

# APPENDIX 1A

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## Response from the Mayor of London

Dear Julia Morris and Debbie Porter,

Thank you for contacting the Mayor and for highlighting LB Waltham Forest Council's consultation on introducing a Selective Licensing scheme to cover 20 of the 22 wards in the borough; and a borough-wide Additional Licensing scheme to cover all eligible HMOs.

The Mayor considers property licensing to be one of the most valuable tools councils have to regulate and target their enforcement activity. There is strong evidence that selective licensing schemes help to drive up standards and conditions when used in the private rented sector (PRS). The Mayor's 2018 London Housing Strategy committed to "providing strong support for well-designed and operated council licensing schemes".

As the consultation document states, the PRS has grown steadily over the last decade and now stands at 28 percent of Waltham Forest's housing supply and is a tenure that 39 percent of households with dependent children in the borough rely on. This is similarly the case in London more broadly, with the PRS accounting for 29 per cent of London's housing market and is home to 2.7m renters. The Mayor is deeply concerned by the scale and impact of poor quality housing, with nearly a quarter of London's PRS homes classed as 'non-decent'.

Waltham Forest's proposal relates to a large Selective Licensing scheme, covering more than 20 per cent of Waltham Forest's geographical area and more than 20 per cent of the borough's PRS housing, which therefore requires Secretary of State approval. The Mayor is aware that this process can be time-consuming and costly for boroughs. Please be assured that the Mayor continues to lobby the government to make it easier and reduce the burden on local authorities who wish to implement larger schemes.

Licensing schemes often target the parts of the PRS where low-income households, among which those with several protected characteristics are over-represented, are most likely to live. Our Housing in London report (2022) indicated that Black and Asian renters were most likely to say that the quality of their housing was poor and our Housing and Race Equality in London report (2022) indicated that Black and Asian renters were particularly likely to live in 'non-decent' homes. Licensing schemes are therefore likely to have a particularly positive impact on people with those protected characteristics.

With this in mind, the Mayor is supportive of LB Waltham Forest's proposals for a Selective Licensing scheme and an Additional Licensing scheme.

Yours sincerely,

Calum Davidson

Senior Policy Officer (Housing)

## **Response from Head of Housing Regulatory Services London Borough of Barnet**

Dear Mark,

Thank you for inviting LB Barnet to comment on LB Waltham Forest's new PRS licensing proposals. My apologies for the delay in replying.

We have reviewed the consultation documentation and would provide the following comments:

LB Barnet believes that both Additional Licensing for HMOs and Selective Licensing are both appropriate and useful tools for councils to seek to improve the standard and management of the PRS and to reduce the incidence of ASB associated with the PRS. Indeed, in most London boroughs, we would see the two discretionary schemes as being almost essential tools to help to effectively manage the increasingly large proportion of privately rented properties, particularly in more deprived areas and wards. In Barnet, we have already renewed our first additional licensing scheme that expired in 2021 and have approved two selective licensing schemes for 3 wards and a further 10 wards, which, subject to Secretary of State approval will both be introduced in due course.

Barnet's use of these powers is an endorsement of the principle of the current proposals by Waltham Forest.

We believe that Waltham Forest have set out sound grounds for reaching their decision to renew both discretionary schemes in the consultation documentation and have shown that the existing schemes have, notwithstanding the difficulties presented by the COVID-19 pandemic demonstrated successful outcomes, which the proposed renewed schemes can and will build upon to significantly improve the PRS in Waltham Forest.

We would agree with the proposed size and scope of both schemes.

Regarding the proposed fees, these will clearly vary from authority to authority depending upon their internal structures and processes.

However, the proposed fees appear reasonable when compared to other London boroughs and, as has been stated have been calculated and are proposed to be split in line with the Hemming/Gaskin ruling. Barnet has not used or proposed any discounts in its schemes to date, but we have undertaken to carry out a further review of the benefits and effectiveness of discounts offered by other authorities to further understand how these can be balanced against the requirement to keep the schemes cost-neutral, whilst not needing to increase non-discounted fees to offset the discounts. Waltham Forest do not seem to have addressed how they have allowed for this in their consultation documents as far as we can see.

We do however agree that it would not be appropriate to offer an early-bird discount when renewing licensing schemes, as opposed to doing so when commencing a scheme in an area for the first time.

We would support the proposed conditions set out in the consultation and believe that they are clear and easy to understand.

We agree with the proposed objectives for the proposed schemes.

In conclusion, LB Barnet strongly support the proposals in the consultation.

Kind regards

Belinda

Belinda Livesey  
Head of Housing Regulatory Services  
Pronouns (she/her)  
Housing Regulatory Services  
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Tel: 020 8359 7438| Web: [barnet.gov.uk](http://barnet.gov.uk)



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10th March 2024

By email to  
[propertylicensing@walthamforest.gov.uk](mailto:propertylicensing@walthamforest.gov.uk)

#### To Whom It May Concern

#### Consultation on Selective and Additional Licensing Schemes

I am writing in support of the proposed selective and additional licensing schemes in Waltham Forest, based on our experience with similar schemes in Hackney.

Our 5-year selective and additional licensing scheme designations ended in Hackney on 30th September 2023 and we are reviewing the outcomes of the schemes.

Our selective licensing scheme was a pilot in three wards in Hackney, selected on the grounds of poor housing conditions, and not on ASB. We found that even though the data collected from property inspections during the scheme did not support that there were poor housing conditions in these wards, there were benefits to the scheme in that electrical and gas safety reports were commissioned and remedial action taken to rectify defects; it ensured that all of the properties were fitted with smoke alarms; written tenancy agreements were given to all of the tenants; proper management was



in place; and the scheme assisted in identifying the possible use of some properties for criminal activity. The scheme also enabled a focus for enforcement action on a few properties that had poor quality supporting documentation, or where possible fire safety hazards could be identified from the floorplans.

The additional licensing scheme was particularly useful in enabling us to target enforcement as it gave us information which we would not have had without it. This has been particularly useful for properties which were exempt from mandatory licensing, such as purpose built blocks. In particular, we have identified poor conditions in ex-council owned properties which are often let on a rent-to-rent model, or have been subdivided and consequently can have very small room sizes. We have also found that a desktop study of the plans submitted with additional licensing applications will enable us to target enforcement of properties with inner rooms and unsatisfactory means of escape; we have found this to be a particular problem with warehouse conversions in the borough.

In conclusion, as a neighbouring borough with a similar profile and problems as Waltham Forest, I support the proposed selective and additional licensing schemes as being an efficient means of raising property standards.

I hope that this is of assistance.

Kind regards

A handwritten signature in black ink, appearing to read 'C. Kirkbride', with a stylized flourish at the end.

Colette Kirkbride  
Interim Compliance and Intervention Team Manager  
Private Sector Housing

020 8356 4798

London Borough of Waltham Forest

8<sup>th</sup> March 2024

Dear Sir or Madam,

### **Property Licensing Proposals**

The NRLA is an association following the merger of the National Landlords Association and the Residential Landlords Association. Our membership represents over 100,000 landlords and agents, the largest organisation in the sector.

Thank you for the opportunity to respond to the above consultation regarding the introduction of further licensing in Waltham Forest. The NRLA objects to the relevance of the introduction of discretionary licensing by Local Authorities. Although we sympathise with the aims of Waltham Forest, we believe that further discretionary licensing does not align with the successful completion of these objectives.

The NRLA seeks a fair legislative and regulatory environment for the private rented sector while ensuring landlords know their statutory rights and responsibilities.

### **Main Objections**

#### ***Antisocial behaviour and low housing***

Landlords are usually not experienced in managing antisocial behaviour and do not have the professional capacity to resolve tenants' mental health issues or drug and alcohol dependency. Suppose there are any allegations about a tenant causing problems, and a landlord ends the tenancy. In that case, the landlord will have fulfilled their obligations, even if the tenant has any of the above issues.

This moves the problems around Waltham Forest but does not help the tenant, who could become lost in the system, or worst, move towards the criminal landlords. They will also blight another resident's life.

Furthermore, the overcrowding issue is complicated for a landlord to manage if the tenant has overfilled the property. A landlord will tell a tenant how many occupants are permitted to live on the property and that the tenant is not to sublet it or allow additional people to live there. Beyond that, how is the landlord managing this matter without interfering with the tenant's welfare? Equally, how will the council assist landlords when this problem arises?

It is impractical for landlords to monitor tenants' everyday activities or sleeping arrangements.

Regarding reducing antisocial behaviour and those landlords must tackle such activity within their properties, landlords and agents can only enforce a contract; they cannot manage behaviour.

### ***Existing Enforcement Powers and Activity***

Waltham Forest council has many existing enforcing powers that can rectify the identified problems as part of the council's housing strategy. These include:

1. Criminal Behaviour Orders
1. Crime Prevention Injunctions
1. Interim Management Orders
1. Empty Dwelling Management Orders
1. Improvement Notices (for homes that do not meet the Decent Homes Standard)
1. Litter Abatement Notices (Section 92 of the Environmental Protection Act 1990)
1. Fixed Penalty Notices or Confiscation of equipment (Sections 8 and 10 of the Noise Act 1996)
1. Directions regarding the disposal of waste (for example, Section 46 of the Environmental Protection Act 1990)
1. Notices to remove rubbish from land (Section 2-3 of the Prevention of Damage by Pests Act 1949)

The council also has a wealth of housing enforcement legislation that can be used to enforce against poor standards in the PRS, such as the Housing, Health, and Safety Rating System (HHSRS), Improvement Notices, Hazard Awareness Notices, Prohibition Orders and Emergency Remedial Action, civil penalties, and criminal prosecutions. These powers are available to the local authority now and do not need consultation to use.

### ***Conclusions and alternatives***

The NRLA advocates using council tax records to identify tenures used by the private rented sector and those landlords in charge of those properties. Unlike discretionary licensing, landlords do not require self-identification, making it harder for criminal landlords to operate under the radar. With this approach, the council would not need to consult and implement changes immediately.





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Should the scheme be approved and implemented, the council should provide an annual summary of outcomes to demonstrate to tenants and landlords' behaviour improvements and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall.

The NRLA has a shared interest with the London borough of Waltham Forest in ensuring a high-quality private rented sector but strongly disagrees that the continuation of discretionary licensing is the most effective approach to achieve this aim both in the short term and long term.

Yours Faithfully,

Samantha Watkin  
Senior Policy Officer  
National Residential Landlords Association  
[Samantha.Watkin@nrla.org.uk](mailto:Samantha.Watkin@nrla.org.uk)



London Borough of Waltham Forest

Private Sector Licensing and  
Housing Enforcement

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London

SE6 4RU

020 8314 6420

[pshe@lewisham.gov.uk](mailto:pshe@lewisham.gov.uk)

07/03/2024

Dear Debbie,

I am writing to give support on behalf of the London Borough of Lewisham for the London Borough of Waltham Forest's submission to the Secretary of State for approval to implement selective licensing.

The London Borough of Lewisham is implementing our selective licence scheme. This will go "live" on the 1st July. Evidence from the CIEH and CIH report "A Licence to Rent" suggests this will lead to significant change and be a helpful tool for removing hazards and ensuring good management practices in our private rented housing sector. We anticipate that our selective scheme will bring improvements to the properties it covers, along with aiding in tackling deprivation and anti-social behaviour. It will also enable us to provide support and offer guidance to landlords, managing agents and tenants.

Lewisham, amongst many other councils, has benefited from Waltham Forest's extensive experience of property licensing, both in progressing our existing HMO licensing schemes, and in securing approval for our forthcoming selective scheme. We are extremely grateful for the support of your officers and the opportunity to benefit from their knowledge, in your acknowledged position as one of the front-runner councils of private sector housing regulation nationally.

The renewal of your current scheme will help you to continue to bring positive change for your private tenants and will enable Waltham Forest to provide safer and better quality homes while setting consistent housing standards across London. This will level the playing field for landlords whose business model is to provide good quality and well managed housing by providing a consistent regulatory environment and



[www.lewisham.gov.uk](http://www.lewisham.gov.uk)



@LewishamCouncil



LewishamCouncil



LewishamCouncil

make tackling those who supply poor quality and poorly managed housing simpler and quicker.

Lewisham Council fully supports Waltham Forest's selective licensing application and we urge the Secretary of State to grant permission for this proposed scheme.

Kind regards,



Rhona Brown  
Head of Private Sector Housing and Home Improvement  
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@LewishamCouncil



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LewishamCouncil

Debbie Porter  
Strategic Director  
Neighbourhoods and Environment  
LB Waltham Forest  
Waltham Forest Town Hall,  
Forest Road,  
E17 4JF

Date: 4<sup>th</sup> March 2024

Email: [Barry.francis@haringey.gov.uk](mailto:Barry.francis@haringey.gov.uk)

Dear Debbie

**Re: LB Waltham Forrest Property Licensing Consultation.**

I am writing in response to your public consultation for a proposed new property licensing scheme. Haringey Council would like to offer their full support towards your proposal for a new five-year scheme starting in March 2025.

Haringey Council is similarly operating two property licensing schemes within its borough. An additional HMO licensing scheme which is due to end on 26<sup>th</sup> May 2024 and also a selective property licensing scheme which was given approval from DLUHC in April 2022 and went live in November 2022.

As a local authority with similar demographics and stock we are very much aware of the benefits that having property licensing can bring to this sector.

We know landlords operate across borough boundaries and we believe your proposal to redesignate will allow us a neighbouring authorities to continue to have a positive impact on landlords and agents who own and manage property across borough boundaries. Improving the knowledge and standards of landlords and agents is key as well as at the same time making it difficult for non-complaint landlords to operate.

As your consultation evidence suggest this sector remains a challenging one in terms of improving and maintaining standards. We believe all residents deserve access to decent, good quality homes and Waltham Forrest's proposed redesignation of their property licensing schemes will provide the best opportunity to continue to improve standards in accommodation which is poorly managed and does not meet the legal requirements. It also addresses property and tenant related ASB issues which have far-reaching benefits for your wider community.

Property licensing is an important tool to bring about improvements in the private rented sector and I wish you every success building on the achievements of your current scheme in your new proposal.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Barry Francis', enclosed within a simple oval scribble.

**Barry Francis**  
**Director**

Environment & Resident Experience  
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LONDON N22 8HQ

[www.haringey.gov.uk](http://www.haringey.gov.uk)

Adrian Loades  
Acting Chief Executive  
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High Road  
Ilford  
Essex IG1 1NN

28<sup>th</sup> February 2024

Debbie Porter  
Strategic Director  
Neighbourhoods and Environment  
Waltham Forest Town Hall,  
Forest Road,  
E17 4JF

Dear Debbie Porter,

**Re: Waltham Forest Property Licensing Consultation**

Thank you for your letter dated 22<sup>nd</sup> December 2023 regarding the consultation on the proposal by Waltham Forest Council to implement a private rented housing selective licensing scheme when the current selective licensing scheme comes to an end on 30<sup>th</sup> April 2025 and a borough wide additional licensing scheme which is due to expire on the 31<sup>st</sup> March 2025.

The London Borough of Redbridge currently operates both selective and additional licensing schemes. Currently one selective licensing scheme has been implemented within the Borough following the expiry of Scheme 1. Scheme 3 now encompasses 2 wards, being the Ilford Town and Valentines wards, and came into force on 1<sup>st</sup> November 2023 and Scheme 4 which will come into force from 8<sup>th</sup> April 2024 following the expiry of Scheme 2, encompassing a further 15 wards across the Borough. The additional licensing scheme is Borough wide and came into force in 30<sup>th</sup> May 2023.

As is highlighted in your consultation, property licensing schemes can be implemented to address concerns about antisocial behaviour and criminal activity associated with some tenants within the private rented sector.

Many landlords, letting agents and managing agents operate across both Boroughs and the implementation of both licensing schemes within Waltham Forest will offer opportunities to tackle the growing areas of concern within the private rented sector that are associated with rogue landlords, subletting of properties, overcrowding and poor property management. The consultation confirms 18% of households Waltham Forest are overcrowded.

The private rented sector is also becoming increasingly associated with the exploitation of vulnerable persons in the form of human trafficking and modern slavery, and the intelligence gathered from the property licensing schemes proposed can be used as a tool to identify properties and persons associated with such practices.

We feel your approach for Selective Licensing meets the legal requirements for the introduction of selective licensing, so you can protect your residents and the good landlords who operate well and lawfully. We support your aim to drive up standards in the private rented sector (PRS) and we hope you target those who flout the law, so they face the consequences and either change their poor behaviour or leave Waltham Forest's PRS. We welcome working with you, where poor agents and landlords operate across our boundaries. From our own experience we know Selective Licensing is an important and effective tool, and we hope it will be implemented properly for the benefit of residents.

I confirm that the London Borough of Redbridge is fully supportive of the implementation of both of the private rented property licensing schemes that are proposed by Waltham Forest Council.

I will also confirm that my colleagues in the Consumer Protection and Licensing department of the London Borough of Redbridge will welcome opportunities to work closely with colleagues from Waltham Forest Council to develop joint working practices that will offer support to compliant landlords and tenants and which will target those landlords and agents who are and remain non-compliant to ensure that consistent regulation and appropriate enforcement action is taken against them and that such action is effectively publicised.

Yours sincerely



Adrian Loades  
Acting Chief Executive

Debbie Porter  
Strategic Director  
Neighbourhoods and Environment  
London Borough of Waltham Forest

Please reply to: Doug Wilkinson  
Director of Environment & Street  
Scene  
Email: [Doug.wilkinson@enfield.gov.uk](mailto:Doug.wilkinson@enfield.gov.uk)  
Phone:  
My Ref:  
Your Ref:  
Date: 02 January 2024

Dear Ms Porter

### **Private Rented Housing Licensing Consultation**

I am writing in response to your public consultation regarding the renewal of your discretionary property licensing schemes.

Enfield Council wish to convey that we are in full support of your council's proposal to introduce further property licensing schemes in your borough. With our similar demographics and socio-economic factors, the current housing crisis and the number of households renting privately growing rapidly, a well-managed private rented sector plays a crucial role in meeting the housing needs of residents in the borough.

We know that poor housing conditions, management, and anti-social behaviour impact negatively on health, for example the effects of cold and damp homes, and overcrowding. Improvements to housing quality and management will have a positive health impact on tenants and neighbours. The evidence from your current licensing schemes clearly show how property licensing has helped tackle these issues, addressing poor property conditions and anti-social behaviour linked to properties in the private rented sector. Your council's proposals to renew the licensing schemes will ensure Waltham Forest continues to make homes in the borough safe, well managed and well maintained, as well as securing wider compliance for residents across the borough.

The proposal to renew the property licensing schemes will also benefit landlords by enabling the council to target more effectively the non-compliant landlords who unjustifiably tarnish the reputation of the sector. The council's evidence on enforcement action further shows how discretionary licensing schemes have enabled

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Interim Executive Director of Environment and Communities  
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[www.enfield.gov.uk](http://www.enfield.gov.uk)

 If you need this document in another language or format contact the service using the details above.



Waltham Forest to take a proactive approach to protect and improve the health and safety of residents and improve housing conditions and management in the private rented sector.

Like Waltham Forest, we believe residents living in the private rented sector deserve access to decent, good quality homes, and I wish you every success building on the achievements of your current schemes in your new proposal.

Yours sincerely

A handwritten signature in black ink that reads "D Wilkinson". The signature is written in a cursive style with a large, stylized 'D'.

Doug Wilkinson  
Director of Environment & Street Scene

Enfield Council has launched a series of 14 e-newsletters covering a range of topics that provide residents with more frequent Council news and service updates. More than 40,000 people have already signed up, make sure you're one of them. You can register at [www.enfield.gov.uk/enewsletters](http://www.enfield.gov.uk/enewsletters)



Debbie Porter  
Strategic Director  
Neighbourhoods & Environment  
London Borough of Redbridge

Via email only:  
walthamforest@publicperspectives.co.uk

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Office Hours: 9.00 am - 5.00 pm (Mon-Fri)  
Ask for: Helen Masterson

Our ref:  
Date: 12<sup>th</sup> February 2024

Dear Debbie Porter,

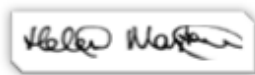
I write to express our support for your application to DLUHC for a Selective Licensing scheme across 20 of the 22 wards in the borough from 1<sup>st</sup> May 2025 after the current scheme ends on 30 April 2025.

We support and commend LB Waltham proposals for a large-scale property-licensing scheme in 2025. As you will be aware LB Newham operate a wide-scale, licensing scheme in Newham and having neighbouring boroughs operate similar schemes will strengthen protections for private tenants. We hope that with these approaches rogue landlords find it difficult to continue operating in the wider London area and encourage more professional behaviour in the private rented sector. In Newham, over 50 percent of residents live in the PRS, where amongst the worst housing conditions in the borough are found and over a quarter of Newham's PRS properties have been found to have serious health and safety hazards, which are key indicators of poor property conditions. The borough's private rented sector is also home to some of our most vulnerable residents with some of the worst conditions experiencing the worst exploitative practices.

Our third round of property licensing schemes covering 40,000 plus properties, are amongst the most important tools the Council has to tackle exploitative practices and support our residents. through robust and rigorous enforcement activity; demonstrate zero tolerance of poor and rogue landlords; introduce a 'Fairer Newham' standard in the PRS so that all landlords provide high quality housing that have good space standards, are safe and well managed and establish minimum standards of energy efficiency with high standards of security.

Please do not hesitate to contact me if you would like to discuss this letter.

Yours faithfully



**Helen Masterson** MCIEH CEnvH | She / Her

Head of Private Sector Housing Standards | Inclusive Economy and Housing Directorate

**London Borough of Newham**

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**WE ARE NEWHAM.**

Read more about our Building a Fairer Newham plan [here](#) and watch [here](#).

We also have a range of information and advice available for landlords and tenants in Newham:

<https://www.newham.gov.uk/council/cost-living-response>

<https://www.newham.gov.uk/housing-homes-homelessness/maintaining-good-standards-rented-property-landlords/1> - Landlord advice

<https://www.newham.gov.uk/housing-homes-homelessness/help-problems-renting-privately/1> - Tenant advice