

## Slough Borough Council

Information needed	Details
Report To:	Corporate Improvement and Scrutiny Committee
Date:	10 <sup>th</sup> February 2026
Subject:	Discretionary Property Licensing
Chief Officer:	Tessa Lindfield, Director of Public Health and Public Protection
Contact Officer:	Laura Robertson, Head of Public Protection Simon Beasley, Housing Regulation and Enforcement Manager
Ward(s):	All
Exempt:	No
Appendices:	None

### 1. Summary and Recommendations

- 1.1 This report seeks to provide further update to the Corporate Improvement and Scrutiny Committee on the Council's progress towards consulting on future discretionary property licensing schemes.
- 1.2 It is anticipated that permission to consult on proposals to implement discretionary property licensing schemes across some or all wards of the Borough will be presented as a recommendation to Cabinet in March 2026.

#### Recommendations:

Corporate Improvement and Scrutiny Committee is recommended to:

- Note the contents of this report and make such comment and recommendation as considered appropriate.

**Reason:** To ensure that Corporate Improvement and Scrutiny Committee are aware of the Council's powers in relation to discretionary licensing, the data supporting the introduction of licensing designations, and its intention to put before Cabinet the proposed discretionary licensing designations.

#### Commissioner Review

Any designation such as is being asked for in this report, needs to be consistent with the housing strategy, reflect the wider homelessness challenges, empty properties, and anti-social behaviour, and be based on data and evidence. This report covers off all those points *apart from* not aligning with the Housing Strategy as it has not yet been written. It is now of pressing urgency that this Strategy is completed, led by colleagues in the Regeneration, Housing and Environment Directorate.

Authorities are not expected to profit from licensing; they have the discretion to charge fees which cover the cost of running these schemes, and as is the case set out here. They must be proportionate to the scheme's operational costs and given the Council's financial position should not be subsidised by the Council's general fund.

### 2. Report

- 2.1 Corporate Improvement and Scrutiny Committee were updated on the Council’s progress towards new discretionary property licensing designation on the 25<sup>th</sup> November 2025. In response to this update, members requested that officers report back to Committee once the findings of the Private Sector Housing Stock and Stressors Report were known. The headline data for this report are now known.
- 2.2 The report predicts that there are 16,710 private rented properties in the Borough, making up over a quarter (27.3%) of the total housing stock (58,450). This is higher than the national average of 19.0%; however, the 2021 Census put the average for the private rented sector in England and Wales at 20.3%.
- 2.3 The table below shows the predicted number and proportion of private rented housing stock by ward. These figures include the predicted number of Houses in Multiple Occupation (HMOs).

Ward	Predicted number of private rented dwellings	Predicted percentage of private rented dwellings
Baylis & Salt Hill	863	25.3
Britwell	313	12.7
Chalvey	1106	40.8
Cippenham Green	545	21.4
Cippenham Manor	978	31.9
Cippenham Village	723	22.6
Colnbrook & Poyle	946	30.4
Elliman	568	27.2
Farnham	843	30.8
Haymill	609	23.2
Herschel Park	2459	50.5
Langley Foxborough	547	21.4
Langley Marish	430	16.7
Langley Meads	779	30.1
Langley St Mary's	479	21.4
Manor Park & Stoke	425	18.0
Northborough & Lynch Hill Valley	501	17.5
Slough Central	1735	60.5
Upton	896	31.1
Upton Lea	655	27.4
Wexham Court	310	13.6
<b>Total</b>	<b>16,710</b>	<b>27.3</b>

- 2.4 As can be seen from the table, private rented accommodation makes up a significant proportion of the Borough’s housing stock in all areas, with the Chalvey, Hershel Park, and Slough Central wards having a particularly high (40%+) proportion of the private rented housing.

### 3 Evidence for additional licensing

- 3.1 The Housing Act 2004 (“the Act”) provides the Council with the power to designate all or parts of the Borough as being subject to an additional licensing scheme, in relation to some or all of the HMOs in their area, which are not already subject to mandatory licensing.
- 3.2 In broad terms, an HMO is any property (house or flat) occupied by three or more people, comprising two or more households who share facilities (kitchen, bathroom and/or toilet), and occupy the property as their only or main residence, even if they are all friends and occupy the property on a single tenancy.

3.3 An additional licensing scheme can also include converted blocks of flats known as Section 257 HMOs. Section 257 of the Act applies to whole converted properties, rather than individual dwellings, and describes an HMO as a building:

- which has been converted into and consists of self-contained flats;
- where the conversion work did not comply with the appropriate building standards and still does not;
- where less than two-thirds of the flats are owner-occupied.

The appropriate building standards are those required by the Building Regulations 1991 or 2000 (whichever were in force at the time of the conversion).

3.4 It is the Council's intention to include Section 257 HMOs in any future additional licensing designation.

3.5 There are specific conditions set out in the legislation that must be met before an additional licensing scheme can be considered. These are set out in Sections 56 and 57 of the Act.

3.6 Section 56(2) of the Act advises that an additional licensing designation may only be made if the Council considers that a significant proportion of the HMOs in the proposed designation are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

3.7 The table below shows the predicted number of HMOs by ward, and the number of reported issues across several key areas related to this housing type over the last five years.

<b>Ward</b>	<b>Predicted no. HMOs</b>	<b>No. of property complaints linked to a predicted HMO received</b>	<b>No. of private rented sector housing notices linked to an HMO issued</b>	<b>No of planning enforcement notices issued linked to a predicted HMO</b>	<b>No. of ASB incidents linked to a predicted HMO</b>
Baylis & Salt Hill	95	29	12	12	70
Britwell	13	1	0	2	7
Chalvey	166	42	14	35	125
Cippenham Green	49	8	2	13	21
Cippenham Manor	51	7	6	19	50
Cippenham Village	73	2	3	42	32
Colnbrook & Poyle	114	11	6	15	39
Elliman	67	10	5	20	20
Farnham	90	20	12	38	58
Haymill	25	3	2	2	18
Herschel Park	368	50	35	186	170
Langley Foxborough	42	7	3	0	18
Langley Marish	60	9	4	12	25
Langley Meads	67	6	4	18	43
Langley St Mary's	85	4	4	27	36
Manor Park & Stoke	38	8	5	4	16
Northborough & Lynch Hill Valley	19	3	2	2	9
Slough Central	361	26	14	279	88
Upton	128	10	7	48	44

Upton Lea	75	17	9	13	27
Wexham Court	38	3	4	14	5
<b>Total</b>	<b>2024</b>	<b>276</b>	<b>153</b>	<b>801</b>	<b>921</b>

3.8 Although predicted HMOs only make up 3.5% (2,024 of 58,450) of all housing in the Borough, they account for a significant number of housing complaints and enforcement activity, ASB incidents, and planning issues. Between 2020 and 2025, a total of 2752 ASB incidents were reported to the Council, with incidents linked to a predicted HMO accounting for 33.5% (801). In the same period, 1998 planning enforcement notices were issued, with 40.1% (801) linked to a predicted HMO. Finally, over the same period, of the 369 housing enforcement notices served in respect of private rented sector housing in the Borough (16,710 properties), predicted HMOs accounted for 41.5% (153) of these.

3.9 The table below shows the predicted number and proportion of HMOs with serious hazards.

<b>Ward</b>	<b>Predicted number of HMOs</b>	<b>Predicted number of HMOs with serious hazards</b>	<b>Predicted percentage of HMOs predicted to have serious hazards</b>
Baylis & Salt Hill	95	32	33.7
Britwell	13	2	15.4
Chalvey	166	57	34.3
Cippenham Green	49	5	10.2
Cippenham Manor	51	10	19.6
Cippenham Village	73	6	8.2
Colnbrook & Poyle	114	23	20.2
Elliman	67	17	25.4
Farnham	90	21	23.3
Haymill	25	7	28.0
Herschel Park	368	104	28.3
Langley Foxborough	42	6	14.3
Langley Marish	60	9	15.0
Langley Meads	67	14	20.9
Langley St Mary's	85	16	18.8
Manor Park & Stoke	38	9	23.7
Northborough & Lynch Hill Valley	19	3	15.8
Slough Central	361	62	17.2
Upton	128	21	16.4
Upton Lea	75	22	29.3
Wexham Court	38	6	15.8
<b>Total</b>	<b>2024</b>	<b>452</b>	<b>22.3</b>

3.10 As can be seen from the table above, nearly a quarter (22.3%) of properties predicted to be an HMOs have a serious hazard.

3.11 The data shown in paragraphs 3.7 to 3.9, along with the statements in 3.8 and 3.10, clearly demonstrate that there is a link between HMOs and levels of antisocial behaviour, non-compliance with planning conditions, and poor housing conditions.

3.12 It is important to note that the planning status of a property does not impact property licensing, with the two regulatory regimes operating independently. If the property meets the definition of an HMO (3 or more persons made up of two or more unrelated households and sharing common parts) it remains licensable regardless of its planning status. Furthermore, if the

Council failed to license a licensable property, the landlord would be unable to take possession action to reduce the level of occupancy, thereby being unable to rectify any planning breach.

- 3.13 It is the Council's view that a significant proportion of HMOs in the Borough are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- 3.14 During the period (up to 5 years) of an additional licence, there will be a compliance inspection and/or desktop assessment of the property to ensure that the licence conditions are being adhered to. Where it is identified that licence conditions are not being adhered to, enforcement action would be taken in line with the Council's enforcement policy.
- 3.15 If both of the proposed schemes set out in the report are approved, workforce modelling has identified that a team of up to 24 officers will be required to ensure that the schemes meet the legal requirement to issue licences in a reasonable timescale, and to meet the target and objectives of the scheme. These posts will be funded in their entirety from licence fee income, with the two existing HMO Licensing Coordinators being assimilated into the licensing structure. The existing Housing Regulation Team of 7.8 full time equivalents will remain and continue to deliver the Council's statutory functions in relation to housing conditions and the new Renters' Rights Act legislation.
- 3.16 The service will be split into three distinct teams, each focusing on a specific licensing activity. The licence application team will focus on the assessment of application and issuance of licences, with a compliance team being responsible undertaking property inspections and ensuring compliance with the licence conditions. There will also be a team of complex case investigators who will investigate serious licensing breaches as well as undertaking detailed investigations to identify rogue landlords who have failed to licence their property.
- 3.17 It is anticipated that a report will be presented to Cabinet on the 16 March 2026, recommending that the Council undertakes a consultation as outlined in 7.2.4.
- 3.18 The Council will ensure that the views of all stakeholders are considered, including residents, tenants, landlords, and where appropriate their managing agents, and other members of the community who live or operate businesses or provide services within the proposed designation, are sought and considered. The view of neighbouring authorities will also be sought. The Council will ensure that the consultation is widely publicised using various channels of communication including social media, press releases, flyers, and information on the Council's website and consultation platform.
- 3.19 In addition to the consultation being supported by a detailed evidence report, a short, easier to read summary evidence report will also be made available. This evidence report will give the reasons for proposing the schemes, why alternative remedies are insufficient, set out how the Council will tackle specific problems together with other measures, and set out the proposed outcome of the designations. It will also set out the proposed fee structure. Consultees will be encouraged to share their views and advised that all views will be considered and responded to if needed or requested.
- 3.20 Following the required 10 week consultation, the results of any consultation will be presented to Cabinet with a recommendation that it notes and considers the outcome of the consultation in respect of the proposed schemes, and either approves or rejects the pursuance of selective and/or additional licensing scheme covering the proposed areas.
- 3.19 If approved, the Council must follow a detailed notification process lasting three months. During this notification period, adverts must be placed in local newspapers in a prescribed manner, and other communications will be produced to ensure that landlords, managing agents, and tenants are aware of the requirement for their property to be licensed.
- 3.20 It is anticipated that any future schemes will be in place in Quarter 3 2026/27.

## Evidence for selective licensing

- 4.1 A selective licensing designation may be made if the area to which it relates satisfies one or more of six conditions detailed in the Act, namely:
- Low housing demand (or is likely to become such an area)
  - A significant and persistent problem caused by anti-social behaviour attributable to the private rented sector
  - Poor property conditions
  - High levels of migration
  - High level of deprivation
  - High levels of crime
- 4.2 Where the designation is to be based on property conditions, migration, deprivation or crime, the Council may only make a designation if the area has a higher proportion of property in the private rented sector than the England average (currently 19%). Whilst private rented sector housing makes up less than 19% of all housing in some wards (see table in 2.3) it makes up 27.3% of the Borough's total housing stock.
- 4.3 Following a review of the available data, the Council believes that selective licensing will contribute towards improving housing conditions. The legislative context for this can be found in condition 4 of The Selective Licensing of Houses (Additional Conditions) (England) Order 2015.
- 4.4 The table below shows the predicted number of self-contained private rented sector properties by ward and the number and percentage of properties of this type with a serious hazard.

Ward	Predicted number of self-contained private rented dwellings	Predicted number of self-contained with one or more serious hazards	Percentage of private rented dwellings with one or more serious hazards
Baylis & Salt Hill	768	69	9.0
Britwell	300	16	5.3
Chalvey	940	268	28.5
Cippenham Green	496	56	11.3
Cippenham Manor	927	74	8.0
Cippenham Village	650	57	8.8
Colnbrook & Poyle	832	136	16.4
Elliman	501	53	10.6
Farnham	753	81	10.8
Haymill	584	81	13.9
Herschel Park	2091	603	28.8
Langley Foxborough	505	49	9.7
Langley Marish	370	39	10.5
Langley Meads	712	72	10.1
Langley St Mary's	394	78	19.8
Manor Park & Stoke	387	44	11.4
Northborough & Lynch Hill Valley	482	43	8.9
Slough Central	1374	236	17.2
Upton	768	112	14.6
Upton Lea	580	107	18.5
Wexham Court	272	17	6.3
<b>Total</b>	<b>14686</b>	<b>2291</b>	<b>12.7</b>

- 4.5 The percentage of properties predicted to have hazards is higher than the national average of 10%. This, in conjunction with the Borough having more than 19% of housing stock made up of private rented sector housing, meets the requirement for consulting on a proposed selective licensing designation for the reason of poor housing conditions.
- 4.6 The Council will improve properties in any future designation using a combination of informal and formal actions, including the service of statutory notices and civil penalties. Licence conditions will also ensure that landlords meet a minimum standard, with inspections confirming compliance.
- 4.7 As with additional licensing, during the period (up to 5 years) of a selective licence, there will be a compliance inspection or desktop assessment of the property to ensure that the licence conditions are being adhered to. Where it is identified that licence conditions are not being adhered to, enforcement action would be taken in line with the Council's enforcement policy.

## **5. Alternative options considered**

- 5.1 The Council has considered several other courses of action to address the issues described in this report. However, the Council does not believe that either individually, or collectively, that they would prove sufficiently effective, or be an effective means of tackling poor property conditions the private rented sector and the issues connected to HMOs.
- 5.2 The Council's enforcement powers in respect of the private rented sector are largely provided by the Housing Act 2004, with other public health legislation being applied where necessary and appropriate. Under the Act, formal notices can be served that require improvements to be carried out. Should these improvements not be carried out, the Council can carry out works in default if a notice is not complied with.
- 5.3 Landlords may be prosecuted if they do not comply with a notice, however, formal action is generally a slow process with appeal provisions against most types of notices served. This can significantly delay the time for compliance. Works in default can be effective, but is expensive and time consuming for the Council, with the risk that costs will not be recovered without significant delays. Whilst it is a powerful tool, it is still reactive. Lastly, successful prosecutions do not themselves secure improvements in property conditions and the Council's prosecution costs will not always be met in full. However, these enforcement powers do not place any obligation on landlords to be proactive in improving housing conditions or property management standards.
- 5.5 The Council supports landlords in being members of accreditation schemes and recognises the benefits it can bring to both landlord and tenant in the proper management of tenancies. However, accreditation requires voluntary landlord engagement and rogue landlords are unlikely to actively engage in these initiatives.
- 5.6 Selective and additional licensing will provide a mechanism which allows for a co-ordinated approach for strong effective partnerships, which will link agencies and services together for the benefit of tenants and the communities they live in.

## **6. Consistency with related strategies**

- 6.1 The Act requires that discretionary licensing schemes must be consistent with other related strategies. How the proposed schemes support the delivery of other strategies and plans is set out below.
- 6.2 The proposed schemes will support the delivery of all three strategic objectives of the Council's Corporate Plan 2023 to 2027. The main objectives of the Plan are:
- 1) A borough for children and young people to thrive
  - 2) A town where residents can live healthier, safer and more independent lives

3) A cleaner, healthier and more prosperous Slough

- 6.3 The quality of the homes in which our residents live has a major impact on their lives, in particular the lives of the Borough's children. Poor housing severely impacts a child's physical health through respiratory issues caused by damp and mould, and mental well-being including anxiety and stress, and lower attainment at school, due to poor concentration resulting from overcrowding living conditions and poor housing.
- 6.4 The implementation of discretionary property licensing will contribute to improving community safety and tackling anti-social behaviour, providing a safer town to grow-up, and contributing towards affordable, safe and healthy homes, improving the quality of council housing stock and the private rented sector. Specifically, discretionary licensing will improve the quality of private rented housing in the Borough by ensuring that all privately rented properties meet a minimum housing standard, providing tenants with more stable homes, and helping with building stable communities.
- 6.5 Licensing will also contribute to alleviating fuel poverty as measures to improve property standards will ensure that heating appliances are properly checked, maintained, and working efficiently. The licence application process will also ensure that properties meet the minimum energy efficiency requirements.
- 6.6 Discretionary property licensing will support the delivery of future homelessness strategies (due for review in 2026). The number of residents being made homeless from the private rented sector has increased sharply over with last five years with 126 households approaching the Council for housing assistance in 2020/21 due to loss of, or threat of losing, private rented housing, and 384 in 24/25. Households approached the Council for a number is reasons, including disrepair in their property. By ensuring that landlords meet a set housing management standard it would be expected that there would be a reduction of households presenting as homeless or threatened with homelessness due to disrepair.
- 6.7 Where appropriate, the Council can discharge its homelessness duty but offering a household suitable accommodation in the private rented sector. Licensing will ensure that any property in the Borough offered to a household in discharge of our duties meets a minimum standard and should issues arise in the future, that the Council has the resources to act quickly and effectively to address any issues identified.
- 6.8 In addition, a landlord who is required to have a licence but does not, loses the right to gain possession of the property, thereby offering extra protections from illegal evictions. The Licence Holder will also be required to supply to the occupiers of the house a written statement of the terms on which they occupy the property. This is usually a tenancy or licence agreement. This ensures the tenants understand their commitments and that of their landlord, but also the agreement in terms of length of tenancy and notice periods. This adds the protection of occupying under a legal framework.
- 6.9 Given that the private rented sector plays such an important role in meeting the housing needs of the Borough's residents, we anticipate that discretionary property licensing will support the Council's emerging Housing Strategy by empowering renters to understand and exercise their rights, and to hold landlords to account where those rights are not upheld.
- 6.10 Discretionary licensing will also support the delivery of Slough's existing Health and Wellbeing Strategy 2021-2026, and the draft Joint Local Health and Wellbeing Strategy 2026-2036. These strategies are collaborative plans led by the Slough Wellbeing Board, a partnership of local public, private, and voluntary organisations, aiming to improve residents' health, and are guided by priorities including starting well, integration, strong neighbourhoods, and workplace health, to tackle inequalities and create a healthier community. The causal link between poor housing conditions and poor health outcomes is long established. The independent Marmot Review (2010) said housing is a "social determinant of health" meaning it can affect physical and mental health inequalities

throughout life. By addressing poor housing conditions and raising property management standards, the proposed licensing schemes will contribute towards improving the health and wellbeing of the Borough's private rented sector housing residents.

## **7. Implications of the Recommendation**

### **7.1 Financial implications**

- 7.1.1 Sections 63(7) and 87(7) of the Act permits the Council to require any application for a licence under Part 2 (covering additional and mandatory HMO licensing) and Part 3 (covering selective licensing) to be accompanied by a licence fee, and that this fee may only cover all costs incurred by the Council in carrying out its function. In setting licence fees, the Council will do so taking into account the Provision of Services Regulations 2009.
- 7.1.2 Schemes will be self-financing over the five-year lifetime of the designations. This would be achieved through detailed financial modelling to determine the licence fee. The scheme expenditure and income will be profiled over a six-year period, with year zero covering set up costs for the scheme and employment and training of staff.
- 7.1.3 Whilst the size of any future licensing designations would be subject to the outcome of the statutory consultation, a Borough-wide additional licensing designation will see a predicted 2024 properties requiring a licence. A selective licensing designation covering the whole of the Borough will require a predicted 14686 properties to be licensed.
- 7.1.4 Whilst these predicted figures relate to the total number of each property type, fee modelling will be undertaken based on licensing 75% of licensable properties. This is in line with good practice elsewhere and reflects the acceptance that despite focused efforts to identify unlicensed properties, that a proportion of landlords will actively evade the licensing requirements.
- 7.1.5 Discretionary property licensing fees vary significantly by local authority, with costs ranging from £500 to over £1800 per property for a five-year licence. Indicative costings are that the licence fee for a selective licence for up to 5 years would be in the region of £700 if the Council implements a Boroughwide scheme, and the fee for an additional licence would be £900 for a Boroughwide scheme. The higher fee for an additional licence reflects the extended amount of officer time needed to process these applications and undertake compliance inspections of this housing type. The indicative fees would be subject to change if future additional and selective designations do not cover the whole Borough.
- 7.1.6 The licence fee will be made in two parts. The first part of the licence fee is payable when the licence application is submitted and is for the assessment and processing of the application to the stage of issuing the decision notice and, where applicable, the draft licence. The second part of the licence fee is due following the issue of a draft licence but prior to the licence being issued.
- 7.1.7 This fee structure reflects the cases of *R (on the application of Hemming (trading as Simply Pleasure Ltd) and Others) v Westminster City Council* and *R (Gaskin) v Richmond-upon-Thames*.
- 7.1.8 The first part of the fee must be paid in full in order for the licence application to be considered as having been duly made and, if it is not, then the application will not be considered. If an application is unsuccessful, the second part of the fee will not be required.
- 7.1.9 Although many councils have licence fee structures which include discounts for early applications or for membership of a landlord scheme fee, the Council is not proposing to include such discounts in its fee modelling. This is because the fee is calculated to cover the administration of the scheme. Being a member of a landlord accreditation scheme or applying early does not reduce the resources required to administer a scheme. As such, a reduced

fee option would only result in a shortfall in the amount of income from the fees that is required to cover the expenditure costs of administering the scheme.

- 7.1.10 Such a shortfall would potentially risk the success of the schemes in that licences would not be determined within a reasonable timescale, compliance visits would not occur, and illegally operating rented property would not be tackled as appropriate staff resource would not be in place. Furthermore, the landlords paying the full fee would potentially be subsidising those paying the reduced fee
- 7.1.11 Any future schemes will be monitored as part of the regular budget management financial reporting with in-year and cumulative balances reported as required. The schemes will be managed through a ring-fenced budget with appropriation to and from reserves to manage in-year surpluses or deficits.

## **7.2 Legal implications**

- 7.2.1 The legal framework in respect of selective and additional licensing is set out in Sections 56 and 80 of the Housing Act 2004. It allows the Council to introduce selective and additional licensing of privately rented homes and smaller HMOs across the whole, or part of the local authority area if the area to which it relates satisfies one or more of the conditions stipulated in the legislation.
- 7.2.2 In considering whether to designate an area, the Council must first identify the objective or objectives that a designation will help it achieve. Secondly, it must also consider whether there are any other courses of action available to it that would achieve the same objective or objectives without the need for the designation to be made. Only where there is no practical and beneficial alternative to a designation should a scheme be made.
- 7.2.3 If the Council decides there is no practical and beneficial alternative to implementing discretionary licensing schemes, it must only make the designation if it is satisfied that the scheme will significantly assist it in achieving its objective or objectives, along with other actions the local housing authority may be taking. The Council must demonstrate a designation will be part of the overall strategic borough wide approach to housing and how it fits with existing policies.
- 7.2.4 When considering designating an area as subject to discretionary licensing, the Council must conduct a full consultation. It must take reasonable steps to consult persons who are likely to be affected by the designation and consider any representations made in accordance with the consultation (Sections 56(3) and 80(9) of the Act). Such consultation should be over a period of at least 10 weeks. Once the consultation has been completed the results should be published and made available to the local community.

## **7.3 Risk management implications**

- 7.3.1 Implementing discretionary property licensing is human resource intensive. The administration of schemes can be fully covered by the resulting licence fees and be self-financing. However, costs related to prosecution or related enforcement for landlords who do not have a licence cannot be recovered via the additional or selective licensing fee.
- 7.3.2 If schemes are implemented, the main risk is that there is a low take up by landlords, which would increase the cost of compliance and recovery of enforcement costs related to prosecution through the courts.
- 7.3.3 This risk is mitigated by the fact that operating without a licence is a criminal offence and landlords will need to decide whether the risks of a criminal conviction and or significant financial penalties (up to £30,000) are worth taking for non-compliance. In addition, a tenant who is living in a licensable property, which is without a licence can apply for a Rent Repayment Order requiring up to 24 months' rent to be repaid.

7.3.4 The scheme could also be susceptible to legal challenge (judicial review) if, for example, there was a challenge as to whether the statutory consultation requirements have been followed or not.

## **7.4 Environmental implications**

7.4.1 There are no negative environmental implications from the assessment outcome.

## **7.5 Equality implications**

7.5.1 An equality impact assessment will be undertaken prior to seeking Cabinet approval to implement schemes. An initial assessment does not indicate that any future schemes would have an adverse impact on any specific protected characteristic.

## **7.6 Corporate Parenting Implications**

7.6.1 The Council's care leaving service within Slough Children First makes use of both HMO and self-contained private rented accommodation for their 18+ care leavers. Whilst property compliance checks are already carried out prior to accommodating a care leaver, the additional regulatory controls provided by discretionary property licensing will provide further assurances that accommodation is safe from the outset and remains so throughout the duration of the tenancy.

## **7.7 Procurement implications**

7.7.1 There are no procurement implications from the proposed schemes as the Council already has existing property licensing software. This software was procured through a competitive tender process in 2019 and remains fit for purpose.

## **7.8 Workforce implications**

7.8.1 If one or both discretionary licensing schemes are introduced it is expected that they will be self-financing through the fee charging mechanism. Any recruitment will be undertaken in accordance with the Council's recruitment and selection procedure.

7.8.2 If both of the proposed schemes set out in the report are approved, workforce modelling has indicated that a team of up to 24 officers will be required to ensure that the schemes meet the legal requirement to issue licences in a reasonable timescale.

7.8.3 The service will be split into three distinct teams, each focusing on a specific licensing activity. The licence application team will focus on the assessment of applications and issue licences, with a compliance team being responsible for undertaking property inspections and ensuring compliance with the licence conditions. There will also be a team of property case officers who will investigate serious licensing breaches, as well as undertaking detailed investigations to identify unlicensed properties, and taking robust formal enforcement action where appropriate.

## **7.9 Property implications**

7.9.1 There are no property implications from the proposed schemes.

## **8. Background Papers**

8.1 Corporate Improvement and Scrutiny Committee report of the 25<sup>th</sup> November 2025.