlesden	6,654	1,566	2,931	2,157	32.4	15.3
Kensal Green	6,063	2,263	1,619	2,181	36.0	15.0
Kenton	3,866	2,849	217	800	20.7	8.1
Kilburn	7,658	1,929	3,445	2,284	29.8	8.0
Mapesbury	6,307	2,212	1,210	2,885	45.7	12.1
Northwick Park	4,139	2,615	670	854	20.6	6.8
Preston	4,995	2,828	631	1,536	30.8	12.8
Queens Park	6,274	2,812	1,249	2,213	35.3	13.3
Queensbury	4,727	2,911	721	1,095	23.2	7.9
Stonebridge	5,903	1,228	3,678	997	16.9	6.9
Sudbury	4,843	2,474	728	1,641	33.9	13.6
Tokington	4,864	2,570	584	1,710	35.2	15.6
Welsh Harp	4,809	2,471	923	1,415	29.4	9.6
Wembley Central	4,380	2,165	684	1,531	35.0	13.4
Willesden Green	6,067	1,719	1,625	2,723	44.9	11.5
Total	110,286	48,960	26,591	34,735	31.5	11.3

Table A1: Breakdown in tenure by Brent ward: Source 2011 Census

## Annex B: Map of deprivation in Brent

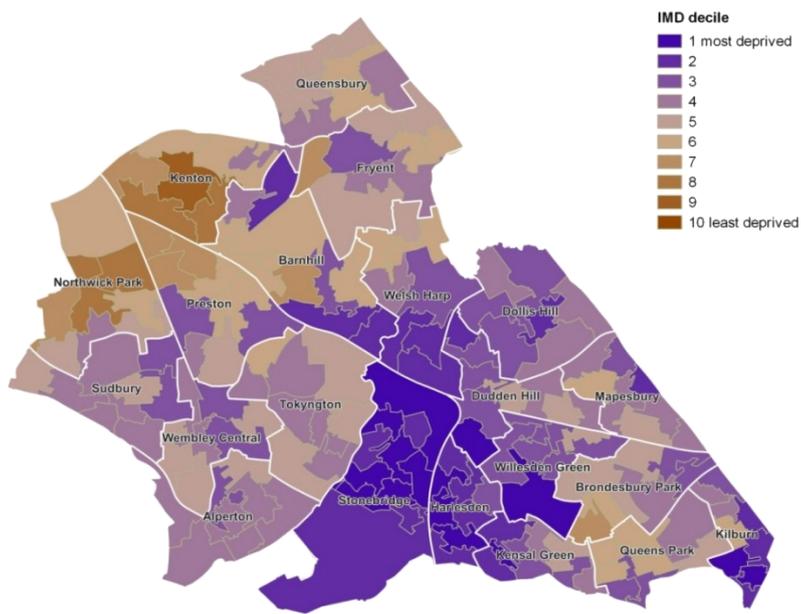


Figure 1B: Map showing deprivation in Brent based on the 2015 Index of Multiple Deprivation (IMD)

**Annex C: Hot spot and dilapidation map of Brent PRS**

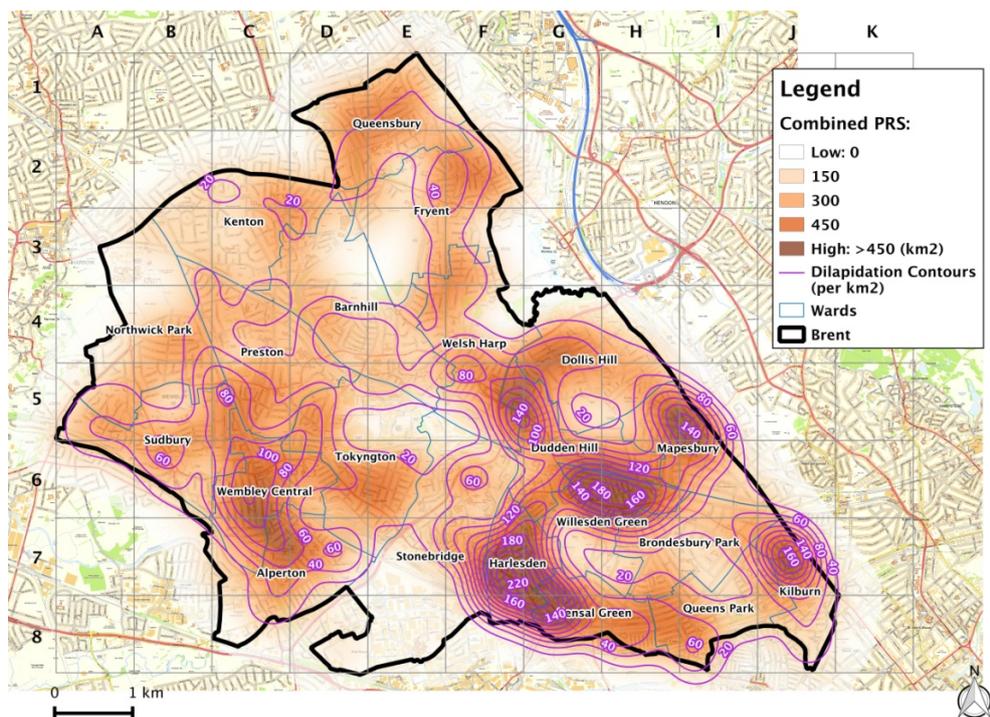


Figure 1C: Map showing concentrations of all private renting

## Annex D: Scope for partial extension of Selective Licensing

There are essentially two options for an extension of Selective Licensing in Brent. The main recommendation of this report is to make Selective Licensing borough-wide; however, will also be interested in the implications of opting for a more limited scheme that falls within the parameters set out by DCLG and which does not require referral to the Secretary of State.

This is to restrict its jurisdiction to areas most affected by poor housing conditions and ASB in order to comply with Government guidance covering 20% or less of the PRS and 20% or less of the borough area. It can be argued that the reason why this might work is that rental hotspots clearly bunch in some wards more than others.

The match is imperfect however and some final tuning may be needed to remain with the guidance. The following two sub-options suggests how this could work in terms of remaining within the 20% constraints; of these sub-option 2 is closest to fulfilling Brent's aims but requires legal opinion.

### Sub-option 1

Table D1 is a list wards which are ranked in order of poor housing conditions and ASB based on Table 2 in the main report. The third column shows our modelled estimates of the number of single family private rented properties in each ward. <sup>8</sup> We exclude HMOs from this count as they are theoretically subject to Mandatory or Additional Licensing.

The next two columns show the percentage of the PRS covered in each and the percentage of the total Brent area based on ward size measured in square kilometres. A final column shows wards in which Selective Licensing currently operates.

<sup>8</sup> Note that all figures in this column should be treated carefully as they are invalidated modelled estimates

Applying the 20% rule shows that Brent Council would be able cover the first six wards on the list before it hits the 20% of the borough area limit and first seven wards based on 20% of PRS stock. The wards included comprise three wards that are already subject to Selective Licensing (Willesden Green, Harlesden and Wembley Central) and three that are not (Kilburn, Mapesbury, Kensal Green and Queens Park).

These wards are located in the south of Brent and not include wards such as Dudden Hill or Tokyngton which also have high concentrations of private renting. However, this option seems un-ambitious for this reason. It would not address single family private rented hotspots or spill-overs into other affected wards such as Dudden Hill or Alperton.

Rank by ASB and housing conditions	Ward name	Single Family Rented properties <sup>(1)</sup>	% of estimated PRS	% Brent area	SLS in place
1	Willesden Green	1,297	3.5	3.6	Y
2	Harlesden	1,519	7.6	6.2	Y
3	Kilburn	693	9.4	8.3	
3	Mapesbury	1,012	12.1	11.5	
5	Kensal Green	1,105	15.1	14.1	
6	Wembley Central	738	17.1	17.8	Y
7	Queens Park	469	18.4	21.3	
8	Dudden Hill	1,081	21.3	25.2	
9	Stonebridge	771	23.3	34.5	
10	Barnhill	752	25.4	41.4	
11	Tokyngton	698	27.2	47.8	
12	Queensbury	502	28.6	52.6	
13	Alperton	650	30.3	57.3	
14	Sudbury	816	32.5	62.2	
15	Preston	696	34.4	67.8	
15	Welsh Harp	867	36.7	73.1	
17	Dollis Hill	770	38.8	78.5	
18	Fryent	620	40.4	84.6	
19	Brondesbury Park	503	41.8	88.6	

20	Northwick Park	345	42.7	94.8	
21	Kenton	331	43.6	100.0	
Total		16,235			

Table D1: Option 1. Brent wards ranked by ASB and poor housing conditions showing the cumulative percentage of estimated single family private rented properties and the percentage of area of Brent occupied. Note (1): modelled estimates by ward.

(a) Option two

Under the second option we suggest that the three operating Selective Schemes can be ignored for these purposes since, like HMOs, they are already covered by an existing licensing scheme. We also make the further suggestion that Stonebridge Park which is the largest in area of all Brent wards is excluded on the grounds that the housing stock is largely Council-owned and maintained with its own housing enforcement arrangements. If these wards are excluded for purposes of remaining within the 20% rule then it would be possible to extend the scheme as shown in Table D2.

The results show the theoretical possibility of extending Selective Licensing in up to eleven more Brent wards based on the property rule and seven more wards based on the area rule.<sup>9</sup> However, the fewer number of wards meeting the area rule is concerning especially as large areas of Brent are used for non-residential purposes (this includes for example Barnhill and Tokyngton).

Brent is 43.2 sq. kms. in area of which 4.64 square kilometres or 10.7% is used for non-residential purposes (mainly green space, industrial use or railway yards). If the few wards affected wards such as Tokyngton are re-calculated net of non-residential land, we would expect some lee-way as is easily confirmed in further analysis.

For example, 22.4% of land in Tokyngton and 17.1% in Barnhill is deemed to be non-residential (Table D3).

Note that these are only suggestions and other permutations are possible, but we would strongly recommend that legal advice is sought on this approach before proceeding further. If followed through this option would leave three unlicensed wards in south Brent (Brondesbury Park, Dollis Hill and Welsh Harp) and four in the north (Preston, Fryent, Northwick Park and Kenton). A staged introduction of Selective Licensing could be extended to these wards at a later date.

Rank by ASB and housing conditions	Ward name	Number of high risk Single Family Rented properties (est.)	Cumulative percent of estimated PRS	Cumulative percent of Brent area	SLS in place
1	Willesden Green	0	0.0	0.0	Y

<sup>9</sup> In fact the percentages are slightly over 20% which is arguably within the margin of error based on the percentage of the PRS covered. The jump in the percentage of the area covered from 15.3% to 22.2% with the including of Barnhill could be addressed by switching a smaller ward from Barnhill on or excluding non-residential green space.

2	Harlesden	0	0.0	0.0	Y
3	Kilburn	693	1.9	2.2	
3	Mapesbury	1,012	4.6	5.4	
5	Kensal Green	1,105	7.5	8.0	
6	Wembley Central	0	7.5	8.0	Y
7	Queens Park	469	8.8	11.4	
8	Dudden Hill	1,081	11.7	15.3	
9	Stonebridge	0	11.7	15.3	
10	Barnhill	752	13.7	22.2	
11	Tokington	698	15.6	28.6	
12	Queensbury	502	17.0	33.3	
13	Alperton	650	18.7	38.1	
14	Sudbury	816	20.9	43.0	
15	Preston	696	22.8	48.5	
15	Welsh Harp	867	25.1	53.9	
17	Dollis Hill	770	27.2	59.2	
18	Fryent	620	28.8	65.4	
19	Brondesbury Park	503	30.2	69.4	
20	Northwick Park	345	31.1	75.6	
21	Kenton	331	32.0	80.8	
Total		11,910			

*Table D2: Option 2. Brent wards ranked by ASB and poor housing conditions showing the cumulative percentage of estimated single family private rented properties and the percentage of area of Brent occupied. Note (1): modelled estimates by ward.*

Ward	Total area km <sup>2</sup>	Area non-residential land	% non-residential land
------	----------------------------	---------------------------	------------------------

Alperton	2.06	0.00	0.0
Barnhill	2.98	0.51	17.1
Brondesbury Park	1.73	0.00	0.0
Dollis Hill	2.3	0.26	11.4
Dudden Hill	1.68	0.07	4.3
Fryent	2.66	0.60	22.5
Harlesden	1.11	0.00	0.0
Kensal Green	1.12	0.00	0.0
Kenton	2.24	0.00	0.0
Kilburn	0.94	0.00	0.0
Mapesbury	1.39	0.04	2.8
Northwick Park	2.68	0.32	11.8
Preston	2.39	0.00	0.0
Queens Park	1.49	0.00	0.0
Queensbury	2.05	0.00	0.0
Stonebridge	4.05	1.99	49.1
Sudbury	2.12	0.00	0.0
Tokyngton	2.76	0.62	22.4
Welsh Harp	2.32	0.23	9.9
Wembley Central	1.6	0.00	0.0
Willesden Green	1.55	0.00	0.0
<b>Total</b>	<b>43.22</b>	<b>4.64</b>	<b>10.7</b>

Table D3: Brent wards by area and the amount of non-residential land





# **PRIVATE RENTED PROPERTY LICENSING IN BRENT**

**Examining the link between the private  
rented sector, anti-social behaviour and  
the other prescribed criteria for  
extending selective licensing in Brent**

**Brent Council  
Private Housing Service  
April 2017**

**Contact: Tony Jemmott**

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# Executive Summary

This Brent research builds on the evidence base undertaken in 2014 for the introduction of discretionary licensing in Brent and further to the 2016 consultation proposal document. It aims to provide the further information to support the Council's proposal to extend selective licensing to all or most of the other areas of the borough. This research is separate to an independent research commissioned by Brent from Mayhew Harper Associates (MHA). The key steps taken in this study were to identify the private rented properties across the borough, to obtain Anti-social behaviour (ASB) and related datasets, to evidence the levels of migration, deprivation, crime across the borough, and to investigate the correlations between PRS and ASB and of the PRS and these additional criteria.

The comparative research has already found that:

- **Anti-social behavior:** There are high levels of Police recorded ASB across all wards and some wards have significantly higher than the average. In 2015-16 ASB calls to police in Brent were 25 per 1000 head of population. A review of the enviro-crime data supports the correlation between the private rented sector and anti-social behaviour at specific locations and across the borough. We have examined such factors as noise, waste and fly-tipping now termed (illegal rubbish dumping IRD), alcohol drinking, graffiti etc. We have also considered our residents attitude to enviro-crime problems and safety issues in the borough.
- **Poor housing conditions:** From the English Housing Condition Survey (EHCS) 2015 report, a fifth of dwellings (19%) failed to meet the Decent Homes Standard. The private rented sector had the highest proportion of non-decent homes (28%). A significant amount of the complaints we receive are about poor property conditions. The majority of enforcement interventions where serious hazards exist relate to overcrowding, poor heating, damp and mould, gas, fire and electrical safety owing to poor management by landlords. Where poor conditions in the PRS stock is more than 19% we consider this to be higher than the national average.
- **Level of migration:** The population has been projected to increase from 313,100 in 2011 to 328,200 by 2016. National Insurance Number Registrations of overseas nationals (NINo) figures from DWP for Brent show that overseas registration rose by 33.6% between the period 2013/14 and 2014/15. This represents a figure greater than 15% in the 12 month period. Since the introduction of licensing there has been a stepped increase in formal housing act enforcement by private housing officers in Brent. An ethnicity analysis of the 34 completed private housing prosecutions for the 6 months Jan 2016 – July 2016 show over 62% of tenants are from EU states with a further 18% of Asian origin. As part of a wider strategy, the Council wants to improve the economic conditions of the area and ensure that all people occupying private rented properties live in well managed housing and in acceptable conditions.
- **Levels of deprivation:** The indices of deprivation is the official measure of relative deprivation for small areas in England. The deprivation is measured using a number of domains; some domains are rated more highly than others so make up more of the score. Brent has 173 Lowest Super output Areas (LSOAs). In 2015 Brent rated 39<sup>th</sup> in the most deprived rank according to the index of multiple deprivation (IMD). Stonebridge and Harlesden rank 8<sup>th</sup> and 18<sup>th</sup> in the top 25 most deprived wards in

London. The living environment domain includes measures for indoor living environment - the quality of housing, which has sub-domains of a) social and private housing in poor condition and b) houses without central heating.

- Levels of crime: Crime levels mapped from March 2015 – February 2016 show that monthly levels in Brent are high although lower than averaged across London. The levels of crime show a positive correlation with the PRS though this is much less positive than observed in the social sector.

#### **Crime rates – per thousand population**

	<b>2015/16</b>	<b>2016/17</b>
<b>Brent</b>	80.6	71.7
<b>London</b>	85.4	74.2

Source: Brent Community Safety Partnership Team

Since the earlier study and publishing the consultation proposal document we have been gathering further data and evidence and we have looked at the new Government criteria for introducing selective licensing.

## Summary of Findings

This in-house study finds:

- That the private rented sector has now estimated at 37,466 and makes up 31.3% of the 119,662 domestic properties in Brent and makes up 38% of the 98,833 private sector stock total.
- This report also shows that in areas where there is a greater prevalence of private rented sector housing (PRS), issues such as anti-social behaviour (ASB) are more likely to occur.
- The analysis shows that the PRS and ASB are positively correlated overall across the borough, and within many individual wards this is significant apart from a few wards in the north of the borough. The most positive correlations are between PRS and police recorded ASB. Following this, there are also positive correlations between PRS and illegally dumped waste reports, PRS and police recorded crime, as well as PRS and noise complaints.
- There are also positive correlations with poor property conditions, deprivation, migration and crime at ward and LSOA level.

More detailed findings at individual ward level show that;

Those wards which have a high proportion of properties flagged as PRS (including those properties already licensed) there is a greater likelihood that the wards will also be worse affected by ASB issues, when compared with wards with a lower proportion of PRS properties. This correlation is strongest when looking at PRS including properties already licensed. The correlation between Single Family PRS properties and ASB is also evident, with wards with higher proportions of single family PRS properties seeing greater levels of ASB.

When looking at individual components of ASB and their relationship with PRS (including licensed properties), police recorded ASB has the strongest correlation against PRS, followed by fly tipping reports, police recorded crime and noise complaints. When looking at single family PRS, the strongest correlations are with fly tipping reports, followed by noise complaints.

Several wards frequently feature as being marked by high levels of PRS (both including and excluding licensed properties) and high levels of ASB. These include Harlesden, Kensal Green, Willesden Green, Stonebridge, Wembley Central, Dudden Hill and Mapesbury.

In addition to positive correlations between PRS and ASB, there are also notable correlations between deprivation and PRS; some of Brent's most deprived wards, including Stonebridge, Harlesden, Kilburn, Willesden Green, Kensal Green and Dudden Hill (Table 11) are also marked by having some of the highest proportions of Single Family PRS in the borough.

Opposite correlations with ASB can be seen when looking at wards with high proportions of properties marked as HMOs, social rented and the owner occupied or 'other tenure' (these properties are not flagged as PRS or council properties). Figure 13 shows that the correlation for HMO is lower ( $R^2 = 0.48$ ) and for example, Figure 14 shows that the social rented sector has a coefficient of ( $R^2 = 0.01$ ). The highest proportions of owner occupied / 'Other tenure' properties see the lowest levels of all recorded ASB.

The review of the five criteria has resulted in graphs which show that problems exist to varying extents for each ward but they are significantly widespread across the whole borough.

Overall there is a strong positive correlation between ASB and PRS across the borough, with an R-squared value of 0.73. There is notable positive correlation between PRS and ASB – especially for Police recorded ASB, illegally dumped waste, and police recorded crimes. Stonebridge, Harlesden, Wembley Central and Willesden Green often feature as being areas with high PRS and ASB (and related issues), this proving the status of the already licensed wards but indicating that ASB issues still significantly persist in those areas. To these Kensal Green, Mapesbury and Dudden Hill now feature prominently in the correlation (Figures 5-7).

There is a positive relationship in that wards with a higher proportion of Single Family PRS also see greater amounts of anti-social behaviour. (Figures 8-12). This is particularly true for wards such as Harlesden, Kensal Green, Willesden Green, Stonebridge, Wembley Central and Dudden Hill.

There is a high positive correlation between the PRS in Brent ( $R^2 = 0.78$ ) and **poor property conditions**. Table 9 and Figure 15 show that only Kenton, Northwick Park and Queens Park can be singled out as not being a serious problem. Table 10 and Figure 16 show that when assessing these complaints there is a positive correlation ( $R^2 = 0.87$ ) with disrepair as recorded by category 1 and category 2 hazards. Where we take the count for category 1 hazards as being *non-decent*, 997 out of 1726 properties or 57.8% of properties assessed are non-decent. This compares with a national average of 28% for the PRS.

As some wards also rank highly in respect of **migration, deprivation and levels of crime**, overall there is justification of Brent's proposal to extend selective licensing to most of its area.

A recommendation for extending to this degree required consideration of the 20% rule and therefore Secretary of State's confirmation of any scheme likely to be approved by Brent Council. There is also a strong individual ward - specific criterion link which could form the basis of a multiple designation selective licensing scheme recommendation.

## Introduction

In 2014, the Council led project (Additional and Selective Licensing in the Private Rented Sector in Brent: A Consultation Exercise, HQN) looked at the links between the private rented sector (PRS) and anti-social behaviour (ASB) and identified areas within the Borough that were suffering from high levels of anti-social behaviour and environmental issues. We were confident that the evidence showed that poorly managed private rented sector housing contribute to anti-social behaviour in some areas and on this basis, the Council introduced two types of licenses in the spring and summer of 2014, both of which came into operation on 1st January 2015.

Firstly, in April 2014 the Executive approved the introduction of an Additional Licensing scheme for the whole borough for houses in multiple occupation (HMOs). This requires all landlords who let a property that is occupied by three or more non-related occupiers who share some basic amenities, such as a kitchen, to have a licence.

Secondly, in August 2014, Cabinet approved the introduction of a Selective Licensing designation for three wards of Harlesden, Wembley Central and Willesden Green where anti-social behaviour was identified as a significant problem linked to the poor management of private rented housing. Since the current schemes were implemented, the government has introduced a range of new criteria that council's may take into account when considering their approach to licensing.

This research seeks to provide evidence for extending selective licensing to other areas in Brent. It re-examines the link between the PRS and ASB, as well as the additional conditions of poor property conditions, levels of migration, deprivation and crime which were introduced by the Government in 2015. The evidence of this report will be used to inform the decisions on licensing in Brent.

A key part of the exercise was to assemble a wide range of datasets and evidence from the Council, the Metropolitan Police and other credible sources to estimate and map the locations of PRS in Brent, and also to map and correlate the PRS to the licensing conditions criteria.

The datasets have been significantly updated since the 2014 study. An independent study has been commissioned from Professor Les Mayhew of Mayhew Harper Associates, with whom the datasets were shared. A schedule of the datasets is provided in the appendix of this report.

## Background to Brent

The private rented sector in Brent is large and growing. In 2011 there were 35,000 properties in the sector in the Borough - over 32% of the housing stock. In 2014, the percentage of the PRS in Brent was at approximately 35%, which was significantly higher than the London (27%) and national (20%<sup>1</sup>) figures. As this trend continues the private rented sector is now bigger than the social rented sector provided by the Council and housing associations in Brent.

Much of the private rented sector in Brent offers good accommodation for people who want to live in the Borough, but parts of it are badly managed and the quality of some rented accommodation is poor and in some cases, unsafe.

There is also evidence that poorly-managed privately rented properties are having a negative impact on some neighbourhoods. Anti-social behaviour (ASB), nuisance neighbours and accumulations of rubbish can be linked to the failure of private landlords to effectively manage their properties and tenancies. Overcrowding, subletting and illegal conversions are also features of the private rented sector in Brent on the back of the huge demand for housing in the borough, and in London as a whole.

## Selective Licensing Evidence and Anti-social behaviour

Before a selective licensing scheme can be introduced, Brent Council must be satisfied that the area is experiencing a significant and persistent problem caused by anti-social behaviour, and that some or all private sector landlords in the area are failing to take action to combat the problem that it would be appropriate for them to take; and that making of a designation, will, when combined with other measures taken by the local housing authority (LHA), or by other persons together with the LHA, will lead to a reduction in, or the elimination of, the problem.

Additional criteria for making a scheme are now in force.

<http://www.legislation.gov.uk/ukxi/2015/977/contents/made>. In addition to the already existing low demand and antisocial behaviour criteria, the Department for Communities and Local Government "Selective Licensing in the Private Rented Sector" Guide for Local Authorities states that a selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions, being an area experiencing:

- i. Low housing demand or is likely to become such an area;
- ii. Significant and persistent problem caused by anti-social behaviour (ASB);
- iii. Poor property conditions;
- iv. High levels of migration;
- v. High level of deprivation;
- vi. High levels of crime.

A new General Approval came into force on 1 April 2015. Brent Council will be required to obtain confirmation from the Secretary of State for any licensing scheme which would cover more than 20% of its geographical area or would affect more than 20% of the privately rented homes in the Borough. This may be

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<sup>1</sup> English Housing Survey 2015 to 2016

especially so, given that there is already a scheme in place covering the Harlesden, Willesden Green and Wembley Central electoral wards.

The new legislation, The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 is supported by non-statutory guidance document, *Selective licensing in the private rented sector: A Guide for local authorities*, DCLG, March 2015 explains the criteria for making a selective licensing scheme and the type of evidence needed to support a designation.

Before proposing a designation and embarking on a consultation the local housing authority must identify the problems affecting the area to which the designation will apply and provide evidence to support the existence of the problems.

The proportion of properties is a statutory requirement- see The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 - Article 3 (1) (a). It is a prerequisite to making a scheme that such a review has been carried out. The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 – Article 4 (a).

## **Defining Anti-social behaviour**

Section 80 (6) (a) of the Act gives LHAs the power to make a Selective Licensing designation if “the area is experiencing a significant and persistent problem caused by anti-social behaviour.” The For the purposes of the Housing Act 2004, “anti-social behaviour” as defined in s100 of the Act by reference to section 57 (5) means conduct on the part of occupiers of, or visitors to, residential premises—

*(a) which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or*

*(b) which involves or is likely to involve the use of such premises for illegal purposes.*

An area can be deemed to be suffering from significant and persistent anti-social behaviour if it suffers from:

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

**Nuisance Neighbours:** intimidation and harassment; noise, rowdy and nuisance behaviour; animal related problems; vehicle related nuisance. Tenants engaged in begging; anti-social drinking; street prostitution and kerb-crawling; street drugs market within the curtilage of the property.

**Environmental Crime:** tenants engaged in graffiti and fly-posting; fly-tipping; litter and waste; nuisance vehicles; drugs paraphernalia; fireworks misuse in and around the curtilage for their property.

An area may suffer from a mixture of the problems and individual properties may suffer from a combination of them.

## Identifying private rented properties in Brent

Table 1 shows that at the time of the 2011 census, there were 34,735 privately rented households in Brent (31.5% of all households). This was a considerable increase from the 2001 census of a population of 263,464, at which time private rented properties accounted for 20.2% of households in the borough.

**Table 1: The private rented sector in Brent: 2001 and 2011 by Ward**

	All households 2001	Private rented or living rent-free 2001	PRIVATE RENTED SECTOR as % of total 2001	All households 2011	Private rented or living rent-free 2011	PRIVATE RENTED SECTOR as % of total 2011	PRIVATE RENTED SECTOR: total	PRIVATE RENTED SECTOR: % change
Alperton	4,198	806	19.20%	4,156	1,294	31.14%	488	61%
Barnhill	4,922	886	18.00%	5,407	1,492	27.59%	606	68%
Brondesbury Park	4,849	1,176	24.25%	5,338	1,799	33.70%	623	53%
Dollis Hill	4,245	669	15.76%	4,264	1,053	24.70%	384	57%
Dudden Hill	4,950	1,156	23.35%	5,198	1,839	35.38%	683	59%
Fryent	4,418	793	17.95%	4,374	1,236	28.26%	443	56%
Harlesden	4,965	850	17.12%	6,654	2,157	32.42%	1,307	154%
Kensal Green	4,447	935	21.03%	6,063	2,181	35.97%	1,246	133%
Kenton	4,045	510	12.61%	3,866	800	20.69%	290	57%
Kilburn	6,594	1,437	21.79%	7,658	2,284	29.83%	847	59%
Mapesbury	5,747	1,936	33.69%	6,307	2,885	45.74%	949	49%
Northwick Park	3,887	539	13.87%	4,139	854	20.63%	315	58%
Preston	4,765	852	17.88%	4,995	1,536	30.75%	684	80%
Queen's Park	5,205	1,145	22.00%	6,274	2,213	35.27%	1,068	93%
Queensbury	4,285	654	15.26%	4,727	1,095	23.16%	441	67%
Stonebridge	5,865	585	9.97%	5,903	997	16.89%	412	70%
Sudbury	4,747	965	20.33%	4,843	1,641	33.88%	676	70%
Tokington	4,172	815	19.53%	4,864	1,710	35.16%	895	110%
Welsh Harp	4,856	960	19.77%	4,809	1,415	29.42%	455	47%
Wembley Central	3,630	785	21.63%	4,380	1,531	34.95%	746	95%
Willesden Green	5,184	1,728	33.33%	6,067	2,723	44.88%	995	58%
<b>Total</b>	<b>99,976</b>	<b>20,182</b>	<b>20.19%</b>	<b>110,286</b>	<b>34,735</b>	<b>31.50%</b>	<b>14,553</b>	<b>72.11%</b>

Source: Census data – 2001, 2011

**Table 2: Tenure changes 2001 – 2011 in Brent and London comparison**

Tenure	2001 census	2011 census	% change in Brent	% change in London (MHA)
<b>Privately rented</b>	18%	30%	+67%	+65.5%
<b>Owner occupied</b>	54%	43%	-20%	-6%
<b>Social rented</b>	24%	24%	0%	-1%
<b>Other*</b>	3%	3%	0%	
<b>Total Brent</b>	99,991	110,286	<b>10%</b>	
<b>Total London</b>	3,015,997	3,266,173		<b>8%</b>

\*This “other” includes those living rent free

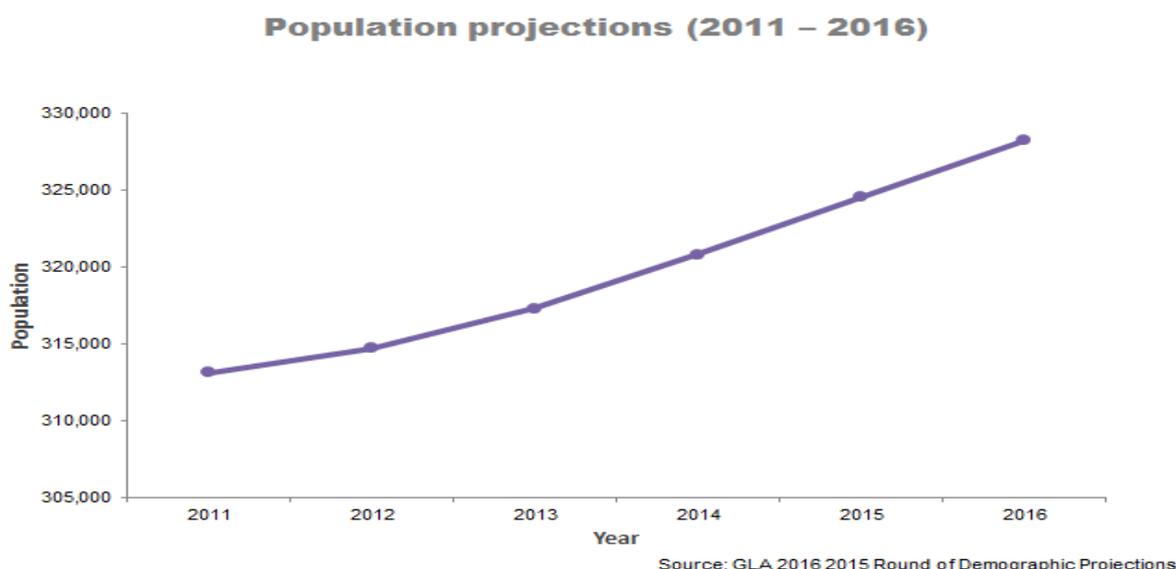
The percentage change across all tenures is a good indicator of the movement in the housing status of the borough. Table 2 shows these changes and when compared with the average across all London boroughs indicates that the PRS in Brent rose higher (10%) than the average across London (8%). Owner occupation fell more than three times as rapidly (20%) in Brent than across London.

Comparatively according to the EHS 2015-16 Headline Report; **owner occupation** makes up 63%, the **private rented sector** 20% and Social rented sector 17% of all households in England. The report gives the PRS in London at 49% with no change in the social sector.

In addition to the growth of the private rented sector (PRS) in recent years, the overall population of the borough has also seen steady growth. At the time of the 2011 census, the total population was 311,000, and this has since increased to 328,000<sup>2</sup> according to most recent estimates as shown in figure 1 population projections below.

<sup>2</sup> GLA: 2015 round population projections

**Figure 1 - Population Projections for Brent**



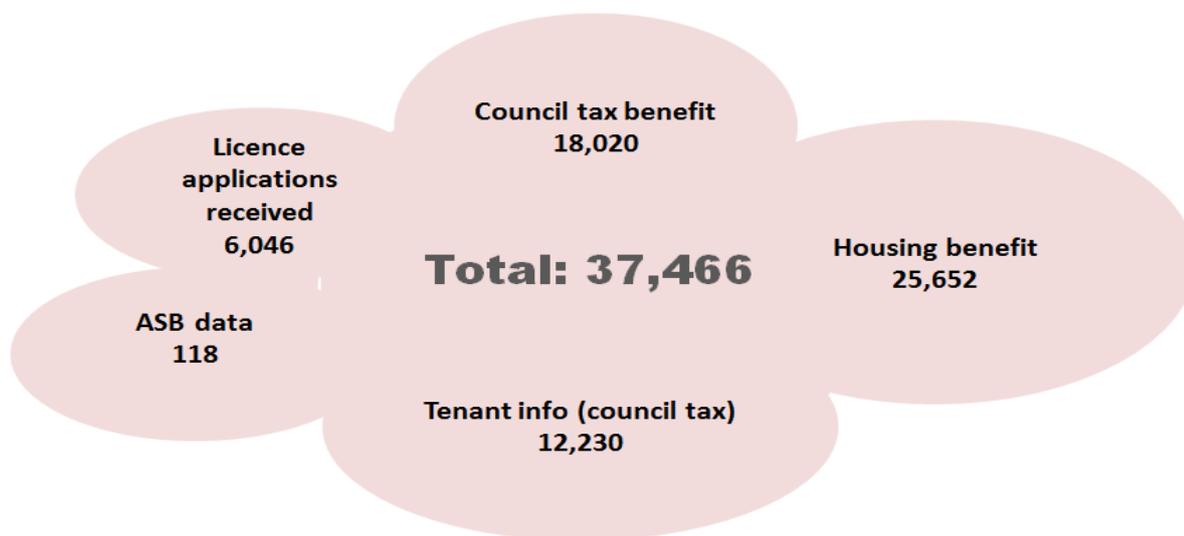
Given the continued growth in the overall population, as well as the increased size of the PRS, there is good reason to suggest that the number of privately rented households in the borough will have continued to increase since the 2011 census.

To help test the assumption that the PRS sector in Brent has continued to grow, we collected data from various sources to identify the current extent of the PRS in Brent. The data sets were as follows:

**Table 3: Data sources used to identify PRS properties in Brent**

Source	Description	Number of properties
<b>Licence applications and exemptions received</b>	List of all properties which have already made HMO and single family household applications for licences and are therefore known PRS	6,046
<b>Council tax benefit</b>	Council tax benefit data contains information on if a property is occupied by a private tenant	18,020
<b>Housing benefit</b>	Housing benefit data contains information on if a property is occupied by a private tenant	25,652
<b>Tenant info (council tax records)</b>	Council tax collection information on when a customer has moved into a property. As part of this they are asked if they are occupying as an owner or tenant.	12,320
<b>ASB data</b>	The council’s ASB team record tenure information on properties visited	118

**Figure 2: Composition of the PRS in Brent**



All of Brent's 119,663 domestic properties were then given a flag if they appeared in at least one of the above datasets. The known social stock (20,830), that is, the council owned stock which is managed by Brent Housing Partnership (BHP) plus the Housing Association stock, is removed from this gross total to give an estimated private stock of 98,833. **The level of private rented properties is 37.9% of Brent's 98,833 total privately owned stock. The overall estimate of Brent's current PRS is 37,466 properties or 31.3% of the domestic properties.** This should be compared with the London average of 27% and 18% outside London. (Source: 2014-15 English Housing Survey, full household sample).

As a starting point for predicting the PRS we have used ward level Census 2011 data but this data is some six years or so old. Predicting the PRS cannot be exact and our estimate is based on certain information as to the likelihood of a property being privately rented or otherwise. The council records of the properties that we know of for certain to be PRS, including the properties on our licensing register and applications made databases increases the confidence in our methods and results.

Table 4 below provides a ranking of the 37,466 properties currently identified as being privately rented from council sources (council tax benefits, housing benefits, tenant information from council tax, ASB data, HMO data). As these were identified as being privately rented from council held sources, we can be sure with a high degree of certainty as to their tenure type. The total number of domestic properties for each ward was then calculated, and the percentage PRS of all properties was then calculated and ranked.

**Table 4: Ward rankings for PRS 2016**

Ward	% of total area of Brent	Number PRS	Percentage PRS of all properties	PRS rank
Harlesden	3%	3 627	52%	1
Willesden Green	7%	3 305	51%	2
Wembley Central	11%	1 887	39%	5
Dudden Hill	15%	2 075	37%	7
Kensal Green	18%	2 255	37%	4
Stonebridge	27%	2 446	35%	6
Mapesbury	30%	2 232	34%	13
Barnhill	37%	1 897	33%	3
Welsh Harp	42%	1 587	31%	8
Dollis Hill	47%	1 409	29%	18
Sudbury	52%	1 540	29%	17
Preston	58%	1 527	29%	11
Alperton	63%	1 375	27%	9
Kilburn	65%	2 168	27%	10
Brondesbury Park	69%	1 369	25%	15
Queensbury	74%	1 274	24%	12
Tokington	80%	1 632	24%	14
Queens Park	83%	1 476	24%	16
Fryent	89%	1 012	22%	20
Northwick Park	95%	747	19%	19
Kenton	100%	570	14%	21
Totals		37,466	31.3%	

## Predicting PRS Households

Predicting the number of single family households and therefore the estimated number of properties to which selective licensing would apply if the scheme is extended in Brent is important in;

1. Identifying the distribution and locations, particularly at ward level of the PRS tenures and,
2. Establishing the link between the incidences of ASB and the levels to which the licensing criteria may exist at ward/area levels.

The methodology considered the *risk ladder* concept and *tenure profiling* to estimate the numbers of single family and of houses in multiple occupation.

### The risk ladder concept and risk factor profiling

The concept is taken from that used by Mayhew Harper Associates, which suggests that properties with certain risk profiles are more likely to be privately rented, and that further, the application of specific risk factors can provide a clearer differentiation between single family and HMO tenure types. There can be many risk categories.

Mayhew's work used the 3,330 properties which are licensed under the existing Brent selective licence scheme which covers Harlesden, Wembley Central and Willesden Green electoral wards to test the assumptions. This showed certain risk factors are more highly predictive of private tenure are e.g. benefit status, no. of adults on the electoral register, nuisance complaints and disrepair history. These risk factors, when combined with council tax information e.g. council tax banding and the address details of the council tax liable party, were more predictive of HMO tenure status. Clearly the more positive **higher risk** factors observed at a particular address, the greater the likelihood of the property being privately rented. For known privately rented properties, the eligibility for housing benefit was highly predictive of single family; and the absence of council tax assistance was more predictive of HMO use.

#### **a) Risk profiling Single Family PRS**

We used the risk matrix to establish the likelihood of each property in the borough being a single family.

Through this process, we identified **17,480 properties** across the borough deemed to be at *high risk* of being **Single Family Private Rented**. The base used from which to do this risk scoring took all properties in the borough known to be privately rented (base 37,466).

These overall figures as illustrated in Figure 2 should be regarded as **minimum estimates** of the extent of PRS in Brent. It is likely that other privately rented properties exist which are not included within any of the above datasets, for example, someone could be renting a property privately but not in receipt of any benefits. The comparison allows us to be reasonably confident in our prediction of the PRS profile in Brent.

**Table 5: Risk profiling Single Family PRS**

Risk score	No. of households	Housing benefit at address	2 or more adults at address	Dilapidations or noise	CT band A-C
1	475	Y	Y	Y	Y
2	1,097	Y		Y	Y
3	4,560	Y	Y		Y
4	10,926	Y			Y
5	422	Y	Y	Y	
6	367	Y		Y	
7	129		Y	Y	Y
8	217			Y	Y
9	5,397	Y	Y		
10	3,716	Y			
11	1,965		Y		Y
12	3,474				Y
13	248		Y	Y	
14	187			Y	
15	2,398		Y		
16	1,888				

**b) Risk profiling HMOs**

As with the process of identifying single family households, properties which were assigned a risk of one to five were deemed to be at *high risk* of being a HMO. This gave us a total of **20,826 high risk HMO** properties in the borough. It is worth noting that the basis used to carry out this risk scoring excluded any properties known to be owned by housing associations, as well as those owned by the council (occupied by council tenants).

**Table 6: Risk profiling HMOs**

Risk score	No. of households	No Council tax reduction at address	3 or more adults at address	Reported dilapidations or noise	Council tax band D to H
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1	581	Y	Y	Y	Y
2	1,096	Y		Y	Y
3	243	Y	Y	Y	
4	1,432	Y		Y	
5	17,474	Y	Y		Y
6	82		Y	Y	Y
7	31,939	Y			Y
8	216			Y	Y
9	3,194	Y	Y		
10	34		Y	Y	
11	25,157	Y			
12	800			Y	
13	2,355		Y		Y
14	5,486				Y
15	469		Y		
16	8,275				

#### **Anti-social behaviour data**

A number of different datasets have been analysed as part of this research to examine the link between the PRS and anti-social behaviour (ASB) and related activities. Where possible we have used data which covers the same time-period (2015-16) as this builds upon the data previously collected and included in the previous study carried out in 2014. The more recent dataset is more comprehensive and the list is attached in the appendix 1 of this report. The datasets as summarised in Table 7 below have been analysed.

**Table 7: ASB related datasets used in analysis**

Dataset	Description	Time period	Number of records	Source
<b>Police recorded crimes</b>	Includes all types of crime as recorded by the Met police. Provided at point level (eastings & northings)	Sept 2015 to Sept 2016	26,029	Brent Council Community Safety team / Met Police
<b>Contaminated waste / recycling reports</b>	Crew reported issues of contamination and excess waste for all street level properties. Provided at property point level.	Sept 2015 to Sept 2016	121,274	Veolia
<b>Illegally dumped waste reports</b>	Reports made by members of the public using the Cleaner Brent reporting phone app. Data is provided at point level (eastings & northings)	Sept 2015 to Sept 2016	12,591	Cleaner Brent App
<b>Police recorded ASB</b>	Police recorded ASB incidents. Data provided aggregated at ward level.	2015/16	8,254	Brent Council Community Safety team / Met Police
<b>Noise complaints</b>	Noise complaints received by the council	Sept 2015 to Sept 2016	664	Brent Council Regulatory Services

## Data Analysis

To analyse the relationship between each of the above datasets and PRS, each dataset was aggregated up to 2011 Census output area level to create a count of the number of occurrences by output area. Census output areas are the lowest level geography used to analyse census data. They consist of approximately 125 households per output area. Brent is broken up into 826 output areas.

The number of properties flagged as PRS were also aggregated up to output area geographies, and where other tenure types were also known (e.g. social rented), these were also counted up to output area level.

Aggregating all of the datasets up to output area level then allowed us to then look at correlations between each of the datasets in turn, and so explore the relationship with the PRS.

For purposes of presentation, the results from this analysis have been further aggregated up to individual ward level. There are 21 wards in Brent in total.

## Research limitations

The majority of the datasets we have analysed in conjunction with PRS are based to a varying extent of self-reported information. For example, reports of illegally dumped waste would only be made by people who use the reporting tool on their smart phones, and so other cases of illegally dumped waste could go unreported. Similarly, police recorded crime or ASB are also reliant on the case being reported in the first place. There could well be other cases of crime or ASB which go unreported.

It is important therefore to consider that whilst all of these datasets give as a fairly detailed extent of ASB (and other similar issues) in the borough, it will never be a completely complete representation of the issues at hand.

Deprivation data (Indices of Deprivation) is derived from a number of sources, including for example the 2011 census. The data is available at lower-layer super output areas (LSOA) – these are small geographical areas with an average population size of 1,500 residents. This data is modelled and not based on individual household information, and so some caution should be given in its interpretation. More information can be found [here](#).

Migration data is taken from the 2011 census. This data is only available down to ward level, and so cannot be attributed to individual households.

A key limitation to consider with all of the datasets mentioned above is that although we can determine the strength of the relationship between PRS and ASB, we will never know for certain if PRS is the main contributing factor for causing more ASB, or if this is indeed the result of a number of different factors.

## Research Findings

The charts overleaf show the relationship between PRS and the different datasets analysed. R-squared values are shown. The closer the R-squared value is to 1.0, the closer the correlation, and therefore the stronger the relationship between the two datasets.

### Key Findings

The key findings from the charts are such:

#### Antisocial behaviour

- There is a strong correlation between ASB and PRS in relation to **police recorded ASB**. The highest levels of ASB were recorded in Wembley Central (744), Harlesden (640), Stonebridge (613) and Willesden Green (602). These four wards also have some of the highest levels of PRS in the borough, ranging from 52% in Harlesden to 34% in Stonebridge. There is a positive correlation between areas with a greater proportion of **Single Family PRS and police recorded ASB**. The relationship is however not as strong as with all PRS combined (0.14 compared to 0.57).
- From the distribution around the average borough % of PRS in each ward the three wards with the highest levels of **contaminated waste reports** are Brondesbury Park (13,080), Queensbury (12,206) and Barnhill (11,619). The levels of contaminated waste are also high in other wards
- There is a strong relationship between PRS and reports of **illegally dumped waste** across the borough. Harlesden, which has the highest proportion of PRS (52%), followed by Kensal Green (37%), and then Willesden Green (51% PRS). The link to the PRS is the second only to police recorded ASB highest after all of the datasets analysed.
- Overall there is a slight positive correlation (R=0.32) between **noise complaints and PRS**, with Harlesden, Mapesbury and Kilburn wards showing the highest correlation

#### Levels of Crime

- Overall there is a fairly strong relationship between **PRS and police recorded crime** in the borough within the wards of Stonebridge (2,282), followed by Harlesden (2,064) and Wembley Central (1,945) and Tokyngton (1,757). 24% of domestic and Police recorded crime could be dis-proportionally high in Tokyngton due to events at Wembley stadium drawing in large crowds.
- When looking at the relationship between **Single Family PRS and police recorded crime**, there is still a positive relationship in that areas with more Single Family PRS also see higher levels of police recorded crime. Stonebridge, Harlesden, Wembley Central and Tokyngton are notable outliers

### Levels of Migration, Deprivation

- Wards in the south of the borough rank in the top ten for migration with Mapesbury, Willesden Green, Kilburn and Queens Park ranking highest
- There is a positive correlation in that areas with a greater proportion of Single Family PRS also tend to be more deprived.

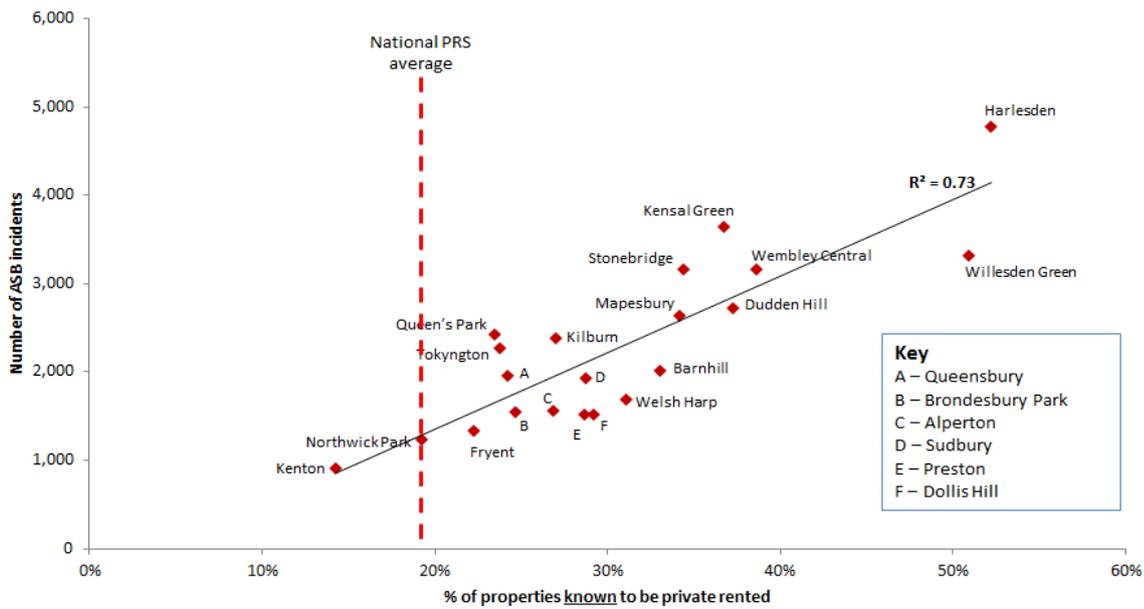
## The relationship between ASB and known PRS

Table 8: All ASB combined (police crime, fly-tipping, noise, police recorded ASB)

ASB rank	Ward	% known PRS	% High risk HMO	% High Risk Single Family PRS	ASB incidents
1	Harlesden*	52%	7%	28%	4,764
2	Kensal Green	37%	11%	21%	3,630
3	Willesden Green*	51%	10%	22%	3,307
4	Stonebridge	34%	7%	18%	3,152
5	Wembley Central*	39%	25%	18%	3,147
6	Dudden Hill	37%	18%	19%	2,720
7	Mapesbury	34%	13%	14%	2,632
8	Queens Park	24%	12%	7%	2,422
9	Kilburn	27%	6%	12%	2,370
10	Tokyington	24%	23%	10%	2,258
11	Barnhill	33%	19%	16%	2,008
12	Queensbury	24%	29%	8%	1,945
13	Sudbury	29%	20%	15%	1,921
14	Welsh Harp	31%	19%	17%	1,684
15	Alperton	27%	23%	15%	1,548
16	Brondesbury Park	25%	14%	8%	1,542
17	Dollis Hill	29%	20%	13%	1,506
18	Preston	29%	25%	12%	1,504
19	Fryent	22%	24%	13%	1,322
20	Northwick Park	19%	31%	8%	1,222
21	Kenton	14%	34%	6%	907

\*Wards already under selective licensing

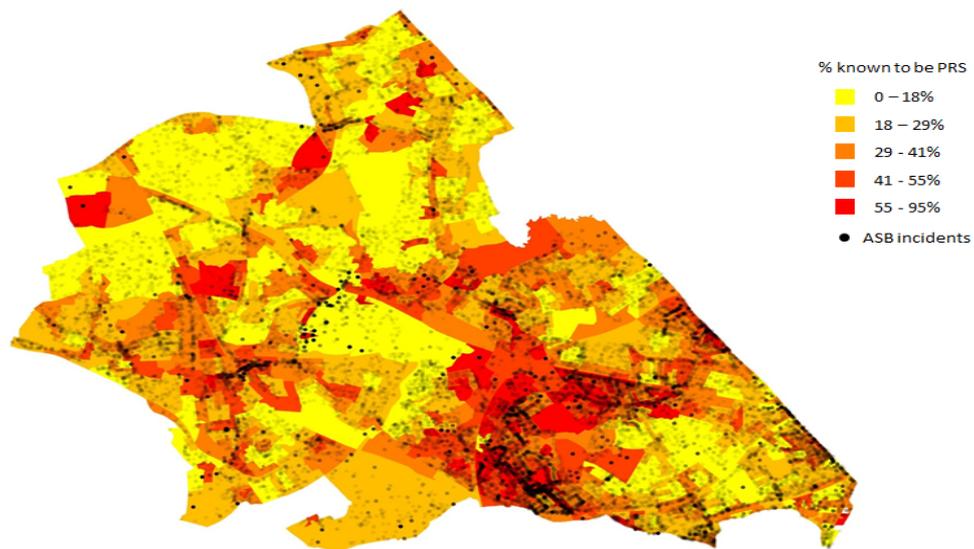
**Figure 3: Number of ASB incidents\* against % of ward known to be PRS\*\***



\*Includes data from four sources; police recorded crime, fly tipping reports, noise complaints and police recorded ASB – data aggregated to ward level  
 \*\*37,466 PRS records in total. These have been identified as being known PRS through various council sources e.g. housing benefit, council tax benefit which state the tenure type of the property.

The chart above shows the relationship between ASB and known PRS properties. As can be seen, wards with a high proportion of PRS housing as a percentage of their total housing stock are also more likely to see higher levels of ASB. The R-squared value for this is 0.73.

**Map 1: Map showing % of properties known to be PRS by recorded ASB incidents**



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04 April 2017

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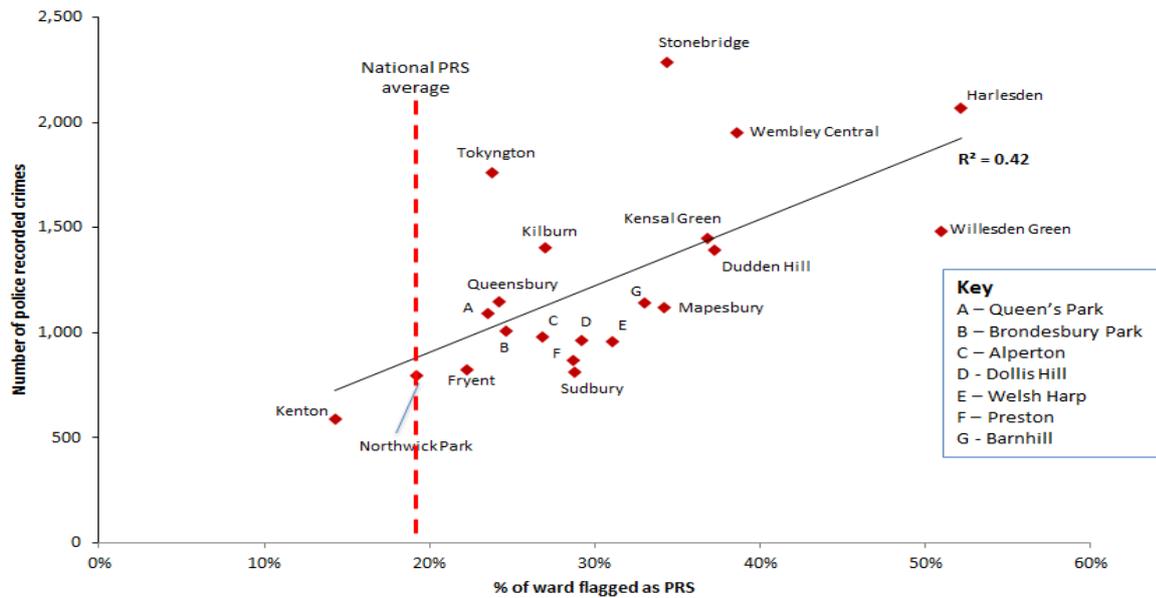


ASB includes: Police recorded crimes, Illegally dumped waste reports and Noise complaints. All data is for period September 2015 to September 2016

The map shows that ASB incidences occur at high levels across all wards with significant showings in wards southeast of the borough.

For charts 6-10 we have deliberately excluded the known 2504 already licensed HMOs where they might have occurred on this list as we are 100% confident about the status of these properties.

**Figure 4: Police recorded crime by known PRS (September 2015 – September 2016)**

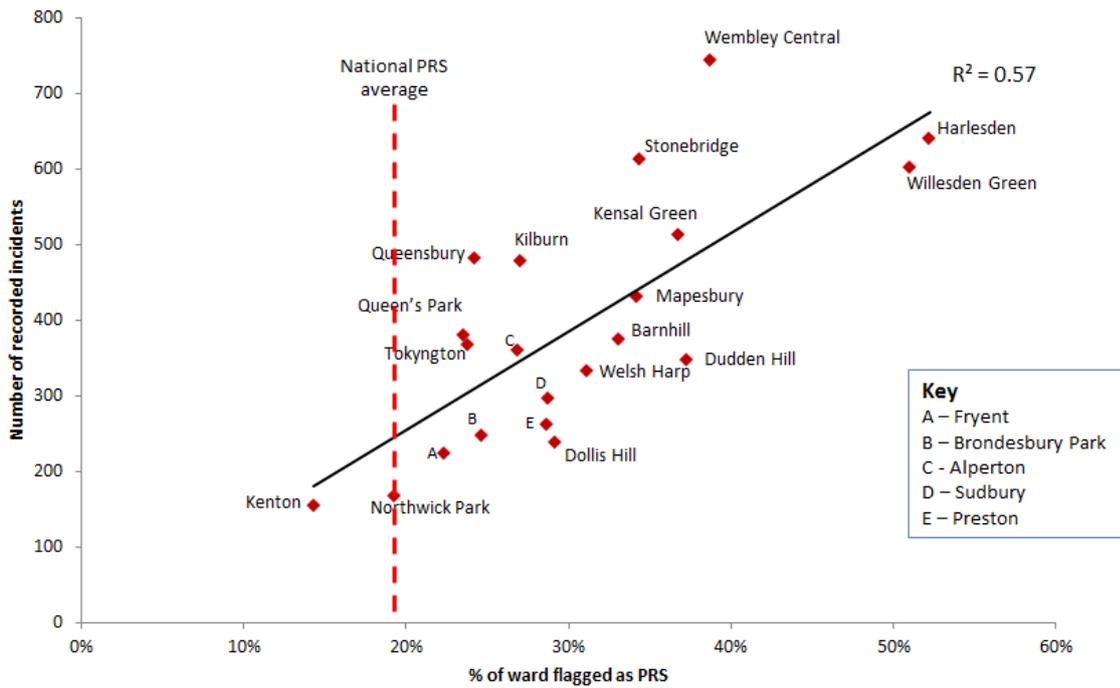


Between September 2015 and September 2016, Stonebridge saw the highest number of police recorded crimes (2,282), followed by Harlesden (2,064) and Wembley Central (1,945). According to our data, over a third of domestic properties in these wards are flagged as PRS. In contrast, Kenton and Northwick Park are the two wards with the lowest proportion of properties flagged as PRS, and both saw the lowest levels of police recorded crime in the period.

The overall R-squared value is 0.42, indicating that there is a fairly strong relationship between PRS and police recorded crime. Tokyngton saw the fourth highest level of police recorded crime in the period (1,757) albeit that there are 24% of domestic properties in the ward are flagged PRS.<sup>3</sup>

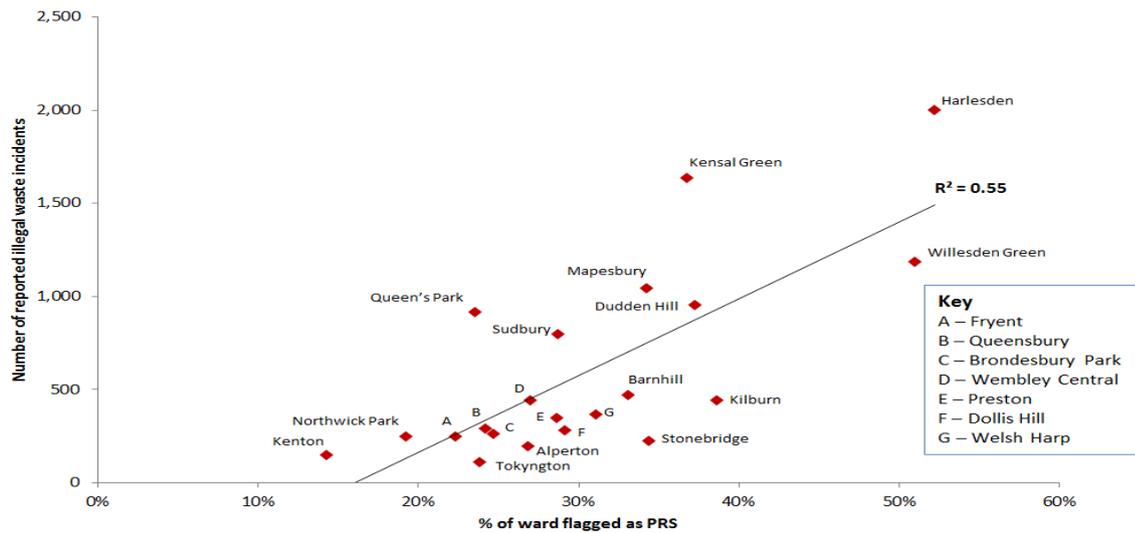
<sup>3</sup> Police recorded crime could be dis-proportionally high in Tokyngton due to events at Wembley stadium drawing in large crowds

**Figure 5: Police recorded ASB incidents by known PRS (2015/16)**



During 2015/16 there were a total of 8,254 police recorded incidents of ASB in Brent. As can be seen from the chart above, the highest levels of ASB were recorded in Wembley Central (744), Harlesden (640), Stonebridge (613) and Willesden Green (602). These four wards also have some of the highest levels of PRS in the borough, ranging from 52% in Harlesden to 34% in Stonebridge. Conversely, wards with the lowest levels of PRS, such as Kenton, Northwick Park and Fryent also see the lowest levels of police recorded ASB. The R-squared value is the highest compared to all of the other datasets analysed (0.57) indicating a strong correlation between ASB and PRS.

**Figure 6: Illegally dumped waste reports using Cleaner Brent app by known PRS (September 2015 – September 2016)**

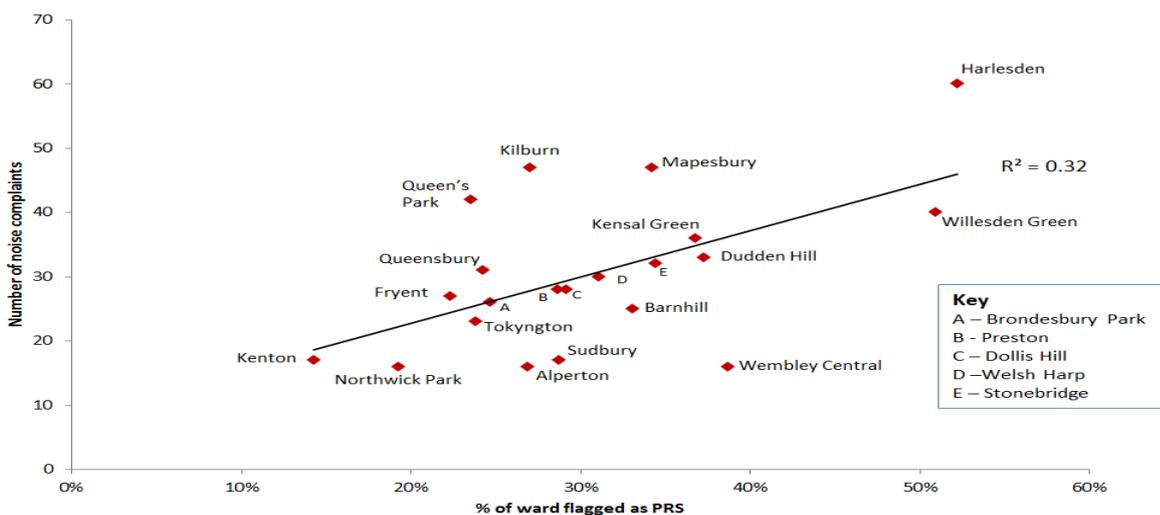


As can be seen by the chart above, there is a strong relationship between PRS and reports of illegally dumped waste across the borough. Harlesden, which has the highest proportion of PRS (52%) also saw the most reported incidences of illegally dumped waste between September 2015 and September 2016, with 2,000 reports in total. Kensal Green (37%) PRS saw the second highest number of illegally dumped waste reports (1,636), followed by Willesden Green (51% PRS) with 1,183 reports. The overall R-squared value (0.55) is the second highest seen after police recorded ASB across all of the datasets analysed.

**Noise complaints**

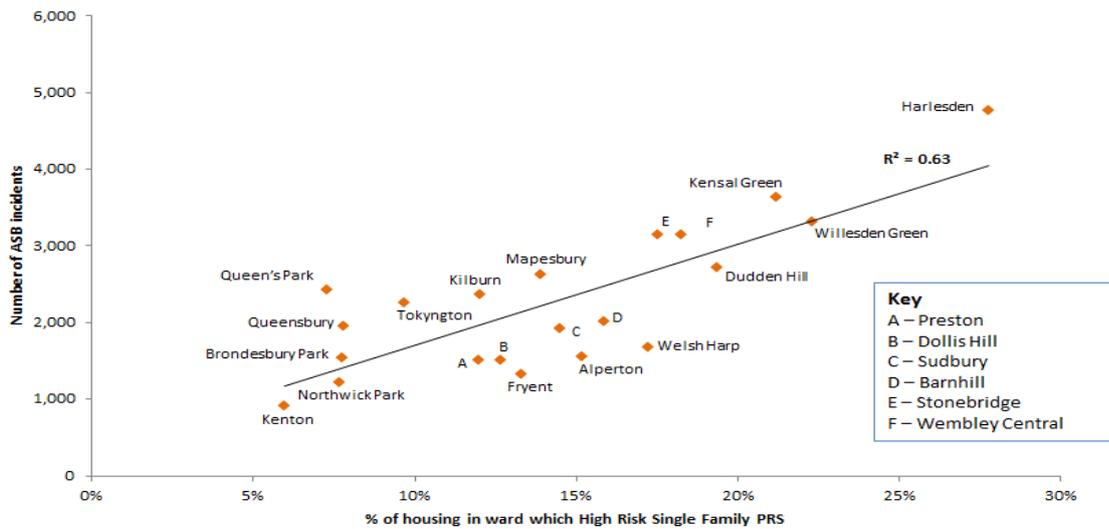
Between September 2015 and September 2016, the total number of noise complaints received by the council was 667 (Figure 7 below). These varied by ward, from a high of 62 in Harlesden to a low of 16 in Wembley Central. As can be seen in the chart above, there is a slight positive correlation between noise complaints and PRS, with an overall R-squared value of 0.32.

**Figure 7: Noise complaints by known PRS (September 2015 – September 2016)**



# The link between ASB and High Risk Single Family PRS

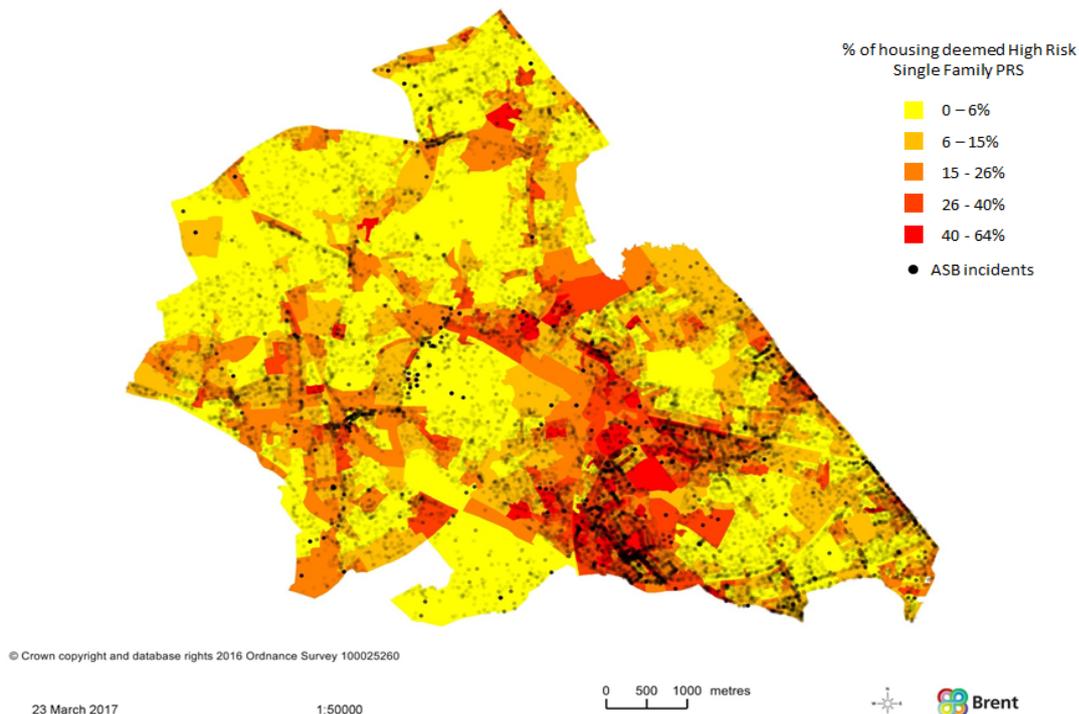
**Figure 8: Number of ASB incidents\* against % of ward where housing is predicted to be High Risk Single Family PRS**



\*Includes data from four sources; police recorded crime, fly tipping reports, noise complaints and police recorded ASB – data aggregated to ward level

\*\*17,505 properties were identified as being high risk of being Single Family Private Rented. This was deduced by indicators such as having housing benefit at the address, two or more adults at the address, reports of dilapidation or noise, as well as being smaller properties (council tax bands A-C). Please note that we cannot be 100% certain these are single family PRS, nor indeed private rented.

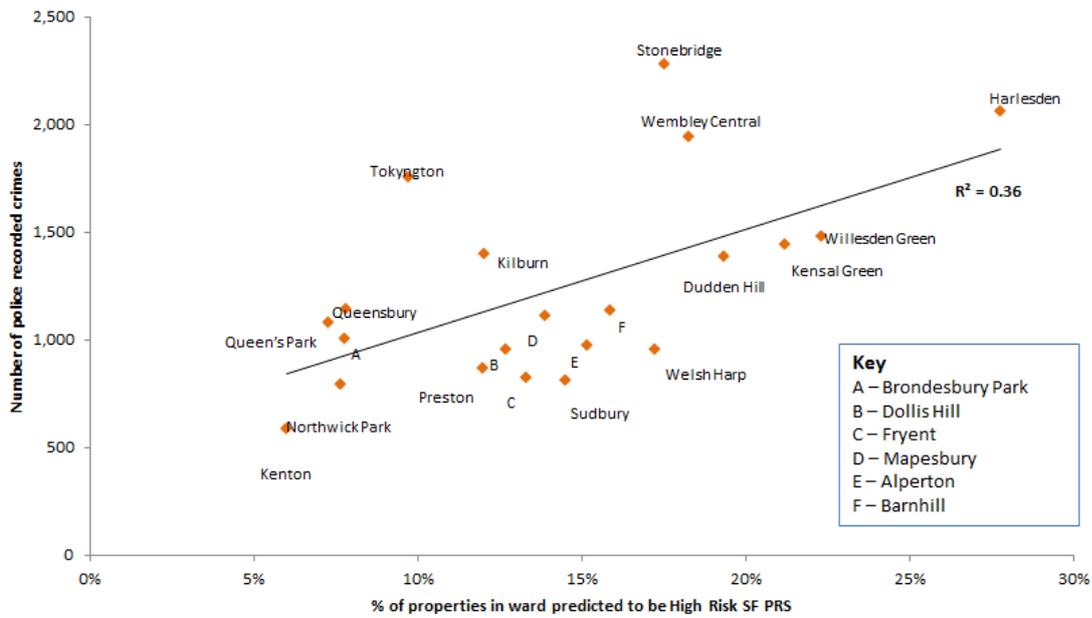
**Map 2: Map showing % of properties by census output area predicted to be High Risk of being Single Family PRS by recorded ASB incidents**



ASB includes: Police recorded crimes, Illegally dumped waste reports and Noise complaints. All data is for period September 2015 to September 2016

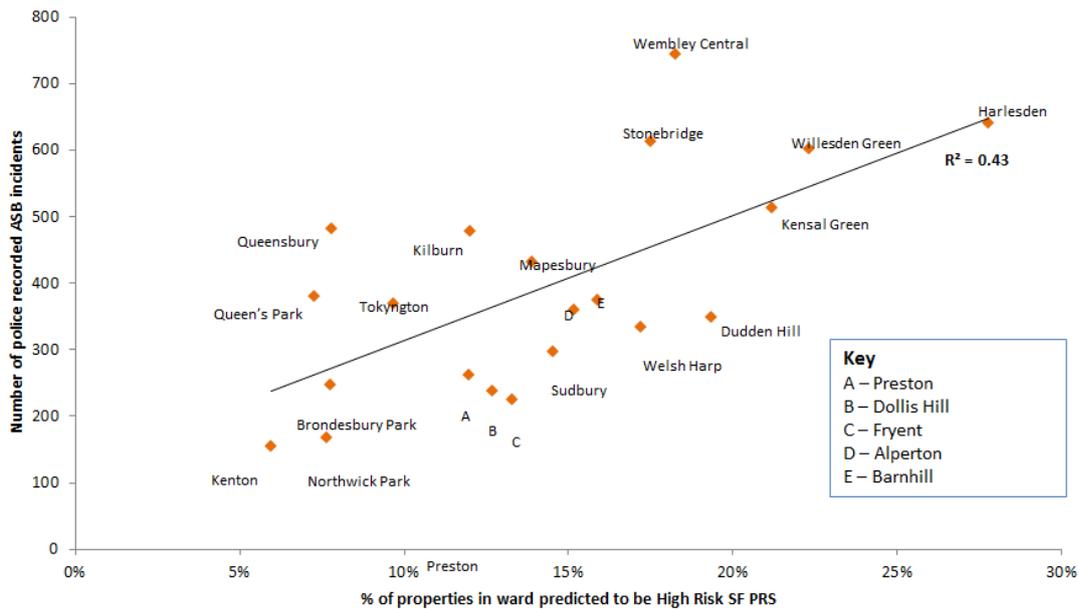
The above map 2 breakdown ASB by single family households and shows that there is significant distribution across all wards in Brent.

**Figure 9: Police recorded crime by High Risk Single Family PRS (September 2015 – September 2016)**



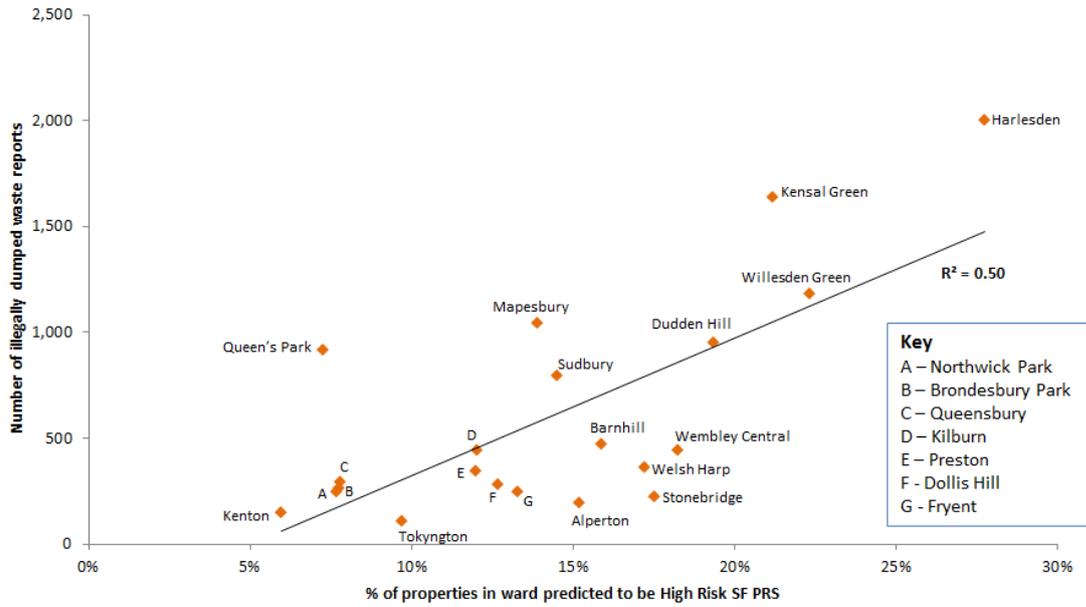
\*17,505 properties were identified as being high risk of being Single Family Private Rented. This was deduced by indicators such as having housing benefit at the address, two or more adults at the address, reports of dilapidation or noise, as well as being smaller properties (council tax bands A-C). Please note that we cannot be 100% certain these are single family PRS, nor indeed private rented.

**Figure 10: Police recorded ASB incidents by High Risk Single Family PRS (2015/16)**



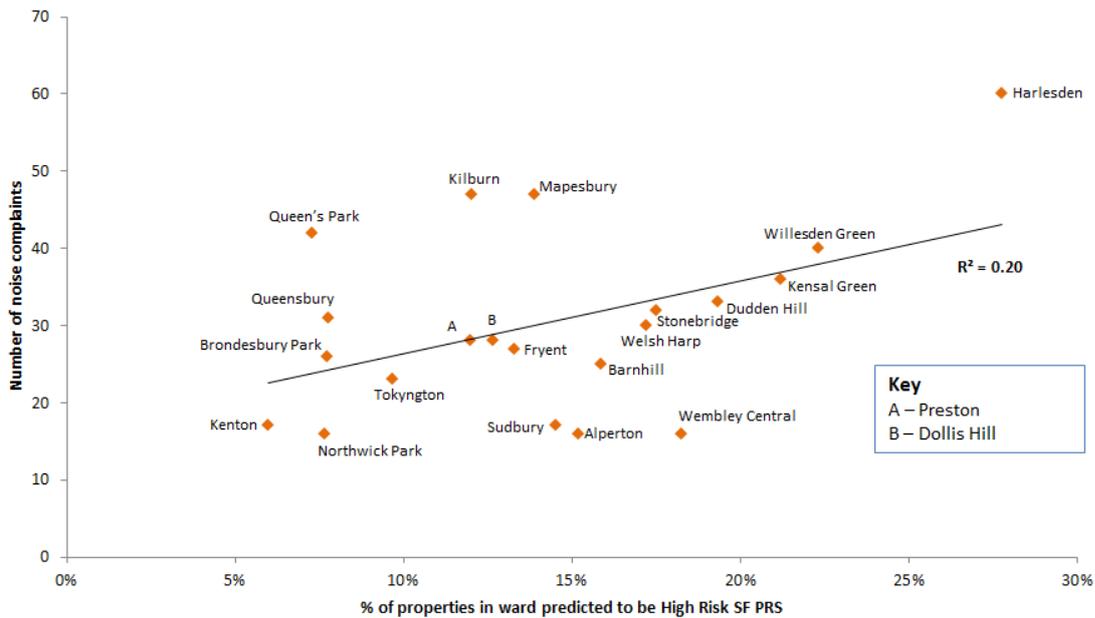
\*17,505 properties were identified as being high risk of being Single Family Private Rented. This was deduced by indicators such as having housing benefit at the address, two or more adults at the address, reports of dilapidation or noise, as well as being smaller properties (council tax bands A-C). Please note that we cannot be 100% certain these are single family PRS, nor indeed private rented.

**Figure 11: Illegally dumped waste reports using Cleaner Brent app by High Risk Single Family PRS (September 2015 – September 2016)**



\*17,505 properties were identified as being high risk of being Single Family Private Rented. This was deduced by indicators such as having housing benefit at the address, two or more adults at the address, reports of dilapidation or noise, as well as being smaller properties (council tax bands A-C). Please note that we cannot be 100% certain these are single family PRS, nor indeed private rented.

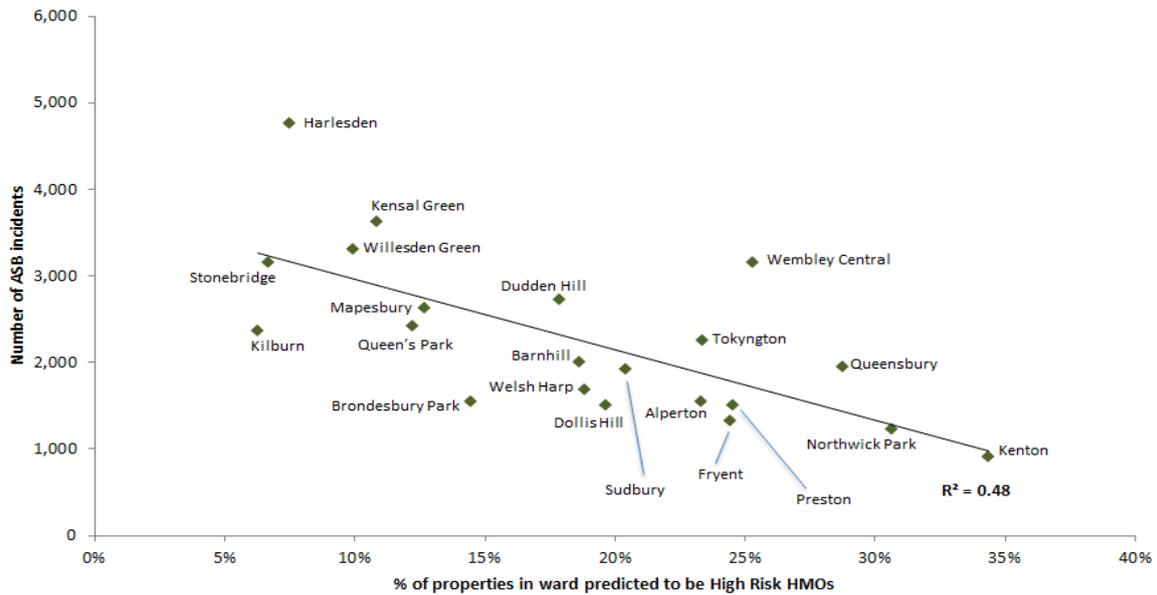
**Figure 12: Noise complaints by High Risk Single Family PRS (September 2015 – September 2016)**



\*17,505 properties were identified as being high risk of being Single Family Private Rented. This was deduced by indicators such as having housing benefit at the address, two or more adults at the address, reports of dilapidation or noise, as well as being smaller properties (council tax bands A-C). Please note that we cannot be 100% certain these are single family PRS, nor indeed private rented.

# The link between ASB and High Risk HMOs

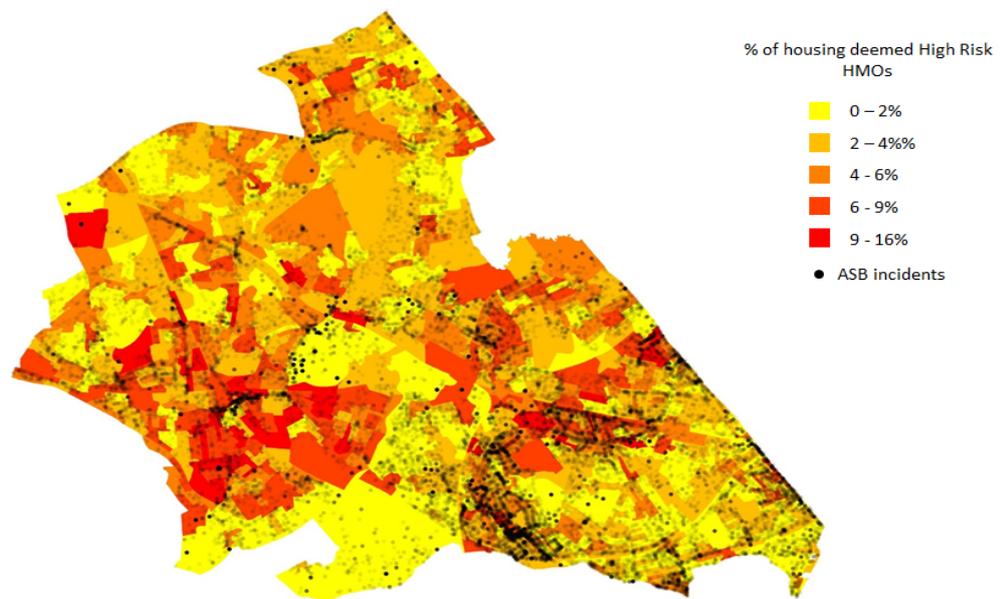
Figure 13: Number of ASB incidents\* against % of ward where housing is predicted to be High Risk HMOs



\*Includes data from four sources; police recorded crime, fly tipping reports, noise complaints and police recorded ASB – data aggregated to ward level

\*\*20,826 properties were identified as being high risk of being HMOs. This was deduced by indicators including; no council tax reduction at address, three or more adults at address, reported dilapidations or noise and council tax band D to H.

Map 3: Map showing % of properties by census output area predicted to be High Risk of being HMOs by recorded ASB incidents



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24 March 2017

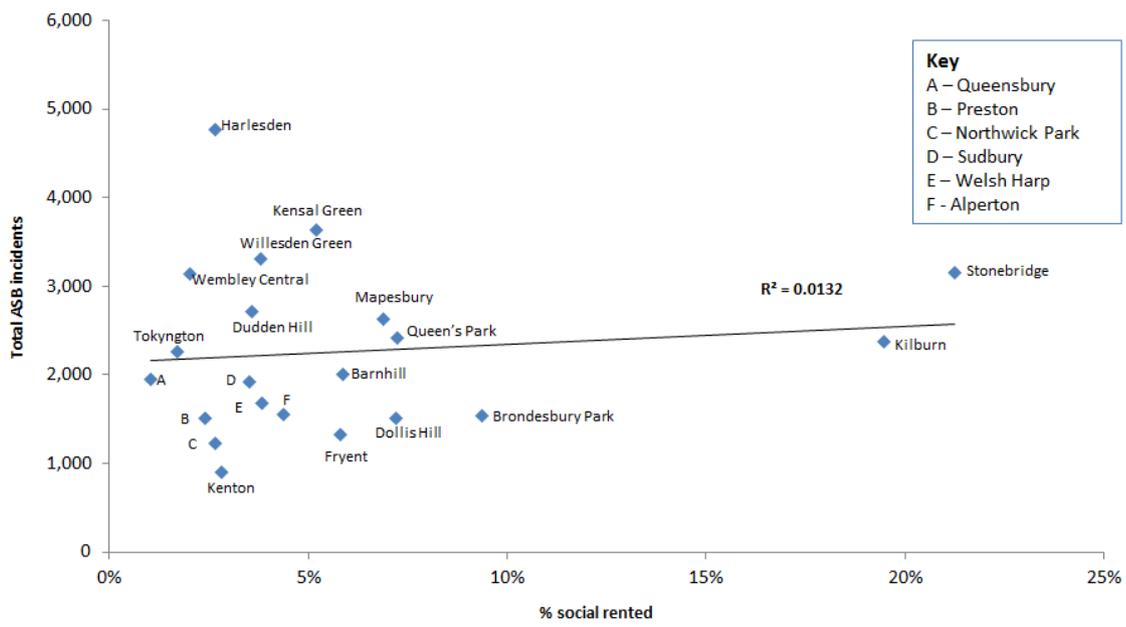
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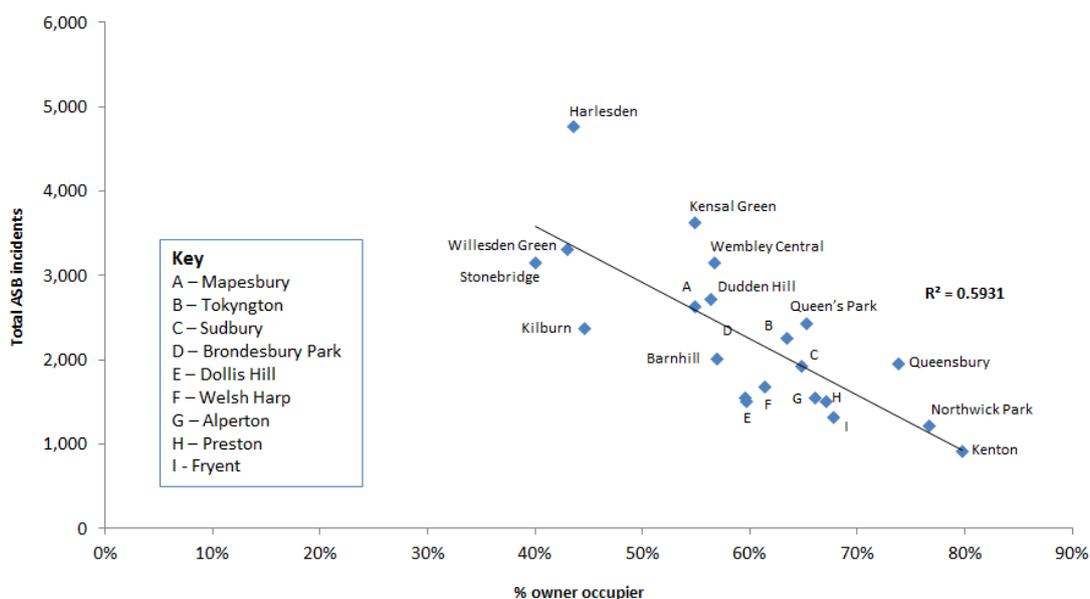


ASB includes: Police recorded crimes, Illegally dumped waste reports and Noise complaints. All data is for period September 2015 to September 2016

**Figure 14: All ASB incidents against social rented**



**Figure 15: All ASB incidents against owner occupier**



## Housing Conditions

The study of housing conditions was based on the following evidence;

- Proportion of PRS tenure
- Proportion of Private Rented Sector Stock with a Category 1/2 hazards
- Count of housing disrepair complaints
- Count/proportion property licence applications, licences issued and renewals

Complaint of disrepair are received by and recorded on our database prefixed as PHS/ cases (Figure 9). This maintains a separation of complaints received in relation property licensing which are prefixed HMOL/. The disrepair cases are for both HMO and non-HMO properties.

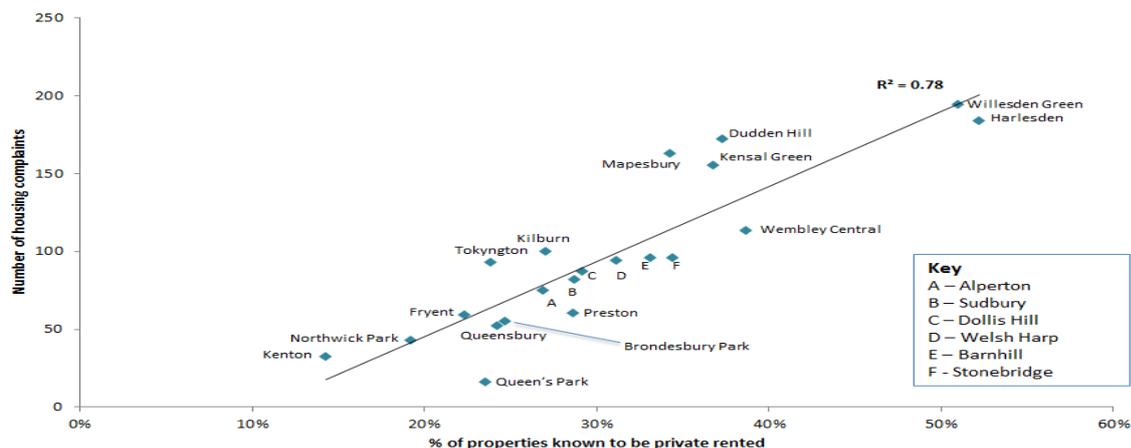
Our system records where there are believed to be category 1 or category 2 hazards present. The hazard recording takes in account Part 1 of the Housing Act 2004 (the Housing Health and Safety Rating System) but at the initial stage we have not detailed which of the 29 hazards is found. The occurrence of a Category 1 hazard is used as a proxy for non-decent (Figure 10).

**Table 9: Disrepair complaints to private housing service June 2014 to December 2016**

Complaints rank	Ward	% known PRS	Number of complaints (June 2014 - December 2016)
1	Willesden Green	51%	194
2	Harlesden	52%	184
3	Dudden Hill	37%	172
4	Mapesbury	34%	163
5	Kensal Green	37%	155
6	Wembley Central	39%	113
7	Kilburn	27%	100
8	Barnhill	33%	96
9	Stonebridge	34%	96
10	Welsh Harp	31%	94
11	Tokyngham	24%	93
12	Dollis Hill	29%	87
13	Sudbury	29%	82
14	Alperton	27%	75
15	Preston	29%	60
16	Fryent	22%	59
17	Brondebury Park	25%	55
18	Queensbury	24%	52
19	Northwick Park	19%	43
20	Kenton	14%	32
21	Queens Park	24%	16

2021 cases were recorded over the 2 calendar year period, which is averaged at 1010 cases per year and at 84 cases per month. Although not shown, there is an increase in complaints observed during the colder month, notably regarding damp and thermal comfort.

**Figure 16: Complaints to private housing services (June 2014 to December 2016)**

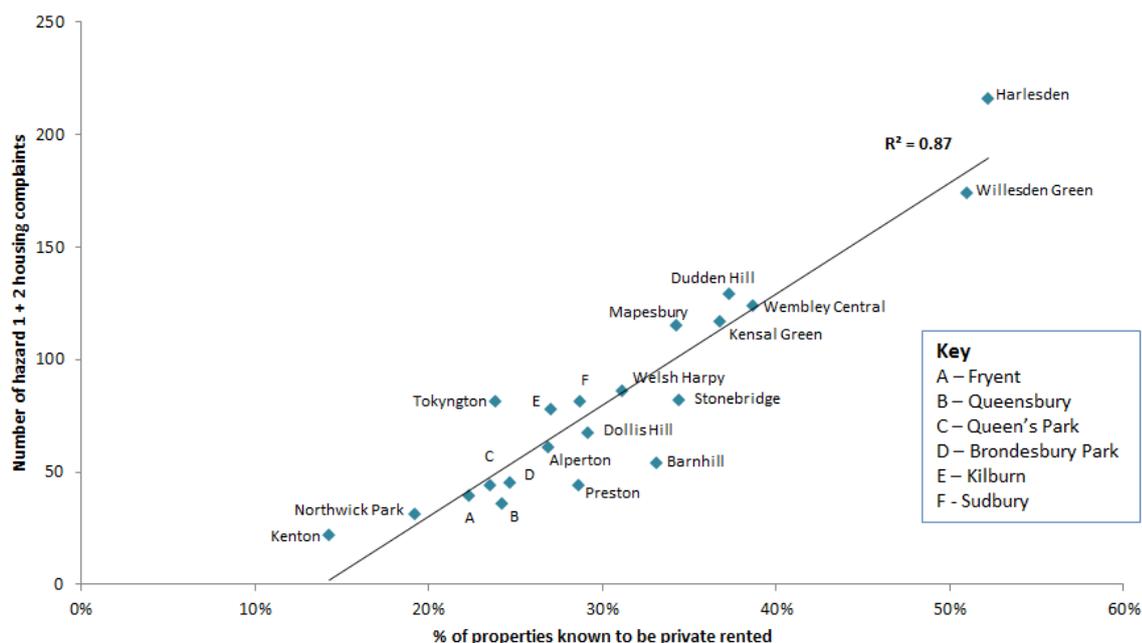


37,466 PRS records in total. These have been identified as being known PRS through various council sources e.g. housing benefit, council tax benefit which state the tenure type of the property.

**Table 10: Category 1 and 2 hazard complaints to private housing services**

Cat 1 + 2 hazard rank	Ward	% known PRS	Cat 1 Hazards	Cat 2 Hazards	Total
1	Harlesden	52%	123	93	216
2	Willesden Green	51%	97	77	174
3	Dudden Hill	37%	71	58	129
4	Wembley Central	39%	66	58	124
5	Kensal Green	37%	74	43	117
6	Mapesbury	34%	82	33	115
7	Welsh Harp	31%	55	31	86
8	Stonebridge	34%	46	36	82
9	Sudbury	29%	48	33	81
10	Tokyngton	24%	43	38	81
11	Kilburn	27%	41	37	78
12	Dollis Hill	29%	34	33	67
13	Alperton	27%	29	32	61
14	Barnhill	33%	36	18	54
15	Brondesbury Park	25%	27	18	45
16	Preston	29%	24	20	44
17	Queen's Park	24%	30	14	44
18	Fryent	22%	18	21	39
19	Queensbury	24%	29	7	36
20	Northwick Park	19%	14	17	31
21	Kenton	14%	10	12	22
		<b>Totals</b>	<b>997</b>	<b>729</b>	<b>1726</b>

**Figure 17: Hazard 1 + 2 complaints to private housing services (January 2014 to March 2017)**



37,466 PRS records in total. These have been identified as being known PRS through various council sources e.g. housing benefit, council tax benefit which state the tenure type of the property.

### Private rented property licensing

Selective property licensing for Harlesden, Wembley Central and Willesden Central and additional licensing for all HMOs came in force Brent in January 2015.

### Private rented licences January 2015 – March 2017

Date	Applications Received (excl. Renewals)	Total Licences granted	Total Licence Renewal applications	% renewal of licences issued of previous yr.
31/12/2015	5790	4788	-	-
31/12/2016	7737	5952	452	9.4%
31/03/2017	8095	6247	530	8.9%

Since going live with our schemes we’ve issued **900 one year licences**. Every effort is made to issue full 5-year licences with assistance given during the proposal to grant a licence and the appeal period stages. This reduces the number of 1 year licences that are ultimately issued from approximately **25%** of proposed 1-yr periods to a figure of approximately **9%** (See **Private rented licences January 2015 – March 2017 table above**).

Failure to meet the mandatory licensing conditions, notably in respect of gas safety certificates, fire safety and overcrowding as the main reasons for reduced period licences. As a result of compliance inspections all properties are improved at the time of the licence renewal. The absence of a gas safety certificate and the

presence of overcrowding have been found to be indicators of other poor property conditions and management.

1050 compliance inspections have been undertaken and it has been found that 80% of those inspections have identified some sort of non-conformance. A further 1500 properties have been inspected by enforcement officers and over 7000 properties in area based initiatives to identify unlicensed properties.

### Formal enforcement action

More prosecutions have been instigated in the last 15 months than in the past 10 years put together. Since January **2016** we have successfully prosecuted 79 landlords, agents or lead tenants, with the courts issuing fines in excess of £460,000 and recovering costs in the region of £88,000.

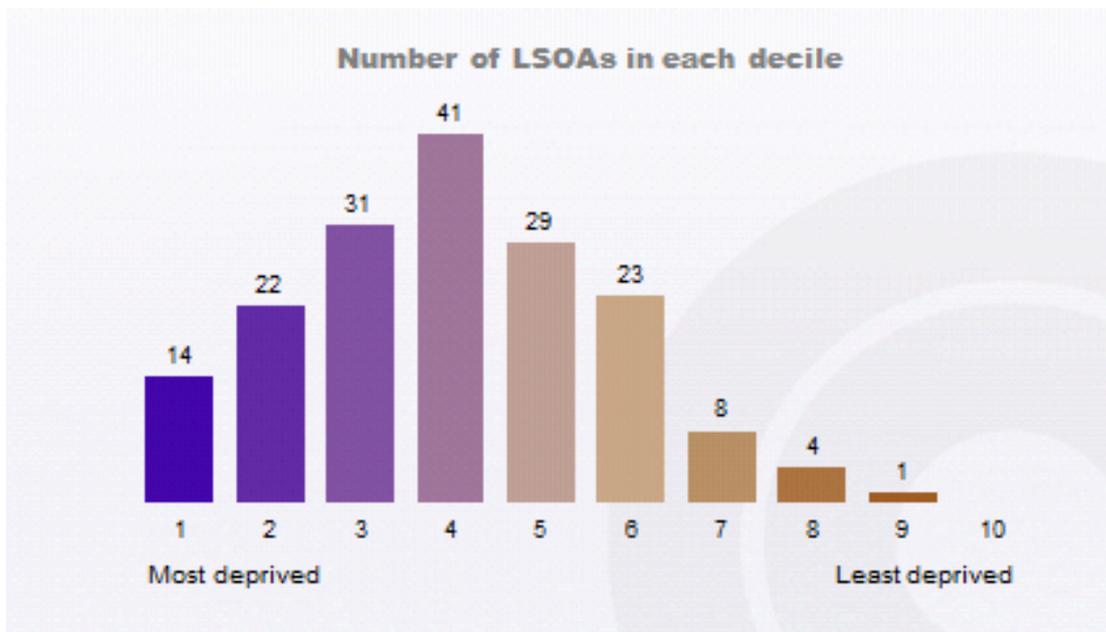
## The link between deprivation and PRS

Our source data is the 2015 Indices of Multiple Deprivation (IMD) for wards in Brent. The IMD covers the following domains.

• Lack of Mixed Communities – Proportion of tenure mix*	• Income Deprivation score	• Indoors Sub Domain score
• Overall Deprivation score	• Health Deprivation score	• Living Environment score
• Employment Deprivation score	• Access to Education, Training and Other Services score	• Levels of Crime score

Although each domain is constructed separately, from the component indicators, we have used score representing the combination of these indicators and then ranked according for each ward.

The Indices of Deprivation are published down to small geographical areas known as lower-layer super output areas (LSOAs). The area of Brent is made up of a total of 173 LSOAs, and each LSOA is given a ranking from 1 (most deprived) to 10 (least deprived). The chart below shows how each of Brent's 173 LSOAs is spread across the deprivation spectrum.



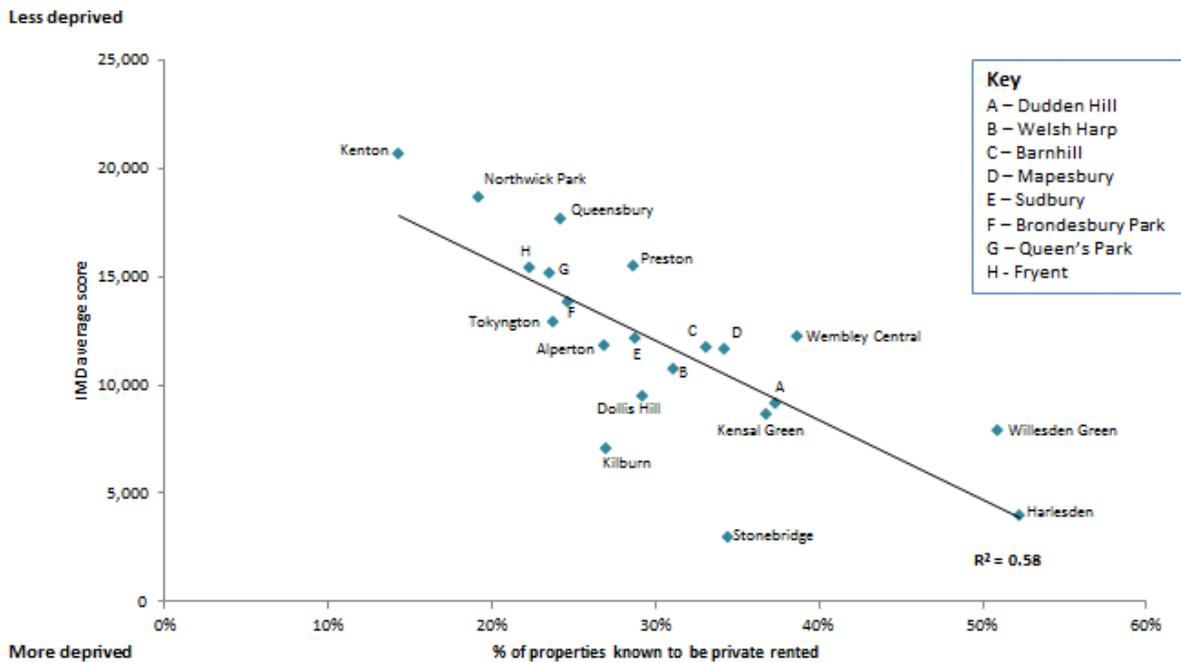
**Table 11: Designation 2 - Deprivation**

Deprivation rank	Ward	% known PRS	% High Risk Single Family PRS	IMD average score	Within top 25 most deprived wards in London?
1	Stonebridge	34%	32%	2,976 (most deprived)	Y (8/608)
2	Harlesden*	52%	33%	3,996	Y (18/608)
3	Kilburn	27%	24%	7,056	
4	Willesden Green*	51%	26%	7,833	
5	Kensal Green	37%	33%	8,607	
6	Dudden Hill	37%	32%	9,088	
7	Dollis Hill	29%	26%	9,429	
8	Welsh Harp	31%	29%	10,737	
9	Mapesbury	34%	29%	11,664	
10	Barnhill	33%	31%	11,679	
11	Alperton	27%	25%	11,830	
12	Sudbury	29%	26%	12,124	
13	Wembley Central*	39%	17%	12,176	
14	Tokington	24%	21%	12,906	
15	Brondesbury Park	25%	21%	13,803	
16	Queens Park	24%	20%	15,102	
17	Fryent	22%	20%	15,343	
18	Preston	29%	26%	15,448	
19	Queensbury	24%	23%	17,665	
20	Northwick Park	19%	17%	18,606	
21	Kenton	14%	12%	20,621 (least deprived)	

\*Wards already under selective licensing

Overall, Brent is ranked as the 39th most deprived local authority area in the country<sup>4</sup>. Above (Figure 11) we have looked at the relationship between deprivation and the proportion of Single Family PRS by ward. As shown in figures 18 and 19, there is a positive correlation in that areas with a greater proportion of Single Family PRS also tend to be more deprived.

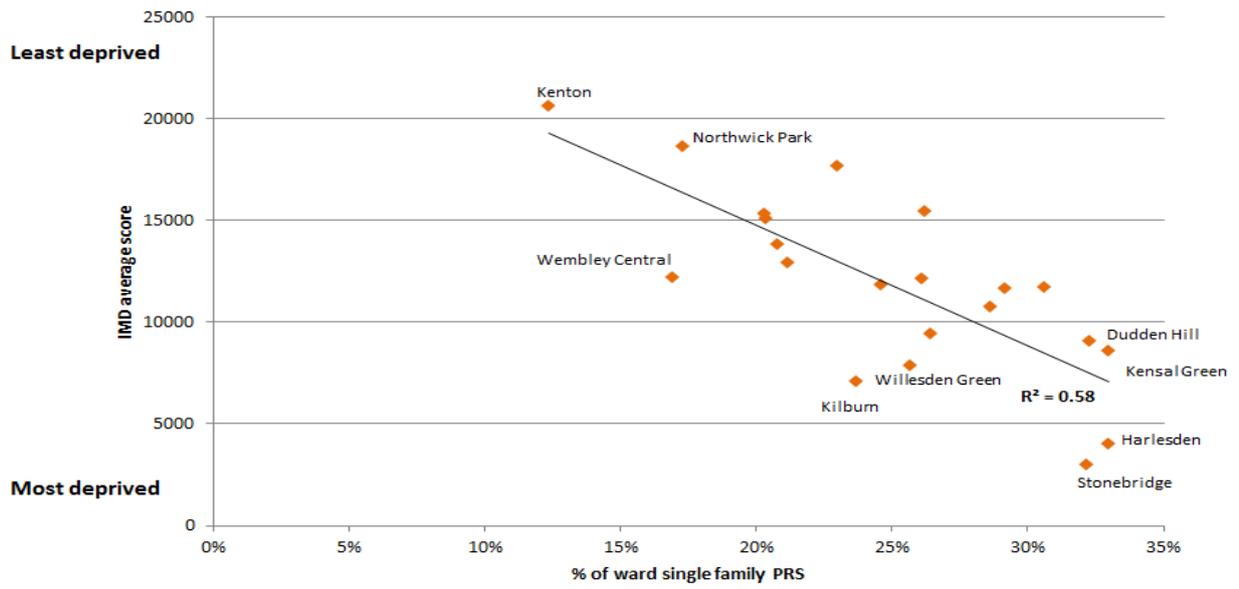
**Figure 18: Indices of Deprivation against known PRS**



37,466 PRS records in total. These have been identified as being known PRS through various council sources e.g. housing benefit, council tax benefit which state the tenure type of the property.

<sup>4</sup> 2015 Indices of Deprivation – Brent ranked 39<sup>th</sup> out of 326 local authority areas

Figure 19: Deprivation by High Risk Single Family PRS



## The link between Migration and PRS

The migration data considers;

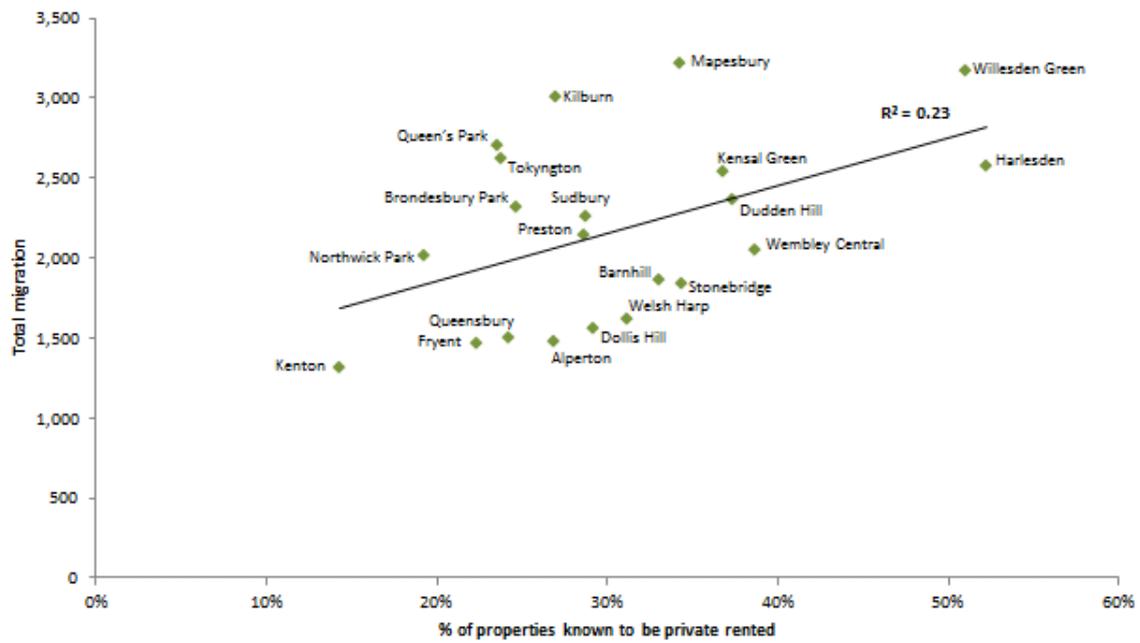
- Proportion of tenure mix
- Count of Population change, projections and migration change

**Table 12: Designation 4 – Migration**

Migration rank	Ward	% known PRS	% High risk HMO	% High Risk Single Family PRS	Migration total
1	Mapesbury	34%	13%	14%	3,218
2	Willesden Green*	51%	10%	22%	3,163
3	Kilburn	27%	6%	12%	3,006
4	Queens Park	24%	12%	7%	2,696
5	Tokington	24%	23%	10%	2,616
6	Harlesden*	52%	7%	28%	2,578
7	Kensal Green	37%	11%	21%	2,541
8	Dudden Hill	37%	18%	19%	2,366
9	Brondesbury Park	25%	14%	8%	2,311
10	Sudbury	29%	20%	15%	2,263
11	Preston	29%	25%	12%	2,142
12	Wembley Central*	39%	25%	18%	2,051
13	Northwick Park	19%	31%	8%	2,008
14	Barnhill	33%	19%	16%	1,866
15	Stonebridge	34%	7%	18%	1,837
16	Welsh Harp	31%	19%	17%	1,615
17	Dollis Hill	29%	20%	13%	1,557
18	Queensbury	24%	29%	8%	1,498
19	Alperton	27%	23%	15%	1,471
20	Fryent	22%	24%	13%	1,469
21	Kenton	14%	34%	6%	1,316

\*Wards already under selective licensing

**Figure 20: Amount of migration into each ward against known PRS**



37,466 PRS records in total. These have been identified as being known PRS through various council sources e.g. housing benefit, council tax benefit which state the tenure type of the property.

## The link between crime and PRS

Under Crime we have considered;

Lack of Mixed Communities – Proportion of tenure mix\*; Count of Total crime; Count of Criminal Damage; Count of Burglary; Count of Robbery; Count of Theft; Count of Vehicle Crime; Rate of Crime per 1000 population; and have looked at the % Comparison to London Average

**Table 13: Designation 3 – Crime^**

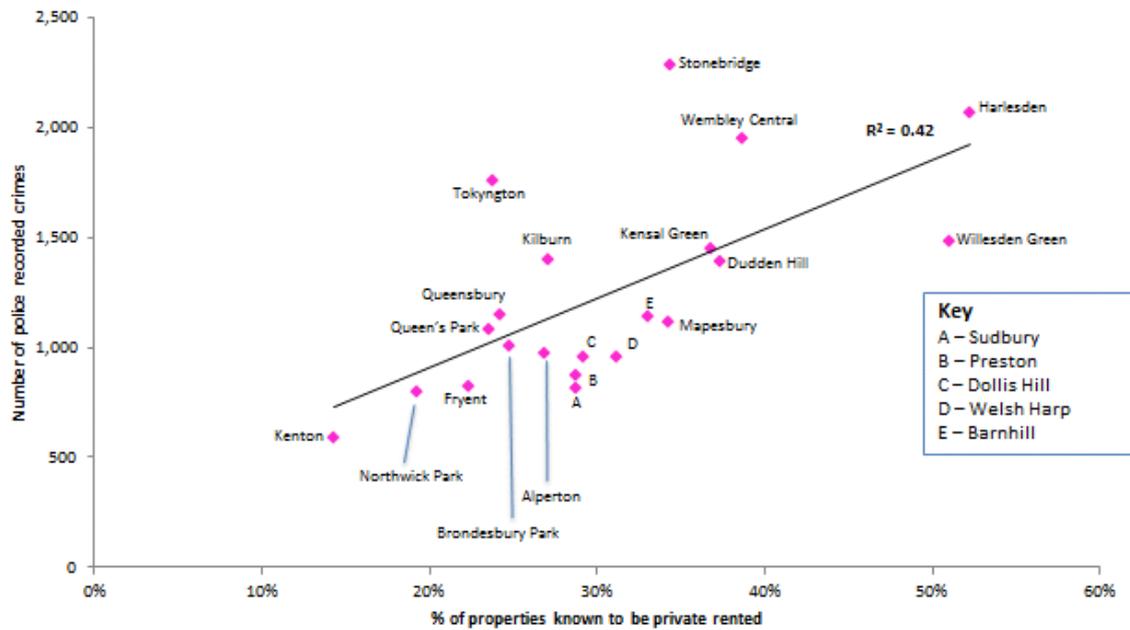
The table below shows the number of police recorded crimes by ward for the period September 2015 to September 2016. The wards have been ranked from highest to lowest in terms of number of crimes recorded.

Crime Rank	Ward	% known PRS	% High risk HMO	% High Risk Single Family PRS	Crime total
1	Stonebridge	34%	7%	18%	2,282
2	Harlesden*	52%	7%	28%	2,064
3	Wembley Central*	39%	25%	18%	1,945
4	Tokyington	24%	23%	10%	1,757
5	Willesden Green*	51%	10%	22%	1,482
6	Kensal Green	37%	11%	21%	1,446
7	Kilburn	27%	6%	12%	1,403
8	Dudden Hill	37%	18%	19%	1,389
9	Queensbury	24%	29%	8%	1,142
10	Barnhill	33%	19%	16%	1,137
11	Mapesbury	34%	13%	14%	1,112
12	Queens Park	24%	12%	7%	1,084
13	Brondesbury Park	25%	14%	8%	1,006
14	Alperton	27%	23%	15%	977
15	Dollis Hill	29%	20%	13%	959
16	Welsh Harp	31%	19%	17%	958
17	Preston	29%	25%	12%	869
18	Fryent	22%	24%	13%	823
19	Sudbury	29%	20%	15%	812
20	Northwick Park	19%	31%	8%	793
21	Kenton	14%	34%	6%	589

\*Wards already under selective licensing

^Crime figures are also included within ASB (see designation 1)

**Figure 21: Crime against known PRS**



37,466 PRS records in total. These have been identified as being known PRS through various council sources e.g. housing benefit, council tax benefit which state the tenure type of the property.

## Proposing Areas for Selective Licensing

Areas proposed for SL must also have a high level of private rented housing. The criteria used to demonstrate a 'high level' is a threshold of 19%. We note the EHS 2015-16 tables have revised their national average to 20.1%. Kenton is the only ward (14%) with a PRS lower than 19%.

Brent currently has 21 electoral wards. Data has been analysed at electoral ward level and where appropriate at Lower Super Output Areas (LSOAs) geographies, which average approximately 1,800 residents and are defined by the Office of National Statistics. Brent has 173 Lower Super Output Areas with wards around eight LSOAs.

The average across all wards for each condition was calculated and acts as the benchmark value around which all other values are indexed. A threshold score was established for each ward across each component within five conditions, excluding low housing demand. Analysis was then conducted to identify those wards which were above the national/London/Brent average for each condition. Wards have been considered for a selective licensing scheme where there is a "high PRS" and 1 or more of the conditions are met.

**Table 14: Ward rankings**

Ward	Known PRS rank	ASB rank	Poor property conditions	Deprivation rank	Migration rank	Rank of ranks	Flagged wards*
Harlesden	1*	1	2	2	6	1	Y
Willesden Green	2*	3	1	4	2	1	Y
Kensal Green	5	2	5	5	7	2	Y
Dudden Hill	4	6	3	6	8	3	Y
Mapesbury	7	7	4	9	1	4	Y
Stonebridge	6	4	9	1	15	5	Y
Kilburn	13	9	7	3	3	6	Y
Wembley Central	3*	5	6	13	12	7	Y
Barnhill	8	11	8	10	14	8	Y
Tokyington	17	10	11	14	5	9	Y
Welsh Harp	9	14	10	8	16	10	Y
Sudbury	11	13	13	12	10	11	Y
Dollis Hill	10	17	12	7	17	12	Y
Queens Park	18	8	21	16	4	13	Y
Brondesbury Park	15	16	17	15	9	14	Y
Alperton	14	15	14	11	19	15	Y
Preston	12	18	15	18	11	16	Y
Queensbury	16	12	18	19	18	17	
Fryent	19	19	16	17	20	18	
Northwick Park	20	20	19	20	13	19	
Kenton	21	21	20	21	21	20	

\*Wards already under selective licensing

The wards that have been flagged 11 or below have been found to be within the scope of selective licensing.

**Table 1: Ward rankings - descriptions**

**Known PRS Rank** – 37,466 properties identified as being privately rented from council sources (council tax benefits, housing benefits, tenant information from council tax, ASB data, HMO data). As these were identified as being privately rented from council held sources, we can be sure with a high degree of certainty as to their tenure type. The total number of domestic properties for each ward was then calculated, and the percentage PRS of all properties was then calculated and ranked.

**ASB rank** – four different sources of information have been used which constitute ASB; police recorded crimes (September 2015 – September 2016), illegally dumped waste reports from the Cleaner Brent App (September 2015 – September 2016), police recorded ASB incidents (2015/16) and Noise complaints (September 2015 – September 2016). These datasets were combined, aggregated to ward level and then ranked.

**Property conditions** – complaints received to private housing services on properties between 1<sup>st</sup> June 2014 and 31<sup>st</sup> December 2015; the count of category 1 and 2 hazards; Private property licensing returns January 2015 – March 2017.

**Deprivation rank** – Indices of Multiple Deprivation 2015 – wards have been ranked by their individual deprivation score for the combined domains.

**Migration** – 2011 census data included information on migration. For this project we have deemed migration to include; ‘Migrants: Moved within the area’, ‘Migrants: Moved into the area from within the UK’, and ‘Migrants: Moved into the area from outside the UK’. Wards were then ranked by the migration total.

**Rank of ranks** – the individual rank scores were added up for each ward, and then ranked from low to high. E.g. Harlesden’s combined rankings (1+1+2+2+6) were the lowest across all 21 wards, and therefore Harlesden is ranked first in the list.

## Summary of Findings

When looking wards which have a high proportion of properties flagged as PRS (including those already registered as HMOs), there is a greater likelihood that the ward will also be worse affected by ASB issues, when compared with wards with a lower proportion of PRS properties. This correlation is strongest when looking at PRS including properties already HMOs.

The correlation between Single Family PRS properties and ASB is also evident, with wards with higher proportions of single family PRS properties seeing greater levels of ASB. The correlation here is however not as strong as with PRS including registered HMOs.

When looking at individual components of ASB and their relationship with PRS (including registered HMOs), police recorded ASB has the strongest correlation against PRS, followed by fly tipping reports, police recorded crime and noise complaints. When looking at Single Family PRS, the strongest correlations are with fly tipping reports, followed by noise complaints.

Several wards frequently feature as being marked by high levels of PRS (both including and excluding registered HMOs) and high levels of ASB. These include Harlesden, Kensal Green, Willesden Green, Stonebridge, Wembley Central and Dudden Hill.

In addition to positive correlations between PRS and ASB, there are also notable correlations between deprivation and PRS; some of Brent's most deprived wards, including Stonebridge, Harlesden, Kensal Green and Dudden Hill are also marked by having some of the highest proportions of Single Family PRS in the borough.

Opposite correlations with ASB can be seen when looking at wards with high proportions of properties marked as 'Other tenure' (these properties are not flagged as PRS or council properties, so there is a higher likelihood of them being owner-occupied). For example, wards with the highest proportions of 'Other tenure' properties see the lowest levels of police recorded ASB.

## Conclusions

- Notable positive correlation between PRS and ASB – especially for Police recorded ASB, illegally dumped waste, and police recorded crimes
- Notable positive correlation between poor property conditions, levels of deprivation, migration and crime across several wards.
- The highest correlations of all the criteria are found in relation to ASB and poor property conditions
- Stonebridge, Harlesden, Wembley Central and Willesden Green often feature as being areas with high PRS and ASB (and related issues)
- Stonebridge, Harlesden, Wembley Central and Willesden Green often feature as being areas with high PRS and all other indicators
- Lower correlations (R squared) is found non - PRS tenures and the licensing criteria.

The charts show the relationship between all types of ASB combined (excluding contaminated waste / recycling reports) against all properties flagged as PRS. As can be seen, there is a strong correlation between ASB and PRS, with an R-squared value of 0.73.

There is a positive relationship in that wards with a higher proportion of Single Family PRS also see greater amounts of anti-social behaviour. This is particularly true for wards such as Harlesden, Kensal Green, Stonebridge and Dudden Hill. As some wards also rank highly in respect of migration, deprivation and level of crime, overall there is justification of Brent's proposal to extend selective licensing to most of its area.

A recommendation for extending to this degree has considered the percentage of the geographical area and PRS stock exceeds the 20% rule and determines that Secretary of State's confirmation of the scheme is needed if the proposals are agreed by Brent Council.

Table 14 allows a recommendation for extending selective licensing scheme in Brent on the basis of multiple designations.

## The proposed selective areas

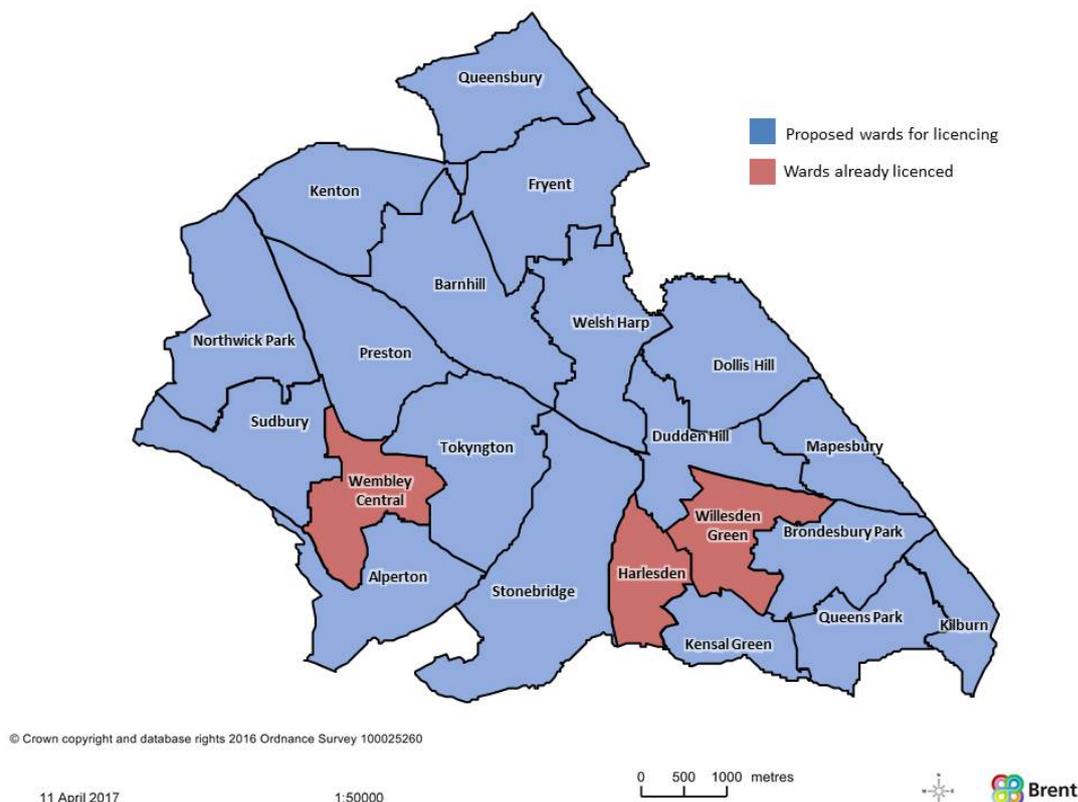
When looking at Table 4 and excluding Fryent, Northwick Park and Kenton where table 14 shows that their rankings across the factors are least strong. Northwick Park albeit providing a ranking of 13 on Migration, places as the second best area in the rank of ranks column. All other wards provide a coverage of 35,651 hectares which is 82% of the Brent's geographical area (43,233 hectares). A total of 26,284 properties or 70% of the Brent Private Rented Stock is contained within this area and would be the amount by which selective licensing is being proposed to be extended in Brent.

When the existing schemes areas of Harlesden, Wembley Central and Willesden Green are taken into account, this increases the property count by 8,832 to 35,116 or 93.8% of the Brent's total PRS stock.

The wards of Fryent, Northwick Park and Kenton form 7,582 properties, or an addition 6.2 % of the PRS. In this study we have considered the total PRS and not merely the element that may be selective licensing. In any event it is estimated to be greater than 20% of the geographical area and/or of the PRS in Brent and as such the confirmation of selective licensing by the Secretary of State would apply.

The whole research has considered the prevalence of the individual factors relevant to selective licensing at borough and individual ward level. This shows that ASB is positive at overall borough level, notably in regard to ASB, but also that the varying patterns in connection with each factor indicate a strong case for the total geographical coverage as shown in Figure 20 below. This area of designation should be proposed as carefully considered separate designations.

**Figure 20: Map of proposed selective areas**





## Appendix 1: Schedule of Datasets used in the study for licensing scheme – LB Brent

<b>Service area /Person</b>		<b>Data set</b>	<b>Description</b>
<b>BHP</b>	<b>1</b>	<b>Social housing tenure -latest snapshot at March 2016. BHP &amp; Hsg. Associations</b>	List of all addresses in local authority according to whether owned and rented from a Housing Association or the council, as at snapshot date
<b>Customer Services</b>	<b>2</b>	<b>Private sector housing</b>	List of all residential addresses that are privately owned and flag where known to indicate whether rented or not
<b>Private Housing Services</b>	<b>3a</b>	<b>Private sector housing</b>	List of all residential addresses that are privately owned and flag where licensable
<b>PHS</b>	<b>3b</b>	<b>Empty Property</b>	List of all long term EP addresses
<b>PHS</b>	<b>3c</b>	<b>Property Conditions</b>	Complaints on disrepair received to private housing service (including Category 1 and Category 2)
<b>LLPG</b>	<b>4</b>	<b>LLPG -latest snapshot at March 2016</b>	List of all properties and classifications in local authority as at snapshot date
<b>Ctax</b>	<b>5</b>	<b>Council Tax Liable Register -latest snapshot at March 2016</b>	Register of all domestic and mixed addresses liable for Council Tax as at snapshot date. Need surnames to determine change over time.
<b>HB</b>	<b>6</b>	<b>b) /Housing Benefit latest snapshot Mar'16</b>	List of households eligible for Council Tax Benefit and/or Housing Benefit as at snapshot date
	<b>7</b>	<b>Electoral Register -latest snapshot at March 2016</b>	All eligible and registered voters aged 18 (or just under) living in local authority as at snapshot date
<b>Housing Needs</b>	<b>8</b>	<b>Housing Waiting List -latest snapshot at March 2016</b>	Records people aged 16 and over and their dependants who are on the waiting list for a property in local authority as at snapshot date
<b>Regulatory Services</b>	<b>9</b>	<b>Anti-social behaviour ASB</b>	Addresses and UPRNS and grid references at which there have been reports of anti-social behaviour during previous three years plus given category of ASB.
	<b>10</b>	<b>Noise complaints</b>	Addresses and UPRNS at which there have been reports of noise complaints 3yrs
	<b>11</b>	<b>Fly tipping and other enviro-crime</b>	List of fly tipping and other sites for last three years
	<b>12</b>	<b>Graffiti</b>	List of Graffiti sites for the last three years
	<b>13</b>	<b>Waste in front gardens</b>	List of sites for last three years
	<b>14</b>	<b>Pest control</b>	Incidents of callout for pest control purposes for last three years
<b>TA</b>	<b>15</b>	<b>Hostels and Halls of Residence (latest snapshot)</b>	List of atypical and multiple residences in local authority as at snapshot date
<b>Planning Enforcement</b>	<b>16</b>	<b>Current HMO listing</b>	Licensed HMO addresses and those properties currently being enforced for HMO use
<b>GIS</b>	<b>17</b>	<b>GIS files as appropriate</b>	Administrative boundary and geographical location boundary files for local authority

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## Appendix 3: Equality Analysis



### Equality Analysis (EA) for Selective Licensing

Name of service change or function	Selective Licensing
Directorate/Service	Community Well Being: Housing & Culture Private Housing Services - Licensing
EA undertaken by/contact:	Tony Jemmott – PHS Licensing Manager Ext 2377
Version/Date:	SLS.V1 – ‘February 2017
Date of next review (if applicable):	February 2018

#### Introduction

The Public Sector Equality Duty (PSED), section 149 of the Equality Act 2010 requires the Council to have “due regard” to its equality aims when exercising its public functions. Brent believes that an Equality Analysis (EA) is the best method to demonstrate compliance with the PSED.

Brent is one of the most diverse boroughs in the UK and to work effectively in such a diverse setting, we need to have a good understanding of all our communities and to apply an evidence-based approach to our decision-making processes.

This EA is informed by 2011 Census and other data sources about the demographic, diversity and socio-economic characteristics of the local population across the borough, including: age, sex, disability and long-term health conditions, ethnicity, religion or belief, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity and income status. We have benchmarked census data for Brent against England and Wales, London, Inner London and Outer London and data from other sources against London and Great Britain.

This EA is also informed by the 2014/15 and 2015/16 Diversity in Brent reports. We have gathered enviro-crime data from our council’s recording databases, police recorded crime for Brent, household and property data from our own and from the latest English Housing Condition Survey reports.

The data in respect to equalities is considered in relation to licensing criteria of levels of anti-social behaviour (ASB), poor property conditions, migration, deprivation and crime. ASB and crime will include *hate crimes*. There may be differences between 2011 Census data and data more recently collected by service areas. Last but not least, the EA has also been informed by the responses of our licensing consultation carried out from 30<sup>th</sup> September to 16<sup>th</sup> December 2016. As part of the consultation we also collated respondents’ diversity information to identify the potential/likely impact that our proposal may have on people with protected characteristics and to inform our action plan.

## Stage 1 Screening Data

### 1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.

The Council report is proposing that selective licensing is extended currently from affecting 3 wards to other wards within Brent. The council recognises that much of the private rented sector in Brent offers good accommodation to people who want to live in the Borough, but also that parts of the borough are badly managed, in poor condition, and in some cases, unsafe. The proposal to extend selective licensing is intended to improve the conditions in the private rented sector (PRS) and to enhance housing management standards. Extending selective licensing will give the Council additional powers to tackle anti-social behaviour, poor property conditions and high levels of migration, deprivation and crime in Brent. Overall if licensing is extended, it will help the council to work with landlords, tenants and businesses, and with our internal and external partners to drive up standards. In summary we believe that property licensing will:

Provide an improved strategic approach to managing the sector  
Help to identify all properties that are rented out privately  
Establish a register of landlords operating in Brent

Give us the opportunity to inspect the properties to assess living conditions and to advise landlords, managing agents and tenants about their obligations  
Impose the Housing Act mandatory conditions and a set of local conditions as a minimum letting standard in Brent

Redefine how the service operates by shifting the emphasis from a customer complaints led, reactive service

Address housing issues resulting from the movement of new and emerging communities and to preserve or improve the socio-economic conditions of the area

Ensure that a proper standard of management of privately rented property is maintained and that properties do not become severely overcrowded

Reduce the levels of anti-social behaviour in the borough and take action against those whose properties or tenants cause persistent ASB

Reduce enviro-crime locally including improvement in the management of waste

Address hate crime and homophobic incidents

Strengthen enforcement action to tackle the small minority of rogue landlords in the sector

If introduced the effect will be that landlords who rent or let any residential accommodation in any area designated for selective licensing in Brent must have a selective licence. This is estimated to cover 17,000 dwellings. When combined with properties that are occupied as Houses in Multiple Occupation (HMOs) most of the estimated 37,500 private rented homes in Brent would be required to be licensed. Applications must be made to the Council and shall be accompanied by a licence fee. The mandatory conditions below will as well as specific conditions and schedule of works will be applied to licences and the requirements will be enforced by the council.

- Providing a gas safety certificate annually to the LHA, if gas is supplied to the house;
- Keeping electrical appliances and furniture (supplied under the tenancy) in a safe condition;
- Keeping smoke alarms in proper working order;
- Supply the occupier with a written statement of the terms of occupation; and
- Demand references from persons wishing to occupy the house.

## **2. Who is affected by the proposal? Consider residents, staff and external stakeholders.**

If selective licensing is extended:

Private sector landlords and their tenants within the wards in scope will be directly affected by the proposals. We anticipate that the majority of residents will be positively affected by the proposal.

Council employees will see an increase in their workloads and service growth benefits. The implications for staff will be considered as part of Council's internal policies and processes

### ***Landlords and Managing agents***

In deciding whether or not to grant a licence, the council must consider whether the landlord (or the managing agent) is a 'fit and proper' person. The rules that must be followed in order to determine this are set out in section 89 of the Housing Act 2004. The local authority must have regard to any previous convictions relating to violence, sexual offences, drugs or fraud; whether the proposed license holder has contravened any laws relating to housing or landlord and tenant issues; and whether the person has been found guilty of unlawful discrimination practices.

The Council can decide, following the appropriate checks, that the landlord is not 'fit and proper' and therefore refuse to grant a licence. The local authority can also withdraw a license after issue if the licensee is no longer considered a 'fit and proper' person. The landlord has the right to appeal against this decision.

The Council must also satisfy itself that the person to whom the licence is granted is the most 'appropriate' person – which could involve taking into account whether they are locally resident and have management responsibility for the property in question. This is to ensure that landlords that are not 'fit and proper' persons cannot apply for licences using a third party.

The Council must also confirm that there are satisfactory management arrangements in place regarding the property; in doing so, it must have regard to a range of factors including: the competence of the manager; management structures; and soundness of the financial arrangements.

Licences are issued for a period of 5 years, although local authorities may issue licences for shorter periods where certain requirements have not been met. Landlords will be required to pay a licence fee.

Landlords that fail to comply with any license conditions can be prosecuted. Those prosecuted can face unlimited fines. Operating a property without a licence in a designated area can attract an unlimited fine if prosecuted.

### ***Tenants and residents***

On the whole, tenants will benefit from an improvement in their property condition and better standards of managing. **Built into the licensing system is a rationale for elimination discriminatory practices by landlords.**

We recognise, however, that some landlords will seek to pass on costs to tenants which may result in some tenant displacement and landlords' claims for possession through both legal and illegal actions. Tenants might also potentially be affected due to enforcement actions against landlords of overcrowded properties, for example. Every effort will be made to ensure that affected tenants are supported and signposted to relevant agencies.

## **Council employees**

The local authority is also obliged to take reasonable steps to ensure that licence applications are made and dealt with. This will have staffing and financial resources implications.

### **3.1 Could the proposal impact on people in different ways because of their equality characteristics?**

All groups who own, manage or live in privately rented accommodation are likely to be affected. People of ethnic minority origin, single parents and young children and certain vulnerable people are key tenant groups and are therefore likely to be affected as they are over-represented in private rented sector and notably in properties which are in poorer condition.

### **3.2 Could the proposal have a disproportionate impact on some equality groups? If you answered 'Yes' please indicate which equality characteristic(s) are impacted**

Given the demographic in Brent the proposal will have an impact on some equality groups such as age, gender, race and disability. Nationally over 20% of renters are families with children. Further detail is available below in the second part of the EA.

### **3.3 Would the proposal change or remove services used by vulnerable groups of people?**

No

### **3.4 Does the proposal relate to an area with known inequalities?**

Yes – There are known health and socio-economic inequalities in the UK private rented sector with further evidence of highest rents and poorest housing in the PRS. Nationally, tenants are more likely to be on low incomes, and earnings are typically more than 40% of the tenant's gross income, (English Housing Survey). More than 30% of homes are in poor condition (classified as non-decent) which is higher than in the owner-occupied or social rented sector. There is a strong correlation between poor quality housing and fuel poverty. A high % of the PRS would fail the HHSRS "excess cold" hazard.

Many tenants are reluctant to ask for repairs or complain for fear of eviction.

Built into the licensing system is a rationale for elimination discriminatory practices by landlords.

### **3.5 Is the proposal likely to be sensitive or important for some people because of their equality characteristics?**

Yes

### **3.6 Does the proposal relate to one of Brent's equality objectives?**

**Yes, it relates to the following equality objectives:**

Equality objective 3: To demonstrate leadership in equalities and human rights, both within the council and amongst partners, and organisational commitment to excellence.

Equality objective 4: To ensure that local public services are responsive to different needs and treat users with dignity and respect.

Recommend this EA for Full Analysis?

Yes

4. Use the comments box below to give brief details of what further information you will need to complete a Full Equality Analysis. What information will give you a full picture of how well the proposal will work for different groups of people? How will you gather this information? Consider engagement initiatives, research and equality monitoring data.

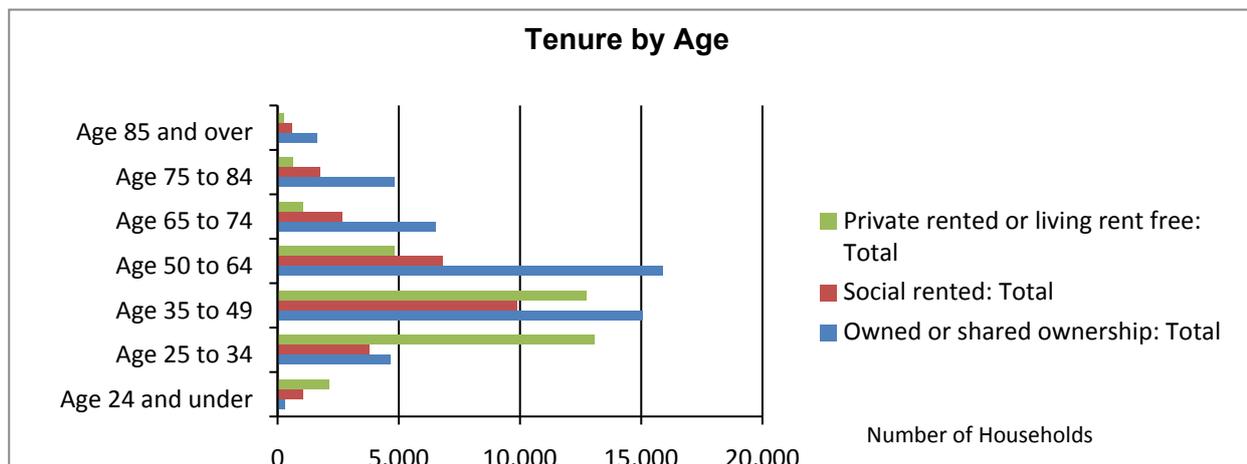
## Stage 2: Analysis

5. What effects could your policy have on different equality groups and on cohesion and good relations?

### 5.1 Age (select all that apply)

- Positive
- Neutral
- Negative

Figure 1: Brent Tenure by Age



Source: ONS Crown Copyright Reserved [from Nomis on 16 July 2013]

Brent has a population of approximately 324,500 residents (GLA 2016 Round of Demographic Projections). The tenure is broken down by age groups in the chart above. In Brent working age tenants under 49 years old, especially those in the 25-34 bracket, are more highly represented in the private rented sector than in other housing tenures. A significant proportion of these will be single people living in shared accommodation and lone parent households.

The proposal to introduce selective licensing is intended to enhance housing management standards in the private sector, in compliance with the Housing health and safety rating system (HHSRS) standards, which will have a positive impact on all age groups. Vulnerable age groups will particularly benefit from health intervention e.g. damp and moulds, infections, reduction of trip hazards and falls as well as the requirements around excess cold which can cause or exacerbate poor health.

Table 1: Age group

What is your age group?	Landlords M/agents	Residents	Other stakeholders	Borough average
Under 18	0%	0%	1%	23%
18 - 24	1%	2%	1%	9%
25 - 34	9%	14%	16%	20%
35 - 44	17%	19%	23%	15%
45 - 54	28%	21%	31%	12%

55 - 60	16%	10%	11%	6%
61+	17%	23%	12%	15%
Prefer not to say	10%	10%	5%	n/a
No Response	2%	2%	1%	n/a

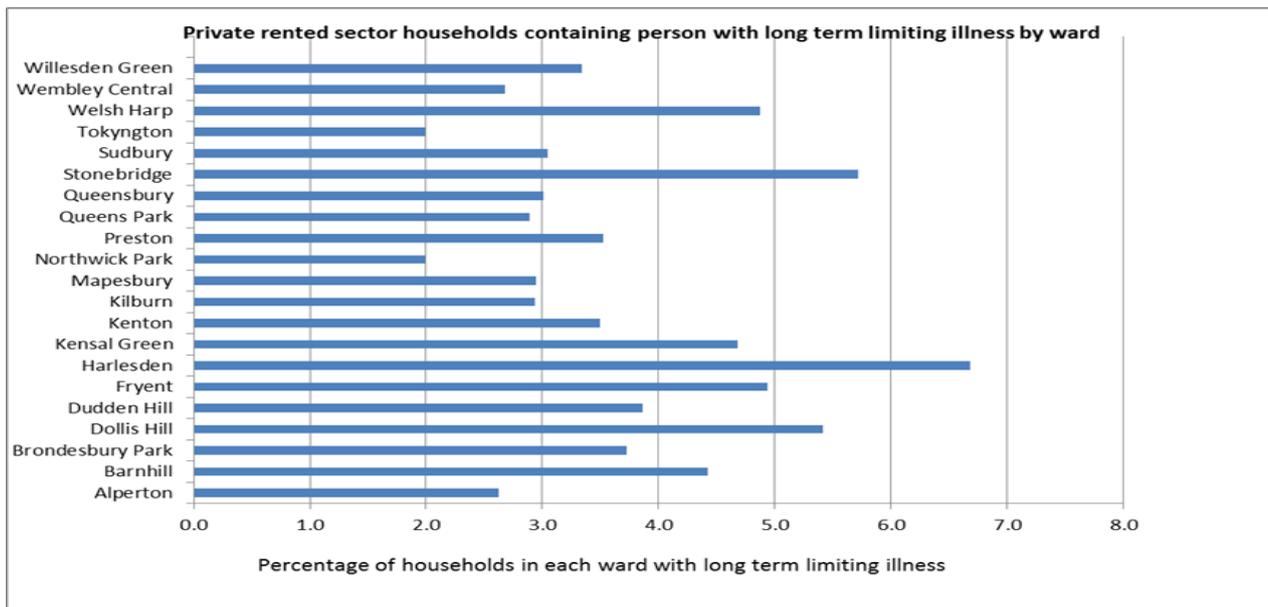
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16% of residents under 34 years old responded to the survey which is significantly below the borough average of 51%. Other age groups were well represented in the survey.

## 5.2 Disability (select all that apply)

- Positive
- Neutral
- Negative

Please give details: Figure 2: Disability



The above chart in Figure 2 details the disability profile in the PRS by ward, showing that there are higher proportions of PRS households comprising disabled tenants in Harlesden, Stonebridge and Dollis Hill wards. From the 2011 census the borough disability profile is 14.5%. This compares with a rate of 14.2% for London and 3.4% lower than the national figure. In February 2014, 0.8% (1,650 people) Brent residents of working age - aged 16 to 64 - were claiming disability benefits (Nomis). This rate was lower than the rate for London, 0.9%.

One of the potential outcomes of licensing is that landlords will be more aware of their duties under the Equality Act 2010 and of the support that is available to disabled people including information on the availability of Disabled Facilities Grant. Disabled people will also benefit from the need for PRS homes to comply with the Housing Health and Safety Rating System in terms of reasonable adaptations, reducing trip hazards and falls as well as the requirements around excess cold which can cause or exacerbate poor health.

**Table 2: Disability**

Do you have any long-standing illness, disability or infirmity?	Landlords/ managing agents	Residents	Other stakeholders	Borough average
Yes	9%	13%	7%	14.5%
No	82%	70%	88%	
Prefer not to say		14%		
No Response	9%	4%	5%	

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Table 2 shows that the disability profile of respondents is broadly reflective of the borough disability profile of 14.5%.

### 5.3 Sex/Gender (select all that apply)

- Positive
- Neutral
- Negative

Men made up just over half (51%) of the population of Brent: 156,468 people in Brent were men and 154,747 (47%) were women. The median age for both men and women in Brent was 32 years old. This is similar to the median ages of men and women in Inner London, 32 and 31 years old respectively. Brent's population aged 65 and over had a greater number of women (17,957) than men, (14,719). The women to men ratio increased as the population 65 and over aged. Conversely, there were 1,556 more men than women aged 30 to 44 years old. (Source Brent Diversity Reports 2014/15 and 2015/16).

#### **Breakdown of Consultation Participants by Gender**

Out of all the residents who responded to the consultation 47% were male and 42% were female. From all the landlords who took part in the consultation 57% were Male and 29% were female.

There is no information relating to the gender profile of landlords. Although women have not been under-represented in the responses, there was active female participation in the Brent Landlord forum on 1<sup>st</sup> November 2016 where selective licensing was discussed.

**Table 3: Sex**

Gender	Landlords M/agents	Residents	Other stakeholders	Borough average
Male	57%	47%	54%	51%
Female	29%	42%	41%	49%
Prefer not to say	11%	8%	3%	n/a
No Response	2%	3%	2%	n/a

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Literature was sent to all households. Table 3 shows that female respondents are over-represented compared to the Borough profile where women represent 49% of the population. There is no data on the gender breakdown of those living in the PRS in Brent.

There is insufficient data available to measure accurately the potential impact of the proposal on gender. However, one of the aims of Selective licensing is to tackle antisocial behaviour which is likely to have a positive impact on both genders, particularly for women and girls. Both sexes are likely to benefit from improvement in the PRS. There were no comments made during the consultation with particular reference to gender.

#### **5.4 Sexual orientation and gender identity (*select all that apply*)**

- Positive
- Neutral
- Negative

The census did not include information about sexual orientation and gender reassignment. Stonewall estimates that lesbian, gay and bisexual (LGB) people make up 5-7% of the UK population. According to 2014 Integrated Household Survey the percentage of adults in London who disclosed they are Lesbian, Gay or Bisexual was 2.6%, although as indicated above, the actual percentage is likely to be much higher.

The Gender Identity Research and Education Society estimate that 1% of the UK population experience gender variance and 0.02% of the UK population will undergo gender transition. The number of people seeking treatment for gender variance goes up by 20% every year – by 2012 there were 180,000 people in the UK aged 16+ who had undergone gender transition. This equates to an LGB population in Brent between 15,561–21,785; 3112 people experiencing gender variance and 62 transgender people. These estimates apply the UK average to Brent and do not take into account variance; they are not definitive estimates.

Stonewall research has found that many LGBT people of all ages experience homophobic harassment and violence in their neighbourhood. Someone may know or suspect their sexuality. Harassment can include name-calling, graffiti, and criminal damage and over time even seemingly small incidents can cause extreme distress and fear, with people often too frightened to leave their own home.

#### ***Results of the consultation relating to Sexual Orientation and Gender Identity***

65% of residents and 63% of landlords responding to the consultation were heterosexual or straight compared with the borough average of 97%.

2% of residents and 2% of landlords were LGBT compared with the borough average of 3%.

28% of residents and 29% of landlords “preferred not to say”.

We therefore expect that the figures for sexual orientation and gender identity may be larger in Brent than these records.

**Table 4: Sexual orientation and gender identity**

Question 18: What is your sexual orientation?	Landlords/ managing agents	Residents	Other stakeholders	Borough average
Heterosexual/straight	62%	65%	73%	97%
LGBT*	2%	2%	4%	3%
Prefer not to say	29%	28%	20%	n/a
No Response	6%	4%	3%	n/a

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Table 4 provides the results of the consultation. It is noted that approximately one-third either preferred not to say or did not respond. Those responding as LGBT have done so broadly reflective of the 3% borough profile. There is insufficient data available to measure accurately the impact of the proposal on gender identity/reassignment. However, one of the aims of Selective licensing is to tackle antisocial behaviour, hate crime and homophobic incidents and this aim is likely to have a positive impact on this protected characteristic.

The data is insufficient and does not suggest that if selective licensing is extended that it would have there is any additional impact on this protected characteristic.

Selective licensing aims to reduce antisocial behaviour which is likely to benefit people who suffer homophobic incidents. There were no direct comments made in relation to sexual orientation and gender identity.

#### **5.4 Marriage and civil partnership (select all that apply)**

- Positive
- Neutral
- Negative

#### **Please give details:**

There is insufficient data available to measure accurately the potential impact of the proposal on marriage and civil partnership. However, one of the aims of Selective licensing is to tackle antisocial behaviour, hate crime and incidents which are likely to have a positive impact on this characteristic.

#### **5.5 Pregnancy and maternity (select all that apply)**

- Positive
- Neutral
- Negative

There is insufficient data available to measure accurately the potential impact of the proposal on pregnancy and maternity. However, one of the aims of Selective licensing is to tackle antisocial behaviour which will have a positive impact on this characteristic. The proposal to introduce selective licensing is also intended to enhance housing management standards in the private sector, in compliance with the Housing health and safety rating system (HHSRS) standards, which is likely to positively impact this protected characteristic.

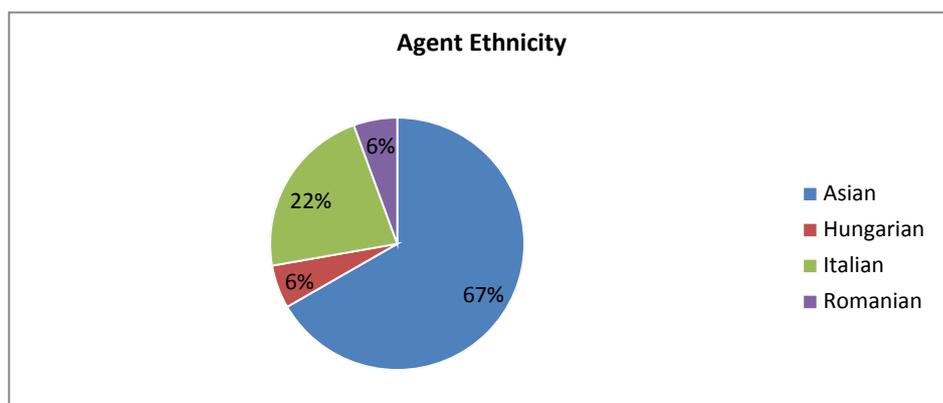
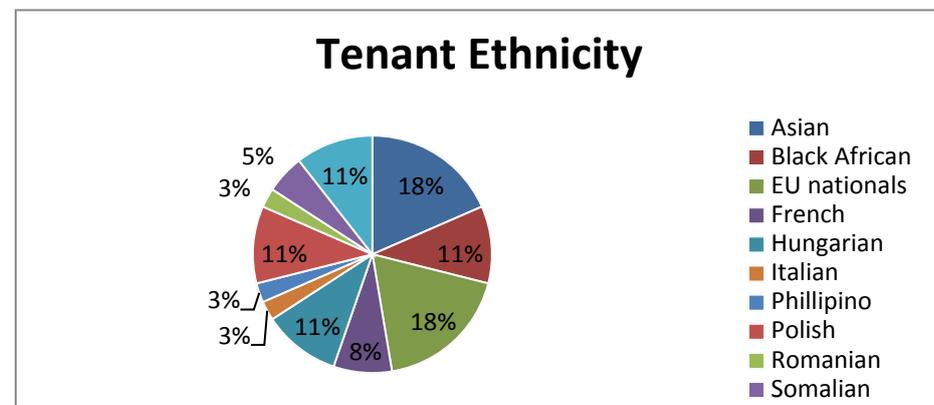
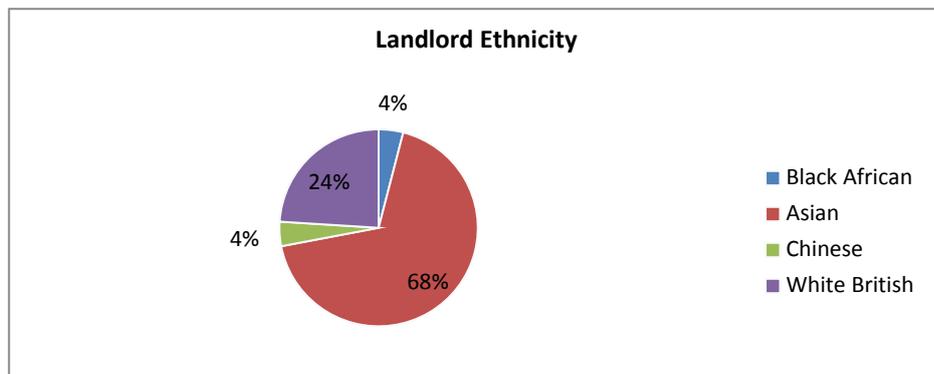
#### **5.6 Race (select all that apply)**



The following three pie-charts, figures 4 a-c, show the ethnicity broken-down in to three categories; landlord, agent and tenant. The data has been extracted from the 34 successful prosecutions PHS has taken against criminal landlords in 2016. Where nationality was known, we have further broken down the categories to get a better understanding of the landlord/tenant/agent profile affected by enforcement actions.

Asian landlords and managing agents and EU migrant tenants have been more affected by formal PHS enforcement than other groups in Brent. However it must be noted that a significant amount of the properties enforced against were Houses in multiple occupation.

**Figures 4a above and 4b & 4c below: PHS Prosecutions breakdown by ethnicity 2016**



**5.7 Religion or belief (select all that apply)**

- Positive
- Neutral
- Negative

**Please give details:**

More people in Brent had a religion than London and nationally: 1 in 10 Brent residents stated they had no religion, compared to 1 in 5 people in London and 1 in 4 people in England and Wales. The largest religious groups in Brent were: Christian (41% compared to 48.4% in London); Muslim (18.6% compared to 12.4% in London); Hindu (17.8% compared to 5.5% in London).

The biggest changes to religious groups in Brent were: 79% increase to the proportion of Muslim people, 72% increase to the proportion of Buddhist people, 32% decrease to the proportion of Jewish people. 2,462 people stated that they were Jain and 1,709 people stated that they were Sikh.

**Table 6: Group responses for religion compared with borough averages**

Question 17: What is your religion or belief?	Landlords/managing agents	Residents	Other stakeholders	Borough average
Buddhist	3%	1%	0%	1%
Christian	23%	31%	33%	41%
Hindu	20%	9%	14%	18%
Jewish	1%	2%	1%	1%
Muslim	6%	6%	13%	19%
Sikh	0%	1%	1%	1%
None	13%	17%	12%	11%
Prefer not to say	26%	27%	21%	7%
Other	2%	3%	3%	1%
No Response	4%	3%	1%	n/a

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From Table 6, Christian, Hindu and Muslim tenants seem to be under-represented in the survey compared to the Borough profile. Christian and Muslim landlords also seem to be under-represented, while Hindu landlords appear to be marginally overrepresented in the consultation. It should be noted, however, that the percentages of those who preferred not to disclose their religious beliefs are very high.

There is insufficient data available to measure accurately the potential impact of the proposal on religion or belief. However, one of the aims of selective licensing is to tackle antisocial behaviour, including hate crime and incidents and this is likely to have a positive impact on this characteristic. There were no direct comments made in relation to religion or belief.

**5.8 Other (please specify) - socio-economic disadvantage**

- Positive
- Neutral
- Negative

**Please give details:**

*Socio-economic status of the local area*

In 2015 Brent ranked 39<sup>th</sup> in England among local authorities according to the index of multiple deprivation (IMD). Brent has 173 lowest super output areas (LSOA) indicating that deprivation exists in concentrated pockets throughout the borough. The wards of Stonebridge and Harlesden rank in the top 25 most deprived wards of London boroughs.

Figures for average income across London boroughs were gained from the Median household income (CACI 2014) and the latest Diversity in Brent reports.

- In 2014, the median income in Brent is £31,601. Within London, Brent ranks as the 6th lowest borough in terms of median household income.
- Income varies widely from ward to ward. Stonebridge has the lowest median household income (£22,188) and Queen's Park has the highest (£41,423).
- Over one third of Brent's working age population are paid less than the London Living Wage, with Black African, Pakistani and Bangladeshi residents being much more likely to be paid less than the London Living Wage.

### *Consultation findings*

- 71.9% of residents and tenants tend to agree or strongly agree that licensing the PRS will help to preserve and improve the social and economic status of the local area
- 59.39% of landlords and managing agents responding to the consultation agree that tenants building up high levels of rent arrears is a problem
- 58.54% of landlords and managing agents responding to the consultation agree that the number of tenants claiming benefits is a problem.

(Source: Brent SL Consultation 30 Sep -16 Dec 2016: 853 Residents, tenants and businesses; 205 Landlords and Managing Agents)

### Homelessness

Brent has severe housing pressures and is taking a range of actions to address demand arising from homelessness and reduce reliance on temporary accommodation. As at September 2016 there were 2869 households in temporary accommodation, compared to a London average of around 1600, although this total is falling against an upward trend in London and the borough now has the fourth highest level of temporary accommodation occupancy, having had the highest level two years ago. In the year 2015/16, 1536 homelessness applications were processed, of which 709 led to acceptance of a housing duty. Of these, 382 were the result of the loss of a private sector tenancy.

The private sector therefore plays an important role in driving homelessness demand while also being a key source of temporary and permanent accommodation to meet it. Licensing can play a significant role in ensuring that the sector is well managed and provides settled and decent accommodation for Brent residents. During 2015/16, homelessness was prevented in 175 cases and the majority of these were resulted in sustaining existing or securing new tenancies in the sector.

It is also recognised that enforcement action in relation to licensing could lead to homelessness, although there is no evidence to suggest a disproportionate increase in homelessness applications directly arising from our current licensing activity. The council acts to secure the rights of tenants and provide advice and assistance as required.

### Overcrowding

Census data showed that while there has been a small reduction in overcrowding between 2001 and 2011 Census, in 2011 Brent still had the second highest level of overcrowding in England. On this basis, 17.7 per cent of households had an occupancy rating of -1 or worse; that is, lacking one or more bedrooms, as measured by the "bedroom standard". However, data at the local level is limited or anecdotal, particularly in relation to the private rented sector, and should be treated with caution.

We know, for example, that Eastern European groups are over-represented in the HMO overcrowding cases private sector enforcement deals with (see ethnicity pie chart in paragraph 5.6 above on race). Currently there is insufficient evidence on single family households.

*(Overcrowding Source: Brent Task and Finish Group Progress Report: Overcrowding and BAME Households – Equalities Committee 6<sup>th</sup> December 2016)*. In contrast to HMO licensing, a selective licensing scheme will not apply a condition in relation to the maximum permitted number of persons that are allowed to occupy the dwelling for sleeping purposes. Instead, wherever possible the Council will work with landlords to make properties fit for the number of number of tenants. However, when required, overcrowding is assessed under the housing, health and safety rating system (HHSRS). Where category 1 hazards are found action will be taken under Part 1 of the Housing Act.

**6. Could any of the impacts you have identified be unlawful under the Equality Act 2010? Prohibited acts include direct and indirect discrimination, harassment, victimisation and failure to make a reasonable adjustment.**

- Yes
- No

**7. Please provide a brief summary of any research or engagement initiatives that have been carried out to formulate your proposal.**

1. The 2011 Census provides valuable information regarding Brent's population
2. A Selective Licensing consultation was undertaken with resident, tenants and businesses, landlords and managing agents, and other stakeholders including with neighbouring boroughs for 11 weeks between 30 September 2016 and 19 December 2016. The 'Draft proposal' to designate a wider Selective Licensing Scheme' outlined the reasons and was made available on the Council website. During the consultation period, there were on-line survey questionnaires available to all target groups. Forums and face-to-face meetings were held with resident community and landlords groups and landlord and tenant representatives. The consultation was promoted through a variety of channels and was undertaken in line with the relevant Government guidance and informed by the equalities analysis screening.
3. Brent Council Equalities Cabinet Committee Reports 2016
4. Business intelligence research was undertaken with respect to levels of migration and levels of deprivation in Brent.

**What did you find out from consultation or data analysis?**

See above. The relevant findings from the research, consultation and data analysis have been presented in the individual sections for each protected characteristic, including socio-economic status.

**Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?**

Yes. This was a borough wide consultation with audiences comprising Brent's residents, tenants and landlords. There were also various group representative forums as well as the voluntary sector forum.

1207 questionnaires were received including 855 from residents (included 227 tenants living in private rented accommodation), 205 landlords and managing and letting agents, and 147 other stakeholders. There was a demographic breakdown of responses received for each group. The communications report details the activities and channels that were used.

## **How did your findings and the wider evidence base inform the proposal?**

Where comments were received that related to protected equality groups or concerns raised on the groups of protected characteristics, these findings were analysed and compared against borough averages or related benchmarks.

## **Conclusion**

This analysis has concluded that, overall, it is anticipated that the extending of Selective Licensing is likely to bring about positive benefits to groups with protected characteristics, particularly those who are disadvantaged and who have little or no choice but having to rent in the private sector.

A key purpose of the scheme is to reduce antisocial behaviour which will benefit residents across all protected characteristics and particularly more vulnerable groups. From the consultation, 69.5% of residents and other stakeholders tend to agree that selective licensing will help reduce ASB.

Vulnerable groups will also benefit from overall improvements in management standards due to the ability of the Council to better identify those properties that are being rented privately and the improved ability to enforce standards to the whole of the sector.

In particular, BAME groups, new migrants, families with young children, disabled residents and vulnerable adults will benefit from better enforcement of licence conditions and of the Housing Health and Safety Rating System standards. All groups will benefit from improvements in engagement, communication and signposting information between the council, landlords and tenants and other service providers. Information would relate to such matters as changes in the law affecting the PRS, energy efficiency measures and grants availability, information on local organisations and agencies which may be able to provide support.

The Equality Analysis has identified some potential for adverse impacts, particularly for lower income groups, if landlords decide to increase rents, young people, migrants, single parents tenants may be particularly affected by this. However, based on our experience of licensing over the past 2 years and that of other Councils who have introduced selective licensing, we believe this unintended outcome is very unlikely to materialise.

There is an increased threat of homelessness for some residents should landlords decide to withdraw from the private renting sector altogether. To mitigate this, the proposal tries to minimise the cost of licences, including offering a discount for certain accredited landlords and minimise bureaucracy.

It is proposed that a major publicity campaign is launched when Selective Licensing is introduced to make tenants and landlords aware of their rights and obligations and what tenants can do if they are threatened with eviction. Specific actions are set out in more detail in the action plan below.

If Selective Licensing is introduced, it is intended to enforce the scheme robustly; to closely monitor the situation on an on-going basis and carry out a major review after the scheme has been in place for a year. Overall, it is felt that the benefits to groups with protected characteristics of this initiative will outweigh any potential negative impacts and that there are robust measures put in place to mitigate against negative consequences.

## **Outcome of Analysis**

Make adjustments to remove or minimise barriers and potential indirect implications identified by the assessment and enhance equality outcomes – please refer to the action plan outlined below.

## STAGE 3: ACTION PLANNING

This section details the responses and concerns raised as part of the consultation that relate to specific protected characteristics. It also outlines the proposed actions and initiatives that will be put forward to address these.

### Equality Characteristic: Age

#### How Age was considered as part of the consultation process

We know that people in the 24-34 and 35-44 age groups are over-represented in the PRS in Brent. Older people, typically over 65s will be less able to use online technology. To ensure maximum engagement leaflets were sent to all households. Many older residents attended Brent Connect forums. All landlords were contacted via mail outs. All email and social media channels were used to target younger groups. The general marketing campaign across the borough provided information on how people of all ages could take part in the consultation process. The Council undertook outreach work in shopping centres, libraries and other open public hotspots to invite people to take part in the consultation.

#### *Breakdown of Consultation Participants by Age*

Overall the consultation was successful in reaching the tenant age group, landlords and older residents these being people most impacted by selective licensing.

- The figures for residents who are between 18-24 are perhaps not surprising as landlords are likely to be older and people of this age group are less likely to be householders and so will have less interest in selective licensing.
- The borough average of residents who are between 25-34 is 20%. This age group is the second most likely to be renting in the private sector according to the 2011 census figures.
- The borough average of residents who are between 35-44 is 15%. From all the residents who took part in the consultation 17% were in this age group. From all the landlords who took part in the consultation 19% were in this age group. This age group is the most likely to be renting in the private sector.
- The borough average of residents who are between 45-54 is 12%. From all the residents who took part in the consultation 21% were in this age group. From all the landlords who took part in the consultation 28% were in this age group. The consultation exercise received a higher than average response from residents in this age range and a significantly higher response rate from landlords from this age group.
- The borough average of residents who are between 55-64 is 6%. From all the residents who took part in the consultation 10% were in this age group. From all the landlords who took part in the consultation, 16% were in this age group.
- The borough average of residents aged over 61+ is 15%. From all the residents who took part in the consultation 23% were in this age group. From all the landlords who took part in the consultation, 17% were in this age group.

<p><b>What is the proposal's impact on the equalities aims?</b></p> <p>The proposal will potentially benefit all age groups.</p> <p>Figure 1 and Table 1 shows the private rented sector age by household member and responses age profile respectively. We expect the 25 – 44 age groups to directly benefit from better housing management standards. All properties that are granted a licence are expected to comply with the Housing Health and Safety Rating System standards (HHSRS) and the licensing conditions. This system includes reducing trips, slips and fall hazards which will be particularly relevant for older people who are more likely to suffer a serious injury from a fall.</p> <p>Figure 2 shows the wards where a long term health problem or disability is highest. Table 2 in the disability section shows From all the residents who took part in the consultation 13% of residents and 9% of landlords had a long term health problem or disability. The Council will be able to more accurately identify properties where landlords would qualify for grants to benefit older residents with disabilities. As part of the licensing proposal it is intended to promote energy efficiency, for example, by requiring up to date EPCs and raising awareness of energy efficiency and how to reduce fuel poverty. We expect our older residents to benefit from this since national statistics show they are more likely to suffer from fuel poverty.</p> <p>Recent research suggests that economic migration in Brent is increasing. According to Figure 1 high percentages of people living within the PRS are between 25 and 49 years of age making the PRS an important market for younger and more mobile people.'</p>	<p><b>What actions can be taken to remove or reduce the potential negative impacts that have been identified?</b></p> <p>If Selective Licensing is extended Brent Council will:</p> <ul style="list-style-type: none"> <li>• Set up a Landlord Focus groups</li> <li>• The licence fee will be set at a reasonable level (on a cost recovery basis) to minimise the likelihood that the charges be passed onto tenants through increased rent</li> <li>• Carry out training sessions for landlords on tenancy issues</li> </ul>
	<p><b>What actions can be taken to enhance the potential positive impacts that have been identified?</b></p> <ul style="list-style-type: none"> <li>• PHS will develop a PRS tenants newsletter on our website</li> <li>• Promote the presence of the PHS webpage for landlords and tenants of private rented properties with information and updates</li> <li>• Promote our quarterly electronic landlords newsletter to all landlords</li> <li>• Develop a tenants charter which will include information on both rights and responsibilities for tenants</li> <li>• Signpost and give advice to landlords and tenants on the Well Being and other services which are available in the borough for vulnerable residents.</li> <li>• Information will be made available in other formats for those without access to the internet or social media, for example through leaflets, use of print media including the Brent Magazine and through the landlord forum and other events.</li> </ul>
<p><b>Comments received from consultation relating to Age</b></p> <p>'Calls for more community projects to help young people avoid engaging in anti-social behaviour". (Free text comment from questionnaire)</p> <p>-----</p> <p>-----</p>	<p><b>Explanation how any remaining negative impacts can be justified?</b></p> <p>N/A</p> <p><b>Council's response</b></p> <p>The council provides many projects for young people. The council will consider how best to publicise any available or newly created projects and initiatives to ensure that they are accessible to all.</p> <p>-----</p> <p>-----</p> <p>We recognise that some young professionals prefer to rent. However a proportion of other professionals and students live in the PRS. Students living away from home</p>

<p>“In London, the private letting mainly deal with working professionals and students at colleges, they are as responsible as any home owners in London, they work hard to pay for their life style and rent. There is no correlation between them and anti-social behaviour”.</p>	<p>are more likely to be occupying shared houses rather than single family households. Properties with less than 3 tenants will come under the scheme if licensing is introduced. Properties managed by certain educational establishments may be exempted from licensing.</p>
<p>(Individual response - Email 23/10/2016 21:47)</p>	

**Characteristic: Disability**

**How Disability was considered as part of the consultation process**

The proportion of Brent residents who felt that they had good health increased from 70.2% in 2001 to 82.9% in 2011. Also from the Census 2011, 1 in 7 (14.5%) Brent residents considered that their health had a limiting impact on their day to day activities. This is comparable to the rate for London (14.2%) and 3.4% lower than the rate for England and Wales. In February 2014, 0.8% (1,650 people) Brent residents of working age - aged 16 to 64 - were claiming disability benefits (Nomis). This rate was only slightly lower than the rate for London, 0.9%. It is recognised and acknowledged that some perpetrators of anti-social behaviour have mental health problems. There is a link between mental health problems and drug/alcohol misuse for both perpetrators and complainants. Community safety departments in London boroughs are reporting that a significant proportion of ASB cases they are dealing with will have a mental health dimension. That is to say that either or both the complainant and alleged perpetrator have mental health support needs. (London Council's ASB and Mental Health Needs Jan 2014)

**Breakdown of Consultation Participants by Disability**

Table 2 is an analysis of the consultation results and indicates that 70% of Brent's residents and 82% of landlords did not have a long standing illness or disability. As a further comparison, the disability profile of consultation respondents (13%) is broadly reflective of the Borough average. A below average response was received from all landlords who took part in the consultation, with 9% disclosing they had a disability or a long-term health condition. There is no disability borough average for landlords but it is noted that 17% of the landlords who took part in the consultation are in the 61+ age group.

Direct publicity methods were used in addition to the online questionnaire and web based consultation to ensure disabled housebound residents and landlords can have their say. The Brent Connect communications were specifically targeted at residents in the Harlesden, Stonebridge, Dollis Hill, Welsh Harp, Fryent, Willesden Green etc.; wards which we know have the highest percentages of PRS households with disabilities or long-term health conditions.

<p><b>What is the proposal's impact on the equalities aims?</b></p>	<p><b>What actions can be taken to remove or reduce the potential negative impacts that have been identified?</b></p>
<p>Sources indicate that people suffering from a disability or mental health are more likely to be perpetrators or victims of ASB and live in poor housing conditions. People with disabilities may feel vulnerable to retaliatory practices which will mean that they may be less likely to complain to the Council.</p>	<p>If Selective Licensing is extended Brent Council will:</p> <ul style="list-style-type: none"> <li>• Assist tenants with legal advice and signpost them to relevant support services available to them</li> <li>• Develop a tenant displacement and rehousing protocol</li> <li>• Provide information and advice on adaptations and grants available to fund these</li> <li>• Provide communication with and support provided to tenants with Learning Disabilities, Mental Health needs, BSL users?</li> </ul>
<p>Licensing will make it easier to identify PRS properties and so to be able to give information and advice to landlords, particularly around good management practices and support services available to</p>	<p><b>What actions can be taken to enhance the potential positive impacts that have been identified?</b></p>

<p>vulnerable groups.</p>	<p>If Selective Licensing is extended Brent Council will:</p> <ul style="list-style-type: none"> <li>• Set up a facility for licensed landlords and tenants to report rogue landlord/agent activity this will particularly benefit disabled residents who are more concerned about ASB.</li> <li>• Give advice to landlords and tenants on the services that are available across the borough for vulnerable residents. This will particularly benefit people with learning disabilities or dealing with substance/alcohol misuse or needing physical adaptations</li> </ul> <p><b>Explanation how any remaining negative impacts can be justified?</b></p> <p>While landlords are legally able to seek possession where persistent ASB occurs, every effort will be made to support the tenant and their landlord to ensure that timely support has been put in place to prevent eviction or displacement. Translation and interpreting services, including BSL, and alternative formats where required.</p>
<p><b>Comments from consultation relating to disability</b></p> <p>“Landlords are usually not experienced in social care and do not have the professional capacity that would allow them to be able to resolve tenants’ mental health issues or drug and alcohol dependency. If there are allegations about a tenant causing problems (e.g. ASB, noise nuisance), even if the tenant has the above issues, a landlord ending the tenancy will have dispatched their obligations under the discretionary licensing scheme. However, in reality, this just moves the problems around Brent, but does not actually help the tenant, who could even become lost within the system”. (NLA written submission)</p> <p>“The documentation provided fails to indicate that sufficient funding will be available to support the functions necessary to support licensing in cases involving re-housing, tenants with mental health issues and social inclusion”. (NLA written submission)</p>	<p><b>Council’s response</b></p> <ul style="list-style-type: none"> <li>• The licensing conditions proposal sets out some actions which landlords must take to address ASB. We accept that where tenants have mental health issues that we must take this into consideration and additional support may be needed.</li> <li>• If Selective Licensing is introduced, the scheme and this EA will be reviewed at least annually</li> <li>• We will continue to promote our information to landlords and tenants about disabled adaptations</li> </ul> <p>These support mechanisms will need to be funded by other means and we will be working in partnership with internal teams e.g. Housing Needs, Adult Social Care and with our Legal Partners SSP Laws, as well as voluntary agencies such as A4R and Shelter UK</p>

**Characteristic: Race**

**How was race considered as part of the consultation process**

Brent is one of the most diverse local authorities in London and the UK. In the 2011 Census, 63.7% of the population were black, Asian and minority ethnic (BAME). By contrast, 14% of people in England and Wales and 40% of people in London were BAME. The largest ethnic groups in Brent were Asian: Indian or British Indian people (18.6% of Brent's population compared to 8.8% of the Outer London population) and White: English/ Welsh/ Scottish/ Northern Irish/ British people (18.0%). Brent had a higher proportion of the following ethnic groups than London and nationally: Black African people (7.8%), Black Caribbean people (7.6%), White Irish people (4%), Arab people (3.7%), White Polish people (2.9%) and White: Other Eastern European people (2.1%). 0.1% of Brent's population were White: Gypsy or Irish Traveller which was on par with London and national figures.

A more recent look at the 2016 profiles shows below that overall: White 35%, 36% are Asian, 21% are black and 18% are aged 65 and over;

- 33% of people under 18 are black and 26% of under 18s are white
- 34% people aged 65 and over are black and 44% people aged 65 and over are white
- 26% children under 5 are Asian

Figure 3 shows how ethnicity groups are represented in the private rented sector in Brent. The multi-cultural groups, including ethnic minority groups and residents with English as a second language.

**Results of the consultation relating to race**

Table 5 shows the results of the consultation and compares the results with the borough averages for the race (20%), Black residents (7%) and Black landlords (3%) responded to the consultation at a level that was well above the borough average respectively. There was a good response from residents and landlords who make up the other ethnic groups.

**What is the proposal's impact on the equalities aims?**

Licensing has the potential to drive up standards which will benefit new / emerging communities and minority ethnic groups as they are over-presented in the PRS, and notably young people under 18s, large families and families with children under 5s. These groups are also likely to be vulnerable, on low income and may be attracted to properties which are in a poorer condition.

According to the 2016 Country of Birth profiles, Brent has, 44% born in the UK, 18% Europe, 23% Asia, 10% Africa and 4% in North/South & Central America.

Brent has a growing EU population comprising; Old EU 7.2% Accession Countries 5.9% Bulgaria and Romania 3.1% Other Europe 2.1%. "White other" Residents from EU accession countries are the most likely group to rent privately and so will benefit from improvements in this sector.

149 languages are spoken in Brent. In 1 in 5 households nobody speaks English as their main language. Licensing will help landlords in understanding their responsibilities and assist tenants in understanding their rights.

Considering the link between low pay and ethnicity

**What actions can be taken to remove or reduce the potential negative impacts that have been identified?**

- The Landlord Focus Group to look at issues and support for vulnerable and other tenants. Particular efforts will be made to include BAME landlords.
- Review the enforcement policy to ensure that licensing enforcement is fair and proportionate.
- We will review and improve our landlord training provision
- A signposting leaflet to be produced in different languages that the Private Sector Licensing can hand out when coming into contact with Eastern European residents and other residents whose first language is not English.
- The service will also register for the phone interpreting service so that officers can have immediate access to an interpreter when engaging with residents with limited English.
-

<p>in London, BAME groups, notably Black Africans (41%) and Black Pakistani or Bangladeshi (43%) are paid less than the Living Wage within ethnic groups. (Brent 2106 diversity profiles). The consultation responses suggest that landlords may seek to pass on the costs of licensing to their tenants in the form of rent increases. Where this occurs it may present an economic burden to ethnic tenants who are more likely to be on low pay.</p> <p>Our survey of PHS successful prosecutions 2016 in figures 8 a-c shows that most prosecution are against Asian landlords and agents and EU migrant tenants are mostly affected.</p>	<p><b>What actions can be taken to enhance the potential positive impacts that have been identified?</b></p> <p>Undertake compliance checks within the licence period. This would be helpful for people where English is not their main language to ensure that their tenancy management is adequate.</p>
<p><b>Comments from consultation relating to race</b></p> <p>There were no specific comments made in relation to race or ethnicity</p>	<p><b>Please explain how any remaining negative impacts can be justified?</b></p> <p>Licensing is likely to see an increase in enforcement action against BAME landlords. Landlord training and accreditation is made available to landlords. Enforcement will be in line with our private housing enforcement policy.</p> <p><b>Council's response</b></p> <p>N/A</p>

<p align="center"><b>Characteristic: Socio-economic status</b></p>	
<p><b>How was Socio-economic status considered as part of the consultation process</b></p>	
<p>In 2014, the median income in Brent was £31,601. Within London, Brent ranked as the 6th lowest borough from ward to ward. Stonebridge has the lowest median household income (£22,188) and Queen's Park has the highest. Brent has 173 lowest super output areas (LSOA) indicating that deprivation exists in concentrated pockets throughout the borough. Within ethnic groups (London) 27% of Black Caribbean, 41% of Black African and 44% of Pakistani or Bangladeshi. 33% of Brent's working population are paid less than the London living wage of £9.40 per hour</p> <p>Full time male workers earn £39.40 more a week than their female equivalent (Brent)</p> <p>The consultation was designed to reach the widest target groups and to enable people on low incomes and those socially marginalised to be able to take part in the consultation.</p> <p><b>Results of the consultation relating to Socio-economic status</b></p> <p>The consultation asked certain questions relating to the Socio-economic status of the local area. The responses drawn were:</p> <p>71.9% of residents and tenants tend to agree or strongly agree that licensing the PRS will help to preserve and improve the social and economic status of the local area</p> <p>59.39% of landlords and managing agents responding to the consultation agree that tenants building up high levels of rent arrears is a problem</p> <p>58.54% of landlords and managing agents responding to the consultation agree that the number of tenants claiming benefits is a problem</p>	
<p><b>What is the proposal's impact on the equalities aims?</b></p> <p>In addition to having to pay for their property licences, landlords may need to carry out repairs to their rented</p>	<p><b>What actions can be taken to remove or reduce the potential negative impacts that have been identified?</b></p> <p>The licence fee structure to be set to reduce the need for costs to be passed on to tenants</p>

<p>properties as well as to take steps to improve their management skills.</p> <p>Tenants on low incomes and socio-economic status will especially benefit from improved property conditions thus affording a similar good standard of renting as people of better socio-economic status.</p> <p>Licensing should bring about a reduction in ASB and an improvement in the condition of local areas, especially in the wards with the highest incidences of ASB, enviro-crime and police recorded crime.</p> <p>Selective licensing should bring about more stable tenancies by being able to support tenants and landlords experiencing rent and debt problems and to reduce claims for possession, homelessness and mental distress</p>	<p>Provide information within the PHS landlords newsletter on dealing with tenant rent arrears Signpost affected tenants to local organisations that can support them</p> <p><b>What actions can be taken to enhance the potential positive impacts that have been identified?</b></p> <p>Set up links with tenants and landlord advice representatives to identify and address their needs, particularly in relation to debt, rent arrears and homelessness Formulate and agree a suite of indicators to measure and report on socio-economic performance</p> <p><b>Please explain how any remaining negative impacts can be justified?</b> N/A</p>
<p><b>Comments from consultation relating to Socio-economic status</b></p> <p>“Licensing fees costs will be passed on to tenants in the form of rent”</p> <p>“ Greater help for landlords to evict tenants”</p> <p><i>(Consultation questionnaire free text)</i></p> <p>“Lenders see licensing as a risk to their investment because of the ASB stigma attached to licensed areas and this is seen as a risk to the property value and leads to mortgages being rejected”</p> <p>“The scheme will lead to further displacement of problem tenants in Brent/London”</p> <p>“The documentation provided fails to indicate that sufficient funding will be available to support the functions necessary to support licensing in cases involving rehousing, tenants with mental health issues and social exclusion”</p> <p><i>(NLA written submission)</i></p>	<p><b>Council’s response</b></p> <p>Judging from our experience with the existing licensing schemes in Brent and in other boroughs we believe it is very unlikely that licensing costs will be passed on the tenants. The licensing fee will be set at a level designed to cover the functions related to an SLS in order to minimise the burden on landlords.</p> <p>Though some lenders may be reluctant to lend in licensable areas, there are several products available on the market for investor landlords.</p> <p>The Council has commissioned research on the impact of licensing on tenants and will further consider the recommendation of the research report</p> <p>If selective licensing is extended in Brent the council will be committed to reviewing the licensing scheme and this EA at least once annually.</p>

## EA Sign off

<b>Role/Position</b>	<b>Name/signature</b>	<b>Date</b>
EA author – PHS Licensing Manager	Tony Jemmott	10 <sup>th</sup> April 2017
Head of Private Housing Service	Spencer Randolph	
Strategic Director of Community and Wellbeing	Phil Porter	

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## Appendix 4: Licence Conditions

### Brent Selective Licence Conditions

Please note that the conditions set out below are those used in the Council's current Selective Licensing Scheme. We do not propose to change the existing conditions, save for the addition of condition 1a. However a revision of the conditions will be considered as part of this consultation.

	<b>Proposed Conditions of the Selective Licenses granted under Part 3 of the Housing Act 2004, s95</b>
<b>ITEM</b>	<b>CONDITION</b>
<b>1. Terms of Occupation</b>	The occupiers of the property must be given a written statement of the terms (this is usually a tenancy agreement) on which they occupy the property, at the start of the tenancy. The licence holder must declare at the point of application, that they provide these terms to the occupiers and provide a copy to the Council within 14 days on demand. Examples of tenancy agreements can be found at the Council's Private Sector Housing Licensing Website.
<b>1a. Numbers of households</b>	The Licence Holder must ensure that the property does not become occupied by more than the number of household stated on the licence. This will normally be for one household or family.
<b>2. Tenant references</b>	The licence holder must collect and check references from anyone who would like to occupy the property. No new occupiers should be allowed to occupy the property if they are unable to provide a reference. The licence holder must provide evidence of reference checks carried out when requested by the Council within 14 days on demand. Examples of tenancy reference checks can be found at the Council's Private Sector Housing Licensing Website.
<b>3. Rent payments</b>	All occupiers should be given a rent book or similar receipt for payments made, such as a rent statement, this should be provided to the occupiers at minimum of quarterly (3 months) intervals. The licence holder must also ensure that they record all rent payments that they receive. This must be declared at the point of application and evidence provided to the Council within 14 days on demand.
<b>4. Deposits</b>	The licence holder must protect any deposits taken from the occupiers, by placing them in a statutory tenancy deposit scheme. Information about the scheme being used must be given to the occupier at the time the deposit is taken. When requested this information must be provided to the Council within 14 days on demand.
<b>5. Complaints</b>	All tenants should be given a suitable written complaints procedure at the start of their tenancy. An example of a complaints procedure can be found at the Council's Private Sector Housing Licensing Website.
<b>6. Anti-social</b>	The licence holder must take reasonable and practical action to prevent or stop anti-social behaviour by the occupiers of the property or their

<p><b>behaviour (ASB)</b></p>	<p>visitors.</p> <p>The licence holder must ensure that the occupiers of the property receive written confirmation detailing the procedure in place to deal with anti-social behaviour at the start of their tenancy. Please refer to 6a and 6b below.</p> <p>[For further information on what the Council considers to be anti-social behaviour see appendix 2].</p>
<p><b>6a. Prevention</b></p>	<p>To help prevent anti-social behaviour occurring the licence holder must:</p> <p>I. Obtain tenant references prior to granting a tenancy as to their previous conduct and be satisfied that they are not likely to cause any anti- social behaviour.</p> <p>II. Ask anyone wishing to occupy the property, to disclose unspent criminal convictions. If unspent criminal convictions are disclosed, the licence holder must consider if those convictions indicate a risk that the person is likely to commit acts of anti- social behaviour before granting a tenancy.</p> <p>III. Respond to any reference requests received for a current or former tenant from another licence holder in writing within 21 days.</p> <p>IV. When giving a reference, state whether or not they are aware of any allegations of anti-social behaviour made against the tenant. If allegations have been made they must give details to the best of their knowledge, of whether the allegations have been admitted or have been found proven in any court or tribunal.</p> <p>V. Make, a minimum of quarterly inspections of the property to ensure that it is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions.</p> <p>VI. Ensure that all tenants are aware, that if they or their visitors behave in a way that the licence holder, manager or Council considers to be anti-social they may face eviction.</p>
<p><b>6b. Action</b></p>	<p>This is a procedure to be followed if or when a landlord has been made aware of the occurrence of anti-social behaviour. For the purpose of transparency, this process should be made available to tenants at the start of their tenancy agreement.</p> <p>The licence holder must cooperate with the Council, the Police Service and any other agencies in resolving complaints of anti-social behaviour. The licence holder should address problems of anti- social behaviour resulting from the occupiers or their visitors by following the procedure set out below:</p> <p>I. If a complaint is received, or anti-social behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed in writing of the allegations made against them and of the consequences of its continuation.</p> <p>II. The licence holder shall monitor any allegations of anti-social behaviour for a period of 28 days, from the date the complaint was received.</p> <p>III. If after 28 days it is found that the anti-social behaviour is still continuing, the licence holder must visit the premises within 7 days and</p>

	<p>provide the tenant with a warning letter advising them of the possibility of eviction if their behaviour continues.</p> <p>IV. If after 14 days of giving a warning letter the tenant has not taken steps to address the anti- social behaviour and it is still continuing, the licence holder shall take action which may include legal eviction proceedings.</p> <p>V. The licence holder must ensure that written notes are kept of any meetings, telephone conversations or investigations regarding anti-social behaviour for 3 years, and if requested by the Council, provide this information within 28 days on demand.</p> <p>VI. Any letters, relating to antisocial behaviour sent or received by the licence holder, must be kept for 3 years by the licence holder and if requested by the Council, provide copies of them within 28 days on demand.</p> <p>VII. Where the licence holder or his agent has reason to believe that the anti-social behaviour involves criminal activity, the licence holder shall inform the appropriate authorities.</p>
<b>7. Gas</b>	<p>If gas is supplied to the property, the licence holder must ensure that the gas installation and appliances are tested annually by an approved Gas Safe engineer. The license holder must provide to the Council, a current Gas Safe Certificate at the point of application. Within 14 days of the licence holder being notified by the Council of any safety risk, a new Gas Safe certificate must be submitted to the Council.</p>
<b>8. Electrical Appliances</b>	<p>The licence holder is responsible for the maintenance and safety of all supplied electrical appliances and must ensure:</p> <p>a. Electrical appliances are safe and in good working order. A declaration as to their condition must be provided at the point of application.</p> <p>b. Test reports on the condition of the electrical appliances in the property must be provided to the Council within 14 days on demand.</p>
<b>9. Furniture and Furnishings</b>	<p>The Licence Holder must ensure that furniture and furnishings supplied by them are safe and comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. They must provide a declaration as to their safety at the point of application and if requested by the Council within 14 days on demand.</p> <p>Further advice may be sought from - London Borough of Brent, Trading Standards Service. Tel.0208 937 5555 / 5544 Email. <a href="mailto:trading.standards@brent.gov.uk">trading.standards@brent.gov.uk</a>.</p>
<b>10. Security</b>	<p>The licence holder is responsible for the security of the property and must ensure:</p> <p>a. The access to the property, such as locks, latches and entry systems are maintained and in good working order at all times.</p> <p>b. The front door of the property is fitted with a mortice lock (thumb turn) or</p>

	<p>equivalent, to a five- level security level.</p> <p>c. Where window locks are fitted, the keys are provided to the relevant occupants.</p> <p>d. Where a burglar alarm is fitted to the property, the occupiers are informed in writing about the circumstances under which the code for the alarm can be changed, and are given details on how this can be arranged.</p> <p>e. Where previous occupants have not returned keys, the relevant locks will be changed prior to new occupants moving in.</p>
<b>11. External areas</b>	<p>The licence holder must ensure that:</p> <p>a. The exterior of the property is maintained in a reasonable decorative order and state of repair.</p> <p>b. Gardens, fencing and other external elements are kept in a clean, clear and/or sound condition.</p>
<b>12. Refuse and waste</b>	<p>The licence holder should provide a sufficient number of external rubbish bins for the occupiers to dispose of waste. They are also responsible for ensuring that any kind of refuse which the Council will not ordinarily collect (e.g. large items of furniture, hazardous waste etc.) are disposed of responsibly and appropriately.</p>
<b>13. Repairs</b>	<p>The Licence Holder must ensure that:</p> <p>a. All occupants of the property receive written confirmation detailing arrangements in place to deal with repairs. If requested, this must be provided to the Council within 14 days on demand.</p> <p>b. Disrepair and/or defects identified to the landlord by the Council are investigated and adequately addressed within the specified timeframes as may be stipulated by the Council.</p> <p>c. All repairs to the property or any installations, facilities or equipment within it are carried out by competent and reputable persons.</p> <p>d. They respond positively and within the specified time period given to any mandatory housing related enforcement notices issued by the Council.</p> <p>e. Whilst any works are in progress, the work is carried out to ensure the safety to all persons occupying or visiting the premises.</p> <p>f. On completion of any works, the property is left in a clean and tidy condition.</p>
<b>14. Compliance Works</b>	<p>The licence holder must ensure that any works found to be necessary by the Council to ensure that the property complies with the Council's prescribed standards, are carried out within the specified time period given.</p>
<b>15. Pest Control</b>	<p>The licence holder is responsible for ensuring that the property, including external areas such as gardens, are free from pest infestation e.g. rodents. Any pest infestations must be managed effectively and within a period of 7 days of being reported.</p>

<p><b>16. Smoke Alarms</b></p>	<p>The licence holder must ensure that smoke alarms are installed in the property and are kept in proper working order. A declaration as to their condition and positioning must be made at the time of application and provided to the Council within 14 days upon demand.</p> <p>If/when the Council notifies the licence holder of any deficiencies, a new test /completion certificate must be submitted to the council within 14 days from the date of notification.</p>
<p><b>17. Means of Escape</b></p>	<p>The licence holder must ensure that all means of escape from fire are free from obstruction and fire precautions are maintained.</p>
<p><b>18. Electrical Installations</b></p>	<p>The licence Holder must supply a current (i.e. within the previous 5 years) Domestic Electrical Installation Periodic Report for the whole of the electrical installations to the Council within 28 days of demand. All recommendations for urgent attention and improvement (Codes 1 and 2) must be carried out within 28 days of the report.</p>
<p><b>19. Consultation of Changes</b></p>	<p>The licence holder must consult with the Council before making changes to the layout of the property, amenity provisions (such as adding or removing bathroom or kitchen facilities), fire precautions or occupation of the accommodation.</p>
<p><b>20. Notification</b></p>	<p>The licence holder must inform the Council of:</p> <ul style="list-style-type: none"> <li>a. Details of any unspent convictions not previously disclosed to the Local Authority involving fraud or dishonesty, violence or drugs, any offence listed in Schedule 3 to the Sexual Offences Act 2003, or any other conviction relevant to the licence holder and/or the property managers fit and proper person status.</li> <li>b. Details of any finding by a court or tribunal against the licence holder and/or the manager that they have practiced unlawful discrimination on the grounds of sex, colour, race, ethnic or national origin or disability.</li> <li>c. Details of any civil or criminal proceedings against the licence holder or manager, relating to housing, public health, environmental health or landlord and tenant law, resulting in a judgment or finding being made against them.</li> <li>d. Information about any property the licence holder or manager owns or manages or has owned or managed, that has been refused a licence by a local housing authority or has had a licence revoked due to the breaching of the licence conditions.</li> <li>e. Information about any property the licence holder or manager owns or manages or has owned or managed, that has been the subject of an interim or final management order under the Housing Act 2004.</li> <li>f. The property becoming empty for more than 3 months.</li> <li>g. Notification of repossession/foreclosure.</li> <li>h. Successful claims against the licence holder for default of tenancy deposits.</li> <li>i. A change in managing agent or the instruction of a managing agent.</li> </ul>

	j. The undertaking of substantial works to the property, including conversions and modernisations or emergency problems relating to fire, flood or disaster.
<b>21. Absence</b>	The licence holder is required to have in place suitable emergency management arrangements in the event of their absence.
<b>22. Compliance inspections</b>	The licence holder must arrange for access to be granted when requested by the Council within 14 days and must not obstruct council officers from carrying out statutory duties including the surveying of the property to ensure compliance with licence conditions and relevant legislation. Immediate, unannounced visits may also be made by duly authorised Council Officers, where deemed appropriate to a stated situation relating to these conditions.

End of Conditions

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## Appendix to the Licence Conditions

### USEFUL INFORMATION

1. The London Landlord Accreditation Scheme (LLAS) - will provide you with the necessary skills to run a successful business. A partnership of landlord organisations, London Councils and university accommodation units who have worked together to set up a development programme which will provide you with the information necessary to improve your business.

Web: [www.londonlandlords.org.uk/accreditaion](http://www.londonlandlords.org.uk/accreditaion) : Tel: 020 7974 1970

2. The Electrical Safety Council - The Electrical Safety Council is an independent charity committed to reducing deaths and injuries through electrical accidents at home and at work. They are supported by all sectors of the electrical industry as well as local and central government and work to promote safety and good practice.

Web: <http://www.esc.org.uk> Tel: 0870 040 0561

3. Gas safety – The Health and Safety Executive have a very informative website ([www.hse.gov.uk/gas/landlords/index.htm](http://www.hse.gov.uk/gas/landlords/index.htm)) that provides excellent guidance which you should view, because a landlord is legally responsible for the safety of any tenants in relation to gas safety. By law you must:

- Repair and maintain gas pipework, flues and appliances in safe condition
- Ensure an annual gas safety check on each appliance and flue
- Keep a record of each safety check

4. Deposit Protection Service - The Deposit Protection Service (The DPS) is open to all. It is the only service that is completely free to use and is run by Computershare, who has 8 years' experience of running a similar scheme in Australia. Both landlords and tenants can manage their account 100% online or by using traditional postal methods, from registration to repayment. Plus, deposits are secure when using The DPS – thanks to Bank of Scotland's Specialist Deposit Services team, who safeguard and administer all deposit funds.

Web: <http://www.depositprotection.com> Tel: 0870 702 0003

### APPENDICES

#### What is anti-social behaviour?

- To behave in a way that is considered to be anti-social can include: Causing nuisance or annoyance to other occupiers or neighbours.
- Using abusive or threatening language or behaviour to other occupiers or neighbours.
- Failing to store or dispose of waste properly.
- Causing damage to fixtures, fittings, fire prevention or alarm equipment or installations.
- Causing damage to the property.
- Failing to give access to the landlord or his agent for the purpose of maintaining communal areas.
- Failing to give access to the landlord/manager, having received reasonable notice, to inspect or undertake works within their accommodation.

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## Appendix 5: Fees

### SELECTIVE LICENCE PROPOSED FEES

The basic fee for a property that is not an HMO which is subject to licensing under Part 2 of the Housing Act will be £540.00 for a five year licence. Discounts are proposed for application made before the commencement date and for certain accredited landlords. The proposed fees and variations are set out below.

#### A. Proposed Fees

Type of Application	Proposed Fee
Applications made before the designation comes into force	£340.00 for a 5 year licence.  £40.00 Landlord accreditation discount
Applications made before the designation comes into force and are landlords with previous management contraventions or are of concern	£540.00 for a 1-yr licence  £40.00 Landlord accreditation discount
Applications made after the designation comes into force	£540.00 for a 5-yr licence  £40.00 Landlord accreditation discount
Applications made after the designation comes into force and are landlords with previous management contraventions or are of concern	£540.00 for a 1-yr licence  £40.00 Landlord accreditation discount
New build rental properties providing that a licence is applied for no later than three months after practical completion	£340.00 for a 5 year licence

	£40.00 Landlord accreditation discount
Licence Application renewal ( after the end of any discounted period)	£440.00  £40.00 Landlord accreditation discount

**B. Additional Charges associated with the assisted online application**

Council assistance provided to complete an application	£100.00
For those applicants that are not able to complete an online application form the Council will offer an assisted service. This will enable you to make an application by telephone or by coming into Brent's Civic Centre, by appointment, and we will help you complete the form on line	



**Brent Council  
Private Housing Services**

**Selective Licensing Proposal Consultation: Report of  
consultation findings**

Contact: Tony Jemmott

Private Housing Services

Ext 2377

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## Selective Licensing Proposal Consultation: Report of findings

### Executive Summary

#### Introduction

1. The Housing Act 2004 gives Councils the power to introduce selective licensing schemes for privately rented properties in order to improve standards of management in the private rented sector (PRS) and lead to an improvement of the area. The power to designate is subject to certain conditions and criteria, including the requirement to consult persons who are likely to be affected by the designation; and to consider any representations made in accordance with the consultation being met.
2. Additional criteria for making a scheme are now in force. <http://www.legislation.gov.uk/ukxi/2015/977/contents/made>. In addition to the already existing low demand and antisocial behaviour criteria, the Department for Communities and Local Government "Selective Licensing in the Private Rented Sector" Guide for Local Authorities states that a selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions, being an area experiencing:
  - i. Low housing demand or is likely to become such an area;
  - ii. Significant and persistent problem caused by anti-social behaviour (ASB);
  - iii. Poor property conditions;
  - iv. High levels of migration;
  - v. High level of deprivation;
  - vi. High levels of crime.
3. Brent Council is considering proposals to extend selective licensing to most or the entire borough. As per the requirements of the Housing Act 2004 and subsequent DCLG guidance (Revised April 2010 *Approval Steps for Additional and Selective Licensing Designation in England*), the Council has conducted a consultation process with landlords and managing agents, residents, tenants and businesses in Brent and with other stakeholders including neighbouring boroughs.

This report provides a summary of the consultation approach and findings, which will be considered alongside other evidence by the Council in deciding whether and how to extend selective licensing.

#### Private Sector Landlord Licensing Consultation

4. The aim of the consultation was to provide local residents, landlords/managing and letting agents with an opportunity to provide their views about the Draft Proposals to extend selective licensing scheme. Consequently, the consultation covered the following areas:
  - Opportunities to provide views about the problems in their local area and in relation to their homes in Brent
  - Opportunities to provide views as to how the PRS as a whole in Brent might be improved
  - Opportunities to provide views on the proposed licensing conditions
  - Support for extending selective licensing for single family dwellings in Brent
  - Where selective licensing should apply based on ASB and also one or several of the new criteria: - poor property conditions, high levels of migration, high level of deprivation or high levels of crime,
  - Opinion as to what selective licensing would achieve

## Consultation Approach and Strategy

5. The approach was primarily governed by the provisions of the Housing Act 2004 and the DCLG guidance (Revised April 2010). Three questionnaires were designed to capture views on the proposals. There is one for residents, tenants and businesses, another for private landlords and managing agents and a third questionnaire for other stakeholders, the latter focusing on interest from London Boroughs of Barnet, Camden, Ealing, Harrow, Hammersmith and Fulham, Kensington and Chelsea, and Westminster, as these boroughs border Brent. The consultation questionnaire was conducted online, though paper forms will be made available on request and in certain circumstances such as outreach sessions. Paper forms could be completed by hand and returned to the Council in a pre-paid envelope. The outline consultation was set out in a communications plan.

The aim was to use our customer insight to target our communications and evaluate their impact. The strategy was to use a broadly based communications drive with a mix of all channels to deliver consistent integrated messages. We used wide reaching tactics aimed at targeting all residents and stakeholders with more specific channels being used to reach tenants and landlords. The approach was also informed by an equalities assessment (EA).

Communications Activities (See appendix A for the full report)

6. The consultation ran for 11 weeks from 30 September 2016 and closed on Friday 16 December 2016, although the web-link remained open 19 December 2016. The vast majority of the work was focused on an external audience, although internal channels were used to engage staff whose work is public facing to act as ambassadors for the consultation and encourage more responses. The channels are listed below and an analysis of each activity is provided in the main report.

### External

- Media relations
- Brent website (banner on homepage)
- Poster sites (JCDecaux UK)
- Leaflet drop to all residents & in libraries and council buildings
- Digital adverts on Gum tree and EBay
- The Brent magazine
- Social media (face book & twitter)
- Emails to landlord database
- Emails to stakeholder groups, e.g. housing needs database
- Stalls in Civic Centre and local businesses
- Brent Landlord Forum
- Brent Registered Providers Forum
- Brent Connects
- Brent Citizens Panels
- Voluntary Sector
- Mail out to stakeholders
- Advertising van
- Presentations to stakeholders, e.g. Barnet Landlords Forum
- Report to Brent Members of Parliament
- Briefing to the Chartered Institute of Environmental Health Officers (CIEH) Housing Study & Licensing group
- UK Landlords Accreditation Scheme circulation

### Internal

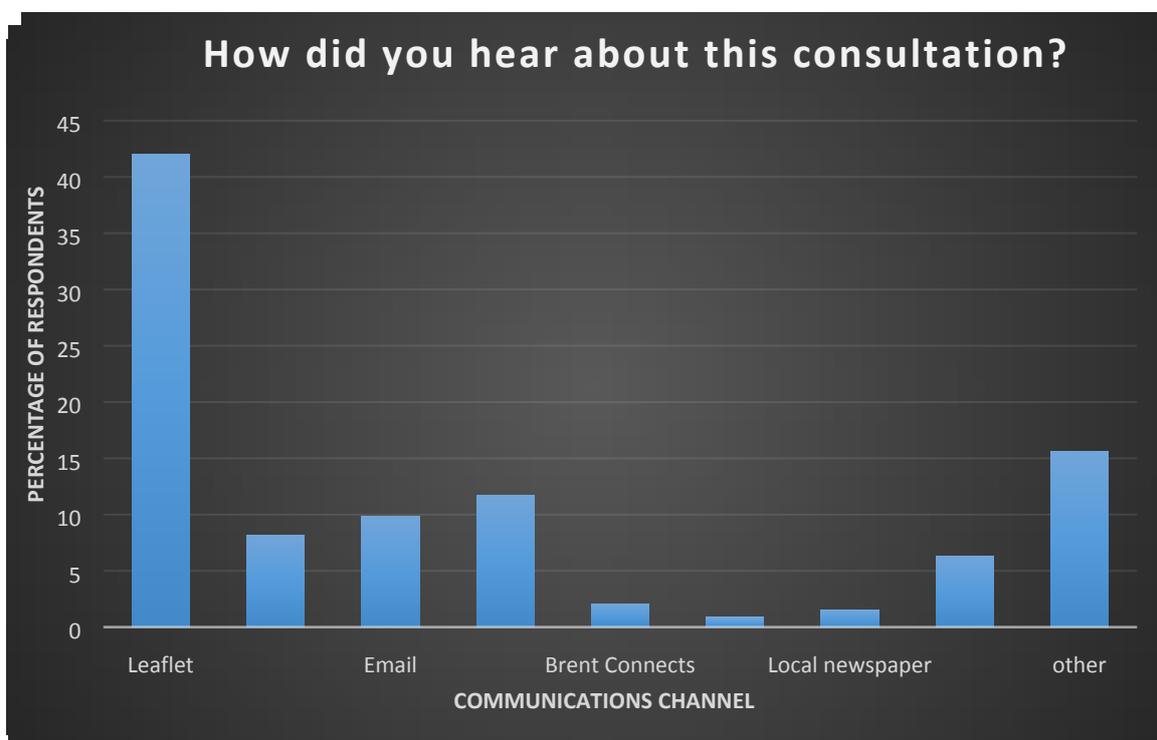
- Stall in Civic Centre
  - Yammer
-

- Word of mouth amongst colleagues, teams and the wider organisation.
- Email footers
- Brent Housing Partnership whose membership includes 14 Brent Registered Providers (Housing Association) Forum
- Briefing session for elected members

Evaluation using the question in the consultation

7. The leaflet has the most successful reach with nearly 42% of all respondents naming this as how they had heard about the consultation. The Brent website (11.7%), emails (9.8%) and posters (8.2%) were all roughly similar thereafter. 'The most popular 'other' response was through the in-store surveys and at the Civic Centre.

Figure 1: Evaluating the consultation



Consultation responses

8. The response to the consultation has been as follows:
- 1207 responses to the on-line and hard copy questionnaires, 20.7% over the target set in the communications plan (See **Appendix A**)
  - **205** landlords/managing and managing agents and **855** residents (which includes 227) tenants living in private rented accommodation (26.55%) and **147** Other stakeholders (the full demographic profile of respondents to the survey is outlined below)
  - Other comments via the questionnaire
  - 11 individual letters/e-mails
  - 4 written formal submissions from the National Landlords Association, the Residential Landlords Association, the National Approved Letting Scheme (NALs via the London Property Licensing), and from Home Safe Limited (see **Appendix D** for copies of the submissions).

Key consultation findings

9. The key findings are organised in to five themes:
- (a) Demographics and equalities profile of respondents
  - (b) Support for extending the licensing scheme and on what would be achieved
  - (c) Views about the problems in Brent including anti-social behaviour and property management
  - (d) Views on local solutions
  - (e) Perceptions about the proposed licensing conditions

#### Top line Demographic and Equalities Findings

10. Overall, the equalities characteristics are representative of the borough averages with the notable exception of responses the 18-24 age group.

#### Support for extending the licensing scheme and on what would be achieved

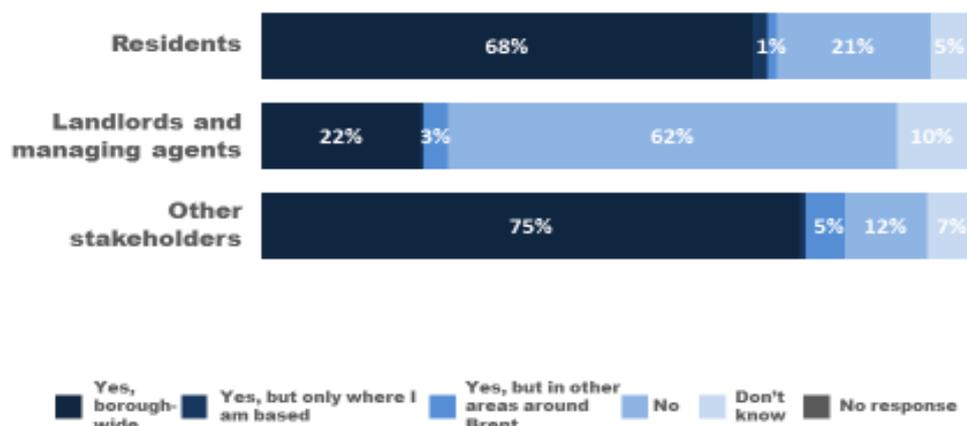
11. A clear majority of questionnaire respondents, mainly residents including tenants and other stakeholders agree with the council should extend selective licensing borough wide in Brent, while landlords are in almost equal opposition to extending licensing, where they agreed they unanimously supported a borough wide scheme:
- The figure 2 shows that a large majority all of residents (71%) and other stakeholders (76%) generally agree with the proposal to extend selective licensing in Brent, with 21% of residents and 12% of other stakeholders disagreeing.
  - In contrast, 62% of landlords disagreed and 25.49% agreed with the proposal to extend. There was a significant 12% don't know/no response from landlords. Of the 25.5% landlords who support extending licensing, 22% of them unanimously supported the borough wide proposal.

From the other consultation findings, some landlords and their representatives were opposed to licensing schemes in principle or would support a system of co-regulation, or with discounts to accredited landlords. Landlord representatives also suggested that the council should delay the introduction given the new powers being introduced by the government to deal with the private rented sector.

Specific concerns expressed by all groups related to licensing schemes bureaucracy, the council's motives and capacity to deliver the scheme and resources would need to identify unlicensed properties, deal with poor property conditions and to tackle criminal landlords.

#### **Figure 2: Should the Council extend selective licensing in Brent?**

**In your opinion, should the council extend selective licensing for single family dwellings (for example self-contained flats or houses) in Brent?**



Consultation dates: 30 September 2016 – 16 December 2016  
 Residents, tenants and businesses (833) Landlords and managing agents (205) Other stakeholders (147)

(Numbers in brackets are the number of respondents for each group)

Based on the consultation questionnaire survey landlords disagree but the majority of residents, tenants and businesses agree that introducing selective licensing would tackle problems by achieving all of the following:

- Shifting the reliance away from using resident complaints to identify problems
- Promoting a professional management ethos amongst private landlords
- Providing tenants with consistent information on acceptable standards of accommodation
- Allowing the council to take action against landlords who provide poor standards of accommodation
- Removing rogue landlords from the sector
- Reducing anti-social behaviour in the borough
- Providing safe homes for tenants to live in
- Providing a better approach to managing the private rented sector
- Allowing the council to take action against landlords whose tenants cause persistent anti-social behaviour

Views on local problems including anti-social behaviour and property management

- Notable proportions of both residents and landlords rated matters relating to enviro-crime, police reported crime, lack of community engagement, and migration as serious or very serious problems. Rubbish dumping and fly-tipping, untidy front gardens, poorly maintained properties, together with the high tenant turnover and high rents featured highest.
- It is noted that the definition of antisocial behaviour includes enviro-crime and police reported crime and hence the questionnaire responses overall rate ASB as a serious or very serious problem.
- There is strong agreement from residents that properties are poorly maintained and managed such as that there are contributing to the decline of areas in Brent and further that landlords have a responsibility to manage the properties effectively and to be “fit and proper” persons.

Local solutions

- Residents agreed (89%) and significant few landlords disagreed (16%) that the council should intervene and take control of the problems associated with high levels of ASB. The majority of residents and other stakeholders agreed but landlords equally disagreed that the council should have more control over the way that landlords manage their properties.
- Residents and other stakeholders agree (69.5%), but landlords disagree (74%) that the licensing scheme would help reduce anti-social behaviour

#### Views on the proposed selective licensing conditions

- Overall the licensing conditions proposed were at least tended to be agreed by an average of 63% of respondents, compared with average of 23% of the respondents tending to disagree.
- Landlord representatives in their submission indicated where conditions were unnecessary or otherwise and have asked that their points made are considered.

#### Other consultation findings

From section 3, the most other comments extracted from the open-ended and free text questionnaire fields were about the licence fees, followed by comments on licence conditions, the impact of licensing on landlord and on the impact on tenants. The majority of the comments, in percentage of responses received per group came from the landlords and managing agents.

To a relatively much lesser degree respondents commented upon the potential to improve PRS standards, noting that other measures to do so already exist. Comments were also made about dealing with anti-social behaviour, the evidence base for the proposals and regarding the council's challenge to deliver licensing, taking into account the amount bureaucracy thought to be involved.

The forums, meeting and written submissions as outlined in section 4 were useful and largely reflected, in particular, the opinion of landlords other and stakeholders. The consultation interfaces produced face to face discussion and delivered scheme options such as co-regulation, fee discounting, reducing bureaucracy, and calls to for the council to delay its plans in view of the new Government legislation being applied to private renting in 2017.

#### **Conclusions**

There is majority support amongst residents, tenants, businesses and other stakeholders to the proposal to extend licensing scheme to most of Brent. The views are that problems of ASB, poor property management, lack of community engagement and problems with private tenants exist in the local private rented sector and that the council should intervene to provide a solution. However, there is majority opposition amongst landlords to the proposal. This opposition centres on the following key points:

- Specific challenges to the evidence presented to support proposing to licence all or most of the borough
- In the timing of the proposal by Brent, in that plans could be delayed to see the impact of the new powers being introduced by the Government in 2017
- That is unreasonable to place the burden on good landlords as licensing will present unnecessary bureaucracy and economic burdens.
- Costs will be passed on to tenants and that some landlords will exit the local market

Where landlords agree (26%) and where there is support for the scheme from licensing representative organisations, the council is being asked to consider a system of co-regulation, greater support for landlords in dealing with ASB and problem tenants, applying licence fee discounts for certain landlords and to set reasonable licensing conditions.

**Selective Licensing Proposal Consultation:  
Report of findings**

**Main Report**

## Section 1: Introduction

### Introduction

- 1.0 The Housing Act 2004 gives Councils the power to introduce selective licensing schemes for privately rented properties in order to improve standards of management in the private rented sector (PRS) and lead to an improvement of the area. The power to designate is subject to certain conditions and criteria, including the requirement to consult persons who are likely to be affected by the designation; and to consider any representations made in accordance with the consultation being met.
- 1.1 Additional criteria for making a scheme are now in force. <http://www.legislation.gov.uk/ukxi/2015/977/contents/made>. In addition to the already existing low demand and antisocial behaviour criteria, the Department for Communities and Local Government "Selective Licensing in the Private Rented Sector" Guide for Local Authorities states that a selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions, being an area experiencing:
- i. Low housing demand or is likely to become such an area;
  - ii. Significant and persistent problem caused by anti-social behaviour (ASB);
  - iii. Poor property conditions;
  - iv. High levels of migration;
  - v. High level of deprivation;
  - vi. High levels of crime.
- 1.2 Brent Council is considering proposals to extend selective licensing to most or all of the borough. As per the requirements of the Housing Act 2004 and subsequent DCLG guidance (Revised April 2010 *Approval Steps for Additional and Selective Licensing Designation in England*), the Council has conducted a consultation process with landlords and managing agents, residents, tenants and businesses in Brent and with other stakeholders including neighbouring boroughs.
- 1.3 This report provides a summary of the consultation approach and findings, which will be considered alongside other evidence by the Council in deciding whether to extend selective licensing and if so, the manner in which it should do so.

## Private Sector Landlord Licensing Consultation

### The purpose of the consultation

- 1.4 The aim of the consultation was to provide local residents, landlords/managing and letting agents with an opportunity to provide their views about the Draft Proposals to extend selective licensing scheme. Consequently, the consultation covered the following areas:
- Opportunities to provide views about the problems in their local (Brent) area and in relation to their homes in Brent
  - Opportunities to provide views as to how the PRS as a whole in Brent might be improved
  - Opportunities to provide views on the proposed licensing conditions
  - Support for extending selective licensing for single family dwellings in Brent
  - Where selective licensing should apply, based on ASB but also one or several of the new criteria: - poor property conditions, high levels of migration, high level of deprivation or high levels of crime, and
  - Their opinion as to what introducing selective licensing would achieve

## **Consultation Approach and Strategy**

- 1.5 The approach was primarily governed by the provisions of the Housing Act 2004 and the DCLG guidance (Revised April 2010). Three questionnaires were designed to capture views on the proposals. There is one for tenants, other residents and businesses, another for private landlords with property in the Borough and a third questionnaire for stakeholders in the London Boroughs of Barnet, Camden, Ealing, Harrow, Hammersmith and Fulham, Kensington and Chelsea, and Westminster, as these boroughs border Brent. The consultation questionnaire was conducted online, though paper forms will be made available on request and in certain circumstances. Paper forms could be completed by hand and returned to the Council in a pre- paid envelope. The outline consultation was set out in a communications plan.

The aim was to use our customer insight to target our communications and evaluate their impact. The strategy was to use a broadly based communications drive with a mix of all channels to deliver consistent integrated messages. We used wide reaching tactics aimed at targeting all residents and stakeholders with more specific channels being used to reach tenants and landlords.

The approach was also informed by an equalities impact assessment.

## **Communications Activities (See appendix A for the full report)**

- 1.6 The consultation ran for 11 weeks from 30 September 2016 and closed on Friday 16 December 2016, although the web-link remained open 19 December 2016. The vast majority of the work was focused on an external audience, although internal channels were used to engage staff whose work is public facing to act as ambassadors for the consultation and encourage more responses.

The channels are listed below, followed by an analysis of activity carried out in each one individually.

### **1. External**

- Media relations
- Brent website (banner on homepage)
- Poster sites (JC Decaux)
- Leaflet drop to all residents & in libraries and council buildings
- Digital adverts on Gum tree and EBay
- The Brent magazine
- Social media (face book & twitter)
- Emails to landlord database
- Emails to stakeholder groups, e.g. housing needs database
- Stalls in Civic Centre and local businesses
- Landlord Forum
- Brent Connects
- Brent Citizens Panels
- Voluntary Sector
- Mail out to stakeholders
- Advertising van
- Presentations to stakeholders, e.g. Barnet Landlords Forum
- Report to Brent Members of Parliament
- Briefing to the Chartered Institute of Environmental Health Officers (CIEH) Housing Study & Licensing group
- UK Landlords Accreditation Scheme circulation

### **2. Internal**

- Stall in Civic Centre
-

- Yammer
- Word of mouth amongst colleagues, teams and the wider organisation.
- Email footers
- Presentation to internal stakeholders, e.g. Brent Housing Partnership
- Briefing session for elected members

### **Media relations and Reach**

Two press releases were issued during the course of the campaign, one at the start to announce it (03/10/16) and one half-way through (15/11/16) to encourage more responses. The releases were sent to local media (Brent & Kilburn Times, and GetWestLondon.co.uk), also to housing and environmental services trade press.

Coverage of the consultation featured in the [B&K Times on 04/10/16](#) and on [17/11/16](#) in both the paper editions and online and throughout the campaign in trade press including [Londonlandords.org.uk](#), [lettingagenttoday.co.uk](#) and [londonpropertylicensing.co.uk](#).

### **Media coverage providing context**

Successful prosecutions of rogue landlord stories featured during the consultation period with three stories in the local and trade media. Although not specifically about the consultation they provide a context to the campaign and motivation to take part in the survey by highlighting the issue of the benefits of licensing as this was also part of the messaging of the news stories. The stories were Buxton Road (01/12/16), [Beverley Gardens](#) (07/12/16) and Mapesbury Road (04/12/16).

### **Brent Web site**

During the period of the consultation we had a banner news item on our homepage and there were 450 unique page views to [www.brent.gov.uk/landlordlicensing](http://www.brent.gov.uk/landlordlicensing).

### **Online news stories**

Both press releases were also used as news stories on the website during the period of the consultation. <https://www.brent.gov.uk/council-news/september-2016/improving-the-private-rented-sector-should-brent-extend-private-rented-property-licensing/> and <https://www.brent.gov.uk/council-news/press-releases/pr6439/3>.

### **Poster sites**

Posters advertising the consultation were displayed on the large bus stop sites throughout the borough for a period of four weeks from 5 November to 2 December. There were a total of 76 sites including outside high footfall Brent landmarks such as tube stations, shopping areas, Wembley Stadium and the Civic Centre.

### **Leaflet mail out to residents**

On 9 November we sent out a leaflet to all households in Brent, a total of 100,000 with copies also placed in council buildings such as libraries.

### **Digital advertising**

From 7 November to 9 December Navigate Digital placed adverts on EBay and Gum tree websites to drive traffic to our website and encourage completion of the online survey.

### **The Brent Magazine**

The Brent magazine reaches 320,000 readers monthly and is heavily promoted through our social media channels. In the [winter edition of the Brent magazine](#) we had a double page feature on the campaign, explaining the background and aims. One page of the double feature was the advert to take part in the consultation and signposting to the website, and how to get a paper copy of the survey.

### **Social Media - *Twitter and Face book***

During the campaign we sent out a total of 12 tweets, which received 5 engagements (likes or retweets). We used the hashtag #Brentlandlordlicensing. The Brent Twitter account has 14,700 followers. 5 adverts were posted on Face book during the course of campaign.

### **Communications to landlords and stakeholder groups**

A total of three emails were sent to our landlord database which contains 3293 addresses, containing a link to the consultation and a summary of what it was about. The first was sent at the start of the campaign, the second on 02/12/16 with a reminder that there was only two weeks left to take part, and the final on 14/12/16 with a two days left reminder.

Two emails to the housing needs database, one at the start of the campaign and one on 14/12/16 with a two days left reminder.

An email to 80 stakeholders on 05/12/16, another one to 19 registered housing providers on 05/12/16. Letter and copies of the consultation were sent to 85 stakeholders by post. All stakeholders are connected to the organisation, and are established contacts to receive information from Brent.

### **Stands in Civic Centre and retail locations**

Between 03 November and 13 December we held a total of seven public information stands in the Civic Centre, large retail locations and council buildings throughout the Borough. The dates and locations were as follows:

Date	Location
03/11/2016	Civic Centre
09/11/2016	Costco, Wembley Park
17/11/2016	Willesden Green Library
24/11/2016	Civic Centre
30/11/2016	Kingsbury Library/High Road
09/12/2016	B&Q, Cricklewood Broadway
13/12/2016	ASDA Wembley

### **Landlord Forum**

On 1st November Brent hosted a meeting of the Landlords Forum which is a non-profit making organisation of private landlords and agents who rent property in West London. Around 200 people attended and a presentation was given about the consultation, directions to the website to complete the survey online, and paper copies of the consultation given out. An email was sent out the following week to all attendees and members of the group, who did not attend, with a reminder of the consultation and how to take part. The event was held at Brent's Civic Centre with Midas Property Club as our delivery partner and the bookings and registration hosted on the Eventbrite site.

### **Brent Housing Partnership and Brent Registered Providers Forums**

A presentation on licensing titled "raising the standard in the private rented sector in Brent" was made to the Brent Housing Partnership, (BHP), an arms-length management organisations (ALMO) and community housing company owned by Brent Council at the Brent Registered Providers Forums on 28th September 2016 and later circulated to the forum members. The forum has a BHP reach of 12,500 and to all of the following housing associations: - Asra; A2dominion; Catalyst HG; Family mosaic; Genesis HA; HCHA; Hyde-housing; Metropolitan HT; Network HG; LQ group; NHHG; Octavia; Origin housing. A further meeting was attended on 7th December 2016.

### **Brent Connects**

A total of three Brent Connect forum meetings were attended and a presentation given on the consultation. Brent Connect forums are regular meetings, covering five local areas and are an opportunity for residents to give their views on local issues and proposals and take part in consultations about the council's activity. They are used as part of the local democracy process to help decide priorities and policies for Brent. At these meetings paper copies of the survey were available, and attendees were signposted to the website to complete an online survey.

### **Voluntary Sector Forum**

A presentation on the consultation was made to the Brent Voluntary Sector Forum on 7 December, attended by 30 individuals.

### Advertising van

During the week commencing 7 November an advertising van drove around the borough with a large advert for the consultation.

### Yammer

Yammer is an internal social network for Brent employees. Of Brent's 2,200 employees, 98% are signed up to the network. Two posts were made to the all company group, on 10/11/16 and 03/11/16.

### Word of mouth

During the period of the consultation the private rented sector teams acted as ambassadors for the consultation, encouraging both employees and members of the public to take part. This was done either formally in team meetings or in general conversations with other teams throughout the council.

## Evaluation of the Consultation

1.7 The table below shows the evaluation measures which were agreed.

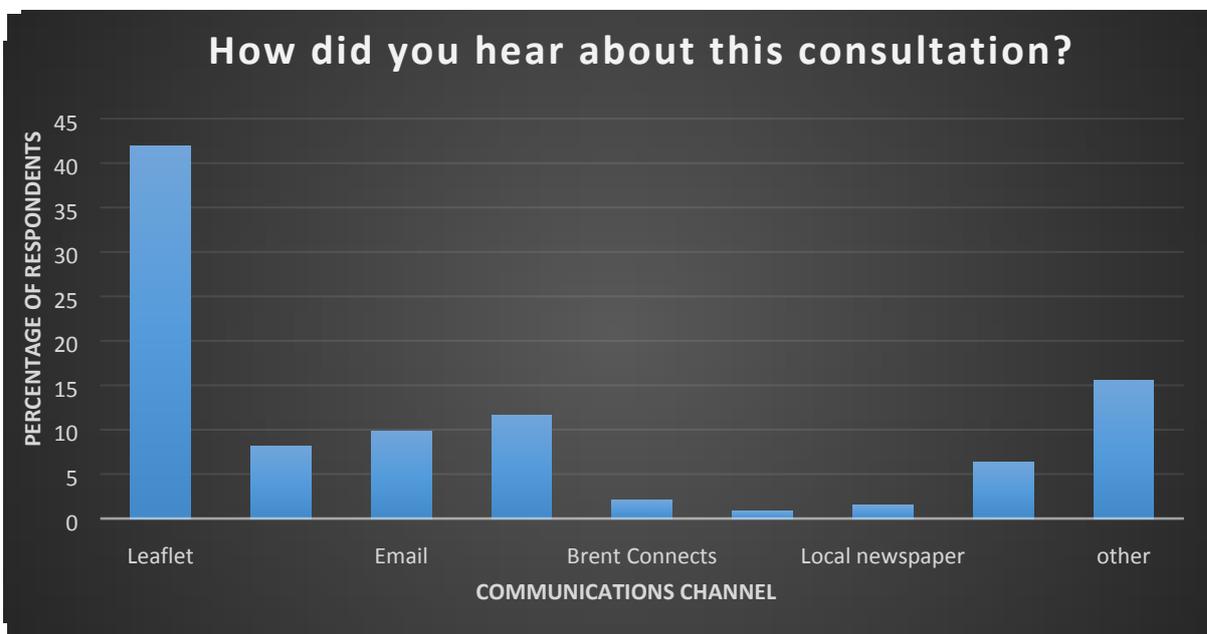
Evaluation measures agreed before campaign started		
1	Number of responses received	Target: 1,000
2	Number of news stories published in papers and online.	12
3	Emails and paper mail outs to landlords and stakeholders	7
4	Cost per action on digital adverts	£2.23
5	Click through rates on digital adverts	2, 630
6	Unique visitors to Brent Webpages with information on the consultation (homepage banner and news stories)	4592
7	Social media engagements face book & twitter	34
Additional evaluation measures		
8	Number of Yammer posts and engagements	2
9	Number of rogue landlord news stories during campaign	3
10	Question in survey "How did you hear about the consultation?"	See separate tables for landlords and residents & other stakeholders.
11	Number of people completing survey at stalls at Civic Centre & other locations.	310

12	Landlords forum – attendees (01/11/16)	Approx.250
13	Voluntary Sector Forum event attendees (07/12/16)	30

### Evaluation using the question in the consultation

1.8 Included in the consultation questionnaire was a question “How did you hear about the consultation?” The responses are in Figure 1 below. The clear leader in terms of successful reach is the leaflet with nearly 42% of all respondents naming this as how they had heard about the consultation. The Brent website (11.7%) emails (9.8%) and posters (8.2%) were all roughly similar after that. The most popular ‘other’ response was through the in-store surveys and at the Civic Centre, with more than 50 people giving this answer.

Figure 1: Evaluating the consultation



### Consultation responses

1.9 The volume of response to the consultation has been as follows:

- 1237 responses to the on-line and hard copy questionnaires, 23.7% over target the communications plan (see **Appendix A** for questionnaire results)
- **205** landlords/managing and managing agents and **853** residents (which includes 221 tenants living in private rented accommodation (26%) and **147** “Other” stakeholders (the full demographic profile of respondents to the survey is outlined section 2)
- 11 individual letters/e-mails
- 4 written formal submissions from the National Landlords Association, the Residential Landlords Association, the National Approved Letting Scheme (NALs via the London Property Licensing), and from Home Safe Limited (see **Appendix D** for copies of the submissions).

### Consultation Analysis and Reporting

1.10 The tables setting out responses to the consultation questionnaire are presented in **Appendix E**

and these results have been analysed to identify any important differences in opinion (**Appendix C**). The results are presented by the following four categories:

- Overall responses
- Landlord/managing and managing agent responses
- Residents, tenants and businesses in Brent
- Other stakeholders

In addition, all the open-ended comments received in the questionnaire, plus written submissions and discussions from the various forums have been reviewed and key themes presented in the report.

The rest of the report is structured as follows:

- Section 2 outlines the results and findings from the consultation questionnaire
- Section 3 outlines the other findings from the consultation questionnaire
- Section 4 findings from the other consultation activities and information such as the various meetings and forums
- Section 5, written submissions received
- Appendices, listed as A-E

## Section 2: Questionnaire Survey Results

### Introduction

2.1 A detailed breakdown of the questionnaire charts is provided in **Appendix C** to this report. Raw data tables are available elsewhere. This section presents summaries of the results from the questionnaire consultation survey, including:

- Demographic profile of respondents
- Response levels by respondent type, including neighbouring boroughs
- Rating of local problems in the local area
- Opinion on the management of the private rented sector as a whole in Brent
- Opinion on how the private rented sector as a whole in Brent might be improved
- Rating problems in relation to respondents homes or where they live in Brent
- Opinions on proposed selective licensing conditions
- Support for extending the selective licensing scheme
- Other comments received

The “About You” section of the questionnaire asked the respondent to state what capacity best describes them and therefore they were only able to choose one option. In the tables and charts the results are given as percentages so that the comparison could be made for different respondent groups.

### Demographic profile of respondents to the consultation questionnaire

2.2 The consultation was promoted to different types of residents, landlords and other stakeholder groups. However this was an open consultation in which respondents self-selected to participate based on interest in the subject matter and there were no controls applied to make the survey demographically representative.

Table 1 presents the profile of respondents to the consultation questionnaire and compares this against the borough average where relevant. The first section of the table is dedicated to certain questions that are specific for the respondent type. It can be seen that the profile of respondents represents a broad mix across different community groups in relation to Brent:

**Table 1 Demographic profile of respondents to the consultation questionnaire**

	Landlords and managing agents	Residents	Other stakeholders	Borough average
<i>Responses</i>	205	853	147	<i>n/a</i>
Question 2: Type/number of properties owned/managed in Brent: Single occupancy house	Landlords and managing agents	Residents	Other stakeholders	Borough average
1 to 5	50%			
6 to 10	3%			
11 to 20	1%			
21 to 50	2%			
51 to 100	1%			

100+	1%			
No Response	40%			
<b>Self-contained flat</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
1 to 5	37%			
6 to 10	4%			
11 to 20	4%			
21 to 50	2%			
51 to 100	0%			
100+	3%			
No Response	50%			
<b>Houses in Multiple Occupation – smaller than three storeys</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
1 to 5	17%			
6 to 10	2%			
11 to 20	1%			
21 to 50	1%			
51 to 100	0%			
100+	1%			
No Response	78%			
<b>Houses in Multiple Occupation – three storeys or more</b>	<b>Landlords &amp; Man. Agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
1 to 5	9%			
6 to 10	1%			
11 to 20	1%			
21 to 50	0%			
51 to 100	0%			
100+	0%			

No Response	87%			
<b>Question 3: Are you a member of any of the following? Please tick all that apply.</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
National Landlords Association (NLA)	19%			
Residential Landlords Association (RLA)	13%			
ARLA (Association of Residential Lettings Agents (ARLA))	8%			
Other landlord or lettings agent association	10%			
No Response	51%			
<b>Question 4: Are you an accredited landlord or agent?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Yes	20%			
No	78%			
No Response	2%			
<b>Question12: How long have you owned a property or properties in Brent?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Less than one year	2%			
One to two years	4%			
Two to five years	11%			
Five to ten years	22%			
More than ten years	47%			
Prefer not to say	11%			
No Response	2%			

<b>Q10 - How long have you lived in Brent?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Less than one year		3%		
One to two years		4%		
Two to five years		9%		
Five to ten years		12%		
More than ten years		66%		
Prefer not to say		4%		
No Response		2%		
<b>Q11 - How long have you lived in your current property?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Less than one year		5%		
One to two years		7%		
Two to five years		15%		
Five to ten years		13%		
More than ten years		53%		
Prefer not to say		5%		
No Response		3%		
<b>Question1: Which of the following best describes you?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Work for a neighbouring local authority			6%	
Resident in a neighbouring borough			69%	
Business owner in a neighbouring borough			1%	
Landlord in neighbouring borough			6%	
Managing or letting agent resident in			1%	

neighbouring borough				
Other interested party			14%	
<b>Question 2: I am based in...</b>	<b>Landlords managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
London Borough of Barnet			15%	
London Borough of Camden			10%	
London Borough of Ealing			8%	
London Borough of Harrow			34%	
London Borough of Hammersmith and Fulham			2%	
Royal Borough of Kensington and Chelsea			1%	
London Borough of Westminster			4%	
Other			26%	
No Response			0%	
<b>Question 13: Gender - are you</b>	<b>Landlords M/agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Male	57%	47%	54%	51%
Female	29%	42%	41%	49%
Prefer not to say	11%	8%	3%	n/a
No Response	2%	3%	2%	n/a
<b>Question 14: What is your age group?</b>	<b>Landlords M/agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Under 18	0%	0%	1%	23%
18 - 24	1%	2%	1%	9%
25 - 34	9%	14%	16%	20%
35 - 44	17%	19%	23%	15%
45 - 54	28%	21%	31%	12%
55 - 60	16%	10%	11%	6%
61+	17%	23%	12%	15%
Prefer not to say	10%	10%	5%	n/a

No Response	2%	2%	1%	n/a
<b>Question 15: Do you have any long-standing illness, disability or infirmity? (Long-standing means anything that has troubled you over a period of time or that is likely to affect you over a period of time)</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Yes	9%	13%	7%	
No	82%	70%	88%	
Prefer not to say		14%		
No Response	9%	4%	5%	
<b>Question 16: How would you describe your ethnic background?</b>	<b>Landlords &amp; Man. agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
White	32%	44%	31%	36%
Mixed/multiple ethnic groups	3%	4%	3%	5%
Asian/Asian British	29%	20%	28%	34%
Black/African/Caribbean/Black British	3%	7%	16%	19%
Other ethnic group	2%	3%	3%	6%
Prefer not to say	25%	22%	16%	n/a
No Response	4%	2%	3%	n/a
<b>Question 17: What is your religion or belief?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Buddhist	3%	1%	0%	1%
Christian	23%	31%	33%	41%
Hindu	20%	9%	14%	18%
Jewish	1%	2%	1%	1%
Muslim	6%	6%	13%	19%
Sikh	0%	1%	1%	1%

None	13%	17%	12%	11%
Prefer not to say	26%	27%	21%	7%
Other	2%	3%	3%	1%
No Response	4%	3%	1%	n/a
<b>Question 18: What is your sexual orientation?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Heterosexual/straight	62%	65%	73%	97%
LGBT*	2%	2%	4%	3%
Prefer not to say	29%	28%	20%	n/a
No Response	6%	4%	3%	n/a
<b>Question 19: How did you hear about this consultation?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Leaflet	23%	42%	4%	
Poster	7%	8%	8%	
Email	21%	10%	6%	
Brent website	16%	12%	9%	
Brent Connects	2%	2%	4%	
Brent Citizens' Panel	2%	1%	1%	
Local newspaper	0%	2%	2%	
Word of mouth	12%	6%	14%	
Other	13%	16%	50%	
No Response	3%	2%	2%	

\*London average according to 2014 Integrated Household Survey the % of adults who are Gay, Lesbian or Bi-sexual was 2.6% in London

<b>Houses in Multiple Occupation – three storeys or more</b>	<b>Landlords/ managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
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1 to 5	9%			
6 to 10	1%			
11 to 20	1%			
21 to 50	0%			
51 to 100	0%			
100+	0%			
No Response	87%			
<b>Question 3: Are you a member of any of the following? Please tick all that apply.</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
National Landlords Association (NLA)	19%			
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Other landlord or lettings agent association	10%			
No Response	51%			
<b>Question 4: Are you an accredited landlord or agent?</b>	<b>Landlords/ managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Yes	20%			
No	78%			
No Response	2%			
<b>Question12: How long have you owned a property or properties in Brent?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Less than one year	2%			
One to two years	4%			
Two to five years	11%			
Five to ten years	22%			
More than ten years	47%			
Prefer not to say	11%			

No Response	2%			
<b>Q10 - How long have you lived in Brent?</b>	<b>Landlords and managing agents</b>	<b>Residents</b>	<b>Other stakeholders</b>	<b>Borough average</b>
Less than one year		3%		
One to two years		4%		
Two to five years		9%		
Five to ten years		12%		
More than ten years		66%		
Prefer not to say		4%		
No Response		2%		

## Key Findings

### 2.3 Table 1 - Top line Demographic and Equalities Findings:

- 50% of landlords and managing agents responding own/manage fewer than 5 single occupancy houses in Brent with 37% owning or managing self-contained flats
- 50% of landlords responding are members of a landlords or letting agents association, while only 20% of the landlords or agents responding are accredited
- 17% of landlords have owned a property in Brent for less than 2 years. 69% have owned a property in Brent for more than 5 years (47% owning for more than 10 years)
- Overall, the equalities characteristics are representative of the borough averages with the notable exception of responses the 18-24 age group.

### 2.4 Response levels

- Each of residents, landlords and other stakeholders groups completed relatively large numbers of questionnaires with their interests being reasonably widely represented.

### 2.5 Local problems

- Notable proportions of both residents and of landlords rate enviro-crime, police reported crime, lack of community engagement, migration, problems with tenants as a problem. It is noted that the definition of antisocial behaviour includes enviro-crime and police reported crime.

### 2.6 Local solutions

- Although more residents are more likely to agree (89%) than landlords, significant few landlords disagreed that council should intervene and take control of the problems associated with high levels of ASB (16%)
- 71% of residents and other stakeholders at least tended to agree that the council should have more control over the way that landlords manage their properties. Landlords responded in almost opposite proportions with 68% at least tending to disagree
- Residents and other stakeholders agree (69.5%), but landlords disagree (74%) that the licensing scheme would help reduce anti-social behaviour

## 2.7 Selective Licensing conditions

- Overall the licensing conditions proposed were at least tended to be agreed by an average of 63% of respondents, compared with average of 23% of the respondents tending to disagree

## 2.8 Support for extending selective licensing

- Overall a clear majority of respondents, mainly residents including tenants and other stakeholders agree with the council should extend selective licensing borough wide. While landlords are in almost equal opposition to extending licensing generally, where they agree they unanimously support a borough wide scheme

### Response levels by respondent type, including neighbouring boroughs

2.9 Table 2 shows that each of residents, landlords and other stakeholders groups completed relatively large numbers of questionnaires. There are sub-groups stated for each category (see appendix) so as to recognise their opinions. As tenants are an important sub-group we have filtered the level of response (20.23%) for the group, but their views are submitted as part of the residents' etc. questionnaire analysis. **Appendix C** provides a detailed breakdown for each respondent group.

In Figure 1(b) we have filtered the results further for tenants\* and show 32% are tenants responses of which 26.55% are private sector tenants. Figure 1(b) shows a fair representation across Brent's tenant tenure, with 63% from private sector tenants in single family dwellings.

**Table 2(a)**

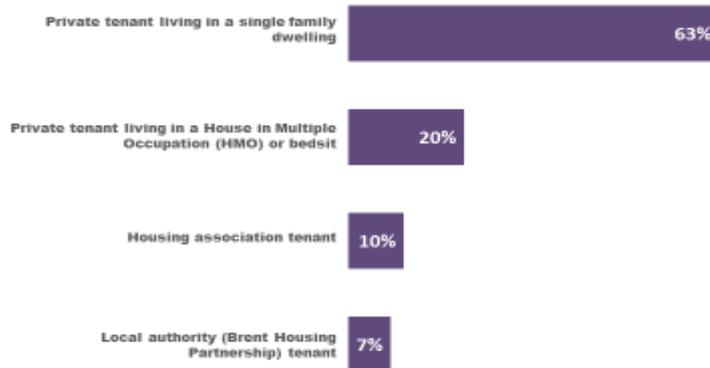
Respondent	Responses	Per cent
Residents, tenants* and businesses	853	70.7
Landlords and managing agents	205	17.0
Other stakeholders	147	14.3
<b>Total</b>	<b>1205</b>	<b>100%</b>

### Figure 2: Response level for Tenants

2.10 The results in table 2 above were filtered for tenants.

- Private tenant living in a single family dwelling (for example, a self-contained flat or house)
- Private tenant living in a House in Multiple Occupation (HMO) or bedsit where you share some basic amenities (for example, toilet, bathroom, kitchen) with others
- Local authority (Brent Housing Partnership) tenant
- Housing association tenant

### Q1 - Which of the following best describes you?



Consultation dates: 30 September 2016 – 16 December 2016  
853 residents, tenants and businesses in Brent

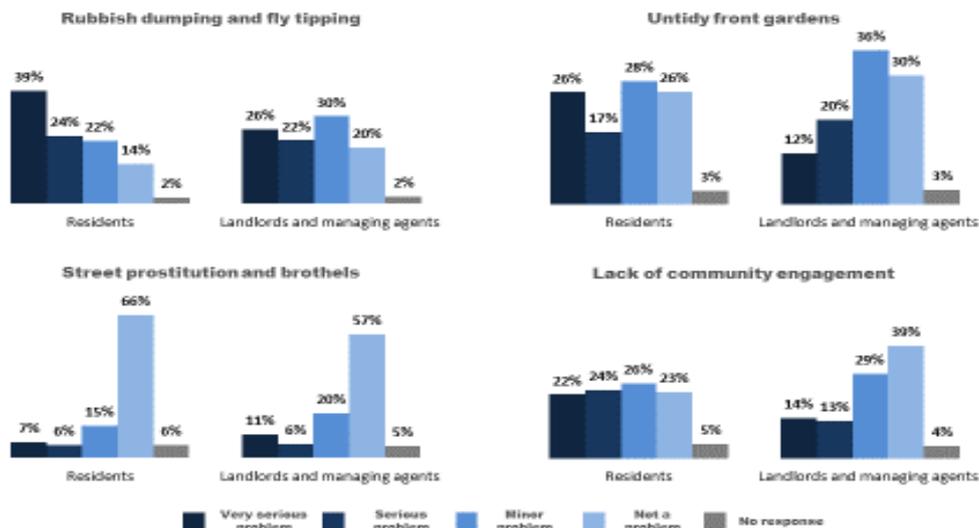
### Local Problems: Rating of problems in the local area by residents and landlords

2.11 From figures 3a & 3b notable proportions of both residents and landlords rated enviro-crime; police reported crime, lack of community engagement, migration, problems with tenants as a problem. It is noted that the definition of antisocial behaviour includes enviro-crime and police reported crime.

- For Residents and landlords' groups respectively, typically, rubbish dumping and fly tipping (65% & 78%) and untidy front gardens (71% and 68%) to be a problem
- A significant proportion of residents (28%) and of landlords (37%) indicated that street prostitution and brothels was a problem, though the majority stated that this was not a problem
- A significant majority of residents (60%) and of landlords (62%) indicated that police reported crime e.g. burglary in Brent was a problem.
- Levels of migration (63% residents/47%), tenants sub-letting (58% residents/54% landlords) as well as tenants not being aware of their legal responsibilities (62% of residents/46% of landlords) are seen as both groups as a problem.
- The response to lack of community engagement is an interesting one. 72% of residents and 56% of landlords rate this as a problem. *It can be seen as being vital in assisting with a policy of involving local people to solve problems in their neighbourhoods and to taking a more local approach and responsibility.*

Figure 3a

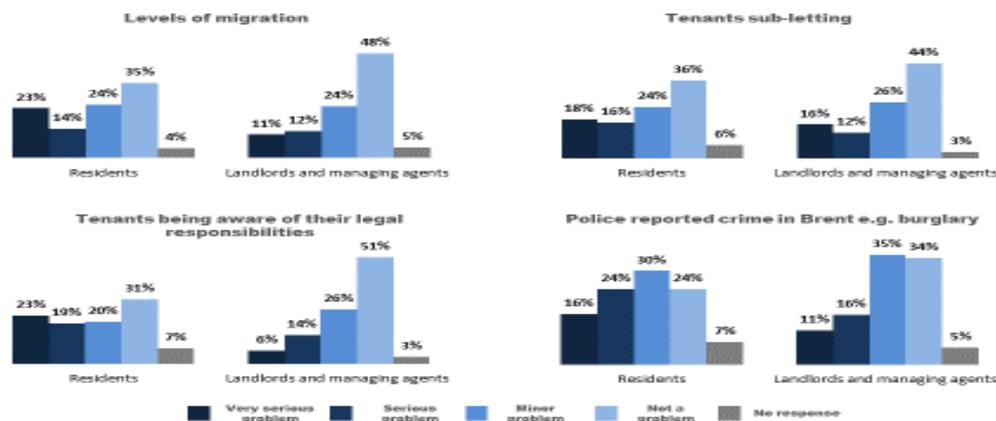
**How would you rate the following problems in your local area? / As a resident, landlord or agent in Brent, how would you rate the problems identified below?**



Consultation dates: 30 September 2016 – 16 December 2016  
Residents, tenants and businesses (855) Landlords and managing agents (205) Other stakeholders (147)

Figure 3b

**How would you rate the following problems in your local area? / As a landlord or agent in Brent, how would you rate the problems identified below?**



Consultation dates: 30 September 2016 – 16 December 2016  
Residents, tenants and businesses (855) Landlords and managing agents (205) Other stakeholders (147)

**Local Problems: Opinion on management of the private rented sector**

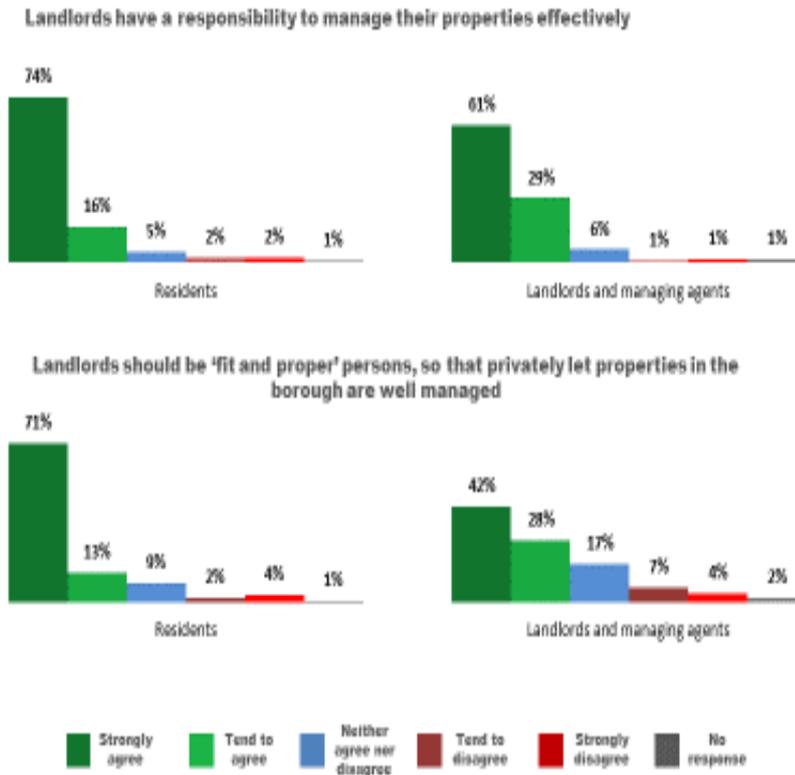
2.12 These questions sought opinions as to what the extent of poorly maintained and poorly managed privately let properties were contributing to the decline of some areas in Brent and to the extent to which landlords were responsible and should be “fit and proper” persons to effectively manage their properties. (Figure 4)

- Overall the overwhelming majority of both groups (90%) agreed/tend to agree that landlords have a responsibility to manage their properties effectively, with a significant proportion agreeing strongly.
- 84% of residents and 70% of landlords agreed that landlord should be “fit and proper” persons to manage their properties. Although residents were more likely to agree to this

statement, twice as many landlords (17%) than residents (9%) neither agreed nor disagreed with the statement.

Figure 4

**Thinking about the private rented sector as a whole in Brent, to what extent do you agree or disagree with the following statements?**



Consultation dates: 30 September 2016 – 16 December 2016  
 Residents, tenants and businesses (895) Landlords and managing agents (205) Other stakeholders (147)

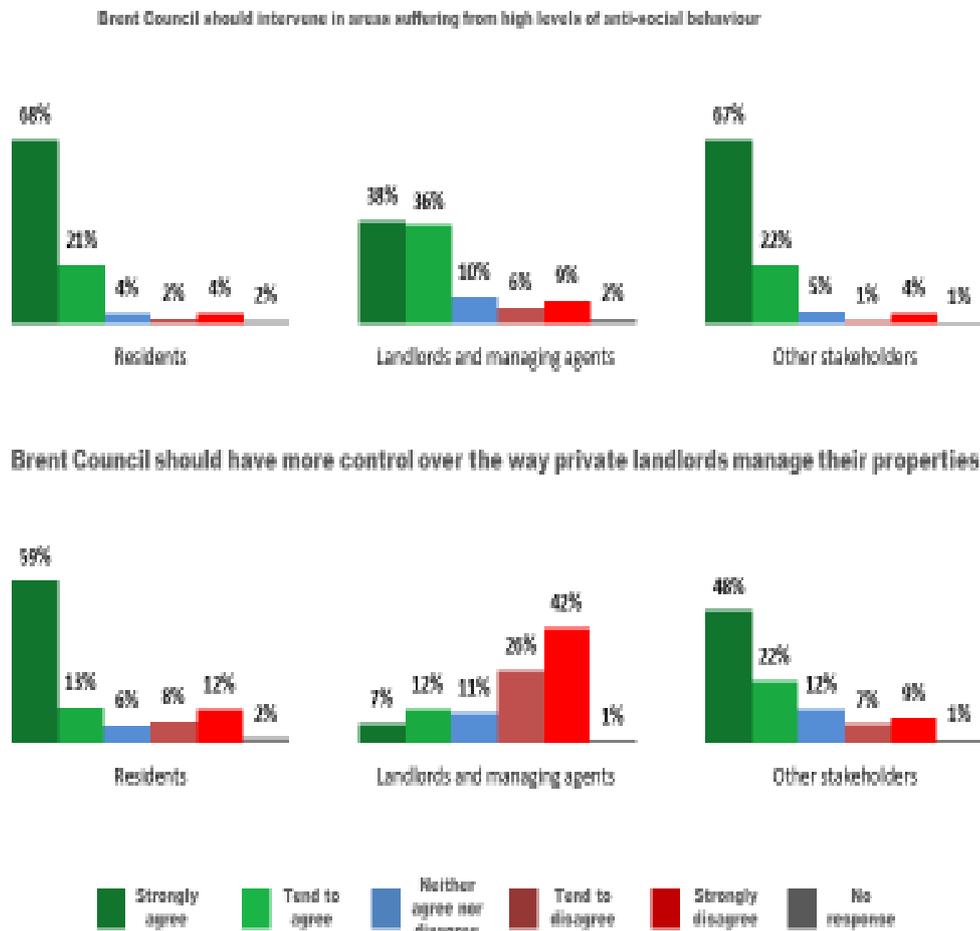
**Local Solutions: Opinion on how the private rented sector as a whole in Brent might be improved**

2.13 These questions were asked to all three stakeholder groups and sought opinions as to how the private rented sector in Brent might be improved what the extent the council should intervene and take control of the problems associated with high levels of ASB, management and poor property conditions (Figure 5). Although more residents are more likely to agree than landlords, only 16% of landlord disagreed with the statement:

- Equal amount of residents and other stakeholders (89%) significantly agreed that the council should intervene in areas suffering from high levels of ASB. A lesser amount of landlords (74%) but still the vast majority agreed with the statement, but over twice as many landlords (10%) neither agreed an disagreed compared to (4%) of residents. Figure 5a.
- Overall an average of 71% of residents and other stakeholders at least tended to agree that the council should have more control over the way that landlords manage their properties, with an average of 54% strongly agreeing and average 18% at least tending to disagree. Landlords responded in almost opposite proportions with 19% agreeing and 68% at least tending to disagree, with 42% strongly disagreeing with the statement. Figure 5a.

Figure 5 (a)

**Thinking about how the private rented sector as a whole in Brent might be improved, to what extent do you agree or disagree with the following statements?**



Consultation dates: 30 September 2016 – 16 December 2016  
 Residents, tenants and businesses (895) Landlords and managing agents (305) Other stakeholders (147)

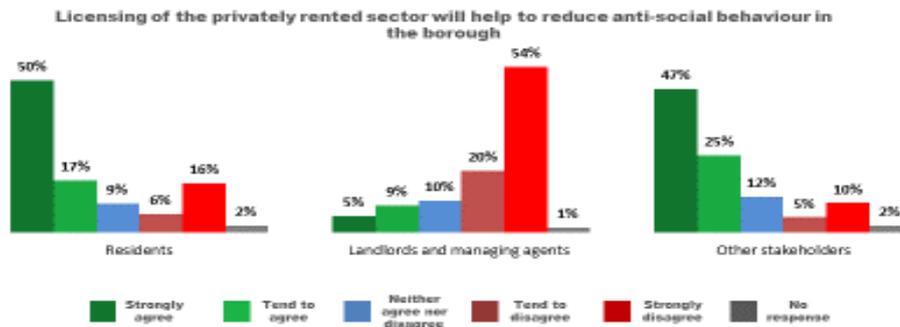
**Residents agree, but landlords disagree that the licensing scheme would help reduce anti-social behaviour**

2.14 Potential for licensing of the PRS to reduce Anti-social Behaviour: Figure 5b

- An average of 69.5% of residents and other stakeholders at least tend to agree that the licensing scheme will help reduce anti-social behaviour, while 74% of landlords at least tending to disagree (of which 54% strongly disagreed).
- Residents were more likely than landlords to agree with this statement. For example, 67% of residents at least tended to agree compared to just 14% of landlords
- The majority of other stakeholders at least agree (72%), with 15% at least disagreeing.

**Figure 5(b): Potential for licensing scheme to help reduce anti-social behaviour**

**Thinking about how the private rented sector as a whole in Brent might be improved, to what extent do you agree or disagree with the following statements?**



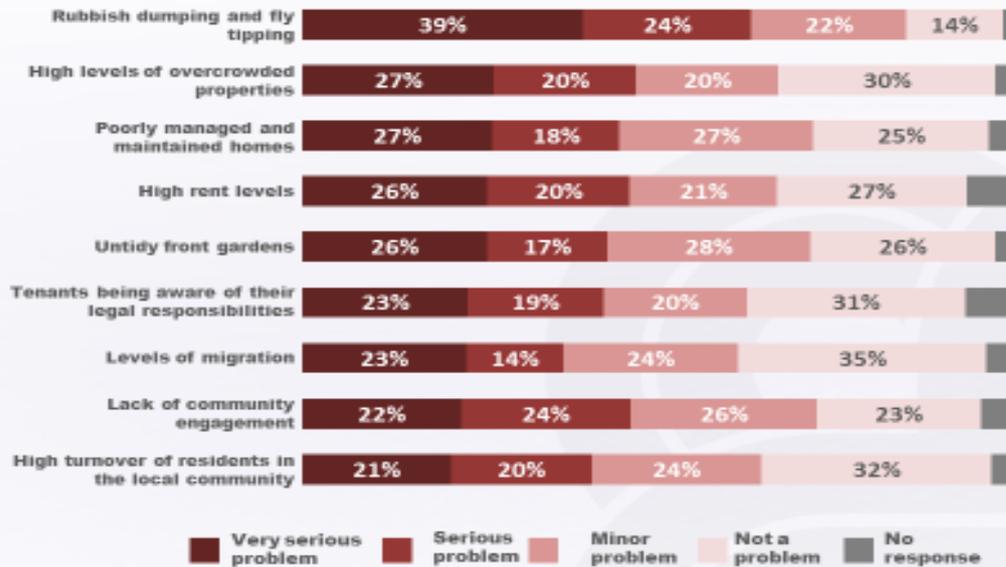
Consultation dates: 30 September 2016 – 16 December 2016  
 Residents, tenants and businesses (855) Landlords and managing agents (205) Other stakeholders (147)

**Rating problems in relation to own home or where they live in Brent**

**2.15 Residents, tenants and Businesses Figures 6 and 6a:**

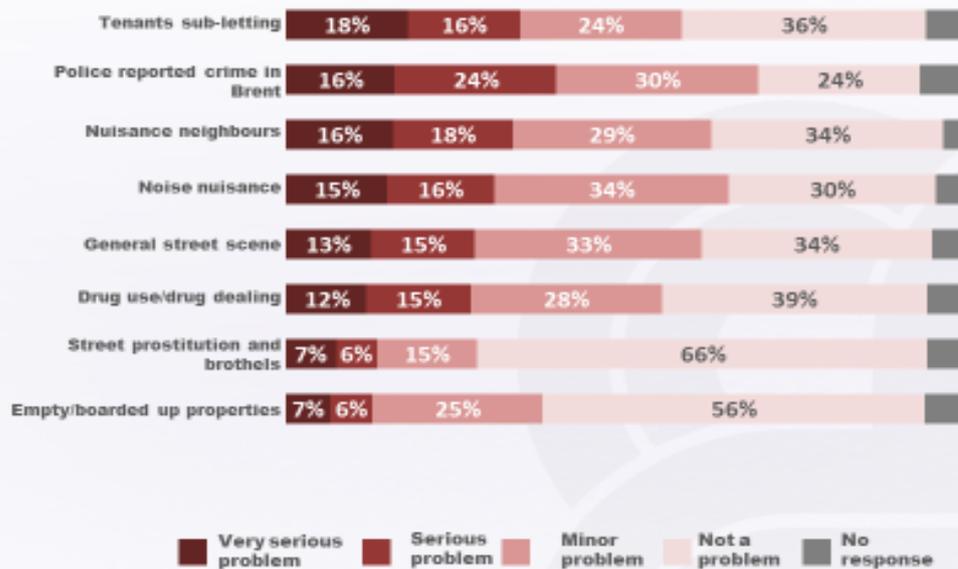
A significant proportion of residents rated the problems associated to private renting as at least a problem. Rubbish dumping and fly-tipping was a problem. Landlord identified that the matters were a problem but rated them generally less seriously than residents. Landlords rated problems of poorly managed and poor property conditions highest.

## Q2 - How would you rate the following problems in your local area?



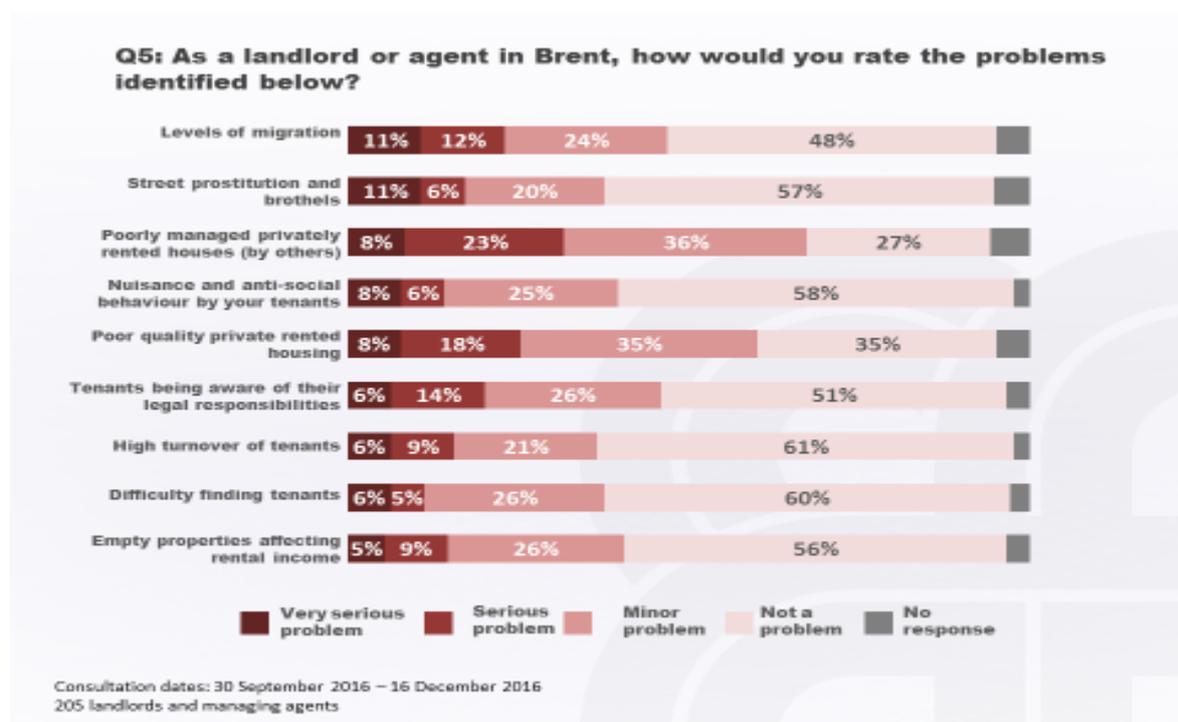
Consultation dates: 30 September 2016 – 16 December 2016  
853 residents, tenants and businesses in Brent

## Q2 - How would you rate the following problems in your local area?



Consultation dates: 30 September 2016 – 16 December 2016  
853 residents, tenants and businesses in Brent

## Rating of problems cont'd – Landlords Figure 6a



### Opinions on proposed selective licensing conditions

2.16 The questionnaire sought views on the proposed licensing conditions, displaying the mandatory conditions for all licences and stating that the full condition can be found at [www.brent.gov.uk/landlordlicensing](http://www.brent.gov.uk/landlordlicensing). The full list was also as an appendix in the proposal document. The respondents were asked “to what extent do you agree or disagree that the proposed selective licensing conditions above are reasonable?” Their responses are given in Figure 7.

If disagreeing, the respondents were then able to give their reasons in an open text box. The reasons are captured in Section 3 – Other comments received through the consultation questionnaire.

- Overall the licensing conditions proposed were at least tended to be agreed by an average of 63% of respondents, compared with average of 23% of the respondents tending to disagree.
- An overwhelming majority of residents and other stakeholders agreed or strongly agreed at 66% and 87% respectively.
- Landlords were least in agreement with 36% either tending to agree (21%) or strongly agreeing (15%).
- Landlords were most likely to disagree (47%) than the residents (15%). The main reasons landlords stated for disagreement were...

**Figure 7: Agreement with proposed Selective Licensing Conditions**

**To what extent do you agree or disagree that the proposed selective licensing conditions above are reasonable?**



Consultation dates: 30 September 2016 – 16 December 2016  
 Residents, tenants and businesses (855) Landlords and managing agents (205) Other stakeholders (147)

**Tackling Problems: Support for extending the selective licensing**

2.17 In tackling the problems, respondents were asked whether they agree or disagree with the council’s proposal to extend selective licensing in Brent – “yes or No”, and if agreeing were to give their opinion as to whether the scheme should apply borough wide or in other areas. Figure 8

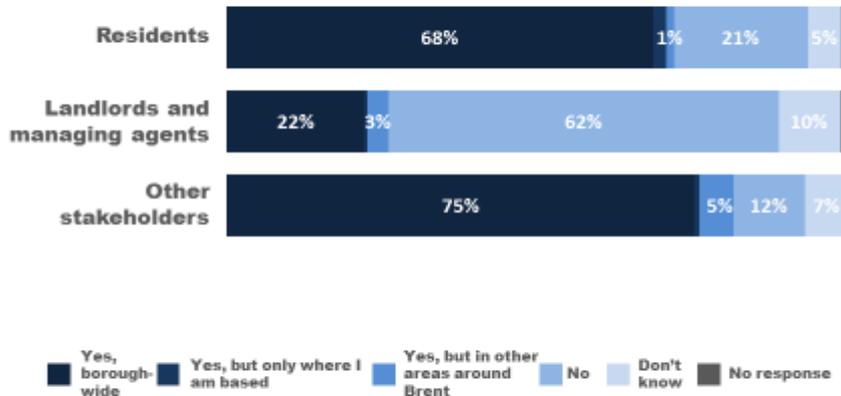
If agreeing that licensing should be based in certain areas, the respondents were then able to specify location in an open text box. The reasons are captured in Section 3 – Other comments received through the consultation questionnaire.

2.18 Overall a clear majority of respondents, mainly residents including tenants and other stakeholders agree with the council should extend selective licensing borough wide in Brent, while landlords are in almost equal opposition to extending licensing generally, where they agree they unanimously support a borough wide scheme:

- Overall, 68% of residents and 70% of other stakeholders extending selective licensing borough wide in Brent. Of the 25.5% landlords who support extending licensing, they unanimously ( 22%) support the borough wide proposal
- Residents and other stakeholders were more likely than landlords to agree with the proposal. Figure 7 shows that a large majority all of residents (71%) and other stakeholders (76%) generally agree with the proposal to extend selective licensing in Brent, with 21% of residents and 12% of other stakeholders disagreeing.
- In almost mirroring contrast, 62% of landlords disagreed and 25.49% agreed with the proposal to extend. There was a significant 12% don’t know/no response from landlords.
- Where responses supported licensing but not borough wide, the total “please state” count was 6 and therefore there was insufficient further information regarding the any specific main locations and areas.

**Figure 8: Should the Council extend selective licensing in Brent?**

**In your opinion, should the council extend selective licensing for single family dwellings (for example self-contained flats or houses) in Brent?**



Consultation dates: 30 September 2016 – 16 December 2016  
 Residents, tenants and businesses (855) Landlords and managing agents (205) Other stakeholders (147)

**Tackling Problems: Would introducing selective licensing achieve any of the following?**

2.19 Residents and landlords were asked their opinion on a number of statements in relation to what selective licensing would achieve. Respondents could select multiple responses. Based on the consultation questionnaire survey only a minority of landlords supported, but majority of residents, tenants and businesses of landlords supported the following statements. The statements gaining the most support from landlords were to that licensing would “remove rogue landlords from the sector”, 27%, and “Allowing the council to take action against landlords who provide poor standards of accommodation”, 24.9%.

- Shifting the reliance away from using resident complaints to identify problems
- Promoting a professional management ethos amongst private landlords
- Providing tenants with consistent information on acceptable standards of accommodation
- Allowing the council to take action against landlords who provide poor standards of accommodation
- Removing rogue landlords from the sector
- Reducing anti-social behaviour in the borough
- Providing safe homes for tenants to live in
- Providing a better approach to managing the private rented sector
- Allowing the council to take action against landlords whose tenants cause persistent anti-social behaviour

**Figure 9:**



Consultation dates: 30 September 2016 – 16 December 2016  
 Residents, tenants and businesses (835) Landlords and managing agents (205) Other stakeholders (147)

### Section 3: Other comments received through the Licensing Questionnaire

#### Introduction

The questionnaire allowed respondents to be more specific or to give reasons in relation to these questions:

- (1) Other matters which were problems in the local area (Residents and landlords)
- (2) Why they might have disagreed with the proposed licensing conditions (All)
- (3) If they wish to see selective licensing in place, but borough wide to specify where (All)
- (4) Further comments regarding the proposal (Other Stakeholders only)

Additionally respondents provided general comments in submitting their questionnaire. These qualitative *free text* comments have been categorised in relation to themes and quantified in Table 3 for each group (figures in brackets are the number of respondents though not all provided additional comments<sup>1</sup>) and also to show the number of times the issue was mentioned, where mentioned several times. Paragraphs 3.1 to 3.3 provided details of the comments made.

<sup>1</sup> Only where an issue has been mentioned several times has it been included in the list above.

Table 3 below indicated that there were many free text responses and comments made, notably from landlords when expressed as a percentage of the groups responses. Most comments were in relation to licence conditions, followed by comments on licence fees, the impact of licensing on landlord and on the impact on tenants. To a much lesser degree respondents commented on the potential to improve PRS standards, noting that other measures to do so already exist. Comments were also made on the challenge to deliver licensing taking into account the amount bureaucracy thought to be involved.

**Table 3: Questionnaire Comments - Emerging themes and issues**

Comment Themes (1207 Online Questionnaires analysed)	Landlords Managing Agents (205)	Residents, Tenants & Businesses (855)	Stakeholders (147)	Total
Fees	66	70	3	139
Conditions	73	135	8	216
ASB and PRS evidence base	7	1	0	8
Resourcing and Strategy/ Administration and Regulatory burden for the Council	14 8	6 4	1 1	21 13
Consultation/ Responsibility Scheme Implementation	10 4	12 2	0 0	22 6
Proposal for a Borough wide scheme/Mechanisms already exist to deal with the problem/ Improving PRS standards	0 7 11	9 6 22	3 2 2	12 15 35
Impact on residents, notably tenants	40	59	3	102
Impact on landlords/The importance of managing agents	88 3	45 1	9 0	142 4

### 3.1 Specific questions and General comments - Residents, Tenants and Businesses

#### Licensing Conditions

- Questions raised about how the licensing conditions will be enforced, including whether the Council will have the resources to do this effectively

#### Fees

- Concern that the scheme is a money making enterprise for the Council
- Concern that landlords will pass costs of the scheme on to tenants in the form of rent increases

#### General comments

- Support for the scheme as a means of making landlords more accountable and responsible
- The scheme should be focussed on rogue landlords rather than all landlords

#### Anti-social behaviour and the evidence base

- Calls for more police to address anti-social behaviour

- Calls for more community projects to help young people avoid engaging in anti-social behaviour
- Calls for better enforcement and use of existing powers, such as better planning enforcement
- Questions raised as to whether the licensing scheme would be effective at addressing anti-social behaviour

### 3.2 Specific questions and General comments - Landlords and Managing agents

#### Licensing Conditions

- Conditions will not improve standards
- Concerns that the scheme will create red tape for landlords

#### Fees

- Concern that landlords will pass costs of the scheme on to tenants in the form of rent increases
- Concern that the scheme is a money making enterprise for the Council
- Calls to reduce fees

#### General comments

- The scheme should focus on rogue/problem landlords only
- Concern that rogue landlords will not apply and operate underground/outside of the scheme
- Concern that the scheme will push landlords out of the borough
- Questions asking what is in it/what are the benefits for landlords
- Increased rents cause overcrowding

#### Anti-social behaviour and the evidence base

- Would licensing be effective in addressing anti-social behaviour
- More police to reduce anti-social behaviour instead of introducing a licensing scheme
- Greater enforcement and use of existing powers to address anti-social behaviour instead of introducing a licensing scheme
- The scheme should focus on social landlords and their tenants which are considered to have greater anti-social behaviour problems
- Cannot blame landlords for anti-social behaviour
- Do not feel that the evidence base sufficiently proves the case for the need for a licensing scheme to address anti-social behaviour
- Greater help for landlords to evict tenants

### 3.3 Specific questions and General comments - Other Stakeholders

#### Licensing Conditions

- Questions as to why references are necessary / they are ineffective
- Will the Council have the resources to do this effectively

#### Fees

- Concern that landlords will pass costs of the scheme on to tenants in the form of rent increases

#### General comments

- Concerns that the scheme will create red tape for landlords
- The scheme should focus on rogue/problem landlords only
- This will dissuade landlords from renting privately and will reduce stock
- Scheme will achieve improvements where there is robust inspections

### Summary of other comments received through the questionnaire

The respondents raised concerns about how the licensing conditions will be enforced, whether they would improve standards, that they would create red tape for landlords and about the council's resources to enforce the conditions effectively. On the subject of fees it was felt that this was a money-making enterprise for the council and that costs will ultimately be passed on to the tenants. There were also calls to reduce fees.

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There were other general comments and suggestions, such as giving support to tackling rogue landlords, the impact on landlords and on addressing on the anti-social behaviour problem. Robust inspections were seen as necessary to achieving scheme improvements.

## Section 4: Findings from Forums and meetings

### Introduction

4.1 This section presents the findings from other consultation activity undertaken during the consultation process. The purpose of these activities were to create awareness of the consultation, to test Brent's proposals for extending selective licensing against landlords' and other stakeholders' opinions – to see the extent of acceptance or capability for development or amendment, and of course to supplement the quantitative consultation through questionnaires.

- One Landlord Forum events was held on the 1<sup>st</sup> November 2016 attended by approximately 200 participants (landlords were notified and invited to these events as part of the above direct mailings)
- Landlord and tenant representatives deliberative meeting
- Attendance at Brent Connect representing 3 forums (on average the attendance was 25-35 participants per forum)
- Attendances and presentation at Brent Housing Partnership/Association Forum

Overall the meetings sought to represent a cross section of residents, including private tenants, landlords and businesses in a face-to-face environment. Overall the forums probably over-represented landlords rather than private tenants, but it must be noted that individuals may have multiple stakeholder interests.

Each meeting began with an opening presentation or statement stating that Brent proposed to extend selective licensing, that a consultation was being run to find out what people think, and that we wanted people to "HAVE YOUR SAY".

Generally, the introductions covered:

- The private rented sector in Brent – Growth and Impact
- The current position regarding licensing schemes in Brent
- The key consultation proposals
- The consultation process

In most cases the "Have your say" contributions were noted in order to capture detailed views or a balance of opinion from the meeting.

### **Brent Landlords Forum: 1 November 2016: Brent Civic Centre, 6-11p.m**

#### Introduction

4.2 The Brent Landlords forum is a popular event hosted by Brent in partnership with the Midas Property Club. The event attracts a cross-section of landlords, agents, property investors and property services businesses. The event was widely publicised and promoted internally and externally via direct mail, social media, industry sector and dedicated websites. The forum attracted about 200 participants. We have tried to capture the issues raised, as well as the force of opinion as concisely as possible by assigning themes as shown below.

## Issues Raised

### 4.3 Participants views about selective licensing in Brent

Assigned Theme	Participants views about selective licensing in Brent
General opposition to licensing	<ul style="list-style-type: none"> <li>• The majority of attendees clearly expressed that they were not in favour of licensing. Stating that in their opinion it is a money making scheme</li> <li>• Blanket licensing – Brent Council is building their own empire, money making scheme. I do not agree with it. There are other ways of controlling bad landlords</li> <li>• Landlords with HMO's, in principle this works. However, my problem is, to licence all properties, how are you going to deal with this?</li> <li>• Compulsory licensing, compare this with controlled parking zones (CPZ). Introducing blanket licensing, I fear that it will follow the failure of CPZ's</li> <li>• You don't need a licence to target rogue landlords. Why have you not been targeting rogue landlords before bringing this in?</li> </ul>
Delivering the licensing scheme	<ul style="list-style-type: none"> <li>• How would we trust Brent Council to Licence all private rented properties and how many would get licensed?</li> <li>• In general principle, we should not have to accept bad accommodations, but how do we trust the Council to deal with that?</li> <li>• You want 100% licensing, how are you going to find those people? How are you going to enforce that and what is your process?</li> </ul>
Anti-social behaviour (ASB)	<ul style="list-style-type: none"> <li>• With regards to ASB, all sorts of properties (tenures) are affected by this not just the private rented sector. Anti-social behaviour is mainly in council estates (applaud from attendees)</li> <li>• How does licensing stop ASB and fly tipping. As a landlord I cannot call up to get fly tipping taken away?</li> <li>• Landlords cannot access the free collection service, only tenants can and we cannot rely on tenants to do that and they may not. Can licensing address this problem?</li> <li>• We shall (do) have ASB, but why are you pointing that to PRS</li> </ul>
Impact on Landlords	<ul style="list-style-type: none"> <li>• You "come down" on good landlords</li> <li>• Keeping standards high. All this has done is to drive rogue landlords underground</li> <li>• Regardless of what landlords say you are going to do what you want</li> <li>• Good landlords pay for rogue landlords</li> <li>• This will cause good landlords to leave the PRS, exiting the market</li> </ul>
Fees	<ul style="list-style-type: none"> <li>• Fees just get fed in to the Councils coffers</li> <li>• If you inspect and find nothing wrong with property, why don't you refund my fees?</li> <li>• Good landlords pay for rogue landlords</li> <li>• What happens to £540 over the three years, what happens with the money</li> </ul>
Supporting good landlords	<ul style="list-style-type: none"> <li>• Council should support landlords more. For example website lacking information and there is a need for improved clarity of information</li> <li>• Working in partnership, tenants go to the council to get advice about landlords. The council will advise them. What about advice for landlords. When you switch on the TV, all you hear about is rogue landlords. What about good landlords?</li> <li>• The importance of section 21 possession claims to selective licensing</li> </ul>

## Balance of Opinion

4.4 The group demonstrated their specialist interest in the debate and presented cogent arguments with the six themes as listed above emerging. On balance, the forum was clearly against a

blanket selective licensing scheme in principle, sceptical about its merits and delivery, but thought that this may be more appropriate for HMOs. In particular:

They questioned the council's motive e.g. "money making", and felt that efforts should be made to target rogue landlords before introducing licensing. If introduced, the group felt that it would be a huge challenge to identify properties, deal with the poor property conditions and to undertake enforcement against rogues, and therefore questioned the council's capacity to deliver the scheme, and, whilst not denying that ASB is a problem, that tenants and the council should do more to solve the problem and support good landlords rather than introducing licensing which will present additional economic burdens.

## **Landlord and Tenant Representatives meeting**

### Introduction

4.5 A total of 15 Landlord and tenant representatives were invited to a meeting by Brent at the Civic Centre on 8<sup>th</sup> December 2016. The organisations represented at the meeting were:

- Brent Advice for Renters (A4R)
- National Landlords Association (NLA) and
- Residential Landlords Association (RLA)

The meeting lasted for about two hours and the format was an open discussion led by Brent. The meeting opened with introductions followed by a summary of licensing in Brent. The rest of the time was dedicated to the debate on licensing and the representatives "having their say" on the proposals and giving examples and "alternative" views. The final session sought to get the balance of opinion on the specific consultation proposals for extending selective licensing as published.

The NLA and RLA are well known nationally. Advice4Renters (A4R) is the trading name of the former Brent Private Tenants Rights Group, a registered Charity organisation in London for private renters whose goal is to transform the private renting sector through their support and legal advice services for tenants, as well as through campaigning.

### Issues Raised

4.6 During the main discussion period a number of important issues were raised by the representatives, including all of the following:

- Similar consultation meeting for tenants
- Political expectation in general on what property licensing will achieve and that licensing moves are often policy driven
- Massive growth of the PRS in London
- The landlords are concerned about the finance lender's approach. Lenders see licensing as a risk to their investment because of the ASB stigma attached to licensed areas and that this is seen as a risk to the property value and leads to mortgages being rejected
- Change in landlords business models as a result of changes in mortgage interest relief e.g. change to a limited company, entry of cash buyers to the market
- The willingness of landlords to take LHA tenants

- That licensing highlights the existence of subletting and that landlords are sometimes victims of “subletting crime”. The example given highlighted the involvement ~ deliberate or otherwise, of the letting agent, head tenant and sub-tenants, the latter sometimes sleeping in shift patterns
- On the issue of enforcement, the representatives questioned the resources of councils to monitor and prosecute, and further noted the new powers which local authorities will have under the Planning and Housing Act 2016, in particular that councils will be able to retain fines from enforcement, and on the introduction of banning orders
- The above enforcement provisions will be available and in addition consideration should be given to utilising the existing management order provisions
- There is the view that Councils are “squirrelling” away licensing fee income. This is around concerns about reduced local government funding and that councils will be “bankrupt by 2020”
- Going forward, the funding of services is a challenge for politicians and presents a risk to the commitment to employ more licensing officers
- Consideration of using licensing fee for having better standards and also funding tenancy relation officer post from licensing. However a view expressed that this may be illegal. Licensing could be linked with public health intervention for the benefit of tenants
- Tenants referencing – view that referencing may be used maliciously
- The tenants led group supports licensing and favours a national scheme. Reflects that the onus is on the landlord to run their business properly
- Alternative PRS regulation – Doncaster has “half way house”
- Concerns that dealing with poor conditions is “slipping through the net” where Brent’s good landlords are paying for the bad landlords. This led to discussion around licence fee discounts for accredited members for which there was total support.
- Accreditation – Observation that there was a recent spike seen in Peterborough City Council where there is a heavy discount and that an option is to increase fee but discount (albeit legal opinion) more
- All landlords support criminal landlords being prosecuted and that the worst (approximately 3k) bad landlords should be targeted

## Responses to consultation proposals

4.7 On the proposal to;

(a) *extend selective licensing to all or some wards within Brent*

Both representatives support extending selective licensing. However there was a different view from the landlord and tenant representatives in that the landlords favour extending to areas where there is a problem rather than blanketing and that to avoid a “cash cow” situation. Look at “hotspots”

The tenant’s representative supports extending selective licensing to the entire borough “because you know where you are and easier to manage”. Same standards will apply across

Examples of recent blanket or wide schemes mentioned were in Peterborough and Burnley and such scheme are subject to Secretary of State for DCLG confirmation

(b) *That the existing designation which applies to Harlesden, Wembley Central and Willesden remains in force up to 31<sup>st</sup> December 2019* – fully supported

(c) *The consultation exercise* - supported

*If applied should be evidence should be based on ASB and one or several of the new criteria* – supported

(d) *Fee proposal* – Recognition that the current basic licensing fee is low and should aim to keep the fee as low as possible by evidence led targeted inspections, giving notice to

landlords, and when processing applications should maintain a presumption in favour of granting a licence.

#### **Other comments**

- Delays and investigations into processing licences should be evidence led e.g. complaint received
- Brent should consider what is realistic and licensing should be used as a “start of an education rather than the solution”.

#### **Brent Connect meetings**

##### Introduction

4.8 Brent Connect forums are regular meetings, covering five local areas and are an opportunity for residents to give their views on local issues and proposals and take part in consultations about the council’s activity. They are used as part of the local democracy process to help decide priorities and policies for Brent. Three forums fell and were attended giving a coverage 11 of the 21 wards in Brent;

- Brent Connects Harlesden, which covers the wards of Harlesden, Kensal Green and Stonebridge was attended on 26 October, 2016, 7-9pm
- Brent Connects Kingsbury and Kenton, which covers the wards of Barnhill, Fryent, Kenton and Queensbury, 16<sup>th</sup> November 2016, 7pm, and
- Brent Connects Willesden, which covers the wards of Dollis Hill, Dudden Hill, Welsh Harp and Willesden Green – 9<sup>th</sup> November 2016. 7pm. Total attendance = 48.

4.9 Issues raised at the Brent Connects Harlesden forum

- The ability and officer resources to follow through with inspections if the licensing is extended borough wide
- Identifying overcrowding
- Identifying the landlord
- The consideration of the 20% rule
- Dealing with beds in sheds
- Possibility of enforcing against property freeholders regarding disrepairs

##### Balance of opinion

4.10 Forum attendees were supportive of efforts to the problems being caused by private renting in Brent but needed to be assured that the council would be able to deliver licensing if extended.

#### **Brent Housing Partnership and Brent Registered Providers Forums**

4.11 Brent Housing Partnership (BHP) is an arms-length management organisations (ALMO) and community housing company owned by Brent Council. While the council owns the homes and takes responsibility for housing policy and strategy, BHP is responsible for the day-to-day management of housing services to over 9,500 council tenants and 3,000 leaseholders.

A presentation on licensing in Brent titled “raising the standard in the private rented sector” was made to the forum on 28<sup>th</sup> September 2016 and later circulated to the forum members. The forum includes all of the following housing associations: - Asra; A2dominion; Catalyst HG; Family mosaic; Genesis HA; HCHA; Hyde-housing; Metropolitan HT; Network HG; LQ group; NHHG; Octavia; Origin housing. A further meeting was attended on 7th December 2016.

## **Home Safe Scheme Limited meeting**

### Introduction

4.12 The Home Safe Scheme Ltd ([www.thehomesafescheme.org.uk](http://www.thehomesafescheme.org.uk)) is a private sector co-regulation partner organisation that was set up as a result of the implementation of a Selective Licensing schemes and now works with Doncaster MBC and West Lindsey District Council.

Two representatives from the Home safe scheme met at the Brent Civic Centre on 23rd December 2016. We acknowledged the written submission received, noting that we had not read through the paper and therefore this meeting was not a response. The meeting was to create an understanding of the scheme with a view to seeing whether it, or what features of it, may be applied to licensing in Brent.

The meeting lasted for about two hours and the format was an open discussion led by Brent. The meeting opened with introductions followed by a summary of licensing in Brent. It was clear that the concept was that of co-regulation to work alongside selective licensing. Reference was made to schemes at Doncaster MBC, Blackpool Borough Council and West Lindsey District Council as examples.

During the discussion period a number of important issues were raised by the representatives, including all of the following:

- Co-regulation concept – Selective licensing is still introduced and all landlords must obtain a licence from the council
  - The Code of Practice
  - Use of Charters- exploring through breach management action and response levels
  - Compliance checks
  - Benefits to landlords signing up to the Home safe scheme e.g. B&Q trade discounts, financial (Lloyds Bank) support, Nuffield Health membership
  - What do landlords get for the fee? Need to consider methods such as process chains, value chain analysis, value (stream) mapping
  - Co-regulation and licensing to How to create Process chain. The political expectation in general on what property licensing will achieve and that licensing moves are often policy driven
-

- Ways of supporting landlords
- Tenants Charter e.g. covering ASB where new tenants are encouraged to sign up
- Discounts on licensing fee implications
- Consideration of the scheme's application to the London PRS context and in particular to the Brent existing PRS regulation
- Accreditation implications
- Home safe membership is voluntary but are there certain landlords/licensed applications where co-regulation could be targeted to, either as a licensing condition or to certain groups or sectors e.g. addressing public health, vulnerable tenants and private student accommodation.

#### Other comments

- The scheme could be tailored to Brent
- Scheme success - Doncaster MBC, one-year scheme review reported measured reduction in ASB, noise, housing complaints etc.,
- Next step could be a workshop to explore features that may be adopted

## **Section 5: Written submissions**

### **Introduction**

5.1 This section presents the findings from other consultation activity undertaken during the consultation process such as:

- 10 individual e-mails plus 1 letter emailed
- 4 written formal submissions from the, National Landlords Association, Residential Landlords Association, National Association of Letting Scheme and Home Safe Scheme Ltd. The formal written submissions are attached as appendices to this report with summaries below.

### **Summary of email and letters**

5.2 The views and opinions expressed in the various emails, letter and submissions were recorded. Any representations made were considered and captured as a bridging document as will form part of the Council's formal response. As best as ascertained it appears that the respondents are a mix of residents, private tenants and landlords with over over-dominance of any group.

#### Email comments

- Support for widening the scheme so that it applies to most or even all of Brent, notably to North Wembley and Sudbury
- Fees should be dramatically increased as other councils charge more
- It is not true that there are strong links between ASB and the privately rented properties
- Licensing makes the private renting business harder and does not solve poor property conditions
- For a variety of reasons stated, that the standard enforcement regime will be very complicated, time-consuming and expensive

## **Summaries of written submissions**

### **National Landlords Association (NLA) submission summary**

5.3 The NLA contends that there are flaws in the process and proposals which must be rectified prior to attempting to progress this application. Furthermore, once the necessary data has been identified and provided, this consultation exercise should be repeated (if permissible), ensuring engagement with all relevant stakeholders. The NLA's position has been summarised by the following brief points:

- Landlords have very limited authority to deal with matters related to anti-social behaviour (ASB), especially if it happens outside the curtilage of the property.
- The scheme will lead to a further displacement of problem tenants in Brent/London.
- The documentation provided fails to indicate that sufficient funding will be available to support the functions necessary to support licensing in cases involving re-housing, tenants with mental health issues and social inclusion.
- Questions how will the Council prevent malicious ASB claims being made that could potentially result in tenants losing their tenancies?
- Selective licensing is not a solution in itself – it does not tackle sub-letting or criminals.

However they state that the ability to introduce licensing is a powerful tool. If used correctly by Brent Council, it could resolve a number of specific issues, as has been seen in the three wards in which the scheme is currently run in. The NLA has supported many local authorities when licensing schemes have been introduced that could benefit landlords, tenants and the community. But to extend the scheme Borough wide they believe is unjustified.

### **Residential Landlords Association (RLA) submission summary**

5.4 The RLA believes that Brent is premature in bringing forward its proposals and should wait further given the new powers that will be made available to local authorities in the Housing and Planning Act 2016. The RLA's submission opposing licensing based upon:

- a) A number of general objections licensing and,
- b) Several areas of concerning regards to selective licensing.

Reasons for the general objection cited were that:

- Licensing schemes rarely meet their objectives
- Rather than introduce a bureaucratic licensing scheme that will see staff time wasted processing applications, it should continue to direct its limited resources at effective enforcement activity.
- Tenant problems such as anti-social behaviour are impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere.
- The RLA does not believe Brent has made a robust case for borough-wide licensing.
- Concern that licensing costs are passed on to tenants in the form of rent increases and that, should the council decide to proceed, they welcome the consideration of discounted fees for landlords
- The RLA supports a system of self-regulation.

The areas of concern in regard to selective licensing relate to certain emerging trends such as the administrative burden, the use of the licence fees, tackling criminal landlords and proper systems for monitoring the schemes.

### **National Association of Letting Scheme (NALS) submission summary**

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- 5.5 NALS is an accrediting organisation for lettings and management agents in the private rented sector. NALS support the council's wider objective around driving up standards and conditions in the private rented sector. They however suggest that based on the evidence that has been published, they do not think the case has been proved to extend selective licensing borough wide. They have however provided some technical advice as to how the proposals should be developed in order for a scheme decision proceed. NALS express the following views and suggestions Brent's proposal including;
- The roll-out of new licensing schemes is the lack of consistency that this brings in the regulation of the private rented sector.
  - Encourage the council to place any new scheme on hold given the government's recent decision to expand the mandatory HMO licensing scheme in 2017.
  - The new licensing scheme would need to be enforced using the same 'complicated, time-consuming and expensive' regime that the council is already finding problematic.
  - Encouraged opportunities for co-regulation, better regulation of letting agents and *stepping up* of enforcement activity
  - Welcome the proposal to offer an early bird discounted fee of £340. Overall, that the proposed application fee of £540 per property is less excessive than fees being charged elsewhere but should consider further fee discounting

### **Home Safe Scheme Limited submission summary**

- 5.6 Home Safe Limited agrees that there is a problem with some private rented sector properties in Brent and commends Brent them for having taken action to deal with this problem. As part of their business rationale Home safe supports selective licensing but proposes that Selective Licensing can be made effective by the mechanism of "Co-regulation".

In outlining the merits and benefits of co-regulation, Home Safe argues that their alternative scheme will enable Brent Council to use their existing powers and resources more effectively and in a more targeted manner allowing them to focus those resources directly against the willingly bad, un-cooperative and non-complying landlords. They would, therefore, welcome the opportunity to work with the Brent Council in developing a "Co-regulation" scheme for the relevant remaining wards.

### **Summary of other comments**

- 5.7 These comments have been organised by the following themes:
- General comments
  - Fees
  - Licensing conditions
  - Anti-social behaviour and the evidence base

- 5.8 Overall, the findings from these other consultation activities are very much in line with the comments and findings received through the consultation survey. In general terms, Landlords generally expressed opposition and in some cases significant opposition to the proposals. There was limited support provided by a small number of residents and landlords and indicative support through a written submission from Shelter (see appendix 3). The following outlines the details of some of the challenges and opposition.

### **General comments**

- Concern that rogue landlords will not apply and operate underground/outside of the scheme, the expectation is that only good, compliant landlords will apply for a licence.
  - The scheme should focus on rogue/problem landlords only and not penalise good landlords.
  - Concern that the scheme will push landlords out of the borough, reducing the supply of private rented sector housing.
-

## **Fees**

Note: Along with comments about anti-social behaviour and the evidence base, opposition to the proposed fee structure was the biggest area of challenge and comment.

- The fee is considered far too high for most landlords and there are calls to reduce fees.
- There are proposals to reduce the fee for compliant landlords and/or landlords working with reputable letting agencies.
- Proposals to charge fees in line with the size of the property/rent received and against the idea of a flat fee.
- Concern that the scheme is a money making enterprise for the Council.
- Some landlords and residents expect that the fee will be passed on to tenants, raising rental prices for tenants.

Note: The Residential Landlords Association's (RLA) written submission presents a case against the consultation designation proposal, suggesting it could be challenged.

## **Licensing Conditions**

- Questions raised about how the scheme will be enforced and the associated inspection regime, with suggestions that this could be unmanageable for the Council, landlords and tenants. There were concerns that the licensing scheme will not be effectively enforced and therefore fail to deal with rogue landlords or anti-social behaviour.
- Concerns that the scheme will create red tape for landlords, pushing up costs and making it less desirable to rent properties in the borough which could have a consequent impact on the supply of private rented housing.
- Concerns that there are too many licensing conditions.
- Concerns that some of the wording associated with licensing conditions is ambiguous and open to interpretation such as the definition and criteria for 'fit and proper' person.
- Do not believe that the licensing conditions will improve standards as most good landlords already comply and in some cases exceed the conditions.

The written submission from RLA provides detailed comments against each of the conditions and proposes alternative conditions.

## **Anti-social behaviour**

Along with comments around fees, anti-social behaviour and comments about the evidence base were the biggest areas of challenge and comment.

- Greater enforcement and use of existing powers to address anti-social behaviour instead of introducing a licensing scheme such as use of Interim Management Orders (see National Landlords Association comments at appendix 3 for more detail).
- The scheme should focus on social landlords and their tenants which are considered to have greater anti-social behaviour problems than tenants of private rented properties.
- Some landlords do not believe that the licensing scheme will have a notable impact on anti-social behaviour as landlords are not responsible and should be blamed for anti-social behaviour.

## **Evidence base**

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The largest single number of comments and challenges were about the evidence base linking anti-social behaviour with private rented properties. These were as follows:

- The evidence base shows only correlation, not causation between private rented housing and anti-social behaviour
- Requests for further analysis of the evidence base to show if there are similar links between other housing types such as social housing and owner-occupiers, with the hypothesis that there are likely to be similar or more significant links between social housing in particular and anti-social behaviour
- Contention that a blanket scheme is appropriate as anti-social behaviour levels differ between different parts of the borough and so if adopted should only be adopted for certain areas in the borough

## **Appendices**

Appendix A: Consultation Activities Report

Appendix B: PRS Licensing 2016 Questionnaires

- Residents, Tenants and Businesses in Brent
- Landlords and Managing Agents
- Other Stakeholders

Appendix C: Questionnaire Survey Results

Appendix D: Written Submissions

- NLA Submission
- NALS Submission
- Home Safe Scheme Ltd Submission
- RLA Submission

Appendix E: Questionnaire Survey Raw Tables

## Appendix A: Consultation Communications Activities Report

The consultation ran for 11 weeks from 30 September 2016 and closed on Friday 16 December 2016, although the web-link remained open 19 December. The communications campaign aimed to get as many people and sections of the community to engage with the consultation. The target was to obtain 1, 000 responses by 16 December, including at least 500 from non-landlords, specifically tenants and neighbours of privately rented properties.

This report details activity in all communications channels as outlined in the communications plan which was agreed before the consultation started together with any additional work.

### Strategy

The aim was to use our customer insight to target our communications and evaluate their impact. The strategy was to use a broadly based communications drive with a mix of all channels to deliver consistent integrated messages. We used wide reaching tactics aimed at targeting all residents and stakeholders with more specific channels being used to reach tenants and landlords.

### Key messages

- If you're a tenant or a landlord, if you live or run a business in Brent, have your say on our plans to expand our scheme to raise standards for privately rented homes. Go to [www.brent.gov.uk/landlordlicensing](http://www.brent.gov.uk/landlordlicensing) to take part in the consultation.
- The whole community will benefit from our proposals. Local people will have better homes, neighbours will be reassured and it will be good for landlord's businesses.
- The vast majority of landlords are honest, fair and law-abiding. Our proposals aim to deal with both the minority of private landlords who give their tenants a raw deal and the minority of tenants who behave anti-socially.

### Communications channels

The vast majority of the work was focused on an external audience, although internal channels were used to engage staff whose work is public facing to act as ambassadors for the consultation and encourage more responses. Staff who live in or around Brent and who also may be private tenants or landlords were also encourage to themselves take part in the consultation.

The channels are listed below, followed by an analysis of activity carried out in each one individually.

#### External

- Media relations
  - Brent website (banner on homepage)
  - Poster sites (JC Decaux)
  - Leaflet drop to all residents & in libraries and council buildings
  - Digital adverts on Gum tree and EBay
  - The Brent magazine
  - Social media (face book& twitter)
  - Emails to landlord database
  - Emails to stakeholder groups, e.g. housing needs database
-

- Stalls in Civic Centre and local businesses
- Landlord Forum
- Brent Connects
- Brent Citizens Panels
- Voluntary Sector
- Mail out to stakeholders
- Advertising van
- Presentations to stakeholders, e.g. Barnet Landlords Forum
- Report to Brent Members of Parliament
- Briefing to the Chartered Institute of Environmental Health Officers (CIEH) Housing Study & Licensing group
- UK Landlords Accreditation Scheme circulation

### **Internal**

- Stall in Civic Centre
- Yammer
- Word of mouth amongst colleagues, teams and the wider organisation.
- Email footers
- Presentation to internal stakeholders, e.g. Brent Housing Partnership
- Briefing session for elected members

## Media relations



Two press releases were issued during the course of the campaign, one at the start to announce it (03/10/16) and one half-way through (15/11/16) to encourage more responses. The releases were sent to local media (Brent & Kilburn Times, and GetWestLondon.co.uk), also to housing and environmental services trade press.

Our residents survey of 2014 shows that 6% of our residents say that their primary source of news information is the Brent & Kilburn Times.

Coverage of the consultation featured in the [B&K Times on 04/10/16](#) and on [17/11/16](#) in both the paper editions and online and throughout the campaign in trade press including [Londonlandlords.org.uk](#), [lettingagenttoday.co.uk](#) and [londonpropertylicensing.co.uk](#).

Coverage from Landlord Property Licensing is particularly relevant as it is the leading trade body with a wide reach and influence within private landlords as a group.

## Media reach

The B&K Times has a circulation of around 15,000 and 56,048 average monthly visitors to their website and 208,140 average monthly page impressions. Their e-edition has 741 average monthly views with 26, 891 average monthly page impressions. GetWestLondon.co.uk has xxx monthly/weekly visitors. The online trade press have around 10,000 visitors per month combined.

## Media coverage providing context

Successful prosecutions of rogue landlord stories featured during the consultation period with three stories in the local and trade media. Although not specifically about the consultation they provide a context to the campaign and motivation to take part in the survey by highlighting the issue of the benefits of licensing as this was also part of the messaging of the news stories. The stories were Buxton Road (01/12/16), [Beverley Gardens](#) (07/12/16) and Mapesbury Road (04/12/16).

## Brent website

During the period of the consultation we had a banner news item on our homepage and there were 450 unique page views to [www.brent.gov.uk/landlordlicensing](#). This represents residents who clicked on the news item. It does not include those who went via a search engine or via the web advertising directly to the surveys. The Brent website receives an average of 300,000 visitors and over a million page views every month.

### **Online news stories**

Both press releases were also used as news stories on the website with a total of **4592** unique visitors to both pages during the period of the consultation.

**(a) 03/10/16:**

<https://www.brent.gov.uk/council-news/september-2016/improving-the-private-rented-sector-should-brent-extend-private-rented-property-licensing/>

Unique Page Views = **3970**

**(b) 15/11/2016**

<https://www.brent.gov.uk/council-news/press-releases/pr6439/>

Unique Page Views = **622**

### **Poster sites**

Posters advertising the consultation were displayed on the large bus stop sites throughout the borough for a period of four weeks from 5 November to 2 December. There were a total of 76 sites including outside high footfall Brent landmarks such as tube stations, shopping areas, Wembley Stadium and the Civic Centre.

### **Leaflet mail out to all residents**

On 9 November we sent out a leaflet to all households in Brent, a total of 100,000 with copies also placed in council buildings such as libraries.

### **Digital advertising**

From 7 November to 9 December Navigate Digital placed adverts on EBay and Gum tree websites to drive traffic to our website and encourage completion of the online survey. Only visitors to these websites from postcodes within Brent saw the adverts and users searching rental listings were particularly targeted.

The results of the campaign are below:

- Total impressions delivered: 4,070,008 -
- Unique users reached: 630,782
- Traffic to Landlord Survey: 6,050 – 4,228 (69%) via homepage

### **The Brent Magazine**

Our residents show that 47% of residents say this is their main source of news about the council. The magazine has a circulation of 105,000, and is delivered to all households in the borough, with additional bulk drops to all council buildings with public access such as libraries. It reaches 320,000 readers monthly and is heavily promoted through our social media channels.



In the [winter edition of the Brent magazine](#) we had a double page feature on the campaign, explaining the background and aims. One page of the double feature was the advert to take part in the consultation and signposting to the website, and how to get a paper copy of the survey.

The magazine is also online on our website and is read online by between 1,300 and 1,600 residents each month, who spend an average of 3.5 minutes on the pages.



**Social media - Twitter**

**Twitter**

During the campaign we sent out a total of 12 tweets, which received 5 engagements (likes or re-tweets) using the hashtag #Brentlandlordlicensing.

The Brent Twitter account has 14,700 followers.

**Social media - Face book**

We posted 5 adverts during the course of campaign which had a total of 29 shares, likes and comments. The Brent Face book account has 5,585 friends.

**Communications to landlords and stakeholder groups**

We sent a total of three emails to our landlord database which contains 393 addresses, containing a link to the consultation and a summary of what it was about. The first was sent at the start of the campaign, the second on 02/12/16 with a reminder that there was only two weeks left to take part, and the final on 14/12/16 with a two days left reminder.

We sent two emails to the housing needs database, which contains 334 addresses, one at the start of the campaign and one on 14/12/16 with a two days left reminder.

We sent an email to 80 stakeholders on 05/12/16, another one to 19 registered housing providers on 05/12/16. We sent a letter and copies of the consultation to 85 stakeholders by post. All stakeholders are connected to the organisation, and are established contacts to receive information from Brent.

**Stands in Civic Centre and retail locations**

Between 03 November and 13 December we held a total of seven public information stands in the Civic Centre, large retail locations and council buildings throughout the Borough. Passers-by were invited to take part in the survey, either by completing a paper copy, taking one home to return or completing one online with Brent officers using handheld tablets. They were as follows:

Date	Location	Surveys completed
03/11/2016	Civic Centre	65

09/11/2016	Costco, Wembley Park	42
17/11/2016	Willesden Green Library	38
24/11/2016	Civic Centre	44
30/11/2016	Kingsbury Library/High Road	36
09/12/2016	B&Q, Cricklewood Broadway	47
13/12/2016	ASDA Wembley	38
<b>Total</b>		<b>310</b>

### **Landlord Forum**

On 1st November Brent hosted a meeting of the Landlords Forum which is a non-profit making organisation of private landlords and agents who rent property in West London. Around 200 people attended and a presentation was given about the consultation, directions to the website to complete the survey online, and paper copies of the consultation given out. An email was sent out the following week to all attendees and members of the group who did not attend, with a reminder of the consultation and how to take part. The event was held at Brent's Civic Centre with Midas Property Club as our delivery partner and registration hosted on the Eventbrite site.

### **Brent Connects**

A total of three Brent Connect forum meetings were attended and a presentation given on the consultation. Brent Connect forums are regular meetings, covering five local areas and are an opportunity for residents to give their views on local issues and proposals and take part in consultations about the council's activity. They are used as part of the local democracy process to help decide priorities and policies for Brent. At these meetings paper copies of the survey were available, and attendees were signposted to the website to complete an online survey.

### **Voluntary Sector Forum**

A presentation on the consultation was made to the Voluntary Sector Forum on 7 December, attended by 30 individuals working in the voluntary sector with or in partnership with Brent.

### **Advertising van**

During the week commencing 7 November an advertising van drove around the borough with a large advert for the consultation.

### **Yammer**

Yammer is the primary internal communications tool for Brent employees. It is a private social network where employees are encouraged to post information, have conversations and find news about the organisation. Of Brent's 2,200 employees, 98% are signed up to the network.

Two posts were made to the all company group, on 10/11/16 and 03/11/16 with a total of 2 replies and 16 likes. The channel is important because many employees are residents in Brent, including in the private rented sector, or are landlords.

### Word of mouth

During the period of the consultation the private rented sector teams acted as ambassadors for the consultation, encouraging both employees and members of the public to take part. This was done either formally in team meetings or in general conversations with other teams throughout the council.

### Evaluation

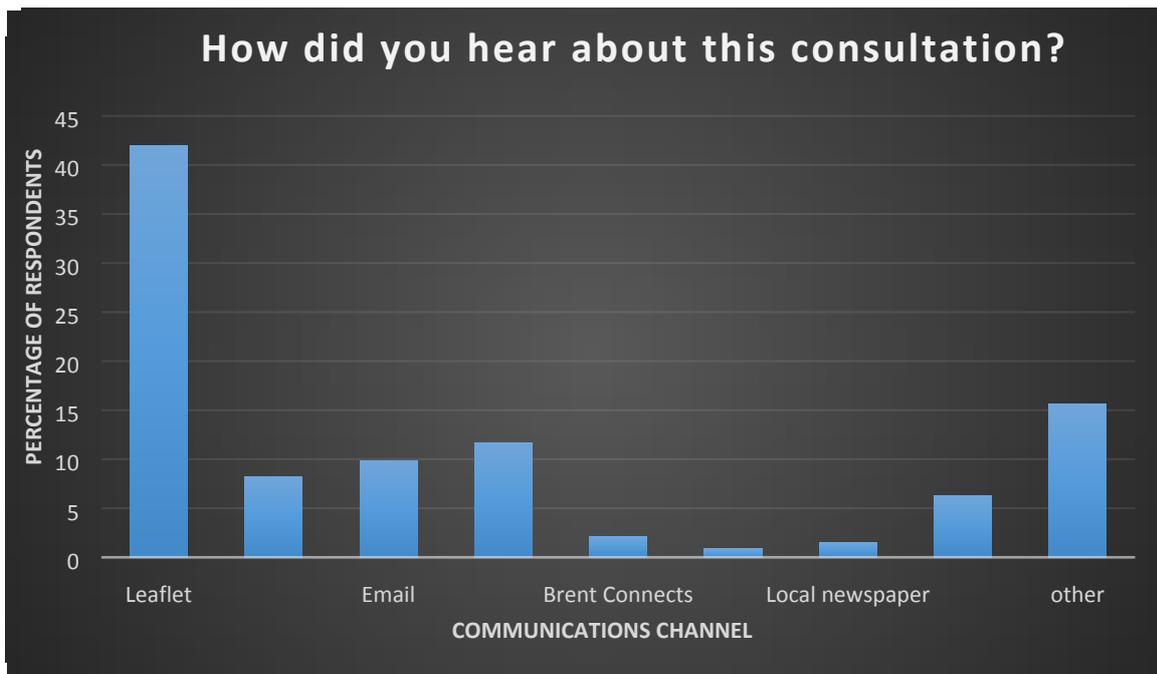
Evaluation measures agreed before campaign started	
1	Number of responses received Target: 1, 000 Received: 1237
2	Number of news stories published in papers and online. 12
3	Emails and paper mail outs to landlords and stakeholders 7
4	Cost per action on digital adverts £2.23
5	Click through rates on digital adverts 2, 630
6	Unique visitors to Brent Webpages with information on the consultation (homepage banner and news stories) 4592
7	Social media engagements face book & twitter 34
Additional evaluation measures	
8	Number of Yammer posts and engagements 2
9	Number of rogue landlord news stories during campaign 3
10	Question in survey "How did you hear about the consultation?" See separate tables for landlords and residents & other stakeholders.
11	Number of people completing survey at stalls at Civic Centre & other locations. 310

12	Landlords forum – attendees (01/11/16)	Approx.250
13	Voluntary Sector Forum event attendees (07/12/16)	30

**Evaluation using the question in the consultation**

Included in the consultation questionnaire was a question near the end “How did you hear about the consultation?” The responses are below. The clear leader in terms of successful reach is the leaflet with nearly 42% of all respondents naming this as how they had heard about the consultation. The Brent website (11.7%), emails (9.8%) and posters (8.2%) were all roughly similar after that.

Comments in the free text areas of the questionnaire for those who chose the response ‘other’. Twitter is only mentioned once, as is yammer, with the most popular response being that it was through the in-store surveys and at the Civic Centre, with more than 50 people giving this answer.



## APPENDIX B: Questionnaire - Residents, Tenants and Businesses

PRIVATE RENTED SECTOR LICENSING 2016 QUESTIONNAIRE: RESIDENTS, TENANTS AND BUSINESSES IN BRENT

**PRIVATE RENTED SECTOR LICENSING 2016 QUESTIONNAIRE: RESIDENTS, TENANTS AND BUSINESSES IN BRENT**

**ABOUT YOU**

Which of the following best describes you? (Please select one option)

Private tenant living in a single family dwelling (for example, a self-contained flat or house)

Private tenant living in a House in Multiple Occupation (HMO) or bedsit where you share some basic amenities (for example, toilet, bathroom, kitchen) with others

Local authority (Brent Housing Partnership) tenant

Housing association tenant

Owner occupier – either owning outright or buying with a mortgage

Shared owner – with a share in the equity of the home (Local business in Brent (but not a landlord, for whom there is a separate questionnaire)

Other interested party

If other interested party, please give details:

**LOCAL PROBLEMS**

How would you rate the following problems in your local area? (Please select one answer for each problem)

	VERY SERIOUS PROBLEM	SERIOUS PROBLEM	MINOR PROBLEM	NOT A PROBLEM
Nuisance neighbours (including intimidation and harassment and street drinking)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drug use/drug dealing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General street scene (including graffiti and excessive 'to let'/'for sale' boards)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rubbish dumping and fly tipping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
High levels of overcrowded properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Untidy front gardens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poorly managed and maintained homes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
High turnover of residents in the local community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Street prostitution and brothels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
High rent levels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack of community engagement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Empty/boarded up properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Levels of migration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tenants sub-letting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tenants being aware of their legal responsibilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police reported crime in Brent e.g. burglary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**LOCAL SOLUTIONS**

Thinking about how the private rented sector as a whole in Brent might be improved, to what extent do you agree or disagree with the following statements? (Please select one answer for each statement)

	LAGRIM STRONGLY	TEND TO DISAGREE	NEUTRAL / NEITHER STRONGLY	TEND TO AGREE	LAGRIM STRONGLY
Brent Council should intervene in areas suffering from high levels of anti-social behaviour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brent Council should have more control over the way private landlords manage their properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Licensing of the privately rented sector will help to reduce anti-social behaviour in the borough	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Licensing of the privately rented sector will ensure that properties in poor condition are properly managed to prevent further deterioration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Licensing of the privately rented sector will ensure that people who occupy properties do not live in poorly managed housing or unacceptable conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Licensing of the privately rented sector will help to preserve and improve the social and economic status of the local area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Licensing of the privately rented sector will reduce the impact of criminal activity on residents and businesses in Brent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

To what extent do you agree or disagree that private landlords should take the following actions? (Please select one answer for each statement)

	LAGRIM STRONGLY	TEND TO DISAGREE	NEUTRAL / NEITHER STRONGLY	TEND TO AGREE	LAGRIM STRONGLY
Keep their properties in good condition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Obtain references for new tenants wishing to move in	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensure tenants know anti-social behaviour is unacceptable and act to address it	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide tenants with the landlord's contact details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SELECTIVE LICENSING CONDITIONS**

The council has discretion to set precise conditions of the license. These can include conditions relating to use and occupation of the house, and measures to deal with anti-social behaviour of actual tenants or those visiting the property. There are also certain mandatory conditions which must be included in a license. For example, licensees are required to:

- Present a gas safety certificate annually to the LHA, if gas is supplied to the house
- Keep electrical appliances and furniture (supplied under the tenancy) in a safe condition
- Keep smoke alarms in proper working order
- Supply the occupier with a written statement of the terms of occupation
- Demand references from persons wishing to occupy the house

Full selective licensing conditions can be found at [www.brent.gov.uk/media/16403028/selective-licensing-conditions-booklet.pdf](http://www.brent.gov.uk/media/16403028/selective-licensing-conditions-booklet.pdf)

To what extent do you agree or disagree that the proposed selective licensing conditions are reasonable? (Please select one answer for each problem)

	LAGRIM STRONGLY	TEND TO DISAGREE	NEUTRAL / NEITHER STRONGLY	TEND TO AGREE	LAGRIM STRONGLY
Refuse problems including overgrown gardens with accumulations of rubbish and abandoned/dumped household items	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neat/disturbance from neighbours who are private tenants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other anti-social behaviour by private tenants including drug taking/dealing and street drinking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harassment/discrimination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fear of eviction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insecure tenancy/tenancy agreement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you 'tend to disagree' or 'disagree strongly' with the proposed selective licensing conditions, please tell us why:

**Please rate the following problems in relation to your own home or where you live in Brent.** (Please select one answer for each problem)

	VERY SERIOUS PROBLEM	SERIOUS PROBLEM	MINOR PROBLEM	NOT A PROBLEM	DO NOT KNOW
Poor amenities (e.g. toilet, bathroom, kitchen, storage etc.)	<input type="checkbox"/>				
Poor fire safety (e.g. means of escape, extinguishers etc.)	<input type="checkbox"/>				
Property in a poor state of repair	<input type="checkbox"/>				
Poor management of internal common parts	<input type="checkbox"/>				
Too little space/too many people/overcrowding	<input type="checkbox"/>				
Lack of energy efficiency in the property	<input type="checkbox"/>				
Damp and mould	<input type="checkbox"/>				
Poor noise insulation	<input type="checkbox"/>				
Personal safety and fear of crime	<input type="checkbox"/>				
Illegal extensions/extensions without planning permission	<input type="checkbox"/>				
Unkept external appearance and lack of maintenance	<input type="checkbox"/>				
Refuse problems including overgrown gardens with accumulations of rubbish and abandoned/dumped household items	<input type="checkbox"/>				
Neat/disturbance from neighbours who are private tenants	<input type="checkbox"/>				
Other anti-social behaviour by private tenants including drug taking/dealing and street drinking	<input type="checkbox"/>				
Harassment/discrimination	<input type="checkbox"/>				
Fear of eviction	<input type="checkbox"/>				
Insecure tenancy/tenancy agreement	<input type="checkbox"/>				

**TACKLING PROBLEMS**

Selective Licensing is already in place in Willesden Green, Harlesden and Wembley Central and applications from landlords have seen a high number of properties licensed.

**In your opinion, should the council extend selective licensing for single family dwellings (for example self-contained flats or houses) in Brent? (Please select one answer)**

Yes, borough-wide  No   
 Yes, but only where I own/let property  Don't know   
 Yes, but elsewhere in Brent

If yes, but only where I own/let property, please specify:

If yes, but elsewhere in Brent, please specify:

**In your opinion, would introducing Selective Licensing achieve any of the following? (Please select all that apply)**

- Shift the reliance away from using resident complaints to identify problems
- Promote a professional management ethos amongst private landlords
- Provide tenants with consistent information on acceptable standards of accommodation
- Allow the council to take action against landlords who provide poor standards of accommodation
- Remove rogue landlords from the sector
- Reduce the level of anti-social behaviour in the borough
- Provide safe homes for tenants to live in
- Provide a strategic approach to managing their sector
- Allow the council to take action against landlords whose tenants cause persistent anti-social behaviour

**MORE ABOUT YOU**

Please tell us a bit more about you to help us ensure that all our services are delivered fairly. We appreciate that some of these questions are personal. We ask for this information to help us ensure that we are meeting the needs of all our service users. If you do not wish to answer one of the questions, please select 'prefer not to say'. The information will be treated confidentially in line with the Data Protection Act 1998.

**Please tell us your postcode:**

**How long have you owned property/properties in Brent? (Please select one answer)**

Less than one year  One to two years  Two to five years   
 Five to ten years  More than ten years  Don't own a property in Brent

**MORE ABOUT YOU**

**Are you? (Please select one answer)**

Male  Under 18  18 - 24   
 Female  25 - 34  35 - 44   
 Prefer not to say  45 - 54  55 - 60   
 61+  Prefer not to say

**How would you describe your ethnic background? (Please select one answer)**

White: English/Welsh/Scottish   
 Northern Irish/British   
 White: Irish   
 White: Gypsy or Irish Traveller   
 Any other White background   
 White and Black: Caribbean   
 White and Black: African   
 White and Asian   
 African: Black/African/Caribbean/Black British   
 Caribbean: Black/African/Caribbean/Black British   
 Any other Black/African/Caribbean background   
 Chinese: Asian/Asian British   
 Bangladeshi/Asian/Asian British   
 Pakistani/Asian/Asian British   
 Indian/Asian/Asian British   
 Any other Asian background   
 Arab   
 Any other mixed/multiple ethnic background   
 Any other ethnic group   
 Prefer not to say

**What is your age group? (Please select one answer)**

Heterosexual/straight  Other   
 Lesbian  Gay man   
 Bisexual  Prefer not to say

**What is your religion or belief? (Please select one answer)**

Buddhist  Christian   
 Hindu  Jewish   
 Muslim  Sikh   
 None  Prefer not to say   
 Other

**How did you hear about this consultation? (Please select all that apply)**

Leaflet  Poster   
 Email  Brent website   
 Brent Connects  Word of mouth   
 Brent Citizens' Panel  Local newspaper   
 Other

**Do you have any long-standing illness, disability or infirmity? (Long-standing means anything that has troubled you over a period of one or more years or that is likely to affect you over a period of time)**

Yes  No

# HAVE YOUR SAY

## Should we extend private rented property licensing?

Since we introduced our selective licensing scheme for all private rental properties in Harlesden, Willesden Green and Wembley Central at the end of 2014, we've made great strides in tackling rogue landlords.

We're now running a consultation to find out what the people of Brent and other stakeholders think about extending the scheme so it applies to most or even all the borough.

For more information about the consultation and to complete the online survey, go to [www.brent.gov.uk/privateletting2016](http://www.brent.gov.uk/privateletting2016). You can also email: [privateletting@brent.gov.uk](mailto:privateletting@brent.gov.uk) or post your comments to: Tony Jemcott, Private Housing Services, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ.

**Appendix B: Questionnaire – Landlords and Managing Agents**

**ABOUT YOU**

Which of the following best describes you? (Please select one answer)

Landlord who manages their own property  Managing agent   
 Landlord who uses a managing agent  Registered social landlord   
 Letting agent  Other interested party

If other interested party, please give details:

Type/number of properties owned/managed in Brent:

(Please select one answer for each question)

	1-5	6-10	11-20	21-50	51-100	100+
Single occupancy house	<input type="checkbox"/>					
Self-contained flat	<input type="checkbox"/>					
Houses in Multiple Occupation (smaller than three storys)	<input type="checkbox"/>					
Houses in Multiple Occupation (three storys or more)	<input type="checkbox"/>					

Are you a member of any of the following? (Please tick all that apply)

National Landlords Association (NLA)  ARLA Association of Residential Lettings Agents   
 Residential Landlords Association (RLA)  Other landlord or lettings agent association

If other related association, please specify:

Are you an accredited landlord or agent? Yes  No

Which scheme? E.g. UKLAS/LLAS, NLA, RLA

**LOCAL PROBLEMS**

As a landlord or agent in Brent, how would you rate the problems identified below? (Please select one answer for each problem)

	LARGEST STRONGLY	TEND TO STRONGLY	NEITHER STRONGLY NOR WEAKLY	TEND TO WEAKLY	SMALLEST WEAKLY
Poor quality private rented housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poorly managed private rented houses (by others)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rubbish dumping and fly tipping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Untidy front gardens	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nuisance and anti-social behaviour by your tenants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nuisance and anti-social behaviour by others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**LOCAL SOLUTIONS**

Thinking about the private rented sector as a whole in Brent, to what extent do you agree or disagree with the following statements? (Please select one answer for each statement)

	LARGEST STRONGLY	TEND TO STRONGLY	NEITHER STRONGLY NOR WEAKLY	TEND TO WEAKLY	SMALLEST WEAKLY
Street prostitution and brothels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Difficulty finding tenants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Empty properties affecting rental income	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
High turnover of tenants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Levels of migration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tenants sub-letting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tenants being aware of their legal responsibilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police reported crime in Brent e.g. burglary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Number of tenants claiming benefits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tenants leaving without paying rent/ignoring correct notice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tenants building up high levels of rent arrears	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Problems existing tenants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lack of community engagement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If other, please specify:

Thinking about the private rented sector as a whole in Brent, to what extent do you agree or disagree with the following statements? (Please select one answer for each statement)

	LARGEST STRONGLY	TEND TO STRONGLY	NEITHER STRONGLY NOR WEAKLY	TEND TO WEAKLY	SMALLEST WEAKLY
Poorly maintained properties are contributing to the decline of some areas in Brent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poorly managed private let properties are contributing to the decline of some areas in Brent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landlords have a responsibility to manage their properties effectively	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landlords should be 'fit and proper' persons, so that private let properties in the borough are well managed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thinking about how the private rented sector as a whole in Brent might be improved, to what extent do you agree or disagree with the following statements? (Please select one answer for each statement)

	LARGEST STRONGLY	TEND TO STRONGLY	NEITHER STRONGLY NOR WEAKLY	TEND TO WEAKLY	SMALLEST WEAKLY
Brent Council should intervene in areas suffering from high levels of anti-social behaviour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brent Council should have more control over the way private landlords manage their properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SELECTIVE LICENSING CONDITIONS**

The council has discretion to set precise conditions of the license. These can include conditions relating to use and occupation of the house, and measures to deal with anti-social behaviour of actual tenants or those visiting the property. There are also certain mandatory conditions which must be included in a license.

For example, licensees are required to:

- Present a gas safety certificate annually to the LHA, if gas is supplied to the house
- Keep electrical appliances and furniture (supplied under the tenancy) in a safe condition
- Keep smoke alarms in proper working order
- Supply the occupier with a written statement of the terms of occupation
- Demand references from persons wishing to occupy the house

Full selective licensing conditions can be found at [www.brent.gov.uk/media/16403028/selective-licensing-conditions-booklet.pdf](http://www.brent.gov.uk/media/16403028/selective-licensing-conditions-booklet.pdf)

To what extent do you agree or disagree that the proposed selective licensing conditions are reasonable?

	LARGEST STRONGLY	TEND TO STRONGLY	NEITHER STRONGLY NOR WEAKLY	TEND TO WEAKLY	SMALLEST WEAKLY
To what extent do you agree or disagree that the proposed selective licensing conditions are reasonable?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you 'tend to disagree' or 'disagree strongly' with the proposed selective licensing conditions, please tell us why:

**TACKLING PROBLEMS**

Selective Licensing is already in place in Willesden Green, Harlesden and Wembley Central and applications from landlords have seen a high number of properties licensed.

In your opinion, should Brent Council introduce Selective Licensing for Houses in Multiple Occupation (HMOs) in Brent? (Please select one answer)

Yes, borough-wide .....  No .....

Yes, but only where I own/let property .....  Don't know .....

Yes, but elsewhere in Brent .....

If yes, but only where I own/let property, please specify:

If yes, but elsewhere in Brent, please specify:

In your opinion, would introducing Selective Licensing achieve any of the following? (Please select all that apply)

Shift the reliance away from using resident complaints to identify problems .....

Promote a professional management ethos amongst private landlords .....

Provide tenants with consistent information on acceptable standards of accommodation .....

Allow the council to take action against landlords who provide poor standard of accommodation .....

Remove rogue landlords from the sector .....

Reduce level of anti-social behaviour in the borough .....

Provide safe homes for tenants to live in .....

Provide a strategic approach to managing their sector .....

Allow the council to take action against landlords whose tenants cause persistent anti-social behaviour .....

**MORE ABOUT YOU**

Please tell us a bit more about you to help us ensure that all our services are delivered fairly. We appreciate that some of these questions are personal. We ask for this information to help us ensure that we are meeting the needs of all our service users. If you do not wish to answer one of the questions, please select 'prefer not to say'. The information will be treated confidentially in line with the Data Protection Act 1998.

Please tell us your home or business postcode (if you're a managing agent):

How long have you owned property/properties in Brent? (Please select one answer)

Less than one year .....  One to two years .....  Two to five years .....

Five to ten years .....  More than ten years .....  Don't own a property in Brent .....

**MORE ABOUT YOU**

Are you? (Please select one answer)

Male .....

Female .....

Prefer not to say .....

How would you describe your ethnic background? (Please select one answer)

White: English/Welsh/Scottish/Northern Irish/British .....

White: Irish .....

White: Gypsy or Irish Traveller .....

Any other White background .....

White and Black Caribbean .....

White and Black African .....

White and Asian .....

African: Black/African/Caribbean/Black British .....

Caribbean: Black/African/Caribbean/Black British .....

Any other Black/African/Caribbean background .....

Chinese: Asian/Asian British .....

Bangladeshi: Asian/Asian British .....

Pakistani: Asian/Asian British .....

Indian: Asian/Asian British .....

Any other Asian background .....

Arab .....

Any other mixed/multiple ethnic background .....

Any other ethnic group .....

Prefer not to say .....

Do you have any long-standing illness, disability or infirmity? (Long-standing means anything that has troubled you over a period of time or that is likely to affect you over a period of time)

Yes  No

What is your age group? (Please select one answer)

Under 18 .....  18 - 24 .....

25 - 34 .....  35 - 44 .....

45 - 54 .....  55 - 60 .....

61+ .....  Prefer not to say .....

What is your sexual orientation? (Please select one answer)

Heterosexual/straight .....  Other .....

Lesbian .....  Gay man .....

Bisexual .....  Prefer not to say .....

What is your religion or belief? (Please select one answer)

Buddhist .....  Christian .....

Hindu .....  Jewish .....

Muslim .....  Sikh .....

None .....  Prefer not to say .....

Other .....

If other, please specify:

How did you hear about this consultation? (Please select all that apply)

Leaflet .....  Poster .....

Email .....  Brent website .....

Brent Connects .....  Word of mouth .....

Brent Citizens' Panel .....  Local newspaper .....

Other .....

If other, please specify:



**HAVE YOUR SAY**

**Should we extend private rented property licensing?**

Since we introduced our selective licensing scheme for all private rental properties in Harlesden, Willesden Green and Wembley Central at the end of 2014, we've made great strides in tackling rogue landlords.

Licensing is proven to help tackle antisocial behaviour and overcrowding, and this year alone we've raided over 100 unlicensed or license-breaking properties and successfully prosecuted 43 landlords, resulting in fines over £280,000 and, in one case, a four month jail sentence. We've done this because we think that it's not fair that landlords should get away with cramming tenants into unsafe, unfit housing.

We're now running a consultation to find out what the people of Brent and other stakeholders think about extending the scheme so it applies to most or even all the borough.

For more information about the consultation and to complete the online survey, go to [www.brent.gov.uk/prslicensing2016](http://www.brent.gov.uk/prslicensing2016). You can also email: [prslicensing@brent.gov.uk](mailto:prslicensing@brent.gov.uk) or post your comments to: Tony Kimmott, Private Housing Services, Brent Civic Centre, Engineers Way, Wembley, HA9 0PJ.



**Appendix B: Questionnaire – Other Stakeholders**

**PRIVATE RENTED SECTOR LICENSING 2016 QUESTIONNAIRE: OTHER STAKEHOLDERS**

**ABOUT YOU**

Which of the following best describes you?  
(Please select one answer)

I am based in...  
(Please select one answer)

- |   |                          |   |                          |
|---|--------------------------|---|--------------------------|
| Neighbouring Local Authority.....                               | <input type="checkbox"/> | London Borough of Barnet.....                 | <input type="checkbox"/> |
| Resident in a neighbouring borough.....                         | <input type="checkbox"/> | London Borough of Camden.....                 | <input type="checkbox"/> |
| Business owner in a neighbouring borough.....                   | <input type="checkbox"/> | London Borough of Ealing.....                 | <input type="checkbox"/> |
| Landlord in neighbouring borough.....                           | <input type="checkbox"/> | London Borough of Harrow.....                 | <input type="checkbox"/> |
| Managing or Letting agent resident in neighbouring borough..... | <input type="checkbox"/> | London Borough of Hammersmith and Fulham..... | <input type="checkbox"/> |
| Other interested party.....                                     | <input type="checkbox"/> | Royal Borough of Kensington and Chelsea.....  | <input type="checkbox"/> |
|   |                          | London Borough of Westminster.....            | <input type="checkbox"/> |
|   |                          | Other.....                                    | <input type="checkbox"/> |

If other interested party, please give details

If other, please specify:



**LOCAL SOLUTIONS**

Selective Licensing is already in place in Willesden Green, Harlesden and Wembley Central and applications from landlords have seen a high number of properties licensed

Do you agree or disagree with the council's proposal to extend Selective Licensing in Brent? (Please select one answer)

- Yes, borough-wide.....  No.....
- Yes, but only where I am based.....  Don't know.....
- Yes, but in other areas around Brent.....

If yes, but only where I am based, please state location:

If yes, but in other areas around Brent, please specify:

Thinking about how the private rented sector as a whole in Brent might be improved, to what extent do you agree or disagree with the following statements?

(Please select one answer for each statement)

- |  | 1 (AGREE STRONGLY)       | 2 (TEND TO AGREE)        | 3 (NEUTRAL)              | 4 (TEND TO DISAGREE)     | 5 (DISAGREE STRONGLY)    |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Brent Council should intervene in areas suffering from high levels of anti-social behaviour.....   | <input type="checkbox"/> |
| Brent Council should have more control over the way private landlords manage their properties.....   | <input type="checkbox"/> |
| Licensing of the privately rented sector will help to reduce anti-social behaviour in the borough.....   | <input type="checkbox"/> |
| Licensing of the privately rented sector will ensure that properties in poor condition are properly managed to prevent further deterioration.....            | <input type="checkbox"/> |
| Licensing of the privately rented sector will ensure that people who occupy properties do not live in poorly managed housing or unacceptable conditions..... | <input type="checkbox"/> |
| Licensing of the privately rented sector will help to preserve and improve the social and economic status of the local area.....                             | <input type="checkbox"/> |
| Licensing of the privately rented sector will reduce the impact of criminal activity on residents and businesses in Brent.....                               | <input type="checkbox"/> |

**SELECTIVE LICENSING CONDITIONS**

The council has discretion to set precise conditions of the license. These can include conditions relating to use and occupation of the house, and measures to deal with anti-social behaviour of actual tenants or those visiting the property.

There are also certain mandatory conditions which must be included in a license. For example, licensees are required to:

- Present a gas safety certificate annually to the LHA, if gas is supplied to the house
- Keep electrical appliances and furniture (supplied under the tenancy) in a safe condition
- Keep smoke alarms in proper working order
- Supply the occupier with a written statement of the terms of occupation
- Demand references from persons wishing to occupy the house

Full selective licensing conditions can be found at [www.brent.gov.uk/media/16443028/selective-licensing-conditions-booklet.pdf](http://www.brent.gov.uk/media/16443028/selective-licensing-conditions-booklet.pdf)

To what extent do you agree or disagree that the proposed selective licensing conditions are reasonable?

- |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 (AGREE STRONGLY)       | 2 (TEND TO AGREE)        | 3 (NEUTRAL)              | 4 (TEND TO DISAGREE)     | 5 (DISAGREE STRONGLY)    |
| <input type="checkbox"/> |

If you 'tend to disagree' or 'disagree strongly' with the proposed selective licensing conditions, please tell us why:

If you have any further comments regarding this proposal, please tell us below:

PRIVATE RENTED SECTOR LICENSING 2016 QUESTIONNAIRE - OTHER STAKEHOLDERS

### MORE ABOUT YOU

Please tell us a bit more about you to help us ensure that all our services are delivered fairly. We appreciate that some of these questions are personal. We ask for this information to help us ensure that we are meeting the needs of all our service users. If you do not wish to answer one of the questions, please select 'prefer not to say'. The information will be treated confidentially in line with the Data Protection Act 1998.

Please tell us your postcode:

<p><b>How long have you owned property/properties in Brent?</b> (Please select one answer)</p> <p>Less than one year ..... <input type="checkbox"/></p> <p>One to two years ..... <input type="checkbox"/></p> <p>Two to five years ..... <input type="checkbox"/></p> <p>Five to ten years ..... <input type="checkbox"/></p> <p>More than ten years ..... <input type="checkbox"/></p> <p>Don't own a property in Brent ..... <input type="checkbox"/></p> <p><b>Are you?</b> (Please select one answer)</p> <p>Male ..... <input type="checkbox"/></p> <p>Female ..... <input type="checkbox"/></p> <p>Prefer not to say ..... <input type="checkbox"/></p> <p><b>What is your age group?</b> (Please select one answer)</p> <p>Under 18 ..... <input type="checkbox"/></p> <p>18 - 24 ..... <input type="checkbox"/></p> <p>25 - 34 ..... <input type="checkbox"/></p> <p>35 - 44 ..... <input type="checkbox"/></p> <p>45 - 54 ..... <input type="checkbox"/></p> <p>55 - 60 ..... <input type="checkbox"/></p> <p>61+ ..... <input type="checkbox"/></p> <p>Prefer not to say ..... <input type="checkbox"/></p>	<p><b>How would you describe your ethnic background?</b> (Please select one answer)</p> <p>White: English/Welsh/Scottish/Northern Irish/British ..... <input type="checkbox"/></p> <p>White: Irish ..... <input type="checkbox"/></p> <p>White: Gypsy or Irish Traveller ..... <input type="checkbox"/></p> <p>Any other White background ..... <input type="checkbox"/></p> <p>White and Black Caribbean ..... <input type="checkbox"/></p> <p>White and Black African ..... <input type="checkbox"/></p> <p>White and Asian ..... <input type="checkbox"/></p> <p>African: Black/African/Caribbean/Black British ..... <input type="checkbox"/></p> <p>Caribbean: Black/African/Caribbean/Black British ..... <input type="checkbox"/></p> <p>Any other Black/African/Caribbean background ..... <input type="checkbox"/></p> <p>Chinese/Asian/Asian British ..... <input type="checkbox"/></p> <p>Bangladeshi/Asian/Asian British ..... <input type="checkbox"/></p> <p>Pakistani/Asian/Asian British ..... <input type="checkbox"/></p> <p>Indian/Asian/Asian British ..... <input type="checkbox"/></p> <p>Any other Asian background ..... <input type="checkbox"/></p> <p>Arab ..... <input type="checkbox"/></p> <p>Any other mixed/multiple ethnic background ..... <input type="checkbox"/></p> <p>Any other ethnic group ..... <input type="checkbox"/></p> <p>Prefer not to say ..... <input type="checkbox"/></p>
--	--

### MORE ABOUT YOU

**What is your religion or belief?**  
(Please select one answer)

Buddhist .....

Christian .....

Hindu .....

Jewish .....

Muslim .....

Sikh .....

None .....

Prefer not to say .....

Other .....

If other, please specify:

**How did you hear about this consultation?**  
(Please select all that apply)

Leaflet .....

Poster .....

Email .....

Brent website .....

Brent Connects .....

Brent Citizens' Panel .....

Word of mouth .....

Local newspaper .....

Other .....

If other, please specify:

**Do you have any long-standing illness, disability or infirmity?**  
(Long-standing means anything that has troubled you over a period of time or that is likely to affect you over a period of time)

Yes  No

**What is your sexual orientation?**  
(Please select one answer)

Heterosexual/straight .....

Lesbian .....

Gay man .....

Bisexual .....

Prefer not to say .....

Other .....

If other, please specify:

## HAVE YOUR SAY

### Should we extend private rented property licensing?

Since we introduced our selective licensing scheme for all private rental properties in Harlesden, Willesden Green and Wembley Central at the end of 2014, we've made great strides in tackling rogue landlords.

Licensing is proven to help tackle antisocial behaviour and overcrowding, and this year alone we've raised over 100 unlicensed or licence-breaking properties and successfully prosecuted 43 landlords, resulting in fines over £300,000 and, in one case, a four month jail sentence. We've done this because we think that it's not fair that landlords should get away with cramming tenants into unsafe, unfit housing.

We're now running a consultation to find out what the people of Brent and other stakeholders think about extending the scheme so it applies to most or even all the borough.

For more information about the consultation and to complete the online survey go to [www.brent.gov.uk/privateletting2016](http://www.brent.gov.uk/privateletting2016)

You can also email [privateletting@brent.gov.uk](mailto:privateletting@brent.gov.uk) or post your comments to: Tony Summitt, Private Letting Services, Brent Civic Centre, Engineers Way, Wembley HA9 6PZ

## APPENDIX C: PRS Licensing 2016 Questionnaire Consultation Charts

### APPENDIX C1: PRS Licensing 2016 Questionnaire Consultation Responses - Residents, Tenants and Businesses in Brent

Respondents were asked in what capacity they were completing the questionnaire.

Figure 1 Response levels by respondent type

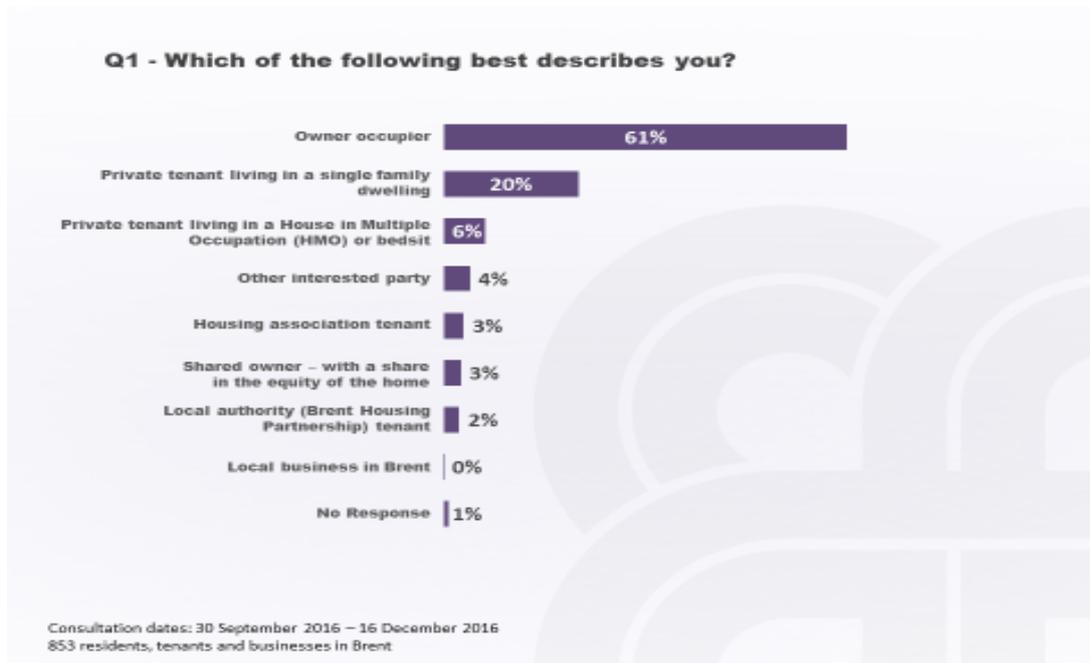


Figure 2 Problems in the local area, rating of those problems by respondents

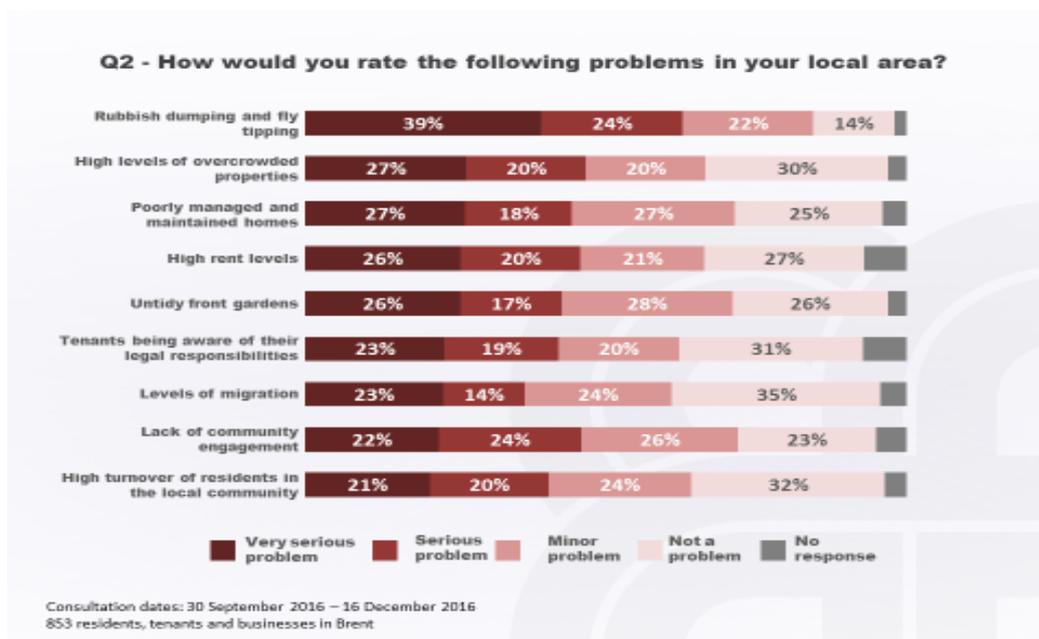


Figure 2 Problems in the local area, rating of those problems by respondents

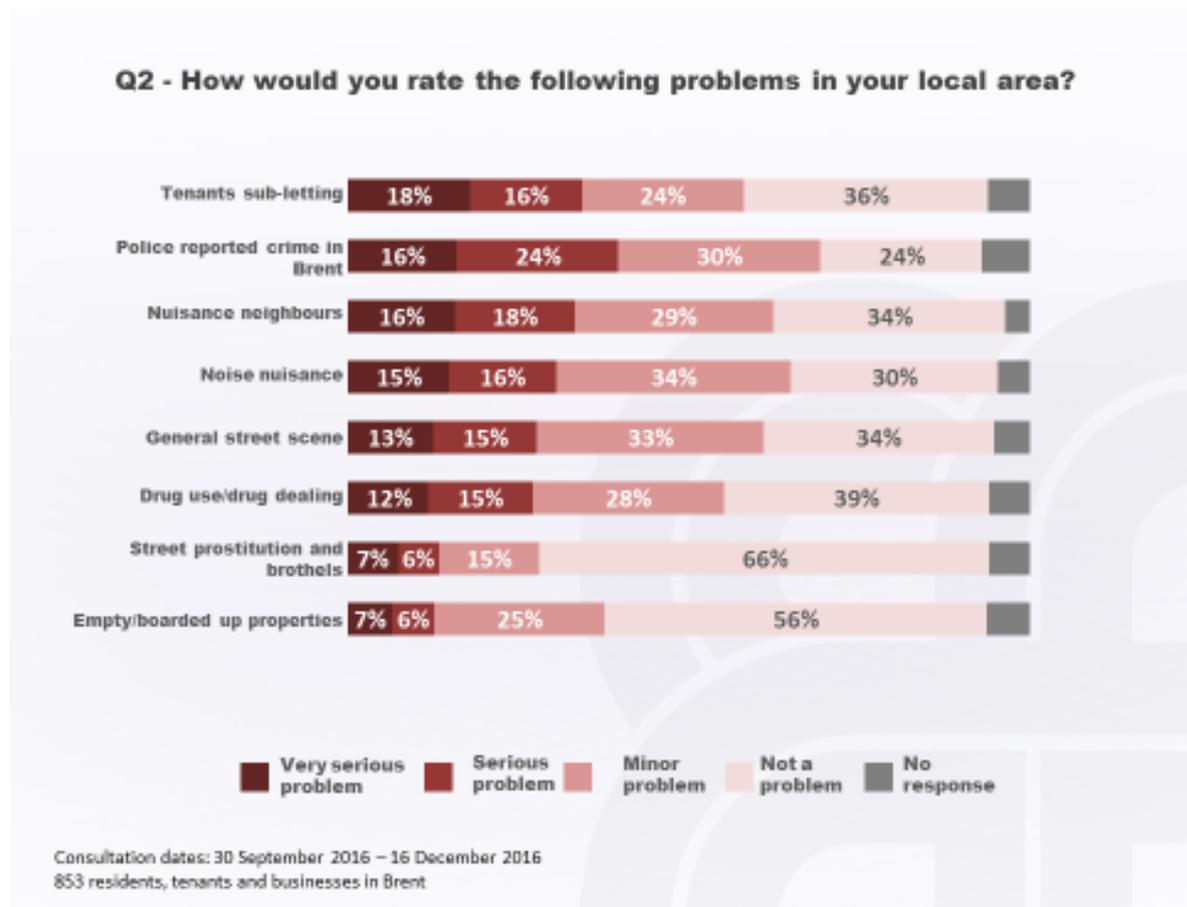


Figure 3

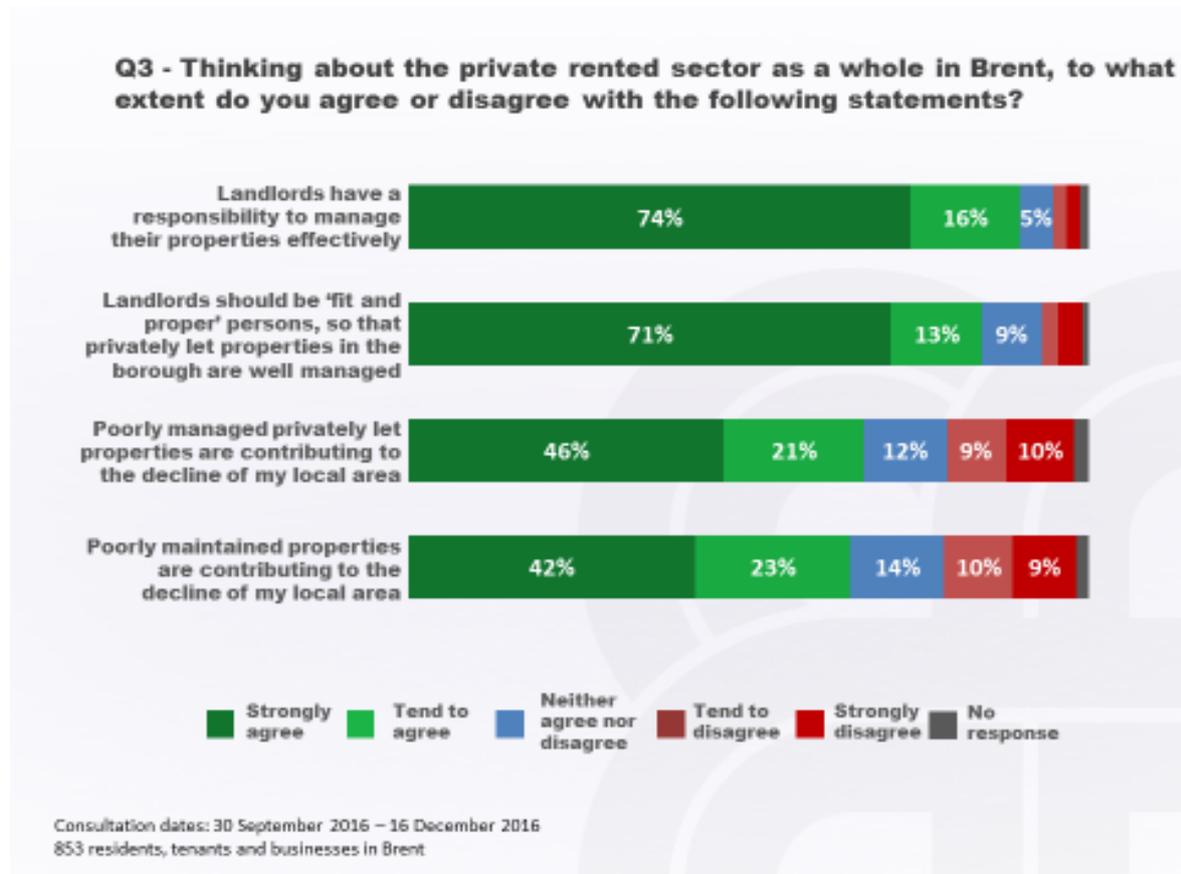


Figure 4

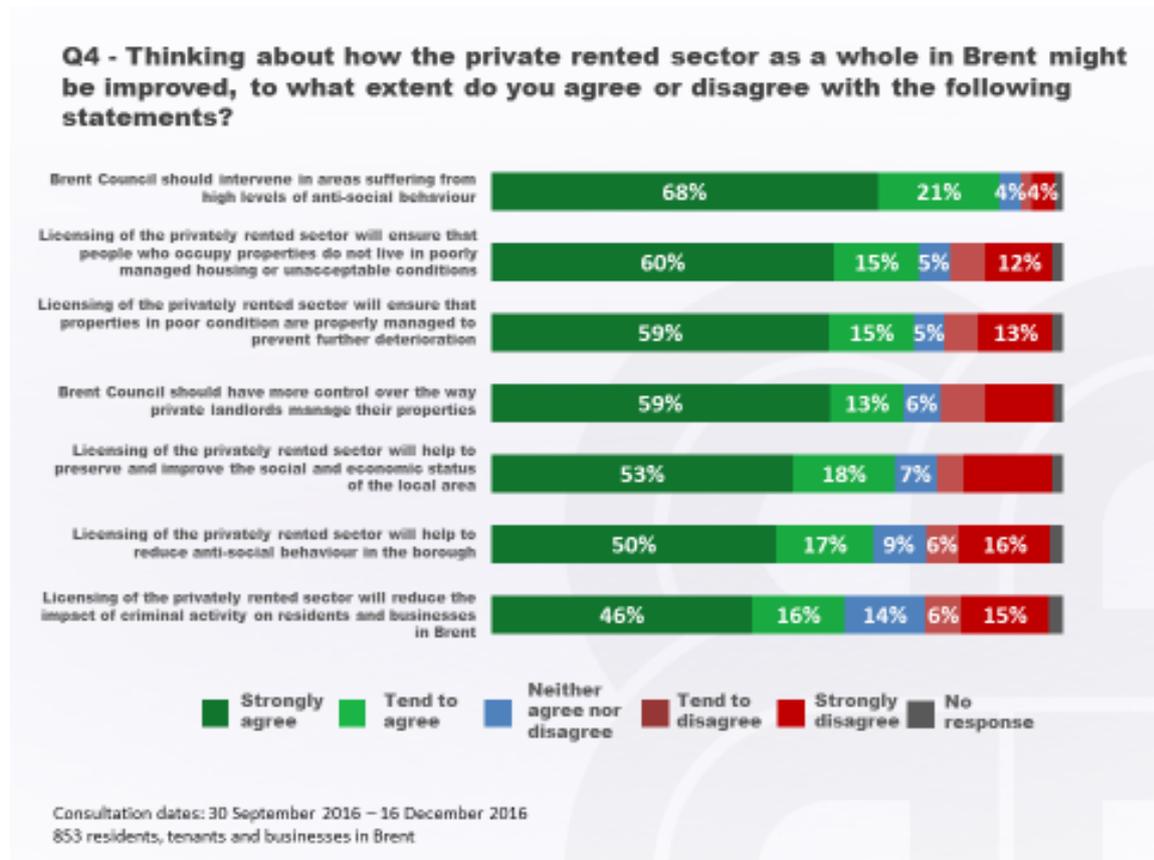


Figure 5

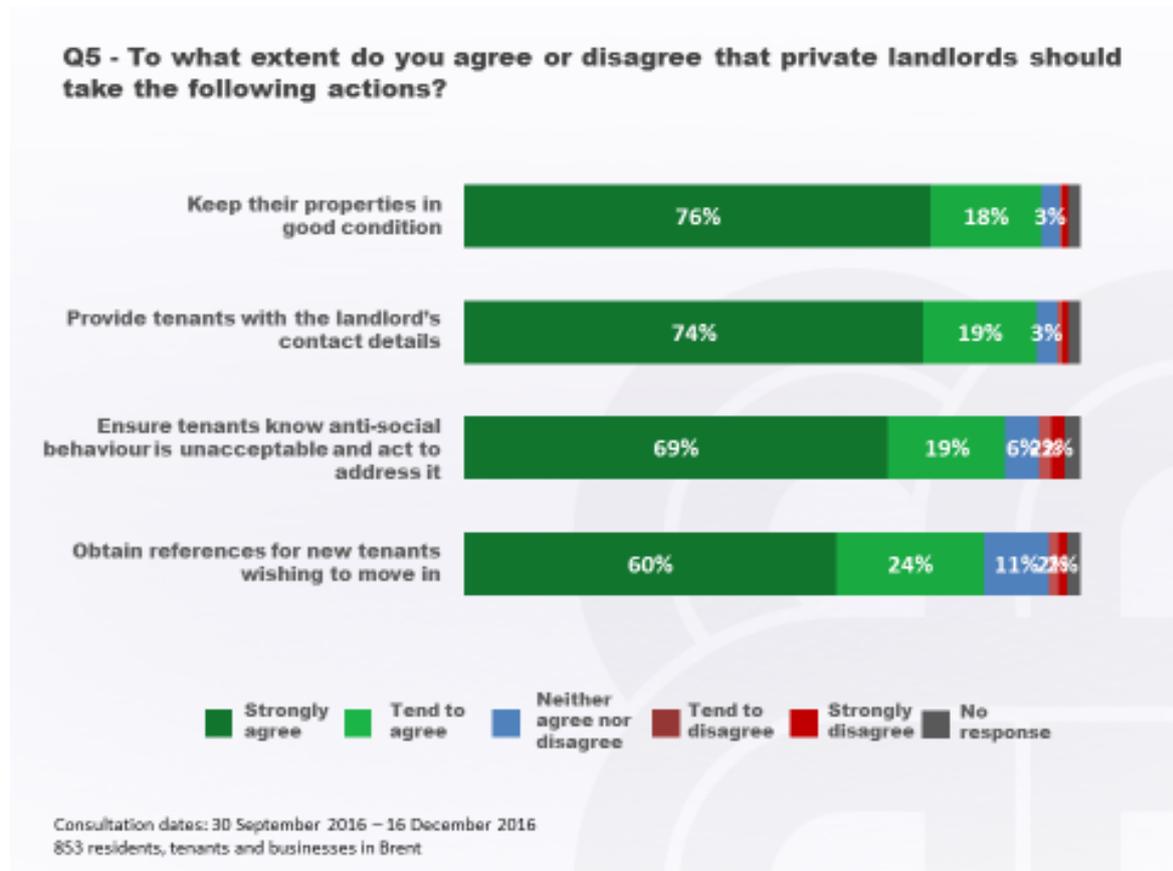


Figure 6

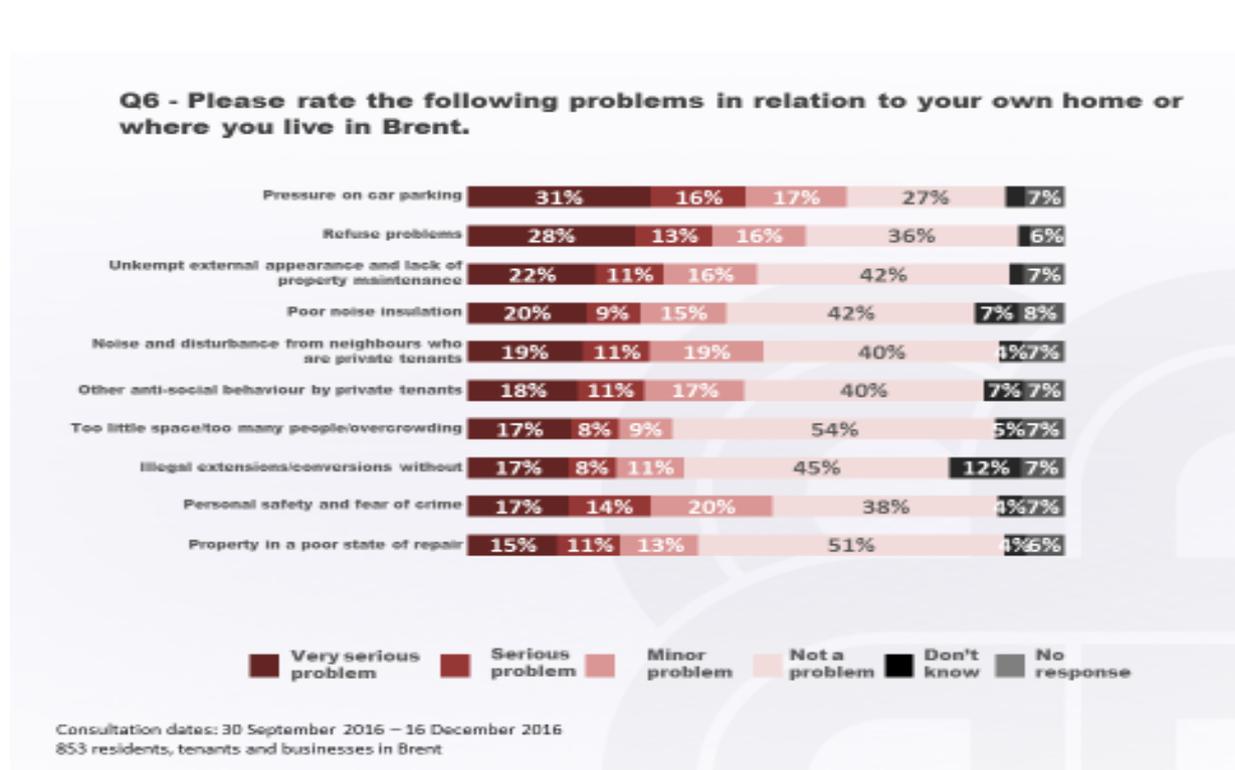


Figure 6

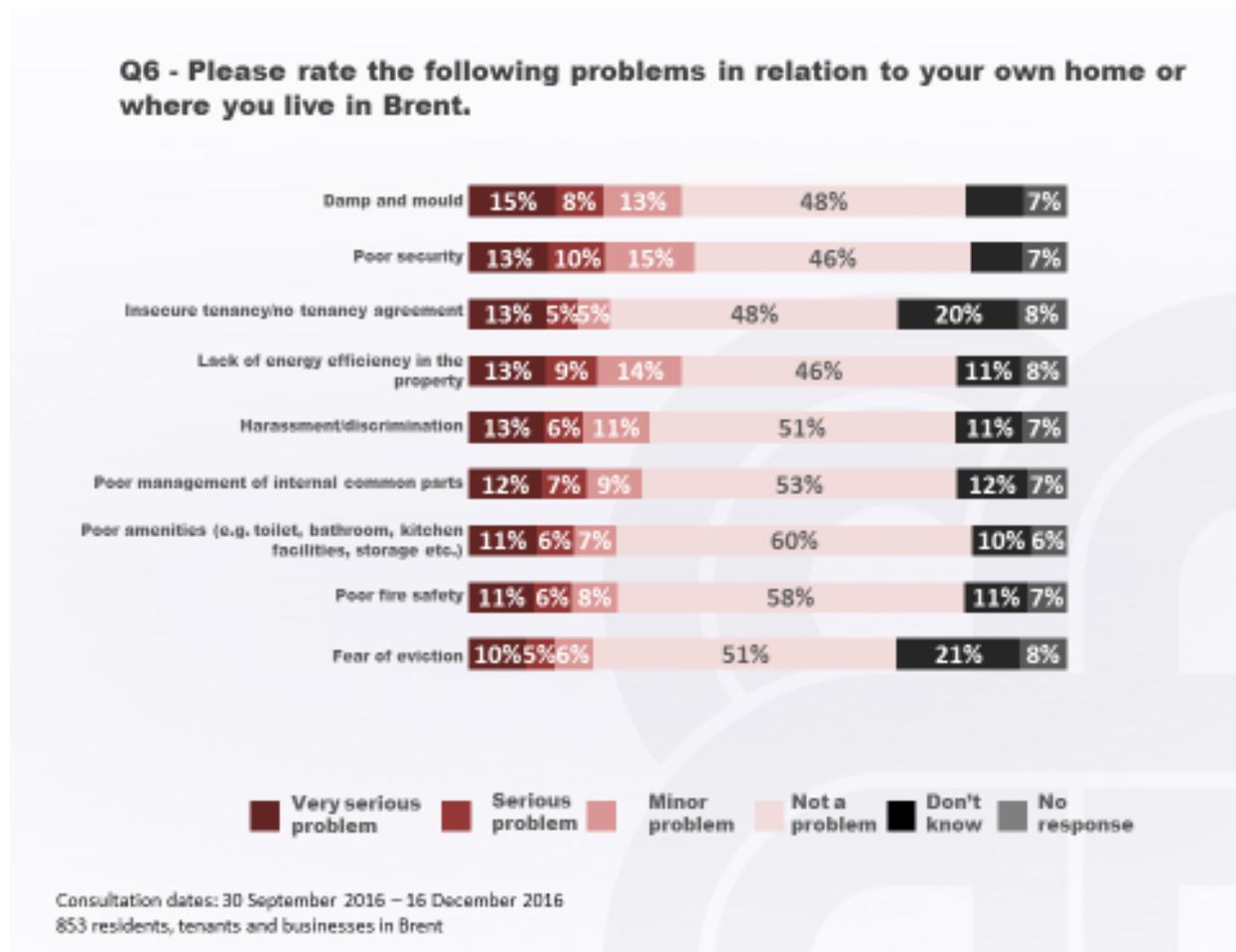


Figure 7

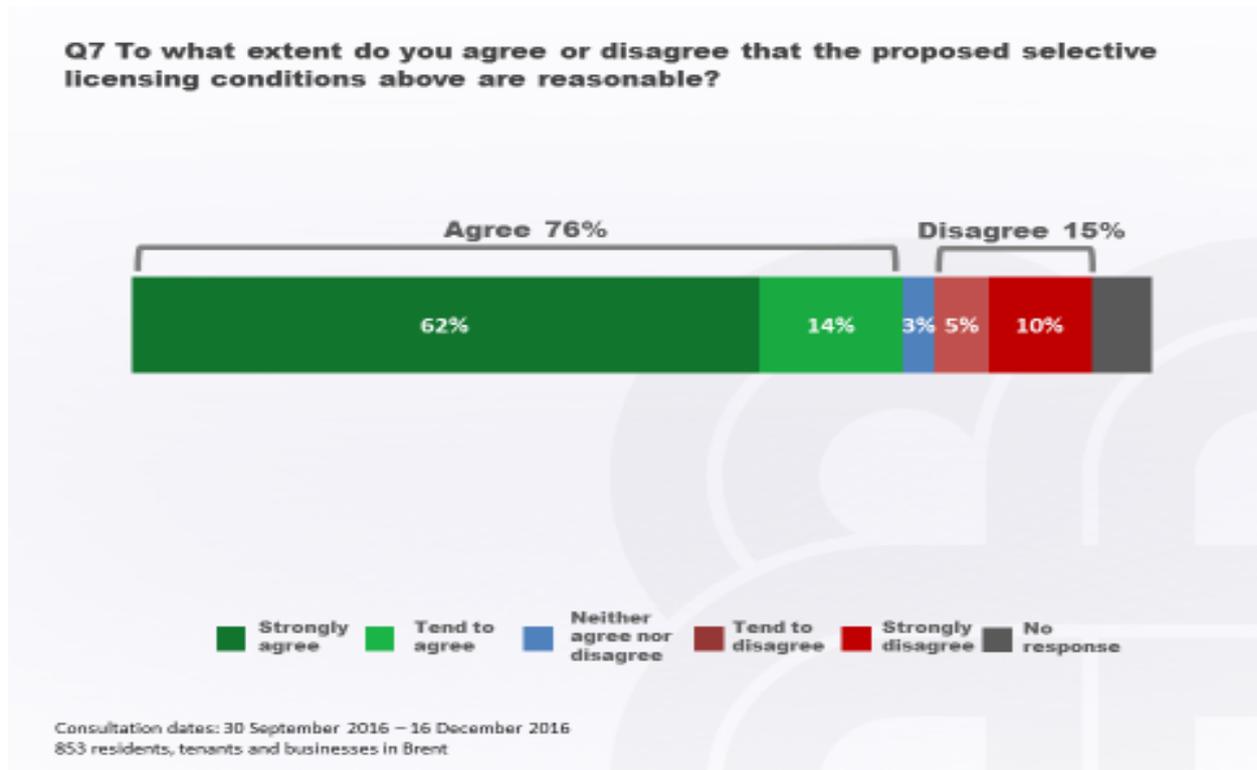


Figure 8

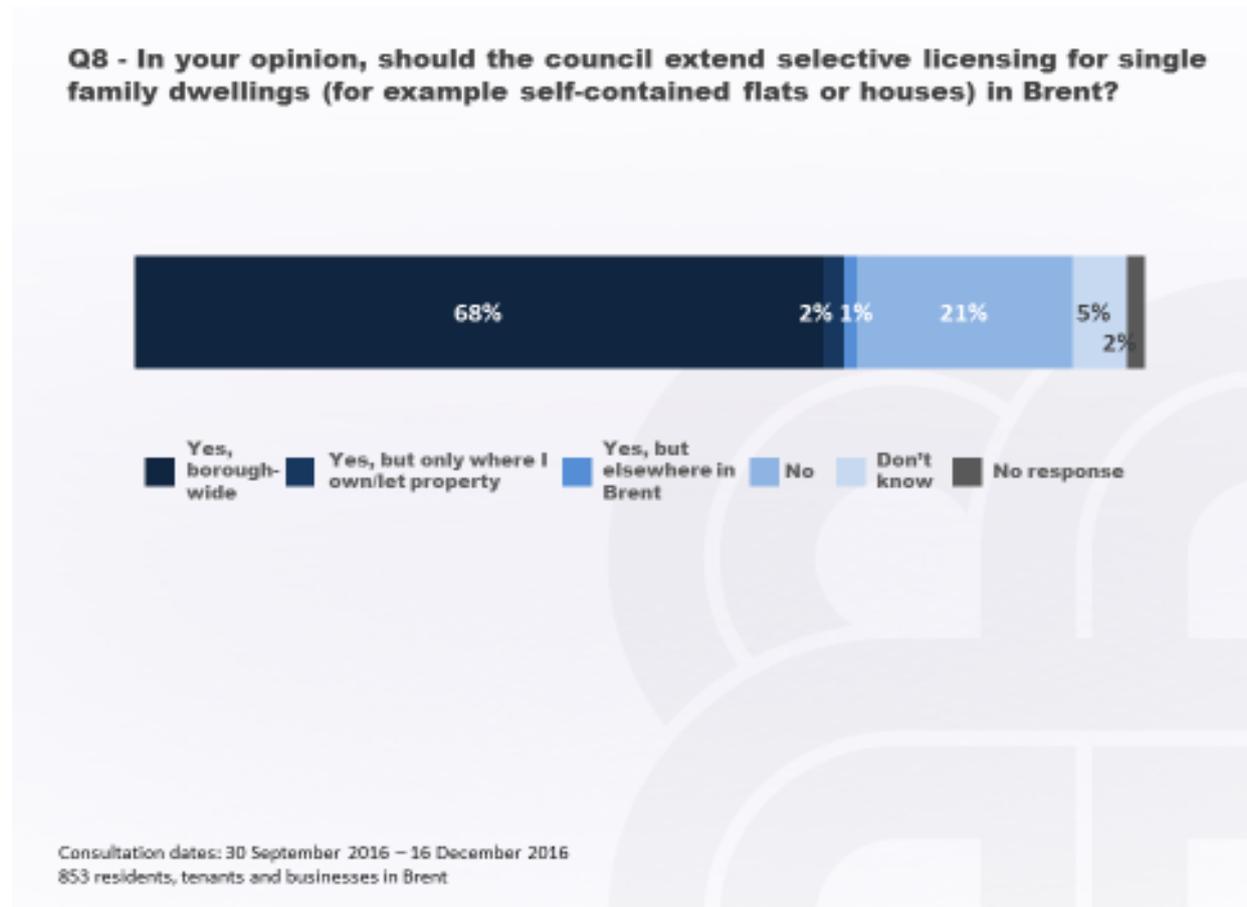


Figure 9

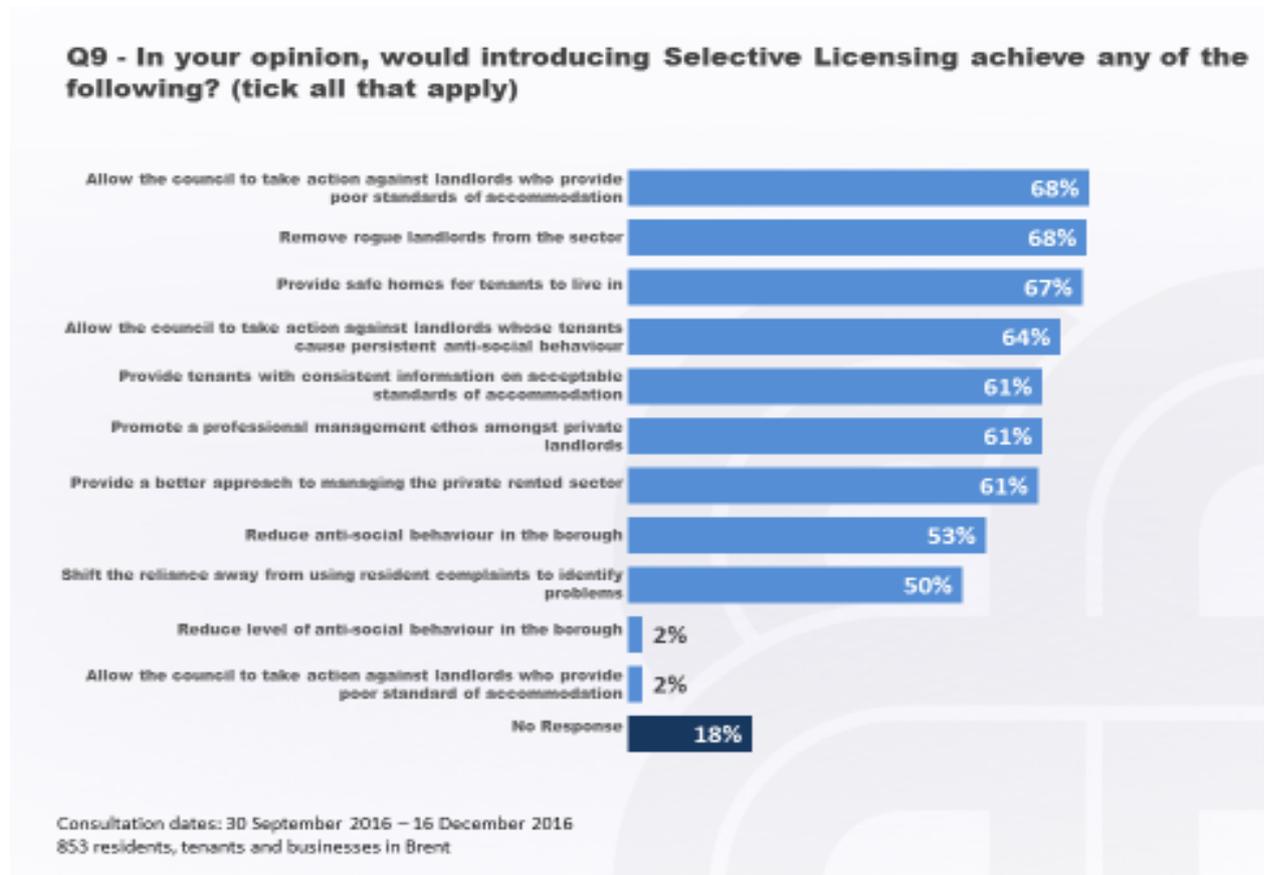


Figure 10

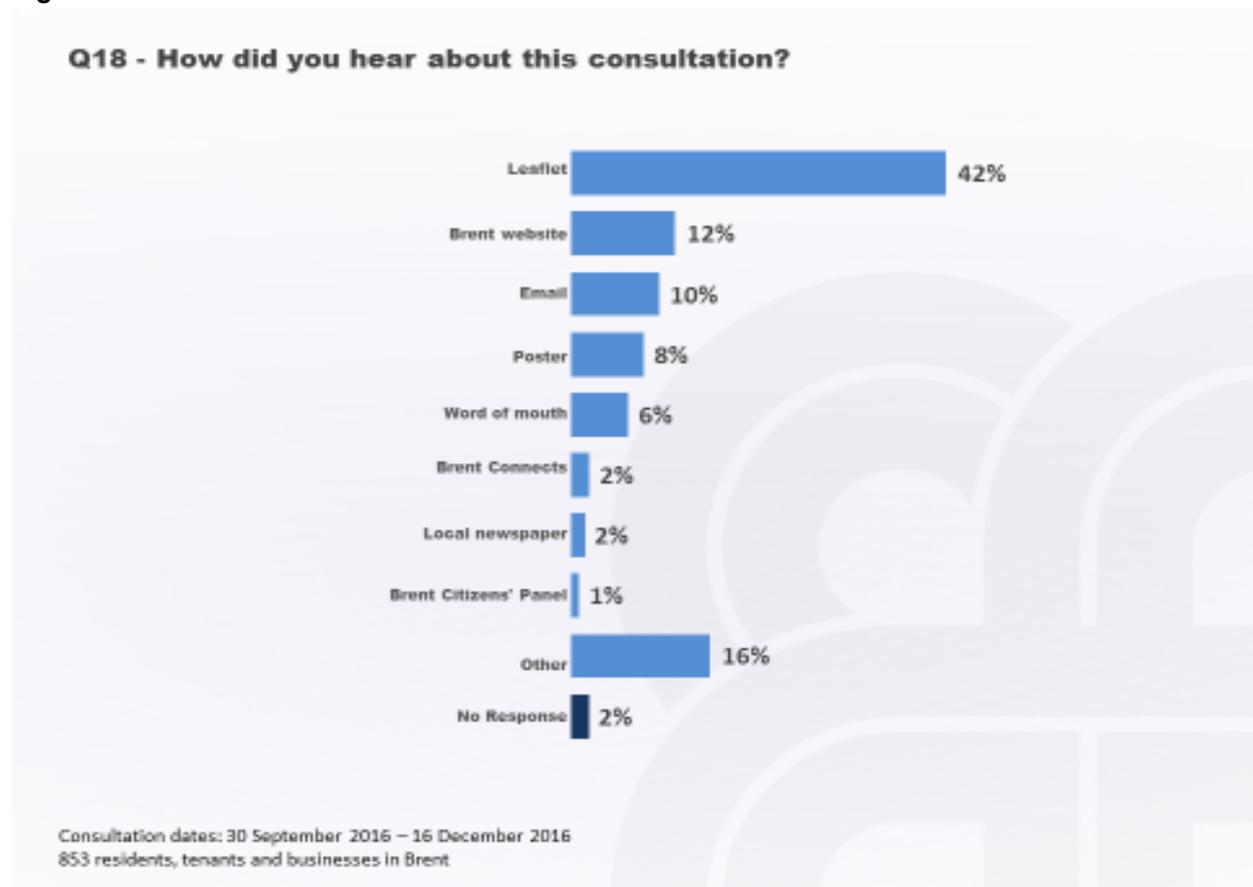
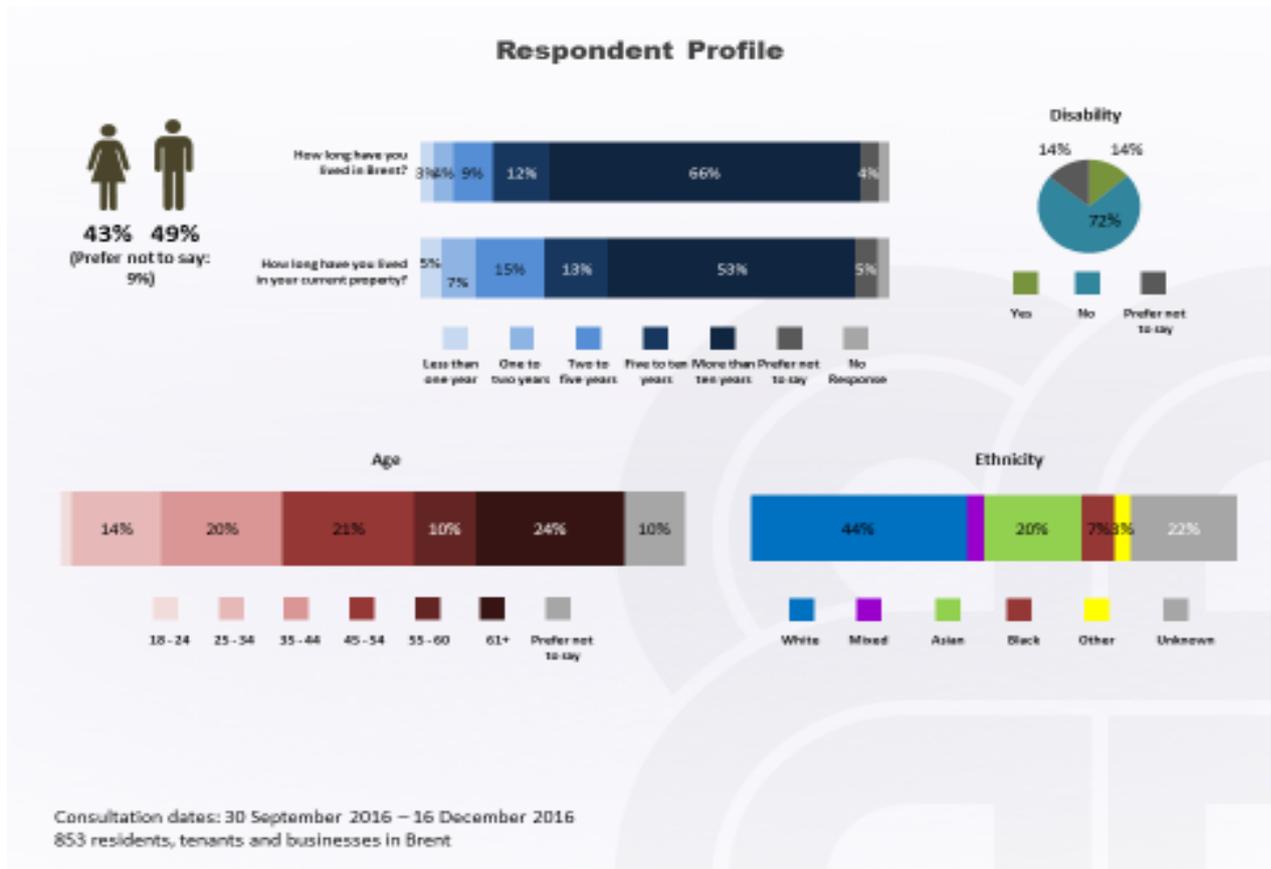


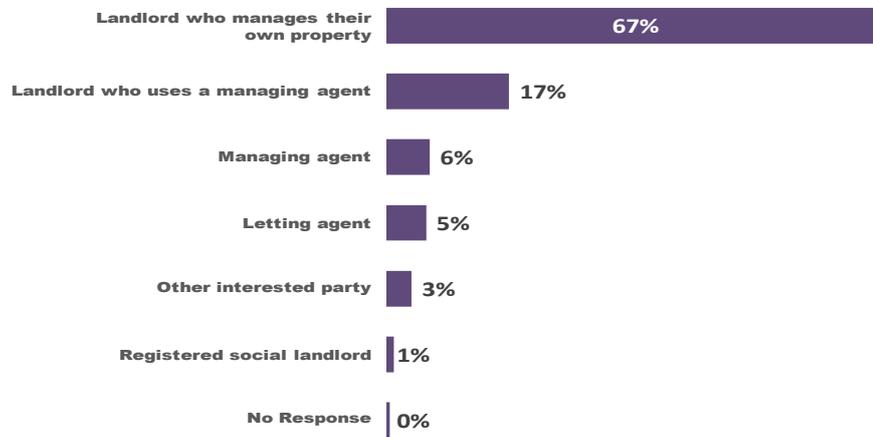
Figure 11 Respondent Profile



PRS Licensing 2016 Questionnaire Consultation Responses – Landlords and managing agents

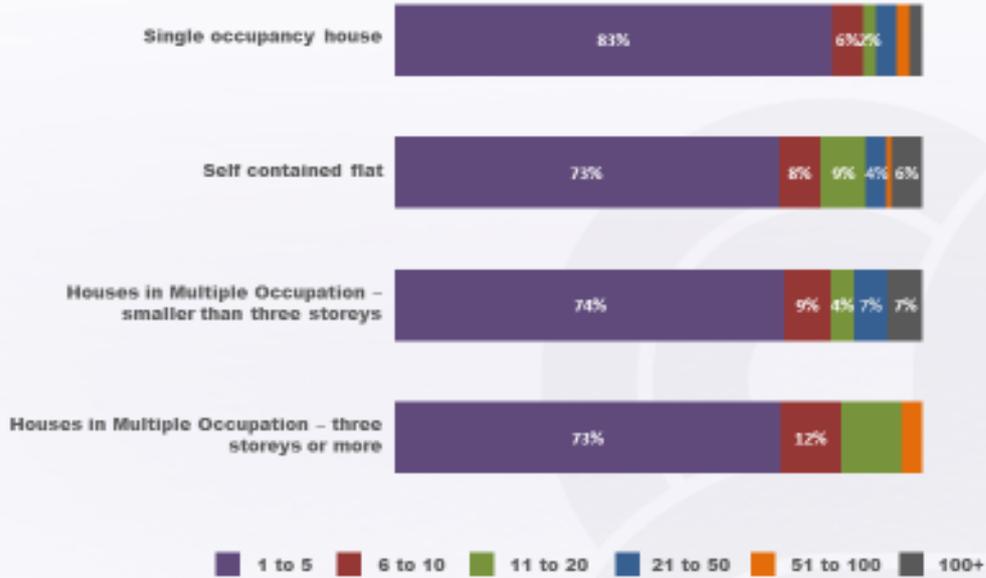
Figure 12 Landlords respondent type

**Q1 - Which of the following best describes you?**



Consultation dates: 30 September 2016 – 16 December 2016  
205 landlords and managing agents

**Q2: Type/number of properties owned/managed in Brent**



Consultation dates: 30 September 2016 – 16 December 2016  
205 landlords and managing agents

Figure 14

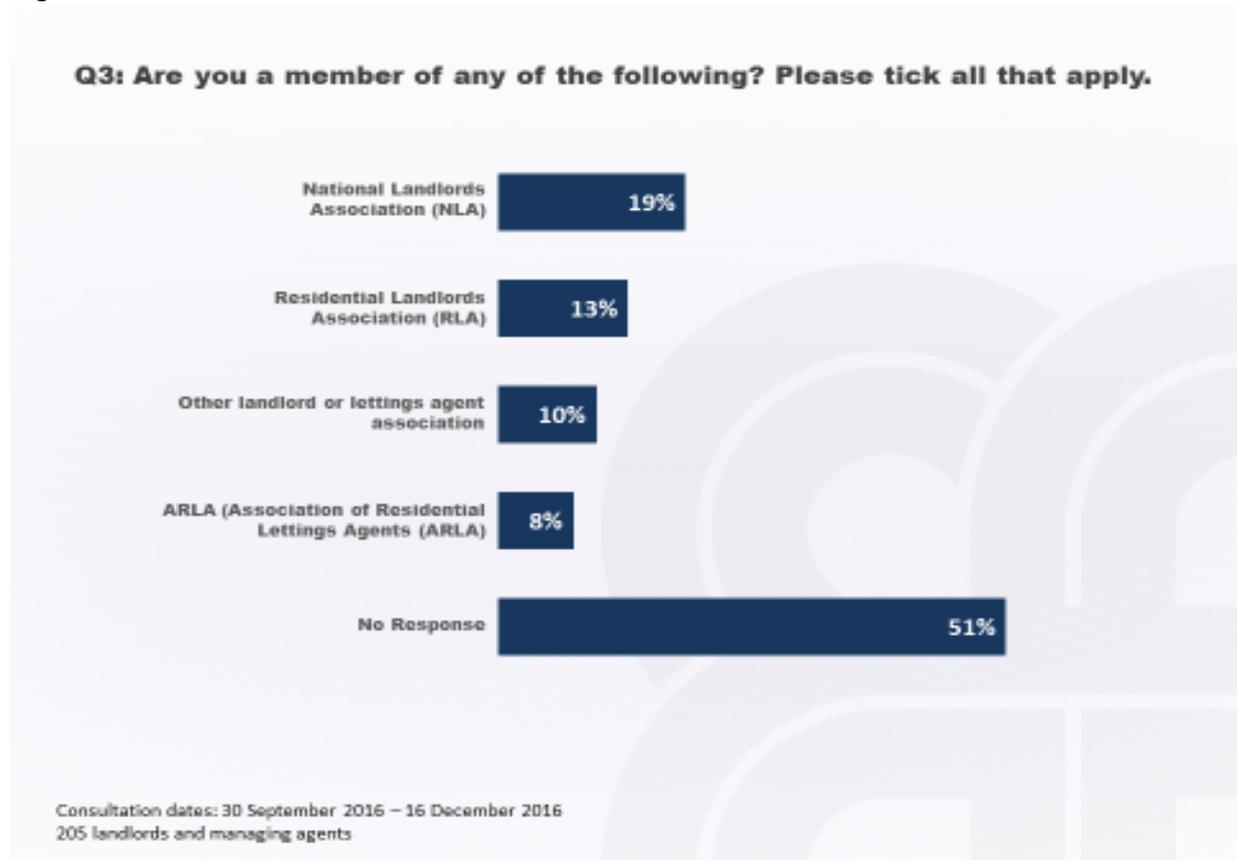


Figure 15

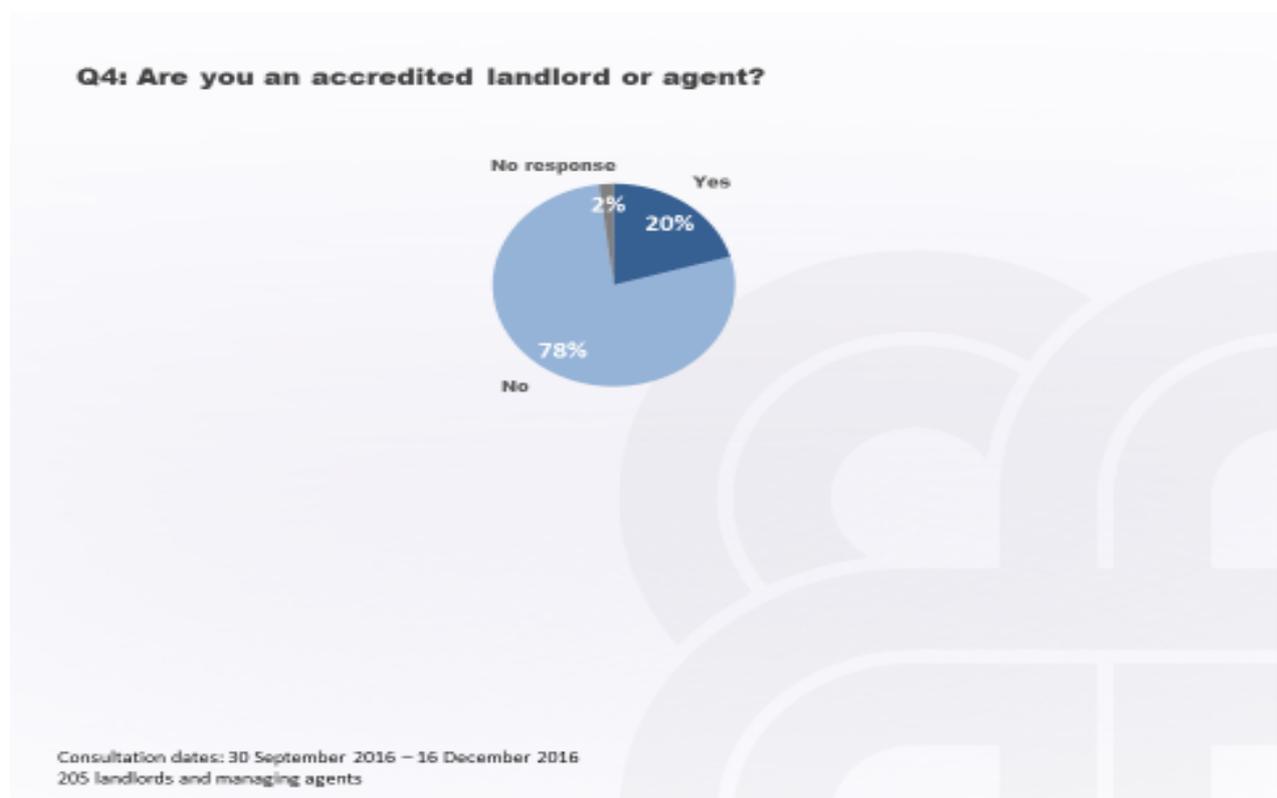


Figure 16

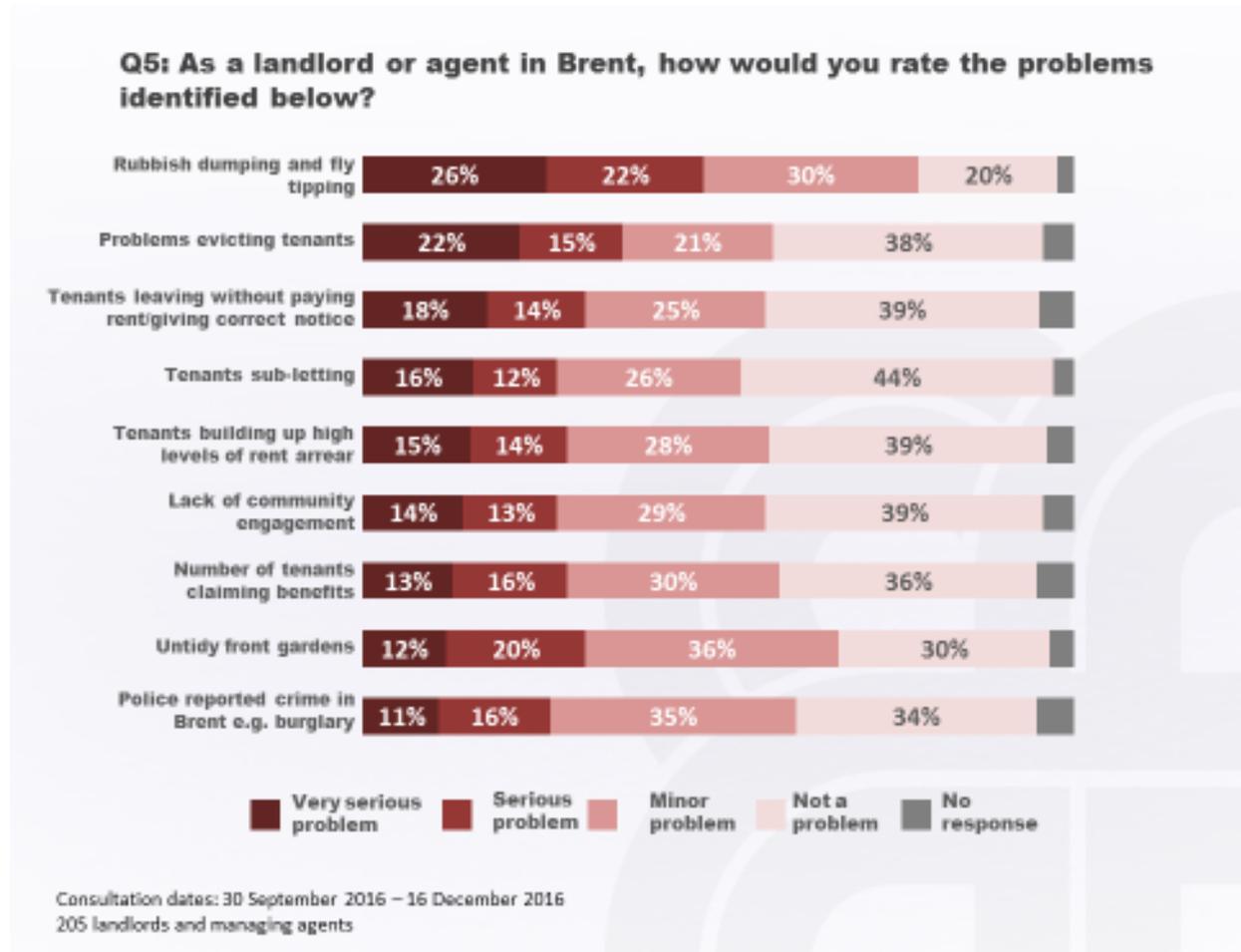


Figure 17

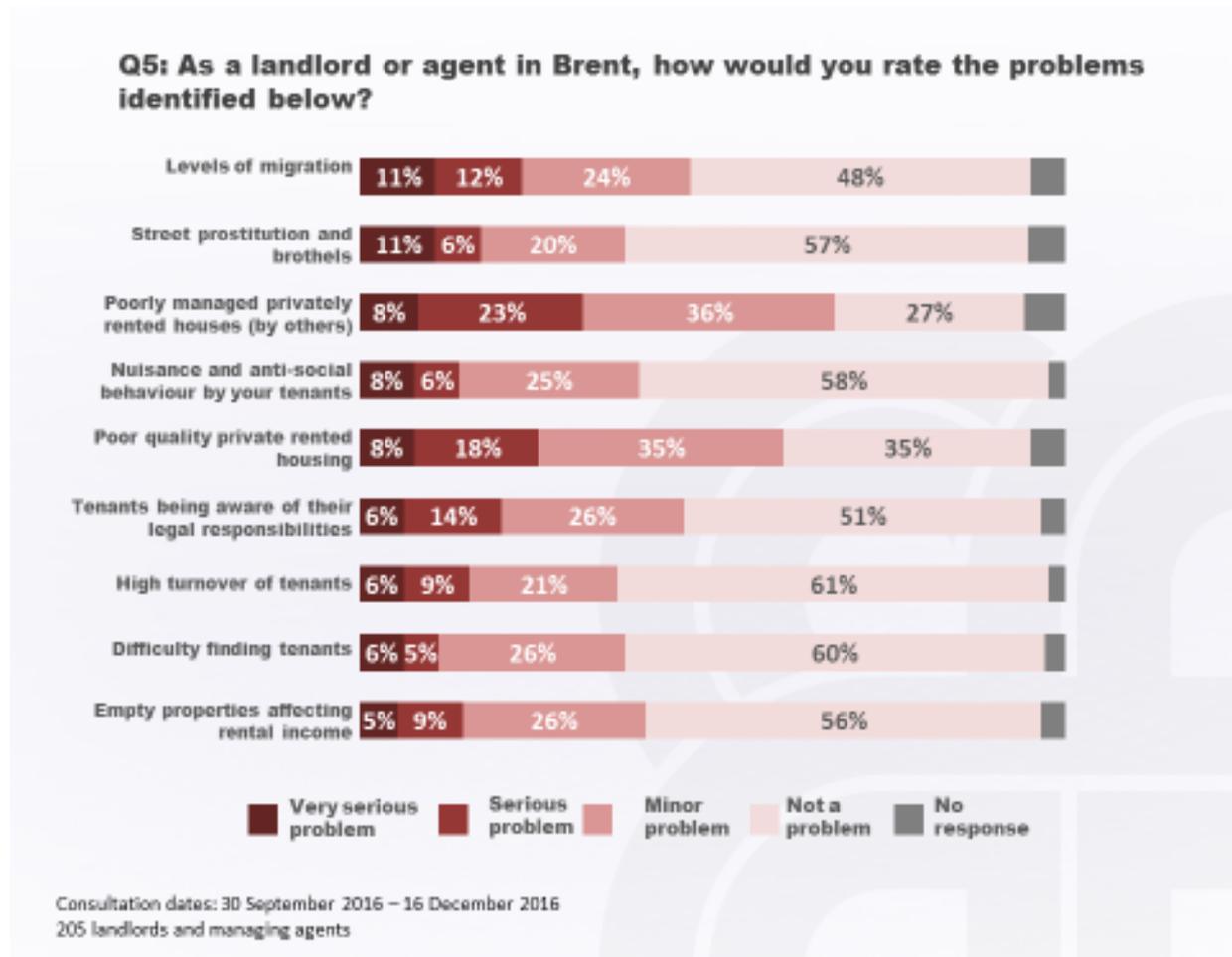


Figure 18

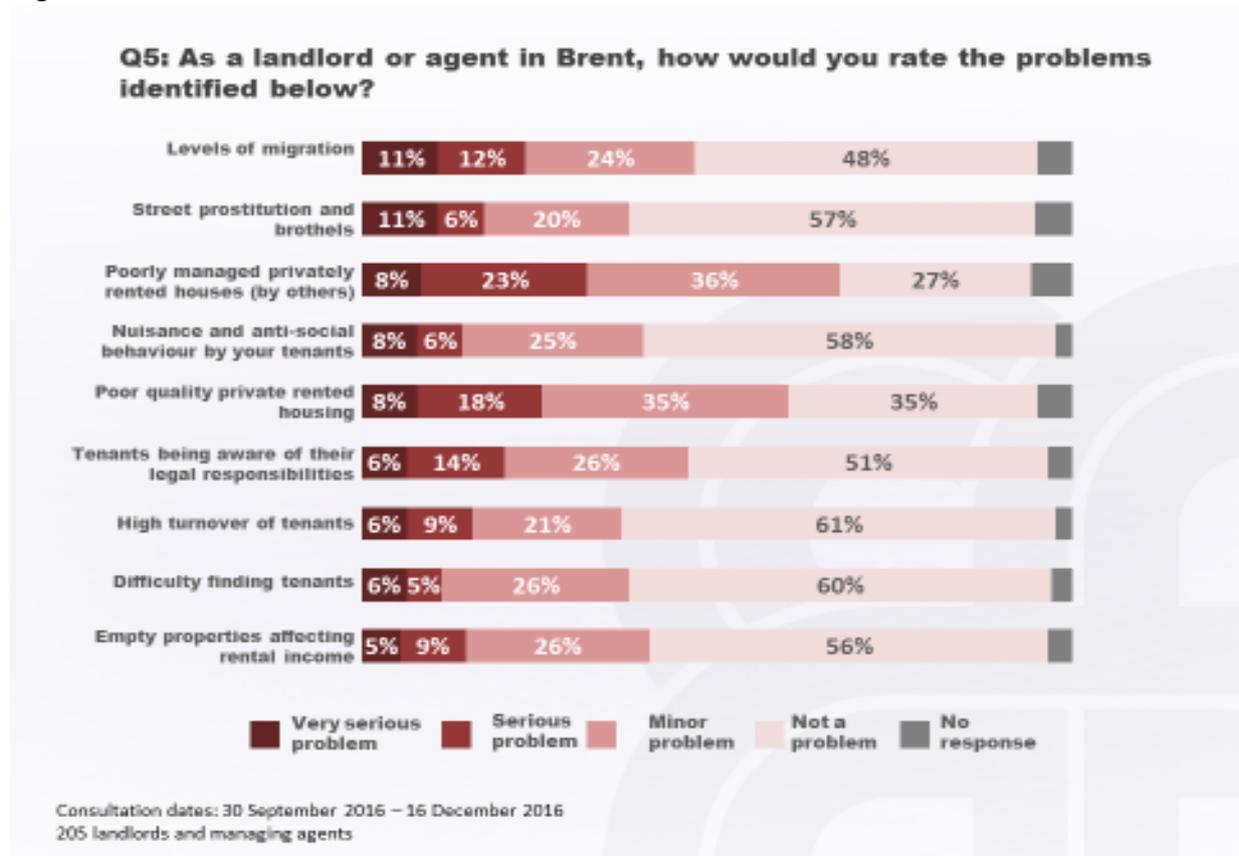


Figure 19

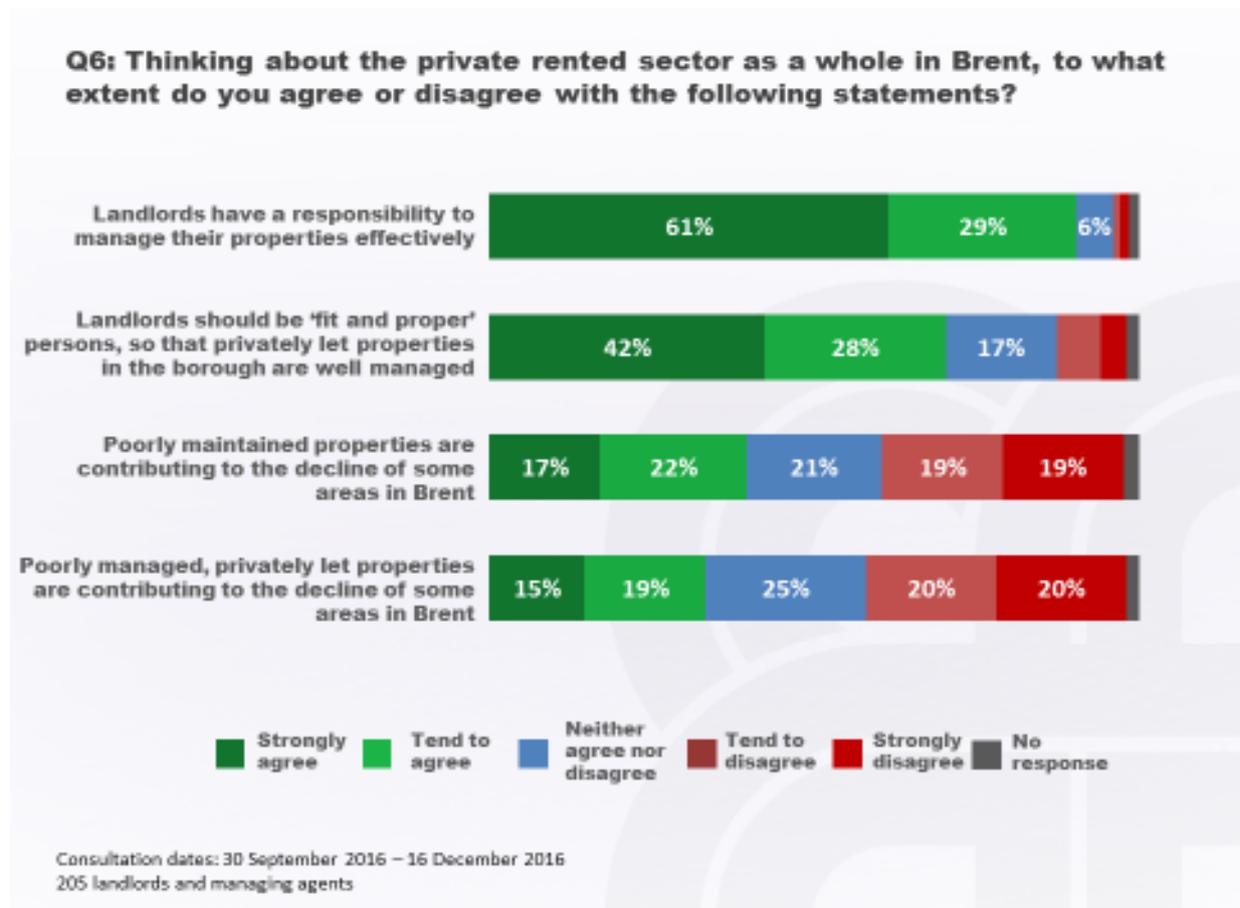


Figure 20

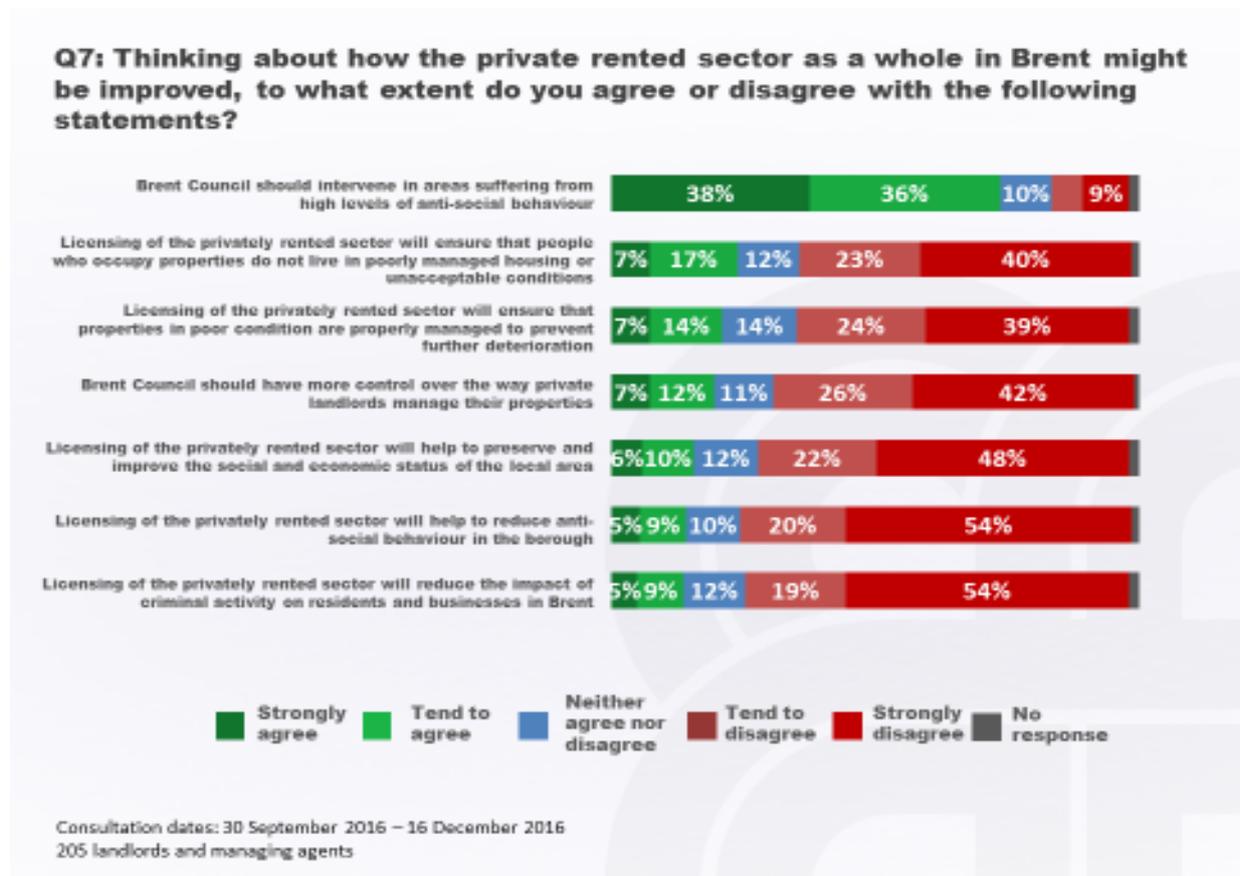


Figure 21

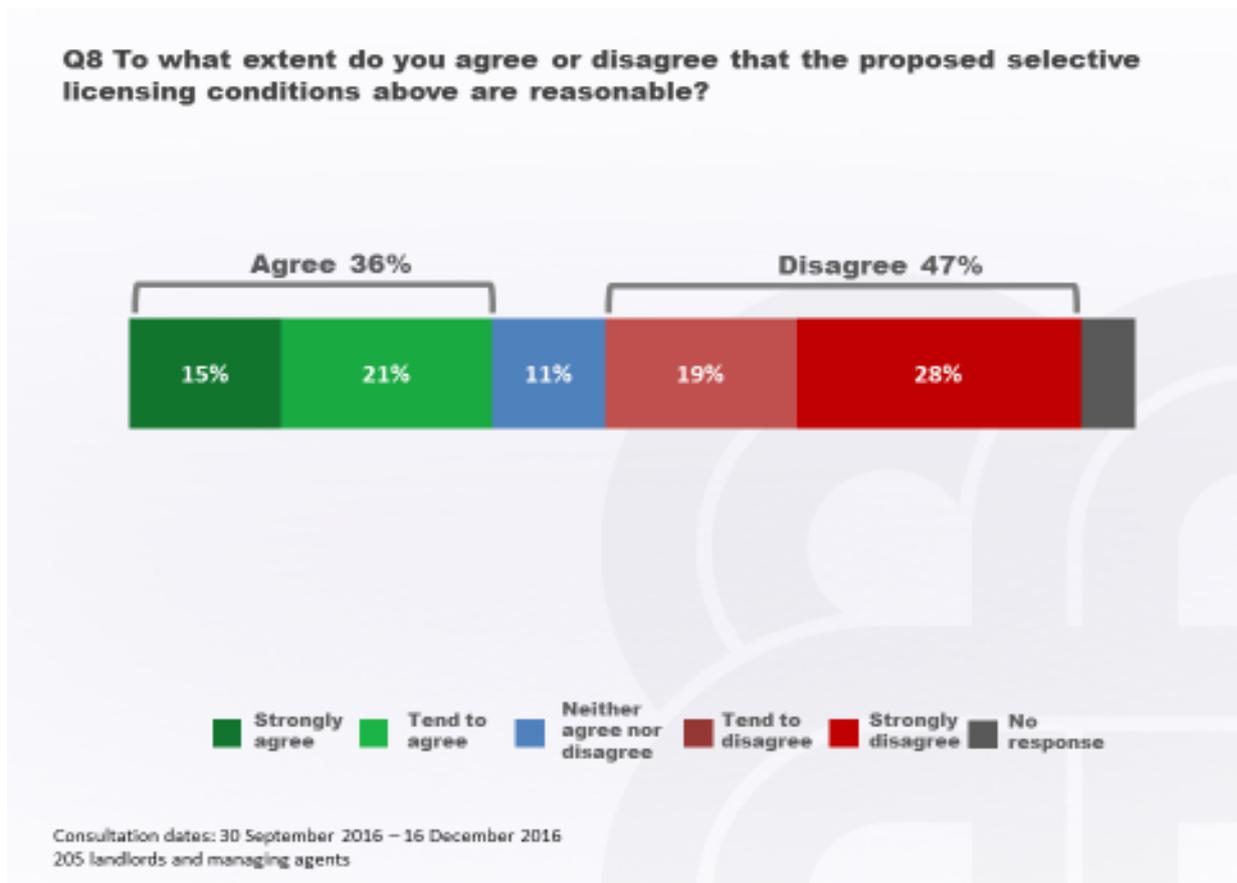


Figure 22

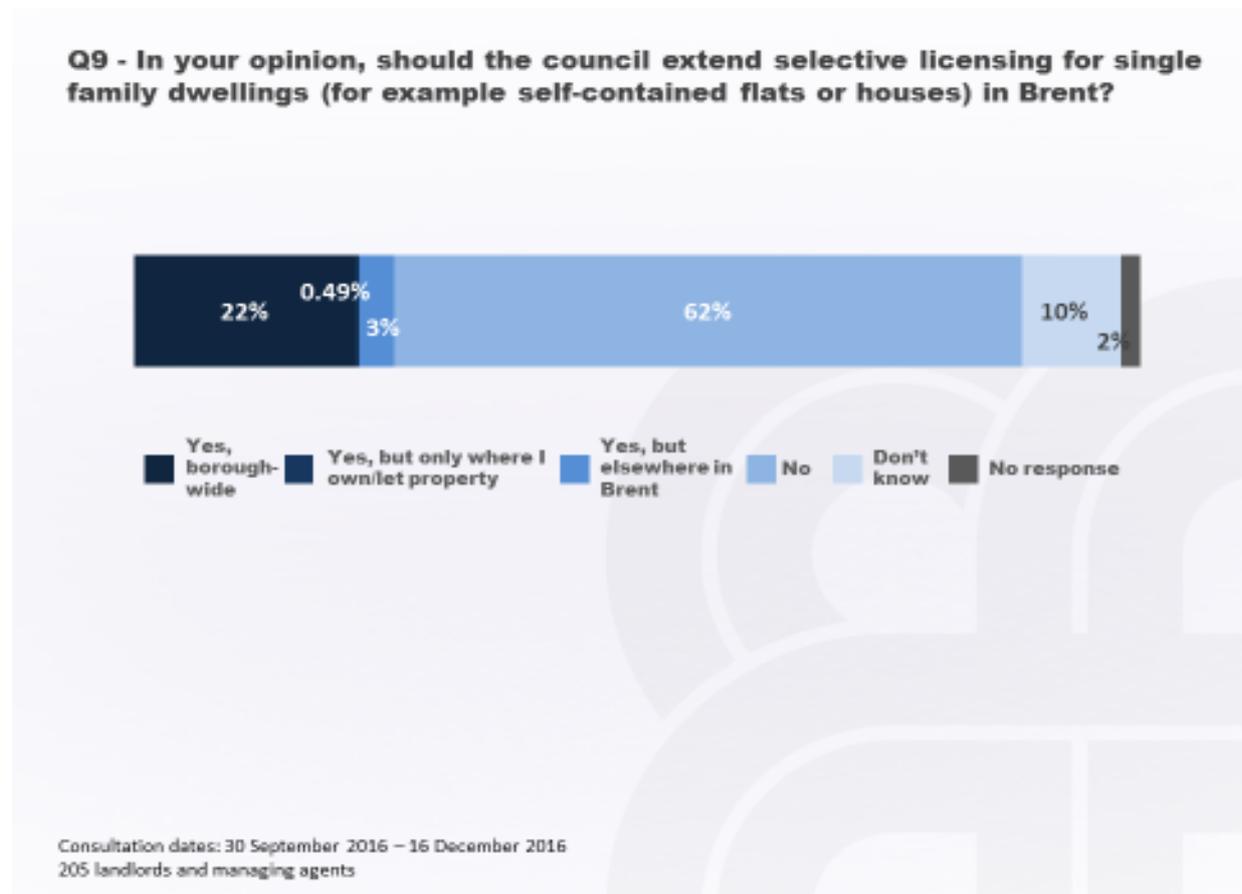


Figure 23

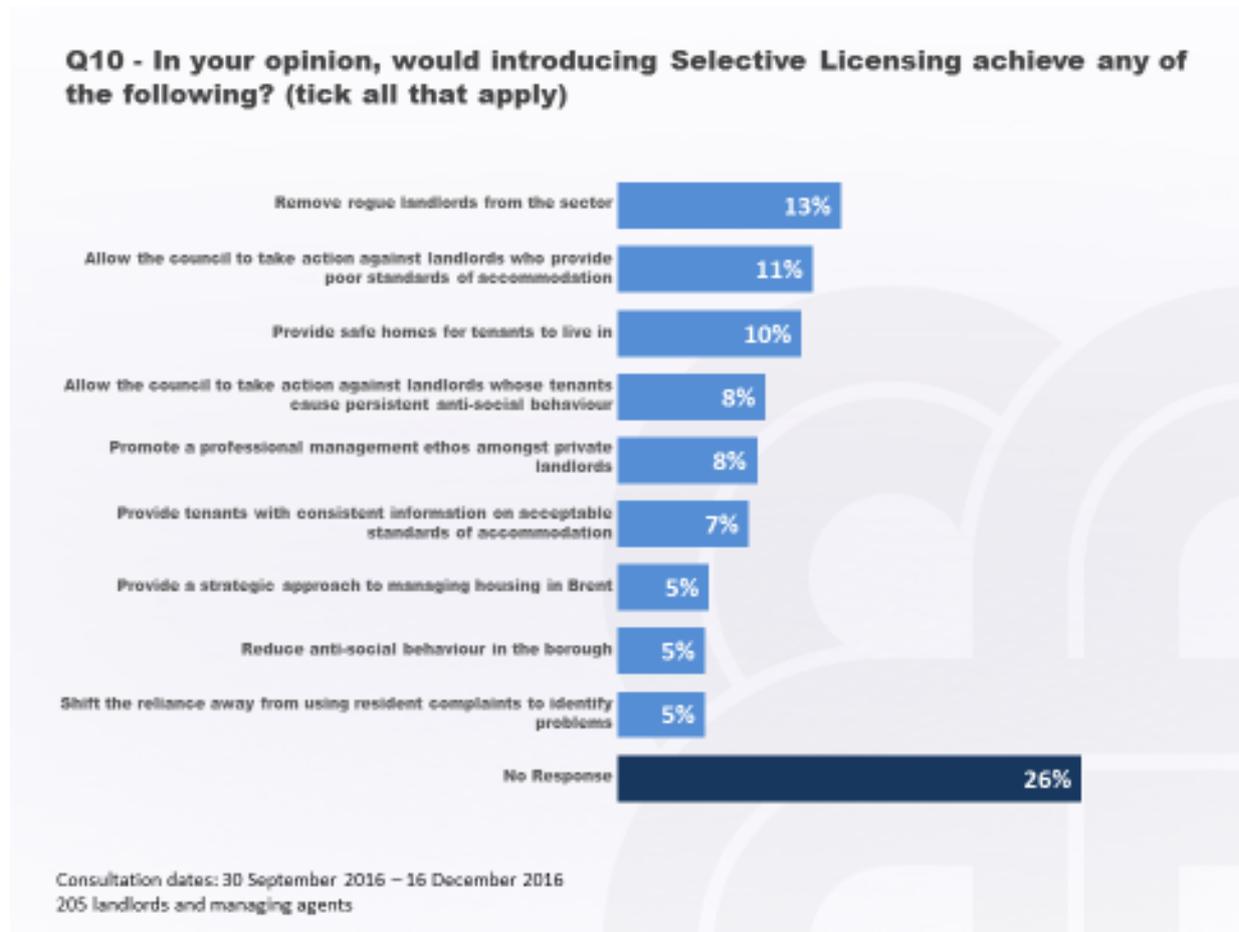


Figure 24

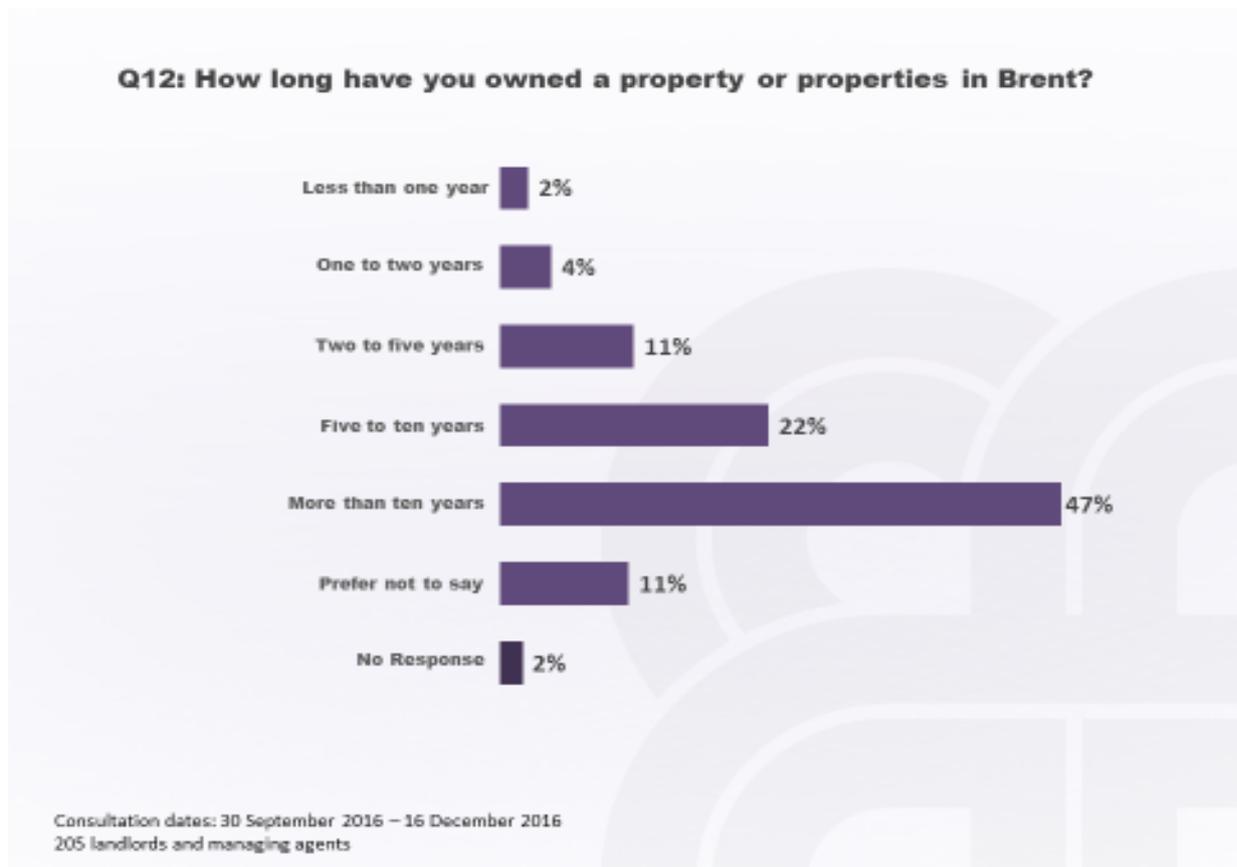


Figure 25

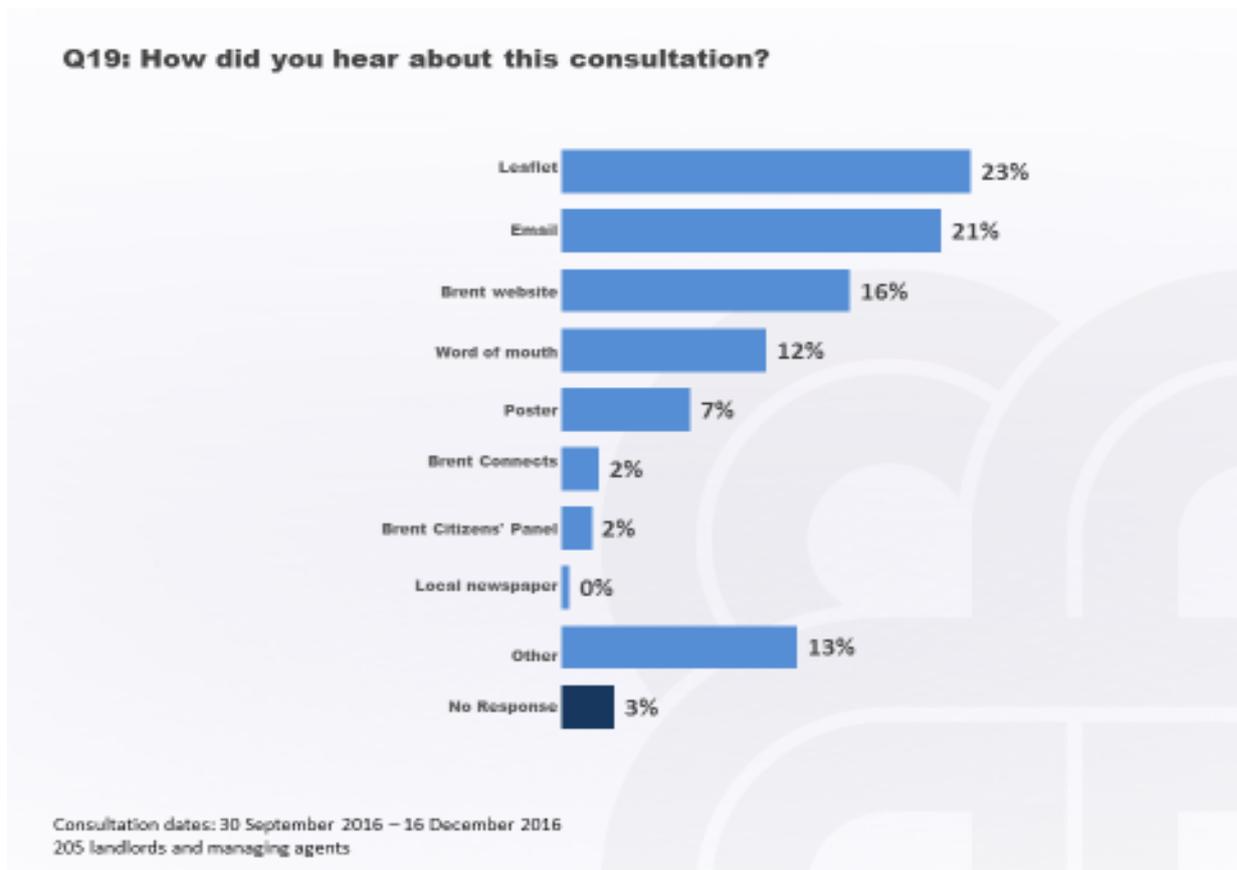
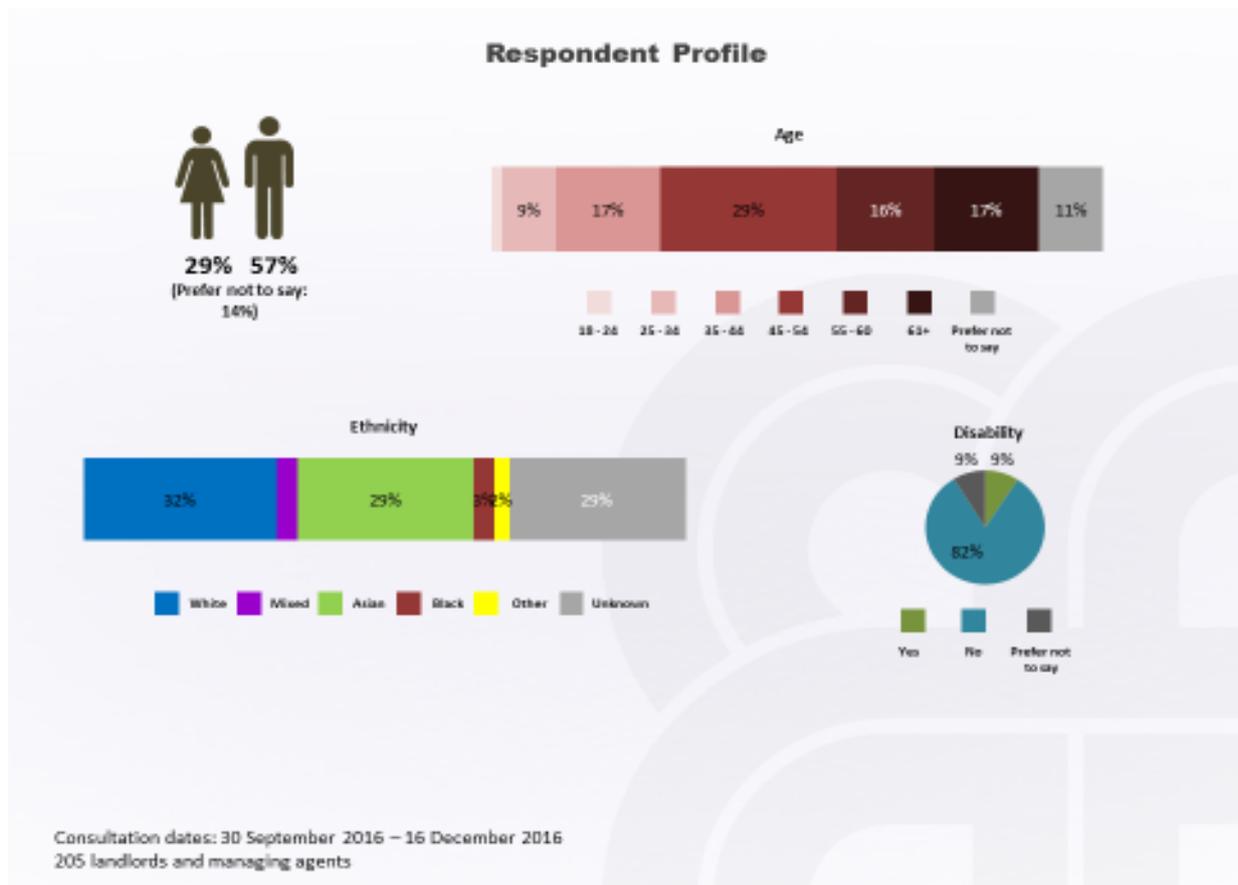


Figure 26



## PRS Licensing 2016 Questionnaire Consultation Responses – Other Stakeholders

Figure 27

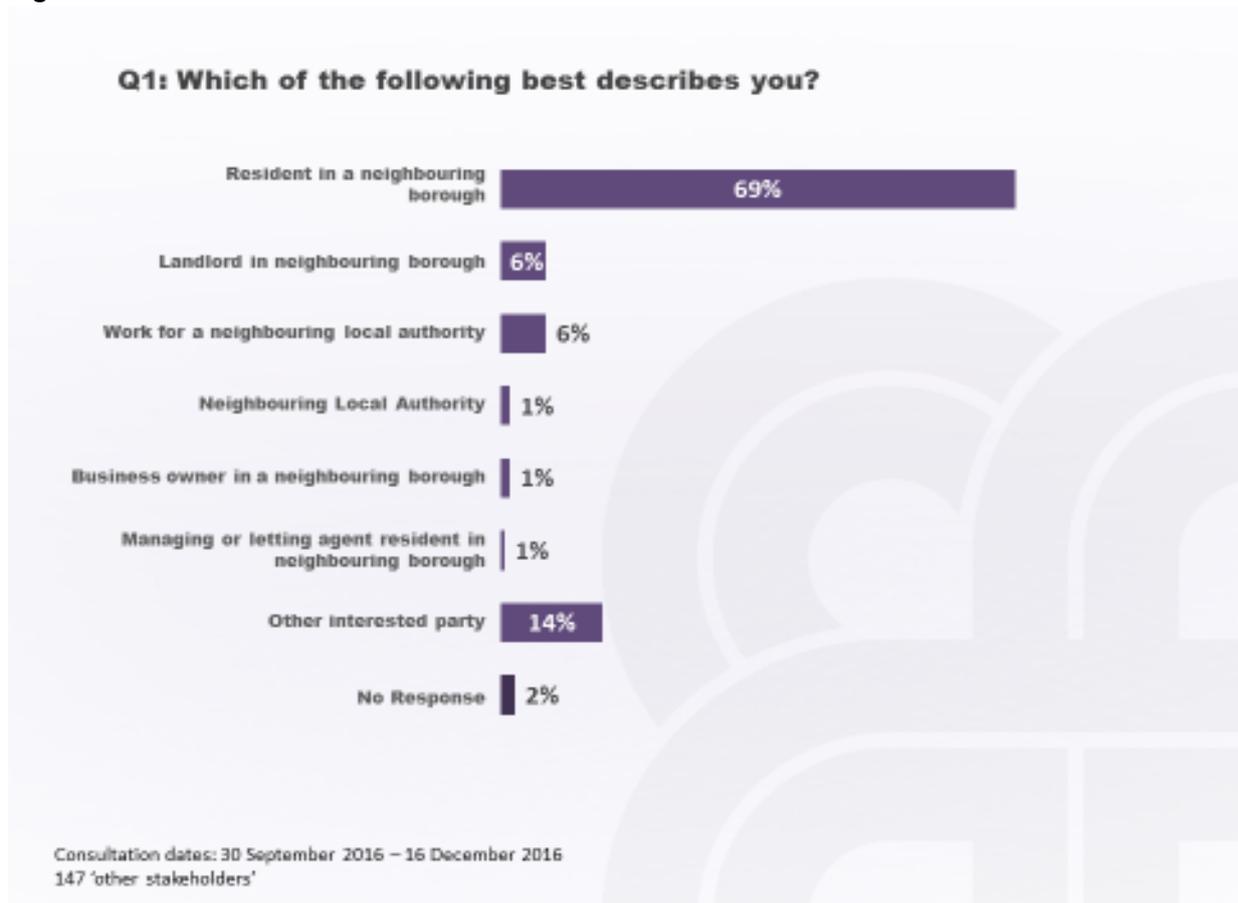


Figure 28

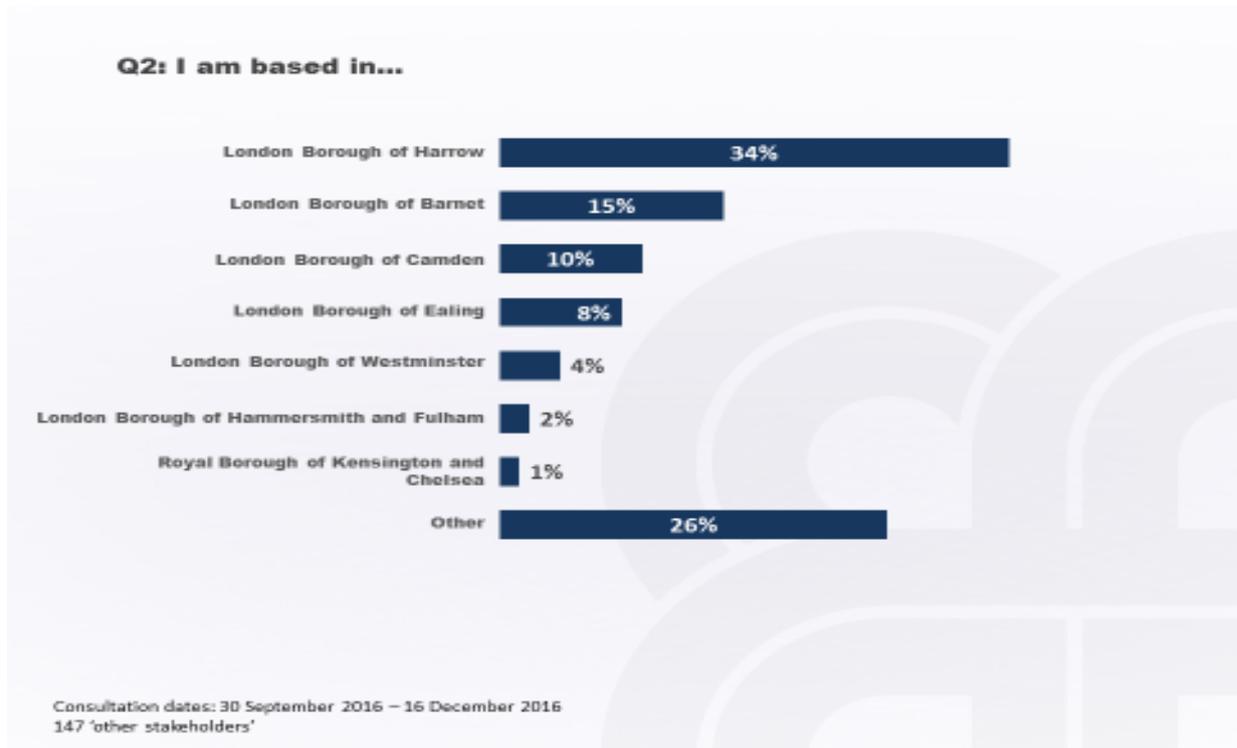


Figure 29

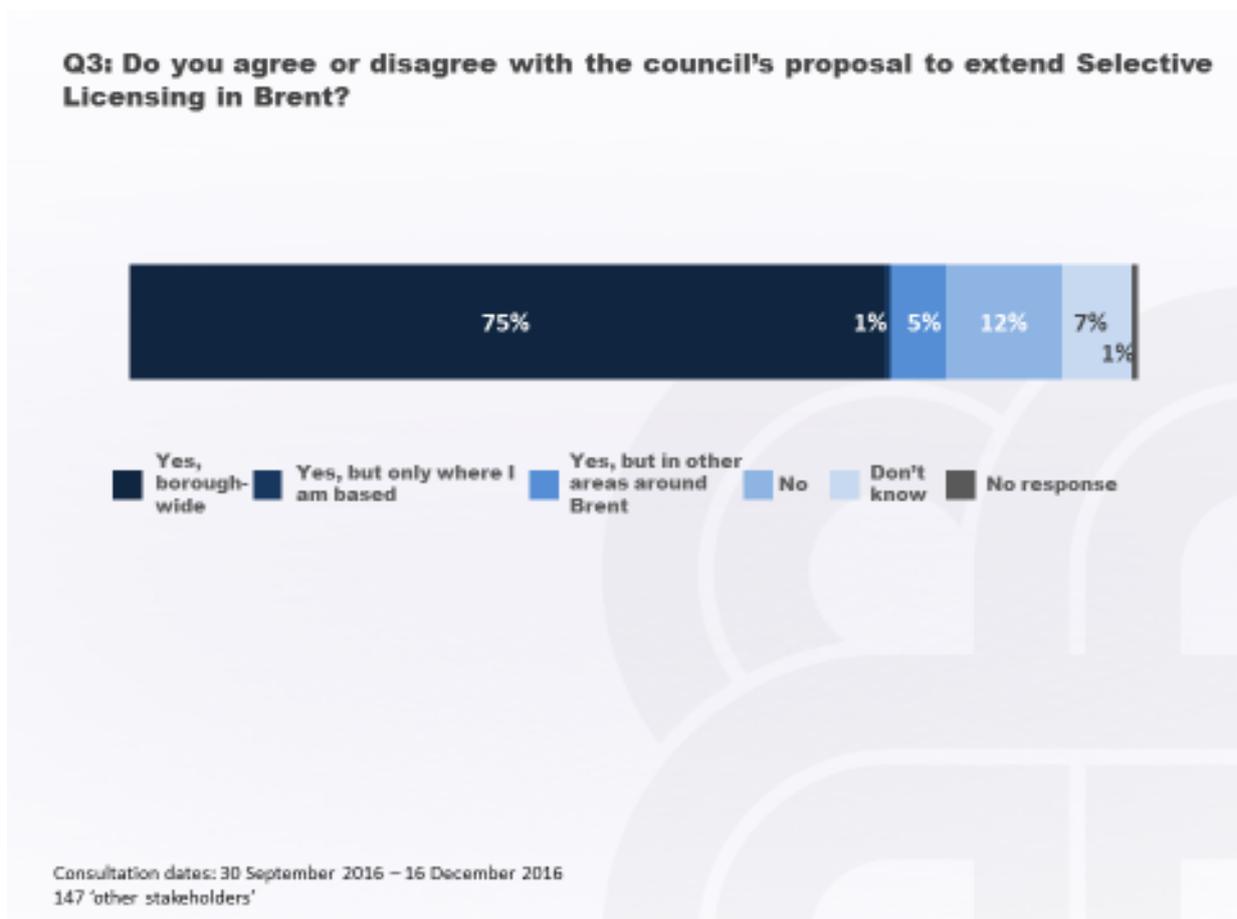


Figure 30

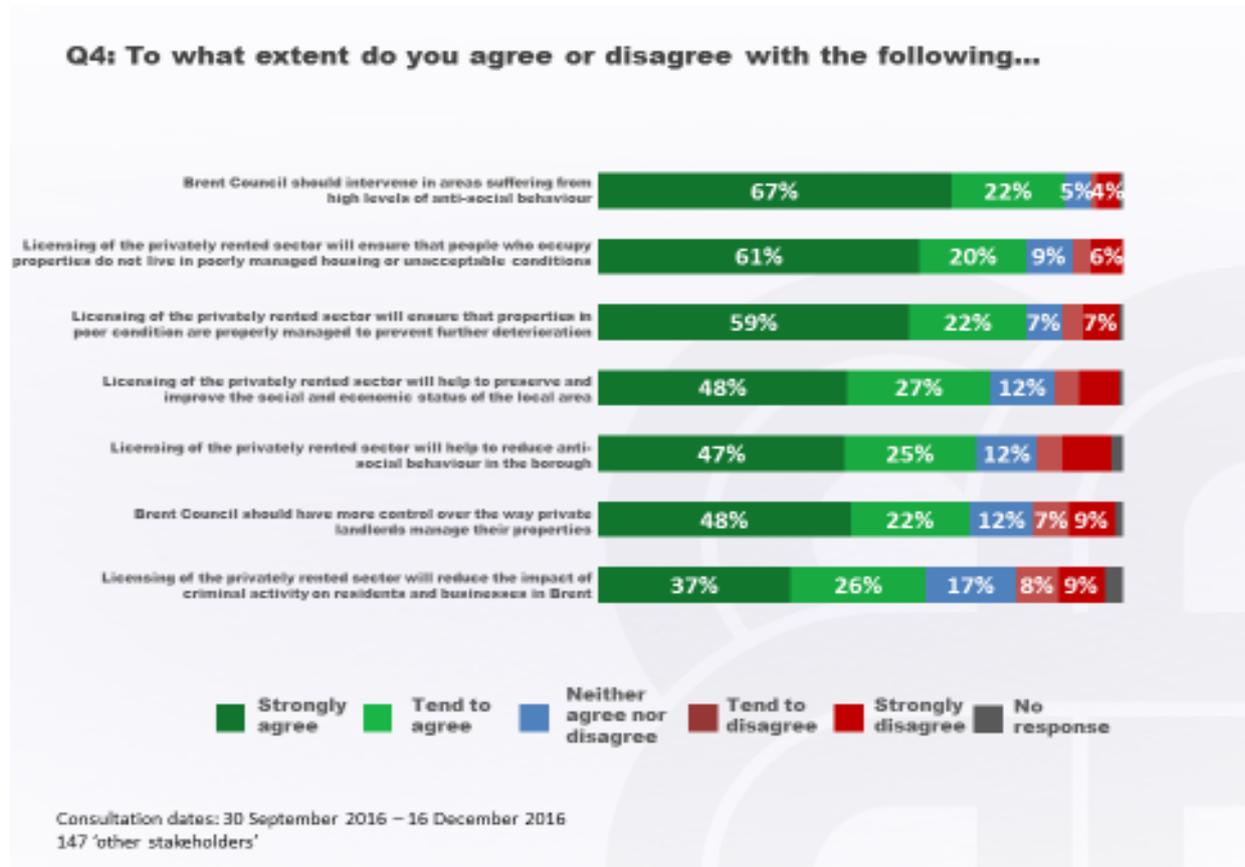


Figure 31

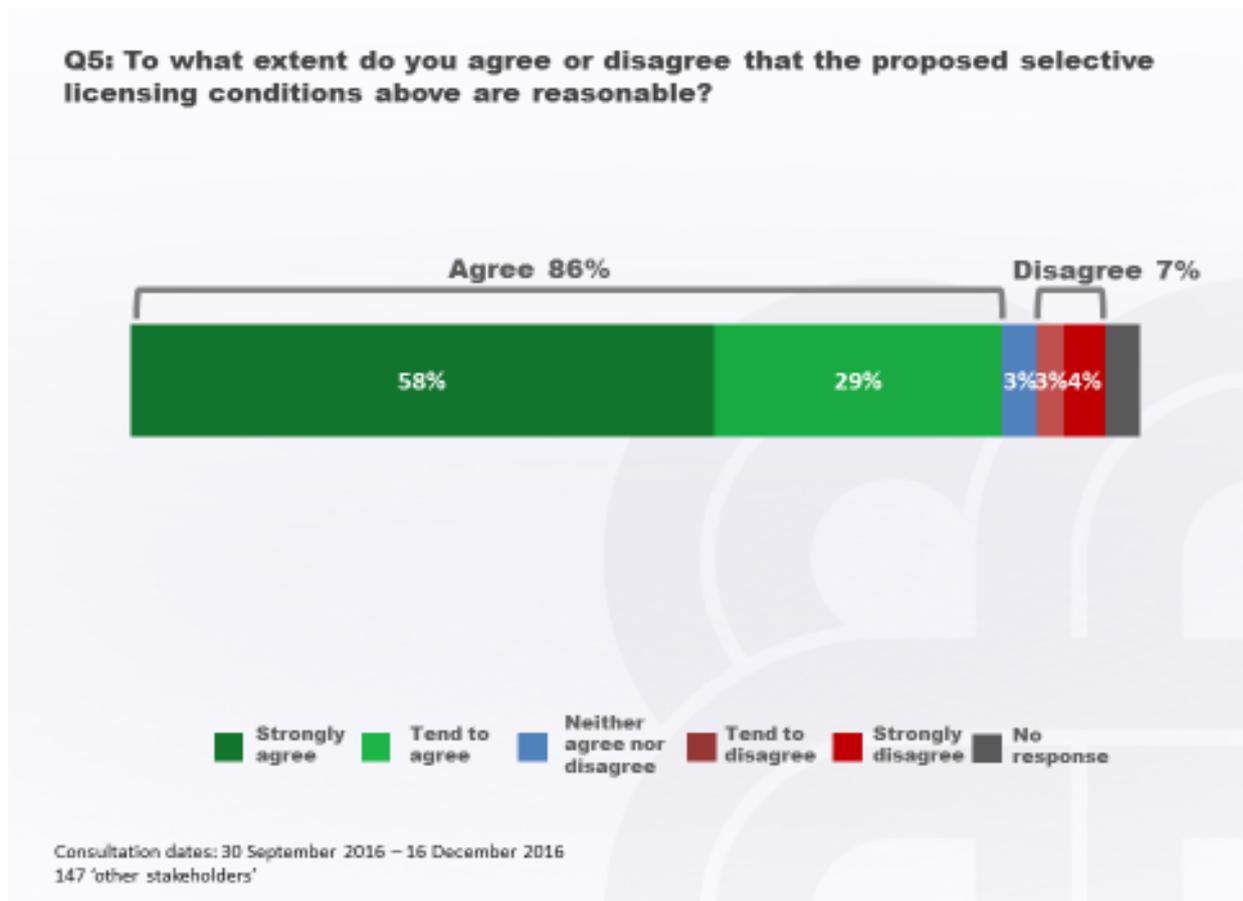
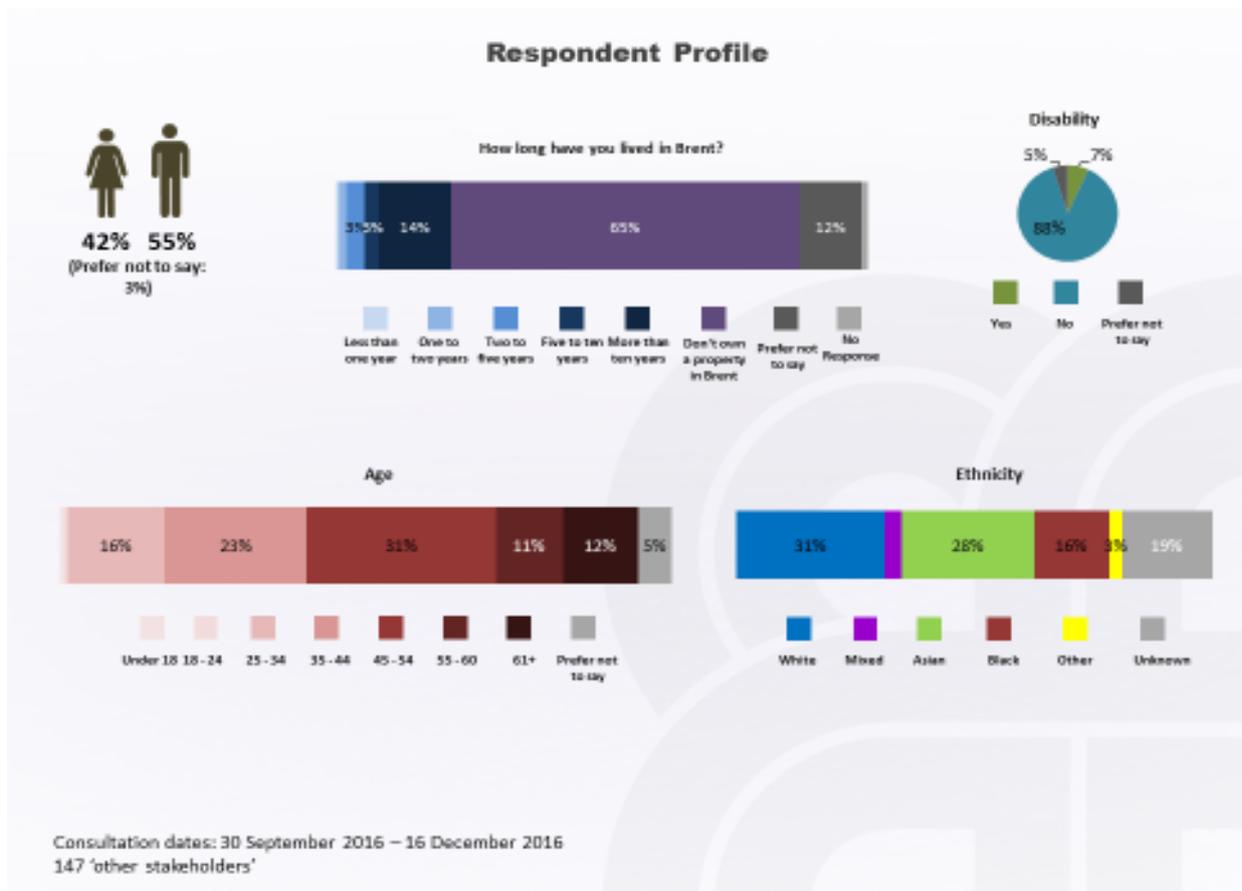


Figure 32



**Appendix D: Written submissions**



**National Landlords Association:**

*Response to Brent Council's proposal for Selective Licensing*

*December 2016*

## **Introduction**

1. The National Landlords Association (NLA) exists to protect and promote the interests of private residential landlords.
2. The NLA represents more than 72,000 individual landlords from around the United Kingdom. We provide a comprehensive range of benefits and services to our members and strive to raise standards within the private rented sector (PRS).
3. The NLA seeks a fair legislative and regulatory environment for the private rented sector while also aiming to ensure that landlords are aware of their statutory rights and responsibilities.
4. The NLA would like to thank Brent Council for providing the opportunity to comment on the Selective Licensing consultation.

## **Executive Summary**

5. Having considered the evidence presented and having undertaken its own evaluation of the circumstances faced by the residents of Brent, the NLA's position can be summarised by the following brief points:
  - Landlords have very limited authority to deal with matters related to anti-social behaviour (ASB), especially if it happens outside the curtilage of the property.
  - The scheme will lead to a further displacement of problem tenants in Brent/London.
  - The documentation provided fails to indicate that sufficient funding will be available to support the functions necessary to support licensing in cases involving rehousing, tenants with mental health issues and social inclusion.
  - How will the Council prevent malicious ASB claims being made that could potentially result in tenants losing their tenancies?
  - Selective licensing is not a solution in itself – it does not tackle sub-letting or criminals.
6. The NLA contends that the flaws outlined below in the process and proposals must be rectified prior to attempting to progress this application. Furthermore, once the necessary data has been identified and provided, this consultation exercise should be repeated (if permissible), ensuring engagement with all relevant stakeholders.

## **General Feedback on Proposals**

7. The ability to introduce licensing is a powerful tool. If used correctly by Brent Council, it could resolve a number of specific issues, as has been seen in the three wards in which the scheme is currently run in. The NLA has supported many local authorities when licensing schemes have been introduced that could benefit landlords, tenants and the community. But to extend the scheme Borough wide we believe is unjustified.
  8. The NLA believes that any regulation of the private rented sector needs to be balanced and that additional regulatory burdens should focus on increasing the professionalism of landlords, the 3 quality of the private rented stock and driving out the criminal landlords who blight the sector.
-

These should be the shared objectives of all the parties involved to facilitate the best possible outcomes for landlords and tenants alike and, as such, good practice should be recognised and encouraged, in addition to the required focus on enforcement activity. This is not the case here.

9. In addition, the proposal does not take into account rent to rent or those that exploit people (tenants and landlords), as criminals will always play the system. For instance, there is no provision for those landlords who have legally rented out a property that is then illegally sublet. The Council is not allocating resources to tackle the problems that criminals will cause, where landlords are often victims just as much as tenants are.
  10. However, in the present case, the Council is saying that the scheme can be delivered within the fees raised by the scheme, but this has been shown across the country not to work. Therefore, unless the Council is willing to allocate sufficient resources, we believe that the scheme cannot deliver what it hopes to achieve. This is a gross misrepresentation to the tenants, the community and to the landlords. In the case of a funding shortfall, the introduction of the scheme will undoubtedly have an impact on other Council services.
  11. Landlords are usually not experienced in social care and do not have the professional capacity that would allow them to be able to resolve tenants' mental health issues or drug and alcohol dependency. If there are allegations about a tenant causing problems (e.g. ASB, noise nuisance), even if the tenant has the above issues, a landlord ending the tenancy will have dispatched their obligations under the discretionary licensing scheme. However, in reality, this just moves the problems around Brent, but does not actually help the tenant, who could even become lost within the system. There is no obligation within Selective Licensing for the landlord to solve the ASB allegation; rather, a landlord has a tenancy agreement with the tenant and this is the only thing they can legally enforce.
  12. Brent Council has many existing powers. Section 57 (4) of the Housing Act 2004 states that a local authority "must not make a particular designation ... unless (a) they have considered whether there are any other courses of action available to them ... that might provide an effective method of dealing with the problem or problems in question". The use of these powers, which are listed below, by the Council shows that the Council already has powers that can be used to rectify the problems and, hence, the ability to tackle many of the issues that they wish to overcome in all parts of Brent:
    - a) Criminal Behaviour Orders;
    - b) Crime Prevention Injunctions;
    - c) Interim Management Orders;
    - d) Empty Dwelling Management Orders;
    - e) Issuing improvement notices to homes that don't meet the decent homes standard;
    - f) Directions regarding the disposal of waste (for example, under Section 46 of the Environmental Protection Act 1990);
    - g) Litter abatement notices under Section 92 of the Environmental Protection Act 1990; 4
    - h) Powers under the Noise Act 1996 to serve fixed penalty notices or to confiscate equipment (Sections 8 and 10);
    - i) The power to require rubbish to be removed from land under Sections 2–4 of the Prevention of Damage by Pests Act 1949.
-

13. Could the Council also provide a breakdown of the number of times these orders and powers have been discharged across Brent and in the area that the Council proposes to designate for selective licensing?
14. Landlords outline to tenants at the start of the tenancy their obligations in relation to noise, just as they do with waste and what they have to do to comply with the relevant laws and with a view to respecting their neighbours. The landlord can only manage a tenant based on their contract for living in the rented property, not for activities in the street or in neighbouring streets. In the case of noise, the Council would need to inform the landlord that the tenant's noise is in excess. The power that a landlord has then is either to warn the tenant or to end the tenancy. If the allegation is false or disingenuous, how is the landlord to know? If the same allegation is made on more than one occasion, the landlord may still be ending the tenancy based on an unproven allegation. Or by the Council saying there is a problem. This does not solve the problem but rather moves the problem around the Borough. The same applies to waste and ASB issues. The tenant would then be considered as guilty – but will have faced no trial. Under the reference condition of the Selective Licensing scheme, an accusation that has not been tested in a court, but for which a guilty judgement has been given, would then prevent a person from renting a property.
15. The risk of introducing licensing is likely to increase the costs for those renting, along with not resolving the problems that the Council wishes to resolve, and likely moving the issue around the Borough/London. The issues are thus not fully dealt with but instead are displaced to new landlords. If Brent were to take a more erudite approach with regard to nuisance issues and instead developed a separate policy to tackle criminal landlords, this would be more applicable and more likely to result in resolving many of the issues.

### **Negative Impacts of Discretionary Licensing**

16. One of the dangers of the proposed Selective Licensing scheme is that the costs will be passed on to tenants, thus increasing the costs for those who rent in Brent, along with increasing the Council's costs. The increasing costs to residents in Brent would particularly hit hard the most vulnerable and least able to tolerate a marginal increase in their cost of living. Also, the Council has failed to explain that, as well as the Council's costs for the licence, the landlords' costs will likely be covered by tenants too, thus further increasing the rents. The failure to explain this shows a lack of understanding of how the private rented sector works.
  17. Areas that have been subject to the introduction of selective licensing have seen lenders withdraw mortgage products, thereby reducing the options to landlords reliant on finance. Downstream, this increases landlords' overheads and, subsequently, the costs for tenants rise. Also, the fact that the lenders have withdrawn the mortgage availability for a landlord will show up on the credit history of that landlord. This will likely lead to higher costs for the landlord accessing alternative lending as 5 other mortgage lenders will put a higher cost on the landlord, who will ultimately pass the higher cost on to the tenant.
  18. Brent Council, by proposing the introduction of licensing, is implying that there are social problems that could deter investment in the area. However, there is no acknowledgement of the impact this stigmatisation of discretionary licensing would likely have on the effected locality in the consultation. This should be explored and detailed in the evidence case supporting this application. The NLA would assert that the failure to provide such information is an indication of a substandard and ultimately superficial consultation exercise.
-

19. What consideration has the Council taken in relation to potential homelessness when tenants cannot access the private rented sector?

### **Resources**

20. Often when tenants near the end of their contract/tenancy and they are in the process of moving out, they will dispose of excess waste by a variety of methods, which often includes putting it out on the street for the Council to collect. A waste strategy for the collection of excess waste at the end of tenancies needs to be considered by local authorities with a large number of private rented sector properties in areas. This is made worse when councils do not allow landlords to access municipal waste collection points. The NLA would be willing to work with the Council to help them develop this strategy.
21. The social housing sector has made many efforts to remove problem tenants (2/3rd of all court evictions are from the social sector). How does the Council expect landlords to solve the issues of these tenants when the professional sector has so far failed to do so? Many of the tenants that have been removed from the social sector are now living in the private rented sector without any of the support they might otherwise have received in the social sector.

### **Current Law**

22. There are currently over 100 pieces of legislation that a landlord has to comply with. The laws that the private rented sector has to comply with can be easily misunderstood. A landlord is expected to give the tenant a “quiet enjoyment” of the property, and failure to do so could result in a harassment case being brought against the landlord. Thus, the law that landlords have to operate within is not fully compatible with the aims that the Council hope for. For example, a landlord keeping a record of a tenant could be interpreted as harassment.
  23. The introduction of licensing is proposed to tackle specific issues, of which many of these are tenant related and not to do with the property/landlord. Thus, the challenge is for local authorities to work with all the people involved and not to just blame one group – landlords. The NLA is willing to work in partnership with the Council and can help with developing tenant information packs, assured short-hold tenancies and the accreditation of landlords, along with targeting the worst properties in an area.
  24. The NLA would also argue that a problem encompassing a few poorly managed and/or maintained properties would not be appropriately tackled by a licensing scheme, which is not proportional to the problem. In many situations, the Council should consider Enforcement Notices and Management Orders. The use of such orders could deliver results immediately – so why instead does the Council wish to do this over five years through a licensing scheme? Adopting a targeted approach on a street-by-street approach, targeting the specific issues and working in a joined-up fashion with other relevant agencies, such as the Council, community groups, tenants and landlords, would have a much greater impact.
  25. The NLA agrees that some landlords, most often due to ignorance rather than criminal intent, do not use their powers to manage their properties effectively. A more appropriate response therefore would be to identify issues and to assist landlords. This could allow Brent Council to focus on targeting the criminal landlords – where a joint approach is required.
-

26. The NLA would also like to see Brent Council develop a strategy that also included action against any tenants that are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket-licensing scheme that would adversely affect all landlords and tenants alike while still leaving criminals able to operate under the radar. Many of the problems are caused by mental health and drink and drug issues, these are issues that landlords cannot resolve and are issues that will require additional resources from the Council.
27. You fail to provide what additional services will be provided in the area for mental health. This will have an impact on adult social care budgets from the County Council. How much money has been allocated from the County to meet this, especially as this budget is under pressure already?
28. The Council should consider alternative schemes, such as the Home Safe Scheme in Doncaster and SEAL in Southend. Both schemes offer alternatives that the Council has not reviewed or presented in the consultation.

### **Consultation Critique**

29. In relation to ASB reduction and the authority a landlord has to tackle such activity within their properties, it should be pointed out that landlords and agents can only enforce a contract. They cannot manage behaviour (ref: House of Commons briefing note SN/SP 264, paragraph 1.1). In most circumstances, the only remedy available to landlords confronted with cases of serious ASB in one of their properties will be to seek vacant possession, and in many instances, they will need to serve a Section 21 notice rather than a Section 8 notice identifying the grounds for possession. The former is simpler and cheaper and repossession (at present) is more certain. No reason needs be given for serving a Section 21 notice, and in this case, the perpetrator tenant can hypothetically approach the local authority for assistance to be re-housed (ref: Homelessness Guidelines cl 8.2). Crucially, no affected party needs offer evidence against an anti-social householder, thereby reducing the risk of intimidation, harassment and ultimately unsuccessful possession claims. The issue of ASB will thus not appear as a factor in the repossession. However, in providing evidence to support a licensing application, the document should clarify for the respondents the position of all the relevant issues under landlord and tenant law.
30. It is also worrying how little reference has been made to the economic impact on the local community from the likely increase in the costs of housing provision. We wish to understand how the Council believes increasing said costs could benefit those on fixed incomes. The logic of this assertion is not clearly explained and will arguably lead to incorrect conclusions on the part of those stakeholders relying on the Council to inform their input into this consultation.

### **Requests for Supplementary Information**

31. Clarification on the Council's policy in relation to helping a landlord when a Section 21 notice is served is required within the proposed Selective Licensing scheme. It would be useful if the Council could put in place a guidance document before the introduction of the scheme to outline the Council's position regarding helping landlords remove tenants who are causing ASB.
  32. The NLA would like further explanation on how the Council will work with landlords to mitigate the issue of tenants leaving a property early but where they still have a tenancy contract.
  33. If a landlord faces challenges with a tenant, how will the Council help the landlord?
-

## **Appendix D – NALS Proposed Selective Licensing Scheme in the London Borough of Brent**

### **National Approved Letting Scheme (NALS) Consultation Response**

**14 December 2016**

#### **An Introduction to NALS**

NALS is an accrediting organisation for lettings and management agents in the private rented sector. NALS was established in 1999, by the Empty Homes Agency, with backing from the Royal Institution of Chartered Surveyors (RICS) the Association of Residential Lettings Agents (ARLA) and the National Association of Estate Agents (NAEA). NALS provides an overarching quality mark, easily recognised by consumers, with minimum entry requirements for agents.

NALS 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 NALS criteria on an annual basis, in order to retain their licence. The scheme operates UK wide and has 1500 firms with over 2000 offices, including a number of agents within the London Borough of Brent.

NALS is recognised by the GLA as an approved body for the London Rental Standard. We have also become a co-regulation partner with Liverpool City Council and a recognised training provider under the Rent Smart Wales scheme.

NALS also administers the SAFEagent campaign ([www.safeagents.co.uk](http://www.safeagents.co.uk)), the purpose of which is to raise consumer awareness of the need to ensure that landlords and tenants should only use agents who are part of a Client Money Protection Scheme which offers reimbursement in the event that an agent misappropriates their money. The campaign is recognised by Government and the SAFE agent logo appears in their How to Rent guide ([www.gov.uk/government/publications/how-to-rent](http://www.gov.uk/government/publications/how-to-rent)).

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

## Overview

We understand that Brent Council is seeking to introduce a second selective licensing scheme to complement the existing additional and selective licensing schemes that were introduced by the council in January 2015.

Having studied the consultation documents, we remain somewhat confused about the size and extent of the proposed licensing scheme. In paragraph 4.1 of the consultation proposal, it says:

*“The Council is proposing that selective licensing is extended to all or some other wards within Brent”.*

and in paragraph 8.0 it says:

*“...proposals to extend selective licensing to all, or most areas of the borough”.*

We can find no explanation setting out what is meant by ‘some other wards’ or ‘most areas’. As such, we have made the assumption that the proposal involves extending the selective licensing scheme borough wide.

It is our view that if any alternative proposal is developed post-consultation, it should be subject to a further round of consultation in accordance with the Housing Act 2004. We think that all interested parties should be given the opportunity to submit representations on the actual proposal before it is presented to the Cabinet for approval.

One of our concerns about the roll-out of new licensing schemes is the lack of consistency that this brings in the regulation of the private rented sector. We understand there are already over 20 separate licensing schemes operating in London, each with different terms and conditions. This creates difficulty and confusion for larger portfolio landlords and letting agents in trying to understand what schemes apply where, with associated compliance risks.

Given the government’s recent decision to expand the mandatory HMO licensing scheme in 2017, we would encourage the council to place any new scheme on hold in order to concentrate efforts on implementing and enforcing the extended mandatory HMO licensing scheme and the associated transitional arrangements.

The council should also prioritise effective resourcing of the licensing schemes that were implemented in January 2015. Whilst the mandatory HMO and selective licensing schemes appear to have been reasonably successful, the same cannot be said for Brent’s additional licensing scheme.

According to the consultation report, approximately 16,000 applications had been expected under the additional licensing scheme and yet almost 2 years into the five-year scheme, only 1,348 applications have been approved – only 8% of the expected number.

Paragraph 5.2 of the report says:

*“In seeking to deal with the poor standards of those properties which are outside the Harlesden, Wembley Central and Willesden Green selective designation and including for the large number of HMOs whose owners have neglected to apply for licences, our standard enforcement regime can be complicated, time-consuming and expensive. This makes it difficult for us to act quickly against poorly-managed private rented properties....”*

and paragraph 6.0 says:

*“There is evidence however that many HMOs in the borough remain unlicensed, poorly managed and are in an unsatisfactory state of repair. We are clearly of the opinion that extending selective licensing will greatly benefit efforts to improve the uptake of HMO additional licences”*.

We do not think it is logical to say that with so few applications submitted under the current licensing scheme, it supports the business case to introduce licensing for another 16,000 single family rented properties. The new licensing scheme would need to be enforced using the same ‘complicated, time-consuming and expensive’ regime that the council is already finding problematic.

We also note that this blanket licensing scheme would need Secretary of State approval, whereas the government have already highlighted their objection to the introduction of such blanket schemes. The government’s view on this issue was reinforced when they rejected a proposal by Redbridge Council for a borough wide selective licensing scheme in late 2015.

Given so little progress has been made in implementing the existing additional licensing scheme, we think the council should be utilizing their resources to promote and enforce the existing scheme before considering the introduction of another scheme.

### **Extending selective licensing – the evidence base**

Having examined the evidence base that accompanies the consultation proposal, we can see there are certainly issues with crime, anti-social behaviour and poor housing conditions in some parts of the borough.

We do support the council's wider objective around driving up standards and conditions in the private rented sector.

Having said that, some of the evidence offered in support of the selective licensing proposal is the same evidence used to justify the introduction of additional and a more limited selective licensing scheme in January 2015.

The HQN report from 2013 highlights:

*"The wards with the most incidences of anti-social behaviour are concentrated in the south and east of the Borough. These wards have relatively high levels of private rented sector stock apart from Stonebridge which has a high concentration of social housing".*

In the council's report, more recent data on Police ASB calls, crime reporting, noise, fly-tipping and council recorded ASB show a similar pattern with most issues concentrated in the South and East of the Borough.

We can find no breakdown to show how many of these crime and anti-social behaviour issues relate to the estimated 16,000 HMOs that already need licensing under the council's additional licensing scheme, but where few applications have yet been received.

To justify a second selective licensing scheme, the council should look more specifically at issues associated with single family rented properties that are outside the existing selective licensing area in Harlesden, Wembley Central and Willesden Green.

Further, we think the council should first evaluate the effectiveness of the current selective licensing scheme and the impact it is having on driving down levels of ASB within those three wards. Simply looking at how many properties have been licensed is, we think, of more limited value. We would like to see a more evidence based approach that is open to public scrutiny. For example, how many of the selectively licensed properties have been inspected, how many were found to have serious hazards that required intervention by the council and how does this compare to HMOs that have been licensed under the additional or mandatory HMO licensing scheme?

The council has indicated that one of their criteria for introducing borough wide selective licensing is poor housing conditions. To introduce a scheme on that basis, the council must intend to inspect those selectively licensed properties during the life of the scheme, which would be a significant resourcing issue. We think this further reinforces the case for a more targeted approach.

Regarding the migration, deprivation and crime criteria, government guidance makes clear that simply showing these issues exist does not suffice. The council must set out how they think such issues can be effectively addressed, what other courses of action have been considered and what the council hopes that the designation will achieve. The government guidance states:

*“Only where there is no practical and beneficial alternative to a designation should a scheme be made”.*

Source: Selective licensing in the private rented sector; a guide for local authorities; March 2015

Based on the evidence that has been published, we do not think the case has been proved to extend selective licensing borough wide.

### **Exploring opportunities for co-regulation**

Following our successful co-regulation partnership arrangement with Liverpool City Council, we would encourage Brent Council to consider adopting a similar approach in order to achieve more balanced and effective regulation of the private rented sector.

Co-regulation can facilitate a light-touch approach to monitoring compliance amongst regulated letting agents, whilst freeing up local authority resources to tackle the minority of rogue landlords and agents that seek to evade their responsibilities and place their tenants' lives at risk. In describing this innovative co-regulation approach, a Liverpool City Council Councillor said:

*“It is a win-win for everyone, because their members benefit from a reduced fee and we are able to target our resources at those landlords who we know aren't meeting the standards.”*

We would be very happy to meet with Brent Council to explore options for developing a co-regulation model that helps to deliver better regulation of the private rented sector.

### **Licensing fees**

We recognize that the council needs to charge a reasonable fee to cover the cost of administering and enforcing their licensing schemes. Overall, we think that the proposed application fee of £540 per property is less excessive than fees being charges in some other areas.

However, we think there is scope to further improve the fee structure, whilst minimising the cost of compliance for regulated letting agents.

We note that Brent Council propose to offer a £40 discount to accredited landlords, but offer no such discount to designated managing agents. We think is a missed opportunity that could help to encourage best practice in the local lettings industry.

We would encourage the council to give this matter further thought and to implement an accreditation discount on a percentage basis, in the region of 20%. This would bring Brent into line with other London Boroughs such as Southwark and Islington.

Further, we think the discount should be linked to the accreditation of landlords and letting agents, regardless of whether the licence holder or the designated manager is accredited. The discount should be offered to members of all accreditation schemes that have been approved by the GLA under London Rental Standard (LRS), such as the National Approved Letting Scheme. This in turn would help to encourage more effective management of private rented homes in the borough.

This approach has already been adopted by Islington and Ealing Councils and we would strongly encourage Brent Council to follow best practice and do the same.

We welcome the proposal to offer an early bird discounted fee of £340 to reward compliant landlords and agents and to aid the smooth implementation of the scheme. To make this work effectively, it is important that:

- The council's licence application process needs to be in place and fully operational before the council start to accept applications;
- Applicantsshouldbegiventheopportunitytoapplyforalicenseforatleast three months prior to the start of the scheme; and
- The council need to invest in extensive promotional activity, both within and outside the borough, throughout the pre-application period. NALS can assist in promoting the scheme amongst our members if the Council notify us once a scheme designation has been made.

### **Licence Conditions**

We do not support the proposal by Brent Council to place 22 standard licence conditions on each and every selective licence. We do not think it is necessary or appropriate to replicate existing statutory requirements as licence conditions.

It is important to remember that breach of any licence condition is a criminal offence and so conditions must be appropriately worded and only cover situations over which the licence holder has control. We note that in the introduction, it incorrectly refers to each offence leading to a maximum fine of £5,000. The rules changed in 2015 and we would point out there is now no upper limit.

Whilst we have not responded in detail on all the conditions, there are some particular issues we would highlight:

Condition 4: It is already a requirement for any deposit to be protected by law and so we are unsure why this needs to be repeated. We would also point out that the requirement to provide prescribed information is within 30 days and not immediately, as indicated in the condition. The licence condition should not be more onerous than the legal requirements already in place.

Condition 10: It is unusual for a local authority to insist that the front door to every property rented to a single family is fitted with a thumb turn lock. This is only normally required in Houses in Multiple Occupation (HMOs). We would ask that this requirement is deleted. It may also invalidate a landlord or tenants insurance policy by reducing home security.

Condition 13d. It is already a legal requirement for a landlord and/or agent to comply with a housing enforcement notice.

Condition 14. The reference to compliance with the council's prescribed standards normally relates to HMOs as there are no prescribed standards for single family lets. As all HMOs are required to be licensed under the additional licensing scheme, this condition is not required.

Condition 22. Whilst NALS licensed firms would always seek to facilitate any request for the council to inspect the property, we would point out that the tenant's right to quiet enjoyment means they are unable to guarantee a tenant will grant access on any particular day or time. As such, we would suggest the first sentence is amended to read 'The licence holder must take all reasonable steps to ensure access is granted when requested....'

We would encourage Brent Council to reflect on these comments and consider any necessary changes to the proposed licence conditions.

All NALS licensed firms are already required to comply with defined standards of customer service and to ensure that properties are effectively managed. Any complaint from the landlord or tenant can already be independently investigated through a government-approved redress scheme.

### **Delivering effective enforcement**

It is vital that Brent Council maintains a well-resourced and effective enforcement team to take action against those landlords that seek to evade the licensing scheme completely. We are pleased to see Brent Council have significantly stepped up their enforcement activity over the last 12 months.

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.

### **Regulation of letting agents**

To achieve better regulation of the private rented sector and improve consumer protection, it is important that Brent Council take 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, a further requirement was introduced requiring agents to display all relevant landlord and tenant fees, the redress scheme they belong to and whether they belong to a client money protection scheme, both in-store and on the company's website.

We would like to see Brent Council commit to proactive enforcement of these rules including, where appropriate, serving civil penalty notices, the income from which can help to fund the enforcement activity. By effectively regulating letting agents that operate within the borough, it will help to ensure the properties are more effectively managed and improve consumer protection.

In June 2016, NALS published an Effective Enforcement Toolkit to assist local authorities with this task. The toolkit can be downloaded free of charge from the NALS website ([www.nalscheme.co.uk](http://www.nalscheme.co.uk)).

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**

National Approved Letting Scheme

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14 December 2016

## Appendix D – HomeSafe Ltd

Response from The Home Safe Scheme Ltd to the Proposal by Brent Council to extend their Selective Licensing Scheme to a wider area of the Borough

This document is a response to the proposal to implement a Selective Licensing scheme throughout a wider area of Brent than is currently the case. We would ask that it is included in the formal consultation response report and circulated amongst the elected members who will be making the decision on the implementation of this scheme.

### Summary

The Home Safe Scheme Ltd ([www.thehomesafescheme.org.uk](http://www.thehomesafescheme.org.uk)) is a private sector organisation that was set up as a result of the implementation of a Selective Licensing regime in the Hexthorpe area of Doncaster. Following on from the responses to the public consultation on this scheme Doncaster Metropolitan Borough Council (DMBC) agreed to modify their scheme to enable a “Co-regulation” regime to operate in the area as opposed to the usual version of Selective Licensing. The Home Safe Scheme Ltd (Home Safe) is the “Co-regulation” partner with which DMBC is working in the Hexthorpe area for the 5 year term of the Licence period.

Home Safe is now also the “Co-regulation” partner of West Lindsey District Council in the operation of the Selective Licensing scheme in the South West ward of Gainsborough (which received its licensing designation in April 2016 and which went live in July 2016).

We agree, from the information provided by Brent Council in the course of their Consultation, that there is a problem with some private rented sector properties in the area and commend them for having taken action to deal with this problem but would like, in the context of extending licensing further, to propose an alternative (and innovative) solution to that problem. Unlike many other landlord groups or associations, we are in full agreement that the current system in the private rented sector is failing in many areas nationally, that the private rental market is in a state of flux and that there are deep rooted issues throughout the sector that need to be addressed by all stakeholders.

We understand that Councils have limited tools and, therefore, also understand the attraction of using Selective Licensing as one of those tools to try and deal with the problems evident in the sector. Our position, however, is that Selective Licensing, in its raw form, is ineffective but that it can be quantifiably effective if deployed via the mechanism of “Co-regulation” as defined by The Home Safe Scheme partnerships with Doncaster and West Lindsey Councils.

We at Home Safe believe that we are the founders (along with DMBC) of this alternative and innovative approach, already operational in Doncaster and Gainsborough, and that we can offer Local Authorities the ability to deliver Selective Licensing without opposition from and with the active co-operation of the sector. The sector can see itself as a participant rather than as a disparate collection of passively regulated individuals. Landlords can have a stake in their own development and in improving the sector both in a given area and across a Borough as a whole.

Since the inception of the Home Safe Scheme in the Hexthorpe area of Doncaster there has been a phenomenal increase in the levels of engagement from the area’s private sector landlords (which can be evidenced both by Home Safe and DMBC) and Managing Agents. For example, we can show that every landlord who is a member of Home Safe has a property or properties that have all the relevant up to date valid certifications or are having works carried out in order to provide these. All Managing Agents nominated by Home Safe landlords to manage properties in the scheme area have provided

evidence of their Fit & Proper Person status and are members of an approved Redress Scheme. This has freed the Council to focus on pursuing those landlords who have shown no interest in engaging or complying with the Scheme and enabled them to commence prosecution cases against those landlords within 9 months of the scheme going live.

With regard to property inspections we create a compliance baseline, from the very beginning, of all stock within a scheme area by deploying our team of HHSRS inspectors to inspect all scheme properties. Following that, members are offered training in order for them to facilitate their own inspection regime (with oversight by the Council and Home Safe built in). It's worth noting that in the Hexthorpe area all accessible properties were inspected within 6 weeks of the inspection phase beginning and we see landlords actively engaging with the scheme.

Thus, we believe that a similar scheme to that in place in Doncaster and Gainsborough would be of great benefit to the residents (generally) and landlords (both private and public sector) in Brent as well as to the Council.

Home Safe's alternative scheme will enable Brent Council to use their existing powers and resources more effectively and in a more targeted manner allowing them to focus those resources directly against the willingly bad, un-cooperative and non-complying landlords.

We would, therefore, welcome the opportunity to discuss working with the Brent Council in developing a "Co-regulation" scheme for the relevant remaining wards in the Borough and believe that we can garner the support of local landlords in so doing.

If it is of interest, we would be more than happy to arrange a series of meetings and/or workshops in order to explore how the Home Safe scheme can be tailored specifically for Brent.

16<sup>th</sup> December 2016



By email: prslicesning@brent.gov.uk

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Mr Tony Jemmott

London Borough of Brent  
Brent Civic Centre  
Engineers Way

Wembley

HA9 0FJ

Dear Mr Jemmott

**Brent Selective Licensing Extension – Consultation Response**

Thank you for the opportunity to respond to the above consultation.

The RLA also believes that the Council is premature on bringing forward proposals. The Housing and Planning Act 2016 will give local authorities substantial new powers to tackle breaches of housing legislation and drive the criminal operators from the sector. The council should wait until the impact of these new powers can be assessed before pressing on with more regulation in the form of selective licensing.

The RLA is opposed to the scheme and has a number of general objections to Licensing, which are attached as an appendix to this letter. Licensing schemes rarely meet their objectives. Good landlords will apply for licences and, in all likelihood, pass the cost on to tenants in the form of

increased rents, doing nothing to address affordability, while the worst landlords – the criminal operators – will simply ignore the scheme, as they do many other regulations.

There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than management standards and property conditions.

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see staff time wasted processing applications, it should continue to direct its limited resources at effective enforcement activity.

Landlords, will become risk averse in terms of the tenants they let to. Tenant problems such as anti-social behaviour are impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere. Some may seek to evict already challenging tenants. This could mean additional costs to other council services, as they pick up the pieces created by the disruption to the lives of already vulnerable tenants.

Likewise, if licensing costs are passed on to tenants in the form of rent increases, then some tenants may struggle, particularly those on benefits, affected by welfare reform and frozen housing allowances.

The RLA does not believe Brent has made a robust case for borough-wide licensing. By the consultation paper's own admission, 'much of the private rented sector offers good accommodation for people who want to live in the Borough'. It is invidious that the majority of landlords, who provide good accommodation, should face increased costs through fees, whilst the criminal operators ignore licensing. Poor and unsafe accommodation should be tackled through better and targeted enforcement.

The data maps showing the concentration of PRS housing suggest a number of wards should not be included: Dollis Hill; Kenton; Northwick Park; Queensbury; and Stonebridge. Even excluding these wards the scheme will require the consent of the Secretary of State.

Much of the Brent case relies on tackling anti-social behaviour. There are limits to what landlords can do to tackle ASB caused by tenants. The council already uses local joint action groups and cross-departmental and multi-agency working such as this is more effective in tackling ASB, maintaining tenancies, housing condition and management standards.

In fact, the report concedes that ASB is falling across the Borough. However, the highest incidences of ASB in Brent are to be found in wards where selective licensing has been in operation for almost two years. This suggests that selective licensing is failing to deliver the desired outcome.

Likewise, the report highlights Newham as an example of successful borough-wide licensing. However, in terms of illegal dumping of rubbish – a key concern – Newham has the highest incidence (and cost) of any London borough, again suggesting that selective licensing is failing to meet this objective.

The Council also admits that the current borough-wide additional licensing of HMOs is failing. The report acknowledges that “the large number of HMOs whose owners have neglected to apply for licences”. If the council cannot adequately enforce a borough-wide additional licensing scheme, then there must be doubt about its ability to enforce a borough-wide selective scheme encompassing tens of thousands more properties.

The council also committed to review the current selective licensing schemes annually. However, the assessment of these schemes do not form part of the consultation. The only data provided relates to the number of landlords who have applied for licence. The success of selective licensing cannot and should not be measured by how many properties are licensed. Instead, clear objectives and outcomes should be set at the start of the scheme regarding improved management standards, property conditions and, for example, reduction in ASB. Where is the evidence that the current selective licensing scheme is delivering these outcomes? Instead, as noted earlier, the highest incidences of ASB in the Borough are to be found in these wards.

Looking at the specifics of the scheme, should the council decide to proceed, we welcome the consideration of discounted fees. However, we believe the discount for accredited landlords does not provide sufficient incentive for landlords to become accredited. A more substantial discount would attract greater uptake of accreditation.

There is no mention of an alternative to online application. The RLA believes a paper registration option should be available.

With regard to the licensing conditions, the scheme appears to require landlords to force tenants to disclose unspent convictions (6a). This can only be done through a CRB or similar check. Forcing a third party to require such a check – an enforced subject access request - in order to gain a tenancy is a criminal offence, under s56 of the Data Protection Act. This condition should be removed.

There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement. More information can be supplied if required.

We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for so-called rogues to operate under the radar.

Thank you for giving these concerns your attention.

Yours Sincerely

A handwritten signature in black ink, appearing to read "John Stewart". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John Stewart

POLICY MANAGER

## Appendix – RLA General Licensing Concerns

The RLA has several areas of concern in regards to selective licensing, namely:

- i. Worrying trends are emerging in the case of discretionary licensing. Licensing entails a huge bureaucracy and much time, effort and expense is taken up in setting up and administering these schemes; rather than spending it on the ground and flushing out criminal landlords.
- ii. Increasingly, discretionary licensing is being misused to fund cash strapped housing enforcement services. The recent Westminster sex shop Court of Appeal (*Hemming (t/a Simply Pleasure) Limited v Westminster City Council*) has brought such funding into question).
- iii. Discretionary licensing is not being used for its intended purpose of a short period of intensive care; rather it is being used by the back door to regulate the PRS.
- iv. The level of fees which are ultimately passed on to tenants to pay is a major worry so far as it affects landlords.
- v. Despite high fee levels local authorities still lack the will and resources to properly implement licensing.
- vi. Little has been done to improve property management. Opportunities to require training have been ignored. As always it has become an obsession with regard to physical standards with very detailed conditions being laid down. No action is taken against criminal landlords.
- vii. We believe that a significant number of landlords are still operating under the radar without being licensed.
- viii. As always it is the compliant landlord who is affected by the schemes. They pay the high fees involved but do not need regulation of this kind.
- ix. Licensing is not being used alongside regeneration or improvement of the relevant areas. Insufficient resources are being employed to improve the areas.
- x. Where areas are designated for selective licensing this highlights that they can be “sink” areas. This could well mean it would be harder to obtain a mortgage to buy a property in these areas.
- xi. Schemes are not laying down clear objectives to enable decisions to be made whether or not these have been achieved. Proper monitoring is not being put into place to see if schemes are successful or not.
- xii. There is little use of “fit and proper person” powers to exclude bad landlords.

## Appendix E – Topline Results Tables

### Residents, Tenants and Businesses

Q1 - Which of the following best describes you?			
	% Total	% Answer	Count
Number of Responses	99.30%	-	849
Private tenant living in a single family dwelling (for example, a self-contained flat or house)	20.23%	20.38%	173
Private tenant living in a House in Multiple Occupation (HMO) or bedsit where you share some basic amenities (for example, toilet, bathroom, kitchen) with others	6.32%	6.36%	54
Local authority (Brent Housing Partnership) tenant	2.34%	2.36%	20
Housing association tenant	3.04%	3.06%	26
Owner occupier – either owning outright or buying with a mortgage	60.58%	61.01%	518
Shared owner – with a share in the equity of the home	2.57%	2.59%	22
Local business in Brent (but not a landlord, for whom there is a separate questionnaire)	0.23%	0.24%	2
Other interested party	3.98%	4.00%	34
No Response	0.70%	-	6
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
Q1 - Other interested parties, please give details:			
	% Total	Count	
Number of Responses	3.51%	30	
Responses	3.51%	30	
No Response	96.49%	825	
<b>Total</b>	<b>100.00%</b>	<b>855</b>	
Q2 - How would you rate the following problems in your local area?			
Q2 - Nuisance neighbours (including intimidation and harassment and street drinking)			
	% Total	% Answer	Count
Number of Responses	96.26%	-	823

Very serious problem	15.67%	16.28%	134
Serious problem	17.66%	18.35%	151
Minor problem	29.01%	30.13%	248
Not a problem	33.92%	35.24%	290
No Response	3.74%	-	32
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
<b>Q2 - Noise nuisance</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	95.32%	-	815
Very serious problem	14.74%	15.46%	126
Serious problem	15.79%	16.56%	135
Minor problem	34.39%	36.07%	294
Not a problem	30.41%	31.90%	260
No Response	4.68%	-	40
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

<b>Q2 - Drug use/drug dealing</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	93.92%	-	803
Very serious problem	11.81%	12.58%	101
Serious problem	15.20%	16.19%	130
Minor problem	28.07%	29.89%	240
Not a problem	38.83%	41.34%	332
No Response	6.08%	-	52
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

<b>Q2 - General street scene (including graffiti and excessive 'to let'/'for sale' boards)</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	94.74%	-	810

Very serious problem	12.51%	13.21%	107
Serious problem	15.20%	16.05%	130
Minor problem	33.10%	34.94%	283
Not a problem	33.92%	35.80%	290
No Response	5.26%	-	45
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - Rubbish dumping and fly tipping			
	% Total	% Answer	Count
Number of Responses	98.01%	-	838
Very serious problem	39.18%	39.98%	335
Serious problem	23.51%	23.99%	201
Minor problem	21.64%	22.08%	185
Not a problem	13.68%	13.96%	117
No Response	1.99%	-	17
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - High levels of overcrowded properties			
	% Total	% Answer	Count
Number of Responses	96.84%	-	828
Very serious problem	26.67%	27.54%	228
Serious problem	20.00%	20.65%	171
Minor problem	19.88%	20.53%	170
Not a problem	30.29%	31.28%	259
No Response	3.16%	-	27
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - Untidy front gardens			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	96.96%	-	829
Very serious problem	25.85%	26.66%	221
Serious problem	16.73%	17.25%	143
Minor problem	28.42%	29.31%	243
Not a problem	25.96%	26.78%	222
No Response	3.04%	-	26
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - Poorly managed and maintained homes			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	96.02%	-	821
Very serious problem	26.55%	27.65%	227
Serious problem	17.66%	18.39%	151
Minor problem	27.25%	28.38%	233
Not a problem	24.56%	25.58%	210
No Response	3.98%	-	34
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - High turnover of residents in the local community			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	96.37%	-	824
Very serious problem	20.70%	21.48%	177
Serious problem	19.77%	20.51%	169
Minor problem	23.74%	24.64%	203
Not a problem	32.16%	33.37%	275
No Response	3.63%	-	31

<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
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<b>Q2 - Street prostitution and brothels</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	94.04%	-	804
Very serious problem	7.37%	7.84%	63
Serious problem	5.96%	6.34%	51
Minor problem	14.74%	15.67%	126
Not a problem	65.96%	70.15%	564
No Response	5.96%	-	51
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - High rent levels			
	% Total	% Answer	Count
Number of Responses	92.98%	-	795
Very serious problem	25.85%	27.80%	221
Serious problem	19.88%	21.38%	170
Minor problem	20.58%	22.14%	176
Not a problem	26.67%	28.68%	228
No Response	7.02%	-	60
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - Lack of community engagement			
	% Total	% Answer	Count
Number of Responses	94.97%	-	812
Very serious problem	22.22%	23.40%	190
Serious problem	23.63%	24.88%	202
Minor problem	26.08%	27.46%	223
Not a problem	23.04%	24.26%	197
No Response	5.03%	-	43
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - Empty/boarded up properties			
	% Total	% Answer	Count
Number of Responses	93.57%	-	800
Very serious problem	6.55%	7.00%	56
Serious problem	6.08%	6.50%	52
Minor problem	25.03%	26.75%	214
Not a problem	55.91%	59.75%	478
No Response	6.43%	-	55

<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
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Q2 - Levels of migration			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	95.56%	-	817
Very serious problem	22.92%	23.99%	196
Serious problem	13.57%	14.20%	116
Minor problem	24.44%	25.58%	209
Not a problem	34.62%	36.23%	296
No Response	4.44%	-	38
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - Tenants sub-letting			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	93.80%	-	802
Very serious problem	17.89%	19.08%	153
Serious problem	16.49%	17.58%	141
Minor problem	23.63%	25.19%	202
Not a problem	35.79%	38.15%	306
No Response	6.20%	-	53
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - Tenants being aware of their legal responsibilities			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	92.63%	-	792
Very serious problem	23.04%	24.87%	197
Serious problem	19.06%	20.58%	163
Minor problem	20.00%	21.59%	171
Not a problem	30.53%	32.95%	261
No Response	7.37%	-	63
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q2 - Police reported crime in Brent e.g. burglary			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	92.98%	-	795
Very serious problem	15.91%	17.11%	136
Serious problem	23.74%	25.53%	203
Minor problem	29.59%	31.82%	253
Not a problem	23.74%	25.53%	203
No Response	7.02%	-	60

<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
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Q2 - If other, please specify:		
	<b>% Total</b>	<b>Count</b>
Number of Responses	16.26%	139
Responses	16.26%	139
No Response	83.74%	716
<b>Total</b>	<b>100.00%</b>	<b>855</b>

Q3 - Thinking about the private rented sector as a whole in Brent, to what extent do you agree or disagree with the following statements?			
Q3 - Poorly maintained properties are contributing to the decline of my local area			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.25%	-	840
I agree strongly	42.11%	42.86%	360
I tend to agree	22.92%	23.33%	196
Neither agree nor disagree	13.68%	13.93%	117
I tend to disagree	10.18%	10.36%	87
I disagree strongly	9.36%	9.52%	80
No Response	1.75%	-	15
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q3 - Poorly managed privately let properties are contributing to the decline of my local area			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	97.78%	-	836
I agree strongly	46.32%	47.37%	396
I tend to agree	20.58%	21.05%	176
Neither agree nor disagree	12.28%	12.56%	105
I tend to disagree	8.65%	8.85%	74
I disagree strongly	9.94%	10.17%	85
No Response	2.22%	-	19
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q3 - Landlords have a responsibility to manage their properties effectively			
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	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.83%	-	845
I agree strongly	73.80%	74.67%	631
I tend to agree	16.02%	16.21%	137
Neither agree nor disagree	4.91%	4.97%	42
I tend to disagree	1.99%	2.01%	17
I disagree strongly	2.11%	2.13%	18
No Response	1.17%	-	10
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q3 - Landlords should be 'fit and proper' persons, so that privately let properties in the borough are well managed			
	% Total	% Answer	Count
Number of Responses	99.06%	-	847
I agree strongly	70.99%	71.66%	607
I tend to agree	13.33%	13.46%	114
Neither agree nor disagree	8.77%	8.85%	75
I tend to disagree	2.34%	2.36%	20
I disagree strongly	3.63%	3.66%	31
No Response	0.94%	-	8
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q4 - Thinking about how the private rented sector as a whole in Brent might be improved, to what extent do you agree or disagree with the following statements?

Q4 - Brent Council should intervene in areas suffering from high levels of anti-social behaviour			
	% Total	% Answer	Count
Number of Responses	98.48%	-	842
I agree strongly	67.60%	68.65%	578
I tend to agree	21.29%	21.62%	182
Neither agree nor disagree	3.86%	3.92%	33
I tend to disagree	1.87%	1.90%	16
I disagree strongly	3.86%	3.92%	33
No Response	1.52%	-	13
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q4 - Brent Council should have more control over the way private landlords manage their properties			
	% Total	% Answer	Count
Number of Responses	98.36%	-	841

I agree strongly	59.30%	60.29%	507
I tend to agree	12.87%	13.08%	110
Neither agree nor disagree	6.43%	6.54%	55
I tend to disagree	7.72%	7.85%	66
I disagree strongly	12.05%	12.25%	103
No Response	1.64%	-	14
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
Q4 - Licensing of the privately rented sector will help to reduce anti-social behaviour in the borough			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	97.78%	-	836
I agree strongly	49.82%	50.96%	426
I tend to agree	16.96%	17.34%	145
Neither agree nor disagree	9.24%	9.45%	79
I tend to disagree	5.85%	5.98%	50
I disagree strongly	15.91%	16.27%	136
No Response	2.22%	-	19
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q4 - Licensing of the privately rented sector will ensure that properties in poor condition are properly managed to prevent further deterioration			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.25%	-	840
I agree strongly	59.06%	60.12%	505
I tend to agree	14.85%	15.12%	127
Neither agree nor disagree	5.38%	5.48%	46
I tend to disagree	5.85%	5.95%	50
I disagree strongly	13.10%	13.33%	112
No Response	1.75%	-	15

<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
Q4 - Licensing of the privately rented sector will ensure that people who occupy properties do not live in poorly managed housing or unacceptable conditions			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.25%	-	840
I agree strongly	59.88%	60.95%	512
I tend to agree	14.85%	15.12%	127
Neither agree nor disagree	5.50%	5.60%	47
I tend to disagree	6.20%	6.31%	53
I disagree strongly	11.81%	12.02%	101
No Response	1.75%	-	15
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q4 Licensing of the privately rented sector will help to preserve and improve the social and economic status of the local area			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.25%	-	840
I agree strongly	52.75%	53.69%	451
I tend to agree	17.89%	18.21%	153
Neither agree nor disagree	7.25%	7.38%	62
I tend to disagree	4.80%	4.88%	41
I disagree strongly	15.56%	15.83%	133
No Response	1.75%	-	15
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
Q4 - Licensing of the privately rented sector will reduce the impact of criminal activity on residents and businesses in Brent			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	97.54%	-	834
I agree strongly	45.73%	46.88%	391
I tend to agree	16.14%	16.55%	138

Neither agree nor disagree	14.04%	14.39%	120
I tend to disagree	6.32%	6.47%	54
I disagree strongly	15.32%	15.71%	131
No Response	2.46%	-	21
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q5 - To what extent do you agree or disagree that private landlords should take the following actions?			
Q5 - Keep their properties in good condition			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.13%	-	839
Strongly agree	75.56%	77.00%	646
Agree	18.13%	18.47%	155
Neither agree or disagree	3.04%	3.10%	26
Disagree	0.35%	0.36%	3
Disagree strongly	1.05%	1.07%	9
No Response	1.87%	-	16
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q5 - Obtain references for new tenants wishing to move in			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	97.89%	-	837
Strongly agree	60.35%	61.65%	516
Agree	23.98%	24.49%	205
Neither agree or disagree	10.53%	10.75%	90
Disagree	1.52%	1.55%	13
Disagree strongly	1.52%	1.55%	13
No Response	2.11%	-	18

<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
Q5 - Ensure tenants know anti-social behaviour is unacceptable and act to address it			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	97.43%	-	833
Strongly agree	68.77%	70.59%	588
Agree	18.95%	19.45%	162
Neither agree or disagree	5.61%	5.76%	48
Disagree	1.87%	1.92%	16
Disagree strongly	2.22%	2.28%	19
No Response	2.57%	-	22
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
Q5 - Provide tenants with the landlord's contact details			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.01%	-	838
Strongly agree	74.39%	75.89%	636
Agree	18.60%	18.97%	159
Neither agree or disagree	3.27%	3.34%	28
Disagree	0.82%	0.84%	7
Disagree strongly	0.94%	0.95%	8
No Response	1.99%	-	17
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Please rate the following problems in relation to your own home or where you live in Brent.			
Q6 - Poor amenities (e.g. toilet, bathroom, kitchen facilities, storage etc.)			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	94.04%	-	804
Very serious problem	11.35%	12.06%	97

Serious problem	6.32%	6.72%	54
Minor problem	6.90%	7.34%	59
Not a problem	59.53%	63.31%	509
Don't know	9.94%	10.57%	85
No Response	5.96%	-	51
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Poor fire safety (e.g. means of escape, fire doors, extinguishers etc.)			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	93.45%	-	799
Very serious problem	10.99%	11.76%	94
Serious problem	6.20%	6.63%	53
Minor problem	7.60%	8.14%	65
Not a problem	58.13%	62.20%	497
Don't know	10.53%	11.26%	90
No Response	6.55%	-	56
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Property in a poor state of repair			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	93.68%	-	801
Very serious problem	15.09%	16.10%	129
Serious problem	10.53%	11.24%	90
Minor problem	13.10%	13.98%	112
Not a problem	51.23%	54.68%	438
Don't know	3.74%	4.00%	32
No Response	6.32%	-	54

<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
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Q6 - Poor management of internal common parts			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	93.45%	-	799
Very serious problem	12.16%	13.02%	104
Serious problem	7.49%	8.01%	64
Minor problem	9.24%	9.89%	79
Not a problem	52.63%	56.32%	450
Don't know	11.93%	12.77%	102
No Response	6.55%	-	56
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Too little space/too many people/ overcrowding			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	92.98%	-	795
Very serious problem	17.31%	18.62%	148
Serious problem	7.95%	8.55%	68
Minor problem	9.12%	9.81%	78
Not a problem	54.04%	58.11%	462
Don't know	4.56%	4.91%	39
No Response	7.02%	-	60
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Poor security			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	92.51%	-	791
Very serious problem	13.22%	14.29%	113

Serious problem	9.59%	10.37%	82
Minor problem	14.85%	16.06%	127
Not a problem	46.32%	50.06%	396
Don't know	8.54%	9.23%	73
No Response	7.49%	-	64
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Lack of energy efficiency in the property			
	% Total	% Answer	Count
Number of Responses	92.40%	-	790
Very serious problem	12.75%	13.80%	109
Serious problem	8.77%	9.49%	75
Minor problem	14.15%	15.32%	121
Not a problem	45.85%	49.62%	392
Don't know	10.88%	11.77%	93
No Response	7.60%	-	65
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Damp and mould			
	% Total	% Answer	Count
Number of Responses	92.75%	-	793
Very serious problem	14.62%	15.76%	125
Serious problem	7.84%	8.45%	67
Minor problem	13.10%	14.12%	112
Not a problem	47.60%	51.32%	407
Don't know	9.59%	10.34%	82
No Response	7.25%	-	62
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Poor noise insulation			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	92.28%	-	789
Very serious problem	19.88%	21.55%	170
Serious problem	9.01%	9.76%	77
Minor problem	14.50%	15.72%	124
Not a problem	41.75%	45.25%	357
Don't know	7.13%	7.73%	61
No Response	7.72%	-	66
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Personal safety and fear of crime			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	92.98%	-	795
Very serious problem	16.84%	18.11%	144
Serious problem	13.80%	14.84%	118
Minor problem	20.47%	22.01%	175
Not a problem	37.89%	40.75%	324
Don't know	3.98%	4.28%	34
No Response	7.02%	-	60
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Illegal extensions/conversions without planning permission			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	92.75%	-	793
Very serious problem	16.96%	18.28%	145
Serious problem	7.95%	8.58%	68
Minor problem	11.35%	12.23%	97

Not a problem	44.56%	48.05%	381
Don't know	11.93%	12.86%	102
No Response	7.25%	-	62
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Unkempt external appearance and lack of property maintenance			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	93.33%	-	798
Very serious problem	21.52%	23.06%	184
Serious problem	11.23%	12.03%	96
Minor problem	15.67%	16.79%	134
Not a problem	42.46%	45.49%	363
Don't know	2.46%	2.63%	21
No Response	6.67%	-	57
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Refuse problems including overgrown gardens with accumulations of rubbish and abandoned/dumped household items			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	94.27%	-	806
Very serious problem	28.07%	29.78%	240
Serious problem	12.98%	13.77%	111
Minor problem	15.56%	16.50%	133
Not a problem	35.67%	37.84%	305
Don't know	1.99%	2.11%	17
No Response	5.73%	-	49
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Pressure on car parking			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	93.45%	-	799
Very serious problem	30.64%	32.79%	262
Serious problem	16.02%	17.15%	137
Minor problem	16.84%	18.02%	144
Not a problem	26.67%	28.54%	228
Don't know	3.27%	3.50%	28
No Response	6.55%	-	56
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Noise and disturbance from neighbours who are private tenants			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	93.10%	-	796
Very serious problem	19.18%	20.60%	164
Serious problem	11.35%	12.19%	97
Minor problem	19.06%	20.48%	163
Not a problem	39.65%	42.59%	339
Don't know	3.86%	4.15%	33
No Response	6.90%	-	59
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Other anti-social behaviour by private tenants including drug taking/dealing and street drinking			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	93.33%	-	798
Very serious problem	18.36%	19.67%	157
Serious problem	11.23%	12.03%	96
Minor problem	16.84%	18.05%	144

Not a problem	40.23%	43.11%	344
Don't know	6.67%	7.14%	57
No Response	6.67%	-	57
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

<b>Q6 - Harassment/discrimination</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	92.63%	-	792
Very serious problem	12.63%	13.64%	108
Serious problem	6.43%	6.94%	55
Minor problem	11.11%	11.99%	95
Not a problem	51.23%	55.30%	438
Don't know	11.23%	12.12%	96
No Response	7.37%	-	63
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
<b>Q6 - Fear of eviction</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	92.16%	-	788
Very serious problem	9.59%	10.41%	82
Serious problem	4.68%	5.08%	40
Minor problem	6.43%	6.98%	55
Not a problem	50.88%	55.20%	435
Don't know	20.58%	22.34%	176
No Response	7.84%	-	67
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>
<b>Q6 - Insecure tenancy/no tenancy agreement</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	91.93%	-	786

Very serious problem	13.10%	14.25%	112
Serious problem	5.15%	5.60%	44
Minor problem	5.26%	5.73%	45
Not a problem	48.30%	52.54%	413
Don't know	20.12%	21.88%	172
No Response	8.07%	-	69
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q6 - Other problems, please specify:			
	<b>% Total</b>	<b>Count</b>	
Number of Responses	15.79%	135	
Responses	15.79%	135	
No Response	84.21%	720	
<b>Total</b>	<b>100.00%</b>	<b>855</b>	

Q7 To what extent do you agree or disagree that the proposed selective licensing conditions above are reasonable?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	94.15%	-	805
I agree strongly	61.52%	65.34%	526
I tend to agree	14.04%	14.91%	120
Neither agree nor disagree	3.16%	3.35%	27
I tend to disagree	5.26%	5.59%	45
I disagree strongly	10.18%	10.81%	87
No Response	5.85%	-	50
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q7 - If you 'tend to disagree' or 'disagree strongly' with the proposed selective licensing conditions, please tell us why:		
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	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	20.35%	174
<b>Responses</b>	20.35%	174
<b>No Response</b>	79.65%	681
<b>Total</b>	<b>100.00%</b>	<b>855</b>

Q8 - In your opinion, should the council extend selective licensing for single family dwellings (for example self-contained flats or houses) in Brent?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.25%	-	840
Yes, borough-wide	68.19%	69.40%	583
Yes, but only where I own/let property	1.99%	2.02%	17
Yes, but elsewhere in Brent	1.29%	1.31%	11
No	21.40%	21.79%	183
Don't know	5.38%	5.48%	46
No Response	1.75%	-	15
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q8 - Please state area(s):		
	<b>% Total</b>	<b>Count</b>
Number of Responses	0.70%	6
Responses	0.70%	6
No Response	99.30%	849
<b>Total</b>	<b>100.00%</b>	<b>855</b>

Q8 - Elsewhere in Brent, please specify:		
	<b>% Total</b>	<b>Count</b>
Number of Responses	0.70%	6
Responses	0.70%	6

No Response	99.30%	849
<b>Total</b>	<b>100.00%</b>	<b>855</b>

Q9 - In your opinion, would introducing Selective Licensing achieve any of the following? (tick all that apply)				
	<b>% Total</b>	<b>% Answer</b>	<b>% Frequency</b>	<b>Count</b>
Number of Responses	81.52%	-	-	697
Shift the reliance away from using resident complaints to identify problems	8.60%	8.88%	49.59%	424
Promote a professional management ethos amongst private landlords	10.64%	11.00%	61.40%	525
Provide tenants with consistent information on acceptable standards of accommodation	10.64%	11.00%	61.40%	525
Allow the council to take action against landlords who provide poor standards of accommodation	11.84%	12.23%	68.30%	584
Remove rogue landlords from the sector	11.78%	12.17%	67.95%	581
Reduce anti-social behaviour in the borough	9.21%	9.51%	53.10%	454
Provide safe homes for tenants to live in	11.68%	12.07%	67.37%	576
Provide a better approach to managing the private rented sector	10.52%	10.87%	60.70%	519
Allow the council to take action against landlords whose tenants cause persistent anti-social behaviour	11.11%	11.48%	64.09%	548
Allow the council to take action against landlords who provide poor standard of accommodation	0.39%	0.40%	2.22%	19
Reduce level of anti-social behaviour in the borough	0.39%	0.40%	2.22%	19
No Response	3.20%	-	18.48%	158
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	-	<b>4,932</b>

Postcode - please tell us your postcode:		
	<b>% Total</b>	<b>Count</b>
Number of Responses	88.89%	760
Responses	88.89%	760
No Response	11.11%	95
<b>Total</b>	<b>100.00%</b>	<b>855</b>

Q10 - How long have you lived in Brent?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	97.78%	-	836
Less than one year	2.92%	2.99%	25
One to two years	4.09%	4.19%	35
Two to five years	8.65%	8.85%	74
Five to ten years	11.93%	12.20%	102
More than ten years	66.20%	67.70%	566
Prefer not to say	3.98%	4.07%	34
No Response	2.22%	-	19
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q11 - How long have you lived in your current property?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	97.43%	-	833
Less than one year	4.68%	4.80%	40
One to two years	7.13%	7.32%	61
Two to five years	14.74%	15.13%	126
Five to ten years	13.45%	13.81%	115
More than ten years	52.87%	54.26%	452
Prefer not to say	4.56%	4.68%	39
No Response	2.57%	-	22
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q12 - Are you:			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	97.31%	-	832
Male	47.25%	48.56%	404
Female	41.75%	42.91%	357
Prefer not to say	8.30%	8.53%	71
No Response	2.69%	-	23
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q13 - What is your age group?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.25%	-	840
Under 18	0.00%	0.00%	0
18 - 24	1.75%	1.79%	15
25 - 34	14.04%	14.29%	120
35 - 44	19.18%	19.52%	164

45 - 54	20.58%	20.95%	176
55 - 60	9.82%	10.00%	84
61+	23.27%	23.69%	199
Prefer not to say	9.59%	9.76%	82
No Response	1.75%	-	15
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q14 - Do you have any long-standing illness, disability or infirmity? (Long-standing means anything that has troubled you over a period of time or that is likely to affect you over a period of time)			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	96.37%	-	824
Yes	13.10%	13.59%	112
No	69.71%	72.33%	596
Prefer not to say	13.57%	14.08%	116
[No Response]	3.63%	-	31
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q15 - How would you describe your ethnic background?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	98.25%	-	840
White: English/Welsh/Scottish/Northern Irish/British	30.41%	30.95%	260
White: Irish	3.86%	3.93%	33
White: Gypsy or Irish Traveller	0.00%	0.00%	0
Any other White background	9.36%	9.52%	80
White and Black Caribbean	0.58%	0.60%	5
White and Black African	0.47%	0.48%	4

White and Asian	1.29%	1.31%	11
African: Black/African/Caribbean/Black British	2.34%	2.38%	20
Caribbean: Black/African/Caribbean/Black British	4.09%	4.17%	35
Any other Black/African/Caribbean background	0.23%	0.24%	2
Chinese: Asian/Asian British	1.52%	1.55%	13
Bangladeshi: Asian/Asian British	0.58%	0.60%	5
Pakistani: Asian/Asian British	1.40%	1.43%	12
Indian: Asian/Asian British	13.92%	14.17%	119
Any other Asian background	2.34%	2.38%	20
Arab	1.52%	1.55%	13
Any other mixed/multiple ethnic background	1.17%	1.19%	10
Any other ethnic group	1.52%	1.55%	13
Prefer not to say	21.64%	22.02%	185
No Response	1.75%	-	15
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q16 - What is your religion or belief?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	97.43%	-	833
Buddhist	1.40%	1.44%	12
Christian	30.88%	31.69%	264
Hindu	9.24%	9.48%	79
Jewish	1.75%	1.80%	15
Muslim	6.43%	6.60%	55
Sikh	0.94%	0.96%	8
None	17.08%	17.53%	146
Prefer not to say	26.67%	27.37%	228
Other	3.04%	3.12%	26

No Response	2.57%	-	22
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q16 - If other, please specify:		
	<b>% Total</b>	<b>Count</b>
Number of Responses	1.29%	11
Responses	1.29%	11
No Response	98.71%	844
<b>Total</b>	<b>100.00%</b>	<b>855</b>

Q17 - What is your sexual orientation?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
Number of Responses	96.14%	-	822
Heterosexual/straight	65.38%	68.00%	559
Lesbian	0.35%	0.36%	3
Gay man	1.87%	1.95%	16
Bisexual	0.23%	0.24%	2
Prefer not to say	28.30%	29.44%	242
No Response	3.86%	-	33
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>855</b>

Q18 - How did you hear about this consultation?				
	<b>% Total</b>	<b>% Answer</b>	<b>% Frequency</b>	<b>Count</b>
Number of Responses	97.89%	-	-	837
Leaflet	41.98%	42.83%	45.03%	385
Poster	8.18%	8.34%	8.77%	75
Email	9.81%	10.01%	10.53%	90
Brent website	11.67%	11.90%	12.51%	107
Brent Connects	2.07%	2.11%	2.22%	19
Brent Citizens' Panel	0.87%	0.89%	0.94%	8
Local newspaper	1.53%	1.56%	1.64%	14

Word of mouth	6.32%	6.45%	6.78%	58
Other	15.59%	15.91%	16.73%	143
No Response	1.96%	-	2.11%	18
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	-	<b>917</b>

Q18 - If other, please specify:		
	<b>% Total</b>	<b>Count</b>
Number of Responses	13.33%	114
Responses	13.33%	114
No Response	86.67%	741
<b>Total</b>	<b>100.00%</b>	<b>855</b>

## Landlords and Managing Agents

### Section 1: About You

Q1: Which of the following best describes you?			
	% Total	% Answer	Count
<b>Number of Responses</b>	99.51%	-	204
Landlord who manages their own property	67.32%	67.65%	138
Landlord who uses a managing agent	16.59%	16.67%	34
Letting agent	5.37%	5.39%	11
Managing agent	5.85%	5.88%	12
Registered social landlord	0.98%	0.98%	2
Other interested party	3.41%	3.43%	7
No Response	0.49%	-	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q1a: If other, please give details		
	% Total	Count
<b>Number of Responses</b>	0.98%	2
Responses	0.98%	2
No Response	99.02%	203
<b>Total</b>	<b>100.00%</b>	<b>205</b>

Q2: Type/number of properties owned/managed in Brent:			
	% Total	% Answer	Count
Single occupancy house			
<b>Number of Responses</b>	60.00%	-	123
1 to 5	49.76%	82.93%	102

6 to 10	3.41%	5.69%	7
11 to 20	1.46%	2.44%	3
21 to 50	2.44%	4.07%	5
51 to 100	1.46%	2.44%	3
100+	1.46%	2.44%	3
No Response	40.00%	-	82
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Self-contained flat			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	50.24%	-	103
1 to 5	36.59%	72.82%	75
6 to 10	3.90%	7.77%	8
11 to 20	4.39%	8.74%	9
21 to 50	1.95%	3.88%	4
51 to 100	0.49%	0.97%	1
100+	2.93%	5.83%	6
No Response	49.76%	-	102
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Houses in Multiple Occupation – smaller than three storeys			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	22.44%	-	46
1 to 5	16.59%	73.91%	34
6 to 10	1.95%	8.70%	4
11 to 20	0.98%	4.35%	2
21 to 50	1.46%	6.52%	3
51 to 100	0.00%	0.00%	0

100+	1.46%	6.52%	3
No Response	77.56%	-	159
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Houses in Multiple Occupation – three storeys or more			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	12.68%	-	26
1 to 5	9.27%	73.08%	19
6 to 10	1.46%	11.54%	3
11 to 20	1.46%	11.54%	3
21 to 50	0.00%	0.00%	0
51 to 100	0.49%	3.85%	1
100+	0.00%	0.00%	0
No Response	87.32%	-	179
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q3: Are you a member of any of the following? Please tick all that apply				
	<b>% Total</b>	<b>% Answer</b>	<b>% Frequency</b>	<b>Count</b>
<b>Number of Responses</b>	44.39%	-	-	91
National Landlords Association (NLA)	18.75%	38.18%	20.49%	42
Residential Landlords Association (RLA)	12.95%	26.36%	14.15%	29
ARLA (Association of Residential Lettings Agents (ARLA))	7.59%	15.45%	8.29%	17
Other landlord or lettings agent association	9.82%	20.00%	10.73%	22
No Response	50.89%	-	55.61%	114
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	-	<b>224</b>

Q3a: if other		
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	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	2.93%	6
Responses	2.93%	6
No Response	97.07%	199
<b>Total</b>	<b>100.00%</b>	<b>205</b>

Q4: Are you an accredited landlord or agent?			
	% Total	% Answer	Count
<b>Number of Responses</b>	98.05%	-	201
Yes	20.49%	20.90%	42
No	77.56%	79.10%	159
No Response	1.95%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q4a: If other, which scheme? E.g. UKLAS/ LLAS, NLA, RLA		
	% Total	Count
<b>Number of Responses</b>	18.05%	37
Responses	18.05%	37
No Response	81.95%	168
<b>Total</b>	<b>100.00%</b>	<b>205</b>

## Section 2: Local Problems

Q5: As a landlord or agent in Brent, how would you rate the problems identified below?			
Poor quality private rented housing			
	% Total	% Answer	Count
<b>Number of Responses</b>	95.12%	-	195
Very serious problem	7.80%	8.21%	16
Serious problem	17.56%	18.46%	36
Minor problem	34.63%	36.41%	71
Not a problem	35.12%	36.92%	72
No Response	4.88%	-	10

<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>
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Poorly managed privately rented houses (by others)			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	94.15%	-	193
Very serious problem	8.29%	8.81%	17
Serious problem	23.41%	24.87%	48
Minor problem	35.61%	37.82%	73
Not a problem	26.83%	28.50%	55
No Response	5.85%	-	12
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Rubbish dumping and fly tipping			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	97.56%	-	200
Very serious problem	25.85%	26.50%	53
Serious problem	21.95%	22.50%	45
Minor problem	30.24%	31.00%	62
Not a problem	19.51%	20.00%	40
No Response	2.44%	-	5
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Untidy front gardens			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	96.59%	-	198
Very serious problem	11.71%	12.12%	24
Serious problem	19.51%	20.20%	40
Minor problem	35.61%	36.87%	73
Not a problem	29.76%	30.81%	61
No Response	3.41%	-	7
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Nuisance and anti-social behaviour by your tenants			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	97.56%	-	200
Very serious problem	7.80%	8.00%	16
Serious problem	6.34%	6.50%	13
Minor problem	25.37%	26.00%	52
Not a problem	58.05%	59.50%	119
No Response	2.44%	-	5
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Street prostitution and brothels			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	94.63%	-	194
Very serious problem	10.73%	11.34%	22
Serious problem	6.34%	6.70%	13
Minor problem	20.49%	21.65%	42
Not a problem	57.07%	60.31%	117
No Response	5.37%	-	11
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Difficulty finding tenants			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	97.07%	-	199
Very serious problem	6.34%	6.53%	13
Serious problem	4.88%	5.03%	10
Minor problem	26.34%	27.14%	54
Not a problem	59.51%	61.31%	122
No Response	2.93%	-	6
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Empty properties affecting rental income			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	96.59%	-	198
Very serious problem	5.37%	5.56%	11
Serious problem	9.27%	9.60%	19
Minor problem	25.85%	26.77%	53
Not a problem	56.10%	58.08%	115
No Response	3.41%	-	7
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

High turnover of tenants			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	97.56%	-	200
Very serious problem	6.34%	6.50%	13
Serious problem	9.27%	9.50%	19
Minor problem	20.98%	21.50%	43
Not a problem	60.98%	62.50%	125
No Response	2.44%	-	5
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Levels of migration			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	95.12%	-	195
Very serious problem	10.73%	11.28%	22
Serious problem	12.20%	12.82%	25
Minor problem	23.90%	25.13%	49
Not a problem	48.29%	50.77%	99
No Response	4.88%	-	10
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Tenants sub-letting			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	97.07%	-	199
Very serious problem	15.61%	16.08%	32
Serious problem	11.71%	12.06%	24
Minor problem	25.85%	26.63%	53
Not a problem	43.90%	45.23%	90
No Response	2.93%	-	6
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Tenants being aware of their legal responsibilities			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	96.59%	-	198
Very serious problem	6.34%	6.57%	13
Serious problem	13.66%	14.14%	28
Minor problem	25.85%	26.77%	53
Not a problem	50.73%	52.53%	104
No Response	3.41%	-	7
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Police reported crime in Brent e.g. burglary			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	94.63%	-	194
Very serious problem	10.73%	11.34%	22
Serious problem	15.61%	16.49%	32
Minor problem	34.63%	36.60%	71
Not a problem	33.66%	35.57%	69
No Response	5.37%	-	11
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Number of tenants claiming benefits			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	94.63%	-	194
Very serious problem	12.68%	13.40%	26
Serious problem	16.10%	17.01%	33
Minor problem	29.76%	31.44%	61
Not a problem	36.10%	38.14%	74
No Response	5.37%	-	11
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Tenants leaving without paying rent/giving correct notice			
	% Total	% Answer	Count
<b>Number of Responses</b>	95.12%	-	195
Very serious problem	17.56%	18.46%	36
Serious problem	13.66%	14.36%	28
Minor problem	25.37%	26.67%	52
Not a problem	38.54%	40.51%	79
No Response	4.88%	-	10
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Tenants building up high levels of rent arrears			
	% Total	% Answer	Count
<b>Number of Responses</b>	96.10%	-	197
Very serious problem	15.12%	15.74%	31
Serious problem	13.66%	14.21%	28
Minor problem	28.29%	29.44%	58
Not a problem	39.02%	40.61%	80
No Response	3.90%	-	8
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Problems evicting tenants			
	% Total	% Answer	Count
<b>Number of Responses</b>	95.61%	-	196
Very serious problem	21.95%	22.96%	45
Serious problem	14.63%	15.31%	30
Minor problem	20.98%	21.94%	43
Not a problem	38.05%	39.80%	78
No Response	4.39%	-	9
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Lack of community engagement			
	% Total	% Answer	Count
<b>Number of Responses</b>	95.61%	-	196
Very serious problem	14.15%	14.80%	29
Serious problem	13.17%	13.78%	27
Minor problem	29.27%	30.61%	60
Not a problem	39.02%	40.82%	80
No Response	4.39%	-	9
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

If other, please specify		
	% Total	Count
<b>Number of Responses</b>	15.61%	32
Responses	15.61%	32
No Response	84.39%	173
<b>Total</b>	<b>100.00%</b>	<b>205</b>

Q 6: Thinking about the private rented sector as a whole in Brent, to what extent do you agree or disagree with the following statements?

Poorly maintained properties are contributing to the decline of some areas in Brent			
	% Total	% Answer	Count
<b>Number of Responses</b>	97.56%	-	200
I agree strongly	17.07%	17.50%	35
I tend to agree	22.44%	23.00%	46
Neither agree nor disagree	20.98%	21.50%	43
I tend to disagree	18.54%	19.00%	38
I disagree strongly	18.54%	19.00%	38

No Response	2.44%	-	5
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

<b>Poorly managed, privately let properties are contributing to the decline of some areas in Brent</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.05%	-	201
I agree strongly	14.63%	14.93%	30
I tend to agree	18.54%	18.91%	38
Neither agree nor disagree	24.88%	25.37%	51
I tend to disagree	20.00%	20.40%	41
I disagree strongly	20.00%	20.40%	41
No Response	1.95%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

<b>Landlords have a responsibility to manage their properties effectively</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.54%	-	202
I agree strongly	61.46%	62.38%	126
I tend to agree	28.78%	29.21%	59
Neither agree nor disagree	5.85%	5.94%	12
I tend to disagree	0.98%	0.99%	2
I disagree strongly	1.46%	1.49%	3
No Response	1.46%	-	3
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Landlords should be 'fit and proper' persons, so that privately let properties in the borough are well managed			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.05%	-	201
I agree strongly	42.44%	43.28%	87
I tend to agree	27.80%	28.36%	57
Neither agree nor disagree	17.07%	17.41%	35
I tend to disagree	6.83%	6.97%	14
I disagree strongly	3.90%	3.98%	8
No Response	1.95%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

### Section 3: Local Solutions

Q7: Thinking about how the private rented sector as a whole in Brent might be improved, to what extent do you agree or disagree with the following statements?

Brent Council should intervene in areas suffering from high levels of anti-social behaviour			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.05%	-	201
I agree strongly	37.56%	38.31%	77
I tend to agree	36.10%	36.82%	74
Neither agree nor disagree	9.76%	9.95%	20
I tend to disagree	5.85%	5.97%	12
I disagree strongly	8.78%	8.96%	18
No Response	1.95%	-	4

<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>
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Brent Council should have more control over the way private landlords manage their properties			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	99.02%	-	203
I agree strongly	7.32%	7.39%	15
I tend to agree	12.20%	12.32%	25
Neither agree nor disagree	11.22%	11.33%	23
I tend to disagree	26.34%	26.60%	54
I disagree strongly	41.95%	42.36%	86
No Response	0.98%	-	2
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Licensing of the privately rented sector will help to reduce anti-social behaviour in the borough			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.54%	-	202
I agree strongly	5.37%	5.45%	11
I tend to agree	8.78%	8.91%	18
Neither agree nor disagree	10.24%	10.40%	21
I tend to disagree	20.00%	20.30%	41
I disagree strongly	54.15%	54.95%	111
No Response	1.46%	-	3
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

licensing of the privately rented sector will ensure that properties in poor condition are properly			
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managed to prevent further deterioration			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.05%	-	201
I agree strongly	7.32%	7.46%	15
I tend to agree	13.66%	13.93%	28
Neither agree nor disagree	14.15%	14.43%	29
I tend to disagree	24.39%	24.88%	50
I disagree strongly	38.54%	39.30%	79
No Response	1.95%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Licensing of the privately rented sector will ensure that people who occupy properties do not live in poorly managed housing or unacceptable conditions			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.54%	-	202
I agree strongly	7.32%	7.43%	15
I tend to agree	16.59%	16.83%	34
Neither agree nor disagree	11.71%	11.88%	24
I tend to disagree	22.93%	23.27%	47
I disagree strongly	40.00%	40.59%	82
No Response	1.46%	-	3
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Licensing of the privately rented sector will help to preserve and improve the social and economic status of the local area			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.05%	-	201
I agree strongly	5.85%	5.97%	12
I tend to agree	9.76%	9.95%	20

Neither agree nor disagree	12.20%	12.44%	25
I tend to disagree	22.44%	22.89%	46
I disagree strongly	47.80%	48.76%	98
No Response	1.95%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

licensing of the privately rented sector will reduce the impact of criminal activity on residents and businesses in Brent			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.05%	-	201
I agree strongly	4.88%	4.98%	10
I tend to agree	8.78%	8.96%	18
Neither agree nor disagree	11.71%	11.94%	24
I tend to disagree	19.02%	19.40%	39
I disagree strongly	53.66%	54.73%	110
No Response	1.95%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q8: Selective Licensing Conditions

To what extent do you agree or disagree that the proposed selective licensing conditions above are reasonable?

	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	94.63%	-	194
I agree strongly	15.12%	15.98%	31
I tend to agree	20.98%	22.16%	43
Neither agree nor disagree	11.22%	11.86%	23
I tend to disagree	19.02%	20.10%	39

I disagree strongly	28.29%	29.90%	58
No Response	5.37%	-	11
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q8a - why?		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	52.68%	108
Responses	52.68%	108
No Response	47.32%	97
<b>Total</b>	<b>100.00%</b>	<b>205</b>

#### Section 4: Tackling Problems

Q9: In your opinion, should the council extend selective licensing for single family dwellings (for example self-contained flats or houses) in Brent?

	% Total	% Answer	Count
<b>Number of Responses</b>	98.05%	-	201
Yes, borough-wide	21.95%	22.39%	45
Yes, but only where I own/let property	0.49%	0.50%	1
Yes, but elsewhere in Brent	3.41%	3.48%	7
No	62.44%	63.68%	128
Don't know	9.76%	9.95%	20
No Response	1.95%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q9a - If elsewhere in Brent, please specify	% Total	Count
<b>Number of Responses</b>	0.49%	1
Responses	0.49%	1
No Response	99.51%	204
<b>Total</b>	<b>100.00%</b>	<b>205</b>

Q10: In your opinion, would introducing Selective Licensing achieve any of the following? (tick all that apply)	% Total	% Answer	% Frequency	Count
<b>Number of Responses</b>	43.41%	-	-	89
Shift the reliance away from using resident complaints to identify problems	4.97%	6.73%	10.73%	22
Promote a professional management ethos amongst private landlords	7.90%	10.70%	17.07%	35

Provide tenants with consistent information on acceptable standards of accommodation	7.45%	10.09%	16.10%	33
Allow the council to take action against landlords who provide poor standards of accommodation	11.06%	14.98%	23.90%	49
Remove rogue landlords from the sector	12.64%	17.13%	27.32%	56
Reduce anti-social behaviour in the borough	4.97%	6.73%	10.73%	22
Provide safe homes for tenants to live in	10.38%	14.07%	22.44%	46
Provide a strategic approach to managing housing in Brent	5.19%	7.03%	11.22%	23
Allow the council to take action against landlords whose tenants cause persistent anti-social behaviour	8.35%	11.31%	18.05%	37
<b>Total</b>	<b>72.91%</b>	<b>98.78%</b>		<b>323</b>
[Unknown Value!] "Allow the council to take action against landlords who provide poor standard of accommodation"	0.45%	0.61%	0.98%	2
[Unknown Value!] "Provide a strategic approach to managing their sector"	0.23%	0.31%	0.49%	1
[Unknown Value!] "Reduce level of anti-social behaviour in the borough"	0.23%	0.31%	0.49%	1
No Response	26.19%	-	56.59%	116
<b>Total</b>	<b>172.91%</b>	<b>198.78%</b>	-	<b>766</b>

#### Section 5: More about you

Q11: Please tell us your home or business postcode (if you're a managing agent):		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	49.76%	102
Responses	49.76%	102
No Response	50.24%	103
<b>Total</b>	<b>100.00%</b>	<b>205</b>

Q12: How long have you owned a property or

properties in Brent?			
	% Total	% Answer	Count
<b>Number of Responses</b>	98.05%	-	201
Less than one year	2.44%	2.49%	5
One to two years	4.39%	4.48%	9
Two to five years	11.22%	11.44%	23
Five to ten years	22.44%	22.89%	46
More than ten years	46.83%	47.76%	96
Prefer not to say	10.73%	10.95%	22
No Response	1.95%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q13: Gender - are you			
	% Total	% Answer	Count
<b>Number of Responses</b>	97.56%	-	200
Male	57.07%	58.50%	117
Female	29.27%	30.00%	60
Prefer not to say	11.22%	11.50%	23
No Response	2.44%	-	5
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q14: What is your age group?			
	% Total	% Answer	Count
<b>Number of Responses</b>	97.56%	-	200
Under 18	0.00%	0.00%	0
18 - 24	1.46%	1.50%	3
25 - 34	8.78%	9.00%	18

35 - 44	16.59%	17.00%	34
45 - 54	28.29%	29.00%	58
55 - 60	15.61%	16.00%	32
61+	16.59%	17.00%	34
Prefer not to say	10.24%	10.50%	21
No Response	2.44%	-	5
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q15: Do you have any long-standing illness, disability or infirmity? (Long-standing means anything that has troubled you over a period of time or that is likely to affect you over a period of time)

	% Total	% Answer	Count
<b>Number of Responses</b>	91.22%	-	187
Yes	9.27%	10.16%	19
No	81.95%	89.84%	168
No Response	8.78%	-	18
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q16: How would you describe your ethnic background?	% Total	% Answer	Count
<b>Number of Responses</b>	96.10%	-	197
White: English/Welsh/Scottish/Northern Irish/British	23.41%	24.37%	48
White: Irish	1.95%	2.03%	4
White: Gypsy or Irish Traveller	0.00%	0.00%	0
Any other White background	6.83%	7.11%	14
White and Black Caribbean	0.00%	0.00%	0
White and Black African	0.00%	0.00%	0
White and Asian	1.46%	1.52%	3

African: Black/African/Caribbean/Black British	1.46%	1.52%	3
Caribbean: Black/African/Caribbean/Black British	1.95%	2.03%	4
Any other Black/African/Caribbean background	0.00%	0.00%	0
Chinese: Asian/Asian British	0.98%	1.02%	2
Bangladeshi: Asian/Asian British	0.00%	0.00%	0
Pakistani: Asian/Asian British	2.44%	2.54%	5
Indian: Asian/Asian British	23.90%	24.87%	49
Any other Asian background	1.95%	2.03%	4
Arab	1.46%	1.52%	3
Any other mixed/multiple ethnic background	1.95%	2.03%	4
Any other ethnic group	0.98%	1.02%	2
Prefer not to say	25.37%	26.40%	52
No Response	3.90%	-	8
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q17: What is your religion or belief?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	95.61%	-	196
Buddhist	2.93%	3.06%	6
Christian	23.41%	24.49%	48
Hindu	20.49%	21.43%	42
Jewish	1.46%	1.53%	3
Muslim	6.34%	6.63%	13
Sikh	0.00%	0.00%	0
None	12.68%	13.27%	26
Prefer not to say	25.85%	27.04%	53
Other	2.44%	2.55%	5
No Response	4.39%	-	9
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q17a: What is your religion or belief, if other		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	0.98%	2
Responses	0.98%	2
No Response	99.02%	203
<b>Total</b>	<b>100.00%</b>	<b>205</b>

Q18: What is your sexual orientation?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	93.66%	-	192
Heterosexual/straight	62.44%	66.67%	128
Lesbian	0.00%	0.00%	0
Gay man	1.95%	2.08%	4
Bisexual	0.49%	0.52%	1

Prefer not to say	28.78%	30.73%	59
No Response	6.34%	-	13
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>205</b>

Q19: How did you hear about this consultation?				
	<b>% Total</b>	<b>% Answer</b>	<b>% Frequency</b>	<b>Count</b>
<b>Number of Responses</b>	96.59%	-	-	198
Leaflet	23.08%	23.79%	26.34%	54
Poster	7.26%	7.49%	8.29%	17
Email	21.37%	22.03%	24.39%	50
Brent website	16.24%	16.74%	18.54%	38
Brent Connects	2.14%	2.20%	2.44%	5
Brent Citizens' Panel	1.71%	1.76%	1.95%	4
Local newspaper	0.43%	0.44%	0.49%	1
Word of mouth	11.54%	11.89%	13.17%	27
Other	13.25%	13.66%	15.12%	31
No Response	2.99%	-	3.41%	7
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	-	<b>234</b>

Q19a: How did you hear about this consultation, if other		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	8.78%	18
Responses	8.78%	18
No Response	91.22%	187
<b>Total</b>	<b>100.00%</b>	<b>205</b>

## Other Stakeholders

### Section 1: About you

Qestion1: Which of the following best describes you?			
	% Total	% Answer	Count
<b>Number of Responses</b>	97.96%	-	144
Work for a neighbouring local authority	6.12%	6.25%	9
Resident in a neighbouring borough	68.71%	70.14%	101
Business owner in a neighbouring borough	1.36%	1.39%	2
Landlord in neighbouring borough	6.12%	6.25%	9
Managing or letting agent resident in neighbouring borough	0.68%	0.69%	1
Other interested party	13.61%	13.89%	20
<b>Total</b>	<b>96.60%</b>	<b>98.61%</b>	<b>142</b>
[Unknown Value!] "Neighbouring Local Authority"	1.36%	1.39%	2
No Response	2.04%	-	3
<b>Total</b>	<b>196.60%</b>	<b>198.61%</b>	<b>289</b>

Q1: if other please give details below:		
	% Total	Count
<b>Number of Responses</b>	4.76%	7
Responses	4.76%	7
No Response	95.24%	140
<b>Total</b>	<b>100.00%</b>	<b>147</b>

Q2: I am based in...			
	% Total	% Answer	Count
<b>Number of Responses</b>	100.00%	-	147

London Borough of Barnet	14.97%	14.97%	22
London Borough of Camden	9.52%	9.52%	14
London Borough of Ealing	8.16%	8.16%	12
London Borough of Harrow	34.01%	34.01%	50
London Borough of Hammersmith and Fulham	2.04%	2.04%	3
Royal Borough of Kensington and Chelsea	1.36%	1.36%	2
London Borough of Westminster	4.08%	4.08%	6
Other	25.85%	25.85%	38
No Response	0.00%	-	0
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q2: if other, please specify		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	23.13%	34
Responses	23.13%	34
No Response	76.87%	113
<b>Total</b>	<b>100.00%</b>	<b>147</b>

## Section 2: Tackling Problems

Q3: Do you agree or disagree with the council's proposal to extend Selective Licensing in Brent?			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	99.32%	-	146
Yes, borough-wide	74.83%	75.34%	110
Yes, but only where I am based	0.68%	0.68%	1
Yes, but in other areas around Brent	5.44%	5.48%	8
No	11.56%	11.64%	17
Don't know	6.80%	6.85%	10
No Response	0.68%	-	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q3: if other areas please specify:		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	2.04%	3
Responses	2.04%	3
No Response	97.96%	144
<b>Total</b>	<b>100.00%</b>	<b>147</b>

Question 4a: Brent Council should intervene in areas suffering from high levels of anti-social behaviour			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	99.32%	-	146
I agree strongly	67.35%	67.81%	99
I tend to agree	21.77%	21.92%	32

Neither agree nor disagree	4.76%	4.79%	7
I tend to disagree	1.36%	1.37%	2
I disagree strongly	4.08%	4.11%	6
No Response	0.68%	-	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q4b: Brent Council should have more control over the way private landlords manage their properties			
	% Total	% Answer	Count
<b>Number of Responses</b>	98.64%	-	145
I agree strongly	48.30%	48.97%	71
I tend to agree	22.45%	22.76%	33
Neither agree nor disagree	12.24%	12.41%	18
I tend to disagree	6.80%	6.90%	10
I disagree strongly	8.84%	8.97%	13
No Response	1.36%	-	2
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q4c: Licensing of the privately rented sector will help to reduce anti-social behaviour in the borough			
	% Total	% Answer	Count
<b>Number of Responses</b>	97.96%	-	144
I agree strongly	46.94%	47.92%	69
I tend to agree	25.17%	25.69%	37
Neither agree nor disagree	11.56%	11.81%	17
I tend to disagree	4.76%	4.86%	7
I disagree strongly	9.52%	9.72%	14
No Response	2.04%	-	3
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q4d: Licensing of the privately rented sector will ensure that properties in poor condition are properly managed to prevent further deterioration			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	99.32%	-	146
I agree strongly	59.18%	59.59%	87
I tend to agree	22.45%	22.60%	33
Neither agree nor disagree	6.80%	6.85%	10
I tend to disagree	4.08%	4.11%	6
I disagree strongly	6.80%	6.85%	10
No Response	0.68%	-	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q4e: Licensing of the privately rented sector will ensure that people who occupy properties do not live in poorly managed housing or unacceptable conditions			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	100.00%	-	147
I agree strongly	61.22%	61.22%	90
I tend to agree	20.41%	20.41%	30
Neither agree nor disagree	8.84%	8.84%	13
I tend to disagree	3.40%	3.40%	5
I disagree strongly	6.12%	6.12%	9
No Response	0.00%	-	0
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Question 4f: Licensing of the privately rented sector will help to preserve and improve the social and economic status of the local area			
	% Total	% Answer	Count
<b>Number of Responses</b>	99.32%	-	146
I agree strongly	47.62%	47.95%	70
I tend to agree	27.21%	27.40%	40
Neither agree nor disagree	12.24%	12.33%	18
I tend to disagree	4.76%	4.79%	7
I disagree strongly	7.48%	7.53%	11
No Response	0.68%	-	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q4g: Licensing of the privately rented sector will reduce the impact of criminal activity on residents and businesses in Brent			
	% Total	% Answer	Count
<b>Number of Responses</b>	96.60%	-	142
I agree strongly	36.73%	38.03%	54
I tend to agree	25.85%	26.76%	38
Neither agree nor disagree	17.01%	17.61%	25
I tend to disagree	8.16%	8.45%	12
I disagree strongly	8.84%	9.15%	13
No Response	3.40%	-	5
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q5: To what extent do you agree or disagree that the proposed selective licensing conditions above are reasonable?			
	% Total	% Answer	Count
<b>Number of Responses</b>	96.60%	-	142
I agree strongly	57.82%	59.86%	85
I tend to agree	28.57%	29.58%	42

Neither agree nor disagree	3.40%	3.52%	5
I tend to disagree	2.72%	2.82%	4
I disagree strongly	4.08%	4.23%	6
No Response	3.40%	-	5
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q5a: If you 'tend to disagree' or 'disagree strongly' with the proposed selective licensing conditions, please tell us why		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	10.88%	16
Responses	10.88%	16
No Response	89.12%	131
<b>Total</b>	<b>100.00%</b>	<b>147</b>
Q6: If you have any further comments regarding this proposal, please tell us below:		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	12.93%	19
Responses	12.93%	19
No Response	87.07%	128
<b>Total</b>	<b>100.00%</b>	<b>147</b>

**Section 3: More about you**

<b>Postcode: Please tell us your postcode</b>		
<i>Note: this question does not have a sequential question number</i>		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	76.87%	113
Responses	76.87%	113
No Response	23.13%	34

<b>Total</b>	<b>100.00%</b>	<b>147</b>
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<b>Q7: How long have you owned property/properties in Brent?</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	98.64%	-	145
Less than one year	0.68%	0.69%	1
One to two years	1.36%	1.38%	2
Two to five years	3.40%	3.45%	5
Five to ten years	2.72%	2.76%	4
More than ten years	13.61%	13.79%	20
Don't own a property in Brent	65.31%	66.21%	96
Prefer not to say	11.56%	11.72%	17
No Response	1.36%	-	2
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

<b>Q8: Gender - are you?</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	97.96%	-	144
Male	53.74%	54.86%	79
Female	40.82%	41.67%	60
Prefer not to say	3.40%	3.47%	5
No Response	2.04%	-	3
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

<b>Q9: What is your age group?</b>			
	<b>% Total</b>	<b>% Answer</b>	<b>Count</b>
<b>Number of Responses</b>	99.32%	-	146
Under 18	0.68%	0.68%	1
18 - 24	0.68%	0.68%	1

25 - 34	15.65%	15.75%	23
35 - 44	23.13%	23.29%	34
45 - 54	30.61%	30.82%	45
55 - 60	10.88%	10.96%	16
61+	12.24%	12.33%	18
Prefer not to say	5.44%	5.48%	8
No Response	0.68%	-	1
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q10: Do you have any long-standing illness, disability or infirmity? (Long-standing means anything that has troubled you over a period of time or that is likely to affect you over a period of time)			
	% Total	% Answer	Count
<b>Number of Responses</b>	95.24%	-	140
Yes	6.80%	7.14%	10
No	88.44%	92.86%	130
No Response	4.76%	-	7
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q11: How would you describe your ethnic background?			
	% Total	% Answer	Count
<b>Number of Responses</b>	97.28%	-	143
White: English/Welsh/Scottish/Northern Irish/British	20.41%	20.98%	30
White: Irish	3.40%	3.50%	5
White: Gypsy or Irish Traveller	0.00%	0.00%	0
Any other White background	7.48%	7.69%	11
White and Black Caribbean	0.00%	0.00%	0
White and Black African	0.00%	0.00%	0
White and Asian	1.36%	1.40%	2
African: Black/African/Caribbean/Black British	7.48%	7.69%	11

Caribbean: Black/African/Caribbean/Black British	8.16%	8.39%	12
Any other Black/African/Caribbean background	0.00%	0.00%	0
Chinese: Asian/Asian British	0.00%	0.00%	0
Bangladeshi: Asian/Asian British	1.36%	1.40%	2
Pakistani: Asian/Asian British	3.40%	3.50%	5
Indian: Asian/Asian British	20.41%	20.98%	30
Any other Asian background	2.72%	2.80%	4
Arab	2.04%	2.10%	3
Any other mixed/multiple ethnic background	2.04%	2.10%	3
Any other ethnic group	0.68%	0.70%	1
Prefer not to say	16.33%	16.78%	24
No Response	2.72%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>

Q12: What is your religion or belief?			
	% Total	% Answer	Count
<b>Number of Responses</b>	98.64%	-	145
Buddhist	0.00%	0.00%	0
Christian	33.33%	33.79%	49
Hindu	14.29%	14.48%	21
Jewish	1.36%	1.38%	2
Muslim	12.93%	13.10%	19
Sikh	0.68%	0.69%	1
None	12.24%	12.41%	18
Prefer not to say	21.09%	21.38%	31
Other	2.72%	2.76%	4
No Response	1.36%	-	2
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>
Q13: What is your sexual orientation?			
	% Total	% Answer	Count
<b>Number of Responses</b>	97.28%	-	143
Heterosexual/straight	72.79%	74.83%	107
Lesbian	0.00%	0.00%	0
Gay man	2.04%	2.10%	3
Bisexual	2.04%	2.10%	3
Prefer not to say	20.41%	20.98%	30
No Response	2.72%	-	4
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>147</b>
Q14: How did you hear about this consultation?			
	% Total	% Answer	% Frequency
<b>Number of Responses</b>	97.96%	-	-
Leaflet	3.90%	3.97%	4.08%

Poster	8.44%	8.61%	8.84%
Email	6.49%	6.62%	6.80%
Brent website	9.09%	9.27%	9.52%
Brent Connects	3.90%	3.97%	4.08%
Brent Citizens' Panel	0.65%	0.66%	0.68%
Local newspaper	1.95%	1.99%	2.04%
Word of mouth	13.64%	13.91%	14.29%
Other	50.00%	50.99%	52.38%
No Response	1.95%	-	2.04%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>-</b>

Question 14: if other, please specify		
	<b>% Total</b>	<b>Count</b>
<b>Number of Responses</b>	47.62%	70
Responses	47.62%	70
No Response	52.38%	77
<b>Total</b>	<b>100.00%</b>	<b>147</b>

## Appendix 7: Responses to Consultation

<b>Title:</b> Detailed Summary of Consultation Responses and Considerations	
<b>Overall Purpose:</b> To provide a bridging document capturing key consultation issues and LB Brent actions as a result of the consultation	Author: Tony Jemmott
<b>Introduction:</b> Section 80(9)(b) Housing Act 2004 requires the Council to consider any representations made in accordance with the consultation which are not withdrawn. Written responses to the consultation came from several stakeholders but notably from the landlord representative organisations. Some comments have been considered as part of the Equalities Analysis. The representations received are captured in this document and summarised as themes. The themes are not ranked but give an indication of the main areas where issues were raised, the strength of views and the balance of opinion. The table shows the council's	

considerations and any change actions.

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Scheme Designation</li> <li>2. Licence Fees &amp; Financial Implications</li> <li>3. Anti-social Behaviour (ASB)</li> <li>4. Improving PRS standards/Poor property management</li> <li>5. HMOs</li> <li>6. Administering the scheme</li> <li>7. Socio-economic impact</li> <li>8. Support for the scheme</li> <li>9. Enforcement</li> </ol> | <ol style="list-style-type: none"> <li>10. Strategic Approach</li> <li>11. Support for landlords</li> <li>13. The proposals, timing and alternatives</li> <li>14. Evidence base/ Criteria for introducing selective licensing</li> <li>15. Review the existing scheme</li> <li>16. Licence conditions</li> <li>17. Impact on tenants</li> <li>18. Legal implications</li> <li>19. General opposition to licensing</li> </ol> |
|---|--|

<b>R e f .</b>	<b>Consultation Representation</b>	<b>Consideration &amp; Response</b>	<b>Action &amp; Change</b>	<b>Theme 1</b>
Email VC. Resident Thu 10/1120 16 08:50	In response to your survey, the scheme needs to be widened to North Wembley and Sudbury for certain.	Ward by ward analysis has been undertaken as part of the evidence to support extending selective licensing to areas in the north of the borough.	Considered. Evidence base updated	Scheme Designation
	In addition, the license fee should be increased dramatically. It is an absolute joke and other councils (e.g. Harrow) charge at least double.	Fee structure to be presented to ensure that the scheme is self-financing. It is accepted that the Brent fee is lower than seen elsewhere. Elements to also look at in setting the fee structure will include enforcement costs following Hemming Westminster ruling. A detailed fee breakdown will be presented.	Agreed. Fee structure analysis	Licence Fees
	The ASB that comes with HMOs is horrendous. Please confirm safe receipt.	Borough wide HMO licensing is already in place in Brent. Our evidence indicates a high correlation of ASB with HMO properties. Further we acknowledge the interrelationship of HMO licensing and selective licensing	No change. Standard acknowledgement sent.	ASB

<p>Email: Resident Thu 10/11/2016 016</p>	<p>With respect to your consultation you really have to increase the license fee dramatically. It is ridiculously too low. Should be increased 10-fold. Current amount is a joke.</p>	<p>Fee structure to be presented to ensure that the scheme is self-financing. Elements to also look at enforcement costs following Hemming Westminster ruling.</p>	<p>Considered</p>	<p>ASB</p>
<p>Individual landlord response - Email 23/10/2016 21:47 landlord</p>	<p>I am a private landlord in Willesden Green and my work is associated with many boroughs in London. Having spent some times talking with colleagues and friends about Brent's selective licence, I feel it may be helpful to write down some thoughts in response to the survey regarding Private Rented Sector Licensing. <b>The proposal for the licence has not given any true reason for the purpose.</b> The proposal says that there is '<u>a strong link between levels of anti-social behaviour and homes that are rented out privately.</u>' This cannot be true. In London, the private letting mainly deal with working professionals and students at colleges, they are as responsible as any home owners in London, they work hard to pay for their life style and rent. There is no correlation between them and anti-social behaviour. As we know, the most trouble makers are council's tenants, most of them cannot have jobs or education so that they become a source for antisocial activities. Most private landlords do not want to take DSS because of this reason.</p>	<p>The analysis of the PRS indicated that the sector is very varied. While a significant amount of professionals and students occupied the sector, it is now the only realistic offer for many new entrants and families, many of whom are vulnerable. Our consultation exercise and equalities assessment provides evidence of the makeup of the sector in Brent and further demographic study. The evidence base is updated and this clearly shows that the correlation between ASB and the PRS is positive, and even more so than in the social tenure</p>	<p>No change. Evidence base reviewed</p>	<p>ASB</p>
<p>Individual landlord response - Email 23/10/2016 21:47 landlord</p>	<p>The application of the license does not solve the root of the problem of why some accommodations are in poor conditions. A property in poor condition is because the landlord lacks income to invest in it. The letting business follows its own laws of free letting market. No need to introduce a manual rule. The better a place is, the quicker the place can be rented out. The application of the licence does not give any practical help but merely takes away a lump of money from the letting. Most leaseholders</p>	<p>Licensing will be combined with other measures to target improve poor property conditions. While we accept that some landlords may have difficulty in raising funds needed for repairs, there are many instances and other reasons where there is an unwillingness by landlords to take steps or seek help to</p>	<p>Considered.</p>	<p>Improving PRS standards. Assistance to landlords</p>

	<p>have to pay high mortgages, service charges and house bills with their rent income. They have to face the time when the bank rates go up, roof replacement is due, boiler needs to repair and major works demand. The licence purely make the letting situation even harder.</p>	<p>improve their properties. The council supports the request by landlord to provide practical help. We aim to pursue this through our landlords forums and focus group.</p>		
<p>Individual landlord response - Email 23/10/2016 21:47 (L-L Wood)&lt;liu.li@ms-l.co.uk&gt;</p>	<p>It is not clear what is HMO. If a house or a flat has more than 3 or 4 bedrooms, this is perfect right to house 3 or 4 tenants. Can this be called overcrowded ? All student flats are operated on this format. What is a HMOs licence for? Would it mean once a property has obtained the licence, then it can be hold as many people as the owners wish ??</p>	<p>The legislation provides a statutory definition of HMO but we accept that for many this is not always clear. We have provided clarification on the Councils website. As far as the requirement for an HMO licence in Brent we state that this will relate to 3 or more unrelated persons who live at the property and share at least one basic amenity. We continue to accept that the HMO clarification is important for our landlords and residents. An HMO licence sets a maximum permitted number of persons or households who can occupy the property. Occupation above this number is deemed overcrowded. Please note that we have not set occupancy limits in relation to selective licences.</p>	<p>No change</p>	<p>HMO definition</p>

<p>Individual response - Email 23/10/2016 21:47 (L-L)</p>	<p>The enforcement of the license could easily exceed the money collected. The standard enforcement regime will be very complicated, time-consuming and expensive. It is almost an impossible task in many cases. Firstly, the letting is not static, tenants move in and out frequently, it is hard to pin down how many people living there at a particular time. Secondly, it is extremely ridiculous to clarify what relationships are between tenants. Are they boyfriends or girlfriends? Are they cousins or step sisters? It would be convenient for landlords to declare these tenants have some sort of relationships including gay relationship if the answer could avoid the high fee. How could the council get the information if a flat is HMO or not? It is not a solid policy if you are found out you pay, if not found out, you don't pay !!!! Most of all, these HMO tenants have nothing to do with antisocial behaviour. There is no difference between a related HMO than a non-related HMO in practice.</p>	<p>We will examine our fee setting and structure to ensure that the licensing function is self-financing. Enforcement action will be robust but balanced and we will be guided by the Hemming v Westminster ruling in terms of levying enforcement costs. In addition we will recover our costs through incurred by prosecution through the courts, and when permitted, through fixed penalties, rent repayment orders and Proceeds of Crime provisions. We accept that tenancies may change during the life of the licence. However, in most cases the landlords provide the correct information to allow us to correctly licence the property. As part of processing we have access to a number of databases and we seek to clarify the relationship between the tenants where we feel that we need to do so. If licensing goes ahead we will review our licensing policy</p>	<p>Considered. We will use the new provisions in the Housing and Planning Act 2016 to help to cover our enforcement work</p>	<p>Administering the scheme</p>
<p>Individual landlord response - Email 23/10/2016 21:47 (L-L)</p>	<p>The high licence fee contributes nothing but a chance for a corrupted bureau. Camden council believes the letting business boosts local economy. The rent income will eventually return back to Camden communities, money in local people's hands will distribute to local shops, restaurants, and keep local business running and booming. Successful local businessmen are happy to sponsor younger people</p>	<p>We do not accept that Brent's current basic licence fee is high as it is known to be one of the lowest, if not the lowest in London. We have looked at the police crime statistics for Brent and have compared these with statistics across other London Boroughs and have also looked</p>	<p>No change</p>	<p>Socio-economic impact</p>

	<p>education and local artists' activities; there are many free magazines and free festivals run by local fundings, it creates wonderful communities in the borough. Tenants prefer to pay £800 to live in Camden than £400 in Brent, Why? It is much more crowded in Camden in tern of living space than that in Brent, with less crimes. It is very wrong that the proposal suggests the Brent's crime has something to do with the increasing population ??</p>	<p>at occurrences of all recorded ASB crime in Brent. The findings form part of our evidence base.</p>		
<p>Individual response - Email 23/10/2016 (L-L Wood)&lt;liu.li@ms-l.co.uk&gt;</p>	<p>Most private landlords would not be happy to pay a high fee £540, also every 5 years. The fee is extremely high. We pay £450 a year to water bill for a 2 bedroom flat, £300 a year for electricity bill, £250 for mobile usage a year, £140 TV licence, we have to ask what the £540 fee the council would provide us with in 5 years? The licence can only staff few jobs in the council at the expensive of depressing the local letting business! The licensing is NOT entrepreneurial to generate economy but do the opposite, constrain the letting business so in result to constrain the development of the local business. Many shop owners are also landlords, the rent income normally funds the shops.</p>	<p>The proposed basic selective fee of £540 for 5 years could be subject to discounts for certain landlords and may be held down for an introductory period. We will review the fee and look at delegated authority to make fee changes to ensure the scheme is adequately financed and financial burdens are not passed to good landlords or local rate paying residents.</p>	<p>Considered. To develop fee structure</p>	<p>Licence Fees</p>
<p>Individual landlord response - Email 23/10/2016</p>	<p>In all, the licence fee doesn't serve its end to improve the living standard. It is not right direction where the council should direct its energy into. More people live in this area. The money in local people's hand is better than it in local bureaucrats if you want to promote local business and healthier communities. A successful local government is not because of its location but its ability to attract and support local business. Hope my time and thoughts spending on this can be appreciated</p>	<p>The Council is allowed to charge a licence fee to cover the administration of the licensing function under Part 3. This may take into account dealing with management orders (Chapter 1 of Part 4) in relation to improving the living standards. The consultation exercise specifically targeted responses from local businesses and other stakeholders. Overall this group were supportive of the councils proposals.</p>	<p>No change</p>	<p>Socio-economic impact</p>

<p>Email: Fri 11/11/2016 10:57 Residents Mr &amp; Mrs M, Wembley HA0</p>	<p>We are in favour of extending the scheme so that it applies to most or even all the borough Of Brent. Thank u</p>	<p>Resident's support extending the selective licensing to all of the borough as mentioned in the proposal.</p>	<p>Noted. No change</p>	<p>Support for scheme</p>
<p>Email: Resident Fri 11/11/2016 13:56</p>	<p>Dear Sir/ Madam, I as member of SPRINGFIELD ESTATE Colindale / Kingsbury agree the proposal that the LandLords should have Landlord LICENSE. If you have this scheme in mention places why did you not do same rest of the places. We have already mention problems to CLR RUTH MOHER, regarding neighbourhood around the borough Antisocial behaviour, overcrowding nuisance neighbours, and fly tipping. Sooner the better bring LANDLORD LICENSING. Thanks.</p>	<p>Resident's support for a scheme in other places of the borough. Our study will look at the incidences of ASB and its link with the PRS in all wards. Where the evidence is good for Colindale/Kingsbury or where other criteria's are relevant, consideration will be given to include these areas as part of the designation.</p>	<p>Considered</p>	<p>Support for scheme</p>
<p>Email: Greenfield . Resident. Mon 14/11/2016 11:54</p>	<p>This is a very good idea and should definitely be introduced all over the borough and the country. However the rules must be properly enforced and some consideration given to landlords who only own one property which they may have inherited.</p>	<p>Resident's support for a borough wide scheme. The Council will be committed to enforcing the scheme and this will be set out in its enforcement policy. The enforcement will be proportionate and graduated and will take into consideration the challenges faced by incidental landlords</p>	<p>No change</p>	<p>Enforcement</p>

<p>Email sent: Thu 17/11/2016 20:55 @gmail.com, Lynton Rd NW6</p>	<p>I am responding to the Brent consultation re private landlord licensing. Our 2 flats that we rent out with a standard AST are kept to the same standard as we ourselves would live in, so why should we have to pay a very expensive licence fee to Brent Council which we would have to pass on to the tenants and further exacerbate the cost of renting in London. We are also members of the NLA and follow their guidelines, register deposits and provide all information regarding statutory requirements. We address all tenant enquiries as soon as possible and carry out repairs to a high standard after researching what is available. If as you say, and I quote, "Much of the private rented sector in Brent is well run and in good condition", so why would you burden these landlords (and tenants) with an additional licence fee? How much is Brent Council going to collect from the 1000s of good private landlords that manage their properties to a high standard to compensate for the few that don't? Do we want bad tenants that damage our flats? No. Would you rather we pay Brent Council for a licence fee we don't need rather than spending it on the property, new paint, a better quality washing machine rated to a high energy and efficiency rating? The cynic in me wonders in by forcing good landlords to pay these fees that more properties will be handed to housing associations to manage on behalf of Brent Council as you don't have enough housing stock!</p>	<p>The licence fee is designed to cover the cost of administration and to be as low as possible. Calculated over the 5 years it represents a relatively small cost to landlords. It is understood that fees may be recovered by landlords as legitimate expenses. We can only licence fees on matters relating to administering of the licensing scheme.</p>	<p>Rejected</p>	<p>Licence Fees</p>
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<p>Email sent: Thu 17/11/2016 20:55 Lynton Rd NW6</p>	<p>Shouldn't anti-social behaviour be an issue that is covered by the police for which I already pay taxes for? So, to be taxed again for something that I will get zero benefit for does not seem just. I am aghast and horrified that you would put the blame of antisocial behaviour at the feet of private landlords, do you have evidence that more anti-social behaviour is performed by those living in privately rented properties than council flats or private dwellings? It isn't the landlord that is responsible for the behaviour of the tenant in as much as a parent isn't responsible for the behaviour of their adult children.</p> <p><a href="http://www.landlordlawblog.co.uk/2014/08/21/hmo-legal-basics-licensing-3/?doing_wp_cron=1479405449.6535599231719970703125">http://www.landlordlawblog.co.uk/2014/08/21/hmo-legal-basics-licensing-3/?doing_wp_cron=1479405449.6535599231719970703125</a></p> <p>Additionally I would like to let you know about our neighbours, four flats managed by Genesis Housing, and the ongoing battle for them to manage their property to a standard we would consider reasonable. To this day I am the person that weeds their carpark and clears rubbish from it on a weekly basis as I can't get Genesis or the tenants to do it. You are welcome to contact me and I will show you around our 2 flats and you can tell me if you think by having a licence will change who I let it to and the standards I adhere to. I am going to forward this email to the Brent MPs for their input, and probably speak with a couple of journalists because this level of bureaucracy and broad stroke accusation does not feel correct.</p>	<p>We have provided a definition of ASB. Some of which is Council reported and dealt with by Brent, and other forms of ASB are Police reported ASB. Given that ASB is a huge problem in Brent we believe that it is best tackled using a multi-agency and co-ordinated approach. Private rented sector landlords and tenants have a role to play to eliminating or reducing ASB as we have shown that there is a strong link between ASB incidences in Brent and its PRS. In contrast social landlords are responsible for dealing with ASB, however social landlords are mostly exempt from licensing. Our links with Brent Housing Partnership and the RSL Forum will provide a route for engaging with social landlords to address problems of ASB in the social rented sector. Our evidence report will be shared with our Brent Housing Partnership as this helps to identify ASB and crime hotspots in the borough.</p>	<p>Considered.. No change</p>	<p>ASB</p>
<p>Email: 30 November 2016 11:50 Cairnfield Residents Association</p>	<p>Issues connected with this issue have often been raised in meetings. More and more properties are converted and let to tenants in the area we cover.</p>	<p>Selective licensing will apply to all PRS properties and will especially cover converted properties many of which are unlawfully and poorly converted</p>	<p>Accepted</p>	<p>Scheme Designation</p>

ion				
Email:h otmail.c om>Tue 06/12/2 016 15:28	<p>Dear sir</p> <p>I am sorry to say that Brent council like the national government are using private landlords like cash cows to supplement their incomes and because they are easy targets for fund raising. They talk about rogue landlords but there are more rogue tenants, who treat the tenancy like 5 star hotels where repairs and up dates have to be done yesterday. It seems that more regulation involves more costs which are not always deductible .Private landlords are viewed as villains by council workers and councillors. If state can provide all the housing needs then there would not be a need for private landlords. Most tenants trash property at end of agreement and getting money is becoming nigh impossible to repair.</p> <p>Councils talk about affordable housing but what is affordable if you are on low pay. Councils view multiple occupation with distaste but surely it is better to have roof over your head when you know you cannot afford to go it alone. Licenses introduced a few years ago ultimately leads to higher rents. Brent council should look to reduce expenditure so more landlords could come in and reduce the housing shortfall. Furthermore the planning departments also has to be accountable as new builds are increasingly difficult as planning departments demand more and more amendments before they will approve plans. In my case they rejected first application due to room in loft. We pointed to a precedence of loft rooms on second application that it was approved. They also demanded £3000 per bedroom before approval thus increasing costs. Where do you think these costs will be recouped?</p> <p>I believe Brent Council needs to get back to the drawing board and make clear what they actually</p>	<p>Brent Council recognises that there are many good landlords but also that there are some bad and criminal landlords who are failing to act responsibly. The council is also conscious of its obligation to ensure an adequate supply of good quality affordable homes to meet the needs of its residents. The cost of licensing in Brent is low and is designed to cover the administration of the function over the 5 year licence term. The licensing function links in relation to planning development as part of Brent's overall Housing Strategy.</p>	No change	Strategic approach

		want. More flats and houses for housing needs or to fill their coffers at the expense of the private landlords who would otherwise use these funds to improve the housing stock. After all is that not what everybody wants.			
Individual response Email 27/11/16	Setting HMO fees		The fee is based on the time spent in processing the application. Some larger properties which are Houses in Multiple Occupation (HMOs) will be licensable under the HMO mandatory licensing scheme. There is a separate fee structure for these properties which reflects that they are larger houses. We will be clear on how our fees for both HMOs and single family houses are structured	Not accepted	Licence Fees

<p>Hand written response Email 28/11/16. Mr R M H</p>	<p>Dear Sirs</p>  <p>In response to your letter - in my opinion, for what it is worth, all rented properties should be licensed, failing to do so would incur a heavy fine. A fee imposed to cover the cost of a health and safety inspection.</p> <p>The landlord of a property where upon a tenant is occupying a toilet in the garden and the tenant claims the landlord has confiscated his passport, would be fined heavily, part of that fine would cover the persons air fare should he wish to return to his country of origin. If he is illegal, contribute to his transport. This would also apply to the occupancy of a garage.</p> <p>Landlords should not be furnished of a forthcoming inspection.</p> <p>One side of a road not far from where I live, I suspect several houses are visited, the state of the front gardens grass, weeds, litter, childrens clothes, shoes, toys dumped by the front gate.</p> <p>Just a few yards away is a side turning, a dumping ground for a piece suits, mattresses, fridges, an old car full of junk. YOU NAME IT!</p> <p>All it takes is a phone call to the council, and they will collect.</p> <p>I don't possess a computer and I'm not a tenant.</p> <p>Int. R. M. Hogben P. T. O.</p> 	<p>Support for all private rented properties to be licensed.</p> <p>Supporting the issues of tidy front gardens and dumped rubbish near his home. Our website has been updated to allow residents to report problem private rented properties</p>	<p>Noted. No change</p>	<p>Support for scheme</p>
	<p>Additionally I would like to let you know about our neighbours, four flats managed by Genesis Housing, and the ongoing battle for them to manage their property to a standard we would consider reasonable. To this day I am the person that weeds their carpark and clears rubbish from it on a weekly basis as I can't get Genesis or the tenants to do it.</p>			
<p>Email Sun 18/12/2016 00:24 Shah @gmail.com&gt;</p>	<p>Dear Sir/Madame</p> <p>We received the Brent Magazine today, Saturday and read about the private landlord consultation that was ended yesterday. As we didn't know about the consultation we couldn't respond. We live next to a multi- occupancy house, xx Grasmere Avenue, which has been a nuisance due to an errant, negligent landlord. I would like to add my concerns to the consultation as there appears no solutions that the council can offer regarding his mismanagement and the safety of his property or his regard for his many tenants and neighbours. Please let me know who I can</p>	<p>HMO Complaint indicating solutions are needed to address PRS mismanagement. The council will inspect all HMO during the life of the licence. Moreover there is evidence that information about licensing needs to be provided to tenants on how to complaint to the Council.</p>	<p>Noted. Referred for investigation Jan 2017</p>	<p>Poor property management</p>

		<p>speak to regarding this.</p> <p>.</p>			
<p>Isobel Thomson Chief Executive NALS Isobel.Thomson@nalscheme.co.uk London Property Licensing Richard Tacagni MCIEH CEnvH Managing Director Richard@londonpropertylicensing.co.uk&gt; Wed 14/12/2016 18:11</p>	<p><b>Overview</b> We understand that Brent Council is seeking to introduce a second selective licensing scheme to complement the existing additional and selective licensing schemes that were introduced by the council in January 2015. Having studied the consultation documents, we remain somewhat confused about the size and extent of the proposed licensing scheme. In paragraph 4.1 of the consultation proposal, it says: "The Council is proposing that selective licensing is extended to all or some other wards within Brent" and in paragraph 8.0 it says: "...proposals to extend selective licensing to all, or most areas of the borough". We can find no explanation setting out what is meant by 'some other wards' or 'most areas'. As such, we have made the assumption that the proposal involves extending the selective licensing scheme borough wide. It is our view that if any alternative proposal is developed post-consultation, it should be subject to a further round of consultation in accordance with the Housing Act 2004. We think that all interested parties should be given the opportunity to submit representations on the actual proposal before it is presented to the Cabinet for approval. The full text is included as a written submission in the Appendix.</p>	<p>Brent is clear in its proposal to extend selective licensing to most or all of the borough and we have stressed this point at meetings and communication channels. We feel that there is sufficient evidence to warrant the wider coverage but accept that as this is new ground for local authorities, that this will be a challenge to present the case to cabinet, and moreover to gain confirmation by the Secretary of State given the Government's position on borough wide schemes. The council believes that the consultation proposal is sufficient clear about the intended area and nowhere else, that is, from the forums, responses etc has it been raised to suggest that the proposal is not clear.</p>	<p>Considered. The scheme designation is clarified.</p>	<p>Scheme Designation</p>	

<p>NALS @nalsc heme.co .uk Wed 14/12/2 016 18:11</p>	<p>One of our concerns about the roll-out of new licensing schemes is the lack of consistency that this brings in the regulation of the private rented sector. We understand there are already over 20 separate licensing schemes operating in London, each with different terms and conditions. This creates difficulty and confusion for larger portfolio landlords and letting agents in trying to understand what schemes apply where, with associated compliance risks.</p>	<p>As with the existing schemes in Brent, if selective licensing is extended we will provide and publish updated guidance and undertake to provide this information to landlords, agents, tenants and other residents through a variety of communication channels. Our licensing staff are now well experienced in providing written and verbal responses to queries. We will undertake staff refresher training and provide an new licensing communications plan in 2017.</p>	<p>Considered. No change</p>	<p>Support for landlords</p>
<p>NALS @nalsc heme.co .uk Wed 14/12/2 016 18:11</p>	<p>Given the government's recent decision to expand the mandatory HMO licensing scheme in 2017, we would encourage the council to place any new scheme on hold in order to concentrate efforts on implementing and enforcing the extended mandatory HMO licensing scheme and the associated transitional arrangements.</p>	<p>Our proposal is in relation to selective licensing. There is already borough wide HMO licensing in place in Brent. We have closely followed the progress of the Housing and Planning Act 2016 and have readjusted our business planning. We therefore will need to passport or licence some HMOs as mandatory and administratively, and we believe that depending on the transitional arrangements and DCLG timings, we are well placed to do so. We anticipate economies of scale as the Government intends that the new arrangements will be in place by October 2017. We intend to best coordinate any implementation plans if the decision is</p>	<p>Considered. Forward plans adjusted</p>	<p>Timing of the proposal</p>

			made to go ahead with the proposal.		
NALS@nalsc heme.co.uk	The council should also prioritise effective resourcing of the licensing schemes that were implemented in January 2015. Whilst the mandatory HMO and selective licensing schemes appear to have been reasonably successful, the same cannot be said for Brent's additional licensing scheme. According to the consultation report, approximately 16,000 applications had been expected under the additional licensing scheme and yet almost 2 years into the five-year scheme, only 1,348 applications have been approved – only 8% of the expected number.	We have made great efforts to encourage voluntary applications from landlords and believe that we have struck a good balance between effectively resourcing the licensing function and the scheme costs. It is clear that the introduction of additional HMO licensing borough wide has had a very positive impact on the increase in the update of mandatory licensing. This figure has risen from less than 150 received April 2006 and October 2014 to the present total of approx. 500. We are confident that extending selective licensing will increase the number of voluntary HMO applications. We stress that we see this as a beneficial outcome and not as the reason for wishing to extend selective licensing widely in Brent. We have now carried out further planned internal (Business Intelligence Team) and external research project work (MHA and GLA-LODA) to identify unlicensed HMOs. Overall the	Accepted. Further HMO identification research undertaken.	Review of existing scheme	
		consultation			

			responses emphasise more enforcement activity against unlicensed HMO properties		
Wed 14/12/2 016 18:11	Paragraph 5.2 of the report says: “In seeking to deal with the poor standards of those properties which are outside the Harlesden, Wembley Central and Willesden Green selective designation and including for the large number of HMOs whose owners have neglected to apply for licences, our standard enforcement regime can be complicated, time-consuming and expensive. This makes it difficult for us to act quickly against poorly-managed private rented properties....”. and paragraph 6.0 says:	Introductory comment	Noted		
NALS @nalsc heme.co .uk London Property Licensin g Richard @londo npropert ylicensin g.co.uk> Wed 14/12/2 016 18:11	<i>“There is evidence however that many HMOs in the borough remain unlicensed, poorly managed and are in an unsatisfactory state of repair. We are clearly of the opinion that extending selective licensing will greatly benefit efforts to improve the uptake of HMO additional licences”.</i> We do not think it is logical to say that with so few applications submitted under the current licensing scheme, it supports the business case to introduce licensing for another 16,000 single family rented properties. The new licensing scheme would need to be enforced using the same 'complicated, time-consuming and expensive' regime that the council is already finding problematic.	Identifying and investigating HMO properties is a far more complex task that to do so for single family rented properties. The evidence of the successful update of selective licensing in Brent as well as in other London boroughs e.g. Newham, Waltham Forest are good examples. What we mean is that widening selective licensing should improve the uptake of HMO licenses as we have found with the improved update of mandatory licenses. We stress that to improve the additional licensing update is not the Council's reason for proposing to extend	No change	Review of existing scheme	

			selective licensing although we expect to gain benefits and economies of scale to licensing generally.		
NALS Isobel.Thomson@nalscheme.co.uk London Property Licensing @londonpropertylicensing.co.uk> Wed 14/12/2016 18:11	We also note that this blanket licensing scheme would need Secretary of State approval, whereas the government have already highlighted their objection to the introduction of such blanket schemes. The government's view on this issue was reinforced when they rejected a proposal by Redbridge Council for a borough wide selective licensing scheme in late 2015.	We have clearly stated that as the 20% rule will apply that we will need confirmation of any cabinet approval. We were however determined to look at the overall picture as it related to our whole area, and to hear from our residents and landlords so to present a proposal which presents the evidence by looking at all wards. We have made the DCLG aware of our proposals and have met with them as part of the consideration process for a scheme to most or all of the borough. Our licensing managers have also been keeping abreast of recent developments elsewhere concerning licensing schemes.	Change. Multiple designation concept along the thinking of Peterborough City Council	Scheme Designation	
Isobel Thomson Chief Executive NALS Isobel.Thomson@nalscheme.co.uk London Property Licensing Richard Tacagni MCIEH CEnvH	Given so little progress has been made in implementing the existing additional licensing scheme, we think the council should be utilising their resources to promote and enforce the existing scheme before considering the introduction of another scheme.	We accept that the number of voluntary additional HMO applications are far less than we expected. It is difficult to compare the achievements with other councils as several factors must be taken into account. More HMO applications seem to be made where there is a wider selective licensing schemes in place and where "early bird" discounts are offered.	Noted	Review of existing scheme	

<p>Managing Director Richard @londonpropertylicensing.co.uk Wed 14/12/2016 18:11</p>		<p>The measures we have used are now supported a dedicated communications officer and by more robust enforcement and these will continue. Within the last year we have undertaken more unannounced visits leading to 100 successful prosecutions, over £500,000 court fines and more than £100,000 in costs. Moving forward we will be part of a GLA on a Data intelligence project (LODA &amp; NESTA) and will take advantage of the tenancy deposit scheme information now that that access to this database has been granted to Private Housing Departments.</p>		
<p>NALS Isobel.Thomson @nalscheme.co.uk London Property Licensing Richard @londonpropertylicensing.co.uk Wed 14/12/2016 18:11</p>	<p><b>Extending selective licensing – the evidence base</b> Having examined the evidence base that accompanies the consultation proposal, we can see there are certainly issues with crime, anti-social behaviour and poor housing conditions in some parts of the borough. We do support the council's wider objective around driving up standards and conditions in the private rented sector. Having said that, some of the evidence offered in support of the selective licensing proposal is the same evidence used to justify the introduction of additional and a more limited selective licensing scheme in January 2015. The HQN report from 2013 highlights: "The wards with the most incidences of anti-social behaviour are concentrated in the south and east of the Borough. These wards have relatively high levels of</p>	<p>We have provided new evidence, commissioned further research and have continued to provide the evidence base to support our proposals. The HQN report is included as it presents the ASB evidence which is shown to be still linked to the PRS. In the current proposal we will distinguish the ASB evidence in relation to selective licensing. As indicated, the new evidence base study by Mayhew Harper Associates and our own study done with the assistance of our Business Intelligence Team have been undertaken and these research</p>	<p>Considered and evidence base updated</p>	<p>Evidence base</p>

	<p>private rented sector stock apart from Stonebridge which has a high concentration of social housing". In the council's report, more recent data on Police ASB calls, crime reporting, noise, fly-tipping and council recorded ASB show a similar pattern with most issues concentrated in the South and East of the Borough. We can find no breakdown to show how many of these crime and anti-social behaviour issues relate to the estimated 16,000 HMOs that already need licensing under the council's additional licensing scheme, but where few applications have yet been received.</p>	<p>reports form part of the information to be presented. These studies have taken a fresh look at the factors linked to the PRS in Brent and overall show positive links.</p>		
NALS	<p>To justify a second selective licensing scheme, the council should look more specifically at issues associated with single family rented properties that are outside the existing selective licensing area in Harlesden, Wembley Central and Willesden Green.</p>	<p>The evidence has been looked at for all areas of the borough. Our understanding is that the guidance suggests looking at evidence as it relates to the PRS and not just in relation to single family households. However we have provided an extensive analysis for single family houses in the evidence base reports.</p>	Considered	Evidence base
	<p>Further, we think the council should first evaluate the effectiveness of the current selective licensing scheme and the impact it is having on driving down levels of ASB within those three wards. Simply looking at how many properties have been licensed is, we think, of more limited value. We would like to see a more evidence based approach that is open to public scrutiny. For example, how many of the selectively licensed properties have been inspected, how many were found to have serious hazards that required intervention by the council and how does this compare to HMOs that have been licensed under the additional or</p>	<p>We have undertaken the review of the existing scheme but the data on the success of selective licensing is limited given the short period within which the scheme has been in force. However our further study indicates that ASB is still significant and persistent in the Harlesden, Willesden Green and Wembley Central wards. All properties have been given compliance checks where 1 yr.</p>	No change	Improving PRS standards

	mandatory HMO licensing scheme?	licenses have been granted and before the licenses are renewed. Since January 2016, 530 properties have had these compliance checks ensuring that the deficiencies have been remedied. We have commissioned Future of London to carry out research on the impact of licensing on tenants. Our aim now is to build the capacity to undertake inspection of a sample of selectively licensed properties.		
	The council have indicated that one of their criteria for introducing borough wide selective licensing is poor housing conditions. To introduce a scheme on that basis, the council must intend to inspect those selectively licensed properties during the life of the scheme, which would be a significant resourcing issue. We think this further reinforces the case for a more targeted approach.	We have thought about this recommendation but consider that it is impractical to inspect all of the selectively licensed properties. Over 530 properties have has compliance checks. In the research carried out we have reviewed the property conditions in Brent looking at dilapidations, disrepair, HHSRS hazards etc.. We intend that the inspection programme which is evidence led and note that the statutory requirement to satisfy ourselves about the condition of the properties is not the same as under properties licensed under part 2. Nevertheless we will ensure that it is clear as to how we will improve the poor housing conditions, including the inspection regime to operate.	Considered	Administering the Scheme

	<p>Regarding the migration, deprivation and crime criteria, government guidance makes clear that simply showing these issues exist does not suffice. The council must set out how they think such issues can be effectively addressed, what other courses of action have been considered and what the council hopes that the designation will achieve. The government guidance states: <i>“Only where there is no practical and beneficial alternative to a designation should a scheme be made”</i>. Source: Selective licensing in the private rented sector; a guide for local authorities; March 2015. Based on the evidence that has been published, we do not think the case has been proved to extend selective licensing borough wide.</p>	<p>We have shown the combination of factors affecting areas in Brent. Similarly to the poor property conditions, we will indicate how we intend to address these issues presented by the migration, deprivation and crime criteria.</p>	<p>Change. Indicate steps to show how the criteria will be improved</p>	<p>Criteria for introducing SLS</p>
	<p><b>Exploring opportunities for co-regulation</b> Following our successful co-regulation partnership arrangement with Liverpool City Council, we would encourage Brent Council to consider adopting a similar approach in order to achieve more balanced and effective regulation of the private rented sector. Co-regulation can facilitate a light-touch approach to monitoring compliance amongst regulated letting agents, whilst freeing up local authority resources to tackle the minority of rogue landlords and agents that seek to evade their responsibilities and place their tenants' lives at risk. In describing this innovative co-regulation approach, a Liverpool City Council Councillor said: <i>“It is a win-win for everyone, because their members benefit from a reduced fee and we are able to target our resources at those landlords who we know aren't meeting the standards.”</i> We would be very happy to meet with Brent Council to explore options for developing a co-regulation model that helps to deliver better regulation of the private rented sector.</p>	<p>We have considered the co-regulation approach delivered by Home Safe Scheme Ltd., The report on our meeting with the scheme managers and their submission in response to our consultation are included in our consultation report.</p>	<p>Considered</p>	<p>Alternative proposal</p>

	<p>Licensing fees</p> <p>We recognise that the council need to charge a reasonable fee to cover the cost of administering and enforcing their licensing schemes. Overall, we think that the proposed application fee of £540 per property is less excessive than fees being charges in some other areas.</p> <p>However, we think there is scope to further improve the fee structure, whilst minimising the cost of compliance for regulated letting agents.</p> <p>We note that Brent Council propose to offer a £40 discount to accredited landlords, but offer no such discount to designated managing agents. We think is a missed opportunity that could help to encourage best practice in the local lettings industry. We would encourage the council to give this matter further thought and to implement an accreditation discount on a percentage basis, in the region of 20%. This would bring Brent into line with other London Boroughs such as Southwark and Islington. Further, we think the discount should be linked to the accreditation of landlords and letting agents, regardless of whether the licence holder or the designated manager is accredited. The discount should be offered to members of all accreditation schemes that have been approved by the GLA under London Rental Standard (LRS), such as the National Approved Letting Scheme. This in turn would help to encourage more effective management of private rented homes in the borough. This approach has already been adopted by Islington and Ealing Councils and we would strongly encourage Brent Council to follow best practice and do the same. We welcome the proposal to offer an early bird discounted fee of £340 to reward compliant landlords and agents and to aid the smooth implementation of the scheme. To make this work effectively, it is important that:</p> <ul style="list-style-type: none"> <li>• The council's licence</li> </ul>	<p>The respondents recognise that our fees are already very low and we must consider other responses made in regard to the level of fees. The fees will be set so as to cover the cost of the function. However where we give concessions, we aim to provide a simple discount system. The current for LLAS members has allowed us to do so. We have had discussions NALs and the NLA and representation from The GLA regarding extending the discount. The proposed basic fee of £540.00 with a payable lower fee of £340 already allows for a considerable reduction to landlord who apply early. If the fee is decided upon, we intend to strongly promote the offer to give landlords and agents ample time to take advantage of the reduction.</p>	<p>No change</p>	<p>Licence fees</p>
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	<p>application process needs to be in place and fully operational before the council start to accept applications;</p> <ul style="list-style-type: none"> <li>• Applicants should be given the opportunity to apply for a licence for at least three months prior to the start of the scheme; and</li> <li>• The council need to invest in extensive promotional activity, both within and outside the borough, throughout the pre-application period. NALS can assist in promoting the scheme amongst our members if the Council notify us once a scheme designation has been made.</li> </ul>			
	<p><b>Licence Conditions</b>  We do not support the proposal by Brent Council to place 22 standard licence conditions on each and every selective licence. We do not think it is necessary or appropriate to replicate existing statutory requirements as licence conditions.  It is important to remember that breach of any licence condition is a criminal offence and so conditions must be appropriately worded and only cover situations over which the licence holder has control. We note that in the introduction, it incorrectly refers to each offence leading to a maximum fine of £5,000. The rules changed in 2015 and we would point out there is now no upper limit. Whilst we have not responded in detail on all the conditions, there are some particular issues we would highlight:</p>	<p>For clarity and consistency we propose ideally the same set of conditions that our landlords, tenants and licensing staff are already familiar with and we feel work effectively, but these will be updated to reflect regulatory changes e.g.. mandatory conditions and levels of fines. The maximum fine error is noted.</p>	<p>No change</p>	<p>Licence conditions</p>
	<p>Condition 4: It is already a requirement for any deposit to be protected by law and so we are unsure why this needs to be repeated. We would also point out that the requirement to provide prescribed information is within 30 days and not immediately, as indicated in the condition. The licence condition should not be more onerous than the legal requirements already in place.</p>	<p>There is a need to reinforce the requirement. It is clear that under the deposit scheme the landlord or letting agent must put the deposit in the scheme within 30 days of getting it. We will corrected or clarified this condition as necessary</p>	<p>Amend as necessary</p>	<p>Licence conditions</p>

	<p>Condition 10: It is unusual for a local authority to insist that the front door to every property rented to a single family is fitted with a thumb turn lock. This is only normally required in Houses in Multiple Occupation (HMOs). We would ask that this is requirement is deleted. It may also invalidate a landlord or tenants insurance policy by reducing home security.</p>	<p>The significant requirement is for a mortice lock to be fitted. The reference to 'thumb turn' seems of little significance and there is little justification for change</p>	<p>No change</p>	<p>Licence conditions</p>
	<p>Condition 13d. It is already a legal requirement for a landlord and/or agent to comply with a housing enforcement notice.</p>	<p>No change. Assist in ensuring that poor housing conditions are improved by a licensing provision.</p>	<p>No change</p>	<p>Licence conditions</p>
-	<p>Condition 14. The reference to compliance with the council's prescribed standards normally relates to HMOs as there are no prescribed standards for single family lets. As all HMOs are required to be licensed under the additional licensing scheme, this condition is not required</p>	<p>Justification for change/clarification - There are no adopted standards for single family households, where there maybe the existence of prescribed standards for private rented accommodation e.g. temporary accommodation or planning requirement. Where standards or guidance exists we will make clear and publish these on our website where possible.</p>	<p>No change</p>	<p>Licence conditions</p>
	<p>Condition 22. Whilst NALS licensed firms would always seek to facilitate any request for the council to inspect the property, we would point out that the tenant's right to quiet enjoyment means they are unable to guarantee a tenant will grant access on any particular day or time. As such, we would suggest the first sentence is amended to read 'The licence holder must take all reasonable steps to ensure access is granted when requested....'.</p> <p>We would encourage Brent Council to reflect on these comments and consider any necessary changes to the proposed licence conditions. All NALS' licensed firms are already</p>	<p>We accept that NALS agent may be compliant but there are many incidences of failed access for inspection, even after notification, including s239 notices have been issued. However we feel that it is necessary to retain this condition to apply to the whole sector generally.</p>	<p>No change</p>	<p>Licence conditions</p>

	<p>required to comply with defined standards of customer service and to ensure that properties are effectively managed. Any complaint from the landlord or tenant can already be independently investigated through a government-approved redress scheme.</p>			
	<p><b>Regulation of letting agents</b>  To achieve better regulation of the private rented sector and improve consumer protection, it is important that Brent Council take 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, a further requirement was introduced requiring agents to display all relevant landlord and tenant fees, the redress scheme they belong to and whether they belong to a client money protection scheme, both in-store and on the company's website.  We would like to see Brent Council commit to proactive enforcement of these rules including, where appropriate, serving civil penalty notices, the income from which can help to fund the enforcement activity. By effectively regulating letting agents that operate within the borough, it will help to ensure the properties are more effectively managed and improve consumer protection.  In June 2016, NALS published an Effective Enforcement Toolkit to assist local authorities with this task. The toolkit can be downloaded free of charge from the NALS website (<a href="http://www.nalscheme.co.uk">www.nalscheme.co.uk</a>).</p>	<p>The LA intends to develop a letting agent project to support the licensing function. We will work with our Trading Standards colleagues around related topics e.g. banning letting agent consultation. In addition we intend to implement the new provisions provided by the Housing and Planning Act 2016 as soon as possible when these provisions come into force.</p>	<p>Accepted</p>	<p>Enforcement</p>

<p>Email 15/12/16 15:03 written submissi on from Gavin Dick   Policy Officer National Landlord s Associati on</p>	<p>Landlords have very limited authority to deal with matters related to anti-social behaviour (ASB), especially if it happens outside the curtilage of the property.</p>	<p>We believe that landlords have an important role to play in helping the Council and Police to deal with ASB. We have provided some steps which landlords could take. The House of Commons Parliamentary papers 2017 provides clear information on the responsibility for dealing with ASB.</p>	<p>Rejected</p>	<p>ASB</p>
	<p>The scheme will lead to a further displacement of problem tenants in Brent/London.</p>	<p>Partial schemes are more likely to lead to tenant being moved to wards where licensing is not in place. A whole borough scheme means that problem tenants can be tracked and that they (as we are mainly referring to single family households) are made to change their behaviour if they want to remain in the borough. The Council will undertake a study on the impact of licensing on tenants including any impact on homelessness and displacement.</p>	<p>No change</p>	<p>Impact on tenants</p>
	<p>The documentation provided fails to indicate that sufficient funding will be available to support the functions necessary to support licensing in cases involving rehousing, tenants with mental health issues and social inclusion.</p>	<p>We are undertaking a study to look at the impact of licensing on the displacement of tenants. Vulnerable tenants/families will have access to our Housing Needs and Well Being/Social Care teams. Our relationship with these Council colleagues is made easy as we sit within the same Community</p>	<p>Considered</p>	<p>Impact on tenants</p>

			Well Being Directorate. Future of London have provided an independent report on the impact of licensing on tenants. We will be addressing the recommendations and have drafted an action plan.		
		How will the Council prevent malicious ASB claims being made that could potentially result in tenants losing their tenancies?	In addition to the Council providing tenants with support and advice, the Council will continue to work with tenants support agencies especially those operating in BRENT e.g. Advice4Renters, SSP Law, Shelter UK, and the CAB. We would stress that as we already have a Selective Licensing Scheme in place, these connections are already set up.	Considered	Impact on tenants
		Selective licensing is not a solution in itself – it does not tackle sub-letting or criminals.	We do not view sub-letting as an offence. Licensing requires the landlord to take steps to effectively manage the property, including who occupies the property. The licence holder is required to ask for tenant references, right to rent checks, issue tenancy agreements and to undertake periodic inspections. We will consider the defence of "reasonable excuse" in deciding the most appropriate enforcement action to take in respect of an offence.	No change	Enforcement
		But to extend the scheme Borough wide we believe is unjustified.	We have reviewed our evidence base for extending licensing and this plus the balance of the consultation	Evidence base updated	Scheme Designation

			responses supports designation of all the boroughs in Brent		
		The NLA believes that any regulation of the private rented sector needs to be balanced and that additional regulatory burdens should focus on increasing the professionalism of landlords, the quality of the private rented stock and driving out the criminal landlords who blight the sector. These should be the shared objectives of all the parties involved to facilitate the best possible outcomes for landlords and tenants alike and, as such, good practice should be recognised and encouraged, in addition to the required focus on enforcement activity. This is not the case here.	Our scheme proposes to work with landlords. We have introduced a landlords newsletter and promote landlord accreditation. Licence holders and managing agents are agreeing to be bound by our licence conditions. The proposal indicated that compliance checks and enforcement inspections will be undertaken.	Rejected	Support for landlords
		In addition, the proposal does not take into account rent to rent or those that exploit people (tenants and landlords), as criminals will always play the system. For instance, there is no provision for those landlords who have legally rented out a property that is then illegally sublet. The Council is not allocating resources to tackle the problems that criminals will cause, where landlords are often victims just as much as tenants are.	Currently advice is given where sub-letting without the landlord consent is discovered and reported to us. We have given advice in our Landlord's Newsletter. In appropriate cases we will accept an application for a Temporary Exemption Notice (TENs) for licensing to allow landlords to take steps to deal with the illegal subletting. Tenants affected are referred to agencies for advice.	No change	Support for landlords
		However, in the present case, the Council is saying that the scheme can be delivered within the fees raised by the scheme, but this has been shown across the country not to work. Therefore, unless the Council is willing to allocate sufficient resources, we believe that the scheme cannot deliver what it hopes to achieve. This is a gross misrepresentation to the tenants, the community and to the landlords. In the case of a funding shortfall, the introduction of the scheme will undoubtedly have an impact on other Council	Licensing brings together many Council services to work to address the various problems caused by the private rented sector. However we are committed to working strategically as part of an overall approach. It is clear that we can only charge for certain activities and will set a fee structure and	Change. Present detailed fee breakdown	Financial Implications

	services.	keep this under review to ensure that the scheme is effectively resourced without burdening good landlords or the general ratepayer with additional costs. Enforcement costs can be covered by such methods fixed penalties, Rent repayment orders, Proceeds of Crime, Work in Default and prosecution costs awarded.		
	Landlords are usually not experienced in social care and do not have the professional capacity that would allow them to be able to resolve tenants' mental health issues or drug and alcohol dependency. If there are allegations about a tenant causing problems (e.g. ASB, noise nuisance), even if the tenant has the above issues, a landlord ending the tenancy will have dispatched their obligations under the discretionary licensing scheme. However, in reality, this just moves the problems around Brent, but does not actually help the tenant, who could even become lost within the system. There is no obligation within Selective Licensing for the landlord to solve the ASB allegation; rather, a landlord has a tenancy agreement with the tenant and this is the only thing they can legally enforce.	The condition 6 proposal set out some actions which landlords must take to address ASB. We accept that where tenants have mental health issues that we must take this into consideration and additional support may be needed. We will engage with voluntary groups to provide assistance to ourselves, landlords and the tenants. The organisation <b>Justlife</b> is something to look into. Also see response at point 52 above	No change	Support for landlords
	Brent Council has many existing powers. Section 57 (4) of the Housing Act 2004 states that a local authority "must not make a particular designation ... unless (a) they have considered whether there are any other courses of action available to them ... that might provide an effective method of dealing with the problem or problems in question". The use of these powers, which are listed below, by the Council shows that the Council already has powers that can be used to rectify the problems and, hence, the ability to tackle many of the issues that they	In terms of selective licensing the council has considered the requirements of s81(4) which similarly reflects the requirements of s57(4). Our evidence includes the records of reports and interventions by the Council and Police to deal with ASB occurrences. Datasets used includes complaints of poor property	Change. Detailed information provided in reports	Legal Implications

	<p>wish to overcome in all parts of Brent: e.g. various Orders, Injunctions, Notices to deal with ASB, properties and dumped waste:</p> <p>Could the Council also provide a breakdown of the number of times these orders and powers have been discharged across Brent and in the area that the Council proposes to designate for selective licensing?</p>	<p>conditions etc. We will include in our report particular paragraphs to indicate that s81(4) has been addressed.</p>		
	<p>Landlords outline to tenants at the start of the tenancy their obligations in relation to noise, just as they do with waste and what they have to do to comply with the relevant laws and with a view to respecting their neighbours. The landlord can only manage a tenant based on their contract for living in the rented property, not for activities in the street or in neighbouring streets. etc</p>	<p>We are looking at ASB caused by occupiers of or visitors to their rented property. Many ASB activities are evident outside the property e.g. litter, street alcohol drinking, motor vehicle crime and prostitution. This is really about the behaviour of the occupier or visitor and we are seeking that landlords work with their tenants, the Council and Police to help to solve the problems. Prompt and effective action by landlords could help tackle many problems at an early stage.</p>	<p>No change</p>	<p>ASB</p>
	<p>The risk of introducing licensing is likely to increase the costs for those renting, along with not resolving the problems that the Council wishes to resolve, and likely moving the issue around the Borough/London. The issues are thus not fully dealt with but instead are displaced to new landlords. If Brent were to take a more erudite approach with regard to nuisance issues and instead developed a separate policy to tackle criminal landlords, this would be more applicable and more likely to result in resolving many of the issues.</p>	<p>The licence fee is designed to cover the cost of administration and to be as low as possible. Calculated over the 5 years it represents a relatively small cost to landlords. Fees payments may be recovered by landlords as legitimate expenses. Issues such as poor property conditions, safety standards and poor management are resolved. Licensing provides a joint up approach to dealing with the PRS issues in Brent.</p>	<p>Considered. Draw up a separate licensing enforcement policy</p>	<p>Tackling criminal landlords</p>

	<p>One of the dangers of the proposed Selective Licensing scheme is that the costs will be passed on to tenants, thus increasing the costs for those who rent in Brent, along with increasing the Council's costs. The increasing costs to residents in Brent would particularly hit hard the most vulnerable and least able to tolerate a marginal increase in their cost of living. Also, the Council has failed to explain that, as well as the Council's costs for the licence, the landlords' costs will likely be covered by tenants too, thus further increasing the rents. The failure to explain this shows a lack of understanding of how the private rented sector works.</p>	<p>Fee representation considered and already covered in earlier responses.</p>	<p>Considered.</p>	<p>Licence fees</p>
	<p>Areas that have been subject to the introduction of selective licensing have seen lenders withdraw mortgage products, thereby reducing the options to landlords reliant on finance. Downstream, this increases landlords' overheads and, subsequently, the costs for tenants rise.</p>	<p>Our research has seen a significant growth in the PRS in Brent between our 2014 and recent estimates. This may indicate that mortgage products are available although we are not in a position to refute the point made about the difficulty or cost in signing up to a preferred lender or product.</p>	<p>Noted</p>	<p>Financial Implications</p>
	<p>Brent Council, by proposing the introduction of licensing, is implying that there are social problems that could deter investment in the area. However, there is no acknowledgement of the impact this stigmatisation of discretionary licensing would likely have on the effected locality in the consultation. This should be explored and detailed in the evidence case supporting this application. The NLA would assert that the failure to provide such information is an indication of a substandard and ultimately superficial consultation exercise.</p>	<p>We are concerned about the conditions in our PRS and are committed to arresting the decline in the reputation of the PRS especially in the worst affected areas. The Equalities assessment takes into account the socio-economic impact and finds that overall this will not negatively impact on the local area. We have also looked at the incidences of deprivation in Brent to provide substance to our proposals.</p>	<p>No change</p>	<p>Socio-economic impact</p>

	What consideration has the Council taken in relation to potential homelessness when tenants cannot access the private rented sector?	We have considered homelessness and address this in the proposal document. A detailed study has been undertaken on the impact of licensing on tenants.	No change	Impact on tenants
	Often when tenants near the end of their contract/tenancy and they are in the process of moving out, they will dispose of excess waste by a variety of methods, which often includes putting it out on the street for the Council to collect. A waste strategy for the collection of excess waste at the end of tenancies needs to be considered by local authorities with a large number of private rented sector properties in areas. This is made worse when councils do not allow landlords to access municipal waste collection points. The NLA would be willing to work with the Council to help them develop this strategy.	The council has a strategy in place to deal with waste and illegal dumping. We have communicated to landlords how the council are able to assist with collecting bulk domestic waste and will endeavour that the waste strategy is reflected and that measures are reconciled.	No change	Strategic approach
	The social housing sector has made many efforts to remove problem tenants (2/3rd of all court evictions are from the social sector). How does the Council expect landlords to solve the issues of these tenants when the professional sector has so far failed to do so? Many of the tenants that have been removed from the social sector are now living in the private rented sector without any of the support they might otherwise have received in the social sector.	It is clear that landlords are seeking help with problem tenants. We need to be sure how we will address this issue including advice to tenants, mediation, rent arrears, s21 possession claims, etc.,	Considered	Support for landlords
	The laws that the private rented sector has to comply with can be easily misunderstood. A landlord is expected to give the tenant a "quiet enjoyment" of the property, and failure to do so could result in a harassment case being brought against the landlord.		Noted	
	The introduction of licensing is proposed to tackle specific issues, of which many of these are tenant related and not to do with the property/landlord. Thus, the challenge is for local authorities to work with all the people involved and not to just blame one group – landlords.	The steps we propose include other agencies and stakeholders and aims to work collectively. Rather than blaming landlords, we do feel that landlords have	Noted	Strategic approach

			an important role to play and for various reasons many are not doing so. The setting up of a landlords focus group and further advances with landlord training will help with our landlord engagement.		
		The NLA would also argue that a problem encompassing a few poorly managed and/or maintained properties would not be appropriately tackled by a licensing scheme, which is not proportional to the problem. In many situations, the Council should consider Enforcement Notices and Management Orders. The use of such orders could deliver results immediately – so why instead does the Council wish to do this over five years through a licensing scheme? Adopting a targeted approach on a street-by-street approach, targeting the specific issues and working in a joined-up fashion with other relevant agencies, such as the Council, community groups, tenants and landlords, would have a much greater impact.	Licensing will assist us in targeting poorly managed and badly maintained properties. Street surveys will enable us to target unlicensed properties. Where enforcement action is needed notices and orders will be considered and used in accordance with our enforcement policy and the regulators code.	Considered	Alternative proposals
		The NLA agrees that some landlords, most often due to ignorance rather than criminal intent, do not use their powers to manage their properties effectively. A more appropriate response therefore would be to identify issues and to assist landlords. This could allow Brent Council to focus on targeting the criminal landlords – where a joint approach is required.	Since the introduction of additional licensing in 2014 we have created a database of over 3000 licensed landlords. We estimate that there are more than 10,000 landlords and agents operating in Brent and as such the voluntary engagement is poor. Widening licensing will identify our landlord community and allow us to engage with good landlords to educate and assist them on relevant issues. Resources will then target criminal landlords	Noted	Enforcement

	<p>The NLA would also like to see Brent Council develop a strategy that also included action against any tenants that are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket-licensing scheme that would adversely affect all landlords and tenants alike while still leaving criminals able to operate under the radar.</p>	<p>Our joined up approach links to other strategies e.g. ASB</p>	<p>Considered</p>	<p>Strategic approach</p>
	<p>Many of the problems are caused by mental health and drink and drug issues, these are issues that landlords cannot resolve and are issues that will require additional resources from the Council. You fail to provide what additional services will be provided in the area for mental health. This will have an impact on adult social care budgets from the County Council. How much money has been allocated from the County to meet this, especially as this budget is under pressure already?</p>	<p>See points 53 and 60 above</p>	<p>Noted</p>	<p>Financial implications</p>
	<p>The Council should consider alternative schemes, such as the Home Safe Scheme in Doncaster and SEAL in Southend. Both schemes offer alternatives that the Council has not reviewed or presented in the consultation.</p>	<p>We have considered co-regulation having met with Home safe Scheme Ltd. Their submission is included in the formal consultation. We have written to the Southern Landlords Association as they administer the Southend Alliance and have communicated with Doncaster MBC regarding their scheme performance.</p>	<p>Considered</p>	<p>Alternative proposals</p>
	<p>In relation to ASB reduction and the authority a landlord has to tackle such activity within their properties, it should be pointed out that landlords and agents can only enforce a contract. They cannot manage behaviour (ref: House of Commons briefing note SN/SP 264, paragraph 1.1). In most circumstances, the only remedy available to landlords confronted with cases of serious ASB in one of their properties will be to seek vacant possession,</p>	<p>We believe that there are other measures landlords could use to address ASB and in the vicinity of privately rented properties and have considered these as part of the reason for proposing selective licensing</p>	<p>No change</p>	<p>ASB</p>

	and in many instances, they will need to serve a Section 21 notice ...			
	It is also worrying how little reference has been made to the economic impact on the local community from the likely increase in the costs of housing provision. We wish to understand how the Council believes increasing said costs could benefit those on fixed incomes. The logic of this assertion is not clearly explained and will arguably lead to incorrect conclusions on the part of those stakeholders relying on the Council to inform their input into this consultation.	The Council has carried out the Impact assessment and a further study on the impact on tenants. The findings would indicate that the overall benefits will outweigh any negative impacts. An action plan is to be considered to mitigate negative impacts and to promote the positive benefits of the scheme if it is introduced.	Considered	Socio-economic impact
	Clarification on the Council's policy in relation to helping a landlord when a Section 21 notice is served is required within the proposed Selective Licensing scheme. It would be useful if the Council could put in place a guidance document before the introduction of the scheme to outline the Council's position regarding helping landlords remove tenants who are causing ASB.	We will look to provide guidance and to signpost to where landlords can access relevant support. Our landlords newsletter will be used to provide messages on s21.	Considered	Support for landlords
	The NLA would like further explanation on how the Council will work with landlords to mitigate the issue of tenants leaving a property early but where they still have a tenancy contract.	We intend to set up a landlord focus group to consider such issues including abandonment. We will communicate the advice to landlords.	Considered	Support for landlords
	If a landlord faces challenges with a tenant, how will the Council help the landlord?	See point 74 above. In some circumstances the Council may be able to assist with mediation. Office documentation and witness statements can be provided upon request.	Noted	Support for landlords

<p>Emailed written submission: 16 December 2016 - 15:53; John Stewart, Policy Manager; Residential Landlords Association</p>	<p>The RLA also believes that the Council is premature on bringing forward proposals. The Housing and Planning Act 2016 will give local authorities substantial new powers to tackle breaches of housing legislation and drive the criminal operators from the sector. The council should wait until the impact of these new powers can be assessed before pressing on with more regulation in the form of selective licensing.</p>	<p>It is acknowledged that the Housing and Planning Act and other new measures relating to the PRS are being introduced and Brent will avail itself of these powers as soon as practicable. Brent believes that this is the right time to consider widening licensing as there are many advantages and economies. There may be delay in introducing and implementing these new provisions and some powers will not be introduced before October 2017. The assessment of these new powers is unlikely to happen before 2019. We will coordinate these powers with the licensing and enforcement powers with the Housing Act 2004.</p>	<p>Considered</p>	<p>Timing of proposals</p>
	<p>The RLA is opposed to the scheme and has a number of general objections to Licensing, which are attached as an appendix – RLA General Licensing Concerns. The RLA has several areas of concern in regards to selective licensing, namely:</p> <ul style="list-style-type: none"> <li>i. Worrying trends are emerging in the case of discretionary licensing. Licensing entails a huge bureaucracy and much time, effort and expense is taken up in setting up and administering these schemes; rather than spending it on the ground and flushing out criminal landlords.</li> <li>ii. Increasingly, discretionary licensing is being misused to fund cash strapped housing enforcement services. The recent Westminster sex shop Court of Appeal (Hemming (t/a Simply Pleasure) Limited v Westminster City Council) has brought such</li> </ul>	<ul style="list-style-type: none"> <li>i. The Selective licensing scheme is already in place in Brent</li> <li>ii. The Hemming-v-Westminster case has clarified the point on fees and charging for enforcement</li> <li>iii. The maximum period of the scheme is 5 years. Given the extent of the problems in the PRS we consider that this is a short period.</li> <li>iv/v. The proposed is relatively low and made less for landlords who make early voluntary applications and are eligible for discounts. If the cost is considered over the 5 year term the</li> </ul>	<p>Considered.</p>	<p>General opposition to licensing</p>

	<p>funding into question).</p> <p>iii. Discretionary licensing is not being used for its intended purpose of a short period of intensive care; rather it is being used by the back door to regulate the PRS.</p> <p>iv. The level of fees which are ultimately passed on to tenants to pay is a major worry so far as it affects landlords.</p> <p>v. Despite high fee levels local authorities still lack the will and resources to properly implement licensing.</p> <p>vi. Little has been done to improve property management. Opportunities to require training have been ignored. As always it has become an obsession with regard to physical standards with very detailed conditions being laid down. No action is taken against criminal landlords.</p> <p>vii. We believe that a significant number of landlords are still operating under the radar without being licensed.</p> <p>viii. As always it is the compliant landlord who is affected by the schemes. They pay the high fees involved but do not need regulation of this kind.</p> <p>ix. Licensing is not being used alongside regeneration or improvement of the relevant areas. Insufficient resources are being employed to improve the areas.</p> <p>x. Where areas are designated for selective licensing this highlights that they can be “sink” areas. This could well mean it would be harder to obtain a mortgage to buy a property in these areas.</p> <p>xi. Schemes are not laying down clear objectives to enable decisions to be made whether or not these have been achieved. Proper monitoring is not being put into place to see if schemes are successful or not.</p> <p>xii. There is little use of “fit and proper person” powers to exclude bad landlords.</p>	<p>annual amount is low and there should not be a need to pass this on to tenants.</p>		
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	<p>Licensing schemes rarely meet their objectives. Good landlords will apply for licences and, in all likelihood, pass the cost on to tenants in the form of increased rents, doing nothing to address affordability, while the worst landlords – the criminal operators – will simply ignore the scheme, as they do many other regulations.</p>	<p>Our observations from the 2 years since implementing selective licensing in 3 wards is that most properties are now licensed. There is no evidence that additional costs are passed on to tenants, and given the low costs of our fee, this is less likely to be necessary. In some cases money will need to be spent improving property conditions.</p>		
	<p>There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than management standards and property conditions</p>	<p>A prerequisite of the scheme is that properties that are required to be licensed are licensed. Our issuing of 1-yr licences and undertaking compliance inspections have led to improved property standards and a reduction of health and safety hazards. Our model is to licence and thereafter to focus activities on compliance on those properties proactively and reactively, especially on those properties and landlords which present greatest concerns. We will balance the scheme activities in relation to need and our reasonably available resources.</p>	Noted	Improving housing standards
	<p>The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see staff time wasted processing applications, it should continue to direct its limited resources at effective enforcement activity.</p>	<p>The licensing scheme will bring together the wide range of tools provided and will present a coordinated platform within which the Council will operate.</p>	No change	Enforcement

	<p>Landlords, will become risk averse in terms of the tenants they let to. Tenant problems such as anti-social behaviour are impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere. Some may seek to evict already challenging tenants. This could mean additional costs to other council services, as they pick up the pieces created by the disruption to the lives of already vulnerable tenants. Likewise, if licensing costs are passed on to tenants in the form of rent increases, then some tenants may struggle, particularly those on benefits, affected by welfare reform and frozen housing allowances.</p>	<p>The intention is that there is more responsible renting by landlords and more that more support is given to tenants by landlords and agents. This will help in sustaining tenancies. We have looked at the impact of licensing on tenants if the scheme is introduced.</p>	<p>Considered</p>	<p>Impact on tenants</p>
	<p>The RLA does not believe Brent has made a robust case for borough-wide licensing. By the consultation paper's own admission, 'much of the private rented sector offers good accommodation for people who want to live in the Borough'. It is invidious that the majority of landlords, who provide good accommodation, should face increased costs through fees, whilst the criminal operators ignore licensing. Poor and unsafe accommodation should be tackled through better and targeted enforcement.</p>	<p>Some landlords are neglecting their properties and fail to properly manage their tenancies and this is reflecting badly on the whole sector in Brent. Licensing will help to create a level playing field and allow resources to identify and target our enforcement activities.</p>	<p>Considered</p>	<p>Evidence base</p>
	<p>The data maps showing the concentration of PRS housing suggest a number of ward should not be included: Dollis Hill; Kenton; Northwick Park; Queensbury; and Stonebridge. Even excluding these wards the scheme will require the consent of the Secretary of State.</p>	<p>We have looked carefully at the evidence at ward level. In some wards the evidence is not as strong as in others. We have considered the responses to our consultation and together with the evidence collected there is overall support for extending licensing borough wide.</p>	<p>Considered.</p>	<p>Scheme designation</p>

	<p>Much of the Brent case relies on tackling anti-social behaviour. There are limits to what landlords can do to tackle ASB caused by tenants. The council already uses local joint action groups and cross-departmental and multi-agency working such as this is more effective in tackling ASB, maintaining tenancies, housing condition and management standards.</p>	<p>This statement supports the proposals.</p>	<p>Accepted</p>	<p>ASB</p>
	<p>In fact, the report concedes that ASB is falling across the Borough. However, the highest incidences of ASB in Brent are to be found in wards where selective licensing has been in operation for almost two years. This suggests that selective licensing is failing to deliver the desired outcome.</p>	<p>The current study has built on the previous research and has collected much more evidence of ASB incidences. We would also suggest that improved reporting and monitoring of ASB may be part of the explanation for this finding.</p>	<p>Accepted</p>	<p>ASB</p>
	<p>The Council also admits that the current borough-wide additional licensing of HMOs is failing. The report acknowledges that “the large number of HMOs whose owners have neglected to apply for licences”. If the council cannot adequately enforce a borough-wide additional licensing scheme, then there must be doubt about its ability to enforce a borough-wide selective scheme encompassing tens of thousands more properties.</p>	<p>The applications and number of selective licences has been successful. The identification and enforcement of HMOs has proven to be a greater challenge where additional HMO licensing has been introduced. We have significantly improved the number of HMO inspections and prosecutions over the last two years</p>	<p>Noted</p>	<p>HMO licensing</p>
	<p>The council also committed to review the current selective licensing schemes annually. However, the assessment of these schemes do not form part of the consultation.</p>	<p>Review meetings have been undertaken e.g. HQN led review, Brent member scrutiny. The summary of these reviews will be included in the cabinet report.</p>	<p>Accepted</p>	<p>Review of existing scheme</p>
	<p>Looking at the specifics of the scheme, should the council decide to proceed, we welcome the consideration of discounted fees. However, we believe the discount for accredited landlords does not provide sufficient incentive for landlords to become accredited. A more substantial</p>	<p>We will have set the fee structure to ensure that the scheme costs are covered over the 5 year life of the scheme and to be as low as possible for good landlords.</p>	<p>Considered. Present fee structure for all licence types</p>	<p>Licence fees</p>

	discount would attract greater uptake of accreditation.			
	There is no mention of an alternative to online application. The RLA believes a paper registration option should be available.	Brent already has a successful electronic process. Paper systems are not in line with the Council's Corporate business strategy.	Rejected	Strategic Approach
	With regard to the licensing conditions, the scheme appears to require landlords to force tenants to disclose unspent convictions (6a). This can only be done through a CRB or similar check. Forcing a third party to require such a check – an enforced subject access request - in order to gain a tenancy is a criminal offence, under s56 of the Data Protection Act. This condition should be removed.	Regarding condition 6a, we will take legal advice on this and take appropriate action	Considered	Licence conditions
	There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement.	See point 76 above	Considered	Alternative proposals
	We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for so-called rogues to operate under the radar.	At present there is no requirement for property owners to state the tenure as part of the council tax register and for the present local authorities are unlikely to be allowed this provision. However we are pleased that we now have access to the tenancy deposit registers and have requested this data from the 3 Government approved schemes. We will continue to use a combination of available databases to identify private rented properties.	Noted	Alternative proposals

<p>Harry Ulaeto [mailto:harry.ulaeto@thehomesafescheme.org.uk] Sent: 15 December 2016 15:37 The Home Safe Scheme Ltd</p>	<p>We agree, from the information provided by Brent Council in the course of their Consultation, that there is a problem with some private rented sector properties in the area and commend them for having taken action to deal with this problem but would like, in the context of extending licensing further, to propose an alternative (and innovative) solution to that problem. Unlike many other landlord groups or associations, we are in full agreement that the current system in the private rented sector is failing in many areas nationally, that the private rental market is in a state of flux and that there are deep rooted issues throughout the sector that need to be addressed by all stakeholders.</p>	<p>Support for licensing . We have met formally with Home Safe Ltd and have discussed their proposals with a view to looking into how co-regulation could work alongside licensing in Brent.</p>	<p>Considered</p>	<p>Strategic Approach</p>
	<p>Our position, however, is that Selective Licensing, in its raw form, is ineffective but that it can be quantifiably effective if deployed via the mechanism of “Co-regulation” as defined by The Home Safe Scheme partnerships with Doncaster and West Lindsey Councils.</p>	<p>See responses at 76 above</p>	<p>Considered</p>	<p>Alternative proposals</p>
	<p>Home Safe’s alternative scheme will enable Brent Council to use their existing powers and resources more effectively and in a more targeted manner allowing them to focus those resources directly against the willingly bad, un-cooperative and non-complying landlords.</p>	<p>See point 76 above</p>	<p>Considered</p>	<p>Alternative proposals</p>

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