



Cabinet
23 October 2017

**Report from the Strategic
Director of Community Wellbeing**

Wards affected:
All Wards

Selective Licensing in the Private Rented Sector - Update

1. Purpose of the Report

- 1.1 This report advises members of the need to acknowledge and correct some drafting errors in the report considered by Cabinet on 19th June 2017: Selective Licensing in the Private Rented Sector.
- 1.2 This report does not affect the decisions taken on 19th June 2017 regarding the designation for selective licensing in relation to Designation Areas 1 (the wards of Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queens Park), 3 (the wards of Dollis Hill and Welsh Harp) and 5 (the ward of Stonebridge). This report also does not affect the decision regarding the setting of licensing fees for the six designation areas. By way of clarification, this report seeks to make corrections in respect of Designation Areas 2, 4 and 6 and the wards included in those areas which are set out in paragraphs 2.2 and 2.3 below.

2. Recommendations

- 2.1 Cabinet notes the identified inconsistencies in the original report of 19 June 2017 and the required amendments, in particular that Preston ward is included in Designation Area 4 and Queensbury ward in Designation Area 6 and that no rectifications are required regarding Designation Areas 1, 3 and 5.
- 2.2 Cabinet agrees by way of clarification that the legal requirements for introducing Selective Licensing on the grounds of anti-social behaviour (ASB) and/or migration and/or deprivation and/or poor housing conditions and/or high levels of crime have been met with regard to three of the six selective licensing designation areas as summarised in table 6 in paragraph 10.16 of the report to Cabinet dated 19 June 2017, which cover the following Council wards:

- i) Brondesbury Park (designation 2 on grounds of migration, anti-social behaviour and high level of crime);
- ii) Alperton, Barnhill, Sudbury, Tokyngton, Preston (designation 4 on grounds of anti-social behaviour and poor housing conditions);
- iii) Fryent, Kenton, Northwick Park, Queensbury (designation 6 on grounds of anti-social behaviour and migration).

2.3 Subject to paragraph 2.2 above and by way of clarification, agrees to authorise the designation of three areas for selective licensing, namely Designation Areas 2, 4 and 6 to last for five years from the date of designation which cover the following Council wards as shaded in blue and marked D2, D4 and D6 on the map at paragraph 4.6 of this report, namely:

- i) Brondesbury Park (designation area 2);
- ii) Alperton, Barnhill, Sudbury, Tokyngton, Preston (designation area 4);
- iii) Fryent, Kenton, Northwick Park, Queensbury (designation area 6).

2.4 Agrees to seek consent from the Secretary of State for the designation for Selective Licensing of the three designation areas 2, 4 and 6 as referred to in paragraphs 2.2 and 2.3 above and notes that this consent application in relation to designation areas 2, 4 and 6 will be submitted in addition to the application for consent which has been submitted to the Secretary of State following the Cabinet's decision of 19 June 2017.

2.5 Agrees that authority to issue the required statutory notifications in respect of designation areas 2, 4 and 6 as referred to in paragraphs 2.2 and 2.3 above in relation to the Selective Licensing Scheme designations are delegated to the Strategic Director of Community Wellbeing, in consultation with the Lead Member for Housing and Welfare Reform.

2.6 Agrees that, subject to consent being obtained from the Secretary of State, and the issue of statutory notifications, that the Strategic Director of Community Wellbeing, in consultation with the lead member for housing and welfare reform is authorised to decide the date from which the council will begin to accept applications for Selective Licensing for the Designation Areas 2, 4 and 6 and the date on which those three designations will come into effect.

3. Detail

3.1 On 19th June 2017, Cabinet approved a report recommending the extension of Selective Licensing on the basis of six new designations, covering the wards not included in the existing scheme covering Harlesden, Wembley Central and Willesden Green. The recommendation at 2.1 in the report requested that Cabinet "Agrees that the legal requirements for introducing Selective Licensing on the

grounds of anti-social behaviour (ASB) and/or migration and/or deprivation and/or poor housing conditions have been met with regard to the proposed selective licensing designation areas as summarised in table 6.”

- 3.2 Table 6 in paragraph 10.16 in the report presented to the Cabinet on 19 June 2017 set out the correct proposed designations. The six draft designation orders, which were included as an appendix to the report, also referred to the correct designation areas. Sub-paragraphs (i) to (vi) of recommendation 2.1 of the report dated 19 June 2017 set out the wards included in each designation as follows:
- (i) Dudden Hill, Kensal Green, Kilburn, Mapesbury, Queens Park (designation area 1 - on grounds of anti-social behaviour, poor housing conditions, migration and high levels of crime);
 - (ii) Brondesbury Park, Queensbury (designation 2 on grounds of migration, anti-social behaviour and high level of crime);
 - (iii) Dollis Hill, Welsh Harp (designation 3 on grounds of poor housing conditions and anti-social behaviour);
 - (iv) Alperton, Barnhill, Sudbury, Tokyngton, (designation 4 on grounds of anti-social behaviour and poor housing conditions);
 - (v) Stonebridge (designation 5 on grounds of anti-social behaviour, high levels of crime, deprivation and poor housing conditions);
 - (vi) Fryent, Kenton, Northwick Park, Preston (designation 6 on grounds of anti-social behaviour and migration).
- 3.3 The wards listed in sub-paragraphs (i), (iii) and (v) in the previous paragraph are correct and match the contents of table 6 in paragraph 10.16 of the report of 19 June 2017. However, in sub-paragraph (ii), Queensbury has been included in error, in sub-paragraph (iv) Preston has been omitted in error and in sub-paragraph (vi) Preston has been included and Queensbury omitted in error. The corrections in respect of Designation Areas 2, 4 and 6 are set out in paragraphs 2.2 and 2.3 of this report.
- 3.4 Recommendation 2.2 of the report which was presented to Cabinet on 19 June 2017, which sought approval for the individual designations, repeats these errors as does the map which was set out in paragraph 10.10 of the report dated 19 June 2017.
- 3.5 Paragraph 10.9 of the 19 June 2017 report introduces the rationale for the individual designations, each of which is considered in the subsequent paragraphs. Paragraph 10.11, covering designation 2, paragraph 10.13, covering designation 4 and paragraph 10.15, covering designation 6, include the same mistake.
- 3.6 To clarify, the rationale set out at paragraph 10.9 onwards should have read as follows in respect of Designation Areas 2, 4 and 6:
- 3.6.1 The Brondesbury Park ward is also situated within the south east of the borough and although levels of ASB are less significant, (ranked 16th),

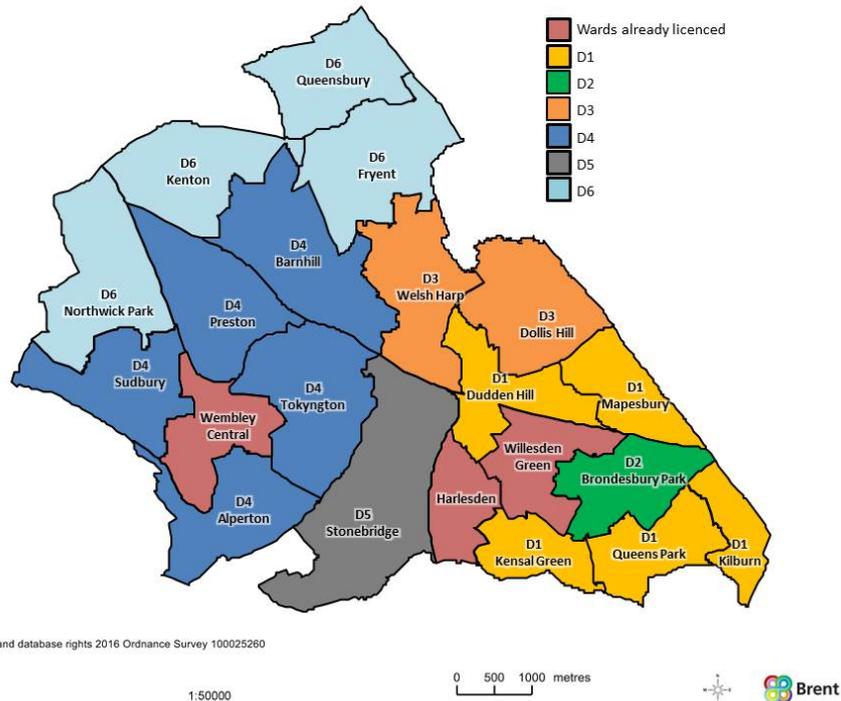
migration (9th) and crime (13th) levels are serious problems. Brondesbury Park having quite distinctive issues in particular migration forms a separate designation in its own right. – **Designation 2**.

3.6.2 The wards listed in the table in paragraph 10.16 (of the Cabinet report dated 19 June 2017) in relation to ASB also rank highly for poor property conditions. It is proposed that the wards of Tokyngton and Barnhill which were not included in designation 1 should be combined with the other wards which provide evidence of disrepair, these being Sudbury (8th rank) and Alperton (11th rank and also 11th for deprivation) along with Preston which is ranked 15th for disrepair and is located geographically next to the other wards in this area to form a separate designation based on these two criteria, namely poor property conditions and ASB - **Designation 4**.

3.6.3 A strong correlation is shown between migration and the PRS in the north western wards, notably Preston (11th rank) and Northwick Park (13th Rank). These wards plus Fryent consistently feature as the wards least linked to problems in the single family PRS. Queensbury is ranked 12th for ASB and 18th for migration suffering from similar problems. It is also located geographically next to the other wards in this area. However given the very strong ASB problems linked to the whole PRS ($R^2=0.73$), these three wards are combined with Kenton to form **Designation 6**, on the basis of migration and ASB

3.6.4 The map below illustrates the geographical coverage of the proposed designations, each of which is numbered in line with Table 6 in paragraph 10.16 of the report to the Cabinet meeting of 19 June 2017.

Map of Proposed Licensing Designations



- 3.7 The purpose of this report is to clarify and correct drafting errors in the Cabinet report of 19 June 2017. The evidence and the rationale behind the recommendation to extend licensing were set out in detail in the report dated 19 June 2017 and its appendices and Table 6 referred to in recommendation 2.1 which clearly set out the correct wards within each designation, as did the Designation Orders appended to the report.
- 3.8 In practical terms, no rectifications need to be made in respect of Designation Areas 1, 3 and 5 and the Designation Orders have already been made in respect of these three areas.
- 3.9 In order to provide clarity and leave no room for doubt or ambiguity, the Cabinet is asked to approve the recommendations set out in section 2 of this report so that the correct wards are set out in respect of Designation Areas 2, 4 and 6 with the reasons justifying why designation orders should be made in respect of Designation Areas 2, 4 and 6. If the Cabinet approves the recommendations in this report, although Designation Orders which were made in respect of Designation Areas 2, 4 and 6 are correct in their content and cover the correct wards, fresh Designation Orders will be made in respect of Designation Areas 2, 4 and 6 relying on the authority of the decision of the Cabinet (this is on the assumption that the recommendations in section 2 of this report are approved). The content of the new Designation Orders for designation areas 2, 4 and 6 will be precisely the same in the content (apart from the date) as the designation orders for designation areas 2, 4 and 6 which were made after the decision of Cabinet dated 19 June 2017.

3.10 The application for consent following the decision of the Cabinet dated 19 June 2017 has been submitted to the Secretary of State. The Department of Communities and Local Government has indicated that a decision should be expected towards the end of the year. Therefore, the clarification of the wards included in designation areas 2, 4 and 6 will not cause any delay in the consideration of the Council's application for consent to the Secretary of State.

4. Legal Implications

4.1 The implications are detailed in the original Cabinet report of 19th June 2017.

5. Financial Implications

5.1 There are no financial implications arising from this report in addition to those identified in the report approved by Cabinet in June 2017.

6. Equalities Implications

6.1 There are no equalities implications arising from this report in addition to those identified in the report approved by Cabinet in June 2017.

Background Papers

None.

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