



PROPERTY LICENSING

Proposal for Consultation

February 2019

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1 Foreword

- 1.1 Islington is an inner, north London borough and the third smallest London council, covering an area of just over six square miles, or 14.86 square kilometres. The southern part of the borough borders the City of London and the London boroughs of Camden to the west, Hackney to the east and Haringey to the north. Some major landmarks located in the borough include the Emirates Stadium, Charterhouse Square and Pentonville Prison. City University of London and London Metropolitan University are located within the borough. Stations at Finsbury Park, Caledonian Road, Highbury & Islington, Old Street, Angel and Farringdon are part of the extensive public transport infrastructure crossing the borough, making the borough easily accessible for commuters and residents working elsewhere in London. Highbury Fields is the largest green space, part of only 13% green space within the borough, which is the second lowest proportion of any local authority in the country. Islington has a wide range of businesses and is a thriving borough, although with significant areas of deprivation, being the fourth most deprived borough in London.
- 1.2 At a time when the demand for low cost accommodation is high, not just in Islington, but across London and nationally, it falls upon local authorities to ensure that the standard of accommodation is of a satisfactory standard, regardless of the cost. It must be safe, not overcrowded and so not impact upon the health and wellbeing of those who live in it. The accommodation should also not have an adverse impact upon the neighbourhood it is located in, through poor visual impact caused by mis-management, or the anti-social behaviour of those living or visiting the accommodation.
- 1.3 As this consultation goes on to describe, the private rented sector in Islington is significant, with over 27% of the housing stock being privately rented and a large number of houses in multiple occupation (HMOs). The evidence gathered demonstrates that, although many privately rented properties are perfectly satisfactory and landlords and tenants behave responsibly, there is a significant amount of privately rented housing that is not up to standard and is also having an impact on the character of our neighbourhoods. This evidence has led us to believe that the most effective way to improve this situation is by implementing two new licensing schemes for private rented properties and HMOs. Alongside existing initiatives and our partners, these will enable our officers to apply conditions where necessary to secure improvements and more readily target those who do not maintain and manage their properties properly.
- 1.4 We invite interested parties to let us know what they think of our proposals and I am certain that you will agree that this is the correct course of action to make Islington a safer, healthier and altogether even better place to live than it already is.

Councillor Diarmaid Ward
Executive Member for Housing and Development

2 Introduction – Licensing of private sector properties

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

Mandatory Licensing of certain Houses in Multiple Occupation (HMOs).

- 2.2 Under existing legislation, all local authorities operate a licensing scheme covering Houses in Multiple Occupation (HMOs) that are occupied by five or more people who are not living together as a single household.

Additional Licensing of HMOs

- 2.3 Local authorities can introduce a discretionary additional scheme for other types of HMOs not subject to mandatory licensing in part or whole of the area within its district. This can include what are known as Section 257 HMOs, which are properties that have been converted into self-contained flats, but where the work does not comply with the Building Regulations, meaning for example that fire protection is inadequate. Islington already has one Additional Licensing scheme, declared in September 2015, which covers just properties in Caledonian Road and Holloway Road. This applies to houses and flats that are let to three or more people who are not all members of the same family, for example where three or more friends are sharing and to Section 257 HMOs.

Selective Licensing

- 2.4 A discretionary selective licensing scheme covers all other private sector dwellings and can be introduced in part, or across the whole of the borough. Where a proposed Selective Licensing designation covers either greater than 20% of the geographical area of the borough, or greater than 20% of the private rented properties within the borough, then following consultation the scheme must be submitted to the Secretary of State for approval.
- 2.5 All licensing schemes are intended to address the impact of poor quality housing, rogue landlords and anti-social tenants. In an area subject to licensing, all private landlords of properties that meet the scheme criteria, must obtain a licence and if they fail to do so, or fail to achieve acceptable management standards, the authority can take enforcement action. Schemes run for a maximum period of five years and a fee is payable for each licence.

3 Islington's proposal – Selective and Additional Licensing

3.1 We are consulting on the proposal to designate the following two schemes:

Selective Licensing proposal:

3.2 It is proposed that all private rented properties in the Ward of Finsbury Park, that are not within the scope of mandatory licensing for houses in multiple occupation, or within the scope of the Additional Licensing proposal included within this consultation are included in a Selective Licensing scheme. Please see Appendix 1 for a list of the streets included within this Ward.

Additional Licensing proposal:

3.3 It is proposed to revoke the existing Additional Licensing scheme for Caledonian Road and Holloway Road with effect from the implementation date of the following proposed new borough-wide Additional Licensing scheme.

3.4 It is proposed to designate a new borough-wide Additional Licensing scheme that will include all properties currently falling within the existing Caledonian Road and Holloway Road scheme. This scheme will require the following types of property to be licensed:

- all HMOs as defined in Section 254 of the Housing Act 2004 that are not required to hold a licence under the mandatory licensing requirements and that are occupied by three or more persons who do not form a single household and where two or more households share one or more basic amenities (a toilet, personal washing facilities, or cooking facilities), or the living accommodation is lacking in one or more basic amenities
- all HMOs as defined in Section 257 of the Housing Act 2004, which are a converted block of flats where the building work undertaken in connection with the conversion did not comply with the appropriate building standards and still does not comply with them and all of the flats within the block are rented.

3.5 Appropriate building standards means:

- a conversion into flats where the building work was completed before 1st June 1992, or which is dealt with by regulation 20 of the Building Regulations 1991 and which would not have been exempt under those Regulations, or
- building standards equivalent to those imposed, in relation to a building or part of a building to which those Regulations applied, by those Regulations as they had effect on 1st June 1992; and
- in the case of any other converted block of flats, the requirements imposed at the time in relation to it by regulations under section 1 of the Building Act 1984.

3.6 Owner-occupied means:

- if it is occupied by a person who has a lease of the flat which has been granted for a term of more than 21 years,

- if it is occupied by a person who has the freehold estate in the converted block of flats, or
 - if it is occupied by a member of the household of a person covered within either of the first two points
- 3.7 The existing Additional Licensing Scheme covering Caledonian Road and Holloway Road was due to end on 1st September 2020. However to ensure a consistent borough-wide scheme we propose to revoke the scheme with effect from midnight on the day before the proposed new borough-wide scheme comes into effect. The licensed property will then come under the new borough-wide Additional Licensing Scheme. To ensure that licence holders are not penalised through the scheme ending sooner than anticipated current licences will continue to apply under the new scheme until the expiry date of the licence issued under the old scheme. At the time of expiry, landlords will need to apply for a new licence.
- Applications:
- 3.8 For both of the proposed schemes, it is proposed that the introduction of the Licensing Scheme should re-iterate that the responsibility for private rented property management lies with the landlord and not the council, in the same way that an MOT proves a certain level of responsibility and maintenance by a driver for their car.
- 3.9 As such, it is proposed that the licensing process should require the landlord to complete and submit to the council an application form together with the required fee, details of which are included in Section 6 and Appendix 2 of this consultation document. The application pack will be provided on-line or in hard copy in exceptional circumstances. The form requires provision of some basic information about the property, such as the number of letting rooms or flats, shared bathrooms, toilets and kitchens as well as details of safety measures that have been put in place, such as the type and installation of a fire detection system. Evidence of the following will be required:
- Gas safety - Gas safety record (12 months)
 - Electrical Safety –Current electrical installation condition report (5 years from date of issue) and portable appliance (PAT) test
 - Safety of property in the event of fire- Alarm system and emergency lighting
 - Evidence of arrangements which demonstrate competent property management - Management records and including copies of tenancy agreements
 - Floor plan with room sizes and uses clearly shown
 - Any proposed licence holder or manager of the property will be required to make a declaration that they are a “fit and proper person”
 - Current occupancy details
- 3.10 This evidence is consistent with the current mandatory HMO licensing scheme, although additional evidence is required to enable the landlord to clearly demonstrate competent property management. The requirements are consistent with actions that a responsible landlord should be taking.

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- 3.11 Following the receipt of a complete application for a HMO, the aim will be to licence properties following a full inspection of the property. This will enable the tenants, landlords and public to have confidence that all licensed HMOs in the borough meet specific minimum standards. This is likely to prolong the timescales for granting a licence in the early stages of the scheme as the number of initial applications likely to be received is not known at this stage. However, the council does not intend to inspect every property subject to the Selective Licensing scheme. Selective Licensing does not require the mandatory inspection of every property. Tenants who consider there are possible disrepair issues in their rented property will be able to contact the Environmental Health Residential Team and discuss their concerns. If there are grounds for an inspection, then we will liaise with both the landlord and tenant to arrange the inspection.
 - 3.12 An inspection will consider suitability of the property for licensing, compliance with the relevant legislation and compliance with the reviewed and updated Islington Adopted Standards for Houses in Multiple Occupation (Appendix 3) and Islington Adopted Standards for Single Family Occupied Private Rented Properties (Appendix 4).
 - 3.13 It is proposed that the licence is issued in accordance with the Conditions detailed in [Appendix 5](#) - Proposed Property Licence Conditions.
 - 3.14 In order to demonstrate that the Council distinguishes landlords that comply with the relevant legislation from those that don't, it is proposed that, those that submit their complete application within three months of the council's declaration and if the property is not being poorly managed, will be licensed for five years, and those that fail to do so without good reason, or are poorly managed will be licensed initially for one year.
 - 3.15 Following expiry of a licence and should an Additional or Selective Licensing scheme still continue to be in operation, a decision will be made on the standard of management of the property and the property relicensed accordingly for another year or five years. All licences continue for the term granted even when this extends beyond the life of the scheme.

4 Why the Council is considering a Selective Licensing scheme for Finsbury Park Ward and a borough-wide Additional Licensing scheme

- 4.1 Islington has an important and growing private rented sector (PRS) that provides affordable housing options for local people. We realise that the majority of landlords operate professionally, however the Council is concerned about increasing levels of anti-social behaviour associated with those rented properties that fail to meet satisfactory levels of tenancy and property management.
- 4.2 The council consider that replacing the existing Caledonian Road and Holloway Road Additional Licensing scheme with a borough-wide Additional Licensing scheme and introducing a Selective Licensing scheme are the best tools available to tackle problems of poor housing management practices and conditions. Licensing will become part of a wider strategic approach to drive up living standards for all, improve the environment and make Islington the place of choice to live in London.
- 4.3 Reducing crime and anti-social behaviour helps to improve surroundings and the local environment. Issues such as fly-tipping, rubbish left on the highway and untidy front gardens contribute to a sense of a place that is not cared for, or valued. This can reflect the conditions of properties in the area if they are not well maintained, safe and clean. Such conditions can become a barrier to creating homes and communities where people choose to live. This type of anti-social behaviour contributes to a perception of an area being unsafe which can subsequently encourage further disorder and crime.
- 4.4 Islington wants to ensure that all private rented properties in the borough offer residents a choice of safe, quality and well managed accommodation. Our corporate vision is set out in the Corporate Plan 2018-2022:

"We're determined to make Islington fairer. To create a place where everyone, whatever their background has the opportunity to reach their potential and enjoy a good quality of life."

- 4.5 Our priorities within the plan that are applicable to private sector housing include the following:

Delivering decent and genuinely affordable homes for all

- Increase the supply and choice of genuinely affordable homes
- Prevent homelessness and support rough sleepers

Creating a safe and cohesive borough for all

- Make sure fewer young people are victims or perpetrators of crime
- Reduce levels of crime and anti-social behaviour

Celebrate and protect our diverse and integrated communities

- Making Islington the best place for all young people to grow up
- Always keep children and young people safe and secure and reduce the number of children growing up in poverty

- *Make sure young children get the best start*

Making Islington a welcoming and attractive borough and creating a healthy environment for all

- *Keep the streets clean and promote recycling*

Ensuring our residents can lead healthy and independent lives

- *Safeguard and protect older and vulnerable residents*

4.6 The Islington Housing Strategy 2014-2019 sets out the following vision:

“We will make sure everyone in Islington has a place to live that is affordable, decent and secure.”

4.7 The ambitions in the strategy include:

- *“We will seek to ensure high standards of management and good quality housing services are provided for housing associations and private sector residents.”*
- *“Secure and affordable housing is an enabler. Housing has an important role in shaping healthy places, preventing ill health, supporting residents into work, and tackling child poverty. We will continue to improve the condition and energy efficiency of homes because of the significant impact housing has on the quality of life of residents.”*
- *“Improve management standards, housing quality and choice in the private rented sector.”*

4.8 We recognise to achieve these priorities and ambitions there is a need for a robust and coherent regulatory framework in which this market operates.

4.9 Islington has identified that problems in the private rented sector of poor property and tenancy management and associated anti-social behaviour are distributed across the borough and are not exclusive to a particular type of rented property. To tackle these issues, we are proposing to revoke the existing Additional Licensing scheme for Caledonian Road and Holloway Road, which was due to run to September 2020 and introduce designations for borough-wide Additional Licensing and Selective Licensing for Finsbury Park Ward.

4.10 Demand for housing across London is at an all-time high. A wide range of homes, of all types of tenure and size is required in Islington to meet current and future needs. It is vitally important to ensure that all who live in Islington have access to decent, secure housing and that housing standards and conditions are not compromised, whether it be new or existing housing. The private sector makes up a third of Islington’s housing, and must thrive to be able to contribute to the availability of high quality, safe, warm and well-maintained homes, and availability should not be dependent upon a person’s level of income or background.

Selective Licensing

- 4.11 The first requirement for declaration of a Selective Licensing scheme is that the area proposed to be covered by a scheme has a high proportion of private rented properties. Government guidance suggests more than the national average would indicate a high proportion and the latest English House Condition Survey (EHCS) is the measure for the national average. The EHCS for 2017 indicated the national average is now 20%. Based upon the 2011 Census, every Ward within Islington has a percentage greater than 20%, ranging from 20.50% to 34.56%, meaning that every Ward, subject to meeting the other relevant criteria, would be eligible for inclusion in a Selective Licensing scheme.
- 4.12 The area covered by the proposals must be seen to be suffering from problems and that these problems are attributable to the following criteria:
- low housing demand (or is likely to become such an area);
 - a significant and persistent problem caused by anti-social behaviour;
 - poor property conditions;
 - high levels of migration;
 - high level of deprivation;
 - high levels of crime
- 4.13 Note: in considering the relevant criteria, data has been analysed at borough, Ward and the smaller areas known as Lower Super Output Areas (LSOAs) level, depending upon the detail of data available for each criteria.
- 4.14 Taking each of these criteria in turn:

Low housing demand:

- 4.15 Islington and London as a whole is not an area of low housing demand and so this criteria is not relevant to the proposal for a Selective Licensing scheme.

Anti-social behaviour (ASB):

- 4.16 A total of 6,137 cases of ASB were reported to the council in the six-month period – April 2018 to September 2018. In the twelve-month period to 31st August 2018, there were 4,110 ASB cases reported to the police.
- 4.17 Anti-social behaviour can be caused by a wide range of activities that impact upon tenants, neighbours and the local neighbourhood or population as a whole. ASB due to the following activities has been considered:
- intimidation and harassment of tenants or neighbours;
 - noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity;
 - animal related problems;
 - vehicle related nuisance;
 - anti-social drinking or prostitution;
 - illegal drug taking or dealing;
 - graffiti and fly posting;
 - and litter and waste within the curtilage of the property

- 4.18 Whilst not all ASB is, or can be directly linked to private rented properties, it can be shown that many of the areas with above average levels of ASB in Islington are also areas with high levels of private rented properties and where those properties are poorly maintained or managed. Poorly managed rented properties often lead to behaviour by either tenants, or visitors to their property, that causes distress, or worse, for neighbours and can lead to an overall impression of an area as being somewhere that is not desirable to live.
- 4.19 The area of Finsbury Park Ward proposed to be covered by Selective Licensing includes neighbourhoods that have above average levels of ASB, as well as ranking highly against other factors. It is not always possible to be able to directly attribute some behaviour to a specific property and for this reason ASB is not a deciding, but a contributory factor in selecting the area for inclusion in the scheme and the data has been weighted accordingly.

Outcomes:

- 4.20 Implementing a Selective Licensing scheme in the Finsbury Park Ward will enable the council to apply conditions to licences that, in relation to ASB and tenant suitability and conduct, will ensure that:
- References are obtained from prospective tenants
 - Checks and proof are obtained that occupants belong to a single household
 - There are tenancy management arrangements to prevent or reduce anti-social behaviour by persons occupying or visiting the property
 - Inspections of the property are carried out at least every six months to identify any problems relating to the condition and management of the property
 - Prompt action to address problems of ASB resulting from the conduct of occupants of, or visitors to, the property is taken, including:
 - a) Informing the occupants in writing of the allegations of the ASB and of the consequences of its continuation.
 - b) Monitoring any allegations of antisocial behaviour from receipt of the complaint.
 - c) Where ASB continues after 28 days from receipt of the complaint, visiting the premises and issue a warning letter advising their behaviour is not acceptable, that they are responsible for the conduct of their visitors, the impact on the victims and local community, and of the consequences of its continuation.
 - d) Commencing legal eviction proceedings to address the anti-social behaviour where the ASB remains unresolved after 14 days of issuing the warning letter.
 - e) Notification to the appropriate authorities of ASB suspected to involve criminal activity

- f) Licence holders must attend or be represented at any case conferences or multiagency meetings and provide information to the police or the council when requested
- Licence holders giving new occupants of the property, information on Waste and Recycling, in writing, within 7 days of the start of their occupation;
 - Licence holders must not leave old furniture, bedding, rubbish or refuse from the property on the immediately outside the property or private land;
 - Licence holders must provide sufficient waste and recycling containers for the number of occupant and carry out measures to ensure these are stored and used correctly.
 - Licence holders must warn occupants of the property if they, or their visitors are not using the waste disposal facilities provided and/or leaving waste outside the property or in its vicinity (for example old furniture, mattresses)

Poor Property Conditions:

- 4.21 The issue of poor property conditions found in the PRS provides the council with the greatest evidence that the area of Finsbury Park Ward proposed to be covered by the scheme are appropriate and that a Selective Licensing scheme can have the greatest impact on improving living conditions for tenants. Properties are frequently found to be suffering from management issues including, but not limited to:
- disrepair
 - damp and mould
 - poor, inadequate or missing facilities
 - poor layout
 - risk of falls
 - prevention of entry by intruders
 - overcrowding
 - gas safety
- 4.22 The council received almost 2,400 complaints about properties in the PRS in the 4 years between September 2014 and August 2018. Finsbury Park Ward has the highest number of such complaints and is significantly higher than the average for the whole of Islington.
- 4.23 Although a strong indicator of problems and poor conditions, just because a tenant complains to the council does not necessarily mean that the property has significant issues or matters that the council can take action over. The main indicator of poor property conditions is the presence of what are known as Category 1 and Category 2 Hazards, over which the council can take action, requiring a landlord to undertake works to remove the hazard. It has been established that the number of properties with Category 1 and 2 hazards and the number of such hazards identified in properties inspected by officers in Finsbury Park Ward is greater than in any other Ward.

4.24 As poor property conditions is the criteria that can be most effectively impacted through the setting of licence conditions in a Selective Licensing scheme and so have the greatest impact, the data available has been weighted the heaviest in determining the area to be covered by the scheme.

Outcomes:

4.25 Implementing a Selective Licensing scheme in the Finsbury Park Ward will enable the council to apply conditions to licences that, in relation to property conditions, will ensure that:

- Licence holders ensure that they take action to remedy the disrepair and/or infestation if they are informed
- All gas installations and appliances are in a safe condition. A current valid gas safety certificate obtained within the last 12 months by a Gas Safe registered engineer or, if the boiler was installed less than 12 months ago, a Gas Safe Installation Certificate is provided to all occupants at the start of their occupation
- All reasonably practicable steps are taken to ensure that all electrical appliances provided at the property are in a safe condition. The licence holder must obtain an electrical appliance test report in respect of all electrical appliances that are provided by the landlord.
- Regular checks are carried out to ensure that the common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities.
- Adequate facilities for the disposal of refuse and recycling are provided, so that bags or loose refuse and recycling are not stored outside the property.
- Any hazardous waste is disposed of in a safe and lawful manner.
- The licence holder takes immediate action upon becoming aware of a pest problem or infestation to eradicate the infestation.
- A smoke alarm is installed on each storey of the property on which there is a room used wholly or partly as living accommodation.
- Each smoke alarm installed in the property is kept in proper working order.
- A carbon monoxide alarm is installed in any room in the property which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance.
- Any carbon monoxide alarm installed in any room in the house is kept in proper working order.

- Furniture made available in the property is in a safe condition. All upholstered furniture and covers and fillings of cushions and pillows comply with current fire safety legislation.

Migration:

- 4.26 Putting aside the natural movement of the London population across boroughs and districts, new people moving into an area are very often overseas migrants. These new residents are most likely to move into the PRS, due to the lack of access to other tenure types and may very often move into the cheapest and poorest quality accommodation.
- 4.27 A recently published study; The Evolving Private Rented Sector: Its Contribution and Potential by Julie Rugg and David Rhodes (The 2018 Rugg Report) states that: “Eighty per cent of recent migrants to the UK from overseas live in the PRS, and this proportion is higher in London; lower-income migrants are often disadvantaged in the PRS as a consequence of housing rights and responsibilities and language difficulties; there are concerns that ‘right to rent’ regulation is further disadvantaging migrant renters who may be more likely to fall into the more informal and shadowy PRS”
- 4.28 New National Insurance Registrations (NINOs) for overseas migrants in 2016 for Islington were just below the average for London and 17th highest in London. However, according to GLA estimates for 2015, Islington had the seventh highest net overseas migration of 6,295 people. Ward data available for 2011/12 shows that there was no significant increase in NINO numbers year on year.
- 4.29 Office for National Statistics mid-year population estimates show between 2015 and 2016 that only one lower super output area (LSOA) in Islington experienced an increase of greater than 15% and three LSOAs an increase of between 10 and 15%. One of these three areas is in Finsbury Park Ward.
- 4.30 Although Finsbury Park Ward ranks highly against other Islington Wards for NINOs and population change, migration data is not seen to be a relevant factor and so has a low weighting in determining the areas proposed to be covered by the scheme.

Deprivation:

- 4.31 Although the 2015 Index of Multiple Deprivation shows that Islington has improved from being the 11th most deprived borough in the country to the 26th most deprived, Islington is a deprived borough. 52% of Islington residents live within the 20% most deprived areas of England. Sixteen of Islington’s 123 LSOAs fall within the 10% most deprived areas nationally and a further 36 LSOAs within the 20% most deprived. Finsbury Park Ward has three LSOAs in the 10% most deprived and nine out of ten LSOAs in the 30% most deprived areas nationally. The remaining LSOA is in the top 50% most deprived.
- 4.32 Deprivation indices consider the following factors when comparing against other neighbourhoods:
- the employment status of adults;

- the average income of households;
 - the health of households;
 - the availability and ease of access to education, training and other services for households;
 - housing conditions;
 - the physical environment;
 - levels of crime
- 4.33 The most deprived households tend to live in the poorest accommodation. In the 2018 Rugg Report, it is stated that; "As the proportion of households living in the PRS increased, so the level of deprivation also tended to increase: within each region, the most deprived areas had the largest PRS."
- 4.34 There is a correlation that shows that the Wards in Islington with the lowest deprivation rank (where 1 = the most deprived) are the same Wards that have the poorest property conditions and incidences of Category 1 and 2 hazards found. Deprivation is therefore a relevant factor in determining selection for inclusion in the proposed scheme and has been weighted accordingly.
- Crime:
- 4.35 Crime can affect both the occupants of properties and have an overall impact upon the area. In particular, the following crimes, amongst others, can have a significant impact on some people living in privately rented accommodation as well as others living in the areas and businesses therein:
- theft
 - residential burglary
 - arson
 - criminal damage
 - graffiti
 - drugs
 - violence and sexual offences
- 4.36 Data is not available to specifically identify the criminal activity is the responsibility of some people living in privately rented accommodation, however by correlation, areas with high levels of rented properties and high levels of crime would suggest that at least some of the occupants of private rented properties are responsible for these crimes.
- 4.37 High levels of residential burglary in an area suggests that one of the poor property conditions, i.e. prevention of entry by intruders (home security – e.g. of doors and windows) may well be a contributing factor. Residential burglary, as well as many of the other crimes considered have a direct impact upon the community in the area.
- 4.38 Finsbury Park Ward is an area where crime in general and burglary in particular is high. In this context, high means that the number of cases of crime is greater than the average crime level for the whole borough, or that the percentage increase in crime over the last 12

months was higher than for the whole of the Metropolitan Police area. For this reason, crime is considered to be a factor for designating the proposed areas for the scheme and is weighted accordingly.

Outcomes:

- 4.39 Implementing a Selective Licensing scheme in the Finsbury Park Ward will enable the council to apply conditions to licences that, in relation to crime, will ensure that:
- Access to the property, such as locks, latches and entry systems are maintained and in good working order at all times
 - The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five lever security level
 - Where window locks are fitted, the keys are provided to the relevant occupants
 - Where a burglar alarm is fitted to the property, the occupants are informed in writing about the circumstances under which the code for the alarm can be changed, and are given details on how this can be arranged
 - Where previous occupants have not returned keys, the relevant locks will be changed prior to new occupants moving in

Additional Licensing:

Houses in Multiple Occupation:

- 4.40 Some HMOs are already subject to licensing schemes. Approximately 350 HMOs are currently licensed under the mandatory licensing scheme and it is estimated a further 100 fall under the scope of the extended mandatory licensing requirement in effect from 1st October 2018. Under the council's existing Caledonian Road and Holloway Road Additional licensing scheme, approximately 255 properties are licensed.
- 4.41 The mandatory licensing scheme requires properties with five or more persons who do not form a single household to be licensed. In the existing Additional Licensing scheme, Islington requires properties with three or more persons who do not form a single household and Section 257 HMOs (where all the flats are privately rented) to be licensed. Council officers' experience is that these types of HMOs covered by the Additional Licensing scheme present the same problems of poor management as the larger HMOs covered by the mandatory scheme. Therefore, Additional Licensing is an effective tool for the council to be able to ensure the same standards are applied across the HMO sector and is not dependent upon numbers of occupants. Landlords can often avoid the need to licence by reducing occupancy to below 5 persons, whilst the fundamental issues of poor management

remain the same. Bringing in a scheme that will require all HMOs, regardless of size and numbers of occupants will ensure that we protect all residents of what is the highest risk and often poorest quality housing.

- 4.42 Section 257 HMOs present a risk due to inadequate separation of flats when conversion works have not been carried out in accordance with the Building Regulations. This includes inadequate fire separation and provision of fire detection equipment that is essential to protect occupants and enable safe means of escape in the case of fire. House fires Islington in 2014 were the seventh highest in London, at 2.55 fires per 1,000 head of population.
- 4.43 The 2018 Rugg Report states that: “It remains the case that a higher proportion of PRS properties fail to meet the Decent Homes Standard. Although this proportion has dropped since 2006, the number of non-decent homes has remained relatively stable since that time. According to Review analysis of EHS data, some properties were much more likely to be non-Decent compared with the sector average of 27 per cent. These include converted flats (52 per cent non-decent), and dwellings constructed before 1919 (47 per cent non-decent). For all properties constructed post-1980, 12 per cent were non-decent in the PRS.”
- 4.44 A review of the operation of the Caledonian Road and Holloway Road Additional Licensing scheme in 2017 showed there was a need for the scheme and that it has resulted in the improvement of properties and the standard of management by landlords. However, there are two main learning points, which will be addressed by the introduction of the new scheme:
- The number of applications received was fewer than the number of HMOs estimated to be in scope. It is believed the estimates of the number of properties that would require licensing prior to designation was higher than the true number of properties in scope. A more detailed and robust method of identifying potential HMOs has been used to support the proposed new scheme. However, a greater effort is required to publicise the scheme and to proactively prompt landlords to apply for their licence. It is proposed that the new scheme will be resourced sufficiently to enable this to take place.
 - The paper based licensing system in place at the time was time consuming and difficult to manage. An on-line licensing system will be implemented before the new designations are implemented, making the licensing system more efficient both for the applicant and the council.
- 4.45 This review highlights that we have made progress but our objectives have not been fully achieved and that additional licensing should continue in the Holloway Road & Caledonian Road area. However, this will be more effectively achieved by inclusion in a borough-wide scheme.
- 4.46 For an Additional Licensing scheme to be designated, the Housing Act 2004 requires that a significant proportion of the HMOs of the description to be included in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems, either for those occupying the HMO or for members of the public. The council has established that, of all the known 865 HMOs in the borough, 25.9% of them

were found to have issues that required enforcement action. This is a significant indication of ineffective management in this sector. Evidence shows, that whilst numbers of HMOs are greater in some Wards than others, they are distributed widely across the borough (between 4% and 10% per Ward) and so a borough-wide scheme is an appropriate measure.

- 4.47 A survey of properties in the Finsbury Park Ward was carried out in 2018. Of 338 properties surveyed, 63 properties were found to be HMOs. 66.66% of Section 254 HMOs were found to have at least one issue relating to the property condition or management and 48.48% of Section 257 HMOs surveyed had issues identified. A total of 57.14% of HMOs therefore had issues that require intervention. 20.3% of properties surveyed were converted flats that had been converted without complying with the relevant Building Regulations.
- 4.48 The council has had regard to the following Codes of Practice under Section 233 in relation to the management of student housing and for the purposes of schedule 14, which lists buildings which are not HMOs for the purpose of the Housing Act 2004;
- *The Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Not Managed and Controlled by Educational Establishments, dated 20th February 2006*
 - *The ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments, dated 28t August 2008)*
 - *The Universities UK/Guild HE Code of Practice for the Management of Student Housing, dated 17th August 2010.*
- 4.49 Following consideration of the above criteria, as per the government guidance, the council are of a firm belief that the introduction of a Selective Licensing in Finsbury Park Ward and a borough-wide Additional Licensing scheme will be the most effective way to deal with the problems. These schemes will enable us to regulate the letting and occupation of privately rented accommodation in the borough, to cooperate effectively with landlords and tenants alike and to continue property compliance visits, all with a view to improving further the management and condition of privately rented accommodation in the borough.

5 Alternative options considered

- 5.1 Consideration has been given to other options that the council could pursue if the proposals in this consultation are not supported.

Alternatives to Additional Licensing

- 5.2 Alternative courses of action for dealing with HMOs being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems include doing the following:

Do nothing:

- 5.3 Apart from the existing Caledonian Road and Holloway Road scheme, the council could continue with the current approach of enforcement in response to complaints and identifying properties through street surveys. This could be linked with a more robust promotion of accreditation for landlords. The review of evidence obtained by other authorities in London would indicate that this approach is not generally supported by the public (excluding landlords) in their consultation exercises. Of HMO residents, other PRS tenants, local residents and other stakeholders, a significant majority supported the introduction of a scheme. Reasons for supporting schemes include that it would improve the standards and living conditions of housing, helping to ensure a more consistent standard of accommodation throughout the boroughs, improving the quality of landlords and enable the targeting of rogue landlords.
- 5.4 It is neither effective for the occupants of HMOs, nor efficient for the council to rely simply on being reactive to complaints and to undertake low levels of proactive visits to properties. Many HMOs go under the radar because tenants are afraid or reluctant to complain and proactive visits are not necessarily targeting the worst properties first, whereas a licensing regime requires landlords to come forward and enables the council to target the highest risk properties first. The licensing of all HMO properties also creates a level playing field where all occupants of HMOs can be assured that landlords will maintain properties to certain standards, or that the council will know about them and apply conditions or take the relevant enforcement action to ensure they do.

Increase enforcement activity:

- 5.5 The Council could increase the level of resources and amount of enforcement activity devoted to HMOs. A more proactive approach could be taken to target the worst landlords. This would involve the need to increase the resourcing for enforcement, funded from council finances. For the reasons given above, this does not ensure the protection of all HMO residents that an Additional Licensing scheme would enable.

Introduce Additional Licensing in specific areas of the borough:

- 5.6 An area based scheme could be designated. As stated above, it is recognised that HMOs are spread across the borough. An area based scheme, as has been the case with the Caledonian Road and Holloway Road scheme, would continue to cause inconsistency in

regulation and confusion amongst landlords and tenants. With the expansion of mandatory licensing, it is seen that the most clear approach for all and the way to protect all occupants of HMOs is to have complete coverage of HMOs under the mandatory and Additional Licensing schemes.

- 5.7 Specifically, alternative courses of action for dealing with poor housing conditions and poor management in HMOs that might be used in the options above include the following and are discussed below:

The Housing Health and Safety Rating System (HHSRS):

- 5.8 This is the main tool for enforcing housing conditions in the PRS. However, it is resource intensive and can only be applied to dwellings on an individual case-by-case basis. It is generally a reactive process and does not place a legal duty on landlords to "register" with the council in the way licensing does. It does not impose standards in relation to management or housing conditions. In practical terms the legal requirement on landlords to improve dwellings only comes into force when the council takes action against them. That action does not impose a penalty for hitherto failing to comply with housing standards but merely requires matters to be rectified. It does not provide an incentive to comply, or a deterrent to non-compliance.
- 5.9 Conversely, Additional Licensing requires the landlord to come forward and obtain a licence and applies conditions that must be met in the HMO, including housing conditions and property management. The penalty for failure to obtain a licence or for breach of licence conditions can be the imposition of a fixed penalty, a criminal prosecution leading to an unlimited fine, and/or a Rent Repayment Order requiring the landlord to repay up to twelve months' previous rent.

Interim Management Orders (IMOs):

- 5.10 These have been considered in a number of individual cases but there are significant disadvantages to their use as they are very resource intensive, deal only with individual properties on a case-by-case basis, and do not address the general lack of professional management expertise in the local housing market.

The Management of Houses in Multiple Occupation (England) Regulations 2006:

- 5.11 These regulations can be enforced to require HMO landlords to remedy certain housing defects and failures of management. However, these can only be used to remedy certain specified failings and cannot be used to bring about improvements such as the provision of additional amenities. The penalty for contraventions can be the imposition of a fixed penalty or a criminal prosecution leading to an unlimited fine. These provisions can be used alongside Additional Licensing conditions in enforcing good management standards in HMOs across the borough.

Housing and Planning Act 2016:

- 5.12 Relatively new powers under the Act include Banning Orders, which prevent rogue landlords and agents trading when they have committed certain serious offences, and a Rogue Landlords Register. They also provide for Civil Penalties and Rent Repayment Orders as a sanction.

Landlord Accreditation:

- 5.13 Islington promotes the Accreditation and Training for Landlords and Agents Scheme (ATLAS) formerly London Landlord Accreditation Scheme (LLAS).
- 5.14 This is a voluntary scheme where landlords undergo training and sign up to a Code of Conduct which requires certain standards of management and maintenance. ATLAS is a valuable scheme for engaging with well-meaning landlords. It provides support and imparts the knowledge necessary for them to run their businesses effectively, comply with the law, and provide safe, decent quality homes. There are currently 976 accredited landlords in Islington under ATLAS. However, experience has shown that whilst good landlords are willing to participate in accreditation, a significant proportion of landlords are not and this includes rogue landlords at the bottom end of the market with whom there is most concern. For this part of the sector, effective enforcement is the appropriate course of action. The council will continue to promote landlord accreditation alongside the introduction of any discretionary licensing schemes.
- 5.15 The alternative powers outlined above do not offer an effective alternative to Additional Licensing for the reasons stated. However, using these powers in conjunction with an Additional Licensing scheme will provide an effective and comprehensive regulatory framework for the PRS and bring about improvements in property conditions and property management. Licensing requires the landlord and managing agent to meet "fit and proper person" criteria in order to obtain a licence. The council makes checks to ensure this is the case and can exclude criminal landlords from the market. The anticipated outcome of the Additional Licensing scheme will be a general improvement in property conditions and management within the five-year lifetime of the designation.

Alternatives to Selective Licensing

- 5.16 Alternative options for dealing with areas with a high proportion of properties in the PRS that are suffering problems that are caused by, or attributable to any of the criteria for making a designation include:

Do nothing:

- 5.17 As with Additional Licensing, the council could continue with the current approach of enforcement in response to complaints and identifying properties through street surveys, linked with a more robust promotion of accreditation for landlords. The reasons stated above for this not being a preferred approach for Additional Licensing apply to Selective Licensing also.

Increase enforcement activity:

- 5.18 The Council could increase the level of resources and amount of enforcement activity devoted to the PRS. A more proactive approach could be taken to target the worst landlords. This would involve the need to increase the resourcing for enforcement, funded from council finances. For the reasons discussed above for Additional Licensing, this does not ensure the improvement of all privately rented properties in the area that a Selective Licensing scheme would enable.

Introduce a borough-wide Selective Licensing scheme, or one covering more Wards:

- 5.19 Although the PRS is spread across the borough and every Ward has over 20% of properties in the PRS, our research and evidence base indicate that the highest proportion of properties with poor conditions are in Finsbury Park Ward. This area is also highest in considering the other criteria of ASB, crime and deprivation, and so supports the need for a designation. Although other areas of the borough also suffer problems, they are not as marked as the data shows for the proposed area and so a Selective Licensing scheme is not seen as being an appropriate mechanism for the whole borough or other Wards at this time. It may be that in time, following a review of the success of the proposed scheme, other Wards that are above average for the relevant criteria will be considered for a future Selective Licensing scheme.

A programme of renewal:

- 5.20 The extent of the problem of poor conditions in Finsbury Park Ward and the corresponding ASB, crime and deprivation is spread across the area and not restricted to specific and distinct streets or terraces of housing and so renewal of properties is not seen as being a practical solution to resolving it.
- 5.21 As with Additional Licensing, specifically, there are alternative courses of action for dealing with poor housing conditions and poor management in the PRS that might be used in the options above, include the HHSRS, Interim Management Orders, Powers under the Housing and Planning Act 2016 and Landlord Accreditation Schemes. These alternative courses of action have been considered and are discussed above for Additional Licensing.
- 5.22 In view of the numbers of PRS dwellings experiencing poor conditions in the proposed Ward, it is not practical to deal with them on an individual, reactive basis. However, using these powers in conjunction with a Selective Licensing scheme will provide an effective and comprehensive regulatory framework for the PRS and bring about improvements in property conditions and property management. Licensing requires the landlord and managing agent to meet “fit and proper person” criteria in order to obtain a licence. The Council makes checks to ensure this is the case and can exclude criminal landlords from the market. For these reasons there is no practical alternative to a Selective Licensing scheme in proposed areas selected to achieve the desired outcomes. The anticipated outcome of such a scheme will be a general improvement in property conditions and a reduction in ASB and crime associated with the PRS in the designated area, within the five-year lifetime of the designation.
- 5.23 All licensed properties will be inspected either prior to the issuing of a licence or within the duration of the scheme. Outcomes from this scheme would be monitored during its operation

in order to determine whether the scheme should be rolled out to other wards with significant levels of poor housing conditions in the future; although this would be conditional on the approval of the Secretary of State. For wards with lower levels of poor housing conditions, a programme of targeted enforcement will continue to be undertaken.

6 Proposed Licence fee structure

- 6.1 The council proposes to charge a licence application fee (Part I) to cover the cost of the administration of the Property Licensing schemes, with an additional fee (Part II) to be charged to cover costs of enforcement of the schemes. The Council has a fiscal duty to charge these fees and must split them into two parts in order to comply with legislation. The income raised from the schemes is ring-fenced and can only be used for Property Licensing. It cannot be used to raise income for other council functions.
- 6.2 The council believes that any scheme should minimise the financial burden on landlords. It therefore proposes that licence fees are kept as low as is reasonably possible, without jeopardising the council's ability to undertake its statutory functions under either scheme, or any of its other statutory duties.
- 6.3 For the purposes of both schemes, an accredited landlord is a landlord who is accredited by the National Landlords Association (NLA), or under the London Landlords Association Accreditation Scheme (ATLAS), or any other approved letting scheme, and has maintained their CPD requirements. There are reduced fees for such accredited landlords.
- 6.4 All licence fees will be reviewed each financial year.
- 6.5 A licence will be granted for a period of either one or five years. Licences are non-transferrable in accordance with section 91(6) of the Housing Act 2004.
- 6.6 Fees are based on the running cost and management of the overall scheme. There are a range of fees, which differ for single and multiple unit properties. There are also additional fees relating to assisted licence applications, and a discounted fee for accredited landlords.

Selective Licensing scheme fees:

- 6.7 For a house, a self-contained flat or non-self-contained flat the total licence fee will be £500 (accredited landlords £425). An assisted licence application will be £167 in addition to the applicable fee.

Additional Licensing scheme fees:

- 6.8 HMOs consisting of bedsits, bedrooms or studios:

A fee is applicable for each letting. The standard fee will be £288 per letting (accredited landlords £245).

An assisted licence application will be £352 per HMO in addition to the applicable fee.

6.9 For large scale student accommodation blocks, not accredited (ANUK/UNIPOL or equivalent) or university owned, the fee will be £33 per dwelling.

6.10 Converted flats:

The standard fee will be £703 per building/block (£597 for accredited landlords).

An assisted licence application will be £181 in addition to the applicable fee.

Payment schedule

6.11 Fees will be split into two parts. Full details of all the applicable fees are included in Appendix 2.

6.12 Both parts of the fee will need to be paid when the application is submitted, if the council refuses to grant a licence the Part 2 fee will be refunded to the applicant.

7 Conditions

- 7.1 Full details of the proposed conditions for Property Licensing are included in [Appendix 5](#). Each new licence granted would be subject to a series of licence conditions. Licence conditions under either Additional or Selective Licensing must include the mandatory conditions set out in Schedule 4 of the Housing Act 2004 and may include additional conditions relating to management, use and occupation.
- 7.2 In summary, the mandatory conditions would require licence holders to:
- Provide gas safety certificates annually (if gas is supplied);
 - Keep any electrical appliances and furniture provided in a safe condition;
 - Supply the authority on demand with a declaration as to the safety of such appliances and furniture;
 - Provide suitable smoke alarms and keep them in good working order;
 - Provide suitable carbon monoxide alarms in any room used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance and keep them in good working order;
 - Supply the authority on demand with a declaration of the condition and positioning of such alarms (smoke and/or carbon monoxide);
 - Issue residents with a written statement of the terms of occupation (e.g. a tenancy agreement or licence);
 - Require references from prospective tenants;
- 7.3 The proposed additional Licensing Conditions would require licence holders to:
- Limit occupation of the property to the numbers of persons and households specified in the licence and based on facilities and room sizes;
 - Provide reasonable terms of occupation;
 - Put the tenancy deposit in an approved tenancy deposit scheme;
 - Make suitable arrangements for completing routine repairs and maintenance;
 - Ensure that anyone involved with managing the property is a 'fit and proper person';
 - Ensure adequate management arrangement during their absence;
 - Comply and cooperate with the council, and any inspectors;
 - Demonstrate to the satisfaction of the Council that they have properly managed the property and have taken all reasonable and practicable steps when dealing with complaints of antisocial behaviour and/or harassment made against the occupants;
 - In the case of HMOs, to display the name, address and telephone number for the licence holder or manager, certain certificates (e.g. gas safety, electrical installation etc.) and a copy of the licence in the common parts;
 - Advise the council of any change in circumstances;
 - Ensure fire safety;
 - Ensure the door and doorframe between each kitchen and hallway/landing is a fire door;
 - Provide a fire blanket in each kitchen;
 - Provide adequate means of fixed space heating which is economic to run and controllable by the occupant;
 - Ensure adequate thermal insulation;

- Provide electrical installation condition reports for the fixed wiring installations at intervals of not more than five years;
 - Ensure the safety of any furniture and furnishings that are provided;
 - Provide adequate security to the property;
 - Appropriately manage pest infestations;
 - Provide the council with access to secure bin storage areas;
 - Comply with Islington council's household recycling and waste storage and disposal service and policies, provide suitable sufficient recycling and waste containers for tenants' use and make tenants aware of the arrangements for the correct presentation and collection of recycling and waste and carry out regular compliance checks;
 - Provide written information to all tenants, at the start of the tenancy to ensure that tenants are advised and reminded of their responsibilities for the proper storage and disposal of household recycling and waste.
 - Ensure all external areas within the curtilage of the property are kept free from waste and fly tipping deposits;
- 7.4 The council believes that such licence conditions are not onerous, and that good landlords are unlikely to find that they need to do any more than they already do in maintaining a good property.

8 The evidence

- 8.1 The council has undertaken an extensive review of available data, both from within its own organisation and that more widely available, in relation to both the national picture and that of London in reaching its conclusion that the proposed scheme designations are the correct course of action to take. A number of data-sets are only available in Census data. The last Census was in 2011 and so it is recognised that this data is now at least 7 years old. However, as the recognised reliable data source and as the most recent available, has been relied upon in some cases. Where possible, more up-to-date data has been sourced from recognised sources such as the Office for National Statistics (ONS) and the Greater London Authority (GLA Datastore).

Housing stock

- 8.2 There were 111,111 properties on the Islington Land and Property Gazetteer in October 2018.
- 8.3 The 2011 Census showed the proportion of different tenures as shown in [Table 1](#).

Ward	Owned: Total	Social rented: Total	Private rented: Total	Total stock
Barnsbury	1757	2132	1512	5401
Bunhill	1418	3173	1961	6552
Caledonian	1383	2733	1822	5938
Canonbury	1586	2694	1257	5537
Clerkenwell	1531	2237	1401	5169
Finsbury Park	1413	2711	1996	6120
Highbury East	2156	1629	1368	5153
Highbury West	2047	2339	2316	6702
Hillrise	1665	2294	1021	4980
Holloway	1488	3084	1737	6309
Junction	1605	2443	1449	5497
Mildmay	1598	2739	1360	5697
St George's	1822	2063	1413	5298
St Mary's	1494	2290	1642	5426
St Peter's	1843	2243	1333	5419
Tollington	1758	2538	1629	5925
TOTAL	26564	39342	25217	91123

Table 1. Proportion of tenure of housing stock by Ward – Census 2011

- 8.4 The most recent stock condition survey (SCS) in Islington was in 2008.
- 8.5 Relevant findings from that stock condition survey were as follows:
- The most common dwelling type was self-contained flats within converted pre-1919 terraced houses.
 - Around 90% of the PRS was in self-contained flats.

- 62.3% of private sector properties (excluding RSLs) were pre-1919 stock (See [Figure 1](#)). This compares with 24.9% nationally and 34.2% in London at that time.

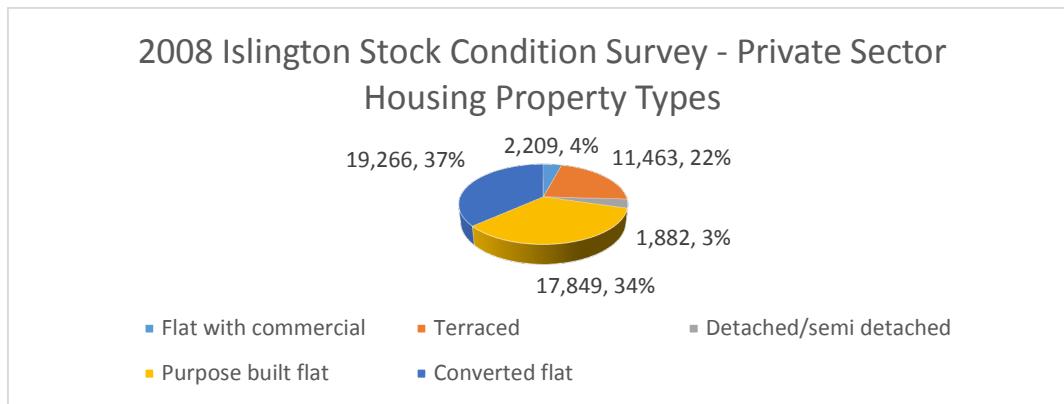


Figure 1. Housing property types – 2008 SCS

- Research for the SCS indicated that 3,547 (15.7%) PRS dwellings had at least one Category 1 hazard and 9.5% of all private sector dwellings had a Category 2 hazard in Band D and 11.2% in Bands E to I.
- Estimated costs to remedy Category 1 hazards in the PRS was an average of £4,407 per dwelling and a borough-wide cost of £15.6M
- Estimated total costs of dealing with disrepair of PRS properties across Islington were £135.8M.
- Vulnerable and support needs households in the private sector had considerably higher average basic repair costs at £2,628 and £4,356 per dwelling respectively.
- 29.6% of dwellings in the PRS failed the Decent Homes standard.
- The average cost of remedying non-decent homes in the PRS was estimated to be £4,628 and for vulnerable households this figure was £6,421.
- 1,585 vulnerable households lived in non-decent accommodation in the PRS, which was 45.8% of all vulnerable households in the PRS.
- There were 2,653 converted buildings in the borough, containing 8,685 self-contained flats (potential Section 257 HMOs).
- There were 5,512 flats or houses in multiple occupation (Section 254 HMOs).
- It was estimated at the time that there were 758 HMOs that fell under the mandatory licensing scheme.
- Section 254 HMOs were more likely to have a Category 1 hazard than other private sector dwellings (particularly licensed HMOs).
- An estimated 814 HMOs had a sharing ratio for amenities of worse than one per five lets.
- 97.4% of Section 257 HMOs were pre-1919 buildings.
- 37.2% of Section 257 HMOs were deemed to be non-decent, compared with 26.4% for the whole private sector stock.
- In terms of energy efficiency, the average SAP rating for the PRS in Islington was 61 (out of 100) and older dwellings typically demonstrated lower SAP ratings.
- 22.1% of all private sector households in the borough were in fuel poverty, rising to 35.4% of vulnerable households.

- 8.6 With 68.5 dwellings per hectare, Islington is the second most dense London borough for housing and almost 2.3 times the London average. (Census 2011)
- 8.7 Only 38% of the dwelling stock in the borough are houses and there is an average of 2.3 people per dwelling, the same as the average for the UK in the 2011 Census.
- 8.8 There were 91,123 household spaces in Islington in the Census 2011 an increase of 10,362 (12.8%) from 2001 to 2011. A total of 900 households, or 9 in every 1,000 were overcrowded, compared to 15 in every 1,000 for London. (2011 Census)
- 8.9 Islington ranks 26th of the 32 London boroughs for private rent affordability. Average rent in Islington is £1,752 per month.
- 8.10 On average, households in the private rented sector spend 34% (including Housing Benefit) of their income on rent. Social renters spend, on average, 28%. Some 9% of private renters were either currently in arrears or had been in the previous 12 months, compared with 25% of social renters. (EHS 2016-17)
- 8.11 The PRS has had the highest level of growth over the period 2011 to 2016 across all housing tenures in Islington, at 6.3%.
- 8.12 The PRS is estimated to be approximately 26,000 properties and so Islington has the seventh highest proportion of housing in the PRS compared with other London boroughs (from figures published by ONS – 2018).

[Table 2](#) shows the change in household property types between the Census 2001 and 2011.

Household space	2001	2011	% increase / decrease
All household spaces - with residents	82,281	93,556	13.70
All household spaces - with no residents - vacant	1,479	4,640	213.73
Whole house or bungalow - detached	828	1,093	32.00
Whole house or bungalow - semi-detached	2,251	2,845	26.39
Whole house or bungalow - terraced	13,445	13,402	-0.32
Flat, maisonette or apartment - in a purpose built block of flats or tenement	41,278	53,386	29.33
Flat, maisonette or apartment - part of a converted or shared house (includes bed-sit)	24,001	24,650	2.70
Flat, maisonette or apartment - in a commercial building	2,102	2,753	30.97
Caravan or other mobile or temporary structure	76	67	-11.84

Table 2. Household space change 2001-2011

- 8.13 27.67% (25,217) of household spaces with at least one resident were private rented in Islington. In London the PRS was 25.4% and nationally it was 17.1%. (2011 Census)

- 8.14 By 2016, 66,300 households, or 29% of Islington households were in the PRS, ranking 11th in London. (ONS 2018).
- 8.15 The PRS is expanding, not through any significant increase in supply but by replacing owner occupation (down from 3.3% between 2011 and 2016) and meeting the demands of a reduced supply of social housing (down 3%).
- 8.16 According to the 2011 Census, every Ward in Islington has greater than 20% of the properties in the PRS, ranging from 20.5% in Hillrise Ward to 34.56% in Highbury West Ward. The average of PRS properties per Ward is greater than 27%.
- 8.17 Of the seven Wards with the worst property conditions (highest rate of Category 1 and 2 hazards found) the percentage of PRS was as shown in [Table 3](#):

Ward	No. of properties (Census 2011)	No. of PRS properties (Census 2011)	Percentage of PRS
Highbury West	6,702	2,316	34.56%
Finsbury Park	6,120	1,996	32.61%
Caledonian	5,938	1,822	30.68%
Holloway	6,309	1,737	27.53%
Tollington	5,925	1,629	27.49%
Junction	5,497	1,449	26.36%
Hillrise	4,980	1,021	20.50%

Table 3. Percentage of PRS in the Wards with worst property conditions

- 8.18 Private renting increased by 85% in Islington between 2001 and 2011. In London it increased by 75% and nationally by only 8%, while owner occupation was unchanged in Islington but decreased by 8% in London. In contrast, social renting and mortgage-owned housing have decreased by 17% and 9% respectively in Islington.
- 8.19 41.2% of Islington population live in social housing, compared to 23.1% across London. This is the third highest percentage in London (2016 - London Data Store).
- 8.20 There are 25,349 local authority dwellings in Islington, the second highest in London in 2017.
- 8.21 Islington Council owns and manages more than 35,400 council properties. As at May 2018, the stock comprises 25,349 tenanted and approximately 11,000 leasehold properties. It is estimated that 40% of these are sublet.
- 8.22 Partners for Improvement in Islington manage 6,342 tenanted and leasehold properties and 3,103 properties are managed by Tenant Management Organisations.
- 8.23 There are 2,566 housing benefit claimants in the PRS in Islington.

- 8.24 For the purposes of this consultation report, a PRS property that is not an HMO is known as a Single Family Occupied property (SFO) (however, it is acknowledged that a multi-occupied property with two separate households may fall into this definition). There were 2,669 non HMO PRS properties (SFOs) that Environmental Health had been involved with at September 2018.
- 8.25 Taken from the Environmental Health database, [Figure 2](#) shows the distribution of the SFO properties that have had Environmental Health involvement.

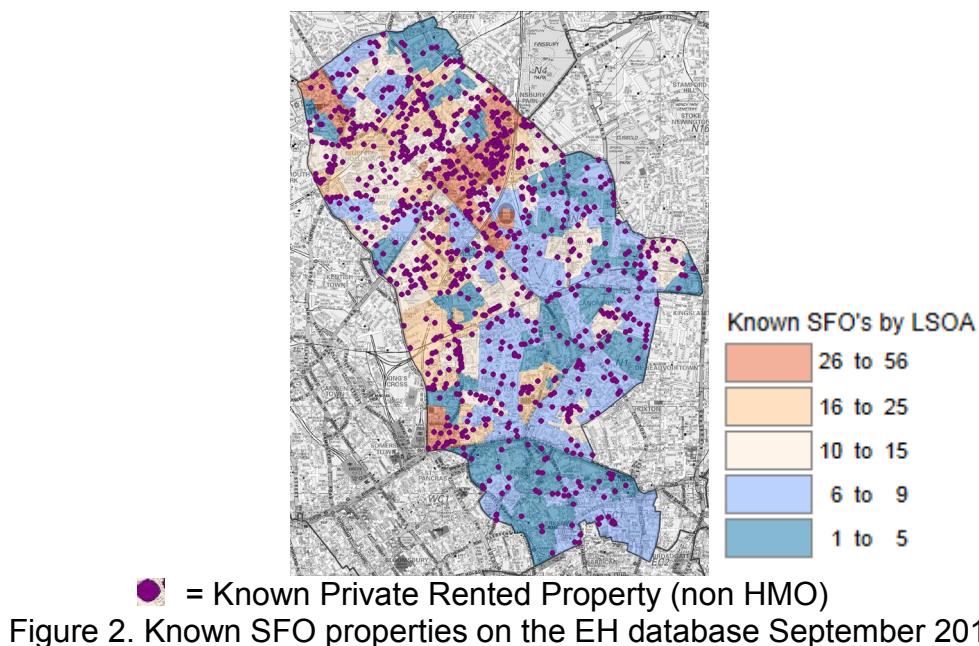


Figure 2. Known SFO properties on the EH database September 2018

- 8.26 It can be seen that the greatest concentration of these is in the north east and central parts of the borough, with the highest Wards being as shown in [Table 4](#) below:

Finsbury Park	386
Caledonian	370
Holloway	249
Junction	209
Hillrise	223
Tottenham	183

Table 4. PRS properties that have had an Environmental Health involvement (excluding HMOs) at September 2018

- 8.27 Council records and records from registered tenancy deposit schemes (TDS) have been used to identify the approximately 26,000 privately rented properties across the borough. The distribution of these is shown in [Figure 3](#).

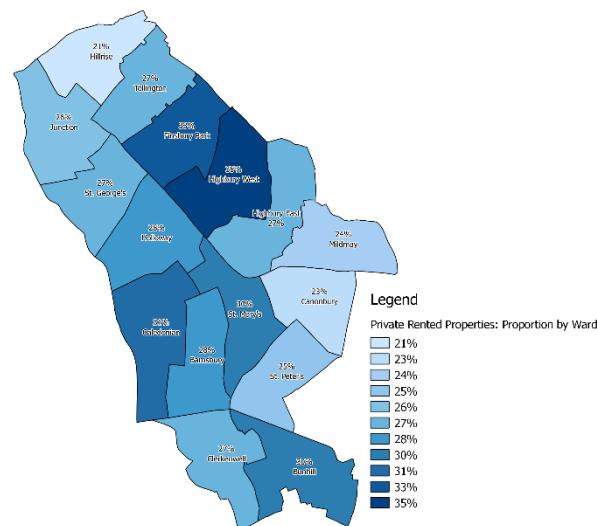


Figure 3. Distribution of PRS properties determined through analysis of council and TDS records

- 8.28 [Image 1](#) shows a typical pre-1919 terrace of housing in Islington. Many of these dwellings have now been converted to self-contained flats.

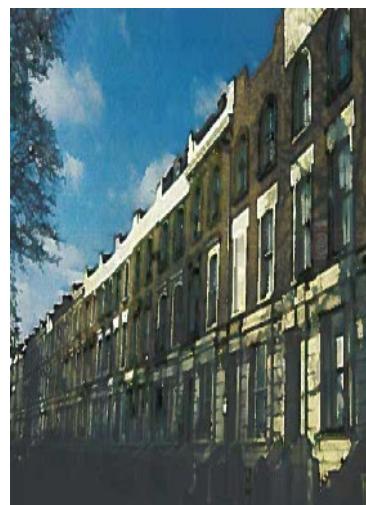


Image 1. A typical terrace of pre-1919 houses in Islington

- 8.29 [Figure 4](#) shows the location of both known HMO and non HMO (SFO) properties on the Environmental Health database as at September 2018. It can be seen that a significant proportion of the known HMOs at this point in time are along the main roads of Caledonian Road and Holloway Road, where the existing Additional Licensing scheme is in force.

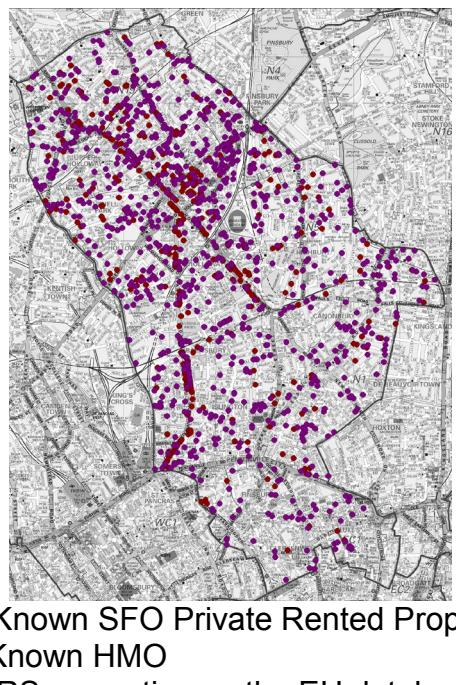


Figure 4. Known PRS properties on the EH database September 2018

- 8.30 The 2011 Census showed an increase in the number of properties across all sizes from the Census 2001. Properties with greater number of rooms are more likely to be HMOs. However, an increase in the number of one and two roomed dwellings can indicate an increase in converted flats, which may be S257 HMOs. [Table 5](#) shows the percentage increase in properties up to eight or more rooms.

Rooms	2001	2011	% increase
1 room	2,897	3,320	14.60
2 rooms	8,290	10,921	31.74
3 rooms	22,361	26,028	16.40
4 rooms	22,707	25,333	11.56
5 rooms	13,652	14,722	7.84
6 rooms	5,782	6,130	6.02
7 rooms	3,058	3,100	1.37
8 or more rooms	3,534	4,002	13.24

Table 5. Increase in size of dwellings (Census 2011)

- 8.31 [Figure 5](#) shows the types of known HMOs on the Environmental Health Database as of October 2018 by Ward. Caledonian Road and Holloway Road pass through several Wards through the centre of the borough, however a significant proportion of the currently licensed HMOs under the existing Additional Licensing scheme fall within Caledonian Ward.

Although there is a greater concentration of HMOs not covered by the existing Additional Licensing scheme in certain Wards, it can be seen that HMOs are spread throughout the Wards, with the lowest numbers in the most southerly Wards bordering the City of London.

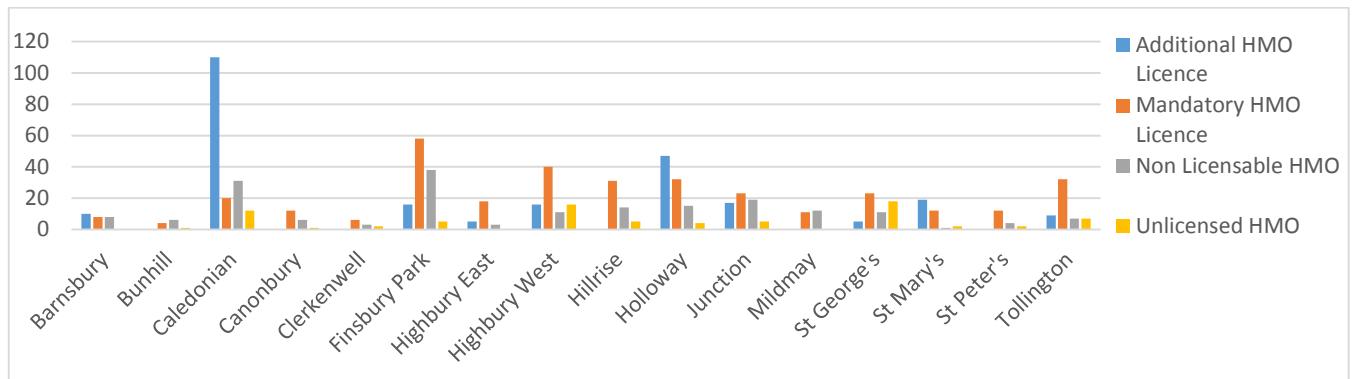


Figure 5. Known HMOs

- 8.32 As of September 2018, there were 865 known HMOs of different types, with which the Environmental Health department had had an involvement on the database. The spread of the different types is shown in [Table 6](#) below.

Mandatory HMO Licence	342
Additional HMO Licence	254
Non Licensable HMO	189
Unlicensed HMO	80

Table 6. No. of known HMOs that have had an involvement

- 8.33 The number of HMOs that have a mandatory licence is based upon the pre October 2018 criteria. Although not exclusively so, a significant proportion of older properties in Islington are of three or more storeys. Therefore, the extended definition for mandatory licensing, to include properties below three storeys in height, with five or more people who do not form a single household, is not expected to bring a significantly high number of properties into scope of mandatory licensing from that currently. It is estimated that no more than 100 new mandatory licences will be required. As at end of December 2018, 18 new mandatory licence applications had been received for properties below three storeys.
- 8.34 Of the 189 non licensable HMOs currently known it is assumed that these will fall between the extended mandatory and the proposed new Additional Licensing scheme and so will become licensable under one scheme or the other.
- 8.35 The 80 unlicensed HMOs are currently being investigated and pursued to obtain a licence. Some of these will already be in the process of applying for a licence.
- 8.36 We have used council data sources and records from three tenancy deposit schemes (TDS) to try to identify the likely number of currently unknown PRS properties, including HMOs across the borough, that will now become subject to licensing under the new proposals. This will be made up of a combination of HMOs that fall under either the mandatory scheme, or the proposed Additional Licensing scheme.

- 8.37 There were 14,789 addresses with TDS deposits registered in Islington at October 2018. [Figure 6](#) shows the distribution of these addresses by LSOA.

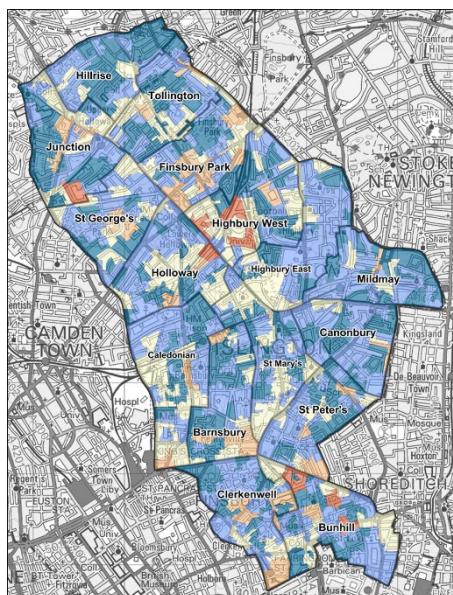


Figure 6. Distribution of properties registered with a custodial TDS

- 8.38 Council Tax data provides us with indicators of likely multiple occupation, such as the number of unrelated people per dwelling. The Council Tax database identifies properties which are HMOs for council tax purposes. In accordance with the Council Tax (Liability for Owners) Regulations 1992, Local Authorities are required to hold the owner rather than the occupants of an HMO as being responsible for council tax. The owner is normally the person who has a lease or, if none exists, a freehold interest in the whole dwelling. In addition the Council Tax database has been analysed for those properties which are exempt from Council Tax and where all the occupants of that property are considered to be in full time education i.e. student housing.
- 8.39 Following a reconciliation of all the information, including removing any duplicate premises and any already licensed HMOs, we believe there are approximately 26,000 PRS properties in the borough, of which 3,850 Section 254 HMOs that will be subject to licensing. Assessing the number of Section 257 HMOs is a more difficult exercise as there is no firm data available about properties that have been converted without complying with the relevant Building Regulations. Evidence from the survey of properties in Finsbury Park Ward however has been used to provide an estimate of the number of Section 257 HMOs.
- 8.40 [Figure 7](#) below shows the distribution of the properties that have been identified with a high degree of certainty that they are Section 254 HMOs from these data sources.

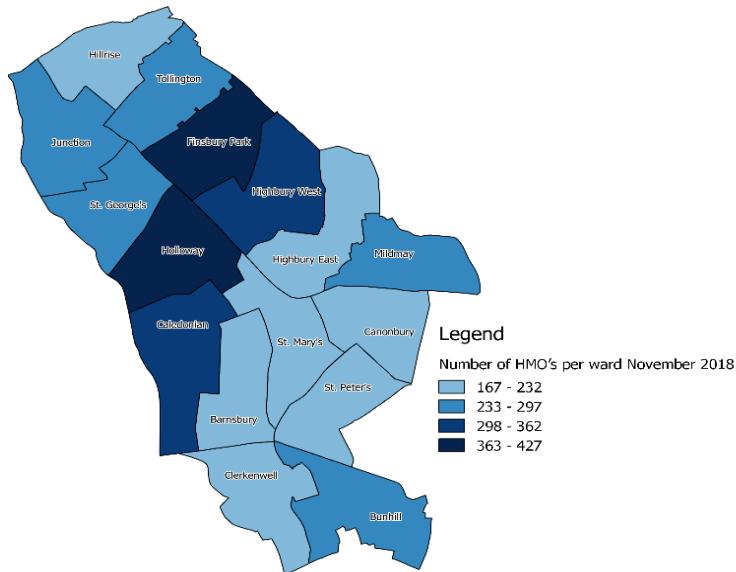


Figure 7. Distribution of likely HMOs by Ward

- 8.41 [Table 7](#) below shows the number of properties identified as likely HMOs, with people on the Council Tax register who are not related, by Ward. Properties with only one or two people, (highlighted red) would not usually be considered to be S254 HMO's, however, these properties have been identified through other data sets, including existing licensed HMOs and may therefore indicate S257 HMOs.

Ward / Number of unrelated people per house	1	2	3	4	5	6	7	8	9	Grand Total
Barnsbury	8	2	121	57	3	2				193
Bunhill	4	3	156	75	5	1				244
Caledonian	46	17	157	103	14	1				338
Canonbury	8	7	134	37	4	1				191
Clerkenwell	4		121	35	6	1				167
Finsbury Park	47	14	221	117	19	9				427
Highbury East	2	4	118	67	14	1				206
Highbury West	27	9	196	91	13	2				338
Hillrise	24		105	52	12	6	1	1		201
Holloway	34	10	202	105	24	2				377
Junction	16	5	134	96	6	1	1			259
Mildmay	13		171	68	3	1				256
St George's	32	6	130	64	9	5				246
St Mary's	10	1	139	61	8	1				220
St Peter's	5	1	128	47	8					189
Tollington	21	4	168	91	8	3	1		1	297
Grand Total	301	83	2401	1166	156	37	3	1	1	4149

Table 7. Number of unrelated persons in properties per Ward

- 8.42 City University of London and London Metropolitan University are both located within Islington. In addition, the close proximity to other further education establishments in neighbouring boroughs around London, leads us to believe there to be a high proportion of student rented accommodation outside of halls of residence. [Figure 8](#) shows the distribution

of properties registered for Council Tax as student accommodation that is also identified as in the PRS.

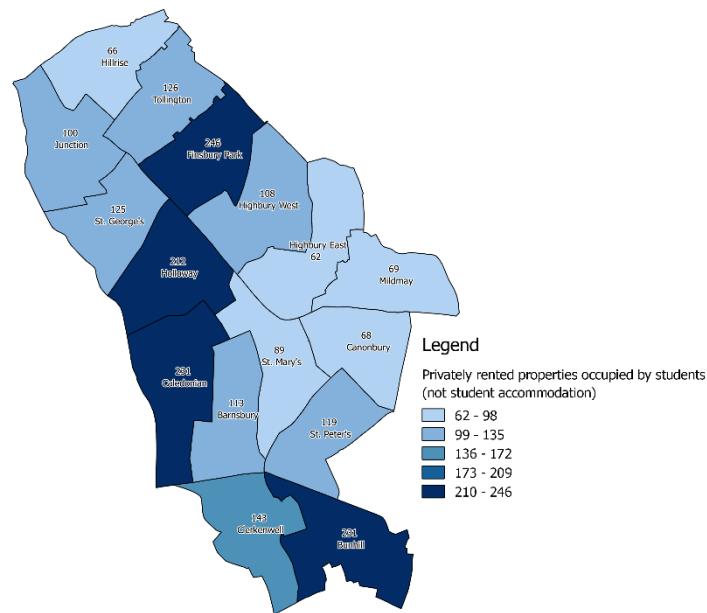


Figure 8. Location of PRS occupied by solely students by Ward

8.43 [Table 8](#) lists the number of addresses occupied solely by students by Ward.

Ward	No. of addresses occupied solely by students
Finsbury Park	246
Bunhill	231
Caledonian	231
Holloway	212
Clerkenwell	143
Tollington	126
St George's	125
St Peter's	119
Barnsbury	113
Highbury West	108
Junction	100
St Mary's	89
Mildmay	69
Canonbury	68
Hillrise	66
Highbury East	62
TOTAL	2108

Table 8. Student accommodation numbers by Ward

- 8.44 In addition to the analysis of council data sources as a means of identifying how many PRS properties and particularly HMOs there are in Islington, a physical survey was conducted during 2018 to provide some direct evidence of both the numbers of PRS properties and also the condition of the properties and any problems associated with them.
- 8.45 Finsbury Park Ward was selected for this survey – a Ward where there was a known high level of PRS from the 2011 Census, and one that was also known to have high levels of property complaints. Later in this consultation document the findings of this survey were used to extrapolate likely numbers of PRS properties and HMOs and problems associated with them. In view of the fact that Finsbury Park is known to be above average compared with the rest of the borough, the data was reduced by a proportionate factor to avoid over estimating the numbers across the borough.
- 8.46 The survey identified a total of 338 properties for investigation, selected at random, based upon a list produced from Council Tax records that indicated likely PRS (a total of 1,443 properties) and from a list of properties registered with one of the tenancy deposit schemes.
- 8.47 Of the 328 properties surveyed, entry was gained to a total of 114 PRS properties. For these properties a survey form was completed to gather data such as tenure, occupancy and any problems associated with the property. For those properties where entry was not gained, an external assessment was used to identify where possible the tenure and any external problems, such as disrepair, general condition and any refuse within the curtilage.
- 8.48 [Table 9](#) shows the break-down of the tenure/occupancy type of the properties and the projected number across the Ward, based upon the total number of dwellings identified in the 2011 Census for Finsbury Park, where 1,996 of a total of 6,120 properties were identified as in the PRS.

No. of Properties Surveyed: 328 No. of Properties where entry gained or data gathered: 314			
	Number identified	Percentage of Sample where data gathered	Projected number for Ward based upon 2011 Census Housing Stock
HMOs identified S254	30	9.5%	581
HMOs identified S257	33	10.5%	643
SFO PRS properties - not HMO	114	36.3%	2,222
Owner occupied or other	137	43.6%	2,668

Table 9. Number of property types in Finsbury Park survey and projected total numbers

- 8.49 Based upon this calculation, it would indicate there has been a significant increase in total PRS on Finsbury Park Ward since the 2011 Census, with potentially up to 3,446 properties, which would be a 72% increase. It is accepted that there may be a significant margin for error in these projections. Through analysis of Council Tax records the figure for Section 254 HMOs is 427 against 581 from the projection method used from the Finsbury Park survey (36% increase).

- 8.50 The data providing the highest level of confidence for the number of Section 254 HMO's is the Council Tax method, which suggests there may be up to 3,800 subject to licensing. As already stated, Section 257 HMOs are far more difficult to identify through council data. The Council Tax method suggests there may be around 400, although this is thought to be an underestimate. The Finsbury Park survey suggests there may be an equal percentage of Section 257 to Section 254 HMOs. Allowing for a margin of error, it could be estimated that there may be up to a further 4,000 Section 257 HMOs. However, as Finsbury Park is known to be the Ward with the worst property conditions, it is considered reasonable to assume that a lower percentage of the converted flats in other parts of the borough have been converted without compliance with the relevant Building Regulations. The estimate for Section 257 HMOs is therefore adjusted down by a factor of 2.16 (the proportion of known HMOs in Finsbury Park compared to the average for the borough) to 1,800. This would put the estimated number of all HMOs (both Section 254 and Section 257) at approximately 5,600.

Proportion of property in the PRS

- 8.51 To show that the proportion of property in the PRS is a relevant criteria for the area(s) proposed for a Selective Licensing designation, it must be demonstrated that **the area has a high proportion of property in the private rented sector**.
- 8.52 Guidance suggests that more than the percentage in the most recent English Housing Survey would be a high proportion. The current English Housing Survey puts the national average of PRS properties at 20%. Therefore, if privately rented properties account for greater than 20% of the total housing stock, the area can be considered as having a high proportion of PRS.
- 8.53 Looking at the profile of the borough, from the 2011 Census, the whole borough contained 27.46% PRS and so, if warranted, a borough-wide Selective Licensing scheme could be designated.
- 8.54 Breaking the borough down into Wards, every Ward has greater than 20% PRS, ranging from 20.5% to 34.56%, meaning that every Ward could individually be considered for designation.
- 8.55 [Table 10](#) shows the number and percentage of PRS properties per Ward as per the 2011 Census.

Ward	PRS - % 2011 Census	PRS - Number 2011 Census
Barnsbury	27.99	1512
Bunhill	29.93	1961
Caledonian	30.68	1822
Canonbury	22.70	1257

Clerkenwell	27.10	1401
Finsbury Park	32.61	1996
Highbury East	26.55	1368
Highbury West	34.56	2316
Hillrise	20.50	1021
Holloway	27.53	1737
Junction	26.36	1449
Mildmay	23.87	1360
St George's	26.67	1413
St Mary's	30.26	1642
St Peter's	24.60	1333
Tollington	27.49	1629

Table 10. Number and percentage of PRS by Ward

- 8.56 [Figure 9](#), below shows the LSOAs with greater than 20% PRS. The few areas that do not fall into this category are predominantly council estates. Criteria: Any Lower Super Output Area (LSOA) with more than 20% privately rented homes (based on 2011 census (QS405EW)). In total 92 out of 123 LSOAs met this criteria (75%). The LSOA's that meet this criteria have been shaded in green.

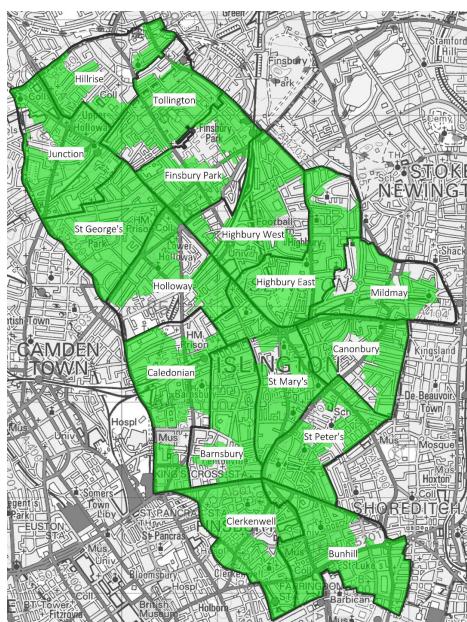


Figure 9. Map showing distribution of PRS by LSOA (Census 2011)

Low housing demand

- 8.57 To show that low housing demand is a relevant criterion for the designation of a Selective Licensing scheme, it must be demonstrated that **the area is, or is likely to become, an area of low housing demand**.

8.58 This criterion does not apply in Islington and so is not considered further.

Anti-social behaviour

- 8.59 To show that anti-social behaviour is a relevant criterion for the designation of a Selective Licensing scheme, it must be demonstrated that **the area is experiencing a significant and persistent problem caused by anti-social behaviour (ASB)**.
- 8.60 Guidance suggests the authority should consider whether private sector landlords in the designated area are not effectively managing their properties so as to combat incidences of anti-social behaviour caused by their tenants, or people visiting their properties and in particular the area suffers from anti-social behaviour as a result of this failure, or because that failure significantly contributes to that problem.
- 8.61 For these purposes, the guidance suggests ASB includes acts of (but not limited to):
- intimidation and harassment of tenants or neighbours;
 - noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity;
 - animal related problems;
 - vehicle related nuisance;
 - anti-social drinking or prostitution;
 - illegal drug taking or dealing;
 - graffiti and fly posting;
 - and litter and waste within the curtilage of the property
- 8.62 Data has been gathered from both the police and the council's own information on ASB complaints, as well as the DEFRA data on fly-tipping incidents.
- 8.63 Fly-tipping incidents in Islington in 2016/17 were 3,011, compared to an average of 11,093 across London. Residential incidents were 33 compared to an average of 123 for London. White goods fly-tipping incidents, which are often closely associated with the PRS were 204, compared to the London average of 437. Statutory actions however, such as enforcement notices and fixed penalty notices were higher in Islington than the average for London. (DEFRA) These figures do not assist in demonstrating that fly-tipping is particularly an issue in Islington compared with other parts of London and therefore is not helpful in providing a link to the high levels of the PRS. However, these figures should be treated with caution as it is evident from the DEFRA website that there are reporting inconsistencies, (for example the high level of enforcement actions compared to the number of incidences of fly-tipping compared with others). This data is not taken into account to support the introduction of a Selective Licensing or Additional Licensing scheme under the anti-social behaviour criterion.
- 8.64 From the police, data was available on begging and vagrancy; drugs; rowdy/nuisance neighbours; rowdy or inconsiderate behaviour; and vehicle nuisance – inappropriate use or inconsiderate behaviour – a total of 4,110 cases in the year to 31st August 2018.
- 8.65 From council complaints, data was available on drugs; environmental; neighbours; rowdy/inconsiderate; and nuisance vehicles – a total of 6,304 in the 6 months to 30th

September 2018. These complaints include issues such as dog barking/other animal noise, noisy neighbours – music, noisy neighbours – people, alarm noise and parties/raves.

- 8.66 Complaints about noise in 2015/16 in Islington were 36.9 per 1,000 population compared to 14.6 in London and 6.3 nationally. (PHE – Public Health Profiles)
- 8.67 [Figure 10](#) shows LSOAs where the total number of ASB Calls to the Council between November 2016 and October 2017 in the LSOA is above the LSOA average in Islington. In total 50 out of 123 LSOAs met this criteria (41%). The LSOAs that meet this criterion have been shaded in green.

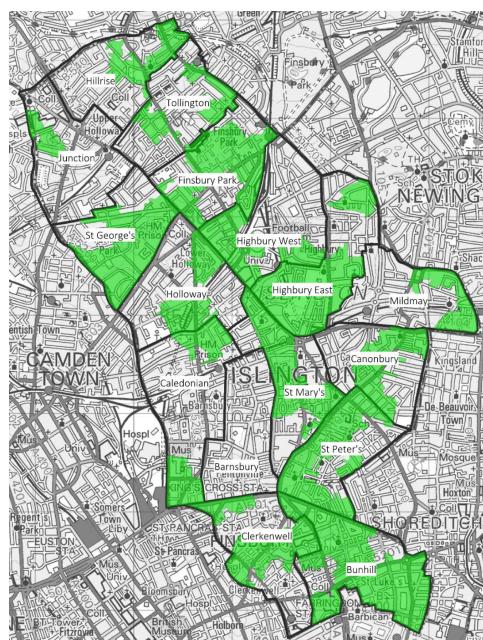


Figure 10. Distribution of ASB calls in a 12 month period by LSOA

- 8.68 [Figure 11](#) shows the number of ASB calls to the police over a three-year period. Although there are fluctuations, numbers in March 2018 are similar to those in April 2015 and show a persistent problem.

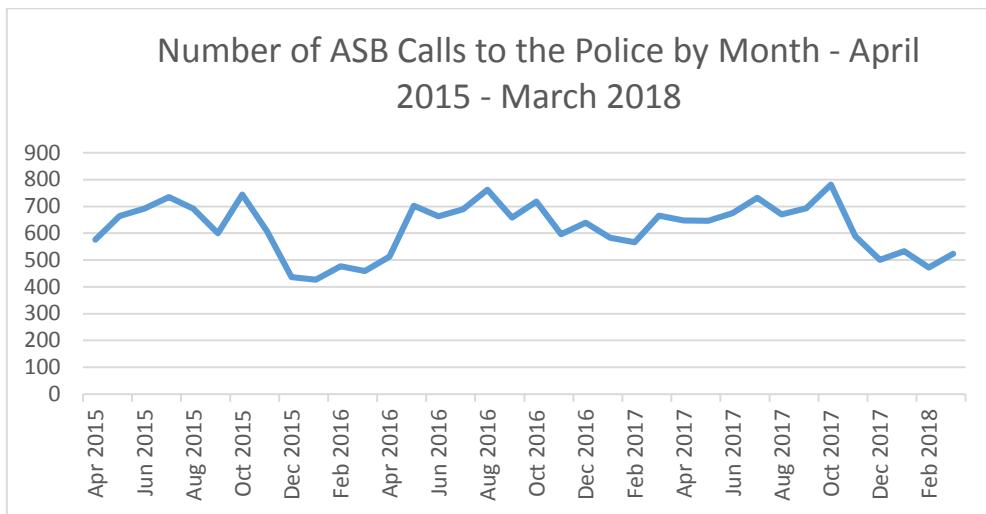


Figure 11. ASB calls to the police 2015-2018

- 8.69 The average number of complaints for all Wards was divided into the total number of complaints for each Ward, to give an index comparable to the average. The average index being 1. [Tables 11 and 12](#) below list the Wards with a complaint index of greater than 1 (above average) for police and council complaints respectively.

Finsbury Park	1.72
Caledonian	1.58
Holloway	1.44
Junction	1.36
Highbury West	1.30
St Mary's	1.27
Bunhill	1.09

Table 11. Police ASB complaints index

Finsbury Park	1.42
Highbury West	1.35
Bunhill	1.22
Canonbury	1.18
Tollington	1.16
Clerkenwell	1.10
Holloway	1.06
St Mary's	1.02

Table 12. LBI ASB complaints index

- 8.70 Whilst Finsbury Park Ward clearly has the highest index for both police and LBI ASB complaints, only Highbury West, Holloway, Bunhill and St Mary's Wards have an above average number of complaints through both sources. The combined council and police indexes give the ranking as shown in [Table 13](#).

Finsbury Park	1.54
Highbury West	1.33
Holloway	1.21
Bunhill	1.17
St Mary's	1.12
Caledonian	1.08
Tollington	1.02

Table 13. Combined ASB index

- 8.71 The difficulty with this information is that there is insufficient supporting evidence to show that the ASB that is the subject of these complaints is definitively linked to the PRS. The Act requires that; some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem [ASB] that it would be appropriate for them to take. The main indicator we have of the likelihood of this is the association with the size of the PRS and condition of properties in the Ward. The seven Wards in Table 13 are all within the top eight Wards for the highest levels of PRS properties and five are in the top seven Wards for poor property conditions. This suggests there may well be some correlation between PRS and ASB. However, due to the lack of corroboration available to confirm these cases are all directly linked to the PRS, ASB is not seen as being a strong indicator of the need for a Selective Licensing scheme alone. It is however clearly a contributing factor and so in constructing a matrix based upon the indexes for each of the criteria, a weighting factor of times one has been applied.

Property Conditions

- 8.72 To show that poor property conditions is a relevant criteria for the designation of a Selective Licensing scheme, it must be demonstrated that **the local housing authority considers it would be appropriate for a significant number of the properties referred to in article 3(1)(a) to be inspected, with a view to determining whether any category 1 or category 2 hazards exist on the premises; and the local housing authority intends to carry out such inspections with a view to carrying out any necessary enforcement action.**
- 8.73 Guidance suggests that a significant number of properties in the private rented sector should be in poor condition and are adversely affecting the character of the area and/or the health and safety of their occupants. Authorities should consider the following factors to help determine whether there are poor property conditions in their area:

➤ the age and visual appearance of properties in the area and that a high proportion of those properties are in the private rented sector

➤ a significant number of properties in the private rented sector need to be inspected in order to determine whether any of those properties contain category 1 or 2 hazards (more than a small number, although it does not have to be a majority of the private rented stock in the sector)

- 8.74 In terms of the age of properties, over 62% of properties in the 2008 Islington Stock Condition Survey were pre-1919.
- 8.75 In order to establish the relevance of this criterion, we first looked at the complaints about property conditions received by the council.
- 8.76 The council's data base has been used to review the information available about the condition of private rented properties. The period between 1st September 2014 and 31st August 2018 was used to carry out this analysis.

Complaints:

- 8.77 During this period, there were 2,285 complaints received relating to 2,041 private rented properties. A rate of approximately 8% of the PRS. 1,869 individual properties had a complaint about poor property conditions and/or overcrowding. Of these complaints, in 1,296 cases the investigating officer identified an issue that required follow up action. This equates to 69.3% of properties complained about. [Figure 12](#) below shows the total of all property complaint types. The average number of complaints is 148 per Ward, meaning Finsbury Park Ward had more than double the average number of complaints.

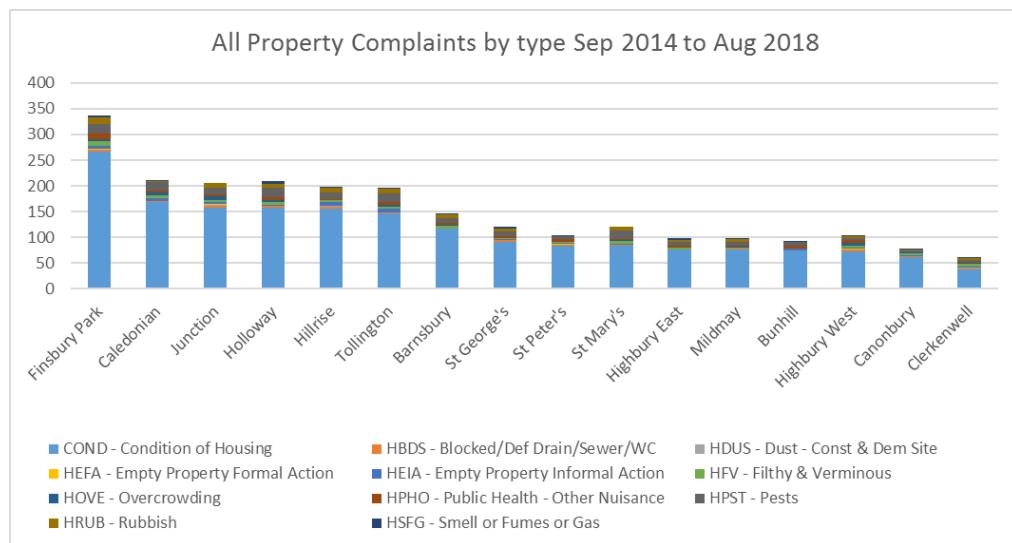


Figure 12. Total number of complaints by Ward.

Poor property conditions:

- 8.78 [Figure 13](#) shows complaints purely about the condition of the property, such as disrepair, dampness, fire, and overcrowding.

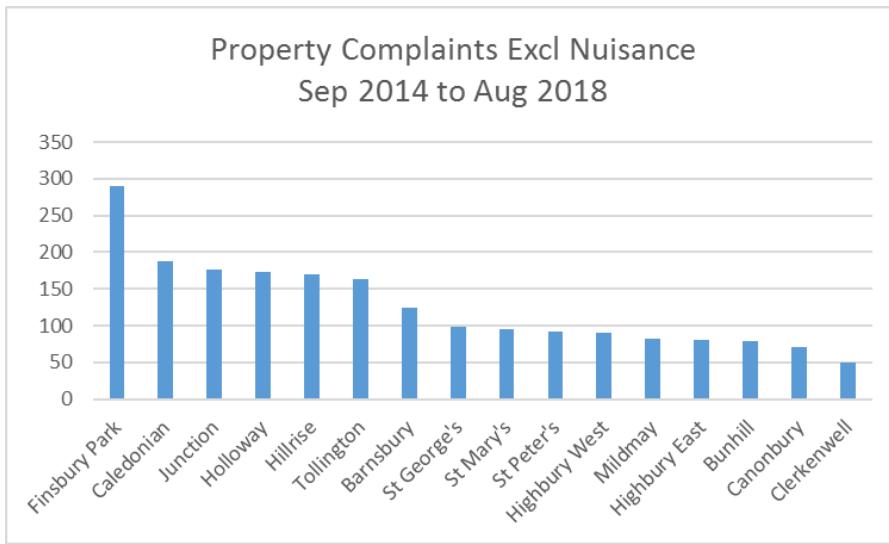


Figure 13. Number of complaints relating to property conditions

- 8.79 [Table 14](#) shows the number of complaints received across the borough. Although it has fluctuated and decreased in 2017/18, there are persistently around 500 plus complaints across the borough.

Year	Number of complaints received
2014/15	658
2015/16	535
2016/17	593
2017/18	496

Table 14. Total number of complaints 2014-2018

Overcrowding:

- 8.80 [Table 15](#) shows that in the 2011 Census, of 26,443 households in the private rented sector, 11,412 were overcrowded by being short of one room/bedroom or more than is required based upon a standard formula, taking into account the number of rooms and bedrooms, the number of people occupying the accommodation, their ages and relationships to each other. This is equivalent to 43.15% of all privately rented accommodation.

Tenure	All categories: Tenure	Owned or shared ownership (part owned and part rented)	Social rented	Private rented or living rent free

Occupancy rating (rooms)				
All categories: Occupancy rating (rooms)	93,556	27,771	39,342	26,443
Occupancy rating (rooms) of +2 or more	14,890	9,452	3,703	1,735
Occupancy rating (rooms) of +1	17,710	6,707	7,389	3,614
Occupancy rating (rooms) of 0	33,765	7,422	16,661	9,682
Occupancy rating (rooms) of -1 or less	27,191	4,190	11,589	11,412

Table 15. Overcrowding as recorded in the 2011 Census

- 8.81 [Figure 14](#) below shows the distribution of property condition complaints over the period June 2014 to June 2017 by LSOA. Criteria: Any LSOA where the number of complaints about poor property conditions to the council is above the LSOA average in Islington. In total 37 out of 123 LSOAs met this criteria (30%). It can be seen that the LSOAs fall mostly within the Wards of Junction, Tollington, Finsbury Park, Holloway and Caledonian.

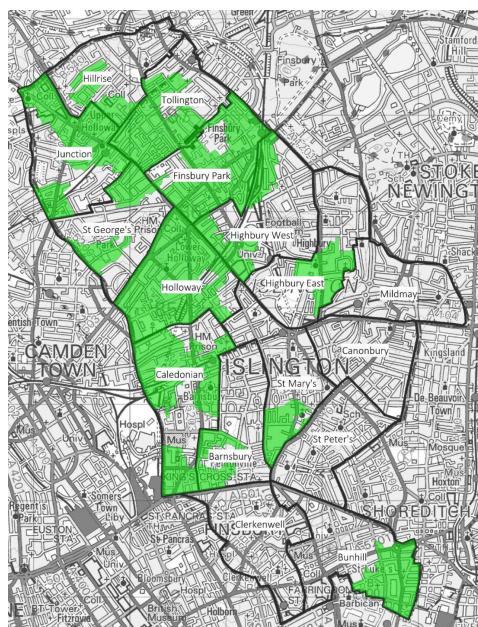


Figure 14. Distribution of above average poor property conditions by LSOA

- 8.82 To assess the impact of property conditions across the Wards, the average number of complaints for all Wards was divided into the number of complaints for each Ward to give an index comparable to the average. The average index being 1. [Table 16](#) shows the Wards with a complaint index of greater than 1 (above average).

Finsbury Park	2.26
Caledonian	1.43
Holloway	1.41
Junction	1.38
Hillrise	1.34
Tollington	1.31

Table 16. Property condition complaints index

- 8.83 As the data provides direct evidence of a significant and persistent problem with property conditions over a period of at least four years, it has been weighted accordingly, with property complaints given a weighting of times 4.

Nuisance associated with poor property conditions:

- 8.84 We next looked at the nuisance complaints associated with the condition of properties in the PRS. 509 complaints were received in the same four-year period, with Finsbury Park accounting for almost 13% of these complaints.
- 8.85 [Figure 15](#) shows the number of nuisance complaints associated with PRS properties during the period. These relate to issues such as defective drainage, filthy and verminous premises, accumulations of refuse, pests and other public health nuisances.

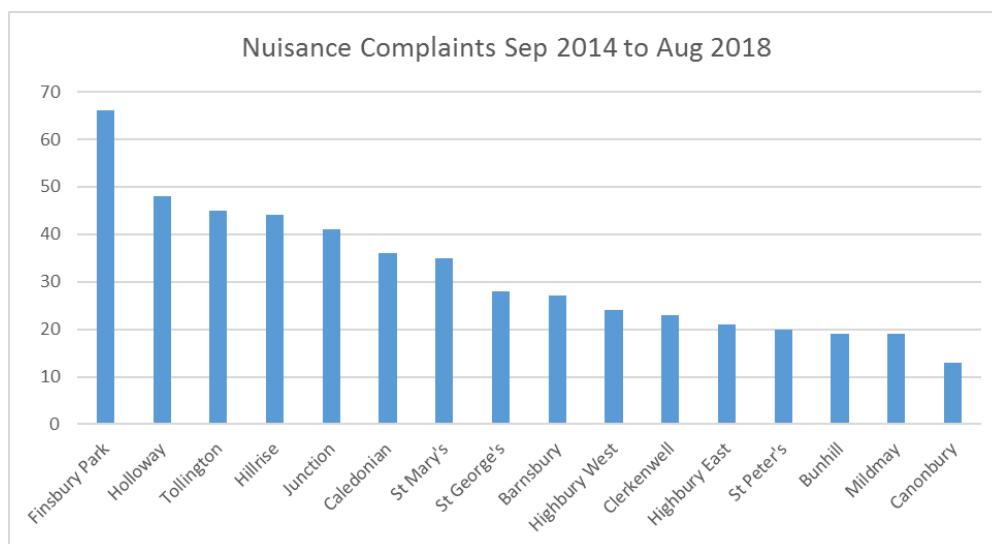


Figure 15. Nuisance complaints associated with PRS property conditions

Pests:

- 8.86 According to the British Pest Control Association (BCPA) Annual Survey 2016, Islington had the 11th highest number of bed bug complaints per head of population in the country with 0.88 per 1,000 people, compared to 0.49 for London and 0.2 nationally. Bed bugs are frequently associated with poor property conditions in the PRS.

- 8.87 For mice complaints, Islington was seventh highest nationally and second in London with 1,511 call-outs, or 7.33 per 1,000 head of population, an increase of 32% on the previous year. For London the average was 2.26 and nationally 1.21 per 1,000 people. Mice are also frequently associated with poorly managed PRS properties. [Figure 16](#) shows the total number of pest complaints received over the same four-year period.

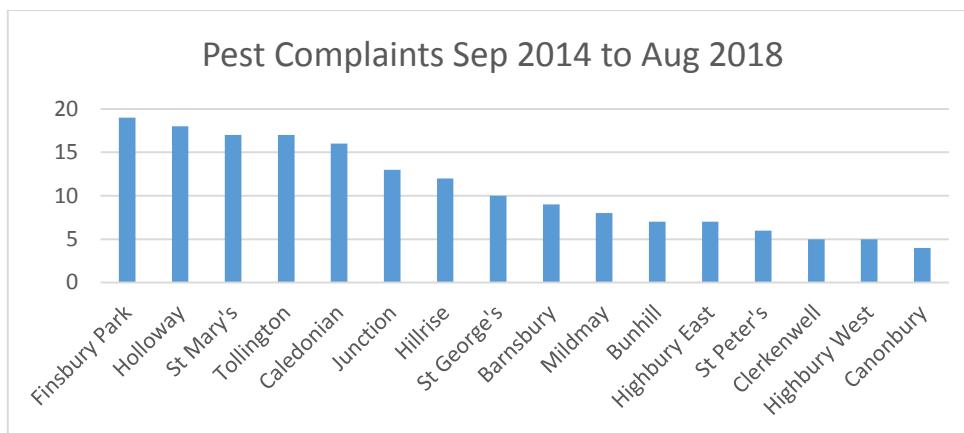


Figure 16. Number of pest complaints received relating to the PRS

Rubbish:

- 8.88 Rubbish accumulated in the front or rear gardens of properties is frequently associated with poorly managed PRS properties. Complaints about refuse are frequently combined with other complaints about property conditions and so are not always recorded as the main issue being complained of, so the total numbers recorded appear artificially low. [Figure 17](#) shows the number of complaints recorded solely as being about rubbish in PRS properties over the same period.

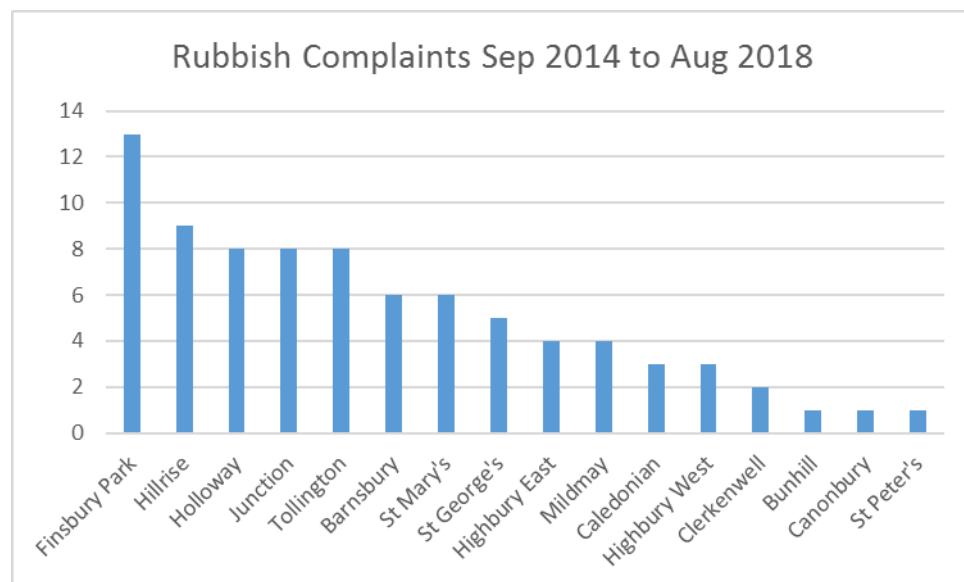


Figure 17. Rubbish complaints related to the PRS

- 8.89 The average number of nuisance complaints associated with property conditions for all Wards was divided into the number of complaints for each Ward to give an index comparable to the average. The average index being 1. The [table 17](#) lists the Ward with a complaint index of greater than 1 (above average).

Finsbury Park	2.07
Holloway	1.51
Tollington	1.41
Hillrise	1.38
Junction	1.29
Caledonian	1.13
St Mary's	1.10

Table 17. Property condition nuisance complaints index

- 8.90 Property nuisance also provides evidence of a persistent problem with property conditions and so it has been weighted accordingly, with property nuisance complaints given a weighting of times 2.

Category 1 and 2 hazards:

- 8.91 In the 3 full calendar years 2015, 2016 and 2017, the percentage of properties complained about that had a significant issue requiring intervention increased, with 54% in 2015, 52.7% in 2016 and 73% in 2017 (384 out of 526 cases complained about). This shows a 20% increase in problems found per complaint in one single year, indicating that although the number of people complaining has not necessarily increased, the regularity of poor condition of properties in the PRS is worsening.
- 8.92 In terms of hazards, during the period September 2014 to August 2018, there were a total of 1,399 Category 1 and 2 hazards recorded during inspections of private rented properties. These hazards fell into a total of 25 different categories. The top 15 categories are shown in [Table 18](#).

All Category 1 Hazards	No.
Fire	346
Damp and mould growth	240
Excess cold	164
Falls associated with stairs and steps	109
Crowding and space	73
Food safety	60
Personal hygiene, sanitation and drainage	58
Electrical hazards	52
Falls between levels	51
Entry by intruders	35
Falls on the level	34
Lighting	32
Domestic hygiene, pests and refuse	30
Hot surfaces and materials	30
Structural collapse and falling elements	28

Table 18. Top categories of hazards found

- 8.93 [Table 19](#) shows the distribution of Category 1 and 2 hazards across the Wards, with Finsbury Park having the greatest number, with 17.8% of the total. The top seven Wards account for 76% of the total number of hazards identified across the borough.

Ward	No of Category 1 and 2 Hazards
Finsbury Park	234
Caledonian	193
Holloway	138
Highbury West	136
Tollington	125
Junction	102
Hillrise	74
St. Georges	71
St. Peter's	38
Mildmay	36
Highbury East	32
St. Mary's	32
Bunhill	30
Canonbury	26
Clerkenwell	25
Barnsbury	20

Table 19. Category 1 and 2 hazards by Ward

- 8.94 Looking purely at SFO properties (excluding HMOs), there were 657 Category 1 and 2 hazards the distribution of which provides a similar picture, with the top seven Wards being the same as for all PRS property types, as can be seen in [Table 20](#).

Ward	Total Category 1 and 2 Hazards
Finsbury Park	140
Highbury West	76
Tollington	73
Holloway	60
Caledonian	48
Hillrise	40
Junction	37

Table 20. Total Category 1 and 2 hazards in SFO properties across the worst seven Wards

- 8.95 The worst hazards are known as Category 1 hazards, of which there were 150 properties found with at least one hazard. 211 SFO properties were found with at least one Category 2 hazard. [Table 21](#) shows the number of SFO properties with Category 1 and 2 hazards by Ward.

Ward	No. of properties with Category 1 Hazards	Ward	No of properties with Category 2 Hazards
Finsbury Park	29	Finsbury Park	45
Highbury West	19	Tollington	22
Junction	16	Holloway	20
Caledonian	13	Highbury West	19
Tollington	13	Caledonian	17
Holloway	11	Hillrise	13
Highbury East	7	Junction	12

Table 21. Top seven Wards for numbers of properties with Category 1 and 2 hazards

- 8.96 A total of 158 SFO properties were identified with Category 1 hazards out of 280 properties with hazards (56.4%), with the 222 (79.2%) being identified with Category 2 hazards. There were 2,024 complaints, with 1,869 properties complained about with poor conditions during the four year period analysed. With a total of 613 PRS properties with a Category 1 or 2 hazard, [Table 22](#) shows the percentage of properties complained about and requiring an intervention with a Category 1 or 2 hazard.

	No. of properties	No. requiring intervention	No. with Category 1 or 2 hazard
Complaints about poor property conditions	2,041	1,296	613
% of properties with a Category 1 or 2 hazard	30.03%	47.30%	

Table 22. Percentage of Category 1 and 2 hazards by complaint and need for intervention

- 8.97 [Table 23](#) shows the number of individual PRS properties found to have a Category 1 or 2 hazard by Ward and the percentage of the number of PRS properties within the borough, along with the percentage of the total number of hazards found.

Ward	No. of properties with Category 1 or 2 Hazards	Category 1 and 2 Hazards - % of PRS	Category 1 and 2 Hazards - % of total found in the borough
Finsbury Park	96	4.81%	16.38%
Caledonian	95	5.21%	16.21%
Highbury West	56	2.42%	9.56%
Holloway	56	3.22%	9.56%
Junction	53	3.66%	9.04%
Tottenham	48	2.95%	8.19%
Hillrise	31	3.04%	5.29%
St. Georges	28	1.98%	4.78%
St. Peter's	18	1.35%	3.07%
Canonbury	17	1.35%	2.90%
Bunhill	16	0.82%	2.73%
Mildmay	16	1.18%	2.73%
Barnsbury	15	0.99%	2.56%
Highbury East	15	1.10%	2.56%
St. Mary's	15	0.91%	2.56%
Clerkenwell	11	0.79%	1.88%

Table 23. Category 1 and 2 hazards by Ward

- 8.98 The average number of properties found upon inspection with Category 1 and 2 hazards for all Wards was divided into the total number of properties with Category 1 and 2 hazards in each Ward to give an index comparable to the average. The average index being 1. The [Table 24](#) below lists the Ward with a Category 1 and 2 hazard index of greater than 1 (above average).

Finsbury Park	2.62
Caledonian	2.59
Holloway	1.53
Highbury West	1.53
Junction	1.45
Tottenham	1.31

Table 24. Category 1 & 2 hazard index

- 8.99 Category 1 and 2 hazard data provides the most direct evidence of a significant and persistent problem with property conditions in the PRS, the index has therefore been given the highest weighting at times 5.

Enforcement notices:

- 8.100 Over the 4 year period September 2014 to August 2018, a total of 698 enforcement notices were served in relation to PRS properties. Of these, 211 were Improvement Notices under

Sections 11 and 12 of the Housing Act 2004 and 20 were Prohibition Notices, under Section 20. 36 notices were for overcrowding under Section 139.

Finsbury Park Ward property survey:

- 8.101 The survey of 314 properties in Finsbury Park Ward in 2018 identified 114 PRS (SFO) properties. 54% of these properties were found to have some sort of issue. 27% had evidence of internal and 23% evidence of external poor conditions. 23% had evidence of poor management issues. [Table 25](#) shows the full findings of the survey in relation to SFO properties.

PRS - SFO Properties		Percentage of SFO properties with issues
Total number of SFOs identified	114	
Number of properties identified with:		
Any issues	62	54.38%
External condition issues	27	23.68%
Internal condition issues	31	27.19%
Inadequate amenities	0	0.00%
Overcrowding	4	3.50%
Property management issues	27	23.68%
Lack of gas safety certificate	23	20.17%
No fire alarm	10	8.77%
Occupier does not feel safe from intruders	4	3.50%
No written tenancy agreement	1	0.87%
Property converted without Building Regulation compliance	14	12.28%

Table 25. Issues found in SFOs in Finsbury Park Survey

- 8.102 Using the findings of the property condition survey, the data has been modelled to provide a projection of the likely numbers of SFO properties across the borough to be suffering issues relating to poor property conditions. The percentage of all properties with any issues identified in Table 25 above has been divided by the average of the three property condition indices for Finsbury Park in Tables 16, 17 and 24 above (2.32) to provide the likely average percentage for there being an issue (23.44%).
- 8.103 Taking the Census 2011 figure of 25,217 PRS properties, this would result in 5,910 properties likely to have an issue requiring intervention across the borough, or in the top seven worst Wards, 2,806 properties.

Migration

- 8.104 To show that migration is a relevant criterion for the designation of a Selective Licensing scheme, it must be demonstrated that **the area has recently experienced or is experiencing an influx of migration into it.**

- 8.105 Guidance suggests that migration refers to the movement of people from one area to another. It includes migration within a country and is not restricted to migration from overseas. Authorities should consider whether the area has experienced a relatively large increase in the size of the population over a relatively short period of time. In assessing this, the local housing authority should consider whether net migration into the designated area has increased the population of the area.
- 8.106 Guidance goes on to suggest a population increase of around 15% or more over a 12 month period would be indicative that the area has or is experiencing a high level of migration into it. However, only one LSOA with the whole borough – in Bunhill Ward, met this criteria. There were three LSOAs – with between 10 and 15% - one each in Finsbury Park, Highbury West and Caledonian Wards. However we do not believe this shows the complete picture and so we looked at other evidence of migration into the borough.

Population growth:

- 8.107 Islington is the most densely populated local authority area in England and Wales, with over 15,500 people per square km. This is almost triple the London average and more than 37 times the national average.
- 8.108 The population of Islington increased by 30,000 (17%) between 2001 and 2011, to 206,100 residents. By 2018 the population of Islington is estimated to be 233,200. This is an increase of approximately 13% (27,000 people) since 2011.
- 8.109 The GLA 2018 mid year estimate suggests a 15.6% growth in the population since 2011. For the same period growth in London was 10.18%. Islington had the 3rd highest growth in London, whilst over the same period, UK growth was 11.74% (ONS 2018). So, Islington is growing faster than the UK and London.
- 8.110 ONS population growth estimates for the 10 years from 2016 to 2026 for the UK is 5.48%. The GLA predicts 9.17% growth for Islington in same period and 10.6% for London as a whole.
- 8.111 Islington's population profile in terms of relationship status is considerably different compared to London and England, with 60% of residents recorded as single compared to 44% in London and 35% in England. The percentage of people recorded as single in Islington increased from 54% in 2001. The equivalent figure was 41% in London and 30% in England in 2001. (2011 Census)
- 8.112 The largest category for household composition in Islington is one person households (31%). This had largely remained unchanged since 2001 (32%). (2011 Census)
- 8.113 The 2011 census showed that Islington has become a more ethnically diverse borough, with the younger population being more diverse than the older population.
- 8.114 33% of Islington residents were born outside of the United Kingdom compared to 14% Nationally. (ONS 2016-2017).

- 8.115 Almost 40% of the increase between the 2001 and 2011 Censuses is accounted for by a growth in the population born in the European Union but outside of the UK and Ireland (11,500 people, which is a 73% increase). The number of people born in non-EU countries increased by 10,400 (25% increase), while the number of people born in the UK increased by 9,600 (8% increase).
- 8.116 In 2008-2009 (GLA) Islington had the 4th highest population churn rate at 312 persons per 1,000 population. Population turnover was the eighth highest in London at 51,800. Growth estimates suggest the number of Islington households will increase to 122,400 by 2031.
- 8.117 The number of migrant new National Insurance Registrations in 2016 was the 17th highest in London at 8,919, a slight decrease from 2015 (9,534), although higher than all previous years and an increase of 3.7% since 2013. In the same year, new migrant GP registrations were the highest ever in Islington at 7,897, the 16th highest in London.
- 8.118 [Figure 18](#) shows the population estimates for non-UK born people from 2005 to 2016, showing a steady increase from below 60,000 to over 80,000.

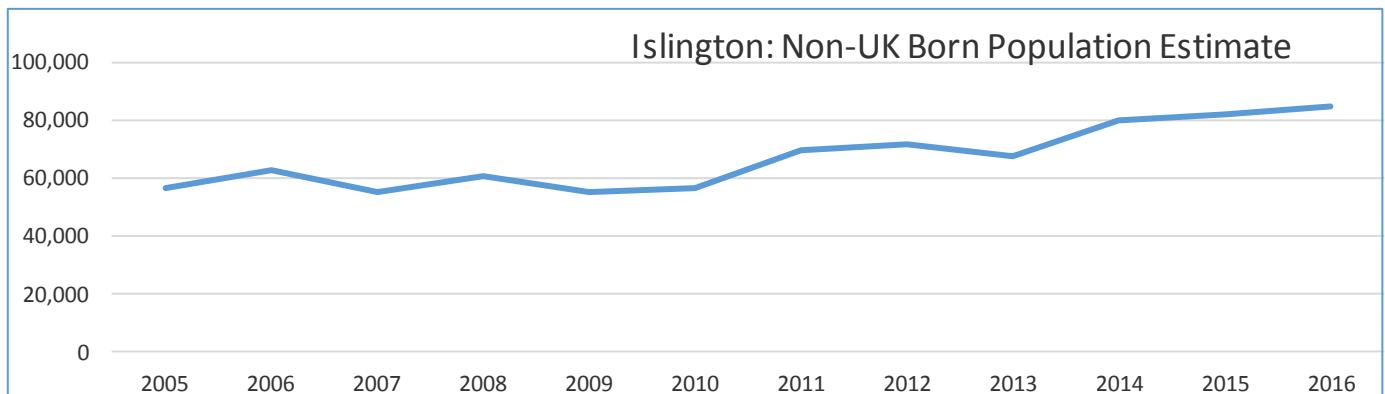


Figure 18. Non-UK born population estimates (source (GLA))

- 8.119 Looking at the latest available mid year population estimates by Ward, [Table 26](#) below shows that Bunhill Ward had the highest percentage increase of 6.95%, with seven Wards above the average population increase for Islington.

Ward	Mid-2015 Lower Layer Super Output Area population estimates for England and Wales	Mid-2016 Lower Layer Super Output Area population estimates for England and Wales	Percentage Change between Population Estimates
Bunhill	17680	18909	6.95%
Caledonian	14628	15325	4.76%
Finsbury Park	16270	17008	4.54%
Highbury West	17530	18055	2.99%
Holloway	17298	17795	2.87%
Highbury East	12850	13172	2.51%
Clerkenwell	12362	12641	2.26%
Hillrise	12347	12597	2.02%
St Peter's	13008	13263	1.96%
Mildmay	14166	14429	1.86%
Junction	12620	12714	0.74%
St Mary's	12792	12868	0.59%
Barnsbury	14034	14116	0.58%
Tollington	13995	14016	0.15%
Canonbury	13088	13062	-0.20%
St George's	13024	12895	-0.99%

Table 26. Percentage change in population estimates.

- 8.120 An index was produced based upon the average percentage population increase for each Ward. The average rate of population increase for all Wards was divided into the rate of population increase for each Ward to give an index comparable to the average. The average index being 1. [Table 27](#) below lists the Wards with a population increase index of greater than 1 (above average).

Bunhill	3.31
Caledonian	2.27
Finsbury Park	2.16
Highbury West	1.43
Holloway	1.37
Highbury East	1.19
Clerkenwell	1.07

Table 27. Population percentage change index

- 8.121 We also looked at a recognised indicator for increase in migration, which is the increase in new national insurance number registrations for overseas migrants (NINO). [Figure 19](#)

shows a gradual increase in the borough wide registrations, with some fluctuations between 2005 and 2016 from under 7,000 to 9,000 new registrations per annum.

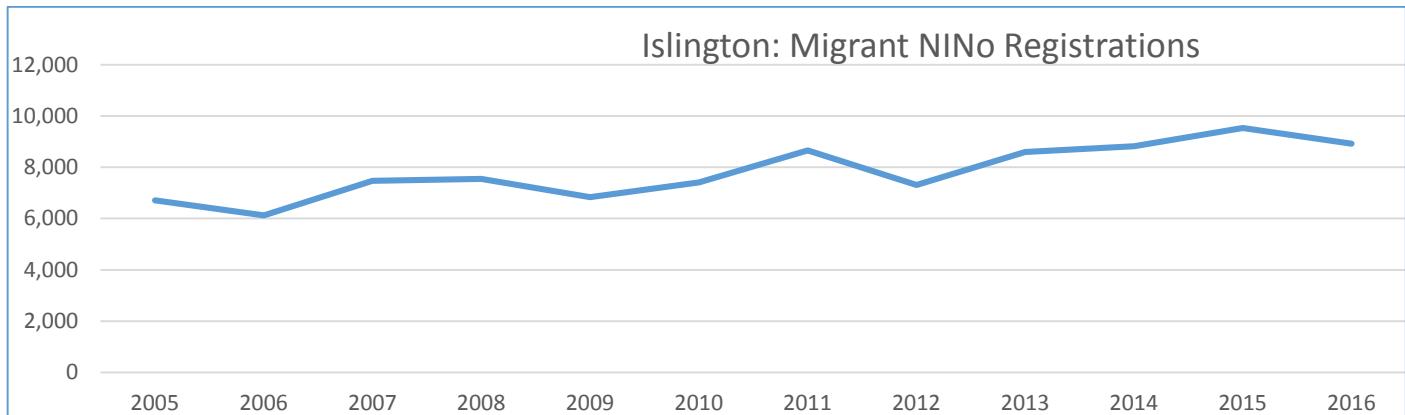


Figure 19. NINO registrations

- 8.122 The number of NINO registrations per 1,000 head of population by Ward was analysed, with five of the top seven Wards coinciding with the top seven Wards for population increase as in Table 27 above. The average was 49.1 per 1,000 head of population, with Finsbury Park the highest at 63.3.
- 8.123 The average rate of registrations per 1,000 population for all Wards was divided into the rate of registrations for each Ward to give an index comparable to the average. The average index being 1. [Table 28](#) below lists the Wards with a NINO index of greater than 1 (above average).

Clerkenwell	1.80
Bunhill	1.38
Finsbury Park	1.29
Barnsbury	1.14
Holloway	1.02
St George's	1.02
Caledonian	1.01

Table 28. NINO registrations index

- 8.124 We also looked at the new migrant GP registrations, which over the same period showed a similar increase, with an increase from just over 5,000 to 8,000, shown in [Figure 20](#) below.

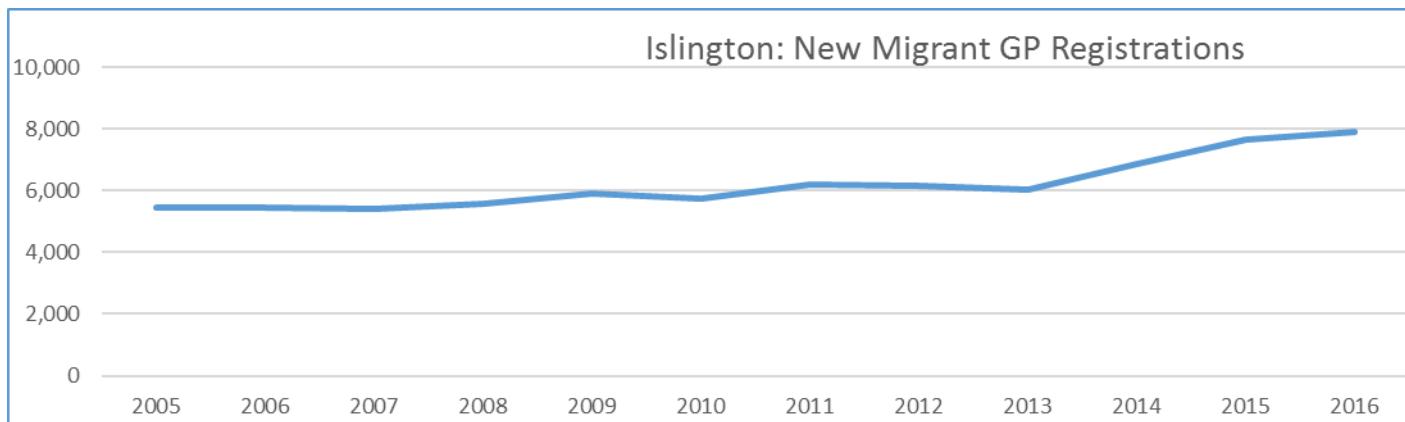


Figure 20. New migrant GP registrations

- 8.125 The migration data does not show a strong correlation with the distribution of the PRS or with poor property conditions, although Finsbury Park Ward does appear above average in both tables. Although there is clearly a steady increase in migration into the borough and certain Wards greater than others, the increase is not as significant as suggested by the guidance. Therefore, these two indexes for the migration criterion are given a weighting of 0.5 times to reflect its low relevance in determining areas suitable for designation for Selective Licensing.

Deprivation

- 8.126 To show that deprivation is a relevant criteria for the area(s) proposed for a Selective Licensing designation, it must be demonstrated **that the area is suffering from a high level of deprivation, which affects a significant number of the occupants of properties referred to in article 3(1)(a)**.
- 8.127 Guidance suggests that the authority considers the following factors when compared to other similar neighbourhoods in the local authority area or within the region:
- the employment status of adults;
 - the average income of households;
 - the health of households;
 - the availability and ease of access to education, training and other services for households;
 - housing conditions;
 - the physical environment;
 - levels of crime
- 8.128 Data has been taken from the English Indices of Deprivation 2015 - Index of Multiple Deprivation.
- 8.129 Islington is a deprived borough with 52% of the population living in the 20% most deprived areas of the country. Islington is the fourth highest in London for number of LSOAs within the 10% most deprived areas in the country, and 48th highest in England. In terms of the

extent of deprivation across districts, Islington again ranks fourth highest for deprivation in London and 24th in England.

- 8.130 The graph in [Figure 21](#) shows the average of the IMD rank against each Ward based upon the decile for each LSOA within the Ward, where 1 equals the most deprived (i.e. within the top 10% most deprived in the country).

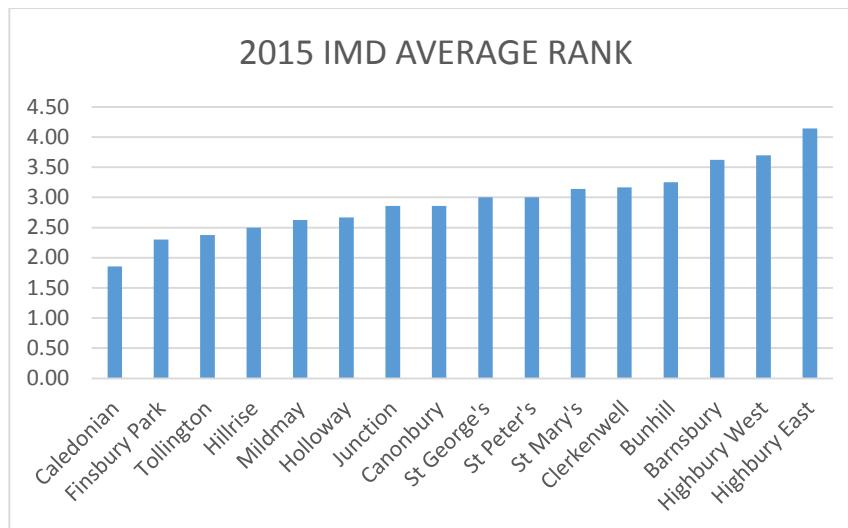


Figure 21. Average rank of deprivation by Ward (lowest equals most deprived)

- 8.131 Although Highbury West Ward appears to be the second least deprived Ward overall, it is significant to note that it is a larger Ward, with 10 LSOAs, rather than 7 or 8 in the other Wards and 60% of the Ward falls within the 30% most deprived neighbourhoods in England, but with two neighbourhoods in the Ward being amongst the least deprived, this provides a misleading average result for Highbury West.
- 8.132 [Figure 22](#) shows LSOAs where the overall 2015 IMD score is above the Islington average. In total 56 out of 123 LSOA met this criteria (46%). The LSOA's that meet this criteria have been shaded in green. It can be seen that most of Finsbury Park Ward falls into this category.

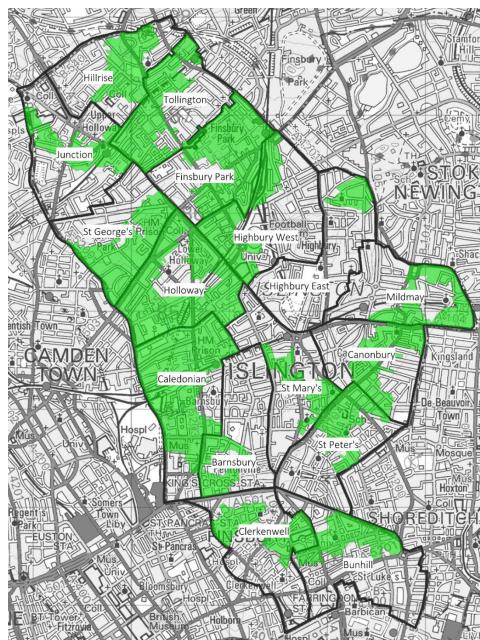


Figure 22. Map showing the LSOAs with above average 2015 IMD score

- 8.133 Islington ranked third nationally on the income deprivation indicator for children (35.3%), and fifth for income deprivation affecting older people (36.1%). The proportion of the Islington population living in deprived income households was 21.7% in 2015, ranking 19th nationally and fourth in London.
- 8.134 35% of children under the age of 16 live in low income households. This is the third highest nationally and an improvement from second in 2010. Child poverty is closely linked to unemployment - over a third (35.3%) of Islington children live in households where no one is in employment. In 2016/17, 52.9% (7,500) of primary school pupils in Islington's schools were eligible for the deprivation Pupil Premium. The proportion is even higher for secondary school pupils where 69.6% (5,300 pupils) are eligible for the deprivation Pupil Premium. 59.4% of Islington children eligible for any form of pupil premium achieved 5 A*-C grades at GCSE (or equivalent) in English and maths, compared with 74.8% of all other children in Islington. Across England, 43.2% of Pupil Premium children achieved that level, compared with 71.0% of all other children.
- 8.135 There are around 21,000 people aged 65 and over living in Islington, making up 9% of Islington's resident population. This means the borough has a relatively young population: 12% of the population of London and 18% of England are aged 65 and over. 53% of single pensioners in private sector housing in Islington are fuel poor, as opposed to 10.4% of all households. Pensioner households have a considerably lower income than the rest of the borough. 36% of Islington's 60+ population are living in income deprived households. The fourth highest proportion of 60+ persons living in income deprived households relative to all other London Boroughs.
- 8.136 Poverty is an issue in every part of the borough: there is a neighbourhood (LSOA) in every ward in Islington that is among the poorest 20% of neighbourhoods in England and only seven neighbourhoods in the whole borough in the top 50% least deprived in England.

- 8.137 Men in Islington have the 10th lowest life expectancy out of all London boroughs. Islington has a healthy-life expectancy of 60.7 years for men, and 61.6 for women. Both of these are slightly lower than for London (64.1 for males and females) and England (63.4 and 64.1). In Islington, men who live in the worst off areas are expected to live eight fewer years than men living in the best off areas in the borough.
- 8.138 In Islington 56% of lone parents are not in employment while just 21% are in full-time employment - half the figure for the wider population. 17.8% of all Islington households are workless.
- 8.139 In 2015, 9.8% of households were in Fuel Poverty, compared to 10.1% for London and 11.0% nationally.
- 8.140 The most recently published (2015) Index of Multiple Deprivation (IMD) was used to determine an index. This index takes account of each of the factors listed earlier, as per the guidance.
- 8.141 The index was produced based upon the average IMD rank for each Ward. Areas are ranked on a rising scale where 1 equals the most deprived. The average of the average IMD rank for all Wards was divided by the average IMD rank for each (based upon the decile for each LSOA within the Ward) to give an index comparable to the average. The average index being 1. [Table 29](#) below lists the Wards with an average IMD index of greater than 1 (above average).

Caledonian	1.58
Finsbury Park	1.28
Tollington	1.24
Hillrise	1.18
Mildmay	1.12
Holloway	1.10
Junction	1.03
Canonbury	1.03

Table 29. Average IMD rank index

- 8.142 Although all Wards rank highly on the IMD Average Ranking when compared to neighbouring areas, with Islington being the fifth highest in London, the eight Wards above are above the average for Islington. The ranking of these Wards correlates with the ranking of the worst property conditions in the borough and so deprivation is considered a persistent and relevant indicator of the need for the designation of a scheme. The IMD Index has therefore been given a 1.5 times weighting.

[Crime](#)

- 8.143 To show that crime is a relevant criterion for the area(s) proposed for a Selective Licensing designation, it must be demonstrated **that the area suffers from high levels of crime**.
- 8.144 Guidance suggests the authority should have regard to whether the area has displayed a noticeable increase in crime over a relatively short period, such as in the previous 12 months; whether the crime rate in the area is significantly higher than in other parts of the local authority area, or that the crime rate is higher than the national average. In particular the local housing authority may want to consider whether the impact of crime in the area affects the local community and the extent to which a selective licensing scheme can address the problems.
- 8.145 Met Police statistics for the years 16/17 and 17/18 show that there has been an increase in recorded crime of 10.19% in Islington, compared with only a 6.4% increase for the whole of London. For residential burglary, which significantly affects the local community, there was an increase of 55.67% compared to 33.68% for London.
- 8.146 In 2015/16, Islington had the second highest violent crime rate in London at 6,030 or 27 offences per 1,000 population, compared to 17 per 1,000 for London.
- 8.147 [Figure 23](#) shows the distribution of crime across LSOAs. Criteria: Any LSOA where; total crime in the LSOA is above the average for the borough or; where there was a percentage increase in crime in the LSOA that was more than that of the whole Metropolitan Police Force. In total 63 out of 123 LSOAs met this criteria (51%). The LSOAs that meet this criteria are shaded green.

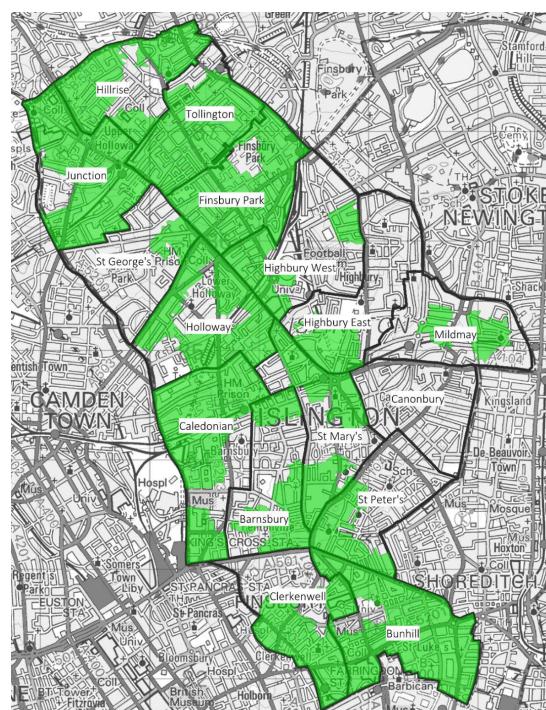


Figure 23. Distribution of crime above the average for Islington by LSOA over a 12 month period

8.148 Residential burglary crime is clearly something that affects the local community. Analysis of the burglary figures over the 12-month period to September 2018 shows that Tollington and Holloway Wards are most affected, with the top eight Wards in [Table 30](#) being above the average number of incidents (83.5).

Total Number of Burglary Residential Offences 1 Oct 2017 and 30 Sep 2018	
Tollington	137
Holloway	133
Finsbury Park	122
Highbury East	104
Mildmay	99
St George's	98
Caledonian	90
Highbury West	90
Junction	81
St Mary's	76
Hillrise	76
Canonbury	56
Bunhill	54
Clerkenwell	45
St Peter's	43
Barnsbury	32

Table 30. No. of residential burglary cases over 12 months by Ward

8.149 An index was produced for residential burglary in Islington. The average number of offences for all Wards was divided into the number of offences for each Ward to give an index comparable to the average. The average index being 1. [Table 31](#) below lists the Wards with a complaint index of greater than 1 (above average).

Tollington	1.64
Holloway	1.59
Finsbury Park	1.46
Highbury East	1.25
Mildmay	1.19
St George's	1.17
Caledonian	1.08
Highbury West	1.08

Table 31. Residential burglary index

8.150 Many other crimes can have an impact on the community and may be associated with areas with high levels of PRS. We also looked at the following crimes:

- criminal damage

- drugs
- personal robbery
- motor vehicle interference & tampering
- theft from a motor vehicle
- theft/taking of a motor vehicle
- theft/taking of pedal cycles
- snatch offences
- violence and sexual offences

8.151 [Table 32](#) shows the total number of these offences per Ward over the 12 months to September 2018.

All Crime - Ward	All Crime Number
Bunhill	1755
Finsbury Park	1686
St Mary's	1635
Clerkenwell	1456
Caledonian	1142
Holloway	1067
Junction	1057
Tollington	980
Highbury West	964
St Peter's	923
Mildmay	792
Barnsbury	704
Hillrise	681
Highbury East	663
St George's	628
Canonbury	384

Table 32. No. of total crime cases over 12 months by Ward

8.152 An index was produced for total crime in Islington. The average number of offences for all Wards was divided into the number of offences for each Ward to give an index comparable to the average. The average index being 1. [Table 33](#) below lists the Wards with a complaint index of greater than 1 (above average).

Bunhill	1.70
Finsbury Park	1.63
St Mary's	1.58
Clerkenwell	1.41
Caledonian	1.11
Holloway	1.03
Junction	1.02

Table 33. Total crime index

- 8.153 [Figure 24](#) shows the long term trend of crime and residential burglary over the period April 2015 to March 2018. It can be seen that levels are persistent throughout this period.

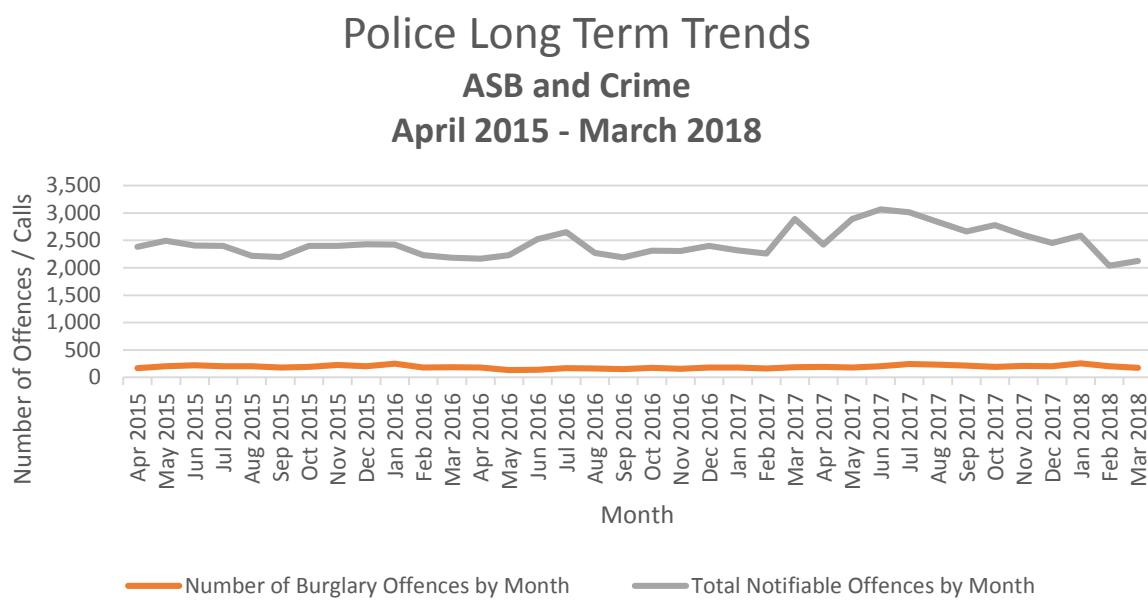


Figure 24. Long term crime and burglary trends 2015 – 2018

- 8.154 The Wards of Finsbury Park, Tollington and Holloway feature above average for both residential burglary and total crime in the borough. However, for total crime the Wards featuring do not correlate with those found to have poor property conditions. For burglary, Tollington, Holloway, Caledonian and Highbury West, as well as Finsbury Park Ward all feature highly on the poor property conditions ranking. Accordingly the total crime index has been given a weighting of times 1 and the burglary index a weighting of times 1.5.

Houses in Multiple Occupation

- 8.155 In order to demonstrate the need for an Additional Licensing designation, Section 56(2) of the Housing Act 2004, the authority must **consider that a significant proportion of the HMOs of the description to be included in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems either for those occupying the HMO or for members of the public.**

8.156 Guidance provides examples of properties being managed sufficiently ineffectively, and as a result having a detrimental affect on a local area, to include;

- Those whose external condition and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located.
- Those whose internal condition, such as poor amenities, overcrowding etc, adversely impact upon the health, safety and welfare of the occupants and the landlords of these properties are failing to take appropriate steps to address the issues.
- Those where there is a significant and persistent problem of anti social behaviour affecting other residents and/or the local community and the landlords of the HMOs are not taking reasonable and lawful steps to eliminate or reduce the problems.
- Those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare, health or safety of residents and/or impacting upon the wider community.

8.157 There were 865 known HMOs in Islington as at September 2018. An analysis of the number of known HMOs has shown that the percentage of HMOs with poor property conditions is 25.3%. [Table 34](#) shows the percentage of poor property conditions of the known HMOs by Ward.

% of Known HMOs with Poor Conditions - Ward	Known HMO Properties - Number	% of Known HMOs with Poor Conditions
Bunhill	11	100.00%
Mildmay	23	56.52%
Finsbury Park	117	37.61%
Barnsbury	26	34.62%
Canonbury	19	31.58%
Junction	64	31.25%
Highbury West	50	28.00%
St Peter's	18	27.78%
Clerkenwell	11	27.27%
St George's	57	22.81%
Caledonian	173	20.81%
Tollington	55	18.18%
Holloway	98	17.35%
Hillrise	83	14.46%
Highbury East	26	11.54%
St Mary's	34	8.82%

Table 34. Percentage of known HMOs with poor property conditions

8.158 [Table 35](#) below shows the total number of Category 1 and 2 hazards found and the number and percentage of known HMOs found to have either a Category 1 or Category 2 hazard following inspection.

Ward	Total no. of Category 1 and 2 Hazards	No. of properties with Category 1 and 2 hazards	% of the total properties found with Category 1 and 2 hazards
Caledonian	145	89	22.03%
Finsbury Park	94	61	15.10%
Holloway	78	44	10.89%
Junction	65	38	9.41%
Highbury West	60	40	9.90%
Tottenham	52	28	6.93%
St. Georges	41	21	5.20%
Hillrise	34	22	5.45%
Mildmay	17	10	2.48%
St. Mary's	15	11	2.72%
Canonbury	13	9	2.23%
Barnsbury	10	9	2.23%
St. Peter's	9	6	1.49%
Bunhill	8	7	1.73%
Highbury East	8	5	1.24%
Clerkenwell	6	4	0.99%
TOTAL	655	404	

Table 35. Number and percentage of Category 1 and 2 hazards in known HMOs

8.159 [Table 36](#) below shows the total number of Category 1 and 2 hazards found in all HMOs across 22 of the 29 hazards listed in the Housing Health & Safety Rating System (HHSRS).

Hazard Type	No. Category 1	No. Category 2
Fire	102	128
Excess cold	54	9
Falls associated with stairs and steps	34	44
Crowding and space	16	16
Falls between levels	10	28
Damp and mould growth	8	66
Food safety	7	18
Electrical hazards	6	17
Lighting	5	7
Entry by intruders	4	12
Excess heat	4	5
Falls on the level	4	8
Hot surfaces and materials	4	8
Structural collapse and falling elements	4	8
Falls associated with baths etc	2	0
Collision and entrapment	1	6
Domestic hygiene, pests and refuse	1	14
Personal hygiene, sanitation and drainage	1	20
Poor ergonomics	1	0
Noise	0	1
Carbon monoxide & fuel combustion products	0	1
TOTAL	268	423

Table 36. Number and type of Category 1 and 2 hazards found in HMOs.

- 8.160 Assuming from the earlier analysis that there are approximately 5,600 HMOs, at a rate of 25.3% there are estimated to be 1,417 HMOs suffering with poor property conditions that would require an intervention.
- 8.161 In order to analyse the types of poor property conditions likely to be found in these HMOs, we have looked at the results of the Finsbury Park Ward property survey. The number, percentage and type of issues found in S254 HMOs are shown in [Table 37](#) and in S257 HMOs in [Table 38](#).

		Percentage of S254 HMO properties with issues
Total number of S254 HMOs identified	30	
Number of properties identified with:		
Any issues	20	66.66%
External condition issues	3	10.00%
Internal condition issues	14	46.66%
Inadequate amenities	1	3.33%
Overcrowding	1	3.33%
Property management issues	15	50.00%
Lack of gas safety certificate	10	33.33%
No fire alarm	11	36.66%
Occupier does not feel safe from intruders	2	6.66%
No written tenancy agreement	1	3.33%
Property converted without Building Regulation compliance	1	3.33%

Table 37. Issues identified in S254 HMOS in Finsbury Park Ward survey

S257 HMO Properties		Percentage of S257 HMO properties with issues
Total number of S257 HMOs identified	33	
Number of properties identified with:		
Any issues	16	48.48%
External condition issues	13	39.39%
Internal condition issues	10	30.30%
Inadequate amenities	2	6.06%
Overcrowding	2	6.06%
Property management issues	12	36.36%
Lack of gas safety certificate	7	21.21%
No fire alarm	11	33.33%
Occupier does not feel safe from intruders	3	9.09%
No written tenancy agreement	0	0.00%
Property converted without Building Regulation compliance	21	63.63%

Table 38. Issues identified in S257 HMOS in Finsbury Park Ward survey

- 8.162 We have extrapolated the Finsbury Park Ward survey data to establish that the percentage of all HMOs with an issue identified was 57%, so on an assumed total of 5,600 HMOs borough-wide, there could be up to 3,192 requiring an intervention.
- 8.163 The two methods of calculating the number of HMOs with poor conditions has demonstrated a wide range, between 1,417 and 3,192 properties. The lower figure has been taken as the estimate for the purposes of this consultation. At 25.3% of expected

HMOs, this is deemed, in accordance with the government guidance, to be a significant proportion of the HMOs within the borough.

- 8.164 Following designation in September 2015, an evaluation of the Caledonian Road and Holloway Road Additional Licensing scheme was carried out in June 2017. Key findings of this evaluation were:
- 105 new landlords had gained accreditation.
 - Of those submitting applications, 54% of the properties deemed to be the highest risk were found to require further formal action to mitigate hazards or improve management.
 - 74% of properties inspected resulted in improvements being carried out.
 - 46% of properties inspected required works conditions applied to their licence.
 - 10% of properties inspected were found to be poorly managed.
 - 269 licence applications had been received (to end of September 2018)
 - 265 HMOs had been inspected (to end of September 2018)
 - A total of 95 hazards (65 Category 1 hazards) have been mitigated (to end of September 2018)
- 8.165 Between 2014 and 2018, the Planning service investigated 118 cases of unauthorised flats in the borough. In most cases these would be for 2 or 3 flats, but in some cases covered up to 12 unauthorised flats in one building.
- 8.166 The criterion of ASB has been considered earlier in the section relating to the proposed Selective Licensing scheme. It can be seen in [Table 39](#) that some of the areas with the highest concentration of known HMOs tend to have the highest levels of ASB.

Ward - No. of expected S254 HMOs	No. of expected S254 HMOs	Combined ASB - Ward	Combined Police and Council ASB cases
Finsbury Park	427	Finsbury Park	986
Holloway	377	Highbury West	853
Caledonian	338	Holloway	775
Highbury West	338	Bunhill	750
Tollington	297	St Mary's	716
Junction	259	Caledonian	690
Mildmay	256	Tollington	655
St George's	246	Clerkenwell	615
Bunhill	244	Junction	612
St Mary's	220	St Peter's	603
Highbury East	206	Canonbury	580
Hillrise	201	St George's	556
Barnsbury	193	Mildmay	518
Canonbury	191	Highbury East	503
St Peter's	189	Hillrise	425
Clerkenwell	167	Barnsbury	410

Table 39. Comparison of Wards with most HMOs with Wards with highest ASB

- 8.167 In [Figure 25](#), the cases of ASB reported to the council have been examined and show that, at 13% of properties, HMOs are the tenure with the highest levels of ASB.

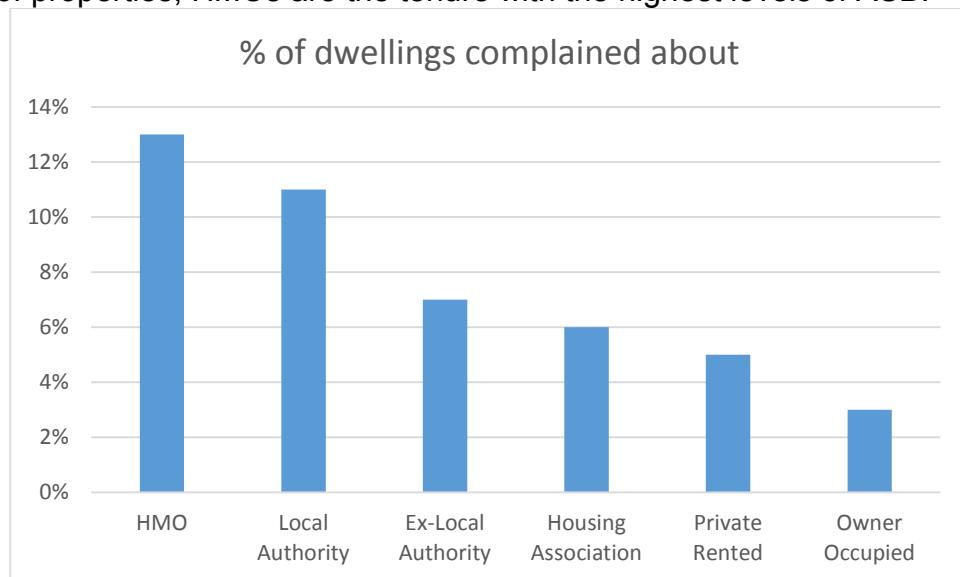


Figure 25 – Percentage of ASB complaints attributed by tenure

- 8.168 Large numbers of HMOs are clearly spread right across the borough. Evidence of poor conditions found in known HMOs supports the position that a borough-wide Additional Licensing scheme will enable the council to bring about improvement in the standard of management and condition of these properties.

9 Links to other strategies

9.1 The Housing Strategy 2014 to 2019 states: Our vision for Housing is:

"We will make sure everyone in Islington has a place to live that is affordable, decent and secure."

9.2 This will be achieved through four priorities:

- a) Increase supply and choice
- b) Provide well managed and well maintained places to live
- c) Improve health and wellbeing
- d) Prevent homelessness and provide options

9.3 It goes on to say:

"We will seek to ensure high standards of management and good quality housing services are provided for housing associations and private sector residents. We will work together to improve neighbourhoods to make stronger and sustainable local communities during the current challenging economic times and beyond."

"Secure and affordable housing is an enabler. Housing has an important role in shaping healthy places, preventing ill health, supporting residents into work, and tackling child poverty. We will continue to improve the condition and energy efficiency of homes because of the significant impact housing has on the quality of life of residents."

9.4 Under the 'Improve management standards, housing quality and choice in the private rented sector' strand of the Housing Strategy, it is stated that, amongst other things:

"We want to see a sector that operates good standards of management and provides good quality affordable accommodation. We can achieve this aim through building good relationships with private landlords who work with the council to improve housing conditions and to let homes at affordable rent levels."

"We will monitor standards in the private sector (including housing associations) and take action against rogue landlords and lettings agents and any poorly performing housing associations."

"We will undertake feasibility work to assess the need for additional licensing of Houses in Multiple Occupation (HMO) and consider declaring an area for additional HMO licensing."

"We will seek to influence housing associations and private sector landlords, and take action where necessary, to ensure high standards of management and good quality housing services are provided for their residents."

9.5 Dealing with empty properties:

- Between 2010 and 2014, 139 empty properties were brought back into use
- In the same period, 151 properties were recovered from illegal sub-letting
- 400 under occupying households helped with moving to smaller homes and their existing homes re-let to overcrowded households and larger families
- 250 severely overcrowded families have been assisted

9.6 The Housing Strategy 2014-2019 goes on to state:

"Empty properties are a wasted resource that could provide much needed homes. They can blight local neighbourhoods and attract antisocial behaviour. We will reduce the number of empty homes especially in the private sector and focussing upon long term empty homes.

- i. *We will not offer any discount on Council Tax payable on empty homes and will look to raise the level payable on long term empty properties*
- ii. *We will, through direct incentives or enforcement action, bring 140 homes back into use each year."*

9.7 Dealing with homelessness:

To prevent homelessness and provide options, key goals are to:

- 1) Work with our partners to further develop accessible and effective homelessness prevention and advice services
 - i. We will increase homeless preventions through early intervention work.
 - ii. We aim to keep the level of homelessness acceptances at or below 500 per annum.
 - iii. We will coordinate advice and support to households impacted by the benefit cap and other planned welfare reforms.
 - iv. We will support the work of the Islington Homelessness Forum by providing good information about prevention of homelessness services available for member agencies.
 - v. We will monitor the impact of welfare reform and ensure we respond to current and new challenges to prevent homelessness.
 - vi. We will investigate more cost effective options for the provision of temporary accommodation
- 2) Work with landlords to make private rented homes available to low income families and young people
 - i. We will develop a new affordability assessment to make sure housing options in the private sector are sustainable.
 - ii. We will increase private sector opportunities through development of cost effective incentives, including setting up a social lettings agency (subject to a viable business case).
- 3) Provide more move on options for people in supported housing
 - i. We will increase access to floating support services to help sustain tenancies and reduce the number of people in temporary accommodation
 - ii. We will increase supported choice to help people move into a permanent home.

- 9.8 The Housing Strategy 2014-2019 Action Plan, lists the following Actions that are being taken:
- Increase number of successful homeless preventions and sustain homelessness acceptances at below 500 per annum
 - Co-ordinate advice and support to households impacted by the total benefit cap and promote use of DHP and other available funds to prevent homelessness
 - Support the work of the Islington Homelessness Forum and keep agencies and partners updated on changes in welfare reform
- 9.9 The Preventing Homelessness Strategy 2012-2014 (a new strategy is being prepared) lists the following work with partners to prevent homelessness:
1. Homelessness Forum –brings together the key statutory and voluntary agencies to help tackle homelessness on a more strategic basis. The Forum meets quarterly and is one of the largest in London.
 2. Supporting Peoples Providers Forum – this brings together providers of supported housing to consider issues of relevance including operational matters. Many of the organisations who attend the SP forum also attend the Homelessness Forum
 3. Outreach Forum - this brings together agencies involved in working with Islington's street population which includes rough sleepers, sex workers, etc
 4. Private Sector Landlords Forum – this brings together landlords in the borough to discuss and find out more about key issues.
 5. Islington Housing Group – this bring together key registered providers of social housing in Islington to consider a wide range of strategic and operational housing issues including development of new homes and meeting housing needs
 6. North London Homelessness Group – a sub group of the North London Sub Regional Directors Group which discuss and agree ideas for joint working. For example development of a strategy to tackle Rough Sleeping, which was led by Islington Council.
 7. Community Advice Network – this enables voluntary and community sector partners to find out more about key issues of relevance including changes to the benefits system. A Housing Options bulletin is also produced to complement the Network.

Regeneration:

The Finsbury Park Accord

- 9.10 The Finsbury Park Town Centre is an area of enormous untapped regeneration potential. The asset of a large open space in the shape of Finsbury Park itself, the excellent and improving public transport connections and the dynamism of the multicultural community who live and work there make Finsbury Park a unique area.
- 9.11 However, Finsbury Park Town Centre is also one of the most deprived areas in the country. Its urban fabric is severely constrained by roads, railways and poor quality public spaces. The area's location on the boundaries of three London boroughs further complicates a coordinated approach to resolving its challenges.

- 9.12 On 1 June 2012, the Leaders of Islington and Haringey and the Mayor of Hackney signed the Finsbury Park Accord. The Accord is a collaboration between Hackney, Haringey and Islington that aims to take on the longstanding challenges of Finsbury Park, realising the area's promise to provide jobs and homes in north London.
- 9.13 The Finsbury Park Accord forms a partnership to prioritise long term strategic regeneration goals for boosting housing, employment and investment at the intersection of the three north London boroughs.
- 9.14 The partnership will work together to make Finsbury Park, already an important North London town centre and neighbourhood, an area that offers all Londoners and tourists a destination to visit.

The Finsbury Park Regeneration Board

- 9.15 The Finsbury Park Regeneration Board was established as a tri-borough mechanism for the delivery of the objectives of the Finsbury Park Accord. The board includes executive members from Islington, Hackney and Haringey Councils, as well as representatives from Transport for London and Network Rail.
- 9.16 Islington Council is now making available in its budget half a million pounds over three years to help regenerate the area. In particular, we will work with the local community and with partners to improve the unattractive areas beneath the railway bridges across Seven Sisters Road and Stroud Green Road, we will seek to see the Sir George Robey pub brought back into productive use after sitting derelict for too long, and we will deliver a raft of smaller environmental improvements to help make the area a cleaner, safer and greener place to live, work and trade. The physical, social and economic regeneration of Finsbury Park is an important priority for the council. Our job now is to ensure this funding makes a real difference where it matters, on the ground.

Finsbury Park Development Framework Supplementary Planning Document

- 9.17 The Finsbury Park Development Framework Supplementary Planning Document (SPD) was adopted by the council on 12 March 2015. The SPD focuses on the area directly west of Finsbury Park Station, which is currently the focus of development activity. In anticipation of development proposals that may come forward in the area in future years, the Finsbury Park Development Framework SPD provides a further layer of detail to the broad development objectives that are outlined in the adopted Finsbury Park Town Centre SPD (see below).

Finsbury Park Town Centre Supplementary Planning Document

- 9.18 The Finsbury Park Town Centre Supplementary Planning Document (SPD) has been adopted by Islington, Haringey and Hackney Councils. The SPD sets out a single vision for the regeneration of Finsbury Park Town Centre, parts of which fall within each of Islington, Haringey and Hackney, and includes an action plan to support the delivery future improvements in the area. Islington Council adopted the SPD on 16 July 2014, Haringey

Council adopted the document on 25 June 2014 and Hackney Council adopted the document on 21 July 2014.

King's Cross Central

- 9.19 King's Cross Central in Camden and just across the border from Islington, is currently the largest development project in Western Europe. The area is developing as a transport hub and a key destination. An exciting new mixed-use development is proposed for King's Cross Central including a university, 1,700 residential units, 650 units for student housing, over 450,000sqm for business and employment, over 45,000sqm for retail and food and drink outlets, over 70,000sqm for community use, over 28,000sqm for leisure, the creation of three new public squares and major investment in the public transport interchange at King's Cross and St Pancras Stations.

Cally Plan (SPD)

- 9.20 The [Cally Plan Supplementary Planning Document](#) (SPD) covers a section of Caledonian Road from the Regent's Canal north to Pentonville Prison known as the Cally, and the area to the west which connects the Cally to York Way and King's Cross. The SPD sets out a vision for the future of this area and includes projects and policy guidance to improve the Cally and achieve this vision.

King's Cross Place Plan

- 9.21 King's Cross is an important and vibrant area that will experience major growth and change in the coming years, mainly as a result of the King's Cross Central development and improvements to King's Cross Station. These changes create both opportunities and challenges for local communities.
- 9.22 Islington and Camden Councils have therefore been working together to develop a Place Plan for the King's Cross area. This plan sets out a vision for the future of King's Cross that reflects the priorities for the area. It is supported by a set of actions to ensure that changes in the area deliver services, facilities and public spaces that meet the needs of people who live, work and visit the area. The Place Plan was adopted by Islington's Executive on 3 July 2012. It was also separately adopted by Camden Council.

King's Cross Islington (SPD)

- 9.23 A Supplementary Planning Document was created for the part of King's Cross that falls within Islington, called the [Neighbourhood Framework document](#). This document comprises nine Neighbourhood Action Plans which are designed to identify opportunities for improvement and change in each area, and directly benefit the communities there.
- 9.24 New developments in King's Cross Islington that have recently been successfully delivered include King's Place and the Regent's Quarter. King's Place opened its doors to the public in 2008. It is a successful mixed-use development housing the Guardian and Observer offices, a music venue, gallery, restaurant and café.

9.25 Heritage-based regeneration has taken place further south along York Way in the form of the Regent's Quarter. Through the creative re-use of existing nineteenth century buildings, the regeneration has created a distinctive urban quarter based on the area's industrial heritage. It is a pioneering example of conservation-led regeneration and is proving a commercial success.

Crime and ASB:

- 9.26 There are a number of ongoing initiatives that the proposed designation will work alongside:
- 9.27 For the past five years, theft snatch has been one of the fastest growing crime types in Islington, contributing to a large proportion of the total crime on the borough. In the last year there has been a partnership effort between the council and police to tackle this problem, including a dedicated policing operation (Op Venice). Since the beginning of 2018, we have seen reductions in this crime type. There were 113 snatch theft offences recorded in September 2018. This is the lowest number of monthly offences since August 2014. There has been a 50% reduction in the past 12 months compared to the same period in the previous year. In October 2018, Islington were ranked third out of 32 MPS boroughs for Theft Snatch.
- 9.28 This has led to a 7% reduction in total crime between 1 October 2017 and 30 September 2018 compared to the same period in the previous year. Islington was ranked 11th out of 32 MPS boroughs for all crime. Across the MPS there was a 2% increase. The reduction can be largely attributed to the reduction in theft snatch.
- 9.29 Serious Youth Violence recorded a reduction of 16 offences compared to the same period in the previous year. Islington was ranked 20th out of 32 MPS boroughs. In 2017/18, the IGT worked with 76 young people in their Top 50 cohort, 29 young women at risk of gangs and CSE and 28 young people at risk of gang involvement. In total 27 young people completed their interventions. The IGT have supported a total of 29 people into education, training or employment during the period between April 2017 to March 2018 and supported 43 young people with their housing needs.
- 9.30 There has been a 15% increase in burglary offences in Islington in the past 12 months compared to the same period the previous year, although there was a reduction in September 2018. The police intelligence team have created a problem profile, which is informing the police response.
- 9.31 There has been a 14% increase in robbery offences in Islington in the past 12 months compared to the same period the previous year, although levels are lower than earlier in 2018. A group who were known to be offending in the north of the borough were identified and the necessary support and enforcement measures were put in place. Islington are currently ranked fourth out of 32 MPS boroughs.
- 9.32 There has been a 14% increase in knife crime compared to the same period in the previous year, however there has been an 11% reduction in knife crime with injury (non-domestic abuse and where victim is aged under 25). There is a London wide strategy being implemented by MOPAC around serious violence and knife crime.

- 9.33 Whilst drug possession offences have been decreasing across the borough, research has indicated that there are areas across the borough where open drug dealing is rife. Associated problems associated with drug dealing, such as high levels of substance misuse, acquisitive crime and anti-social behaviour is also high in these hot spot areas. A new joint drugs strategy between the council and police is being designed and implemented to tackle these issues.
- 9.34 The Safer Islington Partnership have a monthly operational meeting to tackle priority problems that have been identified. There is an action plan for each area (north, south, east and west of the borough) and partnership actions are taken away each meeting. This is in line with the police monthly tasking meeting. Community Safety officers co-ordinate the action plans and record the outcomes. Islington currently have 5 Community Safety Officers who co-ordinate responses to crime and ASB issues identified across the borough. They work closely with partners, including the police and housing providers to find the best possible outcomes for residents, businesses and visitors to the borough. Islington Council also has a Street Population Co-ordinator, a Complex Needs Outreach Worker and a NRPF (no recourse to public funds) Case Worker to tack street population issues across the borough.
- 9.35 Islington Council has a 24/7 ASB Reporting Line and an out of hours ASB Response service 7 nights a week. Information on calls made to the Reporting Line is routinely shared with relevant partners who work together to resolve ASB cases. The Islington Community MARAC (Multi-Agency Risk Assessment Conference) is a multi-agency meeting where information is shared on vulnerable victims of anti-social behaviour (ASB). The aim is to identify the highest risk, most complex cases and problem-solve the issues of concern. Victims also include those experiencing hate crime. The Islington Community MARAC is regarded as one of the best across London. In line with this, there is a repeat callers meeting, which looks at the top callers to the council and police. Five of the top repeat callers generated 265 calls to the council out of hours team (Sep 2017 to Feb 2018). In the following 6 month period there was a 56% reduction. Our Housing Teams also have anti-social behaviour officers who deal with issues raised on Islington Council estates.
- 9.36 Alongside this, Islington have implemented a Safe Havens scheme. Public premises such as shops, cafes, pubs, libraries and other places of interest can register to be officially known as a safe haven and anyone who may feel in danger, feel threatened or harassed on the street, are unwell or just in need of some help you can look for the safe haven sign in windows. These premises have received training to help assist in these cases.
- 9.37 The police are trialling anti-social behaviour warning letters in Islington and Camden. Originally introduced into Tower Hamlets Borough as a pilot scheme running for 12 months from September 2016 to 2017 to tackle their high levels of ASB, (they had the highest volume in the Met). Another aim of the warning letters is to improve working and sharing with the council and ensure better diversion services. It ensures better recording of ASB related incidents and more opportunity for intervention. Since rolling them out in July 2018, there have been 210 ASB warnings issued across Camden and Islington. There have been 121 issued in Islington.

9.38 Islington's approach to youth crime.

- Work together for a safer Islington youth crime plan, with a focus on early intervention and prevention and on safeguarding
- There is a Missing and Exploited team working with vulnerable young people who have missing spells or are at risk of CSE or county lines
- Targeted interventions, enforcement and support for those young people identified as the most high risk (i.e. Integrated Gangs Team)
- Maintained/increased investment in services for young people including mentoring, key working, trauma informed work in schools and youth settings, youth violence prevention toolkit, Abianda and Victim Support etc.
- Regular weapon sweeps in hot spot areas through the police, Parkguard and also community weapon sweeps
- Better partnership working to achieve positive outcomes and information sharing. Good relationships with third party organisations offering support and outreach i.e. The Arsenal.

Community Trigger:

9.39 The Community Trigger is the name generally applied to the response to complaints section of the Anti-Social Behaviour, Crime and Policing Act 2014 Act and enables victims to require agencies to carry out a review of their response to the anti-social behaviour they reported.

9.40 It can be instigated by any victim or victims representative with written permission.

9.41 It requires the Local Authority to undertake a case review once the threshold has been met even if the complaints have been received by Police or a Registered Housing Provider. We have received nine applications since April 2018.

10 Methodology

Selective Licensing methodology

- 10.1 Having gathered the data and determined its relevance to the criteria for designation of a Selective Licensing scheme, a methodology was devised to draw together all the relevant data, apply weightings (as has been described in the Evidence section of this consultation) and combine the results to provide a representative picture of the borough.
- 10.2 Each of the relevant criteria were scored per Ward as an index, where 1 equals the borough average for that criteria. An index of greater than one means that the Ward was above average for that criteria. [Table 40](#) shows the weightings applied to each of the criteria. The weightings were applied with the greatest emphasis on poor property conditions, arising from Category 1 and 2 hazards found and complaints received. To reflect the perceived relevance of the other criteria, deprivation and residential burglary were weighted slightly higher than all crime and ASB complaints, with migration seen as the lowest relevant criteria and so weighted lowest at 0.5 times the index.

Criteria	Weighting Applied
Category 1 and 2 hazards found as percentage of the PRS in the Ward	x 5
Total complaints about property conditions	x 4
Nuisance complaints about properties	x 2
Index of Multiple Deprivation rank	x 1.5
ASB complaints to the council	x 1
ASB complaints to the police	x 1
Total crime offences	x 1
Burglary offences	x 1.5
New National Insurance Number Registrations	x 0.5
Percentage of population change	x 0.5

Table 40. Criteria index weightings

- 10.3 After applying the weightings, the totals of all the weighted indexes were combined to provide an overall weighted index. A Ward that was at exactly the average for every criterion would have a total weighted index of 18. Therefore, a Ward with a weighted total over 18 is above average considering all the factors. [Table 41](#) shows the total weighted indexes per Ward.

Ward	Total Index
Finsbury Park	36.89
Caledonian	29.99
Holloway	25.08
Tollington	22.30
Junction	22.08
Highbury West	19.47
Hillrise	18.27
St Mary's	14.68
St George's	14.61
Bunhill	14.58
Mildmay	12.61
St Peter's	12.45
Barnsbury	12.21
Highbury East	12.01
Clerkenwell	11.51
Canonbury	10.13

Table 41. Total weighted indexes for all Wards.

10.4 [Table 42](#) below shows the individual unweighted indexes for each of the criteria. Those highlighted red are above average. Those highlighted amber are within 0.1 of being above the average and those in green are all those 0.1 or more below average.

Ward	Cat 1 & 2 Hazards Index	Total Property Complaints Index	Nuisance Complaints Index	IMD Index	ASB LA Index	ASB Police Index	All Crime Index	Burglary Crime Index	NINO Index	Population % change Index
Finsbury Park	2.62	2.26	2.07	1.28	1.42	1.72	1.63	1.46	1.29	2.16
Caledonian	2.59	1.43	1.13	1.58	0.74	1.58	1.11	1.08	1.01	2.27
Holloway	1.53	1.41	1.51	1.10	1.06	1.44	1.03	1.59	1.02	1.37
Tollington	1.31	1.31	1.41	1.24	1.16	0.82	0.95	1.64	0.80	0.07
Junction	1.45	1.38	1.29	1.03	0.68	1.36	1.02	0.97	1.00	0.35
Highbury West	1.53	0.70	0.75	0.79	1.35	1.30	0.93	1.08	0.84	1.43
Hillrise	0.85	1.34	1.38	1.18	0.77	0.50	0.66	0.91	0.75	0.96
St Mary's	0.41	0.81	1.10	0.94	1.02	1.27	1.58	0.91	0.85	0.28
St George's	0.76	0.81	0.88	0.98	0.97	0.72	0.61	1.17	1.02	-0.47
Bunhill	0.44	0.63	0.60	0.90	1.22	1.09	1.70	0.65	1.38	3.31
Mildmay	0.44	0.65	0.60	1.12	0.90	0.68	0.77	1.19	0.74	0.88
St Peter's	0.49	0.70	0.63	0.98	0.97	0.90	0.89	0.51	0.93	0.93
Barnsbury	0.41	0.98	0.85	0.81	0.50	0.84	0.68	0.38	1.14	0.28
Highbury East	0.41	0.66	0.66	0.71	0.95	0.53	0.64	1.25	0.68	1.19

Clerkenwell	0.30	0.42	0.72	0.93	1.10	0.75	1.41	0.54	1.80	1.07
Canonbury	0.46	0.52	0.41	1.03	1.18	0.49	0.37	0.67	0.74	-0.09

Table 42. Unweighted indexes of all Selective Licensing criteria by Ward

- 10.5 [Table 43](#) shows the total weighted index for each ward in order of the highest to lowest. The average is 18, so a total of seven Wards are above average across all criteria when the weightings are applied. The table also shows the geographical area and percentage of PRS for each Ward and the percentage of the borough for each.

Ward	Total Index	PRS - % 2011 Census	PRS - Number 2011 Census	PRS % of borough 2011 Census count	Area hectares	Area %
Finsbury Park	36.89	32.61%	1996	7.92%	91.60	6.16%
Caledonian	29.99	30.68%	1822	7.23%	113.80	7.66%
Holloway	25.08	27.53%	1737	6.89%	100.90	6.79%
Tollington	22.30	27.49%	1629	6.46%	84.70	5.70%
Junction	22.08	26.36%	1449	5.75%	102.80	6.92%
Highbury West	19.47	34.56%	2316	9.18%	108.20	7.28%
Hillrise	18.27	20.50%	1021	4.05%	82.50	5.55%
St Mary's	14.68	30.26%	1642	6.51%	86.90	5.85%
St George's	14.61	26.67%	1413	5.60%	84.60	5.69%
Bunhill	14.58	29.93%	1961	7.78%	108.90	7.33%
Mildmay	12.61	23.87%	1360	5.39%	82.60	5.56%
St Peter's	12.45	24.60%	1333	5.29%	81.00	5.45%
Barnsbury	12.21	27.99%	1512	6.00%	83.00	5.59%
Highbury East	12.01	26.55%	1368	5.42%	100.40	6.76%
Clerkenwell	11.51	27.10%	1401	5.56%	93.50	6.29%
Canonbury	10.13	22.70%	1257	4.98%	80.70	5.43%

Table 43. Total weighted index per Ward and percentage of PRS and geographical area

[Additional Licensing methodology](#)

- 10.6 Council tax data was used to predict the location of HMOs in the borough.
- 10.7 In determining that there is a need for not just an Additional Licensing scheme that goes beyond Caledonian Road and Holloway Road, but for a borough-wide scheme, we have considered the data available and concluded that, although some areas have greater numbers of HMOs, HMOs that are poorly managed and ASB, there are significant numbers across all Wards in the borough.
- 10.8 [Table 44](#) shows the number and percentage of properties that have a high certainty of being HMOs, along with the percentage of poor property conditions and ASB experienced in the area.

Ward	No. of expected S254 HMOs	% of expected S254 HMOs	Est no. of S257 HMOs based on 1,800	% of Est no. of S257 HMOs based on 1,800	Total number of expected HMOs	% of addresses occupied by students	% of properties with Category 1 hazards	Est no. of HMOs with Category 1 hazards	% of Known HMOs with poor Conditions	Est no. of HMOs with poor conditions	% of cases of all ASB
Finsbury Park	366	9.72%	243	13.53%	609	11.67%	16.67%	102	37.61%	229	9.62%
Holloway	333	8.84%	360	20.00%	693	10.06%	10.92%	76	17.35%	120	7.56%
Caledonian	275	7.30%	204	11.33%	479	10.96%	19.54%	94	20.81%	100	6.73%
Highbury West	302	8.02%	133	7.40%	435	5.12%	12.07%	53	28.00%	122	8.32%
Tollington	272	7.22%	173	9.60%	445	5.98%	5.75%	26	18.18%	81	6.39%
Junction	238	6.32%	114	6.36%	352	4.74%	8.62%	30	31.25%	110	5.97%
Mildmay	243	6.45%	54	3.01%	297	3.27%	2.87%	9	56.52%	168	5.06%
St George's	208	5.52%	119	6.59%	327	5.93%	5.75%	19	22.81%	74	5.43%
Bunhill	237	6.29%	71	3.93%	308	10.96%	1.72%	5	100.00%	80	7.32%
St Mary's	209	5.55%	104	5.78%	313	4.22%	2.30%	7	8.82%	28	6.99%
Highbury East	200	5.31%	37	2.08%	237	2.94%	1.15%	3	11.54%	27	4.91%
Hillrise	177	4.70%	54	3.01%	231	3.13%	6.90%	16	14.46%	33	4.15%
Barnsbury	183	4.86%	48	2.66%	231	5.36%	2.87%	7	34.62%	80	4.00%
Canonbury	176	4.67%	23	1.27%	199	3.23%	1.72%	3	31.58%	63	5.66%
St Peter's	183	4.86%	40	2.20%	223	5.65%	0.57%	1	27.78%	62	5.88%
Clerkenwell	163	4.33%	23	1.27%	186	6.78%	0.57%	1	27.27%	51	6.00%
TOTAL	3,765		1,800		5,565			450		1,428	

Table 44. Expected distribution of HMOs by Ward and numbers with Category 1 hazards and poor conditions. Percentage of the boroughs ASB is also shown

- 10.9 The number of estimated S257s per Ward was calculated by multiplying the percentage of known HMOs per Ward by the estimated number of 1,800 S257 HMOs for the whole borough.
- 10.10 The estimated number of HMOs with poor property conditions for Bunhill Ward has been revised down using the average percentage for the whole borough, due to the disproportionately high percentage of 100% of all the small sample of 11 known cases having been found with poor property conditions.
- 10.11 It can be seen that ASB cases are fairly evenly spread across all Wards, with slightly higher numbers in Finsbury Park, Holloway, Highbury West and Bunhill Wards.

[Appendix 1 – List of streets included in Finsbury Park Ward within scope of the proposed Selective Licensing scheme.](#)

ALLERTON WALK	MAYTON STREET
ANDOVER ROAD	MEDINA GROVE
ANNETTE ROAD	MEDINA ROAD
ARTHUR ROAD	MINGARD WALK
ATHELSTANE MEWS	MORAY MEWS
AXMINSTER ROAD	MORAY ROAD
BERKELEY WALK	MORRIS PLACE
BERRIMAN ROAD	NEWINGTON BARROW WAY
BESANT WALK	PAKEMAN STREET
BIGGERSTAFF STREET	PARKSIDE CRESCENT
BIRNAM ROAD	PLAYFORD ROAD
BOLTON WALK	POOLES PARK
BOWMAN'S MEWS	RAY WALK
BRYETT ROAD	RIXON STREET
CARVILLE STREET	RODEN STREET
CHAPEL WAY	ROTH WALK
CHARTERIS ROAD	SALTERTON ROAD
City North Place	SELDEN WALK
CLIFTON TERRACE	SEVEN SISTERS ROAD
COLERIDGE ROAD	SIDINGS MEWS
CORKER WALK	SONDERBURG ROAD
DURHAM ROAD	STACEY STREET
EBURNE ROAD	STATION PLACE
EMPIRE SQUARE	STEVE BIKO ROAD
FALCONER WALK	STROUD GREEN ROAD
FONTHILL MEWS	SUSSEX WAY
FONTHILL ROAD	THANE VILLAS
GOODWIN STREET	THANE WORKS
HANMER WALK	TILTMAN PLACE
HATLEY ROAD	TODDS WALK
HEATHER CLOSE	TOLLINGTON PARK
HERCULES PLACE	TOLLINGTON ROAD
HERCULES STREET	TOLLINGTON WAY
HERCULES YARD	Tomlins Walk
HERTSLET ROAD	TRAVERS ROAD
HOLLOWAY ROAD	VAL MCKENZIE AVENUE
HORNSEY ROAD	WELLS TERRACE
INGLEBY ROAD	WESLEY CLOSE
ISLEDON ROAD	WHADCOAT STREET
KINLOCH STREET	WINDSOR ROAD
LAZAR WALK	WOODFALL ROAD

LENNOX ROAD MANOR GARDENS	PROPOSED LICENCE FEES 2019-2020	YONGE PARK

[Appendix 2 – Schedule of Proposed Licence Fees](#)

The London Borough of Islington Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2019

Fees for Additional HMO Licensing Scheme: S254 HMOs

Application fee	Part I: £162.00 per letting* Part II: £126.00 per letting* Total: £288.00 per letting*	*A letting includes: a. bedsit rooms b. bedrooms in a shared house or flat which is occupied by more than one household (even if there is only one tenancy agreement for all tenants) c. self-contained flats in single household occupation within the HMO
Application fee for ATLAS (formally LLAS) Accredited** licence holder or manager	Part I: £138.00 per letting* Part II: £107.00 per letting* Total: £245.00 per letting*	* See note above.
Assisted application	Additional £352.00 per HMO	Added to the above for assistance with measuring rooms, producing plans and completing the application form.
Minor amendments	Included	Change of Address (for licence holder or manager)

Change of Manager (if no change of licence holder) ***	Included	Licence holder changing nominated manager (manager has to complete a Fit & Proper Person declaration)
Variation of licence (if no change of licence holder) ***	Included	Material change to the licence such as new facilities installed and licence can be varied for a greater number of occupants
Revocation of licence / no longer licensable / numbers of occupants reduced by conditions on licence	No refund	Once application submitted for specified number of lettings, costs have been incurred in processing application, draft and/or full licence
Student Accommodation:- Application fee for large student accommodation developments	£33.00 per bed space	This fee only applies to licensable large scale purpose built or converted student accommodation where the provider has signed up to the ANUK/Unipol Code of Practice.

1. The fee is composed of two parts:
 - Part I covers the costs of the scheme's 'authorisation procedures and formalities', i.e. the costs of processing the application
 - Part II covers the costs of running and enforcing the scheme.
2. In the event of the application for a house licence being refused, Part I will still be payable for consideration and processing of the licence application, whilst Part II will not be due.

** Accredited under London Landlords Accreditation Scheme. For more information see www.londonlandlords.org.uk/accreditation or phone 020 7974 5893 or e-mail LLAS@camden.gov.uk

*** If there is a change of licence holder, this will be treated as a new application

The London Borough of Islington Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2019

Fees for Additional HMO Licensing Scheme: Converted buildings containing self-contained flats-

Application fee	Part I: £394.00 per building*	*Any building converted into self-contained flats where:
	Part II: £309.00 per building*	<ul style="list-style-type: none"> • The conversion work did not comply with the Building Regulations 1991 (or later regulations if applicable) and it still does not comply; <u>and</u>
	Total: £703.00 per building*	<ul style="list-style-type: none"> • None of the flats are owner-occupied by freeholders or long leaseholders (21 years or more) <p>(these are known 's257' HMOs)</p>
Application fee for ATLAS (formally LLAS) Accredited** licence holder or manager	Part I: £335.00 per building*	* See note above. (This reduces the need for background checks on fitness/competency to manage and therefore reduces processing costs)
	Part II: £262.00 per building*	
	Total: £597.00 per building	
Assisted application	Additional £181.00 per building	Additional cost of assistance with completing the application form in respect of a converted building (s257 HMO).
Minor amendments	Included above	Change of Address (for licence holder or manager)
Change of Manager (if no change of licence holder) ***	Included	Licence holder changing nominated manager (manager has to complete a Fit & Proper Person declaration)
Variation of licence (if no change of licence holder) ***	Included	Material change to the licence such as new facilities installed and licence can be varied for a greater number of occupants
Revocation of licence / no longer licensable / numbers of occupants reduced by conditions on licence	No refund	Once application submitted for specified number of lettings, costs have been incurred in processing application, draft and/or full licence

1. The fee is composed of two parts:
 - Part I covers the costs of the scheme's 'authorisation procedures and formalities', i.e. the costs of processing the application
 - Part II covers the costs of running and enforcing the scheme.
2. In the event of the application for a house licence being refused, Part I will still be payable for consideration and processing of the licence application, whilst Part II will not be due.

** Accredited under London Landlords Accreditation Scheme. For more information see www.londonlandlords.org.uk/accreditation or phone 020 7974 5893 or e-mail LLAS@camden.gov.uk

*** If there is a change of licence holder, this will be treated as a new application

The London Borough of Islington Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2019

Fees for Selective Licensing Scheme

Application fee	Part I: £281.00 per house*	* Licensing of houses applies where the whole house is occupied either— (i) under a single tenancy or licence that is not an exempt tenancy or licence (ii)under two or more tenancies or licences in respect of different dwellings contained in it, none of which is an exempt tenancy or licence Exemptions apply to tenancies or licences granted by non-profit registered providers of social housing, profit-registered providers of social housing or provided by a Registered Social Landlord.
	Part II: £219.00 per house*	
	Total: £500 per house*	
Application fee for ATLAS (formally LLAS) Accredited** licence holder or manager	Part I: £239.00 per house*	* See note above. (This reduces the need for background checks on fitness/competency to manage and therefore reduces processing costs)
	Part II: £186.00 per house*	
	Total: £425.00 per house*	
Assisted application	Additional £167.00 per house*	Added to the above for assistance with measuring rooms, producing plans and completing the application form.
Minor amendments	Included above	Change of Address (for licence holder or manager)
Change of Manager (if no change of licence holder) ***	Included	Licence holder changing nominated manager (manager has to complete a Fit & Proper Person declaration)

Variation of licence (if no change of licence holder) ***	Included	Material change to the licence such as new facilities installed and licence can be varied for a greater number of occupants
Revocation of licence / no longer licensable / numbers of occupants reduced by conditions on licence	No refund	Once application submitted for specified number of lettings, costs have been incurred in processing application, draft and/or full licence

1. The fee is composed of two parts:
 - Part I covers the costs of the scheme's 'authorisation procedures and formalities', i.e. the costs of processing the application
 - Part II covers the costs of running and enforcing the scheme.
2. In the event of the application for a house licence being refused, Part I will still be payable for consideration and processing of the licence application, whilst Part II will not be due.

** Accredited under London Landlords Accreditation Scheme. For more information see www.londonlandlords.org.uk/accreditation or phone 020 7974 5893 or e-mail LLAS@camden.gov.uk

*** If there is a change of licence holder, this will be treated as a new application

[Appendix 3 – Islington proposed standards for houses in multiple occupation](#)



Standards for Houses in Multiple Occupation (HMO)

Housing Act 2004

1. Purpose

- 1.1. This document describes the standards that Islington Council will use to assess the suitability of HMO's. It reflects the requirements specified in The Licensing and Management of HMO's and Other Houses (Miscellaneous Provision) (England) Regulations 2006

2. Definitions

Bedsit

- Occupiers who do not usually live together as one cohesive group,
- Kitchens can be located within bedrooms.
- Assured short hold tenancies are usually per tenant rather than one for all tenants.
- Locks maybe on bedroom doors, absence of a living room.
- Some facilities may be provided for the exclusive use of some of the occupants of the HMO.

Shared house

- Is usually occupied by a group of people, occupiers have the use of a communal living room and a suitable dining area with adequate space for use by all occupiers.
- There is evidence of communal living.
- There is likely to be one tenancy.
- There may not be locks on bedroom doors.

Studio

- A self-contained unit comprising bedroom, living space and kitchen with en-suite bathroom facilities.

3. Minimum Room Sizes

- 3.1 The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 specifies minimum room sizes in HMOs. Islington Council has had regard to the legal minimum room standards and determined that the room sizes described in this document will be applied to all HMOs in the borough.
- 3.2 The minimum floor areas for sleeping and living accommodation are listed in the table below. These minimum sizes will only be acceptable if the room is large enough to accommodate essential furniture and facilities and to enable their safe use.

	Bedsit containing kitchen facilities Studios	Bedsit where shared kitchen facilities are provided in a separate room.	Rooms in shared houses where kitchen facilities are in a separate room
Single Room	12m ² (130 sq.ft)	9m ² (96.75 sq.ft)	8m ² (86 sq.ft)
Double Room	15m ² (160 sq.ft)	12m ² (130 sq.ft)	11m ² (118 sq.ft)

3.3 General requirements for room sizes:

- The minimum acceptable room size does not include any area taken up by bathroom facilities.
- No more than two people can share a bedroom.
- A child is considered a person regardless of age.
- Shared sleeping accommodation is only considered suitable for adults who are married, cohabitantes, consenting friends or relatives.
- No two persons of the opposite sex and over the age of twelve can sleep in the same room, unless they are married or cohabitantes.
- Floor to ceiling height to be a minimum of 2.3m over 75% floor area. Any floor area where ceiling height is less than 1.5m shall be disregarded. Where bunk beds are used, there shall be a minimum floor to ceiling height of 2.5m.
- When measuring the size of a room floor areas under fitted cupboards, kitchen units and other furniture are included. The space occupied by chimney breasts or lobbies is excluded.

4.0 Facilities for preparing storing and cooking food

4.1 Kitchen Sizes

The size and layout of shared kitchens should enable those sharing facilities to store, prepare and cook food safely. The minimum sizes of kitchens are specified in the table below:

Number of sharers	Minimum size of Kitchen
Up to 3	5.5 m ²
4-5	7.5 m ²
6-7	9.5 m ²
8-10	11.5 m ²

4.2 A separate kitchen with kitchen facilities will be required for every 5 residents sharing. No more than two sets of kitchen facilities can be provided in one room

The table below specifies the minimum requirements for kitchen facilities.

Kitchen Facility	Number of Sharers	Minimum Standard

Cooker	Exclusive use	An oven and grill or combination 900-watt microwave oven and two inset hotplates fitted in an integrated worktop or a conventional cooker with integrated hobs. A portable hob or worktop oven with integral hotplates is not acceptable.
	Up to 5	Four-ring hob, oven and grill and an additional combined microwave oven and grill.
Sink/Drainer	Up to 5	Full-size sink/drainer set on base unit, provided with a constant supply of hot and cold water. Sink/Drainer connected to the drainage system.
Worktop	Exclusive use	A fixed impervious worktop measuring 1000mm x 600mm
	Up to 5	A fixed impervious worktops measuring 1500 mm x 600 mm
Splashback	All	300 mm approximate splashback fitted above the sink and drainer worktop. Sealed with waterproof mastic to the work surface. A splashback above any cooker without an integral splashback
Electrical Sockets	Up to 5	One dedicated suitably located electrical socket for each fixed appliance provided by landlord and four sockets (in either double or single combinations) above the worktop.
Floor covering	All	Impervious and washable floor covering to cover the floor area of the kitchen
Food Storage Cupboard	Per household	A single kitchen base unit W600 x H1000 x D600 or a double wall unit W1000 x H800 x D300mm The base unit below the sink/drainer is not acceptable for food storage.
Refrigerator	Exclusive use	An A rated 100 litre fridge with freezer compartment
	Up to 5	An A rated 200 litre fridge with freezer compartment

4.3

General requirements for kitchen facilities:

- All finishes are to be non-absorbent and readily cleansable including the floor covering which will must be provided under all appliances and must extend at least 1000 mm in front of the appliances.
- No furniture, bedding, curtains etc. shall be within 600mm of cooking appliances.
- For bedsits all kitchens must be on the same floor as the living accommodation, unless dining facilities are within the kitchen, when it must be within one floor distance. All kitchen facilities must be available for use 24 hours a day
- Kitchen units must be securely fixed to a wall and cookers must be positioned as far away from the room door as practicable.
- A mechanical extractor must be provided, ducted to the open air, with the outlet positioned away from any adjacent windows.
- A fire blanket to be provided in the kitchen within reach of the cooker

- A 30-minute fire door of fire resistant construction with intumescent strips and smoke seals and an overhead type door closer must be installed to all rooms with containing kitchen facilities
- Suitably located and appropriate containers for the storage of refuse disposal must be provided, with recycling facilities readily accessible and sufficient for the number of occupants within the HMO

5.0 Bathroom facilities

5.1 Where exclusive use of bath/shower room and WC facilities are not provided the sharing arrangements should be as follows:

1-4 Persons	1 bath/shower 1 water closet (WC) 1 wash hand basin (WHB)	The WC can be located within the bath/shower room, however a separate room is preferred.
5 persons	1 bath/shower 1 water closet 1 wash hand basin	The WC and WHB must be provided in a separate room to the bath/shower room
6-10 persons	2 baths/showers 2 water closets 2 wash hand basin	The WC's and WHB's must be provided in rooms separate to the bath/shower room
10 or more	Per 5 tenants sharing: 1 bath/shower 1 water closet 1 wash hand basin	The WC's and WHB's must be provided in a separate room to the bath/shower room

5.2 General Requirements for Bathroom facilities

- Where reasonably practicable, each letting to contain a wash hand basin of minimum dimensions 560 x 430 mm unless a sink is provided within the bed-sitting room. Wash-hand basins are not required in shared houses or where listed building requirements prohibit it.
- Where the cold water supply to a wash hand basin is not drinking water, it should be labelled "not drinking water".
- Baths to be of minimum 1500 x 750 mm
- Showers to be of minimum 700 x 700 mm
- Shower/ bath rooms to have sufficient a minimum 700 mm x 700 mm clear area outside the shower/ bath space for drying and changing.
- Shower/ bath rooms to be within one floor from the living accommodation they serve.
- Tiled splash-back shall be provided to every wash hand basin with a minimum height 200 mm sealed with waterproof mastic to the basin.

- Tiled shower surrounds shall be provided to a minimum height of 1800 mm
- An adequate, screen, door or impervious shower curtain to be provided to all showers.
- The walls and floors to any bath/shower rooms to be non-absorbent and readily cleansable.
- All bath/shower rooms, to be provided with adequate fixed heating appliances to achieve a recommended temperature of 22°C.
- A quiet running humidistat controlled mechanical ventilation to be provided if there is no openable window to the bathroom.
- WC's to be a minimum size of 800 mm x 1300 mm.
- The WC must be within one floor of the living accommodation it serves

6.0 Water supplies

- 6.1 Each dwelling/letting or shared kitchen shall be provided with a supply of cold running water suitable for drinking purposes directly off the rising main, and located over a sink or wash hand basin with a suitably located stopcock.
- 6.2 Stopcocks must be provided on all incoming water supplies to each letting and all kitchens.

7.0 Heating

- 7.1 Each unit of accommodation must be provided with an adequate means of fixed space heating which is economic to run and controllable by the occupier.
- 7.2 A suitable heating system will usually be a full gas central heating system, with a programmable A-E rated boiler and thermostatic radiator valves

7.3 Where gas central heating cannot be installed, modern fan assisted electric storage heaters may be an acceptable alternative, providing there is efficient wall insulation present e.g. dry lining or cavity wall insulation, loft insulation.

8.0 Fire safety

8.1 The HMO must be provided with appropriate smoke detection and alarm system. As a minimum, interlinked mains wired smoke alarms (with battery back-up) must be kept maintained in proper working order and installed to:

- Each landing level of any staircase
- The circulation space inside any flat or house

8.2 Each kitchen should be provided with a heat detector linked to the alarm system

9.0 Deviation from the HMO Standards

9.1 Any landlord who wishes to provide accommodation that does not meet the standards may apply in writing for a deviation from the standard to the address below.

10.0 Contact for more information

If you would like further advice, then please contact Residential Environmental Health by:

Phone 020 7527 3083
Email resid.envh@islington.gov.uk.
Post Residential Environmental Health
 222 Upper Street
 London N1 1XR

ROOM AND AMENITY STANDARDS FOR SINGLE FAMILY DWELLINGS

Housing Act 2004

[Appendix 4 – Islington proposed standards for single family occupied privately rented dwellings](#)

This document outlines Islington Council's **minimum** standards for room sizes and the provision of kitchens and bathrooms in single family dwellings.

The application of these standards may be adapted to suit certain circumstances. Any deviations from the standards below must be specifically agreed and approved by the Service Manager.

Introduction:

The purpose of this document is to provide information on the minimum requirements for privately rented homes (not HMOs). It is not intended to be a fully comprehensive list of requirements and regard should be made to any national standards, lease terms/conditions and other legal requirements when assessing standards.

This document is concerned with self-contained residential accommodation, which has exclusive use of amenities for a single household.

1. Room Sizes for Sleeping and Living Accommodation

Maximum number of occupants per room based on floor space in single household dwellings (Non-HMOs)	
4.6-6.49sqm (approx. 50-69sqft)	1 person (under the age of 10 years old)
6.5-10.19sqm (approx. 70-110sqft)	1 person (over ten years old)
10.2sqm or more (approx. 11 sqft or more)	2 persons (see note below)

1.1 No more than two people can share a room. Shared sleeping accommodation is only considered suitable for adults who are married, cohabitantes, consenting friends or relatives.

1.2 No two persons over the age of ten, of opposite sex, can sleep in the same room, unless they are married or cohabitantes.

1.3 Floor to ceiling height to be a minimum of 2.14m (7ft) over 85% floor area. Any floor area where ceiling height is less than 1.53m (5ft) shall be disregarded. Where bunk beds are used, there shall be a minimum floor to ceiling height of 2.5m (8'2").

1.4 When measuring the size of a room, include floor areas under fitted cupboards, kitchen units and other furniture, but do not include chimney breasts or lobbies.

2 Kitchens Standards

2.1 The kitchen should be of satisfactory layout and have adequate provision for hygienic storage, preparation and cooking of food, so preventing the risk of infection to occupants.

2.2 The occupants should not be exposed by reason of layout, size design or other feature to risk from hot surfaces or risk from burns or scalds caused by contact with flames or hot liquids.

2.3 Kitchen units and appliances should be free from defects and in good working order. In general, kitchen facilities should be less than 20 years old.

2.4 Kitchen facilities used by a single household should comprise:

Cooker	Four-ring hob, oven and grill and an additional combined microwave oven.
Sink/Drainer	Full-size sink/drainer set on base unit, provided with a constant supply of hot and cold water and properly Sink/Drainer connected to the drainage system.
Worktop	1500mm x 600mm approximate worktop which must be fixed, and made of suitable impervious material plus additional space for extra appliances
Splashback	200mm approximate splashback fitted to the sink/drainer worktop, and to any cooker without an integral splashback
Electrical Sockets	One dedicated suitably located electrical socket for each fixed appliance such as a cooker, refrigerator and washing machine. In addition, four sockets (in either double or single combinations) to be installed above the worktop.
Floor covering	All Impervious and washable floor covering to cover the floor area of the kitchen
Food Storage Cupboard	One double wall cupboard or One single base cupboard may be provided within individual lets min 1000x800x300mm The base unit below the sink/drainer is not acceptable for food storage.
Refrigerator	A fridge with freezer, minimum 100 litres, an A rated energy efficient fridge is recommended

- 2.5 All finishes are to be non-absorbent and readily cleansable including the floor covering which will must be provided under all appliances and at least 1000mm (40") in front of the appliances. No furniture, bedding, curtains etc. shall be within 600mm (24") of the cooker. Kitchen units and equipment must be securely fixed to a wall and cookers must be positioned away from the room door
- 2.6 A mechanical extractor must be provided, ducted to the open air, with the outlet away from any adjacent windows.
- 2.7 A door of sound construction must be installed to all kitchens.
- 2.8 Suitable and appropriate containers for the storage of refuse must be provided.

3. Personal Washing Facilities (Bathrooms/showers and WHB minimum standards)

- 3.1 Each dwelling to contain a wash hand basin of minimum dimensions 560 x 430 mm (22" x 17"). Where the cold water supply to a wash hand basin is not drinking water, it should be labelled "not drinking water".
- 3.2 Baths to be of minimum 1500 x 750mm (60" x 30") and showers to be of minimum 700 x 700 mm (28" x 28"). Baths/shower rooms to have sufficient space for drying and changing, minimum 700mm x 700mm (28"x28").
- 3.3 Tiled splash-back minimum height 200mm (8") and tiled shower surrounds of minimum height 1800 mm (60") to be provided. Adequate, impervious shower curtain or screen to be available for all showers. The walls and floors to any bath/shower rooms to be non-absorbent and readily cleansable.
- 3.4 All bath/shower rooms, to be provided with adequate fixed heating appliances to achieve a recommended temperature of 22°C.
- 3.5 Mechanical ventilation to be provided to the open air if there is no openable window to the bathroom.

4. WCs

- 4.1 WC's to be a minimum size of 800x1300mm (32" x 52).

5. Household Waste

- 5.1 Adequate provision for refuse storage and recycling should be provided in accordance with Islington's collection service requirements.

6. Gas installations

- 6.1 Only Gas Safe registered contractors should install, service or repair gas water heaters, boilers and gas cookers and associated pipe-work etc.

7 Space Heating

- 7.1 Each dwelling must be provided with an adequate means of fixed space heating which is economic to run and controllable by the occupant.
- 7.2 In most cases, a suitable heating system will comprise full gas central heating which is modern (under 12 years old) and programmable, with Thermostatic Radiator Valves (TRVs).

7.3 Where gas central heating cannot be installed, modern fan assisted electric storage heaters may be an acceptable alternative, providing there is efficient wall insulation present (in addition to loft insulation) e.g. dry lining or cavity wall insulation.

8 Fire safety

8.1 Occupants must not be exposed to threat from uncontrolled fire and associated smoke, and adequate means of escape from fire shall be provided to all properties.

7.1 As a minimum standard, battery operated smoke detectors conforming to BS EN 14604:2005 may be provided to houses and purpose built flats that are not above commercial premises (although mains-linked smoke alarms remain the preferred option in all cases). For other houses, such as flats within converted buildings, hard wired mains operated smoke alarms with battery back-up to BS 5446 must be provided.)

7.2 At least one smoke detector should be suitably located on each floor level used wholly or partly as living accommodation. (A bathroom or lavatory is to be treated as a room used as living accommodation.)

7.3 Each smoke alarm installed in any room in the house shall be kept in proper working order.

7.4 Any firefighting equipment (e.g. fire blankets, fire extinguishers etc.) must be maintained in good working order.

9 Safety (Other)

9.1 A carbon monoxide alarm must be installed in any room in the dwelling which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. ("room" includes a hall or landing. A bathroom or lavatory is to be treated as a room used as living accommodation.)

9.2 Any carbon monoxide alarm installed in any room in the dwelling shall be kept in proper working order.

9.3 All electrical appliances and furniture made available to the occupants must be maintained in a safe condition.

10 Planning Consent

10.1 Compliance with these standards does not confer planning approval for any particular use. To check if the property has the necessary planning permission or for further information on Islington's planning requirements, please contact the Planning Department on 020 7527 2000 or go to www.islington.gov.uk/services/planning.

11 If you would like further advice then please telephone Residential Environmental Health (phone 020 7527 3083 or email resid.envh@islington.gov.uk).

12 Any deviation from the standards must be specifically agreed and approved by the Service Manager.

PROPOSED PROPERTY LICENCE CONDITIONS

Housing Act 2004

[Appendix 5 – Proposed property licence conditions](#)

2.1 The licence holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property and details of the arrangements in place to deal with repair issues and emergency issues. Copies of the written statement of terms must be provided to the Council for inspection within 7 days upon demand.

2.2 The licence holder shall protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the Council within 28 days on demand.

2.3 The licence holder shall obtain references from persons who wish to occupy a letting in the property before entering into any tenancy agreement with them. No new occupants shall be allowed to occupy the accommodation if they are unable to provide a reference. The licence holder must retain all references obtained for occupants for the duration of this licence. References must be provided to the Council within 28 days on demand.

2.4 The licence holder is required to have in place suitable emergency and other management arrangements in the event of their absence and details of these must be provided to the council within 28 days on demand.

2.5 The licence holder must provide to the Council details in writing of the tenancy management arrangements that have been, or are to be, made to prevent or reduce anti-social behaviour by persons occupying or visiting the property. Copies of these must be provided to the Council within 28 days on demand.

2.6 The following arrangements shall be implemented to fulfil the requirements of condition 2.5:

- Provision of an emergency contact number (including out of hours response arrangements)
- Formal arrangements for the disposal of rubbish and bulky waste
- Update of written records of property inspections for management and repair issues at least once every 3 months

2.7 The licence holder shall ensure that inspections of the property are carried out at least every 3 months to identify any problems relating to the condition and management of the property. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of

inspection and issues found, and action(s) taken. The records of such inspections shall be kept for the duration of this licence. Copies of these must be provided to the Council within 28 days on demand.

2.8 The licence holder shall effectively address problems of antisocial behaviour resulting from the conduct on the part of occupiers of, or visitors to the premises by complying with the requirements of paragraphs (a) to (i) below:

- (a)The licence holder must not ignore or fail to take action, if he has received complaints of anti-social behaviour (ASB) concerning the visitors to or occupiers of the premises.
- (b)Any letters, relating to antisocial behaviour, sent or received by the licence holder, or agent of the licence holder, must be kept for 3 years by the licence holder.
- (c)The licence holder must ensure that written notes are kept of any meetings or telephone conversations or investigations regarding antisocial behaviour for 3 years.
- (d)If a complaint is received, or antisocial behaviour is discovered, the licence holder must contact the tenant within 14 days. The tenant must be informed of the allegations of the antisocial behaviour in writing and of the consequences of its continuation.
- (e)The licence holder shall from the date of receipt of the complaint of antisocial behaviour, monitor any allegations of antisocial behaviour.
- (f)Where the antisocial behaviour is continuing after 28 days from receipt of the complaint, the licence holder, or his agent must within 7 days visit the premises concerned with a warning letter about the consequences should the anti-social behaviour continue.
- (g)Where the licence holder or his agent has reason to believe that the antisocial behaviour involves criminal activity the licence holder shall ensure that the appropriate authorities are informed.
- (h)If after 14 days of giving a warning letter the tenant has taken no steps to address the antisocial behaviour and the ASB is continuing the licence holder shall take formal steps under the written statement of terms for occupation, e.g. the tenancy agreement or licence and which shall include promptly taking any legal proceedings to address the anti-social behaviour.
- (i)Where the licence holder is specifically invited they shall attend any case conferences or multiagency meetings arranged by the Council or Police. Any correspondence, letters and records referred to in condition 2.8 above must be provided to the Council within 28 days on demand.

3. Property Management

- 1.1 The licence holder shall ensure that all gas installations and appliances are in a safe condition at all times. The licence holder must have available a current valid gas safety certificate obtained within the last 12 months. This must be provided to the Council within 28 days on demand and copies must be provided to all tenants/occupiers at the start of their tenancy. All work on gas appliances must be carried out by gas safe certified operatives.
- 1.2 The licence holder shall ensure that the electrical installation in the property is in a safe condition. The licence holder must provide the council within 28 days on demand, an electrical installation report (EICR) report issued within the last 5 years. (Note: The licence holder must ensure the report is supplied by a competent person, who is appropriately qualified to issue this report).
- 1.3 The licence holder shall ensure that all electrical appliances provided by the landlord in the property are in a safe condition. The licence holder must provide to the council within 28 days on demand a portable appliance test (PAT) report. (Note: The licence holder must ensure the report is supplied by a competent person, who is appropriately qualified to issue this report.)

- 1.4 The licence holder shall ensure that all furniture provided by the landlord in the property is in a safe condition and provide the council within 28 days on demand a declaration as to the safety of furniture.
- 1.5 Where the licence holder becomes aware of a pest problem or infestation at the property he shall take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and these must be provided to the Council within 28 days on demand.
- 1.6 The licence holder must take general fire precautions to ensure, as far as is reasonably practicable, the safety of the people on the premises and in the immediate vicinity to include the carrying out of a fire risk assessment for the purpose of identifying the general fire precautions and other measures needed to comply with the Regulatory Reform (Fire Safety) Order 2005.
- 1.7 The licence holder shall install and maintain in good working order appropriate smoke alarms in the property and shall submit to the council, upon request, a declaration by him as to the condition and positioning of such alarms, in accordance with the LACORS housing fire safety guidance. A copy of the LACORS housing fire safety guidance can be accessed online and downloaded free of charge at:
<https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>
 - (a) The licence holder shall ensure that a smoke alarm is installed on each storey of the house (which includes half-landings) on which there is a room used wholly or partly as living accommodation.
A bathroom or lavatory situated on the landing/half landing which form part of a living accommodation is to be protected with the appropriate alarm system; the alarm system is to be sited away from direct contact with steam that is likely to interfere with the operation of the alarm.
 - (b) The licence holder shall ensure each smoke alarm installed in any room in the house is kept in proper working order.
 - (c) The licence holder shall submit to the Council, on demand, a declaration by him as to the condition and positioning of any such smoke alarm.
- 1.8 The licence holder shall ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. ("room" includes a hall or landing. A bathroom or lavatory is to be treated as a room used as living accommodation.)
- 1.9 The licence holder shall ensure any carbon monoxide alarm installed in any room in the house shall be kept in proper working order.
- 1.10 The licence holder must supply the authority, on demand, with a declaration by him as to the condition and positioning of any such carbon monoxide alarm.
- 1.11 The licence holder shall ensure that any fire-fighting equipment and fire alarms are maintained in good working order. The licence holder must submit to the council, for their inspection, a copy of all periodical inspection report/test certificates for any automatic fire alarm system, emergency lighting and fire fighting equipment provided in the property. These must be provided to the Council within 28 days on demand.
- 1.12 The licence holder shall ensure that furniture made available in the property is in a safe condition. All upholstered furniture and covers and fillings of cushions and pillows should comply with current fire safety legislation. A declaration as to the safety of such furniture must be provided to the Council within 28 days on demand.

- 1.13 The licence holder shall ensure that:
- The access to the property, such as locks, latches and entry systems are maintained and in good working order at all times.
 - The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five lever security level.
 - Where window locks are fitted, the keys are provided to the relevant occupants.
 - Where a burglar alarm is fitted to the property, the occupants are informed in writing about the circumstances under which the code for the alarm can be changed, and are given details on how this can be arranged.
 - Where previous occupants have not returned keys, the relevant locks will be changed prior to new occupants moving in.
- 1.14 The licence holder must ensure that where necessary for the emptying of waste and recycling containers from secure areas the council has the required access key / code or that arrangements are made to make these containers accessible for collection on the days and times specified by the council.
- 1.15 The licence holder must provide written information to all tenants, at the start of the tenancy to ensure that tenants are advised and reminded of their responsibilities for the proper storage and disposal of household recycling and waste.
- This information must be provided in a clear and easy to understand format which tenants can refer to throughout the period of the tenancy and should include the following details:
- a. How household recycling and residual waste should be separated, stored and placed out for collection in the correct containers;
 - b. How to dispose of bulky household waste;
 - c. If applicable, the licence holder must inform tenants of the arrangements for accessing communal recycling and waste containers that are placed in secure areas and ensure that tenants are able to access these.
- 3.16 No refuse shall be kept in the front or rear garden other than in an approved storage container for that purpose.
- 3.17 The licence holder must include any such recycling and waste containers provided within the inventory associated with the tenancy agreement.
- 3.18 The licence holder must provide and maintain clear signage regarding the separation of recycling and waste by type on or near recycling and waste containers.
- 3.19 The licence holder must carry out regular checks throughout the duration of the tenancy to ensure that all tenants are complying with their responsibilities with regards to:
- the storage and recycling of waste (including bulky waste) within the property and any exterior areas within the curtilage
 - its placement for collection in accordance with the policies set out by the council.
- 3.20 The Licence Holder must ensure that any type of waste which the Council does not routinely collect such as hazardous waste is disposed of in a safe and lawful manner
- 3.21 The licence holder must ensure that all tenants have access to recycling and waste containers sufficient for the number of occupants, and that these containers provide adequate means of separation of recycling, garden waste (where applicable), food waste and residual waste.

4. Documents to be displayed

- 4.1 The licence holder shall display a copy of the licence to which these conditions apply in the common parts of the property. Alternatively, copies must be provided to all tenants/occupiers at the start of their tenancy.
- 4.2 The licence holder shall display the following in the common parts of the property:
- a notice with the name, address and emergency contact number of the licence holder or managing agent in the common parts of the property
 - a copy of the current gas safety certificate
 - a copy of a valid electrical inspection condition report
 - a copy of a valid portable appliance test certificate (PAT) covering all electrical appliances supplied within the HMO
 - a copy of a valid test certificate for the automatic fire alarm system (dated within the last 12 months)
 - a copy of a valid test certificate for the emergency lighting system (dated within the last 12 months)

Alternatively, copies must be provided to all tenants/occupiers at the start of their tenancy. Copies must be provided to the Council within 28 days on demand.

- 4.3 If there have been new tenancies issued after 1st October 2008 for the premises, the licence holder must obtain a valid Energy Performance Certificate (EPC). Copies must be made available to all tenants/occupiers at the start of their tenancy and provided to the Council within 28 days on demand. Where individual rooms in a building are rented out and there are shared facilities (e.g. kitchen and/or bathroom), an EPC is not required.

5. Financial Management

- 5.1 No person other than the licence holder or the agent named on the licence may collect and receive rental monies from the occupants of the property. The licence holder and/or agent may pass on the rental monies to any third parties as required.
- 5.2 Where rents are collected or received from occupants, the licence holder must ensure that the payment is recorded and that the occupants receive a receipt for the payment, unless the occupant is an assured shorthold tenant and pays their rent via bank standing order or direct debit. The licence holder must keep a copy of all such records and receipts and must provide the council with a copy of the same within 28 days of any request to inspect them.

6. Material change of circumstances

- 6.1 The Licence Holder must inform the Authority within 21 working days of any material changes in their own circumstances and, within 21 days of becoming aware of them, of any known and material change in the circumstances of any person managing or involved in the management of the property, such as:
- a) Details of any unspent convictions not previously disclosed to the Authority that may be relevant to the Licence Holder or the property manager or the status of either of them as a 'fit

and proper person', including in particular a conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.

- b) Details of any finding by a court or tribunal against the Licence Holder and/or the property manager that he or she has practiced unlawful discrimination.
- c) Details of any contravention on the part of the Licence Holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.
- d) Information about any property the Licence Holder or property manager owns or manages, or has owned or managed:
 - i. which has been made subject to a control order under section 379 of the Housing Act 1985, in the five years preceding the date of the application; or
 - ii. which has been the subject of any enforcement action described under Part 1 sections 5(2) or 7(2) of the Housing Act 2004, concerning Category 1 and Category 2 housing condition hazards; or
 - iii. in relation to which a local housing authority has either refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence.
 - iv. which has been the subject of an interim or final management order under the Housing Act 2004

7. General

- 7.1 The licence holder must advise the Council's Property Licensing Team in writing of any proposed changes to the construction, layout or amenity provision of the house that would affect the licence or licence conditions. For planning and building regulation queries please refer to the planning pages on the Council's website.
- 7.2 The licence holder must arrange for access to be granted at any reasonable time and must not obstruct Council officers carrying out their statutory duties including the surveying of the property to ensure compliance with licence conditions and any relevant legislation.
- 7.3 The licence holder shall if required by written notice to provide the council with following particulars as may be specified in the notice with respect to the occupancy of the house: The names and numbers of individuals/households accommodated specifying the rooms they occupy within the property and the number of individuals in each household. The particulars shall be provided to the Council within 28 days on demand.
- 7.4 The licence holder shall, if required by written notice, provide the council with a plan of the property showing the location and size of all rooms (in square meters), including kitchen, bathroom and wc facilities. The plan shall be provided to the Council within 28 days on demand.
- 7.5 The licence holder shall inform the Council of any change in ownership or management of the house.
- 7.6 The licence holder shall ensure that whilst any alteration or construction works are in progress, the work is carried out to ensure the safety to all persons occupying or visiting the premises.
- 7.7 The licence holder shall ensure that on completion of any works, the property shall be left in a clean tidy condition and free from builders' debris.

Failure to comply with any licence condition may result in proceedings including fines up to £5,000 and loss of the licence or may be subject to a penalty notice of up to £30,000.

The property licence and conditions do not imply or grant by inference or otherwise any approval or permission for any other purposes including those for Building Control, Development Control and under The Regulatory Reform (Fire Safety) Order 2005. Conversely compliance with any of those requirements does not confer or imply compliance with the requirements of the Housing Act 2004 including property licensing.

Any HMO for more than six people will also require planning permission. Please contact the planning team to clarify what planning permissions are already in place for the property and advice on the process. Please note that unlawful HMO's may be subject to planning enforcement action. The Council do have powers of enforcement against breaches of planning control and that, upon summary conviction, continued failure to meet the Council's enforcement requirements could ultimately result in an unlimited fine.

For planning and building regulation queries please refer to the planning pages on the Council's website.

Any requirements relating to the licence and conditions are without prejudice to assessments and appropriate actions including enforcement actions under the Housing Act 2004 and associated regulations.

Consultation on Property Licensing in Islington

Closing date: 3 November 2019

Islington Council is proposing to introduce two separate property licensing schemes.

Please tell us what you think about our proposals by completing this short survey which should take about 5 minutes to complete.

For more detailed information please read the Consultation Proposal and FAQs on our website www.islington/licensingconsultation

1. What is your interest in this consultation?

- Private Landlord or Managing Agent with properties in Islington
- Private Tenant living in Finsbury Park
- Private Tenant living elsewhere in Islington
- Owner occupier or other resident in Islington
- Other interested party

If Other, please state:

2. Please enter your postcode

3. Do you think the council should prioritise taking action against the following issues within privately rented properties?

- Rogue/problem landlords
- Poor internal repair
- Inadequate fire safety e.g. no working fire alarms
- Poorly managed properties e.g. dirty/unsafe communal areas, no management arrangements
- Inadequate heating
- Dampness
- Inadequate outside storage for rubbish
- Overcrowding
- Rubbish/fly-tipping
- Problem tenants e.g. non-payment of rent
- Anti-social behaviour/petty crime
- Noise and disturbance
- Scruffy/poor external property appearance
- Other

If other, please state:

4. Whilst we recognise that there are many well managed rented properties in Islington do you agree that all landlords/managing agents have a responsibility to have satisfactory management arrangements in place for the properties they rent out?

Yes

No

5. Which of the following issues do you think a borough wide HMO Additional Licensing Scheme should address?

- Improve the condition and safety of privately rented properties
- Protect the health and wellbeing of tenants
- Reduce antisocial behaviour associated with HMOs
- Make it easier to identify and take targeted action against bad landlords
- Assist poorly performing landlords to raise standards
- Support good landlords who treat their tenants fairly
- Help tenants identify who is responsible for the condition of their home

6. Which of the following issues do you think a selective licensing scheme covering all privately rented properties in Finsbury Park should address?

- Improve the condition and safety of privately rented properties
- Protect the health and wellbeing of tenants
- Reduce antisocial behaviour associated with privately rented properties
- Make it easier to identify and take targeted action against bad landlords
- Assist poorly performing landlords to raise standards
- Support good landlords who treat their tenants fairly
- Help tenants identify who is responsible for the condition of their home

7. The proposed licence conditions are designed to improve standards and management. To what extent do you agree or disagree with the following statements regarding the proposed conditions.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
The number of persons allowed to occupy the property should be controlled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A suitable number of amenities should be provided (toilet, bathroom, kitchen facilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The provision and type of heating should be to a satisfactory standard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The means of escape from fire and fire precautions should be to a satisfactory standard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Minimum room sizes must be in place for bedrooms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The landlord should provide tenants details of the arrangements for storage and collection of recycling and waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The landlord must provide sufficient containers for the correct storage and disposal of recycling and waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Do you think the proposed licence fees are:

- Too low
- About right
- Too high
- Don't know/no opinion

9. Do you agree that accredited landlords should pay a discounted licence fee?

- Yes
- No
- Don't know/no opinion

10. Please use the box below if you have any other comments about the proposed fee and discount

11. To what extent do you agree or disagree with the proposed borough-wide HMO Additional Licensing Scheme?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Disagree

12. To what extent do you agree or disagree with the proposed privately rented property Selective Licensing Scheme for Finsbury Park?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly Disagree

13. Do you think Islington Council should, in the future, investigate the potential for a borough-wide selective landlord licensing scheme on similar terms/conditions as the Finsbury Park scheme currently being proposed?

- Yes – I support the Council investigating a borough-wide selective landlord licensing scheme”
- No – but the Council should investigate more selective landlord licensing schemes in specific areas”
- No – I do not support the Council investigating a borough-wide selective landlord licensing scheme”

14. Please use the space below to provide any additional comments regarding either the proposed borough-wide HMO Additional Licensing scheme or Selective Licensing scheme for Finsbury Park.

Please continue on another sheet of paper if necessary

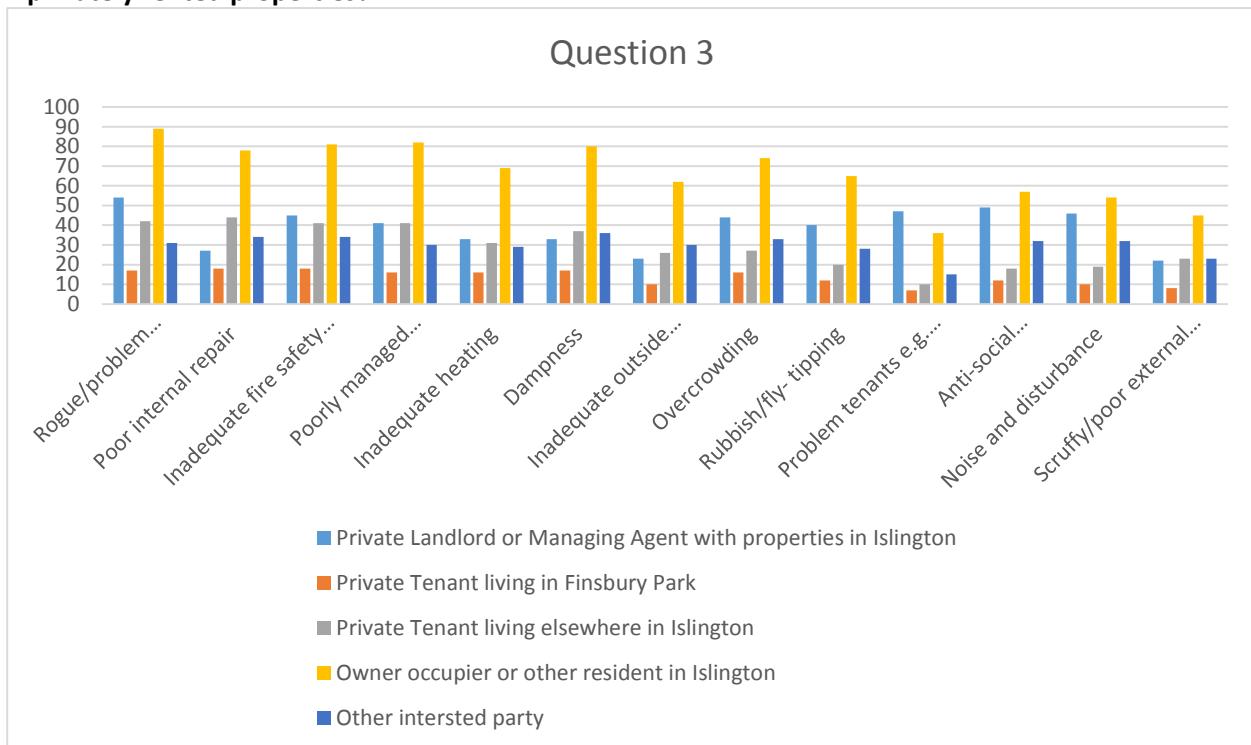
Thank you for completing this survey. All responses will be taken into consideration before the schemes are finalised.

If you wish to receive details of the outcome of the consultation, please provide your name and email address below. We will not identify any individual in the results or share personal details with any third parties. Any personal information you have given us will be held securely for Council purposes. To find out more please visit www.islington.gov.uk/fairprocessing.

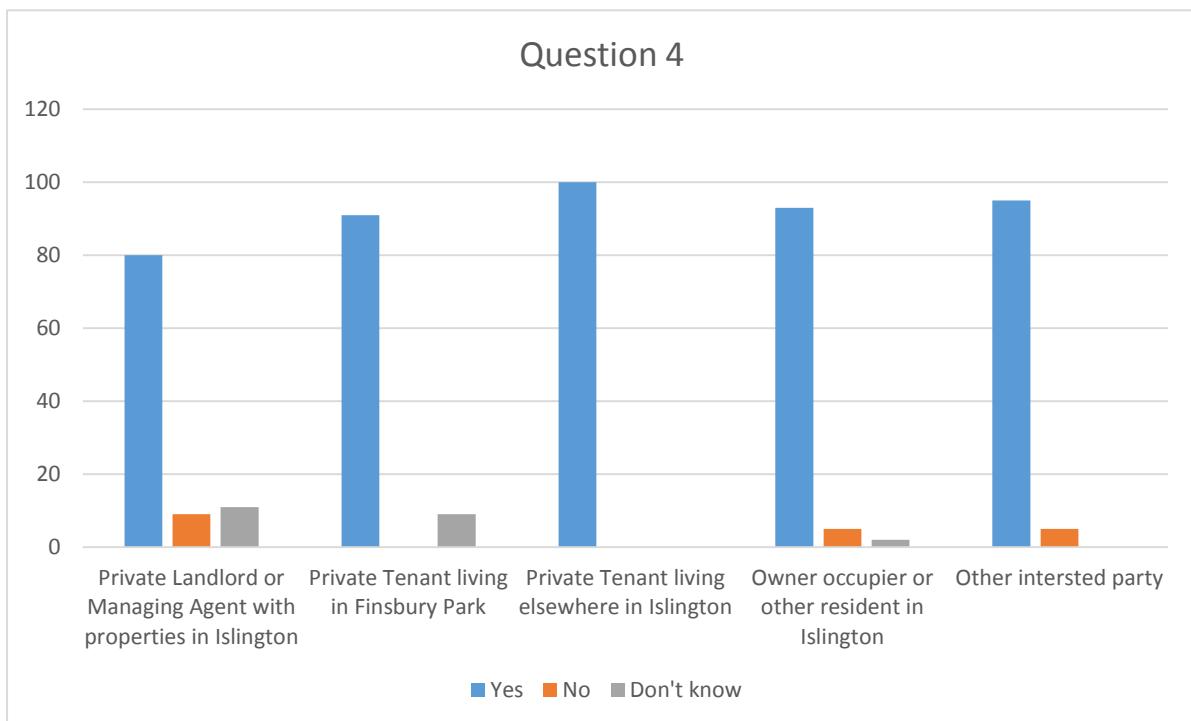
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Email

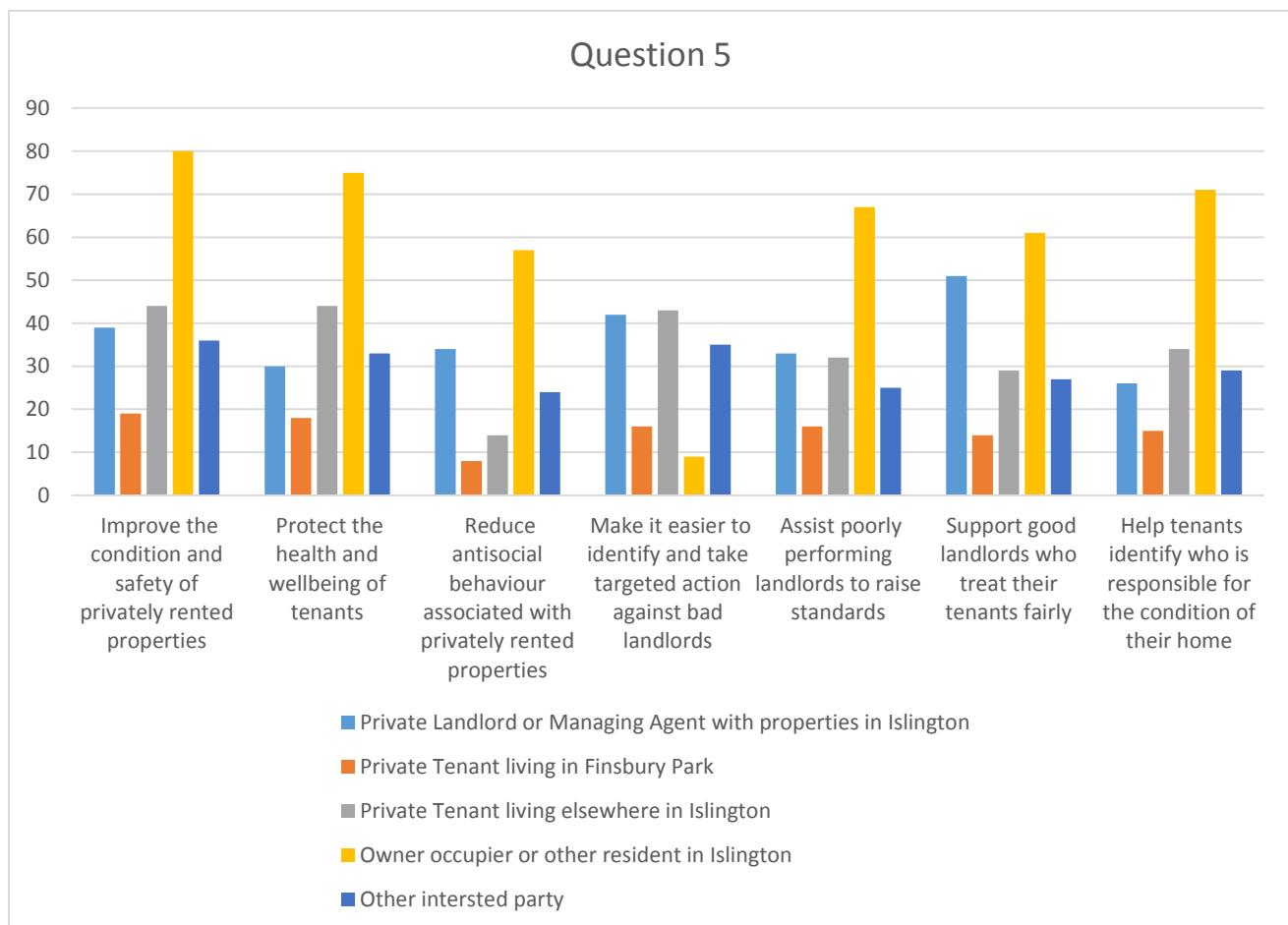
Q3: Do you think the council should prioritise taking action against the following issues within privately rented properties?



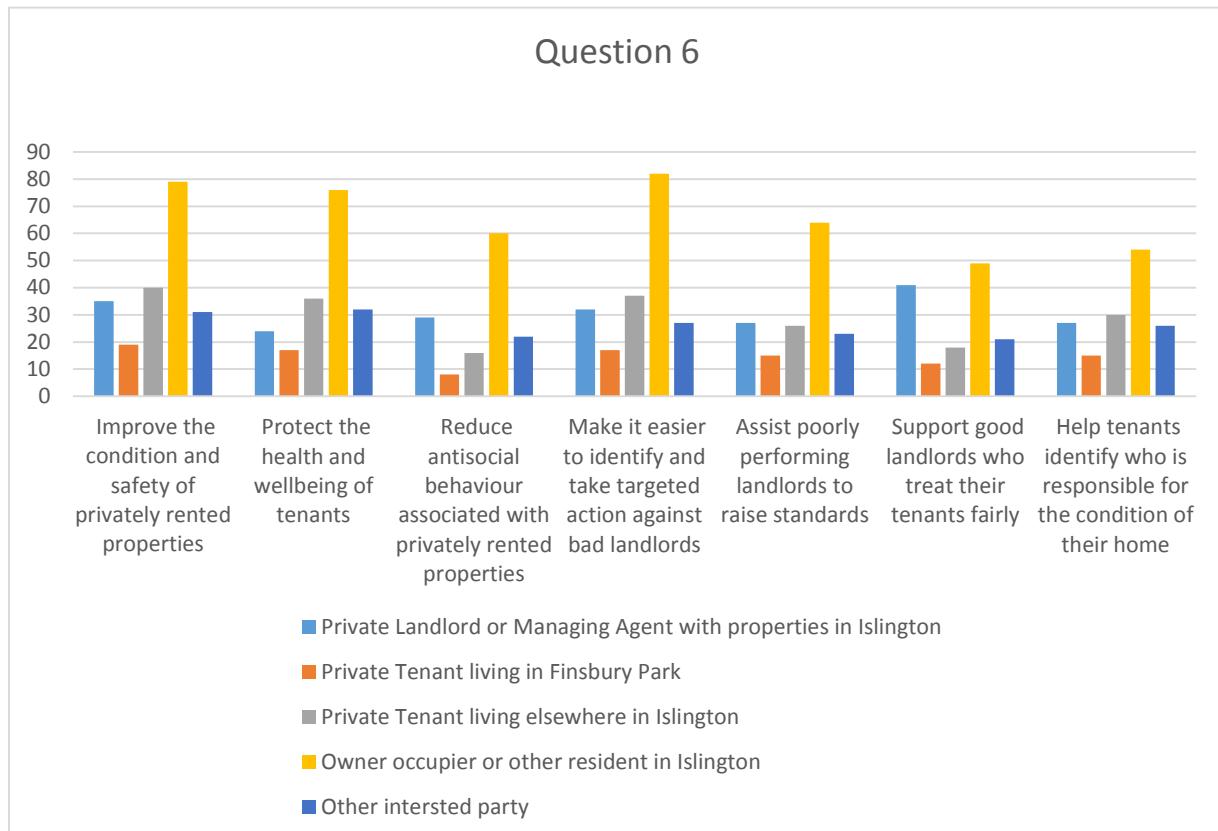
Q4: Whilst we recognise that there are many well managed rented properties in Islington do you agree that all landlords/managing agents have a responsibility to have satisfactory management arrangements in place for the properties they rent out?



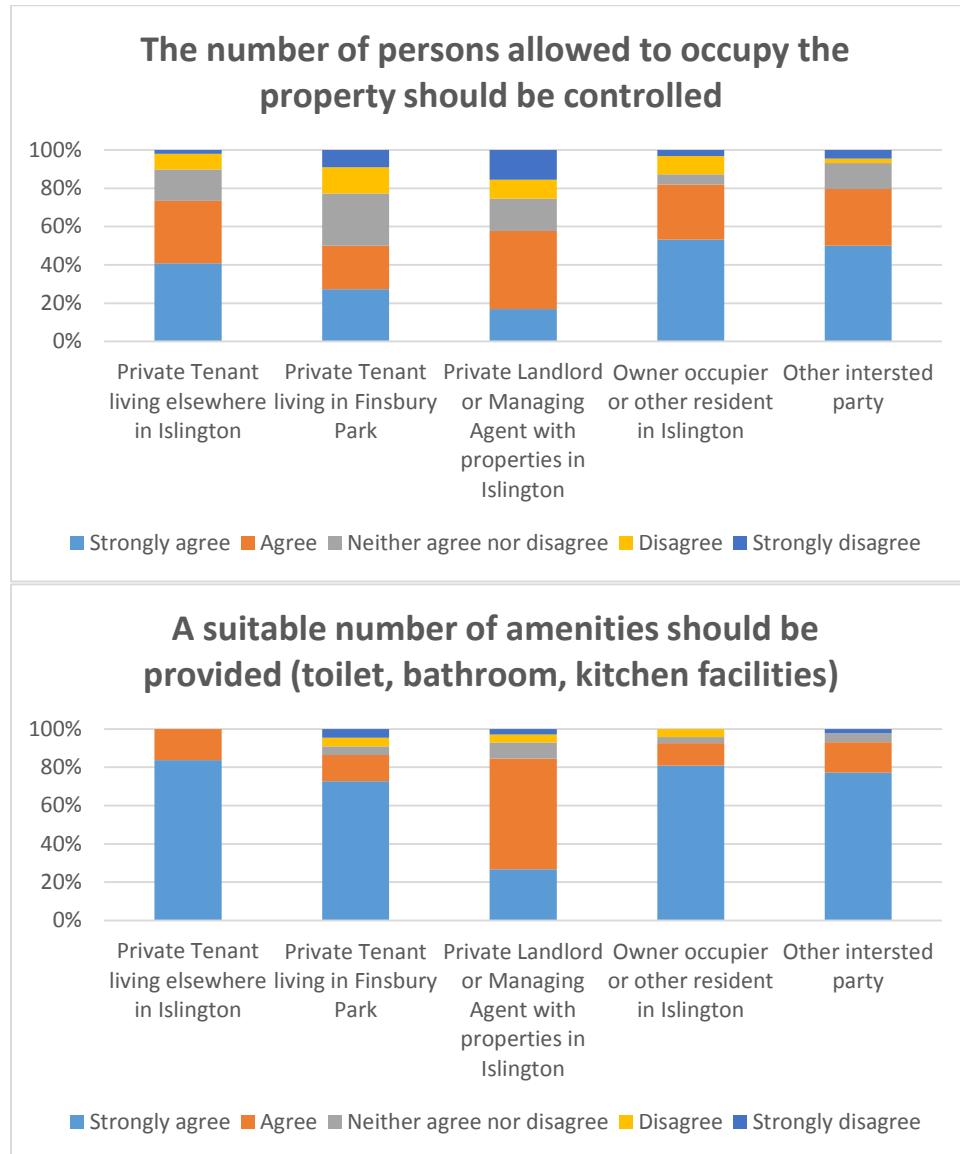
Q5: Which of the following issues do you think a borough wide HMO licensing scheme should address?



Q6: Which of the following issues do you think a selective licensing scheme for Finsbury Park should



Q7: The proposed licence conditions are designed to improve standards and management. To what extent do you agree or disagree with the following statements regarding the proposed conditions?



The means of escape from fire and fire precautions should be to a satisfactory standard



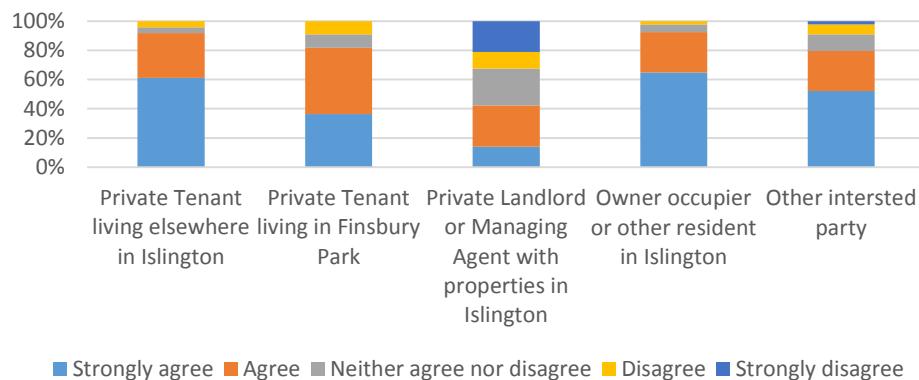
The provision and type of heating should be to a satisfactory standard



Minimum room sizes must be in place for bedrooms



The landlord should provide tenants details of the arrangements for storage and collection of recycling and waste

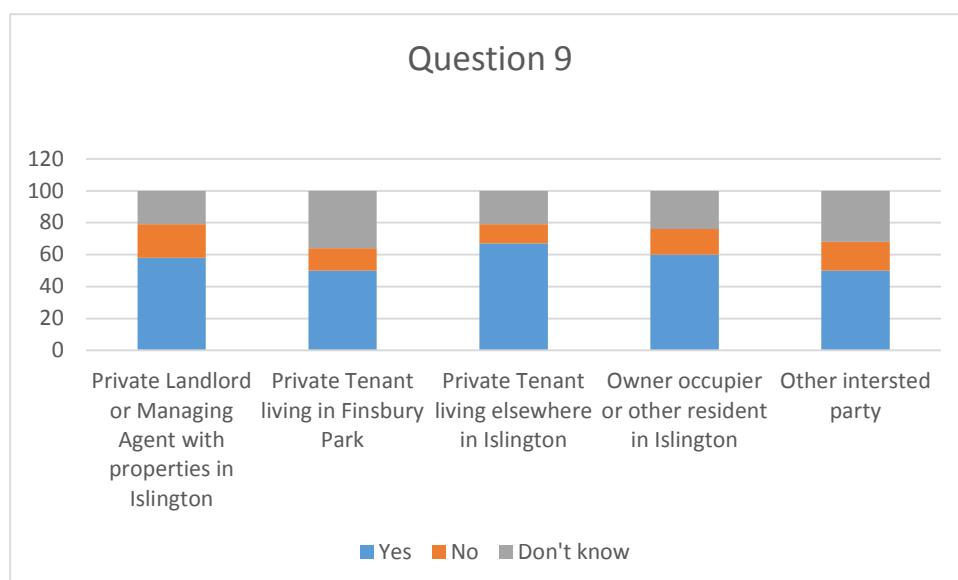


■ Strongly agree ■ Agree ■ Neither agree nor disagree ■ Disagree ■ Strongly disagree

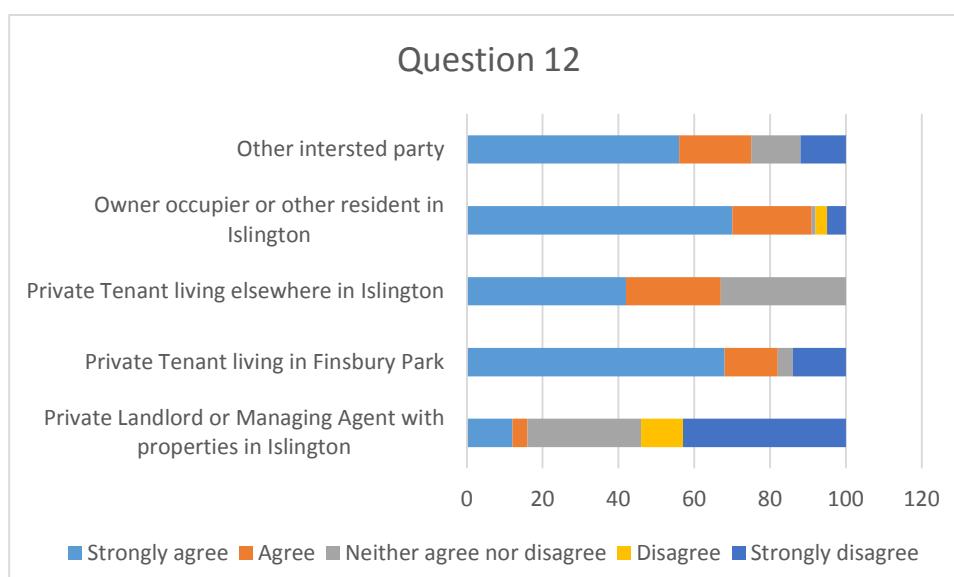
The landlord must provide sufficient containers for the correct storage and disposal of recycling and waste



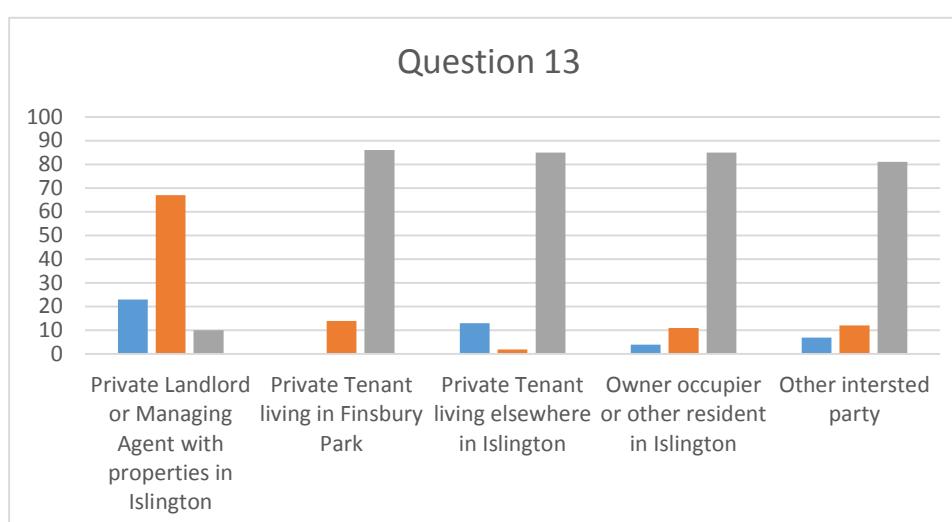
■ Strongly agree ■ Agree ■ Neither agree nor disagree ■ Disagree ■ Strongly disagree

Q8: Do you think the proposed licence fees are**Q9: Do you agree that accredited landlords should be able to pay a discounted licence fee?****Q10: Please use the box below if you have any other comments about the proposed fees and discounts****Q11: To what extent do you agree or disagree with the proposed borough-wide HMO Licensing Scheme?**

Q12: To what extent do you agree or disagree with the proposed privately rented property licensing scheme for FP?



Q13: Do you think Islington Council should, in the future, investigate the potential for a borough-wide selective landlord licensing scheme on similar terms/conditions as the Finsbury Park scheme currently being proposed?





Consultation on proposed discretionary licensing scheme

Response from ARLA Propertymark

Background

1. ARLA Propertymark is the UK's foremost professional and regulatory body for letting agents; representing over 9,000 members. ARLA Propertymark agents are professionals working at all levels of letting agency, from business owners to office employees.
2. Our members operate to professional standards far higher than the law demands, hold Client Money Protection and we campaign for greater regulation in this growing and increasingly important sector of the property market. By using an ARLA Propertymark agent, consumers have the peace of mind that they are protected, and their money is safe.

General concerns

3. ARLA Propertymark does not believe that discretionary licensing schemes are an effective way of promoting higher quality accommodation. They are often poorly resourced, and consequently the schemes become an administrative exercise that penalises compliant landlords and allows rogues to continue operating under the radar. Enforcement and prosecution remain low where the schemes operate, doing little to improve the minority of substandard properties in the private rented sector, which licensing schemes aim to target.
4. Many licensing schemes fail due to the lack of adequate resources needed to undertake the necessary enforcement activity. Due to the EU Services Directive,¹ the fee to apply for a property licence cannot exceed the cost to process the application, this means that the cost of enforcing the schemes must come from elsewhere. Councils operating discretionary licensing schemes have often indicated that the schemes cost more to operate than the funding generated from licence fees, such as in Blackpool.²
5. Licensing schemes heavily focus on the administration involved, often directing staff away from enforcement to process applications. Councils have indicated that processing a single

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32006L0123>

² <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/housing-communities-and-local-government-committee/private-rented-sector/oral/77774.html>

application can take between 15 minutes and one hour. This can be incredibly time consuming and costly when thousands of properties require licensing.

6. Often, the rogue landlords that the schemes are created to target continue to operate under the radar. Already compliant landlords pay their licensing fees, funding the administration of the scheme while more than often those providing poor housing ignore their legal requirements.
7. The Housing and Planning Act 2016³ allows civil penalty fines levied for offences in the private rented sector to be retained by the Local Authority for further enforcement. Research conducted by the Housing, Communities and Local Government Committee in April 2018⁴ highlighted that Local Authorities on the whole rarely issue landlords and agents with penalties. Existing licensing schemes have demonstrated that only a small number of prosecutions ever occur, with 50 per cent of all prosecutions in 2016-17 coming from Newham Borough Council out of 33 boroughs with discretionary licensing across all of England.
8. Consequently, we would argue that the issue does not lie with existing legislation, rather the lack of enforcement. Local Authorities pinpoint lacking enforcement as a product of stretched resources. Although this should have been remedied with the introduction of the Housing and Planning Act 2016, many Local Authorities do not exercise their powers to bring additional resources into enforcement of the private rented sector.
9. ARLA Propertymark believes that instead of introducing further discretionary property licensing, Local Authorities should adopt a collaborative approach with letting agents, landlords and professional bodies to tackle issues within the private rented sector. This approach recognises and rewards landlords and agents that already adhere to good practice and enables local authorities to better target their resources on effective intelligence-led enforcement.

³ <http://www.legislation.gov.uk/ukpga/2016/22/contents/enacted>

⁴ <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/440/440.pdf>



London Borough of
Islington

31st October
2019

Additional & Selective Licensing Proposal

Thank you for the opportunity to respond to the above consultation. Although we appreciate the issues raised by the council and the vision set out by the Islington Housing Strategy 2014-2019, the RLA is opposed to any form of landlord licensing due to the adverse impact such schemes have on landlords, tenants and the housing market overall.

Pressure on non-selective licence areas

Landlords, especially those with properties outside the licence area will become risk-averse in terms of the tenants they let to. Tenant problems such as anti-social behaviour are impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere. Some may seek to evict already challenging tenants. This could mean additional costs to other council services, as they pick up the pieces created by the disruption to the lives of already vulnerable tenants.

Fees & compliance

Good landlords will apply for licences and, likely, pass the cost on to tenants in the form of increased rents, doing nothing to address affordability, while the worst landlords – the criminal operators – will ignore the scheme, as they do many other regulations. Such rent increases are now the case in Nottingham. It is reported that the city has seen the highest percentage rise in rent compared to anywhere in the country since the introduction of a city-wide selective licensing scheme from August 2018.

There is already a high level of non-compliance within existing Additional Licensing schemes, as demonstrated by a series of FOI requests by Safeagent. They found that licence applications have been submitted for only 25% of the 138,500 private rented properties that require licensing under mandatory HMO or Additional Licensing schemes- totalling in 75% of non-compliance (<http://www.londonpropertylicensing.co.uk/new-research-finds-over-130000-unlicensed-private-rented-properties-london>). The introduction of further licensing would only add to such non-compliant figures.

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Residential Landlords Assoc. is a trading name of Residential Landlords Association Ltd. Company No. 2869179.

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Tacit Consent

The council have made no mention in the Fee Structure document if Tacit Consent applies should the processing of the licence goes beyond the advertised times, as well as not provided a timescale for the length of processing time for a licence application.

Concerning the processing time for a licence application, regulation 19 of the Provision Regulations deals with the speed of processing of applications. Specifically, they require that applications must be:

- processed as quickly as possible and, in any event, within a reasonable period running from the time when all documentation has been submitted;
- The length of the processing period must be fixed and made public in advance.
- Where an application is not processed within the advertised period, the authorisation will be deemed to have been granted automatically.

The *Gaskin* case says that the Provision of Services Directive applies to licensing schemes in full. This does a lot more than talk about fees. The transposition of this into the UK law states that regulators should set out how long it will take to carry out a licensing approval process and if they do not meet that timeline then approval should happen automatically.

The council needs to set out and display their licensing processing time publicly, and if tacit consent will apply if the processing of the application goes beyond the advertised processing timescale.

Existing Enforcement Powers

There are over 150 Acts of Parliament and more than 400 regulations affecting landlords in the private rented sector.

Councils should use the enforcement powers already granted to them by the Housing and Planning Act 2016 and Housing Act 2004 to their full extent, rather than rely on Licensing Schemes to regulate landlords in addition to these powers. The Council has also not taken into consideration the amount of informal enforcement activity undertaken between local authorities and private landlords.

The Tenant Fees Bill has also introduced a lead enforcement authority to provide guidance and support to local authorities regarding the enforcement of letting agent requirements.

Raising Standards

There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. Additionally, the decent homes standard is a measure of the standard of housing and has no legal applicability to PRS housing. The Housing Health and Safety Rating System (HHSRS) is the relevant standard for the PRS.

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources focused on processing applications, the council should continue to direct

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these limited resources at identifying private rented properties and taking effective enforcement action.

Conclusion

The RLA reiterates its objection to the proposed scheme.

There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement. We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for criminals to operate under the radar.

Yours sincerely,

Samantha Watkin
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Proposed Additional and Selective Licensing Schemes in the London Borough of Islington

Safeagent Consultation Response

1 November 2019

An Introduction to safeagent

Safeagent is an accrediting organisation for lettings and management agents in the private rented sector. Safeagent (formally NALS) was established in 1999, by the Empty Homes Agency, with backing from the Royal Institution of Chartered Surveyors (RICS) the Association of Residential Lettings Agents (ARLA) and the National Association of Estate Agents (NAEA). Safeagent provides an overarching quality mark, easily recognised by consumers, with minimum entry requirements for agents.

Safeagent agents are required to:

- deliver defined standards of customer service
- operate within strict client accounting standards
- maintain a separate client bank account
- be included under a Client Money Protection Scheme

Agents must provide evidence that they continue to meet safeagent criteria on an annual basis to retain their licence. The scheme operates UK wide and has 1500 firms with over 2000 offices, including a number of agents within the London Borough of Islington.

Safeagent was recognised by the GLA as an approved body for the London Rental Standard. We are also a co-regulation partner with Liverpool City Council and a recognised training provider under the Rent Smart Wales scheme.

We very much welcome the opportunity to contribute to this consultation exercise.

Overview

We understand the council is seeking to introduce an additional licensing scheme that would extend licensing to most HMOs throughout the borough, whereas the current scheme is restricted to Caledonian and Holloway Roads.

We understand the council is also seeking to introduce a selective licensing scheme in the Finsbury Park ward.

In preparing this consultation response, we have studied the licensing consultation report and FAQ document that has been published on the council's website and we thank you for sharing the information.

Existing licensing scheme

We note that Islington Council has adopted a fair and balanced approach by restricting additional licensing to Caledonian and Holloway Road under the current

additional licensing scheme, with this area chosen by adopting an evidence based approach.

With the current scheme nearing completion, we recognise the council will want to review the scheme boundary and seek to identify and target areas of greatest concern. However, rather than adopt a borough wide additional licensing scheme, we would encourage the council to adopt an alternative proposal that focuses on the geographical areas of greatest concern, as identified in the published evidence base.

Selective licensing proposal

In deciding to implement a selective licensing scheme, we are pleased that the council is adopting a pragmatic approach and proposing to restrict the scheme to one council ward. We think this more targeted approach will enable the council to coordinate resources to achieve a measurable impact in a clearly defined area.

As part of the scheme development, we would encourage the council to consider establishing a small stakeholder group involving all interested parties including letting and managing agents. This would provide an opportunity for discussion and information sharing throughout the life of the scheme.

Within the FAQ document, we note there are mixed messages about whether it is the council's intention to inspect all properties subject to selective licensing. On page 8, it says it is not the council's intention to inspect every property whereas on page 15 it says officers will inspect such properties. We would request clarification on this point.

We note that one of the reasons for implementing this scheme is to tackle poor housing conditions. In that regard, we would highlight section 4 of the Selective Licensing of Houses (Additional Conditions) (England) Order 2015 which requires the council to undertake a 'significant number' of HHSRS inspections if the scheme is implemented to address poor housing conditions. This may impact on the financial appraisal for the licensing scheme.

Section 257 HMOs (certain converted blocks of flats)

The report states the new additional licensing scheme is intended to cover section 257 HMOs where all the flats are privately rented. We are concerned about this proposal and would like to suggest some amendments to the scheme criteria.

There are very good reasons why this type of property was excluded from mandatory HMO licensing when the Housing Act 2004 came into force and this was further reinforced in the DCLG draft guidance on Parts 2, 3 and 4 of the Housing Act 2004, published in January 2010. Whilst the guidance was never finalised, it continues to be a useful reference point and is still available on the Gov.uk website.

Firstly, section 257 HMOs are not necessarily 'poorly converted' buildings. They include, for example, properties that were converted into flats in the 1960s and 1970s and which obtained all necessary consent for the conversion at that time. When considering such historic conversions, the relevant building regulations are the Building Regulations 1991.

The DCLG draft guidance (2010) explains that it is the common parts of the building

that should be assessed against the Building Regulations 1991 and the range of factors to be considered include the structure, fire safety, resistance to the passage of sound, ventilation, drainage and waste disposal, stairs, ramp and guards, access and facilities for disabled people and glazing (this is not an exhaustive list).

Thus, in order to determine if the property is a section 257 HMO, it is necessary to seek expert advice about whether the conversion works complied with the requirements in force at the time of the conversion or whether the property has subsequently been made compliant.

For properties converted since 1 June 1992, a Building Control completion certificate would satisfy this requirement. But for properties converted before that date, it would be very difficult for a layperson to assess compliance with the Building Regulations 1991 and many local authority licensing teams would struggle to make a definitive assessment. Letting agents cannot be expected to make this sort of judgement.

In situations where there is a freeholder and separate long leaseholders, the situation is further complicated by the need to determine whether less than two thirds of the flats are owner-occupied (to meet the HMO definition) and then whether all the flats are privately rented (for the proposed licensable HMO definition). Only the freeholder may possess this information and the tenure of each flat may vary over time.

This would make it extremely difficult for a safeagent letting agent to assess whether a licence is required, despite their best endeavours. For example, it may be that the building did not require a licence when a flat was rented out, but subsequently requires licensing because another leaseholder in the building has rented out their flat. As such, a letting agent could find themselves unintentionally in breach of the licensing scheme simply because another flat in the building had been rented out without their knowledge.

We do however recognise that there are circumstances where a particular type of section 257 HMO may be worthy of more intensive regulation. For example, where a landlord has converted a property into cramped and poorly designed studio flats entirely for private rental without any planning and building regulation approval.

In such circumstances, the additional licensing scheme could be restricted to section 257 HMOs where the whole building and all the individual flats within it are in single ownership or considered to be effectively under the same control and are all privately rented. The London Borough of Ealing adopted this approach in response to our consultation feedback. They also restrict the licensing of section 257 HMOs to situations where the number of flats exceeds the number of storeys in the building. We would encourage Islington Council to adopt a similar approach.

Licensing fees

We recognise that the council need to charge a reasonable fee to cover the cost of administering and enforcing the licensing scheme.

It is important that the council implement an efficient and streamlined licence application processing system. This will help to minimise costs and keep fees at a

reasonable level, thereby minimising upward pressure on the rent that is charged to tenants.

We note the council does not currently operate an online application system although we understand an online system is being developed. In our experience, it is quite common for the IT development process to overrun and we would seek an assurance no new scheme would be implemented until the system is ready to launch. We would also encourage the council to consider landlord and agent user testing as part of the development process.

In developing a new online application system, we would encourage the council to ensure it is compatible with the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Amendment) (England) Regulations 2012. These regulations set down a mandatory streamlined application process for licence renewals.

For additional licensing fees, we note that the proposed fees represent a slight uplift on the current rates and are pitched at about the London average.

For the selective licensing scheme, we think the proposed licensing fee of £500 per property is set at a reasonable level for a five year licence.

We welcome the decision to offer a discounted fee to accredited landlords although we do not think it is fair to restrict this to members of the London Landlord Accreditation Scheme. We think the discount should be widened to all accreditation schemes that were previously approved under the London Rental Standard. Further, we think the discount should be extended to situations where the managing agent is accredited, such as through our safeagent accreditation scheme. This would provide landlords with an incentive to instruct an agent regulated through one of the main national bodies. This in turn will help to meet the council's objective of ensuring licensed properties are well managed. A similar approach has been adopted by Ealing Council and we would encourage Islington Council to follow best practice and do the same.

We note there is no reference to offering an early bird fee discount to reward compliant landlords and agents and support the smooth implementation of the scheme. Other councils such as Newham have found this an essential component of operating a successful scheme and we would encourage the council to give this further thought.

Licensing implementation

We do not agree with the proposal to restrict five year licences to applicants that apply within the first three months and thereafter offer just a one year licence. We would encourage the council to rethink this proposal.

Firstly, much would depend on the ability of the council to promptly reach out to all landlords and managing agents when the scheme designation is made, particularly as there is no central register that can be relied upon.

In our experience, initial scheme publicity is often lacking in effectiveness, particularly for landlords based outside the borough boundary. Complex messages about the nature and scope of licensing schemes are also difficult to capture in

advertising, which could leave landlord and agents unaware that the scheme applies to them. Indeed, on page 14 of the FAQ document, the council acknowledge that a greater effort is required to publicise the scheme and proactively prompt landlords to apply.

For safeagent members with a sizeable portfolio, they need sufficient time to cascade the information to their landlords, collate relevant information and compile numerous applications within a short timescale and with no extra staffing capacity.

After the initial three month period, it would be unreasonable to restrict all applicants to 1 year licences. Licence applications will continue to be submitted as properties are bought and sold and occupancy arrangements change throughout the live of the scheme.

The proposed fees would also be exceptionally high if charged for a 1 year rather than 5 year licence. We would encourage the council to look at approaches adopted by other councils. For example, some councils issue shorter licences if they have issued a prior warning letter or have encountered poor property management. We are not aware of any London Boroughs issuing only 1 year licences to all applicants who fail to apply in the three month pre-notification period.

Indeed, our recent property licensing survey highlighted that mandatory HMO and additional licensing schemes have, on average, only attracted 25% of the applications expected: <https://safeagents.co.uk/2019/10/11/london-licensing-scheme-regime-failing-consumers/>

Licence Conditions

We welcome the statement in the FAQ document that if a licence condition is breached, the licence holder will be supported, given advice on how to comply and a timeframe for doing so. We think this process of constructive dialogue can be effective in building relationships and supporting landlords and agents on a trajectory of compliance.

We note that one set of generic licence conditions has been published. We have commented as though they apply to additional licences as many of the conditions are more applicable to HMOs.

We would not agree that the same conditions are appropriate for selective licences for single family properties. The power to impose selective licence conditions is more restrictive under Part 3 of the Housing Act 2004. For example, licence conditions cannot relate to 'conditions and contents' and proposed conditions relevant to HMOs should be removed. We would ask the council to share an amended set of selective licence conditions for comment.

As a general point, we welcome the flexibility to either display certain documentation in each property or provide copies at the tenancy sign up. This helps to support a light touch approach for safeagent members who are committed to offering high standards of property management, whilst avoiding properties feeling too institutional.

The proposed licence conditions in Appendix 5 do not include the new mandatory licence conditions introduced by the Licensing of Houses in Multiple Occupation

(Mandatory Conditions of Licences) (England) Regulations 2018. In particular these regulations set out new notification requirements that must be applied in situations where the property is deemed over-occupied at the time of application, or if it becomes over-occupied during the period of the licence without the knowledge or consent of the landlord.

Condition 2.1: we would suggest standardising the timescale to provide certain information to the council. In this condition, it is 7 days, which is a very short period allowing for postal delivery and short term staff absences due to holiday, sickness or training. Other conditions state 28 days and we think that is a more reasonable timescale for all such conditions.

Condition 2.2: this condition should be amended as the timescale to provide tenants with prescribed information is within 30 days of taking a deposit and not at the time the deposit is taken.

Condition 2.6: to help drive up standards in the private rented sector, it may assist if the council publish a template property inspection form that landlords and agents could use.

Condition 2.8(h): we note this clause requires ‘promptly taking any legal proceedings’, although this would depend on whether there is a legal basis to do so. There are restrictions on when a section 21 notice can be served and a section 8 notice is only appropriate if there is sufficient evidence to justify the courts granting possession on this discretionary ground.

Condition 3.3 (numbered 1.3): it would be helpful to specify the frequency of PAT testing the council are expecting.

Condition 3.4 (numbered 1.4): it is unclear if this condition is intending to refer specifically to upholstered furniture and the fire safety requirements. Otherwise, it is unclear how standard furniture such as a table or wardrobe would be certified as safe, and what the council’s expectations are in this regard. It is suggested this condition is deleted as it duplicates condition 3.12 (numbered 1.12) which has more appropriate wording.

Condition 3.6 (numbered 1.6): as explained in the LACORS fire safety guidance, the fire safety order only applies to properties where each letting within the property is on a separate tenancy. It does not apply if a property is let to a group of sharers who have exclusive use on a single tenancy. We do not think a licence condition can apply the fire safety order to licensed HMOs that fall outside the scope of the order.

Condition 7.2: the condition should be amended as if the HMO is let to a group of sharers on one tenancy, landlords and agents must give tenants at least 24 hours notice of any inspection. As such, they cannot grant access into those properties in a shorter timescale. For HMOs let out by the room, the agent could grant access into the common parts during normal office hours.

Condition 7.4: it is unclear the purpose of this condition as it is assumed the council will require a floorplan to be provided as part of the licence application. As such,

the council should already have this information on file. For any changes in the layout, this is already covered under condition 7.1

HMO Standards

We would encourage the council to look again at the proposed HMO standards in Appendix 3, given these standards would be applied to potentially thousands of properties across the borough.

Under ‘purpose’, we would suggest the council insert a clause making clear the standards are not set in stone and they will be applied with a degree of flexibility having regard to the circumstances in each case. This would help to ensure compliance with judgements made by the Upper Tribunal.

The definitions of bedsits and shared house are not comprehensive but rather a series of bullet points which briefly summarise some but not all of the characteristics of such properties. How these terms are defined and interpreted is important as it can create confusion about how a property is categorised and what standards apply.

We note the standards contain indicative minimum room sizes set above the legal minimum but this section is not comprehensive and it is wrong to state these prescriptive requirements ‘will be applied to all HMOs in the borough’ without allowing for any flexibility, as mentioned above.

For example, within a shared house, it provides indicative bedroom sizes where there is a separate kitchen, but no indication what bedroom sizes would be permitted if there was also a separate communal living or dining space, and what the communal space standards might be.

The standards also make no reference to self-contained flats in converted building test or section 257 HMOs. These flats could be occupied by families with children, with lower room sizes prescribed for children under 10 years old. Whilst we agree the council should adopt a flexible approach, it would be useful to have a more detailed framework within which such decisions would be made.

It is unusual for councils to insist on a combination microwave oven and grill in addition to a cooker and hob in kitchens shared by up to five people.

It is unusual for councils to insist that bedsit HMOs must have a kitchen on every floor unless the kitchen contains dining space. It is normally a kitchen within one floor.

If the standards are to be applied to all HMOs including shared houses and flats occupied by just three people, it would not be appropriate to insist on full 30-minute fire doors to every kitchen. This would exceed the LACORS fire safety guidance for low occupancy shared accommodation. It is difficult to summarise risk based guidance within a prescriptive standard and so reference to compliance with the LACORS guidance may be more appropriate.

It is unusual for councils to insist that a toilet and wash hand basin must be located in a separate room for HMOs occupied by five people. This is normally applied to

HMOs with six or more occupants. Under 6 to 10 occupants, only one of the toilets usually needs to be in a separate room.

Room and Amenity Standards for Single Family Dwellings

It is unclear the purpose of the standards contained in Appendix 4 and how they link to the proposed licensing schemes as there are no prescribed standards for single family properties. Instead, any hazards within single family dwellings would be risk assessed under the HHSRS.

Further, selective licensing case law makes clear that conditions relating to 'conditions and contents' cannot be included on a selective licence, and so we do not think this standard could be applied as a condition of selective licences.

If the council is intending to apply occupy limits on selective licences (many councils do not do this), it is important any limit is a whole house limit rather than seeking to enforce which family member sleeps in each room. Whilst a safeagent member can assess the most appropriately sized family group, they cannot dictate who sleeps in each room once the tenancy starts when letting to a single family.

In relation to kitchens, there is no requirement under HHSRS for kitchens to be less than 20 years old. This is taken from the Decent Homes standard which is not enforceable in the private rented sector.

The kitchen facility requirements also don't take account of properties let unfurnished where the tenant may provide their own cooker and fridge, as happens with local authority accommodation.

Inspection regime

If properties are to be inspected as part of the licence application process, it is vital that the council has sufficient officers available to conduct any inspections in a timely manner so that licence approvals are not unduly delayed.

We would ask the council to publish clear service standards setting out the timescale for processing and approving licence applications and to publish regular updates so that performance in this area can be monitored. In other boroughs, we regularly see licence approvals taking six months or more due to a backlog of work and inadequate resourcing.

Delivering effective enforcement

It is vital that the council establishes and maintains a well-resourced and effective enforcement team to take action against those landlords and agents that seek to evade the licensing scheme.

Without effective enforcement, new regulatory burdens will fall solely on those that apply for a licence whilst the rogue element of the market continue to evade the scheme and operate under the radar. This creates unfair competition for safeagent members who seek to comply with all their legal responsibilities. They are saddled with extra costs associated with the licence application process and compliance, whilst others evade the scheme completely.

Recognising the important role of letting agents

Letting agents have a critical role to play in effective management of the private rented sector. We would encourage the council to explore mechanisms for effective liaison with letting agents and to acknowledge the benefits of encouraging landlords to use regulated letting agents such as safeagent licensed firms.

Regulation of letting agents

To achieve better regulation of the private rented sector and improve consumer protection, it is important the council takes a holistic approach that extends far beyond the proposed licensing scheme.

Since October 2014, it has been a requirement for all letting agents and property managers to belong to a government-approved redress scheme. In May 2015, a further requirement was introduced requiring agents to display all relevant landlord and tenant fees, the redress scheme they belong to and whether they belong to a client money protection scheme, both in-store and on the company's website. On 1 April 2019, the requirements were updated again, requiring letting agents and property managers to be members of a government approved client money protection scheme if they hold client funds. At safeagent we operate one of the government approved client money protection schemes.

To assist councils in regulating the private rented sector and effectively utilising these enforcement powers, we developed the NALS Effective Enforcement Toolkit. Originally published in June 2016, the toolkit was updated in 2018 in conjunction with London Trading Standards and is currently undergoing a further review. The latest toolkit can be downloaded free of charge from our website:

https://safeagents.co.uk/wp-content/uploads/2018/12/07618_NALS_EnforcementToolkit_Web.pdf

Should you wish to discuss any aspect of this consultation response, please do not hesitate to contact me. Can you also please confirm the outcome of the consultation exercise in due course.

**Isobel Thomson
Chief Executive**

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Drop In sessions

1 October 2019

1. How we will tackle the rogues, costs, borough wide selective believe will happen, concern paying for enforcement of rogues, variation from selective to additional (do they lose the fee paid, Enfield?), turnaround times, NLA members do they get LLAS discount equivalent?, use of word letting is misleading (bedroom proposed), what are our studio standards?, can LA help with inevitable increase in complaints re: ASB once public become aware that we can deal with this via licensing, S21s being phased out by government? Could we overlook reference requirement if council tnt (as LL already taking the risk by taking on bens tnt so should anticipate possible issues), can unlicensed HMOs have H Bens payment for rent refused (to encourage compliance?) LL and letting agents (###) neutral, thinks scheme is better than others eg Enfield

Can we have max time between Part I and Part II payments? Legally?

2. Private LL: Concern over rooms sizes (ex LA flat 2 small rooms, 2 large ones), can they be used and unfair if she can't use but LA flat next door can and same seizes, fees too high, new to this though, lots of ex LA properties will be too small (concern) due to design in 1950-60s, by having lower room sizes for selective vs additional is this fair? Why? Can we justify? On some estates there are rooms that are only suitable for kids under 10! 5.3 m2 small x2 and 12.5 x2 m2 otherwise supportive, can we get list of properties (numbers) from leasehold services of how many flats have undersized rooms and what % are undersized rooms ### issue could be if we issue licence for 3 persons but they still have to pay service charge for 4 this would be unfair and LLs may refuse to pay
3. LL General Qs re: fire safety, room sizes
4. Renters Union. Questions over when inspect and do we act on complaints when deciding what to licence and numbers and level of risk. Camden issue a temporary licence prior to full (presumably a draft) Suggests where exemption is where bad cons are e.g. Andover currently exempt (purpose built) supportive

9 September 2019

Letting agent from ## attended Town Hall:

1. Fees too high.
2. Sought information on how scheme would be run.
3. Was it ok to accept applications from agents when the property owner held the money for the repairs.
4. Comments would be made on the online survey

2 October 2019

1. Landlord of one property: Problem is with the social sector not the private sector. That's where the ASB and crime is not in the PRS. If licenses are needed they are needed but don't ignore the problem in the social sector.

Salter, Ed

From: [REDACTED]
Sent: 19 August 2019 21:40
To: licensing, property; Williams, Gavin
Subject: HMO licensing

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs,

I have received email and letter regarding licensing in Islington, thank you

I am a landlord and have 4 properties in the Finsbury Park Ward one of which is a 6 bed HMO licensed in 2018 with the help of Ellis Turner and Gavin Williams both were very helpful in guiding me in the correct direction to obtain the license I have a further 3 one bed flats one in Roden St (Islington is the freeholder)and two in the [REDACTED] [REDACTED] all 3 of these flats are in excellent condition in particular [REDACTED] is kept to the highest standard both in presentation and health and safety

I welcome the idea of the consultation leading to having properties licensed with three people or more it is the correct thing to do as there are many bad landlords who have no respect for their tenants or their properties however I must say these landlords are deflating good landlords as myself and it seems the bad landlords seem to giving the council powers to punish us all and this is unfair, it is concentrating on the bad with no recognition for the good, however good landlords should be the example and with respect not the other way round and perhaps the council can find another way for the Finsbury Park Ward

I would like to offer your department to come and inspect my flats before a decision is reached this could help Islington decide if it is fair good landlords are to be treated equally to the landlords you have received complaints about

For avoidance I fully support licensing this will benefit me making sure my properties are safe and respectful dwelling for tenants, What I'm not happy about is that I may have to license three one bed flats Through no fault of my own but the fault of bad landlords and as a good landlord this is very deflating indeed and would ask you to please consider this before making your decision

I will call your department a few days to see if someone would like to come and inspect my flats

Best Regards

[REDACTED]

[REDACTED]

>
> -----Original Message-----
> [REDACTED]
> Sent: 11 September 2019 12:42
> To: licensing, property <property.licensing@islington.gov.uk>
> Subject: For the attention of Richard Sherwin
>
> Dear Richard Sherwin,
>
> Thank you for your time on Monday
>
> As discussed I am most concerned Islington is proposing to regulate every rental property in the Finsbury Park Ward, I do understand this proposal is due to having many complaints for unscrupulous landlords and upon this the proposal is justified, my concern is there also many landlords who have excellent properties in this area in particular one of the most beautiful and extremely well run properties in London the Beaux Arts Buildings 10-18 Manor Gardens N7 6JT and must say to have these flats regulated is not necessary
>
> We also discussed I would welcome an officer to come and inspect my flats before a decision is made for every property to be regulated in this ward, and perhaps you may decide it is not necessary to regulate as to your departments proposal and whilst I do not want to muddy the waters between us I would respectfully ask for your department to have selective properties to regulate in particular the properties you have had complaints about, I will also look into this further to see I have any ideas I can suggest in order good landlords are not treated unfairly or in the same category as the bad landlords
>
> I will call your office in a few days to see I can arrange an inspector to come to see my flats
>
> Thank you and regards
>
> [REDACTED]
> [REDACTED]
> [REDACTED]
>
> This e-mail is intended for the addressee only. If you have received it in error, please contact the sender and delete the material from your computer. Please be aware that information in this email may be confidential, legally privileged and/or copyright protected.
>

Salter, Ed

From: [REDACTED]
Sent: 14 October 2019 17:24
To: licensing, property
Subject: HMO Licensing Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern

I am the Landlord of property in Archway and I am writing to say I disagree with the idea of licensing all HMOs in Islington for a number of reasons.

1. The Council already has the necessary tools to tackle poor housing management and conditions in the PRS.
2. It would do little but alienate lawful landlords and wouldn't tackle criminal landlords who would not participate in the scheme.
3. It would place an extra financial and administrative burden on those Landlords who are licensed.
4. What is the actual evidence to show the licensing scheme has improved housing standards on Holloway Road and Caledonian Road?
5. How are you actually going to use licensing to improve living conditions? Will all money raised be used to deal with the most problematic and highest risk properties or be co-opted into other departmental budgets.
6. The council doesn't use the information available to it now and I can't see licensing making any difference. To illustrate my point I am a leaseholder of Islington Council and sublet my property. I heard about this consultation through my membership of the RLA and Islington Life NOT your Homeownership department who know I sublet.

Kind regards

[REDACTED]

To : Finsbury Park Ward Councillors

Gary Heather
Asima Shaikh
Mick O'Sullivan

CC: Richard Sherwin
Islington HMO Licensing team

Date: August 6th, 2019

Dear Local Finsbury Park Ward Councillors,

Proposed Property Licensing Scheme-FINSBURY PARK WARD

I am a landlord letting residential properties in the Finsbury Park ward and other wards in Islington, including current licensed Houses of Multiple Occupation.

I received the e-mail below yesterday from the Islington Council licensing team.

Whilst I am generally in favour of the licensing proposals outlined below, a number of important questions will need to be specifically asked by Councillors please in relation to the proposed blanket licensing scheme (which will require ALL privately rented properties to be licensed) in the Finsbury Park Ward. These questions are as follows:

1. The proposed boundary changes of Islington wards, including Finsbury Park Ward, means that it is not currently clear what area the proposed licencing scheme would apply to in Finsbury Park Ward. I am assuming the existing Finsbury Park Ward?
2. There has never been a whole Ward designation for HMO licensing/selective licensing in Islington previously. If Finsbury Park Ward is to be treated differently, the Council will need to publish the information that it refers to below: "**highest number of complaints from renters.**" and circulate it as part of the consultation. I suspect that if the evidence is looked at properly it will be found that most of the complaints relate to flats located above commercial premises along Seven Sisters Road? Seven Sisters Road should specifically be targeted for the HMO selective licensing rather than the whole Finsbury Park ward. This was the targeting that selective licensing focused on previously-specifically for private residences located along (and above commercial premises) on Holloway Road and Caledonian Road

"Selective Licensing in Finsbury Park

A new licensing scheme for all other privately rented properties in the Finsbury Park ward will be introduced requiring anyone who rents out a flat or house occupied by either 1 household or 2 persons sharing, to obtain a licence

Why? This area has the highest number of complaints from private renters about property conditions in borough. It also experiences high levels of

antisocial behaviour, crime and deprivation. This means we can use licensing to improve living conditions for all renters in Finsbury Park ward."

3. The truth is that whilst selective additional licensing/HMO Licensing generally improves residential housing stock, it also has the effect of taking substantial amounts of residential property out of the affordable private rented sector. This should be seen as a major problem for Islington as more people will be made homeless with large area blanket licensing schemes (whole of Finsbury Park Ward)....which has had little thought given to it. This is what has happened in Newham where borough wide additional licensing was applied to the private rented sector.
4. The problem for landlords with licensing/HMO licensing sometimes relates to matters that they (landlords) have no control over/no ability to improve/no ability to provide a remedy for. Mortgage finance becomes much more difficult, impossible in some cases, to obtain when a property needs to be HMO licensed or through selective licensing. This then forces a sale of the property. The HMO licensing/selective licensing requirements specify that financing companies must be notified if a property becomes subject to licensing/HMO Licensing. Some landlords may well fall foul of the required "good character" declaration for some historic minor misdemeanour.
5. If the reason for selective licensing is anti social behaviour in Finsbury Park Ward, we really need to understand what this relates to/the proper causes of such anti social behaviour? The private rented sector? Or much more probably, the fact that Finsbury park tube and rail station is one of the busiest train stations in the UK, volume of people transiting through around the station/ the fact that the station is the main railway station used for Arsenal football matches. We need to better understand why Finsbury park ward has been singled out for selective licensing please? More Council housing than other wards perhaps? Andover? Neglected area for so long because it sits on the distant boundary of Islington/Haringey? I don't agree that crime/anti social behaviour is being caused in the Finsbury Park Ward by local private landlords (or rogue private landlords!) in the private rented sector or their tenants.
6. We need to remember that HMO/selective licensing does not and will not apply to properties controlled or managed by a Local Housing Authority or controlled or managed by registered social landlords and housing providers.
7. Regrettably, it is the Andover Estate and similar Council estates in Finsbury Park ward where most of the anti social behaviour and crime currently occurs...and around the Finsbury Park train station. Selective licensing/HMO licensing cannot deal with these very deep seated fundamental problems in certain parts of the Finsbury Park Ward.

In summary, some very serious thought needs to be given please to what is being proposed. Many London local authorities have already been accused of introducing these selective licensing schemes as methods of raising revenues..... rather than having a real desire to raise/improve standards. The Ward may be significantly impacted by the proposals.

The real concern should /might be with those that lose their homes (loss of additional affordable private rented housing stock) because of the more stringent licensing designation.

Finsbury Park Ward Councillors would be well advised to stay on top of this proposal please.

Blanket licensing in a sole singular designated Ward such as Finsbury Park could well have the effect of pushing people out of their existing affordable homes located in Finsbury Park.

Hope this commentary helps.

Please would the Council/Environmental Health team publish their evidence for this extraordinary statement on Finsbury Park Ward:

"This area has the highest number of complaints from private renters about property conditions in borough. It also experiences high levels of antisocial behaviour, crime and deprivation. This means we can use licensing to improve living conditions for all renters in Finsbury Park ward."

I am afraid to say that the licensing scheme as proposed will have very little impact on improving the living conditions for all renters in Finsbury Park. This is simply fantasy land. The Council needs to do much more and better research on the root causes of the problems in Finsbury park. The private rented sector is not a root cause of the problems in the Finsbury park Ward.

Best wishes

A local Interested landlord

From: licensing, property <property.licensing@islington.gov.uk>
Sent: 05 August 2019 12:08
Subject: Consultation on Property Licensing in Islington Closing date: 3 November 2019

Dear Sir/Madam,

Proposed Property Licensing Scheme

Islington Council wants to improve conditions for tenants renting private accommodation including flats, houses and shared houses and it is proposing to:

1. Introduce a borough wide additional licensing scheme for all houses in multiple occupation (HMOs)
2. Introduce a selective licensing scheme covering all other privately rented properties in Finsbury Park ward.

Why are we consulting on introducing these schemes?

The council recognises that there are many excellent landlords in Islington but there are also some landlords and letting agencies who are breaking the law and treating renters unfairly.

The council believes that introducing the new licensing schemes will:

- Improve the condition and safety of privately rented properties
- Make it easier to identify and take targeted action against bad landlords
- Provide a level playing field for good landlords who treat their tenants fairly

What is being proposed?

Additional HMO Licensing in all of Islington

A Borough-wide licensing scheme for HMOs requiring anyone who rents out a flat or house occupied by 3 or more tenants, who are not members of the same family, to get a licence.

Why? A pilot scheme of this type of licensing in Caledonian and Holloway Roads has led to an improvement in the management of properties. Our evidence shows that 26% of HMOs in other parts of Islington are poorly managed, have some of Islington's poorest housing standards and are spread across the Borough.

The Additional HMO Licencing will also include all buildings converted into self-contained flats, where all of the flats are privately rented and do not meet the 1991 Building Regulations standards or above.

Why? Our evidence suggests many of these conversions have inadequate escape routes in the event of a fire and often the fire alarm systems in these buildings are unsatisfactory or missing.

Selective Licensing in Finsbury Park

A new licensing scheme for all other privately rented properties in the Finsbury Park ward will be introduced requiring anyone who rents out a flat or house occupied by either 1 household or 2 persons sharing, to obtain a licence

Why? This area has the highest number of complaints from private renters about property conditions in borough. It also experiences high levels of antisocial behaviour, crime and deprivation. This means we can use licensing to improve living conditions for all renters in Finsbury Park ward.

Licensing will allow the council to set minimum standards for property management, provision of kitchen and bathroom facilities, room sizes and health and safety (e.g. fire, gas and electrical safety checks) as well as requirements to deal with antisocial behaviour such as waste management.

Have your say

Please tell us your views by completing our on-line feedback questionnaire.

If you go to www.islington.gov.uk/licensingconsultation you will find our consultation document, frequently asked questions and a link to the feedback questionnaire.

If you would prefer to provide specific feedback, especially if you are a landlord or managing agent, please send your written comments by email to property.licensing@islington.gov.uk or post to Residential Environmental Health, Islington Council, 222 Upper Street London N1 1RE.

Find out more at one of our consultation drop in sessions:

- 9 September 2019, 9.30am to 1.00pm, 222 Upper Street, Upper Street, N1 2XR
- 1 October 2019, 9.30am to 1.00pm, North Library, Manor Gardens, London N7 6JX
- 2 October 2019, 1.00pm to 5.00pm, N4 Library, 26 Blackstock Road, London N4 2DW

What next?

Once this consultation has finished we will consider feedback and publish analysis of the results.

If, following this consultation, the council's joint board and executive committee decide to proceed with the schemes they will come into force early next year.

To receive a copy of this document in another language, braille or large print please contact 020 7527 2000.

Yours faithfully



Richard Sherwin

Environmental Health Manager

If you would like this document in large print or Braille, audiotape or in another language, please telephone 020 7527 2000.

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Salter, Ed

From: licensing, property
Sent: 19 August 2019 15:46
To: [REDACTED]
Subject: RE: Consultation on Property Licensing in Islington Closing date: 3 November 2019

Follow Up Flag: Follow up
Flag Status: Completed

[REDACTED]

Yes membership of any similar scheme to ATLAS (that offered training and accreditation such as the NLA and certain regional schemes) would qualify for the discount.

Kind regards

Richard Sherwin
Environmental Health Manager (HMO Licensing)
020 7527 2444

On 1st October 2018 the definition of a mandatory licensable HMO changed. Most properties occupied by five or more people, forming two or more separate households now require a licence regardless of the number of storeys. The only exemption being purpose built blocks containing 3 or more flats. This change in the mandatory definition does not affect properties required to be licensed under our additional licensing scheme, the definition of which remains unchanged. To apply for a HMO licence please visit <https://www.islington.gov.uk/housing/landlords/houses-in-multiple-occupation-hmos> and download the application form

From: [REDACTED]
Sent: 13 August 2019 10:34
To: licensing, property <property.licensing@islington.gov.uk>
Cc: [REDACTED]
Subject: Re: Consultation on Property Licensing in Islington Closing date: 3 November 2019

Hi

In your FAQ you state "Islington actively promotes the Accreditation and Training for Landlords and Agents Scheme (ATLAS) formerly London Landlord Accreditation Scheme (LLAS)". What about other accreditation schemes, such as that run by the National Landlord's Association, will that be acceptable to allow the accredited landlord discount ?

regards

[REDACTED]

On 05/08/2019 10:38, licensing, property wrote:

Have your say

Please tell us your views by completing our on-line feedback questionnaire.

If you go to www.islington.gov.uk/licensingconsultation you will find our consultation document, frequently asked questions and a link to the feedback questionnaire.

If you would prefer to provide specific feedback, especially if you are a landlord or managing agent, please send your written comments by email to property.licensing@islington.gov.uk or post to Residential Environmental Health, Islington Council, 222 Upper Street London N1 1RE.

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Yours faithfully



Richard Sherwin

Environmental Health Manager

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Environmental Health Manager

Residential Environmental Health

Public Protection Division

222 Upper Street, London N1 1XR.

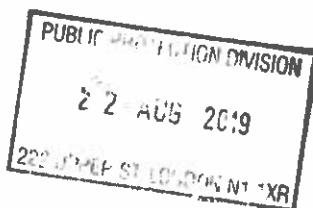
Dear Sir,

Thank you for your letter about proposed property licensing scheme.

May I point out that my present HMOs license for the above property will expire on 13-3-2022. As I had spent hundreds of pounds and endless hours meeting your stringent requirements for the present HMOs license, I strongly believe it is unnecessary and most unfair to introduce a new license before my existing HMOs runs out. I sincerely hope that your Committee will take my suggestion into consideration.

With kind regards,

Yours sincerely,



Salter, Ed

From: [REDACTED]
Sent: 07 August 2019 15:04
To: licensing, property
Subject: Re- Proposed Property Licensing Scheme

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam

Having read the proposed, i support the reasons given for the licensing scheme.

However as a residential landlord I have experienced aggressive taxation changes. We are no longer allowed to offset our mortgage expenses against profits. Those of us with large mortgages have felt the financial consequence of this. As a result my Income Tax Bill will have doubled by the end of 2020. This has been devastating.

There have also been other regularity changes put in place, and more in the pipeline. The extra expense involved in additional HMO licensing does not help and puts more pressure on a sector that has already been targeted by the Conservative Government.

I support the reasons for the councils decision to explore the property licensing scheme avenue and think it would be helpful to landlords if there was an option to pay instalments across the duration of the licence. This would certainly reduce the financial pressure of additional licensing fees. I also think that the costings involved in any proposed changes to properties in line with safety standards should be budgeted , so landlords are financially prepared for any improvements they may have to make to the property. A paid service perhaps helping landlords meet HMO standards. Landlords may find it difficult to find competent service providers. It would be helpful if landlords under the scheme had access to competent trades people, qualified to undertake any changes.

Further on to this, it would also be a helpful option if private Landlords registered under the Licensing Scheme be rewarded in some way. Maybe a Landlord is finding it difficult to let the property and decides to make the property available to Families seeking housing in the area? Landlords under the scheme could be rewarded with incentives and fast track council tenants requiring Family Accommodation.

In my experience the Houses/Flats that we have rented with multiple tenants have been occupied by professional sharers. These are groups, friends, couples or work colleagues. These individuals tend to be educated and responsible occupiers.

I think it is worth noting that my experience relates to Three Bedroom Dwellings. These dwellings usually attract close knit professionals who see the financial benefits of sharing with friends and colleagues. We have never rented to individuals, who are not closely related by

friendship or profession. Therefore we do not experience anti-social dynamics associated with HMO dwellings. We do not let the property to the unemployed and have strict referencing criteria.

I would like to be updated with regards to the councils position on this, and appreciate the challenges the council faces. My professional background resides within Accountancy & Finance. I have been fortunate/unfortunate to inherit some investment properties from my father who is now retired. I consider myself a reasonably educated individual and fully support any changes that will improve the lives of tenants and occupiers.

The main problem boils down to Finance. The Conservative Government have made drastic changes to push small property owners out of the market, forcing people to form companies. The capital gains Tax implications of incorporating is not viable to individuals like me. Who have inherited a few properties. Therefore the richest landlords who have the means to re-shuffle their assets and finances will not be effected by these changes. These changes, over time will result in a fully corporate controlled residential housing market. This benefits the wealthy and actually reduces the opportunity for wealth creation for the Lower and Middles.

Kind regards

A large black rectangular redaction box covering the signature area.

Salter, Ed

From: [REDACTED]
Sent: 03 September 2019 18:01
To: licensing, property
Subject: Proposed property licensing scheme

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for your letter dated 8th August. I am opposed to the additional licensing scheme as the student fee ban has placed increasing pressures on landlords currently. Landlords are paying increased fees now as you are aware. I understand that properties require HMO licensing when they are large properties which house multiple tenants. However, rather than imposing an additional licensing scheme and fee you should go and spot check houses with 3 or more tenants to see what your findings are first. If you implement this additional licensing it will have a big impact on costs for landlords. This may mean landlords selling houses. Letting agents suffering further with the introduction of the student fee ban and many more losses for Islington council. Please, reconsider in light of my comments. There are very good landlords out there and this is injustice to them. We will be out of pocket with year or year inflation, increases in all sorts of charges. This is the last thing I want to see and pay for. Many thanks and kind regards

Salter, Ed

From:

[REDACTED] August 2019 10:08

To:

licensing, property

Subject:

Formal Opinion on further Property Licensing Schemes

Follow Up Flag:

Follow up

Flag Status:

Completed

Can you record my formal rejection of furthering all Property Licensing Schemes. As a landlord in the borough your licensing schemes make it tough enough. Furthering them and costs to landlords will make it even less attractive to be a landlord in the area. Therefore can you send me formal confirmation that my response to the matter has been formally recorded?

Thanks

[REDACTED]

Sent from my iPad

Salter, Ed

From: [REDACTED]
Sent: 03 November 2019 22:01
To: licensing, property
Subject: Property Licensing Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear council team,

Background

I am a landlord, NLA member, and own 3 flats, all in [REDACTED], including my former residence :
- Two 2 bed/2 baths flats, each with 3 residents (1 couple + 1 single)
- One 3 bed/2 bath flats, with 4 residents (1 couple + 2 singles)
All are purpose built flats, in modern buildings built in 2002.

My understanding is that the all these flats would be in scope of the new proposed licensing scheme.

I think that as designed the scheme lacks proportionality, and will actually distract the council from improving the conditions in the rentals it wants to target.

I have therefore formulated below some objections and, hopefully constructive suggestions.

Suggestions

My suggestions would be to change the scheme as follows :

a) A more granular, street level selective licensing scheme instead of the blunt approach of targeting all of Finsbury Ward. Not all of Finsbury ward is deprived, and to the reverse this scheme misses a number of other areas in other wards. In particular, Manor Gardens should not be in scope for the selective scheme, given its vastly different socio-economic fabric and modern buildings.

This granularity would ensure that areas that need it, and only them, have the selective licensing in place.

b) More granular additional licensing, with

- a light scheme for properties which would not be high risk (in particular modern, purpose built flats on one floor)
- a heavier scheme for high-risk properties (multi floor HMO, period conversions etc)

This would enable to apportion the enforcement portion of the fees in relation to the estimated risk of each scheme, thereby lowering the fees for the properties in the low-risk scheme.

Objections

My detailed objections leading to these suggestions are :

1) Proportionality

My understanding, from the consultation documents and public documents of the council, is that the main driver for introducing the scheme is repeated issues in period house conversion, and in particular some specific, deprived sub-areas of Fisbury Ward. However, as formulated the scheme, all of Finsbury Ward is in scope, and all section 254 HMOs, unrelated to the actual risk.

The council should use its expert knowledge and granular data to target types of properties and streets that are actually at risk. Such granular exists, as evidenced by the figures used in the consultation document.

In particular, [REDACTED] is not in scope in the graph in section 8.79. This should be therefore reflected in the licensing scheme.

2) Lack of review of the failures of the existing licensing scheme

Per the council's estimates, the licensing scheme for Caledonian/Holloway road issued licences for only half of the estimated number of properties that should have had one.

In May 2019, the council stated there could be 566 properties that need licensing under the mandatory HMO licensing scheme and a further 542 HMOs that need licensing on Caledonian Road and Holloway Road under the additional licensing scheme. This compares with, per the consultation paragraph 4.40, 350 properties licensed under the mandatory HMO licensing scheme and 245 properties licensed under the additional licensing scheme.

If these numbers are correct, this would indicate a major failure of the scheme, with presumably properties on the higher end of risk not being registered, while the burden of the scheme has fallen on the landlords who registered.

Expanding massively the scheme to 20x+ its size, without having reflected on and resolved the issues in the pilot scheme, will result in low compliance, high level of distraction for the council staff, and actually prevent resources and senior manager focus from being deployed on actually dealing with high risk issues

3) Biased statistics for the additional licensing scheme

Per section 8.153/8.155, you need to justify an additional licensing.

You quote a high percentage of enforcement actions on the 865 known HMO to justify the extension of the additional licensing.

However, this is necessarily a biased sample, since it will comprise only high-risk units :

- The mandatory licensing HMOs
- The selective scheme of Caledonian/Holloway (which was justified on the grounds of a higher proportions of issues in these areas)
- HMOs that came to your review through complaints.

This compares with the much larger number of total section 254 HMO in the borough.

Per section 8.39 you have inferred from the council tax data that there are at least 4000 section 254 HMO with 3 or more unrelated occupants across the borough. This figure doesn't include flatshares with 2 unrelated people sharing, which could easily triple that number.

On this basis, the statistics used to extend the additional licensing seem unsound.



Consultation

<https://www.islington.gov.uk/~media/sharepoint-lists/public-records/consumeraffairs/publicity/publicconsultation/20192020/2019080120190805consultationselectiveandadditionallicensing.pdf>

FAQ

<https://www.islington.gov.uk/~media/sharepoint-lists/public-records/consumeraffairs/publicity/publicconsultation/20192020/2019080120190805faqconsultationonproperlylicensing.pdf>

Salter, Ed

From: [REDACTED]
Sent: 10 September 2019 14:42
To: licensing, property
Subject: additional licensing islington

Follow Up Flag: Follow up
Flag Status: Flagged

Hi,

I am aware there is current ongoing consultation on additional licensing scheme in the Islington Borough.

Will licensing need to be secured for properties already under tenancy agreement if/when the licensing comes into affect?

On another note we are three friends (a couple and a friend) currently looking for a 2 bed flat in london and the additional licensing schemes are proving to be very prohibitive to our search. The cost surveys and checks needed to secure the licence means smaller independent landlords simply can't afford them and so choose to only rent to two people. We just viewed the perfect flat in islington however the landlord is unsure if she can let to us due to the impending decision following consultation.

Thanks

[REDACTED]

03 November 2019

Dear Sir or Madam,

PROPERTY LICENSING - RESPONSE TO PROPOSAL FOR CONSULTATION OF AUGUST 2019

I currently let a modern townhouse in Highbury with one double bedroom and two single bedrooms. And whilst I might let it to a family, my current preference is for sharers, and it is so let at present.

The property is maintained and managed by me to what I believe is a very high standard, and I believe that all of the existing statutory requirements are complied with. The tenants are very happy to be there, and I think consider themselves fortunate to have found such nice accommodation, and that it is available to them at a price that they consider to be reasonable in the current market conditions.

It is with dismay that I read that your proposed licensing would appear to apply to a letting of the house to a group of 3 or 4 sharers who have decided to live together and rent and occupy a house jointly as a family would do, but are not a single household within the meaning of section 258 Housing Act 2004 (i.e. are not related, married or cohabiting). I could of course let it only to a family, but I wonder what you think the social benefit of that would be, bearing in mind that young people starting out in life in London need accommodation as well as families do, and why you think that sharers need to be protected by the proposed licensing regime when a family living in the same house would not (the house not being in your proposed selective licensing area).

I will offer you comments on the following areas of the proposal, and I hope you will take them to heart. From my point of view, it represents another layer of regulation and complexity, supported by a fierce penalty regime, probably a very considerable expense by way of application fee, and by and large much of it is either not applicable to my property, there being no common parts in a joint letting of the whole a group living as a family, or representing duplication and complication of existing regulatory requirements. It would be very easy for me to sell my property to an owner occupier, and this proposal together with other recent changes in the regulatory and legislative environment could well be the straw that breaks the camel's back. And if you would like to visit the property, you will see that it is quite the opposite of the sort of accommodation that you are concerned to improve.

My general impression of the licensing proposal is that in order to ensure that reasonable standards are maintained in a house let as a whole to sharers jointly where the property is not in the proposed selective licensing area, it would be better to have a separate, simpler and less expensive scheme of regulation for the letting to joint tenants of a house to be occupied in exactly the same way as it would be by a family, with no separate demises and no common parts. I do not believe it is appropriate to treat such a letting in the same way as the very different situation where there are separate demises and common parts. This distinction is neatly addressed in the The Regulatory Reform (Fire Safety) Order 2005, which by virtue of Article 6 (1) does not apply to domestic premises (i.e. premises occupied as a

private dwelling (including any garden, yard, garage, outhouse, or other appurtenance of such premises which is not used in common by the occupants of more than one such dwelling) consisting of or comprised in a house which is occupied as a single private dwelling. Thus the Order would apply to a house divided between tenants, but not to a house let as a whole to sharers (unless the appurtenances of the house are used in common by the occupants of more than one private dwelling).

Whilst you are obliged to have a licensing scheme where the number of sharers is 5 or more, there is no apparent reason why it should be extended to houses where the number of sharers is less than 5 and the house is not situated in your proposed selective licensing area.

I will address below more specifically the following subjects: 1. the cost of the application; 2. your argument made for the purposes of s56 of the Housing Act 2004 for extending the scheme to any house outside your proposed selective licensing area that is let and occupied as a single dwelling by 3 or 4 sharers; and 3. some technical problems with the proposed scheme in its application to a house let as a whole to sharers jointly, many of which revolve around the fact that the scheme is designed for flats and properties that have been divided into and let in parts rather than for a house let and occupied as a single dwelling by sharers.

The cost of licensing

The application fee set out in Appendix 2 is £288 per letting, and it is stated that a letting includes “bedrooms in a shared house … which is occupied by more than one household (even if there is only one tenancy agreement for all tenants). If this is a rather oblique and obscure way of saying that you intend to charge £288 per bedroom, I think the fee is excessive. It would amount to £864 for a service that seems unlikely to take up more than 2 or 3 man hours even if it involves an inspection of the property. If on the other hand it is meant literally, and the letting includes all of the bedrooms where the property is let jointly, which is in fact the case when the property is let jointly, then perhaps the fee is just about tolerable, provided that it does indeed involve an inspection and is not just a paper exercise on the part of the Council. It is very curious that the wording of schedule Appendix 2 is so unclear.

If the licensing scheme is brought into force, the Council acquires a statutory monopoly of licensing properties in the areas affected, and it is obviously wrong for that to be exploited by the Council. Whilst the revenue from licensing is said to be ring-fenced, it is still exploitation of the statutory monopoly if the monopoly is used to support inefficiency, or if resources paid for by the licensing scheme are applied to other purposes as well as to the relevant licensing, or if the fees are structured to burden one group of landlords to the advantage of another.

S56 Housing Act 2004 and your argument for extending the scheme to any house outside your proposed selective licensing area that is let and occupied as a single dwelling by sharers

Your proposal misrepresents the requirements of s56. At paragraph 4.46 you state (my underlining):

For an Additional Licensing scheme to be designated, the Housing Act 2004 requires that a significant proportion of the HMOs of the description to be included in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems, either for those occupying the HMO or for members of the public. The council has established that, of all the known 865 3 person HMOs in the borough, 25.9% of them were found to have issues that required enforcement action. This is a significant indication of ineffective management in this sector. Evidence shows, that whilst numbers of HMOs are greater in some Wards than others, they are distributed widely across the borough (between 4% and 10% per Ward) and so a borough-wide scheme is an appropriate measure.

This is curiously obscure, and in particular the words underlined obscure the fact that the legislation requires that a significant proportion of the HMOs of the description specified in the designation in the area to be designated are being managed sufficiently ineffectively etc.

Section 56 provides (my underlining):

Designation of areas subject to additional licensing

- (1) A local housing authority may designate either— (a) the area of their district, or (b) an area in their district, as subject to additional licensing in relation to a description of HMOs specified in the designation, if the requirements of this section are met.
- (2) The authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public

The question is therefore not whether 25.9% of all the known 865 HMOs in the borough required enforcement action, but whether there is evidence that the properties to be added to the current mandatory scheme that are outside the proposed selective licensing area - houses let and occupied by sharers as single dwelling – are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either to the occupiers or to members of the public. I should like to know what evidence you have of this. I wonder how many, if any, of the 865 HMOs are houses let and occupied by 3 or 4 sharers as single dwellings, and how many of them are being managed so ineffectively as to give rise or to be likely to give rise to such problems. It would be reasonable to expect the Council to state what basis it has for considering that a proportion of such HMOs are being so managed, and it must be a statutory requirement that there is a reasonable basis for the Council to form that opinion. The need to have a genuine reason for imposing licensing on such HMOs is not obviated by the statement in para 4.41 of the Proposal, where it says:

Landlords can often avoid the need to licence by reducing occupancy to below 5 persons, whilst the fundamental issues of poor management remain the same. Bringing in a scheme that will require all HMOs, regardless of size and numbers of occupants will ensure that we protect all residents of what is the highest risk and often poorest quality housing.

The idea that houses let to and occupied by with 3 or 4 sharers as a single dwelling must be subjected to licensing because they do not fall within the compulsory scheme and thereby “avoid” its provisions is a tendentious way of saying that you wish to extend the licensing to such HMOs because they are not subject to compulsory licensing. That is not a substantive reason for extending licensing to houses let to and occupied by 3 or 4 sharers as a single dwelling and is exactly what section 56 is intended to protect landlords from.

The property I let is so far from being so managed, and so different from the type of property that many of the conditions are aimed at – flats and properties divided into flats and bedsits – that I doubt whether there is justification for the scheme being applied to property of that type – houses outside the selective licensing area let and occupied by 3 or 4 sharers as single dwellings. If there were such justification, why is the selective licensing scheme not applicable to the whole of Islington, to protect houses let to families as well as to 3 or 4 sharers?

Particular problems

Very many of the conditions set out in Appendix 5 are not appropriate to a house let to and occupied by 3 or 4 sharers as a single dwelling, which suggests that there is no good reason for such properties to be included in the proposed licensing scheme, and no justification for subjecting the landlords to the cost of applying for such licensing.

I refer to the paragraphs in Appendix 5

Para 2.1 – Some of the information in the tenancy agreement is private and it is not apparent that the Council has any legitimate reason to require it. Nor is it clear what a “statement of terms” means. There should be provision for redaction of financial information.

Para 2.2 – The law currently allows for deposits to be protected either by placing them in a deposit scheme in the sense of payment to a deposit holder, or for the deposit to be in a deposit scheme by reason of the provision of a guarantee by an authorised scheme. The Council should not seek to amend the law by requiring deposits to be paid to a deposit holder and has no reason to do so. The condition should be amended to make this clear.

Para 2.3 – References obtained on letting are normally obtained from referencing agencies, contain financial information, and may contain no written record of any enquiry of any previous landlord. This is sensitive confidential information, protected from unauthorised disclosure, and there is no reason why the Council should have it.

Para 2.5 – Such arrangements may be required in some types of property, but apart from usual leasehold provisions relating to creating or adopting nuisances it is difficult to see what arrangements to prevent or reduce antisocial behaviour could be appropriate in respect of houses outside the selective licensing area let and occupied by 3 or 4 sharers as single dwellings.

Para 2.6 –I expect my tenants to put the waste in the dustbin, like any other household, and to contact the Council if they have any bulky waste to dispose of,

and it is not appropriate to impose requirements suitable to a block of flats rather than a single dwelling house.

Para 3, 1.1 to 1.4 – It should be made clear that the duties to “ensure” that installations and appliances are safe do not exceed the statutory duties. The imposition of absolute duties may not be appropriate, and a landlord who has conscientiously done everything reasonably or statutorily required of him should not be held to be in breach of duty. And PAT testing is not legally required and is not applicable to all electrical appliances.

Para 3, 1.6 – this is not appropriate where the Regulatory Reform (Fire Safety) Order 2005 does not apply, and it does not apply to a house that is a domestic property let as a single dwelling, as explained above.

Para 3, 1.11 – any requirement for periodical certification of all firefighting equipment, which would include a fire blanket or a carbon dioxide extinguisher, (neither of which requires periodical servicing), is unnecessary and will discourage the provision of such equipment except where it is legally required.

Para 3, 1.15 – There is no reason why the landlord of a house let as a single dwelling should have to provide this information.

Para 3.18 to 3.19 – there is no need for this in respect of a house let as a single dwelling.

Para 3.20 – The landlord is not able to do this.

Para 3.21 – this is for the Council to do.

Para 4 – There are no common parts in a house let as a single dwelling. What may be sensible in a foyer of a block of flats is not appropriate in a single dwelling house – tenants do not want these things fastened to the wall in their living space. Also, PAT testing does not apply to all electrical appliances, and as the name suggests relates only to portable appliances. And there is no requirement to have an automatic fire alarm system or an emergency lighting system in a house that is a domestic property let as a single dwelling.

Yours faithfully,

Consultation on Property Licensing in Islington

Closing date: 3 November 2019

Islington Council is proposing to introduce two separate property licensing schemes.

Please tell us what you think about our proposals by completing this short survey which should take about 5 minutes to complete.

Please return completed questionnaire to property.licensing@islington.gov.uk or Residential Environmental Health, Public Protection, 222 Upper Street, Islington, London, N1 1XR

For more detailed information please read the Consultation Proposal and FAQs on our website www.islington/licensingconsultation

1. What is your interest in this consultation?

- Private Landlord or Managing Agent with properties in Islington
- Private Tenant living in Finsbury Park
- Private Tenant living elsewhere in Islington
- Owner occupier or other resident in Islington
- Other interested party

If Other, please state:

2. Please enter your postcode

N1C

ISLINGTON CUSTOMER CENTRE
222 UPPER STREET

29 AUG 2019

RECEIVED WITH THANKS

3. Do you think the council should prioritise taking action against the following issues within privately rented properties?

- Rogue/problem landlords
- Poor internal repair
- Inadequate fire safety e.g. no working fire alarms
- Poorly managed properties e.g. dirty/unsafe communal areas, no management arrangements
- Inadequate heating
- Dampness
- Inadequate outside storage for rubbish
- Overcrowding
- Rubbish/fly-tipping
- Problem tenants e.g. non-payment of rent
- Anti-social behaviour/petty crime
- Noise and disturbance
- Scruffy/poor external property appearance
- Other

If other, please state:

4. Whilst we recognise that there are many well managed rented properties in Islington do you agree that all landlords/managing agents have a responsibility to have satisfactory management arrangements in place for the properties they rent out?

Yes

No

5. Which of the following issues do you think a borough wide HMO Additional Licensing Scheme should address?

Improve the condition and safety of privately rented properties

Protect the health and wellbeing of tenants

Reduce antisocial behaviour associated with HMOs

Make it easier to identify and take targeted action against bad landlords

Assist poorly performing landlords to raise standards

Support good landlords who treat their tenants fairly

Help tenants identify who is responsible for the condition of their home

6. Which of the following issues do you think a selective licensing scheme covering all privately rented properties in Finsbury Park should address?

Improve the condition and safety of privately rented properties

Protect the health and wellbeing of tenants

Reduce antisocial behaviour associated with privately rented properties

Make it easier to identify and take targeted action against bad landlords

Assist poorly performing landlords to raise standards

Support good landlords who treat their tenants fairly

Help tenants identify who is responsible for the condition of their home

7. The proposed licence conditions are designed to improve standards and management. To what extent do you agree or disagree with the following statements regarding the proposed conditions.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
The number of persons allowed to occupy the property should be controlled	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A suitable number of amenities should be provided (toilet, bathroom, kitchen facilities)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The provision and type of heating should be to a satisfactory standard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The means of escape from fire and fire precautions should be to a satisfactory standard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Minimum room sizes must be in place for bedrooms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The landlord should provide tenants details of the arrangements for storage and collection of recycling and waste	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The landlord must provide sufficient containers for the correct storage and disposal of recycling and waste	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Do you think the proposed licence fees are:

- Too low
 - About right
 - Too high
- Don't know/no opinion

9. Do you agree that accredited landlords should pay a discounted licence fee?

- Yes
 - No
- Don't know/no opinion

10. Please use the box below if you have any other comments about the proposed fee and discount

11. To what extent do you agree or disagree with the proposed borough-wide HMO Additional Licensing Scheme?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Disagree

12. To what extent do you agree or disagree with the proposed privately rented property Selective Licensing Scheme for Finsbury Park?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly Disagree

13. Do you think Islington Council should, in the future, investigate the potential for a borough-wide selective landlord licensing scheme on similar terms/conditions as the Finsbury Park scheme currently being proposed?

Yes – I support the Council investigating a borough-wide selective landlord licensing scheme”

No – but the Council should investigate more selective landlord licensing schemes in specific areas”

No – I do not support the Council investigating a borough-wide selective landlord licensing scheme”

14. Please use the space below to provide any additional comments regarding either the proposed borough-wide HMO Additional Licensing scheme or Selective Licensing scheme for Finsbury Park.

Please continue on another sheet of paper if necessary

Thank you for completing this survey. All responses will be taken into consideration before the schemes are finalised.

If you wish to receive details of the outcome of the consultation, please provide your name and email address below. We will not identify any individual in the results or share personal details with any third parties. Any personal information you have given us will be held securely for Council purposes. To find out more please visit www.islington.gov.uk/fairprocessing.

Name

Email

Consultation on Property Licensing in Islington

Closing date: 3 November 2019

Islington Council is proposing to introduce two separate property licensing schemes.

Please tell us what you think about our proposals by completing this short survey which should take about 5 minutes to complete.

Please return completed questionnaire to property.licensing@islington.gov.uk or Residential Environmental Health, Public Protection, 222 Upper Street, Islington, London, N1 1XR

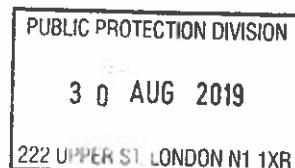
For more detailed information please read the Consultation Proposal and FAQs on our website www.islington/licensingconsultation

1. What is your interest in this consultation?

- Private Landlord or Managing Agent with properties in Islington
- Private Tenant living in Finsbury Park
- Private Tenant living elsewhere in Islington
- Owner occupier or other resident in Islington
- Other interested party

If Other, please state:

2. Please enter your postcode



3. Do you think the council should prioritise taking action against the following issues within privately rented properties?

- Rogue/problem landlords
- Poor internal repair
- Inadequate fire safety e.g. no working fire alarms
- Poorly managed properties e.g. dirty/unsafe communal areas, no management arrangements
- Inadequate heating
- Dampness
- Inadequate outside storage for rubbish
- Overcrowding
- Rubbish/fly-tipping
- Problem tenants e.g. non-payment of rent
- Anti-social behaviour/petty crime
- Noise and disturbance
- Scruffy/poor external property appearance
- Other

If other, please state:

4. Whilst we recognise that there are many well managed rented properties in Islington do you agree that all landlords/managing agents have a responsibility to have satisfactory management arrangements in place for the properties they rent out?

Yes

No

5. Which of the following issues do you think a borough wide HMO Additional Licensing Scheme should address?

- Improve the condition and safety of privately rented properties
- Protect the health and wellbeing of tenants
- Reduce antisocial behaviour associated with HMOs
- Make it easier to identify and take targeted action against bad landlords
- Assist poorly performing landlords to raise standards
- Support good landlords who treat their tenants fairly
- Help tenants identify who is responsible for the condition of their home

6. Which of the following issues do you think a selective licensing scheme covering all privately rented properties in Finsbury Park should address?

- Improve the condition and safety of privately rented properties
- Protect the health and wellbeing of tenants
- Reduce antisocial behaviour associated with privately rented properties
- Make it easier to identify and take targeted action against bad landlords
- Assist poorly performing landlords to raise standards
- Support good landlords who treat their tenants fairly
- Help tenants identify who is responsible for the condition of their home

7. The proposed licence conditions are designed to improve standards and management. To what extent do you agree or disagree with the following statements regarding the proposed conditions.

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree
The number of persons allowed to occupy the property should be controlled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A suitable number of amenities should be provided (toilet, bathroom, kitchen facilities)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The provision and type of heating should be to a satisfactory standard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The means of escape from fire and fire precautions should be to a satisfactory standard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Minimum room sizes must be in place for bedrooms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The landlord should provide tenants details of the arrangements for storage and collection of recycling and waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The landlord must provide sufficient containers for the correct storage and disposal of recycling and waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Do you think the proposed licence fees are:

- Too low
- About right
- Too high
- Don't know/no opinion

9. Do you agree that accredited landlords should pay a discounted licence fee?

- Yes
- No
- Don't know/no opinion

10. Please use the box below if you have any other comments about the proposed fee and discount

No

11. To what extent do you agree or disagree with the proposed borough-wide HMO Additional Licensing Scheme?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Disagree

12. To what extent do you agree or disagree with the proposed privately rented property Selective Licensing Scheme for Finsbury Park?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly Disagree

13. Do you think Islington Council should, in the future, investigate the potential for a borough-wide selective landlord licensing scheme on similar terms/conditions as the Finsbury Park scheme currently being proposed?

- Yes – I support the Council investigating a borough-wide selective landlord licensing scheme”
- No – but the Council should investigate more selective landlord licensing schemes in specific areas”
- No – I do not support the Council investigating a borough-wide selective landlord licensing scheme”

14. Please use the space below to provide any additional comments regarding either the proposed borough-wide HMO Additional Licensing scheme or Selective Licensing scheme for Finsbury Park.

Please continue on another sheet of paper if necessary

Thank you for completing this survey. All responses will be taken into consideration before the schemes are finalised.

If you wish to receive details of the outcome of the consultation, please provide your name and email address below. We will not identify any individual in the results or share personal details with any third parties. Any personal information you have given us will be held securely for Council purposes. To find out more please visit www.islington.gov.uk/fairprocessing.

Name

Email

Licensing Proposals for Privately Rented Properties in Islington

Islington Council is proposing to introduce two separate property licensing schemes

Please tell us what you think about our proposals by completing this short survey which should take about 5 minutes to complete

For more detailed information please read the Consultation Proposal and FAQs on our website www.islington.gov.uk/licensingconsultation

1. What is your interest in this consultation? *

- Private Landlord or Managing Agent with properties in Islington
- Private Tenant living in Finsbury Park
- Private Tenant living elsewhere in Islington
- Owner occupier or other resident in Islington
- Other interested party, please specify



2. Please enter your postcode

3. Do you think the council should prioritise taking action against the following issues within privately rented properties? (Tick as many that apply) *

- Rogue/problem landlords
- Poor internal repair
- Inadequate fire safety e.g. no working fire alarms
- Poorly managed properties e.g. dirty/unsafe communal areas, no management arrangements
- Inadequate heating
- Dampness
- Inadequate outside storage for refuse
- Overcrowding
- Rubbish/fly-tipping

- Problem tenants e.g. non payment of rent
- Anti-social behaviour/petty crime
- Noise and disturbance
- Scruffy/poor external property appearance
- Other, please state

4. Whilst we recognise that there are many well managed rented properties in Islington do you agree that all landlords/managing agents have a responsibility to have satisfactory management arrangements in place for the properties they rent out? *

- Yes
- No
- Don't know/no opinion

5. Which of the following issues do you think a borough wide HMO licensing scheme should address? *

- Improve the condition and safety of privately rented properties
- Protect the health and wellbeing of tenants
- Reduce antisocial behaviour associated with privately rented properties
- Make it easier to identify and take targeted action against bad landlords
- Assist poorly performing landlords to raise standards
- Support good landlords who treat their tenants fairly
- Help tenants identify who is responsible for the condition of their home

6. Which of the following issues do you think a selective licensing scheme for Finsbury Park should address?

- Improve the condition and safety of privately rented properties
- Protect the health and wellbeing of tenants
- Reduce antisocial behaviour associated with privately rented properties
- Make it easier to identify and take targeted action against bad landlords
- Assist poorly performing landlords to raise standards
- Support good landlords who treat their tenants fairly
- Help tenants identify who is responsible for the condition of their home

7. The proposed licence conditions are designed to improve standards and management. To what extent do you agree or disagree with the following statements regarding the proposed conditions. *

Agree

Disagree

	Strongly agree	Neither agree nor disagree	Strongly Disagree	
The number of persons allowed to occupy the property should be controlled	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
A suitable number of amenities should be provided (toilet, bathroom, kitchen facilities)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The provision and type of heating should be to a satisfactory standard	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The means of escape from fire and fire precautions should be to a satisfactory standard	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Minimum room sizes must be in place for bedrooms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
The landlord should provide tenants details of the arrangements for storage and collection of recycling and waste	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The landlord must provide sufficient containers for the correct storage and disposal of recycling and waste	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

8. Do you think the proposed licence fees are: *

- Too low
- About right
- Too high
- Don't know/no opinion

9. Do you agree that accredited landlords should be able to pay a discounted licence fee? *

- Yes
- No

- Don't know/no opinion

10. Please use the box below if you have any other comments about the proposed fees and discounts



11. To what extent do you agree or disagree with the proposed borough-wide HMO Licensing Scheme?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

12. To what extent do you agree or disagree with the proposed privately rented property licensing scheme for Finsbury Park?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

13. Do you think Islington Council should, in the future, investigate the potential for a borough-wide selective landlord licensing scheme on similar terms/conditions as the Finsbury Park scheme currently being proposed?

- Yes – I support the Council investigating a borough-wide selective landlord licensing scheme
- No – but the Council should investigate more selective landlord licensing schemes in specific areas
- No – I do not support the Council investigating a borough-wide selective landlord licensing scheme

14. Please use the space below to provide any additional comments regarding either the proposed borough-wide HMO Licensing scheme or Selective Licensing scheme for Finsbury Park.

We feel the scheme should not be brought in across the whole borough in one fell swoop, instead targeting areas, and landlords, where problems pre-exist, such as Finsbury Park. Although we appreciate that only good can come out of licensing, we feel that good landlords are being targeted unfairly.

Thank you for completing this survey. All responses will be taken into consideration before the schemes are finalised.

15. If you wish to receive details of the outcome of the consultation, please provide your name and email address below. We will not identify any individual in the results or share personal details with any third parties. Any personal information you have given us will be held securely for Council purposes. To find out more please visit www.islington.gov.uk/fairprocessing.

Contact details

Name

Email

Salter, Ed

From: [REDACTED]
Sent: 17 August 2019 18:45
To: [REDACTED]
Subject: [REDACTED] Proposed Property Licensing in London Borough of Islington - For the attention of Diarmid Ward, Emily Thornberry and Islington Council

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Diarmid,

My flatmate and very old friend, [REDACTED], is a member of the Labour Party and recently received an email about private renting and the possible introduction of an HMO licensing scheme in Islington.

We are very aware of London boroughs who demand licensed HMOs for 3 or more people who aren't related because it gave us great difficulty in finding a place to live as 3 people from what HMO licensing would consider to be '3 households' in a 2 bedroom flat. Those 'households' would be **myself (1) and my partner, Ross (1, as we are not married)** and **my very good friend Simon (1)**. Even if my partner and I were married, we still would be considered two households and therefore come under HMO licensing.

In fact, in some London boroughs letting agents told us it would be a waste of our time even looking, because landlords would not be willing to get a license when they could easily fill a 2 bedroom flat with 2 people, despite the horrifically over-priced rent. Islington Council did not have such rules which gave us an opportunity to create a home in an ex-council flat in a mixed block - Bevin Court.

Given you can have any number of people living in a flat without an HMO license, PROVIDED they are all in the same family, this type of licensing doesn't really solve the problem of overcrowding or landlords not looking after properties. Mandatory licensing for all landlords irrespective of how many people are living in the property would be a less discriminatory practice.

We are three hard-working, professional people who happen to be in the older millennial bracket (late 20s / early 30s), looking to ease the excessive rent burden placed on this generation by sharing a property that is within reasonable commutable distance to the different locations where we all work. We have no choice but to rent privately since council housing is bursting at the seams and we would hardly be eligible for it anyway. What bringing in HMO licensing borough wide would do is to restrict our ability to live in the borough of Islington, unless a landlord is willing to stump up the fee for the license, and what landlord would be willing to do so, if they can charge a fortune for their Islington flat with just two people in it - two people who then have to spend a significant amount of their income on rent, which means their ability to save for their own futures decreases massively.

With HMO licensing what you actually do is ghettoise a borough into those rich enough to afford excessive London rents and those poor enough to be deserving of council services. You can see it in Camden.

While I believe every person should be protected from bad housing, you cannot protect the most vulnerable in society by making other people a victim of such bad policies.

Millennials and Gen Z are half the world's population according to Deloitte's Global Millennial Survey 2019. We have no job security, we cannot get onto the housing ladder, our ability to start families of our own is near impossible given the cost of raising children, and we don't know whether it is even worth it in case the world is underwater or on fire by the year 2050. We are surviving as best we can in a city like

London, creating families that don't necessarily fit into the traditional model. HMO licensing such as the one you and Labour propose would make life near impossible for my family, and countless others.

I am a rare creature in the fact that I was born and bred in London. If you deprive me of the city of my birth by making it impossible for me to afford then Labour will be losing my vote, as well as [REDACTED] and likely [REDACTED] membership.

I will not be filling in the survey as the questions presented are leading and biased. But I will be attending the drop in sessions in October to share my views.

A few questions in the meantime, answers to which I am requesting under the Freedom of Information Act 2000:

- 1 - What protections would there be in the proposed licensing to stop our landlord from evicting us and getting 2 people in to share this flat?
- 2 - How many HMOs do you estimate are in the borough of Islington?
- 3 - How many HMOs did you estimate were covered by the pilot scheme in the Caledonian Road and Holloway Road area?
- 4 - How many requests for a license did you actually receive from either landlords or their letting agents within those areas?
- 5 - How many of those requests, collectively, were granted?

We would like to understand, approximately, how many properties we could theoretically rent under the current borough of Islington policy, and how many properties would be available to us should the HMO licensing go ahead as proposed.

I look forward to your response to my concerns.

[REDACTED]
[REDACTED]

Salter, Ed

From: licensing, property
Sent: 03 October 2019 11:22
To: licensing, property
Subject: FW: I was pleased to...

complete your online feedback questionnaire, but feel moved to let the council know that my experience of being a tenant for a housing association, in Islington has been very unsatisfactory.

-----Original Message-----

From: [REDACTED]
Sent: 19 August 2019 22:18
To: licensing, property <property.licensing@islington.gov.uk>
Subject: I was pleased to complete your online feedback questionnaire, but feel moved to let the council know that my experience of being a tenant for a housing association, in Islington has been very unsatisfactory.

I wrote to diarmaid.ward@islington.gov.uk, in July and still haven't received a reply, unfortunately.

However, I was raising the issue of the housing association, ([REDACTED] to whom I am a tenant of an HMO, Not auctioning essential repairs, imposing charges for gardening and cleaning of communal areas; None of which, is ever done, leaving a couple of tenants to have the responsibility of collecting money for bills, including council tax, in an HMO, of six tenants. Having remonstrated for years, on this subject, with the housing association, a tenant attempted to claim council tax benefit and was told she should not be able to do so, as the council tax was being paid through two tenants' private account for the house. After a council tax inspection, Peter Bedford is now imposing 20% of the cost of the band G property's council tax, onto tenants, with the excuse of managing payments, saying that they have to employ someone especially for the purpose of just one property. Although I have had multiple tenancy agreements offering cleaning and gardening of communal areas, the garden is a wild, unkempt jungle for foxes, pigeons both nest and defecate, all over the front of the house; vermin ranging from rodents, to cockroaches and moths breed in the communal areas of the house, spilling into private rooms. Food is trodden into and not cleaned up from communal carpets. Damp and black mould run riot, as tenants fear putting any heating on, but keep the water boiler going day and night, exacerbating the damp problems. My ceiling is so damaged, I cannot sleep in it, as the water tank above, appears to leak straight into my ceiling and the box room, next door to it. I continue to pay full rent and service charges for my room and no improvement to living conditions, appear to be part of the practical experience of living in the property. This flies in the face of the image of Peter Bedford, as a caring and responsible housing association.

I therefore feel that the council needs to be made aware that it is not the sole preserve of private landlords, but also some rogue social landlords, who seem to enjoy communication by emails alone, but have no interest in the genuine maintenance and good management of properties.

Peter Bedford housing association prefers to leave the management of the financial side, to a couple of tenants who end up shouldering an unacceptable burden of responsibility, for strangers, who happen to rent the same property. This has led to some really serious bullying and very disturbing behaviour from a man who has resided in the property for over twenty years and who has a serious personality disorder which affects other tenants adversely, over a very long time, erupting as each new set of people come to rent the property. I, myself, have been assaulted by this man and verbally and physically harassed on a number of occasions, but no action by the housing association is ever taken and he remains in the property, being offered a tenancy agreement, after This man drew together a cabal of tenants, with their own interests in the property; To illegally attempt to evict a tenant, themselves.

A complaint was made, by the tenant they had attempted to evict and myself and others were asked to be witnesses, for Kieran Gillen, a tenancy relations housing officer, of the time, for Islington council, who was then assigned to investigate both the behaviour of tenants and the housing association, in relation to the attempted eviction of a tenant by a group of disaffected tenants, with an axe to grind.

Summary of the Council's consideration of representations submitted during the consultation

Section 1 Introduction

The Council is required to consider any representations made during the consultation period.

There were 280 responses to the online feedback questionnaire and 30 written and verbal responses to the consultation. The responses are attached as Appendix B.

Overall 67% respondents agreed with the proposal to introduce additional licensing for all HMOs however there was a stark difference in opinion between landlords and tenants with 23% private landlords and managing agents in favour of licensing whereas for tenants it was 77%.

In response to the question seeking views on selective licensing overall 64% of respondents supported the proposal however only 16% private landlords and managing agents were in favour whereas for tenants living in Finsbury Park it was 82%.

A summary of the council's consideration of written representations and comments submitted on line are summarised in section 2. A number of feedback themes have emerged and the frequency has been summarised in section 3.

Where respondents have provided feedback or comments similar or identical to others we have tried to avoid repeating our response. Likewise, where issues raised in the consultation were addressed in the consultation document we have not repeated this information in section 2.

As a result of consultation feedback we are proposing to make a number of changes to the proposed licensing schemes if the councils resolves to designate an additional borough wide HMO licensing scheme and/or a selective licensing scheme covering Finsbury Park ward. These proposed changes are listed in section 4.

Section 2 Council's response to consultation feedback

Submission	Consultation Feedback	Council's Response
Organisation representing professional letting agents	Discretionary licensing is not an effective way of promoting high quality accommodation. Schemes are often poorly resourced and consequently become an administrative exercise that penalise compliant landlords and allows rogue	Our discretionary licensing proposals will lead to more enforcement and more targeted enforcement. As mentioned in paragraph 8.7 of the selective licensing review the proposed scheme will allow the council to do

	<p>landlords to continue to operate under the radar. Enforcement remains low where the schemes operate doing little to improve the minority of sub-standard properties in the private rented sector.</p>	<p>more targeted enforcement using our data warehouse to identify unlicensed properties. Landlords who do not licence their properties are more likely to be avoiding addressing poor property conditions. Without discretionary licensing the council can't use our data and target our enforcement as effectively.</p> <p>Our existing discretionary scheme resulted in 288 directly related property inspections that identified 109 category 1 hazards and 294 category 2 hazards. 47 enforcement notices were served and the remainder of hazards identified were remedied via HMO licence conditions. These statistics mentioned along with the data provided in the consultation report shows targeted enforcement works achieving important improvements to accommodation in the sector.</p> <p>Our scheme seeks to avoid penalising compliant landlords through offering a discount to accredited landlords and employing a risk based programme of enforcement activity. As well as a reduced fee for accredited landlords, compliant landlords benefit from a 'levelling of the playing field' effect. This is achieved through monitoring and enforcement and the subsequent raising of the standards in the private sector the scheme intends.</p> <p>Our scheme will have adequate resources, the council have committed to increased staffing levels and investing in a streamlined IT solution for processing applications allowing the council to focus resources on effective regulation of the sector through targeted enforcement and driving up property standards.</p>
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	<p>Many licensing schemes fail due to the lack of adequate resources needed to undertake the necessary enforcement activity. The fee to apply for a property licence cannot exceed the cost to process the application, this means that the cost of enforcing the schemes must come from elsewhere. Councils have often indicated that the schemes cost more to operate than the funding generated from licence fees, such as in Blackpool.</p> <p>Licensing schemes heavily focus on the administration involved, often directing staff away from enforcement to process applications. Councils have indicated that processing a single application can take between 15 minutes and one hour. This can be incredibly time consuming and costly when thousands of properties require licensing.</p> <p>Often, the rogue landlords that the schemes are created to target continue to operate under the radar. Already compliant landlords pay their licensing fees, funding the administration of the scheme while more than often those providing poor housing ignore their legal requirements.</p>	<p>Fees are allowed to cover the cost of enforcement as well the cost of processing the application. A part 1 fee is taken initially for processing the application followed by a part 2 fee being taken. Income from or existing discretionary licensing scheme has covered the cost of processing, monitoring and enforcement.</p> <p>Licensing schemes are an important tool in targeted enforcement enabling more effective enforcement. Time spent on administration will be minimised through investment in IT solutions for processing applications.</p>
	<p>The Housing and Planning Act 2016 allows civil penalty fines levied for offences in the private rented sector to be retained by the Local Authority</p>	<p>The council has access to data that helps identify which properties are likely to fall within the scope of the scheme. We have been successful in using data to identify landlords who have been avoiding mandatory and existing discretionary licensing scheme and we intend to build on this if new licensing schemes are designated.</p> <p>We agree that effective enforcement is essential to a successful licensing scheme</p>

	<p>for further enforcement. Research conducted by the Housing, Communities and Local Government Committee in April 2018 highlighted that Local Authorities on the whole rarely issue landlords and agents with penalties. Existing licensing schemes have demonstrated that only a small number of prosecutions ever occur, with 50 per cent of all prosecutions in 2016-17 coming from Newham Borough Council out of 33 boroughs with discretionary licensing across all of England.</p> <p>Consequently, the council would argue that the issue does not lie with existing legislation, rather the lack of enforcement. Local Authorities pinpoint lacking enforcement as a product of stretched resources. Although this should have been remedied with the introduction of the Housing and Planning Act 2016, many Local Authorities do not exercise their powers to bring additional resources into enforcement of the private rented sector.</p>	<p>date the council has issued 25 civil penalty fines and we will continue to use these powers to achieve our objective of providing a well regulated private rented sector.</p> <p>We have a targeted and proportionate approach to enforcement. Our current model is predominantly reactive which means that we rely on tenants to have the knowledge and confidence to report poor housing standards in the private rented sector to the council.</p> <p>Licensing provides a clear and transparent mechanism for regulating the private rented sector, identifying and taking a light touch approach towards good landlords who provide well maintained property so that the council can focus enforcement on non-compliant landlords. Broadening the scope of discretionary licensing will enable the council to use data to identify properties managed by landlords not complying with the law and subsequently more likely to have poor property conditions. The council can carry out inspections without giving notice to landlords where the council suspect an offence (such as operating an unlicensed HMO) is being committed.</p> <p>Collaborative working has been an integral part of our approach to tackling issues in the private rented sector for a number of</p>
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	<p>collaborative approach with letting agents, landlords and professional bodies to tackle issues within the private rented sector. This approach recognises and rewards landlords and agents that already adhere to good practice and enables local authorities to target their resources on effective intelligence-led enforcement.</p>	<p>years and we will continue to do so if irrespective of the proposal to extend licensing to other privately rented accommodation. The council recognises there are many landlords and letting agents that adhere to good practices. However, discretionary licensing is a necessary tool to target resources effectively to identify and tackle poorly managed properties and improve conditions in our highest risk areas of the private rented sector.</p>
Organisation representing landlords	<p>Totally opposed to any landlord licensing due to perceived adverse impact such schemes have on landlords, tenants and the housing market overall.</p> <p>It is impossible for landlords to address ASB concerns in their properties.</p> <p>Landlords will often evict a troublesome tenant as they fear risking an unintentional breach of the ASB conditions on a selective licence.</p> <p>Property licensing will increase homelessness and cause disruption to vulnerable persons.</p>	<p>We believe that discretionary licensing schemes are an effective method of improving conditions and management in privately rented Properties. A recent selective licensing review found that selective licensing schemes are effective provided they are properly resourced, targeted and joined up to other wider council initiatives.</p> <p>We have consulted with a number of other London boroughs with existing discretionary licensing schemes and the consensus has been that landlords have not expressed concern about being able to comply with ASB conditions on their licences.</p> <p>This is useful feedback. Our proposed conditions provide a staged approach for landlords to follow to help address ASB from tenants and visitors on the wider community. None of the London boroughs consulted have reported this to be an issue however we have noted this concern.</p> <p>Whilst we appreciate that this is a significant concern there appears to be no evidence to support this assertion. Clearly homelessness has increased in the past few years, but evidence suggests wider economic, health and welfare</p>

	<p>Believe that compliant landlords will apply for licences and pass on the costs to the tenants via increased rents. Cites Nottingham as an example where city wide Selective Licensing allegedly has led to huge increase in rents.</p> <p>Rogue landlord/agents will ignore the new requirements.</p> <p>High levels of non-compliance within discretionary licensing schemes (in recent Safeguard survey) and believe there is little evidence that standards are raised.</p> <p>Need to make reference to tacit consent and processing times on its website and applications (The Provision of Services Regulations 2009; Regulation 19)</p>	<p>factors are key drivers and that it is not possible to single out the introduction of selective licensing schemes as a causal factor.</p> <p>The responses from other London boroughs suggest any rental increases as a result of the introduction of discretionary licensing schemes have been negligible. As an illustration the licence fee for 1 bedroom in a licensable HMO would be £288 and the licence fee for selective licence would be £500. Over 5 years this amounts to £58 and £100 per year respectively. Economic pressures and low supply/high demand have been cited as having a much greater effect on rents.</p> <p>We will continue to make use of targeted, intelligence led investigations against landlords and agents who do not apply for licences supported by the use of robust enforcement powers (prosecutions and civil penalty notices.)</p> <p>A recent review commissioned by the Ministry of Housing, Communities and Local Government on the use and effectiveness of selective licensing found selective licensing to be effective provided certain conditions were met.</p> <p>Furthermore, compliance rates for properties within the private rented sector in Islington under the existing Additional licensing scheme compare favourably to other London boroughs.</p> <p>We are committed to publishing processing times on our website and on all relevant literature and making it clear that tacit consent does apply.</p>
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	<p>Suggests the council have not taken into consideration the amount of informal action that councils and landlords engage in.</p> <p>With licensing schemes, the focus is often on processing and not enforcement.</p> <p>Prosecutions are taken for landlords/agents not licensing as opposed to for poor standards and conditions.</p> <p>The council already has the tools to deal with poor housing.</p> <p>Licensing schemes are bureaucratic.</p> <p>The consultation document referred to decent homes standards in as opposed to the housing health and safety rating standard.</p>	<p>Whilst the council recognises and appreciates the work carried out by landlords and agents following council interventions it was recognises that there are many properties in the private rented sector which go under the radar and are in need of intervention. This is addressed in an earlier response above. If the licensing schemes are approved the council commits to minimising resources used to process applications by investing in automated application processing software and directing resources towards monitoring and enforcement and dealing with unlicensed and rogue landlords.</p> <p>Our enforcement policy is to take a targeted and proportionate approach to enforcement with the most serious offences that expose tenants to health and safety risks resulting in prosecutions.</p> <p>Whilst we have a wide range of enforcement tools our current model of operation is predominantly reactive. This approach leaves many tenants exposed to poor conditions and management out of fear of complaining or lack of awareness of their rights. The introduction of the licensing schemes aims to address this imbalance.</p> <p>The council intends to invest in new on line application software which will simplify the application process for landlords and agents.</p> <p>The council's property licensing consultation included data from the English Housing Survey (EHS) which recorded data against the decent homes standard. Although this standard is not used by local authorities regulating the private rented sector the EHS, as a</p>
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	<p>Supportive of self-regulation i.e. compliant landlords and agents may join a co-registration scheme which deals with complaints and standards whilst the council continues to deal with the landlords/agents who do not apply.</p> <p>Wants a council tax registration process to identify which properties are within the private rented sector.</p>	<p>government commissioned national survey, provides a highly reliable source of data.</p> <p>We do not believe a co-registration scheme is a viable option due to the potential for bias; conflict of interest; being resource intensive and deflecting resources away from identifying and tackling poor housing conditions.</p> <p>A council tax registration system would require legislation to become mandatory. Central Government has provided councils with the opportunity to introduce discretionary licensing schemes which have the potential to achieve the same objective.</p>
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	<p>Supports existing scheme (Holloway and Caledonian Roads) - fair and balanced approach. Suggests targeted and evidence based approach, not borough wide and supportive of selective licensing as just one ward.</p> <p>Set up a stakeholder group to include interested parties, including agents, to share info and discuss issues.</p> <p>Wants clarity on whether the council will inspect Selective Licensing properties. (Section 4 of the Selective Licensing of Houses (Additional Conditions) (England) Order 2015)</p>	<p>As evidenced in our consultation document proposing a borough wide HMO licensing and selective licensing in Finsbury Park is a targeted and evidence based approach</p> <p>We are in the process of reviewing our Landlords Forum and welcome the suggestion to realign our approach to meet the needs of a wider group of interested parties and agents.</p> <p>We will inspect all selective licenced properties at least once during the 5-year licence period.</p>
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<p>Organisation accrediting lettings and managing agents</p>	<p>Concerned that some converted buildings may be safe but are treated as S257 HMOs as they were converted pre 1992.</p> <p>Suggests that for pre 1/6/1992 conversions the council should get an expert opinion to prove that the conversion does not meet Building Regulation standards. Suggest this would be difficult to prove and therefore evidence of a breach would be difficult to get.</p> <p>Concerned that for some converted buildings the mix of tenures varies with time taking the building in and out of being a S257 unintentionally.</p> <p>Suggest that the council only licence S257s where there is one freehold or where the building is poorly converted and all flats are rented.</p> <p>Suggests the council only cover where number of flats exceeds the number of storey's in the building.</p> <p>Would like the application process to be efficient and streamlined? Would like the IT to be ready before the launch of the schemes. and landlords/agents test any new licence application system prior to launch.</p> <p>Likes the discounts the council propose but suggests extending to other accreditation schemes or where the managing agent is</p>	<p>This is very helpful feedback and we recognise the wide range of issues regarding the regulation of s257 HMOs.</p> <p>Going forward we have decided to amend our proposal to only include s257 HMOs in the licensing scheme which are tenanted under and under one ownership.</p> <p>Tenant properties in S257 HMOS in Finsbury Park wards would require a selective licensing</p> <p>We believe that this is a proportionate risk based approach to using regulation to safeguard tenants living in this type of accommodation</p> <p>An efficient on line application process will be available before the launch of the scheme. The on line application software is already used by landlords operating in other London Boroughs</p> <p>Discounts will be applied to any landlord or agent who is a member of any recognised accreditation scheme.</p>
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	<p>Cites Section 4 of the Selective Licensing of Houses (Additional Conditions) (England) Order 2015 which requires the council to undertake a significant number of HHSRS inspections.</p> <p>Suggests the introduction of an early bird discount to boost the number of applications received.</p> <p>Opposed to the council issuing 1 year licences to landlords/agents who do not apply within 3 months of the launch of the scheme. Believes this is not enough time to reach all agents and landlords.</p> <p>Provide an effective communication strategy before the launch of the scheme particularly outside of borough.</p> <p>Refers to low levels of compliance within discretionary licensing schemes reported in their own survey.</p> <p>One set of conditions for additional and selective does not work. as some conditions are geared to HMOs</p> <p>Issues and comments regarding specific licence conditions?</p> <p>Flexibility to either display documentation or have it in a pack.</p> <p>Provide clear standards are not set in stone and there will be a degree of flexibility case by case.</p> <p>Vary bedroom sizes where there is living room and kitchen and what size the living room should be.</p> <p>FD30 on a kitchen is too high and exceeds the LACORS guidelines for low numbers of sharers.</p>	<p>Properties with a selective licence will be inspected at least once during the 5-year licence period for compliance with licence conditions and the housing health and safety rating standard.</p> <p>We have considered an early bird discount scheme but this measure has not achieved the intended objective in other schemes</p> <p>We have reviewed our proposals and we will not be pursuing this approach. One year licences will only be issued in exceptional circumstances where there is a history of poor property management</p> <p>We agree that there should be an effective communications strategy before the launch of any licensing scheme</p> <p>The report provided interesting reading and has helped to inform our implementation plan should the licensing schemes go ahead.</p> <p>We agree we are now proposing separate conditions for HMO and Selective Licensing</p> <p>We have reviewed these comments and amended the conditions accordingly.</p> <p>This option was specified in the proposed conditions</p> <p>We agree and our conditions and standards have been amended accordingly</p> <p>There is scope to amend the standards on a case by case basis</p> <p>We agree and our HMO standards have been amended to reflect LACORS standards</p>
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	<p>It is unusual to insist on a separate WC and bathroom where there are 5 tenants (Says this is normally where 6 or more.)</p> <p>The council cannot dictate on Selective Licensing numbers per room and who goes where only total number permitted.</p> <p>The council referred to the Decent Homes standard please remove.</p> <p>The council don't consider properties where the kitchens are let unfurnished i.e. no white goods.</p> <p>Service standards to be provided on times and processing.</p> <p>The scheme needs to be properly resourced with effective enforcement of rogue landlords/agents.</p> <p>Compliant landlords/agents will apply and the rogue landlords/agents will evade licensing requirements if there is no enforcement.</p> <p>Wants the council to engage with landlords and agents to improve private rented sector.</p>	<p>Schedule 3 section 2(1) of the Licensing of HMOs (Miscellaneous Provisions) (England) regulations 2006 requires the provision of a separate WC and wash hand basin for every 5 sharers and at least one bathroom (which may contain a toilet)</p> <p>We agree and the selective licensing conditions will only provide a permitted number of persons for the whole property based on the room standards.</p> <p>This issue is a duplicate comment and addressed elsewhere in this section.</p> <p>Following consideration of the responses received, the council have removed the proposed standards for Selective licensing (with the exception of minimum room sizes) referred to in Appendix 4 in the Consultation document.</p> <p>This is a duplicate comment and has been addressed elsewhere in this section</p> <p>This is a duplicate comment and has been addressed elsewhere in this section</p> <p>This is a duplicate comment and has been addressed elsewhere in this section</p> <p>Islington council will always try to work with landlords and agents to improve the condition and management of properties within the private rented sector.</p>
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Landlord	<p>The council have not shown that the problems within HMOs relate to small HMOs (3-4 persons sharing but effectively living like a single family) and therefore the council justify including this type of HMO within the proposed scheme.</p> <p>Making smaller shared house properties licensable to stop landlords reducing numbers to "avoid" licensing and its requirements is not an adequate reason to extend licensing to this type of property.</p> <p>Questions why a group of 3-4 sharers needs more protection than a single family.</p> <p>Believes the Regulatory Reform (Fire Safety) Order 2005 does not apply to a group of 3-4 sharers.</p> <p>Feels the council are not clear in stating the fee is per letting.</p> <p>The proposed fee is excessive for the perceived amount of time it takes to process and inspect, the proposed schemes represent over-regulation and the penalties are too high.</p>	<p>The evidence to support the proposal to introduce a borough wide additional licencing scheme is contained in the consultation document.</p> <p>The recommendation to licence smaller HMOs is based on significant levels of poor property management and disrepair in this sector. Some landlords may look for opportunities to avoid licensing but this is not a factor proposing a licensing scheme</p> <p>The level of risk to the health and safety of tenants living in an HMO I HMO is greater than in a single family property. Local authorities been given legal powers to reduce these risks through licensing</p> <p>HMOs (as set out in Section 258 of the Housing Act 2004) includes a group of persons sharing who are not related to each other. Therefore, a property with a group of sharers (even if they are under 1 tenancy) does not meet the definition of a single private dwelling and therefore the RR(FS) Order 2005 applies.</p> <p>We have amended our fees policy to refer to bedrooms rather than lettings.</p> <p>These issues have been raised by other respondents and are addressed elsewhere in this section.</p> <p>Licensing helps private tenants living in poor conditions who do seek assistance from the council out of fear of retaliatory action from the landlord or lack of awareness of their rights.</p>
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	<p>Does not want fees to be used to support inefficiency, or be used for purposes other than property licensing.</p> <p>Concerned that some of the information in the tenancy agreement and references is private and the council does not have a legitimate reason to request this.</p> <p>Concerned over the inclusion of ASB conditions, waste conditions, maintenance requirements for gas and electrical installations, provision of signage and paperwork in common parts, the wording of the condition on protecting tenancy deposits and the level of fire protection required within premises.</p> <p>Believes conditions requiring the regular servicing of fire safety equipment is unnecessary and will discourage its provision.</p>	<p>Licensing fees are ring fenced and therefore cannot be used for any other purpose than property licensing. Details of how we intend to operate the scheme are addressed elsewhere in this section.</p> <p>Any information requested through licensing meets the requirements of data protection legislation.</p> <p>We have made a number of changes to the proposed licence conditions to reflect the feedback received including providing separate conditions for selective and additional HMO licences.</p> <p>Where fire safety measures are provided they should adequately maintained</p>
Tenant	<p>The proposals to licence 3 and 4 person HMOs will restrict the supply of suitable properties for 3 people looking to share.</p> <p>These proposals are discriminatory as a single family property can have any number of occupiers as well as disrepair without requiring a licence whereas properties of more than one household with the same number of occupiers require a licence.</p> <p>Younger generations of hard working people can't rent socially (ineligible) but now have less places</p>	<p>There no anecdotal evidence from other local authorities that additional licensing schemes restrict the supply of properties suitable for 3 and 4 persons.</p> <p>The council's current proposal is to licence all privately rented properties in the Finsbury Park ward only. This proposal is based on the current evidence of conditions in the private sector being particularly of concern in this ward.</p> <p>As HMOs are evenly spread across the borough it is expected the new scheme will deliver further significant improvements to 3 and 4-person HMO accommodation.</p> <p>The council shares your concerns and is committed to increasing the supply of good quality affordable</p>

	<p>available within a reasonable commute due to additional licensing and if they rent as a couple or 2 people it is really expensive meaning they can't then save to buy. Fears this will lead to polarisation (rich private rented sector landlords and tenants and poor social renters with no middle ground.)</p>	<p>housing in Islington. It believes that licensing schemes covering privately rented properties will help to achieve this objective.</p>
Landlord	<p>Would like to see purpose built blocks constructed after a certain date excluded from property licensing.</p> <p>Selective Licensing to be applied in a 'granular' as opposed to 'blanket' manner.</p> <p>Additional Licensing to be 'hard' for multi floor, period conversion and 'light' for purpose built 3 persons (with fees varied to reflect this.) Wants the council to take a targeted approach to licensing based on where the poor conversions and deprivation is. Believes the council have evidence to do this.</p> <p>The council should address the unlicensed mandatory HMOs and HMOs covered by the existing Additional licensing scheme first before massively expanding. Says that resources will not be directed where they need to be and that the</p>	<p>Common parts within all purpose-built blocks are exempt from property licensing as they fall outside the definition of an HMO (S257 of the Housing Act 2004 only covers buildings that have been converted into flats.) The flats themselves are not necessarily constructed with a particular tenure in mind (e.g. owner occupied, privately rented or social sector) and can easily be switched. Therefore, the criteria for inclusion within the designation for additional licensing has been based on the number of occupiers (3 or more) and the fact that they are unrelated and sharing facilities.</p> <p>As explained in the consultation document the proposal to designate a selective licensing scheme in Finsbury Park ward is an evidence based decision.</p> <p>The Housing Act 2004 does not permit Local Authorities to make this type of distinction when designating licensing schemes</p> <p>We agree with these views. The existing additional licencing scheme is due to end in September 2020 our proposal is to extend the benefits of licensing HMOs to all parts of the borough</p>

	<p>properties where an application was not received are likely to be the higher risk ones.</p> <p>The statistic used to justify the introduction of a borough wide Additional licensing scheme are unsound and based on a biased sample (the HMOs that the council have had involvement with include licensed HMOs both mandatory and under the existing Additional licensing scheme and HMOs where a complaint has been received.)</p>	<p>as well as all privately rented property in Finsbury Park</p> <p>The council takes a robust approach to dealing with unlicensed mandatory HMOs.</p> <p>Thank you for your comments but the evidence, and feedback from tenants and stakeholders, indicates that extending additional licensing of HMOs to all areas of the borough is justified</p>
Licence holder	<p>It is already costly being a landlord and proposes being able to pay the licence fee in instalments.</p>	<p>We have kept the cost of applying for a licence at 2018 levels. We also propose to introduce the payment of fees in two instalments – part 1 fee will be paid on application and part 2 will become payable when the council is ready to issue the draft licence.</p>
	<p>The council provides a paid service where they can help landlords meet standards (via a consultation fee.)</p>	<p>We currently, and will continue to offer a paid for assisted application process.</p> <p>We also provide free advice on complying with legislation and standards by email, phone and on site to agents and landlords on request.</p>
	<p>Suggests a scheme where landlords can access competent trades people</p>	<p>We recommend landlords use existing schemes such as Check a Trade, Rated People and Trading Standards-run Buy with Confidence.</p>
	<p>Would like to see the council give incentives to landlords for licensing e.g. fast track council tenants needing family accommodation.</p>	<p>Our Housing Needs Service welcomes working with landlords that are willing to provide housing for families on the housing waiting list.</p> <p>The selective licensing conditions requires licence holders to request</p>

	<p>HMO tenants in smaller house shares have tended to behave in a responsible manner and would like to know the council's position on referencing for tenants.</p> <p>Thinks the council will end up with corporate landlords being predominant due to tax changes making it harder on smaller landlords.</p>	<p>references for new tenants. There is no equivalent condition for properties subject to HMO licensing.</p> <p>This issue is beyond the scope of the licensing scheme as the housing market is affected by many additional factors.</p>
Landlord	<p>The council already has the tools to tackle poor housing managing and conditions.</p> <p>Property licensing will alienate the good landlords whilst failing to address the criminal landlords who won't come forward and apply for licences.</p> <p>Compliant landlords will apply for licences and pass on the costs to the tenants via increased rents.</p> <p>Questions the evidence that the existing Additional licensing scheme (Holloway and Caledonian Roads) has improved conditions.</p> <p>Sceptical about how the council will improve living conditions via licensing and believes some money will go to other council depts. as opposed to dealing with high risk properties.</p> <p>The council doesn't use information available to it now and licensing won't make a difference.</p>	<p>These comments have been raised by other respondents and are addressed elsewhere in this section.</p> <p>Under the existing Additional licences covering Holloway Road and Caledonian Road the council have identified 109 Category 1 hazards and 294 Category 2 hazards, served 47 enforcement notices and made use of licence conditions to resolve numerous other management and disrepair issues.</p> <p>Income generated from licensing is ring fenced and by law it must be spent on monitoring and implementing the licensing scheme.</p> <p>The issue of using data effectively and the benefits of licensing have been addressed in the consultation document and summarised elsewhere in this section.</p>
Landlord	<p>Supports proposals for additional licensing as there are many bad landlords but believes the proposals are unfair as 'good' and 'bad' landlords will all be treated the</p>	<p>This issue has been addressed elsewhere in this section however to summarise the intention is offer discounted licence fees for accredited landlords, lighter touch approach to inspecting and</p>

	<p>same. Wants recognition for the compliant landlords.</p> <p>Understands the need for Selective Licensing due to the number of complaints and prevalence of bad landlords, however queries the logic of inspecting well run properties in high end flats.</p> <p>Suggests Selective Licensing should be applied where the council have received a complaint and free (or greatly discounted) voluntary registration should be made available with those who do not register being subject to licensing and charged the full fee.</p> <p>Opposed to Selective Licensing -will target the good and lead to loss of supply, queries why necessary and suggests the council look closely at what tenure the complaint in Finsbury Park relate to e.g. LBI freehold or not.</p> <p>Asked if a couple could be accommodated in a marginally undersized bedroom if it meant the loss of a living room.</p> <p>Proposed that landlord pays a fee and if property is good no further action is taken but if it is not then action is taken.</p>	<p>monitoring premises operated by landlords who do the right thing and treat tenants fairly. A strong enforcement approach will be reserved for landlords who provide poor housing conditions and rogue landlords.</p> <p>Inspections will be prioritised on the basis of risk and will be a light touch approach to inspecting well run high end flats</p> <p>The council will continue to offer discounts to accredited landlords and the non-compliant landlords are more likely to receive a reduced term licence and enforcement action to help ensure an advantage to being compliant.</p> <p>The experience of other local authorities is that there is no evidence to suggest that the supply of accommodation for 3 persons has reduced following the introduction of borough wide Additional licensing schemes A recent selective licensing review found that selective licensing schemes are effective provided they are properly resourced, targeted and joined up to other wider council initiative.</p> <p>We will consider each application on its merits and may vary the standard if there are reason to do so e.g. sufficiently large living room, sufficient amenities and storage facilities elsewhere.</p> <p>This is the procedure that the council follows for property licensing.</p>
Landlord	Publish details of Finsbury Park having highest number of complaints from renters.	This information is contained within the council's Consultation document.

	<p>Enforcement action to be targeted and risk based.</p> <p>Selective Licensing improves standards but leads to increases in rent and homelessness.</p> <p>Concern over ASB conditions (says landlord has no control over/no ability to improve/no ability to provide a remedy for these)</p> <p>Concern over landlords failing to meet the Fit and Proper test.</p> <p>Would like to see more understanding of the causes of ASB in Finsbury Park (i.e. is it due to the station, football, neglect, the Andover estate, being on boundaries.) Does not believe it is due to properties being in Private Rented Sector. Believes most crime and ASB in Finsbury Park occur outside the station and on the housing estates and that Selective Licensing won't address this.</p>	<p>As stated above enforcement action will be targeted and risk based</p> <p>This issue has been raised by other landlords and considered above</p> <p>This issue has been raised by other landlords and considered above</p> <p>Where a landlord fails to meet the 'fit and proper' criteria they may nominate another person to be the licence holder</p> <p>The council works with numerous stakeholders and neighbouring boroughs to identify and tackle antisocial behaviour in Finsbury Park ward. Ensuring that landlords have adequate arrangements in place for responding to any antisocial behaviour by private tenants and their visitors will contribute to the overall strategy for Finsbury Park</p>
Local agent	<p>Claims the fees are too high.</p> <p>Is it ok to accept applications from agents when the property owner holds the money for the repairs?</p>	<p>The proposed licence fees are average for London boroughs.</p> <p>We can accept an applications from the agent provided declarations signed by both the agent and the property owner are provided.</p>
Landlord /agent	<p>Expressed concern that the compliant landlords will be paying for the enforcement against non-compliant landlords.</p> <p>What happens where a licence holder decides they want to vary a property licence from Selective to Additional</p>	<p>Monitoring and enforcing compliance with licensing is met by licence fees. Other enforcement activity, including prosecutions against rogue landlords is funded separately by the council</p> <p>If a licence holder decides they want to do this, then the council will vary the licence and charge a fee that is the equivalent of the</p>

	<p>NLA members should qualify for the discount that LLAS currently receive.</p> <p>The use of word 'letting' in connection with fees and HMO licences is misleading.</p> <p>Wanted to know whether the council will be able to deal with a possible increase in ASB complaints from members of the public once they become aware that the council can address ASB through property licensing.</p> <p>Wanted to know if the council could overlook reference requirement on selective licences for council tenants (as the landlord is already taking the risk by taking persons in receipt of benefit payment)</p> <p>Wanted to know if Housing Benefits payment covering rent be stopped for unlicensed HMOs to encourage compliance?</p> <p>Wanted to know what the maximum time between payment of Part I and Part II of a property licence would be</p>	<p>difference between cost of an Additional and Selective licence.</p> <p>We agree and the discounted fee will be extended to make it available to members of all recognised accreditation schemes including NLA</p> <p>We agree term and we propose to amend the approach and charge HMO licence fees on the number of bedrooms provided by the landlord.</p> <p>We have considered this comment and we are confident that we have the ability to handle an increase in calls and complaints concerning ASB in Finsbury Park</p> <p>Schedule 4 of the Housing Act requires selective licenses to include conditions requiring the licence holder to require references from persons who wish to occupy the property. The council will however consider a deviation from this requirement provided they are satisfied that the landlord/agent has the appropriate level of expertise and management skills.</p> <p>As long as there is an ongoing liability to pay rent, Housing Benefit entitlement would continue to be paid and cannot be stopped due to the property being unlicensed.</p> <p>Part I of the licence fee is paid upon application and Part II is taken prior to the issue of the draft licence (i.e. at the point when the council determines that it can accept the application.)</p>
Landlord	Wants to know if licensing needs to be secured for properties already	Should property licensing come into force then all properties within

	under a tenancy agreement if/when property licensing comes into effect.	the criteria of the declaration will need to be licensed.
Housing Association tenant	Reports widespread issues with disrepair and poor management within housing association properties.	Housing association tenants should report any issues with disrepair their properties to the Housing association itself in the first instance. Should this fail to resolve the issue then the issue can be reported to ward councillors, the local MP and/or the Housing ombudsman.
Landlord	Opposed to proposal as they believe they will need to apply for a new licence prior to the expiry of his existing licence in 2022	The existing Additional licensing scheme comes to an end on 1/9/2020. All licences that have been issued under this scheme will continue until their expiry date. Upon expiry of these licences, an application for a new licence (under the proposed new scheme) will be required.
Landlord	<p>Concern over bedroom sizes (whether certain bedrooms can be used.) Ex-council flat 2 small rooms, 2 large ones). Feels it would be unfair if they can't use the smaller rooms when an identical flat in its original use (as a council flat) can be used.</p> <p>Concerned that a lot of bedrooms within ex-council properties will be too small due to their design and age of construction.</p> <p>Believes it is unfair to have lower room sizes for selective licences (single households) than additional licences (HMOs)</p>	<p>The council is aware of a number of ex local authority flats that were originally intended to accommodate a family (with the smaller rooms being used as children's bedrooms) are now let as HMOs. The council is of the view that smaller bedrooms are not suitable for use in an HMO as an adult sharing facilities is likely to need more space than a child and may not have access (or feel comfortable) storing their possessions in the common areas such as the living room.</p> <p>The council recognise that this will be the case in many properties from a certain era and tenure but overcrowding is also an issue within the private rented sector which carries risks to health and wellbeing.</p> <p>In response to consultation feedback we have removed the room size standards for selectively licence properties and the legal minimum requirements s will apply. We believe that higher standards for room sizes over and</p>

	<p>Concerned that the council issue licence for 3 persons but they still have to pay service charge for 4 this would be unfair and landlords may refuse to pay.</p>	<p>above the legal minimum can be justified for HMOs.</p> <p>This is beyond the scope of the schemes.</p>
Voluntary organisation (tenants)	<p>Wanted to know if and when the council inspects properties and whether it acts on complaints when deciding what to licence, permitted numbers and level of risk.</p> <p>Camden council issue a temporary licence prior to the full licence.</p> <p>Conditions in properties covered by HMO exemptions (due to being flats within purpose built blocks) are bad e.g. Andover estate.</p>	<p>We undertake a risk based approach to planned licence property inspections. We also respond to complaints. The decision on whether to licence a property and the permitted numbers of occupants is based on amenities and space standards. Disrepair will be addressed as part of the inspection process.</p> <p>This is a legal requirement and the same process operates in Islington.</p> <p>The additional licensing designation includes HMOs currently exempt from licensing and will close this loophole.</p>
Landlord	<p>ASB, crime and housing problems are within the social sector not the private sector.</p> <p>Accepting of property licensing but is concerned that the council might ignore the problem in the social sector.</p>	<p>Evidence and feedback from stakeholders, partners and residents suggest that ASB, crime and housing problems are prevalent across all tenures.</p> <p>We have arrangements in place for social housing providers and the council to work together on a wide range of issues facing tenants in the social sector</p>

Section 3 Themes emerging from consultation questionnaire

Questions 10 and 14 of the on line feedback form invited comments from respondents. This section summarises emerging themes and the number of times a specific theme was raised.

The comments submitted in questions 10 and 14 have been considered and the council response is covered in section 2 above.

Question 10 – Comments on proposed fees

Theme	Times mentioned
The fees are too high/Property licensing is a money making scheme/way of covering council costs/stealth tax/should be covered by council tax	24
The introduction of Property licensing schemes will lead to an increase in rents	14
Supportive of council intervention/broadly supportive (some concerns e.g. time and cost of evicting tenants who are in arrears and/or causing major damage, landlords must receive a service for paying the fee)	11
Discounted fees should be made available (e.g. to members of all recognised accreditation schemes, to landlords if they comply or offer the council regular access to their property, on the basis of the number of properties a landlord owns)	9
Property licensing doesn't work/won't resolve the issue of bad landlords and problem tenants (e.g. non-compliant landlords won't apply, housing conditions won't be improved)	5
The introduction of Property licensing schemes will lead to a decrease in the supply of rental properties (due to increased operating costs for landlords)	4
Fees should be set high to improve conditions, fund robust enforcement against poor conditions and non-compliance and to deter landlords from purchasing lots of properties	4
The council has and should use existing legislation to deal with poor housing and conditions	4
Non-compliant landlords won't apply and won't be dealt with	4
Would like to see the introduction of rental controls/caps	3
Communication from agents is poor	2
Properties should be licensed when landlords fail to carry out repairs	2
RSLs should be licensed	2
The introduction of Property licensing will lead to an increase in homelessness	2
Landlords will have to pay a fee every time a new tenant moves in	2
Opposed to Property licensing (believes it is unreasonable, not justified, should not include S257s)	2
Licence conditions are sometimes unreasonable and impractical in some cases (cites where work needed to external structure of a leasehold flat or property is in Conservation area)	2
Accreditation schemes are a waste of time and accredited landlords don't merit a reduction in fees as membership is based on payment of a fee and not professionalism or expertise	2
Bad landlords should be fined/punished and good landlords treated fairly	2
Conditions within single occupancy properties can be just as bad as within HMOs therefore all properties should be licensed	1
Although minimum room size are reasonable the nature of Islington's housing stock might cause some issues	1
A nationalised database of all rented property (with access for landlords and tenants) and consequences for non-compliance with certain requirements would be better than Property licensing	1
Property licensing should only be applied where an area is deemed to have a problem	1

Critical of existing Additional licensing scheme (cites confusing over which properties were covered, application form, lack of staffing/resources, lack of planning)	1
Will the amount of Housing Benefit paid to private landlords in Finsbury Park be increased to cover any increases in operating costs arising from Property licensing?	1
Offering discounts to accredited landlords is discriminatory and therefore unlawful	1
Licensing is unnecessary as tenants can take own legal action against landlords	1
3 Tenants is too low a starting point (it encourages tenants to not name people on tenancy agreements and will lead to evictions to avoid licensing)	1
The council need to address disrepair and management issues within their own stock first before making private landlords do this	1
Good landlords will end up paying for other peoples bad property management	1
Property licensing should be targeted and not Borough wide	1
The council should charge tenants a fee to support them in taking action against bad landlords as opposed to charging landlords to licence their properties	1
A voluntary registration scheme should be made available to landlords with no policing of privately rented properties in the scheme by councils	1
The council lacks the resources or expertise to adequately address the disrepair and management issues in the sector	1
The council's property licensing standards are too high	1
The council's fee structure and processing timetable are not clear	1

Question 14: Comments regarding either the proposed borough-wide HMO Licensing scheme or Selective Licensing scheme for Finsbury Park.

Theme	Times mentioned
Supportive of council intervention/broadly supportive but have some concerns (e.g. enforcement should be targeted to areas with ASB issues, problems with housing conditions, areas where the bad conditions need to be identified etc.)	26
The introduction of Property licensing schemes will lead to an increase in rents	19
The council has and should use existing legislation to deal with bad landlords/ ASB and housing issues	13
The introduction of Property licensing schemes will lead to a decrease in the supply of rental properties (via landlords selling or rooms being deemed undersized)	12
Property licensing is a money making scheme/way of funding council enforcement activities	11
Property licensing will tax/penalise/unfairly treat the compliant landlords/agents	10
Opposed to ASB conditions (cites right to quiet enjoyment, lack of ability of landlord to monitor or change the tenant's behaviour and to gain access, eviction of problem tenants shifts the issue elsewhere)	9
Property licensing doesn't work/won't resolve the issue of bad landlords and problem tenants (e.g. non-compliant landlords won't apply)	9
Certain conditions on property licences are problematic (e.g. excessive, prescriptive, intrusive, costly difficult to comply with, unrealistic)	8
Proposes exemption from Property Licensing for certain properties (new build, S257 HMOs, properties recently converted from commercial or industrial usage, agent managed properties, friends sharing under a single tenancy, adequately sized rooms for the number of occupiers)	7
Property licensing wastes resources (time is spent processing applications and prosecuting landlords for failing to licence as opposed to enforcing and prosecuting against bad conditions)	7
All tenants deserve fairness (e.g. universal access to basic standards of accommodation, minimum room sizes, stability, longer tenancy agreements, awareness of their rights and who to complain to, confidence to report bad conditions)	7
5 is reasonable threshold number for licensing but 3 is too low and will affect friends and couples being able to find properties to rent	6
There currently are no reasons to justify the introduction of Property licensing schemes/the schemes will serve no purpose/have limited benefit	5
The non-compliant landlords need targeting	5
Would like to see the introduction of rental controls/caps	4
The council need to address disrepair and management issues within their own stock first before making private landlords do this	4
Supportive of Borough wide selective licensing but only where certain things are taken into account	3
Property licensing will lead to an increase in evictions and homelessness (affecting women and vulnerable groups disproportionately)	3

ASB and crime are due to other factors/groups of people (as opposed to tenants in the private rented sector)	3
Property licensing will harm properties aesthetically (e.g. emergency lighting, fire doors, signage etc. will make properties feel less like a home)	2
Property licensing should be done on a case by case basis	2
Identity checks should be carried out to establish who the rogue landlords are	2
Criminal activity and ASB is high in Finsbury Park due to it being a transport hub as well as certain unscrupulous landlords and high proportions of properties in a poor condition	2
There is no evidence that Selective licensing can reduce ASB	2
The same standards should apply to HMOs and single occupancy properties alike	2
Landlords need to be made accountable (e.g. Code of conduct for landlords)	2
Landlords will underreport the numbers of tenants on licence applications	1
There is no mention of energy efficiency (Property licensing offers an opportunity to ensure landlords comply with Minimum Energy Efficiency Standards)	1
A nationalised database of all rented property (with access for landlords and tenants) and consequences for non-compliance with certain requirements would be better than Property licensing	1
Critical of existing Additional licensing scheme (cites confusion over which properties were covered, application form, lack of staffing/resources, lack of planning)	1
The council needs to make it clear whether tacit consent applies and that the fees consist of 2 components	1

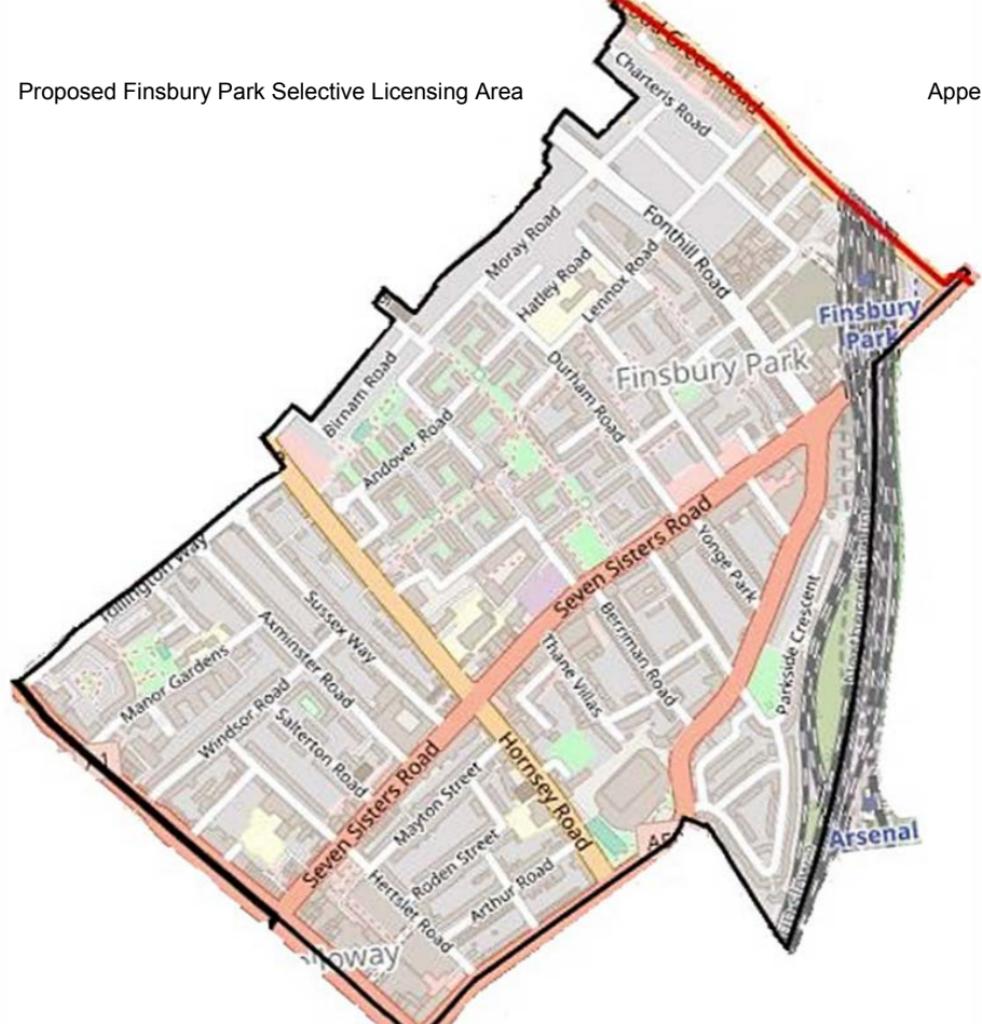
Section 4 Summary of changes made as a result of consultation feedback

Consultation feedback	Changes that will be made if the licensing schemes are approved
The council need to make reference to tacit consent and processing times on its website and applications (The Provision of Services Regulations 2009; Regulation 19)	We will publishing clear processing times on our website and we will make it clear that tacit consent applies.
A Property licensing stakeholder group should be set up to include interested parties including landlord and agents to share information and discuss issues	We are in the process of reviewing our Landlords Forum and we will take up this suggestion to realign our approach to meet the needs of a wider group of interested parties and agents.
The discounts the council has proposed for ATLAS members are good but should be extended to landlords and agents who are members of other accreditation schemes	The discounted fee will have been extended to make it available to members of any recognised accreditation scheme such as ARLA, NLA, RLA etc. Furthermore, members of equivalent regional accreditation scheme (outside of London) also qualify. For more information please see https://www.anuk.org.uk/schemes-near-you#
Issuing 1 year licences to landlords/agents who do not apply within 3 months of the launch of the scheme is unfair as this is not enough time to reach all agents and landlords	We will not be pursing this approach. A one year licences will only be issued in exceptional circumstances, for example where there is a history of poor property management and we are not confident that the current licence holder has the ability to maintain standards over a 5 year licence period.
One set of conditions for additional and selective does not work. as some conditions are geared to HMOs	We are recommending one set of conditions for HMO licences and a separate set of conditions for selective licences.
Having a FD30 fire door on a kitchen is too high and exceeds the LACORS guidelines for low numbers of sharers.	This requirement has been removed
The council haven't considered properties where the kitchens are let unfurnished in the proposed Selective licensing standards i.e. no white goods have been provided	The proposed standards for properties subject to selective licensing have been withdrawn and we are not introducing revised standards.
The word 'letting' in connection with fees and HMO licences is misleading	We have amended our proposal and s254 HMO licence fees will be based on the number of bedrooms in the HMO.
Landlords will need to apply for a new licence prior to the expiry of their current licences under the existing Additional licensing scheme in place on Holloway Road and Caledonian Road	We have amended our proposal and the existing additional 5-year licensing scheme covering HMOs in Caledonian Road and Holloway Road will not be revoked and it will end on 1 September 2020 as originally planned.

	<p>All licences that have been issued under this scheme will continue until their expiry date and our enforcement policy will be amended to reflect this.</p> <p>Upon expiry of these licences, an application for a new licence (under the proposed new scheme) will be required.</p>
Licence Conditions and HMO standards	We have reviewed the licence conditions and HMO standards and made changes in response to consultation feedback
S257 HMOs	The proposal has been amended to only licence s257 HMOs that are tenanted and under the same ownership
Compliance and Monitoring	All licence properties will be inspected at least once during the 5-year licence period. Inspections will be prioritised on the basis of risk assessment.

Proposed Finsbury Park Selective Licensing Area

Appendix D



HMO Licence Conditions

Housing Act 2004 Section 67

1 Permitted Occupation

A new resident must not be permitted to occupy the house or any part of the house if that occupation:

- exceeds the maximum permitted number of persons for the house as detailed in the schedule of permitted occupation below
- exceeds the maximum permitted number of households for the house as detailed in the schedule of permitted occupation below
- exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation below
- A new resident means a person who was not an occupier of the house and/or the specific room at the date of the issue of the licence

2 Tenancy management

2.1 Provide all tenants with a written statement of the terms on which they occupy the property and the arrangements in place to deal with repairs and emergency issues.

2.2 Protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. Provide the tenant the prescribed information about the scheme being used at the time the deposit is taken.

2.3 Provide suitable emergency (including out of hours' response).and management arrangements

2.4 When requested provide the Council, in writing, details of the tenancy management arrangements that have been, or are to be, made to prevent or reduce anti-social behaviour by persons occupying or visiting the property.

2.5 Conduct an inspection of the property at least every 6 months to identify any problems relating to the condition and management of the property and check that common parts and external areas are free from waste. Keep a written record of the inspection specifying:

- the name of person conducting inspection
- date and time of inspection
- issues identified
- action taken

2.6 Take prompt action to address antisocial behaviour arising from the conduct of occupants or visitors to the property by complying with the following requirements:

- On receipt of a complaint of anti-social behaviour concerning a visitor or occupant of the property do not ignore nor fail to take action and take appropriate action to monitor the allegation.
- Inform the occupants in writing about any allegation of antisocial behaviour within 14 days of receipt and consequences of its continuation.
- Where the antisocial behaviour continues after 28 days from receipt of the complaint, visit the property within 7 days and issue a warning letter advising the behaviour is not acceptable, that they are responsible for the conduct of all occupants and visitors, the impact on the local community and the consequences of its continuation.
- Take formal steps under the written statement of terms for occupation if after 14 days of giving the warning letter the anti-social behaviour is unresolved
- Notify the appropriate authorities of antisocial behaviour suspected to involves criminal activity
- Keep a written record of any meetings, telephone conversations or investigations and copies of correspondence regarding antisocial behaviour for 3 years.
- Attend any case conferences or multiagency meetings arranged by the Council or Police upon request.

3 Property Management

3.1 Take appropriate steps to remedy any disrepair reported by occupants.

3.2 Take immediate action to deal with any pest problem or infestation at the property and ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs

3.3 Any gas installation and gas appliance shall be kept in a safe condition at all times. All work on gas appliances must be carried out by a Gas Safe registered engineer.

3.4. A current valid gas safety certificate from a Gas Safe registered engineer obtained within the last 12 months, or a Gas Safe Installation Certificate if the boiler was installed in the last 12 months shall be provided to the council annually

3.5 The electrical installation in the property shall be maintained in a safe condition. Where requested by the council provide, within 28 days, an electrical installation report issued by a competent person within the last 5 years.

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- 3.6 All electrical appliances made available by the licence holder shall be kept in a safe condition. Where requested by the council provide, within 28 day, a written declarations to the safety of such appliances
- 3.7 All furniture made available by the licence holder shall be kept in a safe condition. Where requested by the council, provide within 28 days, a written declaration as to the safety such furniture. All upholstered furniture, covers, fillings, cushions and pillows shall comply with current fire safety requirements.
- 3.8 Appropriate fire precaution facilities and equipment must be in place to protect the safety of the people on the premises and in the immediate vicinity. .
- 3.9 Install and maintain in good working order appropriate smoke alarms in the property in accordance with the LACORS Housing Fire Safety Guidance.
- 3.10 A smoke alarm shall be installed on each storey of the house (which includes half-landings) on which there is a room used wholly or partly as living accommodation.
- 3.11 Each smoke alarm installed in any room in the house shall be kept in proper working order.
- 3.12 Where requested by the council, provide a written declaration confirming the positioning and condition of smoke alarms
- 3.13 Maintain in good working order any fire-precaution facilities and equipment.
- 3.14 Where requested by the council provide within 28 days a copy of all inspection reports and test certificates for any automatic fire alarm system, emergency lighting and firefighting equipment provided in the property
- 3.15 Install a carbon monoxide alarm in any room in the property used wholly or partly as living accommodation (including a hall, landing bathroom or WC) and contains a solid fuel burning combustion appliance.
- 3.16 Any carbon monoxide alarm installed in any room in the property shall be kept in proper working order
- 3.17 Where requested by the council provide written statement, within 28 days, confirming the positioning and condition of any carbon monoxide alarms
- 3.18 Provide and maintain adequate security measures to prevent access by intruders and ensure that:
- The access to the property, such as locks, latches and entry systems are maintained in good working order at all times.
 - The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five lever security level.
 - Where window locks are fitted, the keys are provided to the relevant occupants.

- Where a burglar alarm is fitted to the property, the occupants are informed in writing about the circumstances under which the code for the alarm can be changed, and are given details on how this can be arranged.
 - Where previous occupants have not returned keys, the relevant locks will be changed prior to new occupants moving in.
- 3.19 Within 7 days of the start of occupation provide written information to all occupants on the arrangements for the storage and disposal of household recycling and waste. This information must be provided in a clear and easy to understand format which occupants can refer to
- 3.20 No refuse shall be kept in the front or rear garden other than in an approved storage container for that purpose. Old furniture, bedding, or rubbish from the property must not be left immediately outside the property nor on private land.
- 3.21 Carry out regular checks to ensure that occupants are complying with the storage, recycling and disposal of waste arrangements and warn occupants if they, or their visitors, are not using the waste and recycling facilities provided or are leaving waste outside the property.
- 3.22 Provide adequate facilities for storing, recycling and disposing waste for the number of occupants so that bags or loose refuse or waste for recycling are not stored outside the property. Ensure that these containers provide for the adequate separation of recyclable, garden (where applicable), food and residual waste.
- #### 4 **Documents to be displayed**
- 4.1 Either provide to all tenants at the start of the tenancy or display in the common parts of the property:
- a copy of the licence to which these conditions apply
 - a notice with the name, address and emergency contact number of the licence holder or managing agent for the property
 - a copy of the current gas safety certificate
 - a copy of a valid electrical inspection condition report
 - a copy of a valid portable appliance test certificate (PAT) covering all electrical appliances supplied within the HMO
 - a copy of a valid test certificate for the automatic fire alarm system (dated within the last 12 months)
 - a copy of a valid test certificate for the emergency lighting system (dated within the last 12 months)
 - an appropriate Energy Performance Certificate (EPC)

Note: Landlords cannot grant a new tenancy after 1 April 2018 where the EPC is band F or G. After 1 April 2020 landlords must not continue to let a let property where the EPC is band F or G.

5 Financial Management

- 5.1 No person other than the licence holder or the agent named on the licence may collect or receive rental monies from the occupants of the property. The licence holder and/or agent may pass on the rental monies to any third parties as required.
- 5.2 Where rents are collected or received from occupants, payment must be recorded and all occupants receive a receipt for the payment, unless the occupant is an assured shorthold tenant and pays their rent via bank standing order or direct debit. The licence holder must keep a copy of all such records and receipts and must provide the council with a copy of the same within 28 days of any request to inspect them.

6 Material change of circumstances

- 6.1 The Licence Holder must inform the Authority within 21 working days of any material changes in their own circumstances and, within 21 days of becoming aware of them, of any known and material change in the circumstances of any person managing or involved in the management of the property, such as details of
- unspent convictions not previously disclosed to the Authority that may be relevant to the Licence Holder or the property manager or the status of either of them as a 'fit and proper person', including in particular a conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
 - finding by a court or tribunal against the Licence Holder and/or the property manager that he or she has practiced unlawful discrimination.
 - a contravention on the part of the Licence Holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.
 - information about any property the Licence Holder or property manager owns or manages, or has owned or managed:
 - i. which has been made subject to a control order under section 379 of the Housing Act 1985, in the five years preceding the date of the application; or

- ii. which has been the subject of any enforcement action described under Part 1 sections 5(2) or 7(2) of the Housing Act 2004, concerning Category 1 and Category 2 housing condition hazards; or
- iii. in relation to which a local housing authority has either refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence.
- iv. which has been the subject of an interim or final management order under the Housing Act 2004

7 General Requirements

- 7.1 Provide, maintain and keep in good working order the facilities and equipment specified in the Standards for HMOs.
- 7.2 Where requested in writing provide written copies of any information or records required by these conditions to the council within 28 days of the date of the request.
- 7.3 Inform the Council's Residential Environmental Health Team in writing of any proposed changes to the construction, layout or amenity provision of the house that would affect the licence or licence conditions.
- 7.4 Arrange for access to be granted at any reasonable time and must not obstruct Council officers carrying out their statutory duties including the surveying of the property to ensure compliance with licence conditions and any relevant legislation.
- 7.5 When requested provide the council the names and numbers of individuals/households accommodated in the property, specifying the rooms they occupy within the property and the number of individuals in each household.
- 7.6 When requested provide the council with a plan of the property showing the location and size of all rooms (in square meters), including kitchen, bathroom and toilet facilities. The plan shall be provided to the Council within 28 days on demand.
- 7.7 When requested provide the council with a copy of the tenancy agreement
- 7.8 Inform the Council of any change in ownership or management of the house.
- 7.9 Whilst any alteration or construction works are in progress, the work is carried out to ensure the safety to all persons occupying or visiting the premises.
- 7.10 Ensure that on completion of any works, the property shall be left in a clean tidy condition and free from builders' debris.

8 Deviation from the Licence Conditions

- 8.1 Any landlord who wishes to provide accommodation that requires a licence but that does not meet the licence conditions may apply in writing for a deviation

from the licence conditions. The request will be considered and the landlord informed of the decision in writing.

Islington Council
Residential Environmental Health Team
222 Upper Street London N1 1XR
Phone: 020 7527 3083
Email: Residential.Envh@islington.gov.uk

Selective Licence Conditions

Housing Act 2004 Section 90

1 Permitted Occupation

A new resident must not be permitted to occupy the house or any part of the house if that occupation:

- exceeds the maximum permitted number of persons for the house as detailed in the schedule of permitted occupation below
- exceeds the maximum permitted number of households for the house as detailed in the schedule of permitted occupation below
- exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation below
- A new resident means a person who was not an occupier of the house and/or the specific room at the date of the issue of the licence

2 Tenancy management

2.1 Provide all tenants with a written statement of the terms on which they occupy the property and the arrangements in place to deal with repairs and emergency issues.

2.2 Protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. Provide the tenant the prescribed information about the scheme being used at the time the deposit is taken.

2.3 Obtain references from prospective tenants before entering into any tenancy agreement with them. No new occupants shall be allowed to occupy the accommodation if they are unable to provide a reference. The licence holder must retain all references obtained for occupants for the duration of this licence.

2.4 Provide suitable emergency (including out of hours' response).and management arrangements

2.5 When requested provide the Council, in writing, details of the tenancy management arrangements that have been, or are to be, made to prevent or reduce anti-social behaviour by persons occupying or visiting the property.

2.6 Conduct an inspection of the property at least every 6 months to identify any problems relating to the condition and management of the property and check that common parts and external areas are free from waste. Keep a written record of the inspection specifying:

- the name of person conducting inspection
- date and time of inspection
- issues identified
- action taken

2.7 Take prompt action to address antisocial behaviour arising from the conduct of occupants or visitors to the property by complying with the following requirements:

- On receipt of a complaint of anti-social behaviour concerning a visitor or occupant of the property do not ignore nor fail to take action and take appropriate action to monitor the allegation.
- Inform the occupants in writing about any allegation of antisocial behaviour within 14 days of receipt and consequences of its continuation.
- Where the antisocial behaviour continues after 28 days from receipt of the complaint, visit the property within 7 days and issue a warning letter advising the behaviour is not acceptable, that they are responsible for the conduct of all occupants and visitors, the impact on the local community and the consequences of its continuation.
- Take formal steps under the written statement of terms for occupation if after 14 days of giving the warning letter the anti-social behaviour is unresolved
- Notify the appropriate authorities of antisocial behaviour suspected to involves criminal activity
- Keep a written record of any meetings, telephone conversations or investigations and copies of correspondence regarding antisocial behaviour for 3 years.
- Attend any case conferences or multiagency meetings arranged by the Council or Police upon request.

3 Property Management

3.1 Take appropriate steps to remedy any disrepair reported by occupants.

3.2 Take immediate action to deal with any pest problem or infestation at the property and ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs

3.3 Any gas installation and gas appliance shall be kept in a safe condition at all times. All work on gas appliances must be carried out by a Gas Safe registered engineer.

- 3.4. A current valid gas safety certificate from a Gas Safe registered engineer obtained within the last 12 months, or a Gas Safe Installation Certificate if the boiler was installed in the last 12 months shall be provided to the council annually
- 3.5 The electrical installation in the property shall be maintained in a safe condition. Where requested by the council provide, within 28 days, an electrical installation report issued by a competent person within the last 5 years.
- 3.6 All electrical appliances made available by the licence holder shall be kept in a safe condition. Where requested by the council provide, within 28 day, a written declaration to the safety of such appliances
- 3.7 All furniture made available by the licence holder shall be kept in a safe condition. Where requested by the council, provide within 28 days, a written declaration as to the safety such furniture. All upholstered furniture, covers, fillings, cushions and pillows shall comply with current fire safety requirements.
- 3.8 A smoke alarm shall be installed on each storey of the house (which includes half-landings) on which there is a room used wholly or partly as living accommodation.
- 3.9 Each smoke alarm installed in any room in the house shall be kept in proper working order.
- 3.10 Where requested by the council, provide a written declaration confirming the positioning and condition of smoke alarms
- 3.11 Install a carbon monoxide alarm in any room in the property used wholly or partly as living accommodation (including a hall, landing bathroom or WC) and contains a solid fuel burning combustion appliance.
- 3.12 Any carbon monoxide alarm installed in any room in the property shall be kept in proper working order
- 3.13 Where requested by the council provide written statement, within 28 days, confirming the positioning and condition of any carbon monoxide alarms
- 3.14 Provide and maintain adequate security measures to prevent access by intruders and ensure that:
 - The access to the property, such as locks, latches and entry systems are maintained in good working order at all times.
 - The front door of the property is fitted with a mortice lock (thumb turn) or equivalent, to a five lever security level.
 - Where window locks are fitted, the keys are provided to the relevant occupants.

- Where a burglar alarm is fitted to the property, the occupants are informed in writing about the circumstances under which the code for the alarm can be changed, and are given details on how this can be arranged.
 - Where previous occupants have not returned keys, the relevant locks will be changed prior to new occupants moving in.
- 3.15 Within 7 days of the start of occupation provide written information to all occupants on the arrangements for the storage and disposal of household recycling and waste. This information must be provided in a clear and easy to understand format which occupants can refer to
- 3.16 No refuse shall be kept in the front or rear garden other than in an approved storage container for that purpose. Old furniture, bedding, or rubbish from the property must not be left immediately outside the property nor on private land.
- 3.17 Carry out regular checks to ensure that occupants are complying with the storage, recycling and disposal of waste arrangements and warn occupants if they, or their visitors, are not using the waste and recycling facilities provided or are leaving waste outside the property.
- 3.18 Provide adequate facilities for storing, recycling and disposing waste for the number of occupants so that bags or loose refuse or waste for recycling are not stored outside the property. Ensure that these containers provide for the adequate separation of recyclable, garden (where applicable), food and residual waste.
- #### 4 **Documents to be displayed**
- 4.1 Either provide to all tenants at the start of the tenancy or display in the common parts of the property:
- a copy of the licence to which these conditions apply
 - a notice with the name, address and emergency contact number of the licence holder or managing agent for the property
 - a copy of the current gas safety certificate
 - a copy of a valid electrical inspection condition report
 - a copy of a valid portable appliance test certificate (PAT) covering all electrical appliances supplied within the HMO
 - a copy of a valid test certificate for the automatic fire alarm system (dated within the last 12 months)
 - a copy of a valid test certificate for the emergency lighting system (dated within the last 12 months)
 - an appropriate Energy Performance Certificate (EPC)

Note: Landlords cannot grant a new tenancy after 1 April 2018 where the EPC is band F or G. After 1 April 2020 landlords must not continue to let a let property where the EPC is band F or G.

5 Financial Management

- 5.1 No person other than the licence holder or the agent named on the licence may collect or receive rental monies from the occupants of the property. The licence holder and/or agent may pass on the rental monies to any third parties as required.
- 5.2 Where rents are collected or received from occupants, payment must be recorded and all occupants receive a receipt for the payment, unless the occupant is an assured shorthold tenant and pays their rent via bank standing order or direct debit. The licence holder must keep a copy of all such records and receipts and must provide the council with a copy of the same within 28 days of any request to inspect them.

6 Material change of circumstances

- 6.1 The Licence Holder must inform the Authority within 21 working days of any material changes in their own circumstances and, within 21 days of becoming aware of them, of any known and material change in the circumstances of any person managing or involved in the management of the property, such as details of
- unspent convictions not previously disclosed to the Authority that may be relevant to the Licence Holder or the property manager or the status of either of them as a 'fit and proper person', including in particular a conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
 - finding by a court or tribunal against the Licence Holder and/or the property manager that he or she has practiced unlawful discrimination.
 - a contravention on the part of the Licence Holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.
 - information about any property the Licence Holder or property manager owns or manages, or has owned or managed:
 - i. which has been made subject to a control order under section 379 of the Housing Act 1985, in the five years preceding the date of the application; or

- ii. which has been the subject of any enforcement action described under Part 1 sections 5(2) or 7(2) of the Housing Act 2004, concerning Category 1 and Category 2 housing condition hazards; or
- iii. in relation to which a local housing authority has either refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence.
- iv. which has been the subject of an interim or final management order under the Housing Act 2004

7 General Requirements

7.1 Where requested in writing provide written copies of any information or records required by these conditions to the council within 28 days of the date of the request.

7.2 Arrange for access to be granted at any reasonable time and must not obstruct Council officers carrying out their statutory duties including the surveying of the property to ensure compliance with licence conditions and any relevant legislation.

7.3 When requested provide the council the names and numbers of individuals accommodated in the property

7.4 When requested provide the council with a plan of the property showing the location and size of all rooms (in square meters), including kitchen, bathroom and wc facilities. The plan shall be provided to the Council within 28 days on demand.

7.5 When requested provide the council within 28 days a copy of the tenancy agreement

7.6 Inform the Council of any change in ownership or management of the house.

7.7 Whilst any alteration or construction works are in progress, the work is carried out to ensure the safety to all persons occupying or visiting the premises.

7.8 Ensure that on completion of any works, the property shall be left in a clean tidy condition and free from builders' debris.

8 Deviation from the Licence Conditions

8.1 Any landlord who wishes to provide accommodation that requires a licence but that does not meet the licence conditions may apply in writing for a deviation from the licence conditions. The request will be considered and the landlord informed of the decision in writing.

Phone: 020 7527 3083
Email: Residential.Envh@islington.gov.uk



Standards for Houses in Multiple Occupation (HMO)

Housing Act 2004

1. Purpose

- 1.1. This document describes the standards that Islington Council will use to assess the suitability for occupation of an HMO's. It reflects the requirements specified in The Licensing and Management of HMO's and Other Houses (Miscellaneous Provision) (England) Regulations 2006 and The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018.
- 1.2. Islington Council may decide that the house is not reasonably suitable for occupation by a particular maximum number of households or persons even if it does meet prescribed standards for occupation by that number of households or persons.
- 1.3. Any landlord who wishes to provide accommodation that does not meet the standards may apply in writing for a deviation from the standard to the address in section 7 below.

2. Minimum Room Sizes

- 2.1. Islington Council has had regard to the legal minimum room standards specified in the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 and determined that the room sizes described in this document will be applied to all HMOs in the borough.
- 2.2. The minimum floor areas for sleeping and living accommodation are listed in the table below. These minimum sizes will only be acceptable if the room is large enough to accommodate essential furniture and facilities and to enable their safe use.

Maximum number of occupants in a room with shared kitchen facilities in a separate room	
8m ²	1 person of any age
11m ²	2 persons of any age in one household

Maximum number of occupants in a room containing kitchen facilities	
12m ²	1 person of any age
15m ²	2 persons of any age in one household

- 2.3. General requirements for room sizes:

- The minimum acceptable room size does not include any area taken up by bathroom facilities.
- No more than two people can share a bedroom.
- A child is considered a person regardless of age.
- Shared sleeping accommodation is only considered suitable for adults who are married, cohabitantes, consenting friends or relatives.
- No two persons of the opposite sex and over the age of twelve can sleep in the same room, unless they are married or cohabitantes.
- Floor to ceiling height to be a minimum of 2.3m over 75% floor area. Any floor area where ceiling height is less than 1.5m shall be disregarded. Where bunk beds are used, there shall be a minimum floor to ceiling height of 2.5m.
- When measuring the size of a room floor areas under fitted cupboards, kitchen units and other furniture are included. The space occupied by chimney breasts or lobbies is excluded.

3.0 Kitchens

3.1 The size and layout of shared kitchens should enable those sharing facilities to store, prepare and cook food safely. The minimum sizes of kitchens are specified in the table below:

Number of sharers	Minimum size of Kitchen
Up to 3	5.5 m ²
4-5	7.5 m ²
6-7	9.5 m ²
8-10	11.5 m ²

3.2 A separate kitchen with kitchen facilities will be required for every 5 residents sharing. No more than two sets of kitchen facilities can be provided in one room

3.3 The kitchen must be equipped with the following equipment, which must be fit for purpose:

Kitchen Facility	Number of Sharers	Minimum Standard
Cooker	Exclusive use	An oven and grill or combination 900-watt microwave oven and two inset hotplates fitted in an integrated worktop or a conventional cooker with integrated hobs.

		A portable hob or worktop oven with integral hotplates is not acceptable.
	Up to 5	<p>Four-ring hob, oven and grill and an additional microwave oven.</p> <p>A splashback above any cooker without an integral splashback</p> <p>Cookers must be positioned as far away from the room door as practicable.</p> <p>No furniture, bedding, curtains etc. shall be located within 600 mm of cooking appliances</p>
Sink/Drainer	Up to 5	<p>One full-size sink/drainer set on base unit, provided with a constant supply of hot and cold water.</p> <p>A 300 mm approximate splashback fitted above the sink and drainer worktop, sealed with waterproof mastic to the work surface</p>
Worktops	Exclusive use	A fixed impervious worktop measuring 1000 mm x 600 mm
	Up to 5	A fixed impervious worktops measuring 1500 mm x 600 mm
Electrical Sockets	Up to 5	One dedicated suitably located electrical socket for each fixed appliance and four sockets (in either double or single combinations) above the worktop.
Floor and wall covering	All kitchen areas	All finishes are to be non-absorbent and readily cleansable including the floor covering which will must be provided under all appliances and must extend at least 1000 mm under the appliances.
Cupboards for the storage of food,, kitchen and cooking utensils	Per occupant	<p>A single kitchen base unit W600 x H1000 x D600 or a double wall unit W1000 x H800 x D300mm</p> <p>The base unit below the sink/drainer is not acceptable for food storage.</p> <p>Kitchen units must be securely fixed to a wall</p>
Refrigerator	Exclusive use	An A rated 100 litre fridge with freezer compartment
	Up to 5	An A rated 200 litre fridge with an adequate freezer compartment (or where the freezer compartment is not adequate a separate freezer)

Refuse and recycling facilities	All rooms containing kitchens	Suitably located containers for the storage of waste and recyclable material. that are sufficient for the number of occupants
Extractor fans	All rooms containing kitchens	A mechanical extractor must be provided, ducted to the open air, with the outlet positioned away from any adjacent windows
Fire blankets	All rooms containing kitchens	A fire blanket to be provided in the kitchen within reach of the cooker
Fire doors	All rooms containing kitchens	A 30-minute fire door of fire resistant construction with intumescent strips and smoke seals and an overhead type door closer must be installed to all rooms with containing kitchen facilities

4.0 Washing facilities

4.1 Where exclusive use of bath/shower room and toilet facilities are not provided the sharing arrangements should be as follows:

1-4 sharing occupiers	<p>1 bath/shower 1 toilet 1 wash hand basin</p> <p>The toilet can be located within the bath/shower room</p>
5 sharing occupiers	<p>1 bath/shower 1 toilet 1 wash hand basin</p> <p>The toilet and wash hand basin must be provided in a separate room to the bath/shower room</p>
For every 5 sharing occupiers	<p>1 baths/showers 1 toilet 1 wash hand basin</p> <p>The toilet and wash hand basin must be provided in rooms separate to the bath/shower room</p>
Where there are 5 or more occupiers of an HMO	Provide a wash hand basin with appropriate splash back in every unit of accommodation. Wash-hand basins in bedrooms are not required in shared houses or where listed building requirements prohibit it.

-
- 4.2 Baths, showers, wash hand basins should be provided with an adequate supply of hot and cold water
 - 4.3 Baths, showers, toilets and wash hand basins but be an adequate size and fit for purpose.
 - 4.4 A tiled splash-back shall be provided to every wash hand basin with a minimum height 200 mm sealed with waterproof mastic to the basin. A tiled shower surrounds shall be provided to a minimum height of 1800 mm
 - 4.5 An adequate, screen, door or impervious shower curtain to be provided to all showers.
 - 4.6 Bathroom and toilets must be of an adequate size and layout with a minimum clear area outside the bath/shower of 700 mm x 700 mm for drying and changing.
 - 4.7 Bathrooms must be suitably and adequately heated and ventilated.
 - 4.8 Fixed heating appliances to achieve a recommended temperature of 22°C.
 - 4.9 If there is no openable window to the bathroom a quiet running humidistat controlled mechanical ventilation to be provided.
 - 4.10 Bathrooms and toilets must be suitable located in relation to the living accommodation and ideally within one floor of the living accommodation they serve.
 - 4.11 The walls and floors to any bathrooms and toilet to be non-absorbent and readily cleansable.

5.0 Heating

- 5.1 Each unit of accommodation must be provided with an adequate means of fixed space heating which is economic to run and controlled by the occupier.
- 5.2 A suitable heating system will usually be a full central heating system, with a programmable A-E rated boiler and thermostatic radiator valves
- 5.3 Where central heating cannot be installed, modern fan assisted electric storage heaters may be an acceptable alternative, providing there is efficient wall insulation present e.g. dry lining or cavity wall insulation, loft insulation.

6.0 Fire safety

- 6.1 Appropriate fire precautions, facilities and equipment must be provided of such a type, number and location as considered necessary
- 6.2 The HMO must be provided with appropriate smoke detection and alarm system. As a minimum, interlinked mains wired smoke alarms (with battery back-up) must be kept maintained in proper working order and installed to:
 - each landing level of any staircase
 - the circulation space inside any flat or house
- 6.3 Each kitchen should be provided with a heat detector linked to the alarm system

7.0 For more information, contact Residential Environmental Health by:

- | | |
|-------|--|
| Email | residential.envh@islington.gov.uk |
| Phone | 020 7527 3083 |
| Post | Residential Environmental Health, 222 Upper Street, London N1 1XR |

PROPOSED LICENCE FEES

2020-2021

The licence fee is composed of two parts:

- Part 1 covers the costs of processing the application and will be payable on application
- Part 2 covers the costs of running and enforcing the licensing scheme and will be payable when the council has confirmed that the application requirements have been met and the licence can be issued. In practice this means that applicants will be requested to pay the Part 2 fee once the draft licence is ready to be issued.

In the event of the application for a licence being refused the Part 1 fee will not be refunded.

If there is a change of licence holder, it is not possible to transfer the licence and a new application will need to be submitted.

Fees for Additional HMO Licensing Scheme: S254 HMOs

Application fee	Part I: £162.00 per bedroom* Part II: £126.00 per bedroom* Total: £288.00 per bedroom *	*A bedroom includes: a. bedsit rooms b. bedrooms in a shared house or flat which is occupied by more than one household (even if there is only one tenancy agreement for all tenants) c. self-contained flats in single household occupation within the HMO
Application fee for Accredited** licence holder or manager	Part I: £138.00 per bedroom * Part II: £107.00 per bedroom * Total: £245.00 per bedroom *	**Accredited under a recognised scheme such as the London Landlords Accreditation Scheme (LLAS), RLA, NLA, ARLA and regional schemes. For more information see https://www.anuk.org.uk/schemes-near-you#
Assisted application	Additional £352.00 per HMO	Added to the above for assistance with measuring rooms, producing plans and completing the application form.
Minor amendments	Included	Change of Address (for licence holder or manager)

Change of Manager (if no change of licence holder) ***	Included	***Licence holder changing nominated manager (manager has to complete a Fit & Proper Person declaration)
Variation of licence (if no change of licence holder) ****	Included	****Material change to the licence such as new facilities installed and licence can be varied for a greater number of occupants
Revocation of licence / no longer licensable / numbers of occupants reduced by conditions on licence	No refund	Once application submitted for specified number of lettings, costs have been incurred in processing application, draft and/or full licence
Student Accommodation: - Application fee for large student accommodation developments	£33.00 per bed space	This fee only applies to licensable large scale purpose built or converted student accommodation where the provider has signed up to the ANUK/Unipol Code of Practice.

Fees for Additional HMO Licensing Scheme: Converted buildings containing self-contained flats-

Application fee	Part I: £394.00 per building* Part II: £309.00 per building* Total: £703.00 per building*	*Any building converted into self-contained flats where: <ul style="list-style-type: none"> The conversion work did not comply with the Building Regulations 1991 (or later regulations if applicable) and it still does not comply; <u>and</u> None of the flats are owner-occupied by freeholders or long leaseholders (21 years or more) (these are known 's257' HMOs)
Application fee for Accredited** licence holder or manager	Part I: £335.00 per building* Part II: £262.00 per building* Total: £597.00 per building	**Accredited under a recognised scheme such as the London Landlords Accreditation Scheme (LLAS), RLA, NLA, ARLA and regional schemes. For more information see https://www.anuk.org.uk/schemes-near-you#
Assisted application	Additional £181.00 per building	Additional cost of assistance with completing the application form in respect of a converted building (s257 HMO).
Minor amendments	Included above	Change of Address (for licence holder or manager)
Change of Manager (if no change of licence holder) ***	Included	***Licence holder changing nominated manager (manager has to complete a Fit & Proper Person declaration)
Variation of licence (if no change of licence holder) ****	Included	****Material change to the licence such as new facilities installed and licence can be varied for a greater number of occupants
Revocation of licence / no longer licensable / numbers of occupants reduced by conditions on licence	No refund	Once application submitted for specified number of lettings, costs have been incurred in processing application, draft and/or full licence

Fees for Selective Licensing Scheme

Application fee	Part I: £281.00 per house*	* Licensing of houses applies where the whole house is occupied either— (i) under a single tenancy or licence that is not an exempt tenancy or licence (ii) under two or more tenancies or licences in respect of different dwellings contained in it, none of which is an exempt tenancy or licence Exemptions apply to tenancies or licences granted by non-profit registered providers of social housing, profit-registered providers of social housing or provided by a Registered Social Landlord.
	Part II: £219.00 per house*	
	Total: £500 per house*	
Application fee for Accredited** licence holder or manager	Part I: £239.00 per house*	**Accredited under a recognised scheme such as the London Landlords Accreditation Scheme (LLAS), RLA, NLA, ARLA and regional schemes. For more information see https://www.anuk.org.uk/schemes-near-you#
	Part II: £186.00 per house*	
	Total: £425.00 per house*	
Assisted application	Additional £167.00 per house*	Added to the above for assistance with measuring rooms, producing plans and completing the application form.
Minor amendments	Included above	Change of Address (for licence holder or manager)
Change of Manager (if no change of licence holder) ***	Included	***Licence holder changing nominated manager (manager has to complete a Fit & Proper Person declaration)
Variation of licence (if no change of licence holder)****	Included	****Material change to the licence such as new facilities installed and licence can be varied for a greater number of occupants
Revocation of licence / no longer licensable / numbers of occupants reduced by conditions on licence	No refund	Once application submitted for specified number of lettings, costs have been incurred in processing application, draft and/or full licence

Resident Impact Assessment

Property Licensing

Service Area: E&R

1. What are the intended outcomes of this policy, function etc?

The Property Licensing Scheme is intended to improve conditions for tenants renting private accommodation including flats, houses and shared houses by introducing:

- a borough wide Additional Licensing scheme for houses in multiple occupation
- a Selective Licensing scheme for all rented accommodation in Finsbury Park Ward

If the schemes are implemented landlords would have to apply for a licence and comply with requirements concerning the management, use and occupation of their rented property.

2. Resident Profile

The majority of people directly impacted by this policy are:

- landlords providing private rented accommodation in the borough
- residents living in HMOs occupied by 3 or 4 unrelated tenants sharing kitchen and/or bathroom facilities
- residents living in privately rented accommodation in Finsbury Park

Approximate 26% residents live in private sector accommodation in Islington

On average, households in the private rented sector spend 34% (including Housing Benefit) of their income on rent. Social renters spend, on average, 28%.

Evidence suggests that in at least 25% properties covered by the proposed schemes require improvement in terms of property and management standards.

The service user profile is likely to reflect the borough profile.

		Borough profile	Service User profile
		Total: 206,285	Total: 12,000
Gender	Female	51%	
	Male	49%	
Age	Under 16	32,825	
	16-24	29,418	
	25-44	87,177	
	45-64	38,669	
	65+	18,036	
Disability	Disabled	16%	
	Non-disabled	84%	
Sexual orientation	LGBT	No data	
	Heterosexual/straight	No data	
Race	BME	52%	
	White	48%	
Religion or belief	Christian	40%	
	Muslim	10%	
	Other	4.5%	
	No religion	30%	
	Religion not stated	17%	

3. Equality impacts

- The proposal will have positive impacts on all residents (with protected characteristics) living in privately rented accommodation covered by the proposed licensing schemes. Property licensing enables the council to improve private rented accommodation by setting standards for management, condition and occupation, to proactively identify and systematically tackle unsatisfactory rented accommodation and not rely on tenants to have the confidence and ability to complain to the council to get poor landlords to treat them fairly.
- The Property Licensing scheme is not likely to be discriminatory for people with any of the protected characteristics
- The proposal will have neutral impact on good relations between communities and the rest of the population of Islington
- The proposal is a strategic decision where inequalities associated with socio-economic disadvantage can be reduced.

4. Safeguarding and Human Rights impacts

a) Safeguarding risks and Human Rights breaches

There are no safeguarding and human rights risks associated with this proposal.

Licenced applications with representations against draft licences will be determined in accordance with the requirements of the Housing Act 2004.

5. Action

Action	Responsible person or team	Deadline
No additional action required		

Please send the completed RIA to equalites@islington.gov.uk and also make it publicly available online along with the relevant policy or service change.

This Resident Impact Assessment has been completed in accordance with the guidance and using appropriate evidence.

Staff member completing this form:

Signed: Janice Gibbons

Date 19/12/2019

Head of Service or higher:



Signed: _____

Date: 24/12/2019