



Haringey Council

Appendix 1

Report supporting the introduction of Additional Licensing of Houses in Multiple Occupation in the Harringay Ward and parts of the St Ann's and Noel Park Wards (s56, Housing Act 2004)

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LONDON BOROUGH OF HARINGEY

Haringey, one of 32 London boroughs, was established in 1965, with the setting up of the Greater London Council. It was formed from the merger of the municipal boroughs of Hornsey, Wood Green and Tottenham. The borough, which is 29.59 square kilometres in size, sits in North London. By some definitions it is classed as an inner London borough, by some definitions an outer London one.

The borough is very varied in geography with wooded high ground around Highgate and Muswell Hill in the west of the borough, falling sharply away to the flat, open low-lying land beside the River Lea in the east. It is similarly varied in urban form, with older more prosperous and 'greener' suburban villages in the west, and a more 'urban' mix of modest early 20th century working class houses, council estates and industrial or ex-industrial buildings in the centre and the east.

The borough of Haringey is made up of 19 wards, each with three councillors, and includes two parliamentary constituencies, Hornsey and Wood Green to the West, and Tottenham to the East.

The borough is divided into seven Area Assemblies.

USE OF ADDITIONAL LICENSING

The aim of additional licensing in the designated area is to improve the management and health and safety of designated Houses in Multiple Occupation (HMOs) and to mitigate their impact on the neighbourhood.

The scheme is being introduced following a multi agency approach to the problems highlighted by residents and councillors and will help to improve the performance of poor landlords and encourage bad landlords to leave the sector.

It is hoped that, by encouraging landlords and agents to undertake training, much of the improvement will be brought about voluntarily when they are made aware of their rights and responsibilities.

The impact that the additional licensing scheme has on the area will be monitored both within the area and throughout the borough to help ensure that conditions improve and problems are resolved and not merely transferred to other areas. Initial evidence suggests that additional licensing may also be needed in other areas of the borough in order to deal with specific issues in those areas.

Enforcing standards is complex, resource intensive and expensive. Licensing changes the dynamics and requires the landlords to approach the Council; it is an offence to not make a licence application if the property falls within the criteria set.

BOROUGH HOUSING PROFILE

Household composition, tenure, and property type

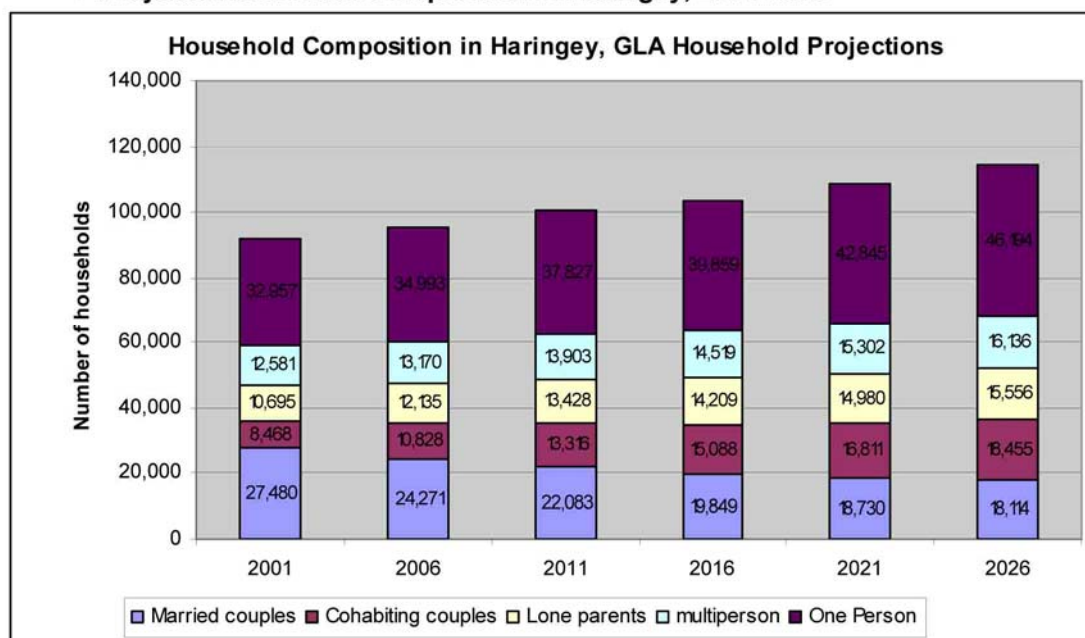
The number of people living in Haringey was estimated by the Office for National Statistics in mid-2008 to be 226,200, comprising an estimated 92,170 households.

Household composition

According to the 2001 census, 29.2% of Haringey's households had dependent children, which is in line with London (29%). As Diagram 1 shows, 13.6% of all households were lone parent households with either dependent or non-dependent children, which was higher than in London (11.1%). The proportion of single person households was 35.8%, slightly higher than London (34.7%). The proportion of married couple households was 35.8%, slightly higher than London (34.7%). The proportion of married couple households (27.2%) was below London (34%).

The Greater London Authority household projections are shown in Diagram 1. These indicate the anticipated growth, over time, of one person households (up 40%), lone parent households (up 45%) and cohabiting couples (up 118%). It forecasts that married couple households will fall by 34%. These trends will have implications for services and the demand for accommodation.

Diagram 1
Projected household composition in Haringey, 2001-2026



The increase in demand for smaller household units forecast by the GLA will lead to an increase in the demand for shared housing. The Government's decision to limit the amount of housing benefit that can be claimed by private tenants who are under the age of 35 will increase, even further, the demand for shared housing.

If the supply of shared accommodation and smaller converted units increases to meet this demand, this will require more resources to ensure that standards are met. Licensing will place the onus on the landlord and agent to notify the council instead of the council having to “find” the premises.

Tenure and property type

Of the 92,170 households in the borough (Diagram 2):

- 44.6% are owner occupiers compared to 55.6% in London and 68.2% in England and Wales (49.7% in 1991 census);
- 20.1% are renting privately (19% in 1991 census);
- 19.7% are Council tenants (24.9% in 1991 census); and
- 10.5% are RSL tenants (6.4% in 1991 census).

Diagram 2
Tenure of Dwellings in Haringey, 2001

Tenure	Haringey		London		Eng & Wales	
	No.	%	No.	%	No.	%
Owned outright	14,953	16.2	665,061	22.1	6,380,682	29.46
Owned with a mortgage or loan	26,178	28.4	1,010,629	33.5	8,396,178	38.76
Shared ownership	1,109	1.2	29,029	1.0	139,605	0.64
Rented from council	18,196	19.7	516,242	17.1	2,868,529	13.24
Other social rented	9,694	10.5	274,129	9.1	1,288,722	5.95
Private rented	18,557	20.1	432,482	14.3	1,888,696	8.72
Other	3,483	3.8	88,425	2.9	698,063	3.22
ALL HOUSEHOLDS	92,170		3,015,997		21,660,475	

Source: Census 2001, ONS

Private rented accommodation

In 2001, there was a higher than average number of households living in private rented accommodation in Haringey. 20.1% of Haringey households live in private rented accommodation compared to 14.3% in London and 8.72% in England and Wales. The higher than average number of privately rented homes has resource implications for the Housing Improvement Team (Private Sector) which is responsible for monitoring and enforcing the property standards in the sector.

Housing and affordability

Haringey incomes and affordable housing

The average gross weekly pay in Haringey is £562.80¹. This is compared to an inner London average of £704.20 and outer London average of £582.10.

¹ Source: Annual Survey of Hours and Earnings 2009, Office of National Statistics

These figures illustrate that, for a high proportion of Haringey households, the only affordable housing is social housing or the cheaper parts of the private rented sector.

Haringey's Unitary Development Plan (2006) defines affordable housing as:

"Housing which is attainable to buy/rent for those people whose incomes are insufficient to allow them to afford to buy/rent locally on the open market. Affordable housing comprises social housing, intermediate housing and in some cases, low cost market housing".

House prices and rent levels

The average home in Haringey costs £315,634 (November 2009), compared to an average house price in London of £324,231². However, this average Haringey price masks big differences in house prices across the borough.

Despite the economic downturn, house prices in Haringey and across London have increased significantly over the past five years. Diagram 3 shows the difference in average costs of houses across Haringey and neighbouring boroughs in May 2003 and May 2009.

Diagram 3

Average cost of Housing 2003-2009, Haringey and neighbouring boroughs

Borough	May 2003 average house price (£)	May 2009 average house price (£)	% increase 2003-2009
Haringey	246,063	301,655	22.6%
Enfield	212,290	234,059	10.3%
Islington	283,627	365,751	29.0%
Barnet	268,166	307,485	14.7%
Hackney	234,906	294,178	25.2%
Greater London	253,687	296,644	16.9%
England and Wales	126,430	152,819	20.9%

Source: Land Registry

Although the cost of renting privately varies across the borough, the average rent for a 3-bedroom privately rented home in Haringey in February 2010 was £300 per week, compared to £277 per week in Greater London.

The average weekly rent for a 2-bedroom home in Haringey was £254 per week, compared to £230 across Greater London. Prices vary greatly across the borough, with many rented homes costing a lot more than this³.

Overcrowding and under-occupation

Diagram 4 shows, at a sub-regional level⁴, the percentage of overcrowded households based on the 'bedroom standard'. It makes allowance for the age and gender of people living in a home, and the estimated number of overcrowded households. It will be seen that London boroughs occupy the "top ten" rankings in

² Source: Land Registry House Price Index

³ Source: www.london.gov.uk/rents

⁴ "Sub-regional" relates to Counties, London Boroughs, Metropolitan Districts and Unitary Authorities.

terms of overcrowding, and that overcrowding in Newham and Tower Hamlets is substantially worse than in other London boroughs.

Haringey ranks fifth, with an estimated 10,000 overcrowded households.

Diagram 4

Overcrowding by sub-regional area

Rank	Area	Percentage below standard		All households	Estimated number of overcrowded households
		Estimate from combined surveys ⁹	Estimate adjusted for consistency with national results	Interim mid-year estimates 2002	
		%	%	000s	000s
1	Newham	13	15	99	15
2	Tower Hamlets	12	14	90	12
3	Hackney	8	10	93	9
4	Islington	8	10	85	8
5	Haringey	8	10	101	10
6	Waltham Forest	8	9	97	9
7	Southwark	8	9	116	11
8	Brent	7	9	115	10
9	Ealing	7	8	131	11
10	Kensington and Chelsea	6	7	87	6
11	Leicester UA	6	6	113	7
12	Cities of London and Westminster	5	6	100	6
13	Lambeth	5	6	131	8
14	Redbridge	5	6	99	6
15	Slough UA	5	6	50	3
16	Camden	5	5	97	5
17	Hounslow	4	5	90	5
18	Enfield	4	5	116	6
19	Merton	4	5	84	4
20	Birmingham	4	5	395	19

Source: Department of Communities and Local Government

Population growth and the reduction in the number of new homes built, together with the downturn in the economy, will lead to an increase in the demand for low cost housing. For many people, the only option will be to seek shared accommodation or to move into unsuitable accommodation, increasing overcrowding.

Overcrowding and the affordability of housing are inextricably linked, as residents who are unable to afford suitable accommodation will often be left with no option but to occupy premises that are unsuitable for their needs.

Empty properties

Haringey has been working with the North London Sub-Regional (NLSR) Group to bring empty properties in Haringey back into use. Diagram 5a shows the sub-regional empty property profile for 2006 and 2007:

Diagram 5a

Sub-regional empty property profile

	2006 Total private dwellings empty for longer than 6 months	2007 Total private dwellings empty for longer than 6 months
Barnet	2,343	1,912
Camden	454	422
Enfield	1,579	1,504
Haringey	1,275	1,001
Islington	699	506
Westminster	1,598	1,559
Sub-region total	7,948	6,904
London total	29,358	27,437
Sub-region percentage	27%	25%

Source: 2006 and 2007 HSSA returns

Diagram 5b shows the number of properties that were brought back into use as a result of the NLSR Empty Homes Programme during 2008/9 as a result of one of the following activities: owner-occupier grants, compulsory purchase order (CPO), enforced sale (ES), or advice. As can be seen Haringey has a very active approach to dealing with empty properties.

Diagram 5b

Empty Homes Programme, 2008/9

	Grants	CPO	ES	Total
Haringey	18	12	29	59
Islington	26	11	0	37
Westminster	20	0	17	37
Barnet	9	10	8	27
Enfield	16	5	0	21
Camden	10	0	0	10
Total	99	38	54	191

Source: NLSR

Key borough-wide issues

- Single occupier households account for 36% of all households in the borough (close to the London average of 35%)
- There is excess demand for social housing and high demand for private rented accommodation
- The average property price in Haringey (November 2009) was £315,634 compared to a London average of £324,231
- Residents from Black African and Black Caribbean backgrounds are overrepresented on Haringey's housing register

HARRINGAY WARD HOUSING PROFILE

Introduction

The designated area for additional HMO licensing comprises approximately 3490 buildings, of which 129 buildings are within the Noel Park and St Ann's wards.

As much of the data is collated on a Ward basis, there may be slight variations for the designated area. However, as the Haringey Ward comprises 96.4% of the stock, the variations will be minor.

The housing survey results cover the entire designated area for the additional licensing scheme.

Location of the designated area within the borough



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London Borough of Haringey 100019199 2000

Tenure

The designated area has a significantly higher proportion of private rented tenants than London or the borough of Haringey as a whole. The area also has one of the lowest levels of social housing in Haringey.

	Tenure	Haringey (%)	Haringey (%)	London (%)	England and Wales (%)
	All households	4,520	92170	3015997	21660475
Owner occupied:	Owns outright	17.3	16.2	22.1	29.5
	Owns with a mortgage or loan	28.3	28.4	33.5	38.8
	Shared ownership*	1.4	1.2	1.0	0.6
Rented from:	Council (local authority)	7.8	19.7	17.1	13.2
	Housing Association / Registered Social Landlord†	9.1	10.5	9.1	6.0
	Private landlord or letting agency	32.5	20.1	14.3	8.7
	Other‡	3.6	3.8	2.9	3.2

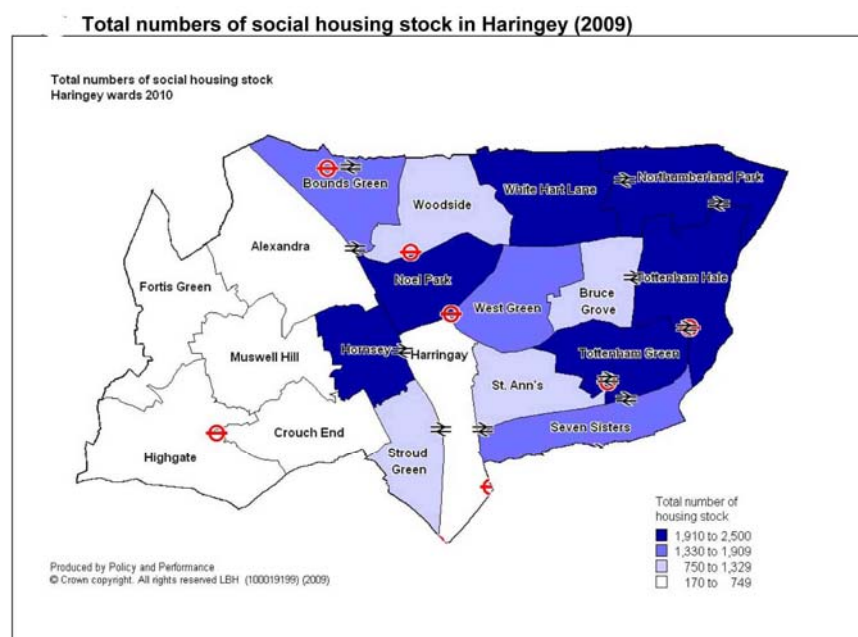
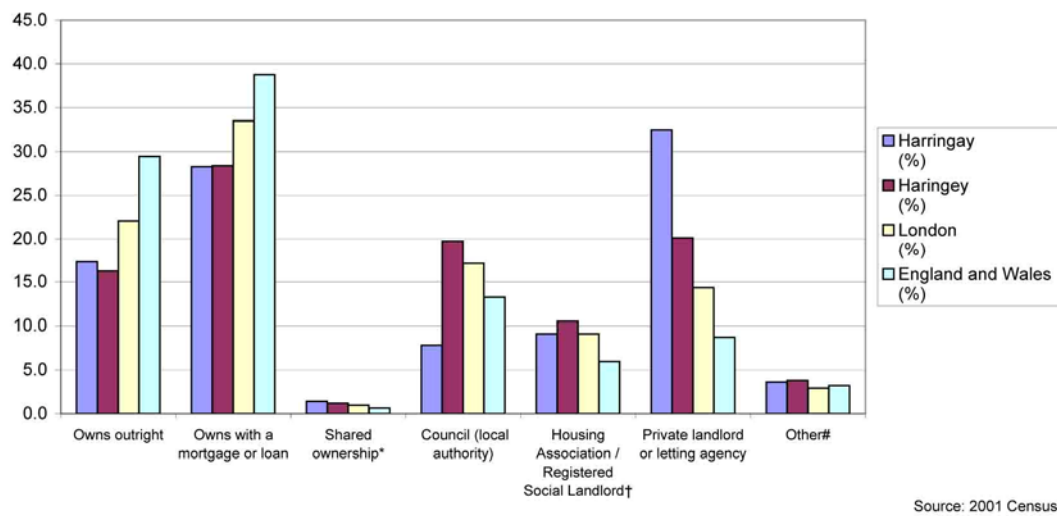
Source: 2001 Census

Notes: * Pays part rent and part mortgage.

† Includes Housing Co-operative and Charitable Trust.

Includes employer of a household member and relative or friend of a household member and living rent free.

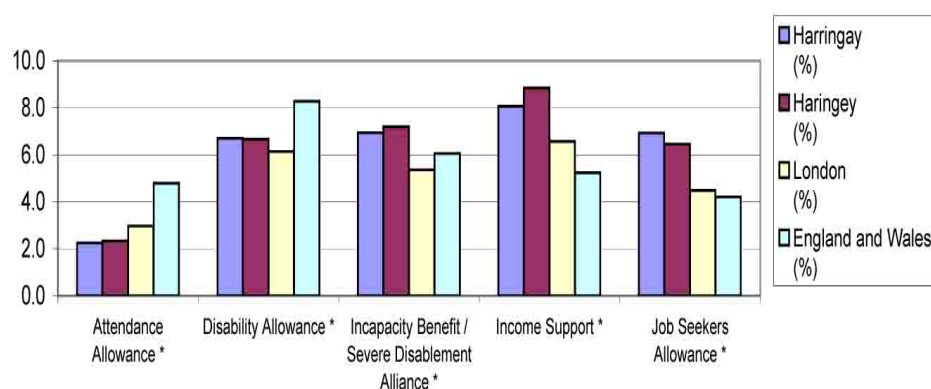
The Harringay Ward is the only ward in Haringey that has low levels of social housing and significant levels of deprivation (see below). All other areas of high deprivation are found in wards that also have significant levels of social housing.



Source: Haringey Council

Benefits

Haringey has much higher claimant levels for Job Seekers Allowance and Income Support than both London or England and Wales. The benefits picture in Harringay is very similar to Haringey as a whole.

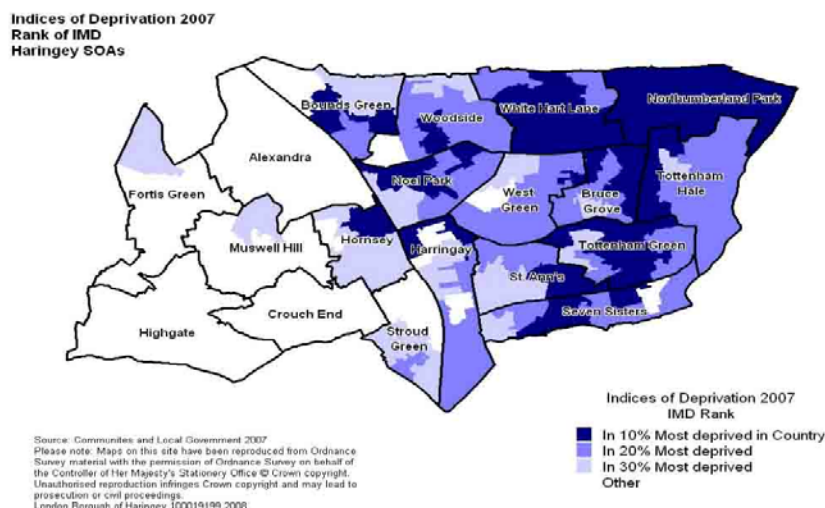


Source: DWP Feb 2009

Deprivation

The indices of deprivation is a government measure to gauge the level of deprivation in a locality. Each super output area (SOA) in the country is given a score to indicate the level of local deprivation. The map below shows which parts of Haringey fall into the 10%, 20% and 30% most deprived parts of the country.

One SOA in Haringey falls into the 10% and a further 2 SOA are in the 20% most deprived in the country



Crime

Crime in Haringey has fallen by 34% over the last 7 years. The rate of domestic burglaries in Haringey is, however, the highest in London:

Haringey

MPS offences per 1000 people (rolling year)	12 months to July 2008	12 months to July 2009	Change
Burglary	12.15	13.71	1.56
Criminal Damage	12.95	11.44	-1.51
Drugs	9.75	9.12	-0.62
Fraud or Forgery	5.92	5.34	-0.58
Other Notifiable Offences	1.34	0.98	-0.36
Robbery	4.05	4.05	0.00
Sexual Offences	1.38	1.02	-0.36
Theft and Handling	38.27	37.74	-0.53
Violence Against the Person	22.96	20.83	-2.14

Source: 2009 Metropolitan Police Service
Haringey

MPS offences per 1000 people (rolling year)	12 months to July 2008	12 months to July 2009	Change
Burglary	17.46	17.46	0.00
Criminal Damage	22.70	11.35	-11.35
Drugs	6.99	14.84	7.86
Fraud or Forgery	2.62	2.62	0.00
Other Notifiable Offences	0.00	2.62	2.62
Robbery	4.37	9.61	5.24
Sexual Offences	2.62	1.75	-0.87
Theft and Handling	32.31	32.31	0.00
Violence Against the Person	23.58	26.20	2.62

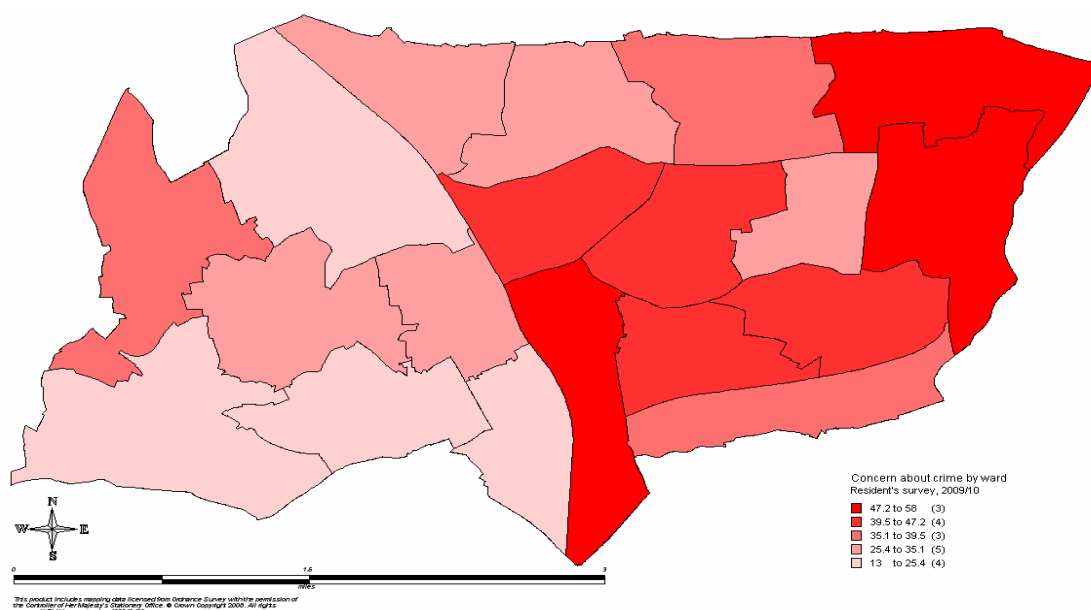
Source: 2009 Metropolitan Police Service

Although the past year has seen a slight decrease in crime in the area, there is proportionately more crime in Harringay than in Haringey as a whole.

The Housing Health and Safety Rating System Operating Guidance states that, compared to houses, flats and HMOs are 3½ times more likely to experience entry by intruders. As security was one of the main problems highlighted by the area survey, this will be an issue that requires significant action in the designated area.

Fear of crime

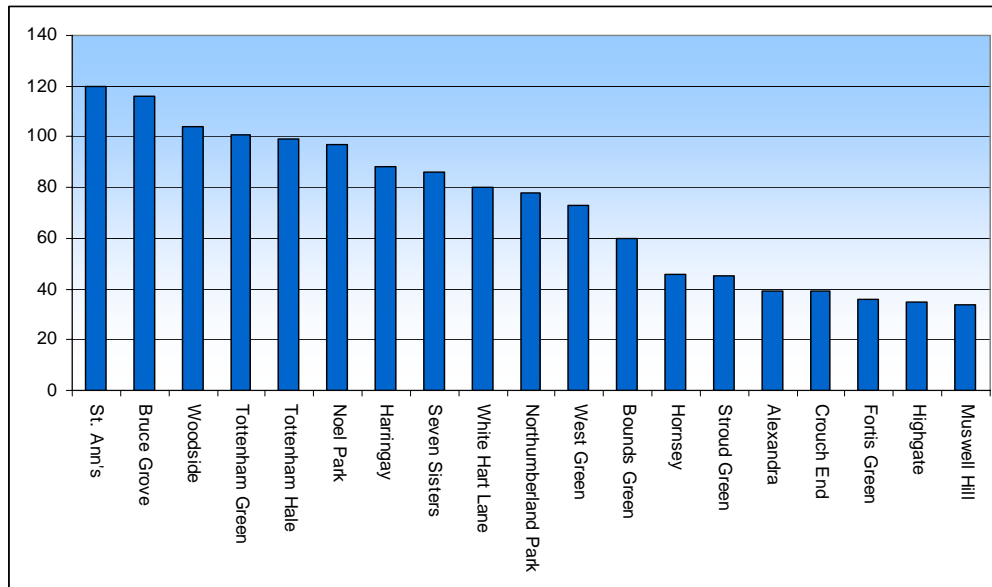
The map below shows which Wards recorded the highest levels of concern about crime in the 2009/10 Residents Survey. The Harringay Ward is one of three Wards that have the highest levels of fear of crime:



Significant work has been undertaken by the Safer Neighbourhoods Team who operated, until 2010, an initiative to provide free security measures to residents and landlords. The Team have also undertaken several “weeks of action” in partnership with Haringey and voluntary groups.

Rubbish dumping complaints

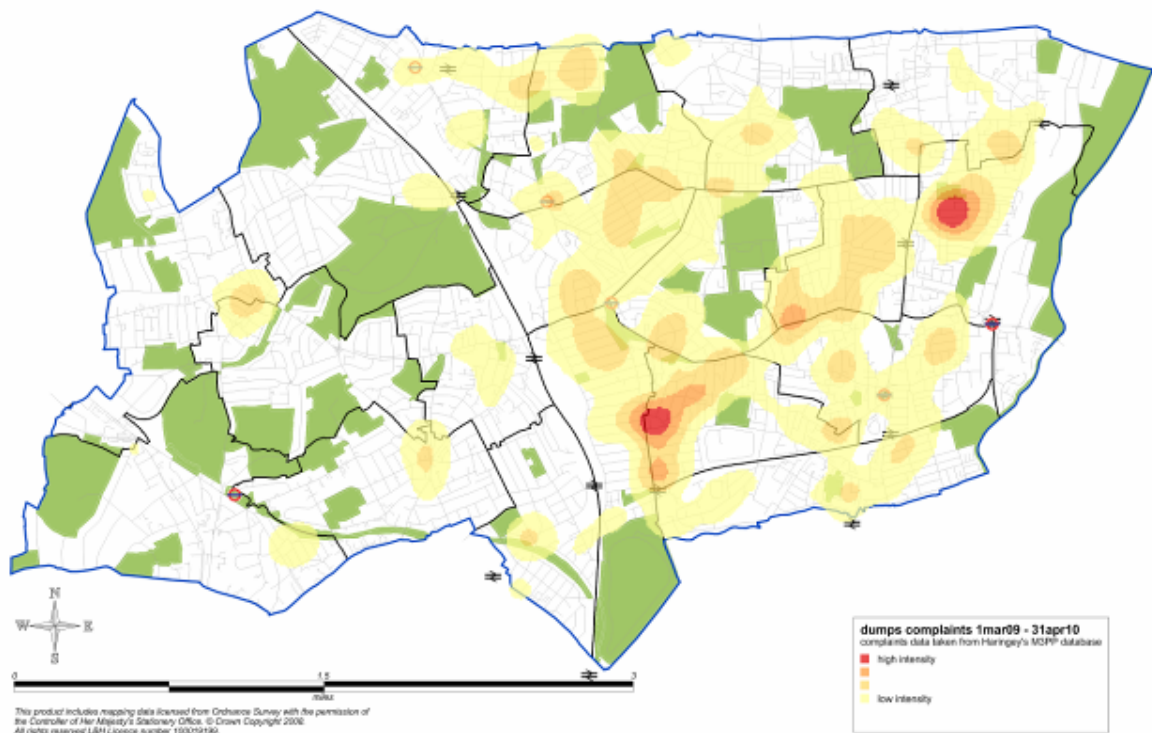
During 2009/10, Haringey received 1818 complaints concerning illegally dumped waste, with Harringay ward recording the 7th highest number of complaints: 94.



It is strongly suspected that a significant proportion of the household furniture and equipment being dumped occurs when there is a change over in private tenancies when either the landlord or tenant disposes of old furniture.

The map on the next page shows that, although dumping is generally spread across the whole borough, there are two hotspots in the borough:

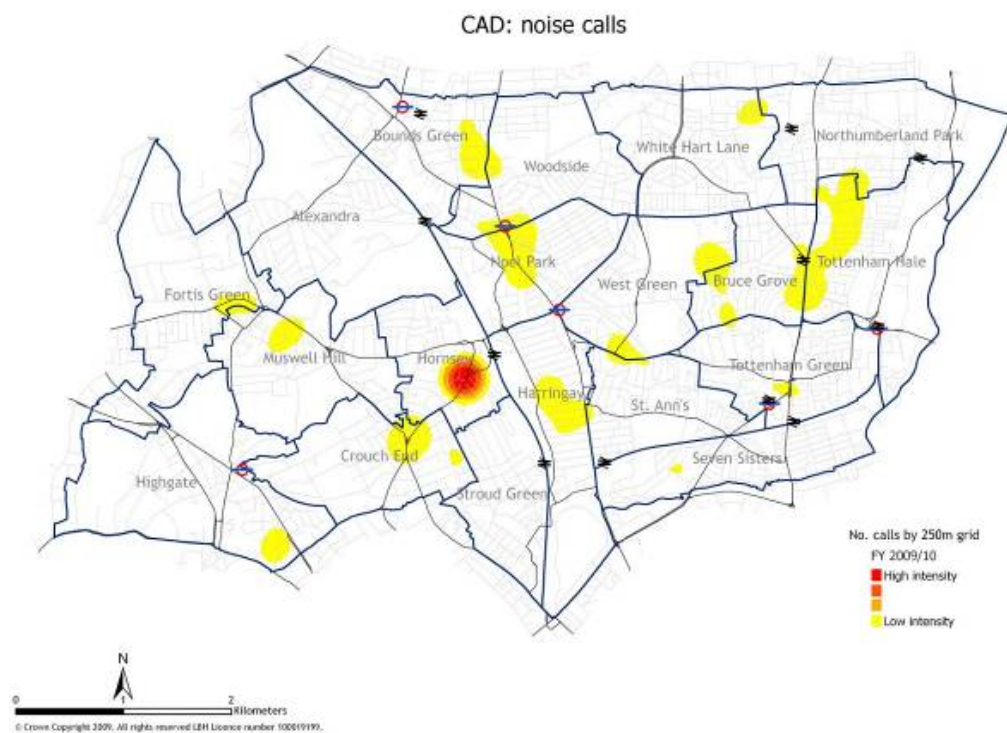
- One in St Ann's Ward (on the border with the Harringay Ward) which is made up of 33 points covering several clusters over the area. 10 'formal notices' have been served here, and 'advice given' on numerous occasions.
- One at the junction of St Ann's Road and Glenwood Road (close to the junction with Salisbury Road) is the site of two large open paved areas which seem to have attracted dumped waste.



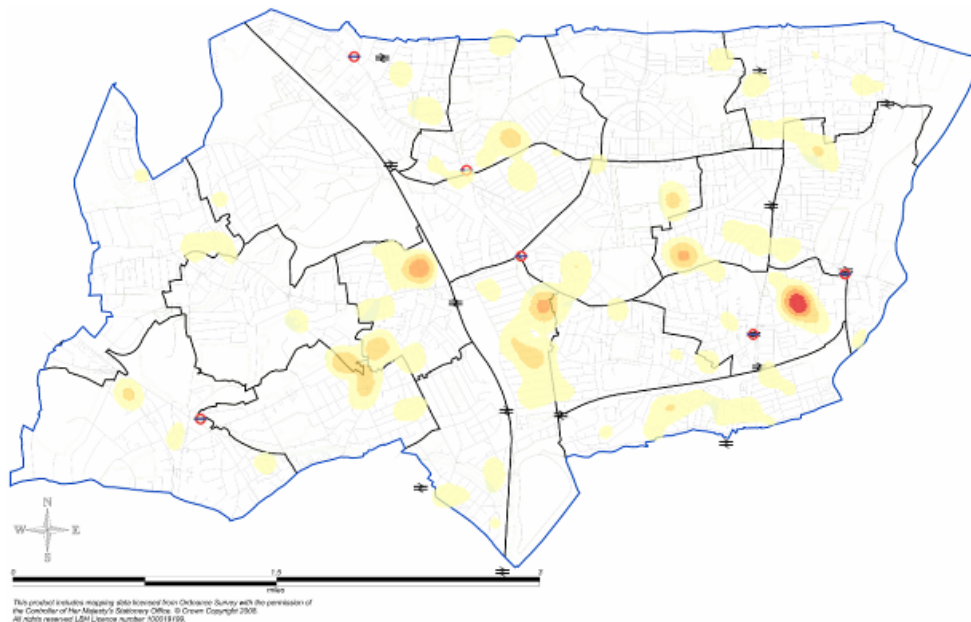
Noise complaints

As can be seen from the distribution maps below, the Haringey Ward area features strongly for all types of noise complaints.

Although the Council receives significantly more noise calls than the Police (8,179 calls in 2009/10 compared with the 511 calls to the Police), the profile is similar.



Of the 8179 noise complaints received by the Council during 2009/10, 66% of all complaints related to 'domestic' noise, 12% related to 'music' noise and 9% related to 'commercial/leisure' noise. It is important to remember that hotspot maps of complaints are representative of complaints, rather than noise exclusively.

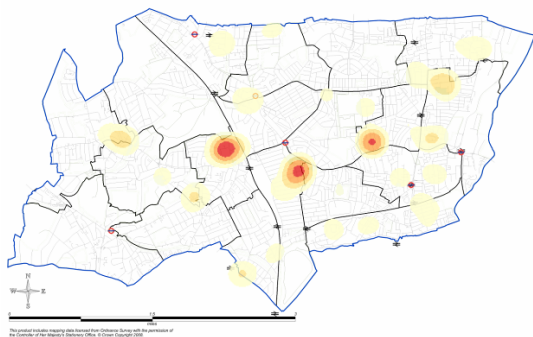


Noise complaints – domestic & music

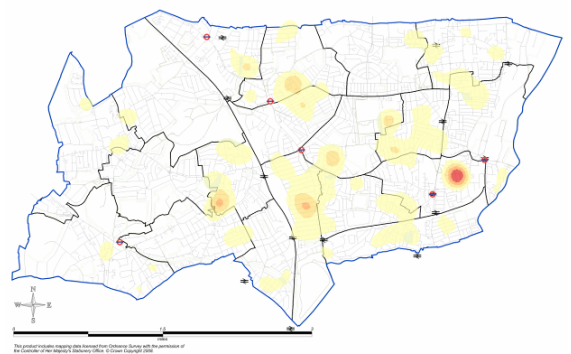
5419 'domestic' noise complaints were recorded during 2009/10. These complaints account for 66% of all noise complaints.

1014 'music' noise complaints were recorded during 2009/10. Peak days are Friday and Saturday, between 9.00pm and 2.59am. Three hotspot areas have been identified: two in the east side of the borough (Harringay and Bruce Grove Wards) and one in the west (Hornsey Ward).

Music Noise Map



Domestic Noise Map



Empty properties

Haringey has the third highest number of empty properties in the borough with a very high proportion of those having been empty for more than 5 years.

Vacant properties in the Private Sector as at 1st April 2010

	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Vacant	Total
	0-5	6-11	12-23	24-35	36-47	48-59	60+	
	months	months	months	months	months	months	months	
WARD								
CROUCH END	59	42	29	21	17	26	28	222
HIGHGATE	48	28	11	6	2	29	27	151
HARRINGAY	68	23	10	5	1	9	29	145
BRUCE GROVE	68	20	12	4	2	10	17	133
FORTIS GREEN	53	24	5	3	3	20	21	129
TOTTENHAM GREEN	56	21	9	3	1	19	16	125
NORTHUMBERLAND PARK	43	21	17	5	2	9	22	119
BOUNDS GREEN	45	19	3	3	1	15	32	118
ST ANN'S	46	18	5	3	3	8	22	105
WEST GREEN	48	17	5	1	3	10	18	102
HORNSEY	36	21	5	3	4	10	21	100
WOODSIDE	56	10	7	4	4	10	9	100
TOTTENHAM HALE	34	23	3	5	1	13	18	97
NOEL PARK	38	12	6	4	1	14	21	96
STROUD GREEN	46	12	5	3	2	7	18	93
SEVEN SISTERS	27	16	9	2	4	12	19	89
MUSWELL HILL	38	10	5	3	1	15	11	83
ALEXANDRA	22	14	2	3	1	16	15	73
WHITE HART LANE	25	7	5	4	3	8	10	62
Total	856	358	153	85	56	260	374	2142

Source: Council Tax Records, Haringey

The above table shows that there were 2,142 empty properties on 1 April 2010 (a reduction of 971 compared to a year earlier), of which 1,286 had been empty for at least 6 months.

CONTRIBUTION OF ADDITIONAL LICENSING TO THE HOUSING STRATEGY 2009-19

Haringey's Housing Strategy 2009-19 sets out the key priorities for the Council and its partners in delivering the borough's vision for housing in Haringey:

To create neighbourhoods that people choose to live in with a balance of different types of homes which offer quality, affordability and sustainability for current and future generations.

Additional licensing will contribute positively to the aims of the Housing Strategy by regulating the supply of lower cost shared housing and converted units of accommodation.

Additional licensing will ensure that the accommodation is of a good standard, meets acceptable housing standards and is well managed by fit and proper persons. The licensing regime seeks to encourage continuing improvement of the private rented sector by rewarding good HMO landlords/owners with longer licences.

The proposed additional licensing scheme supports, and is consistent with, the five aims of the Housing Strategy:

(1) To meet housing need through mixed communities which provide opportunities for our residents

The area-based approach and establishment of a multi-disciplinary 'virtual team' (including, amongst others, Officers from Planning, Building Control and Council Tax) will enable prompt identification of empty properties and quicker action to bring them back into use. Together with improved communication with landlords and agents, they will also enable optimal levels of occupancy to be achieved for premises in multiple occupation.

(2) To ensure housing in the borough is well managed, of high quality, and sustainable

The potential for additional licensing is one of the key actions under this part of the Housing Strategy. The principal aim of additional licensing is to ensure that housing in the borough is well managed and of high quality. Energy efficiency issues will be addressed as the inspection regime is rolled out. The encouragement of licence holders to become accredited under the London Landlord Accreditation Scheme will provide an opportunity to provide advice and bring incentives to the attention of landlords. This will encourage them to voluntarily improve the condition and sustainability of their accommodation.

Improved communication with landlords will increase engagement.

(3) To provide people with the support and advice they need

Additional licensing will increase the frequency and quality of the Council's contact with tenants, residents, landlords and agents.

All private sector enforcement officers are being encouraged to attend the training sessions on landlord / tenant law and property standards provided by the London Landlord Accreditation Scheme. This will ensure that they are able to provide good quality advice on the full range of private sector housing issues.

By ensuring that shared housing and converted accommodation is of a good standard, additional licensing will help safeguard children and young people.

(4) To make all homes in the borough a part of neighbourhoods of choice

Much of the demand for the additional scheme came from residents of the area who were concerned about the impact that poorly managed HMOs were having on the area. Many of these concerns related to the environmental impact of litter, overflowing bins and poorly managed gardens and outbuildings.

The additional licensing scheme will help to ensure that HMOs are well managed. As HMOs are more vulnerable than family occupied homes to entry by intruders, the systematic inspection of premises will enable security issues to be identified and addressed.

(5) To contribute to creating the Greenest Borough

The English Housing survey has identified the private rented sector as having the highest number of low energy efficiency homes of any sector. Excess cold is a serious risk to the health and safety of residents and is the most likely hazard for which Officers have to take enforcement action under the Housing Act 2004.

The additional licensing scheme will ensure that all affected premises are inspected and should lead to an improvement in the sector. The increased contact with residents, landlords and agents will enable Officers to bring carbon management and sustainability issues to their attention.

PROPOSED ADDITIONAL HMO LICENSING SCHEME

Lessons learned from a pilot scheme

The additional licensing scheme has been developed using the lessons learned from a successful pilot project in the Haringay and St Ann's Wards.

Local residents and Members had expressed concern about the high number of properties that had been converted into smaller units, and frustration that many of these conversions had taken place without planning permission or building regulations consent, and that landlords were taking advantage of a buoyant housing market to let their properties without fulfilling their management responsibilities.

This process was blamed for dramatically changing the dynamics within the area, resulting in poor housing conditions and a general decline in the area.

Although the whole decline was blamed on the proliferation of HMOs, this was not the case. The key issue was the unchecked change of use of many properties which were converted into smaller units, with more tenants within the area and a greater turnover of residents than before. The traditional type of HMO with bedsit rooms and shared facilities was not increasing; it was more likely to be in decline.

In order to tackle this issue, a Corporate HMO / Conversion Working Group – Chaired by the Cabinet Member – was established to investigate residents' concerns. A pilot scheme was duly established and a number of target roads were identified to assess the nature and extent of Council activity.

Information regarding properties that had been converted with and without planning permission was gathered and complaints regarding noise, housing disrepair, environmental nuisance and waste enforcement were compared against each type.

Although the results were inconclusive, the number of complaints made within the Harringay Ward was, overall, the second highest in the borough. The spread of complaints was even across the units converted with permission and those without.

During the pilot scheme, it was noted that:

- In each target road, there were a small number of properties that were the subject of a large number of complaints across many services. The problems appeared to be occurring over a long period, creating a poor perception of the area and the Council. Services responded to complaints individually but what was really needed was for services to work collaboratively and proactively, at an early stage, to resolve the problems.
- There were a large number of properties that at first appeared to be owner occupied but were found, on investigation, to be private rented, in poor condition and occupied by tenants who had been placed by external organisations or companies that were working in partnership with government agencies or bringing in foreign students from France, Spain, Italy and Hungary.
- A number of the properties that were found to have been converted had insufficient Council Tax accounts or HMO owners were not registered as the responsible person for the Council Tax account. As a result, the Council has been losing, and continues to lose, substantial amounts of Council Tax.

As a result of the pilot scheme, it was agreed that the following must be addressed:

- Properties must be safe, comfortable and in a good state of repair..
- Properties must comply with all standards and permissions required.
- Landlords must be made to take responsibility for anti-social behaviour and nuisance associated with their properties.
- Landlords must provide their tenants with proper tenancies and documentation.
- Landlords must ensure that all waste (including the daily waste of tenants and the waste that results from tenancy changes and/or building works) is disposed of in an appropriate and responsible manner.
- Landlords must ensure that the correct amount of Council Tax is paid and notify the Council when Housing Benefit recipients leave.

It was clear from the pilot scheme that additional licensing will provide the Council with a very useful tool for addressing these requirements in most premises.

Evidence gathering

Evidence gathering exercises were conducted in stages.

Much of the data gathering, during the pilot scheme, was carried out within the planning team and was, primarily, a desk based exercise.

In November 2009, a leaflet was delivered to all premises in the Harringay Ward, setting out the standards that all HMOs must meet under the Management Regulations, together with details about the mandatory licensing of HMOs.

Targeted at the residents and tenants in the area, the leaflet advised tenants to contact the Council if there were issues at the property or they believed that the premises should be licensed. It also highlighted the fact that the tenants of unlicensed HMOs could get 12 month rent returned.

The leaflet also informed residents of the standards that should be expected for HMOs – including the proper disposal of rubbish and the regular maintenance of gardens – and advised them to contact the Housing Improvement Team (Private Sector) if they were having problems with any HMOs in their area.

The response from the leaflet drop was disappointing, with only 2 contacts being directly linked to the leaflet drop.

During 2010, two Officers were tasked with undertaking further enquiries to establish the standard of management of HMOs – and the private sector housing conditions – in the area. It was anticipated that many of the issues that had been raised as concerns by residents were due to landlords and tenants' lack of knowledge and understanding of their rights and responsibilities.

Landlords and agents were contacted by letter and personal visits made to agents' offices in the area, in order to encourage them to become accredited with the London Landlord Accreditation Scheme (LLAS). The LLAS would provide them with the knowledge to run a successful business and comply with their duties. A "handbook" was also compiled for distribution to tenants; this included information and contact details for various Council teams, voluntary organisations and details of services such as bulk waste collection and how to register with a doctor.

Two training days were set up for local landlords and agents to attend a LLAS development course. Unfortunately, both had to be cancelled due to poor take up.

It became clear that, in order to obtain meaningful information about management and property conditions, a much larger survey was needed. In October 2010 (during the Safer Neighbourhood Team's "Week of Action" in the Harringay Ward) all field officers took part in a house-to-house survey of the area.

The area comprises approximately 3490 buildings and repeated visits and letter drops were made to gain access. The surveys achieved an assessment rate of 34%, which is in keeping with general surveys within London. This relates to 1189 properties and served to provide information on tenure and property conditions across the area surveyed. Although the majority of premises were surveyed during the week, the remainder of the area was surveyed over the following few weeks.

The definition of a converted block of flats type HMO under s257 of the Housing Act 2004 (commonly known as s257 HMOs) is complex and, amongst other issues, it requires that they must fail to comply with the 1991 building regulation standard (or later versions). This therefore applies to older type conversions or those carried out without building regulation approval. For the purpose of the survey an assumption was made that all conversions were s257 HMOs.

The survey revealed that 42% (501) of the assessed properties visited were potentially used as HMOs. The percentage of those visited which were shared/bedsit type HMOs was just under 9% (102) and the proportion which were found to be potential s257 HMOs was just under 34% (399).

68% of the shared/bedsit HMOs visited and 46% of the s257 HMOs visited were found to be unacceptable and would require enforcement action. The most common cause for concern was found to be fire precautions followed by security issues.

Extrapolating the results to the whole area, it is possible that there may be up to 300 shared/bedsit type HMOs and up to 1170 converted blocks of flats type (s257) HMOs. Based on the findings of the inspections carried out to date, this could mean that enforcement action is required to bring 205 shared/bedsit HMOs and 546 s257 HMOs up to an acceptable standard.

3490 buildings in area				Extrapolate to Whole Area	
Type of Premises	Assessment Undertaken	Survey Unacceptable	Survey Acceptable	Requiring Enforcement	No Enforcement Necessary
Shared/Bedsits	102	70	32	205	95
S257 HMO	399	186	209	546	614
Total				751	709

Although the designated HMOs for this area will include all shared/bedsit type HMO accommodation, it will **only** include those s257 HMOs where the building and all units of accommodation are in single ownership. It is anticipated that approximately 25% of the potential s257 HMOs will therefore be licensable under the designation.

The pilot scheme has also revealed 61 houses that are potentially subject to mandatory licensing for which no application had been received. As it is an offence to operate a licensable HMO without a licence, letters were sent to the owners of

these premises at the beginning of April 2011, advising them to apply for a licence or contact the Council if they are not the responsible person.

Six weeks on, almost half of the recipients had still not made contact with the Council and only one had submitted an application for a licence. This may provide an indication of the level of enforcement action that may be necessary to implement the additional licensing scheme

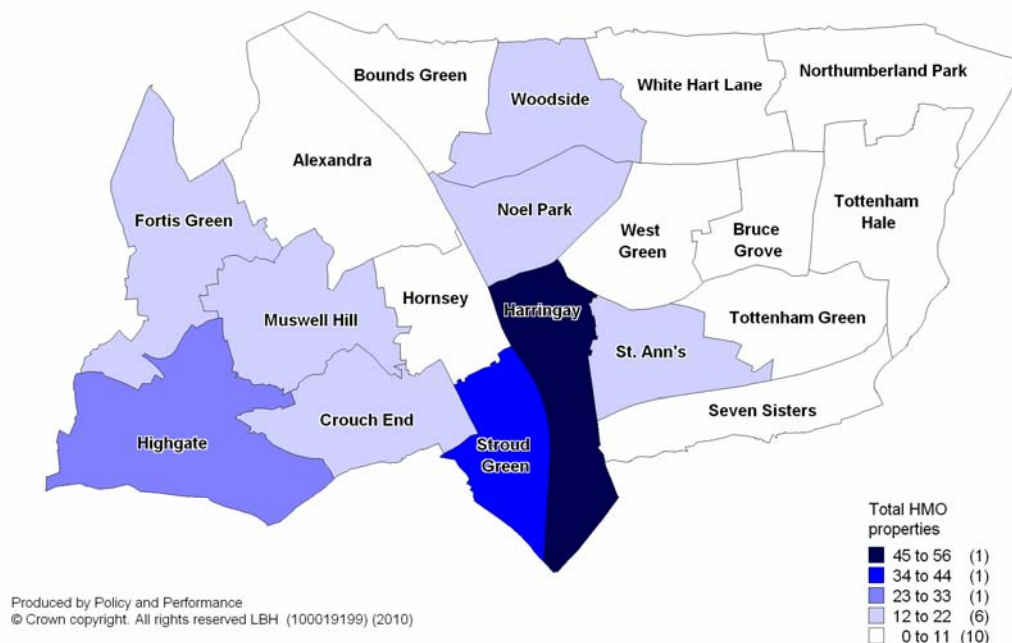
Mandatory licensable HMOs

The Harringay Ward has 52 licensed HMOs, which amounts to more than 20% of all the mandatory licensable HMOs in Haringey.

There are a further 3 mandatory licensed HMOs in Salisbury Road (making a total of 55 within the designated area) and, as explained above, another 61 potentially mandatory licensable HMOs were found during the survey.

The following map shows the concentration of mandatory licensable HMOs:

Total number of licensed houses in multiple occupation (HMO)
Haringey wards



MANDATORY LICENSED HMOs

WARD	Licensed HMOs
Harringay	52
Stroud Green	34
Highgate	24
Noel Park	22
Muswell Hill	20
Woodside	13
St Ann's	18
Crouch End	13
Hornsey	12
Fortis Green	9
Seven Sisters	9
Bruce Grove	7
Northumberland Park	7
Bounds Green	6
West Green	4
Alexandra	3
Tottenham Green	1
Tottenham Hale	1
White Hart Lane	0
Total	255

OTHER COURSES OF ACTION

There are a number of different ways of improving housing conditions and ensuring compliance with legal requirements.

Experience has shown that advice, assistance and support – together with meaningful engagement with private sector landlords – is more effective than enforcement action in persuading most landlords to raise their game.

The Housing Advice & Options Team provides landlords with comprehensive advice on all aspects of letting and the Haringey Home Finder Scheme helps and supports landlords who offer accommodation to private tenants nominated by the Council.

No financial assistance is available to landlords in the form of grant aid.

Engaging with private sector landlords

We operate a highly successful Private Sector Landlords Forum that meets regularly and covers various topics of current interest, changes in legislation etc. It is also used as a consultation forum on matters, including licensing proposals and the outcome of our consultation exercise on the additional licensing scheme can be found in the Additional Licensing Consultation Report 2011.

The Forum has a database of over 600 landlords and attendance levels between 40 and 100 individuals. It is an excellent vehicle for advising agents and landlords on standards and issues surrounding HMOs.

Although the Forum provides a useful method of engagement, it reaches only a small percentage of landlords and agents with premises in the borough and, although they may attend and be willing to engage with the Council, they may still not comply with the law, management regulations or health and safety requirements.

Whilst the forum is an excellent means of engagement, it cannot ensure compliance with the legislation, or improve housing conditions, on its own. .

London Landlord Accreditation Scheme

The London Borough of Haringey has been a keen supporter of the London Landlord Accreditation Scheme (LLAS) since the partnership was established in 2004. All thirty-two London boroughs have signed up to the scheme and Haringey has 476 accredited members who own or rent properties in Haringey. This is the fourth highest level of membership of all London boroughs.

The LLAS is a voluntary London-wide scheme that is administered, on behalf of the partnership, by Camden Council and accredits prospective landlords, existing landlords and agents. Once accredited, they are recognised by all participating authorities. Landlords and agents must attend a one day training course and be fit and proper persons to become accredited. They receive an information manual, which covers all aspects of property standard and landlord tenant law. To maintain their membership once accredited, they must complete a minimum of 10 hours continual professional development training.

The London Landlord Accreditation Scheme provides regular newsletters, discounts on various products and services and also discounts on HMO licensing fees. Landlords and letting agents can both become accredited and all the participating London boroughs promote the scheme locally.

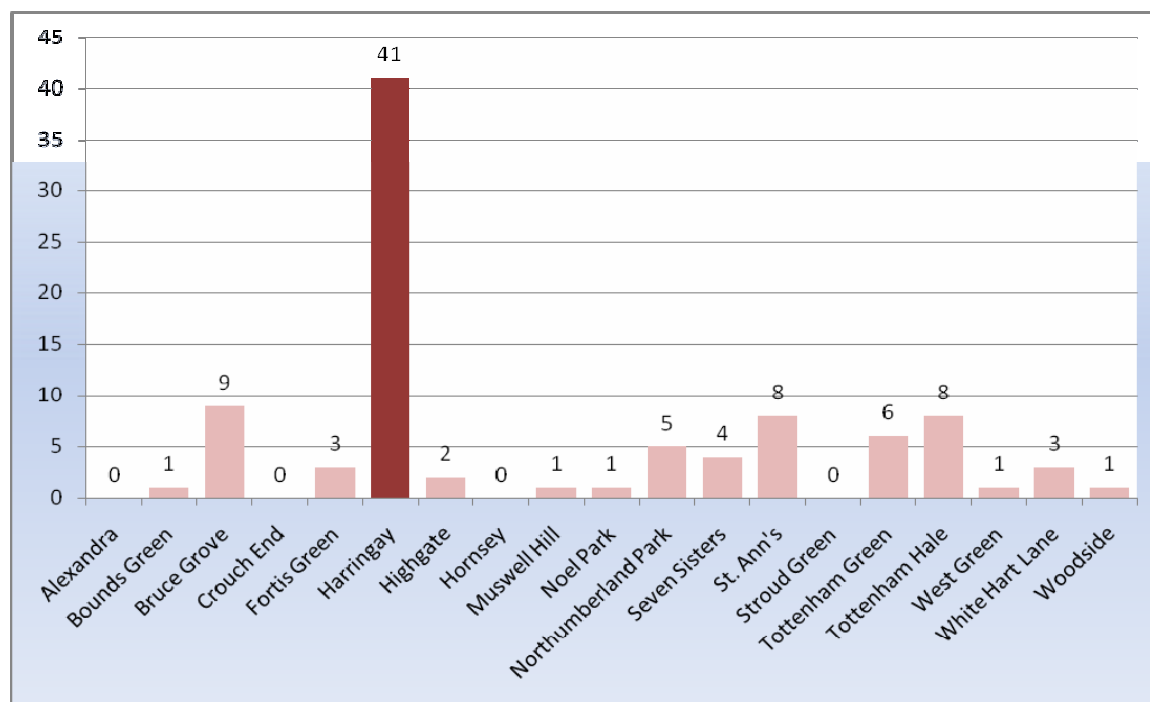
We offer regular courses and an expanded programme has been initiated in anticipation of increased interest due to the proposed additional licensing scheme and many mandatory licensable HMOs coming up for relicensing. Courses are currently available within the borough every 6 to 8 weeks.

Accreditation is an excellent tool to encourage good landlords and agents, or those willing to improve their management skills, to be more professional and to improve their knowledge of the wide-ranging and complex legislation affecting the private rented sector. However, it is still only voluntary and unfortunately does not deal with the worst Landlords who have little or no interest in managing their properties effectively, let alone improving their knowledge or professionalism. Discounts on HMO licensing for accredited landlords have proven to be a good incentive in encouraging more Landlords through the accreditation process

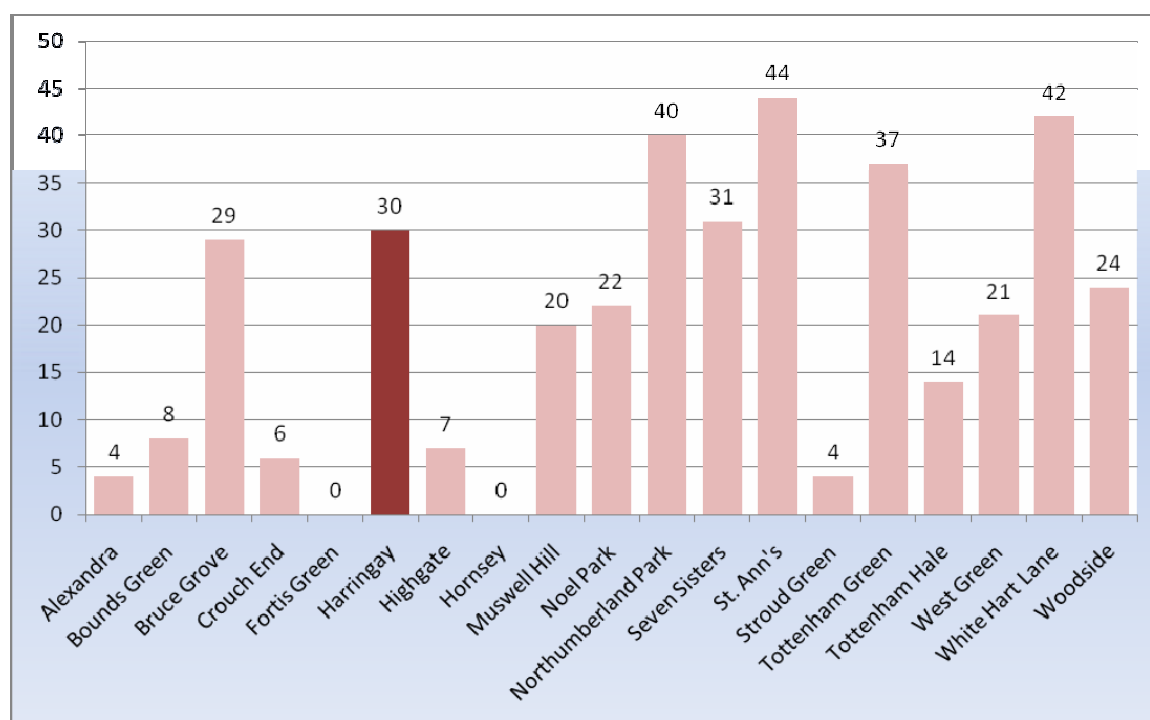
Licensing is seen as a necessary and effective tool in dealing with the worst landlords within the sector, and will act as a means of encouraging them to either adopt a more professional approach and become accredited or leave the sector.

Enforcement

Harringay Ward has 20% of all mandatory licensable HMOs and a significant number of other HMOs. The table below shows that a disproportionate number of complaints recorded by the Council (44%) relating to HMOs were from the Harringay Ward:



The number of statutory notices issued during 2010 was 383 and Harringay Ward was responsible for 30 (9%) of all notices issued:



The Council's general approach to the private rented sector is one of partnership and persuasion. When enforcement does become necessary, this is within the relevant legislation and in compliance with the Enforcement Policy and the Government's Enforcement Concordat.

However, when persuasion and encouragement do not work, the Council will resort to legal action. During 2010/11, there were 10 prosecutions against landlords and agents for various breaches of private sector legislation and, during the last three years, there have been two cases of landlords being imprisoned for offences relating to the operation of private rented accommodation in Haringey.

The Council has successfully prosecuted landlords, on 6 occasions, for failure to obtain a mandatory HMO licence. These have resulted in two cautions and fines totalling £11,000.

Enforcing standards is complex, resource intensive and expensive. Licensing changes the dynamics and requires the landlords to approach the authority and it is an offence to not make a licence application if the property falls within the criteria set.

Unfortunately, there are still a significant number of bad landlords who will not comply voluntarily and for whom prosecution does not seem to be a deterrent.

RISK ASSESSMENT

There are a number of risks associated with the designation of the additional licensing scheme. These can be divided into 3 main areas:

- Residents
- Income
- Displacement

Residents

There may be an increase in harassment and illegal evictions (as landlords attempt to avoid compliance) and an increase in homelessness due to the evictions and/or the reluctance of landlords to accept new tenants.

In order to reduce the risk, the Housing Advice & Options Team and Citizens Advice Bureau will be briefed on the scheme and provide advice and support to tenants. The contact details of both organisations will be included in any correspondence with tenants. As the HMO designation of the additional licensing scheme will be for 3 or more persons, this will reduce the temptation for landlords to reduce numbers to a non-licensable level, since such action would result in a significant loss of rent.

Income

Fee income may be severely reduced – and enforcement costs increased – if it proves very difficult to obtain licence applications from a significant number of landlords. The complex definition of HMOs contained in the Housing Act 2004 may also mean that, when detailed investigation is undertaken, the number of properties that are subject to licensing may be less than anticipated. The position with shared/bedsit HMOs is more straightforward with less likelihood for avoidance.

In order to reduce the risk, clear procedures for enforcement action have been prepared and a new enforcement policy will expedite enforcement action. A full consultation process has been carried out and the benefits of additional licensing will be explained to landlords.

Displacement

Providers of rented accommodation may move from the designated area to areas that are not yet subject to the additional licensing scheme.

In order to reduce the risk, the Council will monitor the effect of the scheme and further research will be carried out across the rest of the borough to assess the impact of the scheme and the need for any further action.

DESIGNATION OF ADDITIONAL LICENSING

Section 56 of the Housing Act 2004 allows a local housing authority to designate either the whole of the district (or an area of the district) as subject to additional licensing and to specify the designation of HMOs to which the licensing shall apply.

Options Appraisal

The designation can cover the whole or part of the borough.

There are insufficient resources available to cover the entire borough, and government guidance states that only in exceptional circumstances should the licensing include converted blocks (s257 HMOs). The option of designating the whole borough was not considered appropriate.

The survey carried out during 2010/11 indicated that, if the additional licensing scheme was limited only to the Harringay Ward, the Council would fail to deal with the similar larger converted multi occupied premises on the north of Turnpike Lane and on the west side of Green Lanes. It is for this reason that the area covered by the scheme has been extended to include both sides of these major thoroughfares.

Salisbury Road in St Ann's Ward was proposed by the Ward's resident groups, due to the problems caused by some poorly managed premises. As the road has a significant concentration of large multi-occupied premises, including three mandatory licensed HMOs, the area will include all premises in Salisbury Road.

The designation may cover any HMO.

Due to the problems caused within the area by conversions, it was clear that converted blocks of flats (s257 HMOs) would be included within a scheme. One criterion for a converted block to be included in the definition of HMO is that “less than two-thirds of the self contained flats are owner occupied”.

It is therefore possible for owner occupiers to be included in a licence application even though they would only be included because of the decision of a third party (another leaseholder) to let their premises. They could be liable for complying with the requirements of the licence – and liable to pay a fee – because of the actions of another leaseholder. Leaseholders can also use the freehold/leasehold legislation to deal with management issues within the block.

It is considered that the designation of HMO should only extend to converted blocks where the entire block and all units of accommodation are in the same ownership.

An HMO is basically any house or flat that is occupied by 3 or more persons in two or more households. Although there was little support from landlords for the designation to apply to 3 or more persons, there was no consensus as to what should be the appropriate number. Six or more was the most popular, but this is in excess of the number required for mandatory licensing.

Although there is no formal data available as to the number of occasions on which landlords have been able to avoid mandatory licensing by reducing the number of occupants to below 5, anecdotal evidence from Officers indicate a high number of such avoidances. Some boroughs have stated that more than 40% of mandatory licensable HMOs have reduced numbers below the threshold for licensing.

It is considered that the designated number of people should be set at 3 or more, irrespective of the number of floors.

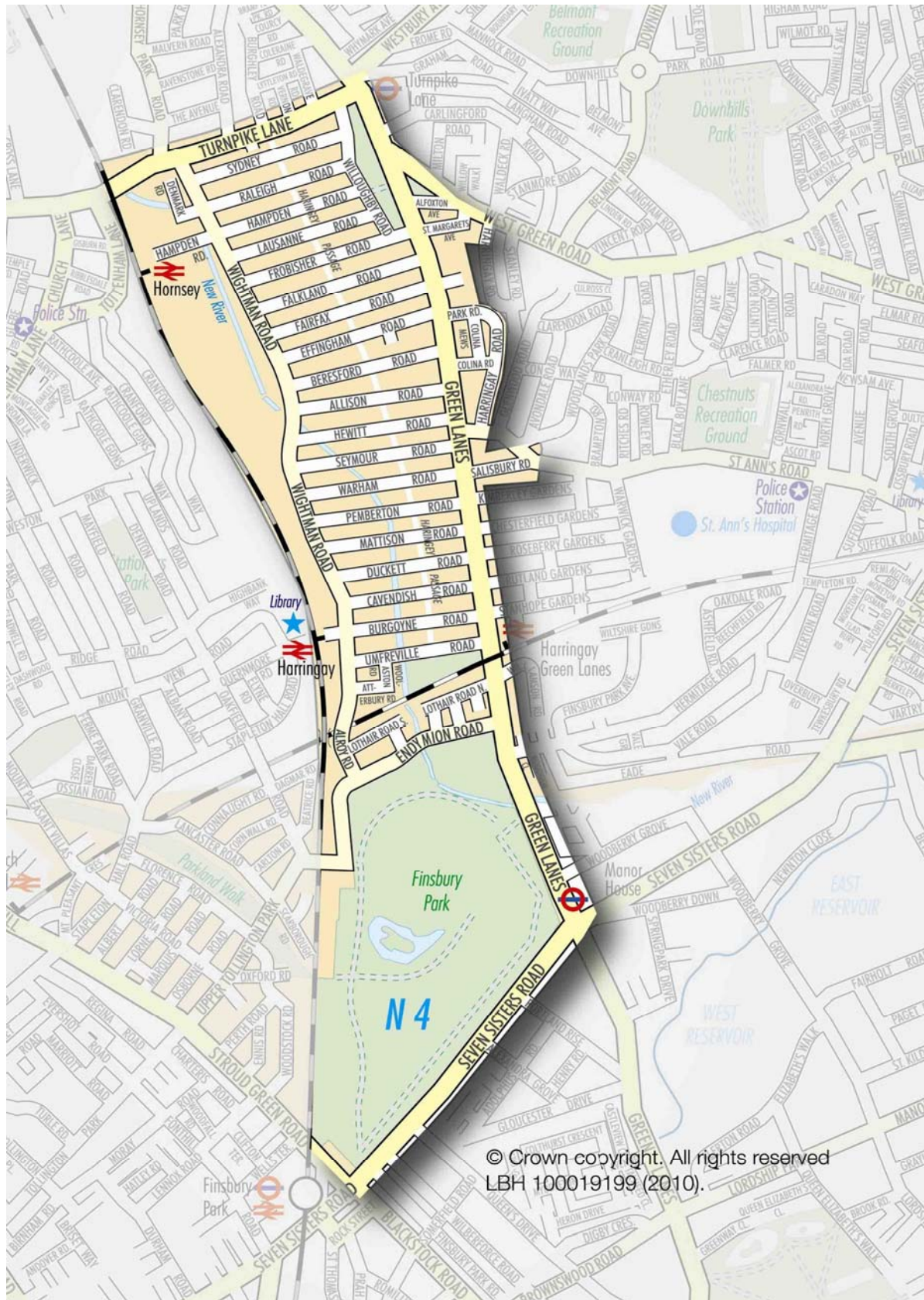
Area designation

The additional licensing of Houses in Multiple Occupation (HMO) will cover the entire Haringay Ward, together with the neighbouring north side of Turnpike Lane between the corner of High Road and Hornsey Park Road in Noel Park wards, plus the neighbouring east side of Green Lanes from the borough boundary with Hackney in the south to the junction with West Green Road, together with all of Salisbury Road in the St Ann's Ward. The area comprises approximately 3490 buildings.

The buildings on the north side of Turnpike Lane, the east side of Green Lanes and Salisbury Road are primarily large pre-1919 premises, many are mixed tenure (commercial and residential), or converted or shared premises in multi occupation. The housing survey undertaken as part of the process found that many were in poor condition and/or poorly managed and should be included in the designated area.

The map on the next page shows the area designated.

Area Designated for Additional HMO Licensing Scheme



HMO designation

The designation will apply to:

- All HMOs which are occupied by 3 or more persons comprising 2 or more households (irrespective of the number of storeys within the HMO); and
- Certain converted blocks of flats as detailed by section 257 of Housing Act 2004 but only where the entire block and all individual units of accommodation within the block are in single ownership.

The definition of household is detailed in section 258 of the Housing Act 2004.

Operative date

The operative date for the additional licensing scheme will be 1 October 2011