

**L.B Haringey**  
**Selective Property Licensing**  
**Scheme**  
**Draft Evidence Report for**  
**Consultation**

## Table of Contents

<b>Content</b>	<b>Page Number</b>
Executive Summary	3
Borough Profile	5
Private rented Sector in Haringey	7
What is property Licensing	8
Selective property Licensing	10
Our Proposal	12
What we want to achieve	22
Licensing and our wider council priorities	24
Alternative options considered	25

## Executive Summary

Haringey Council is consulting on the proposal to designate two areas within the borough as subject to Selective Property Licensing, under part 3 of the Housing Act 2004.

Haringey has seen an increase in its private rented sector, it is estimated that the borough has just under 44,000 privately rented dwellings. It is clear that many households who would traditionally meet their housing needs in other sectors are now renting privately. This includes many households currently unable to afford their housing costs, which can be seen from the expansion of families receiving housing benefit in the sector. Haringey identifies the private rented sector as having an important and long-term role in meeting the housing needs of the borough.

Alongside this growth, Haringey like many other borough's has noted an increase in the prevalence of problems such as poor property conditions, poor landlord management, increased anti-social behaviour and deprivation in areas containing high concentrations of privately rented properties. We are therefore focused on improving the management and maintenance of this sector.

One of the key powers available to Council's to improve these practices is selective licensing, an option taken by an increasing number of authorities to address problems associated with a large proportion of privately rented properties, especially in areas of low income.

Selective licensing was introduced in Part 3 of the Housing Act 2004. Part 3 of the Act allows local authorities to designate an area of their district as subject to selective licensing for up to five years. Such a designation requires all private rented properties within the area (excluding properties falling within certain exemption criteria) to be registered with the authority for an associated fee.

In Haringey we are proposing to introduce two areas as subject to selective licensing.

Designation 1 – will include all wards within the east of the borough

Northumberland Park	White Hart lane	Bruce Grove	Seven Sisters
Tottenham Hale	Tottenham Green	West Green	St Anns
Bounds Green	Woodside	Noel Park	Harringay

Designation 2 – Includes the following wards in the west of the borough.

Hornsey  
Stroud Green

These designations have been identified using intelligence which has provided the Council with the evidence it needs to justify the use of selective licensing, where the areas suffered from the following problems.

- Poor property conditions

- High levels of anti-social behaviour particularly where landlords were failing to intervene and where a designation along with other strategies could reduce the problem
- High level of deprivation

The Council is aware and appreciates that the majority of landlords who let their properties do so responsibly. However, this sector in Haringey is affected disproportionately by poor housing conditions and property related ASB in areas where there is high levels of deprivations and private renting.

Our data suggests that just under 12,000 privately rented dwellings are likely to have a serious housing hazard. The 2018/19 English Housing Survey found private rental sector housing to be of lower quality than owner occupied and social rented housing across various measures. 1 in 3 private rental sector homes were found to be non-decent in 2018.

Property related anti-social behaviour affects everyone including neighbouring residents and community stakeholders. Haringey spends more than £3million a year dealing with fly-tipping - money that could be spent on other vital services. Although it is difficult to attribute fly tipping to a specific property, we know from our waste partners that privately rented homes are responsible for poor waste management which leads to excess waste, which in turn encourages fly tipping. Fly-tipping blights communities and left unchecked can become a barrier to creating homes and communities where people choose to live.

Whilst our existing borough wide licensing scheme for Houses in Multiple Occupation (HMO) enables us to tackle these issues amongst HMO property in the borough, it does not allow us to address the same issues in our single family private rented dwellings. This scheme will complement the Council's work around HMO accommodation by forcing the same standards within our designations for all our privately rented accommodation regardless of its property status.

This consultation paper outlines our proposals, the reasons for these preferred options and seeks to obtain your views on what we are suggesting.

The proposal includes the areas to be included in the two designations, our proposed licence fee and associated discounts and charges and the conditions which a licence holder will need to adhere to, in order to remain complaint property owner.

Our proposal are still in the formative stages and we will as we have done previously listen carefully to the results of the consultation before making a decision about how to proceed.

**We look forward to hearing from you.**

## **Borough Profile**

### **The Borough**

Haringey is located to the north of inner London boroughs and to the south of more suburban outer-London boroughs. It is diverse borough, both in terms of its population, and also in terms of its landscape, geography and environmental features. Haringey is mostly residential, with

urban terrace and villa / townhouse residences being most common. In contrast, industrial and business properties are less common in the borough. The main commercial centre is around Wood Green High Road, while there are smaller town centres in Crouch End, Green Lanes, Muswell Hill and Tottenham Hale, among others.

### **Population**

The Borough has a population of 282,904 residents, Haringey has a young ethnically diverse population. 63% of the population are from BAME or other white ethnic groups. Over 180 languages are spoken in the borough, and 30% of residents have a language other than English as their first language. 22% of the borough's population is aged 17 or under; 10% is 65 or over. In terms of the borough's households, 32% are one person households, 16% are couples with dependent children and 11% are lone parents with dependent children.

### **Education, Employment and Training**

Haringey's residents have varying levels of education and training, and there are stark inequalities across the borough.

In terms of education, GCSE attainment is above the average for England, but below that of London. 8.6% of our residents have no qualifications, which is the 7<sup>th</sup> largest proportion of London boroughs.

Jobs density in Haringey is relatively low, although the unemployment rate has improved to be just above the London average. Haringey residents' wages are below-average, with the median hourly pay 20% lower than the London average and the average of the borough's statistical neighbours. A high proportion of residents earn a wage lower than the London Living Wage, and there are a larger number of residents who claim out of work benefits than the London average. 14% of Haringey pupils claim free school meals, which is in line with the London average. The number of children in Haringey who live in a household where all adults claim an out of work benefit is higher than the London average.

### **Deprivation**

Haringey is a borough with high deprivation levels. It is the 4<sup>th</sup> most deprived borough in London, and 49<sup>th</sup> most deprived in England (of 317), when measured by Indices of Multiple Deprivation (IMD).

This is particularly in the case in the east of the borough – over half of the Lower Super Output Areas (LSOAs) in the east are in the 20% most deprived in the country. By contrast, in Highgate, Fortis Green, Muswell Hill, Alexandra and Crouch End there are no LSOAs in this category.

The levels of deprivation within Haringey haven't altered unlike some other London boroughs. According to the Indices of Multiple Deprivation (IMD) 2015, eight London Boroughs were ranked in the most deprived 30 per cent of local authorities when looking at the proportion of their neighbourhoods which were the most deprived nationally. According to the IMD 2019, only three of these London Boroughs remain ranked in the most deprived three deciles Haringey, Hackney & Kensington and Chelsea.

Approximately one third of Haringey residents are in receipt of Housing Benefit. 46% of the debt is owed by families where at least one person is in work, with a further 29% owed by either a lone parent, a carer or a disabled person. Analysis shows that 18% of the Haringey residents who claim housing benefit have outgoings greater than the amount of money that comes to them each month. When added up this shortfall comes to approximately £1.9 million per month.

## **Health**

Life expectancy in the borough is in line with the London average, though there are stark differences among different groups, and between different parts of the borough. Healthy life expectancy is 15 years less in Northumberland Park, in the north-east of the borough, than it is in Highgate, in the west.

## **Crime, antisocial behaviour, and environment**

15% of Haringey residents feel unsafe in their local area after dark. Residents living in North Tottenham, West Green and Bruce Grove are most likely to say they feel unsafe, residents living in Crouch End and Muswell Hill are the least likely to say this.

33% of residents dislike the amount of litter in their local area, and 15% of residents dislike that their area is dirty or run down.

Following consultation with Haringey residents and stakeholders, the Council's Borough Plan 2019 – 2023 sets clear priorities for our community. The challenges around housing were a top priority; there was widespread concern expressed about the safety of our young people; people said that tackling poverty and inequality is key, and that we need to do more to support local businesses and strengthen the local economy from the ground up.

Haringey is not unique in the challenges that face it, High crime, Anti-Social Behaviour, a growing private rented sector and high levels of deprivation are issues that the local authority is striving to tackle. As an authority we know we cannot achieve these outcomes in isolation and have the benefit of excellent partnering arrangements with the Police, Fire Services, Voluntary Sector Organisation such as Bridge Renewal Trust and an ambitious Planning and Regeneration Directorate.

The council is committed to ensuring that there are enough homes available in Haringey which people can afford, and which are all of a decent quality across all tenures. We want to ensure that new developments provide affordable homes with the right mix of tenures to meet the wide range of needs across the borough, prioritising new social rented homes. We aim to reduce the number of households in temporary accommodation by a quarter to 2,250 by 2022.

We want Haringey to be a place that people want to live, we want a sustainable population and one that people can grow and strive within. Inequality is the root cause of many of the problems in our Community and we wish to address this.

## **Private Rented Sector in Haringey**

The private housing market is a growing sector which is reflected within Haringey, recent analysis of Haringey's housing stock has confirmed this. Since the 2011 census our local research has indicated that the private rented sector in Haringey has grown by 36%.

Our research has estimated that there are approximately 109,000 dwellings in Haringey.

- Owner Occupation accounts for 35,253 of these dwellings (32.4%),
- Social Housing equates to 29,887 dwellings (27.4%)
- Private Rented Sector estimated at 43,775 dwellings (40.2%).

The graph below shows the growth from the census of 2011 against or most current stock analysis in 2019.

A growing private rented sector offers a competitive market for landlords. The average monthly private rent in Haringey is £1,425 (12 month rolling period to Q4 2018/19), slightly lower than the London median (£1,495). The average private rent has however increased by 11.5% in the last 4 years, a higher rate than local authority rents (7.4%) but less than private rents in London on average (15%).

Haringey has the third highest rate of households in Temporary Accommodation in London, and the population outnumbers the availability of housing by approximately 12,000 people. Just more than 3,000 households in Haringey (25 per 1,000 households) are living in temporary accommodation (statutory homeless). This is the third highest rate in London, and despite decreasing, it is 80% higher than the London level (14 per 1,000).

Between 2011 and 2018 the number of households in Haringey grew at a slightly faster rate than the population (12.8% vs. 10.9%). The demand for private sector housing is currently outweighing the supply. Affordability due to the increase in demand is impacting on availability and choice, resulting in overcrowding, greater transience, ASB and exploitation.

The impact of increased private renting in Haringey has been significant. Anti-social behaviour, environmental crime, poor property condition and transient tenancies are outcomes which relate to a lack of property and tenant management. The result of this is a high demand on many services within the Council.

We believe that introducing a selective property licensing scheme within the borough would assist the local authority in combating the growing issues that are being experienced due to poorly regulated private rented sector.

Haringey has had successful property licensing schemes in the past aimed at Houses in Multiple Occupation (HMO). The Authority has had two small additional HMO Licensing schemes within the borough in previous years. We have used learning from these schemes to evidence the need for a borough wide additional HMO licensing scheme which became operational on 31<sup>st</sup> May 2019.

We know Licensing schemes can have an advantageous effect on an area, can drive up standards for tenants, make landlords and agents more accountable, improve the community cohesion and reduce the burden on council services.

## **What is Property Licensing?**

Under the Housing Act 2004, there are three forms of licensing relating to private sector housing available to local authorities.

- Mandatory Licensing of certain HMOs.
- Additional Licensing – HMO's
- Selective Licensing – Any other private rented dwelling.

All licensing schemes are intended to address the impact of poor quality housing, rogue landlords and anti-social tenants. In an area subject to licensing, all private landlords must obtain a licence and if they fail to do so, or fail to achieve acceptable management standards, the authority can take enforcement action.

## **HMO Licensing**

Under part 2 of Housing Act 2004 anyone who manages or has control of HMOs that fall within the prescribed statutory definition must obtain a licence from the local authority authorising the occupation of that dwelling. There are two types of licensing that govern HMO accommodation.:-

### **Mandatory HMO Licensing**

This includes HMO accommodation which is occupied by five or persons, forming two or more households, who share amenities such as kitchens and bathrooms, property of this description fall within the scope of Mandatory HMO licensing.

### **Additional HMO Licensing**

Local authorities can designate areas or the whole their district as subject to additional HMO licensing. An additional HMO licensing scheme can cover some or all of the HMOs within that designated area that are not already subject to mandatory licensing.

## **Selective Property Licensing**

Under Part 3 of the Housing Act 2004, local authorities may also designate an area as subject to selective licensing. This requires those who manage or have control of other privately rented accommodation that does not have to be licensed under other licensing schemes (HMO Licensing) to obtain a licence to let that property.

## **Licensing Statutory Provisions**

A licensing scheme designation lasts for five years from the date the designation becomes operational. A scheme may be renewed following the appropriate legal authorisations.

Property Licensing denotes through a prescribed process how a property should be controlled and managed. This is monitored through the property licence by Council Officers.

Subject to limited exemptions, a valid licence must be held by the appropriate responsible person, typically the landlord or managing agent in respect of all privately rented properties in such a designated area.

A licence holder must be fit and proper, the property must meet all legal standards, be in good condition and managed effectively.

All of these requirements are stipulated as 'conditions' of holding a property licence. It is an offence for a licence holder to fail to comply with any of the licence conditions throughout the licence period. Failure to licence or comply with licence conditions can result in Civil Penalty enforcement or prosecution. (See Appendix 4) for full details of the selective licensing conditions)

The legislation allows Local Authorities to set and charge an appropriate fee to Licence applicants. The fee must be reasonable and reflective of the scheme in operation. Following recent case law, the fee is now required to be paid in two parts. Part A, which covers the processing of the application and the remainder, Part B, which can support the associated costs of compliance with the Licencing Conditions. All Selective licence fee income is ring fenced for the administrative and operational cost of operating the licensing scheme.

A successful Property Licensing scheme requires the following: -



- Careful planning, in particular with respect to anticipated costs and also to mitigate the potential impact of underestimating the number of licensable properties;
- Well thought through and diligent approach to evidence gathering and consultation;
- A realistic approach to area definition with boundaries carefully drawn to focus on areas with demonstrable problems, although it was clear that problems could genuinely be district--wide in some authorities;
- Licensing forming part of a wider suite of community-based measures aimed at effecting change consistent with the aims and objectives of selective licensing, with a clear political will to support the scheme;
- Effective engagement with both landlords and tenants, but especially raising, through dialogue and training, landlord awareness of their responsibilities;
- An inspection regime that is robust, consistent and targeted – dealing with contraventions firmly but fairly, where possible dealing with the worst first;
- Regular and open publication of progress against targets and outcomes - this encourages trust and support from stakeholders;

## **Selective Property Licensing**

Selective Licensing is an additional tool that local authorities can seek approval to use alongside their normal enforcement powers in order to target specific issues that are affecting the local authority and its community.

Selective licensing would allow the local authority to regulate landlords to manage this sector more effectively. There are a number of factors through which selective licensing helps to achieve effective change:

- It focuses resources on areas of concern whilst simultaneously generating revenue to contribute to the costs involved;
- It provides clearly defined offences (licensed/unlicensed) which simplifies enforcement - and where a landlord is intentionally operating without a licence it is highly likely the inspection process will uncover further offences;

- There is no 24-hour notice requirement for access before an inspection for licensing purposes. This is particularly important where criminal ('rogue') landlords are present;
- The proactive inspection approach frequently brings other problems to light;
- Licensing provides a clear driver for effective engagement between landlords and local authorities and drives up landlord awareness of their responsibilities;
- The pre-designation process focuses local authority minds on the development of clear, transparent and robust enforcement practices
- Selective licensing encourages the development of effective intelligence-gathering mechanisms to support compliance by identifying unlicensed properties and then targeting those problematic properties.
- Promotion of joint working within the authority and other agencies - fire and rescue service, police, border control/immigration, social services, HMRC etc;

### **Making a Designation**

A local housing authority may only make a designation if the area to be considered has a high proportion of property in the private rented sector. In England this is 19% of the total housing stock.

In addition to the above for selective licensing to be considered, one or more of the following six statutory grounds has to be met:

- i. Is an area of low housing demand (or is likely to become such an area)
- ii. Is experiencing a significant and persistent problem caused by anti-social behaviour and that some or all of the private landlords letting premises in the area are failing to take appropriate action to combat that problem.
- iii. Is experiencing poor property conditions in the privately rented sector.
- iv. Is experiencing or has recently experienced an influx of migration and the migrants occupy a significant number of properties in the privately rented sector.
- v. Is suffering high levels of deprivation affecting those in the privately rented sector.
- vi. Is suffering high levels of crime affecting those in the privately rented sector.

The Housing Act 2004 also requires the local authority to demonstrate the following outcomes as part of its process of delivering a selective licensing initiative.

- Ensure that the exercise of the power is consistent with their overall Housing Strategy.

- Adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by them or others.
- Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of achieving the objectives that the designation would be intended to achieve.
- Consider that the making of the designation when combined with other measures taken by the authority alone or with other persons will significantly assist them to resolve the problem identified (whether or not they take any other course of action as well).
- Take reasonable steps to consult persons who are likely to be affected by the designations and consider any representations made.

Where the proposed designation covers either 20% of the total geographic area of the authority or 20% of the total privately rented stock (based on census figures), the designation requires approval by the Secretary of State.

Selective Licensing applications require local authorities to first demonstrate the evidence for their concerns as well as look at alternative approaches and consult widely.

## **Our Selective Licensing Proposal**

To obtain our evidence base we undertook data analysis of our private rented sector using property intelligence held by the Council and other agencies.

### **Methodology**

The council have used a stock-modelling approach based on metadata and machine learning to provide insights about the prevalence and distribution of a range of housing factors.

The Tenure Intelligence (Ti) approach has been used by a number of councils to understand their housing stock and relationships with key social, environmental and economic stressors.

The housing models are developed using unique property reference numbers (UPRN) as keys, which provide detailed analysis at the property level. Data records used to form the foundation of this data include:

- Council tax
- Housing benefit
- Electoral register
- Private housing complaints and interventions records

- Other council interventions records
- ASB complaints and interventions records
- Experian Mosaic records & Energy Performance data

This data was used to evidence those concerns and to enable us to demonstrate the level of prevalence and the impact of these issues. The data has also allowed us to consider the alternative options available and the outcome of using these within our current policy and procedures.

Our evidence supports our view that poor property conditions and anti-social behaviour are negatively affecting our borough. Linked with the Government's Indices of Multiple Deprivation (IMD) 2019 outcomes, we believe that selective licensing is the additional enforcement tool that will assist us significantly in achieving change in those areas where the community already face inequalities.

The selective licensing tool will be used not only to improve poor quality accommodation but can also have a positive impact for people living within an area of high density privately rented accommodation. The delivery of positive outcomes against these targets will be the focus of this scheme.

### **Property to be included in our scheme**

The type of property that will be subject to selective licensing will be any privately rented dwelling that contains a single household. A single household can be defined as the following:

- a family, e.g. a couple (whether married or not and including same-sex couples) or
- persons related to one another
- an employer and certain specified domestic employees, a carer and the person receiving care, a foster parent and foster child.

### **Proposed designation**

It is our proposal to introduce selective licensing under the following statutory grounds; -

- **A significant proportion of the stock is privately rented and that this stock is in**
- **Poor property condition, causing**
- **Anti-social Behaviour all which is impacted by**
- **High Levels of Deprivation.**

Our evidence base demonstrates that 14 wards out of the 19 wards in Haringey consistently meet the criteria for selective licensing in that :-

- They contain a high proportion of privately rented homes compared to the national average of 19%.
- Housing conditions within those wards are poor and the scheme through property inspections will allow the Council to improve this.
- The areas are experiencing a significant and persistent problem caused by anti-social behaviour, which private sector landlords are failing to address.
- The areas within the designation have the added factor of experiencing significant deprivation amongst its population.

It is proposed that the Council introduces selective licensing within 14 Wards in total, however the wards will make up two designations based on the tables above both of which will be considered on their own merits.

Designation 1- Includes the following wards

Northumberland Park	White Hart lane	Bruce Grove	Seven Sisters
Tottenham Hale	Tottenham Green	West Green	St Anns
Bounds Green	Woodside	Noel Park	Harringay

Designation 2 – Includes the following wards

Hornsey  
Stroud Green

All wards in Haringey have a high level of private renting (more than 19%). We have therefore considered all wards for the inclusion in the selective licensing scheme equally. However, our data analysis and evidence base shows that although Highgate, Muswell Hill, Fortis Green, Alexandra and Crouch End have a high levels of private renting they do not experience the same issues with property conditions and or significant levels of ASB and they fall outside the high level of deprivation. These wards therefore do not meet all of criteria for including them in a selective licensing designation. For this reason, we feel it is not proportionate or justifiable to make designation 2 any larger by including these wards.

The table below in Fig 1 identifies by ward the percentage of private rented stock, whether they had significant level of poor property condition, whether they suffered from a significant and persistent level of ASB and where they rank on the Indices of Multiple Deprivation.

Figure 1.

Ward	% PRS	Poor property Condition	Significant and persistent ASB	IMD ranking
Northumberland Park	37.5%	✓	✓	1.3
White Hart Lane	24.96%	✓	✓	1.8
Tottenham Green	44.14%	✓	✓	2.1
Tottenham Hale	43.21%	✓	✓	2.3
Bruce Grove	51.12%	✓	✓	2.5
Noel Park	37.37%	✓	✓	2.5
West Green	37.56%	✓	✓	2.8
Seven Sisters	42.13%	✓	✓	3.1
Woodside	49.81%	✓	✓	3.3
St Anns	49.34%	✓	✓	3.6
Bounds Green	42.8%	✓	✓	3.9
Hornsey	35.33%	✓	✓	3.9
Harringay	50.15%	✓	✓	4.0
Stroud Green	37.66%	✓	✓	5.0
Highgate	35.71%	✓	✓	6.3
Crouch End	39.76%	✓	✓	6.6
Muswell Hill	27.99%	✓	✓	7.0
Fortis Green	32.30%	✓	✓	7.1
Alexandra	28.02%	✓	✓	7.4

The wards highlighted in blue are those wards which meet some of the qualifying criteria but not all.

We have considered the impact that deprivation has on inequality and the ability to achieve change in areas where there are existing factors such as socio and economic influences contributing to a wider housing problem. This is why deprivation has been included as one of the selective licensing criteria for a designation within our borough.

Through this consideration we are of the opinion that the 5 wards which are above the 5.0 decile cannot be justifiably included and we have existing powers and other alternative options to deal with the issues of poor property improvement and environmental ASB within these wards.

## **Designation Criterion – Area experiencing poor property condition.**

Improving property condition is one of the schemes principal objectives. We are committed to reducing the level of hazards within our PRS dwellings in order to improve property condition.

The rise in the private rented sector nationally has seen a change in the make-up of tenants and this has been accompanied by a change in the type of private sector landlord. The proportion of part time landlords – those who supplement their day job with rental income has reached its highest level. The National Landlords Association (NLA) estimate that part time landlords now make up more than 70% of the sector – the sector no longer consists of experienced landlords who are aware of and fully understand their obligations to their tenants. Failure to effectively manage private sector housing can adversely affect the health and safety of tenants and can have a wider impact on the local community. In addition to poor management, a number of landlords positively exploit their tenants and often the public purse through housing benefit, by renting substandard and dangerous accommodation.

Selective licensing can be used to tackle issues of poor property condition when it is identified that,

- a significant number of properties in the private rented sector are in poor condition and
- are adversely affecting the character of the area and/ or
- the health and safety of their occupants.

If an area is experiencing the above, as part of a wider strategy to tackle housing conditions, the local housing authority may consider it appropriate to make a selective licensing scheme so that it can prioritise enforcement action, whilst ensuring through licence conditions that the properties are properly managed to prevent further deterioration.

Overall, privately rented homes are more likely to have indicators of poorer housing quality, particularly when compared with the social rented sector. One of the main reasons for the relatively higher prevalence of poorer housing conditions among privately rented homes is the age of the stock; nationally over one third (35%) of homes were built before 1919. These older homes tend to have greater disrepair, are generally less energy efficient and are more likely to fail the statutory minimum standard for housing. The private rented sector also has the highest proportion of converted flats (11%). The stock profile of Haringey and the its PRS mirrors this national profiling.

A quarter (25%) of privately rented homes failed to meet the decent homes standard in 2018 and 14% of privately rented dwellings were estimated to have at least one serious Category 1 hazard as assessed using the Housing Health and Safety Rating system (HHSRS) under Part 1 of the Housing Act 2004.

The HHSRS is a risk-based assessment that identifies hazards in dwellings and evaluates their potential effects on the health and safety of occupants and their visitors, particularly vulnerable people. The most serious hazards are called Category 1 hazards and where these exist in a home, it fails to meet the statutory minimum standard for housing in England.

There are 29 Hazards used within the HHSRS assessment some of the more prevalent examples include:-

- damp and mould,
- excess cold due to no or poor heating and energy efficiency measures and
- electrical hazards

Generally, private rented homes have higher levels of disrepair in 2017, almost one fifth (19%) of private rented dwellings had serious disrepair (over £35m) compared with 14% of local authority, 11% of owner occupied and 8% of housing association homes<sup>1</sup>.

1 English House Condition Survey 2018-19

Poor property condition has been measured for the purposes of this evidence base using data on complaints about disrepair where a property inspection was undertaken. These figures are not a true indication of the levels of disrepair across our PRS this is due to the following factors:-

1. Under Reporting - using the complaints data base relies on data informed by tenants proactively reporting their disrepair issues to the Council. For this reason, the levels of disrepair are likely to be much higher than depicted, as many tenants refrain from reporting disrepair for fear of retaliatory eviction or other reprisals from their landlord or other tenants.
2. Lack of data - These figure have not taken into account reports of disrepair that were resolved informally by the agents or landlord remedying those defects prior to any inspection being undertaken.

Fig 3. This table indicates the recorded levels of disrepair following an property inspection in line with the number of properties within the ward.

Ward	No. PRS.pr	HHSRS Complaints	% HHSRS COMPLAINTS
White Hart Lane	1236	130	10.50
Alexandra	1238	79	6.4
Muswell Hill	1243	53	4.3
Fortis Green	1649	48	3

Highgate	1850	82	4.4
Stroud Green	2000	83	4.2
Hornsey	2007	44	2.1
West Green	2022	148	7.3
Noel Park	2059	156	7.6
Northumberland Park	2287	250	11
Crouch End	2315	78	3.4
Seven Sisters	2486	133	5.3
Bounds Green	2544	172	6.8
Tottenham Hale	2566	219	8.5
St Ann's	2774	200	7.2
Woodside	2797	199	7.1
Tottenham Green	2849	171	6
Harringay	2870	183	6.4
Bruce Grove	3068	263	8.6
<b>Total</b>	<b>43775</b>	<b>2561</b>	<b>6.30%</b>

The figures indicate that there is widespread disrepair across the borough and that these figures vary from ward to ward. The highest incidents are in those wards included within designation 1.

The average levels of disrepair however indicate that just of 6% of privately rented homes recorded as needing an inspection on the council's database. As indicated we know this is an under representation.

The methodology used to analyse our private rented stock used intelligence from various council records that can indicate poor property condition. This modelling has enabled us to use forecasting to identify the number and distribution of properties that are likely to be suffering from at least one category 1 hazard.

Using this approach we have calculated that 11, 771 or 26.8 % of privately rented properties in the borough have serious hazards affecting their tenants. This is more likely to be a more realistic outcome of the disrepair across or PRS and is far more significant than the inspections recorded on our council data base indicates.

Fig 4. Show the predicted levels of Cat 1 hazards in each ward

Ward	No. PRS.pr	No. CAT 1.pr
White Hart Lane	1236	387
Alexandra	1238	447
Muswell Hill	1243	383
Fortis Green	1649	358
Highgate	1850	423
Stroud Green	2000	403
Hornsey	2007	350
West Green	2022	637
Noel Park	2059	626



Northumberland Park	2287	554
Crouch End	2315	456
Seven Sisters	2486	720
Bounds Green	2544	641
Tottenham Hale	2566	784
St Ann's	2774	918
Woodside	2797	849
Tottenham Green	2849	869
Harringay	2870	842
Bruce Grove	3068	1006
<b>Grand Total</b>	<b>43,775</b>	<b>11,771</b>

### **Designation Criterion – Area is experiencing a significant and persistent problem caused by anti-social behaviour.**

This criterion applies to areas within the borough that are experiencing a significant and persistent problem caused by anti-social behaviour and that some or all of the private landlords letting premises in the area are failing to take appropriate action to combat that problem.

In considering whether the area is suffering from anti-social behaviour which a landlord should address, regard must be had as to whether the behaviour is being conducted within the curtilage of the rented property or in its' immediate vicinity and includes acts of (but not limited to):

- intimidation and harassment of tenants or neighbours;
- noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity;
- animal related problems;
- vehicle related nuisance;
- anti-social drinking or prostitution;
- illegal drug taking or dealing;
- graffiti and fly posting;
- and litter and waste within the curtilage of the property.

It is important that we can demonstrate that by making a selective licensing designation will help to reduce or eliminate property related ASB in combination with other measures being used by the council and or partner organisations.

We want our tenants to feel safe, we also however want our neighbourhoods to not be affected by tenant behaviour whether that be noise, rowdy behaviour, drug related offences or litter and waste issues.

Haringey's vision is a place with strong, resilient and connected communities where people can lead active and healthy lives in an environment that is safe, clean and green.

It is therefore one of our priorities to improve the cleanliness of our public spaces and reduce the levels of flytipping experienced in the borough. Property related anti-social behaviour affects everyone including neighbouring residents and community stakeholders.

Haringey spends more than £3million a year dealing with fly- tipping - money that could be spent on other vital services. Although it is difficult to attribute fly tipping to a specific property, we know from our waste partners that privately rented homes are responsible for poor waste management which leads to excess waste, which in turn encourages fly tipping. Fly-tipping blights communities and left unchecked can become a barrier to creating homes and communities where people choose to live.

The scale of both environmental and behavioural ASB in Haringey is significant and the current service provision for dealing with this is stretched.

We are committed to making landlords more accountable for their tenant's behaviour and for dealing with poor waste management through our selective licensing conditions and working with our waste and enforcement partners.

Licensing will assist our service partners in easily identifying responsible person for the property via the licence register and to hold them to account through our licence conditions especially for repeat offences.

Actual ASB records were matched to PRS properties were used to determine the number of ASB incidents that a ward had experienced.

The table below indicates the number of privately rented dwelling and the number of ASB incidents associated with Privately rented dwelling within that wards.

Ward	No. PRS.pr	ASB Incident Reported.	
White Hart Lane	1236	531	
Alexandra	1238	632	
Muswell Hill	1243	549	
Fortis Green	1649	456	
Highgate	1850	549	
Stroud Green	2000	495	
Hornsey	2007	783	
West Green	2022	752	
Noel Park	2059	1018	
Northumberland Park	2287	418	
Crouch End	2315	737	
Seven Sisters	2486	1039	
Bounds Green	2544	765	
Tottenham Hale	2566	900	
St Ann's	2774	1029	
Woodside	2797	1179	
Tottenham Green	2849	1132	
Harringay	2870	1083	

Bruce Grove	3068	1118	
Grand Total	43775	15,427	

These tables show significant levels of PRS and that these remain persistent indicating that landlords are failing to take action to combat the problem.

We know we can't tackle all levels of property related ASB in isolation and that designating a scheme will provide only one of a few measures that will be taken in partnership with other professionals to lead to a reduction in ASB and repeat offending.

### **Designation Criterion – An Area is suffering high levels of deprivation affecting those in the privately rented sector.**

Selective licensing can also be made when areas within the borough are suffering high levels of deprivation affecting those in the private rented sector.

Deprivation is the consequence of a lack of income and other resources, which cumulatively can be seen as living in poverty.

Deprivation can be measured and evidenced in various ways:-

The Indices of Multiple Deprivation 2019 (ID2019) are the Government's primary measure of deprivation for small areas (known as LSOAs) in England. The Index of Multiple Deprivation (IMD), combines measures across seven distinct aspects of deprivation: -

- Income, Employment, Education, Health, Crime, Barriers to Housing and Living environment

These measures once combined provide an area with a ranking from 1-8, with 1 being the most deprived.

Haringey is a borough with high deprivation levels. It is the 4<sup>th</sup> most deprived borough in London, and 49<sup>th</sup> most deprived in England (of 317), when measured by Indices of Multiple Deprivation (IMD). This is particularly in the case in the east of the borough – over half of the Lower Super Output Areas (LSOAs) in the east are in the 20% most deprived in the country. By contrast, in Highgate, Fortis Green, Muswell Hill, Alexandra and Crouch End there are no LSOAs in this category.

The IMD is not the only way Local Authorities can identify the factors associated with deprivation. Grant Thornton's Vibrant Economy Index provides a different way of evaluating the local economy, by looking beyond traditional measures of economic success and incorporating measures on health, happiness, equality, environmental resilience, community and opportunity.

According to the Vibrant Economy Index Haringey is below the English average, ranking 205<sup>th</sup> out of 324 LAs. Nationally.

Haringey's position on this index has fell from 166<sup>th</sup> to 205<sup>th</sup> out of 324 local authorities between 2017 and 2018. Nationally Haringey in the lowest terciles for prosperity, inclusion & equality, and health, wellbeing & happiness.

The table below shows were Haringey sits against our neighbouring London Authorities The numbers show the borough's ranking out of 324 English local authorities; the lower the number the better the performance. See table below in fig 6

Fig 6 – Table of outcomes from Grant Thortons , Vibrant Economy Index .

Borough	prosperity	Dynamism & opportunity	Inclusion & Equality	Health, Wellbeing & Happiness	Resilience & Sustainability	Community Trust & Belonging	Overall Ranking
Camden	4	7	176	283	49	4	3
Barnet	86	57	153	141	7	23	39
Islington	3	11	253	261	170	13	15
Haringey	230	157	286	211	178	41	205
Waltham Forrest	257	232	270	158	51	74	179
Enfield	149	216	285	244	87	110	199
Hackney	45	54	317	264	91	285	232

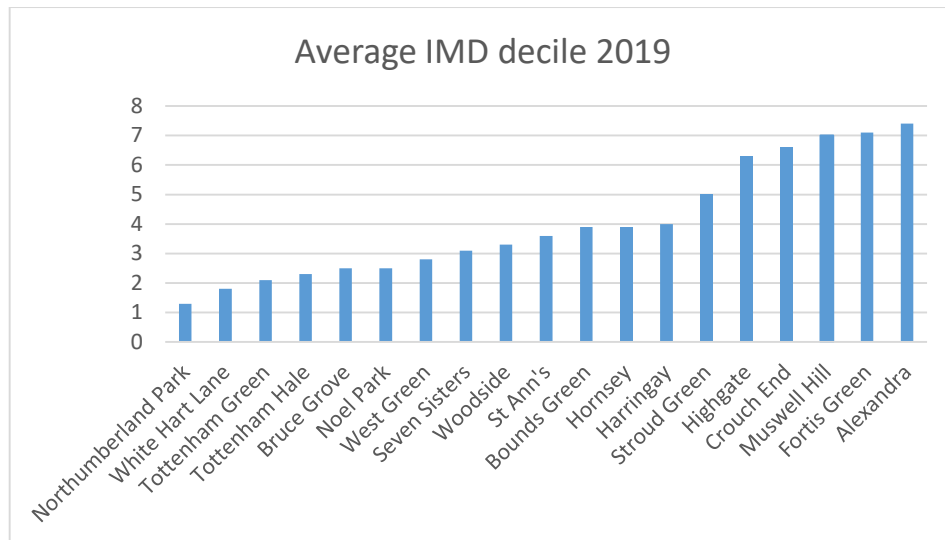
The IMD is a renowned and reliable source of data and one of the measures that we have used to evidence deprivation within this evidence base.

We must remember however; this description does not apply to every person living in these areas. Many non-deprived people live in deprived areas, and many deprived people live in non-deprived areas. The IMD aims to identify and measure specific aspects of deprivation, rather than a measures of affluence.

To produce ward level data, Lower Super Output Areas (LSOA) in Haringey have been matched to our wards using Government statistical data. This has then been used to provide an aggregate to deliver our data at ward level.

The graph below in Figure 4 shows the levels of deprivation for each ward in Haringey. 1.0 on the graph represents the most deprived 10% areas in the borough, 5.0 represents 50% most deprived areas in the borough and so on.

The IMD data shows that Highgate, Crouch end, Muswell Hill, Fortis green and Alexandra wards in the borough exceed the 50% decile.



The reality of deprivation is the barriers and inequalities experienced by those residents who face it. We know that those experiencing deprivation are likely to have or suffer from a range of other inequalities and due to this will fall into societies vulnerable categories or those in need. Accessing services for these residents is difficult and can lead to many fearing the consequences.

Using deprivation as a criterion within our selective licensing proposals allows us to focus our resources in areas where we know we have our greatest need and the IMD indicator has therefore been used to identify this. Highgate, Muswell Hill, Fortis Green and Alexandra wards as well as not having as significant or persistence levels of poor property condition and or ASB, all fall outside of the 'high level of' criterion for deprivation and have therefore been excluded from the scheme for these purposes.

## What we want to Achieve.

Our Selective licensing schemes aims to compliment the wider work our borough wide HMO licensing Scheme, so that any privately rented property within the approved designation/s regardless of its status will need to be licensed with the Local Authority and comply with eth Councils Licensing condition's.

Ultimately Improving property conditions and making landlords more accountable for the behaviour of their tenants is the overall objectives of this Selective Property Licensing scheme.

The scheme is not in a position to alter the deprivation status of the wards identified within a designation but we do aim to improve the barriers for those residents living in the PRS facing inequality. Strategic partnerships and involving the Council's wider Connected Communities service will hopefully enable us to identify residents in need and assist them in access other council services that can help improves their lives.

Improving property conditions, management and driving up standards in our PRS will make a contribution towards building stronger, safer more sustainable communities in Haringey. Communities which can contribute positively to Haringey and the local community is something we are committed to achieving.

The objectives of our proposed schemes are summarised in the delivery plan below.

OBJECTIVE	OUTCOME	ACHIEVMENT
Improve Property Condition of all single family private rented accommodation.	Reduce the number of Housing hazards	How many properties will have improved conditions through our actions.
Improve the management standards of all single family private rented accommodation	Improve compliance through licensing of property standards.	<p>Ensure that all licensable properties are licensed to ensure they know the licensing conditions that apply to them.</p> <p>Undertake targeted compliance checks in respect of property licensed under the selective licensing scheme.</p>
Reduce the levels of ASB from privately rented single family dwellings	Reduce repeat ASB incidence in licensed premises by 10% over the lifetime of the scheme	<p>Collaborative working with frontline workers dealing with poor waste management to prevent missed collections and waste contamination and fly tipping.</p> <p>Document checks to ensure landlords are complying with ASB conditions.</p>
Assist private sector tenants living in areas of deprivation to access Council & Voluntary services.	Ensure that Tenant engagement is a key part of the scheme.	<p>Officers provide tenants with information and sign posting to support their housing and wider needs.</p> <p>Councils, services, connected communities and the Voluntary sector are aware of the scheme and</p>

		know how to sign post people.

## Licensing and our wider borough strategies

Haringey adopted a new Borough Plan in 2019 to set the Council's priorities over the 4-year period to 2023. The Borough Plan is centred around five key priorities: Housing, People, Place, Economy and Your Council.

Licensing the Private Rented Sector clearly relates to Housing. The Housing Priority's overarching objective is for 'a safe, stable, and affordable home for everyone, whatever their circumstances'. The Borough Plan commits to 'working together to drive up the quality of housing for everyone' and specifically to 'Improve the quality of private rented housing and the experience of those living it, including by expanding landlord licensing and associated enforcement'. The Borough Plan commits to the Council introducing selective licensing for non-HMO homes in the borough.

But it is important to note that the benefits that the Council expects to stem from the introduction of selective licensing will also help meet other priorities expressed in the Borough Plan. By reducing anti-social behaviour and creating more attractive streetscapes, it will contribute to making Haringey a safer, cleaner, and more attractive borough – as expressed in the Place Priority. And ensuring that homes are safe, warm and in good condition will help Haringey's residents, young and old, live more fulfilled, happy and healthy lives – objectives of the People Priority.

The Borough Plan also commits to the principles of equality of opportunity, fairness, and quality of life for all. Ensuring that more private landlords are licensed helps promote fairness across housing tenures in the borough and narrows the gap in quality of life that may exist between, and within, different housing tenures.

Haringey's current Housing Strategy 2017-2022 also commits the Council to improving conditions in the private rented sector, stating that 'we will use our statutory powers to drive up quality in the private rented sector, whether selective, additional or mandatory licensing or other enforcement powers'. And a focus on, and commitments to, private renters will continue to be a focus in the new housing strategy currently under development.

At a regional level, the Mayor of London's Housing Strategy includes a strong focus on the private rented sector, and on councils' powers to improve the experience of private renters. Specifically, 'The Mayor wants councils to have the tools and resources they need so that private renters can expect consistently decent standards. He wants better regulation through property licensing and landlord registration... He will also support councils to run well-designed property licensing schemes'. Haringey's proposed selective licensing scheme and its place within a range of complementary enforcement powers has been developed through close engagement with the GLA and neighbouring boroughs on good practice in improving the private rented sector.

## Alternative options considered

Both the Housing Act 2004 and guidance issued by the Department for Communities and Local Government requires the Council to consider whether any alternative means would be effective, instead of licensing, to address the problems the Council has identified.

The guidance - *Selective licensing in the private rented sector: A guide for local authorities* (March 2015) - states: *The local housing authority must show:*

- it has considered whether there are any other courses of action available to them that might provide an effective method of achieving the objectives that the designation is intended to achieve, and;
- how the making of the designation will significantly assist the local housing authority in achieving its' objectives (whether or not in conjunction with those other measures).

We have considered a number of other courses of action or alternatives to selective and additional licensing, but do not believe that, individually or collectively, they provide an effective, or as effective a, means of tackling ASB and poor housing conditions in the borough, or of delivering the scale of improvement that we believe is required in the PRS. This table shows the alternatives that we have considered and explains why they are not sufficient to meet our objectives.

### **1. Use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers.**

- Formal notices can be served that require improvements to be carried out. Councils can carry out work in default if a notice is not complied with. Landlords also risk being prosecuted if they do not comply with the notice
- Formal action is generally a slow process with appeal provisions against most types of notices served, which can significantly delay the time period for compliance. These powers do not place any obligation on landlords to be *proactive* in improving conditions. Work in default can be effective but is expensive and time consuming for the Council, with the risk that not all costs are recovered. Successful prosecutions do not themselves secure improvements in property conditions and the Council's prosecution costs are often not met in full. Further, the Council's powers under Part 1 do not enable it to regulate the management of the property.

### **2. Voluntary Accreditation schemes to facilitate improvement in property conditions and Management standards.**

- For those landlords who take part, accreditation can improve the ability to effectively manage a property.
- This requires voluntary landlord engagement. Rogue landlords are unlikely to attend/engage in these initiatives. We have tried such schemes through



registration and training in the past and they have been resource intensive, take up has been poor and they are difficult to manage.

**3. Depend on existing Enforcement Powers and Tools.**

- This relies on reactive response's to complaints.
- Resource intensive, it doesn't provide any incentive to landlords to improve their property and the outcome can be lengthy and costly process.

**4. Better use of ASB power and joining up with ASB enforcement officers.**

- Formal notices can be used to address ASB identified by officers on an individual level. If complied with they can resolve an issue and are often issued as a financial penalty.
- Rely heavily on another council service proactively and or reactively identifying perpetrators and evidence gathering. Notices are often not targeted at a landlord but the tenant which doesn't put any responsibility on the landlord to manage their properties or prevent re-occurrence. It also resource intensive.