



Consultation on Licensing Landlords of Private Rented Housing

Over the last 10-20 years, there has been an increase in the number of properties in Brent that are rented out by private landlords. The London Borough of Brent wants to ensure that private rented properties offer residents a choice of safe, good quality and well managed accommodation.

In January 2015 it introduced licensing schemes for privately rented properties. These schemes will end in December 2019 and the Council is considering introducing new schemes to replace them. The Council is also proposing to extend selective licensing to other wards of the borough.

You can read about the proposals for the new scheme in the council's consultation document, which is available at www.brent.gov.uk/landlordlicensing

To give your feedback, please complete this questionnaire and return it to: **Opinion Research Services, FREEPOST SS1018, PO Box 530, Swansea, SA1 1ZL** to arrive by **25th August 2019**. There is also an online version of this questionnaire, which you can access via the webpage above.

Brent Council has appointed Opinion Research Services (ORS), an independent research company, to manage the questionnaire responses and other consultation feedback. ORS will produce an independent consultation report in which feedback from individual members of the public will be anonymous, but views from organisations may be attributed in full.

All the questions are entirely optional, and any information that you provide in response to this consultation will be processed by ORS in accordance with the UK Data Protection Act and the EU General Data Protection Regulation. Information will only be used to inform this consultation and any personal information that could identify you will be kept for no more than 1 year after any decisions have been finalised. For further information, please see www.ors.org.uk/privacy

If you have any queries about the consultation, please contact Tony Jemmott, Private Housing Licensing Manager at Brent Council on 020 8937 2384/5 or email: prslicensing@brent.gov.uk

YOUR CONNECTION TO LONDON BOROUGH OF BRENT

In what capacity are you responding to this questionnaire?

PLEASE TICK ✓ ONLY ONE BOX THAT APPLIES TO YOU

☐

As a Brent resident or a local business in Brent (but not a landlord) – please answer the red shaded question overleaf, then go to the 'Local Issues?' section

☐

As a landlord, letting or managing agent with properties in Brent – please answer the blue section overleaf, then go to the 'Local Issues?' section

☐

As another type of stakeholder – please answer the green shaded section overleaf, and following questions

Please provide the following information about yourself (where relevant) so that we can monitor the representativeness of the responses and identify trends. We will take all feedback into account, regardless of whether you provide your personal details.

INFORMATION ABOUT YOU: BRENT RESIDENTS & BUSINESSES

If you are a resident living in Brent, or responding on behalf of a local business in Brent... which of the following best describes you? PLEASE TICK ✓ ONE BOX ONLY

<input type="checkbox"/>	Private tenant living in a single family dwelling (e.g. a self-contained flat or house)
<input type="checkbox"/>	Private tenant living in a House in Multiple Occupation (HMO) or bedsit where you share some basic amenities (e.g. toilet, bathroom, kitchen) with others
<input type="checkbox"/>	Brent Council tenant
<input type="checkbox"/>	Housing association tenant
<input type="checkbox"/>	Owner occupier
<input type="checkbox"/>	Shared owner – with a share in the equity of the home
<input type="checkbox"/>	Local business in Brent (but not a landlord)
<input type="checkbox"/>	Other <input type="text"/>

INFORMATION ABOUT YOU: LANDLORDS AND AGENTS

If you are a landlord or agent with properties in Brent... which of the following best describes you?

PLEASE TICK ✓ ONE BOX ONLY

<input type="checkbox"/> Landlord who manages their own property	<input type="checkbox"/> Managing agent
<input type="checkbox"/> Landlord who uses a managing agent	<input type="checkbox"/> Registered social landlord
<input type="checkbox"/> Letting agent	<input type="checkbox"/> Other <input type="text"/>

Please indicate how many properties you own/manage in Brent, for each of the following types.

PLEASE WRITE IN A NUMBER FOR EACH TYPE OF PROPERTY

Single occupancy house <input type="text"/>	Self-contained flat <input type="text"/>	Houses in Multiple Occupation (Fewer than 5 people) <input type="text"/>	Houses in Multiple Occupation (5 or more people) <input type="text"/>
--	---	--	---

Are you a member of any of the following? PLEASE TICK ✓ ALL THAT APPLY

<input type="checkbox"/> National Landlords Association (NLA)	<input type="checkbox"/> Association of Residential Lettings Agents (ARLA)
<input type="checkbox"/> Residential Landlords Association (RLA)	<input type="checkbox"/> Other landlord/letting agent association <input type="text"/>
<input type="checkbox"/> London Landlord Accreditation Scheme (UKLAS/LLAS)	<input type="checkbox"/> No

[illegible]

THE CURRENT LICENSING SCHEMES

In January 2015 Brent Council introduced two five-year licensing schemes intended to tackle some of the problems associated with private rented properties in the Borough. The Additional Licensing scheme applies to all small Houses in Multiple Occupation across the whole of the borough, and the current Selective Licensing scheme applies to all other privately rented homes in the wards of Harlesden, Willesden Green and Wembley Central.

Since the schemes were introduced, the Council has licensed 11,550 properties including 3,410 Houses in Multiple Occupation (HMOs). Licensing has also been used strategically to deal with problems of ASB and to improve conditions associated with the PRS. For example, the Council has operated a licence condition and compliance inspection regime, along with proportionate enforcement action, to target non-compliant landlords and improve properties. This has led to over 4,400 properties being improved in the period outturns for the 4 years 2015/16 to 2018/2019.

Over the same period, over 2,200 notices have been served on private landlords and there have been 160 prosecutions resulting in fines and costs totalling £1.5m. As an alternative to prosecutions, in some cases the Council has also issued over 100 civil penalty notices.

In which of the following ways do you think the current licensing schemes has improved things in Brent? PLEASE TICK ✓ ALL THAT APPLY

Improved the condition of properties	<input type="checkbox"/>
Reduced waste/rubbish such as mattresses dumped in private property front gardens	<input type="checkbox"/>
Reduced waste/rubbish dumped on streets	<input type="checkbox"/>
Reduced noise from neighbouring privately rented properties	<input type="checkbox"/>
Reduced overcrowding in privately rented properties	<input type="checkbox"/>
Other (Please specify) <input type="text"/>	<input type="checkbox"/>
None of the above	<input type="checkbox"/>

If the current licensing schemes in Brent stopped and were NOT continued, which of the following do you think would get worse as a consequence? PLEASE TICK ✓ ALL THAT APPLY

The condition of properties	<input type="checkbox"/>
The amount of waste/rubbish such as mattresses dumped in private property front gardens	<input type="checkbox"/>
The amount of waste/rubbish dumped on streets	<input type="checkbox"/>
Noise from neighbouring privately rented properties	<input type="checkbox"/>
Overcrowding in privately rented properties	<input type="checkbox"/>
Other (Please specify) <input type="text"/>	<input type="checkbox"/>
None of the above	<input type="checkbox"/>

To what extent do you agree or disagree that continuing the licensing scheme would improve / further improve the condition and management of privately rented properties in Brent?

PLEASE TICK ✓ ONE BOX ONLY

Strongly agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
---	--	---	---	--	---

RENEWING THE CURRENT LICENSING SCHEME

Brent Council knows that many landlords operate properly. However, as the number of people moving into Brent continues to grow, the council remains concerned about levels of anti-social behaviour, overcrowding, poor living conditions, and poor tenancy and property management.

Therefore, Brent Council proposes to renew the current licensing schemes, which will expire on 31 December 2019. The Council believes that renewing these schemes would allow it to continue to find landlords who are not fit and proper, to improve conditions for tenants and to improve the area in general by tackling anti-social behaviour, poor property conditions and deprivation.

If the schemes are implemented, landlords will be required to apply to the Council for a licence for each privately rented property they own or manage in the area. Each licence application must be accompanied by a licence fee. Conditions would be attached to each licence and landlords would be bound by these conditions.

Details of the proposed areas, licence conditions and fees are detailed in the consultation document on the website www.brent.gov.uk/landlordlicensing.

The Council is considering proposals for two specific types of licensing, each affecting different types of privately rented properties....

Houses in Multiple Occupation

Some rented properties are known as 'Houses in Multiple Occupation' (HMO). This is a property that is rented by three or more people who are not all related and who share some areas like a kitchen and bathroom. Larger HMOs must be licensed by law.

Since January 2015, Brent Council has required all landlords renting out smaller Houses in Multiple Occupation **anywhere in Brent** to have a licence for each of these properties. This is known as Additional Licensing.

While the Council believes actions have been taken to improve standards, it remains concerned that many HMOs in the borough remain unlicensed, poorly managed or in an unsatisfactory state of repair.

Therefore, the Council is now proposing to **renew the current Additional Licensing scheme across the whole of Brent** (i.e. the whole of the area within the red outline, in the map on the back of this booklet) **for another five years**, in January 2020.

To what extent do you agree or disagree with this proposal for renewing the Additional Licensing scheme for Houses in Multiple Occupation? PLEASE TICK ✓ ONE BOX ONLY

Strongly agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
---	--	---	---	--	---

Other privately rented properties

Other rented properties (i.e. which aren't HMOs) will be occupied by a single family or household, or by two unrelated people sharing. Currently, Brent Council requires many landlords who rent these other types of privately rented properties to have a licence for each of these properties. This is known as Selective Licensing.

In January 2015 Brent Council introduced a selective licensing scheme in three wards: **Harlesden, Willesden Green and Wembley Central** (Designation 1, shaded yellow on the map on the back of this questionnaire). It is now proposing to renew selective licensing in these three wards for another 5 years, in January 2020 or at a later date as specified by the Government.

The Council believes that the proposed selective licensing areas satisfy one or more of the following conditions: poor property conditions, significant and persistent problem caused by ASB and or deprivation.

Please note: in 2018 the Council introduced another selective licensing scheme covering Dudden Hill, Kensal Green, Kilburn, Mapesbury and Queen's Park wards (shaded green in the map on the back of this questionnaire). Selective licensing will remain in place in these wards until at least 2023 (when this five-year scheme expires), therefore these wards do not form part of the proposals currently being consulted on.

To what extent do you agree or disagree with this proposal for renewing the Selective Licensing scheme for other privately rented properties in Harlesden, Willesden Green and Wembley Central?

PLEASE TICK ✓ ONE BOX ONLY

Strongly agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
---	--	---	---	--	---

INTRODUCING SELECTIVE LICENSING INTO NEW AREAS

Selective licensing (i.e. the licensing of properties occupied by a single family or household, or by two unrelated people sharing) can also be considered for any other areas of the borough where certain issues (such as poor property conditions, anti-social behaviour and/or deprivation) are causing a particular problem.

The Council has identified particular problems with property conditions in Alperton, Barnhill, Brondesbury Park, Fryent, Northwick Park, Preston, Queensbury, Sudbury, Tokyngton (excluding Wembley Park) and Welsh Harp wards. It also believes the majority of these areas have persistent problems with ASB, and that a couple have specific issues with deprivation. The Council believes that there are links between these issues and the private rented sector.

It is therefore proposing to introduce selective licensing in these wards from April 2020 or at a later date as specified by the Government. There would be three separate designations, as follows:

- » Designation 2: **Queensbury, Fryent and Brondesbury Park** (Grounds: Property Conditions and ASB)
- » Designation 3: **Barnhill and Welsh Harp** (Grounds: Property Conditions, Deprivation and ASB)
- » Designation 4: **Northwick Park, Preston, Tokyngton (excluding Wembley Park), Alperton and Sudbury** (Grounds: Property Conditions and ASB)

The affected areas are indicated on the map on the back of this booklet: Designated Area 2 in pink, Designated Area 3 in purple, and Designated Area 4 in blue.

Three wards (Dollis Hill, Kenton and Stonebridge) are not included in this proposed extension. The Council feels they do not satisfy the legal criteria for selective licensing in that those wards have less than the national average of 20% of the properties being privately rented. The Council has also chosen to exclude the Wembley Park area of Tokyngton ward because it does not believe the area is suffering from poor property conditions, ASB linked to the private rented sector or deprivation.

Factors that have been used to determine whether a proposed area suffers from high level of deprivation include: the employment status of adults; the average income of households; the health of households; the availability and ease of access to education, training and other services for households; housing conditions; the physical environment; and levels of crime.

More information about the criteria and evidence used to select the areas above, and about the evidence linking the issues to the private rented sector, can be found in Sections D & E of the consultation document.

To what extent do you agree or disagree with the proposals to introduce selective licensing in the following areas?

PLEASE TICK ✓ ONE IN EACH ROW	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
Designated Area 2: Queensbury, Fryent and Brondesbury Park	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Designated Area 3: Barnhill and Welsh Harp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Designated Area 4: Northwick Park, Preston, Tokyngton (Excluding Wembley Park), Alperton and Sudbury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you disagree with any of the above, please can you explain why and what alternatives you think should be considered to address the problems?

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

LICENCE CONDITIONS

Selective licence conditions

The council has discretion to set the precise conditions of the licence. These can include conditions relating to the management, use or occupation of the house, and measures to deal with anti-social behaviour of the actual tenants or those visiting the property. There are also certain mandatory conditions which must be included in a licence. For example, licensees are required to:

- Present a gas safety certificate annually to the Local Housing Authority, if gas is supplied to the house;
- Keep electrical appliances and furniture (supplied under the tenancy) in a safe condition;
- Install smoke and carbon monoxide alarms and keep them 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.

Full selective licensing conditions can be found in the annex of the consultation document found at www.brent.gov.uk/landlordlicensing

To what extent do you agree or disagree with the proposed selective licensing conditions?

PLEASE TICK ✓ ONE BOX ONLY

Strongly agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
---	--	---	---	--	---

Additional HMO Licence conditions

The council also has discretion to set the precise conditions of the HMO licence. These can include conditions relating to the management, use and occupation of the house, and its condition and contents. These can also include measures to deal with anti-social behaviour of the actual tenants or those visiting the property.

There are also certain mandatory conditions in addition to those above, for example, licensees are required to:

- Present a gas safety certificate annually to the Local Housing Authority, if gas is supplied to the house;
- Keep electrical appliances and furniture (supplied under the tenancy) in a safe condition;

Full HMO licensing conditions can be found in the annex of the consultation document found at www.brent.gov.uk/landlordlicensing

To what extent do you agree or disagree with the proposed Additional HMO licensing conditions?

PLEASE TICK ✓ ONE BOX ONLY

Strongly agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
---	--	---	---	--	---

■ If you disagree with any of the conditions for Selective and Additional licensing, please can you explain why? ■

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

LICENCE FEES

The council charges a fee to cover the costs of administering the licensing scheme over five years but does not make a profit. As long as the conditions are complied with, the licence would remain valid until the end of the scheme (i.e. up to a maximum of 5 years). The basic fees under the existing scheme are:

£840 for an Additional (HMO) licence and £540 for a selective licence

There is also a £40 discount per application for landlords accredited to the London Landlords Accreditation Scheme. The Council proposes to keep the additional and selective fees at the current level. The licensing fees will be kept under review at least annually.

What are your views on the proposed fees? PLEASE TICK ✓ ONE BOX ON EACH ROW

	I think the fee is too high	I think the fee is at about the right level	I think the fee is too low	Don't know
A basic fee of £840 per property for an Additional HMO licence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A basic fee of £540 per property for a Selective licence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DO YOU HAVE ANY FURTHER COMMENTS?

Are there any other things you think the council should consider to help improve the condition and management, ASB, deprivation and other issues about the private rented sector in Brent? Are there any other comments that you would like to make about the licensing proposals?

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

LICENSING DESIGNATION

Brent Council is legally obliged to offer to send you a copy of the Licensing Designation(s) before any licensing scheme is introduced. These are supporting documents that define various things including the area where licensing will be required, as well as detailing the commencement and duration of the designation(s).

If you would like to receive a copy of the Licensing Designation(s) please provide your name with either an email or postal address in the box below.

Please be aware that Brent Council are the data controllers and that Opinion Research Services (ORS) are the data processors for this questionnaire and that any contact details you provide will be sent to Brent Council. Your contact details will be separated from your questionnaire response before being sent, therefore you will not be identified in the results and report of findings received by the Council. ORS will not pass your details on to any third parties. The Council's Data Protection Officer can be contacted via dpo@brent.gov.uk, or 020 8937 1402.

Your contact details will be used by Brent Council only for the purpose of the Notification under the **Housing Act 2004**, and of issuing the Licensing Designation(s), as required to fulfil the council's duties under **Regulation 9 (3) - The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006** – the Publication requirements relating to designations made under the Housing Act 2004, require that within 2 weeks after the designation was confirmed or made the local housing authority must send a copy of the notice to any person who responded to the consultation.

The contact information will not be shared, shall be retained for no more than 3 years after decisions have been finalised, and shall be processed in adherence to your legal rights, including but not limited to the right to withdraw consent, right to copies of your information and right to be forgotten. If you are dissatisfied with the processing of your information, you can raise your concern with the council's data protection officer. You have a right to lodge a complaint with the Information Commissioner's Office (www.ico.org.uk). Further information can be found at www.brent.gov.uk/privacy

MORE INFORMATION ABOUT YOU

What is your full postcode?

This will help us understand views in different areas

--	--	--	--	--	--	--

If you are providing your own PERSONAL RESPONSE, please answer the questions below...

Brent Council has a duty to promote equality and want to make sure all parts of the community are included in this consultation, but these questions are optional. All consultation responses will be taken fully into account when making decisions, regardless of whether you provide your details.

What was your age on your last birthday?

- | | |
|-----------------------------------|--|
| <input type="checkbox"/> Under 25 | <input type="checkbox"/> 55 to 64 |
| <input type="checkbox"/> 25 to 34 | <input type="checkbox"/> 65 or above |
| <input type="checkbox"/> 35 to 44 | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> 45 to 54 | |

What is your gender?

- ☐ Male
☐ Female
☐ Prefer not to say

How would you describe your ethnic origin?

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

Do you have any long-standing illness or disability?

- ☐ Yes
☐ No
☐ Prefer not to say

What is your religion or belief?

- | | |
|------------------------------------|--|
| <input type="checkbox"/> Agnostic | <input type="checkbox"/> Muslim |
| <input type="checkbox"/> Buddhist | <input type="checkbox"/> Sikh |
| <input type="checkbox"/> Christian | <input type="checkbox"/> No religion/belief |
| <input type="checkbox"/> Hindu | <input type="checkbox"/> Other (please specify) |
| <input type="checkbox"/> Humanist | <div style="border: 1px solid black; height: 20px; width: 150px;"></div> |
| <input type="checkbox"/> Jewish | <input type="checkbox"/> Prefer not to say |

What is your sexual orientation?

- | | |
|--|--|
| <input type="checkbox"/> Heterosexual/straight | <input type="checkbox"/> Bisexual |
| <input type="checkbox"/> Lesbian | <input type="checkbox"/> Other (please specify) |
| <input type="checkbox"/> Gay man | <div style="border: 1px solid black; height: 20px; width: 150px;"></div> |
| | <input type="checkbox"/> Prefer not to say |

How did you hear about this consultation? (tick all that apply)

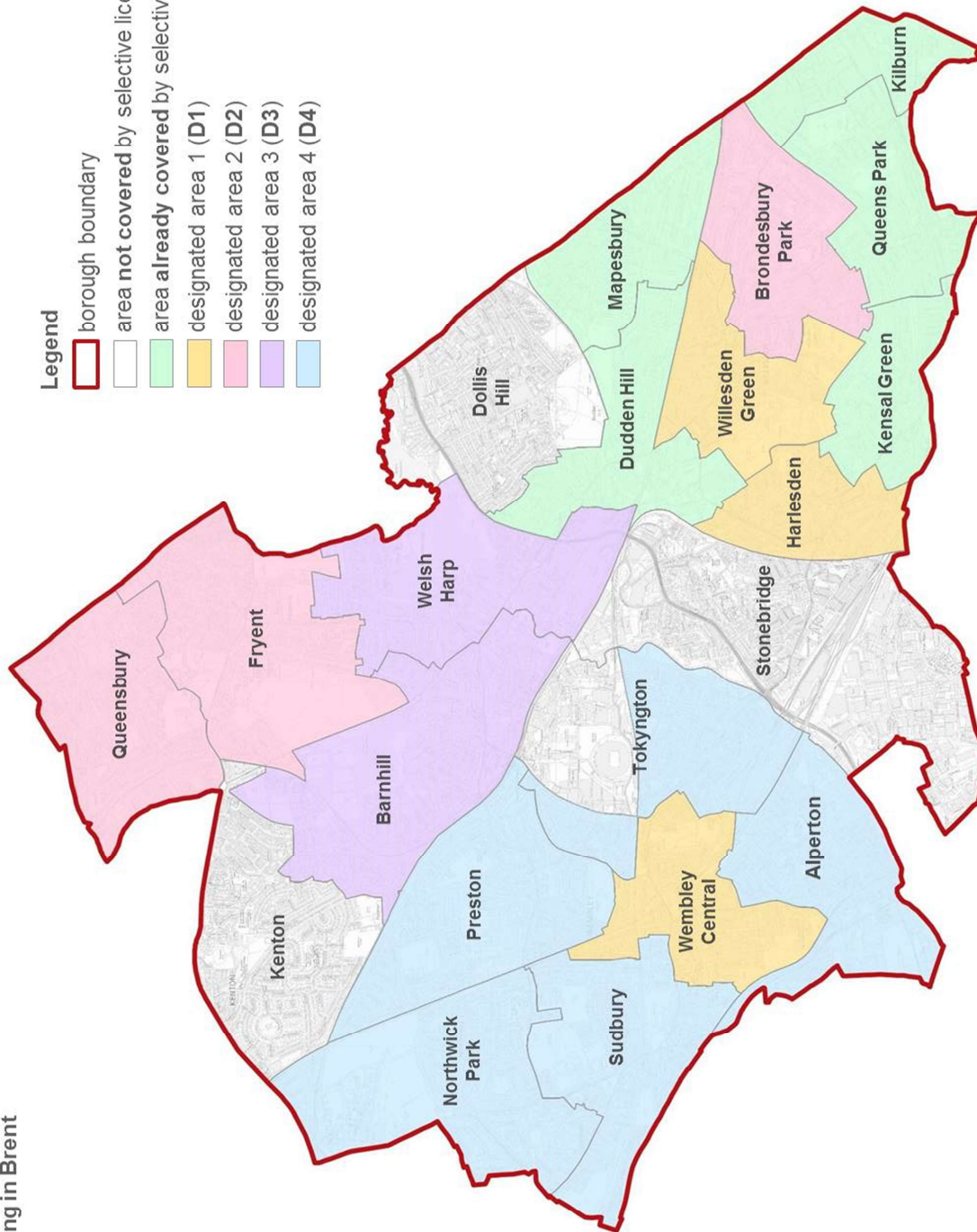
- | | |
|--|---|
| <input type="checkbox"/> Leaflet | <input type="checkbox"/> Poster |
| <input type="checkbox"/> Email | <input type="checkbox"/> Brent website |
| <input type="checkbox"/> Brent Connects | <input type="checkbox"/> Local newspaper |
| <input type="checkbox"/> Brent Citizens' Panel | <input type="checkbox"/> Word of mouth |
| | <input type="checkbox"/> Other (please specify) |

How long have you owned property in Brent?

- | | |
|---|---|
| <input type="checkbox"/> Less than one year | <input type="checkbox"/> 5 - 10 years |
| <input type="checkbox"/> 1 - 2 years | <input type="checkbox"/> 10+ years |
| <input type="checkbox"/> 2 - 5 years | <input type="checkbox"/> Not applicable |

Selective licensing in Brent

- Legend**
- borough boundary
 - area not covered by selective licensing
 - area already covered by selective licensing
 - designated area 1 (D1)
 - designated area 2 (D2)
 - designated area 3 (D3)
 - designated area 4 (D4)



1:50000

Map produced May 2019

© Crown copyright and database rights 2019 Ordnance Survey 100025260



BZRB01100000ACF