

Appendix C

Selective Licensing Phase 2 Consultation Comments Received and Response by London Borough of Barnet

The following is a schedule of the comments made in relation to the overall proposal for the proposed scheme, along with the council's responses to those comments where applicable. Some comments relating to the same issue have been grouped together and a single response is provided to avoid unnecessary repetition.

Consultation responses in support of the proposed scheme – Public Health	London Borough of Barnet response to consultation comments
<p>Raising standards of the private rented sector will have positive health impacts across the lifespan. Furthermore, it will positively influence the health, security and suitability of Barnet's housing stock.</p>	<p>We welcome these positive comments regarding the benefits the proposed scheme will bring.</p>
<p>Data for the new ward boundaries aren't available yet unfortunately. However, considering the previous ward boundaries, there are areas with higher rates of overall mortality, and mortality because of respiratory and coronary heart diseases. Both diseases are related to poor housing conditions.</p> <p>West Finchley and West Hendon had higher than Barnet average rates of deaths because of respiratory diseases.</p> <p>Childs Hill, Hale, Golders Green, Hendon, Mill Hill, West Finchley and West Hendon had higher than Barnet average rates of deaths because coronary heart disease.</p> <p>Childs Hill, Hale, Golders Green, Hendon, West Finchley and West Hendon had higher than Barnet average rates of overall mortality. Although this data isn't specific to the new wards, it still does give an indication on vulnerability of the residents.</p> <p>New ward data are available for unemployment rates: Cricklewood, Childs Hill, Golders Green, West Hendon, Hendon and Cricklewood have higher than Barnet average (4.4%) of unemployed residents receiving benefits.</p>	<p>This helpful data helps to demonstrate that the wards in scope will benefit from the introduction of a scheme that is designed to improve living conditions in and around the private rented sector, that will inevitably have a positive impact on people's health.</p> <p>We feel this aligns with the findings set out in the evidence base in the consultation documents.</p>
<p>Homes in the PRS tend to be older and less energy efficient than those in the socially rented or owner-occupied sectors. On a national level, the</p>	

<p>PRS also has more serious (Category 1) hazards assessed using the Housing Health and Safety Rating System, than other tenure groups. Additionally, some PRS households are more likely than other types to experience these hazards (namely, those on low incomes, receiving benefits and who are older or disabled) who are more likely to have compounding health conditions which will be aggravated by poor quality housing.</p>	
<p>Public Health welcomes recognition that the quality of housing in the private rental sector needs to be addressed.</p> <p>We support the review of evidence and consultation to determine the feasibility of selective licensing in Barnet for high risk areas. A selective licensing scheme would introduce additional enforcement powers which LBB could use to ensure landlords meet the required standards.</p>	

Consultation responses in support of the proposed scheme	London Borough of Barnet response to consultation comments
<p>We believe 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 are 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.</p>	<p>We feel this aligns with the findings set out in the evidence base in the consultation documents.</p> <p>We welcome these comments highlighting the benefits of the scheme.</p>
<p>Such a licensing scheme will help to ensure that landlords maintain their properties to a good standard, stop overcrowding, and provide adequate facilities to tenants such as appropriately sized bins which should help minimise fly tipping. It would also ensure that tenants follow expected standards of behaviour as regards noise, antisocial behaviour and fly tipping.</p>	

<p>It works both way tenants and landlords get the standards up and stop all the asb and bad living conditions , and bring to a good satndard and also make the tenants also responsible. For a lot of unjust rubbish and garden problems which is</p>	<p>The aim of the scheme is not to restrict profits for landlords but to ensure that they do, if necessary, invest in their property to ensure it meets minimum standards and is safe for the occupiers.</p> <p>These are the desired aims of the scheme. If HMOs are discovered, then these will be referred for licensing under the existing additional licensing scheme.</p> <p>The scheme is not a tax but a fee for the provision of a licence that will be a statutory requirement.</p> <p>The exemptions are prescribed by law.</p> <p>Selective Licensing will help tenants and help the council to identify landlords such as those described and take action to improve properties. In circumstances such as those described, we would urge tenants to contact the department environmentalhealth@barnet.gov.uk</p>
<p>Anything to prevent property owners from profiteering is to be admired, but it is essential that there are means in place to ensure that this is the case.</p>	
<p>Overall, Citizens Advice Barnet does support the scheme, despite concerns about its effectiveness and the likelihood that fees will be passed onto tenants.</p>	
<p>I believe introducing this scheme will help discover many properties that are illegal HMO's and will tackle properties that are in disrepair and bringing them back up to standard. This hopefully will help tackle ASB issues.</p>	
<p>Long overdue. Bring in extra taxes from an otherwise lucrative tax evading sector.</p>	
<p>As stated, I do not believe there should be exceptions to the scheme and there should be a means of ascertaining which properties are being let. Landlords cannot be relied upon to supply this information to the council.</p>	
<p>My family have been leaving in a flat since 2019, right after we move in Mould started to appear on the wall of the whole house. Our landlord didn't do anything to address the problem. We have complaining for 3 years. We make lab tests which reveal toxic mould yet the landlord blames us and tries to put on us renovation after we will move out. Once we complain to the council we got a Section 21 notice. The landlord lied to the council the notice was served to repair when to us they said we have another tenant. The solution for the landlord was to clean it with bleach. Chlorine/bleach vapors are dangerous as well. As I'm on immunosuppression therapy-biological treatment I don't have immunity and this condition is extremely hard and cause great hazard. On top, my daughter constantly has respiratory problems. We have lost</p>	

<p>all private furniture due to become mouldy. Dampness and mould are very dangerous and cause illness and even death.</p>	<p>The proposed scheme includes conditions attached to a licence relating to reasonable steps a landlord should take in relation to anti-social behaviour.</p> <p>If a property is used as a short-term let for greater than 90 days, planning permission is required. There is a new planning use class proposed that will specifically relate to such properties. If a property is being used as a short-term let for more than 90 days, we would urge residents to contact planning.enforcement@barnet.gov.uk</p> <p>Although the scheme in this proposal would not extend to High Barnet, this is one of the issues that the proposed scheme is designed to improve. We would urge the respondent to contact the Private Sector Housing Team regarding any concerns with their property. Tenants in areas not covered by the proposed scheme - we would urge tenants to contact the department environmentalhealth@barnet.gov.uk</p>
<p>Because of so many private landlords doesn't care about their tenants might make some problems with other neighbors,if council have some rules to control them . (as my next door people ,they just rent a property they won't care other whatever the noise or behavior and the landlord just want \$only,they also don't care what's any problem made from the tenants to other people....</p>	
<p>Absolutely support. Although I'm now a home owner, I was a renter for many years. There are unscrupulous landlords exploiting tenants. Even trying to charge fees which are illegal. I'm well versed in the legislation but imagine most are not.</p>	
<p>It's a step forward</p>	
<p>Licencing will ensure landlords are better regulated and ensure the local council is aware what housing is being used for and will drive up standards</p>	
<p>Will improve conditions for tenants and help get rid of bad landlords</p>	
<p>To make sure that properties are fit for purpose and landlords do not tun their properties into air bnb with different tenants each week</p>	
<p>Based on the severe damage my current accommodation in private rental have caused on my health and that of my children, I very much welcome this scheme and hope it gets rolled out to High Barnet sooner rather than later. Landlords and landlady's needs to start taking responsibilities.</p>	
<p>Currently landlords can just ignore repairs and do no maintenance whatsoever - just seeing letting property as a profit making venture.</p>	

voluntary does not work and there needs to be more regulation. Ross and Barnet Labour have the opportunity to make change for the better.	
Tenants need more protections - licensing schemes can provide the local authority more mechanisms to provide this	
It's always good to have some form of control, this will push bad landlords to improve their properties and identify those that don't.	

Consultation comments relating to poor landlords and property conditions	London Borough of Barnet response to consultation comments
There are too many slum landlords in Burnt Oak and LB Barnet as a whole. The landlord next door is a constant problem - won't fix any of the ongoing issues. Told me she was a pensioner now and couldn't afford to fix the fence adjoining my property! I had to threaten her with small claims court to get it fixed.	<p>The scheme is designed to ensure that poor landlords take responsibility for managing their property.</p> <p>Conditions will be attached to licenses, including one relating to the management of ASB. These will be checked upon when the property is inspected and action taken if they are not complied with. In addition a property condition inspection will also be carried out to identify any significant hazards and these will be the subject of appropriate enforcement action to ensure they are rectified.</p>
Too many slumlords and illegal HMOs in Barnet	
To many properties in my road in particular, but in the area in general that are rented and not looked after - they are in poor state of disrepair which impacts the integrity of any other property they are attached to, makes streets feel unnecessarily uncared for and in many cases I am aware of, poor living conditions for tenants due to lack of maintenance, adherence by landlords to safety regulations etc.	
Landlords are becoming more greedy and need regulation	
Too many poor quality properties and poor quality tenants, sadly	
Many landlords are focused on extracting short-term profit at the expense of safe conditions for their tenants and other residents in the building.	
Agree that overseeing private rents can be useful to tackle issues, however more important for me is question how issues will be	

<p>rectified. As someone living under a license to occupy I found that maintenance issues are very hard to solve and it takes unreasonable time to action them.</p>	
<p>We live next door to a house converted into 2 flats. It is poorly maintained, I can see the tenants are taken advantage, I'm sure there is no gas / electric safety certification. The property is not maintained, tenants are rowdy and the front is littered with rubbish. Many of the properties in the road are like this - rented out and in poor state of repair. It is not good for tenants or the area alike.</p>	

Consultation responses relating to the need and benefit of the scheme	London Borough of Barnet response to consultation comments
<p>Given the characteristics of Barnet, we do not feel that a selective or additional licensing scheme is appropriate for the area. Except for the Burnt Oak and Colindale North and South wards, Barnet has low levels of deprivation according to the English Indices of Deprivation 2019. The council also acknowledges that the area is not an area of low housing demand or an area that is adversely impacted by migration.</p>	<p>This consultation is solely about a selective licensing scheme as the additional licensing scheme is now already in operation. As the consultation documents explain, whilst the area for the proposed selective licensing scheme does not have high levels of deprivation, is not an area of low housing demand or adversely impacted by migration, the data demonstrates that these wards have highest levels of poor property conditions in the borough. Poor property conditions are a criterion for designation of a selective licensing scheme. In addition, some of the wards in scope also have higher levels of crime and/or anti-social behaviour, which are similarly grounds for designation, albeit they are not intended to be included in the designation itself.</p>
<p>We also dispute some of the benefits the council have highlighted for landlords and agents. The Council state 'Licensing helps landlords to protect their investment in their property leading to an increase of property value.' We would be grateful if evidence could be provided of a synergy between property value and licensing.</p>	<p>Licensing helps to ensure that properties are properly managed and maintained to a good standard. The council believe it is a logical conclusion that a well-maintained property will make a property more attractive to a potential buyer and in turn this will ensure that the best value can be obtained through any future sale. There are also benefits for the local community which will improve saleability.</p>
<p>1) There are less available housing stock in the market and this will reduce it even further 2) can't see the point of it if no house available to rent? 3) as a tenant, first we have to be able to find</p>	<p>There are many factors that feed into changes in the housing market. We have spoken with other boroughs running licensing schemes and they have not seen any evidence that the scheme itself is leading to landlords</p>

<p>somewhere to live first before we can start talking about other things. If we can't even find a place to rent to begin with, all these are pointless</p>	<p>exiting the market. We do not believe that the scheme should lead to a reduction in properties to rent. Fees should easily be able to be absorbed into a landlord's business model without the need to sell up or pass it on to their tenants.</p>
<p>Not necessary</p>	<p>The council's evidence suggests the scheme is necessary</p>
<p>It doesn't protect the private tenants that need the most help. It seems designed to make landlords only rent to tenants of a certain caliber.</p>	<p>The scheme is most certainly designed to protect the private tenants in need of the most help. There is no intention to drive landlords to only rent to certain tenants, although it is designed to ensure landlords take the appropriate level of responsibility for managing their property whoever they choose to rent it to.</p>
<p>Cost and benefit don't match and it will lead to crime and rising rents for low income families. It's a typical Far Right wing solution. Bring back the fair rent scheme with no charges.</p>	<p>We are not sure why the scheme would lead to a rise in crime. Crime is a specific criterion that the government have set for the selection of areas for selective licensing, so by implication it can be used to reduce crime, not increase it.</p>
<p>I strongly oppose this scheme which will not benefit tenants or landlords at all.</p>	<p>There are many other issues of property maintenance and management than those mentioned by the respondent that contribute to the safety and wellbeing of occupiers.</p>
<p>Area is rented to middle class rented only . Epc . Cir and cp12 certification already satisfies safety and well being of parties. Selective licensing will not increase this further or maintain this.</p>	<p>We would reference the evidence base that shows that the scheme is necessary in these wards.</p>
<p>It is unnecessary</p>	
<p>A selective licencing scheme is not needed!</p>	
<p>Simply no need for it. Just another fee and another headace</p>	
<p>It will just kill landlords</p>	

<p>Consultation responses relating to the scope of the scheme</p>	<p>London Borough of Barnet response to consultation comments</p>
<p>It proved to reduce crime and ASB. There is already too much subdivision of family homes by greedy developers/landlords, this</p>	<p>The council has not established data to support the need for a borough wide scheme. The legislation provides for the scheme to operate for up to</p>

<p>process may weed out the bad ones. It should also be Borough-wide and the licence should be for 3 years and cost £1,500+</p>	<p>5 years and in most cases, it is expected the licence will be issued for 5 years rather than 3. The cost is calculated on the cost of delivery of the scheme, which is not as high as £1,500+ per property.</p>
<p>Blanket restrictions are never a good idea</p>	<p>The proposed scheme will only apply to the wards in which the data supports its implementation.</p>
<p>Please extend the areas!!!</p>	<p>The council can only introduce selective licensing in the areas where it can show that certain criteria as specified in legislation have been met. There is not currently sufficient evidence of a case for selective licensing in other wards although this could change in the future.</p>
<p>why put in selective licencing into church end finchley when it doesnt even fit the critera which you think affect the area ie crime deprivation migration poor proerty conditions significant mis behaviour chuch end finchley is not that the proerty prices and flats are mostly in good condition this is just a money spinning exercise</p>	<p>The data presented in the consultation shows that Finchley Church End ranks as the 6th worst ward for evidence of poor property conditions of the 10 wards included within this proposal. For anti-social behaviour it ranks 3rd worst and for crime it ranks 5th worst of the 10 wards. Deprivation and migration have not been considered as issues affecting the proposal.</p>
<p>There are too rented properties in my area, that are poorly maintained and rented out as illegal HMOs. I hope the SFO can solve this problem</p>	<p>Although this scheme is not directed at HMOs, the proposed scheme is designed to improve the condition of poorly maintained properties. If HMOs are discovered then these will be referred for licensing under the existing additional licensing scheme.</p>
<p>The areas selected (based on my experience living there) do not make sense. The costs are very high and there must be a better approach to generate the outcome desired.</p>	<p>The areas selected are based upon the analysis of data relevant to the criterion set out in the legislation.</p>
<p>I can't see reasons why Mill Hill need to be included. More red tapes and less properties and higher rent for renters</p>	<p>Mill Hill is included as the data shows it is a ward with a greater percentage of poor property conditions</p>
<p>Support in principal. But the price is too high and it should be Borough wide</p>	<p>Fees are set around cost recovery of delivering the scheme, without a profit margin in line with legal requirements.</p>

Consultation responses relating to ability to resource and enforce the scheme	London Borough of Barnet response to consultation comments
<p>One of our concerns about licensing schemes, especially ones as large as the proposed Barnet 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. Given that this selective licensing scheme covers ten wards and is in addition to an additional borough-wide scheme, we are especially concerned with this regard for this proposal.</p> <p>The licensing scheme will operate in ten Barnet wards alongside a borough-wide additional licensing scheme. The PRS is very large and growing in Barnet, is an important housing tenure and is home to many people living in the London Borough. According to the 2021 Census, there are 48,705 households who are privately renting which equates to 32.7% of all 148,917 Barnet households. Not only is this one of the larger PRS stocks in London, but the total PRS stock has increased from the previous 2011 Census when the PRS equated to 25.6% of all households. Given these challenging figures, we would like clarification on how much resources Barnet will put into enforcement and compliance of the scheme. If sufficient 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.</p>	<p>The council shares the respondents concern that the scheme is adequately resourced to enable sufficient levels of enforcement. The scheme has been modelled to reflect the scale of properties in scope. The timing of the designation of the scheme will be carefully managed following the introduction of the additional licensing scheme and the first selective licensing scheme already approved, to enable recruitment of sufficient staff to undertake both the administrative processes and the enforcement in relation to the poorer landlords. Resourcing will be scaled up as required to meet the demands of the scheme.</p>
<p>It is vital that the council establishes and maintains a well-resourced and effective enforcement team to take action against those landlords and agents that seek to evade the licensing scheme.</p> <p>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 xxxxxxxx members who seek to</p>	

<p>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.</p>	<p>The design of the scheme will provide for the recruitment of sufficient numbers of administrative and enforcement staff for the scheme to work effectively as planned. The cost of this is covered by the licensing fees.</p> <p>The issue of why alternative approaches are not preferred was covered in the consultation documents.</p> <p>If the scheme proceeds, there will be an inspection programme throughout the life of the scheme.</p>
<p>We have a few recommendations for the council to consider: 1) Ensure adequate resource to enforce the scheme, including pro-actively identifying landlords whose properties fall within the scheme who have failed to licence their properties or breached the conditions of their licence 2) Support this by introducing a streamlined reporting system for tenants to use to identify such landlords – adequate resource would be needed to follow up on such reports</p>	
<p>I agree with selective licensing but am concerned about the impacts on Barnet staff workloads of such a large number of properties to be licensed in a short timeframe</p>	
<p>If tenants complain the LBoFB should then act and there is enough legislation to sort out problems, largely there is no one there for any problem be it private or rented. This is taking a sledgehammer to crack a nut.</p>	
<p>Property licensing sends out a clear message that the local authority is dedicating resources to management and enforcement in the private rented sector. But licensing needs to be underpinned by an inspection regime to be effective. Hopefully, officers of LB Barnet have a plan in place.</p>	

Consultation comments relating to alternatives to selective licensing	London Borough of Barnet response to consultation comments
<p>xxxxxxxxxxx has a shared interest with Barnet 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.</p>	<p>We welcome the detailed consideration of the council’s approach. The consultation considered alternative mechanisms, and none were considered to achieve the wholesale benefits that selective licensing will achieve.</p>

Before embarking on a new licensing scheme, we think the council should adequately resource the additional licensing scheme. It is unfair on reputable landlords and agents who have incurred costs getting their property licensed if many other properties are being operated in breach of licensing scheme without any sanctions being applied.

An expansive new selective licensing scheme will spread the council's staffing resources more thinly, particularly as the council has not yet rolled out the proposed phase 1 selective licensing scheme.

We would highlight that Croydon Council's application to the Secretary of State for borough wide selective licensing was refused in 2021. One of the reasons given by the Secretary of State was failure to demonstrate strong outcomes or efficient delivery of their previous scheme.

We anticipate the Secretary of State will apply similar considerations to an application from Barnet Council. For this reason, we would encourage the council to focus on HMO licensing and rolling out the first selective licensing scheme. The council should demonstrate competent scheme delivery, and adequate resourcing before seeking permission for a further scheme.

In describing the alternative options considered, there is no reference to what we think could be the best approach in the circumstances: focus on delivering the mandatory HMO and additional licensing schemes and rolling out the first selective licensing scheme consulted upon in 2021.

Implementing the first selective licensing scheme would allow the council to trial the proposed new licence application system, selective licence conditions and inspection methodology. A scheme focused on

We are fully in agreement with these comments. The council will not embark upon any new schemes without ensuring any existing schemes are adequately resourced, or that the new scheme can be resourced.

The designation for Phase 1 of selective licensing has not yet been made and will not be made until adequate resources are in place to effectively deliver the scheme.

The council is fully aware of the decisions of the Secretary of State on other schemes and the reasons for refusal of schemes and we will ensure that the Phase 1 selective licensing scheme is fully up and running and that both this and the additional licensing scheme are achieving desired outcomes before making the designation for Phase 2 of selective licensing and submitting it to the Secretary of State. This is anticipated to be in early 2025.

As explained in the answer to the comment above, the council would not intend to make the designation for Phase 2 until satisfied with the implementation of additional licensing and roll out of Phase 1 of selective licensing.

However, we do not agree with the alternative suggestion to wait for five years until Phase 1 has ended before commencing with Phase 2. The evidence we have gathered demonstrates that criteria for designation

<p>three wards enables a more concerted cross departmental approach to addressing the issues. If the model is found to be successful, permission could be sought for a second larger scheme. Alternatively, the council could decide to refocus their efforts on a new area when the first scheme ends after five years. This approach overcomes the risk that the magnitude of the scheme overwhelms capacity to prioritise resources and achieve meaningful results.</p>	<p>have been met in the proposed wards and to wait for a period of 5 years would therefore not be appropriate. The council has a responsibility to ensure that conditions in the private rented sector are improved and to use the relevant tools that the government have made available to achieve this.</p>
<p>There are better ways to improve the relationship between Landlords and tenants</p>	<p>Having reviewed the options available, the council views that licensing will add an additional beneficial framework to supporting their approach to property improvement in the borough.</p>
<p>This is just more bureaucracy with no defined tangible benefits. You could do a survey monkey to get landlords to list properties and tenants details. Both landlords and tenants can then fill in a detailed questionnaire to ascertain if further action or investigation is required</p>	
<p>As per previous, it is my view that this is nothing but another tax on landlords, Barnet properties are generally in very good condition and if you cared about the tenants you would set up a Rogue Landlord team rather than TAX all good landlord. in addition to that the money spent by local authority on untrained and educated staff is ridiculous</p>	

<p>Consultation comments relating to fee levels</p>	<p>London Borough of Barnet response to consultation comments</p>
<p>At £825.75 for a selective licence per property, even before the fee increases to reflect inflation has been added, the fee is high compared to other local authority selective licensing schemes including £650 in Newcastle and £550 in Liverpool. The fee is also higher compared to the proposed fees for selective licenses under consultation in other London Boroughs including £640 in Brent and £652 in Merton (before discounts.) 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. However, we do welcome the council offering discounts</p>	<p>The Local Government Association (LGA) guidance on locally set licence fees states that " it is an accepted principle that licensed activities should be funded on a cost-recovery basis, paid for by those benefiting from the licensed activity, rather than drawing on the public purse." Those benefitting in this respect are landlords in receipt of a licence. The council must therefore seek to ensure that the licence fee charged reflects the full cost of licensing as respects those activities that can be legitimately considered to be part of the cost. The proposed fees have been calculated upon the projected legitimate costs of the licensing scheme to the council. It should be noted that costs in every authority will be different, as no two</p>

to members of approved accreditation schemes providing they have maintained their Continuing Professional Development (CPD) points.

authorities will have exactly the same local arrangements. In particular, staff salaries can vary across different parts of the country and so it is not believed that a direct comparison with authorities in the north of the country can be drawn as it is widely understood that salaries in London are greater than those in the north. We cannot comment on the fees determined by other London authorities as we do not know what activities or cost factors they have considered in reaching their own licence fees. Regarding 'early bird' discounts, we cannot comment on how other authorities have determined these in achieving a full cost recovery model. However, it is the view of the council that in order to provide an 'early bird' discount, higher overall fees would need to be charged to still achieve a full cost recovery model. However, it is proposed to look at other council's fee models before commencement of this scheme to see if further discounts might be feasible and appropriate.

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

It is important that the council implement an efficient and streamlined licence application processing system. This will help to minimise costs and keep fees at a reasonable level, thereby minimising upward pressure on the rent that is charged to tenants.

We note the council still operates a paper based licence application system which involves printing out a form, completing it and returning it to the council. This is an inefficient way of working. It increases administrative workload, drives up processing costs and leads to a higher risk of paperwork being misplaced. We would encourage the council to implement a simple online application and payment system as many other councils have done. We welcome the commitment in the FAQ document to implement an online system before any new scheme designation is made.

As stated by the respondent, the council is in the process of implementing an online application and payment system and this will be operational before Phase 1 of selective licensing is implemented.

For selective licences, we understand the standard fee will be £825.75 which is significantly higher than the £750 proposed during the last selective licensing consultation in 2021. It is also well above the

As explained in the consultation documents, the council has a duty to ensure that the scheme recovers the costs of delivery in accordance with

<p>London average and close to the highest selective licensing fee in London, which is currently £900.</p> <p>We would encourage the council to set licensing fees much closer to the London average. The average selective licensing fee in London is currently £687. This is based on research by London Property Licensing 2022/23.</p>	<p>the principles of the Services Directive. The proposed fee is based upon the council's latest assessment of the cost of delivering the service. Costs have naturally increased from those in the exercise undertaken in 2021 as a result of increasing costs to the council.</p> <p>We do not agree with the use of average fees. To adjust fees to an amount based upon the average fees of other authorities is not an appropriate calculation method and could result in under recovery of costs which would be a burden on the public purse. If an average fee were applied by an authority that has calculated their fee below the average, they would likely raise an excess which is not permissible.</p>
<p>Whilst we are pleased the council is proposing a discount for accredited landlords, we note the 10% discount equates to just £41.40 discount for each selective licence. We think a 20% discount would be more appropriate, and act as a bigger incentive.</p>	<p>Discounts must be factored into the overall calculation of cost recovery. So, if a higher discount were offered, the net effect would be an even higher base fee. We believe that a 10% discount is an appropriate incentive whilst not disproportionately increasing the overall base fee. However, as stated above we undertake to look at this further.</p>
<p>Further, we would request that the accreditation discount is widened to include landlords who use an accredited xxxxxxxxxxxx member to manage the property. This will help to professionalise the lettings industry. As highlighted in the introduction, xxxxxxxxxxxx is a not for profit accrediting organisation for lettings and management agents. 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. The Royal Borough of Kensington & Chelsea recently widened their accreditation discount to include xxxxxxxxxxxx members where a member of staff held our Ofqual-accredited Level 3 Award in Letting and Property Management.</p>	<p>The council would be prepared to consider a discount for any accreditation awarded to a letting agent, subject to the scheme applying strict rules of conduct. We would want to see the full details of the accreditation scheme and that it meets at least the same standard as the London Landlord Accreditation Scheme.</p>
<p>We note the council is proposing to charge an additional fee if the part 2 application fee is not paid within 48 hours of request. We think this timescale is unreasonably short and is something we have never come across before. If a 'late payment' fee is to be charged, a timescale of</p>	<p>We note this comment and it is not intended to continue with late payment fees.</p>

<p>14 days would be more reasonable. However, it is questionable whether this is permitted under the legislation as the Part 1 fee is intended to cover the cost of processing licence applications.</p>	<p>Concerns around the proposed fees and the punitive effect on good landlords has been noted. Fees have been calculated using best available evidence and in line with those agreed for Phase 1 of selective licensing. However, the operation of the fee structure in Phase 1 will be carefully monitored and it is proposed that alternative models of fees and discounts given by other authorities will be closely examined with the potential for an alternative fee structure, whilst still covering costs of the scheme, being brought to Members before the designation is made if deemed appropriate to do so.</p> <p>Unfortunately, the suggested fee level would not cover the cost of running the scheme and the suggested methods of covering the deficit are not legally sound.</p> <p>We can confirm that properties with lodgers living with landlord are specifically excluded from the scheme by virtue of The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006.</p>
<p>We have a few recommendations for the council to consider: 3) Reduce the fee to be more in-line with those of neighbouring boroughs (although we acknowledge this may be inconsistent with our first recommendation)</p>	
<p>A scheme is a good idea, but it needs to be much cheaper for landlords and the tenants whose rents will end up being increased to pay for it. It should cost no more than £100 a year, and the deficit of running the scheme can be covered by fines levied on persistently bad landlords and/or council tax precepts. Lastly, you do not make it clear that lodgings where the tenant lives with a live-in landlord should not be included in this scheme. Doing this would probably open to legal challenge.</p>	
<p>The cost is disproportionate</p>	
<p>If the amount of the license was half of what is proposed, I would strongly support it.</p>	

<p>Consultation comments relating to the operation of the proposed scheme</p>	<p>London Borough of Barnet response to consultation comments</p>
<p>For a scheme on this scale, we are disappointed that there is no clear strategy on how Barnet Council will identify properties that have not been registered within the proposed scheme. Turning back to our concern that compliant 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</p>	<p>We can confirm that the council does have a strategy to identify properties that may be subject to the scheme and to encourage them to apply for a licence. As described in the main consultation document this does include use of Council Tax records, along with a number of other data sources. Unfortunately, simply being able to identify potentially privately rented properties through use of these data sources is not in</p>

<p>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.</p>	<p>itself effective in ensuring that the landlords of those properties are operating with adequate levels of property management. The council believe the selective licensing scheme will assist in bringing these properties up to satisfactory levels, with enforcement then focussed on those that fail to comply with the requirements of the scheme. Feedback from other local authorities operating both types of schemes is unanimous in reporting that enforcement is more streamlined in a comprehensive selective licensing scheme rather than an additional licensing scheme where identification of non-compliant properties is much more challenging given the complexity in obtaining the evidence required.</p>
<p>Regarding privately rented property, there is but one, key suggestion which I believe must be a prerequisite to a proper standard of accommodation.</p> <p>If property licensing can ensure safer and better living conditions in private rented properties, enabling all residents to live in a healthy environment - both internally and externally - then 100% transparency must be applied. And the only way this can be maintained, is if an independent company is designated to monitor properties throughout the borough. For a number of larger companies, with significant portfolios, they are both the developer, freeholder and managing agent*. They retain complete control. This situation could, quite possibly, lead to corners being cut. Therefore, if any property, be it in the public or private sector, is found to be unacceptable, the order to repair and carry out the remedial tasks must be carried out by a contractor with no connection to any of the above*.</p> <p>However, the council should bear in mind – with Leasehold reform on the horizon – where Commonhold (for the majority of new-build properties) may well become the accepted norm, that this could add a complication, albeit extremely necessary, where currently it does not exist.</p>	<p>Selective licensing relates only to private sector properties. Under the legislation it is the duty of the council to administer and enforce such a scheme.</p> <p>The judgement of whether a property is 'high risk' will be an internal officer decision on a case-by-case basis. Issues that might be considered will include the information provided in the application and previous history. Assessment processes will be continually reviewed and may evolve as the scheme progresses and lessons are learned.</p> <p>Although it may not be practical to inspect every high-risk property before issuing a licence in a timely manner, it is envisaged that many of the highest risk properties will be inspected before the licence is issued. If licences are issued in advance of the inspection due to the need to process them in a timely manner the application of the council's conditions to the licence will ensure that the Licence Holder is immediately aware of the issues where they are failing to meet the required standards and can commence corrective actions. However, once the inspection is undertaken relevant enforcement action will be taken where non-compliance with conditions is identified as well as inspecting to see if any Category 1 or 2 hazards exist at the property and use of powers under Part 1 of the Housing Act 2004.</p>

<p>The consultation report says that all 'high risk' properties will be inspected but does not elaborate on the risk assessment methodology following a desktop review of each licence application.</p> <p>Even for high risk properties, it says no inspection will be undertaken until the licence has been granted. Licensing high risk properties could give tenants the false impression the property is safe and suitable for occupation. We would ask the council to elaborate of what is meant by 'high risk' and consider inspecting high risk properties before a decision is made whether to grant or refuse the licence.</p> <p>We think the proposal to only inspect high risk properties during the scheme is contrary to government selective licensing guidance. For a scheme focusing on poor property conditions, the council must intend to inspect a significant number of properties in the designated area. This implies inspecting more than a small group of 'high risk' properties, if tackling poor conditions is the purpose of the scheme</p>	<p>We apologise if the consultation gives the impression that only high-risk properties will be inspected during the scheme. This is not the intention, and we note a drafting error in FAQ 7 of the consultation documentation with the unfortunate omission of the word 'immediately' at the end of the first sentence. The sentence should have read:</p> <p>7. Will my property be inspected by the council?</p> <p>The council does not intend to inspect every property subject to the selective licensing scheme immediately.</p> <p>The council does envisage that the majority, if not all properties will be inspected during the life of the scheme.</p>
<p>We would encourage the council to review the staffing allocation necessary to meet the requirement for a large scheme covering thousands of private rented properties. We would encourage the council to focus on implementing and delivering the phase 1 selective licensing scheme that has been announced but not yet implemented. Implementing both schemes in quick succession risks overwhelming the council's limited resources which could have a detrimental impact on both schemes.</p>	<p>The staffing allocation necessary for all licensing schemes is and will remain under review. Schemes will not commence without the necessary resources in place to deliver them. We agree entirely with the comment relating to delivering phase 1 and confirm that this was always and remains the intention. As the phase 1 selective licensing scheme commencement has been delayed then the proposed date for phase 2 will be similarly put back. We anticipate approximately 12 months between phase 1 and phase 2 designations.</p>
<p>We would ask the council to publish clear service standards setting out the timescale for processing and approving licence applications and to publish regular updates so that performance in this area can be monitored. In other boroughs, we regularly see licence approvals delayed by one year or more due to a backlog of work and inadequate resourcing.</p>	<p>The council published the proposed Licensing Scheme Objectives, Targets, and Reporting Timetable in the committee report for the Housing and Growth Committee on 17th February 2022. Unfortunately, an incomplete version was appended to the published report. The standards will be added to the council's licensing web pages and reviewed on an ongoing basis.</p>
<p>However, there is a risk that it will be challenging to enforce additional licensing requirements in practice. Although selective licensing has</p>	

<p>been effective in improving property management and conditions, the findings of a recently published report confirm that both local authorities' limited capacity and the interface with central government required by current regulations are preventing licensing from reaching its full potential.</p> <p>We are concerned that property visits prior granting the license aren't planned routinely. The submission of required information and certificates, without visiting the property, can increase the risk that licenses will be granted for inadequate properties.</p>	<p>As highlighted in the response to comments above, we recognise that resourcing such schemes involves challenges, but the scheme will not be implemented until such time as the required resources can be put in place.</p> <p>We agree that these requirements are necessary fundamentals to good quality, safe living accommodation. However, the specific matters mentioned are not matters that can be specifically requested as part of the licence application process.</p> <p>Licence conditions, alongside inspections of properties to identify remedial action to remove Category 1 and 2 Hazards will however contribute to achieving the matters raised in this comment.</p>
<p>Additionally, whilst the list of required documentation is comprehensive, it is missing some information we find relevant:</p> <ul style="list-style-type: none"> - Adequate heating and ventilation, such as type of heater, condition of windows, trickle vents, extractor fans etc. Especially in light of recent development where there is increasing evidence on the risks of damp and mould, and at the same time many people struggle to heat their homes, we believe there should be greater emphasis. - Cooking facilities- safe and nutritious food is a basic requirement for a healthy life, particularly for children, elderly and vulnerable residents. More people rely on home cooking as costs of living are rising. A layout itself doesn't guarantee that the kitchen has adequate cooking facilities. - Adequate bathroom and toilets, especially if shared. As for cooking facilities, a layout doesn't give enough information. 	

Consultation comments relating to the licence conditions	London Borough of Barnet response to consultation comments
<p>We have studied the proposed list of standard licence conditions in the consultation report.</p>	<p>We are grateful for this comment. We have clarified the condition 1.1 as follows:</p>

<p>We have made some suggestions to help improve and fine tune the wording of the conditions. This in turn should help landlords and agents to understand and comply with the requirements.</p> <p>Tenancy agreement Condition 1.1. There will be some limited circumstances where a licence to occupy may be the appropriate form of written agreement. The wording needs to reflect that scenario.</p>	<p>The Licence Holder shall supply the occupiers of the property with a written statement of the terms (such as a tenancy agreement) on which they occupy the property.</p> <p>Condition 1.2 has been amended to read: A copy of the written statement must be supplied to the Council by the Licence Holder within 14 days of a request in writing from them to do so.</p>
<p>Occupancy particulars Condition 5.1. It is unusual to see a selective licence condition which seeks to define what notifications may need to be given by a data controller for GDPR purposes. This appears to fall outside the scope of selective licence conditions. It is something for the Information Commissioner’s Office (ICO) to deal with rather than the council. As all licence conditions are enforceable, we would ask whether the council has been granted consent by the ICO to impose and enforce this condition? Any reference to GDPR would fit better in the advisory part of the licence starting from paragraph 18.</p>	<p>We are grateful for this comment. We have moved the following paragraph from Condition 5.1 to a new paragraph 31.3 under the Notes section of the Conditions.</p> <p>The Licence Holder should issue the occupiers with notification of the Licence Holder’s legal duties to comply with the law (Sch 4 of the Housing Act 2004) and the requirements to share data with the Council without the occupier’s consent, either expressed through the tenancy agreement or where there is no such term in the existing agreement, in a statement to this effect in writing to the occupier.</p>
<p>Gas Safety Condition 6.2 should be deleted. The scope of selective licence conditions is limited to the use, management or occupation of the property. It excludes conditions and contents. The mechanism to require works to be undertaken within a certain timescale is found within Part 1 Housing Act 2004 (Housing Health and Safety Rating System) and not Part 3 (selective licensing).</p>	<p>We are grateful for this comment. Condition 6.2 has been amended from: Any necessary remedial works identified shall be undertaken by a competent Gas Safe Registered engineer within such a time period as may be specified by the Council in writing. To: If the inspection of the gas installations and appliances identify necessary remedial works, these must be carried out by a competent Gas Safe Registered engineer.</p>
<p>Condition of Furniture and Electrical Appliances Condition 8.1. We would query the meaning of ‘regular visual inspections’ and ask whether this refers to all furniture in the house or is limited to soft</p>	<p>We are grateful for this comment. Condition 8.1 has been amended from: All soft furnishings supplied by the Licence Holder to the tenants must comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended). All furniture supplied by the Licence Holder should be</p>

furnishings. There are practical difficulties in doing this in an occupied property without moving all the tenant's possessions. We would seek an assurance that the council is proposing a simple visual check during interim inspections, with no expectation items of furniture be moved or examined in detail to look for faults the tenant has not reported.

Condition 8.3. We think it is unnecessary, and excessive, to require the council to be notified if a portable electrical appliance fails an electrical test and needs to be replaced. This would be recorded on a PAT certificate which can be provided to the council upon request. The council does not impose notification requirements if an electrical socket or a consumer unit is replaced. We do not think any notification is required if a kettle plugged into an electrical socket is replaced. We think the declaration process in condition 8.4 provides a more pragmatic approach.

Carbon Monoxide Alarms Condition 10. The statutory wording has been updated. It no longer refers to solid fuel burning appliances. It now refers to any fixed combustion appliance other than a gas cooker and the wording should be updated.

maintained in a safe condition. There should be a regular visual inspection of all such furniture to determine the safe condition of those items.

To:

The Licence Holder shall ensure that furniture made available in the property is in a safe condition. All upholstered furniture and covers and fillings of cushions and pillows should comply with current fire safety legislation. During the inspections specified in condition 13.3, the Licence Holder shall undertake a visual check of such furniture and a declaration as to the safety of such furniture must be provided to the Council within 14 days on demand.

We are grateful for this comment and have removed part of paragraph 8.3, so that instead of:

Inspections of electrical appliances shall be carried out by a suitably qualified and competent person. The Council shall be informed of any remedial works required and any such works shall be carried out within any such time period as may be specified by the Council in accordance with extent and urgency of the work.

It now reads:

Inspections of electrical appliances shall be carried out by a suitably qualified and competent person.

Copies of any PAT certificates must be supplied to the Council by the Licence Holder within 14 days of a request in writing from them to do so.

The first paragraph of Condition 10.1 has been amended to reflect the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022: guidance for landlords and tenants, so that instead of:

The Licence Holder: -

Ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and
keep each such alarms in proper working order; and
shall supply to the Council, a written declaration as to the position and condition of the carbon monoxide alarms within 14 days of a written

	<p>request from them to do so and otherwise as may be specified in these licence conditions.</p> <p>It now reads:</p> <p>Ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a fixed combustion appliance; and</p> <p>keep each such alarm in proper working order; and</p> <p>shall supply to the Council, a written declaration as to the position and condition of the carbon monoxide alarms within 14 days of a written request from them to do so and otherwise as may be specified in these licence conditions.</p> <p>The following sentence has been added:</p> <p>A link to the landlord’s guide on the council website can be found here.</p>
<p>Managing Anti-Social Behaviour Condition 14.2 It requires the licence holder to deal with any anti-social behaviour in line with the council’s guidance note but does not explain what is in the guidance or where it can be found.</p>	<p>Condition 15.3 has been amended to read:</p> <p>The Licence Holder must give new occupiers of the property within 7 days of the start of their occupation, the following information on Waste and Recycling, in writing:</p>
<p>Waste Disposal Condition 15.3. Whilst the first sentence seems reasonable, we think it is excessive to insist the licence holder must provide tenants with any guidance published by the council in written or online form, with no link to what guidance is being referred to. It is not practical for a xxxxxxxx member to trace every item of written or online guidance, and to know when such documents are updated or new documents published. We think the first sentence is adequate and we encourage the council to delete the second sentence.</p>	<p>a) The collection days for the refuse and recycling bins for the property (https://www.barnet.gov.uk/recycling-and-waste/bin-collections)</p> <p>b) Details on what they can and can’t recycle (https://www.barnet.gov.uk/recycling-and-waste/household-recycling-and-waste/what-put-your-bins)</p> <p>c) How they can dispose of bulky waste. (https://www.barnet.gov.uk/recycling-and-waste/special-collections/bulky-household-waste-collections)</p> <p>d) General waste guidance from the Council’s website: https://www.barnet.gov.uk/recycling.)</p> <p>A copy of the information provided to the occupiers must be kept for 5 years and provided to the Council within 14 days on demand.</p> <p>Condition 13.3 has been amended to read as follows:</p> <p>The Licence Holder shall ensure that inspections of the property are</p>

Condition 15.5: We note there are three separate conditions requiring six monthly inspections: one for the property (condition 13.3), one for the garden (condition 13.4) and one for refuse / recycling (condition 15.5). In practice, this should be one inspection covering all three items. We would ask the council to redraft the conditions to make clear these three requirements can be consolidated into one inspection to avoid interfering with the tenant's right to quiet enjoyment of the property

carried out regularly, giving the appropriate notice to the tenant, and at least once every six months, to identify any problems relating to the condition and management of the property. (This inspection can be undertaken at the same time as the inspections required by conditions 13.4 and 15.5). As a minimum requirement, records must be kept and contain a log of who carried out the inspection, the date and time of inspection and any issues found, and action(s) taken to deal with those issues. The records of such inspections shall be kept for the duration of this licence and made available for inspection by a visiting Council Officer. A copy of such records shall also be provided to the Council within 14 days of a request in writing from them to do so.

Condition 13.4 has been amended to read as follows:

The Licence Holder shall regularly and at least once every six months, inspect or take other measures to ensure that any yards and/or gardens to the house, are kept clean and tidy. (This inspection can be undertaken at the same time as the inspections required by conditions 13.3 and 15.5). Where this is not the case, the licence holder shall write to the tenant to remind them of their obligations and to take steps within 14 days to clean and tidy them.

Condition 15.5 has been amended to read as follows:

The Licence Holder must carry out regular checks and at least once every six months throughout the duration of the licence, to ensure that all tenants are complying with their responsibilities with regards to the storage and recycling of waste (including bulky waste) within the property and any exterior areas within the curtilage of the house and its placement for collection in accordance with the policies set out by the Council. (This inspection can be undertaken at the same time as the inspections required by conditions 13.3 and 13.4). Checks should be recorded, and records should be made available to the Council within 14 days of a written request from them to do so.

Condition 15.6 has been amended as follows:

The Licence Holder must ensure that any type of waste which the Council

<p>Condition 15.6. The condition should make clear this refers to waste disposal by the licence holder. For waste generated by the tenants, the requirement is to provide suitable waste and recycling bins, provide the tenants with information and undertake a six monthly inspection to check waste is being correctly disposed of.</p>	<p>does not routinely collect such as hazardous waste or mattresses are disposed of in a safe and lawful manner. Now reads: The Licence Holder must ensure that any type of waste which the Council does not routinely collect such as hazardous waste and which is the responsibility of the Licence Holder is disposed of in a safe and lawful manner. We would want to see the full details of the accreditation scheme and that it meets at least the same standard as the London Landlord Accreditation Scheme.</p>
<p>Training 16.1: We welcome the council's acknowledgement of the importance of accreditation, training and develop to improving standards in the private rented sector. As explained in the introduction, xxxxxxxx is a not for profit accrediting organisation for lettings and management agents in the private rented sector. Our members are required to deliver defined standards of customer service, operate within strict client accounting standards which must be verified, maintain a separate client bank account and be included under a Client Money Protection Scheme. We offer a comprehensive training programme to our members. Our Level 3 Award in Letting and Property Management (England) was recently accredited by Ofqual. We would ask that the council recognise xxxxxxxx accreditation and our associated training packages, as other councils have done.</p>	<p>We are grateful for this positive comment regarding the Notes section of the Licence Conditions.</p>
<p>Notes relating to selective licence conditions We welcome the clear differentiation between enforceable licence conditions (conditions 1 to 17) and supporting information on other legal requirements. Paragraphs 18 to 31 are written in plain English and should help landlords to understand their legal responsibilities which extend far beyond selective licensing. It will help to reinforce the information provided to them by xxxxxxxxx members.</p>	<p>A drafting error under the heading has been amended to read: Paragraphs 18 to 31 are not licence conditions but provide supporting information to Licence Holders</p>

Consultation comments relating to the licence application process	London Borough of Barnet response to consultation comments
<p>On page 11 of the main consultation report, it says the council will demand a portable appliance test certificate with all selective licence applications. This is an unusual requirement for selective licensing. Many single family properties are let unfurnished with no electrical appliances. If the landlord does provide electrical appliances, there is no requirement for a portable appliance test certificate unless the council impose it as a licence condition.</p>	<p>Condition 8.2 only applies to equipment provided by the licence holder.</p>
<p>Likewise, it would be unusual to find emergency lighting within a single family let, and there is no requirement for single family lets to have a fire alarm test certificate. Even if the licence application is for a flat within a purpose build block, the supporting documents relate to the property being licensed and not the common parts of the building outside the curtilage of the flat. We would encourage the council to simplify the list of supporting documents and help to streamline the application process.</p>	<p>The list of documents states that fire- alarm system and emergency lighting certificates should be provided 'where appropriate'. Although emergency lighting may not be relevant in most cases under the scheme, as the respondent suggests, there may be some cases where there is emergency lighting.</p>

Consultation comments relating impact upon other strategies	London Borough of Barnet response to consultation comments
<p>Barnet state that one of the overall aims of the scheme will be to reduce the number of empty properties within the Borough. We welcome the Council's current policy of offering grant funding opportunities to properties that have been empty for landlords and key workers up to the value of £25,000. The Council also highlight some of the tools they could use to bring empty properties back into use. However, there is no mention of previous activity in the form of case studies or statistics on the use of Empty Management Dwelling Orders or enforced sales to highlight their activity. The council should provide further information into what active steps have been taken the reduce the number of empty</p>	<p>Since 1st April 2018, the council has been involved with bringing 703 long term empty properties back into use through a combination of advice, enforcement and empty property grants. There have been no cases suitable for the use of EDMOs. This is reviewed quarterly at the empty properties steering group meeting involving all relevant departments of the council.</p>

properties within the borough to aid the high number of people waiting on the housing list for housing.

The consultation document states that one of the aims of the scheme is to tackle homelessness and references the council's current Homelessness Strategy. However, the link between licensing and tackling homelessness remains unclear. We would be grateful for clarity on how Barnet will support landlords with tenants with complex needs including a high risk of homelessness. Accordingly, how will Barnet 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. We are also aware of the Let2Barnet scheme, which is a service the council offer to match tenants to landlords and agents. We would be interested to hear more about this scheme to learn how it could potentially benefit local letting agents.

Increasing the amount of good quality accommodation will help to reduce the level of homelessness by supporting the relationship between landlords and tenants, leading to a lower turnover of tenancies.

The Council's Homelessness Prevention Team comment: *"Selective licensing of other private sector properties not covered by mandatory licensing will also improve homelessness because it can also be used to address poor conditions and anti-social behaviour. We are seeing an increase in approaches from tenants due to disrepair and anti-social behaviour in private sector accommodation. Most landlords, in particular those that let predominantly to tenants on benefits have poor quality accommodation and when their tenants complain, rather than address the disrepair issue, they use the no fault eviction to get them out and re-let the property to another tenant on benefit. These tenants struggle to secure accommodation in the private sector and many of the properties available to them are in poor condition. We also see an increase in tenants that do not know who their landlords are, and this makes it very difficult to tackle issues such as illegal eviction, harassment and ASB. However selective licensing of all private sector accommodation can address these issues as the LA would have a register of the landlords/owners of the property to contact to resolve complaints from their tenants."*

Let2barnet is The Barnet Group's Social Lettings Agency which procures properties to rent out to tenants that are homeless and vulnerable They offer a cash incentive, free of charge service and in some cases, they offer bond guarantee payments up to 4 weeks at the Local Housing Allowance for damages at the end of the tenancy. Robust systems that landlords will be required to have through licence conditions will enable them to better manage problematic tenants and thus reduce the risk of homelessness arising.

Barnet provides support for young people with substance misuse issues. Please see:
<https://www.barnet.gov.uk/health-and-wellbeing/adults-health/drug-and-alcohol-misuse>

	<p>Barnet provides help for mental health issues. Please see: https://www.barnet.gov.uk/mental-health-and-wellbeing. or Let2Barnet, please see: https://thebarnetgroup.org/let2barnet/ Barnet has an online estate agent called Bumblebee. Please see: https://thebarnetgroup.org/tbg/bumblebee-property/</p>
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Consultation comments relating to anti-social behaviour and crime	London Borough of Barnet response to consultation comments
<p>Barnet Council have also identified reducing levels of anti-social behaviour and support for landlords dealing with anti-social tenants. The consultation document states, 'The council realise that the majority of landlords operate professionally, however the council is concerned about increasing levels of rented properties that fail to meet satisfactory levels of tenancy and property management and anti-social behaviour associated with them.' However, 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 Barnet to another or another London Borough.</p>	<p>Anti-social behaviour takes many forms. It can often be due to issues such as incorrect storage and disposal of refuse. The council believe that responsible landlords can manage such issues through provision of information and instructions to tenants about what behaviour is expected and provision of suitable facilities for disposal of waste. Where landlords become aware tenants are not behaving appropriately in this respect, it is expected that landlords take steps to communicate with their tenants to improve that behaviour. It is acknowledged that landlords may not have the skills to deal with complex issues such as mental health, however this would be a more extreme example leading to anti-social behaviour. However, a responsible landlord would be expected to take steps to work with the tenant and/or other relevant authorities to ensure that the situation is effectively managed rather than considering it not to be their problem. Please see earlier comments.</p> <p>The government have included anti-social behaviour as one of the criteria for which a selective licensing scheme may be designated and so selective licensing is clearly seen as a mechanism for tackling such behaviour. However, as stated in the consultation, anti-social behaviour is not the main criterion upon which the wards have been selected for proposed designation, but does provide supporting evidence in six of the wards.</p>
<p>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</p>	<p>Please see comments above. The consultation documents set out how the council work in partnership with other organisations and how selective licensing will work alongside other strategies. Selective licensing is seen as being part of the holistic approach to tackling anti-social behaviour, rather than a solution to it on its own. The Private Sector Housing Team will continue to work closely with Community</p>

<p>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. Finally, if the Council has sufficient evidence that anti-social behaviour really is a serious problem, then perhaps they should adopt a more holistic approach to tackle the problem at root or preventing it. For example, investing in CCTV or improved lighting, investigating problem licensed establishments such as public houses and solving problems from poorly planned public space.</p>	<p>Safety and Neighbourhood Policing Teams through Task and Finish Groups and the CSMARAC (Community Safety Multi-Agency Risk Assessment Conference), in relation to properties negatively affecting the local community. Please see: https://www.barnet.gov.uk/community/community-safety/anti-social-behaviour</p>
<p>The evidence document has highlighted fly tipping as a particular anti-social behavioural problem within Barnet. However, despite levels of fly tipping increasing from the previous year, levels within Barnet are well below that of other London authorities. While reducing fly tipping is a laudable aim, unless the perpetrator is caught doing the fly tipping or there is some sort of evidence, such as an addressed letter, within the fly tip, then it is impossible to suggest to what extent fly tipping is a problem in the PRS. Even if the link between fly tipping and the PRS could be proved, there is very little that landlords could do for any behaviour outside the tenancy unless the fly tip was done within the grounds of the property.</p>	<p>The consultation explains that fly tipping data is not considered to be consistently captured across local authorities and so no firm conclusions can be drawn from the available data compared to other authorities. However, on the second point, fly-tipping is a fairly broad term and can relate simply to tenants or other residents placing their refuse on the highway either in the wrong type of container, or at the wrong time, as well as on the property itself, resulting in nuisance. Selective licensing as described in the answer above can be an effective tool where landlords communicate effectively with their tenants about simple matters such as when, where and how to dispose of their refuse.</p>
<p>Barnet's Housing Strategy 2019-2024 states 'as part of the strategy to improve standards in the private rented sector, the Council will consider the case for making use of a Selective Licensing Scheme in areas, where there is evidence of a higher prevalence of poor conditions in the private rented sector, persistent anti-social behaviour, high levels of deprivation, high levels of migration or high levels of crime.' Firstly, previous schemes have had little or no impact on crime. Secondly, we would be grateful for clarity on what sort of</p>	<p>The council has not up until now operated any selective licensing schemes and so there is no data on how much impact they have had on crime. Again, we would point out that crime is one of the criteria that the government have set for designation of selective licensing schemes and so such schemes are clearly seen as a mechanism for dealing with crime in the rented sector. The data for levels of crime are set out in the consultation documents. However, as stated in the consultation, crime is not the main criterion for selection of wards for the proposed designation but is a supporting factor in some wards.</p>

<p>crimes are an issue for the proposed areas. It might be the case that other methods may have a more desired impact in reducing crime than licensing schemes. For example, if burglary was an issue the council could provide grants for improved security.</p>	
<p>We 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.</p>	<p>The council does not have a policy on helping landlords serve Section 21 notices or helping landlords remove tenants. The consultation does not state this to be the case.</p>
<p>There's a massive problem of overcrowded properties in our area (Edgware) many of the houses in Watling Estate Conservation area has already been turned into flats or HMOs and this has a negative impact on the neighbourhood. Anti social behaviour is loud parties and noisy cars, drugs, litter and fly tipping are rife in the area. Barnet council or the police are not interested and many of the lovely families are leaving.</p>	<p>Licensing does not control the existence of HMOs, however it controls the management and condition of properties. The Planning Department are consulted prior to the issue of all HMO licences to ensure that the property owners have obtained the relevant permissions.</p>
<p>Golders Green has seen a large rise in drug related antisocial behaviour focusing on the area outside Sainsburys local which had become a no go area by sundown. This also focuses around HMOs where drug addicts are housed (<i>specific address removed</i>) . These people need help, but they also frighten residents, openly injecting in the street in broad daylight, forcefully begging near cash points and stealing from</p>	<p>Although this scheme is not directed at HMOs, the proposed scheme is designed to work in tandem with other initiatives and partners in tackling anti-social behaviour in areas where there are large numbers of rented properties. If HMOs are discovered, then these will be referred for licensing under the existing additional licensing scheme. Whilst some aspects of ASB are managed through licensing, theft remains a police matter.</p>

cars after nightfall. If my children were not settled in Local schools I would leave the area	
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Consultation comments relating to reporting of scheme progress and progress in other schemes the council operate	London Borough of Barnet response to consultation comments
<p>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. xxxxxxxxxxxx has a shared interest with Barnet 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.</p>	<p>It is proposed that a reporting process will be established as has been published for the recently designated additional licensing scheme and Phase 1 of selective licensing and so will operate in the same way.</p>
<p>I would be extremely grateful if you could point me in the direction of any assessment of previous recent licensing schemes the council has undertaken. It would be particularly useful if you could point me in the direction of the analysis of the borough-wide additional HMO licensing scheme running between 2016 and 2021.</p>	<p>The Review of the Additional Licensing Scheme 2016-2021 is available on the council's website https://barnet.moderngov.co.uk/documents/g10845 The report is Appendix 1 to Agenda Item 12 starting on page 207.</p>

Consultation comments relating to engagement with landlords and agents	London Borough of Barnet response to consultation comments
<p>For most cases of substandard accommodation, it is often down to landlord's lack of understanding rather than any intent to provide poor standards. We would be grateful for any details on how Barnet have engaged with both landlords and property agents. Specifically, clarity on engagement methods such as landlord forums would be useful as well as specific targeted engagement with agents.</p>	<p>We appreciate that this is the case in some circumstances, however, our previous experience of licensing indicates that even when some landlords are advised of the law and how to comply, they still fail to do so and require follow up involvement from the local authority to ensure compliance. Comprehensive information is available on the council's webpages at: https://www.barnet.gov.uk/housing/private-housing/houses-multiple-occupation</p>

<p>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.</p>	<p>Responsible professional landlords would be expected to ensure that they find out about the relevant legislation and guidance relevant to their business.</p> <p>Landlords forums were regularly held prior to the COVID pandemic and are due to recommence by early 2024.</p> <p>Social media has been used to promote the licensing scheme and other web-based information, such as Gas Safety Week etc.</p> <p>Your comment regarding targeted engagement with agents is noted.</p> <p>The council continues to be a partner in the London Landlords Accreditation scheme, which we support and promote.</p> <p>https://www.londonlandlords.org.uk/</p>
<p>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 xxxxxxxx licensed firms.</p>	<p>The next Landlords Forum will be used as an opportunity to gauge landlords training needs and future training opportunities will be guided by this feedback.</p> <p>We note this comment and will explore mechanisms for effective liaison with letting agents both during the operation of the schemes and more generally. We would welcome further suggestions of how such liaison might operate, although we envisage more involvement in landlord's forum; Invitational meetings to the main landlord's and agent's groups say every year; Establishing good relations generally by dealing with issues together etc.</p>

Consultation comments relating to consultation events	London Borough of Barnet response to consultation comments
<p>Is the council considering any online or in person consultation events to supplement the engagement process?</p>	<p>Consultation events were held online for the previous consultation for property licensing and the feedback from that has been gathered and reviewed as part of this consultation.</p>

Consultation comments relating to property conditions in Barnet	London Borough of Barnet response to consultation comments
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<p>Large parts of Barnet are characterised as including sizable amounts of terraced housing and older stock with over 60% of housing stock being built pre-1939. This is particularly the case in communities such as Childs Hill, Garden Suburb, Golders Green, West Finchley, and Woodhouse 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 Barnet Council could clarify if they have any proposed grants or funds available for landlords to improve stock.</p>	<p>The council currently offers a Green Homes Grant: Local Delivery Scheme (GHG:LAD). Subject to eligibility, landlords can apply for a grant of up to £5,000 to cover 66% of energy efficiency work. Further information can be found here: https://www.barnet.gov.uk/ghg</p> <p>The council is committed to the journey to net-zero. For more information about this that may be beneficial to landlords and tenants, please see: https://engage.barnet.gov.uk/net-zero</p>
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Consultation comments relating to effects on surrounding local authorities	London Borough of Barnet response to consultation comments
<p>It will have some impact on surrounding local authorities.</p>	<p>The respondent has not indicated what effects these might be, but it is considered any effects will be minimal if any at all since most of the surrounding local authorities have existing selective licensing schemes. Harrow and Brent have schemes immediately adjacent to the boundary with Barnet where the proposed scheme will operate. Enfield and Haringey also have schemes to the east of Barnet. There are no schemes currently in Hertsmere or Camden.</p>

Consultation comments relating to the cost of living	London Borough of Barnet response to consultation comments
<p>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 exponential rise in interest rates. We are especially concerned about 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 several properties within a self-</p>	<p>The council is concerned about the cost of living for all of its residents and businesses and has sought to set fees at a level whereby, as is legally required, they do not exceed cost. The cost of a licence over the five-year period amounts to just £3.17 per week. As stated in our FAQs, we anticipate that this cost can be easily absorbed as part of the business model for landlords. Rents are generally market driven and do not tend to be influenced by licensing costs. Local housing market areas tend to cross</p>

<p>contained unit such as a block of flats. For instance, 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 and we ask that Barnet consider this approach if the proposal goes ahead.</p>	<p>borough boundaries and as well as Barnet's existing additional licensing scheme, several of Barnet's neighbours have also introduced discretionary licensing schemes and although the likelihood is low, any impact of such schemes on rent costs is likely to have already impacted Barnet.</p> <p>We are not aware of the further legislation that may reduce housing options for the most vulnerable as this does not appear to be mentioned earlier in your response and so cannot comment on this further. However, as previously stated, we do not believe that the licence fee in itself should lead to landlords exiting the market. Poor landlords who do not, or will not maintain their properties in contravention of the scheme may exit the market due to enforcement action and if this still results in wilful non-compliance, then their exit is an intended consequence, rather than unintended, albeit we would think this will be a very small number as most landlords will be responsible.</p>
<p>We are pleased to see that Barnet 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 Barnet, can be very expensive. The median monthly rent for London is £1,750 compared to £1,800 in Barnet . The monthly medium rent in Barnet is above the London median with some postcode areas having a median rent of almost £2,000 per month. The monthly rent remains considerably off limits for many people. Some renters living within Barnet 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 due to landlords increasing their rents to cover costs.</p>	<p>As explained in the consultation documents, only responding reactively to complaints leads to some of the poorest run properties not receiving the attention they require. Vulnerable tenants are often afraid to complain and so such properties may not come to the attention of the council, meaning tenants will continue to live in unsatisfactory conditions.</p>
<p>With the current interest rate situation, tenants are going to suffer as landlords need to pass the interest costs to the tenants and now another burden on landlords is coming : licensing. Surely landlords will have to pass this costs to the tenants as it not only the cost of the license- there will be estate agents who will charge extra to landlords for managing all this.</p> <p>Please withdraw and instead, just go and do selective property visits where tenants complain or if it is known that there are issues in a property.</p>	

<p>As a landlord of 25years standing in both Haringey and Barnet I write to object to your proposal.</p> <p>The Haringey scheme has been an additional expense which is simply another form of taxation on landlords.</p> <p>There has been a tremendous amount of form filling and bureaucracy to contend with.</p> <p>At a time when most landlords are contemplating leaving the private rental sector this proposal and Addie am costs involved will contribute to their decision and thereby reduce the rental stock of housing available.</p> <p>Both Barnet and Haringey Councils have exting powers to tackle poor property conditions and this proposal will not enhance the existing powers.</p> <p>In brief the perception is that Barnet have seen how much free money Haringey and other licensing councils have raised by this type of proposal and cannot resist the temptation to raise money by following suit.</p> <p>Please do not introduce Property Licensing in Barnet.</p>	<p>As explained in the consultation documents, the council has a duty to ensure that the scheme is cost recovery only and so the scheme is not and cannot be a means to raise money.</p> <p>We disagree that the proposed scheme will not enhance existing powers. The scheme will help the council to identify those properties that are the highest risk for priority action, properties that might not otherwise be identified due to a reluctance of tenants to speak up about the condition of their properties.</p>
<p>Reasons are set out in other sections but there is already a serious shortage of rented accommodation and licencing of already compliant landlords or potential new landlords is only going to make the matter worse. Landlords are already struggling with ever increasing costs and regulations.</p>	<p>There are many factors that feed into changes in the housing market. We have spoken with other boroughs running licensing schemes and they have not seen any evidence that the scheme itself is leading to landlords exiting the market. We do not believe that the scheme should lead to a reduction in properties to rent. Fees should easily be able to be absorbed into a landlords business model without the need to sell up or pass it on to their tenants.</p>
<p>Legislation already exists to deal with rogue landlords use it. Decent landlords don't need further costs and bureaucracy. Money making scheme nothing else. When I applied to Barnet with issues with problem tenants historically they exacerbated the situation rather than attempted to assist.</p>	
<p>This additional taxation to landlords if selective licencing comes is just another blow and expense to landlords to push them further away from the private rented sector.</p>	
<p>Landlords are being taxed and regulated to the extreme, many are currently selling up, which is driving up rents as there is already a</p>	

<p>As stated previously. Too much bureaucracy and only making private landlords pay is discriminatory, since council and housing association properties are excluded in your scheme. It's getting harder to be a landlord as costs are much higher and no tax incentives. Many will sell up and then you will have less properties and council will end up paying more to put people into hotels. It's so daft and laughable.</p>	<p>The legislation only provides for selective licensing of privately rented properties.</p>
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<p>Consultation comments relating to negative impacts of the scheme (landlords exiting the market/increases in rents due to passing on costs/decrease in number of rental properties and increased homelessness)</p>	<p>London Borough of Barnet response to consultation comments</p>
<p>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 PRS 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 a selective licensing scheme across large parts of Barnet is approved, then there is a concern that landlords currently operating within the Borough could invest in neighbouring local authority areas or exit the market altogether. This could result in fewer housing options for people living in Barnet meaning some people might be forced to find housing options outside the area, change employment or break social ties within the community.</p>	<p>Whilst we note, and it is a concern, the variations in the availability and supply of PRS properties arise as a result of economic conditions from time to time, as stated in the answer above, we do not consider the small weekly cost of a licence alone would be likely to lead a large or small landlord to sell their properties.</p> <p>Several areas of the boroughs surrounding Barnet are already subject to selective licensing schemes, or are currently considering such schemes and so we do not believe the introduction of the scheme will lead to any significant movement of landlords to surrounding areas.</p> <p>We have spoken with other boroughs running licensing schemes and they have not seen any evidence that the scheme itself is leading to landlords exiting the market. We do not believe that the scheme should lead to a reduction in properties to rent. Fees should easily be able to be absorbed into a landlords business model without the need to sell up or pass it on to their tenants.</p>

<p>Landlords will seek to recover the additional cost from the tenants resulting in more expensive rental properties in the borough</p>	
<p>Same answers as to the previous question: 1. Bad landlords will not register and work on the basis that they will not get caught. 2. Tenants will end up paying higher rents to cover this as landlords are already experiencing increased costs due to mortgages going up, changes in government taxation rules that mean they pay more tax, increased costs of repair work, etc etc. However nice a landlord you are, this cost will be added to rent and hence the tenants will find that rents go up. 3.The rental stock will reduce. There are many landlords who already feel under pressure with costs (see 2 above) and the sheer amount of paperwork and bureaucracy involved (prescribed info, certificates, etc). Some of these will definitely withdraw from the market. This might provide more owner occupier housing, but unlikely to attract landlords into the market or to increase their stock. 4. Properties let through established estate/letting agents are ALREADY VETTED for gas safety and electrical safety certificates, EPC, CO and smoke alarms, tenants right to rent, etc etc. These lettings should be exempt. 5. On a personal note, it feels like a kick in the teeth for good landlords. Most of the aims and objectives on the list of reasons for the introduction of the scheme feel completely spurious and irrelevant to me and to my situation. I feel I am being tarred with the same brush and being vilified. It is simply not fair.</p>	
<p>I disagree because a well maintained property would still incur additional formalities and cost, and landlords would seek to recover these costs from the tenants by increased rents..</p>	
<p>This will inevitably lead to an increase in rents payable by tenants at a time when the cost of living is a real problem for many. Lead to the withdrawal of private property for rent for all not just the bad landlords and increase homelessness. The Consultation paper does not say how it will support those tenants who may be impacted by this legislation as people have to live somewhere. I believe the</p>	<p>The council is not aware of any evidence that selective licensing schemes have caused an increase in homelessness in other areas. The scheme is designed to help tenants by improving the quality of sub-standard rented properties. The council does not agree that benefits are overstated. The costs reflect</p>

<p>benefits are overstated and the costs understated in the Consultation paper</p>	<p>the cost of delivering the scheme on a cost recovery basis so are not understated.</p>
<p>Will increase rents</p>	
<p>Will it help to increase houses available to rent in the borough?? I don't think so.</p>	<p>It will increase the quality of houses to rent in the borough.</p>
<p>Objectives seem unlikely to be met, likely to be a box ticking exercise for a council fee. Most likely to reduce the PRS</p>	<p>The council will have in place targets and a review mechanism that will ensure that targets are met.</p>
<p>Overregulation landlords will just leave the market no money to be made if landlords have to keep paying out</p>	
<p>This will simply lead to more landlords leaving the market. And this is for a non-existent problem. To tackle rogue landlords, please enforce the current laws.</p>	<p>The issue of the limitations of the existing system are set out in the consultation.</p>
<p>I agree that landlords should abide by a set of rules for managing their properties, but I fear there is a missing link in this plan - no rent control. What is to stop any landlord from adding all the repairs/improvements onto the rent for the property, as so often happens? Also, whilst the focus on the standard of repairs and maintenance is very important/much needed, what about how the landlords conduct themselves - how does this plan protect tenants from harassment/poor behaviour by landlords?</p>	<p>The legislation does not allow for the council to impose rent controls. There are other mechanisms for dealing with excessive rent levels. If a landlord increases rent to a level that the tenant does not believe is a fair or market rent, they may apply to the First-Tier Tribunal (Property Chamber - Residential Property) for a review.</p>
<p>Reasons are set out in other sections but there is already a serious shortage of rented accommodation and licencing of already compliant landlords or potential new landlords is only going to make the matter worse. Landlords are already struggling with ever increasing costs and regulations. Landlords are already exiting the market and this will create another barrier to entry or force more out of the market. Many of the proposals for the licence are already covered by legislation and if the landlord uses a decent agent, the agent insists on many of the conditions in the proposed licencing or they will not act for the landlord. This proposal is imposing a burden on all for the sake of the few rather than specifically targeting the problem landlords.</p>	<p>The council believes that the scheme provides a level playing field for all landlords and tenants.</p>

<p>This will just be a further reason for good landlords to leave the sector which will simply push up rents further. Given the mortgage interest rate crisis going on, and the huge increase in rent levels recently, it's incredible that you are even thinking about this now at all.</p>	<p>The major regeneration areas in the Burnt Oak and Colindale areas included in Phase 1 of selective licensing but have been specifically excluded from the scheme.</p>
<p>2 things will happen, u start a licensing scheme and tenants rent will go up around 75 a month to cover the cost or landlords sell up and u have a shortfall of private housing placing strain on public housing which u have failed to maintain and build at the required rate further exposing ur shortcomings and failure as a borough.</p>	
<p>Overall the scheme will force the good landlords who tend to spend more money on their properties/tenants away and the "bad" landlords will stay. Rents will increase and tenants will lose out. This is a bad scheme and I urge the council to think again. It is not that I do not agree with the objectives, it is more that the scheme will make things even harder/worse for tenants.</p>	
<p>More legislation, more requests, more red tapes, more changes and more and more with less profit. More landlords will exit the sector which means less properties available to rent</p>	
<p>You are driving landlords out, driving up costs and reducing the number of private rented properties in Barnet</p>	
<p>It's an expensive scheme that is ultimately paid for by the PRS tenants. It will do very little to tackle the issues listed. It's an extremely blunt instrument to encourage positive behaviour to improve the stated issues. Much more targeted approach would be more appropriate. The data and the proposal seem to complete ignore the regeneration in the proposed areas. The top issues such as cold, damp, ASB, etc are much reduced after many old buildings have been demolished and replaced with new modern buildings and mostly professional residents</p>	
<p>Most landlords are good landlords, already suffering from onerous changes in recent years that only add cost to the cost of rental. A misguided proposal which will see many good landlords exit the area, and simply allowing more opportunity for rogue landlords to operate.</p>	

<p>It just means more expensive rent and less properties available</p>	
<p>More red tapes, more legislation for landlord. Leaving the sector.</p>	
<p>This will lead to a shortage of supply and increase in rents</p>	
<p>For reasons given previously. Not cost effective. Will increase rents. Can be achieved by a targeted approach instead of a complex costly scheme.</p>	
<p>Unfair to renters and their prices will go up and unfair to landlords as they already have high mortgages to deal with and need to maintain the property which is very expensive x</p>	
<p>My landlord will pass on to me the extra costs of mandatory licensing in the form of RENT INCREASE. Therefore I am not supporting this scheme at all.</p>	
<p>Likely to loose my tenant due to costs and will put a heavier pressure on the market and council</p>	
<p>There is already adequate safety systems in place to safeguard tenants Bush. The landlord has to pay a lot to keep safe anymore will drive the landlord out of the market and the burden will have to be picked up by the council.</p>	
<p>I feel it will have a negative impact on rented properties as it will cause rents to increase or landlords will dispose of properties because of extra cost and there will be less properties for rent on the market.</p>	
<p>All the reasons/problems highlighted by the Council for needing licensing are already covered by existing legislation. The Council can't be bothered to use or are ignorant of the law. Why penalise good landlords because of a small minority of rogue landlords. This is purely a PR and money making exercise. It is no coincidence that since the Council introduced additional licensing that rents have sky rocketed, over and above inflation. The Council have made it increasingly difficult to rent properties and are discouraging landlords from renting. If landlords sell up due to the new plans, this only serves to reduce the rental housing stock, push up prices and make it harder</p>	

<p>for lower income families to rent. The Council clearly does not have tenants interests at the forefront of their thinking.</p>	
<p>The scheme is wholly misguided. Responsible landlords like us do not need any "encouragement" as you put it, so this is another purely punitive tax. For responsible landlords like us it is in our own interests to maintain our properties to high standards and to have good working relationships with our tenants. This just another government tax to further penalise decent law-abiding and responsible landlords. This is yet another example of unnecessary Government interference and the market should decide if a landlord's property is not up to standard by a tenant choosing either not to rent there or leaving; or leaving it up to private and commercial agents like housing associations or estate agents to act as mediators in any dispute resolution between landlord and tenant - and operating within a competitive free market economy which would thrive for all parties due to minimal government over-reach and interference. Furthermore you say: "A fee for the license will be charged to cover the costs of processing the application and the cost of monitoring compliance with license conditions." In other words this is yet another unfair revenue generating stealth tax under the pretence of doing this out of the care and concern of preventing tenants from being exploited. It therefore really is no surprise why we now witness a mass exodus of landlords from the rental property market by selling up their properties - which, in turn, is creating yet greater demand on rental properties by reducing its supply which, in turn, will only further drive up rental prices, as dictated by the laws of supply and demand. So the net outcome will be the opposite of what the government's aim is. We object to this scheme in the strongest possible terms.</p>	
<p>This is a stupid scheme, it places an additional financial burden on landlords in an already difficult market. The result of this will be divestment away from barnet in favour of other boroughs. If this goes ahead I will seriously consider selling and investing in Camden,</p>	

The evidence shows that there is a need for the scheme, as sadly not all landlords are responsible and many tenants are unable to exercise the option to not rent or leave.

We have spoken with other boroughs running licensing schemes and they have not seen any evidence that the scheme itself is leading to landlords exiting the market. We do not believe that the scheme should lead to a reduction in properties to rent. Fees should easily be able to be absorbed into a landlord's business model without the need to sell up or pass it on to their tenants.

<p>Haringey or Brent. Properties already have to conform to Building regulations and new flats need to conform to space standards, hence this scheme is completely superfluous and only proves that Barnet is looking to make money. The services in Barnet are so poor compared to other boroughs. The streets are always dirty. Why is Camden so clean and well maintained when the council tax is exactly the same? Barnet is going to go the same way as Croydon at this rate</p>	
<p>It's a terrible idea. It's discriminative and rogue landlords will just avoid having a licence. It would cause rents to go up due to the landlord having no choice but to have to increase the rent to help cover the cost.</p>	
<p>This additional taxation to landlords if selective licencing comes is just another blow and expense to landlords to push them further away from the private rented sector. The government at present, are preparing a rental reform white paper, which especially mentioned the shortage of properties to rent, as landlords are walking away from renting their properties due to too much legislation. When will the local authority wake up and recognise this, or they going wait till it's too late.</p>	
<p>It is nothing more than a tax on landlords when there is already considerable increases in costs, this will inevitable lead to less propertys in the rented sector which will lead to higher rents thus damaging the tenants you seek to protect. The council should enforce properly with the staff and powers you already have.</p>	
<p>The overall impact will be negative and for those who remain in the PRS rents will inevitably go up even more as a direct consequence of this. It's so obvious I find it hard to believe that this is a serious proposal.</p>	
<p>Will raise costs and be an administrative burden for landlords. Costs will be passed on to tentants.</p>	
<p>Less properties available for us to rent in the area.</p>	

<p>There is a housing shortage. These schemes do nothing to abate this crisis. These schemes only raise the rents and drive those who cannot afford the high rents out of their homes and out of those areas. I therefore strongly disagree with both the selective-licensing and the additional-licensing schemes, only the mandatory-licensing-scheme may be useful.</p>	<p>The additional licensing scheme is already in operation and is not part of this consultation</p>
<p>Not clear what the benefits are? Not clear where and how the fee will be spent. Will likely cause rents to increase and Make housing issue worse.</p>	<p>The benefits of the scheme are set out in the consultation documentation.</p>
<p>I see there no benefit for this scheme, the conditions mentioned are already regulations already followed by landlords, why do we now need to pay for something we are doing already? There is also no benefits listed for good landlords and how they can be helped if their tenant is causing issues such as not paying rent, there needs to be conditions to resolve or remove tenants promptly if they are the ones causing the issues. Also the cost of the fees will definitely be passed on to the tenants through rental price increases so at the end of the day it will push even more people out of London as they would not be able to afford living here.</p>	<p>Benefits for landlords were listed in the consultation documentation.</p>

<p>Consultation comments relating to penalising good landlords and bad landlords avoiding licensing</p>	<p>London Borough of Barnet response to consultation comments</p>
<p>All residents should pay equally to help those less fortunate eg living in substandard accommodation or being troubled by ASB fly tipping etc. I therefore think that the enforcement should be added to council tax revenue. Bad landlords should be the only ones held accountable for their property's failings, not those landlords making limited profit already and all renters in the subsequently charged higher rents.</p>	<p>The Council has a duty to ensure that the costs of services are recovered, and this should not be a burden on the council tax payer. Legislation provides for recovery of enforcement costs of schemes through licensing fees.</p>
<p>Council is penalising landlords with these proposals and it is tenants that need regulating and re- educating on how to behave when you</p>	

<p>rent a property. They are a group of people who think they are entitled to everything but don't take any responsibility for themselves. Tenants cause their own problems because they believe just because they pay the rent they're entitled to everything. These proposals are utter nonsense and way of extorting more money out of Landlords.</p>	<p>The scheme is designed to tackle both poorly managed properties and issues relating to behaviour of tenants such as anti-social behaviour. The scheme is not designed to penalise landlords.</p> <p>The aim of the scheme is to target the poor landlords that either do licence but are not up to standard and those that do not licence. Targeted enforcement action will be taken. See comments above relating to costs.</p>
<p>This scheme is not targeting poor accommodation and landlords enough. Good properties and landlords will be licensed, those that are poor will avoid licensing. The licensing costs are high and will reduce the number of properties available to rent.</p>	
<p>You are penalising good landlords, making them pay to subsidise you job to deal with bad landlords. The proposed fee is extremely high - it will be passed on to tenants via higher rents</p>	
<p>All previously stated and penalises good landlords</p>	
<p>I look after my property and tenants well. any enforcement places a financial burden on me.</p>	
<p>License exemptions should be given to those who use property agents to manage their property.</p>	
<p>As mentioned before, as a landlord I pay fees to a letting agent who is making sure that I as a landlord meet all the requirements and the tenant is safe and well in my property. I am sent a quarterly report detailing how is my property being managed and looked after the tenant at the same time the tenant communicates sny issues to dk with the property back to the agent. I really don't need an extra fee or another inspection.</p>	<p>Landlords that manage properties effectively, such as described by the respondent, will find it relatively straight forward to comply with the licence conditions. Please see earlier comments regarding the level of fees.</p>
<p>Landlords are already compliant. My experience with the London Borough of Enfield was that it was a costly waste of time.</p>	<p>Unfortunately, the council's experience is that not all landlords are compliant. This is why the council has been able to produce the evidence base that supports the scheme.</p>
<p>I am opposed to the high charges which impact good landlords with several properties.</p>	
<p>Rogue landlords still go undeterred. Only already compliant landlords will apply.</p>	
<p>It makes good landlords pay just because the council is too lazy to target the bad landlords.</p>	

The council is only making it less attractive to invest in properties. It will negatively impact more good landlords because they will be the ones who comply. Bad landlords will find way around it.	
There is no value to the Landlord	
Social engineering and council stealing from decent landlords	
a licensing scheme is unnecessary for the majority of decent landlords and should be a nominal fee only if it is introduced .	
How many elderly landlords will rent out if the licence expires on their death. It is outrageous	

Consultation comments relating to suggestion that the scheme is a revenue raising exercise, unnecessary red tape and bureaucracy	London Borough of Barnet response to consultation comments
<p>There is no evidence to show that charging landlords further costs are going to be beneficial to tenants. Additionally if you are charging landlords, there must be some benefit to a landlord, otherwise this is another get rich scheme by the council. It's already bad enough looking at the public money spent on outsourcing to private companies which do not show a fair value exchange. You're setting up more departments to managed this which is no doubt going to be outsourced to already rich people with connections to the council.</p>	<p>The council believes a scheme designed to improve the standard of living accommodation in the private rented sector is beneficial to tenants. The proposed benefits to both tenants and landlords of the scheme are outlined in the consultation.</p> <p>As explained in response to other comments above the council is not allowed to make a profit on providing a licensing scheme and licence fees are based upon cost recovery only.</p> <p>There will not be any new departments established to deliver the scheme, although additional staff will be required for an existing department. Although previously outsourced, the licensing team has been an in-house department since April 2023 and there are no plans for this to be outsourced again.</p>
<p>This is a shameful way of collecting money from working to non productive people.</p>	
<p>I already let my property with the support of a letting agent, management company, insurance company plus it is in my interest to maintain my property s it is my investment. This is a way of the council</p>	

getting money from everyone when the problem areas are probably in small pockets and there must be other ways to address this.	
This is a rip off scheme!	
It will do nothing to improve the quality of the housing in the PRS It should not be a way of increasing the Council's income.	
Red Tape and cost inflation for no benefit as not enforced	
I feel its another way of the council making money but they do not impose fines or check on properties which fail regulations	
I think it's unnecessary and a money making exercise	
Not necessary just another scheme created to earn revenue for the council	
Cost ,time it takes, unnecessary	
Money-making exercise	
More bureaucracy from council	
It is a scam to make money	

Consultation comments relating to duplication and over-regulation	London Borough of Barnet response to consultation comments
<p>The new no fault laws coming into force already seeks mandatory landlords registration which landlords will have to pay for you are duplicating everything also arbitration service again has to be paid for by the landlord why should landlords meet all these new regulations you are creating more red tape</p>	<p>Registration is a separate scheme proposed by the Government. It does not achieve the same objectives as a targeted Selective Licensing scheme.</p>
<p>another stupid scheme against lanlords not justification for it as they are already heavily regulated by the government re right to rent deposit schemes epc gas safety pet electrical certificates its a nonsense</p>	<p>The council does not agree with this statement although the comments are noted.</p>

