

# London Borough of Waltham Forest: Private Rented Property Licensing Consultation

## Consultation report

March 2024



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# London Borough of Waltham Forest: Private Rented Property Licensing Consultation

## Executive Summary

### Introduction and background to the proposals and consultation

1. The council conducted a consultation about proposals to licence most privately rented properties in Waltham Forest to effectively regulate their condition, management and occupation, and to help tackle anti-social behaviour (ASB) associated with private rented properties.
2. The council is proposing to implement two schemes once the current schemes come to an end, which was the subject of this consultation:
  - **A Selective Licensing scheme** across all wards in Waltham Forest (except two of the 22 wards in the borough - Hatch Lane & Highams Park North and Endlebury wards, which the council believes do not meet the relevant criteria for inclusion) from 1st May 2025 after the current scheme comes to an end on 30 April 2025. Under this scheme, most privately rented homes that are rented to single households or to no more than two unrelated people would require a Selective Licence.
  - **A borough-wide 'Additional Licensing' scheme:** The Additional Licensing scheme would cover all eligible HMOs that are not within the scope of Mandatory HMO Licensing where tenants share some basic facilities or amenities such as a kitchen or bathroom. This is proposed to apply across all of Waltham Forest and will ensure that all eligible HMOs are licensed.
3. The consultation opened on the 15<sup>th</sup> December 2023 and closed on the 10<sup>th</sup> March 2024 – over a 12-week period.
4. This report summarises the key results from all the consultation activity. The council commissioned Public Perspectives, an independent research and consultation organisation specialising in working with Local Authorities, to help design and deliver the consultation and produce an independent report on the consultation results. The intention is that this report, along with other evidence underpinning the proposals, will be considered by Waltham Forest Council's Cabinet (which is the council's decision-making committee in respect of these proposals) in the summer of 2024. The report and documentation will be published on the council's website ahead of the meeting. The decision taken will also be published and available on the council's website after the meeting.
5. If a decision is taken to implement the Selective Licensing scheme, an application will be made to the Secretary of State (Department for Levelling Up, Housing & Communities) for permission to implement the scheme once the existing scheme finishes at the end of April 2025.
6. The borough-wide Additional Licensing scheme for HMOs will be implemented in line with the timetable that will be set out in the report to Cabinet, if a decision to adopt such a scheme is made.

## Consultation Methods and response

7. As part of this process, the council is committed and legally required to consult about future scheme options as per Section 56 (3) and Section 80 (9) of the Housing Act 2004. In addition, guidance has been observed from: 'Selective licensing in the private rented sector: A Guide for local authorities, 2023, Section 6'. The consultation employed the following methods:
- **Open access online consultation questionnaire:** A total of 544 responses were received, including from 398 landlords and 10 letting/managing agents.
  - **Telephone survey of residents including tenants:** A demographically representative telephone survey of over 1,000 residents, including private rented tenants living in Waltham Forest was conducted during the consultation to increase the reach of the consultation and ensure this group of people were adequately represented.
  - **Online Landlord forum events:** The first online landlord forum was held on the 23<sup>rd</sup> January 2024 at 7pm to 9pm involving 48 landlords, agents and landlord representative bodies. The second online landlord forum was held on the 22<sup>nd</sup> February 2024 at 7pm to 8.30pm involving 32 landlords, agents and landlord representative bodies.
  - **In-person public meeting (with option to join online):** Held on the 28<sup>th</sup> February 6pm to 7.30pm at the Council Chamber, involving 49 residents, landlords, agents and landlord representative bodies.<sup>1</sup>
  - **Private Tenant focus groups:** Two online focus groups were held on Tuesday 5<sup>th</sup> March 2024 with a total of 16 private rented tenants to have in-depth discussions with private tenants about the proposals.
  - **Stakeholders:** Over 500 stakeholders were directly contacted and invited to respond to the consultation, including local councillors and MPs, neighbouring and nearby London boroughs, public sector and community/voluntary organisations, social housing providers, local letting agents, housing developers, and tenant and landlord representative bodies. This included an initial e-mail or letter, and follow-up letters/e-mails/calls to key stakeholders to remind them to participate. In total, 26 stakeholders responded, including Barking and Dagenham Council, Barnet Council, Enfield Council, Hackney Council, Haringey Council, Lewisham Council, Newham Council, Redbridge Council, Waltham Forest Housing Association (WFHA), Greater London Authority, and National Residential Landlords Association, as well as local property related businesses, housing association representatives and charity/voluntary and community sector representatives.
  - A dedicated phone and e-mail address were available to residents, landlords and organisations to ask questions about the proposals and consultation or receive help to respond to the consultation.
8. The consultation was promoted through the council's communications channels and local and regional media.

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<sup>1</sup> Some attendees participated in multiple events, so not all of those that attended the Landlord forums or public event were unique attendees.

## Key findings: Proposed licensing schemes

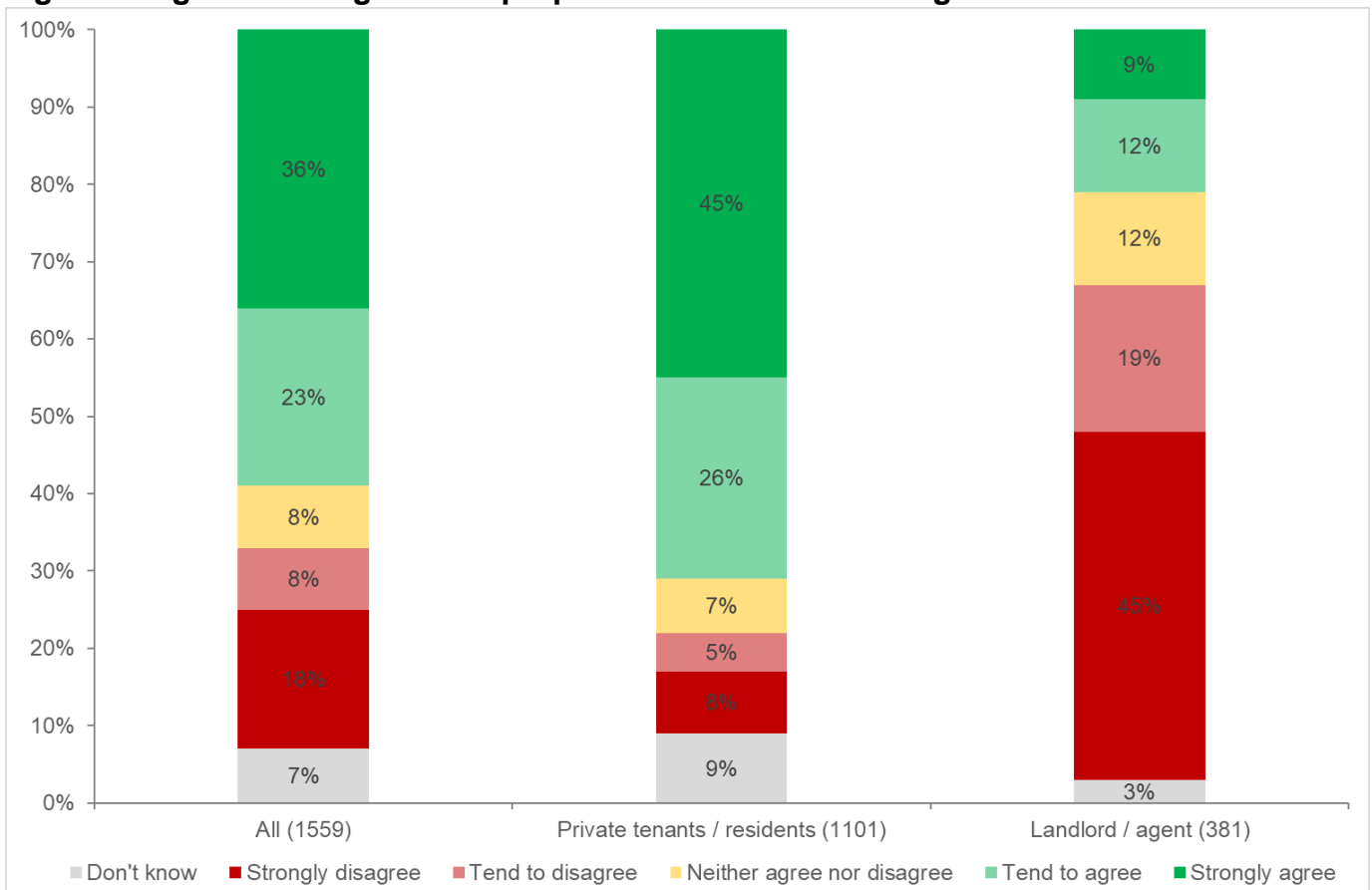
Overall, there is support amongst residents and tenants to re-introduce the Selective and Additional Licensing schemes. Similarly, there is support amongst neighbouring London boroughs and the Greater London Authority.

Landlords, including representative body the National Residential Landlords Association, tend to be opposed to the proposals to re-introduce the schemes, especially around the level of fees and the administrative requirements of licensing.

There are opportunities to increase awareness of the schemes and their benefits and impacts. Relatedly, landlords (and other respondents) tended to say that if the schemes are re-introduced, the council should regularly report on its progress and impact, as well as how the fees generated are spent.

9. Overall, 59% of respondents (to both the on-line consultation questionnaire and telephone survey) agree with the council's proposal to re-introduce Selective Licensing in Waltham Forest (except Hatch Lane & Highams Park North and Endlebury wards) to regulate privately rented property conditions and management, and help tackle anti-social behaviour. 26% disagree.
10. 71% of tenants/residents agree and 13% disagree. This compares with 21% of landlords/agents that agree and 64% that disagree with the proposal to re-introduce Selective Licensing.

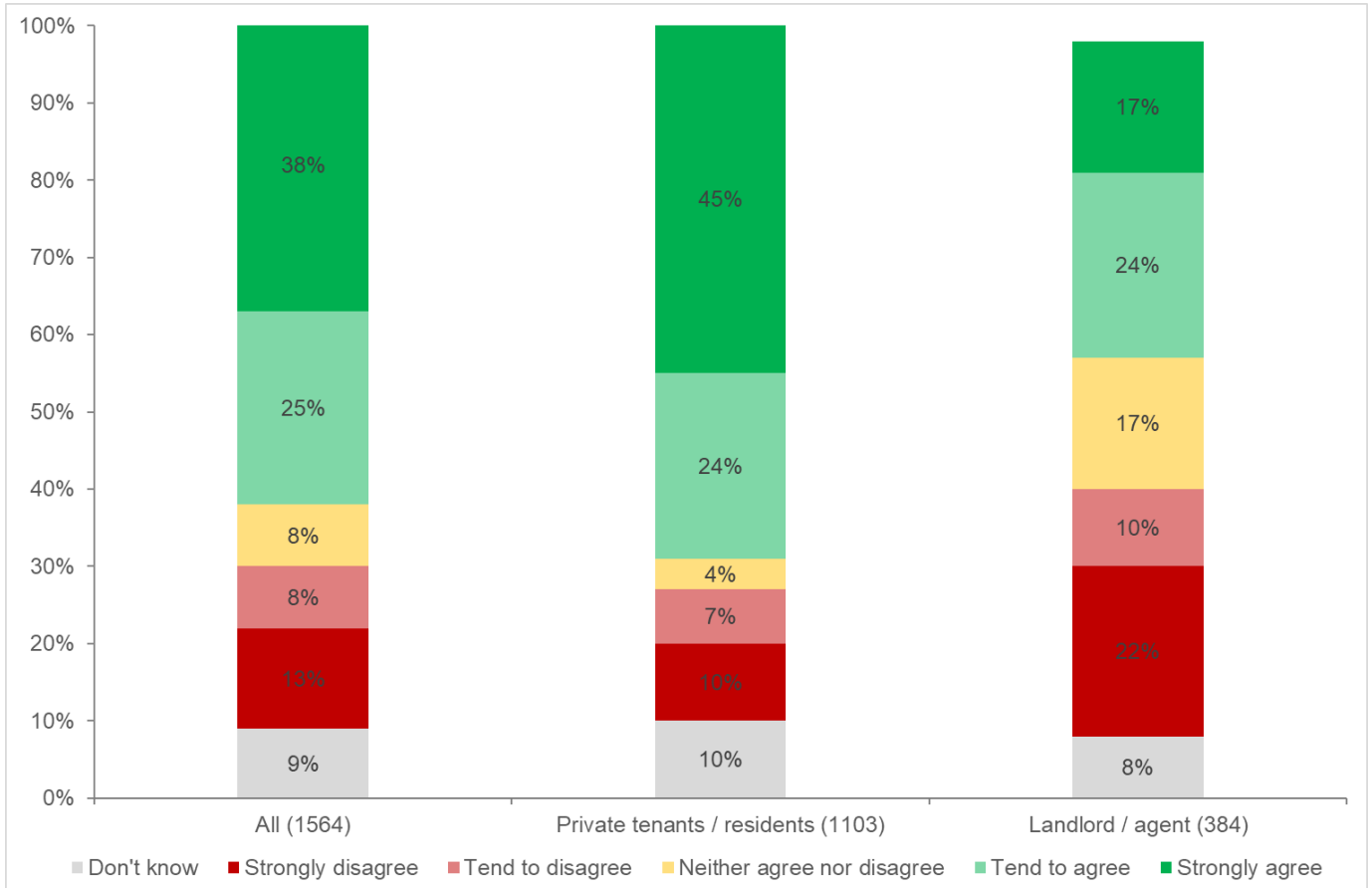
**Figure 1: Agree or disagree with proposed Selective Licensing scheme**



Note: Numbers in brackets are the number of respondents. Question asked: Do you agree or disagree with the Council's proposal to implement selective licensing in Waltham Forest (excluding Hatch Lane & Highams Park North and Endlebury wards) to regulate privately rented property conditions and management and help tackle anti-social behaviour?

- 11. Overall, 63% of respondents agree with the council’s proposal to re-introduce Additional Licensing for Houses in Multiple Occupation (HMOs) in all of Waltham Forest to regulate property conditions and management of HMOs, and help tackle anti-social behaviour. 21% disagree.
- 12. 69% of tenants/residents agree and 17% disagree. This compares with 41% of landlords/agents that agree and 32% that disagree with the proposal to introduce Additional Licensing.

**Figure 2: Agree or disagree with proposed Additional Licensing scheme**



Note: Numbers in brackets are the number of respondents.

Question asked: Do you agree or disagree with the Council's proposal to implement additional licensing for Houses in Multiple Occupation (HMOs) in all of Waltham Forest to regulate property conditions and management in HMOs and help tackle anti-social behaviour?

# London Borough of Waltham Forest: Private Rented Property Licensing Consultation

## Main report

### Section 1: Introduction

#### Introduction and background to the proposals and consultation

- 1.1. The council conducted consultation about proposals to licence most privately rented properties in Waltham Forest to effectively regulate their condition, management and occupation, and to help tackle anti-social behaviour (ASB) associated with private rented properties.
- 1.2. Under a property licensing scheme, licensable addresses must hold a property licence to be legally let to private tenants. For a licence to be granted, the local authority must be satisfied, among other matters, that the licence holder (usually the landlord) and anyone else involved in the management of the property meets a 'fit and proper person' test. All granted property licences impose a set of conditions on a Selective Licence holder relating to the management, occupation or use of the rented property, and conditions for an Additional Licence holder relating to the management, use, occupation and condition of the rented property.
- 1.3. Under Government legislation, many Houses in Multiple Occupation (HMOs) are required to hold a property licence. This 'Mandatory HMO Licensing' applies to most properties that accommodate 5 or more tenants forming 2 or more households.
- 1.4. Local authorities can also require that other privately rented properties are licensed by introducing 'Selective Licensing' and/or 'Additional Licensing' schemes that cover all or part of their area. Waltham Forest Council introduced a large-scale private rented housing Selective Licensing scheme on 1 May 2020, which is due to expire on 30 April 2025. This scheme was introduced across all of Waltham Forest (except two of the then 20 wards - Hatch Lane and Endlebury wards because they did not meet the criteria for inclusion). The scheme was introduced to tackle some of the problems associated with privately rented properties occupied by single-family households, namely the high proportion of privately rented homes that contained one or more significant hazards and/or which were associated with anti-social behaviour. This latest scheme replaced an initial Selective Licensing scheme introduced in April 2015, which expired in 2020.
- 1.5. On 1 April 2020 Waltham Forest Council also introduced a borough-wide Additional Licensing scheme relating to Houses in Multiple Occupation (HMOs), which is due to expire on 31 March 2025. This scheme was introduced to address problems arising from the poor management of HMOs. This scheme is additional to 'Mandatory HMO Licensing', which applies to most properties that accommodate 5 or more tenants forming 2 or more households.
- 1.6. The council is proposing to implement two schemes once the current schemes come to an end to regulate management standards in the private-rented sector and improve or address poor housing conditions and reduce anti-social behaviour, which was the subject of this consultation:
  - **A Selective Licensing scheme** across all wards in Waltham Forest (except two of the 22 wards in the borough - Hatch Lane & Highams Park North and Endlebury wards, which the council believes do not meet the relevant criteria for inclusion) from 1st May 2025 after the current scheme comes to an end on 30 April 2025. Under this scheme,

most privately rented homes that are rented to single households or to no more than two unrelated people would require a Selective Licence.

- **A borough-wide ‘Additional Licensing’ scheme:** The Additional Licensing scheme would cover ALL eligible HMOs that are not within the scope of Mandatory HMO Licensing where tenants share some basic facilities or amenities such as a kitchen or bathroom. This is proposed to apply across all of Waltham Forest and will ensure that all eligible HMOs are licensed.

- 1.7. The consultation opened on the 15<sup>th</sup> December 2023 and closed on the 10<sup>th</sup> March 2024 – over a 12-week period.
- 1.8. This report summarises the key results from all the consultation activity. The council commissioned Public Perspectives, an independent research and consultation organisation specialising in working with Local Authorities, to help design and deliver the consultation and produce an independent report on the consultation results. The intention is that this report, along with other evidence underpinning the proposals, will be considered by Waltham Forest Council’s Cabinet (which is the council’s decision-making committee in respect of these proposals) in the summer of 2024. The report and documentation will be published on the council’s website ahead of the meeting. The decision taken will also be published and available on the council’s website after the meeting.
- 1.9. If a decision is taken to implement the Selective Licensing scheme, an application will be made to the Secretary of State (Department for Levelling Up, Housing & Communities) for permission to implement the scheme once the existing scheme finishes at the end of April 2025.
- 1.10. The borough-wide Additional Licensing scheme for HMOs will be implemented in line with the timetable that will be set out in the report to Cabinet, if a decision to adopt such a scheme is made.

## Consultation Methods and response

- 1.11. As part of this process, the council is committed and legally required to consult about future scheme options as per Section 56 (3) and Section 80 (9) of the Housing Act 2004. In addition, guidance has been observed from: ‘Selective licensing in the private rented sector: A Guide for local authorities, 2023, Section 6’. The consultation employed the following methods:
  - **Open access online consultation questionnaire:** A total of 544 responses were received, including from 398 landlords and 10 letting/managing agents (41% live within the borough and 97% let properties in the borough), 62 private rented tenants, 117 other residents, as well as local businesses and organisations responded to the consultation questionnaire<sup>2</sup>. The consultation, including the questionnaire and supporting background information, was hosted on the council’s website (the page hosting the consultation received over 4,500 views from over 3,900 users throughout the consultation). The consultation questionnaire is included at Appendix 2. Hard copies of the questionnaire were available on request, although none were requested or received.
  - **Telephone survey of residents including tenants:** A demographically representative telephone survey of over 1,000 residents, including private rented tenants living in Waltham Forest was conducted during the consultation to increase the reach of the consultation and ensure this group of people were adequately represented.<sup>3</sup> This

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<sup>2</sup> These figures add up to over 544 because respondents could select multiple categories, for example they could be both a landlord and a local resident.

<sup>3</sup> Demographic quotas were set by gender, age, ethnicity, geography and housing tenure to ensure the survey was representative. The survey took place during February 2024.



included a 'booster' sample of 250 private rented tenants to ensure that a reliable picture of the views of this group were captured (overall 471 respondents to the telephone survey were private rented tenants).<sup>4</sup> The survey replicated the questions used in the consultation questionnaire. The demographic profile of respondents to both the on-line consultation questionnaire and telephone survey are included at Appendix 1.

- **Online Landlord forum events:** The first online landlord forum was held on the 23<sup>rd</sup> January 2024 at 7pm to 9pm involving 48 landlords, agents and landlord representative bodies. The second online landlord forum was held on the 22<sup>nd</sup> February 2024 at 7pm to 8.30pm involving 32 landlords, agents and landlord representative bodies. These events began with a presentation from the council about the proposals, followed by Q&A and facilitated discussion.
- **In-person public meeting (with option to join online):** Held on the 28<sup>th</sup> February 6pm to 7.30pm at the Council Chamber, involving 49 residents, landlords, agents and landlord representative bodies.<sup>5</sup>
- **Private Tenant focus groups:** Two online focus groups were held on Tuesday 5<sup>th</sup> March 2024 with a total of 16 private rented tenants to have in-depth discussions with private tenants about the proposals.
- **Stakeholders:** Over 500 stakeholders were directly contacted and invited to respond to the consultation, including local councillors and MPs, neighbouring and nearby London boroughs, public sector and community/voluntary organisations, social housing providers, local letting agents, housing developers, and tenant and landlord representative bodies. This included an initial e-mail or letter, and follow-up letters/e-mails/calls to key stakeholders to remind them to participate. In total, 26 stakeholders responded, including Barking and Dagenham Council, Barnet Council, Enfield Council, Hackney Council, Haringey Council, Lewisham Council, Newham Council, Redbridge Council, Waltham Forest Housing Association (WFHA), Greater London Authority, and National Residential Landlords Association, as well as local property related businesses, housing association representatives and charity/voluntary and community sector representatives. Invites to respond were sent to housing developers operating locally, but no responses were received.
- A dedicated phone and e-mail address were available to residents, landlords and organisations to ask questions about the proposals and consultation or receive help to respond to the consultation.

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<sup>4</sup> This survey helped increase the reach of the consultation. For example, at the time of being interviewed, 69% of respondents were not aware of the consultation and only 2% had taken part.

<sup>5</sup> Some attendees participated in multiple events, so not all of those that attended the Landlord forums or public event were unique attendees.

- 1.12. The consultation was promoted through the council's communications channels and local and regional media. This included a press release to local and regional media and a full-page advert in the December 2023 issue of Waltham Forest News – the council's magazine delivered to all households in the borough. It also included social media postings and promotion via the council's e-newsletter with associated reach as follows:

#### Facebook

Date	Engagement
22 Dec 2023	Impressions: 1530 Engagement: 9 Link clicks
7 Jan 2024	Impressions: 3111 Engagement: 26 Link clicks
21 Jan 2024	Impressions: 1182 Engagement: 9 Link clicks
12 Feb 2024	Impressions: 1158 Engagement: 14 Link clicks
9 Mar 2024	Impressions: 4889 Engagement: 17 Link clicks
<b>Total</b>	<b>Impressions: 11,870</b> <b>Engagement: 75 Link clicks</b>

#### Twitter

Date	Engagement
22 Dec 2023	Impressions: 1546 Link clicks: 11
7 Jan 2024	Impressions: 1379 Link clicks: 16
12 Feb 2024	Impressions: 747 Link clicks: 3
27 Feb 2024	Impressions: 811 Link clicks: 5
7 Mar 2024	Impressions: 618 Link clicks: 2
<b>Total</b>	<b>Impressions: 5101</b> <b>Link clicks: 37</b>

#### Residents' News (i.e. Council e-newsletter)

Date	Statistics
21 Dec 2023	Recipients: 173033 Open rate: 37% Link clicks: 281
18 Jan 2024	Recipients: 172822 Open rate: 40% Link clicks: 65
1 Feb 2024	Recipients: 172722 Open rate: 39% Link clicks: 98
16 Feb 2024	Recipients: 172620 Open rate: 39% Link clicks: 80
7 Mar 2024	Recipients: 172358 Open rate: 39% Link clicks: 154
<b>Total</b>	<b>Link clicks: 678</b>

## Reporting

- 1.13. The rest of this report presents the results of the consultation. It follows the structure of the consultation questionnaire:
- Section 2: Awareness, impact and importance of the current Private Rented Property Licensing schemes
  - Section 3: Private rented property conditions, management and anti-social behaviour
  - Section 4: Proposed new schemes
  - Section 5: Proposed fees, charges and discounts
  - Section 6: Licence conditions
  - Section 7: Licence scheme objectives
- 1.14. The report presents the results of the consultation questionnaire and telephone survey overall and by different types of respondents and demographics, especially landlords/agents and tenants/residents.
- 1.15. The open-ended comments have been reviewed and summarised.
- 1.16. The responses from key stakeholders have been reviewed and summarised.<sup>6</sup>
- 1.17. Key findings from the landlord and resident/tenant events, and other aspects of the consultation, are integrated alongside the consultation questionnaire and survey findings.

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<sup>6</sup> Full copies of stakeholder responses are available on request.

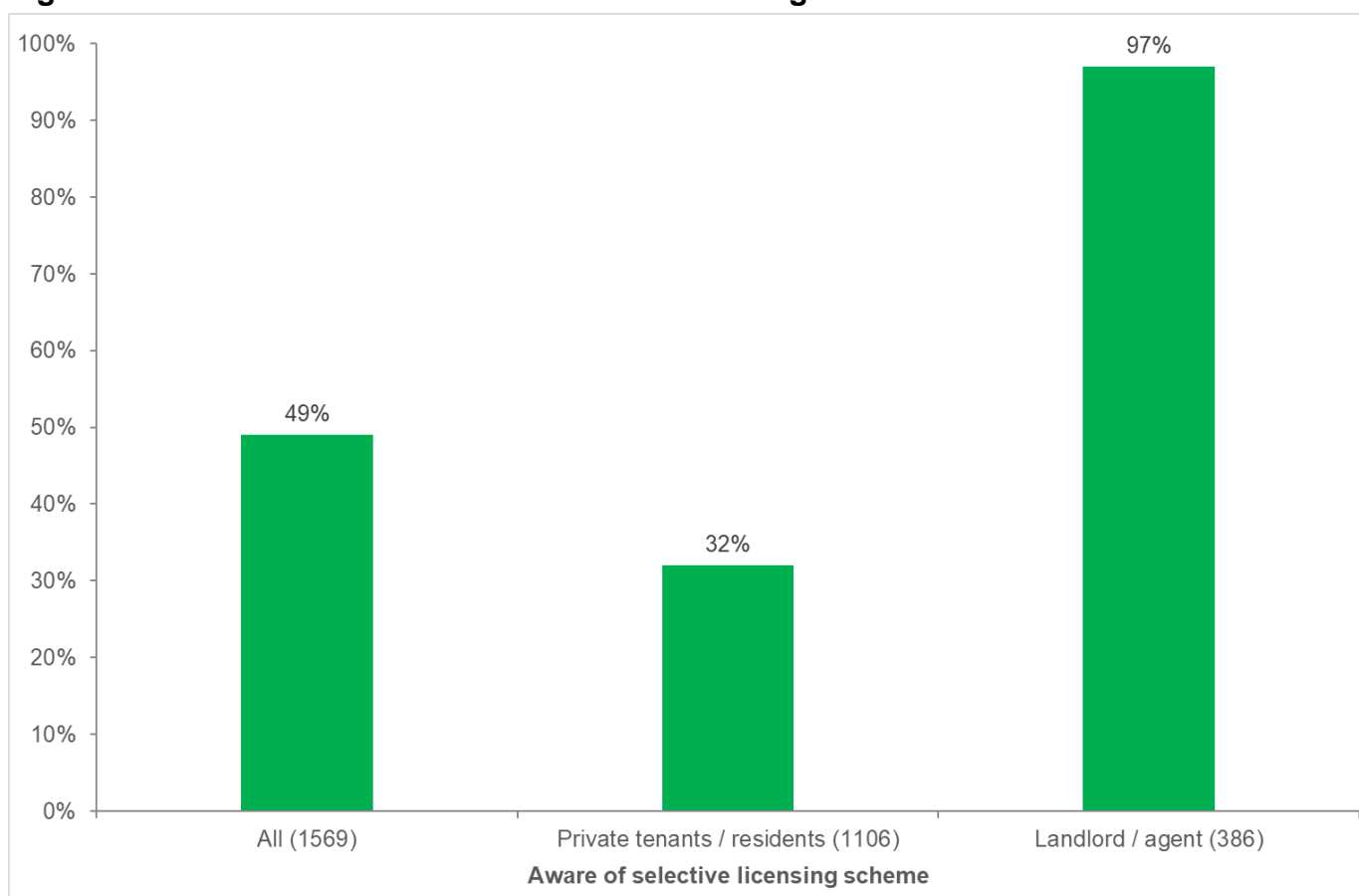
## Section 2: Awareness, impact and importance of the current Private Rented Property Licensing schemes

### Awareness of current Private Rented Property Licensing schemes

**Most landlords are aware of the current Selective Licensing scheme, while a minority of tenants and residents are aware**

- 2.1. Overall, 49% of respondents (to both the on-line consultation questionnaire and telephone survey) are aware of the current Selective Licensing scheme.
- 2.2. 97% of landlords/agents that responded to the consultation questionnaire said they were previously aware of the current scheme. This compares with 32% of tenants and residents that were aware. Private rented tenants in Waltham Forest are less aware (27% aware) than other residents in Waltham Forest (37%).

**Figure 2.1: Awareness of current Selective Licensing scheme**



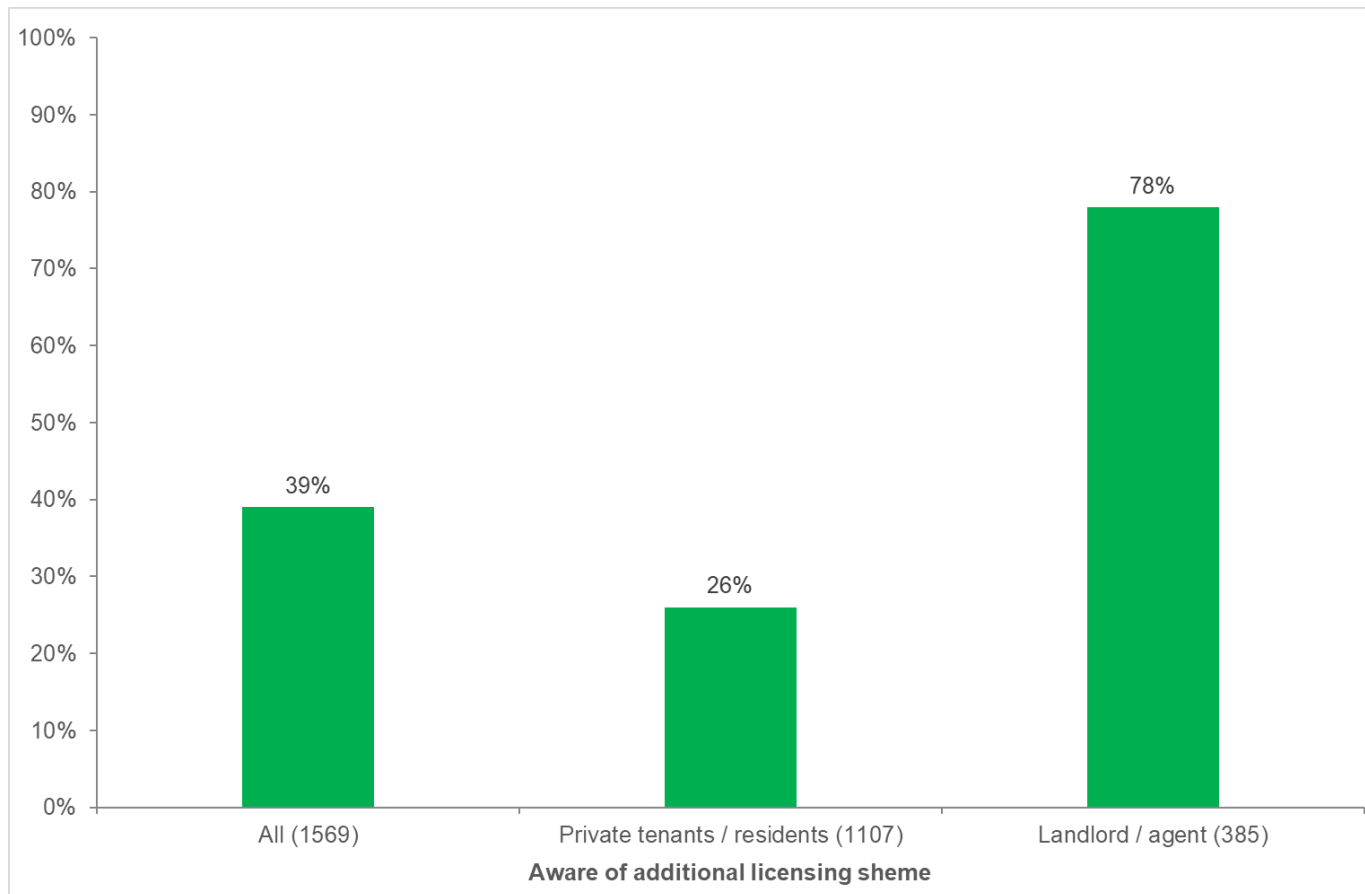
Note: Numbers in brackets are the number of respondents. Tenants/Residents are those that live in Waltham Forest and are not landlords/agents and Landlords/agents have properties in Waltham Forest. This is the case for this group for all graphs unless otherwise stated.

Question asked: Were you aware of the borough's privately rented property selective licensing scheme before you took part in this consultation?

**Similarly, most landlords are aware of the current Additional Licensing scheme albeit to a lesser extent, while a minority of tenants and residents are aware**

- 2.3. Overall, 39% of respondents are aware of the current Additional Licensing scheme.
- 2.4. 78% of landlords/agents that responded to the consultation questionnaire said they were previously aware of the current scheme. This compares with 26% of tenants and residents that were aware. Private rented tenants in Waltham Forest are less aware (18% aware) than other residents in Waltham Forest (33%).

**Figure 2.2: Awareness of current Additional Licensing scheme**



Note: Numbers in brackets are the number of respondents.  
Question asked: Were you aware of the borough's additional licensing scheme relating to Houses in Multiple Occupation (HMOs) before you took part in this consultation?

**Focus group insight:**

Almost all private renters in the focus groups were not aware of the licensing schemes in the borough. In part this is because of the transitory nature of some private renters, living in different areas. That said, several participants in the focus groups had rented for a number of years in the borough, including in the same property. There were several stories of poor housing conditions and bad experiences with landlords, which led some participants to state that being aware of the licensing scheme and associated enforcement powers of the council may have helped their situation, and consequently they encouraged greater promotion of the schemes:

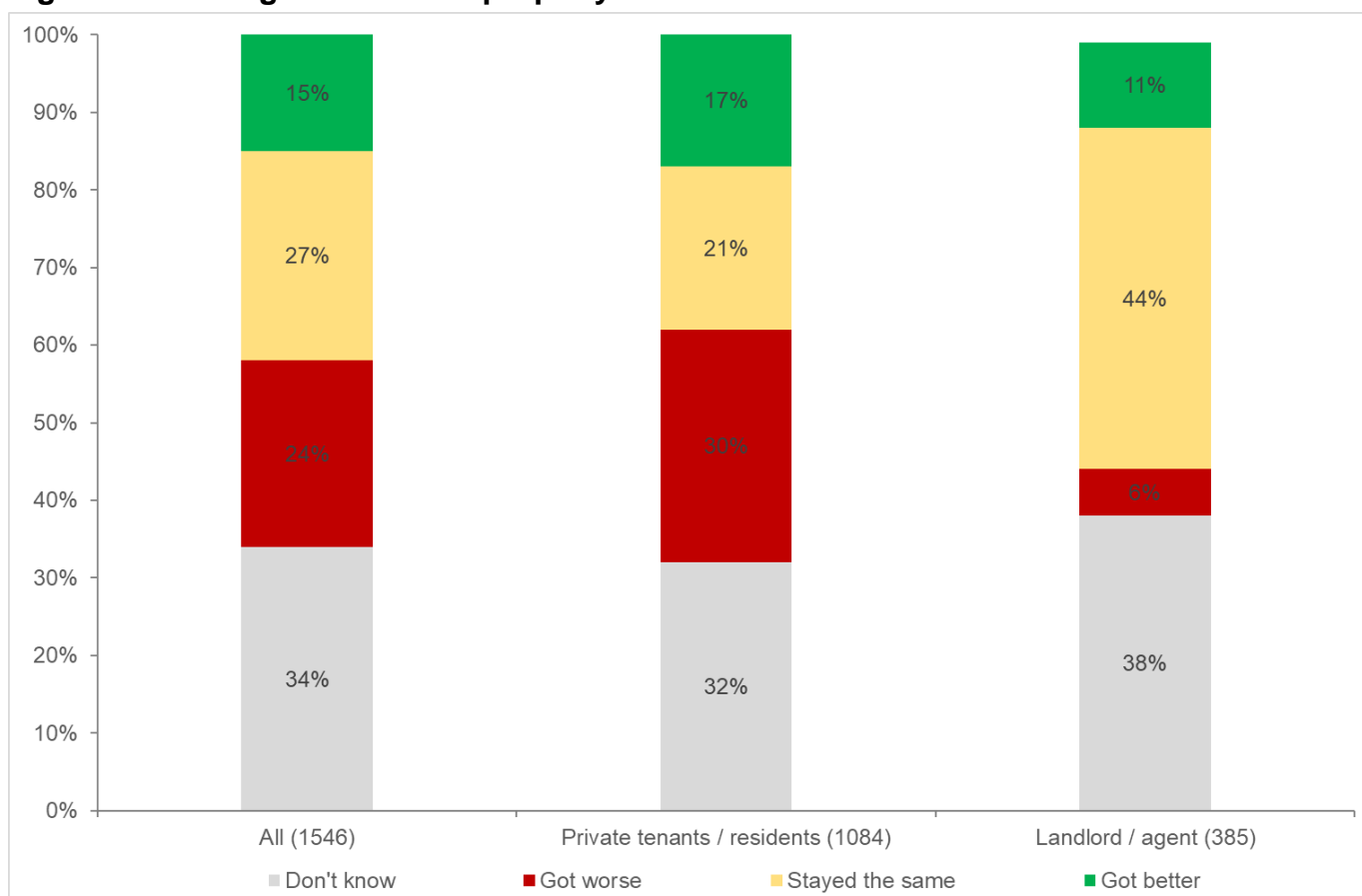
“I wasn’t aware of this [licensing schemes]. We had a real problem with our property and landlord, there was excessive damp, so much so that we had mushrooms the size of your fist growing in the house. If we’d have known about the scheme and the powers of the council, we’d have been in touch with them sooner and maybe they could have helped us, as well as investigating the landlord and their other properties. They should promote this more, because it’s clearly a good thing they’re doing, but we don’t know about it or how to make use of it.” *Private rented tenant (non-HMO)*

## Change over time

### Tenants and residents are more likely to say that property conditions got worse than better over the past three years

- 2.5. Overall, 15% of respondents said that property conditions in privately rented housing have got better over the past 3 years, 27% said it has stayed the same and 24% said it has got worse (and 34% said they did not know).
- 2.6. 17% of tenants and residents said that property conditions have got better, compared with 11% of landlords/agents.
- 2.7. Responses between private tenants and other residents are similar - 16% of private tenants said property conditions have got better (and 31% said they have got worse) compared with 18% of other residents that said they have got better (and 29% worse).
- 2.8. Respondents that are aware of the schemes are more likely to say that conditions have got better than other respondents. For example, 21% of respondents that are aware of either the Selective or Additional Licensing schemes said that property conditions have got better, compared with 9% that were not aware of either of the schemes.

**Figure 2.3: Change over time – property conditions**



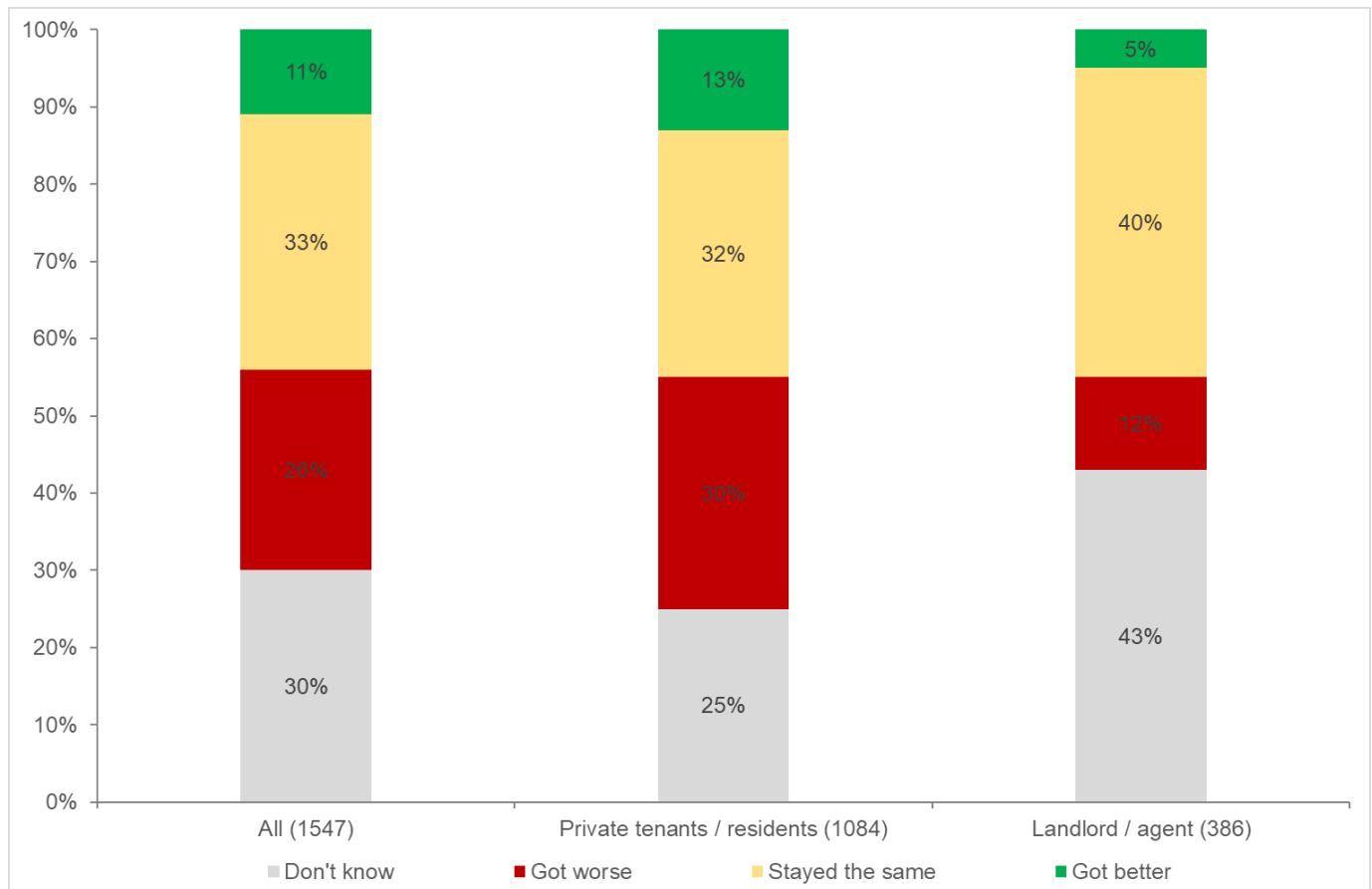
Note: Numbers in brackets are the number of respondents. Excludes respondents that said, 'don't know'.

Question asked: Do you think property conditions in privately rented housing have got better, stayed the same or got worse in Waltham Forest over the past 3 years?

**Similarly, tenants and residents are more likely to say that anti-social behaviour got worse than better over the past three years**

- 2.9. Overall, 11% of respondents said that anti-social behaviour associated with privately rented properties has got better, 33% said it has stayed the same and 26% said it has got worse over the past three years (and 30% said 'don't know').
- 2.10. 13% of tenants and residents said that anti-social behaviour has got better, compared with 5% of landlords/agents.
- 2.11. Responses between private tenants and other residents are fairly similar - 10% of private tenants said anti-social behaviour has got better (and 27% said they have got worse) compared with 16% of other residents that said they have got better (and 33% worse).

**Figure 2.4: Change over time – anti-social behaviour**



Note: Numbers in brackets are the number of respondents.

Question asked: Do you think anti-social behaviour associated with privately rented properties has got better, stayed the same or got worse in Waltham Forest over the past 3 years?

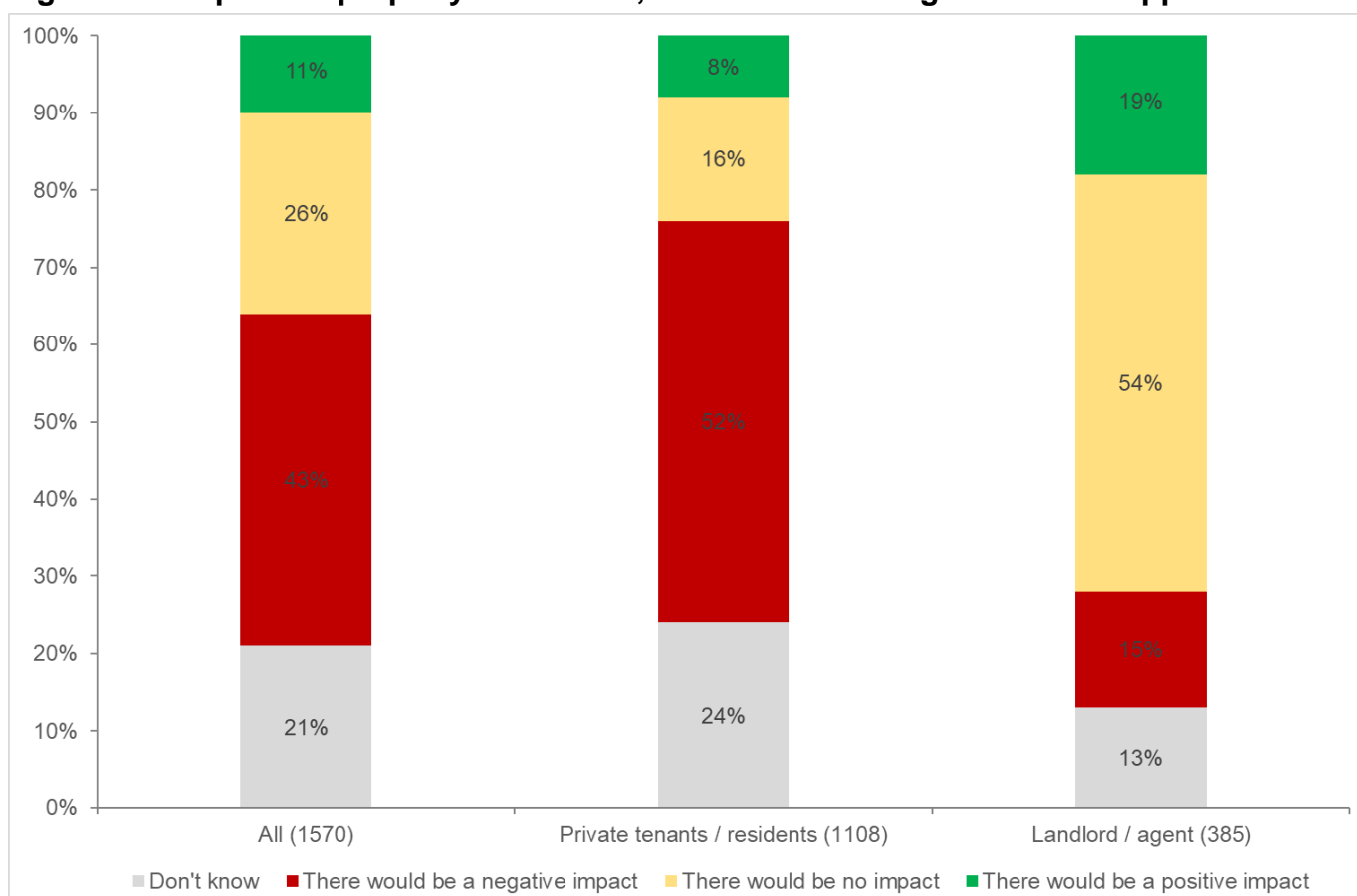


## Impact if current licensing schemes stopped

### **Over half of tenants and residents said there would be a negative impact on the condition and management of privately rented properties if the current schemes stopped and were not continued**

- 2.12. Overall, 43% of respondents said there would be a negative impact on the condition and management of privately rented properties in Waltham Forest, if the current schemes stopped and were not continued, and 11% said there would be a positive impact.
- 2.13. 52% of tenants and residents said there would be a negative impact, compared with 15% of landlords/agents.
- 2.14. 42% of private tenants said there would be a negative impact (and 11% positive impact) compared with 60% of other residents (and 5% positive impact).

**Figure 2.5: Impact on property conditions, if current licensing schemes stopped**



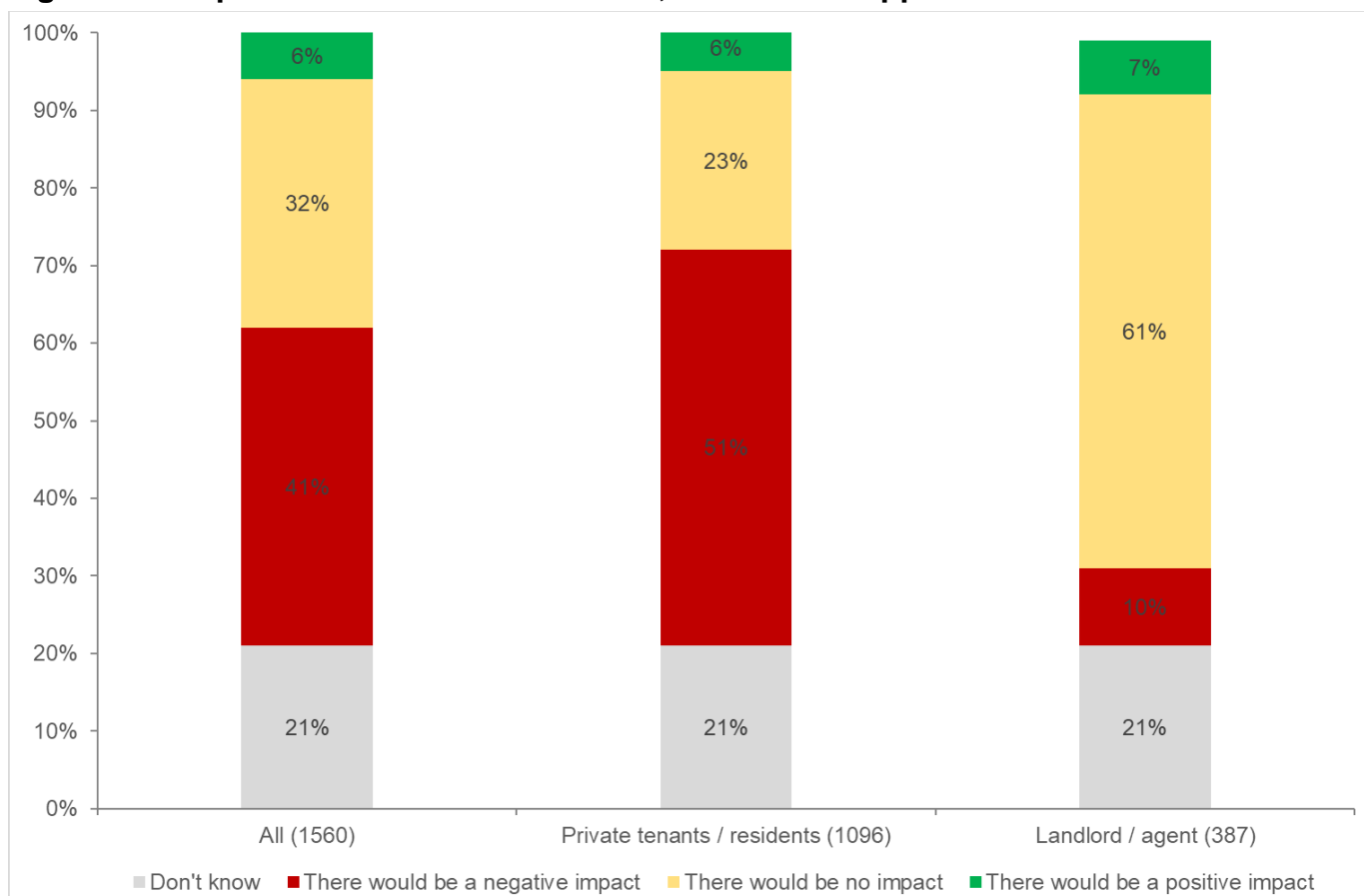
Note: Numbers in brackets are the number of respondents.

Question asked: If the current licensing schemes stopped and were NOT continued, what impact do you think this would have on the condition and management of privately rented properties in Waltham Forest?

## Over half of tenants and residents said there would be a negative impact on anti-social behaviour if the current schemes stopped and were not continued

- 2.15. Overall, 41% of respondents said there would be a negative impact on anti-social behaviour associated with privately rented properties in Waltham Forest, if the current schemes stopped and was not continued, and 6% said there would be a positive impact.
- 2.16. 51% of tenants and residents said there would be a negative impact, compared with 10% of landlords/agents.
- 2.17. 49% of private tenants said there would be a negative impact (and 7% positive impact) compared with 52% of other residents (and 5% positive impact).

**Figure 2.6: Impact on anti-social behaviour, if scheme stopped**



Note: Numbers in brackets are the number of respondents.

Question asked: And if the current licensing schemes stopped and were NOT continued, what impact do you think this would have on anti-social behaviour associated with privately rented properties in Waltham Forest?

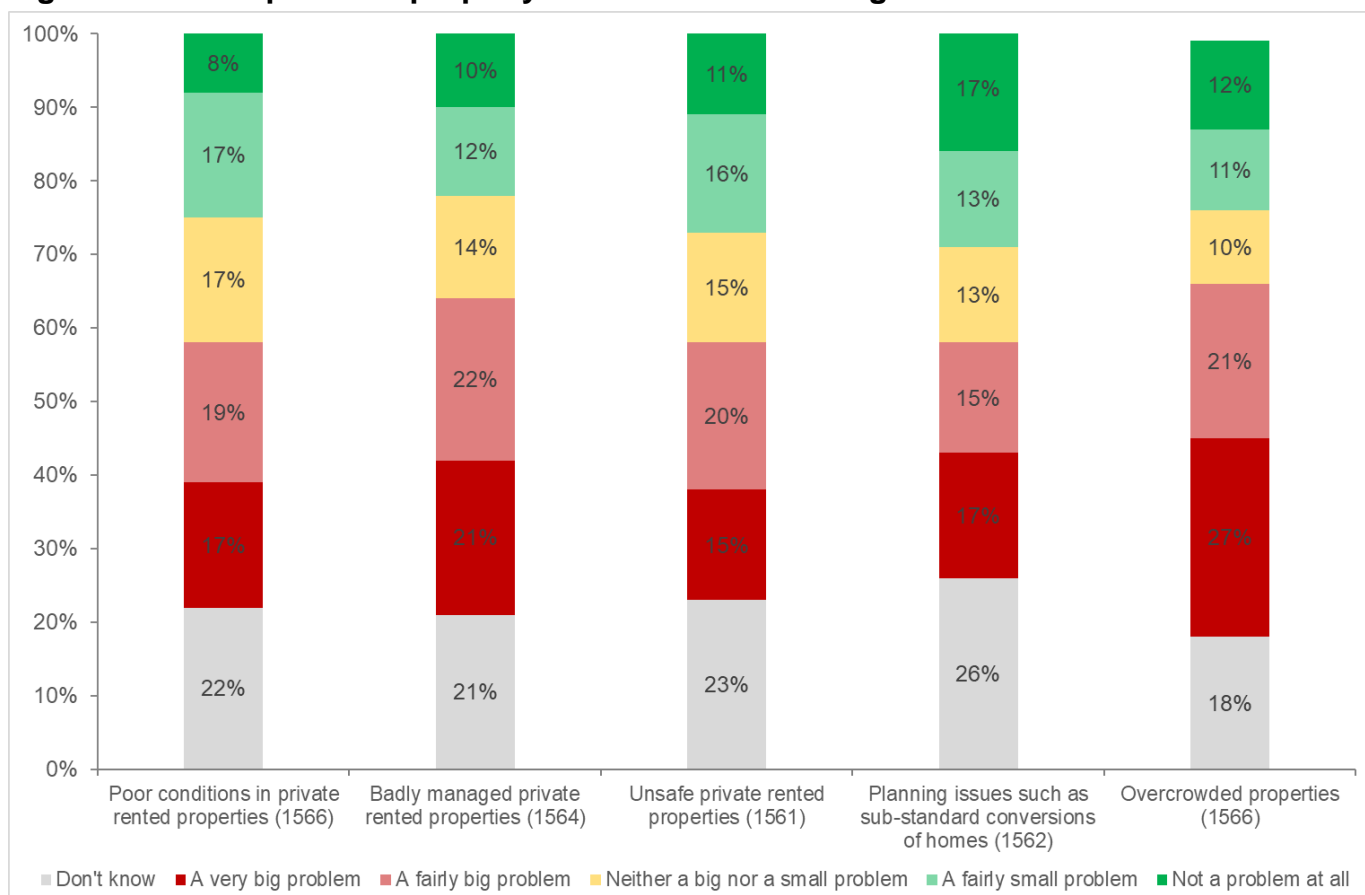
## Section 3: Private rented property conditions, management and anti-social behaviour

### Perceptions of property conditions and management

Tenants/residents are more likely than landlords/agents to cite problems with private rented property conditions and management, with a notable proportions citing such problems

- 3.1. Consultation respondents said the following about private rented property conditions and management:
- **Poor conditions in private rented properties:** Overall, 36% said poor conditions in private rented properties are a problem, while 25% said they are a fairly small problem or not a problem at all. 42% of tenants/residents said they are a problem and 21% said they are a fairly small problem/not a problem at all. This compares to 18% of landlords/agents that said they are a problem and 37% that said they are a fairly small problem/not a problem at all.
  - **Badly managed private rented properties:** Overall, 43% said badly managed private rented properties are a problem, while 22% said they are a fairly small problem/not a problem at all. 52% of tenants/residents said they are a problem and 15% said they are a fairly small problem/not a problem at all. This compares to 19% of landlords/agents that said they are a problem and 44% that said they are a fairly small problem/not a problem at all.
  - **Unsafe private rented properties:** Overall, 35% said unsafe private rented properties are a problem, while 27% said they are not a problem. 32% of tenants/residents said they are a problem and 21% said they are a fairly small problem/not a problem at all. This compares to 16% of landlords/agents that said they are a problem and 43% that said they are a fairly small problem/not a problem.
  - **Planning issues:** Overall, 32% said planning issues are a problem, while 30% said they are not a problem. 34% of tenants/residents said they are a problem and 29% said they are a fairly small problem/not a problem at all. This compares to 21% of landlords/agents that said they are a problem and 35% that said they are a fairly small problem/not a problem at all.
  - **Overcrowded properties:** Overall, 48% said overcrowded private rented properties are a problem, while 23% said they are a fairly small problem/not a problem at all. 55% of tenants/residents said they are a problem and 21% said they are a fairly small problem/not a problem at all. This compares to 27% of landlords/agents that said they are a problem and 32% that said they are a fairly small problem/not a problem at all.

**Figure 3.1: Perceptions of property conditions and management**



Note: Numbers in brackets are the number of respondents.

Question asked: How much of a problem do you think each of the following are in Waltham Forest?

**Focus group insight:**

Whilst private rented tenants in the focus groups had varying experiences of renting and the property conditions, there were several examples of poor housing conditions and bad landlords (although most participants said that they have good landlords and/or live in properties that are in satisfactory condition and sufficiently well maintained):

“We’ve lived in the property for about 10 years. In the last two years the roof has leaked and caused lots of damage. The landlord ignored our requests to fix it and then fixed it badly. It led to excessive damp in the property and eventually the ceiling caved in. He then tried to evict us when we complained to him. We didn’t know who to turn to for help and then it all escalated. We’re now going through the courts with him. It’s been a nightmare, we have two young children. The problem is that we feel trapped because we can’t afford to move, now the rent prices have gone up.” *Private rented tenant (non-HMO)*

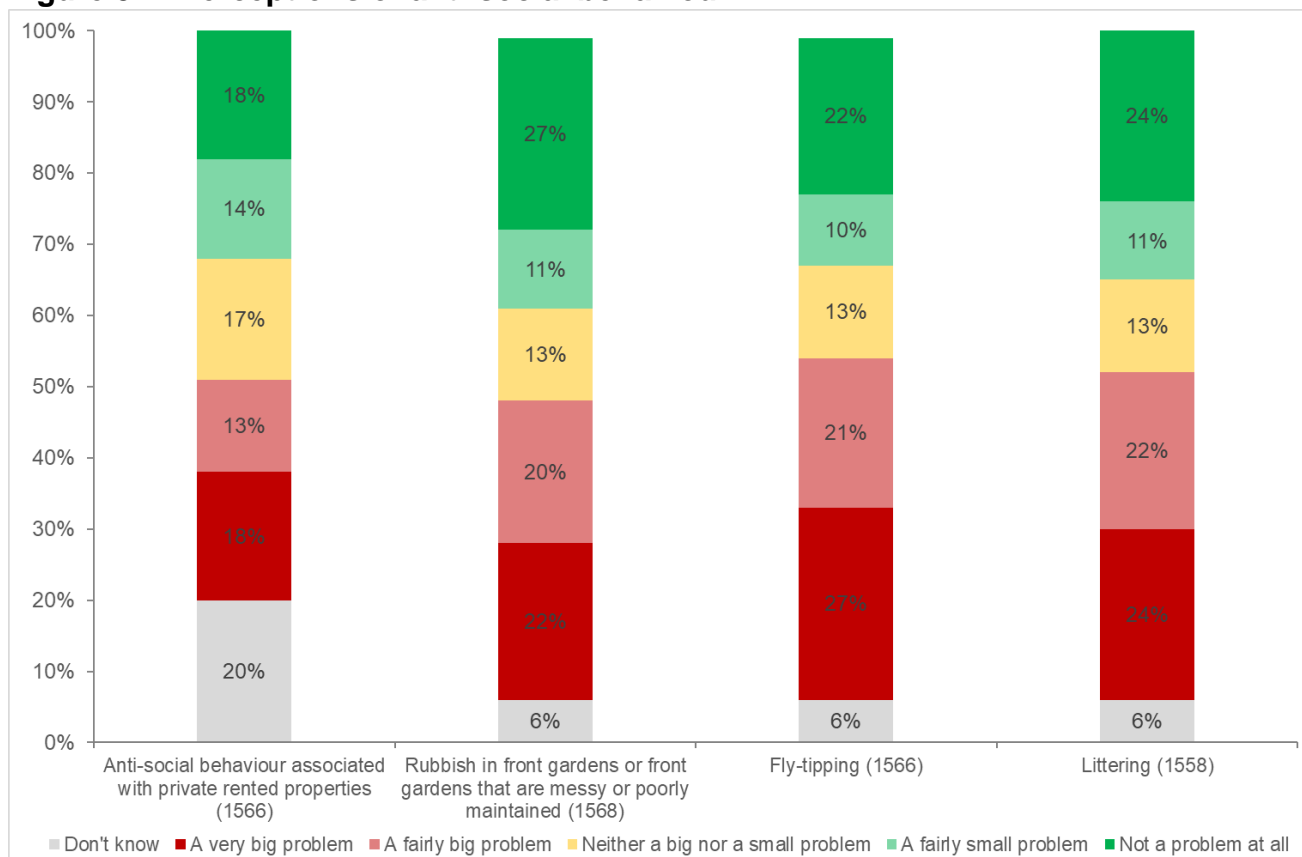
## Perceptions of anti-social behaviour associated with private rented properties

Tenants/residents are more likely than landlords/agents to say that anti-social behaviour, messy front gardens, fly-tipping and littering are problems, with notable numbers citing such problems

3.2. Consultation respondents said the following about anti-social behaviour associated with private rented properties:

- **Anti-social behaviour:** Overall, 31% said anti-social behaviour associated with private rented properties is a problem, while 32% said it is a fairly small problem/not a problem at all. 37% of tenants/residents said it is a problem and 30% said it is a fairly small problem/not a problem at all. This compares to 14% of landlords/agents that said it is a problem and 34% that said it is a fairly small problem/not a problem at all.
- **Messy front gardens:** Overall, 42% said messy front gardens are a problem, while 38% said they are not a problem. 48% of tenants/residents said they are a problem and 38% said they are a fairly small problem/not a problem at all. This compares to 26% of landlords/agents that said they are a problem and 40% that said they are a fairly small problem/not a problem at all.
- **Fly-tipping:** Overall, 48% said fly-tipping is a problem, while 32% said it is a fairly small problem/not a problem at all. 51% of tenants/residents said it is a problem and 33% said it is a fairly small problem/not a problem at all. This compares to 38% of landlords/agents that said it is a problem and 30% that said it is a fairly small problem/not a problem at all.
- **Littering:** Overall, 56% said littering is a problem, while 35% said it is a fairly small problem/not a problem at all. 48% of tenants/residents said it is a problem and 37% said it is a fairly small problem/not a problem at all. This compares to 39% of landlords/agents that said it is a problem and 31% that said it is a fairly small problem/not a problem at all.

**Figure 3.2: Perceptions of anti-social behaviour**



Note: Numbers in brackets are the number of respondents. Question asked: How much of a problem do you think each of the following are in Waltham Forest?

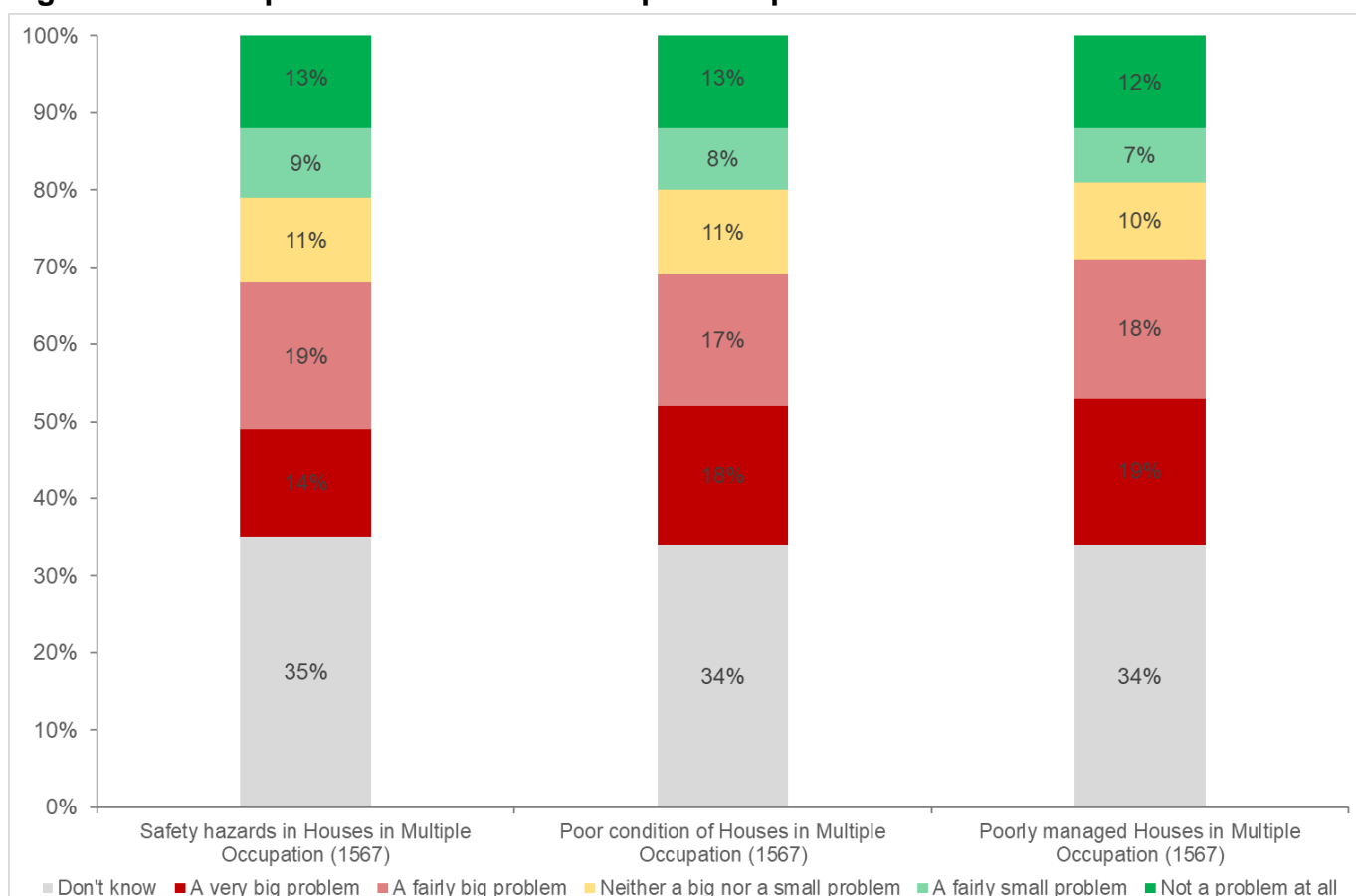
## Perceptions of houses in multiple occupation

Tenants/residents are more likely than landlords/agents to say that the condition and management of houses in multiple occupation [HMOs] are a problem, with a notable minority citing such problems

3.3. Consultation respondents said the following about houses in multiple occupation (HMOs):

- **Safety hazards in HMOs:** Overall, 33% said safety hazards in HMOs are a problem, while 22% said they are a fairly small problem/not a problem at all. 37% of tenants/residents said they are a problem and 21% said they are a fairly small problem/not a problem at all. This compares to 21% of landlords/agents that said they are a problem and 25% that said they are a fairly small problem/not a problem at all.
- **Poor condition of HMOs:** Overall, 35% said the poor condition of HMOs is a problem, while 22% said it is a fairly small problem/not a problem at all. 39% of tenants/residents said it is a problem and 19% said it is a fairly small problem/not a problem at all. This compares to 22% of landlords/agents that said it is a problem and 24% that said it is a fairly small problem/not a problem at all.
- **Poorly managed HMOs:** Overall, 37% said poorly managed HMOs are a problem, while 19% said it is a fairly small problem/not a problem at all. 42% of tenants/residents said they are a problem and 18% said they are not a problem. This compares to 21% of landlords/agents that said they are a problem and 24% that said they are a fairly small problem/not a problem at all.

Figure 3.3: Perceptions of houses in multiple occupation



Note: Numbers in brackets are the number of respondents.

Question asked: How much of a problem do you think each of the following are in Waltham Forest?

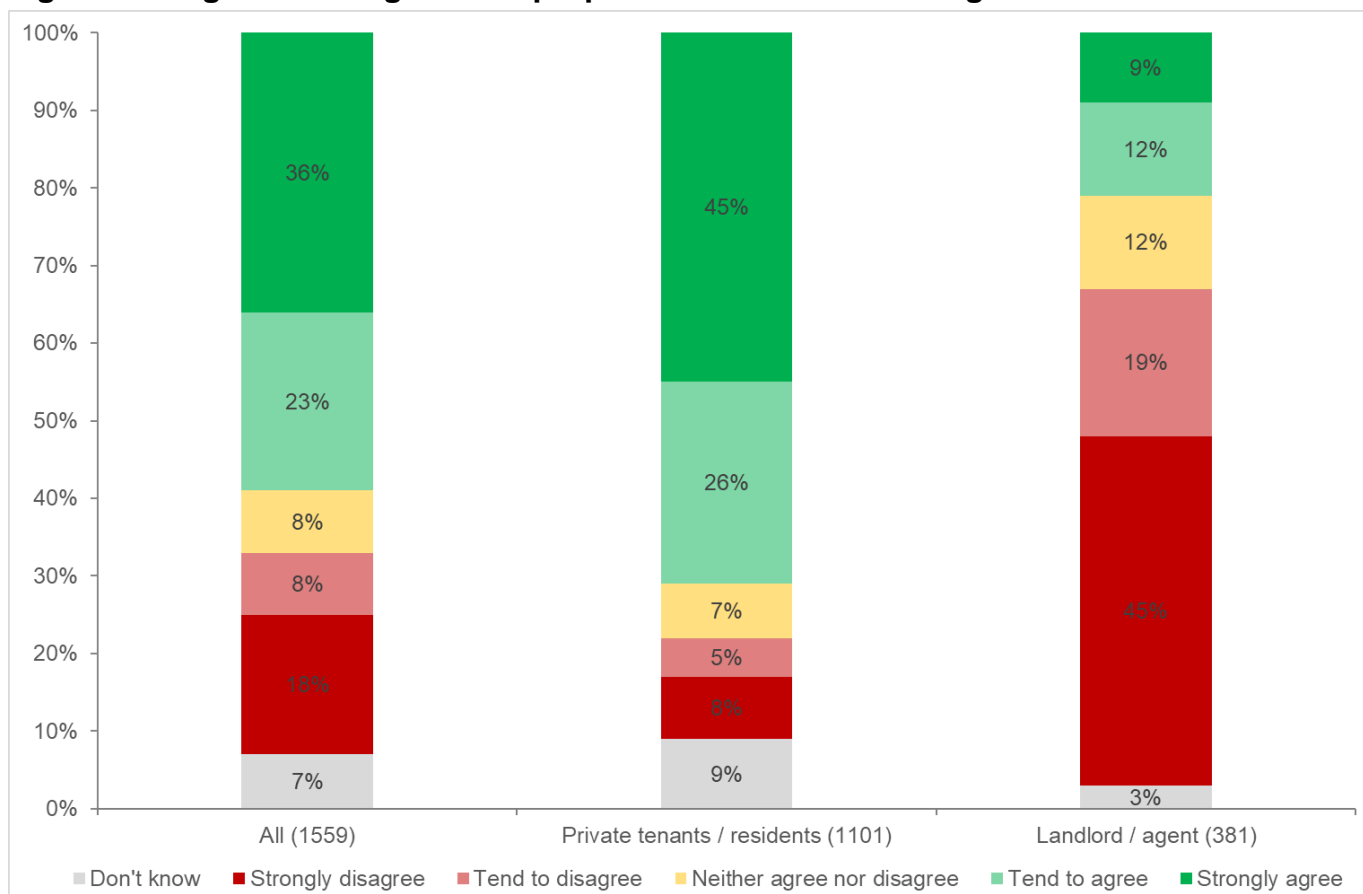
## Section 4: The proposed new schemes

### Selective Licensing

#### **Most tenants/residents agree with the proposal to re-introduce Selective Licensing and they are more likely to agree than landlord/agents**

- 4.1. Overall, 59% of respondents agree with the council's proposal to re-introduce Selective Licensing in Waltham Forest (except Hatch Lane & Highams Park North and Endlebury wards) to regulate privately rented property conditions and management and help tackle anti-social behaviour. 26% disagree.
- 4.2. 71% of tenants/residents agree and 13% disagree. This compares with 21% of landlords/agents that agree and 64% that disagree with the proposal to re-introduce Selective Licensing.
- 4.3. 69% of private tenants agree (12% disagree), compared with 74% of other residents (13% disagree).

**Figure 4.1: Agree or disagree with proposed Selective Licensing scheme**



Note: Numbers in brackets are the number of respondents.

Question asked: Do you agree or disagree with the Council's proposal to implement selective licensing in Waltham Forest (excluding Hatch Lane & Highams Park North and Endlebury wards) to regulate privately rented property conditions and management and help tackle anti-social behaviour?

## Stakeholder views

- 4.4. The Mayor of London and Greater London Authority (GLA), along with neighbouring London borough's that responded - Barking and Dagenham Council, Barnet Council, Enfield Council, Hackney Council, Haringey Council, Lewisham Council, Newham Council, Redbridge Council, and also Waltham Forest Housing Association (WFHA) are supportive of the proposals to re-introduce Selective Licensing (these points relate to both Selective Licensing and Additional Licensing proposals unless specified). As the Mayor of London/GLA response states:

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".

In addition, it goes on to state:

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.

- 4.5. In contrast, the National Residential Landlords Association (NRLA) "objects to the relevance of the introduction of discretionary licensing by Local Authorities". This is on the basis that the proposals will not address anti-social behaviour or over-crowded housing, in part because landlords are not experienced in managing such issues. Similarly, the NRLA argues that existing enforcement powers and legislation can be used to address the issues, including poor standards in the private rented housing sector. In conclusion, the NRLA states:

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.



## The scope of the proposed Selective Licensing scheme

- 4.6. Overall, 34% of respondents said it is appropriate to include 20 of the 22 wards in Waltham Forest in a Selective Licensing scheme, while 5% said fewer wards should be included and 21% said more wards should be included (these respondents come from across all parts of Waltham Forest, not just in the wards that are not proposed for inclusion in the scheme).
- 4.7. Most of those that agree with the re-introduction of the Selective Licensing scheme either said it is appropriate to cover the 20 wards (53%) or that more wards should be included (30%), while 2% said fewer wards.
- 4.8. 41% of tenants/residents agreed with the inclusion of 20 out of 22 wards, 25% said more wards should be included and 4% said fewer wards. 14% of landlords/agents agreed with the inclusion of 20 out of 22 wards, 10% said more wards should be included and 7% said fewer wards.

**Figure 4.2: Geographical coverage of Selective Licensing scheme**

	All (1518)	Tenants/Residents (1057)	Landlords/agents (384)
<b>Yes, it is appropriate to cover the 20 wards and not include Hatch Lane &amp; Highams Park North and Endlebury wards</b>	34%	41%	14%
<b>No, fewer wards should be included</b>	5%	4%	7%
<b>No, more wards should be included</b>	21%	25%	10%
<b>I don't think that there should be a Selective Licensing scheme in Waltham Forest</b>	21%	9%	55%
<b>Don't know</b>	19%	21%	14%

Note: Numbers in brackets are the number of respondents.

Question asked: Do you think the proposal to include 20 of the 22 Wards in the borough is appropriate? (Hatch Lane & Highams Park North and Endlebury wards are not proposed for inclusion in the scheme because they do not meet the criteria for inclusion)

- 4.9. The main reason provided by respondents for stating that more wards should be included is that they felt the scheme should be borough-wide for consistency, clarity, ease of administration and ultimately to ensure the scheme is comprehensive and addresses issues related to private rented properties across the borough. Relatedly, some expressed concern that if the scheme is not borough-wide it may encourage some bad landlords to move into the two excluded wards to avoid licensing.
- 4.10. The small proportion of respondents that said there should be fewer wards tended to either be against the proposal in general or suggested that the scheme should be even more targeted on the properties or areas where the issues are greatest.

## **Alternatives to Selective Licensing**

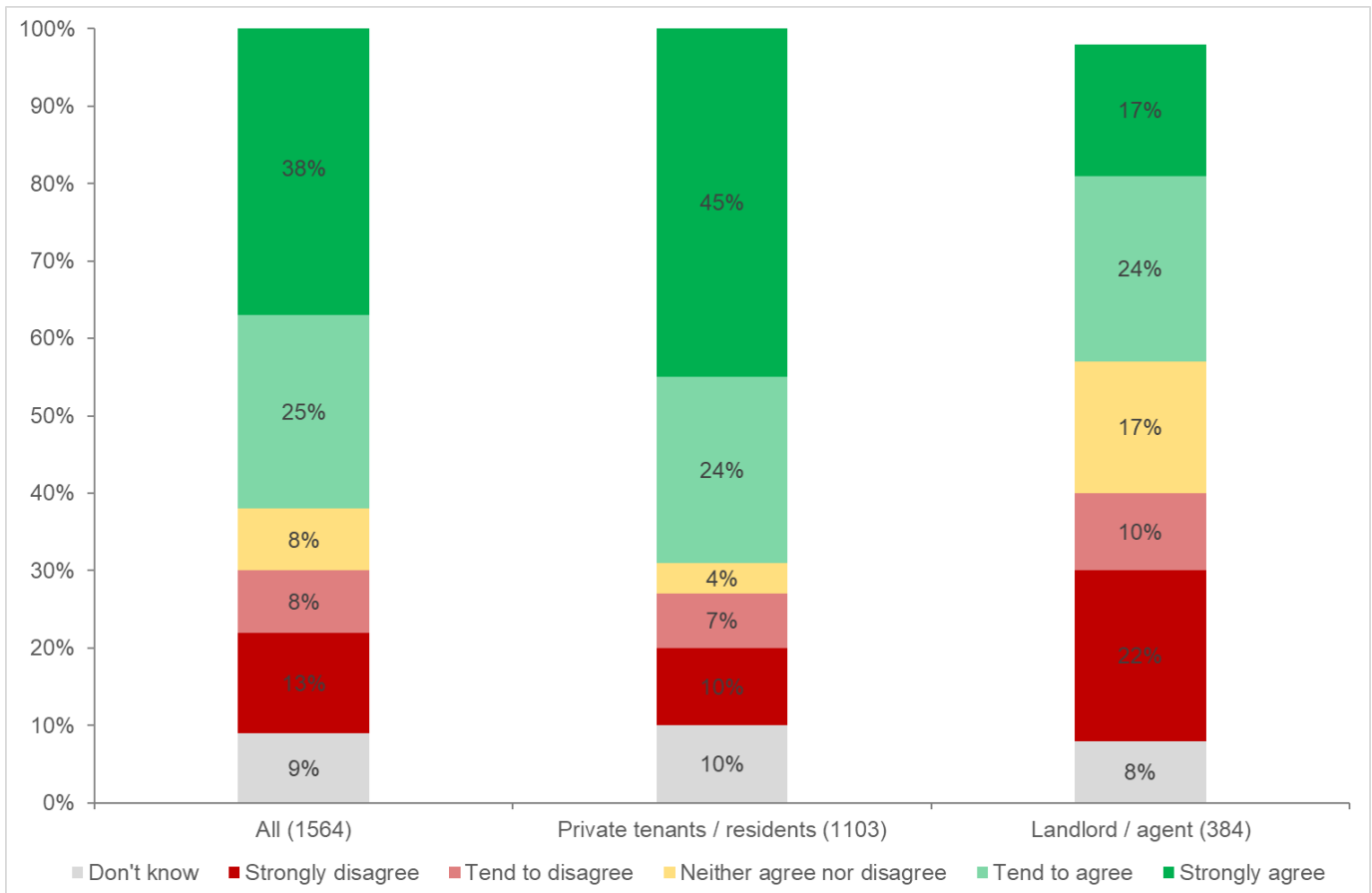
- 4.11. Overall, 51% of all respondents said the council should consider alternatives to a Selective Licensing scheme to regulate private rented property conditions and management effectively and help tackle anti-social behaviour. 48% of tenants/residents said the council should consider alternatives, compared with 58% of landlords/agents.
- 4.12. On investigation, some of the respondents (approximately half) that said there should be alternatives suggested additional elements to the scheme, rather than opposing the scheme. These included, under the remit of the scheme, stronger enforcement, more inspections, investment in services to support landlords and tenants (such as mediation, advisory and information services), and holding tenants to account as much as landlords, especially in the case of anti-social behaviour.
- 4.13. In regards to anti-social behaviour, some respondents said that Selective Licensing may not be effective in dealing with anti-social behaviour, and therefore the council should make use of existing powers and consider new initiatives to deal with ASB. Likewise, they said that landlords should be supported around how better to deal with ASB and/or non-paying tenants.
- 4.14. Some respondents, especially landlords, said alternatives should be considered because they felt the scheme essentially required good landlords to pay a tax for the council to deal with bad landlords. With this in mind, some respondents said the scheme, if it is to go ahead, should have lower fees. Some respondents also cited concerns with the scheme effectively dealing with bad landlords and suggested that the council should make better use of their existing powers.
- 4.15. There was also mention by a small number of respondents for alternative approaches such as accreditation schemes or a lighter touch registration scheme.

## Additional Licensing

### Most tenants/residents agree with the proposal to introduce Additional Licensing

- 4.16. Overall, 63% of respondents agree with the council's proposal to re-introduce Additional Licensing for Houses in Multiple Occupation (HMOs) in all of Waltham Forest to regulate property conditions and management of HMOs and help tackle anti-social behaviour. 21% disagree.
- 4.17. 69% of tenants/residents agree and 17% disagree. This compares with 41% of landlords/agents that agree and 32% that disagree with the proposal to introduce Additional Licensing.
- 4.18. 67% of private tenants agree (18% disagree), compared with 70% of other residents (17% disagree).

**Figure 4.3: Agree or disagree with proposed Additional Licensing scheme**



Note: Numbers in brackets are the number of respondents.

Question asked: Do you agree or disagree with the Council's proposal to implement additional licensing for Houses in Multiple Occupation (HMOs) in all of Waltham Forest to regulate property conditions and management in HMOs and help tackle anti-social behaviour?

## The scope of the proposed Additional Licensing scheme

- 4.19. Overall, 59% of respondents said it is appropriate for the Additional Licensing scheme to cover all of Waltham Forest, while 6% said fewer wards should be included.
- 4.20. Most of those that agree with the re-introduction of an Additional Licensing scheme, agree with the proposal for it to cover all of Waltham Forest - 86% of those that agree with the proposal said it is appropriate to cover all of Waltham Forest and 3% said fewer wards should be included.
- 4.21. 6% of tenants/residents said fewer wards should be included and 5% of landlords/agents said less wards should be included.

**Figure 4.4: Geographical coverage of Additional Licensing scheme**

	All (1553)	Tenants/Residents (1093)	Landlords/agents (383)
<b>Yes, it is appropriate to cover all of Waltham Forest</b>	59%	64%	42%
<b>No, fewer wards should be included</b>	6%	6%	5%
<b>I don't think that there should be an Additional Licensing scheme in Waltham Forest</b>	18%	13%	33%
<b>Don't know</b>	17%	16%	20%

Note: Numbers in brackets are the number of respondents.

Question asked: Do you think the proposal to implement additional licensing for HMOs across the whole of Waltham Forest is appropriate?

- 4.22. The relatively small proportion of respondents that said there should be fewer wards included either were against Additional Licensing or felt that it should be targeted at the properties or areas where the issues are greatest.

## Alternatives to Additional Licensing

- 4.23. Overall, 43% of all respondents said the council should consider alternatives to an Additional Licensing scheme to regulate property conditions and management effectively in HMOs and help tackle anti-social behaviour. 44% of tenants/residents said the council should consider alternatives, compared with 40% of landlords/agents.
- 4.24. The points raised about alternatives to Selective Licensing are similar to those raised for Additional Licensing. In addition, in the Landlord forum and public events especially, landlords raised questions about the criteria for determining whether a property is an HMO (i.e. that a property is rented to more than two unrelated people) and that this is particularly an issue in the borough given the requirement for planning permission for change of use from a single family dwelling to a 'small' HMO of 3 to 6 persons due to an Article 4 Direction being in place. They felt this is restrictive criteria, which has implications for housing availability for those in the rental market. Whilst this is outside the scope of the proposals and consultation, this report is duty bound to note the points raised.

- 4.25. The NRLA suggested as alternatives to the proposed licensing schemes that council tax details are used to identify landlords:

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.

- 4.26. In addition, they state that if the scheme is approved that there should be greater transparency reporting the impact of the schemes:

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.

### Focus group insight:

Most private rented tenants in the focus groups were, in principle, supportive of licensing in general and both of the Selective and Additional Licensing schemes, as one participant said:

“Anything that provides more protection and support to tenants is a good thing. Tenants are in vulnerable positions. When you rent a property you have to jump through lots of hoops, whereas a landlord hardly has to do anything. This [licensing] makes landlords more accountable and provides more power to tenants”. Private rented tenant (non-HMO)

This support was essentially related to properties that are in poor condition and poorly maintained. However, a small number of participants questioned the inclusion of ASB provisions and were concerned this could work against tenants and make licensing “more about policing tenants rather than protecting them”:

“I don’t see how a landlord can be held responsible for the actions of their tenants, in terms of anti-social behaviour. They obviously want good tenants that pay their rent, and they have to work with the tenant to keep the property in reasonable repair and good order, including in and outside. But how can they be held responsible for noise or nuisance or even criminal behaviour? I’m not sure why they include ASB as one of the reasons for all this? ASB and crime can be an issue locally, but there’s other ways to deal with that and licensing should just be about property conditions and good landlords.” *Private rented tenant (HMO property)*

Some participants also asked whether there could be schemes to encourage and support landlords to follow good practice, such as accreditation schemes. This was mentioned more as an additional approach, rather than an alternative:

“I always think a carrot and stick approach works. The licensing schemes feel a bit like the stick, so where’s the carrot? Does the council work with landlords to give them the knowledge and tools to be better landlords? Do they take a supportive approach? What about accreditation schemes, do they exist? If not, can one be created locally so tenants know if their landlord or agent is a good one and if there are any issues they have somewhere they can go to raise them?” *Private rented tenant (non-HMO)*

# Section 5: Proposed fees, charges and discounts

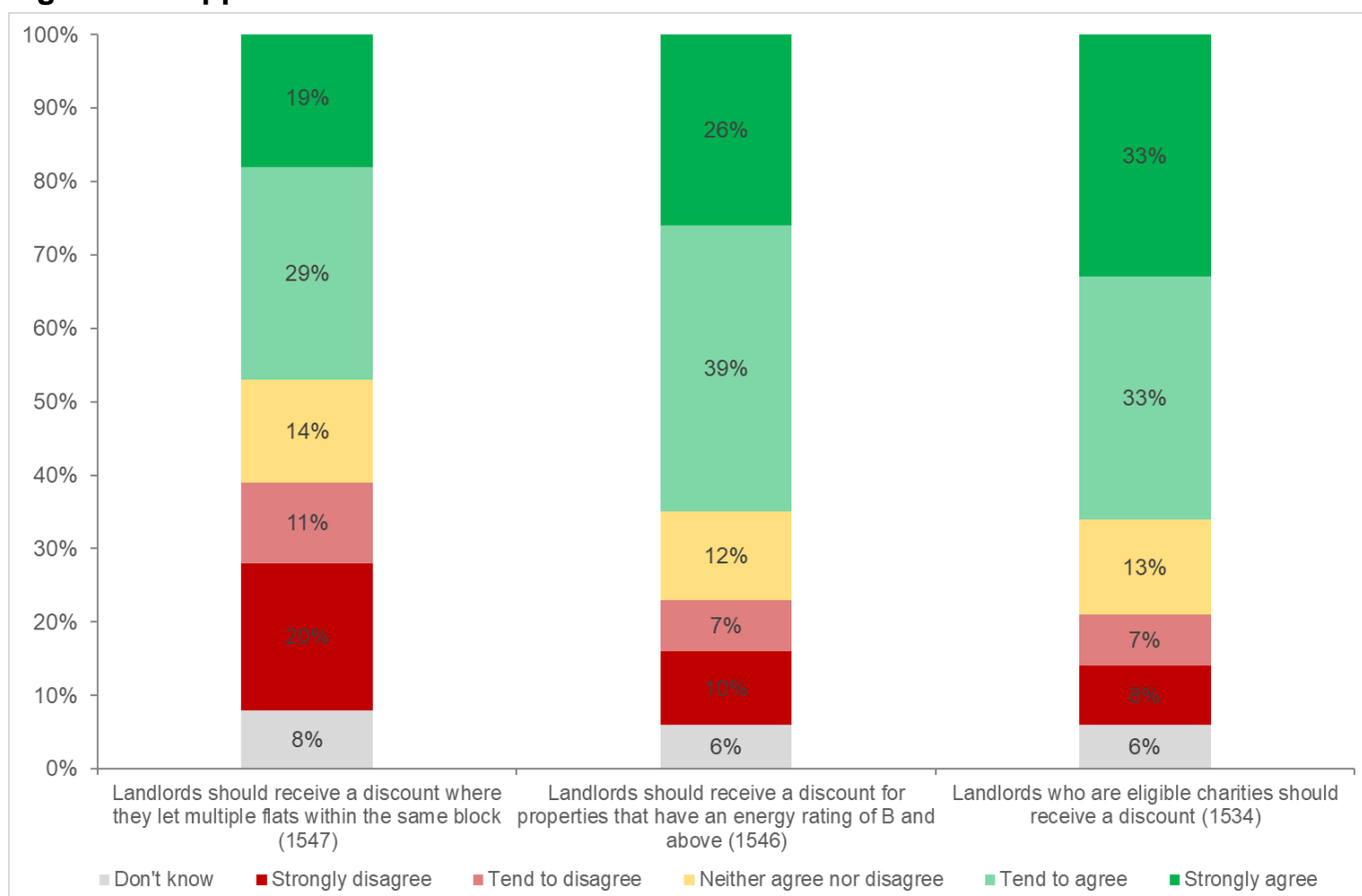
## Approach to licence fees

### Tenants/residents and landlords/agents tend to agree with the proposed approach to licence fees

5.1. Consultation respondents said the following about the proposed licence fees and discounts:

- **Multiple lets within same block discount:** Overall, 48% agree that landlords should receive a discount where they let multiple flats within the same block and 31% disagree. 46% of tenants/residents agree and 34% disagree. This compares to 57% of landlords/agents that agree and 18% that disagree.
- **Energy rating related discount:** Overall, 65% agree that landlords should receive an energy rating related discount and 17% disagree. 71% of tenants/residents agree and 15% disagree. This compares to 50% of landlords/agents that agree and 25% that disagree.
- **Charity related discount:** Overall, 66% agree that landlords should receive a charity related discount and 15% disagree. 72% of tenants/residents agree and 12% disagree. This compares to 50% of landlords/agents that agree and 19% that disagree.

Figure 5.1: Approach to licence fees



Note: Numbers in brackets are the number of respondents.

Question asked: Do you agree or disagree with the following proposed discounts to licence fees?

5.2. Of those respondents that disagreed with the proposed discounts, some tenants and residents said that in general landlords should not be given discounts, given the income they earn from their property and the capital value of the property.

- 5.3. Some respondents disagreed with discounts for multiple properties in the same block because it benefits larger landlords over smaller landlords.
- 5.4. In contrast, some landlords in both the consultation questionnaire and Landlord forum/public events, said that greater discounts should be provided, given the perceived high fee levels adding to the expense of letting a property. Relatedly, some landlords suggested that the early bird discount previously provided in the current scheme should be re-introduced to help reduce fees for compliant landlords. Similarly, some landlords also suggested there should be a discount for landlords that have a track record of good practice or compliance.
- 5.5. In addition, some landlords that responded, as well as those that participated in the Landlord forum events and public event, said that the energy efficiency related discount should be for C rated properties (as per the current scheme) as opposed to B rated properties. They felt that a B rating was overly challenging to achieve, given the housing stock in the borough.

### **Other approaches to fees**

- 5.6. In addition to the points above, and a request from some landlords for a reduced fee or no fee, some participants at the Landlord forum and public events said they wanted more information and greater transparency about the justification for the fee levels and relatedly how fee income is allocated and spent. They suggested they wanted this information annually, including information about the impact of the schemes. These comments were in part made by some landlords that said they felt the licensing schemes are a revenue raising exercise.



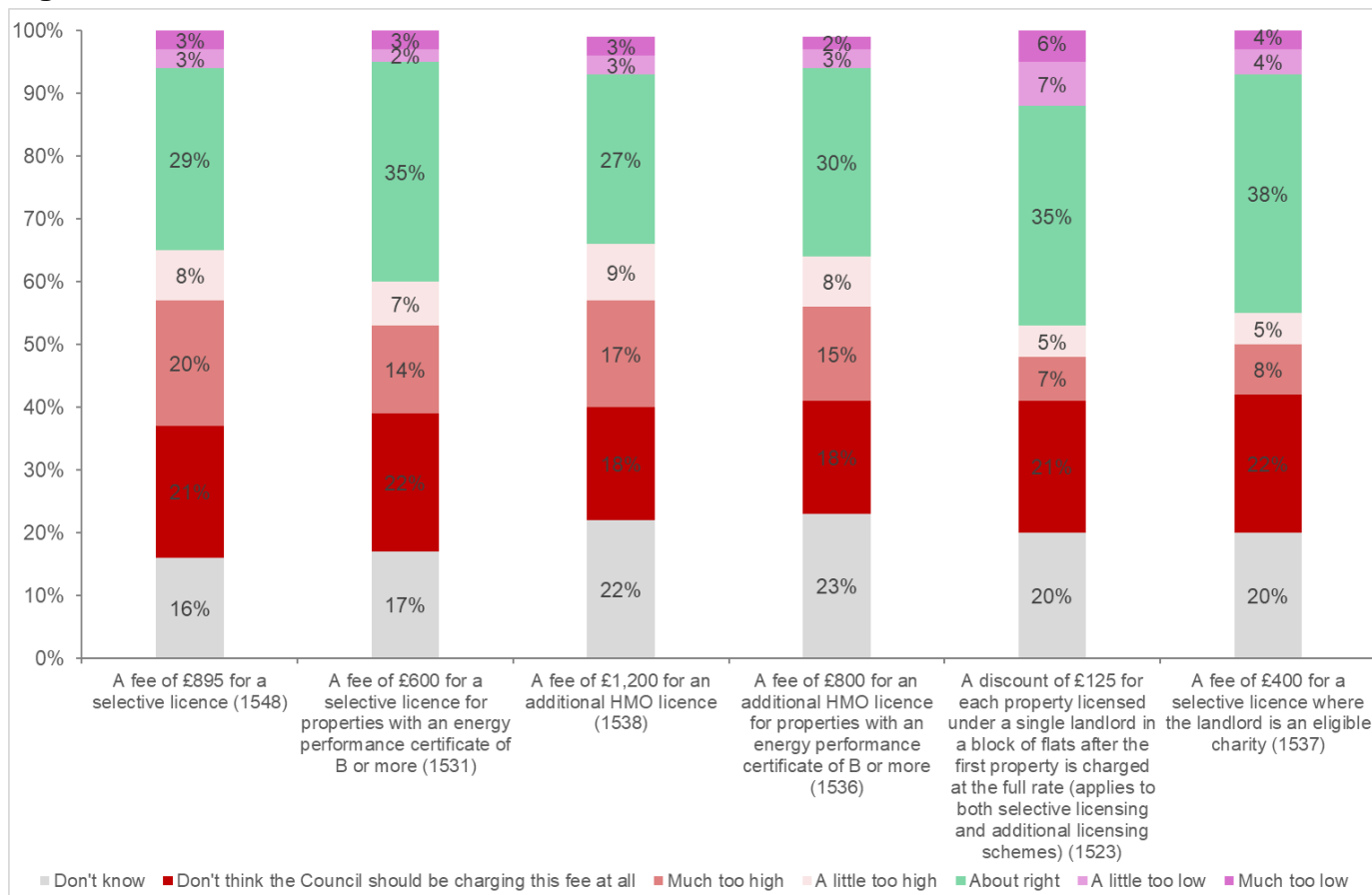
## Licence fee/discount level

**About a third of respondents said the fee and discount levels are about right, which is the most cited response, and this increases once those that disagree with fees being charged are excluded**

5.7. Consultation respondents said the following about the proposed licence fee levels or related discounts:

- **A fee of £895 for a Selective Licence:** Overall, 29% said the fee was about right, 28% too high and 6% too low. 21% said the council should not be charging the fee at all. 38% of tenants/residents said the fee is about right, 19% too high and 8% too low, with 14% stating the fee should not be charged. This compares with 2% of landlords that said the fee was about right, 53% too high, 1% too low and 41% stating the fee should not be charged.
- **A fee of £600 for a Selective Licence for properties with an energy performance certificate of B or more:** Overall, 35% said the fee was about right, 21% too high and 5% too low. 22% said the council should not be charging the fee at all. 45% of tenants/residents said the fee is about right, 13% too high and 6% too low, with 15% stating the fee should not be charged. This compares with 7% of landlords that said the fee was about right, 45% too high, 2% too low, and 42% stating the fee should not be charged.
- **A fee of £1,200 for an Additional HMO Licence:** Overall, 27% said the fee was about right, 26% too high and 6% too low. 18% said the council should not be charging the fee at all. 33% of tenants/residents said the fee is about right, 22% too high and 7% too low, with 15% stating the fee should not be charged. This compares with 9% of landlords that said the fee was about right, 38% too high, 4% too low and 30% stating the fee should not be charged.
- **A fee of £800 for an Additional HMO Licence for properties with an energy performance certificate of B or more:** Overall, 30% said the fee was about right, 23% too high and 5% too low. 18% said the council should not be charging the fee at all. 36% of tenants/residents said the fee is about right, 19% too high and 5% too low, with 14% stating the fee should not be charged. This compares with 11% of landlords that said the fee was about right, 36% too high, 4% too low and 31% stating the fee should not be charged.
- **A discount of £125 for each property licensed under a single landlord in a block of flats after the first property is charged at the full rate:** Overall, 35% said the fee was about right, 12% too high and 13% too low. 21% said the council should not be charging the fee at all. 42% of tenants/residents said the fee is about right, 10% too high and 10% too low, with 17% stating the fee should not be charged. This compares with 15% of landlords that said the fee was about right, 15% too high, 19% too low and 34% stating the fee should not be charged.
- **A fee of £400 for a Selective Licence where the landlord is an eligible charity:** Overall, 38% said the fee was about right, 13% too high and 8% too low. 22% said the council should not be charging the fee at all. 45% of tenants/residents said the fee is about right, 11% too high and 6% too low, with 17% stating the fee should not be charged. This compares with 15% of landlords that said the fee was about right, 20% too high, 12% too low and 39% stating the fee should not be charged.

**Figure 5.2: Licence fee/discount level**



Note: Numbers in brackets are the number of respondents.

Question asked: Do you think the proposed fees are about right, too much or too little?

- 5.8. Of those respondents that said the fees are either too high or low, most comments were from landlords that said the fees are too high in absolute terms as well as representing a high percentage increase compared to the current fees. They felt this could make it unprofitable for landlords.
- 5.9. Some respondents reiterated that they felt the fees represented a revenue raising exercise and consequently wanted more information and justification for the fee levels, and how the fees are allocated, spent and their impact.
- 5.10. Relatedly, some respondents said that the fees should be used to provide services and support to landlords such as advice, information, training, especially in respect of non-paying and/or anti-social tenants.
- 5.11. There was also some concern from some tenants/residents that high fees would be passed on to tenants in the form of rent increases. In contrast, some tenants/residents said the fees are too low and should be higher to reflect the income that some landlords generate and the capital value of their properties. Likewise, they suggested that bad landlords should pay higher fees than good landlords.

**Focus group insight:**

Private rented tenants in the focus groups held a variety of views about fees. Some felt it was not really a concern of theirs, others felt that the fee levels were reasonable, while some were concerned that landlords would pass relatively high fees on to the tenants:

“I’m not sure if those fees are a lot or not, especially if they’re spread over five years, but whatever the case I expect that most landlords will pass the fees on to tenants. Rent is already really high, so that’s my only concern. Maybe there should be a condition that says landlords can’t pass these costs on to us.” *Private rented tenant (non-HMO)*

Some participants in the focus groups also raised concerns that the licensing scheme is a revenue raising exercise. To guard against this, they said the council should be transparent about where the money is spent and some of that money should be directly invested in helping private rented tenants, especially where they have experienced poor property conditions:

“You do see prices and charges going up all over the place, like parking charges. So is this just another way to raise money? They should be really clear about where the money goes and what the benefits of the scheme are. More importantly, can they give some of that income back to tenants? I’m thinking for example if they can help someone who is in dispute with their landlord. Help with legal and advice costs, a grant to find a new property, repair the one they’re in or just simply get some financial compensation. I’d just like to see something given back to local people.” *Private rented tenant (HMO property)*

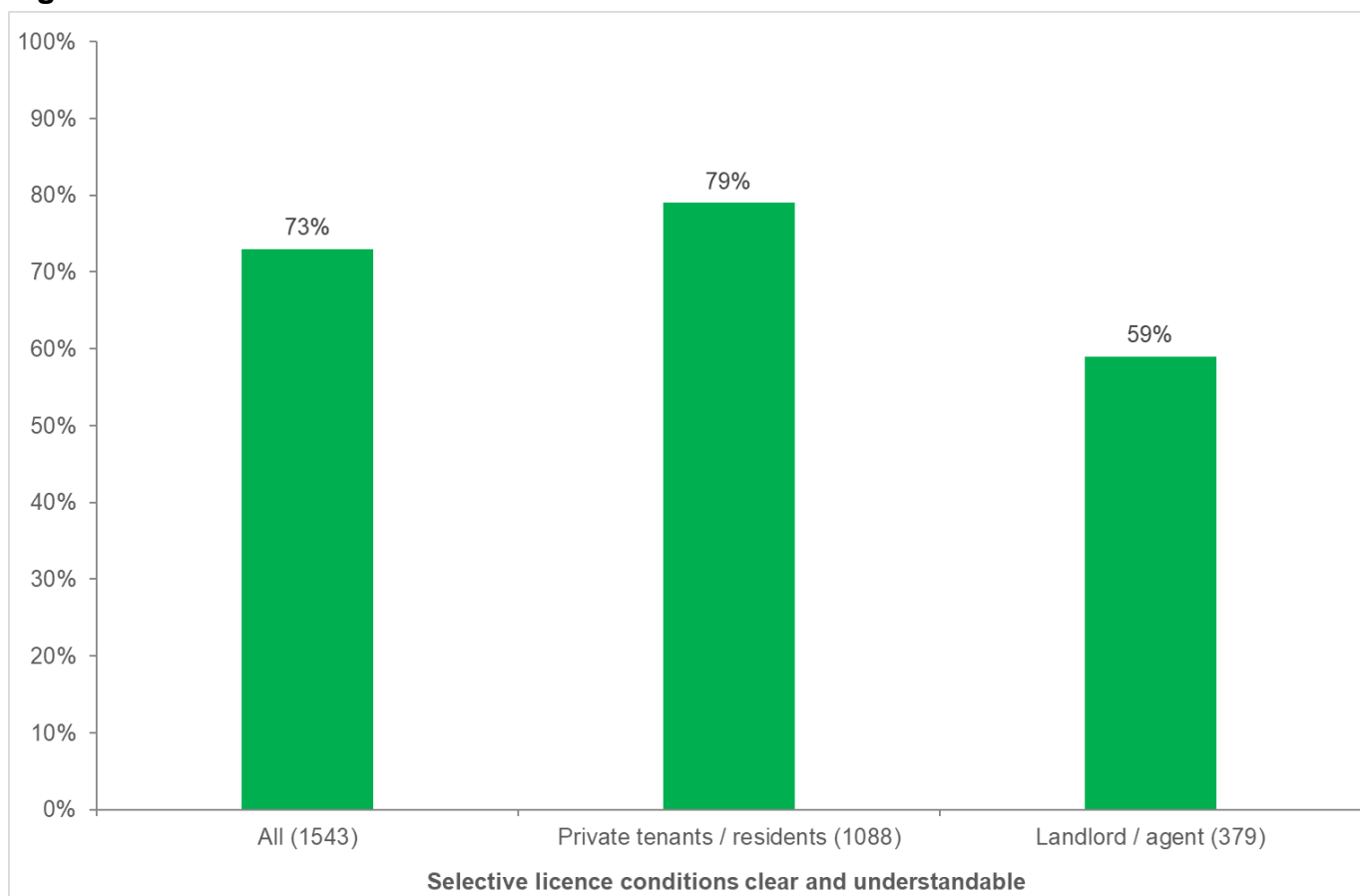
## Section 6: Licence conditions

### Selective Licence conditions

**Most respondents said the Selective Licence conditions are clear and understandable, although there is room for further clarity and refinement**

- 6.1. Overall, 73% of respondents said the Selective Licence conditions are clear and understandable (15% said 'No' and 12% said 'don't know').
- 6.2. 79% of tenants/residents said they are clear and understandable (11% said 'No' and 10% said 'don't know'), compared with 59% of landlords/agents (27% said 'No' and 15% said 'don't know').

**Figure 6.1: Selective Licence conditions clear and understandable**



Note: Numbers in brackets are the number of respondents.

Question asked: Do you think that the proposed Selective Licence conditions are sufficiently clear and understandable?

### **Just over a tenth of respondents said there are Selective Licence conditions that should not be included**

- 6.3. Overall, 13% of all respondents said that there are Selective Licence conditions that should not be included. 9% of tenants/residents and 21% of landlords said this.
- 6.4. This mainly related to conditions around anti-social behaviour, which some respondents felt could not be addressed through licensing and is not the responsibility (or within the capabilities) of landlords to deal with.
- 6.5. Similarly, some respondents said that the licensing conditions should be in line with legislation and not go above and beyond. Relatedly, they felt that many of the conditions were already in place via existing processes such as tenancy agreements, and that

licensing should not be overly onerous or bureaucratic for landlords, especially landlords with a small number of properties.

- 6.6. Some respondents mentioned that the frequency of visits is overzealous and an invasion of tenants' privacy and could be a breach of tenancy agreements
- 6.7. A small number of respondents suggested the electrical testing conditions are onerous and unnecessary.

**And just over a tenth of respondents said there are further Selective Licence conditions that should be included**

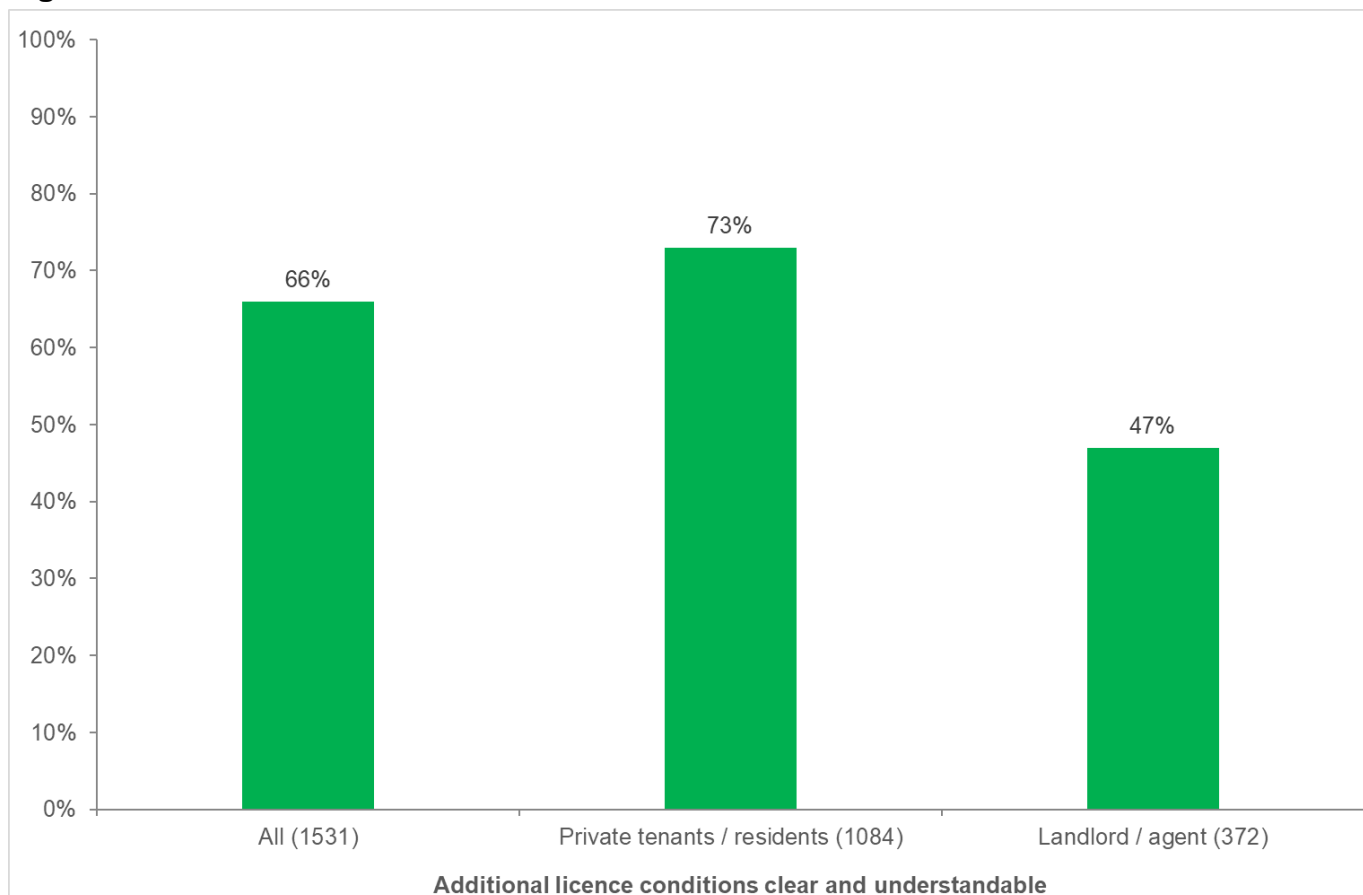
- 6.8. Overall, 13% of all respondents said that there are additional Selective Licence conditions that should be included. 15% of tenants/residents and 8% of landlords said this.
- 6.9. The additional conditions included greater requirements around mould, both for landlords and also around tenant obligations relating to ventilation for example. Relatedly, some respondents said there should be more detailed conditions around achieving a higher EPC rating and energy efficiency in general. Some tenants/residents suggested there should be conditions about providing tenants with where they can raise complaints/issues, including to the council.

## Additional Licence conditions

### **Most respondents said the Additional Licence conditions are clear and understandable, although there is room for further clarity and refinement**

- 6.10. Overall, 66% of respondents said the Additional Licence conditions are clear and understandable (13% said 'No' and 21% said 'don't know').
- 6.11. 73% of tenants/residents said they are clear and understandable (10% said 'No' and 17% said 'don't know'), compared with 47% of landlords/agents (23% said 'No' and 30% said 'don't know').

**Figure 6.2: Additional Licence conditions clear and understandable**



Note: Numbers in brackets are the number of respondents.

Question asked: Do you think that the proposed Additional Licence conditions are sufficiently clear and understandable?

### **A tenth of respondents said there are Additional Licence conditions that should not be included**

- 6.12. Overall, 11% of all respondents said that there are Additional Licence conditions that should not be included. 10% of tenants/residents and 12% of landlords said this. The comments provided are similar to those for Selective Licensing.

### **And a tenth of respondents said there are further Additional Licence conditions that should be included**

- 6.13. Overall, 10% of all respondents said that there are further Additional Licence conditions that should be included. 12% of tenants/residents and 5% of landlords said this.
- 6.14. In addition to the comments provided under Selective Licensing, which are similar to those provided for Additional Licensing, a small number of respondents said there should be more specific conditions around over-crowding, including stipulating the number of tenants and

spacing requirements, and specific reference to tenant and landlord obligations around refuse, recycling, garden maintenance, noise and nuisance.

### **Focus group insight:**

Most private rented tenants in the focus groups indicated that the proposed licence conditions (for both Selective and Additional Licensing schemes) seem reasonable. This said, some did say they seemed perhaps a bit vague and/or light:

“There’s nothing in here [the proposed licensing conditions] that I don’t agree with. The only thing I’d say is that they do feel a bit minimal and it’s not really clear what more is expected of landlords than what they are ordinarily required to do. I don’t really know what more I want, but I was semi-expecting some really tough requirements that compel landlords to do more to maintain their properties.” *Private rented tenant (HMO property)*

Some participants in the focus groups also said that they would like to see some provisions around rent levels included. These include landlords being required to levy ‘fair’ rent that is not beyond market levels, not increasing rent by large percentages (even if it brings the rent up to market levels for tenancies that have gone on for years) and not passing the cost of licence fees on to tenants. This was all part of a wider conversation that some participants started around the rental crisis, high rent levels and rent caps:

“Rent is just extortionate. We’re in a rental crisis at the moment. There’s a lack of properties available and rent is extortionately high. It’s been hiked up over the past year or so. It makes you feel trapped. So I’d like to see something in those conditions that requires landlords to act fairly around the rent levels they set so that any increases are manageable and the overall level of rent is fair and reasonable.” *Private rented tenant (non-HMO)*

## Section 7: Licence scheme objectives

### Most respondents support the proposed scheme objectives, especially tenants/residents

7.1. Consultees were asked whether they agree or disagree with the following objectives:

The Council proposes to use Selective and Additional Licensing to continue to:

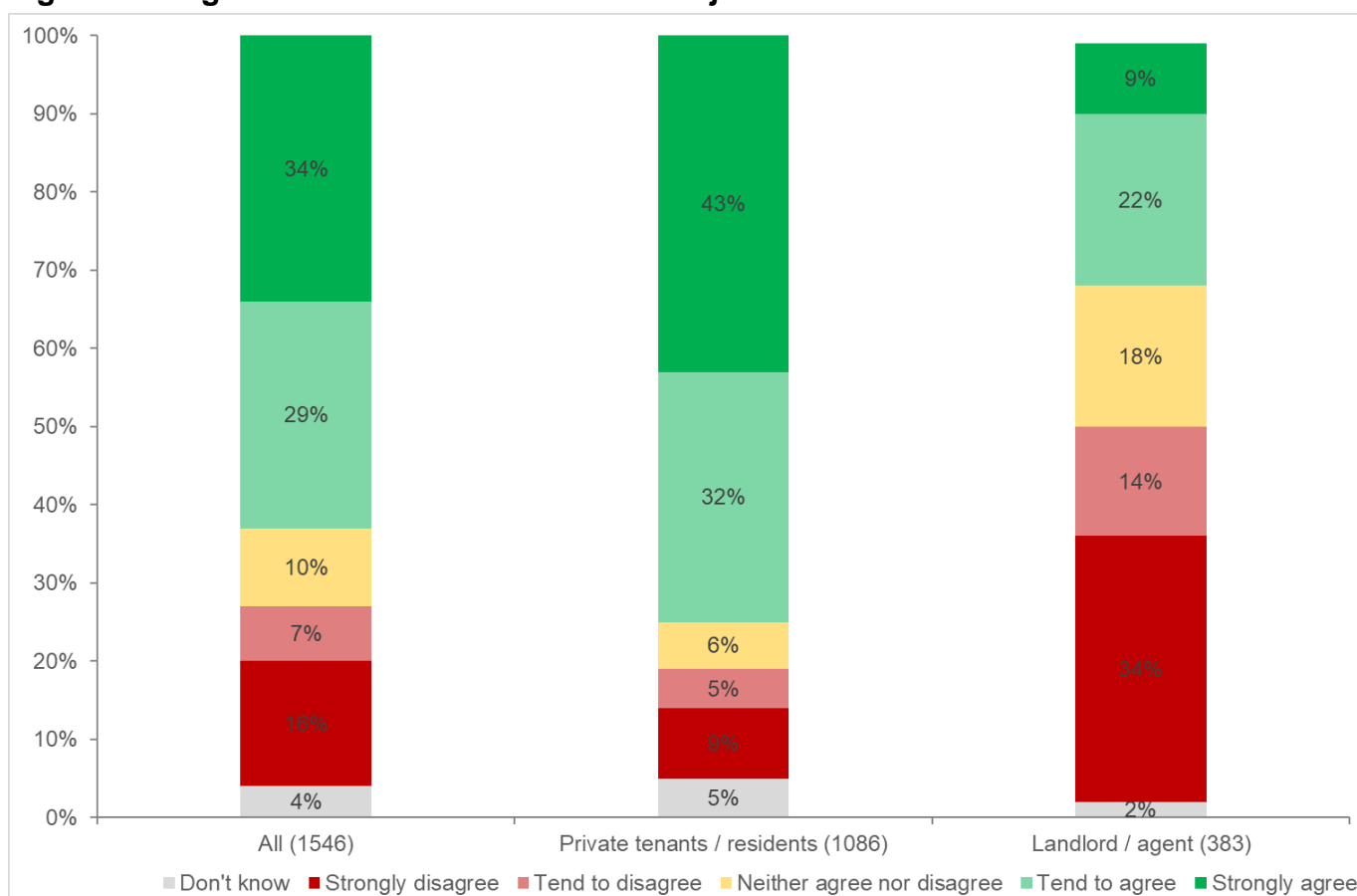
- Improve property conditions and management standards in single family dwellings.
- Improve property conditions and management standards in HMOs.
- Reduce ASB.
- Engage with landlords via Landlord Forum meetings over the life of the new schemes, and produce E-newsletters to landlord and agent subscribers.

7.2. Overall, 63% of respondents agree with the proposed scheme objectives, and 23% disagree.

7.3. 75% of tenants/residents agree (and 14% disagree) and 31% of landlords/agents agree (and 48% disagree).

7.4. 77% of private tenants agree (and 11% disagree) and 74% of other residents agree (and 12% disagree).

**Figure 7.1: Agreement with licence scheme objectives**



Note: Numbers in brackets are the number of respondents.

Question asked: Do you agree or disagree with the proposed scheme objectives?



- 7.5. Some landlords that responded, including some that attended the Landlord forum/public events, said that they would like greater involvement in the forums, including setting the agenda and chairing meetings. Likewise, they were keen to receive advice, information, guidance and training about how best to deal with ASB and non-paying tenants. In part, this is because they did not feel that dealing with ASB is a landlord responsibility and/or that they had the capability to deal with it.
- 7.6. Landlords at the Landlord Forum events also said they would like improvements made to the application process so it is less onerous and more streamline, including their details kept on record so they do not have to re-submit all information again upon renewal.

# Appendices

## Appendix 1: Profile of respondents

Demographic	Overall	On-line consultation questionnaire	Telephone survey of residents and tenants*	Borough population
<b>Background</b>				
Private rented tenants*	35%	11%	47%	28%
Other residents	39%	13%	53%	72%
Landlord / letting/managing agent	26%	76%	N/A	N/A
<b>Sex</b>				
Male	49%	39%	50%	49%
Female	50%	49%	50%	51%
Other	1%	12%	0%	N/A
<b>Age</b>				
18-34	33%	10%	35%	35%
35-54	38%	49%	38%	39%
55+	27%	32%	27%	26%
Prefer not to say	1%	10%	0%	
<b>Ethnicity</b>				
White British/Irish	35%	61%	32%	34%
Non-White British/Irish	65%	39%	68%	66%
<b>Where live in borough</b>				
North	33%	30%	35%	36%
Central	31%	33%	30%	32%
South	35%	37%	34%	32%

Note: Questions about sex, age, ethnicity and where live in borough were only asked to residents of Waltham Forest and consequently the figures are only for respondents that live in the borough.

\*Quotas were set in the telephone survey for sex, age, ethnicity and location to ensure demographic representation based on latest population data. These were achieved within 2-3 percentage points of the target.

\*The telephone survey deliberately over-sampled private rented tenants to ensure sufficient numbers of this group were included to allow for reliable analysis. The results have been re-weighted back to the wider population proportions to ensure they are representative and not overly skewed towards the views of private rented tenants.

## Appendix 2: Consultation questionnaire

# Private Rented Property Licensing: Consultation Questionnaire

**Prior to responding to this questionnaire, we encourage you to read the background information at: [www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation)**

Please note that all your personal details are managed securely and within data protection legislation. Your responses are anonymous and confidential, which means your personal information will not be reported alongside your answers. Please visit the following to read our privacy notices:

[www.publicperspectives.co.uk/privacy](http://www.publicperspectives.co.uk/privacy)

[www.walthamforest.gov.uk/council-and-elections/your-data-and-privacy](http://www.walthamforest.gov.uk/council-and-elections/your-data-and-privacy)

This consultation questionnaire asks you about the current private rented property licensing schemes and the proposed future property licensing schemes, including the proposed scope of the schemes, fees and licence conditions. It will take about 15 minutes to complete.

**Click 'Next' below to begin.**

## About you

### Q1. Are you . . . ?

Please select all relevant answers.

- A tenant living in private rented accommodation
- An owner occupier/buying a home on a mortgage
- The owner of a shared ownership property
- Housing Association/Council Tenant
- Landlord who manages their own property
- Landlord who uses a Managing Agent
- Letting/Managing Agent
- Registered Provider (Housing Association)
- Business owner/representative
- Representative of an organisation
- Other

If 'Other', please specify:

**Please specify the name of the organisation or business:**

**If a business, does your business have a base/office in Waltham Forest?**

Please select one answer only.

- Yes
- No

**If a landlord or agent, do you own or manage properties in Waltham Forest and/or outside the borough?**

Please select all relevant answers.

- In Waltham Forest
- Outside Waltham Forest
- None of the above

**Where are the properties you let or manage located in Waltham Forest?**

Please select all relevant answers.

- North - including Chingford, Highams Park, North Chingford, Chingford Hatch, Chingford Mount
- Central - including Walthamstow, Blackhorse Lane, Walthamstow Village, St James Street, Wood Street, Higham Hill and Markhouse Village
- South - including Leyton, Leytonstone, Lea Bridge, Bakers Arms, Low Hall and Whipps Cross
- Don't know

**Approximately, how many residential properties do you let or manage in Waltham Forest?**

Please select one answer only. (Each separate flat or property counts as one)

- 1
- 2-4
- 5-9
- 10-19
- 20-49
- 50-99
- 100 or more
- None

**Approximately, how many residential properties do you let or manage outside Waltham Forest?**

Please select one answer only. (Each separate flat or property counts as one)

- 1
- 2-4
- 5-9
- 10-19
- 20-49
- 50-99
- 100 or more
- None

**Q2. Do you live in Waltham Forest?**

Please select one answer only.

- Yes
- No

## The current private rented property licensing schemes

The following are questions about your knowledge of the existing schemes and what has changed over the past three years.

Waltham Forest Council introduced a large-scale private rented housing selective licensing scheme on 1 May 2020, which is due to expire on 30 April 2025. This scheme was introduced across all of Waltham Forest (except two of the then 20 wards - Hatch Lane and Endlebury wards because they did not meet the criteria for inclusion). The scheme was introduced to tackle some of the problems associated with privately rented properties occupied by single-family households, namely the high proportion of privately rented homes that contained one or more significant hazards and/or which were associated with anti-social behaviour. This latest scheme replaced an initial selective licensing scheme introduced in April 2015, which expired in 2020.

On 1 April 2020 Waltham Forest Council also introduced a borough-wide additional licensing scheme relating to Houses in Multiple Occupation (HMOs), which is due to expire on 31 March 2025. This scheme was introduced to address problems arising from the poor management of HMOs. This scheme is additional to 'Mandatory HMO Licensing', which applies to most properties that accommodate 5 or more tenants forming 2 or more households.

Since the current licensing schemes were implemented in 2020 there has been:

- Over 22,000 selective licences granted.
- Over 800 licenses granted to HMOs.
- 855 licences refused across all schemes.
- Over 8,000 property audits/inspections conducted resulting in 1,680 properties improving.
- Over 15,000 post-inspection and other warning letters issued.
- 223 legal notices served, including improvement notices requiring works to be carried out.
- 195 criminal prosecutions or imposition of a financial penalty of up to £30,000 for each offence.
- 20 Interim Management Orders, whereby the Council assumes management control of a property pending it being licensed.
- 233 notice of intent to impose a Civil Penalty issued.

More information about the performance and impact of the current schemes is available in the supporting document at (see pages 18 to 24): [www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation)

### **Q3. Were you aware of the borough's privately rented property selective licensing scheme before you took part in this consultation?**

Please select one answer only.

- Yes
- No
- Not sure

### **Q4. Were you aware of the borough's additional licensing scheme relating to Houses in Multiple Occupation (HMOs) before you took part in this consultation?**

Please select one answer only.

- Yes
- No
- Not sure

**Q5. Do you think property conditions in privately rented housing have got better, stayed the same or got worse in Waltham Forest over the past 3 years?**

Please select one answer only.

- Got better
- Stayed the same
- Got worse
- Don't know

**Q6. Do you think anti-social behaviour associated with privately rented properties has got better, stayed the same or got worse in Waltham Forest over the past 3 years?**

Please select one answer only.

- Got better
- Stayed the same
- Got worse
- Don't know

**Q7. If the current licensing schemes stopped and were NOT continued, what impact do you think this would have on the condition and management of privately rented properties in Waltham Forest?**

Please select one answer only.

- There would be a negative impact
- There would be a positive impact
- There would be no impact
- Don't know

**Q8. And if the current licensing schemes stopped and were NOT continued, what impact do you think this would have on anti-social behaviour associated with privately rented properties in Waltham Forest?**

Please select one answer only.

- There would be a negative impact
- There would be a positive impact
- There would be no impact
- Don't know





Safety hazards in Houses in Multiple Occupation

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Poor condition of Houses in Multiple Occupation

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Poorly managed Houses in Multiple Occupation

## The proposed new private rented property licensing schemes

Under a property licensing scheme, licensable addresses must hold a property licence to be legally let to private tenants. For a licence to be granted, the local authority must be satisfied, among other matters, that the licence holder (usually the landlord) and anyone else involved in the management of the property meets a 'fit and proper person' test. All granted property licences impose a set of conditions on the licence holder relating to the letting, management, occupation and condition of the rented property.

Under Government legislation, many Houses in Multiple Occupation (HMOs) are required to hold a property licence. This 'Mandatory HMO Licensing' applies to properties that accommodate 5 or more tenants forming 2 or more households.

Local authorities can also require that other privately rented properties are licensed by introducing 'selective licensing' and/or 'additional licensing' schemes that cover all or part of their area.

**The Council is proposing to implement two schemes to regulate property conditions and management, and help tackle anti-social behaviour:**

**A selective licensing scheme across all wards in Waltham Forest** (except two of the 22 wards in the borough - Hatch Lane & Highams Park North and Endlebury wards, which the Council believes do not meet the relevant criteria for inclusion) from 1st May 2025 after its current scheme comes to an end on 30 April 2025. Under this scheme, most privately rented homes that are rented to single households or to no more than two unrelated people would require a selective licence.

**A borough-wide 'additional licensing scheme':** The additional licensing scheme would cover ALL eligible HMOs that are not within the scope of Mandatory HMO Licensing where tenants share some basic facilities or amenities such as a kitchen or bathroom. This is proposed to apply across all of Waltham Forest and will ensure that all eligible HMOs are licensed.

Private sector property licensing can help to improve the condition and management of privately rented property and reduce anti-social behaviour by requiring landlords to license their property with the Council and meet certain property management conditions. This ensures the regulation of privately rented accommodation and enables the Council to audit and inspect licensed properties and target properties and landlords that are not licensed or meeting their licence conditions.

You can find out more about the proposals, the reasons for proposing property licensing and the potential benefits by reviewing the supporting document at (see pages 25 to 49):  
[www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation)

**Click 'Next' below to continue.**

The Council has considered the following alternatives to improve property conditions, management and reduce anti-social behaviour associated with privately rented properties:

Alternative Measure	Strengths	Weaknesses
<p><b>Use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers</b></p>	<p>Following an investigation, formal statutory notices can be served that require improvements to be carried out to a property. Councils can carry out work in default if a notice is not complied with. Landlords risk being prosecuted if they do not comply with the notice or the Council can impose a civil penalty on the person responsible.</p>	<p>These powers are reactive and can be resource intensive for the Council. They do not place any obligation on landlords to be proactive in improving conditions. Formal action is generally slow, with appeal provisions against most types of notices served, which can significantly delay the time period for compliance.</p> <p>Work in default can be effective but it is expensive and time consuming to the Council, with the risk that not all costs are recovered.</p> <p>Successful prosecutions and civil penalties do not in themselves secure improvements in property conditions and the Council's costs in pursuing legal action are often not met in full.</p>
<p><b>Rely on prosecutions and civil penalties for housing offences</b></p>	<p>Provides a disincentive to keep properties in poor conditions.</p>	<p>These powers do not place any obligation on landlords to be proactive in improving conditions. Successful prosecutions, or the imposition of civil penalties, do not in themselves secure improvements in property conditions. The absence of licensing significantly reduces the scope of the Council to impose civil penalties in respect of identified housing breaches.</p>
<p><b>Wider promotion of voluntary accreditation schemes to facilitate improvement in management practices and standards</b></p>	<p>For those landlords who take part, accreditation can increase their knowledge and competence and their ability to effectively manage a property.</p>	<p>This requires voluntary landlord engagement and rogue operators are unlikely to attend/engage in such schemes.</p>
<p><b>Improvement grants to improve sub-standard properties</b></p>	<p>Grants subsidise improvement works, improving standards and giving benefits for landlords and tenants.</p>	<p>Generally, there are few grants available and the Council has very limited scope to offer grants through successful external funding bids. In the most part, grant awards would fund improvements that the landlord should be carrying out to meet their legal obligations. Any grant scheme would be discretionary and would rely on voluntary landlord engagement.</p>
<p><b>ASB powers</b></p>	<p>Formal notices can be served at addresses identified as having ASB issues. This can resolve ASB at the particular address.</p>	<p>Action would generally be taken against the tenant in occupation. The powers do not place any obligations on landlords to be proactive in managing their properties to prevent or reduce the likelihood of ASB occurring.</p>

The Council believes that it can only continue to improve property conditions, management and help reduce anti-social behaviour through private rented property licensing. This is because licensing helps make best use of existing powers mentioned in the table above. For example, by providing the intelligence and resources to conduct audits, inspections and enforcement activity, allowing the Council to identify non-compliant landlords that have not licensed their property or those who fail to meet property management conditions, and then take enforcement action where appropriate.

You can find out more about the alternatives in the supporting document at (see pages 56 to 57): [www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation)

The following asks questions about these proposals.

## Proposal 1: Selective licensing scheme

**Q10 Do you agree or disagree with the Council's proposal to implement selective licensing in Waltham Forest (excluding Hatch Lane & Highams Park North and Endlebury wards) to regulate privately rented property conditions and management and help tackle anti-social behaviour?**

Please select one answer only.

- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree
- Don't know

**Q11 Do you think the proposal to include 20 of the 22 Wards in the borough is appropriate?** (Hatch Lane & Highams Park North and Endlebury wards are not proposed for inclusion in the scheme because they do not meet the criteria for inclusion. You may wish to refer to the supporting document which shows why the scheme is proposed in 20 of the 22 wards in the borough - see the supporting document at (see pages 25 to 28): [www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation))

Please select one answer only.

- Yes, it is appropriate to cover the 20 wards and not include Hatch Lane & Highams Park North and Endlebury wards
- No, fewer wards should be included
- No, more wards should be included
- I don't think that there should be a selective licensing scheme in Waltham Forest
- Don't know

If you have answered 'No', please indicate what wards you think should or should not be included in a selective licensing scheme in Waltham Forest and why:

**Q12 Do you think the Council should consider alternatives to a selective licensing scheme to regulate private rented property conditions and management effectively and help tackle anti-social behaviour?**

Please select one answer only.

- Yes
- No
- Don't know

If 'Yes', please specify the alternatives and indicate whether they would be relevant to the entire area covered by the proposed selective licensing scheme or a specific part of it:

## Proposal 2 – Additional licensing scheme

**Q13 Do you agree or disagree with the Council's proposal to implement additional licensing for Houses in Multiple Occupation (HMOs) in all of Waltham Forest to regulate property conditions and management in HMOs and help tackle anti-social behaviour?**

Please select one answer only.

- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree
- Don't know

**Q14 Do you think the proposal to implement additional licensing for HMOs across the whole of Waltham Forest is appropriate?** (You may wish to refer to the supporting document which shows why the scheme is proposed across the borough - see the supporting document at (see pages 46 to 49): [www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation))

Please select one answer only.

- Yes, it is appropriate to cover all of Waltham Forest
- No, fewer wards should be included
- I don't think that there should be an additional licensing scheme for HMOs in Waltham Forest
- Don't know

If you have answered 'No', please indicate what wards you think should or should not be included in an Additional Licensing scheme in Waltham Forest and why:

**Q15 Do you think the Council should consider alternatives to an additional licensing scheme to regulate property conditions and management effectively in HMOs and help tackle anti-social behaviour?**

Please select one answer only.

- Yes
- No
- Don't know

If 'Yes', please specify the alternatives and indicate whether they would be relevant to the entire area covered by the proposed additional licensing scheme or a specific part of it:

## Proposed fees, charges and discounts

The Council proposes that, as with the existing licensing schemes, the grant of a licence will be subject to the payment of a fee. The proposal is to set fees for licence applications taking into account all of the Council's costs in administering and carrying out its licensing functions and carrying out its functions under Chapter 1 of Part 4 Housing Act 2004 (where steps are necessary to make Interim and Final Management Orders) so far as they are not recoverable under or by virtue of any provision of Chapter 1 of Part 4. This does not include costs that can be recovered directly from landlords when undertaking those functions.

Licences will be granted for the duration of the scheme (up to 5 years) unless there are concerns about the management, use, condition or occupation of the property, in which case the Council may grant a licence for a shorter period.

Where enforcement action is taken, the licence may be revoked or varied to a shorter term. If this happens, and the property continues to be rented out, a new application will have to be made and a new licence fee paid at the standard rate.

Licences are not transferable. If a person wants to become the new licence holder for a property, they must apply for a new licence, and pay a new licence fee.

Full payment must be received and cleared before a licence is issued.

The fee is levied in two parts, as per legal requirements. Part A of the fee is for the application for a licence and covers the costs of processing, administration and validation of the application. Part B of the fee comprises a contribution towards the costs of exercising other licensing functions and those in respect of management orders, noted above.

In the event the Council refuses a licence application, only the Part A fee will be payable.

The proposed fees are:

- Selective licence: Part A element (application and processing) is proposed at £300 and Part B element (enforcement) is proposed at £595, with a total fee payable on successful application of £895.

- Additional HMO licence: Part A element (application and processing) is proposed at £600 and Part B element (enforcement) is proposed at £600, with a total fee payable on successful application of £1,200.

The proposed fees have been calculated on the basis that the schemes will be cost-neutral to the Council, with licence fees covering costs of administering the schemes and meeting the scheme objectives related to improving property conditions, management and ASB. A significant proportion of the licence fee income will meet the necessary staffing costs to deliver the schemes' outcomes, but the fees will also meet other running costs, such as IT expenditure, with appropriate allowances made for inflationary increases during the life of the schemes.

The proposed fees are underpinned by assumptions about the level of income the fees will generate, based upon the number of properties that are expected to be licensed during the life of the schemes and the numbers of those properties that are expected to be eligible from one or two discounts.

The following table highlights how these proposed fees compare to other London Boroughs that operate similar schemes:



<b>Local Authority</b>	<b>Selective Licence fee (&amp; year scheme commenced)</b>	<b>Additional HMO licence fee</b>	<b>Discounts offered</b>
<b>Barking &amp; Dagenham</b>	£900 (Sept 2019)	NA	A landlord who is considered a fit and proper person, has held a licence with LBBD in the previous scheme and has not been subject to any enforcement or legal action including conviction, caution or civil penalty maybe eligible for a £215 discount
<b>Enfield</b>	£673.80 (Sept 2021)	£1,170	None
<b>Haringey</b>	£600 (Sept 2022)	N/A	Multi-dwelling discount - £75 on 2 <sup>nd</sup> , 3 <sup>rd</sup> unit etc. Accredited landlord and/or EPC or C or better - £50 discount
<b>Havering</b>	£900 (Jan 2021)	£900	Accredited landlord - £35 discount
<b>Newham</b>	£750 (Jun 2023)	£1,250	Multi-dwelling discount - £50 on 2 <sup>nd</sup> , 3 <sup>rd</sup> unit etc. Accredited landlord and/or EPC or C or better - £50 discount. Discount for new PRS dwellings with EPC of C or better - £350 for selective licence and £450 for additional licence Discount for selective licence addresses used by Newham as nightly paid TA - £350 *Discounts do not apply where warning letter sent
<b>Redbridge</b>	£860 (Nov 2023)	£1,698 - £1,800	Accredited landlord - £35 discount
<b>Tower Hamlets</b>	£649 (Oct 2021)	£600.50	None

The Council is proposing three different discount payments against the full licence fee. Some properties will be eligible for up to two of these discounts:

- Multi-dwelling discount for selective and additional licence applications (where multiple properties in the same building are owned and under the control of the same person): Fee reduced by £125 in respect of applications relating to the 2<sup>nd</sup>, 3<sup>rd</sup> etc. flat in a block.
- Properties that have good energy performance ratings certificates (EPC) of B or better. This discount will apply to eligible properties under the selective licensing and additional HMO licensing schemes, but not properties that require a Mandatory HMO Licence: Selective licence fee reduced by £295 and additional licence fee by £400.
- Discount for certain charities: Part B fee reduced to £100 for a selective licence, resulting in a total fee of £400 for successful applications.

You can find out more about the proposed fees, charges and discounts in the supporting document at (see pages 50 to 55): [www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation)

**Click 'Next' below to continue and answer questions about the proposed fees, charges and discounts.**



A fee of £400 for a selective licence  
where the landlord is an eligible  
charity

If you said 'too much' or 'too little', please explain your answer and the fee level you would suggest:

## Licence conditions

The Council proposes to include licence conditions about tenancy management, licence holders, property standards, property management and occupancy levels. The intention of these is to:

- Ensure landlords/agents provide safe homes of adequate quality.
- Increase the professionalism and accountability of landlords.
- Reduce anti-social behaviour.
- Control occupancy levels.

Failure to comply with conditions attached to a licence is a criminal offence and could result in prosecution and, on conviction, the Court may impose an unlimited fine. Alternatively, the Council may impose a financial (Civil) penalty of up to £30,000 for each offence.

Some of these conditions are mandatory and are already required of landlords. In other words they must be imposed as a licensing condition for every granted licence. Mandatory conditions include:

- Providing each occupier with a written statement of the terms of their occupancy.
- Holding a current gas safety certificate.
- Making sure the electrical appliances and furniture supplied are in a safe condition and meet current regulatory standards.
- Ensuring smoke alarms are provided in the house and are kept in good working order.

Licensing imposes these obligations on landlords and enforcement of licensing conditions helps ensure they are met, although the mandatory conditions themselves are not being consulted upon because they are already required of landlords.

The Council also proposes to introduce local licensing conditions such as:

- Providing occupants of the house with written notice about how they should deal with repair and maintenance issues and with emergencies, should they arise.
- Ensuring that all reasonable steps are taken to prevent and deal effectively with anti-social behaviour (ASB) resulting from the conduct of occupiers of, or visitors to, the property.
- Making sure the landlord and/or licensee is fit and proper.
- Ensuring any repairs or maintenance are carried out quickly and by competent persons.
- Regularly inspecting properties.
- Various measures to deal with anti-social behaviour associated with private rented properties.

The effective implementation of the proposed licensing schemes will provide the Council with the information and resources to check that landlords are complying with these conditions and to take enforcement action where required.

Full details of the proposed licensing conditions for selective and additional licensing schemes can be found at: [www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation). For ease of reference, these documents include both the mandatory licence conditions and proposed local conditions for each licence type.

**Click 'Next' below to answer questions about the licence conditions.**

## Selective licensing conditions

**Q19 Do you think that the proposed selective licence conditions are sufficiently clear and understandable?**

Please select one answer only.

- Yes  
 No  
 Don't know

If 'No', please state which conditions are not clear and why:

**Q20 Are there any proposed selective licence conditions that you do not think should be included?**

Please select one answer only.

- Yes  
 No  
 Don't know

If 'Yes', please indicate which condition (or conditions) should not be included and why?

**Q21 Are there any other selective licence conditions (that are not already covered by a mandatory or proposed local licence condition) that you think should be included?**

Please select one answer only.

- Yes  
 No  
 Don't know

If 'Yes', please state below:

## Additional licensing conditions

**Q22 Do you think that the proposed additional licence conditions are sufficiently clear and understandable?**

Please select one answer only.

- Yes  
 No  
 Don't know

If 'No', please state which conditions are not clear and why:

**Q23 Are there any proposed additional licence conditions that you do not think should be included?**

Please select one answer only.

- Yes  
 No  
 Don't know

If 'Yes', please indicate which condition (or conditions) should not be included and why?

**Q24 Are there any other additional licence conditions (that are not already covered by a mandatory or proposed local licence condition) that you think should be included?**

Please select one answer only.

- Yes  
 No  
 Don't know

If 'Yes', please state below:

## Proposed scheme objectives

The Council proposes to use selective and additional licensing to continue to:

- Improve property conditions and management standards in single family dwellings.
- Improve property conditions and management standards in HMOs.
- Reduce ASB.
- Engage with landlords via Landlord Forum meetings over the life of the new schemes, and produce E-newsletters to landlord and agent subscribers.

You can find out more about the proposed scheme objectives in the supporting document at (see pages 58 to 59): [www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation)

### Q25 Do you agree or disagree with the proposed scheme objectives?

Please select one answer only.

- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree
- Don't know

If you have answered 'Tend to disagree' or 'Strongly disagree', which proposed scheme objectives do you disagree with and why?:

## Other comments

**Q26 Overall, are there any other comments that you would like to make about the licensing proposals?**

A large, empty rectangular box with a thin grey border, intended for the user to provide their comments on the licensing proposals.



## About you

We want to ask you some questions about yourself. This will help us identify the opinions and understand the impact of the proposals on different groups of people. Please be assured that your answers are confidential and will be treated anonymously. This means that we will not report your answers alongside your personal details and the information you provide will only be used for the purposes of this consultation. All your answers and personal information will be managed securely and in accordance with data protection legislation.

### Q27 How long have you lived in Waltham Forest?

Please select one answer only.

- Less than 1 year
- 1 to 2 years
- 3 to 5 years
- 6 to 10 years
- Over 10 years
- Prefer not to say

### Q28 What is your sex?

Please select one answer only.

- Female
- Male
- Prefer not to say

### Q29 Is the gender you identify with the same as your sex registered at birth?

Please select one answer only.

- Yes
- No
- Prefer not to say

### Q30 What was your age on your last birthday?

Please select one answer only.

- 16-17
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75+
- Prefer not to say

**Q31 Do you have any physical or mental health conditions or illnesses lasting or expected to last 12 months or more?**

Please select one answer only.

- Yes, which reduce my ability to carry out my day-to-day activities a lot
- Yes, which reduce my ability to carry out my day-to-day activities a little
- Yes, but they don't reduce my ability to carry out my day-to-day activities at all
- No
- Prefer not to say

**Q32 How would you describe the occupation (or if retired the former occupation) of the chief income earner in your household?**

Please select one answer only.

- Higher managerial / professional / administrative
- Intermediate managerial / professional / administrative
- Supervisory or clerical / junior managerial / professional / administrator
- Skilled manual worker
- Semi-skilled or unskilled manual worker
- Student
- Retired and living on state pension only
- Unemployed for over 6 months or not working due to long term sickness
- Prefer not to say

**Q33 Which of the following best describes your ethnic group or background?**

Please select one answer only.

**White**

- English / Welsh / Scottish / Northern Irish / British
- Irish
- Gypsy or Irish Traveller
- Roma
- Central or Eastern European
- Any other white background

**Mixed or Multiple Ethnic Groups**

- White and Black Caribbean
- White and Black African
- White and Asian
- Any other Mixed or Multiple background

**Asian or Asian British**

- Indian
- Pakistani
- Bangladeshi
- Chinese
- Any other Asian background

**Black, Black British, Caribbean or African**

- Caribbean
- African
- Any other Black, Black British, Caribbean or African background

**Other ethnic group**

- Arab
- Other ethnic group
- Prefer not to say

**Q34 What is your main language?**

Please select one answer only.

- English
- Other
- Prefer not to say

If 'Other', please specify:

**Q35 Which of the following best describes your sexual orientation?**

Please select one answer only.

- Straight / Heterosexual
- Gay or Lesbian
- Bisexual
- Other sexual orientation
- Prefer not to say

**Q36 What is your postcode?** (We ask this so we can analyse the results by different areas. We are not able to identify you personally) (please list the first four digits of your postcode only e.g. E17 3)

**Q37 Would you like to be directly notified of the outcome of the consultation (this includes the Council's decision about whether to implement either of the schemes)?**

Please select one answer only.

Yes

No

Please provide the following details so we can notify you about the outcome of the consultation (these details will only be used to notify you, and will not be linked to your responses or published):

Name:

E-mail:

Address:

## Participating in the consultation and staying informed

**You've reached the end of the questionnaire - thank you for your responses. Before you submit your responses please read the information below about other ways to take part in the consultation and next steps.**

To find out about other ways to participate in the consultation, including landlord and public meetings, and stay informed about the proposals and results of the consultation, please visit: [www.walthamforest.gov.uk/property-licensing-consultation](http://www.walthamforest.gov.uk/property-licensing-consultation)

### Next steps

Public Perspectives, the organisation helping the Council manage the consultation, will produce an independent report of the consultation results. The intention is that this report, along with other evidence about the impact of the proposals, will be considered by Waltham Forest Council's Cabinet (which is the Council's decision-making committee in respect of these proposals) in the summer of 2024. The report and documentation will be published on the Council's website ahead of the meeting. The decision taken will also be published and available on the Council's website after the meeting.

If a decision is taken to implement the schemes, or either of them, an application will be made to the Secretary of State for permission to implement a private sector property selective licensing scheme once the existing scheme finishes at the end of April 2025.

The borough-wide additional licensing scheme for HMOs will be implemented in line with the timetable that will be set out in the report to Cabinet, if a decision to adopt such a scheme is made.

**Click on the 'Submit' button below to send us your responses. Upon submission you will be re-directed to the Property Licensing Consultation webpage on the Council's website.**