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Consultation on additional licensing in Tower Hamlets

Tower Hamlets Council

Final report
May 2023



Project details and acknowledgements	3
Executive summary	4
Introduction	8
1. Survey results.....	14
2. Public meetings.....	30
3. Stakeholder views	33
4. Written responses	38
Appendices	39
Appendix A: Consultation Document	40
Appendix B: Coverage of consultation.....	41
Appendix C: Written Statements	44
Appendix D: Survey	73

Project details and acknowledgements

Title	Consultation on additional licensing in Tower Hamlets
Client	Tower Hamlets Council
Project number	22177
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M·E·L Research would like to thank the Council for their support with the consultation. We would also like to thank residents, tenants, landlords, agents and other stakeholders in the borough and neighbouring areas for taking part in the consultation.



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Executive summary

The private rented sector is a significant and growing proportion of the overall housing stock in Tower Hamlets. At 40% (around 53,000 households), it is the largest housing tenure in the borough. The sector is therefore meeting an essential need, and as the population continues to grow, particularly amongst younger age groups, this is unlikely to change for the foreseeable future.

The Council has been running an Additional Licensing scheme across the majority of the borough since 2019. This applies to all Houses in Multiple Occupation (HMOs) that are not licensable under the Mandatory Licensing scheme. This includes smaller HMO properties that are privately rented, where they are occupied by three or four unrelated people, forming two or more households, who share amenities such as a kitchen or bathroom. For example, house and flat shares and bedsits.

A review of the existing Additional Licensing scheme was commissioned, and the report¹ recommended that the scheme is extended borough-wide and for a further five years from 2024. Following this report, the Council is proposing to introduce an Additional Licensing scheme. As part of the licensing considerations, Tower Hamlets Council commissioned M·E·L Research, as an independent research organisation, to carry out a consultation on the proposal. The proposal includes the areas of Weavers, Whitechapel, Spitalfields and Banglatown, which were excluded from the current scheme, so that the scheme would be borough-wide.

This executive summary provides the main findings from the consultation undertaken in Tower Hamlets, which ran for 14 weeks, from 12th December 2022 to 31st March 2023. In total, 562 respondents took part in the survey, along with feedback provided via other forums and via written statements, as well as 8 stakeholder interviews. Opportunities to participate in the consultation were provided as follows:

- Online survey (166 respondents)
- Face to face survey across the borough (396 respondents)
- 4 online public meetings (51 participants)
- Written responses (5 organisations)
- Stakeholder interviews (8 organisations).

¹ 'Review of Additional Licensing Scheme for PRS properties in Tower Hamlets', Mayhew Harper Associates Ltd (2022)

Key headlines

Proposal for Additional Licensing in Tower Hamlets

The table below provides a summary of opinion on key questions on the renewal of additional licensing, including the currently exempted areas, the proposed standards and conditions of the licence, and the licence fees.

Table 1: Responses on Additional Licensing in Tower Hamlets proposal (overall and by respondent group)

	Overall	Resident	Private tenant	Private landlord / agent	Other
Agree with renewal of AL	72%	76%	81%	26%	67%
Disagree with renewal of AL	14%	9%	4%	60%	33%
Agree with exemption areas included	70%	74%	75%	34%	33%
Disagree with exemption areas included	12%	8%	6%	44%	67%
Licence conditions on space reasonable	78%	79%	88%	45%	83%
Licence conditions on space unreasonable	15%	13%	8%	40%	17%
Licence conditions on kitchen facilities reasonable	76%	76%	82%	64%	67%
Licence conditions on kitchen facilities unreasonable	16%	17%	12%	25%	33%
Licence conditions on washing/toilet facilities reasonable	75%	75%	81%	54%	67%
Licence conditions on washing/toilet facilities unreasonable	18%	18%	13%	34%	17%
Agree with the proposed licence fee	43%	51%	45%	7%	33%
Disagree with the proposed licence fee	32%	25%	27%	75%	50%

Renew the Additional Licensing scheme in Tower Hamlets

Seven out of ten (72%) respondents agree with the proposal to renew the Additional Licensing scheme in Tower Hamlets, whilst 14% disagree.

- Private tenants in Tower Hamlets are more supportive of the proposal, with 81% agreeing
- Landlords are least in favour, with 60% disagreeing.

Extension of the scheme to include the exempted wards

70% agree with the proposal to extend the scheme to include the currently exempted areas of Weavers, Whitechapel, Spitalfields and Banglatown, whilst 12% disagree.

- Around three quarters of residents (74%) and private tenants (75%) in Tower Hamlets agree with the exemption areas being included in the Additional Licensing scheme.
- 44% of landlords and agents disagree (44%).

Licenses required for PRS properties with 3 or more non-related tenants

Around six out of ten (61%) agree that a licence should be required only for these properties, whilst a fifth (20%) disagree.

- Around two thirds of residents (65%) and private tenants of (66%) Tower Hamlets agree that licences should be required for these properties.
- Over half of landlords (54%) disagree.

Inclusion of 257 HMOs

Two thirds of respondents (66%) agree that including Section 257 HMOs in the scheme (self-contained flats/dwellings, converted prior to Building Regulations 1991) will help to improve the quality of private rented housing. Around one in ten (11%) disagree.

- Over seven in ten residents and private tenants (both 72%) agree.
- A higher proportion of landlords disagree (44%) than agree (26%).

Proposed amenity standards

Just under seven in ten (69%) agree that the proposed amenity standards will improve the quality and standards of HMOs. One in eight (12%) disagree.

- Around three quarters of private tenants (75%) and residents (73%) of Tower Hamlets agree.
- Almost half of landlords disagree (48%).

Proposed conditions and standards

The Council has set out requirements on the conditions and standards of HMO properties, which include standards on space, on kitchen facilities and on washing and toilet/WC facilities. Standards on space are felt to be the most reasonable of the proposals.

- Around three quarters of all respondents are supportive of all of the standards proposed, with 75%-78% feeling they are reasonable, whilst 15%-18% feel they are unreasonable.

- Private tenants are more positive about the conditions and standards than other groups, in particular with the standards on space (88%).
- Landlords are least supportive of standards on space, with 40% feeling they are unreasonable (with 45% as reasonable). However, a slightly higher proportion of landlords feel the standards are reasonable than unreasonable across all three standards.

Licence fees

A higher proportion of respondents believe the proposed licence fee of £600 for a five-year licence (subject to increases from April 2024/25, normally by inflation) is reasonable (43%) compared to unreasonable (32%). One in five (20%) neither agree nor disagree.

- Around half of residents (51%) agree that it is reasonable, with a slightly lower proportion of private tenants agreeing (45%).
- The vast majority of landlords disagree that the proposed licence fee is reasonable (75%), with only 7% saying it is reasonable.

Other comments about the proposal

When asked whether there were any further comments about the proposals, the most common responses were around concerns that **costs will be passed onto tenants and rents will rise** (38 comments), followed by **generally agreeing with/in favour of the scheme** (24 comments) and that the scheme will have a **positive impact on the area and remove criminal landlords** (22 comments).

Views from the online public meetings

Four public meetings were undertaken online, with an opportunity for questions and feedback on the proposals to be given by participants. Key themes from the meetings are as follows:

- Attitudes were mixed across the groups – some landlords felt that there were benefits to the scheme such as ensuring good property standards, whilst others felt it was very harsh for good landlords.
- Some landlords felt that they are being penalised to pay for rogue landlords. A few participants did ask how the council would tackle criminal landlords
- Not all landlords were sure of how the Additional Licensing scheme would work with properties that are smaller HMOs currently licenced under the Selective Licensing scheme.
- A number of landlords and agents felt the licensing application process was very lengthy in terms of the forms and volume of information and wondered if that could be simplified/shortened. Others felt that the time to process applications was very long and some were unsure whether they had

been issued a licence even though they had paid the fee. Others said they had not been inspected and therefore questioned why a new scheme was needed.

- In terms of fees, some participants asked for greater transparency around the fees and how they are calculated.
- There were a number of questions around living rooms being used as bedrooms and whether that was permissible.

Views from Stakeholders on licensing proposals

The main findings that came out of the stakeholder interviews are as follows:

Views overall

Council teams were in favour of Additional Licensing. The police were also in support of any form of regulating the private rented sector to improve conditions. Tenancy groups, such as Justice for Tenants and Shelter were also in favour.

Landlord/agent groups were more concerned about the scope of the scheme and both suggested it would be more beneficial and practical for the Council to take a more targeted approach rather than a broad brush approach (both geographically and in terms of types of HMOs). They also felt that inspections should occur as early as possible to head off any issues, with concerns raised about the resources that Tower Hamlets has to deal with the scheme.

Proposed borough wide scheme

Landlord/agent groups felt that the Council has a huge task on its hands due to the size of the PRS in Tower Hamlets, and therefore both the NRLA and Safeagent suggested it would be more beneficial and practical for the council to take a staggered approach to focus on problem areas rather than tackle the whole borough. Concerns around the overlap/ Selective Licensing properties that would require Additional Licences needs to be carefully considered by the Council.

All other partners felt that a borough wide scheme would be more straightforward for landlords, residents and tenants to understand in terms of HMOs, although many felt that inspections need to happen to ensure that the scheme is not merely a paper exercise.

Impact of the licensing scheme

Council teams and Justice for Tenants felt that the licencing scheme has had a positive impact, in terms of dealing with named individuals and agents (the licence holder/managing agent) when issues with either disrepair or with the tenants needed to be addressed. Trading standards had also found they are

more easily able to check on letting managing agents are operating legally, with the correct schemes in place (such as redress or client money protection schemes). On the other hand, the evidence did not suggest that enforcement has been used widely by the Council and other measures could be put in place to measure the impact of the scheme in future, including health outcomes, financial penalties – this would help landlords see the impact that licensing has in addressing non-compliant landlords and poor standards in the private rented sector.

Wider comments

Tenant advocate groups, Shelter and Justice for Tenants felt that licensing helps tenants to understand more about their rights if schemes are well communicated, as in many cases they deal with, it is invariably a lack of knowledge and confidence about what rights tenants have in renting properties.

Landlord/agent groups felt that the Council would get greater buy in from landlords if they work collaboratively with them, giving them pragmatic and realistic timeframes where issues were identified with properties, and give them support through landlord forums for example, or another mechanism to help/signpost other services to landlords when they have issues.

Introduction

The private rented sector (PRS) in England has grown from 1 in 10 households in 2004, to 1 in 5 households in 2021 (21%). At 40% (around 53,000 households), private rented sector housing is a significant and growing proportion of the overall housing stock in Tower Hamlets. The sector is therefore meeting an essential need, and as the population continues to grow, particularly amongst younger age groups, this is unlikely to change for the foreseeable future.

The Council has been running an Additional Licensing scheme since 2019 in all areas of the borough except Weavers, Whitechapel and Spitalfields and Banglatown. The proposed scheme would commence at the end of the current scheme (April 2024). This proposal includes the areas of Weavers, Whitechapel, Spitalfields and Banglatown, which were excluded from the current scheme.

To implement a borough-wide Additional Licensing scheme, the Council must consider that a significant proportion of HMOs in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise, to one or more particular problems for those occupying the HMOs or for members of the public. The Council commissioned an independent review into the effectiveness of the existing scheme by looking at all available data. Mayhew Harper Associates Ltd produced a report in 2022 entitled '**Review of Additional Licensing Scheme for PRS properties in Tower Hamlets**'. The review found that the task of improving standards in Tower Hamlets has made progress, 'but the size of that task continues to grow and remains challenging'. The report recommended that the scheme is extended borough-wide and for a further five years from 2024, but that the scheme is also adequately resourced.

The Council believes that the report provides sufficient data and evidence for an Additional Licensing scheme to continue and are proposing for the scheme continued and rolled out borough-wide. The scheme would run from April 2024 for a five year period. The objectives of the scheme are to:

- to support and ensure landlords continue to improve the conditions and management of privately rented properties across the borough and that they are made aware of the standards required with managing property within Tower Hamlets,
- to enable the identification and potential inspection/audit of smaller HMOs over the licensing period to ensure standards are met,
- to support renters so that they are aware of the standards that they can expect and help when things go wrong,
- to complement other housing initiatives that the Council undertakes, such as – fuel poverty, cost of living, to work with landlord and renters' organisations to promote safe and compliant homes,
- to continue with an active enforcement programme against criminal and exploitative landlords and their agents,

- to ensure all residential letting agents are fully compliant with consumer protection and rights legislation,
- to ensure that the sector funds its own regulation.

Public consultation

The public consultation took place over a 14 week period, from 12th December 2022 to 31st March 2023. A range of methods were used to consult with local residents, tenants, landlords, agents, businesses and organisations in Tower Hamlets, local stakeholders and neighbouring local authority areas. A range of different publicity and communications were used by Tower Hamlets, outlined in Appendix B.

Consultation methods

The main methods of engagement used to gather responses as part of the consultation, and results of each, are outlined in more detailed below, including response rates received. In total, 562 people took part in the survey.

1. Online survey

The online consultation was widely promoted by the Council (see Appendix B) and encouraged landlords, agents, tenants, residents and other interested parties to participate. In total, 166 responses were received to the online consultation. A breakdown of responses by respondent type is provided in the table below. A higher proportion of owner occupiers and landlords responded to the online survey, compared to private tenants or businesses.

Table 2: Respondent profile to the online survey (multiple options allowed)

Respondent type	Count
Owner occupier	64
Private tenant	28
Social housing tenant	13
Landlord	60
Letting or managing agent	3
Business owner in Tower Hamlets	16
Other	2
Total respondents to online survey	166

2. Face to face household survey

A door-to-door, face-to-face survey was undertaken with 396 residents from across the borough and results are broadly representative by ward, gender and age. Based on a total estimated population

(Census 2021) of 310,300 in the borough, the results provide a margin of error of +/-4.92% . A breakdown of respondent type is shown below.

Table 3: Respondent profile to the face to face survey (multiple options allowed)

Respondent type	Count
Owner occupier	80
Private tenant	174
Social housing tenant	132
Landlord	5
Letting or managing agent	7
Business owner in Tower Hamlets	0
Other	1
Total respondents to face to face survey	396

3. Online public meetings

We ran four online consultation meetings for those interested in attending, where the proposals were presented and an opportunity for questions and feedback was given for participants for us to gather views about the proposal. These were held across a series of dates, with different days of the week and different times, to provide sufficient opportunity for people to get involved.

Table 4: Online meeting attendees

Date	Number of participants
Thursday 26 th January 2023 (12-1.30pm)	17
Tuesday 28 th February 2023 (6-7.30pm)	13
Wednesday 15 th March 2023 (12-1.30pm)	18
Monday 27 th March 2023 (5.30-7pm)	3
TOTALS	51

4. Stakeholder interviews

A number of stakeholders were invited to take part in an interview undertaken by M·E·L Research staff as part of the consultation. The council provided a list of potential stakeholders and although attempts were made to contact all organisations, eight organisations took part in the consultation. A full list of those that took part is detailed in Section 3.

5. Written responses

In addition, 5 organisations submitted a written response to the consultation. These full responses are included in the Appendix C.

Reporting conventions

We have used the term 'landlord' in this report to collectively refer to landlord, letting or managing agents. We have also grouped owner occupiers and social tenants to create a group called 'residents'. Due to the smaller number of respondents from businesses and 'other' types of respondents, these have been combined as 'other'. Responses from this group have been included in the charts for completeness, but not reported on in the text due to the very small number of respondents.

Owing to the rounding of numbers, percentages displayed visually on graphs or charts in the report may not always add up to 100% and may differ slightly when compared with the text. The figures provided in the text should always be used. For some questions, respondents could give more than one response (multiple choice). For these questions, the percentage for each response is calculated as a percentage of the total number of respondents and therefore percentages do not add up to 100%.

The consultation findings have been reported overall, combining results by method of consultation and by type of respondent (resident, private tenant, landlord/agent, other). Base sizes are shown in brackets or under the charts.

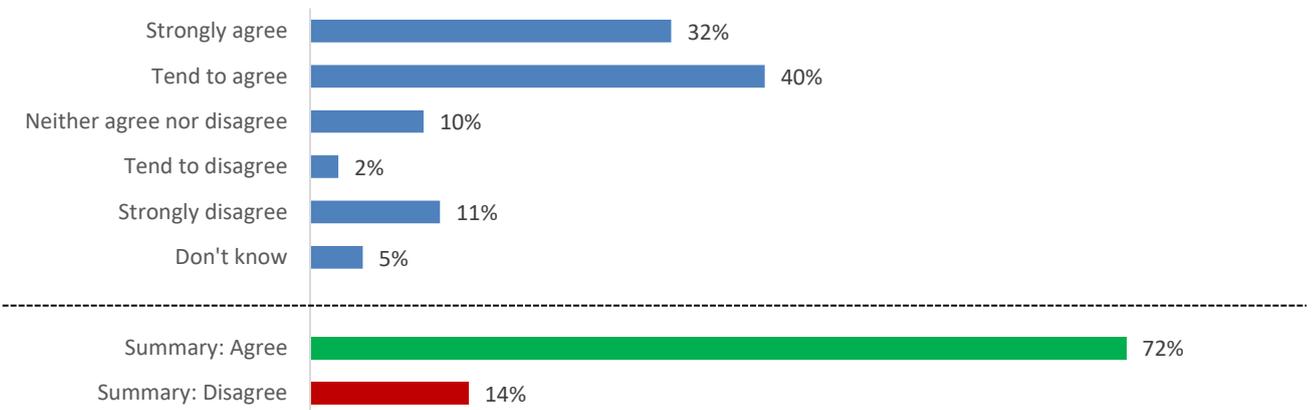
1. Survey results

This section of the report presents the results from the surveys. Results are shown for responses to the Additional Licensing survey and broken down into subgroups where possible. The online survey contained a broader list of questions, which are presented separately at the end of the section.

Proposal on Additional Licensing

Respondents were asked whether they agree or disagree with the general proposal for renewing the Additional Licensing scheme in Tower Hamlets. Around seven out of ten (72%) respondents agree with the proposal, whilst 14% disagree.

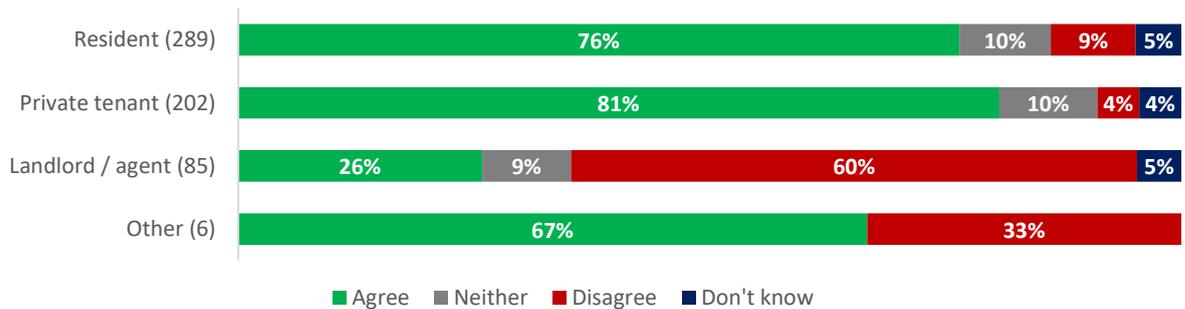
Figure 1: To what extent do you agree or disagree with the general proposal for renewing the additional licensing scheme for Tower Hamlets?



Sample base: 562

Private tenants in Tower Hamlets are more supportive of the proposal, with 81% agreeing. A majority of residents of Tower Hamlets were also in support, with 76% agreeing. Landlords are least in favour, with 60% disagreeing.

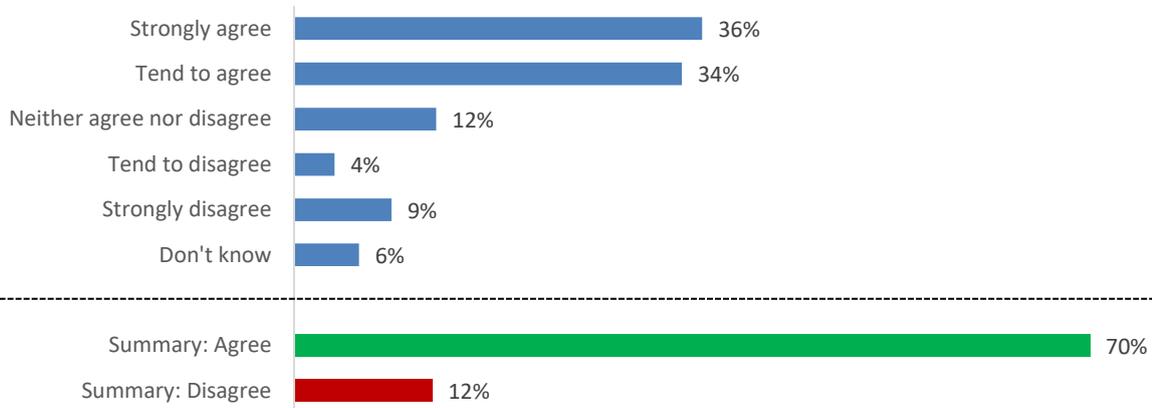
Figure 2: To what extent you agree or disagree with the general proposal for renewing the additional licensing scheme for Tower Hamlets? (by respondent type)



Sample base: Bases in parentheses

Respondents were asked whether they agree or disagree with the proposal to extend the scheme to include the currently exempted areas of Weavers, Whitechapel, Spitalfields and Banglatown. 70% agree with the proposal, whilst 12% disagree.

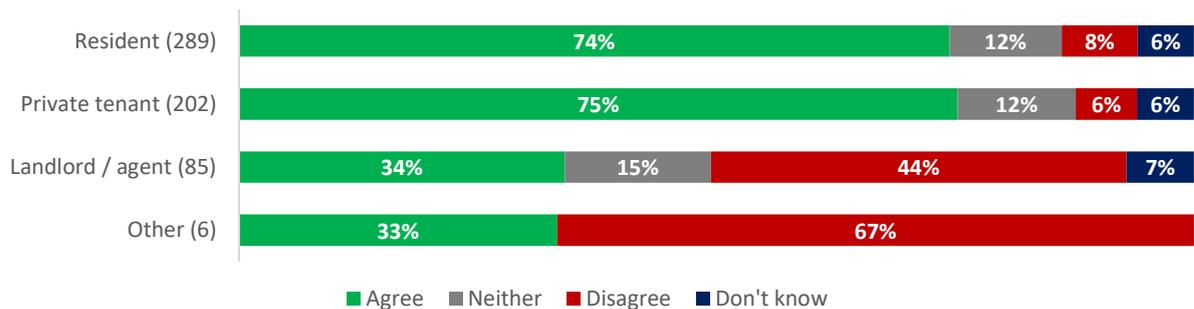
Figure 3: To what extent do you agree or disagree that the exemption areas should be included?



Sample base: 562

Residents (74%) of Tower Hamlets and private tenants (75%) are more likely to agree with the exemption areas being included in the Additional Licensing scheme, compared to landlords and agents (34%). A higher proportion of landlords/agents disagree with the inclusion (44%).

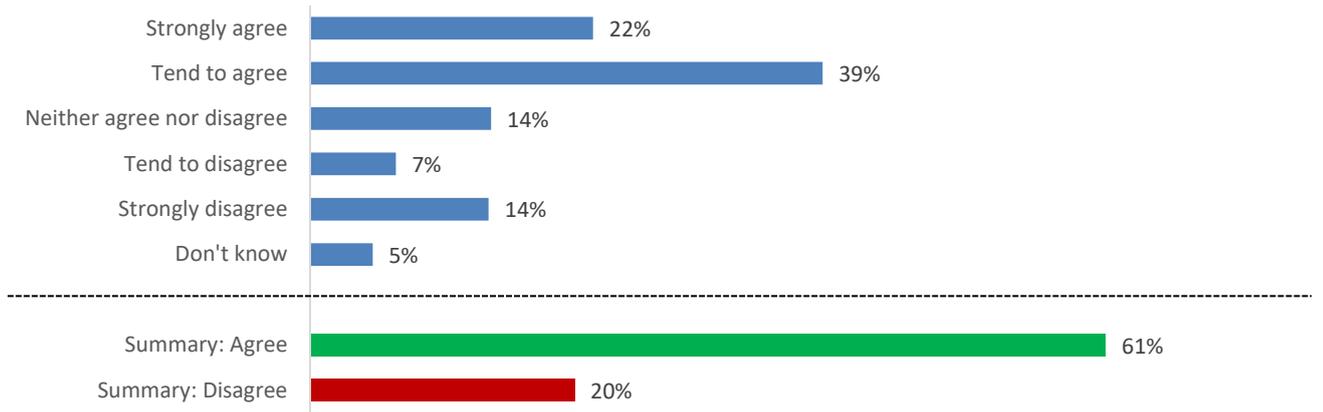
Figure 4: To what extent do you agree or disagree that the exemption areas should be included? (by respondent type)



Sample base: Bases in parentheses

Respondents were asked whether they agree or disagree with the proposal that licences should be required only for privately rented properties with three or more non-related tenants sharing a kitchen or bathroom in Tower Hamlets. Around six out of ten (61%) agree that a licence should be required only for these properties, whilst a fifth (20%) disagree.

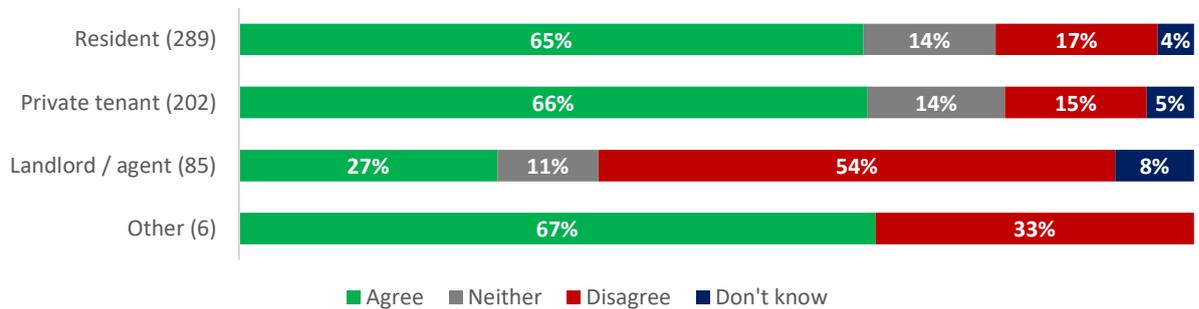
Figure 5: To what extent do you agree or disagree with Additional licensing proposal that licences should be required only for the privately rented properties with three or more non- related tenants sharing a kitchen or bathroom in Tower Hamlets?



Sample base: 562

Around two thirds of residents (65%) and private tenants of (66%) Tower Hamlets agree that licences should be required for these properties, whilst over half of landlords (54%) disagree.

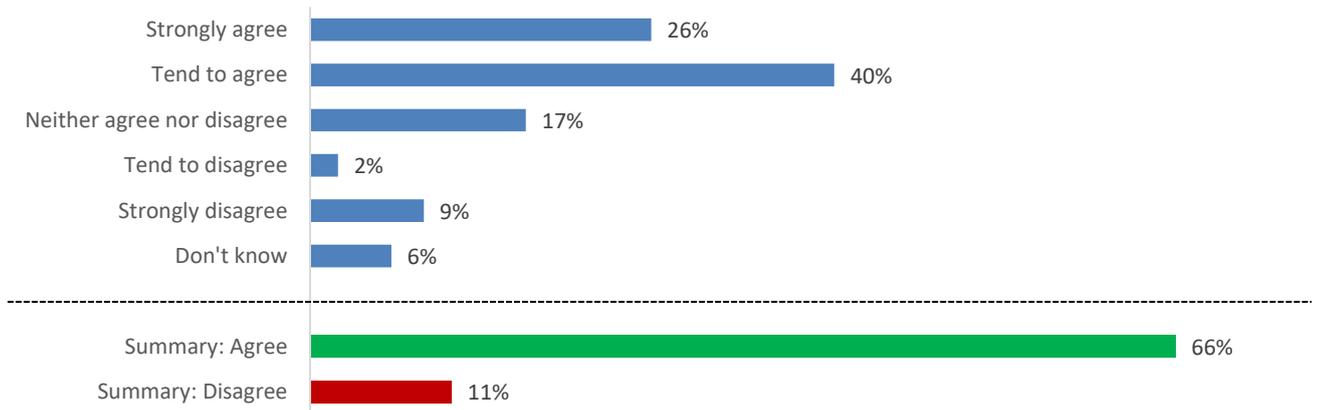
Figure 6: To what extent do you agree or disagree with Additional licensing proposal that licences should be required only for the privately rented properties with three or more non- related tenants sharing a kitchen or bathroom in Tower Hamlets? (by respondent type)



Sample base: Bases in parentheses

Respondents were asked whether they agree or disagree that including Section 257 HMOs (self-contained flats/dwellings, converted prior to Building Regulations 1991) will help to improve the quality of private rented housing. Two thirds of respondents (66%) agree that this will help, whilst only 11% disagree.

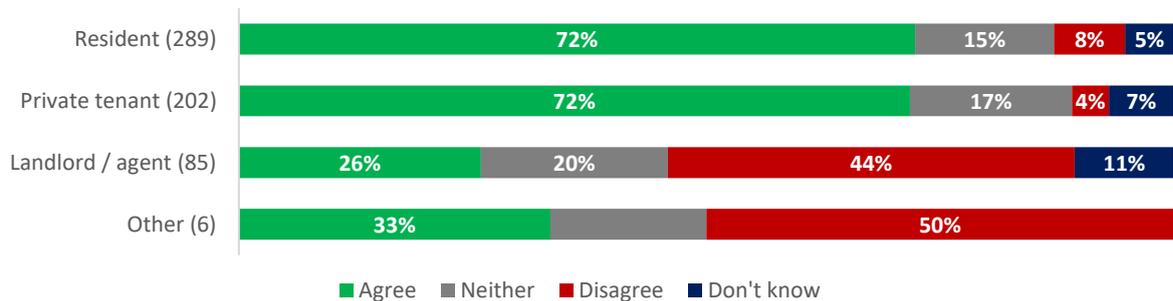
Figure 7: To what extent do you agree or disagree that including Section 257 HMOs in the scheme will improve the quality of privately rented housing?



Sample base: 562

Over seven in ten residents and private tenants (both 72%) in Tower Hamlets agree that including Section 257 HMOs will improve the quality of privately rented housing, whilst only a quarter (26%) of landlords agree. More landlords disagree (44%) than agree.

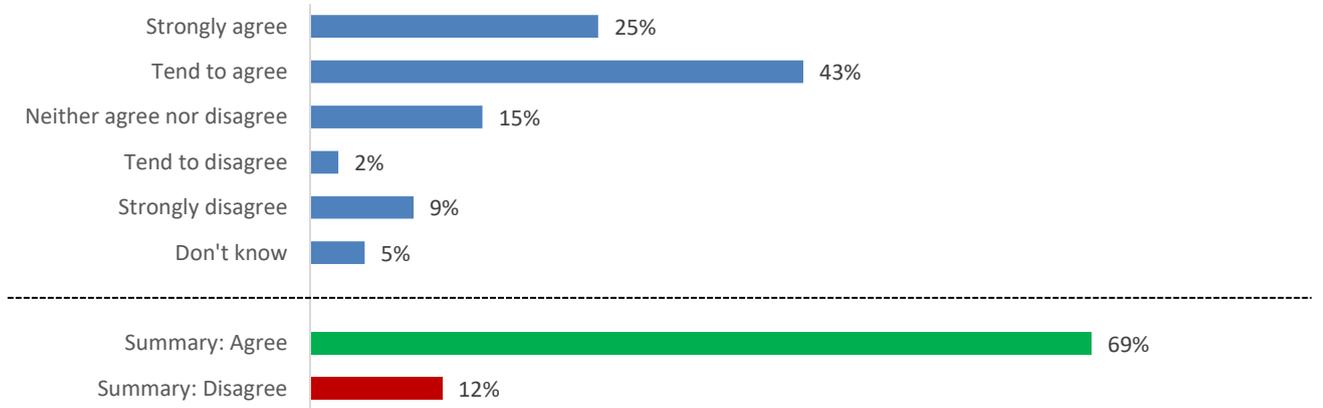
Figure 8: To what extent do you agree or disagree that including Section 257 HMOs in the scheme will improve the quality of privately rented housing? (by respondent type)



Sample base: Bases in parentheses

Respondents were asked whether they agree or disagree that the proposed amenity standards will improve the quality and standards of HMOs. Just under seven in ten (69%) agree, whilst 12% disagree.

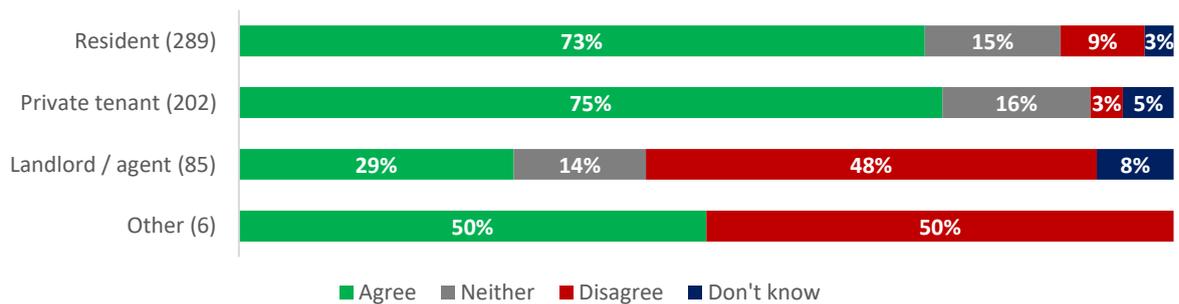
Figure 9: To what extent do you agree or disagree that the proposed amenity standards will improve the quality and standards of HMOs?



Sample base: 562

Around three quarters of private tenants (75%) and residents (73%) of Tower Hamlets agree that the proposed standards will improve the quality and standards of HMO. In contrast, almost half of landlords disagree (48%), whilst around three in ten (29%) agree.

Figure 10: To what extent do you agree or disagree that the proposed amenity standards will improve the quality and standards of HMOs? (by respondent type)

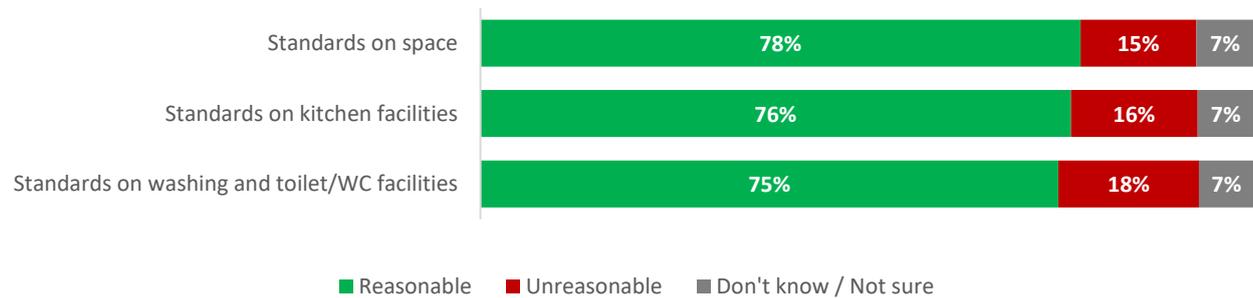


Sample base: Bases in parentheses

Licence conditions

In the proposal, the Council has set out requirements on the conditions and standards of HMO properties, which include standards on space, on kitchen facilities and on washing and toilet/WC facilities. Around three quarters of all respondents are supportive of all of the standards proposed, with 75%-78% feeling they are reasonable, whilst 15%-18% feel they are unreasonable. Standards on space are felt to be the most reasonable of the proposals.

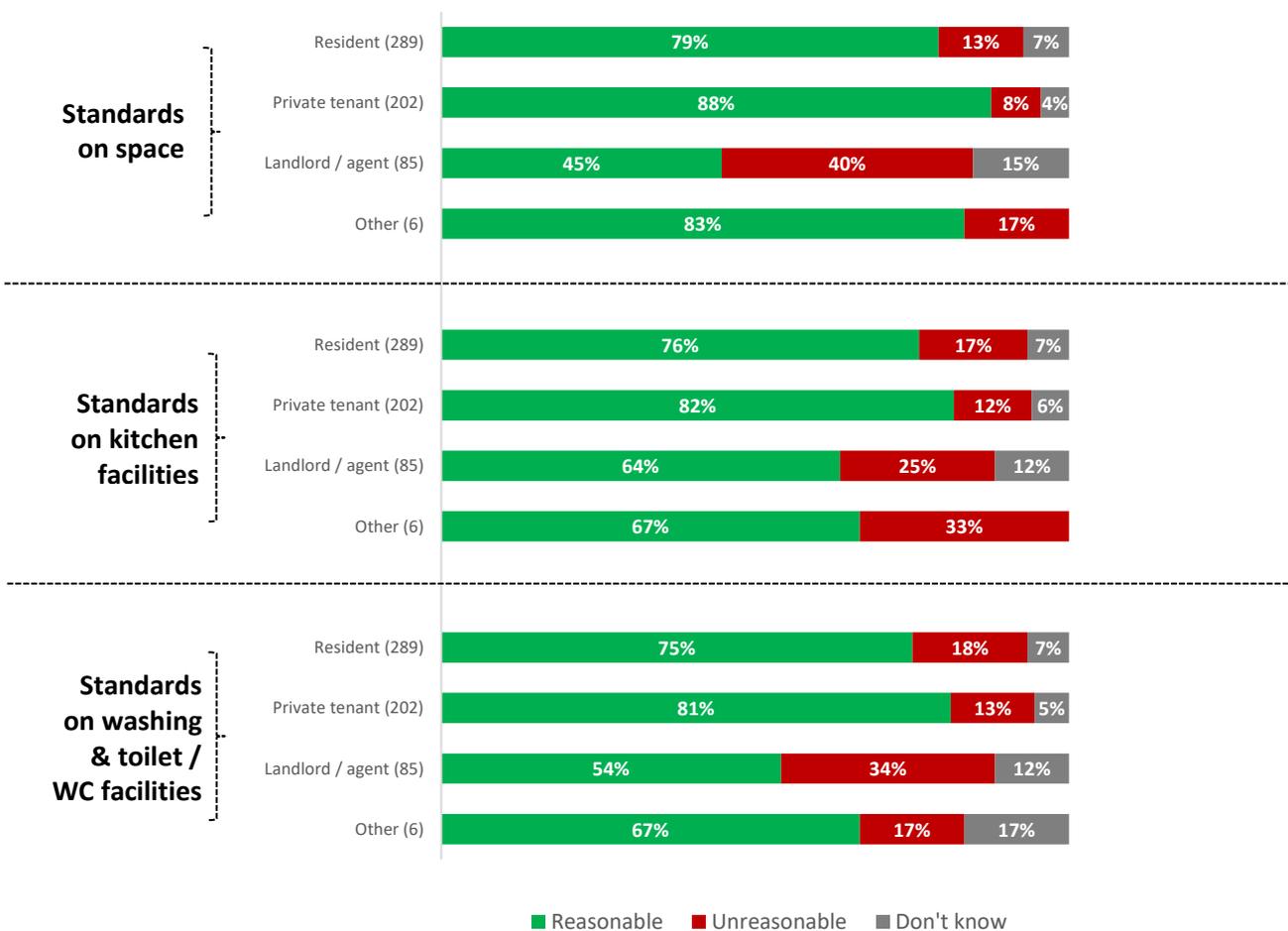
Figure 11: How reasonable or unreasonable are the following elements of the proposals around conditions and standards...?



Sample base: 562

When we look at results by respondent type, private tenants are more positive about the conditions and standards than other groups, in particular with the standards on space (88%). Tower Hamlets residents are also supportive, with three quarters or more feeling the different standards are reasonable (75%-79%). Landlords are least supportive of standards on space, with 40% feeling they are unreasonable. However, across all three proposals on standards, a slightly higher proportion of landlords feel the standards are reasonable, as opposed to unreasonable.

Figure 12: How reasonable or unreasonable are the following elements of the proposals around conditions and standards...? (by respondent type)



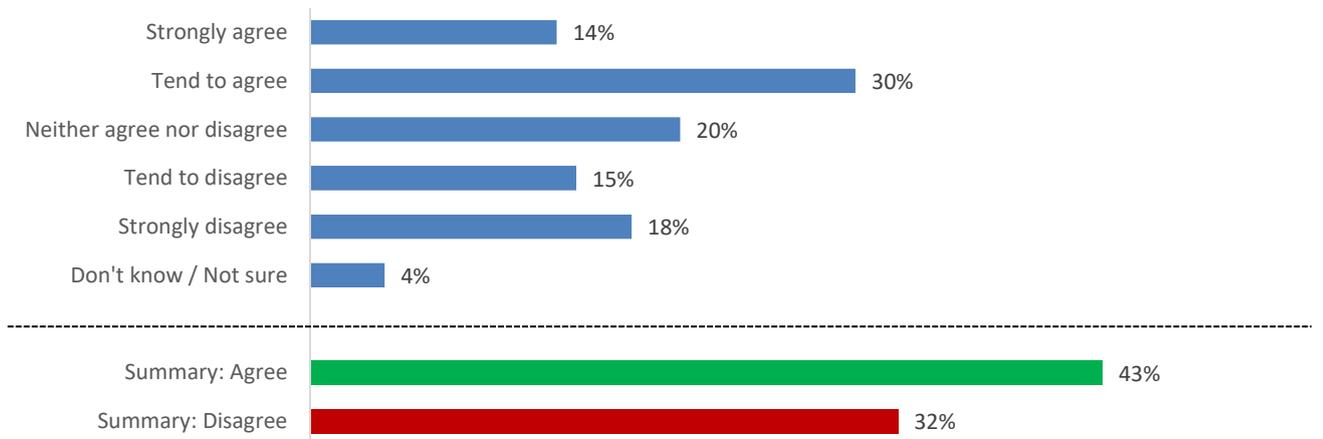
Sample base: Bases in parentheses

Licence fees

As part of the consultation, respondents were asked to comment on the proposed fee of £600 for the additional licensing scheme for a five-year licence (subject to increases from April 2024/25, normally by inflation).

The chart below shows that a higher proportion of respondents believe the fee is reasonable (43%) compared to unreasonable (32%). One in five (20%) neither agree nor disagree.

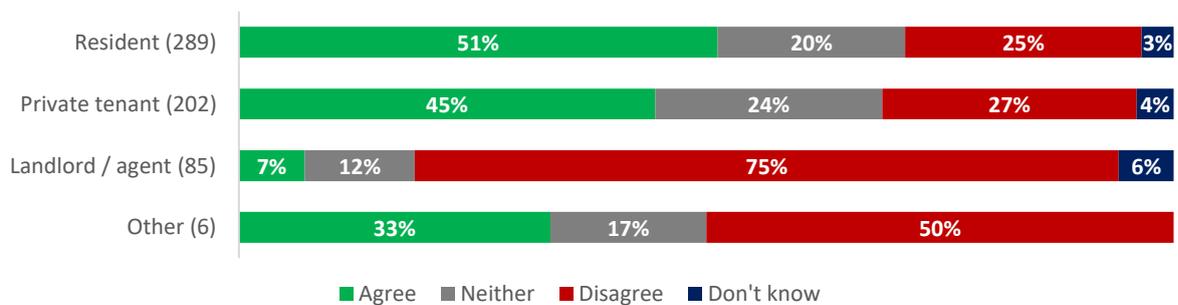
Figure 2: To what extent do you agree or disagree that the proposed licence fee for a 5-year licence (£600) is reasonable?



Sample base: 562

The chart below shows that the vast majority of landlords disagree that the proposed licence fee is reasonable (75%), with only 7% saying it is reasonable. Around half of residents (51%) agree that it is reasonable, with a slightly lower proportion of private tenants agreeing (45%).

Figure 3: To what extent do you agree or disagree that the proposed licence fee for a 5-year licence (£600) is reasonable? (by respondent type)



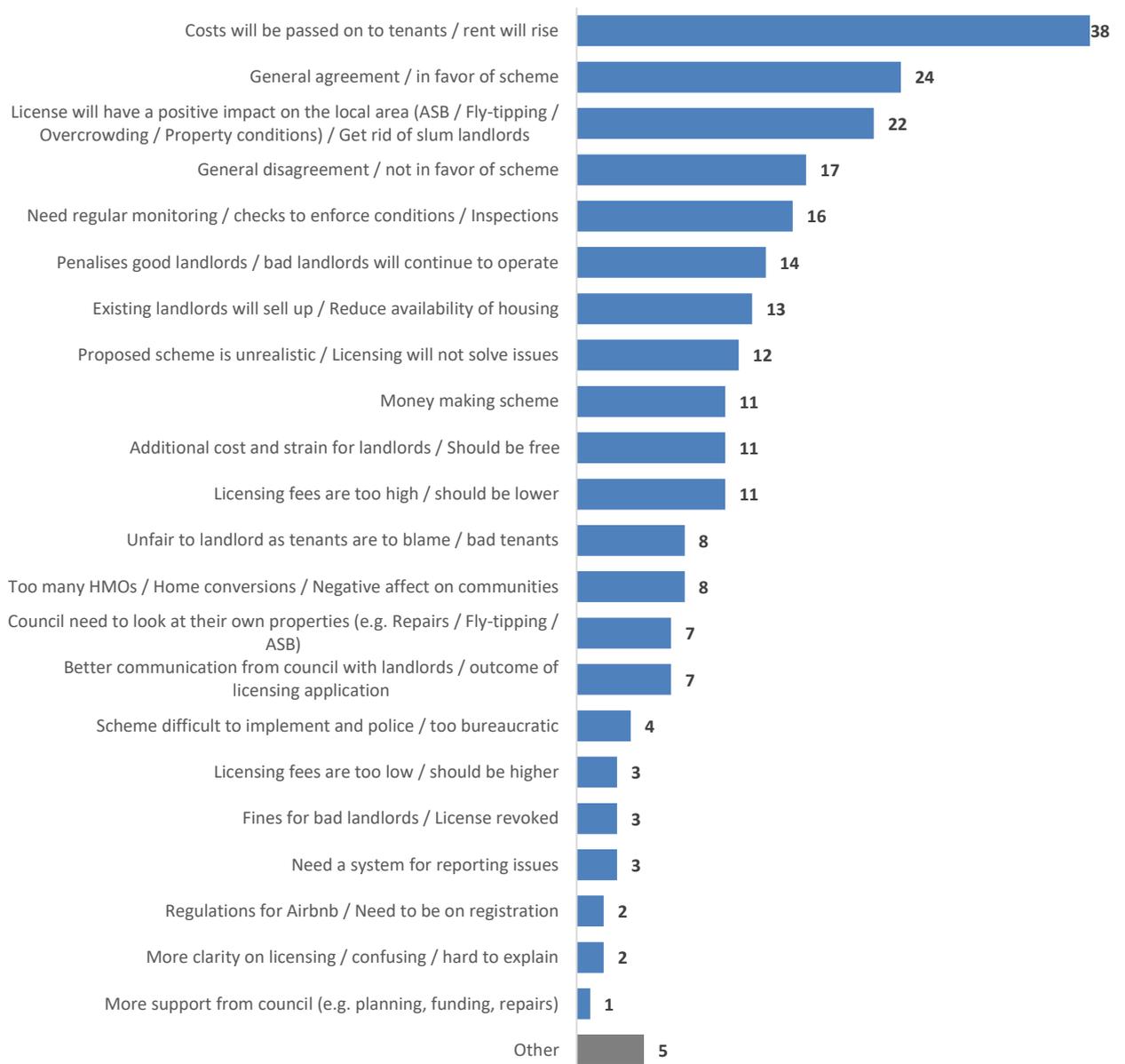
Sample base: Bases in parentheses

Any further comments about the licensing proposals

All survey respondents were asked if they had any further comments about the Additional Licensing proposals. 164 respondents gave a comment. We have coded these free text comments to pull out recurring themes. These are presented by the number of comments each theme received.

The most common responses were around concerns that **costs will be passed onto tenants and rents will rise** (38 comments), followed by **generally agreeing with/in favour of the scheme** (24 comments) and that the scheme will have a **positive impact on the area and remove criminal landlords** (22 comments).

Figure 4: Do you have any further comments about the Licensing proposals? (coded responses)

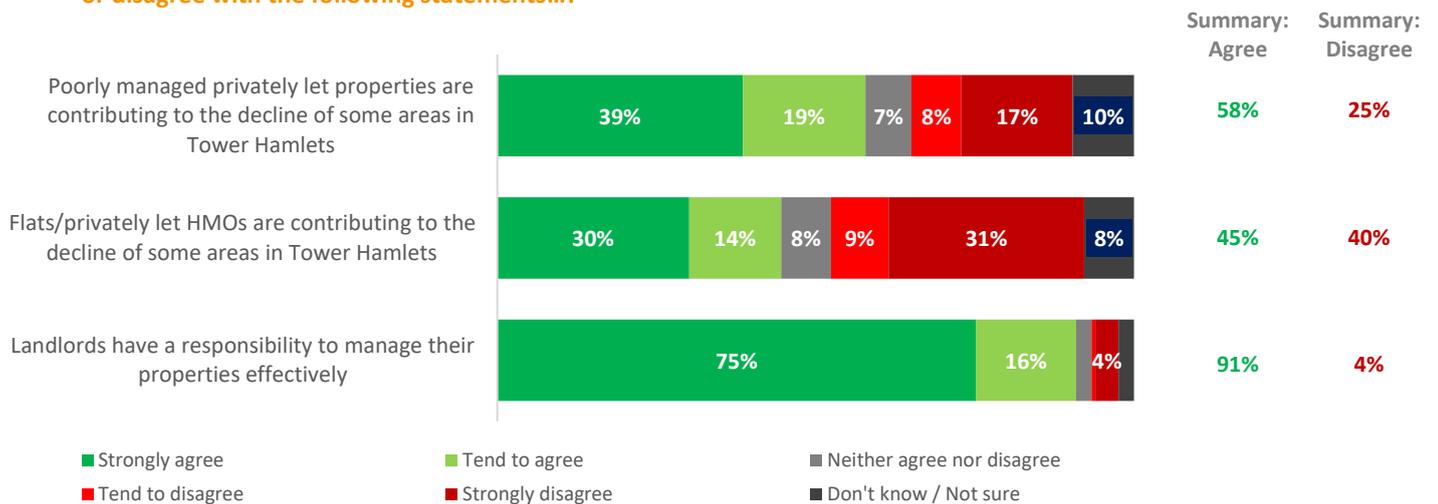


Online survey questions

The online survey gave the Council the opportunity to explore the experiences of the private rented sector in Tower Hamlets, which were not feasible for the face to face survey due to the survey being too long to undertake on the doorstep. Results from this subset of questions are presented in this section.

Online respondents were given a set of statements about the PRS in Tower Hamlets, and asked whether they agree or disagree with them. The vast majority of respondents agree that landlords have a responsibility to manage their properties effectively (91%), with more than half (58%) agreeing that poorly managed privately let properties are contributing to the decline in some areas of Tower Hamlets. However, less than half (45%) feel that flats/privately let HMOs are contributing to the decline of some areas of Tower Hamlets, with 40% disagreeing.

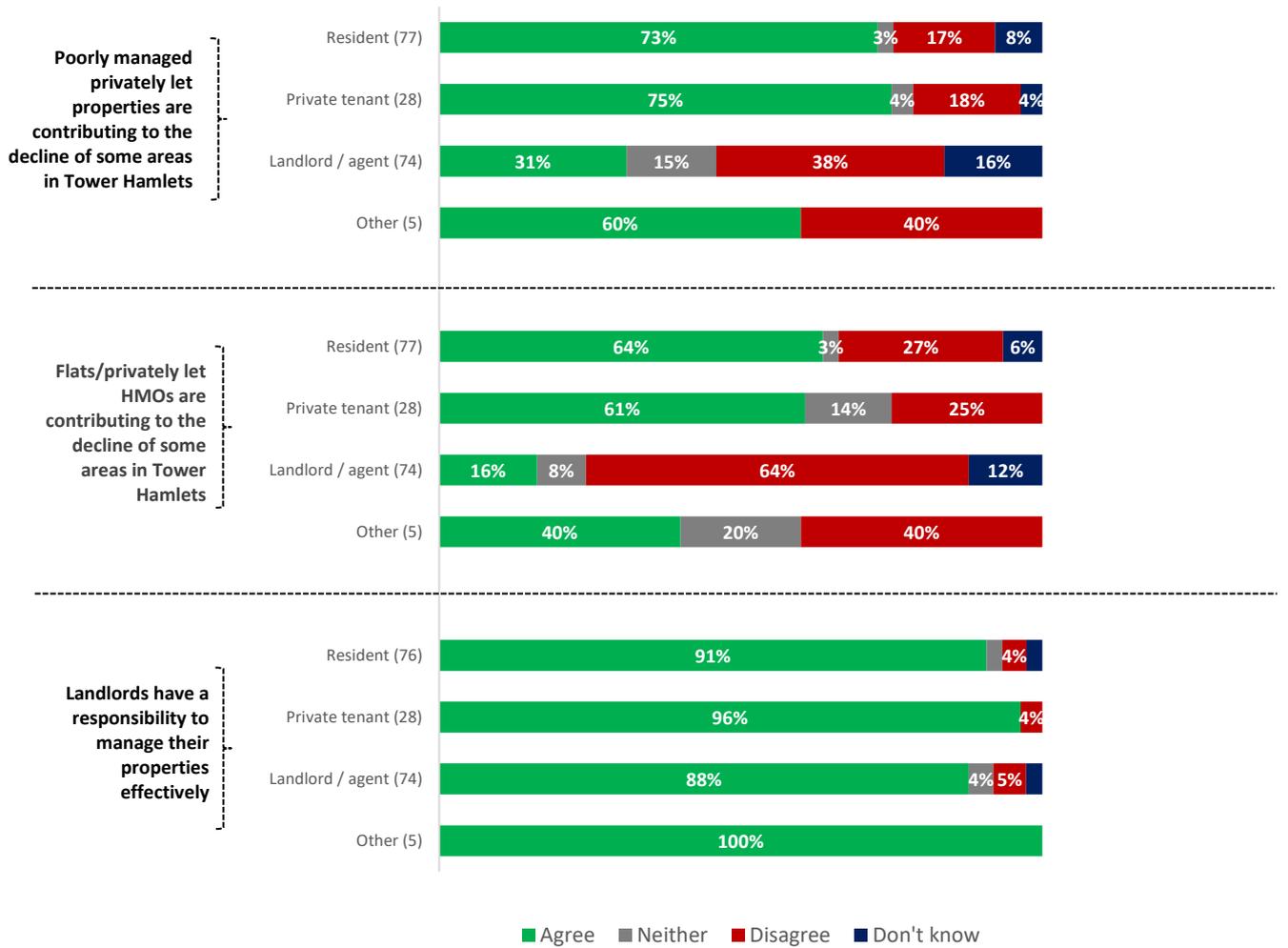
Figure 165: Thinking about the private rented sector in Tower Hamlets as a whole, to what extent do you agree or disagree with the following statements...?



Sample base: 166

The chart below shows that residents (78%) and private tenants are most likely to agree with all statements. All groups agree substantially that landlords have a responsibility to manage their properties effectively, with 88% of landlords agreeing. Just under two thirds of landlords (64%) disagree that flats/privately let HMOs are contributing to the decline of some areas in Tower Hamlets, with only 16% agreeing, compared to 64% of residents. Just under four in ten (38%) landlords disagree that poorly managed privately let properties are contributing to the decline of some areas in Tower Hamlets, compared to 73% of residents and 75% of private tenants. However, around a third of landlords (31%) agree that this is the case.

Figure 17: Thinking about the private rented sector in Tower Hamlets as a whole, to what extent do you agree or disagree with the following statements...? (by respondent type)

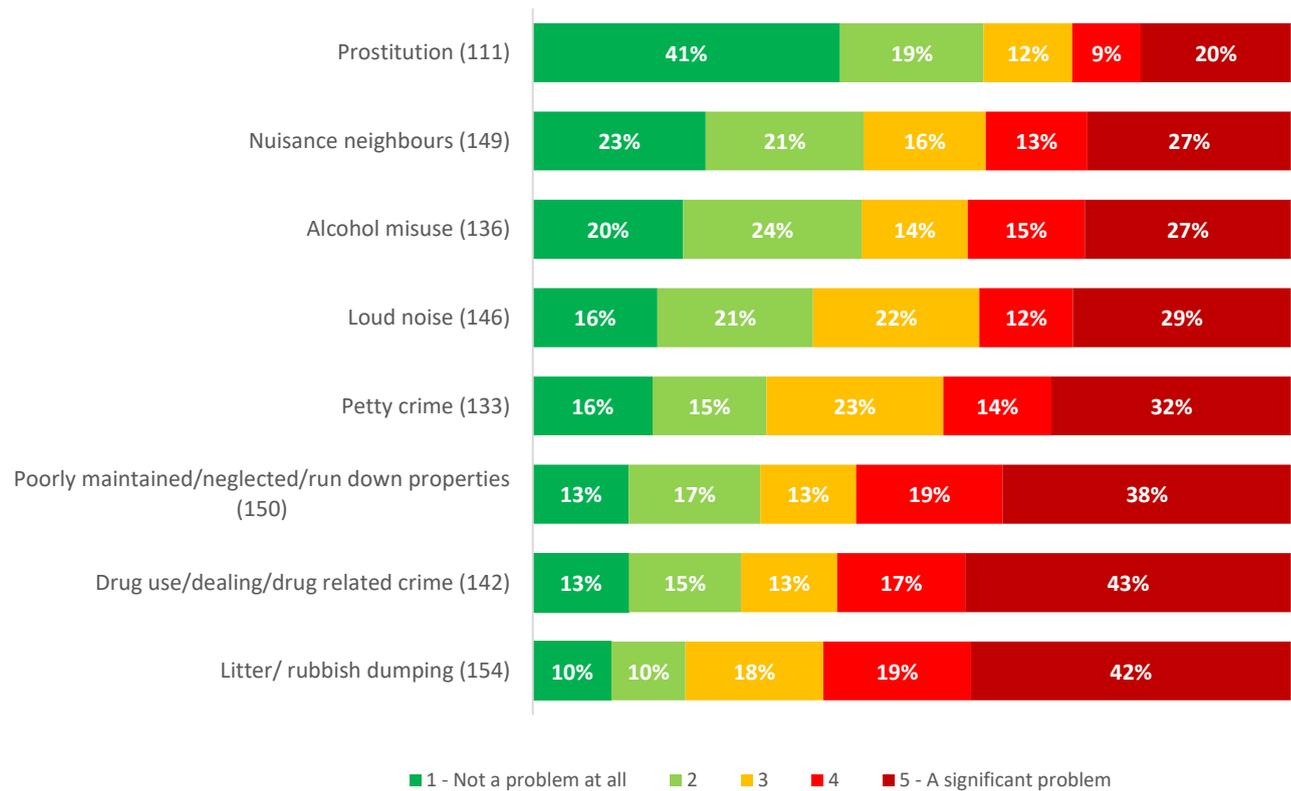


Sample base: Bases in parentheses

Respondents were given a list of common neighbourhood issues and asked to rate the severity of those issues in Tower Hamlets on a scale of 1-5, where 1 is not a problem at all and 5 is a significant problem. For this question we have taken out all 'don't know/not sure' responses, to get an understanding of the actual issues within the borough. The full set of responses has been provided to the Council, including those who stated 'don't know/not sure'

Prostitution and **nuisance neighbours** have a higher proportion of respondents rating these issues as a 1 (not a problem at all) or 2, closely followed by **alcohol misuse**. The biggest issues seem to be around **litter/rubbish dumping, drug use and dealing** and **poorly maintained/neglected/run down properties**, which more respondents rate as a 4 or 5. Over four in ten (43%) rate **drug use/dealing/drug related crime** as a 5 (a significant problem) in Tower Hamlets.

Figure 18: Extent of problems in Tower Hamlets (where 1 is 'not a problem at all' and 5 is 'a significant problem')



Sample base: Bases in parentheses

Although the number of responses by ward are small, Table 5 below shows the mean score² for all responses by problem type. Results for each problem by ward are compared to the mean score for Tower Hamlets as a whole, and those highlighted in green are more positive than the mean score for Tower Hamlets, whilst those in red are more negative. The highest and lowest mean scores for each problem, are highlighted in bold, with marked borders (green being the most positive mean score, and red being the most negative mean score across the borough). Please note these figures are not robust due to the small sample sizes, and therefore should be used with caution.

² The mean is a calculation of the average of the group of scores. To calculate the mean score, all scores are added up and divided by the number of scores.

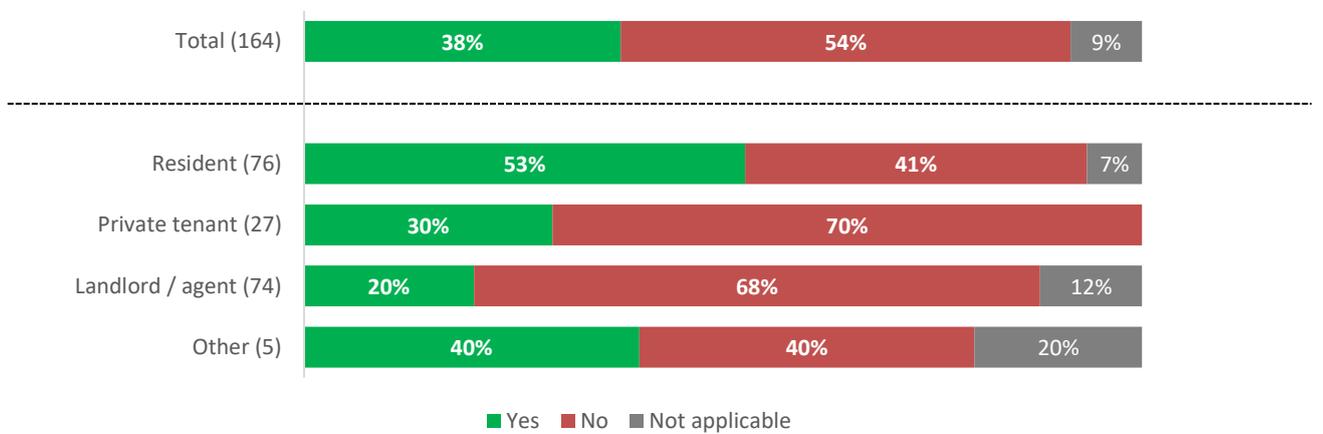
Table 5: Mean score for problems in Tower Hamlets (where 1 is 'not a problem at all' and 5 is 'a significant problem') (by ward)

Ward / Problems in Tower Hamlets	Litter/ rubbish dumping	Drug use/dealing/drug related crime	Poorly maintained/neglected/ run	Petty crime	Loud noise	Alcohol misuse	Nuisance neighbours	Prostitution
Whole of Tower Hamlets	3.73	3.63	3.53	3.31	3.16	3.07	3.01	2.49
Island Gardens	4.44	4.43	4.00	3.71	3.67	3.86	3.67	2.86
Canary Wharf	2.89	3.20	3.10	2.89	3.13	2.22	2.56	1.86
Blackwall and Cubitt Town	3.67	3.83	3.33	3.17	2.67	2.33	2.33	2.67
Poplar	3.63	3.88	4.00	3.83	4.00	3.57	3.88	3.50
Lansbury	4.75	3.25	4.00	2.67	3.00	3.00	3.00	2.00
Limehouse	3.40	3.00	2.20	3.50	3.75	2.75	3.20	1.60
Mile End	3.80	4.10	3.80	3.50	2.90	3.00	3.10	2.00
Bromley South	4.67	4.33	4.33	4.33	3.33	3.33	3.33	2.67
Bromley North	2.50	3.00	4.50	3.00	2.50	3.50	2.00	2.50
St. Dunstan's	5.00	2.50	5.00	2.00	3.50	1.50	3.50	2.00
Stepney Green	4.22	3.86	3.88	3.86	3.56	4.00	3.22	2.00
St. Katherine and Wapping	4.33	4.00	4.00	3.33	3.00	3.33	2.33	2.00
Bethnal Green East	3.29	2.71	2.57	2.14	2.71	2.14	2.71	2.29
Bethnal Green West	4.33	4.50	4.00	5.00	5.00	2.50	4.50	0.00
Bow West	5.00	3.50	4.33	4.00	3.00	3.00	4.00	2.00
Bow East	3.91	3.40	4.09	3.30	3.00	3.00	2.64	2.71
Shadwell	3.80	3.75	3.80	3.25	2.80	3.67	3.00	2.00
Spitalfields and Banglatown	2.50	3.29	1.80	3.00	1.83	3.00	1.67	2.60
Weavers	3.40	3.50	3.40	2.90	3.70	2.60	3.40	2.22
Whitechapel	4.33	3.89	3.63	3.00	4.33	3.67	3.67	3.00
Do not live in Tower Hamlets	3.48	3.68	3.33	3.65	2.62	3.30	2.69	2.85

Online respondents were then asked whether they had **experienced or witnessed anti-social behaviour from tenants living in a privately rented HMO/Flatted HMO**. Just under two in five (38%) respondents said they have, whilst over half (54%) said they haven't.

When we look at results by respondent type, a higher proportion of residents of Tower Hamlets said they have experienced or witnessed ASB from tenants in a privately rented HMO/HMO flats than other groups (53%). Three in ten private tenants (30%) say they have, whilst only one in five landlords (20%) have.

Figure 19: Have you ever experienced or witnessed anti-social behaviour from tenants living in a privately rented HMO/flats HMOs? (by respondent type)

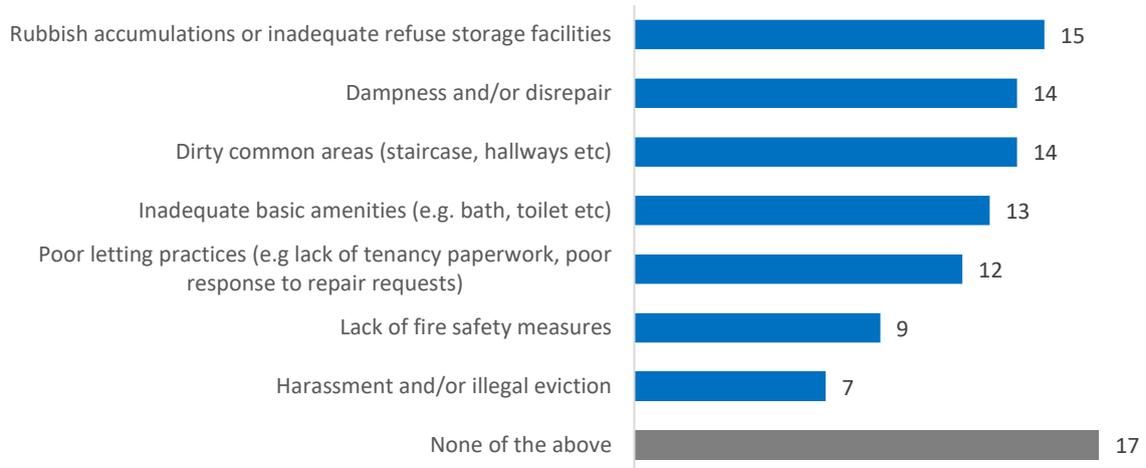


Sample base: Bases in parentheses

Privately renting tenants taking part in the online survey were then asked if they have ever experienced any issue from a predefined list of problems. In total, only 35 people responded to this question, therefore the chart below shows results by number of respondents, rather than percentage.

The most common option selected is **'none of the above'**, by almost half of respondents (17 respondents). Of those that had experienced issues, the most commonly cited are **rubbish accumulations or inadequate refuse storage facilities** (15 respondents), followed by **dampness and/or disrepair** or **dirty common areas** (14 respondents each). The fewest issues have been around **harassment and/or legal eviction** (only 7 respondents).

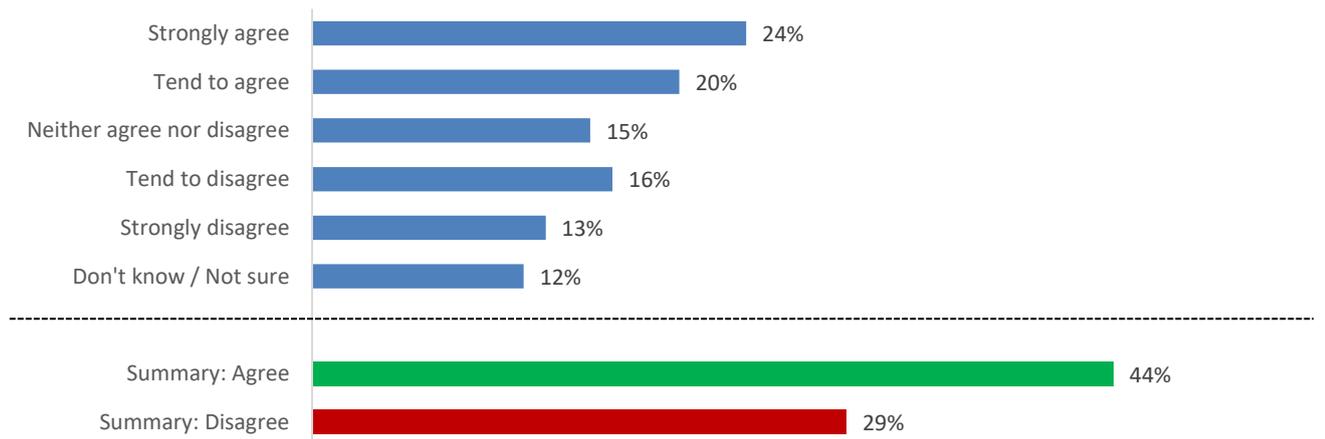
Figure 20: If you are a private tenant living in a flat HMO or HMO, have you experienced any of the following issues...?



Sample base: 35

The final question in the survey asked whether respondents agree or disagree **that landlords in Tower Hamlets maintain their properties to a good standard**. Over four in ten (44%) agree that landlords maintain their properties to a good standard, whilst 29% disagree. Around a quarter (27%) said they didn't know or neither agreed nor disagreed.

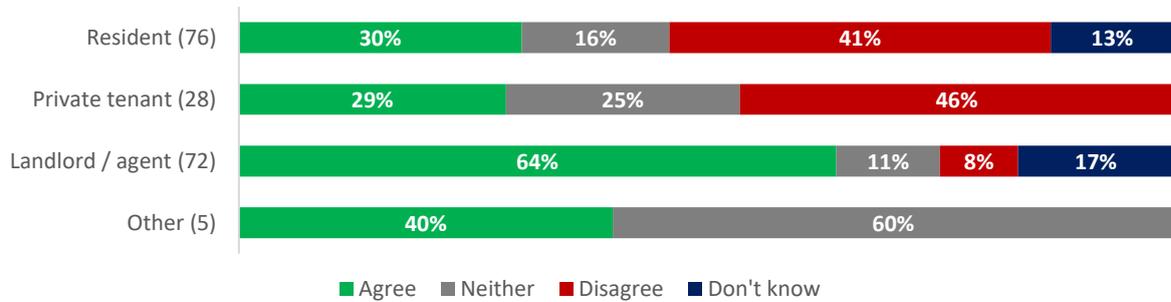
Figure 216: To what extent do you agree or disagree that landlords in Tower Hamlets maintain their properties to a good standard?



Sample base: 164

Around two thirds of landlords (64%) agree that landlords in Tower Hamlets maintain their properties to a good standard, with only 8% disagreeing. Private tenants and residents are more negative, with just under half of private tenants (46%), and 41% of residents disagreeing.

Figure 22: To what extent do you agree or disagree that landlords in Tower Hamlets maintain their properties to a good standard? (by respondent type)



Sample base: Bases in parentheses

2. Public meetings

Four public meetings were held as part of this consultation, all online, on the 26th January, 28th February, 15th March and 27th March 2023. These offered people the chance to hear and see the proposals outlined by Tower Hamlets Council, to ask questions and to put forward their views. In total, 51 people attended the meetings, whilst 62 booked to attend in total. Here is a summary of the key points covered:

Scheme overall

- Attitudes were mixed across the groups – some landlords felt that there were benefits to the scheme such as ensuring good property standards, whilst others felt it was very harsh for good landlords.
- A number of landlords felt that they are being penalised to pay for rogue landlords. One asked to be quoted:
“landlords do not want a licensing scheme in place as it is just another way for the council to make money off landlords. If the council want to ensure landlords are renting properties safely then this should be done at the expense of the council or the tenants.”
- One landlord went on to say that they felt Tower Hamlets makes ‘vast’ amounts of money from rogue landlords and said they would like to know how much they make and what is done with the money.
- A few participants asked how the council are going to identify and take action against agents/landlords that are renting properties out without a licence in place.
- A few landlords asked what constituted a household under the scheme, such as an unmarried couple, or friends living together in a shared house etc, or just those that are related.
- One participant (Propertymark representative) asked what the Council’s expectations/targets in terms of inspecting properties.
- One letting agent queried why new build apartments which have all the fire safety regulations in place, are also included in the scheme, as they are built to comply with regulations and are of a very high spec, demanding high rents. They supported the need for most HMOs to be included, but felt that some builds should be exempted.
- Another organisation asked about exemptions for charitable organisations providing affordable student accommodation. They felt there should be exemptions for properties like theirs, which will be required to pay a fee of around £36,000 for 59 student flats and other local authorities are using their discretionary powers to exclude them, as they are already covered by a different government scheme.

Proposed borough wide scheme

- A number of participants were uncertain what they needed to do with their existing licence if they have a property in one of the existing Selective Licensing wards, which is a smaller HMO property.

One asked whether the paperwork would differ to what they have submitted for the Selective Licensing scheme.

- One participant asked why the previously excluded wards are now included within the Additional Licensing scheme.

Fees

- A number of participants in one meeting asked for the Council to provide a breakdown of how the fees have been arrived at ie. What are the scheme cost calculation breakdown.
- One landlord said that they are going to have to pass the cost of the licence onto their tenants.
- A representative from Propertymark asked whether the Council would consider an early bird scheme or other forms of incentives to landlords/agents who are accredited to professional schemes/membership bodies?
- One participant suggested that licensing fees are a legitimate business expense so they can be offset against tax liabilities.

Impact of the scheme

- One participant challenged whether Tower Hamlets have the resources to deal with the scheme properly and asked how many officers are employed and how long it takes to check a property.
- One letting agent said that Additional Licensing is having an impact on housing stock in Tower Hamlets. They said that many landlords on their books were reluctant to rent their properties out to 3-4 friends who wanted to share because they would then have to apply for and pay a licence fee, which they wouldn't need to do for a family or a couple (outside of the selective licensing areas).

Wider comments

- There were a small number of landlords who had applied for a licence and said that their property hadn't been inspected and questioned why there was a need for a new scheme if the Council hadn't yet completed inspections of properties.
- A number of landlords and agents asked about the application process and whether there was any way that could be simplified (due to the amount of paperwork required) and why it was so slow to process licences. One asked whether the details from their previous application could be used for the same property. One agent felt the licence application form itself is off putting to many landlords.
- Another said that information on the council website is extremely hard to find and needs updating.
- There were a number of participants who raised queries specifically about housing association properties and inaction that had happened when they had made complaints about social housing tenants/properties.

- One participant said they felt it was very difficult to get hold of the right person at the Council to make complaints, whilst another said they felt that Tower Hamlets compared to other councils is the 'most reachable' and said that the housing licensing team have always been great.
- One agent asked if there could be a summary of any changes from the existing licensing scheme that landlords would need to comply with for the new scheme, so that landlords would immediately know if they need to do anything differently (as there is a lot of paperwork to check and fill in).
- One landlord said that there are differing standards of compliance between housing association requirements and private landlords, as they were told that an extractor fan that they had installed was not to the standard required, but that was the same extractor fan that a Tower Hamlets Homes property had had installed.
- One participant asked what the income and costs were of running the current scheme.
- Another landlord felt that communication from the Council around the previous scheme designation and rollout was not great and they found out about the scheme going live via a chance encounter with an estate agent. They requested any future communications to be widely communicated.
- One resident questioned the conditions being adequate and joined up in dealing with waste disposal, as HMOs tend to generate larger amounts of waste and waste when tenants leave. They requested that this is incorporated into the inspection process.
- One landlord questioned what support they can be provided with by Tower Hamlets in terms of issues they have with difficult tenants and ASB, as they feel that licensing is very much stacked in favour of supporting tenants but not landlords.
- There were a number of questions across groups around living rooms being used as bedrooms and whether that was permissible.

3. Stakeholder views

As part of the consultation, we spoke to eight organisations for comment on the proposals, although invited a wider group to take part. Those that took part in the consultation include:

- Environmental Health (Tower Hamlets Council)
- Justice for Tenants
- Metropolitan Police
- NRLA
- Public Health (Tower Hamlets Council)
- Safeagent
- Shelter
- Trading standards (Tower Hamlets Council).

Other Stakeholders also provided written responses which are included within Appendix C.

Feedback from the stakeholder interviews has been grouped around some key themes, with Stakeholders on the whole feeling that licensing is a tool that the Council can use in its 'toolbox' to help regulate the private rented sector. Clearly there were some differing views depending on whether the organisation was largely on the side of tenants or landlords, or whether they were delivering a public service for people within Tower Hamlets. These differences are highlighted under each theme or as a unique theme where necessary.

Views overall

Council teams were in favour of Additional Licensing. The police were also in support of any form of regulating the private rented sector to improve conditions. Tenancy groups, such as Justice for Tenants and Shelter were also in favour. Landlord/agent groups such as Safeagent and the NRLA were more concerned about the scope of the scheme and both suggested it would be more beneficial and practical for the council to take a more targeted approach rather than a broad brush approach.

- Tower Hamlet's Environmental Health team have found that the amount of time and manpower dealing with noise complaints has been reduced due to licensing overall, as the licence holder is responsible for ASB issues (such as noise) and therefore needs to deal with their tenants. This has provided the council with way to intervene early on, therefore saving time and money.
- Tower Hamlet's Public Health team felt that Additional Licensing is important to help address both physical health issues (such as fire, damp and mould and other safety issues) and mental health issues (that can result in living in overcrowded, noisy, poor conditions) that are associated with people living in poor property conditions. These issues cause huge costs to the healthcare system alone, so tackling these issues will reduce the burden on the healthcare system.

“... research suggests that people who live in HMOs are eight times more likely than the general population to suffer from mental health problems. Those issues might arise from poor quality

housing and overcrowded housing, which causes stress, anxiety and depression, and can exacerbate existing mental health conditions”.

- The NRLA believe that all licenced properties should be inspected ideally up front before issuing a licence, and if not then they should be inspected as early as possible to head off any issues. They questioned whether Tower Hamlets have the resources to do this and therefore whether licensing can actually improve standards in the majority of properties:

“In an ideal world they have to inspect every single licenced property and they have to have a proactive intelligence based approach in identifying the unlicensed ones.”

- Safeagent were not against the scheme but felt that there were certain things to consider, such as the size of the scheme, how it overlaps with Selective Licensing and what types of HMOs will be included in the scheme, for example around Section 257 HMOs – they felt if the scheme was to go ahead it would need to be extremely clear about what properties would be excluded. They said they were concerned about councils including Section 257 HMOs in schemes as they are more complex.

“We'd be encouraging the Council, perhaps, to aid to, to reflect on the size of the scheme. Look at how you focus the scheme, whether it needs to be overlap with selective licencing and also the type of properties to be included within the scheme and be really clear on that”.

- The police felt that licensing should have positives in terms of health and people living in a safer environment. They also felt that having Fit and Proper Person tests in place is essential to ensure landlords are appropriate to rent out properties, sometimes to vulnerable tenants. They felt that regulation should raise standards across housing and have a positive impact on the environment, which helps reduce crime, disorder and ASB.
- Trading standards are supportive of the scheme as they have found it has helped them to identify and take action against individuals/businesses more easily because there has to be a named licence holder for each property who has to pass the Fit and Proper Person tests.
- Shelter support the renewal of the scheme and felt it is important for local authorities to use all the tools and powers available to them to drive up standards and good practice. They also felt that effective enforcement is important as a part of this.

Proposed borough wide scheme

- The NRLA believes that a more targeted approach, particularly in light of recruitment challenges to get qualified team members to inspect properties, is more effective than taking a large scale approach. They were not confident in the Council’s ability to properly inspect the vast number of properties. Alternatively they suggested staggering the scheme, so that it is rolled out area by area in stages, to enable Tower Hamlets to keep on top of applications and inspections.
- This approach was also supported by Safeagent. They felt it would be more beneficial for the Council to focus on particular localities where there may be more intensive issues with poor management rather than a borough wide approach.

“Safeagent are not opposed to licencing, but we'd just encourage councils to sort of follow the evidence and decide where are the properties where you know licencing needs to be focused to have the most effect”.

- Council teams, believed that a borough wide scheme makes it easier for everyone to follow and therefore there are no exceptions. This was also supported by Justice for Tenants.
- Both the NRLA and Safeagent were not sure what the business case is for including the selective licensing scheme area and what difference that would make.

“We seem to be in a position where HMOs are already required to be licenced effectively. So what doesn't come across that strongly is what are the perceived added benefits of extending” (Safeagent)

- Safeagent felt that with the current situation, landlords within the west of the borough currently have some flexibility in terms of move between a single family let and a shared house. This would cause issues with the proposals as they would need to change the licence from a selective licence to an additional licence. This may not support the needs of the market and tie landlords into one form of licence or another for the duration of the scheme .
- Safeagent also questioned how smaller HMOs within the Selective Licensing area will be dealt with if the proposal goes ahead, as landlords will then be operating with the wrong licence or would need to apply for a new licence and a new set of costs:

“They [Tower Hamlets Council] effectively would be saying that we're not going to prosecute you for committing an offence. Because it would be. It would be the wrong type of licence and then you'd be committing an offence under Part 2. So the Council just need to look at that quite carefully... The other problem is of course you can't transfer a licence from selective to additional”.

- The Public Health team support the borough-wide approach, as Additional Licensing focuses more on HMOs and provides more appropriate measures to tackle issues with these properties across the entire borough. They felt that all private rented properties regardless of size and makeup should be regulated.
- The Trading Standards team felt that having a uniform approach across the entire borough, where every part of the borough was required to follow the same legislation would make regulation easier.

Fees and licence conditions

- Some stakeholders commented on the fees being low, particularly for London. One felt that they were potentially too low for the size of the scheme and therefore the task that the Council is undertaking and the resource required.
- Safeagent suggested keeping the conditions concise and not impose additional legal requirements where they aren't necessary

Impact of the licensing scheme

- Justice for Tenants said that there has been a vast improvement in dealing with the types of issues that they speak to tenants about since Additional Licensing has been brought. They felt that most issues that tenants face are breaches of the licence, which the licence holder has agreed to adhere to. This means that they either remedy the issue or face another penalty if they are in breach of the licence and are not going to address the problem. Alternatively, if there is no licence in place with

the property that should have a licence, then the Council can penalise them for not having a licence. Therefore, it was felt that having licensing in place is addressing issues that tenants are typically facing that other powers are not able to resolve in such an effective way:

“You can have a real confidence action will happen because it creates so many avenues for action to happen for the local authority. It gives so many more tools to their toolbox.”

- The Council Environmental Health team has found that licensing has helped them when dealing with tenant issues around noise issues in particular because the licence conditions make the licence holder responsible for addressing this with their tenants. This has resulted in a general reduction in time and costs that the Council has had to spend in dealing with these issues and repeat offenders, as it is working as an early intervention in issues being dealt with directly between the landlord and their tenants.
- The NRLA felt that Tower Hamlets does not seem to be using its enforcement powers enough for the size of the scheme, from the data provided
- The Public Health team said that it would be extremely useful to look at the impact of the scheme on health and wellbeing of tenants and how licensing may be improving health outcomes for tenants (for example in tackling damp and mould issues, overcrowding etc).
- The Trading standards team have found that they are more easily able to check that letting/managing agents are operating legally, in terms of things like client money protection schemes and whether they are part of the redress scheme, where they are named on the licence.

Alternatives

- The majority of stakeholders did not feel there were valid alternatives that the Council could consider. Justice for tenants felt that there are no real alternatives that the council can consider that are as effective, including accreditation schemes:

“If someone's been operating unlawfully and making a lot more money by doing that, they're unlikely to choose to go back to making a lot less money unless the environment is such that they are forced to, that it's in their financial best interest.”

- The NRLA suggested having an anonymous helpline/email address that can be used to inform them of rogue landlords/poor properties as an alternative to having a broad brush approach through licensing, which gives them an intelligence based approach to tackling poor conditions.
- Justice for tenants suggested it would be good for Tower Hamlets to publicise the actions that they have taken including financial penalties and prosecutions against landlords, so that good landlords who comply with licensing can see the impact that the scheme is having in the borough, rather than it being another financial burden they are being required to bear.
- The NRLA also suggested that the council should be more transparent around the impact that the scheme is having and the actions that they are taking to improve standards via the scheme:

“I would recommend ... they produce like a yearly or quarterly report of an audit saying ‘We have inspected X amount of properties. We have fined X amount of landlords. We've issued X amount of civil penalties. It's transparency.”

Wider comments

- Justice for Tenants felt that tenants are less in fear of complaining about poor conditions if a licensing scheme is in place, as they cannot lawfully be evicted by a Section 21 notice if they live in an unlicensed property. If they do live in a licensed property, they can raise concerns with the Council which will be investigated, as it may be a breach of the licence conditions.
- They also felt that communications from the council around licensing schemes had been good in the main, and many tenants were aware that the scheme is in place.
- Shelter felt that in many cases that they deal with (not specifically in Tower Hamlets), tenants are not aware of their tenancy rights, particularly where English is not their first language, and therefore the clearer the information that can be provided to tenants about their rights and ensuring they have legal tenancies, the better.
- The NRLA suggested that the shortage of EHOs is impacting on most Local Authorities up and down the country, therefore Tower Hamlets could look at having an apprenticeship scheme in place to help them address the shortage, as other local authorities are doing.
- The NRLA also suggested that landlords are going to feel more supportive of a scheme if they can get support on dealing with problem tenants, and potentially offer mediation/support of this nature to help them resolve minor issues. This could be in the form of landlord forums where they could ask questions and get help/signposted to where they could get help.
- Safeagent felt that the Council needs to work collaboratively and pragmatically with landlords and agents and give realistic timeframes for improvements having regard to tenants and not causing too many disruptions for them. They felt that the data from the report suggests that Tower Hamlets were not issuing many penalties, so there may be too low a level of enforcement currently taking place:

“... if anything, it looks quite a low level of civil financial penalty usage for the size of the borough and the number of properties. It might be that enforcement is something they need to look at doing a bit more of”.
- The police felt that there was further scope for a multi-agency approach with the private sector licensing team in terms of finding out more about who the landlord is when they are alerted to criminal activities in a rental property, such as cuckooing, or where the police come across properties that they are concerned about, they can deal with that from a safeguarding perspective, but it would be more beneficial to link in with the licensing team to tackle the property conditions.
- Shelter felt that that national government should provide councils with adequate resources so that proactive enforcement can happen.

4. Written responses

We also received written responses from 5 individuals or organisations either via email or letter. The organisations that submitted formal responses are

- London Borough of Tower Hamlets (LBTH) Community Safety
- Propertymark
- London Renters Union
- Safeagent
- Affordable Accommodation for Students Association Limited

These responses are provided in full in Appendix C. The Council will consider and respond to the representations in the written responses in the Council's response to representations, which will be published alongside the final proposal considered by the Council's Cabinet.

Appendices

Appendix A: Consultation document

Appendix B: Coverage of consultation

Appendix C: Written responses

Appendix D: Survey

Appendix A: Consultation Document



Additional licensing
consultation documer

Appendix B: Coverage of consultation

Direct mailouts

The Council wrote to the following individuals and organisations that they have contact details for, to inform them about the consultation and for organisations to pass this onto their members/affected parties

- Landlords
- Agents
- Licensed properties
- Neighbouring Councils
- London Councils
- Members
- Social Members
- Registered Social Landlords
- London Councils Private Rented Sector Group
- Landlord and Letting Agent representative groups
- Renters representative groups.

In total, 17,638 letters were sent to landlords and residents in the borough, and 10,444 emails to Managing Agents in the borough.

Council Officers also had a strapline on their emails promoting the consultation.

Publicity channels

The consultation was promoted/publicised via the following channels;

- Docklands and East London Advertiser
- Evening Standard
- Metro
- LB of Tower Hamlets Twitter
- LB of Tower Hamlets Facebook
- LB of Tower Hamlets LinkedIn
- LB of Tower Hamlets Members Bulletin

Social media activity

The following social media activity took place, with engagement metrics provided:

Date	Channel	Content	Engagement
14/12	Twitter	🔔 Our private renting survey has launched and we're seeking your views. We're proposing a new borough-wide licensing scheme, which would require all privately rented	Organic impressions: 771 Clicks: 13 Shares: 3

		properties with multiple occupiers to be licensed 🏠 Find out more and have your say: https://orlo.uk/Qsdii	
14/2	Facebook	📣 Our private renting survey has launched and we're seeking your views. We're proposing a new borough-wide licensing scheme, which would require all privately rented properties with multiple occupiers to be licensed 🏠 Find out more and have your say: https://orlo.uk/2uyj3	Organic impressions: 1252 Clicks: 18 Likes: 6 Shares: 1
4/1	Twitter	📣 Our private renting survey is live and we're seeking your views. We're proposing a new borough-wide licensing scheme, which would require all privately rented properties with multiple occupiers to be licensed 🏠 Find out more and have your say: https://orlo.uk/0ed94	Organic impressions: 1047 Clicks: 14 Likes: 1 Shares: 1
4/1	Facebook	📣 Our private renting survey is live and we're seeking your views. We're proposing a new borough-wide licensing scheme, which would require all privately rented properties with multiple occupiers to be licensed 🏠 Find out more and have your say: https://orlo.uk/jxsky	Organic impressions: 870 Clicks: 14 Likes: 3
4/1	LinkedIn	📣 Our private renting survey is live and we're seeking views from residents, tenants and landlords in Tower Hamlets. We're proposing a new borough-wide licensing scheme, which would require all privately rented properties with multiple occupiers to be licensed 🏠 Find out more and have your say: https://orlo.uk/QWEiZ	Organic impressions: 1206 Clicks: 13 Likes: 4 Shares: 1
24/1	Twitter	Have you taken part in our private renters survey yet? We're holding virtual info sessions this week (Thurs & Sat) about the proposals, which would require all privately rented properties with multiple occupiers to be licensed 🏠 Details for how to join: https://orlo.uk/DQOGW	Organic impressions: 777 Clicks: 8 Shares: 1
7/2	Twitter	📣 Have you taken part in our private renting survey? Have your say about proposals to require all privately rented properties with multiple occupiers in #TowerHamlets to be licensed 🏠 Find out more and share your views: https://orlo.uk/Zpy4S	Organic impressions: 998 Clicks: 16 Likes: 1 Shares: 1
16/2	Twitter	Did you know that over 40% of all properties in #TowerHamlets are privately rented? That is about 53K households! 🏠🏠🏠 Take part in our survey on proposals for all privately rented properties with multiple occupiers to be licensed. Share your views 🗨️ https://orlo.uk/WMpSH	Organic impressions: 949 Clicks: 21 Shares: 1
17/2	Facebook	Did you know that over 40% of all properties in Tower Hamlets are privately rented? That is about 53K households! 🏠🏠🏠 Take part in our survey on proposals for all privately rented properties with multiple occupiers to be licensed. Share your views 🗨️ https://orlo.uk/cvRWw	Organic impressions: 605 Clicks: 5 Likes: 3
13/3	Facebook	Have you taken part in our private renters survey yet? We're holding a virtual info session on Weds about the proposals, which would require all privately rented properties with multiple occupiers to be licensed 🏠 Details for how to join: https://orlo.uk/lnpaK	Organic impressions: 647 Clicks: 6 Likes: 2
13/3	Twitter	Have you taken part in our private renters survey yet? We're holding a virtual info session on Weds about the proposals, which would require all privately rented properties with multiple occupiers to be licensed 🏠 Details for how to join: https://orlo.uk/kR7ut	Organic impressions: 1005 Clicks: 21 Likes: 1 Shares: 4
21/3	Twitter	🕒 Time is running out on our private renting survey! Tell us your opinion before it's too late. We're proposing a new	Clicks: 16

		borough-wide licensing scheme, which would require all privately rented properties with multiple occupiers to be licensed 🏠 More info: https://orlo.uk/GwDS4	
21/3	Facebook	🔔 Time is running out to have your say on our private renting survey! Your opinion matters, and we want to hear from you before it's too late. We're proposing a new borough-wide licensing scheme, which would require all privately rented properties with multiple occupiers to be licensed 🏠 Find out more and have your say: https://orlo.uk/d7ySy	Organic impressions: 246 Clicks: 6
29/3	Twitter	🔔 Our private renting survey closes on Friday. Have your say about proposals to require all privately rented properties with multiple occupiers in #TowerHamlets to be licensed 🏠 Find out more and have your say: https://orlo.uk/8JYR9	
29/3	Facebook	🔔 Our private renting survey closes on Friday. Have your say about proposals to require all privately rented properties with multiple occupiers in #TowerHamlets to be licensed 🏠 Find out more and have your say: https://orlo.uk/8JYR9	
31/3	Twitter	🔔 Our private renting survey closes today! Don't miss the chance to share your views about proposals to require all privately rented properties with multiple occupiers in #TowerHamlets to be licensed 🏠 Have your say now: https://orlo.uk/l8ovm	

NB. Organic impressions – the number of times the post appeared on someone’s screen

OTHER CHANNELS			
23/3	Resident's newsletter	<p>Private renters in Tower Hamlets: Have your say</p> <p>Have your say about our proposals to require all privately rented properties with multiple occupiers in the borough to be licensed. Our private renting survey closes on Friday 31 March.</p> <p style="text-align: right;">Have your say ></p>	<p>Sent to 85,444 subscribers</p> <p>4th item in the newsletter</p> <p>2nd most read item</p> <p>349 unique clicks</p> <p>405 total clicks</p>

Appendix C: Written responses

1. London Borough of Tower Hamlets (LBTH) Community Safety

Response to HMO Licensing Extension and Expansion Consultation

1. The following services within the Community Safety Division were consulted for this response:

- Drugs and Alcohol Action Team (DAAT)
- Violence Against Women and Girls (VAWG) and Hate Crime
- Civil Protection Unit
- Safer Neighbourhood Operation's Service

2. The overall view of all those consulted was that they supported the extension and expansion to boroughwide of the HMO Licensing Scheme. No disbenefits to those to whom they provide services were identified.

3. The Civil Protection Unit has responsibility for business continuity, emergency planning. Its staff perform a vital role during responses to civil emergencies such as fires, flooding, terror attacks and other matters requiring the local authority to provide support to other services during the response and immediate recovery phases from such incidents.

3.1. It was believed that the additional information about those responsible for and through that information, more information on those resident in premises such as HMOs, will be most useful. HMOs have been subject to emergencies such as fires and flooding and the requirements of licensing being expanded to a wider range of such premises will be of particular advantage in assisting in the response to and initial recovery from incidents.

3.2. The additional emphasis that this proposal will bring to the safety of such premises and it being the responsibility of landlords through licensing conditions will be of particular benefit. This will be reinforced by more premises being subject to safety and other standards by regulatory officers.

4. The DAAT manages the co-ordination of substance misuse provision and also deals with those with such problems and involved in the criminal justice system. The officer's views were that because a large number of those with a range of substance misuse issues are people that the service comes into contact with, better control and management of where they live will be of an advantage to them having the best chance of recovery. Also that again, information on the management of the premises will assist workers in their relationships with clients.

5. VAWG and Hate Crime. Colleagues were very positively in favour of the proposal having been involved in two fairly recent Domestic Homicide Reviews (DHRs) where victims were residents of HMOs. Again it is about the enhancement to conditions that the expanded licensing should bring to the living conditions of residents but also of course the added responsibility of landlords to deal with antisocial behaviour in particular, this often being a precursor to more serious incidents.

6. Safer Neighbourhood Operations. Provides on street enforcement for ASB and environmental crime such as littering, has an intelligence and analytical team, a team that deals with residents in hostels and liaises and works closely operationally with police. Officer's views again were very strongly positive, particularly around the responsibility provided by licensing conditions upon landlords to manage ASB. The ASB team are often dealing with issues within the privately owned and rented sector and this addition plus more information on the management of such premises which will be borough wide if the proposal is progressed, will be of particular advantage in dealing with issues and potentially nipping them in the bud before they escalate.

6.1. There was also a view that enhances and expanded licensing could well be of benefit in the battle against the insidious nature of the impact of modern day slavery with a number of those subject to it often residing in a variety of premises including HMOs that may currently be unlicensed.

Barry Scales (on behalf of LBTH Community Safety)
31 January 2023

2. Propertymark



Tower Hamlets Council's consultation on their proposal to implement a Borough-wide Additional Licensing Scheme - response from Propertymark January 2023

Background

1. Propertymark is the UK's leading professional body of property agents, with over 17,000 members. We are member-led with a Board which is made up of practicing agents and we work closely with our members to set professional standards through regulation, accredited and recognised qualifications, an industry leading training programme and mandatory Continuing Professional Development.

Overview

2. The London Borough of Tower Hamlets is consulting on an 'Additional' Licensing scheme for privately rented Houses in Multiple Occupation (HMOs) under the provisions within the Housing Act 2004. This proposed 'Additional' Licensing scheme will cover the whole Borough including the current exempt areas of Spitalfields & Banglatown, Weavers and Whitechapel.
3. The current 'Additional Licensing' scheme is due to end in March 2024. The proposed Additional Licensing scheme for Tower Hamlets will include all multiple let properties with three or more tenants from two different households sharing a bathroom and kitchen amenities irrespective of the property type including all houses, flats and converted houses that does not meet Building Regulations 1991.
4. Thank you for the opportunity to respond to the consultation on the licensing proposals for the borough-wide scheme in Tower Hamlets Council. Propertymark is supportive of efforts made by local authorities to improve housing stock within the private rented sector (PRS). However, we do not believe that licensing is the best method to achieve this aim. Accordingly, we object to your proposal.
5. Propertymark would prefer a regulatory framework, which seeks to educate landlords in improving their stock rather than punitive measures that are difficult to enforce and only punish compliant landlords letting those that require improvements to go undetected. We oppose this proposal on several grounds which are headed below.

Licensing structure

6. **Number of properties** – One of our concerns about licensing schemes, especially ones as large as the proposed Tower Hamlets scheme, is that the enforcement of schemes to ensure standards are being met in the PRS is often inadequate resulting in compliant landlords having to pay for the scheme and rogue landlords continuing to operate below standard under the radar.

7. **Clarification needed on Council resources** - The licensing scheme will operate in all 20 Tower Hamlet wards. The PRS is very large in Tower Hamlets, is an important housing tenure and is home to many people living in the London Borough. Mayhew Harper Associates Ltd estimate that the total PRS stock amounts to around 43,000 properties in 2022 and continues to grow.¹ A significant proportion of that stock will be HMO properties eligible for the proposed scheme with over 5,000 additional licences issued by Tower Hamlets since April 2019. This is a very large number of properties to check to ensure that landlords are operating to standard. We would like clarification on how much resources Tower Hamlets will put into enforcement and compliance of the scheme. If insufficient resources are not put into staffing the scheme, then we are concerned the aims of the scheme will not be met and it will result in complaint landlords paying for the scheme with rogue landlords operating under the radar.
8. **Identifying non-registered properties** - For a scheme on this scale, we are disappointed that there is no clear strategy on how the council will identify properties that have not been registered within the proposed scheme. Turning back to our concern that complaint landlords will pay for the scheme while rogue landlords will operate under the radar, we advocate using council tax records to identify tenures used by the private rented sector and those landlords in charge of those properties. Unlike discretionary licensing, landlords do not require self-identification, making it harder for criminal landlords to operate under the radar. With this approach, the council would not need to seek permission from the UK Government and would be able to implement it with no difficulty.
9. **Fees** – At £600.50 for an additional licence, the fee is high for an additional licence and in line with fees incurred for local authority selective licensing including £650 in Newcastle² and £550 in Liverpool.³ In addition, other local authority schemes have considered ‘early bird’ discounts which given the large number of properties involved in this scheme would be a good incentive to ensure compliance. We also note that other schemes sometimes offer discounts for landlords or agents who belong to an accredited scheme. We are disappointed that no consideration has been given for discounts for members of the London Landlord accreditation scheme to members of landlord and letting agent accreditation schemes such as Propertymark (formally, the Association of Residential Letting Agents – ARLA). Being members of such organisations demonstrates compliance with best practice and high standards and we would encourage the council to consider discounts for this regard.
10. **Impact of cost-of-living and landlords** - Regardless of the fee level, we are concerned these charges will come at a time when landlords are impacted by the cost-of-living crisis and the impact fees could have on the ability of landlords to improve standards. Our members have also told us that a common concern from landlords on licensing schemes is that the costs can be extremely high for landlords who own

1

[1926e7e8563768167ca8ad7f46a0659c_Appendix_1_Review_of_additional_Licensing_Scheme_for_PRS_properties_in_Tower_Hamlets.pdf \(amazonaws.com\)](#)

² [Fees and Charges.pdf \(newcastle.gov.uk\)](#)

³ [Fees, discounts and exemptions - Liverpool City Council](#)

several properties within a self-contained unit such as a block of flats. We welcome Merton Council's acknowledgement of the high cost for these landlords who offer discounts for multiple licenses within one unit in their proposed scheme.

11. **Impact on supply of homes** - Exiting the market is especially a concern for smaller landlords who are more likely to sell their properties and further shrink the supply of PRS properties leaving remaining private tenants with higher rents. Our research on the shrinkage of the PRS⁴ found 53% of buy to let properties sold in March 2022 left the PRS and that there were 49% less PRS properties to let in March 2022 compared with 2019. In addition to these concerns, those landlords who remain in the market, often have less money to improve conditions from increased costs. If the decision to operate an additional licensing scheme across the whole of Tower Hamlets is approved, then there is a concern that landlords currently operating within Tower Hamlets could invest in neighbouring local authority areas or exit the market altogether. This could result in fewer housing options for people living in Tower Hamlets meaning some people might be forced to find housing options outside the area, change employment or break social ties within the community.

12. **Unintended Consequences** – We are pleased to see that Tower Hamlets acknowledge that the PRS is an important and increasingly growing tenure that is home to many people living within the London Borough. Renting in parts of London, including Tower Hamlets, can be very expensive. The median monthly rent for London is £1,750 compared to £2,050 in Tower Hamlets⁵. Some renters living within Tower Hamlets will require cheaper accommodation due to being on a low income and the continued challenges in the cost-of-living crisis. We previously outlined the possibility that further legislation could reduce the housing options of the most vulnerable from landlords exiting the market there could be further implications on the rent level for those landlords who remain. As is the general law of supply and demand, if the supply of PRS property reduces, the cost of rent for the remaining properties is likely to rise. With already high rental prices within the area, there is a very real danger that many low- income families will be priced out of living in the area.

13. Given these affordability challenges, some renters living within Tower Hamlets will require cheaper accommodation due to being on a low income and the continued challenges in the cost-of-living crisis. HMOs or shared living is likely to be seen as one of the few viable options for their housing needs. Accordingly, we are concerned the impact an additional license could have on the supply of HMOs as a housing option for some people.

14. **HMOs are desirable for some groups** – Some groups of people and sections of a community actively look for HMO properties as a choice of preference. These include not just low-income families, but students and contract workers on short-term project work. And people who desire communal living. The only way they are going to find such properties is via a private landlord. This consultation response has already explored the possible impact proposals could have on supply, but an Additional Licensing Scheme could adversely impact the local economy, employers or sectors such as universities.

⁴ [A shrinking private rented sector | Propertymark](#)

⁵ [London rents map | London City Hall](#)

Improving standards

- 15. Property condition** – Large parts of Tower Hamlets are characterised as including large amounts of terraced housing and older stock. This is particularly the case in the Whitechapel area where there is a high concentration of older stock than in other areas. Areas that have these characteristics are often inner-city communities with large section of pre-1919 built housing. Accordingly, a significant amount of investment is required to improve the condition of stock including the energy efficiency of properties. We would be grateful if Tower Hamlets Council have any proposed grants or funds available for landlords to improve stock.
- 16. Fuel poverty and decarbonisation** – Tower Hamlets have highlighted one of their objectives of the scheme is to ‘complement other housing initiatives that the Council undertakes, such as – fuel poverty, cost of living, to work with landlord and renters’ organisations to promote safe and compliant homes’ improving energy efficiency as one of the key aims of the selective licensing scheme. This is not the purpose of selective licensing schemes. The Department for Business, Energy and Industrial Strategy (BEIS) already have the Minimum Energy Efficiency Standards (MEES) in place to improve the energy efficiency of PRS stock in place. We would be grateful for clarity on what specific support the council are offering tenants in fuel poverty as this could be useful information for local property agents to signpost to landlords and tenants.
- 17. Empty properties** – Tower Hamlets mention in their proposal document that reducing the number of empty properties is a priority of theirs and that there are around 1,500 empty properties in the borough. However, details are vague as to how a licensing scheme could reduce these or strategy in reducing empty homes. There is no mention of previous activity from the council on how empty homes have been tackled in the form of Empty Management Dwelling Orders, loans/grants available to bring these properties back into use or case studies involving empty properties. The council should provide further information into what active steps have been taken to reduce the number of empty properties within the city to aid the high number of people waiting on the housing list for social housing.
- 18. Homelessness** – The consultation document acknowledges that tenants living in HMO properties can be vulnerable and that Tower Hamlets are ‘confident’ that licensing could be used to stop unlawful eviction and sustain tenancies. We would be grateful for clarity on this statement as it is a key point. How will Tower Hamlets support landlords and property agents sustain tenancies for vulnerable tenants? Will they provide support for substance misuse, provide support for tenants with mental health concerns or provide budgeting advice? There is an unlevel playing field between support for vulnerable tenants in the social and private sectors as social housing providers have the means to support such needs and often landlords are not qualified in these specific areas.
- 19. Migration** – Tower Hamlets have highlighted high levels of migration as a reason for an additional licensing scheme. Many diverse communities have made Tower Hamlets their home and this has culturally enriched the community. Guidance on selective licensing suggests that this is a valid reason for implementing a selective license. However, this should be from a population increase of 15% or more

from the last twelve months. The proportion of borough residents born outside the UK rose from 35% in 2001 to 43% in 2011.⁶ Office for National Statistics data shows that international migration is the largest reasons for population growth contributing towards more than half of the borough's population growth.⁷ However, the scheme does not state what actions they intend to take to ensure the preservation or improvements to the social or economic conditions of the area for migrant groups. More clarity is required on efforts to stop overcrowding especially considering high demand on PRS properties against low alternatives in the social sector.

- 20. Current enforcement** – Tower Hamlets is experienced in the implementation of Additional Licensing Scheme with the current scheme expiring in April 2024. We would be grateful for some clarity on the performance of previous schemes. For example, how many working days did it take for a typical additional licence application to be processed and issued? The council also highlight some of the key statistics on their enforcement activity including warning letters, prosecutions, and civil penalties issues. We would be grateful if this data could be broken down by years and whether the action was within a selective licensing scheme area or from general enforcement. We would also be grateful for clarity on the reasons for issuing civil penalties for example, how many were for over-crowding, banning orders or for simply not obtaining the correct license.

Engagement

- 21. Engagement with landlords and letting agents** - For most cases of substandard accommodation, it is often down to landlord's lack of understanding rather than any intent to provide poor standards. Tower Hamlets have made efforts to engage with landlords in the local area including support of landlord accreditation schemes and engagement via the local authority's landlord forum. However, there is no due regard in encouraging landlords or property agents to be members of an accredited membership scheme such as Propertymark.

To strengthen this engagement, we would be very happy to support the council in engaging with our members and local property agents. A licensing scheme is a very reactive mechanism, and it is far more beneficial to have a programme of education to engage with landlords on helping them improve before a situation gets worse. We would welcome clarity on what training opportunities the council will provide to landlords and agents to help them understand their responsibilities and improve standards. We recognise the council have made strong efforts in this in the past with engagement via the council's Landlord Forum and an accreditation scheme for local landlords. However, engagement is more credible over a longer more embedded period. Propertymark has a network of Regional Executives and a series of Regional Conferences that take place throughout the year.⁸ We would be very happy to work with the council to engage with local agents over a virtual roundtable discussion on how standards can be improved.

⁶ [*A Profile of the Migrant Population in Tower Hamlets.pdf \(towerhamlets.gov.uk\)](#)

⁷ ONS, 2018 Mid Year Population Estimates

22. We note one of the schemes objectives is 'to ensure all residential letting agents are fully compliant with consumer protection and rights legislation.' We would be grateful for more clarity on how the council plan on engaging with property agents and if we can support this work in anyway.

Tackling Anti-Social Behaviour (ASB)

23. The council have also identified reducing levels of anti-social behaviour and support for landlords dealing with anti-social tenants. The consultation document states 'Tackles anti- social behaviour by imposing a requirement on the property licence for landlords/licence holder to investigate problems in their properties, such as noise nuisance and bad behaviour. This has a positive impact on the area as a whole and ensures that HMOs are managed more effectively.'
24. Landlords are not the best equipped to deal with anti-social behaviour and certainly do not have the skills or capacity to deal with some tenants' problems such as mental health or drug and alcohol misuse. As one example, if a landlord or their agent had a tenant that was causing anti-social behaviour, the only tool that the landlord or agent could use would be to seek possession from the tenant under a Section 8 notice. While this would remedy the problem in the short-term, the tenant is likely to still occupy this behaviour and all that has been achieved is that the anti-social behaviour has moved from one part of Tower Hamlets to another.
25. In this context, it should be noted that with regards to reducing anti-social behaviour, landlords and their agents can only tackle behaviour within their properties. Effectively, they are managing a contract and not behaviour. Landlords and their agents are not responsible in any form for anti-social behaviour occurring outside the property. Nevertheless, we would be interested to learn about any partnership work the council are proposing with stakeholders such as the Metropolitan Police in reducing anti-social behaviour within communities.

Selective Licensing and Section 21

26. Propertymark would like clarification on the council's policy concerning helping a landlord when a section 21 notice is served, the property is overcrowded, or the tenant is causing antisocial behaviour, as per the council's consultation. What steps will the council take to support the landlord? It would be useful if the council were to put a guidance document before introducing the scheme to outline its position regarding helping landlords remove tenants who are manifesting antisocial behaviour. The change in section 21 legislation and how tenancies will end will mean landlords will become more risk-averse to taking tenants with a perfect reference and history. We would be willing to work with the council and develop a dispute resolution service with other local authorities.

⁸ <https://www.propertymark.co.uk/about-us/board-and-governance.html>

Conclusions and alternatives

27. Propertymark believes that local authorities need a healthy private rented sector to complement the other housing in an area. This provides a variety of housing types that can meet the needs of both residents and landlords in the area. Appropriate regulation and enforcement is essential for improving standards and removing criminals from the sector who exploit landlords and tenants. An active enforcement policy that supports good landlords and letting agents is crucial as it will remove those who exploit others and help create a level playing field. It is essential to understand how the sector operates as landlords and letting agents can often be victims of criminal activity and antisocial behaviour with their properties being exploited

28. If the scheme is approved, the council should consider providing an annual summary of outcomes to demonstrate to tenants, landlords and letting agents behaviour improvements and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall. Propertymark has a shared interest with Tower Hamlets Council in ensuring a high-quality private rented sector but strongly disagrees that the introduction of the proposed measures is the most effective approach to achieve this aim both in the short term and long term.

29. We would welcome the opportunity to work with Tower Hamlets Council to further engage with our members and property agents in the local area.

3. London Renters Union



Tower Hamlets London Renters Union response to: Additional Licensing Scheme consultation

5 steps the council should take right now to protect and empower private renters

According to the National Audit Office (NAO), 13% of privately rented homes in England have serious health and safety hazards, such as chronic damp and mould, faulty wiring, and ongoing cold. The English Housing Survey shows that 20% of private rented homes in London do not meet the Decent Homes Standards. Disrepair reduces the quality of life, leads to serious health issues, and puts people at serious risk. The heartbreaking and avoidable death of two-year-old Awaab Ishak due to damp and mould shows the serious consequences of landlord neglect and unsafe housing.

Tower Hamlets council is responsible for regulating landlords but is failing to protect and empower renters. The NAO has stated that many councils like Tower Hamlets do not properly use their enforcement powers, such as inspections, improvement notices, and fines, to hold landlords accountable. This reluctance to take enforcement action can have tragic consequences. In March 2023, Mizanur Rahman died in a flat fire in Shadwell, where 17 people had been housed in two bedrooms. In August 2022, the council had licensed the private rented flat as a home of multiple occupations for no more than three people and had since received multiple complaints about overcrowding and conditions in the flat.

Our London Renters Union (LRU) branch has been inundated with reports of dampness and mould during the winter. There is dampness in nearly 1 in 10 private rented homes. In London, 1 in 30 rented homes is rated F or G on their Energy Performance Certificate (EPC), despite landlords of these properties being required by law to install efficient heating systems and insulation. The informal approach taken by many councils means it is more profitable for landlords to break the rules than follow them.

LRU branches often experience councils failing to follow up on complaints against landlords and uphold tenants' rights. In Tower Hamlets, renters desperately need the council to take their responsibilities seriously and to hire more frontline staff, including those who support tenants as part of their role. To improve standards in the private rented sector and in temporary accommodation, the Council needs to take a proactive approach to accountability, including fully utilising their enforcement powers. Tower Hamlets council is responsible for showing landlords that breaking the law will lead to enforcement action and would be a bad financial decision.

During the local election campaign last year, [the Mayor of Tower Hamlets Lutfur Rahman, committed to working closely](#) with the Tower Hamlets branch of the LRU to:

- "Fix the landlord registration scheme to ensure it delivers on its purpose of driving up standards in the private rental sector".
- Expand full licensing of rented properties across the borough.
- Take a zero tolerance approach to landlords violating the rights of tenants.

With the former manifesto promises yet to materialise, our consultation response sets the processes and schemes that renters in Tower Hamlets need the council to urgently put in place. This would ensure that landlords are held accountable and that all of us can live in safe, accessible and decent homes where we can flourish.

Our Recommendations

1. Extend licensing schemes and use the extra powers and funding

“For a long time now, I’ve been threatened with illegal eviction from my landlord, with little support from the council. My landlord has no licence. No action has been taken against them - it makes me feel vulnerable.” – LRU member in East London

Licensing schemes are an important way that councils can improve standards in the private rented sector. By establishing licensing schemes, councils can charge a fee to landlords to be licenced and get additional powers to enforce standards and issue fines. Licence fees and revenue from fines can help build up revenue to employ enforcement officers. The powers that landlord licensing schemes provide need to be used in full, with councils being clear they are willing to issue fines and revoke or not renew a licence where a landlord has broken the law.

Councils should:

- **Introduce full borough-wide selective licensing** that covers all private rented homes.
- Use new capacity to ensure that landlords meet the licence terms through **regular inspections**.
- **Use licensing schemes to maximise resources available for enforcement** and issue Civil Penalty Notices to landlords that do not respect renters' rights.
- Collaborate with Justice for Tenants, who provide toolkits and training regarding how councils can build their capacity to use their powers to issue Civil Penalty Notices and increase enforcement without over-burdening frontline staff.
- Demonstrate to landlords that not having a license results in immediate enforcement action.

2. Hold landlords accountable to drive up standards

“When I called the council during an illegal eviction, I was told that the council couldn’t do anything. I wasn’t given another number or any other way to get in touch with my issue” – LRU member in East London

Too often, we have found that Tower Hamlets council has approached its role as a mediator rather than a regulator. As a result, they are often reluctant to escalate from communication with a landlord towards enforcement action, such as issuing an improvement notice or a fine or prosecution. This gives landlords the green light to break the law.

The council should:

- Develop a new enforcement policy using a more proactive approach and the recommendations put forth in our response.
- Develop and publish a strategy on energy efficiency in the private rented sector, and obtain data on non-compliant properties.
- Set targets for the percentage of cases escalated to formal enforcement action, the number of inspections carried out, and improvement notices issued as a proportion to the number of renters in the borough.
- Ensure that enforcement actions are recorded and linked to landlords, not just renters, in order to stay on top of landlords who repeatedly break the law.

3. Take a renter-centred approach

“They told me all they could do was send me an application for homelessness to fill out” – LRU member in West London

Too often Tower Hamlets council has failed to uphold the rights of renters. Requests for support often go unanswered or in many cases, council workers make things worse. In April 2022, a council in east London went along with a landlord’s false claim that our member was a lodger, leading to our member’s illegal and violent eviction. It is the role of local authorities to uphold the rights of tenants.

All staff that have contact with landlords must be trained to inform them of their legal obligations and the consequences of any breach of the law. Tower Hamlets Council needs to invest in Environmental Health Officers who can carry out investigations and issue improvement notices and fines and in Tenancy Relations Officers (TROs) who can prosecute landlords for criminal offences, such as illegal evictions.

The council should:

- Set targets around responsiveness to issues raised by renters and follow up with open complaints.
- Set and publish targets for increasing frontline staffing levels, including numbers of Tenancy Relations Officers.
- Train staff to inform tenants of their legal rights, ensuring that advice and support is clear and easy to access by the individual through multiple channels (e.g. email, telephone, face-to-face), and inform landlords of their legal obligations and the consequences of any breach of the law.
- Avoid closing cases without speaking to the tenants first and take responsibility for protecting tenants from the consequences of enforcement action, e.g. when a landlord responds to enforcement action by issuing an eviction notice.

4. Make temporary accommodation safe

Temporary accommodation procured by councils from private landlords is frequently appalling and unsuitable. [According to Shelter](#), three-quarters (75%) of households live in poor conditions, including one in five (21%) with a safety hazard, such as faulty wiring or fire risks. Tower Hamlets council must not allow the temporary accommodation sector to be a way for landlords to avoid meeting the standards set out by private rented sector legislation.

The council should:

- Follow in the footsteps of Newham Council and include temporary accommodation in licensing schemes and ensure that housing rights are enforced to the same standard as in the private rented sector.
- Work together to create a cross-London minimum standard for temporary accommodation and agree to not rent from landlords that provide accommodation below this standard.
- Publish a minimum standard for procurement of temporary accommodation that excludes properties that would require enforcement action were they provided as an assured shorthold tenancy.

5. No borders in housing

The UK government [encourages](#) councils to see landlord licensing as a way to increase collaboration with the Border Force, ultimately to identify people to deport. Data sharing with agencies involved in the immigration system (such as the Border Force or private contractors) would put migrants at risk. Councils may not be aware of when this is happening.

The council should:

- Commit to ensuring the landlord enforcement system is safe for migrants by prohibiting collaboration with Border Force. The council should publicise this fact to people in the borough.
- Commit to a data 'firewall': a promise that personal information collected by trusted services, including housing enforcement, will not be shared with the Home Office for immigration enforcement, and conduct an audit of data sharing to identify potential data leakage.

4. Safeagent



Proposed Additional Licensing Scheme in the London Borough of Tower Hamlets

Safeagent Consultation Response

31 March 2023

An Introduction to safeagent

Safeagent is a not for profit accrediting organisation for lettings and management agents in the private rented sector. Safeagent (formerly NALS) provides an overarching quality mark, easily recognised by consumers, with minimum entry requirements for agents. Safeagent operates a government approved client money protection scheme and is a training provider recognised by the Scottish and Welsh governments for agents meeting regulatory requirements in those devolved nations.

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 accreditation. The scheme operates UK wide and has 1,700 firms with over 3,000 offices, including agents within the London Borough of Tower Hamlets.

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

Overview

We understand that Tower Hamlets is seeking to renew the current additional licensing scheme that ends in March 2024. In preparing this consultation response, we have carefully considered the information published on the council's website.

Previous licensing scheme

We have studied the independent review of the council's current additional licensing scheme undertaken by Mayhew Harper Associates, dated October 2022.

Whilst containing much general commentary, we found the report lacking in detail on the evaluation of the current scheme. It says take-up (we assume number of applications) is below where it should be but can't be quantified. The evaluation provides limited information on the geographical spread of properties licensed under the additional licensing scheme and no information on the number of properties inspected.

Whilst the report provides some commentary on EPCs, noise complaints, pest control, service requests, warning letters and notices, we could find no data on annual trends and no comparison to baseline data before the scheme was implemented. At best, the data is inconclusive and provides no information about the number of properties improved under the current scheme. Even the summary acknowledges the comparative data on housing complaints split by tenure has limitations as it does not include social housing tenants who contact their landlord or the housing ombudsman.

Evidence base

We note that a summary of the evidence base is merged in with the scheme evaluation by Mayhew Harper, plus a 'Statistics by Ward' document. The latter document was very brief, comprising just four pages.

The statistics by ward document contained three years of data on service requests and noise complaints recorded against properties with an additional licence. There is no commentary to explain what this signifies, and no baseline data to compare it to.

We would urge the council to look again at the supporting evidence base to ensure the legal tests for implementing a new scheme have been met.

What the report doesn't explain is the rationale for extending the additional licensing scheme borough wide. In the west of the borough, small HMOs occupied by three or four people and all single family lets are already licensed under the council's selective licensing scheme. The council renewed that scheme just 18 months ago.

The advantage of the current approach is that selective licences provide flexibility for properties to alternate between single family and HMO use according to the needs of the market without having to apply for a different licence. If the selective licensing scheme is overlaid with additional licensing, that flexibility will be lost.

There is a further complication. If the additional licensing scheme is introduced in the west of the borough, landlords and agents who have correctly obtained a selective licence will find themselves in breach of the law. As licences cannot be transferred, new licence applications will be required to eliminate the risk of enforcement action and rent repayment orders. Our concern is not simply the extra licensing fee, but also the time taken to relicence a portfolio of properties. This seems unfair and unnecessary and will be a confusing message to convey to landlords and agents. We would encourage the council to reflect on these unintended consequences and retain the current licensing scheme boundary.

Section 257 HMOs (certain converted blocks of flats)

The consultation proposal does not explain whether the proposed scheme would include section 257 HMOs.

We have concerns about including such properties within the additional licensing scheme due to the difficulty experienced by letting agents in knowing when a property was converted and whether the conversion satisfies the relevant building standards. It is not something that is reasonable for a letting agent to assess.

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. 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 committing an offence of managing a flat in a licensable building without a licence, simply because another flat had been rented out without their knowledge.

Bringing section 257 HMOs within the additional licensing scheme could also be problematic for long-leasehold owner-occupiers who find their flat is within a licensable building. The licensing fee may push up their service charge and could cause difficulties with their mortgage lender. As the licence would need to be disclosed to a prospective purchaser, some mortgage lenders may be reluctant to lend on a residential mortgage for a flat within a licensed HMO, thus adversely impacting the property's value.

It is also the case that the 2015 general approval to introduce an additional licensing scheme only applies if the council has consulted persons likely to be affected by the scheme designation. Without actively consulting long leaseholder owner occupiers and explaining the implications of licensing section 257 HMOs, the conditions in the general approval would not be met and the additional licensing scheme could not be introduced without Secretary of State approval.

Whilst we are opposed to the idea of including all section 257 HMOs within the additional licensing scheme, we 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. In response to our feedback, several councils have adopted this approach.

Other councils such as Westminster City Council, Newham Council and the Royal Borough of Kensington and Chelsea have listened to our feedback and excluded all section 257 HMOs from their additional licensing schemes.

We would encourage Tower Hamlets Council to give this further thought and either narrow the section 257 HMO licensing criteria or remove them entirely from the scheme.

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 understand the council is intending to charge an additional licensing fee of £600.50 per property. We are pleased the council is proposing to set a fee significantly below the London average. This should help to avoid licensing fees becoming a barrier to new landlords entering the market.

Whilst we appreciate fees are below the London average, we would encourage the council to offer a discount to landlords and managing agents who are members of a professional association or accreditation scheme. We would request the eligibility criteria includes landlords who appoint an accredited safeagent member to act as licence holder or designated manager. This will help to professionalise the lettings industry. As highlighted in the introduction, safeagent is a not for profit accrediting organisation for lettings and management agents. All our members are required to deliver defined standards of customer service, operate within strict client accounting standards, maintain a separate client bank account and be included in a Client Money Protection Scheme. Membership of safeagent can be easily verified by visiting our website: <https://safeagents.co.uk/find-an-agent/> or by contacting us by phone or email.

To ensure landlords and agents have sufficient time to prepare and submit applications, we would request that the application process is launched three months before the scheme comes into force.

Licence Conditions

We have studied the proposed list of standard licence conditions in the consultation report.

We have made some suggestions to help improve and fine tune the wording of the conditions. This in turn will help landlords and agents to understand and comply with the requirements.

As a general comment, we noticed some licence conditions require information to be provided within 21 days and some require information within 7 days. We think 7 days is too short a period except for critical / urgent issues. We think 14 or 21 days is more appropriate. It allows time for the licence holder to liaise with the property manager, collate the information and respond in writing. It also ensures the licence holder does not find themselves in breach of the licence if they take a one week holiday and miss the deadline. We would also request the wording is adjusted to state 'within ## days of a written request'. We don't think this should apply to verbal requests where there could be confusion about exactly what information has been requested and for what purpose. This is also important for GDPR compliance, as it provides an audit trail to show why information has been disclosed.

Tenancy Management

Condition 1.3. In a small HMO let to sharers on one AST, it can create an institutional feel having formal documents displayed on the wall. Most people would not want this in their home. In addition, neither the landlord nor agent can prevent the tenants removing a document from the wall once the tenancy has started. For this reason, we would encourage the council to allow a copy to be displayed or a copy given at tenancy signup, as many other councils do.

Condition 1.8. This condition is highly unusual if it is being proposed for all rent payments. A written receipt is not appropriate for rent payments made via BACS or direct debit and there is no invoice issued for a rent payment. Rather than an invoice, the contract requiring payment is the signed tenancy agreement. For electronic payments, the written record is the bank statement belonging to both parties. A written receipt or rent book is only appropriate for cash payments and the condition should be adjusted to reflect this, or otherwise removed.

Property Management

Condition 5.1. For a small three person HMO, we think three-monthly inspections are excessive and will interfere with the tenants' right to quiet enjoyment of the property. Several other councils require a minimum six-monthly inspection and that seems more appropriate. Of course, we acknowledge this is the minimum frequency, and more regular inspections may be appropriate depending on the use, layout and occupancy of the property.

Condition 5.2. Whilst safeagent members will always try to arrange and facilitate any council inspection, we would point out that neither the landlord nor agent has power to enter a property, or parts of the property, if the tenants refuse access. We trust the council appreciate that limitation.

Condition 5.3. We note the council must assess whether a property is reasonably suitable for occupation when the licence is granted. This involves consideration of the kitchen, bathroom and toilet facilities, fire precautions and management arrangements. If the council believe the use, layout or occupancy of the property needs to be adjusted, property specific licence conditions can be added for that purpose. We think this is the most appropriate way to ensure a property is compliant. We do not think it is reasonable, or permitted, to make local HMO guidance an enforceable legal standard as guidance needs to be interpreted and applied flexibly according to the nature of the property. Further, the weblink to 'Minimum HMO standards' links to a webpage which in turn links to over twenty other documents, none of which have that document title. We think it is important that licence conditions are clear and simple to understand and that any requirements for works to be undertaken are added to the licence and a reasonable timescale allowed for those works to be done.

Condition 5.8. It does not state how often the council require a PAT test. We think this should be made clear in the wording of the condition.

Condition 5.10. No EPC is required if an HMO is let by the room with each tenant on a separate tenancy agreement and sharing basic amenities. This is explained on page 21 of the council's accommodation and amenity standards. The council should not insist on an EPC for a property that does not require one.

Condition 5.11. The Regulatory Reform (Fire Safety) Order 2005 does not apply houses or flats occupied by a group of sharers on one AST. A fire risk assessment is not required for this type of accommodation. It is only required for the common parts of buildings containing flats or bedrooms / bedsits let on separate tenancies. The wording should be amended to reflect this.

Condition 5.13. We disagree with the wording of this condition. If the council believe the fire detection system is not appropriate (this information would be provided on the licence application), the council should add a property specific licence condition explaining what work is required and the timescale for completing the work. This is a common approach adopted by many councils. The current wording leaves it completely unclear whether any work is deemed necessary. It also refers to a 2013 LACORS guidance whereas the guidance was published in 2008. The LACORS guidance is risk based and contains no prescriptive standards.

Condition 5.14. We disagree with the wording of this condition. As the council will be aware, fire safety requirements will vary considerably according to the use, layout and occupancy of the property. Further, the council should not seek to apply the case studies in Part D of the LACORS guidance as prescriptive standards as the guidance makes clear the case studies should not be viewed in isolation and are not intended to be interpreted in that way. If

the council believe the fire detection system and means of escape from fire are not appropriate, the council should add a property specific licence condition explaining what work is required and setting a timescale to complete the work. This is a common approach adopted by many councils.

Condition 5.15. The wording does not correctly reflect the mandatory condition that must be applied by virtue of the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022. For example, the condition should cover all gas appliances except for gas cookers. We would encourage the council to use the correct statutory wording.

Condition 5.17. We would ask the council to delete this condition or consult on a revised form of words. Our members would not know what the council mean by 'adequate thermal insulation' and against what parameters this would be assessed, yet failure to comply is a criminal offence. If the council mean a property cannot be let if the EPC rating is F or G, that is already a legal requirement and provides a simply benchmark to ensure compliance.

Condition 5.18. It seems unlikely that every home in the borough will have an external storage area for refuse and recycling bins, particularly for houses that open directly onto the street. In some boroughs, residents are given refuse sacks to be placed outside the property on bin collection day. We would encourage the council to ensure the wording is appropriate for all property types. We followed the web- link but could not find any further explanation about this licence condition.

Condition 6.4. If a shared house is let on one tenancy agreement with exclusive use, it would not be appropriate to require the licence holder to ensure the garden is kept in a clean condition. That responsibility would rest with the tenants and is something that can be checked on interim inspections.

As the council make clear in the bold statement inserted at the end of the conditions, failure to comply with any condition is a criminal offence. This is why it is so important to get the wording right and ensure every condition makes clear exactly what requirements are being imposed.

Accommodation and Amenity Standards for Private Rented Sector Housing

Appendix 3 accompanying the consultation document contains accommodation standards dated September 2022. It is unclear from the introduction whether this is guidance applicable for all private rented properties that are risk assessed under the Housing Health and Safety Rating System or is intended as guidance on additional requirements for licensed properties.

We would encourage the council to explain in the introduction that each property will be risk assessed and considered on its merits having regard to the use, layout and occupancy of the property. We understand the Upper Tribunal have indicated local guidance should not be viewed as legally enforceable minimum standard as it needs to be interpreted with a degree of flexibility.

Delivering effective enforcement

It is vital that the council have 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, new legislation required agents to display all relevant fees, the redress scheme they belong to and whether they belong to a client money protection scheme. On 1 April 2019, new legislation required letting agents and property managers that hold client money to be members of a government approved client money protection scheme. At safeagent we operate one of the six government approved client money protection schemes.

To assist councils in regulating the private rented sector and effectively utilising these enforcement powers, we developed an Effective Enforcement Toolkit. Originally published in June 2016, the second edition was published in 2018. The third and most recent edition of the safeagent Effective Enforcement Toolkit, developed in conjunction with London Trading Standards, was published in 2021. It can be downloaded free of charge from our website:

<https://safeagents.co.uk/wp-content/uploads/2021/11/safeagent-Effective-Enforcement-Toolkit-2021.pdf>

We welcome the significant activity by the council's Trading Standards Team to tackle illegal letting fees and agents that do not belong to a redress scheme. We would encourage the council to widen this activity to focus on client money protection requirements and we hope our toolkit will assist in that regard. 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

Safeagent
Cheltenham Office Park Hatherley Lane
Cheltenham
GL51 6SH

Tel: 01242 581712

Email: Isobel.Thomson@safeagents.co.uk

Website: <https://safeagents.co.uk>

5. Affordable Accommodation for Students Association Limited (via email)

Email submitted 28/03/2023

Can you please submit the trail of emails below as formal evidence to the consultation from our organisation on Tower Hamlets additional and selective licencing scheme. Can you please acknowledge receipt of this email please.

Regards

Allan

Allan Hilton MBA
Chief Executive

=====
Affordable Accommodation for Students Association Limited
(formerly Cass and Claredale Halls of Residence Association Limited)
Well Street Hall, 150 Well Street, London E9 7LQ
t: +44 (0)20 8533 2529
w: www.aa4s.co.uk

A charitable registered society under the Co-operative and
Community Benefit Societies Act 2014

Registered in England.
Registered number IP27158R.
Registered address:
Claredale House, Claredale Street, London E2 6PE.

=====

xxx,

I have now looked at the relevant legislation, which you referred to in your email.

See s56 Housing Act 2004 below.

S56(1) (see below) makes it clear that the local authority has the power to limit the designation to particular types of HMO. Thus (for example) HMOs which are signed up to the ANUK or UUK Code, or which are student halls of residence, or house 3 or fewer people could be excluded from the designation. The designation can only be made if the local authority meets the requirement of section 56. I would argue that the onus is therefore on the local authority to demonstrate that they have met the requirements of s56.

Therefore, can you explain why Claredale House is a significant problem for the local authority and it needs licencing? The act makes it clear that you need to set criteria based on problems, in the Borough. I do not see how this criteria is met in relation to our building. The Local authority is currently taking a blanket approach to licencing HMO's, however it **does** have the power to finesse the designation.

S56(1) (see below) is permissive, not mandatory. The local authority MAY introduce a designation – it does not have to – and it is only allowed to introduce a designation if the requirements of s56 are met.

S56(2) (see below) is mandatory. The authority MUST CONSIDER - What evidence does the local authority have to show that it has been considered, that purpose built student accommodation is a problem and is being managed ineffectively?

What the authority must consider is that a SIGNIFICANT PROPORTION of HMOs are a problem. What proportion is this? Also where is the evidence base to show that a significant proportion of charitable halls of residence covered by the government recognised ANUK code are a problem?

What criteria are used to assess whether properties are being managed ineffectively? What 'particular problems' are arising or likely to arise? What is the **evidence** to show those problems are occurring or are likely to occur at Claredale House or any other PBSA?

S56(3) (see below) is also mandatory. Consultation must be meaningful – or the steps taken cannot be considered to be reasonable. Can I ask which of our residents have been consulted? They are likely to be affected by the designation, so if not consulted, why not?

S56(4) (see below) is permissive. However, it must be read in conjunction with the remainder of the section. The designation may cover all HMOS in the area BUT only if the local authority considers (acting reasonably) that a significant proportion of all HMOs in the area, of all types, are managed ineffectively so as to give rise to particular problems.

I really cannot see what benefit our residents gain from the scheme that will cost them an additional £250 per year to be part of, when we are currently inspected regularly and the type of licencing proposed bears no relevance to running a large PBSA.

If the council wishes to follow through with this for Claredale House, I would contend that the fees should be 'reasonable and proportionate', to the level of work involved, perhaps a discount for multiples in large blocks managed by the same management or a cap on blocks? Currently we have 59 flats in a single block and this could cost us £36,000. The council could of course use its designation to exempt charitable student accommodation as opposed to commercial PBSA?

I would contend that it seems easier for the council to target large PBSA, with huge fees, than actually tackling the problem landlords that the legislation was designed deal with.

In terms of the 'Wednesbury principles' it seems unreasonable in following this policy through. A reasoning or decision is unreasonable (or irrational) that no reasonable person acting reasonably could have made it. A decision cannot be rational and reasonable if all relevant factors have not been taken into account, which I feel I have tried to explain, not just in this email but in the trail of emails below.

Copy of s56 Housing Act 2004 below.

56 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.

(3) Before making a designation the authority **must**—

- (a) take reasonable steps to consult persons who are likely to be affected by the designation; and
- (b) **consider any representations made** in accordance with the consultation and not withdrawn.

(4)The power to make a designation under this section **may be exercised in such a way that this Part applies to all HMOs** in the area in question.

(5)In forming an opinion as to the matter mentioned in subsection (2), the authority must have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area in question.

(6)Section 57 applies for the purposes of this section.

57Designations under section 56: further considerations

(1)This section applies to the power of a local housing authority to make designations under section 56.

(2)The authority **must ensure** that any exercise of the power is consistent with the authority’s overall housing strategy.

(3)The authority **must also seek to adopt a co-ordinated approach** in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector, both—

(a)as regards combining licensing under this Part with other courses of action available to them, and

(b)as regards **combining such licensing with measures taken by other persons.**

(4)The authority **must not** make a particular designation under section 56 **unless**—

(a)they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question, and

(b)they consider that **making the designation will significantly assist them to deal with the problem** or problems (whether or not they take any other course of action as well).

(5)In this Act “anti-social behaviour” means conduct on the part of occupiers of, or visitors to, residential premises—

(a)which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or

(b)which involves or is likely to involve the use of such premises for illegal purposes.

Thanks for your help with this I look forward to a response.

Regards
Allan

Allan Hilton MBA
Chief Executive

=====
Affordable Accommodation for Students Association Limited
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t: +44 (0)20 8533 2529

w: www.aa4s.co.uk

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Registered number IP27158R.
Registered address:
Claredale House, Claredale Street, London E2 6PE.

=====
From: Allan Hilton
Sent: 27 March 2023 11:07 AM
To: xx <xx@towerhamlets.gov.uk>; xx <xx@towerhamlets.gov.uk>
Subject: RE: Student accommodation FW: Claredale House, Claredale St, London E2 6PE

xx,

I understand the position in the legislation, but I am aware that some local authorities have exempted purpose built student accommodation from this for example Leicester council.

Clearly the legislation is not designed or geared for large purpose built blocks of student accommodation. We have central boilers, legionella RA, Fire RA, 5 yearly electrical inspections etc. Claredale is over 11m tall and has to meet other regulations because of this, such as the new regulations on quarterly fire door checks.

You stated in your presentation that the fee's should be 'reasonable and proportionate' and that is contained within the legislation. I cannot see under any scenario where a bill for £36,000 can meet this criteria. You also stated that you may not visit all properties depending upon a risk assessment. As we are regularly visited and inspected through the ANUK code, which is government approved. I presume you would take the view we are of little risk?

I don't have any problem with you inspection the building but the fee must be 'reasonable and proportionate' something you do have a choice of within the legislation.

Regards

Allan

Allan Hilton MBA
Chief Executive

=====
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Claredale House, Claredale Street, London E2 6PE.

From: xx <xx@towerhamlets.gov.uk>

Sent: 24 March 2023 10:48 AM

To: xx <xx@towerhamlets.gov.uk>; Allan Hilton <Allan.Hilton@aa4s.co.uk>

Subject: Student accommodation FW: Claredale House, Claredale St, London E2 6PE

Dear Allan,

I apologise for my delay in response, due to being called out on an emergency.

Unfortunately, the types of student accommodation you have below do not form part of our proposal for additional licensing to exempt.

The legislation under the Housing Act 2004 is very clear on the exemption criteria being as below and stipulate what exemptions the local authorities can approved.

Exemption from HMO regulations

Certain buildings that meet the criteria to be defined as an HMO under the Housing Act 2004 are exempt from the licensing provisions and the management regulations.

This comprises buildings that are:

- managed or controlled by private registered providers of social housing, a co-operative society, local authorities and other specified public sector bodies
- buildings regulated under other legislation, for example boarding schools, prisons, accommodation centres for asylum seekers and care homes
- occupied by religious communities, unless they are section 257 HMOs
- halls of residence (or other accommodation occupied by students) that are managed or controlled by one of the educational establishments listed in the regulations
- only occupied by an owner/occupier, members of their household and no more than two tenants or licensees. This exemption does not apply to section 257 HMOs
- only occupied by two people who form two households
- properties subject to a **temporary exemption notice** or an **interim management order**

I am sorry this may not be the answer you were hoping for, and we are limited in our decision based on the government guidelines and legislative requirement as above.

If you need further assistance, I have included my colleague, xx xx the principal officer in charge of Additional licensing, who can assist you with any further queries in relation to the matter.

Best Regards,

xx

Health and Housing Team leader
Environmental Health and Trading Standards
Place Directorate
4th Floor Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

*******Housing Licensing Consultation*******

We are currently consulting on the smaller HMO property licensing scheme (additional licensing), whether to renew the designation and extend it boroughwide. Please let us have your views at **Additional Licensing Scheme consultation | Let's Talk Tower Hamlets** and complete the questionnaire – Thank you

From: Housing Licensing <housinglicensing@towerhamlets.gov.uk>

Sent: 15 March 2023 16:38

To: xx <xx@towerhamlets.gov.uk>

Subject: FW: Claredale House, Claredale St, London E2 6PE

Hi xx,

FYI. Thanks

xx

Housing Intelligence Officer
Environmental Health and Trading Standards
Tower Hamlets Town Hall
160 Whitechapel Road
London
E1 1BJ
Tel: xxx

Housing Licensing Consultation

We are currently consulting on the smaller HMO property licensing scheme (additional licensing), whether to renew the designation and extend it boroughwide. Please let us have your views at **Additional Licensing Scheme consultation | Let's Talk Tower Hamlets** and complete the questionnaire – Thank you

From: Allan Hilton <Allan.Hilton@aa4s.co.uk>

Sent: Wednesday, March 15, 2023 1:39 PM

To: xx <xx@towerhamlets.gov.uk>; Tower Hamlets PRS <towerhamletsprs@melresearch.co.uk>; Housing Licensing <housinglicensing@towerhamlets.gov.uk>

Cc: Chris Plumley <Chris.Plumley@aa4s.co.uk>; xx@melresearch.co.uk

Subject: RE: Claredale House, Claredale St, London E2 6PE

xx/xx/xx

Further to the consultation meeting today.

Below is the trail of emails below that I have been corresponded on previously.

If you could pass on my details to Julie so I can engage.

Happy for the emails below to be fed into the process.

Regards

Allan

Allan Hilton MBA
Chief Executive

=====

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=====

From: Allan Hilton

Sent: 25 November 2021 10:40 AM

To: xx <xx@towerhamlets.gov.uk>

Cc: xx <xx@towerhamlets.gov.uk>; Chris Plumley <Chris.Plumley@aa4s.co.uk>

Subject: RE: Claredale House, Claredale St, London E2 6PE

xx,

Thanks for your email.

I can confirm that Affordable Accommodation for Students Association Limited, under your questions 1&2, are neither a registered social landlord/provider of housing, nor are we a cooperative in the sense of student resident membership/ownership of the Association; we offer rooms to all University students regardless of being a member. We can however have tenant members as shareholders, but not in the way we think you are directing the question.

The Association is a charitable Community Benefit Society, an exempt charity (company number 271598R) and has been in existence since 1991 with the object to help advance education and to help make the current and future lives of students better by providing and developing affordable, good quality, secure accommodation and associated services for undergraduate and postgraduate students studying in London during term-time and for interns, graduates, and visitors during the Summer Vacation period. In doing so we support students in their well-being, living experience, in their personal development and in the acquisition of life skills.

Below is a link to our residential licence agreement.

<https://aa4s.co.uk/wp-content/uploads/2021/04/2021-2022-AA4S-Term-Licence-Agreement.pdf>

When you say each HMO we are assuming you do not mean the whole building as a single HMO?

If you mean each flat with 3 rooms or more, we are concerned that additional licencing is a cost for no apparent benefit to the organisation or the residents, as we are inspected already, by a government recognised scheme. We respect and are supportive of additional licencing schemes and the need to ensure accommodation is fit for residents, but as is the nature of such a scheme, it is the good landlords and those that the council can easily target to raise revenue, that get penalised. What we cannot understand is, how the work involved in inspecting our single building could possibly equate to £30,000? Can you answer this question please?

Are you expecting us to make 57 individual applications, as all the building has is a single heating system and hot water system, a single fire alarm system, the same Fire Risk assessments, legionella control procedures, 5 yearly electrical testing. There are onsite, living-in staff and 24 hours staff cover?

When the Government introduced the additional and selective licencing scheme it was envisaged that there would be substantial reduced fee for those already registered with a Government approved scheme, such as the ANUK code. Why have we not been given a reduction? We now may consider removing ourselves from the ANUK code (as there is no legal requirement to be a member) to offset the cost the council is imposing on with additional and selective licencing. Unintended consequences one might say.

Can you also please direct us to how we would appeal against this charge?

Regards

Allan

Allan Hilton MBA
Chief Executive

=====
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Community Benefit Societies Act 2014

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From: xx <xx@towerhamlets.gov.uk>
Sent: 17 November 2021 2:23 PM
To: Allan Hilton <Allan.Hilton@aa4s.co.uk>
Cc: xx<xx@towerhamlets.gov.uk>; Chris Plumley <Chris.Plumley@aa4s.co.uk>
Subject: FW: Claredale House, Claredale St, London E2 6PE
Importance: High

Dear Mr Allan Hilton

**RE: Housing Act 2004 part II – Licensing of Houses in Multiple occupation & Schedule 14
Claredale House, Claredale St, London E2 6PE – Student accommodation**

Thank you for your comprehensive email below to my colleague Mr xx xx. My apologies for our delayed response, we sought legal clarification following your email on 9th September. As a result, we need to answer a few questions.

The Council acknowledges that you are a not-for-profit, charitable registered society under the Co-operative and Community Benefit Societies Act 2014 (formerly an Industrial & Provident Society). However, this does not exempt your organisation. We need your response to the following questions:

- 1) Is your organisation 'non-profit registered provider of social housing?' Can you give us documented evidence of this status. See 2 (1)(aa) of schedule 14 of the Act;
- 2) Is your organisation a 'registered as a social landlord under Part 1 of the Housing Act 1996 (c. 52)' , See 2 (1)(b) of schedule 14 of the Act
- 3) Are students issued with 'assured short hold tenancy' can you provide a copy of tenancy agreements?
- 4) Are students members of the co-operative society with equal voting rights at the societies meetings?

We also note that the ANUK Code that you refer to also acknowledges and directs its members to apply for the HMO (Mandatory or Additional) and Selective Licences if it applies to where their student accommodations are located.

The Council's Additional HMO scheme covers ALL multiply shared private rented residential properties with three or more occupants. This includes student blocks not managed or controlled by specified educational establishments. We do not offer a reduction in the fees.

If none of the exemptions stated under schedule 14 of the Housing Act 2004 apply, then the expectation of the Council would be for your organisation to apply for the Additional HMO Licence. The current fee us £533.50 for each HMO.

I look forward to your response.

xx

**Principal Environmental Health Officer
Mandatory HMO and Additional Licensing Team
Health and Housing
Environmental Health and Trading Standards**

London Borough of Tower Hamlets

2nd Floor, Mulberry Place

5 Clove Crescent

London E14 2BG

xx

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From: xx <xx@towerhamlets.gov.uk>

Sent: 10 September 2021 08:54

To: xx <xx@towerhamlets.gov.uk>

Subject: FW: Claredale House, Claredale St, London E2 6PE

Hi,

Reply below from the CEO of the AFFORDABLE ACCOMMODATION FOR STUDENTS ASSOCIATION LIMITED, the owners of Claredale House.

I have also attached a previous email he sent across, which was sent to us 17 June 2021.

Thanks

xx

From: Allan Hilton <Allan.Hilton@aa4s.co.uk>

Sent: 09 September 2021 16:38

To: xx <xx@towerhamlets.gov.uk>

Cc: Chris Plumley <Chris.Plumley@aa4s.co.uk>

Subject: RE: Claredale House, Claredale St, London E2 6PE

xx,

Further to your email below and your letter of the 2nd September 2021, I confirm:

We have 61 flats in total, 2 of which are the onsite manager's flats and 2 of the other 59 flats are 2 bedroomed only, total residents 246. Therefore, in terms of your letter, we should be paying $57 \times £533.50 = £30,409$ over a 5 year period which equates to £6081.50 pa. Or as our student contracts are 39 weeks £22.69 per student per year.

The London Plan has designated that the 'affordable level' for student accommodation for London for 2021/22 is £179.20, our average rent for Claredale House is £160 for a 39-week contract.

The Association is an exempt charity, a not-for-profit, charitable registered society under the Co-operative and Community Benefit Societies Act 2014 (formerly an Industrial & Provident Society) and we exist solely to help advance education and to help make the current and future lives of students better by providing and developing affordable, good quality, secure accommodation and associated services for undergraduate and postgraduate students studying in London during term-time and for interns, graduates, and visitors during the Summer Vacation period. In doing so we support students in their well-being, living experience, in their personal development and in the acquisition of life skills.

We are a member of the ANUK National Code of Standards for Larger Developments for student accommodation not managed and controlled by educational establishments, which is approved by the Government. We are also a member of the National Housing Federation. We currently have to meet the standards of the ANUK code, which is specifically designed for large purpose-built student accommodation, includes an independent complaints procedure and means that we are currently inspected every 3 years: we are a responsible landlord. I have attached our student satisfaction survey results for the last 5 years for both of our buildings.

The nature of the Council's additional licencing scheme is clearly aimed at landlords of single dwellings, as demonstrated by the nature of the questions.

What we are concerned about is that additional licencing is a cost for no apparent benefit to the organisation or the residents. We are supportive of additional licencing schemes, but as is the nature of such a scheme, it is the good landlords and those that the council can easily target to raise revenue, that get penalised. What we cannot understand is how the work involved in inspecting our single building could possibly equate to £30,000?

When the government introduced the scheme it was envisaged that there would be substantial reduced fee for those already registered with a government approved scheme such as the ANUK code.

In September 2005 John Daniels, who was then DCLG's official dealing with the development of the three 'Approved' Codes, stated the following in an email to Martin Blakey, who is Chief Executive of Unipol Student Homes and set up the ANUK code:

"The second ANUK code is The Code for Buildings Not Managed or Controlled by an Educational Establishment – this code is designed specifically for private sector suppliers, many of whom provide accommodation directly to institutions through nominations agreements or through a variety of outsourced provision. Joining this particular Code will not lead to an exception for any providers from the HMO definition and licensing continues to apply. The Government is however 'minded' to approve this Code as an HMO Approved Code of practice and would expect local authorities responsible for licensing to accept that those accredited to it will be complying with a nationally approved standard (and for which compliance will be monitored), and that therefore they should charge a significantly reduced licensing fee for licensing accommodation accredited to this Code."

Claredale House has been offering affordable rents in Tower Hamlets since 1984, well before the proliferation and growth of the Purpose-Built Student Accommodation (PBSA) sector, and we believe we are the only charitable student accommodation provider in Tower Hamlets.

We have seen many thousands of high-end student accommodation rooms come on stream in Tower Hamlets over the last 25 years, that are clearly aimed at maximising income for the companies involved. We are asking for a discount on the fees for this licencing, and while we are conscious that this could set a precedent for the council, we believe that the charitable nature of our organisation sets us apart from the rest and so would not set this precedent.

Please let me know if you need further information or if there is anything we need to do.

We would be happy to meet up onsite.

Regards

Allan

Allan Hilton MBA
Chief Executive

=====
Affordable Accommodation for Students Association Limited
(formerly Cass and Claredale Halls of Residence Association Limited)
Well Street Hall, 150 Well Street, London E9 7LQ
t: 020 8533 2529
f: 020 8525 0633
w: www.aa4s.co.uk

A charitable registered society under the Co-operative and
Community Benefit Societies Act 2014

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From: xx <xx@towerhamlets.gov.uk>
Sent: 08 September 2021 9:51 AM
To: Allan Hilton <Allan.Hilton@aa4s.co.uk>
Subject: RE: Claredale House, Claredale St, London E2 6PE

Good Morning,

Thank you for your email.
I have saved copies of this email and the email from 17th June 2021, which I will discuss with the Principal Officer,
xx xx, along with your forthcoming response.

Kind Regards

xx
Housing Standards Officer
Mandatory HMO and Additional Licensing Team
Health and Housing
Environmental Health and Trading Standards

Place Directorate
London Borough of Tower Hamlets
2nd Floor, Mulberry Place
5 Clove Crescent
London
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From: Allan Hilton <Allan.Hilton@aa4s.co.uk>
Sent: 07 September 2021 16:11
To: Leighton Jones <Leighton.Jones@towerhamlets.gov.uk>
Subject: RE: Claredale House, Claredale St, London E2 6PE

xx,

Thanks for the email. I did see the letter today and I will respond in due course.

Just checking you received my email of the 17th June 2021, following your letter of the 15th June 2021.

Is the council offering discounts for members of government approved schemes, which we are part of, as was recommended by the then DCLG. As you can appreciate what you have laid out is a considerable amount of money for a not for profit organisation, that is offering some of the cheapest rents to students in London.

Regards

Allan

Allan Hilton MBA
Chief Executive

=====
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Appendix D: Survey

*questions marked with an asterix were only asked in the online survey due to time constraints on the face to face survey

Additional Licensing Scheme for Houses in Multiple Occupation in the London Borough of Tower Hamlets

Section 1: About you

The first set of questions looks to understand who is responding to the survey.

1. If you are a resident in Tower Hamlets, what ward do you live in? (click here to access a map to look up your postcode) *(please select one only)*

- Island Gardens
- Canary Wharf
- Blackwall and Cubitt Town
- Poplar
- Lansbury
- Limehouse
- Mile End
- Bromley South
- Bromley North
- St. Dunstan's
- Stepney Green
- St. Katherine and Wapping
- Bethnal Green East
- Bethnal Green West
- Bow West
- Bow East
- Shadwell
- Spitalfields and Banglatown
- Weavers
- Whitechapel

2. Which of the following best describes you? *(please select all that apply)*

- Owner occupier
 - Private tenant
 - Social housing tenant
 - Landlord
 - Letting or managing agent
 - Business owner in Tower Hamlets
 - Other (please specify below)
-

3. How long have you lived in Tower Hamlets? *(please select one only)*

- Less than 12 months
- Between 1-5 years
- Over 5 years
- Not a resident in Tower Hamlets

4. If you have lived in Tower Hamlets for less than 12 months, where did you live before you moved? *(please select one only)*

- Other London Borough
- Other part of the UK
- Outside the UK (overseas)

5. If you manage any privately let property, which of the following best describes you? (please select one only)

- Landlord who manages their own property
 - Landlord who uses a managing agent
 - Letting agent
 - Managing agent
 - Not applicable
 - Other interested party (please state below)
-

6. If you are a landlord or managing agent, how many properties of the following types do you own/manage in Tower Hamlets? (please select one 'None / 1-5 properties / 6-10 properties / 11-20 properties / More than 20 properties' for each of the following)

a. Single occupancy dwellings

b. Houses in multiple occupation: 3-4 persons

c. Houses in multiple occupation: 5 or more persons

7. If you are a landlord or managing agent, are you a member of any of the following? (please select all that apply)

- National Residential Landlords Association (NRLA)
- Property Mark /ARLA
- UK Association of Letting Agents - UKALA
- Safeagent (Formerly - The National Approved Letting Scheme (NALS))
- Other (please specify)

8. Do you own or manage any other properties outside of Tower Hamlets? (please select one only)

- Yes
- No
- Not applicable

Section 2: Additional Licensing proposal

The council is seeking views on the proposed redesignation of the Additional Licensing scheme for smaller Houses in Multiple Occupation (HMO) that are privately rented with three or more non-related tenants sharing a kitchen or bathroom. The proposal is for the scheme to be borough wide. The scheme would be for up to five years.

[For full details of the proposal, please click here to access the Consultation document.](#)

9. To what extent do you agree or disagree with the general proposal for renewing the additional licensing scheme for Tower Hamlets? (please select one only)

- Strongly agree
- Tend to Agree
- Neither agree or disagree
- Tend to disagree
- Strongly disagree
- Don't know/not sure

Proposed inclusion of other wards in the scheme

The proposed borough-wide additional licensing scheme will include the currently exempted areas of Weavers, Whitechapel, Spitalfields and Banglatown.

10. To what extent do you agree or disagree that the exemption areas should be included? *(please select one only)*

- Strongly agree
- Tend to Agree
- Neither agree or disagree
- Tend to disagree
- Strongly disagree
- Don't know/not sure

11. To what extent do you agree or disagree with Additional licensing proposal that licences should be required only for the privately rented properties with three or more non-related tenants sharing a kitchen or bathroom in Tower Hamlets? *(please select one only)*

- Strongly agree
- Tend to Agree
- Neither agree or disagree
- Tend to disagree
- Strongly disagree
- Don't know/not sure

Section 257 properties

The proposed additional licensing is to include section 257 HMOs which are converted self-contained flats/dwelling that have been converted prior to Building Regulations 1991.

12. To what extent do you agree or disagree that including Section 257 HMOs in the scheme will improve the quality of privately rented housing? *(please select one only)*

- Strongly agree
- Tend to Agree
- Neither agree or disagree
- Tend to disagree
- Strongly disagree
- Don't know/not sure

13. To what extent do you agree or disagree that the proposed amenity standards will improve the quality and standards of HMOs? *(please select one only)*

- Strongly agree
- Tend to Agree
- Neither agree or disagree
- Tend to disagree
- Strongly disagree
- Don't know/not sure

14. How reasonable or unreasonable are the following elements of the proposals around conditions and standards: *(please select 'Reasonable' / 'Unreasonable' / 'Don't know/not sure' for each of the following)*

- a. Standards on space (such as an appropriate size and shape for kitchens)
- b. Standards on kitchen facilities (such as the layout must be safe, convenient and allow good hygienic practices)

c. Standards on washing and toilet/WC facilities (such as bathrooms must have mechanical ventilation to the outside air)

Additional Licence fees

The Council needs to charge a fee in order to cover the cost of processing licence application and running the scheme. The proposed fee is £600* for up to 5 years.

For more information about the fees, please click [here](#) and visit the section on Fees within the document. (*In 2024/25 the fee will go up (normally by inflation))

15. To what extent do you agree or disagree that the proposed licence fee for a 5-year licence (£600) is reasonable? *(please select one only)*

- Strongly agree
- Tend to Agree
- Neither agree or disagree
- Tend to disagree
- Strongly disagree
- Don't know/not sure

SECTION 3: Your views and experiences in Tower Hamlets *

This set of questions looks to gather your views and experiences of the Private Rented Sector in Tower Hamlets

16. Thinking about the private rented sector in Tower Hamlets as a whole, to what extent do you agree or disagree with the following statements? *(please select from 'Agree strongly' / 'Tend to agree' / 'Neither agree nor disagree' / 'Tend to disagree' / 'Disagree strongly' / 'Don't know/not sure' for each of the following) **

- a. Poorly managed privately let properties are contributing to the decline of some areas in Tower Hamlets
- b. Flats/privately let HMOs are contributing to the decline of some areas in Tower Hamlets
- c. Landlords have a responsibility to manage their properties effectively

17. Thinking about Tower Hamlets private rented sector, how much of a problem do you consider the following on a scale of 1-5, with 5 being a significant problem and 1 being not a problem at all?*(please select from '1 (Not a problem at all)' / '2' / '3' / '4' / '5 (a significant problem)' for each of the following) **

- a. nuisance neighbours
- b. loud noise
- c. litter/ rubbish dumping
- d. poorly maintained/neglected/run down properties
- e. drug use/dealing/drug related crime
- f. alcohol misuse
- g. petty crime
- h. prostitution

18. Have you ever experienced or witnessed anti-social behaviour from tenants living in a privately rented HMO/flats HMOs? *(please select one only) **

- Yes
- No
- Not applicable

19. If you are a private tenant living in a flat HMO or HMO, have you experienced any of the following issues?
*(please select all that apply) **

- Dampness and/or disrepair
- Inadequate basic amenities (e.g. bath, toilet etc)
- Lack of fire safety measures
- Dirty common areas (staircase, hallways etc)
- Rubbish accumulations or inadequate refuse storage facilities
- Poor letting practices (e.g. lack of tenancy paperwork, poor response to repair requests)
- Harassment and/or illegal eviction
- None of the above
- Not applicable

20. To what extent do you agree or disagree that landlords in Tower Hamlets maintain their properties to a good standard? *(please select one only) **

- Strongly agree
- Tend to Agree
- Neither agree or disagree
- Tend to disagree
- Strongly disagree
- Don't know/not sure

Section 4: Additional comments and further opportunities for engagement

21. Please add below any specific comments that you wish to make about the proposal, or any alternatives that the council could consider:

22. The Council will be holding a number of public meetings to discuss the proposal further. The provisional dates are 26th Jan, 15th March, 27th March and 28th March 2023.

If you are interested in attending a meeting, please provide your email address below and we will contact you to book a place:

23. Would you like to be kept informed about any decision about the proposal made by the Council? *(please select one only)*

- Yes
- No (skip next question)

24. If you have not already done so, please provide an email address so that you can be sent any updates on the proposals:

Section 5: Your information

This last section asks you some optional questions about yourself so we can fully understand different people's views and experiences. You can complete as much or as little as you wish. This is being collected to help the

Council in meeting its public sector equality duty under section 149 of the Equality Act 2010. All information that you provide is used only for the purpose of this survey only.

25. What is your month and year of birth? (please write in the box below)

Please add MONTH first, followed by YEAR e.g. June 2001

26. What is your ethnic group? (please select one only)

- White: English, Welsh, Scottish, Northern Irish or British
- White: Irish
- White: Gypsy or Irish Traveller
- White: Roma
- White: Any other White background (please write in when prompted) *
- Mixed or Multiple ethnic groups: White and Black Caribbean
- Mixed or Multiple ethnic groups: White & Black African
- Mixed or Multiple ethnic groups: White and Asian
- Mixed or Multiple ethnic groups: Any other mixed or multiple background (please write in when prompted) *
- Asian or Asian British: Indian
- Asian or Asian British: Pakistani
- Asian or Asian British: Bangladeshi
- Asian or Asian British: Chinese
- Asian or Asian British: Any other Asian background (please write in when prompted) *
- Black, Black British, Caribbean or African: Caribbean
- Black, Black British, Caribbean or African: Somali
- Black, Black British, Caribbean or African: Other African
- Black, Black British, Caribbean or African: Any other Black, Black British or Caribbean background (please write in when prompted) *
- Other ethnic group: Arab
- Other ethnic group: Any other ethnic group (please write in when prompted) *
- Prefer not to say

*** If you have selected 'other' please write in your ethnicity below?**

27. Do you have any physical or mental health conditions or illnesses lasting or expected to last 12 months or more? (please select one only) *

- Yes
- No
- Prefer not to say

28. Do any of your conditions or illnesses reduce your ability to carry out day-to-day activities? (please select one only) *

- Yes, a lot
- Yes, a little
- Not at all

29. What is your sex? (please select one only)

- Male
- Female
- Prefer not to say

30. Is the gender you identify with the same as your sex registered at birth? (please select one only) *

- Yes
 - No (please write in gender identity)
-

31. Are you currently pregnant or did you give birth in the last twelve months? (please select one only) *

- Yes
- No
- Prefer not to say

32. What is your legal marital or registered civil partnership status? (please select one only) *

- Never married and never registered a civil partnership
- Married
- In a registered civil partnership
- Separated, but still legally married
- Separated, but still legally in a civil partnership
- Divorced
- Formerly in a civil partnership which is now legally dissolved
- Widowed
- Surviving partner from a registered civil partnership
- Prefer not to say

33. What is your religion? (please select one only) *

- No religion
- Christian
- Buddhist
- Hindu
- Jewish
- Muslim
- Sikh
- Prefer not to say
- Any other religion (please specify)

34. Which of the following best describes your sexual orientation? (please select one only) *

- Straight / heterosexual
- Gay man
- Gay woman/lesbian
- Bisexual
- Prefer not to say
- Other sexual orientation (please specify)

35. Do you look after, or give any help or support to, anyone because they have long-term physical or mental health conditions or illnesses, or problems related to old age? (please select one only) *

- No
- Yes, 9 hours a week or less
- Yes, 10 to 19 hours a week

- Yes, 20 to 34 hours a week
- Yes, 35 to 49 hours a week
- Yes, 50 or more hours a week
- Prefer not to say



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