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Overview of the Proposed Private Rented Property Licensing Schemes

Additional and Selective Licensing

London Borough of Enfield



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1. About this consultation

- 1.1 We are proposing to introduce two Selective Licensing schemes covering private rented single family household properties in 14 wards. These areas are experiencing the most issues with poor property conditions, deprivation and property-related anti-social behaviour (ASB). Further, we propose to introduce an Additional Licensing scheme borough wide so that problems associated with Houses In Multiple Occupation (HMOs) in particular, are addressed directly and effectively. These licensing schemes will allow us to drive up standards in the private rented sector and more effectively improve the management and condition of privately rented properties.
- 1.2 The consultation is open to all residents, tenants, landlords, agents, businesses and any interested parties in Enfield and outside of the borough.

2. Proposed licensing designations

- 2.1 The Council has compiled an evidence base that enables us to predict, on a ward by ward basis, the number of privately rented properties in an area and the likely incidence and spread of, for example, Category 1 hazards, deprivation and ASB. This evidence base, coupled with other available information from the Council's current enforcement activity, demonstrates that the borough would benefit from the following licensing schemes:
- Two Selective Licensing schemes covering 14 wards (Bowes, Chase, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton); and
 - A borough-wide Additional HMO licensing scheme.

3. The proposed Selective Licensing scheme

- 3.1 Our predictive data shows that all the wards in the borough meet the criteria for selective licensing, in that they have over the national average of private rented properties in the that area and they meet at least one other criteria. However, we have used a combination of data and information to select the wards that have the most issues in the private rented sector, and as a result, most affect the quality of life for tenants and residents as well as causing the most demands on council services. Instead of going for a borough-wide designation, we have used the evidence to select the 14 wards that have the highest levels of issues. The 14 wards that are being proposed for the selective licensing schemes:
- have a high proportion of privately rented properties compared with the national average of 19%¹;
 - have properties which are let on assured tenancies or licences;
 - have high levels of poor property conditions in the area.
 - are areas experiencing high levels of deprivation;

¹ English Housing Survey, Headline Report 2017-18

13 of the 14 wards are also:

- areas experiencing a *significant and persistent* problem of anti-social behaviour, associated to private rented properties.

3.2 The combination of these issues results in the private rented properties in the 14 wards placing a higher demand on council services.

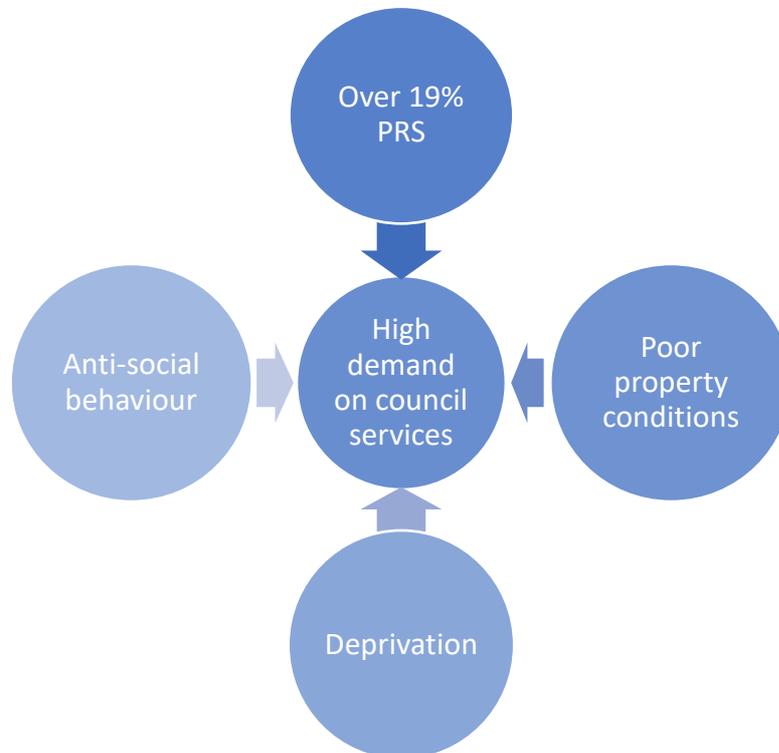


Figure 1 - Factors in housing leading to high demand for council services

3.3 The Selective Licensing scheme, comprising of two designations, is proportionate, justifiable and based on evidence. The scheme will enable us to tackle the problems we are experiencing in the borough's private rented sector and really help us to make an improvement to the quality of life for those privately renting in the borough.

3.4 The wards that are proposed to be included in the Selective Licensing scheme are:

Designation 1 (light blue in Table 1 overleaf) covers the following wards with the highest levels of poor property conditions, deprivation and ASB: Bowes, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton.

Designation 2 (dark blue in Table 1 overleaf) covers Chase ward as having high levels of poor property conditions and deprivation.

Ward	Above 19% PRS	Poor property Conditions	Deprivation – based on IMD ranking	Significant Anti-Social Behaviour	Designation 1	Designation 2
BOWES	✓	✓	12	✓	Yes	
BUSH HILL PARK	✓	✓	18			
CHASE	✓	✓	11			Yes
COCKFOSTERS	✓	✓	16	✓		
EDMONTON GREEN	✓	✓	1	✓	Yes	
ENFIELD HIGHWAY	✓	✓	8	✓	Yes	
ENFIELD LOCK	✓	✓	7	✓	Yes	
GRANGE	✓	✓	21			
HASELBURY	✓	✓	6	✓	Yes	
HIGHLANDS	✓	✓	15			
JUBILEE	✓	✓	9	✓	Yes	
LOWER EDMONTON	✓	✓	4	✓	Yes	
PALMERS GREEN	✓	✓	13	✓	Yes	
PONDERS END	✓	✓	5	✓	Yes	
SOUTHBURY	✓	✓	10	✓	Yes	
SOUTHGATE	✓	✓	17			
SOUTHGATE GREEN	✓	✓	14	✓	Yes	
TOWN	✓	✓	19			
TURKEY STREET	✓	✓	3	✓	Yes	
UPPER EDMONTON	✓	✓	2	✓	Yes	
WINCHMORE HILL	✓	✓	20			

Table 1 - Summary designation criteria by ward

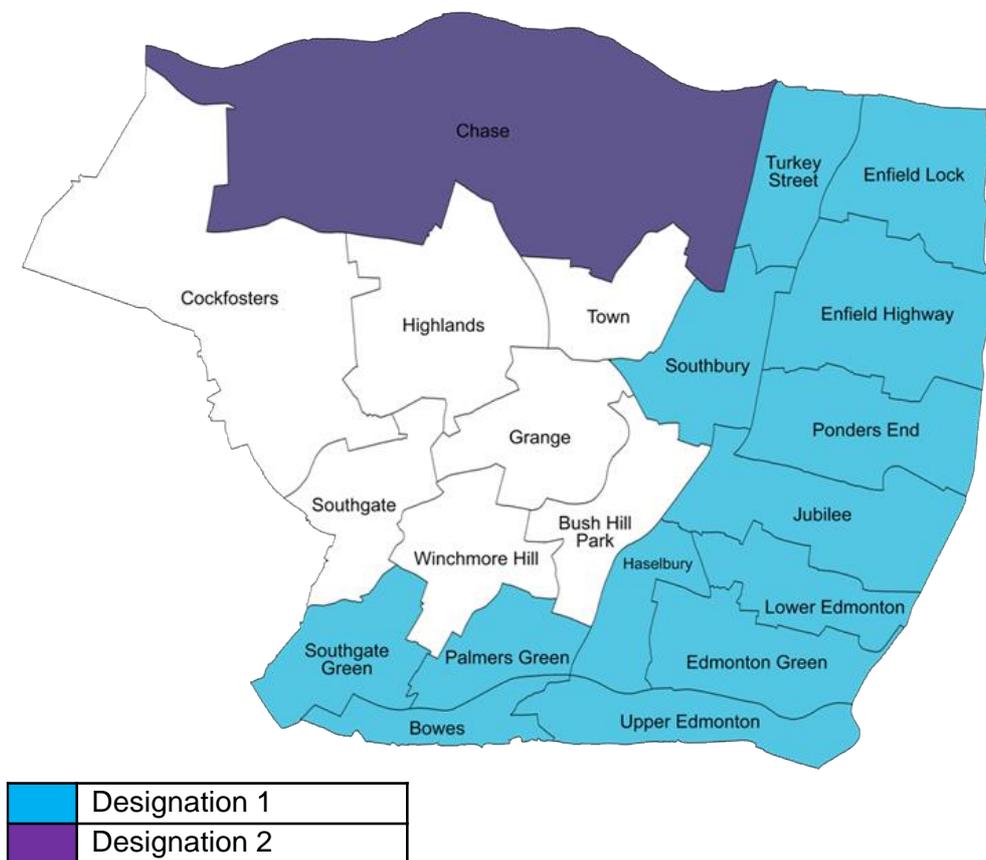


Figure 2 - Map showing the wards in the proposed selective licensing designations

3.5 We are satisfied that the private rented properties are, or are likely to be, let under assured tenancies or licences, not least because assured shorthold tenancies (ASTs) (a species of assured tenancy governed by the Housing Act 1988) are the most common type of tenancy agreement by which privately rented properties are let. From our housing enforcement work, the vast majority of the properties are let under ASTs as opposed to licence agreements.

4. The proposed Additional Licensing scheme

4.1 The Council has evidence that a significant number of HMOs in the borough are managed ineffectively and that their mismanagement is contributing to social problems such as poor housing conditions and anti-social behaviour. We propose to introduce a borough-wide Additional Licensing scheme to regulate the management, use, occupation and condition of Houses in Multiple Occupation (HMOs).

4.2 The evidence demonstrates that the criteria for a borough-wide additional licensing scheme are met, in that a significant proportion of the borough's HMOs are being poorly managed and are giving rise, or are likely to give rise, to problems affecting their occupiers or members of the public.

4.3 Our predictive data shows that there are around 9,600 HMOs in Enfield. These properties are associated with inadequate property management, high levels of ASB, poor property conditions, including serious Category 1 hazards, culminating in an increased demand on the Council's services.

Ward	% of HMOs with Cat 1 Hazards	% of HMOs with ASB, Nuisances & Envirocrime	% of HMOs with PRS Regulatory Interventions	% of HMOs with Statutory Notices served to PRS
BOWES	55%	23%	155%	12%
BUSH HILL PARK	34%	15%	52%	2%
CHASE	38%	17%	62%	3%
COCKFOSTERS	30%	17%	35%	2%
EDMONTON GREEN	56%	30%	170%	13%
ENFIELD HIGHWAY	48%	23%	146%	11%
ENFIELD LOCK	45%	19%	126%	9%
GRANGE	31%	7%	29%	1%
HASELBURY	59%	26%	183%	10%
HIGHLANDS	29%	11%	41%	3%
JUBILEE	59%	51%	190%	18%
LOWER EDMONTON	57%	32%	180%	13%
PALMERS GREEN	56%	17%	138%	6%
PONDERS END	55%	35%	184%	11%
SOUTHBURY	42%	38%	97%	6%
SOUTHGATE	29%	10%	48%	5%
SOUTHGATE GREEN	48%	19%	107%	7%
TOWN	42%	17%	64%	3%
TURKEY STREET	50%	32%	146%	10%
UPPER EDMONTON	53%	32%	126%	9%
WINCHMORE HILL	45%	13%	65%	4%
BOROUGH TOTAL	48%	25%	125%	8%
BOROUGH AVERAGE	46%	23%	112%	7%

Table 2 - % of HMOs with Cat 1 Hazards, ASB and levels of regulatory interventions and statutory notices



Figure 3 - Map showing the wards in the proposed Additional Licensing designations

5. Proposed Licence Fees

5.1 The licence fee must be reasonable and proportionate and will not exceed the cost of the proposed licensing scheme. The fees will be reviewed throughout the scheme and the council may adjust the fees to reflect changes in costs.

Type of Licence	Part 1 element (application & processing)	Part 2 element (running costs and enforcement)	Total fee payable [on successful application]
Selective Licence	260	340	£600
Additional HMO licence	550	350	£900

Table 3 – Proposed licence fees

6. Proposed Scheme Objectives

6.1 In general terms, we propose to use Selective and Additional Licensing to improve property conditions, tackle anti-social behaviour and help reduce deprivation in the borough. We are committed to driving up standards and improving management and property conditions to provide good quality private rented accommodation, and that will help us to achieve sustainable communities and contribute positively to the local economy.

6.2 The objectives of our proposed schemes over the five-year scheme are:

- Improve property conditions and management standards
- Reduce the factors that make deprivation worse
- Reduce anti-social behaviour

6.3 We strongly believe that Selective and Additional licensing schemes will provide the framework to enable us to achieve these objectives.

- It provides clarity on the required property standards for landlords, enabling them to operate legally, effectively and professionally in the borough.
- It enables the Council to use data and intelligence to identify properties that have unsafe and sub-standard conditions and gives us the capability to undertake significant, proactive audits and inspections.
- It allows the Council to enforce standards at the earliest opportunity, against non-compliant landlords using a range of informal and formal enforcement actions, such as action under Part 1 Housing Act [HHSRS].
- Licensing applications can be monitored against the predicted number of licensable addresses and the Council will be able to enforce against those landlords who evade licensing.