

London Borough Haringey Selective Property Licensing

Appendix 4

Council's Responses to Consultation Feedback Report

Proposed Selective Property Licensing Scheme for the London Borough of Haringey

**Council's consideration of Consultee's
responses to the Public Consultation**

March 2022

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Introduction

Background








Last year, we held a public consultation to gather views on our proposal to introduce a targeted selective licensing scheme, with the aim of tackling the growing issues that are being experienced in our Private Rented Sector (PRS). The consultation ran for 16 weeks from 17th May to 5th September 2021, and was widely publicised, both within Haringey and beyond, to encourage landlords, tenants, agents, residents, businesses, and other interested parties to get involved.

In total, the consultation generated 956 survey responses (950 online and 6 postal). 27 people attended three public workshops, 7 stakeholders were interviewed, and 36 individuals or organisations responded with formal written submissions to the consultation.

We would like to thank everyone who took part and shared their views on our proposal. We have carefully considered all feedback received. This document summarises the main feedback raised by respondents across all methods of consultation, followed by our official response to the views shared.

Responses are broken down by theme in accordance with the consultation outcome report and a full list of themes covered can be found in the [index](#). Where available, verbatim comments from consultees have been provided and all changes made to the proposal as a result of the feedback received are summarised on [page 4](#).

Alongside this consultation response document, we have published updated versions of our licence conditions and fee structure. You may also be interested in reading the detailed report of the consultation results, which was produced and analysed by the independent research company who ran the consultation, MEL Research Ltd.

Key	
Type of feedback	Outcome of consultation
 Survey response	ACCEPTED: Council agrees with feedback
 Written submission	REJECTED: Council disagrees with feedback
 Stakeholder interview	CLARIFIED: Council position clarified
 Public meeting	TO BE KEPT UNDER REVIEW Feedback to be considered again at a later date.
Changes made to the proposal	Themes
 Proposal changed in response to consultation feedback	<i>Theme X.XX</i> Theme number in order of occurrence in the consultation report.
 No change to the proposal	 Theme arose in response to more than one survey question.

Summary of changes made in consideration of responses

All feedback received in response to the consultation has been carefully considered. This has informed a number of changes to our proposed scheme. Most notably, we have **removed Anti-Social Behaviour** as a ground for introducing the scheme and we have **removed Designation Two**, which would have extended the scheme to Hornsey and Stroud Green.

A full list of changes made to the proposal are listed below.

Theme reference	Feedback	Change
<i>Report section: Views on proposal to designate specified wards for Selective Licensing</i>		
1.11	Not enough evidence for significant and persistent ASB to be used as a ground for introducing selective licensing in Haringey.	This ground has been removed from the proposal and the related licence conditions have also been removed.
1.12	Lack of evidence to justify the need for designation two.	This designation has been removed from the proposal.
<i>Report section: Views on proposed licence fees</i>		
2.1.3	Fee structure should be varied for those seeking to licence multiple properties.	Fee structure updated to explain what our policy will be for landlords seeking to licence more than one self-contained flat in a building. ¹
2.1.5	Licence fee split is unclear.	Fee structure has been updated to include a breakdown of the Part A and Part B fee split and further explanatory text. ²
2.2.4	Criteria for qualifying for an 'accredited discount' are unclear.	Fee structure has been updated to include a full list of accepted membership bodies and accreditation schemes. ³
<i>Report section: Views on proposed licence conditions</i>		
3.1	Requirement to produce quarterly rent statements is unnecessary.	This condition has been removed.
3.2	Requirement for landlords to obtain a reference to confirm a tenant's 'good character' could make it harder for vulnerable people, first-time renters, and migrants to let a property.	This condition is mandated by law but has been reworded to make it less restrictive and onerous for landlords. ⁴

¹ Fee structure, section 7

² Fee structure, sections 8 & 9

³ Fee structure, section 5

⁴ License conditions, 1.2

3.3	Landlords should be set specific timeframes for dealing with disrepair and defects.	Licence conditions to regulate property conditions are prohibited. However, a clause has been added to the conditions to ensure landlords are given clear timescales when responding to Council requests.
3.15	Scheme should be used to help improve the energy efficiency of PRS properties.	Fee structure has been updated to incentivise better energy performance. Landlords can now apply for a discount if their rental property has an EPC rating of C or above. ⁵
Report section: <i>Other views and suggestions on the proposed scheme</i>		
No related changes made.		

⁵ Fee structure, section 6

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Views on proposal to designate specified wards for Selective Licensing

Section overview

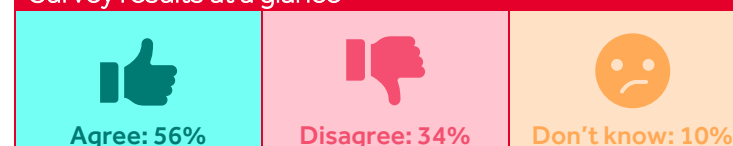
Survey respondents were asked to provide their reasons for agreeing or disagreeing with the proposed scheme. The most common reason for agreeing was that respondents felt that selective licensing would **improve living conditions, standards & safety, the local area, monitoring & control, and provide tenants with greater protection** (32% of comments). In contrast, the most common reason for disagreeing was **costs may be passed on to tenants** (7% of comments).

This section provides examples of the positive feedback received and addresses the main concerns raised by consultees.

Relevant survey question:









S5Q1: To what extent do you agree or disagree with the proposal to designate the specified wards for Selective Licensing? Please tell us the reason for your answer.

Survey results at a glance



Feedback in support of the scheme

Example comments from consultees








"It will benefit private tenants who currently have very little security about where they live and are often left to manage issues in properties that leave them out of pocket, or which they are charged for when moving out"		"As a landlord I'm highly supportive of a licensing scheme - for all landlords, not just landlords of HMOs. It would set clear guidelines for me and tenants, and reassure my tenants about the experience they should expect"	
"I think your licensing scheme is a good idea for many reasons. Some of the rented properties on my house and in appalling condition, but people live there as it's cheap."		"I think it would be beneficial to tenants by making their voices heard and allowing issues to be resolved more quickly."	
"It will help make landlords more accountable and encourage them to take a more active interest in the property/area, rather than just seeing it as a source of passive income."		"In my experience as a Social Worker in Haringey, and a private rented tenant in Haringey for many years, these are the areas that would benefit from a selective licensing scheme."	
"These are the most obviously deprived areas of the borough compared to say like Crouch End or Highgate."		"I strongly agree as the issue of damp and disrepair, rubbish, graffiti and noises are abundant on these areas."	

Feedback expressing concerns in relation to the scheme

Example comments from consultees	Council's consideration
<i>Theme 1.1: It should be borough-wide</i>	★
"I think it should apply borough wide so that it doesn't disproportionately affect some areas more than others. There is poor housing across the borough and a tenant shouldn't be reliant on where they live to get help"	<p>TO BE KEPT UNDER REVIEW: By law⁶, we can only designate an area to be subject to selective licensing if we are satisfied that there is evidence to support the existence of the issues the scheme aims to combat and, we can demonstrate that our existing powers alone would not be sufficient in tackling the problems identified.</p> <p>After conducting a detailed analysis of the evidence available, we were unable to find sufficient grounds for proposing a borough-wide scheme to tackle poor property conditions and deprivation.</p> <p>As a council, we remain committed to driving up the quality of housing for everyone⁷. We believe that selective licensing will help to bolster our existing strategies to tackle the issues faced across our private rented sector and, in turn, play an important role in bridging the inequality gaps observed between the East and West sides of the borough.</p> <p>As for the areas not included in the scheme, to ensure that current standards are maintained and improved, we will continue to use our existing enforcement tools (on a reactive basis) to deal with any reported issues. Moreover, we will continue to monitor property standards in the excluded wards and, should future evidence suggest that they would qualify for selective licensing, we will seek to extend the scheme.</p>
"It needs to be implemented in the whole borough"	
"This is not an issue that applies only in some wards. It is applicable across the borough. It is unfair to not provide this additional safeguard throughout Haringey"	
"Let's not be selective. All of Haringey or none."	
"They are now dividing the borough as a rich man poor man zone rather than treat all the residents fairly and unify the borough"	

⁶ Housing Act 2004, [Section 80](#)

⁷ Priority 1: Housing - Outcome 3, [Borough Plan 2019-23](#)



Theme 1.2: Costs may be passed on to tenants  	
"You will charge the landlords for licensing and this charge will reflect on our rent. Therefore, I am against this scheme. You should come up with a better idea." 	<p>REJECTED: At Haringey, we aim to use our resources in a sustainable way that prioritises the needs of the most vulnerable residents⁸. Our proposed scheme has been carefully designed to deliver good value for money for residents and landlords alike. To obtain a selective licence, landlords will need to pay a one-off fee of £600 for coverage across the five-year duration of the scheme. This equates to £2.30 per week and is not considered unaffordable in comparison to the average rental income in Haringey at present (£1500 per month⁹).</p> <p>Independent research into the effectiveness of selective licensing¹⁰ (on behalf of the Government) found no evidence to support the claim that licensing increases rents by landlords passing on the costs to their tenants. The report concluded that <i>'the privately rented sector is a competitive market and market forces mean that rents are set at a level the market will bear'</i>.</p> <p>Similarly, feedback from other local authorities operating licensing schemes has not shown any evidence of costs being transferred to tenants.</p> <p>In the unlikely event that landlords wish to increase rents as a result of the scheme, there are statutory procedures which must be followed and any increase above market rates can be challenged via the Residential Property Tribunal¹¹. We will ensure that this provision is highlighted in our supporting campaign to raise tenants' awareness of their rights.</p>
"The scheme is likely to cause hardship by forcing rents up and leading to increased homelessness at a time when the economy is already struggling." 	
"The price of the licence will be passed onto tenants via rent increases." 	
Citizens Advice felt that the fees would be passed onto tenants from a small proportion of landlords, not all, as they have seen evidence of that elsewhere. 	
Participants commented that the costs to landlords will be passed to tenants in rent increases, therefore making it not just a tax on landlords, but on renters. 	

⁸ Priority 5: Our Council - Outcome 20, [Borough Plan 2019-23](#)

⁹ Median monthly private rent in Haringey, 12 month rolling period to Q2 2020-21

¹⁰ [An Independent Review of the Use and Effectiveness of Selective Licensing](#), 2019 (page 77)







¹¹ Government guidance for [solving a residential property dispute](#)

Theme 1.3: It will not solve the issues identified  	
"I think that further licence on good landlords is unfair and overly intrusive. I don't believe yet a new licence will resolve the objectives stated."	<p>REJECTED: A recent independent review into the effectiveness of selective licensing¹² identified that overall '<i>selective licensing can be an effective policy tool with many schemes achieving demonstrable positive outcomes</i>'. To maximise the potential success of the scheme, we have set challenging objectives that are linked to our wider strategic outcomes and initiatives. For example, we will '<i>ensure that at least 75% of licensable properties are licensed by the end of the scheme</i>'. These objectives will be closely monitored throughout the duration of the scheme.</p> <p>We have also had great, first-hand success at driving-up standards through our previous property licensing schemes for Houses in Multiple Occupation (HMOs). In our Tottenham additional HMO licensing scheme, which ran from 2015 to 2020, 92% of all HMO properties inspected failed to meet minimum fire safety measures and 82% of properties lacked adequate security measures. Following compliance inspections, all of these properties now meet the minimum standards.</p> <p>Without licensing, we would have been reliant on reactive measures to identify these hazards, which would have most likely led to the majority of them remaining undetected. Not only does this showcase the licensing team's effectiveness at targeting non-compliant properties, but it also illustrates how critical licensing can be for ensuring tenant safety in the borough's most deprived areas.</p> <p>We believe that these results will be emulated by our selective licensing proposal, as we continue to build upon our existing expertise of administering effective licensing schemes.</p>
"I'm not sure if it was implemented that it would make any difference at all"	
"No confidence that the council can or will improve the problems and matters of concern. It appears that anyone can just do as they like regardless and there is no authority or care to stop them. It's become a 'free for all'."	
"This is not the solution to the problem your survey is about. If there are specific problems on specific areas then these need to be addressed within those areas. This broad approach is entirely unreasonable."	
"The money should be spent on more important things for the borough. This is not going to change the problems alluded to in this survey. Will cause costs, work and not concentrate on what really needs to be improved."	





¹² [An Independent Review of the Use and Effectiveness of Selective Licensing](#), 2019 (page 7)

Theme 1.4: It is a money-making scheme	
"This is simply a way of the council deferring responsibility to and creating an income stream from private landlords"	REJECTED: By law ¹³ , we are not allowed to make money from licensing schemes and fees must be reasonable and proportionate to the costs of running a scheme. Therefore, our proposed fee structure is cost neutral; revenue does not exceed running costs. Fee calculations have been informed by the running costs of our existing licensing schemes and robust assumptions have been made about the anticipated income of the scheme, based on the number of properties we expect to licence over its five-year duration.
"Looks like the council want to generate more income. What needs to happen is, they need to manage the income they collect from council tax more efficiently."	
"There is no reason for this since we all have very good management and good behaviour and no rubbish on the streets it looks like just a money-making business"	
"Selective licensing is just a new way to claw in some extra money from the rest of the rented properties in your borough"	
"Requiring landlords to obtain a licence from Haringey Council before renting their properties sounds like a power & money grab to me, and is in my opinion the worst idea since the inception of Low Traffic Neighbourhoods"	
Theme 1.5: It penalises good landlords and bad landlords will continue to operate	
"This scheme financially penalises good landlords who are effectively being expected to pay for the council to address problems created by bad landlords. This is outrageous. As a local authority you should already be tackling bad landlords. If such a scheme is to be implemented, it should only be applied to bad landlords who should continue to be monitored!"	REJECTED: Our research has found that a significant number of privately rented properties in Haringey are poorly managed and suffer from serious disrepair. We therefore intend to concentrate the majority of the scheme's resources on delivering a proactive enforcement approach that targets unlicensed properties and those properties posing the greatest risk. Haringey recognises that many landlords are competent, professional and take their responsibilities seriously. We also appreciate that not all landlords are deliberately non-compliant. Inexperienced or single-unit landlords may be ignorant of their responsibilities and unknowingly flout the law.
"Every landlord will be paying the Council to enforce standards on a small minority of bad landlords."	
"Bad landlords get away with providing poor accommodation and bringing in this policy will not change that; the council should put their efforts in to dealing with them rather than penalising good landlords."	

¹³ [Article 13\(2\)](#) of the EU Services Directive (2006/123/EC)

<p>"Good landlords keep their properties in good and safe repair, Why should they be penalised and pay?"</p>		<p>One of the key benefits of selective licensing is that it encourages increased engagement between landlords and local authorities. Through the scheme, we will help landlords to understand their responsibilities and ensure their properties are safe and well-maintained. Thus, eliminating the potential of future enforcement action for well-intended landlords.</p> <p>In the spirit of greater collaboration, we will be rewarding landlords for early registration to the scheme. This takes into account the fact that such landlords are likely to already be compliant with their statutory duties.</p>
<p>"I do not agree with your proposal to licence landlords, as it adds a further layer of cost and burden onto the good landlords who always take the blame for a small unscrupulous minority of rogue landlords."</p>		
<p>Theme 1.6: Additional costs will be a strain for landlords</p>		
<p>"It will be a financial burden in this difficult time and will not make a difference in the level of service to the community"</p>		<p>REJECTED: As explained in response to Theme 1.2, the proposed cost of a licence is nominal when broken down on a weekly basis in comparison to the average market rate for rent in Haringey. It is therefore unlikely that this will financially impact landlords.</p> <p>We would also like to reiterate that we see licencing as an opportunity for improved engagement with landlords. Where we can reduce costs for compliant landlords, we shall - incentives will be awarded for early registration and accreditation.¹⁴</p>
<p>"No need to add more expenses on landlords. We can achieve the same with adding legislation without making the landlords pay £1,000 for a license. I believe landlords pay enough as it is for mortgage, maintenance etc. Not all landlords are rich a lot of them can't live off a few rental investments"</p>		
<p>"It's another cost to the landlords who already have huge overheads Haringey council themselves do not in some instances maintain their properties to the same standards. This is not going to solve the issues of rouge landlords and overcrowded housing, which there is already regulations in place. There needs to be more policing of the current policies to start with."</p>		
<p>"We are a landlord and managing agent who have been providing both leased properties to the Homes for Haringey team and temporary accommodation for over 30 years. There are already significant and costly compliances that landlords have to adhere to. The introduction of a mandatory licensing for all properties will</p>		





¹⁴ An early application fee cannot be claimed in conjunction with any other discount.

<p>cripple landlords who have already been impacted by massive loss of rent during covid and increase yearly costs."</p> <p>"I believe that this will mostly be another form of taxation rather than a way to improve the quality of the privately rented properties and the residents' lives."</p>	
Theme 1.7: It will reduce availability of housing and push landlords away from the area  	
<p>"I disagree as you will make it almost impossible for landlords to rent a property therefore discouraging landlord to rent their property in the first place. This will therefore cause a shortage of private rented properties leading to more people to request council property."</p> <p>"Landlords are already responsible for ensuring their properties are well maintained. The licensing scheme will be yet another layer of burdensome bureaucracy for all concerned and add to the pressure on landlords to sell up therefore reducing the amount of much needed property to rent in Haringey."</p> <p>"I am concerned that it will put off good private landlords from renting their property and thus making the rental market even more competitive and pricy as there are less options."</p> <p>"I understand you wish to stamp out rogue/slum landlords, but if too much admin is required/ additional costs incurred with the licensing, I am concerned my own landlord will simply opt to sell up. If others do the same, I will struggle to find a property/rents will rise"</p> <p>Participants questioned the negative impact that the scheme may have on landlords, and suggested that some may leave the sector, therefore reducing the number of properties available to rent</p>	<p>REJECTED: A recent independent review into the effectiveness of selective licensing¹⁵ found no clear evidence to support the claim that landlords may sell their properties as a result of selective licensing and reduce the supply of housing. We have also seen no evidence of this through implementing our additional HMO licensing scheme. It is difficult to see why a landlord would go to such lengths to avoid paying a licence fee, given the potential loss of rental income would by far outweigh the licence costs.</p> <p>Furthermore, we do not intend to implement onerous licence conditions, only those required to address the issues of poor property management in the proposed designation area and those stipulated by the law¹⁶ to reinforce landlords existing legal duties.</p>
Theme 1.8: It is too bureaucratic  	
<p>"I think there is already too much paperwork and bureaucracy for landlords, but I agree there are issues that need addressing in certain areas. I think a more selective solution is needed to solve</p>	<p>REJECTED: As a council, we already have experience of operating effective licensing schemes and currently run a borough-wide scheme for property rented as a House in Multiple Occupation (HMO).</p>

¹⁵ [An Independent Review of the Use and Effectiveness of Selective Licensing](#), 2019 (page 77)

¹⁶ Housing Act 2004, [Section 90 \(4\)](#)

these problems - not one that adds more complications to the existing system"		<p>Our recently instated specialist licence management system allows for the streamlined, end-to-end processing of licence applications. Licences are issued electronically, and officers are able to monitor the life-cycle of all applications through the system. This has removed a lot of the bureaucracy and antiquated elements associated with the historic licensing process.</p> <p>In addition, the user-interface is fully accessible and designed with both individual and portfolio landlords in mind.</p>
"There are already measures and legal framework to deal with landlords' negligence. This scheme will just make it more expensive and cumbersome to rent properties out, with little or no value added."	📋	
"Unnecessary bureaucracy which I don't feel will solve the problems."	📋	
"Landlords will manage to get around the licensing issues and then it will just turn into more unnecessary admin and red tape that doesn't help anyone and probably increases the amount of council tax I pay."	📋	
"Sounds like another level of bureaucracy and administration being implemented by the council rather than common sense use of the council's time."	✍️	
Theme 1.9: There is already legislation in place to regulate the PRS		🔄 ⭐
"There are already measures and legal framework to deal with landlords' negligence."	📋	<p>REJECTED: Haringey believes selective licensing is a necessary tool to bolster our existing enforcement regime and achieve greater compliance in the PRS. Licensing stands out against other measures considered as it offers a much-needed proactive inspection approach and provides clearly defined offences (licensed/unlicensed) which simplify enforcement.</p> <p>Furthermore, we do not believe that, either individually or collectively, the other measures considered would prove to be as effective as a means of tackling poor housing conditions and deprivation in the proposed designation area. Nor can they deliver the scale of improvement that we believe is required.</p> <p>Options appraised included:</p>
"Landlords are already regulated with respect to fire safety for houses in multiple occupation and building regs and council enforcement powers provide a sufficient remedy."	📋	
"There are already regulations governing the standard of rented properties - the Council must use these existing powers and must inform tenants that they have a right to the Council's support if a landlord is providing substandard accommodation."	📋	
"Landlords are already bound by laws that outline what the licence scheme is set to cover. This is a pointless exercise that will take money away from landlords which could be better spent maintaining properties."	📋	
"Councils already have the authority to tackle low standard accommodation and take action against offenders. Clearly they are failing in their duty"	✍️	


	<ul style="list-style-type: none"> • Greater use of our powers to deal with hazards identified under the Housing Health and Safety Rating System (HHSRS)¹⁷ and powers to protect public health¹⁸ – discarded as formal action is generally a slow process and these powers do not place any obligation on landlords to be proactive in improving conditions. • Ramping up the usage of our other existing enforcement powers and tools – discarded as it is resource intensive, reliant on reactive responses to complaints and does not incentivise landlords to improve their property conditions. • Voluntary accreditation scheme to facilitate improvement in the PRS – discarded as it is difficult to oversee such programmes, does a poor job of tackling rogue landlords and is also resource intensive.
Theme 1.10: There is a lack of evidence of licensing working ★	
"I strongly agree that something needs to be done to improve the situation, but I need to see more evidence before I could feel confident that selective licensing would be a real solution." 	<p>REJECTED: The Chartered Institute of Environmental Health and the Chartered Institute of Housing published a joint review of selective licensing¹⁹. 20 councils participated in the research, which analysed the performance of 37 schemes (27 in operation and 10 concluded). The review found that many licensing schemes were delivering significant benefits in terms of tackling property conditions and anti-social behaviour.</p> <p>These findings were echoed by an independent review of selective licensing commissioned by the Government. The report concluded that <i>selective licensing can be an effective policy tool with many schemes achieving demonstrable positive outcomes</i>.²⁰</p>
"I see no evidence from boroughs that have introduced it [selective licensing] that there has been any improvement in anti-social behaviour or the quality of homes that are let." 	
"I didn't see any evidence in the (landlord licensing) report that those areas that have used landlord licensing have benefitted from more satisfied and better-behaved tenants. The landlord licensing scheme in Liverpool was discontinued after running for 5 years for eg: there weren't many tenant accommodation complaints" 	
"The "Haringey Council Selective Licensing Evidence Report for Consultation" does not provide evidence for how such licensing schemes have worked in other Councils" 	







¹⁷ Housing Act 2004, [Part 1](#)

¹⁸ Those stipulated in the [Health and Social Care Act 2012](#)

¹⁹ [A licence to rent](#) - CIH & CIEH 2019

²⁰ [An Independent Review of the Use and Effectiveness of Selective Licensing](#), 2019 (page 7)





<p>"As an HMO landlord, I am aware that Haringey have implemented licensing schemes for the past 7 years and can show no evidence that the scheme improves the conditions or the behaviour of tenants. Haringey Selective Leasing staff are unqualified to address any issues and lack the evidence or experience to make any meaningful improvement input."</p>	<p>REJECTED: As mentioned in response to Theme 1.3, we have had demonstrable success at driving-up standards through our previous property licensing schemes for Houses in Multiple Occupation (HMOs).</p> <p>Furthermore, we have a strong team of staff who all receive regular training and support to ensure they are up to date on the latest legislative changes and best practice.</p>
<p>Theme 1.11: Not enough evidence to use ASB as a ground for applying for a scheme </p>	
<p>"The evidence of ASB is just not there."</p>	<p>ACCEPTED: In light of the feedback received in response to the public consultation, we have reviewed our evidence base for designating the proposed areas for selective licensing on the grounds of anti-social behaviour. Following this review, we have recognised that the data analysed is not robust enough to evidence that we are consistently experiencing significant and persistent anti-social behaviour linked to our private rented sector across all of the wards to be included within the designation areas. We have therefore removed anti-social behaviour as a condition for our proposed selective licensing scheme.</p> <p>We accept that comparing incidences of anti-social behaviour in the private rented sector against the social rented sector, can be a useful indicator of their prevalence and this is something we could explore for future proposals. However, we are not obliged to do so in order to designate an area for selective licensing on the grounds of pervasive anti-social behaviour.</p> <p>The legislation only asks us to evidence that private sector landlords in the designated areas are not effectively dealing with incidences of anti-social behaviour caused by their tenants (or people visiting their</p>
<p>"No evidence is supplied to show there's a lack of ASB in council-owned or managed properties to support the contention that private rental in itself is more likely to cause ASB problems."</p>	
<p>"Private rented properties are not the main issue, council rented properties or those given to housing associations are the problem. I'd like to see the stats on ASBs versus council or housing association properties."</p>	
<p>"Anti-social behaviour: the evidence does not show that this is correlated with the PRS. It is just asserted that levels are high but there is no comparison with complaints from the social sector for instance."</p>	
<p>"Supporting documents on the Council website suggest a strong correlation between private rented property and anti-social behaviour, but seem to offer no evidence for this being a greater problem than in Council or housing association properties, for instance... are there any ASB statistics for non-private rented property?"</p>	

		properties), and that this failure is either causing or significantly contributing to the problem of anti-social behaviour. ²¹
		Notwithstanding this decision, Haringey recognises that it is still important that we seek to explore alternatives to licensing to address the issues relating to poor waste management that were identified by the consultation.
Theme 1.12: Don't agree with the area selected for Designation 2 		
"The further licensing of PRS accommodation in addition to HMO's is LONG OVERDUE. However, it is not at all clear why Hornsey and Stroud Green appear to need their own 'separate' licensing scheme."		ACCEPTED: Before designating an area for selective licensing, we must be satisfied that it meets the strict conditions for introducing a scheme as set out by the law ²² .
"If you look at the stats for Stroud Green it should not be included when compared to the other areas. In essence the problem, is in the east of the borough to the east of the train track into Finsbury Park. The challenge is that if you live to the west of the train track, the problems identified are not a day-to-day experience and people in Stroud Green, Crouch End, Highgate, etc do not go to the east of the borough at all. Therefore, Designation 2 is not justified on the statistics."		In light of the feedback received in response to the public consultation, we have further reviewed the evidence for designation two and have identified that the data analysed does not sufficiently evidence that Hornsey and Stroud Green are experiencing high levels of deprivation when taking account of all other contributory elements used to measure deprivation (i.e. living environment, crime, barriers to housing and services etc.).
"Hornsey has quality accommodation and does not have the deprivation and social problems like Tottenham"		On this basis, we have removed designation two from our proposed selective licencing scheme. We will continue to use our existing enforcement tools in Hornsey and Stroud Green to deal with any reported issues and ensure that current standards are maintained and improved.
"Hornsey and Stroud Green should not be on the list. Other areas should be prioritised."		
Participants asked why some areas were in and others not when the evidence proposed showed mixed evidence that could include/exclude wards (for example Hornsey being in, but Crouch End being out).		

²¹ [Selective licensing in the private rented sector: A Guide for local authorities](#) (March 2015), page 9 - MHCLG

²² Housing Act 2004, [Section 80](#)

<i>Theme 1.13: Unfair to landlords as tenants sometimes are to blame (ASB)</i> ★	
<p>"It shouldn't be the landlord's responsibility to resolve ASB issues and police tenants. This is the role of the police and council."</p>	<p>REJECTED: Whilst we have removed pervasive anti-social behaviour as a ground for introducing our proposed scheme (see Theme 1.11), we still welcome the opportunity to clarify our expectations of landlords when dealing with ASB.</p> <p>Haringey agrees that it is the responsibility of all residents in the borough not to cause anti-social behaviour and recognises the important role that we (and others) play in using our enforcement powers. We will always take a fair and balanced, evidential approach to enforcement</p> <p>We do not expect landlords to be responsible for the behaviour of their tenants. However, landlords are responsible for the proper management of their tenancies and ensuring that any ASB caused by their tenants is effectively addressed, and if necessary, appropriate action is taken.</p> <p>As there are a wide range of behaviours that could constitute anti-social behaviour, landlords may choose to take various approaches to preventing and managing ASB. Examples of such measures include, but are not limited to:</p> <ul style="list-style-type: none"> • carrying out pre-tenancy checks such as obtaining a reference from the prospective tenant's old landlord or a general character reference from somebody reputable such as an employer; • regular inspections of the property to ensure that it remains a single occupancy premises; and • including specific terms regarding anti-social behaviour within their tenancy agreements to rely on should any future action be required and to ensure that their tenants are aware of their responsibilities.
<p>"In most cases, the problem is not the landlord, but the tenants who are being anti-social. Placing the onus on landlords to be responsible for the behaviour of their tenants is inherently unfair, especially since existing law significantly restricts landlord's ability to interfere in their tenants' behaviour or lives (not that most would want to in the first place). It is entirely un-just to expect landlords to enforce these sorts of policies on your behalf if they aren't, for example, able to easily evict offending tenants."</p>	
<p>"Since most of the ASB issues are caused by tenants, not landlords, that's a policing matter and will not be addressed through Haringey council finding new fees to impose on supposed rich landlords."</p>	
<p>"Rather than selective licensing, more attention should be given to enforcement against anti-social behaviour and littering by direct perpetrators. It should not be the landlord's responsibility for the behaviour of their tenants, which is what Haringey seems to be trying to create by a licensing scheme. They are landlords, not parents."</p>	
<p>"How are we to manage any behaviour of our tenants and police what they do 24/7? This feels like all responsibility is being thrown onto landlords, most of whom choose tenants carefully, carry out thorough checks etc. How can we then sort out any further issues around their behaviour etc without constantly calling the police? It seems highly unfair."</p>	

Theme 1.14: Other 	
<p>A few participants asked how landlords are going to be forced to come forward and how the Council will ensure that not just good landlords take part in the scheme.</p>	<p> CLARIFIED: We recognise that a proactive approach to inspections will be essential to delivering the objectives of our scheme. As part of the evidence building required to formulate our proposal, we commissioned specialist tenure intelligence modelling to help identify where in our borough private rented properties may be located. Although this was not 100% accurate²³, we believe it will be an effective tool for targeting and identifying potential licensable premises.</p> <p>We also have a 'report it' tool on our website for both tenants and members of the public to report any suspected, unlicensed premises to our licensing team for investigation. This will be widely publicised via our communication channels to help spread the word, including social media posts and messages on our community noticeboards.</p> <p>In addition, council partners who are working predominantly outside in our neighbourhoods, or with private sector tenants, will be trained on how to identify privately rented homes and check if they are licensed.</p>
<p>One tenant asked how the Council is going to protect the scheme from hurting tenants, as they will be affected by fees being passed onto them and also any retaliations if they do complain to the Council about their landlord.</p>	<p> CLARIFIED: A significant advantage of selective licensing is that it gives us the power to enter a property and (if necessary) proceed to take enforcement action without providing a landlord with 24 hours' notice²⁴. This will provide vulnerable tenants with greater protection from retaliatory 'no fault' evictions and help us to uncover and penalise 'rogue' landlords. Please also refer to Theme 1.2.</p>
<p>One participant asked how impact is going to be measured (such as what KPIs are going to be in place), whilst another asked whether the Council will track changes in private rental availability as a result of the scheme.</p>	<p> CLARIFIED: We have set challenging objectives for the scheme that are linked to our wider strategic outcomes and initiatives. These will be monitored internally by the relevant governing body and externally through the Department for Levelling up, Housing and Communities.</p>

²³ Validation tests found that the accuracy rate for the predictive data was 86%.

²⁴ Housing Act 2004, [Section 239](#)

Views on proposed licence fees

Section overview

The survey asked respondents if they had any comments about the proposed fees. Again, the most common reason for disagreeing was that the **costs may be passed on to tenants/rents will increase/ rent control is needed** (30% of comments). Please refer to [Theme 1.2](#) for the Council's response.

The survey then elicited further feedback from respondents on the proposed discounts. The first asked respondents if they had any comments about whether there were any discounts that should be removed. The second asked respondents to provide suggestions on any additional discounts that the Council should consider.

This section responds to the main concerns raised by consultees and considers suggestions received relating to the proposed fee structure including discounts.

Relevant survey questions:

S7Q1: To what extent do you agree or disagree with the proposed fee for Selective Licensing? If you have any comments about the fees, please provide these below.



S7Q3: Are there any discounts that should be removed? these below.

S7Q4: Are there additional discounts that could be considered?

Survey results at a glance (S7Q1)











To what extent do you agree or disagree with the proposed fee for Selective Licensing





Example comments from consultees	Council's consideration
<i>Theme 2.1.1: Costs too high</i>	
"Way too expensive and unclear how the money is used" 	<p>REJECTED: As stated in response to Theme 1.4, it is illegal for us to profit from licensing schemes²⁵.</p> <p>Our proposed fees have been calculated based on the cost of setting up and operating a licensing scheme. This includes ensuring that all costs incurred would be met by the income generated from the number of properties we expect to licence during the life of the scheme.</p>
"It is about 10 times the cost I was expecting and is not justifiable." 	
"It's an extortionate amount for business owners (landlords)."	
"The fee is excessive. What is the local authority actually going to do with this fee."	
"Too expensive. cost to run the scheme wouldn't be over 250"	

²⁵ [Article 13\(2\)](#) of the EU Services Directive (2006/123/EC)



		We have also benchmarked our fees against other local authorities' charges for a selective license and can confirm that our proposed fee is in line with the average licence cost in London.
Theme 2.1.2: Costs too low		
"£600 is far too small, given that Landlords are renting out rooms for as much as £400 a week, and houses for £1500-2500 a week! "	📋	REJECTED: As mentioned above, our proposed fees have been calculated based on the cost of setting up and operating a licensing scheme, the costs will be met by the income generated from the number of properties we expect to licence during the life of the scheme. For greater transparency, we have reviewed and updated our fee structure, provided better explanatory text and included a breakdown of the Part A and Part B fee split. We have also set ambitious, yet achievable, objectives to ensure ongoing compliance and that we use the income generated by the scheme to deliver the greatest impact. CLARIFIED: We can confirm that our early application fee is already set at £350. We have updated our fee structure document to make this clearer. The £250 stated in the previous version made reference to the level of reduction we planned to award, rather than the cost of an early application.
Citizens Advice were concerned that the proposed fees would not cover the inspection/enforcement that would be required for such a sizeable scheme.	🗣️	
The NRLA didn't feel the fees stacked up and were too low. They also suggested the way these had been laid out was incorrect, for example Part A and Part B of the fees, where they felt there was little evidence that they had split the fee.	🗣️	
"I would want them to be higher to give you more money to spend on enforcement activity and to discourage landlords from owning and renting out multiple properties."	📋	
"The Early Bird fee could be higher, say £350"	📋	
Theme 2.1.3: Different fee structure depending on size of property/number of properties/value of property		
"Fee should be proportional to the value of the property."	📋	PARTIALLY ACCEPTED: By law ²⁶ , our proposed licence fee must be based on the costs of running the scheme - setting it up, administering the licences, inspections, and enforcement. It is not permitted for the set fee to be based on the size or rental value of a property. In regard to varying the fee structure for landlords with multiple properties, in light of the feedback received, we have revised our fee
"The fee should be in line with the property size/bedrooms and if possible actual rental value. No fee for vacant properties. The rents have dropped the demand has dropped, properties are vacant. The last thing landlords need is extra costs."	📋	
"Perhaps make the fees dependent upon the price of the property or the price of the rental?!"	📋	

²⁶ [Article 13\(2\)](#) of the EU Services Directive (2006/123/EC)



Participants were unclear of the cost if you have a number of properties.		structure and decided to add a tiered fee for landlords applying for licences for multiple rented flats in the same building to reflect the reduced costs in administration.
"One of our properties was converted into 4 flats and is a section 257 HMO. The fee for this is £1,050.00 discounted. The ground floor flat (3 bedroom) is a 254 HMO - a further £1,050.00 discounted. The additional licencing proposal would mean 3 more fees of £600.00 each so one property would in effect have 5 licences at an exorbitant cost of £3,900.00. Can't see the logic behind this"		<p>Where a building qualifies for a single selective licence (where there are multiple rented flats in the same block or building that are owned or managed by the same person), the Part A (administration) fee will be payable at the full rate for the first flat, but the Part A fee will be reduced by £75.00 in respect of the 2nd, 3rd etc. flats within the building. The Part B fee (enforcement) will be charged in full for all flats.</p> <p>As for landlords letting multiple properties in different locations across the borough, we are currently unable to offer a discount for such circumstances as the licence processing and enforcement costs incurred by us will remain the same.</p> <p>However, other discounts offered, will still be available for qualifying portfolio landlords.</p> <p>You can find out more information in our revised fee structure.</p>
Theme 2.1.4: Should be free		 
"Council should not get fees from landlords does council know how much landlords spends on house every year you should fill sorry for them you just trying to get money from landlords' pockets"		<p>REJECTED: At Haringey, we always do our best to maximise our community impact with the limited resources available. However, due to the proactive nature of the inspection and enforcement regime required for a successful licensing scheme, we would be unable to bear the costs of a scheme.</p> <p>Fortunately, the legislation makes a provision for local authorities to charge a fee to cover the costs (but no more) of a scheme.</p>
"If council wants it so badly for our safety it should be free of charge."		
"No fee should be charged to legal owners of their property, it is theft, stealing money from people who have worked very hard to acquire a property and provide a roof over their head to people."		
"The borough should be able to afford to ensure the housing is monitored and policed through its own resources. If you want better housing the scheme should be free and then you will get a		

high take up by landlords. If you charge, you will push the problem underground."		
"As a landlord, we have many expenses to deal with. I do not have the budget for additional fees. Instead, introduce an inspection and fine system for those who break the rules."		
Theme 2.1.5: Other		
"As far as I can see, the licensing fee shown covers part A - the application. There is no information about how the fees for part B would work. So you are asking approval for something not stated clearly."		CLARIFIED: As mentioned in response to Theme 2.1.2 , for transparency and added clarity, we have reviewed and updated our fee structure and the explanatory text. This includes a breakdown of the fee charges including the part A and part B fee split.
Participants questioned how the fees were calculated and how many staff need to be employed to run the scheme/enforce it.		


Are there any discounts that should be removed?

Example comments from consultees	Council's consideration
Theme 2.2.1: No discounts should be given	
"Flat fee if this is introduced. No discounts."	  REJECTED: Haringey are keen to utilise the unique opportunity licensing presents for us to work together with landlords to drive up standards in our PRS. The aim of the scheme is not to penalise landlords letting in the borough. Rather, it is about improving compliance by targeting those landlords who fail to accept their responsibilities and fostering good relationships with landlords that do. One of the ways we plan to achieve this is by offering an early application fee to compliant landlords and those who proactively engage with the scheme. Such incentives will be an important mechanism for acknowledging, rewarding, and incentivising greater compliance.
"All of them. There should be no discount for landlords in Haringey."	
"All discounts, with the cost of housing in the borough anyone who can afford to buy to rent can afford any fee they don't need to be discounted. They will pay the higher fee there is no need to lose the council money by offering discounts."	
"I don't see why there should be discounts. It should be based on costs to the authority."	
"I can't see any good reason to be giving Landlords discounts just because they're part of the NRLA."	













Theme 2.2.2: No early application discount should be given		★
"I do not agree with the early bird discount. It makes no sense - the fee is to cover costs, so why does paying early give such a massive discount."	📋	REJECTED: As mentioned above, we are keen to reward landlords who proactively engage with the scheme and see the early application fee as a means of doing so. Such landlords are likely to already be compliant with their statutory duties and therefore unlikely to require any future enforcement action.
"Early bird. This is too big a discount."	📋	
"I cannot see what justifies an early bird discount."	📋	
"No discount for early applications... Just standard fee to be paid... My Council Tax bill is not reduced due to me paying on time or even early."	📋	
"No early bird rate. If they can afford to rent out property, they can afford the full fee."	📋	
Theme 2.2.3: No discounts for bad landlords/properties in poor condition		★
"Discounts should be removed for landlords who have a persistent record of non-compliance with council enforcement notices."	📋	REJECTED: The 'discounts' offered are intended to incentivise and reward landlords who are likely to already be compliant or proactively engage with the scheme, such as those who are part of an accreditation scheme with a governing body or those who are a member of an organisation that provides education, advice, and training to landlords. Inevitably, there is a possibility that a few of these landlords may still be found responsible for substandard practices during their licence period. However, this would most likely be due to ignorance, rather than deliberate intent. In such cases, we will follow our standard procedure of setting a schedule of works for the landlord to remedy the issues identified and pursue enforcement action should they fail to comply. As for landlords who are deliberately flouting their responsibilities, we do not have the powers or resources to recall any discounts they may have qualified for and received on applying for a licence. However, we can, and will, use our enforcement powers, such as issuing fines and revoking licences, to penalise any persistent, non-compliant behaviour.
"Discounts should be removed for neglectful landlords"	📋	
"If landlords do not comply and carry out their role as a landlord they should not qualify for the discount."	📋	
"Discounts should be removed if the properties in poor and dilapidation state."	📋	

Theme 2.2.4: Other ★	
"You have said become "accredited" but given no details of who the accrediting organisations are. You must give full disclosure to allow landlords to assess how easy accreditation is likely to be." 	ACCEPTED: In light of the feedback received, we have added a list of accepted membership bodies and accreditation schemes ²⁷ to our proposed fee structure.
NRLA questioned the discounts proposed and felt this was illegal (under Gaskin ruling), They felt there could be better ways to reduce the burden on landlords (like a monthly direct debit). 	REJECTED/TO BE KEPT UNDER REVIEW: We have revised our fee structure to clearly reflect the licence fee split and any associated reductions, including explanatory text for greater transparency. As for offering phased payment plans for landlords, we agree that this could be a good way of reducing the possible burden on landlords and incentivising greater compliance. However, at this point in time, we fear that the financial implications of such payment plans would compromise the adequate resourcing of our proposed scheme, so we are unable to offer them. Should we seek to extend the scheme, we will review again our position to bear the financial impacts of phased payment plans such as the suggested monthly direct debits.








Are there additional discounts that could be considered?

Example comments from consultees	Council's consideration
Theme 2.3.1: Discounts based on tenants' reviews ★	
"If there was a way of doing it anonymously, I would support giving a small discount to landlords that are well rated by their tenants (and potentially neighbours?). It would be important to make sure that 	REJECTED: We appreciate the sentiment behind this idea. However, review systems can be highly subjective, systematically biased, and easy

²⁷Fee structure, section 5

landlords are not able to intimidate tenants into giving a higher score than deserved."		<p>to manipulate. Implementing such a system would be resource intensive and require ongoing content monitoring and verification.</p> <p>Haringey believes that our resources would be better directed at the proactive inspection regime required to make selective licensing a success.</p>
"Additional discount for 'good tenant reference' to reward good landlords"		
"Discounts based on positive feedback from tenants"		
Theme 2.3.2: Discounts for compliance during licence period		★
"A discount for properties that continue to receive their license for several years - to incentives consistent good quality."		<p>TO BE KEPT UNDER REVIEW: Haringey are keen to acknowledge, reward and incentivise compliance as much as possible, whilst ensuring that our scheme remains adequately resourced. In principle, we like the idea of rewarding proven and sustained compliance. However, as this is a new scheme, there is no previous, reliable, landlord performance data to introduce such a discount.</p> <p>Furthermore, we would like to concentrate our limited resources on targeting and identifying unlicensed premises. It would be too costly to implement a periodic inspection regime for every single licensable property in our designation area.</p> <p>If the scheme is renewed, there may then be an opportunity to consider such discounts based on the data from the previous scheme and standards set by the Council, as offered by some local authorities who have extended their schemes.</p>
"If landlords have no issues or complaints over a year maybe they could get a discount the following year?"		
"If your property is checked and is habitable and meeting legislative requirements the landlord should get a reduction after a couple of years. This would encourage good landlords to actually register and maintain their registration"		
"If, after five years, there have been no complaints and no issues with the property a potential further discount"		
"Perhaps there should be an additional discount if they comply with an in-person property inspection halfway through the license term (after 2 1/2 years). A lot can go wrong with a property in 5 years."		
Theme 2.3.3: Discounts for good landlords		★
"Discounts for good landlords who don't have any issues with their properties."		<p>ACCEPTED: Our proposed discounts already focus on acknowledging and rewarding compliant landlords. Discounts will be available for those who proactively engage with the scheme, accredited landlords and those whose properties are energy efficient.</p>
"Landlords and their properties that are already of a good standard should be entitled to a full or 90% discount!"		
"Discounts for recognized good landlords"		
"Discounts should be offered to good landlords."		
"Good landlords should not have to pay"		

Theme 2.3.4: Discounts for landlords with multiple properties	
"Discounts on multiple properties, perhaps if the fee is to be brought in it should be per landlord not per property."	ACCEPTED: As mentioned in response Theme 2.1.3 , in light of the feedback received, we have reviewed our fee structure and decided to add a reduction for landlords applying for multiple licences for self-contained flats within the same building. More information can be found in our updated fee structure documents.
"Based on number of properties."	
"If a landlord owns multiple properties maybe there could be a discounted rate."	
"Some landlords have several flats in a property which would leave them with significant costs of the fees are legalised. If this idea is taken forward, the fees should be per building not per unit."	
Theme 2.3.5: Discounts for landlords who let to vulnerable and low-income tenants	
"Perhaps landlords that help to house vulnerable people that would normally struggle to find private accommodation could be offered a discount."	TO BE KEPT UNDER REVIEW: We recognise that Haringey is in need of more affordable, safe homes, especially for our most vulnerable residents. We also are aware of the widespread discrimination faced by people in receipt of benefits who are searching for a new home. In part, the proposed scheme hopes to help to tackle this issue by improving standards and compliance. However, there are currently no opportunities to offer a specific discount for those who let to vulnerable and low-income tenants.
"100% discount for renting to someone on state benefits e.g universal credit or housing benefit"	
"If planning to let as social housing via the council or a housing association."	
Theme 2.3.6: Discounts for landlords who are residents in the borough	
"Discounts for landlords who are Haringey residents and who chose to undergo the licensing requirements."	REJECTED: There is currently no evidence to suggest that landlords who live in Haringey are more compliant than those who live outside of the borough. All good landlords have an interest in keeping their properties in good condition. Therefore, we have decided against such a discount as it would be unfair and discriminatory.
"Private landlords living in the borough should be exempt"	
"Discounts for landlords resident in the borough."	
"Number of years owner has been a resident. Owner living in borough"	
Theme 2.3.7: For landlords who use accredited/reputable managing agents	
"Yes, landlords dealing through an ARLA or RICS member letting agent should receive a further discount"	CLARIFIED: We are already offering a £50 discount for landlords who are part of an accreditation scheme or reputable membership body. All

"Registered housing letting agent discount. To encourage renting out through good letting agents and to show tenants approved letting agent."		accepted professional memberships are listed in our updated fee structure.
"Accredited landlords should not be subject to a charge. You are encouraging landlords to sell up with this type of scheme. You should be working with accredited landlords and not against us."		
"Landlords with a specific accreditation could get a discount to reward them for being a good landlord"		
Theme 2.3.8: Other 		
"Unemployed landlords with low income (that is that they don't get over 25K a year out of their rented property)"		<p>REJECTED: As mentioned in response to Theme 1.2, to obtain a selective licence, landlords will need to pay a one-off fee of £600 for coverage across the five-year duration of the scheme. This equates to £2.30 per week and is not considered unaffordable in comparison to the average rental income in Haringey at present (£1500 per month²⁸).</p> <p>On this basis, we do not anticipate the scheme causing landlords any hardship.</p>
"Yes, for landlords already registered in other boroughs"		<p>REJECTED: this would be very difficult for us to manage and monitor. Therefore, we have decided against introducing such a discount.</p>
"Discounts for live in landlords?"		<p>REJECTED: This scheme is aimed at properties privately rented to single households or two unrelated sharers. For this reason, it is unlikely that selective licensing would be applicable to most live in landlords. However, where landlords are letting multiple rooms within the same property, they may require an HMO licence.</p>

²⁸ Median monthly private rent in Haringey, 12 month rolling period to Q2 2020-21

Views on proposed licence conditions

Section overview

The survey asked respondents to state the extent to which they agreed or disagreed with the aims of the proposed conditions. Respondents were then asked if they had any specific comments about the proposed licence conditions or any suggestions for alternative or additional conditions.

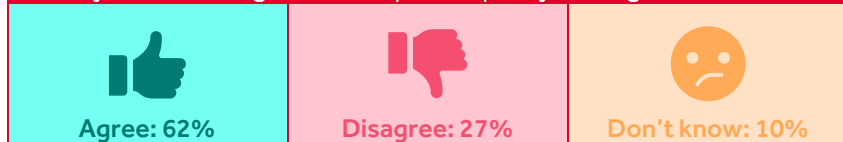
The most common response was to **generally disagree** with the scheme/conditions as a whole (25% of comments). This was followed by 50 respondents who felt that the conditions were **appropriate, reasonable, and would have a positive effect** (16%).

In this section, we have responded to the specific questions received and suggestions by theme.

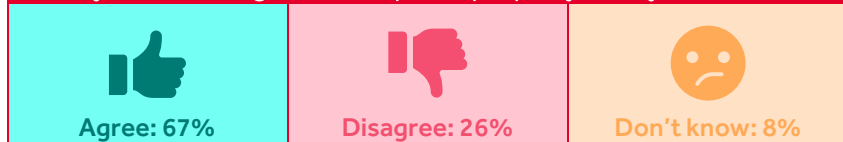
Relevant survey question:

S8Q1: To what extent do you agree or disagree with the draft licence conditions to regulate the quality of neighbourhood, property safety & standards and management standards? Do you have any specific comments about the proposed draft conditions, or any suggestions for alternative or additional conditions?

Survey results at a glance²⁹: improve quality of neighbourhood



Survey results at a glance³⁰: improve property safety & standards



Survey results at a glance: improve management standards



²⁹ Results shown do not add up to 100% due to rounding

³⁰ Results shown do not add up to 100% due to rounding

Specific comments about the proposed draft conditions

Example comments from consultees	Council's consideration
Theme 3.1: Quarterly statements	
<p>"If tenant pays rent via bank it isn't necessary to provide them with quarterly statements that is just more work for no solid reason. Should proof of payment be requested at any time it could be produced."</p>	<p>ACCEPTED: In light of the feedback received, we have removed this licence condition as we accept most rental payments are now made electronically. However, as good practice, we would still recommend that licence holders keep an audit trail of their rental income.</p>
Theme 3.2: Reference letters	
<p>"I am concerned by the requirement for landlords to obtain references verifying tenants' 'good character'. From what I can see, this goes further than other comparable selective licensing schemes and I worry that it could be a barrier to obtaining housing for those with few connections or without a history of renting (e.g. homeless, students, first time renters, new to the UK). It can already be very hard to obtain private rented accommodation in the borough. From what I can see, other councils either don't have a character requirement or frame it in looser terms. Bexley Council has a specific provision for those unable to obtain references. "</p>	<p>REJECTED: Whilst we appreciate the concerns raised in relation to reference letters, we are unable to remove this requirement as it is a mandatory condition by law³¹. However, we have reworded the licence condition to make it less restrictive and onerous for landlords.</p>
<p>"I think it is important to make sure that vulnerable people such as those with addiction issues or mental health problems who may have previously been accused of antisocial behaviour are not discriminated against in the housing market. I am concerned that the references section of the proposal may force such people into homelessness, and that there must be provision for them to appeal, and access support services if necessary."</p>	
Theme 3.3: Timeframes for dealing with issues raised by tenants	
<p>"Under "Freedom from Disrepair", I think there needs to be a section that details the obligations of the landlord for carrying out repairs on</p>	<p>REJECTED: Legally, we are not permitted to include conditions on the licence relating directly to property conditions, despite that often being</p>








³¹ [Housing Act 2004](#), Schedule 4

issues that compromise basic health & safety. "Reasonable time period" is not specific enough"		one of the key reasons for designation. However, under the management section of the conditions, we've included several conditions which relate to good property management.
"The proposals should define set time periods for responding to and dealing with grades of disrepair and defects, rather than the rather vague 'reasonable time period' used in para 2 of Property Management >> Freedom of disrepair."	✍	<p>Provision for dealing with housing disrepair is provided within the Housing Act 2004.</p> <p>We have also included a clause in the introduction to clearly state our expectations of landlords when responding to the Council's requests: 'Any correspondence, letters and records referred to in these conditions must be provided by the Licence Holder to the Authority within 21 days on demand unless an officer of the Council requests this document within alternative reasonable timeframe in line with any investigation.'</p>
Theme 3.4: Requirement for a 24-hour emergency contact number ★		
"Some of the conditions e.g. A 24-hour emergency contact telephone, number which should include out of hours response arrangement, are not viable for a small landlord"	✍	REJECTED: It is imperative that tenants and the Council are able to contact the licence holder in the event of an emergency (such as a gas leak).
Theme 3.5: Pest control ★		
"Pest control. Are landlords always responsible? What if the tenants live in a way that attracts vermin - food debris left in gardens etc? Is it our job to pop round to clear it all up?"	✍	<p>PARTIALLY ACCEPTED: We recognise that tenants' lifestyle choices may be a contributing factor to a pest infestation. We have removed the specific condition relating to pest control and replaced it with a generic condition under property management to make the conditions less onerous.</p> <p>However, landlords are still legally responsible³² for ensuring that their properties are pest free in order to prevent any issue to local residents and/ or public health problems.</p>
Theme 3.6: Maintenance of outdoor spaces ★		
"I don't think it is reasonable to expect the licence holder to maintain gardens. It would generally be too intrusive for the landlord to visit -	✍	REJECTED: We recognise that tenants may be responsible within their tenancy agreement for maintaining gardens. However, it is still the legal

³² The Prevention of Damage by Pests Act 1949, [section 4](#)






or arrange a gardener to visit - the property to maintain the rear garden in particular. I also think that in order to promote the concept of a cohesive community it is important that the tenant takes some level of responsibility and gets involved."	responsibility of a landlord to keep the structure of their property in good repair (including its exterior) ³³ and ensure that their tenants undertake any agreed maintenance responsibilities.
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Any suggestions for alternative or additional conditions

Example comments from consultees	Council's consideration
Theme 3.7: Disrepair should be included 	
"The proposed division of responsibilities is unclear. Why would the scheme not cover all disrepair issues in a property? Does not any disrepair relate to the management of a property. Is there a risk, too, that some issues may fall between two stools?" 	REJECTED: Legally, we are not permitted to include licence conditions directly related to property conditions, despite them often being one of the key reasons for a designation.
"I believe this license should also cover matters relating to disrepair, if these were being managed correctly by the council currently there wouldn't be so many issues" 	Under the management section of the conditions, we've included several conditions which relate to good property management.
Theme 3.8: Protection for landlords against falsified complaints 	
"Some of the complaints could be falsified by the tenant to out the landlord. There is no provision for lying or bullying." 	REJECTED: Our officers must remain impartial when investigating any complaint made whether that be by a landlord or tenant. Officers will gather evidence before making any judgement and interested parties will have the right to appeal any formal decision made.
Theme 3.9: Property security 	
"A condition relating to installing burglary proof locks on front doors i.e. a requirement that landlord fit a sufficiently secure lock like a deadlock. I have been burgled in a private rented property because the lock was so easy to pick. Landlords should have to ensure the exterior of their property is sufficiently secure." 	REJECTED: To avoid making our licence conditions too onerous, we have decided against including the proposed condition. However, as part of our campaign to raise landlords' awareness of their responsibilities, we will be sure to include guidance on property security that reiterates their legal obligations.

³³ Landlord and Tenant Act 1985, [Section 11](#)

<i>Theme 3.10: Letting/managing agent responsibilities</i> ★	
<p>"Letting agents contribute to problems with housing standards. They are slow to get repairs done, and slow to return deposits. People also worry that letting agents will think badly of them if repairs need to be carried out. Often, they are not willing to attend for items such as a boiler failure out of hours (e.g. Christmas/Bank Holidays) unless there are children/elderly present. This just simply would not be the case in your own home."</p>	<p>CLARIFIED: Our proposed selective licensing scheme is aimed at both landlords and letting agents. The licence holder has to be someone who has the capacity to take responsibility for the property and ensure the licence conditions are complied with, including those related to property management.</p>
<i>Theme 3.11: Freeholder responsibilities</i> ★	
<p>"The problem for myself and other leaseholder landlords is the responsibilities that are in part or completely the responsibility of the freeholder. Some freeholders are very unresponsive."</p>	<p>CLARIFIED: Under the proposed selective licensing scheme, if there was an issue with the property that required formal action, we would inform all interested parties (including property freeholders). However, ultimate responsibility for the issue would still lie with the property owner.</p>
<i>Theme 3.12: Tenant responsibilities</i> ★	
<p>"There is too much weighted solely against the license holder. A tenant has certain responsibility to maintain the property and grounds in such order that the license holder can meet the terms of the conditions. This should be recognised in the conditions. For example if the tenant does not keep the garden clear then any potential pest infestation cannot be the sole responsibility of the license holder."</p>	<p>REJECTED: Whilst we acknowledge tenants' responsibilities, landlords are still responsible for the overall management of their properties.</p> <p>As part of our awareness campaign to help landlords better understand their rights and responsibilities, we will include tips to aide dealing with difficult tenants.</p> <p>In parallel to this, we will seek to run a similar awareness campaign for tenants to ensure they are also aware of their rights and responsibilities.</p>
<i>Theme 3.13: Rent controls</i> ★	
<p>"I think there is a missed opportunity to address landlords driving up rent each year, which is in turn, driving up inequality in the borough. This could be achieved through rent control."</p>	<p>REJECTED: The law does not make any provision for local authorities to establish or enforce rent controls through selective licensing schemes.</p>
<p>"We would like to see some form of rent control to prevent landlords from overcharging rent."</p>	

Theme 3.14: Landlords to notify tenants of anticipated visits 	
<p>"Landlords should ensure 24hours notice is given of any proposed visits and/or works before carrying them out, and to ensure tenants are not harassed by Landlord reps if things are reported"</p> 	<p>ACCEPTED: There is already a legal requirement for landlords to give tenants 24 hours' notice prior to any proposed visits³⁴.</p> <p>As for preventing harassment, selective licensing will provide tenants with greater protection from retaliatory 'no fault' evictions, as we will be no longer be required to give landlords 24 hours' notice prior to an inspection. This should encourage more people to report any difficulties they are facing without fear of retribution.</p>
Theme 3.15: Tackling climate change 	
<p>"I would like to see additional conditions to tackle climate change: 1. A mandated minimum energy efficiency of the properties to be set (e.g. A or higher): most of the housing is old and energy inefficient. Any savings in heating will benefit the renters too via reduced bills and lower air pollution; 2. Where properties have space in front gardens, mandate for cycling storage to installed - this will encourage people to cycle."</p> 	<p>ACCEPTED: At Haringey, we are committed to making the borough a healthier, active and greener place³⁵. An Energy Performance Certification (EPC) of E and above is already a prerequisite of the licensing process. However, in conjunction with our affordable warmth strategy, we have decided to go a step further to help tackle fuel poverty in our PRS. An incentive of £50 reduction has been created for landlords applying for a licence whose properties have an EPC rating of C and above. This will act as an incentive for landlords to improve the energy performance of their properties and reduce any likelihood of future enforcement action due to non-compliance.</p> <p>We will also be providing support to non-compliant landlords (those with an EPC rating of F and below) to become compliant by signposting them to grant schemes to fund remedial works and providing them with access to specialist information (via Ecofurb³⁶) on how to improve the energy efficiency of their properties. Should a landlord choose to remain non-compliant, enforcement action will be taken.</p>
<p>"The NRLA felt energy efficiency would need to be built in at some point, as this is coming round the corner."</p> 	

³⁴ Landlord and Tenant Act 1985, [Section 11](#)

³⁵ Priority 3: Place - Outcome 9, [Borough Plan 2019-23](#)

³⁶ An end-to-end low carbon renovation service.

	<p>In addition, we will be including information on how to improve the energy efficiency of properties in our awareness campaign for landlords to help promote best practice (including printed guides and public workshops).</p> <p>We will continue to review how we can leverage the powers afforded us by licensing to help to make the borough greener place.</p>
Theme 3.16: Benchmarking conditions against other Local Authorities' schemes	
<p>"Have you looked at any similar schemes in other parts of London? If there are schemes that have been running for years, Haringey should learn from these areas."</p>	<p>ACCEPTED: Yes, we have been liaising with industry specialists to develop and refine our proposal. We have also benchmarked our proposed licence conditions and fee structures against existing schemes in other London boroughs (including Enfield, Hackney, Waltham Forest and Islington).</p>

Other views and suggestions on the proposed scheme

Section overview





At the end of the survey, respondents were given the chance to provide any other comments on the proposals, suggest alternative ways of dealing with problems in the areas and to share ideas for improving the proposed scheme.

The most common response was that it was vital to **regularly monitor the scheme and have checks in place to enforce the scheme** (16% of comments),

This section considers the suggestions for alternatives and improvement received.

Relevant survey question:

S9Q1: Do you have any further comments about the Selective Licensing proposals? Please include any suggestions for alternative ways of dealing with problems in the area or any ideas for improving the proposed scheme.

Example comments from consultees	Council's consideration
Theme 4.1: It needs regular monitoring / checks to enforce conditions  	
"Ensure that there is another resource to implement and deal with the landlords who fail to improve the conditions for their tenants." 	<p>ACCEPTED: Due diligence checks to ensure compliance with licence conditions and legal requirements will be an integral part of the scheme, reactive inspections will then be scheduled by priority based on a risk assessment.</p> <p>We will also be conducting proactive inspections to tackle non-compliance in the proposed designation area. See response to Theme 1.14. We aim to inspect at least half of licensable properties by the end of the scheme.</p> <p>Landlords who fail to comply, may have enforcement action taken against them.</p> <p>As previously mentioned, the anticipated staffing costs to deliver our proposed enforcement regime have been factored into our proposed fee structure. See response to Theme 2.1.2.</p>
"It would only be worthwhile if it is enforced. There are too many schemes that come into play and are impossible to regulate. There are so many dodgy landlords and far too many illegally rented properties that the council don't know about and/or do anything about." 	









<p>The NRLA didn't feel that Haringey can deliver the scheme because there were not enough resources to do this properly as an inspection-led regime. They also felt that evidence from the other schemes was that Haringey don't do the inspections.</p>	<p>REJECTED: As shared in response to Theme 1.3, we have had demonstrable success at driving-up standards through our previous property licensing schemes for Houses in Multiple Occupation (HMOs).</p> <p>In previous Haringey additional HMO licensing schemes all properties have been inspected prior to licences being issued. The current borough-wide HMO licensing scheme will also have all licensed properties inspected within its lifetime.</p>
<p>Citizens Advice felt that there is not a significant amount of evidence that Haringey uses enforcement powers enough, and that a licensing scheme needs to be part of an approach, not a panacea itself. They also felt that it would be useful for the Council to set out its enforcement strategy, as they have a lot of discretion about whether they are going to take more informal or formal measures. Also setting targets on no of inspections etc would be useful.</p>	<p>REJECTED: Haringey's overarching community safety & enforcement policy and private sector housing enforcement policy both clearly set out the Council's objectives in terms of dealing with non-compliance.</p> <p>Our Private Sector Housing team are committed to taking formal action, when necessary, to deal with non-compliant landlords through the powers available to them, including selective licensing.</p>
<p>Cambridge House – Safer Renting who deal with private rented tenants felt that having a proactive approach to enforcement is vital from an equality perspective. Many minority ethnic groups are not being reached via a reactive enforcement approach, so this will improve if a proactive approach is taken. They also felt that there should be an inspection of all properties before granting a licence.</p>	<p>ACCEPTED: We are aware of the limitations of our existing enforcement powers and plan to utilise the proactive enforcement approach that is made possible through licensing to reach those experiencing poor property conditions in the diverse communities we serve.</p> <p>We also intend to partner will local community organisations to help us to engage with ethnic minority groups and promote tenants' rights and responsibilities</p>
<p>Theme 4.2: Need a system for reporting issues ★</p>	
<p>"A simple online tool to report problems within your area"</p> <p>"You could have a hotline for tenants/members of the public to use to report the kind of behaviour this consultation seeks to address.."</p> <p>"I think there should be a procedure for tenants to make complains about their landlord to the licencing system, and that tenants should be made aware of it."</p>	<p>ACCEPTED: We acknowledge the importance of an accessible, user friendly system for reporting issues. As with our current HMO licensing scheme, tenants and/or members of the public will be able to report issues via a dedicated council webpage.</p> <p>We are also aspiring to build and integrate a 'report it' function for PRS housing issues into the Council's mobile application.</p>

Theme 4.3: Council should get its own properties and tenants in order		★
"The private sector rentals are in far better shape than a council property. Maybe clean up your own properties before you look at private rentals."	📋	REJECTED: Our 2019-2023 Borough Plan, seeks to drive up the quality of housing for everyone no matter their tenure. Initiatives to improve social housing include but are not limited to: <ul style="list-style-type: none">improving the quality of Haringey's council housing, including ensuring that a minimum of 95% of homes meet the Decent Homes Standard by 2022improving residents 'satisfaction with the service they receive from Homes for Haringey to be in the top quartile for London (78%) by 2022securing the delivery of supported housing that meets the needs of older, disabled and vulnerable people in the borough However, it is important to note that social housing is a separate policy area and that many households who would have traditionally rented council homes are now renting privately. Selective licensing is an integral component of our strategy to drive up standards in the PRS by tackling the prevalence of poor property conditions and deprivation.
"Landlords who rent out sub-standard properties are rare, in fact council managed properties are far more neglecting than those in the private rental sector"	✍️	
"LBH are seeking to deflect from the problems in the socially rented sector for which they have much more direct responsibility. P10 of the state of the borough report shows that the real story is the collapse of the social housing sector and the high rates of dissatisfaction within it. Between 2015 and 2018 the number of social tenants fell from 81k to 55k while PSR only increased by 17k"	✍️	
Theme 4.4: Need more Council housing		★
"Build more social housing"	📋	ACCEPTED: Haringey agrees that increasing the supply of traditional council housing is one of the most important things we can do, we have promised to deliver at least a thousand new council homes by the end of this year ³⁷ . As noted above, it is important to tackle the issues faced across all housing tenures in tandem to ensure the best outcomes for all Haringey residents.
"More social housing is needed at fair rents."	✍️	
"You have to build affordable homes"	🎤	


³⁷ Priority 1: Housing - Outcome 1, [Borough Plan 2019-23](#)

Theme 4.5: More partnership working between Council & landlords /support from Council for landlords		★
"Have a better communication system between the authorities and landlords and improve legislation for both tenants but more specifically landlords."	📋	ACCEPTED: At Haringey, we have a strong history of working closely and facilitating open, two-way communication with landlords and managing agents through our landlord forum. Unfortunately, due to the pandemic, our landlord forum was temporarily suspended. We will be relaunching the forum in the coming months and inviting landlords to join. Membership will include a subscription to our quarterly newsletter, networking opportunities and ongoing training and support. We are also redesigning our webpages to make them easier for landlords to navigate and perform their top tasks. More broadly, as part of the supporting communication and engagement plan for the scheme, will be running a borough wide awareness campaign to help landlords understand their rights and responsibilities and provide them with resources to make it easier for them to execute their duties. Where possible and no conflict of interest is present, we will also support both landlords and tenants with advocating their needs, however, do not have the jurisdiction to create, alter or repeal legislation.
"Support should be given to landlords as this would improve the investment in the area and more properties could be available to the renters."	📋	
Citizens Advice felt strongly that there needs to be a better dialogue with local landlords for schemes to work.	🎤	
Haringey Council's ASB and Enforcement team felt that the impact could be great if they can work directly with landlords as soon as issues are identified. There needs to be a collaborative approach, rather than a dictatorial approach to get things improved. Enforcement should only happen as a very last resort.	🎤	
Theme 4.6: Providing more support to landlords to deal with ASB		★
"As this landlord license concept is concerned mainly with problem tenants and the issues they cause in neighbourhoods ('management' rather than 'property maintenance'- since property maintenance/ safety is already legislated by building regs etc) and the ability of landlords to keep the problem of ASB tenants under control, I would suggest the best way to support landlords in this is to make it easy for them to evict antisocial tenants."	✍️	CLARIFIED: Haringey appreciates the difficulties that landlords may face when dealing with problem tenants and breaches to tenancy agreements. Whilst we do not support the use of 'no fault' evictions ³⁸ , we do offer support to landlords who are experiencing severe difficulties with their tenants. Such landlords are able to seek advice from the Private Sector Housing team and a future provision for seeking assistance will be provided through the Landlord Forum.

³⁸ Housing Act 1998, [Section 21](#)

"Having Landlord meetings to discuss the issue. Landlords should have the power to evict quicker."		
Theme 4.7: Have a registration scheme for landlords		
"There is already legislation to deal with rogue landlords and anti-social behaviour. Most private landlords provide a decent service, and they are being penalised and scapegoated for the issues in the area which are actually down to poor funding and lack of criminal enforcement by the police/Council. It would be better to have a register of rogue landlords or licence landlords, rather than asking all landlords to have to pay a fee to have each property licensed."		<p>PARTIALLY ACCEPTED: Selective licensing includes a legal requirement of creating a public register of licensed premises. This is beneficial for both landlords and tenants alike - landlords can advertise they are licensed with the local council and tenants can check the register to see if their landlord is licenced. It is also a useful tool for members of the public to check if a property is licenced prior to raising any issues.</p> <p>The effectiveness of public registers under selective licensing is underpinned by mandatory enrolment, robust compliance checks and the risk of enforcement action for failure to comply. Sadly, a stand-alone register would not offer the same level of assurances or tackle those landlords who do not volunteer to sign-up.</p>
"The way to deal with this would be to maintain a register of landlords, and police perfectly good existing legislation in those areas where issues exist"		
"Tenants should be able to search the property in question to view the reports made. They should also be able to search the landlord. This would allow tenants to go into view a property with open eyes. It would also allow good landlords and properties to get an edge on the market and advertise their compliance. Tenants should be able to do this for all properties in the borough, so they can do it before viewing and contracting.!"		
Theme 4.8: Other		
"Is there any reason why the licensing cannot be for a longer period?"		<p>CLARIFIED: By law³⁹, we can only designate an area to be subject to selective licensing for a maximum of five years. Where there is a clear and demonstrable case for the renewal of a scheme, we will need to repeat the full process required for designation before the expiry of the first five years, including a public consultation and seeking approval from the relevant authorising bodies for the size and scale of the designation.</p>
Citizens Advice were concerned that there could be a negative impact, or perceived negative impact within some communities around insecure immigration status if licensing is seen		<p>ACCEPTED: We are keen to do what we can to maximise engagement with those communities most in need, including building and retaining</p>

³⁹ Housing Act 2004, [Section 80](#)

<p>as a tool for immigration to use. This could mean very vulnerable groups that the scheme needs to help may be more reluctant to engage.</p>	<p>their trust so that they feel safe to raise any problems they are experiencing.</p> <p>We will therefore seek to avoid joint visits with border authorities, unless we are legally required to do so. We have been very clear in our scheme objectives that the purpose of the proposed scheme is to help to tackle deprivation and drive-up property standards and we intend to honour this.</p>
<p>Citizens Advice also felt that there needs to be much greater communications and publicity going out to tenants, as most seemed to be unaware of their rights.</p>	<p> ACCEPTED: As part of our scheme objectives, we will be working in partnership with agencies and services who support tenants to help raise awareness of their rights and responsibilities.</p>