

Appendix Nineteen

Selective licensing scheme: Complementary Action

There is a whole raft of work that has been undertaken by the council and partners which complement the proposals to introduce a selective licensing scheme for private sector landlords. The information below is a round-up of this work:

- [Housing Strategy/Vision](#)
- [Place making and Sustainable Communities](#)
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Housing strategy/vision

Delivering and managing decent homes

Every resident in the borough has a right to live in a home that meets a decent standard and is managed effectively. The standard of homes and management varies considerably in the borough and the council wants to see all social sector housing and private housing occupied by vulnerable sector households raised to decent homes standard levels and wants all landlords delivering a good management service.

Place making and sustainable communities

Housing has a key role to play in delivering better places to live and offering people opportunities to achieve a better quality of life. This involves ensuring that new and regenerated housing environments make a positive contribution to the places that people live in. In addition, new investment has to make a positive contribution to the opportunities available to people through access to services.

Empty homes

There are privately owned properties lying empty in Tower Hamlets. There is an undoubted housing need in Tower Hamlets, and these vacant properties could provide much needed accommodation. Many of these properties are in a neglected state and have a damaging effect in the areas in which they are located.

The council keeps a record of long term empty properties (those which have been empty for over a year) in the private sector by ward. At present, derived from the last report produced by from Council Tax records there were 84 properties across the Council in various wards.

At the last stock condition survey there were approximately 1,500 homes empty for six months or more and currently considerable efforts are made to bring these back into use. This Landlord Licensing Scheme would help us in identifying owners, encouraging them to bring properties back into use.

Homelessness

The landlord licensing scheme would ensure better management practices and should help to increase the length of tenure and reduce incidence of unplanned moves or homelessness.

Welfare Reform through capping of Local Housing Allowance (LHA) levels, applying the single person allowance to singles under 35 and the introduction of Universal Credit will further change the face of private sector renting in the borough. Increasingly local residents will not be able to rent within the borough, forcing many households out of Tower Hamlets or into worse and more crowded homes.

- There are over 1,996 households in temporary accommodation placed by the council; this has increased by 10 per cent in the last 12 months.
- In 2013/14 the Housing Options Team made 882 homeless decisions, this is 25% up on decisions made in 2012/13.
- 557 households were accepted in 2013/14, 24 per cent down on 2008/9.
- During 2013/14 the Housing Options Team prevented over 731 households becoming homeless.
- Although the general trend in homelessness has been downwards over the last four years, these trends have shown an upwards turn across the London region since the second quarter of 2011/12.

The main known reasons for households being made homeless has changed as a result of the welfare reforms with landlords now requiring their properties back to let on the open market where they can command higher rents than those affordable on benefits and low incomes. In 2012/13, 93 (22 per cent) households were homeless as a result of the

ending of their Assured Shorthold Tenancies, in 2013/14, this figure was 170 (30 per cent).

Working with other agencies/partners

The Housing Strategy team has excellent working relationships with central government agencies, other local authorities, RSLs, regional housing partners and other agencies in the borough, such as the East London Housing Partnership, London Housing Consortium and LBTH Housing Forum, in order to ensure the council's housing targets are met. This includes management of the Housing Revenue Account (HRA) and the housing management client function and monitoring of the borough's ALMO (Tower Hamlets Homes) to ensure delivery of services to the agreed standard. The strategy team also manage delivery of decent homes across the borough, primarily through the ALMO, but also through close liaison of partners (RP's) through the Tower Hamlets Housing Forum (THHF).

Anti-Social Behaviour (ASB)

Sometimes, private rented housing can be linked to anti-social behaviour (ASB). Particular examples associated with the private rented sector include graffiti, noise nuisance and drug related ASB. The main way in which private landlords can control ASB caused by their tenants is by enforcing the terms and conditions of the tenancy agreement. Terms can be inserted into tenancy agreements to impose standards of behaviour on tenants and to prohibit ASB. Most landlords include in their tenancy agreements a general clause to prohibit nuisance behaviour; others include specific terms covering pets, violence and offensive language. In the event of a breach the landlord will be entitled to seek possession of the property or seek an injunction to prevent any further breach. Under new legislation, a private landlord can also evict a tenant who has certain convictions or court orders against them.

There is also a range of activity that the council takes to tackle and deal with ASB related to the private rented sector and more generally. This includes:

- proactive ASB patrols by Tower Hamlets Enforcement Officers (THEOs) and the council funded Police Partnership Taskforce
- case management of multi-agency work on ASB cases
- investigation, and enforcement action in cases of persistent ASB and noise nuisance
- issuing legal notices and undertaking prosecutions
- closing premises associated with persistent ASB (including private rented premises)

- use of cameras to provide evidence
- support for victims of serious ASB
- taking action via the Community Trigger for persistent anti-social behaviour which has not been addressed by local agencies
- promoting reporting of ASB to the Police and partners on 101.

The council seeks to support good landlords, and where necessary take action against negligent or bad landlord practice. Licensing the private rented sector can help to reduce anti-social behaviour and improve neighbourhoods. For example, clarifying tenant and landlord responsibilities and the minimum standard of property management and maintenance can lead to better improved tenancy management, and improved neighbourhoods.

Regeneration

Some areas of Tower Hamlets are the most deprived in the country. The council is required by law to review housing conditions in the private sector and any properties which are identified as being unfit for habitation, abandoned or generally considered to have out lived their useful life will be dealt with by:

- using grants to renew and improve private sector housing standards
- declaring a clearance area if the unfit properties are grouped together and seeking appropriate approval to demolish them (a clearance area has not been declared over the last ten years).

The private housing improvement team deals with grants relating to adaptations for disabled occupants, removal of minor hazards in the home, home security and energy efficiency.

There are grants for landlords to bring empty properties back into use or convert redundant commercial property for residential use. Please view the Tower Hamlets [Private Sector Renewal and Empty Properties Policy framework](#).

Landlord accreditation

The council supports the London Landlord Accreditation Scheme and hosts courses on behalf of the scheme organisers. It also supports landlords by holding forums to enable them to discuss key issues with regards to property management. Further details can be found at [landlord accreditation scheme page](#).

Other courses of action to be considered

A council cannot make a designation unless it has considered if they are any other courses of action that may achieve the objective for which the selective licensing scheme is intended to resolve.

The other courses of action that are open to the council are detailed within the attached [table](#) (PDF, 5kb). Each of these processes may assist with dealing with anti-social behaviour and poor management practices etc. in limited terms. It is considered that selective licensing should enable a co-ordinated strategy which links agencies and services together to obtain the desired shift in activity.

Impact for tenants in private rented accommodation

Selective licensing would make sure that your landlord is managing and maintaining your home. The council would have a register of all licence holders and would be able to ensure that they act in a responsible manner including carrying out tenant vetting, issuing valid tenancy agreements, rent receipts and keeping all safety documents up to date.

If licence holders failed to abide by the licence conditions they could be prosecuted or have their licences revoked.

The council could identify rogue landlords and ensure that these individuals are targeted so that tenants are not exploited.

Impact for landlords of private rented accommodation

Selective licensing will set clear guidelines that you must abide by, ensuring that a level playing field is achieved for your business. The council will be able to deal with and identify less competent or unscrupulous landlords.

It will be a criminal offence to rent out a property within one of the designated areas without a licence. On conviction, a landlord could be fined up to £20,000 and any rent collected during the unlicensed period could be reclaimed by the tenant or Local Housing Authority.

Impact for residents/neighbours of private rented accommodation

It is estimated that about one third of the property in the Borough is in the private rented sector. Every property within the designated areas must be licensed. All licence holders must be fit and proper person and the licences will have clear conditions attached to them. The council will hold a register of all licence holders responsible for private rented property.

Monitoring and engagement with the licence holder by the council will help to improve the management of private rented property which should lead

to an overall environmental and physical improvement of the area i.e. less fly tipping, improved street scene and less anti-social behaviour as the licence holders and tenants, where necessary, will be held to account.

Landlord Public Register

Once the council has issued a full licence, the information will be held on a public register which will be accessed via the council. It is our proposal that this will be an online register.