

Cabinet

Tuesday 19 January 2021

11.00 am

Online/Virtual: This meeting will be livestreamed on Southwark Council's YouTube channel here: <https://www.youtube.com/user/southwarkcouncil>

Appendices – Part 2

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APPENDIX 1

London Borough of Southwark

Private Rented Sector: Housing Stock Condition and Stressors Report

December 2019



Executive Summary

Metastreet were commissioned by the London Borough of Southwark to review housing stock in the borough and assess housing stressors related to key tenures, particularly the private rented sector.

The detailed housing stock information provided in this report will facilitate the development and delivery of Southwark's housing strategy and enable a targeted approach to tackling poor housing.

The main aim of this review was to investigate and provide accurate estimates of:

- Current levels of private rental sector (PRS) properties and tenure change over time.
- Information on the number of Houses in Multiple Occupation (HMOs) as a subset of the PRS.
- Levels of serious hazards that might amount to a Category 1 hazard (HHSRS).
- Other housing related stressors, including antisocial behaviour (ASB), service demand, population and deprivation linked to the PRS.
- Assist the council to make policy decisions, including the possible introduction of property licensing schemes under Part 2 and Part 3 of Housing Act 2004.

Metastreet has developed a stock-modelling approach based on metadata and machine learning to provide insights about the prevalence and distribution of a range of housing factors. This approach has been used by several councils to understand their housing stock and relationships with key social, environmental and economic stressors.

The models are developed using unique property reference numbers (UPRN), which provide detailed analysis at the property level.

Data records used to form the foundation of this report include:

Council tax	Electoral register	Other council interventions records	Tenancy deposit data
Housing benefit	Private housing complaints and interventions records	ASB complaints and interventions records	Energy Performance data

Key Findings

- There are a total of 146,112 residential properties in Southwark, 29.4% (42,964) of which are PRS, 34.8% (50,821) are owner occupied and 35.8% (52,327) socially rented
- Southwark's PRS has grown steadily in recent years, from 19.8% (2006) to 29.4% (2019)
- The PRS in Southwark is distributed across all 23 wards
- Poor housing conditions are prevalent in the PRS. 8,497 PRS properties are predicted to have at least 1 serious hazard (Category 1, HHSRS)
- 8,431 ASB incidents in the PRS have been recorded
- PRS properties are significantly more likely have an ASB incident compared to owner occupied properties
- Most PRS ASB incidents are domestic noise
- Council officers carried out 14,570 interventions in PRS properties over a 5-year period
- 609 housing and public health notices have been served
- 27% of PRS properties in Southwark have an E, F, and G rating. 5.5% of PRS properties have an F and G EPC rating
- Southwark faces challenges relating to Index of Multiple Deprivation (IMD), with 16 of 23 wards have aggregated IMD rankings below the national average
- 11% of PRS properties in Southwark have an E, F, and G rating. 2% of PRS properties have an F and G rating
- Southwark has 5,031 properties predicted to be HMOs
- HMOs are distributed across all wards
- HMOs as a subset of the PRS in Southwark have higher rates of ASB and Category 1 hazards.

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Introduction & Project Objectives

Metastreet were commissioned by the London Borough of Southwark to review its housing stock with a focus on the following key areas:

- Residential property tenure changes since 2011
- Housing profile
- Distribution of the PRS and HMO
- Condition of housing stock in the PRS
- Housing related stressors, including Anti-Social Behaviour (ASB), service demand, population change and deprivation

The report provides the council with the evidence base for developing housing policy and service interventions. The report also satisfies the council's responsibility to review its housing stock as set out under Part 1, Section 3 of the Housing Act 2004.

The first section of the report details the findings of the stock and tenure modelling, including an introduction to the methodology. A combination of Southwark's data warehouse, machine learning and modelling techniques have been used to pinpoint tenure and predict property conditions within its PRS housing stock. An advanced property level data warehouse has been used to facilitate the analysis.

For the purposes of this review, it was decided that a ward-level summary is the most appropriate basis to assess housing conditions across Southwark, built up from property level data.

Four separate predictive tenure models (Ti) have been developed as part of this project which are unique to Southwark, they include:

- Private rented sector (PRS)
- Houses in Multiple occupation (HMO)
- Owner occupiers
- PRS Housing hazards (Category 1)

The second section provides a short private housing policy overview for the region to determine if characteristics exist in the Borough to support any specific action.

The appendices to the report contain a summary of the data and a more detailed report methodology.

1 London Borough of Southwark Overview

Southwark is a borough of Inner London. It covers an area of 28.85 km². The borough borders the City of London and the London Borough of Tower Hamlets to the north (the River Thames forming the boundary), the London Borough of Lambeth to the west and the London Borough of Lewisham to the east. To the south the borough tapers giving brief borders with the London Boroughs of Bromley and the Croydon¹.

1.1 Population

The Office of National Statistics (ONS) household population estimate for Southwark as at 2018 was 316,307. This makes Southwark the 10th most populous London borough (Figure 1)².

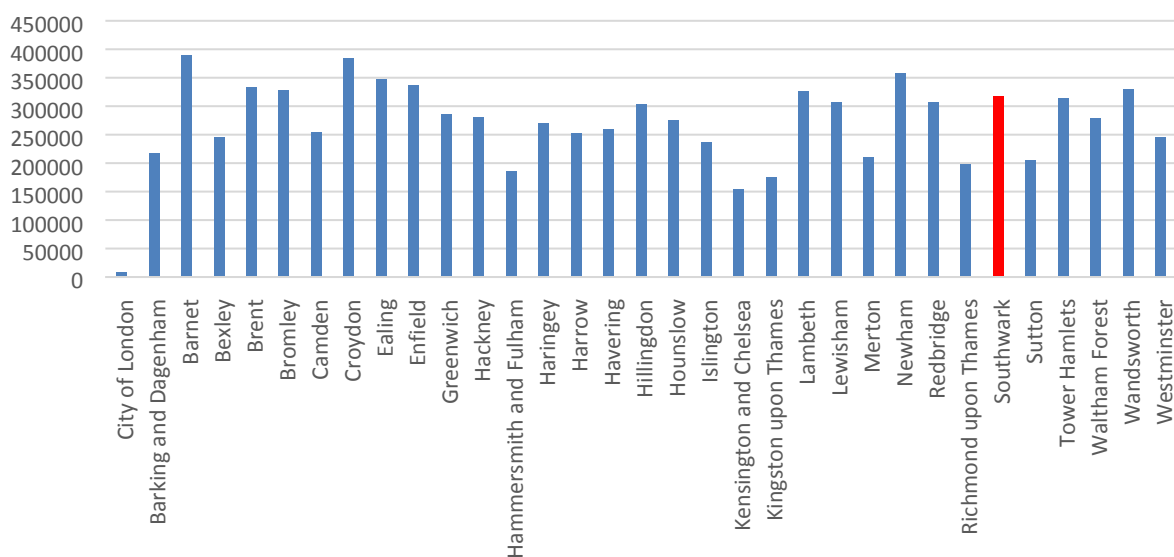
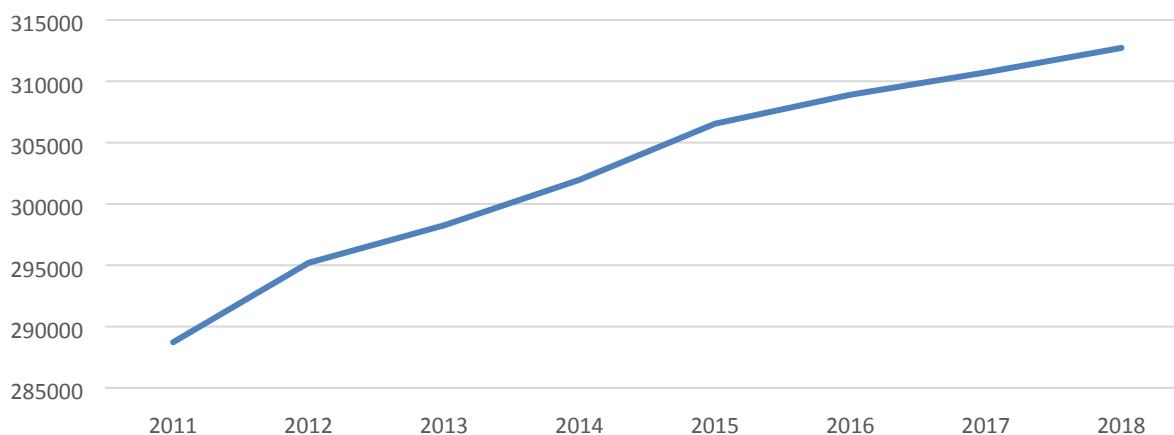


Figure 1. Population estimates by London boroughs (Source: ONS 2017).

Southwark's population has grown considerably since the early 2000's (



¹ Wikipedia, December 2019, https://en.wikipedia.org/wiki/London_Borough_of_Southwark

² London Datastore 2016, <https://data.london.gov.uk/dataset/projections>

Figure 2).

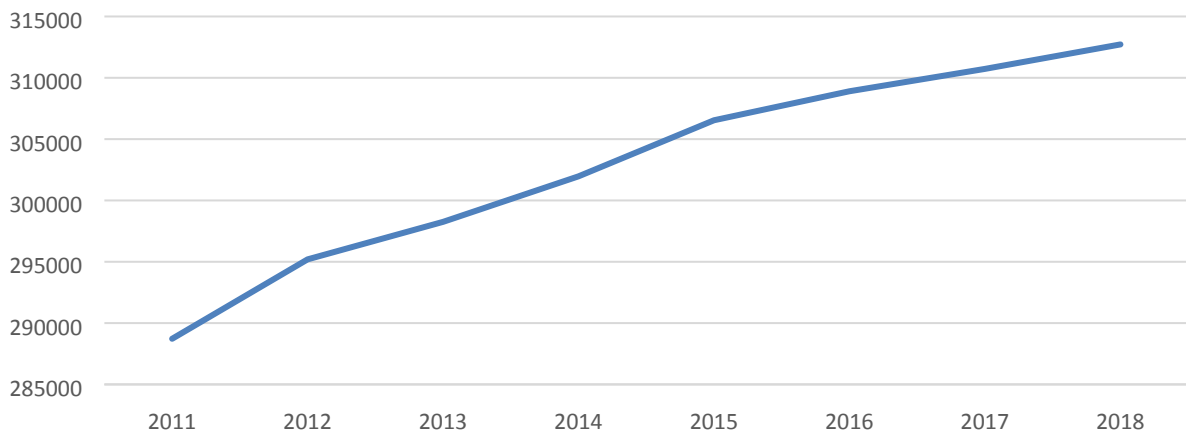


Figure 2. Population growth 2001-2017 (Source: ONS 2017).

Southwark’s population is expected to grow significantly over the next three decades (

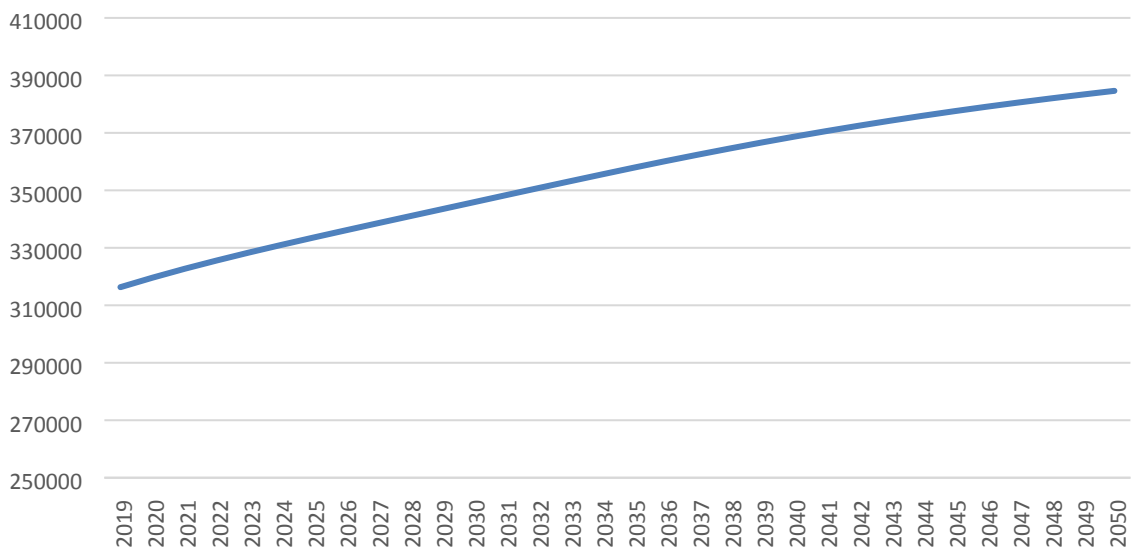


Figure 3)³.

³ London Datastore 2016, <https://data.london.gov.uk/dataset/projections>

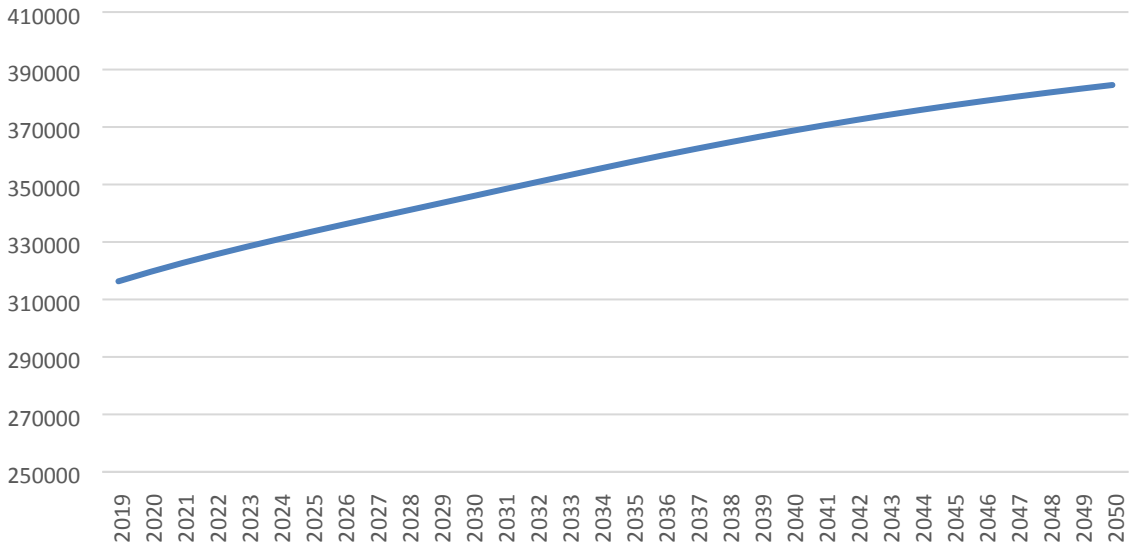


Figure 3. Population projections 2019-2025.

1.2 Migration

Net international migration into Southwark in 2015 was 5,497 (Figure 4)⁴.

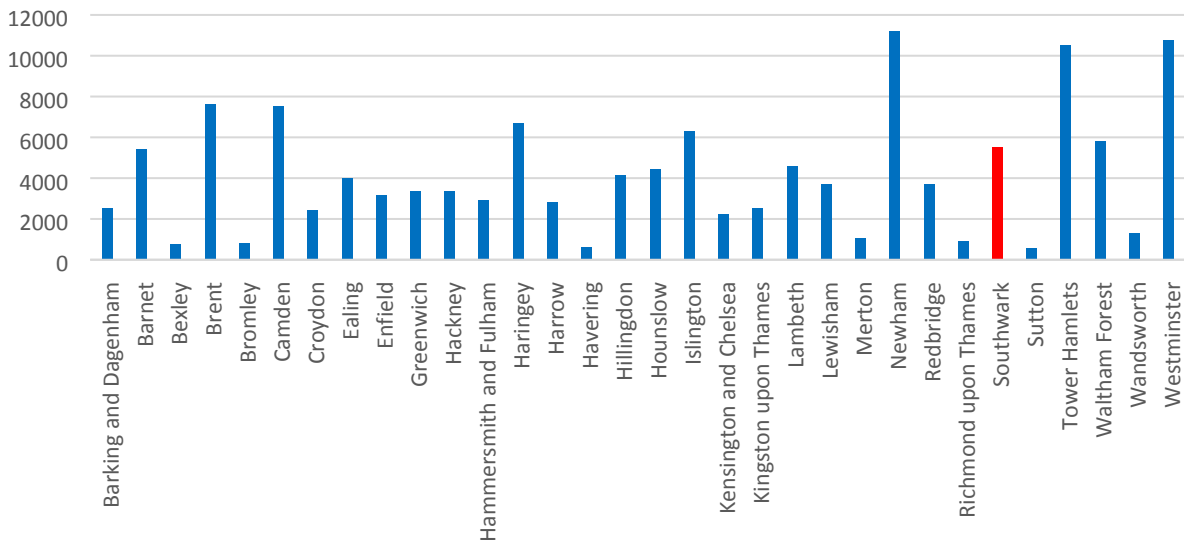


Figure 4. Net international migration by London boroughs (2015).

⁴ Croydon Observatory 2019, <https://www.croydonobservatory.org/population/>

1.3 Deprivation

The Indices of Multiple Deprivation 2019 (IMD2019) provide a set of relative measures of deprivation for LSOAs (Lower-layer Super Output Areas) across England, based on seven domains of deprivation⁵.

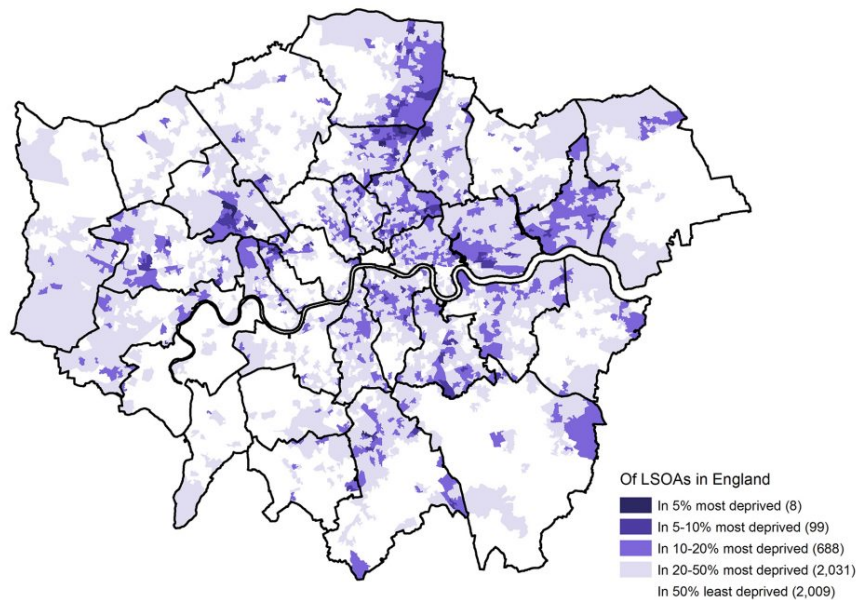


Figure 5. Distribution of deprivation across London (Source: London Datastore 2019).

The darker shades are the most deprived areas. Southwark ranks as the 43rd most deprived borough in England out of 317.

⁵ ONS2019 <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>,

To produce the ward level data, LSOA have been matched to new wards using an Open Geoportal Portal lookup table⁶. Average IMD2019 decile aggregated at ward level reveals a clear picture (

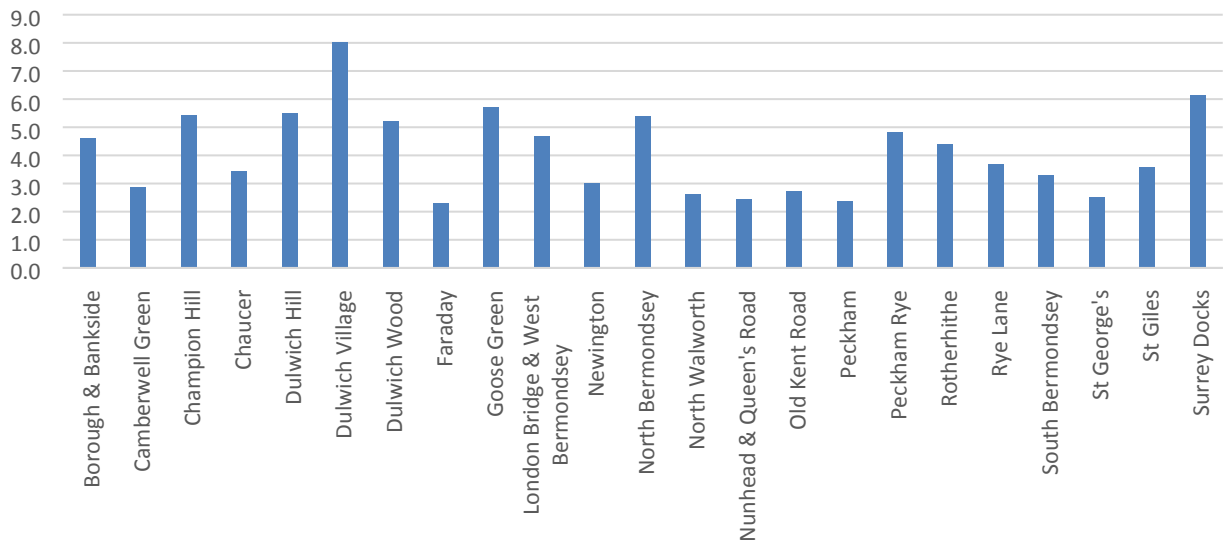


Figure 6). 1.0 on the graph represents the most deprived 10% areas and 5.0 represents 50% most deprived.

Southwark has a mixture of high and low deprivation wards. 16 of 23 wards have aggregated IMD rankings below the national average.

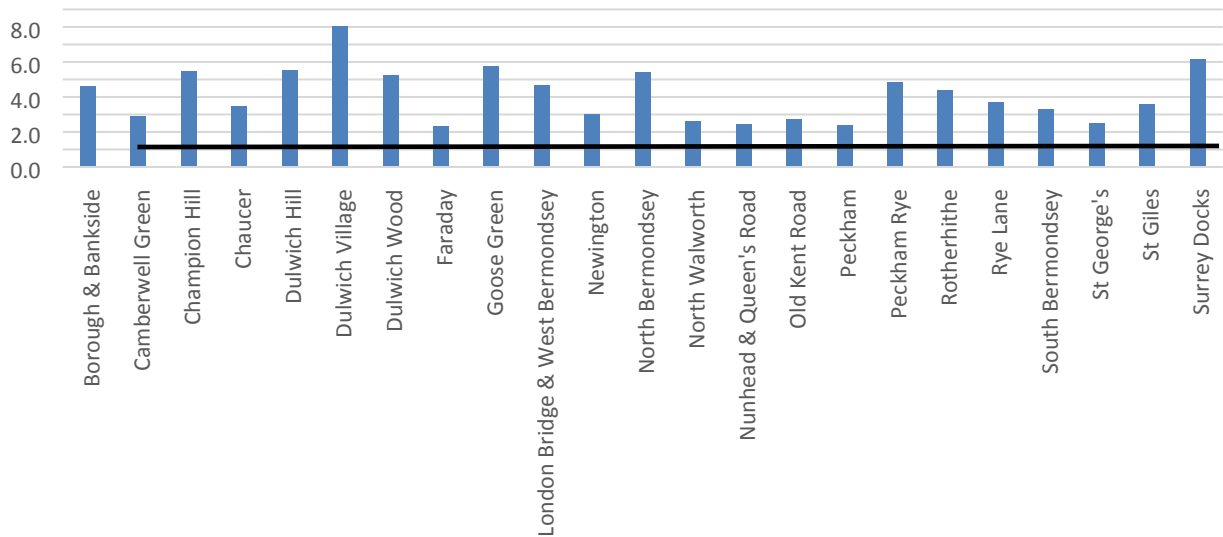
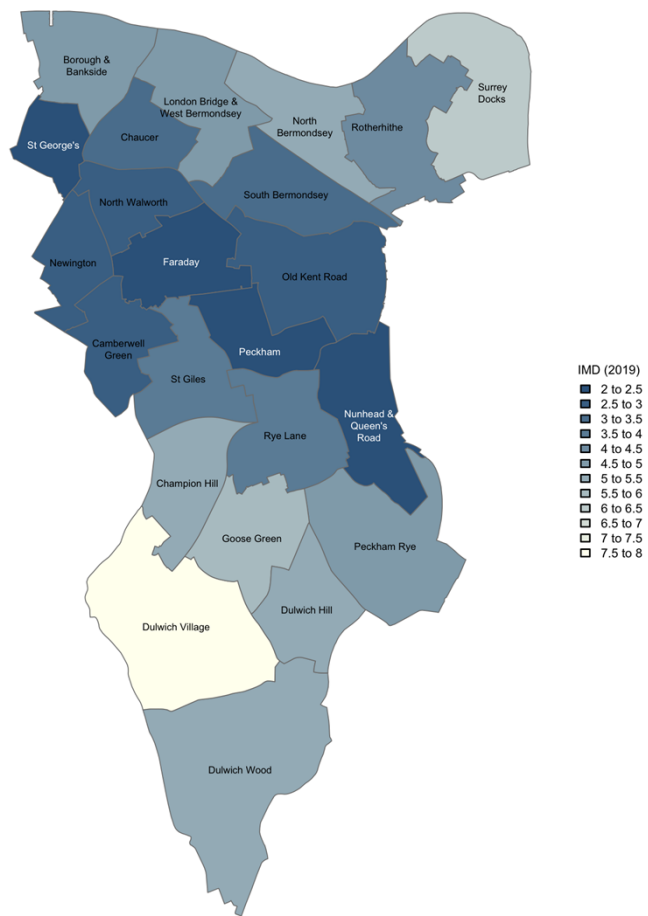


Figure 6. Average IMD (2019) decile by ward (Source: IMD 2019). Horizontal line shows the national average (5)

⁶ ONS2019 http://geoportal.statistics.gov.uk/datasets/8c05b84af48f4d25a2be35f1d984b883_0/data



Map 1. Distribution of Average IMD (2019) decile by ward (Source: Ti 2019, Map by Metastreet).

Southwark faces significant challenges relating to barriers to housing. All wards except Dulwich Village are worse than the National average (21.6) for Barriers to Housing and Services measure (

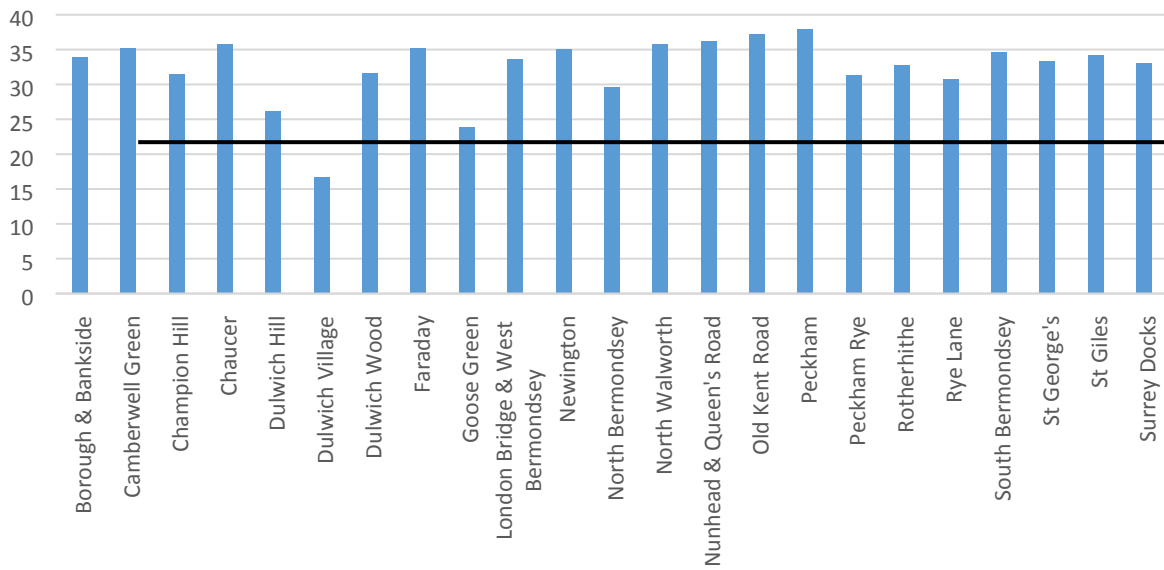


Figure 7). The barriers to housing domain include indicators such as; overcrowding, homelessness and housing affordability.

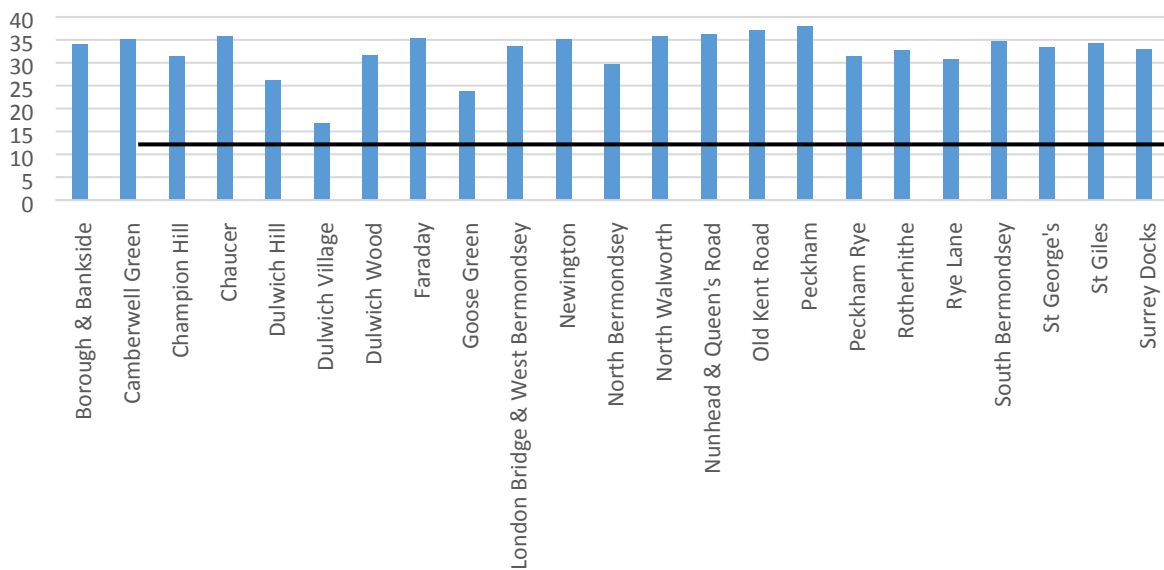


Figure 7. Average barriers to housing and services decile by ward (IMD 2019). Horizontal line shows the London average (21.6).

1.4 Fuel Poverty

Fuel poverty is defined by the Warm Homes and Energy Conservation Act as if he/she is a member of a household living on a lower income in a home which cannot be kept warm at reasonable cost. The

fuel poverty score produced by Department for Business, Innovation & Skills (BEIS) in 2016 measure risk of fuel poverty based on 12 indicators.

The score represents a percentage of households that are of risk from fuel poverty. Southwark has a marginally lower proportion in fuel poverty than the London average (Figure 8).

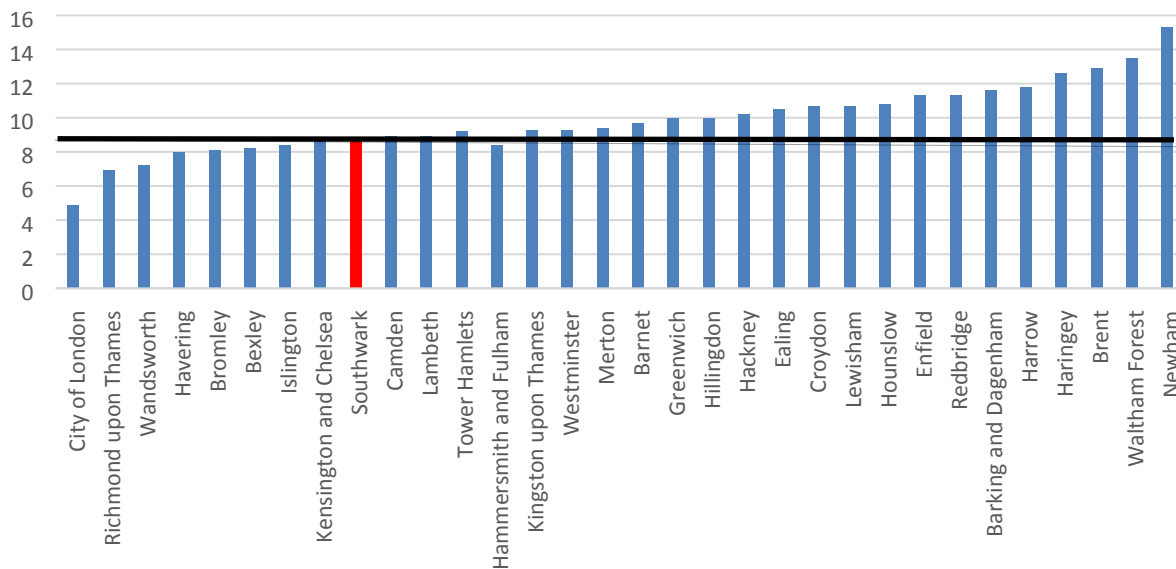


Figure 8. Proportion of households in fuel poverty (%) by London boroughs (BEIS 2016). Horizontal line shows London average (10%).

1.5 Child Poverty

PRS rents have been identified as a key driver of poverty. With greater numbers of children living in the PRS, understanding child poverty levels help us to understand the wider impacts of the PRS⁷. The graph below gives estimates of the percentage of children living under the poverty line in each London borough between October and December 2015⁸. Southwark has the 6th highest score in London and is considerably above the national average (31.7%).

⁷ JRT, Housing costs and poverty: private rents compared to local earnings 2018

⁸ Trust for London 2017, <https://www.trustforlondon.org.uk/data/child-poverty-and-housing-tenure/>

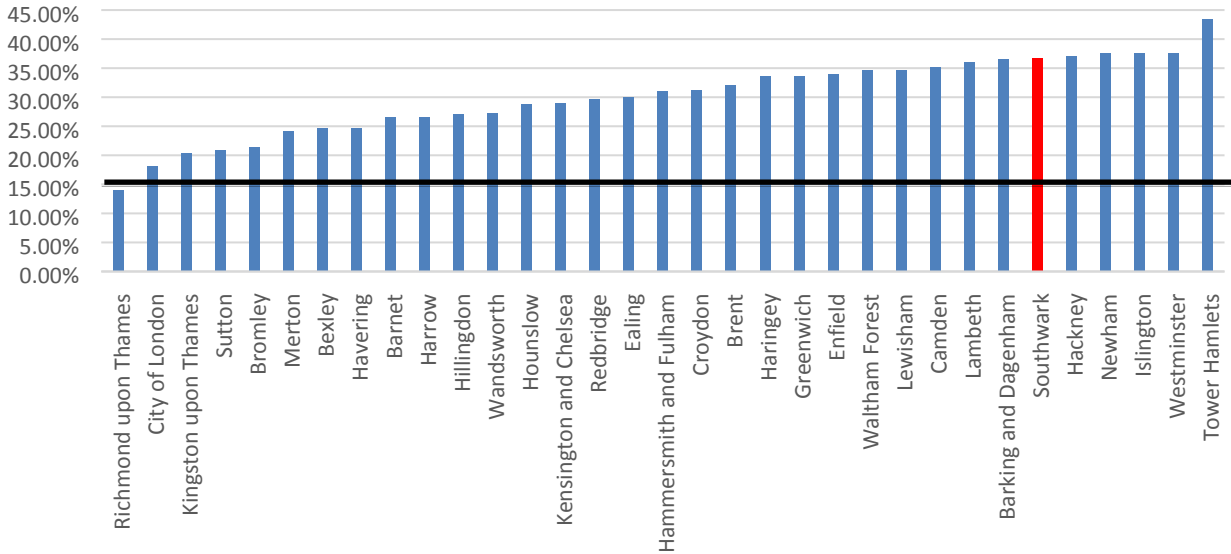


Figure 9. Child poverty score by borough (Source: Trust for London 2016). Horizontal line shows England average (17%)

1.6 Possession order rates

Southwark has one of the lowest possession order rates in London, with 6.5 orders per every 1,000 renting households⁹ (Figure 10). The average possession order rate for London is 11.5 per every 1,000 households (2017/18).

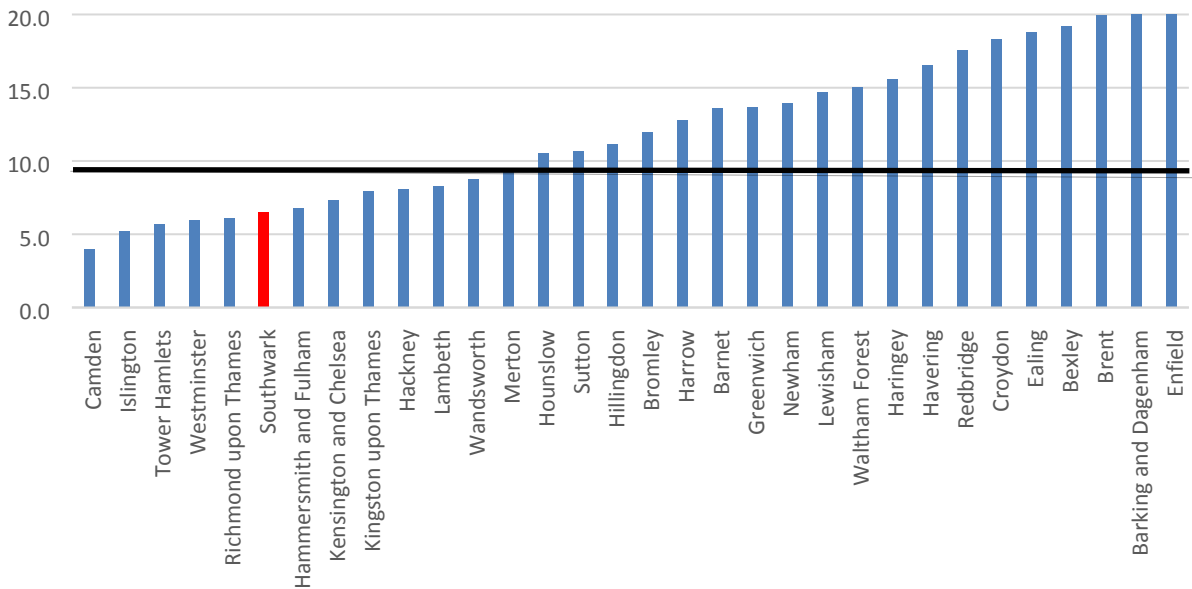


Figure 10. Possession order rates for renters by London boroughs (2017/18). Horizontal line shows London average (11.5%)

⁹ MOJ Possession order rates across London (2017/18)

1.7 Homelessness

Statutory homelessness acceptance includes those who the local authority has determined are legally entitled to housing assistance. To be accepted as statutorily homeless by the local authority you must be found legally and unintentionally homeless, be eligible for assistance and in priority need.

Homelessness returns to government in the 2016/17 financial year show Southwark has the 6th highest homelessness acceptance rates in London (Figure 11)¹⁰.

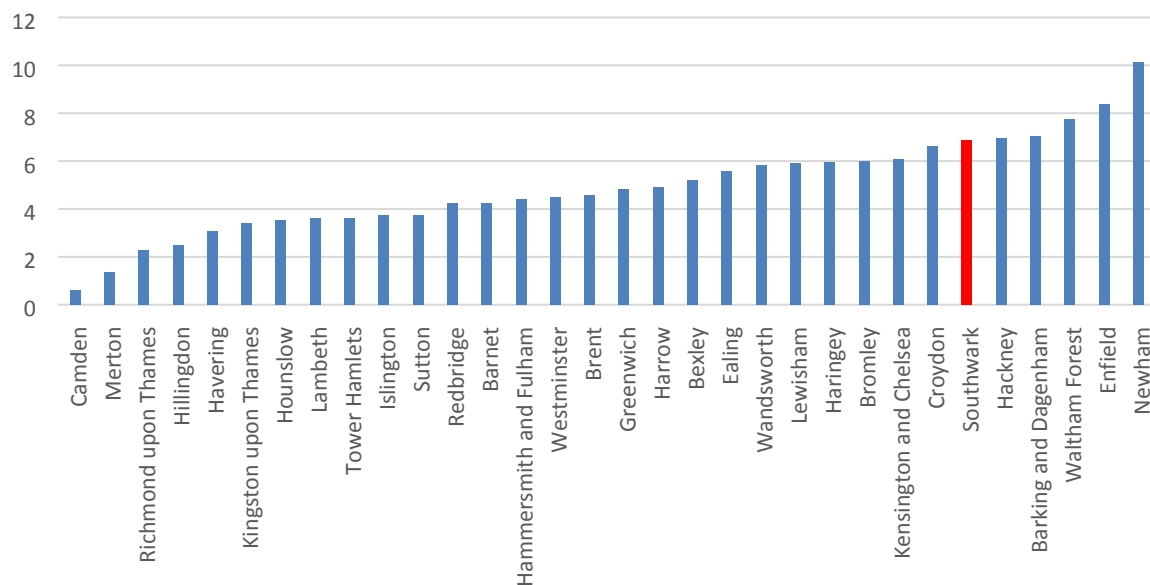


Figure 11. Homelessness acceptances per 1,000 households by London borough (Source: MHCLG 2016/17)

1.8 Rents and Affordability

Private rents vary by borough. As this report is concerned with housing conditions and other housing stressors, we have looked at the lower quartile (bottom 25%) of earnings as a percentage of rents. 67% of earnings for the lowest quartile of workers is used to pay rent in Southwark (Figure 12)¹¹.

¹⁰ London data store, original source MHCLG 2016/17

¹¹ Valuation Office Agency (VOA), Private rental market summary statistics: 2018

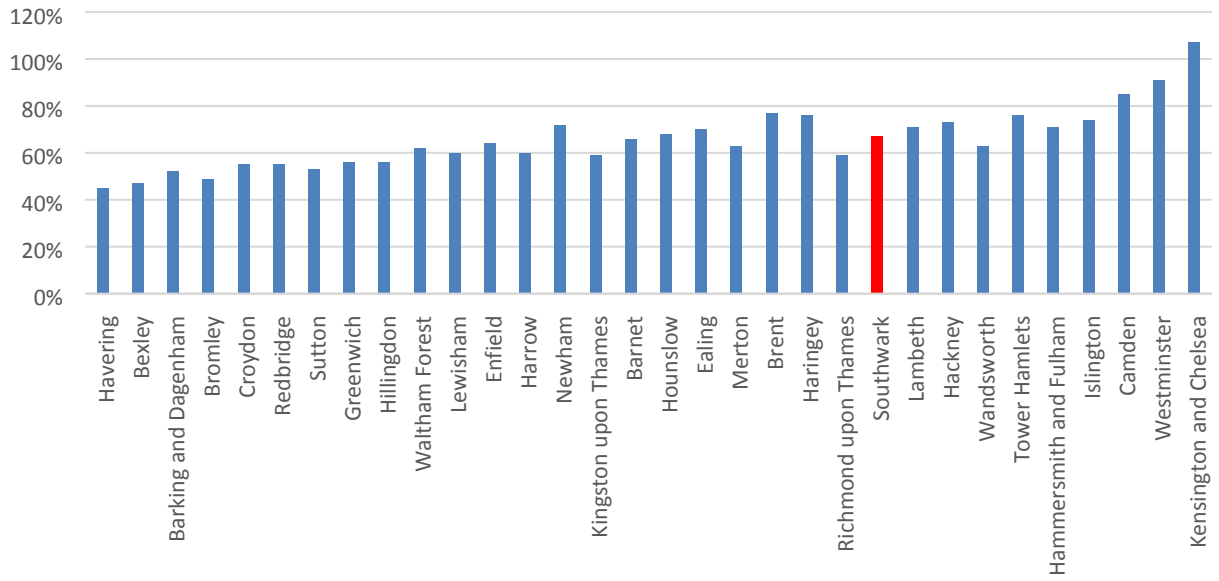


Figure 12. Rent as a proportion of lower quartile monthly gross earnings (Source: VOA 2016).

2 Results of housing stock and stressor modelling

2.1 Methodology

Tenure Intelligence (Ti) uses council held data and publicly available data to identify tenure and analyse property stressors, including property conditions and ASB.

Data trends at the property level are analysed using mathematical algorithms to help predict the tenure of individual properties using factors such as occupant transience and housing benefit data. Metastreet have worked with the council to create a residential property data warehouse. This has included linking millions of cells of council and externally held data to 146,112 unique property references (UPRN).

Machine learning is used to make predictions for each tenure and property condition based on a sample of known tenures and outcomes. Results are analysed to produce a summary of housing stock, predictions of Category 1 hazards (HHSRS) and other stressors. To achieve the maximum accuracy, unique models are built for each council, incorporating individual borough data and using known outcomes to train predictive models.

Once the data warehouse was created, statistical modelling was used to determine tenure using the methodology outlined below. All council held longitudinal data is for 5 consecutive years, from April 2014 – March 2019.

Different combinations of risk factors were systematically analysed for their predictive power in terms of key outcomes. Risk factors that duplicated other risk factors but were weaker in their predictive effect were systematically eliminated. Risk factors that were not statistically significant were also excluded through the same processes of elimination.

For each UPRN a risk score was calculated using logistic regression. The selected risk factors have a better or worse than evens chance of being predictive

A number of predictive models have been developed as part of this project which are unique to Southwark. Known stressors linked to individual properties have been modelled to calculate population level incidences and rates.

It is important to note that this approach can never be 100% accurate as all statistical models include some level of error. A more detailed description of the methodology and the specific factors selected to build bespoke predictive models for this project can be found in Appendix 2.

2.2 Results - Private Rented Sector

2.2.1 Population and distribution

The private rented sector (PRS) in Southwark has grown steadily since 2006.

Based on tenure modelling (December 2019), Southwark's PRS is now calculated to be 29.4% of housing stock (Figure 13). This compares to 19.8% of households in 2006 and 24.5% in 2011 (ONS). This represents a 20% increase over the last 13 years (Figure 14).

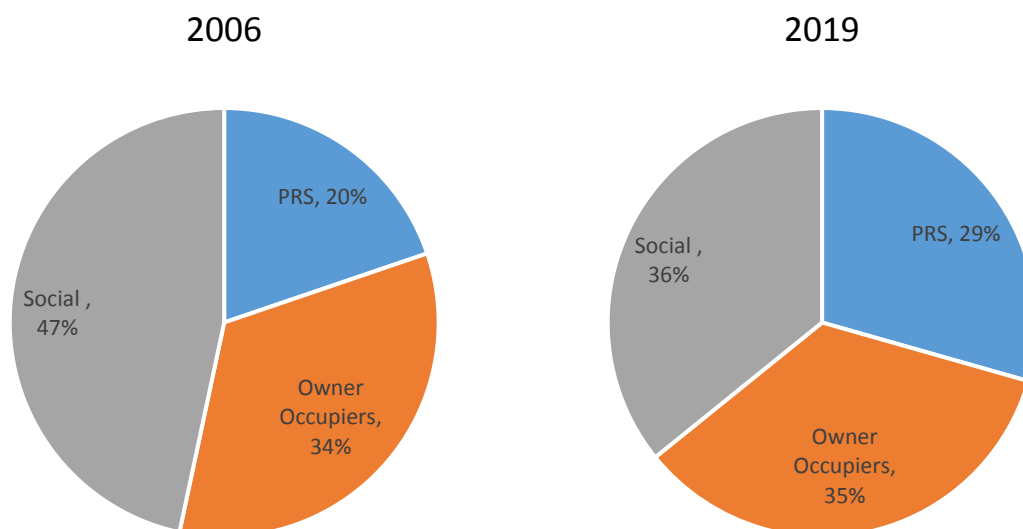


Figure 13. Tenure profile 2006 & 2019 (Source: ONS & Metastreet Ti model).

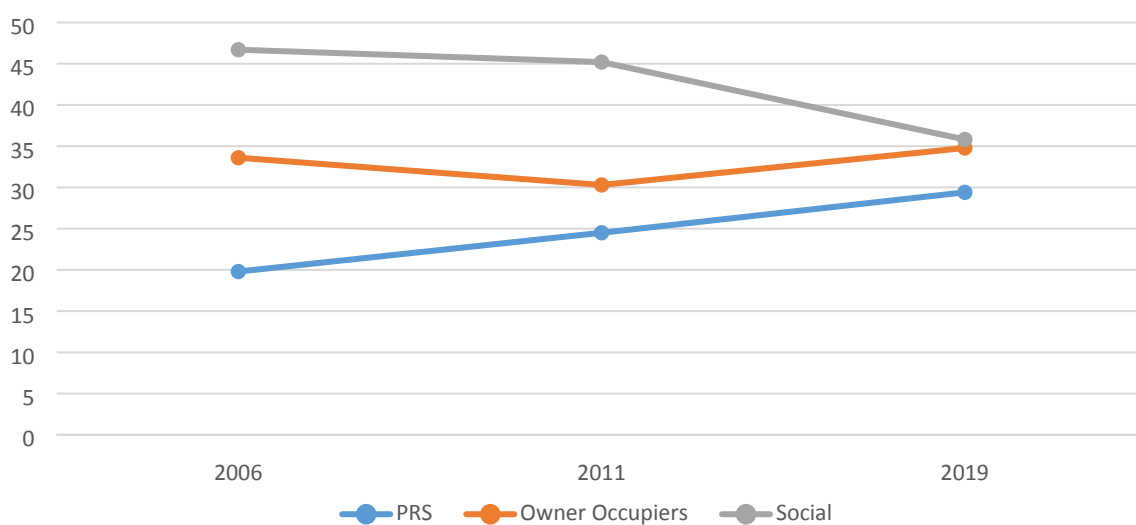


Figure 14. PRS as a percentage of total housing stock, 2006, 2011 & 2019 (Source: ONS & Metastreet).

This increase is part of a nationwide and regional trend. The PRS in the UK has grown from 9.4% of housing stock in 2000 ¹². It is now the second largest housing tenure in England, with a growing number of households renting from a population of around 1.5 million private landlords¹³.

The PRS in Southwark is distributed across all 23 wards (Figure 15). The number of PRS per ward ranges from 3,140 (North Walworth) to 649 (Dulwich Village).

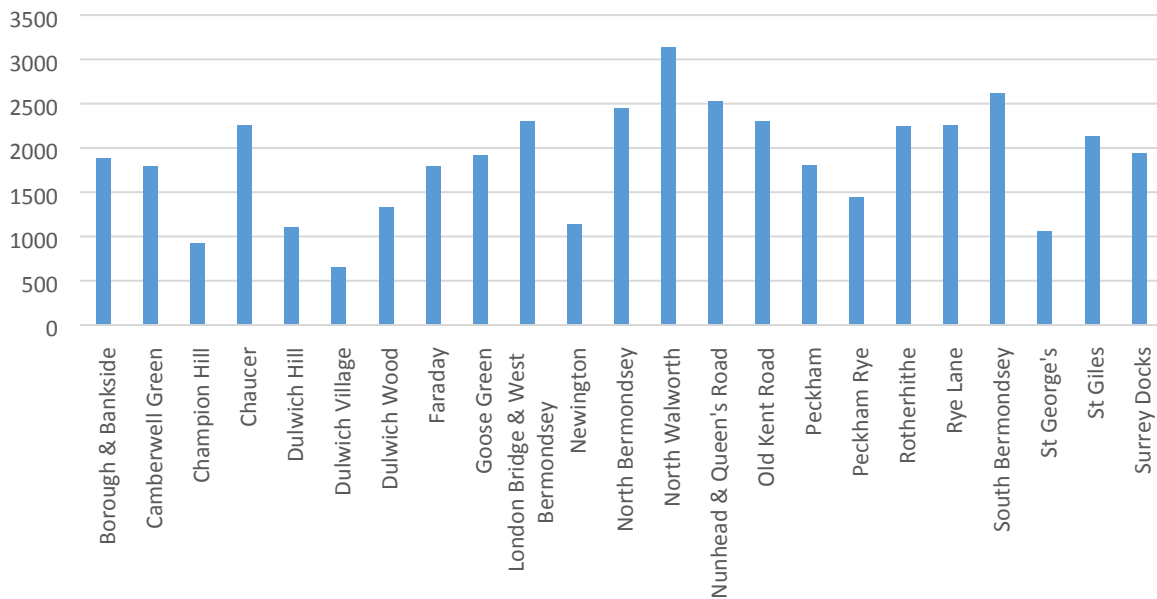


Figure 15. Number of PRS dwellings by ward (Source: Ti 2019).

The percentage of PRS properties in each ward ranges between 38.4% (North Walworth) and 16% (Dulwich Village) (Figure 16). Therefore, 21 out of 23 Southwark wards have a higher percentage PRS than the national average in 2019 (19.4%).

¹² The profile of UK private landlords Scanlon K & Woodhead C CML research. LSE London. December 2017 www.cml.org.uk

¹³ Landlord Licensing. Interim report-overview of the incidence and cost of HMO & discretionary schemes in England. February 2015. www.landlords.org.uk

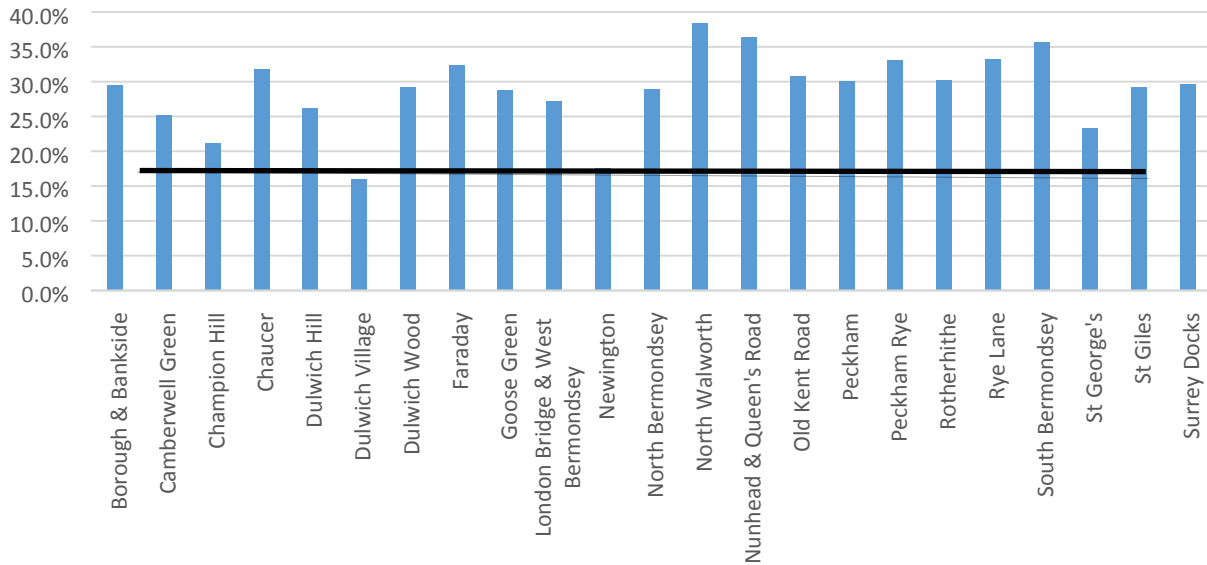


Figure 16. Percentage of PRS dwellings by each ward (Source Ti 2019). Horizontal black line shows national average 2019 (19.4%)

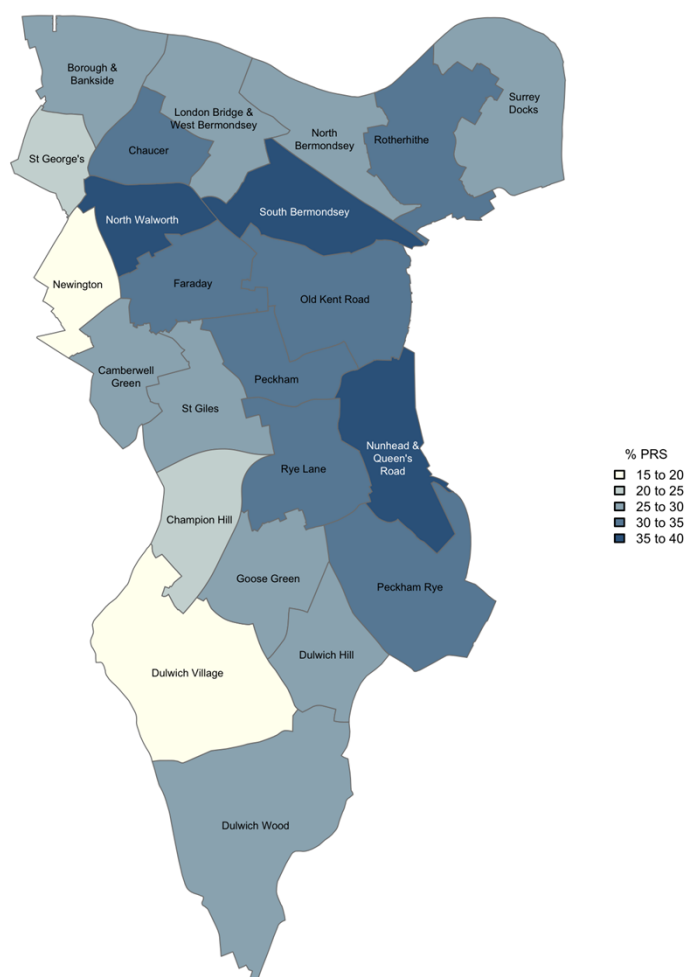
Ward	% PRS	No. PRS
Borough & Bankside	29.5%	1,880
Camberwell Green	25.2%	1,791
Champion Hill	21.2%	924
Chaucer	31.8%	2,254
Dulwich Hill	26.2%	1,102
Dulwich Village	16.0%	649
Dulwich Wood	29.2%	1,326
Faraday	32.4%	1,794
Goose Green	28.8%	1,918
London Bridge & West Bermondsey	27.2%	2,303
Newington	17.6%	1,141
North Bermondsey	28.9%	2,441
North Walworth	38.4%	3,140
Nunhead & Queen's Road	36.5%	2,523
Old Kent Road	30.8%	2,297
Peckham	30.1%	1,807
Peckham Rye	33.1%	1,438
Rotherhithe	30.3%	2,247
Rye Lane	33.3%	2,258
South Bermondsey	35.7%	2,617
St George's	23.4%	1,055
St Giles	29.2%	2,126
Surrey Docks	29.7%	1,933

Table 1 shows the total PRS in each ward and the percentage PRS compared to the total housing stock.

Ward	% PRS	No. PRS
Borough & Bankside	29.5%	1,880
Camberwell Green	25.2%	1,791
Champion Hill	21.2%	924
Chaucer	31.8%	2,254
Dulwich Hill	26.2%	1,102
Dulwich Village	16.0%	649
Dulwich Wood	29.2%	1,326
Faraday	32.4%	1,794
Goose Green	28.8%	1,918
London Bridge & West Bermondsey	27.2%	2,303
Newington	17.6%	1,141
North Bermondsey	28.9%	2,441
North Walworth	38.4%	3,140
Nunhead & Queen's Road	36.5%	2,523
Old Kent Road	30.8%	2,297
Peckham	30.1%	1,807
Peckham Rye	33.1%	1,438
Rotherhithe	30.3%	2,247
Rye Lane	33.3%	2,258
South Bermondsey	35.7%	2,617
St George's	23.4%	1,055
St Giles	29.2%	2,126
Surrey Docks	29.7%	1,933

Table 1. Percentage and number of PRS properties by ward (Source Ti 2019).

PRS properties are distributed across the borough (Map 2). Dulwich Village (16%) and Newington (17.6%) wards have the lowest concentration of PRS.



Map 2. PRS properties as percentage of dwellings in Southwark (Source: Ti 2019, map by Metastreet).

2.2.2 Housing conditions

Housing conditions are affected by the level of maintenance and quality of repair, the age of the property, thermal efficiency and type of construction. Category 1 hazards have a physiological or psychological impact on the occupant and may result in medical treatment. ¹⁴

In 2017, 14% of private rented dwellings in England had at least one Category 1 hazard; this was a higher proportion than the average for the total housing stock (11%) ¹⁵. It is notable that there is a

¹⁴ Housing Health and Rating System, Operation Guidance, 2006,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf

¹⁵ MHCLG Private rented sector 2017-18 English Housing survey Headline Report,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/834603/2017-18_EHS_Headline_Report.pdf

gradient of risk with age of the property, the risk being greatest in dwellings built before 1900, and lowest in the more energy efficient dwellings built after 1980¹⁶.

A council’s property age profile can have an impact on housing conditions. Southwark has a high number of residential properties built pre 1900 (Figure 17) ¹⁷.

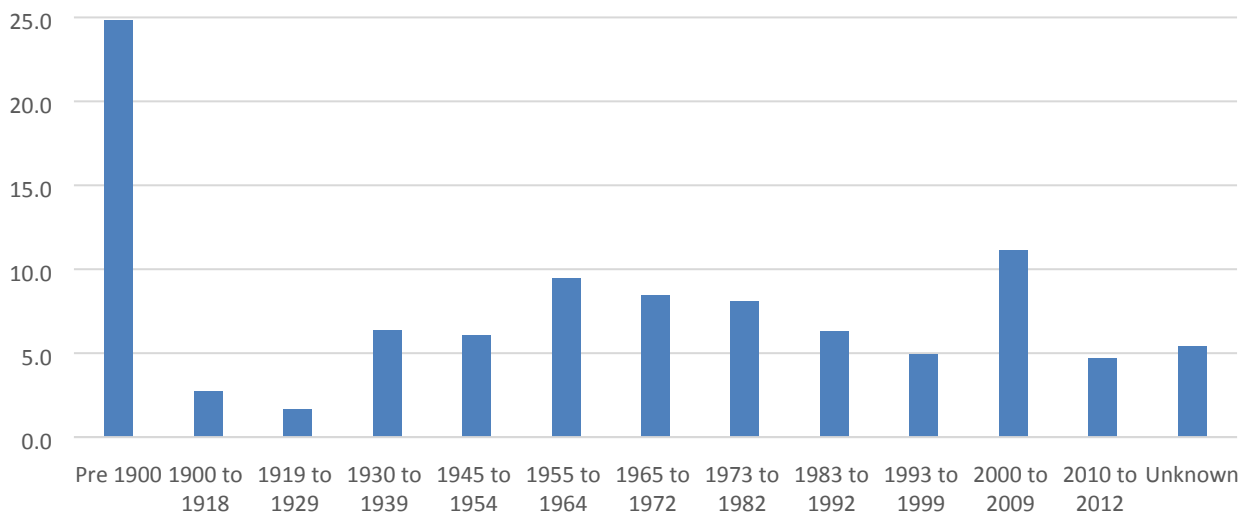
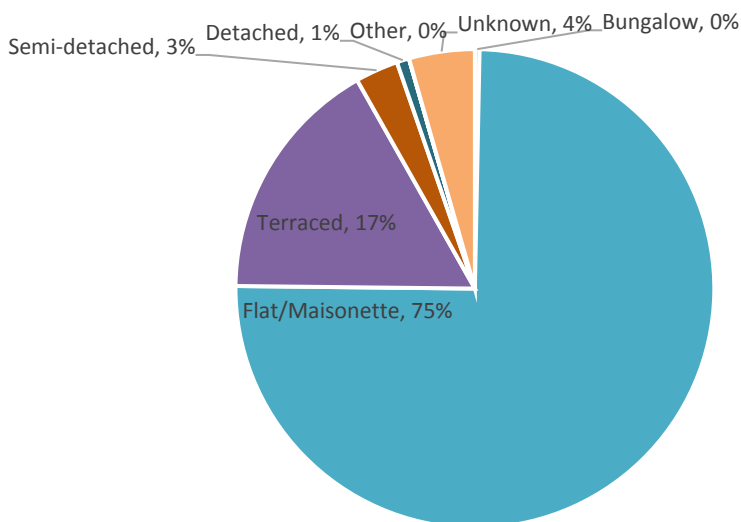


Figure 17. Age profile of Housing stock (%) for all tenures (Source: VOA 2015).

A borough’s property type profile offers an indication of housing density, construction type and other social economic indicators. The most common property type flats/maisonette (75%), while bungalows are the least common property type (0.3%) (



¹⁶ Housing Health and Rating System, Operation Guidance, 2006, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf
¹⁷ London data store, VOA <https://data.london.gov.uk/dataset/property-build-period-isoa>

Figure 18).

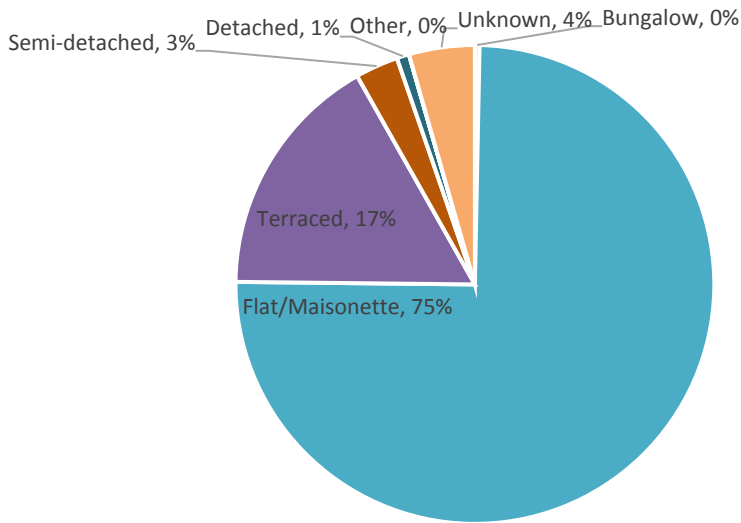


Figure 18. Property type as a percent of total (Source: VOA 2015).

Using a sample of properties that are known to have at least one serious housing hazard (Category 1, HHSRS), it is possible to predict the number of PRS properties with at least one serious hazard across the borough (Figure 19).

There are 8,497 private rental properties in Southwark that are likely to have a serious home hazard (Category 1, HHSRS). PRS properties with serious hazards are distributed across the borough. Nunhead & Queen's Road (578) and North Walworth (570) have the highest number of properties with at least one Category 1 hazard.

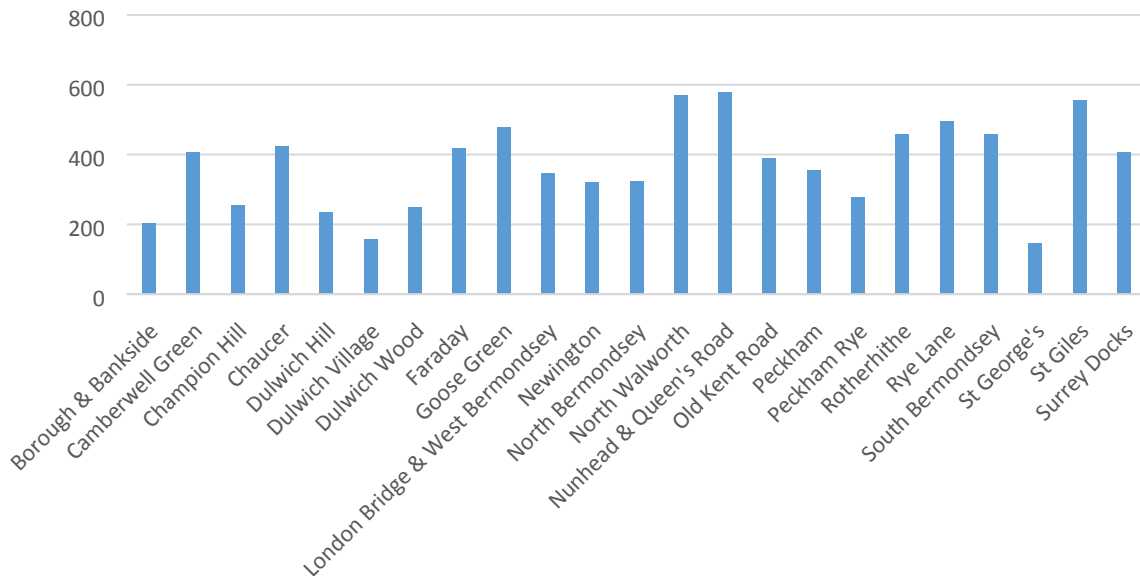
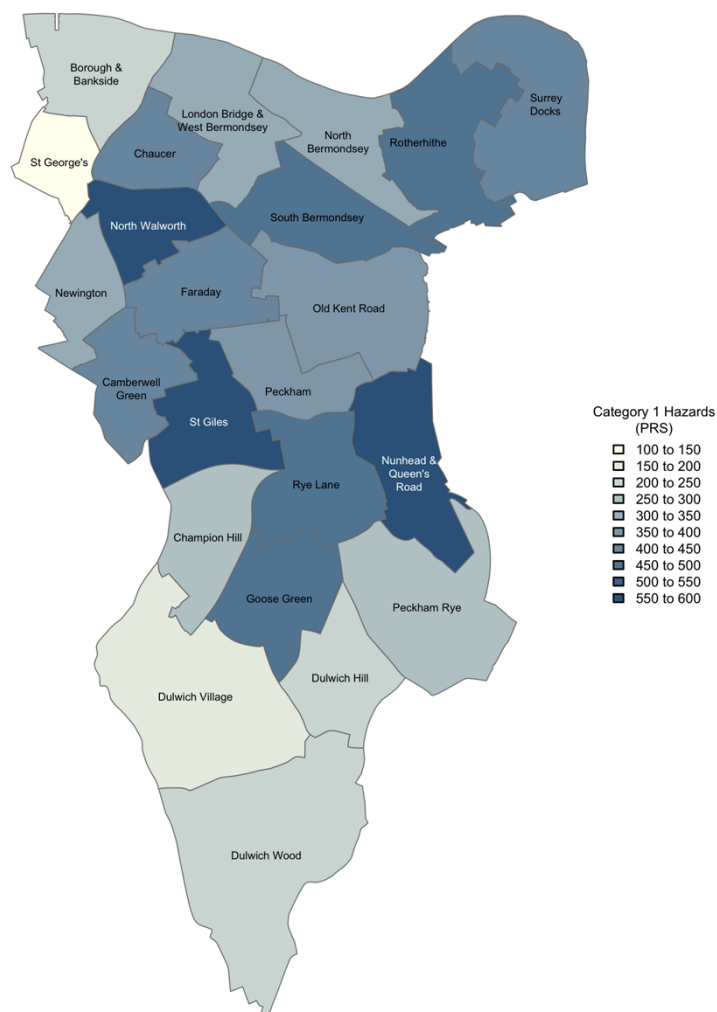


Figure 19. Predicted number of Category 1 hazards by ward (Source: Ti 2019).

Category 1 hazards in the PRS are distributed across the whole borough. Concentrations of properties with serious hazards can be found in the central and northern wards.



Map 3. Distribution of PRS properties with category 1 hazards (Source: Ti 2019, map by Metastreet).

The rates of Category 1 hazards per 1,000 PRS properties reveals a wide distribution across Southwark (Figure 20). Although Dulwich Village and Newington wards have the smallest PRS populations, they have high rates of PRS properties with Category 1 hazards.

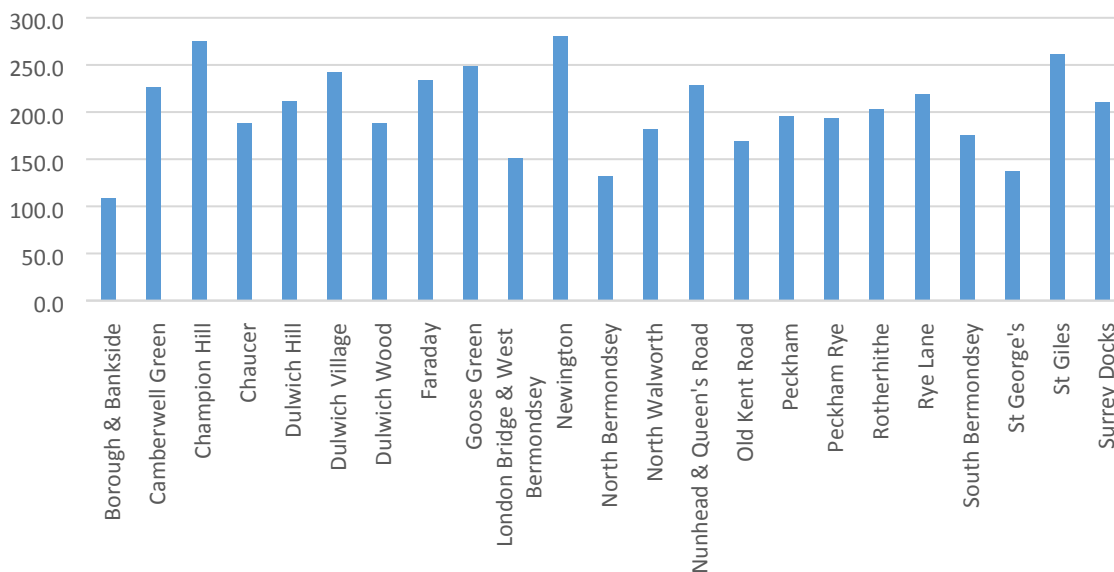


Figure 20. Rates per 1,000 PRS properties of predicted Category 1 hazards by ward (Source: Ti 2019).

Complaints made by PRS tenants to the council about poor property conditions and inadequate property management are a direct indicator of low quality PRS. Southwark received 1,848 complaints from tenants over a 5-year period.

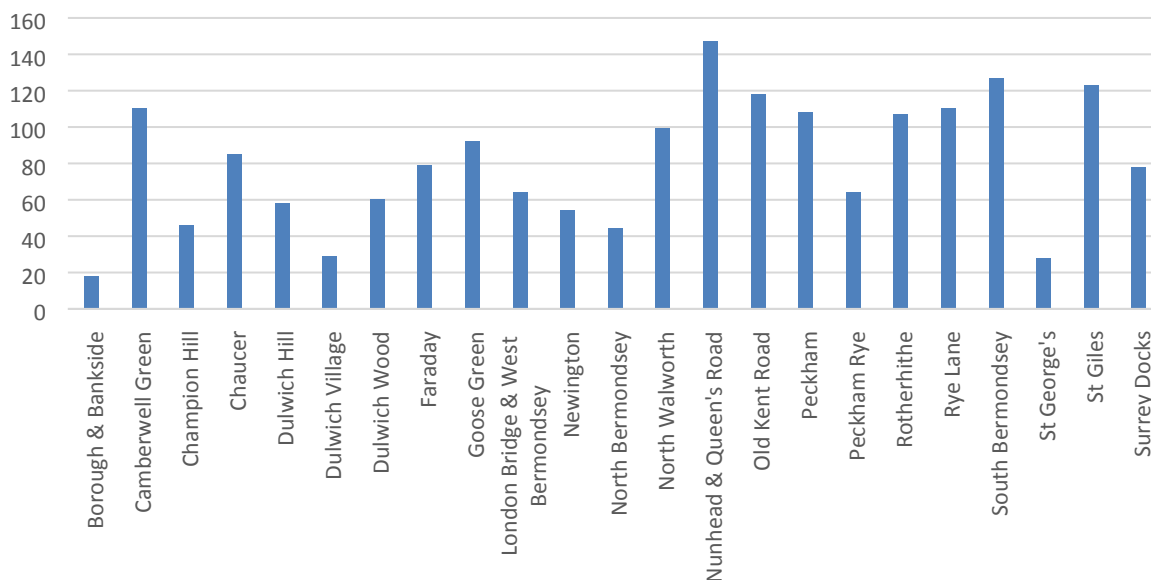


Figure 21. PRS disrepair complaints made by private tenants to the Council (2016-19) (Source Ti 2019)

An EPC rating is an assessment of a property's energy efficiency. It's primarily used by buyers or renters of residential properties to assess the energy costs associated with heating a house or flat. The rating is from A to G. A indicates a highly efficient property, G indicates low efficiency.

The energy efficiency of a dwelling depends on the thermal insulation of the structure, on the fuel type, and the size and design of the means of heating and ventilation. Any disrepair or dampness to the dwelling and any disrepair to the heating system may affect their efficiency. The exposure and orientation of the dwelling are also relevant.

As part of this project 11,869 EPC ratings were matched to PRS properties (Figure 22). All figures have been modelled from this this group.

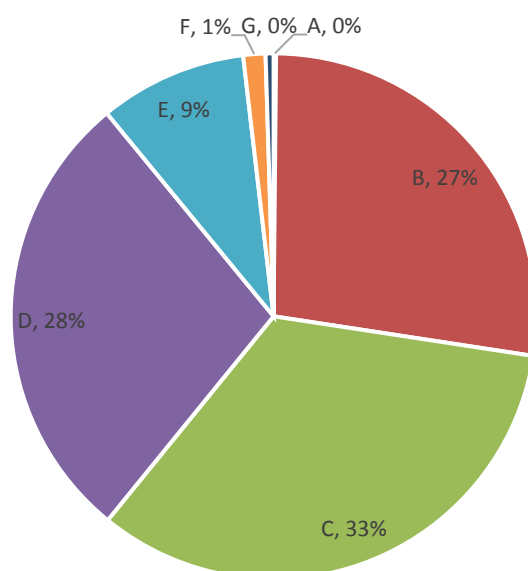


Figure 22. Distribution of Energy Performance Certificate ratings in PRS (Rating A-G) (Source: Ti 2019).

The Minimum Energy Efficiency Standard (MEES) came into force in England and Wales on 1 April 2018. The regulation applies to PRS properties and mandates that all dwellings must have an EPC rating of E and above to be compliant. It has been calculated using the matched addresses that 11% of PRS properties in Southwark have an E, F, and G rating. 2% of PRS properties have an F and G rating (Figure 22). Extrapolated to the entire PRS, 790 PRS properties are likely to fail the MEES statutory requirement.

The statistical evidence shows that there is a continuous relationship between indoor temperature and vulnerability to cold-related death¹⁸. The colder the dwelling, the greater the risk. The percentage rise in deaths in winter is greater in dwellings with low energy efficiency ratings. There is a gradient of risk with age of the property, the risk being greatest in dwellings built before 1850, and lowest in the more energy efficient dwellings built after 1980¹⁹. Therefore, the sizeable number of F and G properties present a serious risk to the occupants' health, particularly if over the age of 65.

2.2.3 PRS enforcement interventions by council

Southwark uses a range of proactive regulatory interventions to address poor housing standards in the PRS. These are often as a result of a complaint being made by a tenant or local intelligence. Over a 5-year period (2014-19) this resulted in 609 housing notices served to address hazards (Figure 23).

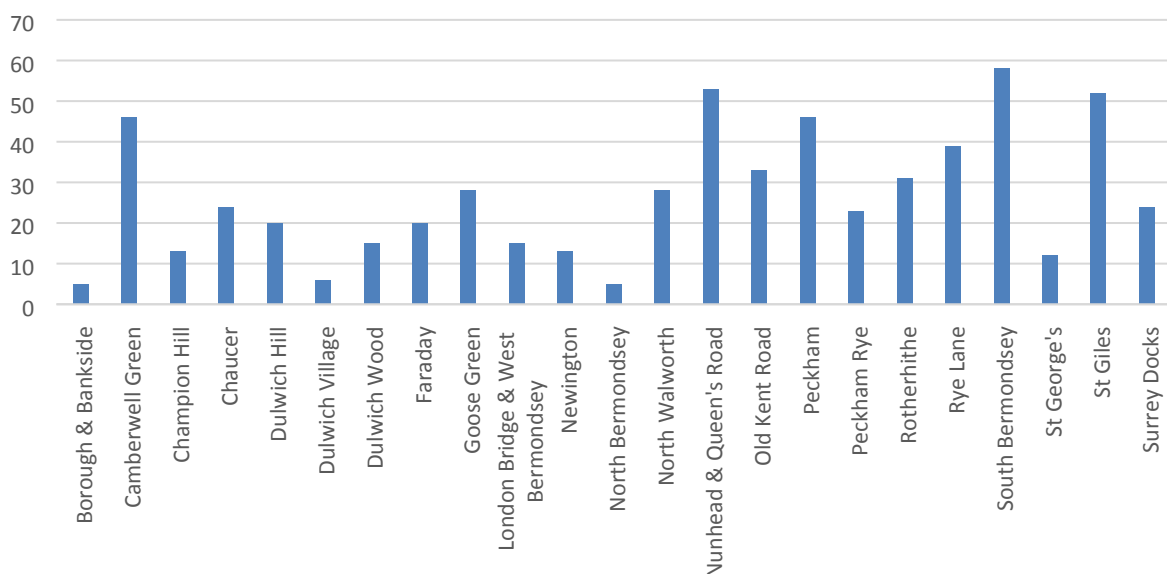


Figure 23. Housing notices served on PRS properties by ward (Source: Ti 2019).

Part of the housing conditions review is to report on council intervention and service requests in the private rented sector. These include proactive and reactive inspections of residential properties by council officers to identify poor housing standards. Property licensing has been used in Southwark in a targeted way to maximise the effectiveness of housing interventions.

¹⁸ Housing Health and Rating System, Operation Guidance, 2006

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf

¹⁹ Housing Health and Rating System, Operation Guidance, 2006

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf

Southwark made 14,570 interventions in PRS properties across a range of services over a 5-year period, this was made up of proactive inspections and inspection after receiving a complaint or service request related to ASB. North Walworth (1,126) and St. Giles (970) received the greatest number of council service requests relating to PRS housing (Figure 24 & Map 4).

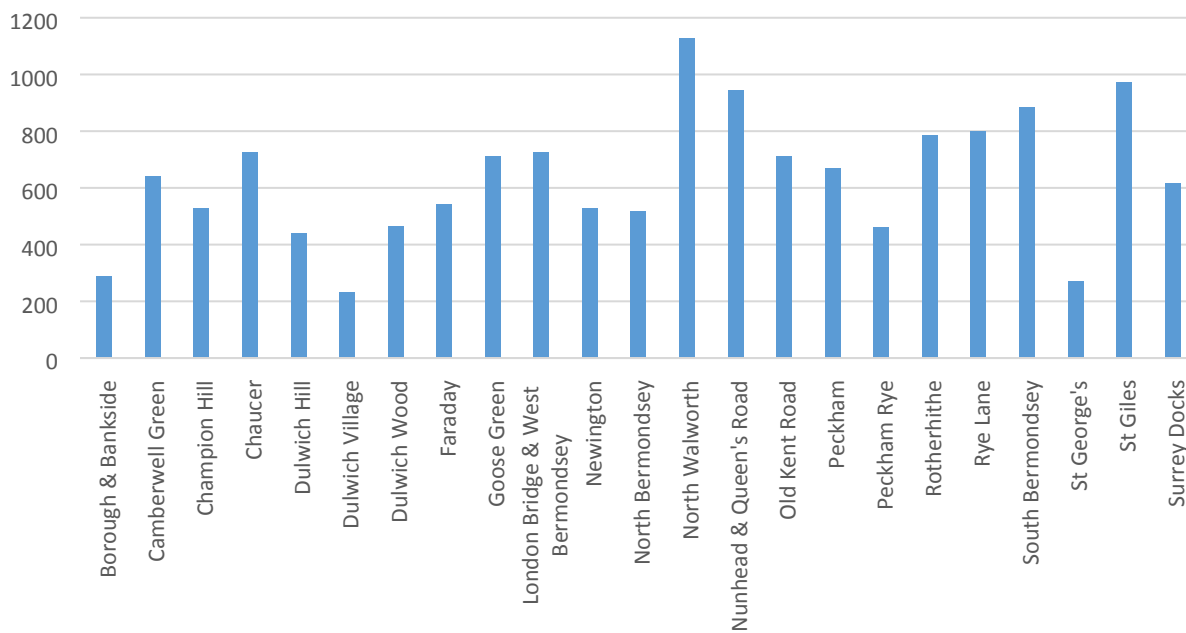
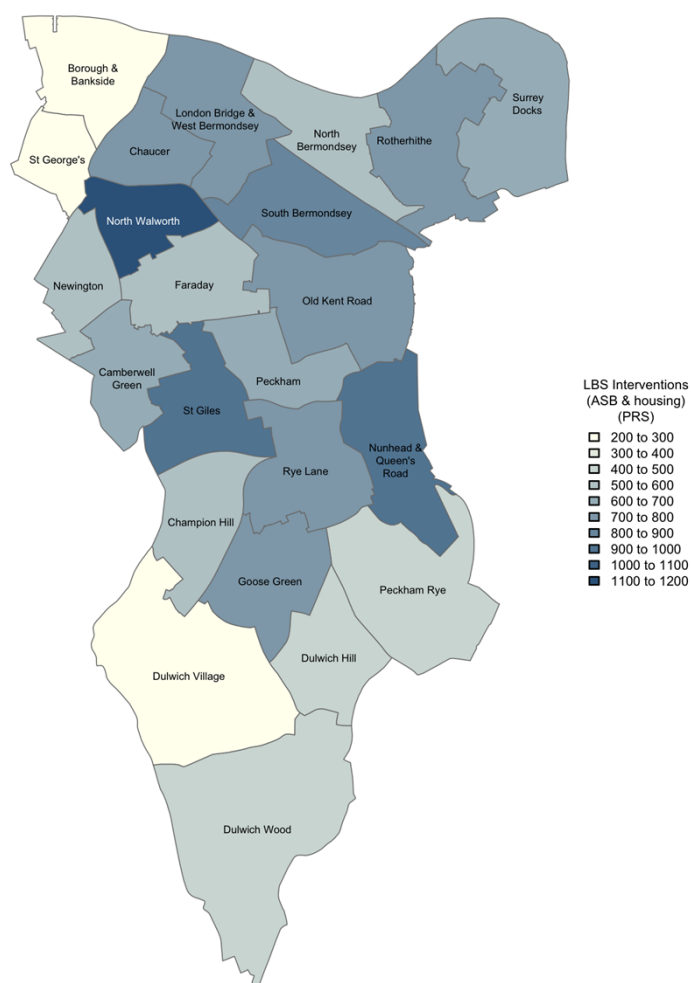


Figure 24. PRS interventions by ward (Source: Ti 2019).



Map 4. Distribution of PRS interventions (Source: Ti 2019, Map by Metastreet).

2.2.4 Anti-social behaviour (ASB)

The number of ASB incidents that resulted in an intervention by the council are shown below. They relate to ASB associated with residential premises only. For example, ASB incidents investigated on a street corner that cannot be linked to a residential property are excluded.

Rates of ASB investigations in the social sector are higher than other tenures (Figure 25). PRS properties are 61 times more likely have an ASB incident compared to owner occupied properties. HMOs (as a subset of PRS) have the highest rates of all tenures.

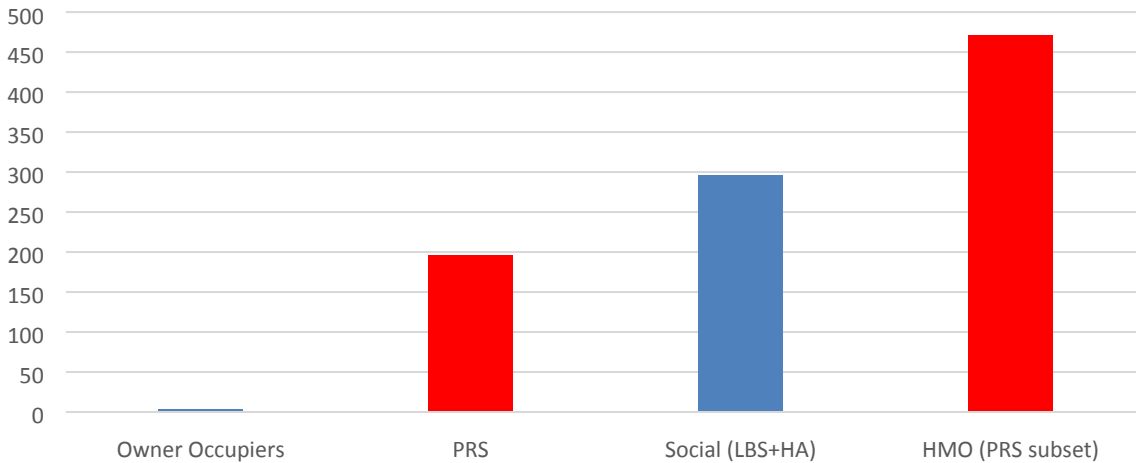


Figure 25. ASB rates per 1000 dwellings by tenure (Source: Ti 2019).

There are high levels of ASB linked to private rented properties across the borough (Figure 26). Over a 5-year period (2014-19), 8,431 ASB incidents have been recorded. Nunhead & Queen’s Road (571) has the highest levels and St George’s (154) has the lowest level of PRS ASB incidents.

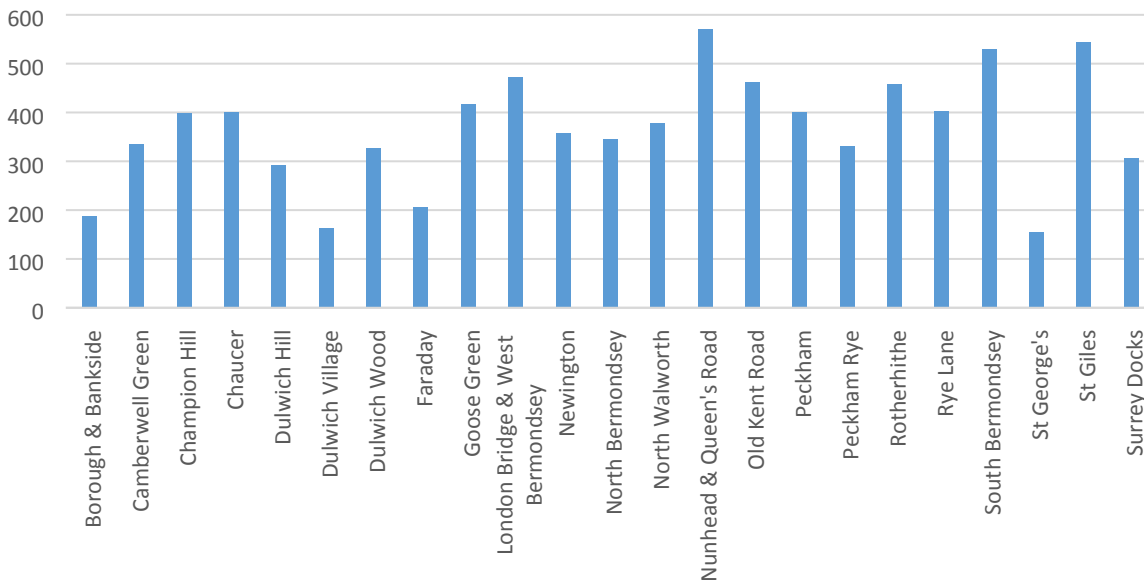


Figure 26. Number of ASB incidents linked to PRS by ward (Source Ti 2019).

ASB in the PRS expressed as incidents per 1000 dwellings, shows a wider distribution across all wards (Figure 27). Using this measure, Champion Hill (431 per 1000) and Newington (313 per 1000) wards have the greatest number of ASB incidents proportional to the size of the PRS.

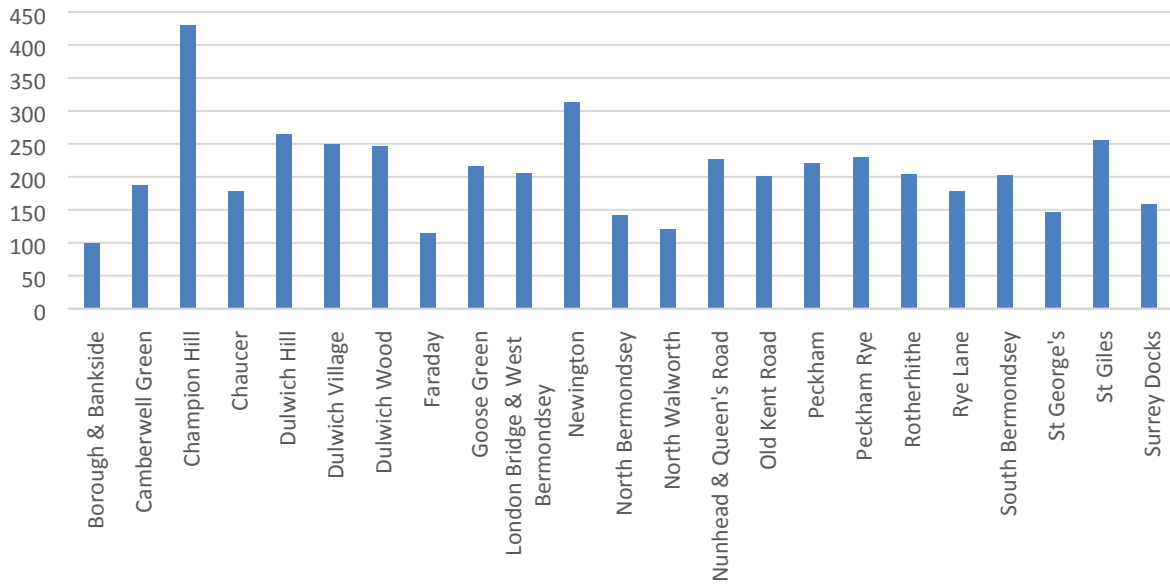
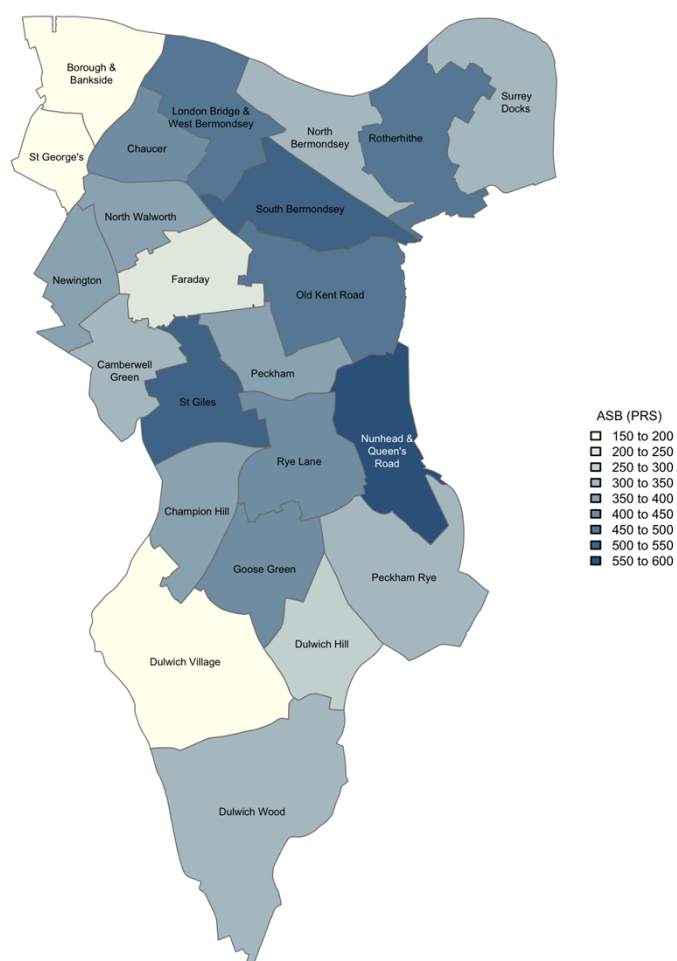


Figure 27. ASB incidents linked to PRS per 1000 properties by ward (Source: Ti 2019).



Map 5. Distribution of ASB linked to PRS properties (Source: Ti 2019, Map by Metastreet).

Recorded ASB investigations in the PRS have been split into two types. Noise (96%) and other ASB (4%) (Figure 28). Other ASB category includes, verbal abuse, harassment, intimidation, nuisance animals, nuisance vehicles, drugs cultivation and substance misuse, domestic violence, rubbish and fly tipping. All incidents are directly linked to a PRS property.

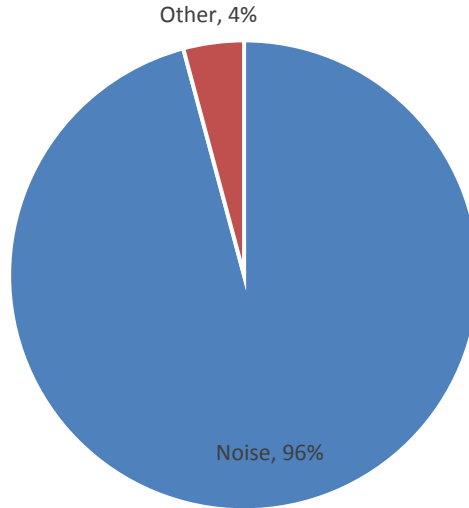


Figure 28. Types of ASB linked to PRS properties (Source: Ti 2019).

2.2.5 PRS and financial vulnerability

Housing benefit payments related to the PRS can be an indicator of financially vulnerable households and deprivation. Southwark processed 10,020 housing benefit claims relating to unique PRS households between 2014-2019 (Figure 29). Housing benefit applications are distributed across all wards.

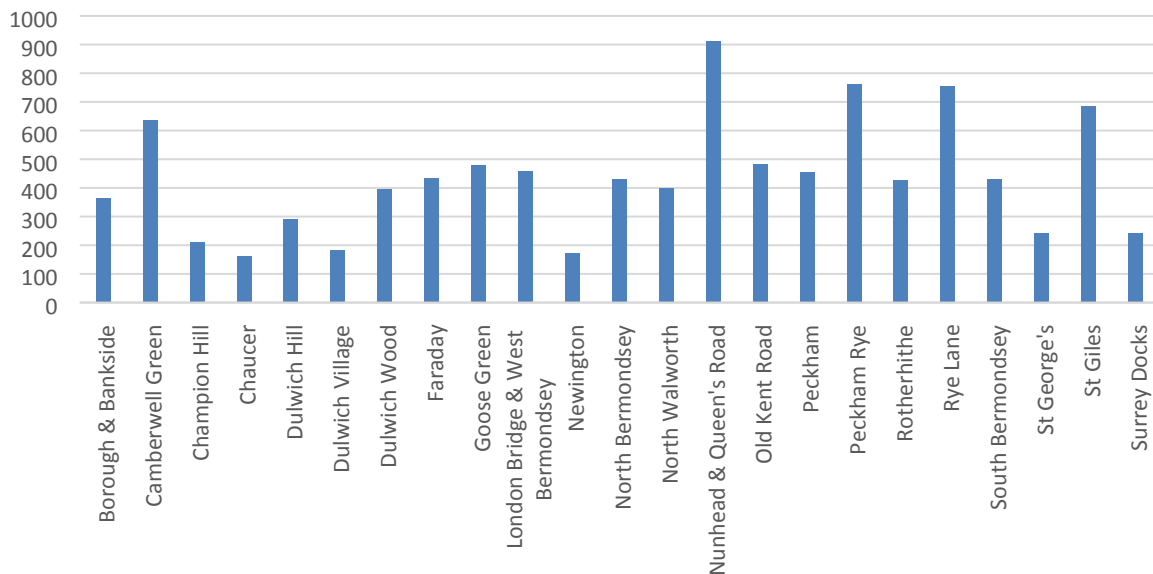


Figure 29. PRS housing benefit payments by ward (Source: Ti 2019).

2.3 Results - Houses in Multiple Occupation

Houses in Multiple Occupation (HMO) are a sub-set of properties within the PRS and represent the cheapest rental accommodation; rented by room with the sharing of amenities (usually kitchen/bathroom). The Housing Act 2004 defines HMOs as a “dwelling of 3 or more persons not forming a single household”. This definition has been used for the purposes of this report.

2.3.1 Population and distribution

HMOs are the cheapest form of private housing available and have traditionally been occupied by single adults. Pressure on affordable housing and higher rates of homelessness has driven up demand for this type of dwelling. Greater demand has resulted in growth in this sector across London over the last decade.

The total number of predicted HMOs across 23 wards is 5,031 properties (Figure 30). North Walworth has the highest concentration of HMOs (575).

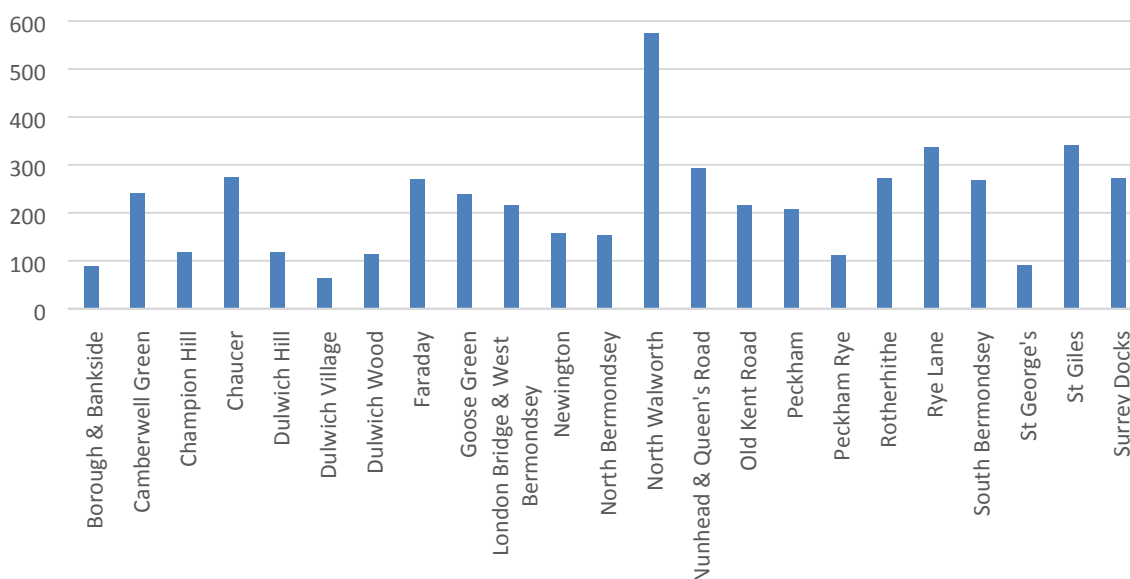
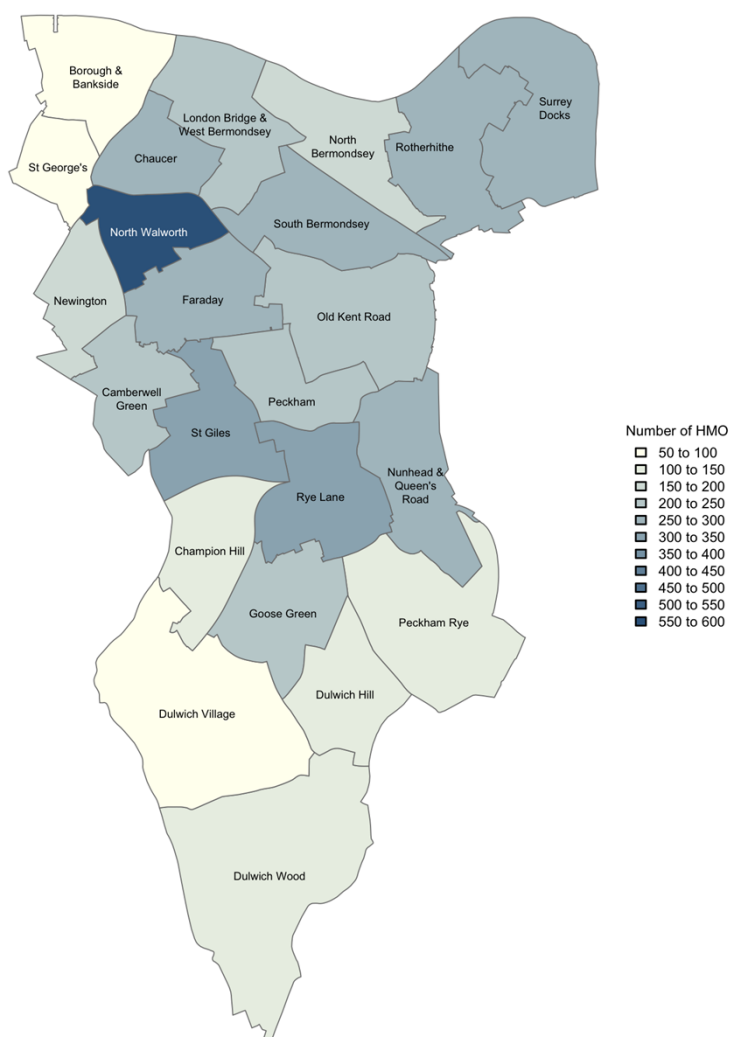


Figure 30. Number of HMOs by ward (Source Ti 2019)



Map 6: Distribution of HMOs (Source Ti 2019, map by Metastreet)

2.3.2 HMO & Housing conditions

HMOs have some of the poorest housing conditions of any tenure. Analysis shows that 4,342 of 5,031 (86.3%) HMOs in Southwark are predicted to have serious hazards (Category 1 HHSRS). HMOs are generally at higher risk of fire, disrepair and overcrowding.

The number of Category 1 hazards is highest in HMOs in North Walworth (322) (Figure 31). All wards have HMOs with Category 1 hazards.

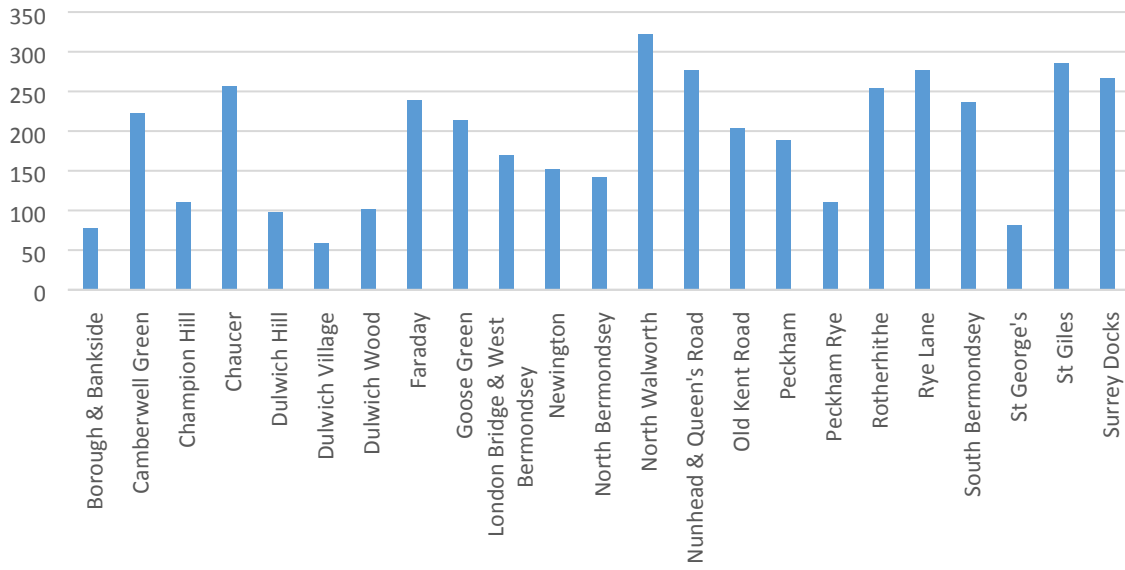
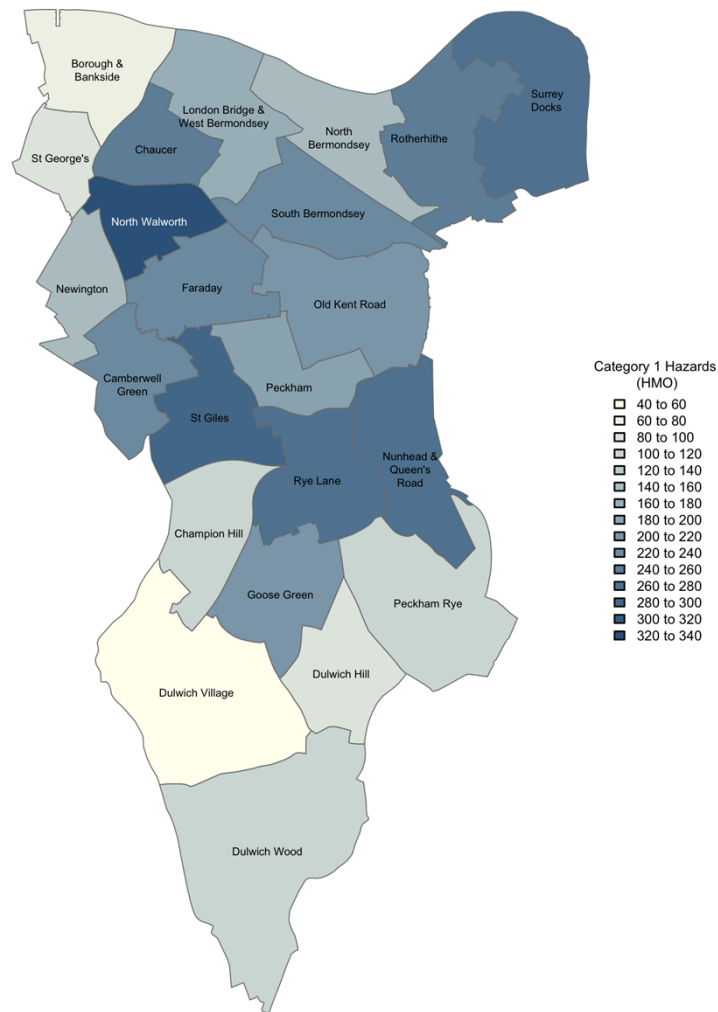


Figure 31. Predicted number of HMO with Category 1 hazards by ward (Source Ti 2019).



Map 7: Distribution of HMOs with Category 1 hazards (Source Ti 2019, map by Metastreet)

Figure 32 shows the level of service demand that HMOs place on the council, inspections and enforcement interventions to tackle housing hazards. 1,391 service requests relating to private housing were received over a 5-year period. This illustrates the large demand and costs that HMOs can place upon council services

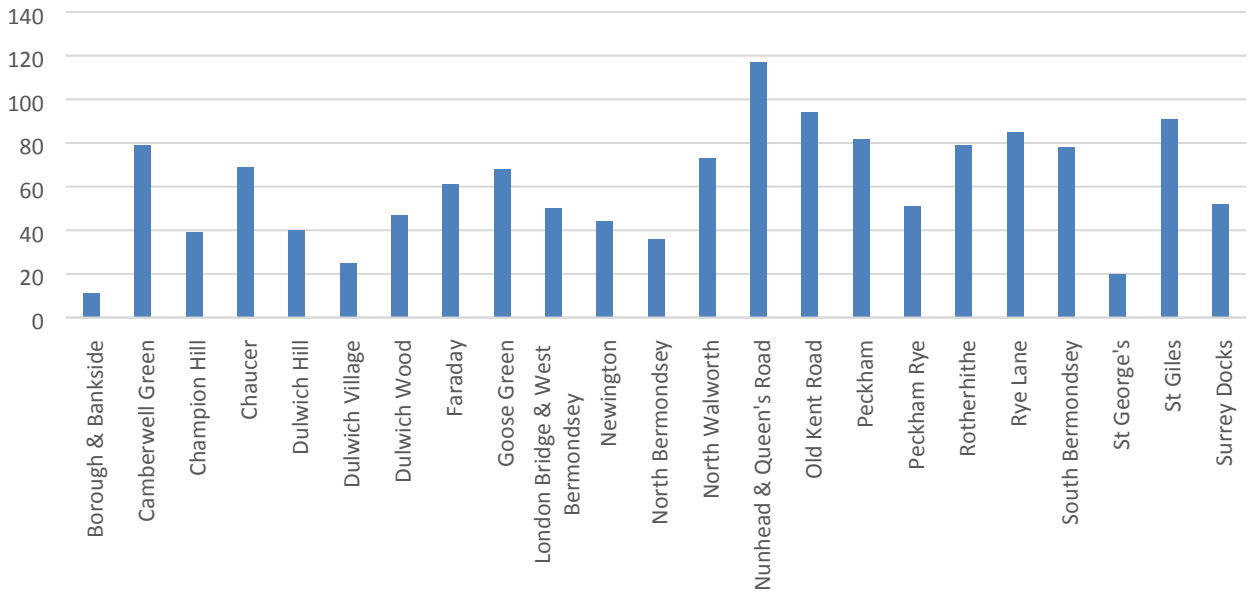


Figure 32. Service requests and interventions by ward linked to HMOs per 100 properties (Source Ti 2019).

Service requests and interventions linked to HMOs are distributed across all wards, Nunhead & Queen’s Road has 117 incidents per 100 properties (Figure 33).

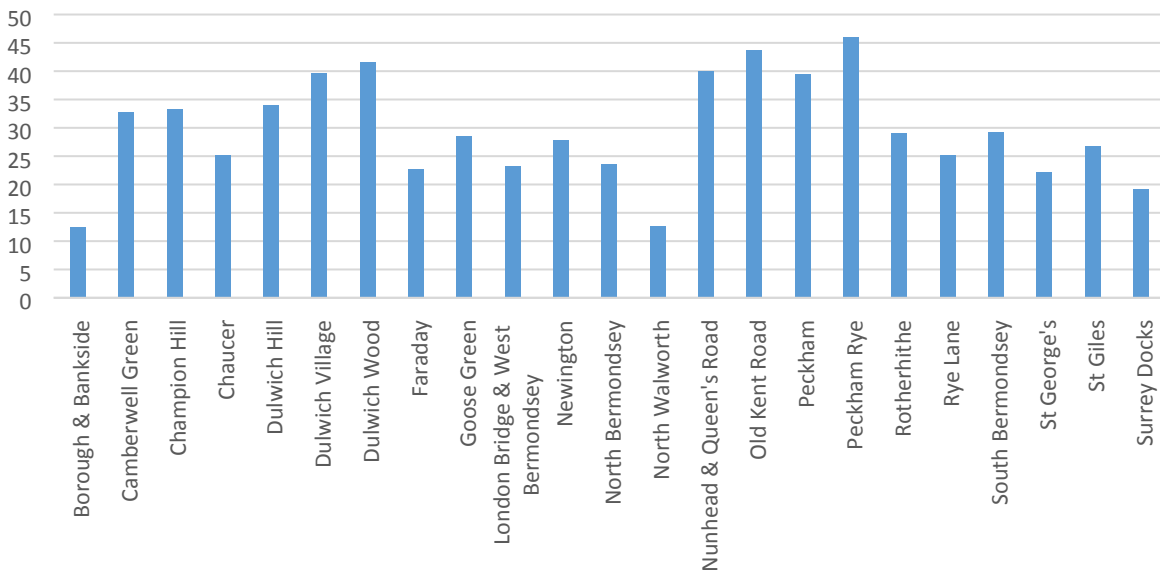


Figure 33. Rates of HMOs service requests and interventions made to council by ward per 100 properties (Source Ti 2019).

2.3.3 HMO & Anti-Social Behaviour

Figure 34 shows the number of ASB incidents associated with HMO premises (commercial and ASB incidents not linked to residential premises are excluded from these figures). ASB incidents investigated include; noise, verbal abuse, harassment, intimidation, nuisance animals, nuisance vehicles, drug cultivation and substance misuse, domestic violence, rubbish and fly tipping.

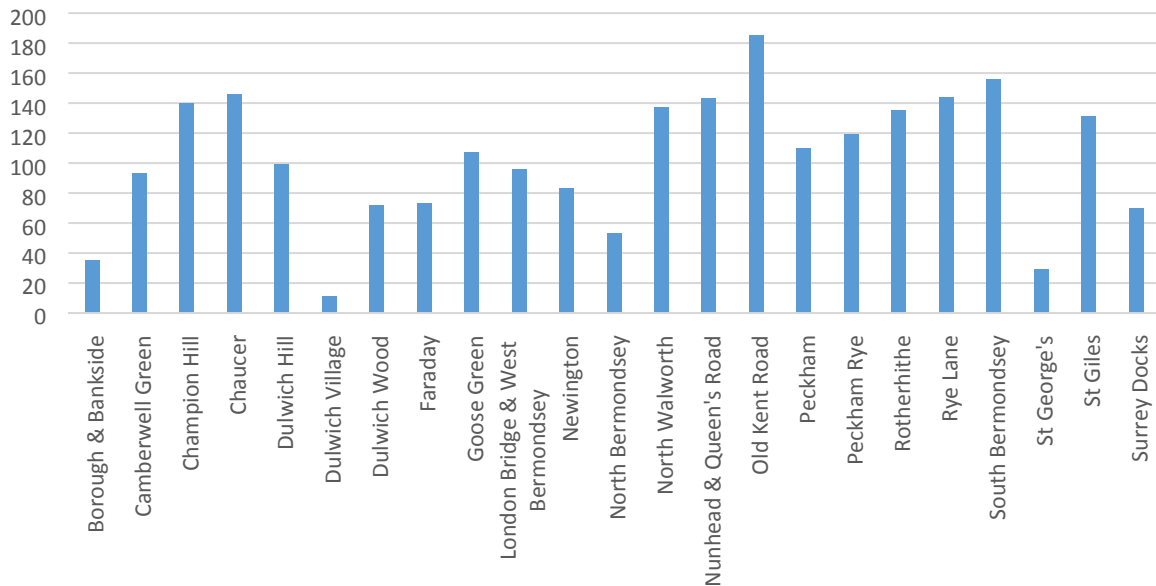


Figure 34. Number of ASB incidents linked to HMOs by ward (Source Ti 2019).

High level of ASB can be used as a proxy indicator of poor property management. HMO properties often have higher levels of transience which can result in higher waste production and ASB by tenants.

ASB incidence rates per 100 HMOs range between 120 (Champion Hill) and the lowest rates 17 (Dulwich Village). However, it also shows that ASB linked to HMOs occurs across all wards (Figure 35).

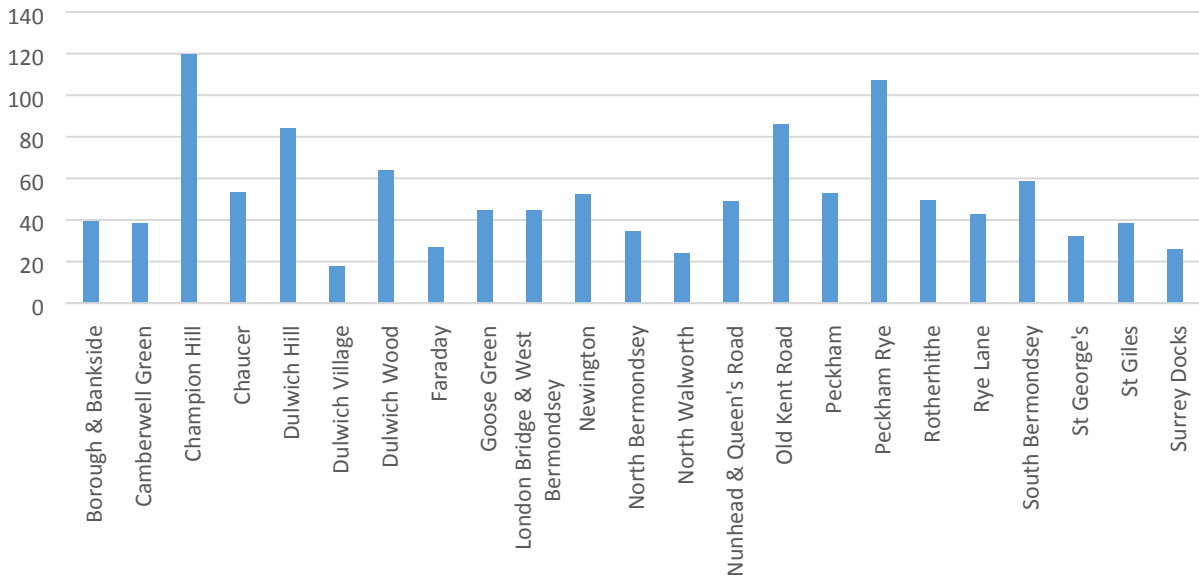
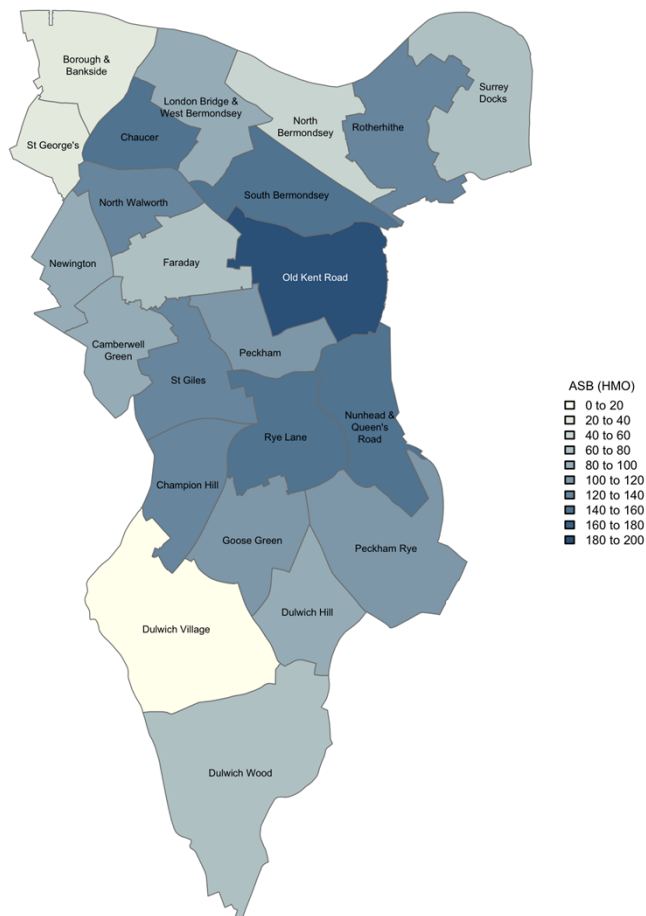


Figure 35. ASB linked to HMOs per 100 properties by ward (Source Ti 2019).



Map 8: Distribution of HMOs with ASB (Source Ti 2019, map by Metastreet)

3 Policy Context

3.1 PRS Strategy - London

Rapid PRS growth has been seen across London over the last 15 years. The policy response has generally been for greater regulation of the market through property licensing to mitigate some of the concerns that accompany large and growing PRS populations, including HMOs (Table 2).

Table 2. Overview of the PRS and property licensing across London.

Borough	No. PRS	% PRS	Selective Licensing (Y/N)	Additional Licensing (Y/N)	Notes
L.B. Haringey	43,775	40.2%	No	Yes	Additional licensing introduced in 2019 borough wide
L.B Newham	52,000	47%	Yes	Yes	Borough wide additional and selective licensing introduced in 2013, renewed in 2017 excluding Olympic Park area.
L.B. Havering	30,215	29%	No	Yes	Additional licensing introduced in 2018 in 12 of 18 wards
L.B. Croydon	58,585	35.6%	Yes	No	Borough wide selective licensing, due for renewal in 2020
L.B. Enfield	43,500	34%	No	No	Currently proposing a borough wide additional licensing and large selective scheme
L.B Barking and Dagenham	21,000	28%	Yes	No	Borough wide selective licensing introduced in 2014, Renewed in 2019
L.B. Waltham Forest	38,000	39%	Yes	No	Borough wide licensing introduced in 2015, currently under renewal
Westminster C.C.	55,784	44%	No	No	Currently no discretionary property licensing
L.B. Redbridge	30,000	30%	Yes	Yes	Borough wide additional and 78% Selective introduced in 2016

L.B. Islington	25,217	27%	No	No	Proposed borough wide additional and ward based selective
L.B. Brent	35,000	32%	Yes	Yes	Borough wide additional, ward based selective
L.B Camden	NA	32.2%	No	Yes	Borough-wide additional licensing
L.B Southwark	42,964**	29.4%	Yes	Yes	Borough wide additional, area based selective
L.B. Hammersmith & Fulham	NA	33%	Yes	Yes	Borough wide additional, area based selective

*Additional licensing - relates to small HMOs only (3 & 4 person) **Selective licensing - related to all private single-family dwellings ** Figures updated by this report

4 Conclusions

Southwark's PRS has grown steadily in recent years, from 19.8% (2006) to 29.4% (2019). The PRS in Southwark is distributed across all 23 wards (Figure 15 & Map 2).

There are a total of 146,112 residential properties in Southwark, 29.4% (42,964) of which are PRS, 34.8% (50,821) are owner occupied and 35.8% (52,327) socially rented (Figure 13).

Poor housing conditions are prevalent in the PRS. **8,497** PRS properties are predicted to have at least 1 serious hazard (Category 1, HHSRS). This represents 19.7% of the PRS stock, higher than the national average (14%). (Figure 19).

There are significant levels of ASB linked to private rented properties across the borough (Figure 26). Over the last 5-years, 8,431 ASB incidents in the PRS have been recorded. PRS properties are significantly more likely have an ASB incident compared to owner occupied properties. Most ASB incidents are domestic noise.

Southwark Council makes significant numbers of PRS interventions. (Figure 24 & Map 3). Council officers carried out 14,570 interventions in PRS properties over a 5-year period, this was made up of proactive visits and inspection after receiving a complaint. This resulted in 609 housing and public health notices. (Figure 23).

11% of PRS properties in Southwark have an E, F, and G rating. 2% of PRS properties have an F and G rating (Figure 22). Extrapolated to the entire PRS, 790 PRS properties are likely to fail the MEES statutory minimum requirement.

Southwark has some of the highest statutory homelessness rates in London (ranked 6, Figure 11). Southwark faces challenges relating to IMD, with 16 of 23 wards have aggregated IMD rankings below the national average. However, Southwark has better than average scores for evictions from rented property.

Southwark has 5,031 properties predicted to be HMOs (Figure 30 & Map 6). HMOs are distributed across all wards. HMOs as a subset of the PRS in Southwark have higher rates of ASB and Category 1 hazards.

Appendix 1 – Ward summaries**Table 3. Ward summary overview (Source Ti 2019).**

Ward	Summary (All council data is 5 consecutive years, from April 2014 – March 2019)	
Borough & Bankside	Total residential stock	6381
	% PRS	29.5%
	No. PRS	1,880
	No. ASB incidents	188
	No. Category 1 hazards	204
Camberwell Green	Total residential stock	7,115
	% PRS	25.2%
	No. PRS	1,791
	No. ASB incidents	335
	No. Category 1 hazards	405
Champion Hill	Total residential stock	4,364
	% PRS	21.2%
	No. PRS	924
	No. ASB incidents	398
	No. Category 1 hazards	254
Chaucer	Total residential stock	7,090
	% PRS	31.8%
	No. PRS	2254
	No. ASB incidents	401
	No. Category 1 hazards	424
Dulwich Hill	Total residential stock	4,211
	% PRS	26.2%
	No. PRS	1,102
	No. ASB incidents	292
	No. Category 1 hazards	233
Dulwich Village	Total residential stock	4,059
	% PRS	16.0%
	No. PRS	649
	No. ASB incidents	162
	No. Category 1 hazards	157
Dulwich Wood	Total residential stock	4,546
	% PRS	29.2%
	No. PRS	1,326
	No. ASB incidents	327
	No. Category 1 hazards	249
Faraday	Total residential stock	5,530

	% PRS	32.4%
	No. PRS	1,794
	No. ASB incidents	205
	No. Category 1 hazards	419
Goose Green	Total residential stock	6,668
	% PRS	28.8%
	No. PRS	1,918
	No. ASB incidents	416
	No. Category 1 hazards	477
London Bridge & West Bermondsey	Total residential stock	8,453
	% PRS	27.2%
	No. PRS	2,303
	No. ASB incidents	473
	No. Category 1 hazards	347
Newington	Total residential stock	6,478
	% PRS	17.6%
	No. PRS	1,141
	No. ASB incidents	357
	No. Category 1 hazards	320
North Bermondsey	Total residential stock	8,448
	% PRS	28.9%
	No. PRS	2,441
	No. ASB incidents	345
	No. Category 1 hazards	322
North Walworth	Total residential stock	8,177
	% PRS	38.4%
	No. PRS	3,140
	No. ASB incidents	377
	No. Category 1 hazards	570
Nunhead & Queen's Road	Total residential stock	6,921
	% PRS	36.5%
	No. PRS	2,523
	No. ASB incidents	571
	No. Category 1 hazards	578
Old Kent Road	Total residential stock	7,469
	% PRS	30.8%
	No. PRS	2,297
	No. ASB incidents	461
	No. Category 1 hazards	388
Peckham	Total residential stock	6,003
	% PRS	30.1%
	No. PRS	1,807

	No. ASB incidents	400
	No. Category 1 hazards	354
Peckham Rye	Total residential stock	4,345
	% PRS	33.1%
	No. PRS	1,438
	No. ASB incidents	330
	No. Category 1 hazards	278
Rotherhithe	Total residential stock	7,428
	% PRS	30.3%
	No. PRS	2,247
	No. ASB incidents	457
	No. Category 1 hazards	457
Rye Lane	Total residential stock	6,781
	% PRS	33.3%
	No. PRS	2,258
	No. ASB incidents	402
	No. Category 1 hazards	495
South Bermondsey	Total residential stock	7,331
	% PRS	35.7%
	No. PRS	2,617
	No. ASB incidents	529
	No. Category 1 hazards	459
St George's	Total residential stock	4,513
	% PRS	23.4%
	No. PRS	1,055
	No. ASB incidents	154
	No. Category 1 hazards	145
St Giles	Total residential stock	7,288
	% PRS	29.2%
	No. PRS	2,126
	No. ASB incidents	544
	No. Category 1 hazards	555
Surrey Docks	Total residential stock	6,513
	% PRS	29.7%
	No. PRS	1,933
	No. ASB incidents	307
	No. Category 1 hazards	407

Ward	No. HMOs	No. Category 1 hazards	No. ASB incidents
Borough & Bankside	89	77	35
Camberwell Green	241	222	93
Champion Hill	117	110	140
Chaucer	274	257	146
Dulwich Hill	118	98	99
Dulwich Village	63	59	11
Dulwich Wood	113	102	72
Faraday	270	239	73
Goose Green	239	214	107
London Bridge & West Bermondsey	216	170	96
Newington	158	152	83
North Bermondsey	153	142	53
North Walworth	575	322	137
Nunhead & Queen's Road	293	277	143
Old Kent Road	215	203	185
Peckham	208	188	110
Peckham Rye	111	110	119
Rotherhithe	272	254	135
Rye Lane	337	277	144
South Bermondsey	267	236	156
St George's	90	81	29
St Giles	340	286	131
Surrey Docks	272	266	70

Table 4. Ward HMO summary data (Source Ti 2019).

Appendix 2 - Tenure Intelligence (Ti) – stock modelling methodology

This Appendix explains at a summary level Metastreet’s Tenure Intelligence (Ti) methodology (Figure 36).

Ti uses a wide range of data to spot trends at the property level. Machine learning is used in combination with expert housing knowledge to accurately predict a defined outcome at the property level.

Council and external data have been assembled as set out in Metastreet’s data specification to create a property data warehouse.

Machine learning is used to make predictions of defined outcomes for each residential property, using known data provided by Southwark Council.

Results are analysed by skilled practitioners to produce a summary of housing stock, predictions of levels of property hazards and other property stressors. The results of the analysis can be found in the report findings chapter.

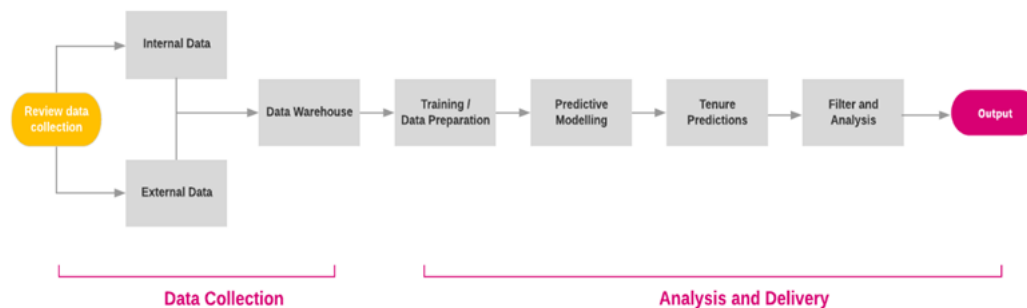


Figure 36. Summary of Metastreet Tenure Intelligence methodology.

Methodology

Metastreet has worked with Southwark Council to create a residential property data warehouse based on a detailed specification. This has included linking approximately 8 million cells of data to 164,378 unique property references, including council and externally sourced data. All longitudinal council held data is 5 consecutive years, from April 2014 – March 2019

Once the property data warehouse was created, the Ti model was used to predict tenure and stock condition using the methodology outlined below.

Machine learning was utilised to develop predictive models using training data provided by the council. Predictive models were tested against all residential properties to calculate risk scores for each outcome. Scores were integrated back into the property data warehouse for analysis.

Many combinations of risk factors were systematically analysed for their predictive power using logistic regression. Risk factors that duplicated other risk factors but were weaker in their predictive effect were eliminated. Risk factors with low data volume or higher error are also eliminated. Risk factors that were not statistically significant are excluded through the same processes of elimination. The top 5 risk factors for each model have the strongest predictive combination.

Four predictive models have been developed as part of this project. Each model is unique to Southwark, they include:

- Owner occupiers
- Private rented sector (PRS)
- Houses in Multiple occupation (HMO)
- PRS housing hazards

Using a D^2 constant calculation it is possible to measure the theoretical quality of the model fit to the training data sample. This calculation has been completed for each model. The D^2 is a measure of “predictive capacity”, with higher values indicating a better model.

Based on the modelling each residential property is allocated a probability score between 0-1. A probability score of 0 indicates a strong likelihood that the property tenure type is *not* present, whilst a score of 1 indicates a strong likelihood the tenure type *is* present.

Predictive scores are used in combination to sort, organise and allocate each property to one of 4 categories described above. Practitioner skill and experience with the data and subject matter is used to achieve the most accurate tenure split.

It is important to note that this approach cannot be 100% accurate as all mathematical models include error for a range of reasons. The D^2 value is one measure of model “effectiveness”. The true test of predictions is field trials by the private housing service. However, error is kept to a minimum through detailed post analysis filtering and checking to keep errors to a minimum.

A continuous process of field testing and model development is the most effective way to develop accurate tenure predictions.

The following tables include detail of each selected risk factors for each model. Results of the null hypothesis test are also presented as shown by the Pr(>Chi) results. Values of <0.05 are generally considered to be statistically significant. All the models show values much smaller, indicating much stronger significance.

Owner occupier model

The owner occupier model shows each of the 5 model terms to be statistically significant, with the overall model showing a “predictive capacity” of around 73% (Table 5).

Table 5. Owner occupier predictive factors.

Risk factors selected	<u>Pr(>Chi)*</u>
No. of accounts in 5 years	0.0009172
Liabile address same as responsible	1.109e-10
Mosaic Public Sector 6 Type	0.0009484
EPC transaction type	4.679e-11
Earliest year of current electors	0.0964847
Training data, n= 386	
D ² test = 0.73**	

* Pr(>Chi) = Probability value/null hypothesis test, ** D² test = Measure of model fit

PRS predictive model

The PRS model shows that each of the 5 model terms is statistically significant, with the overall model having a “predictive capacity” of around 86% (Table 6).

Table 6. PRS predictive factors.

Risk factors selected	Pr(>Chi)
Mosaic Public Sector 6 Type	0.0009484

No. of accounts in 5 years	0.0009172
Tenancy deposit	0.0291487
HB claims last 3 years	0.0291487
LBS interventions	2.2e-16
Training data, n= 386	
D ² test = 0.86	

HMO (House in Multiple Occupation) model

This model predicts the likelihood that a UPRN will be a HMO (Table 7). Each of the 5 model terms is statistically significant and the overall model has a “predictive capacity” of around 75%.

Table 7. HMO predictive factors.

Risk factors selected	Pr(>Chi)
LBS interventions	0.0027080
Ctax number of liable occupants	0.0074888
Electors in 5 years	1.966e-09
Ctax liability order	8.621e-11
EPC no. habitable rooms	2.2e-16
Training data, n= 519	
D ² test = 0.745	

Category 1 (HHSRS) hazards model

Numerous properties where the local housing authority has taken action to address serious hazards were sampled for training data, including poor housing conditions. Specifically, this included Housing Act 2004 Notices served on properties to address Category 1 hazards. The model results show that each of the model terms is statistically significant, with the overall model having a “predictive capacity” of around 83% (Table 8).

Table 8. Category 1 (HHSRS) hazard predictive factors.

Risk factors selected	<u>Pr (>Chi)</u>
HB claims last 3 years	0.0069933
EPC heating cost current	0.0033476
LBS interventions	1.390e-06
Ctax liability order	2.876e-08
Ctax balance all liabilities	0.0004409
Training data, n= 338	
D ² test = 0.83	

Version, Final

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Consultation on Proposals for the Private Rented Sector

2021-2026

Proposals for licensing in
Southwark 2021-2026
Appendix 2

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Summary

1. The London Borough of Southwark are consulting on its proposals to introduce discretionary licensing schemes, covering both Houses in Multiple Occupation (HMOs) and other privately rented homes. The consultation will be for 12 weeks and offer residents, business owners, landlords and managing agents, stakeholders and partners and neighbouring authorities the opportunity to give their views on these proposals. The Council will use a range of methods to draw attention to the plans and to provide people and organisations the opportunity to comment on them.
2. This document contains information on the following proposed schemes:
 - a. Additional Licensing of HMOs – the proposal is to introduce a scheme that would see licensing required for all types of HMO across the entire borough.
 - b. Selective licensing – four distinct schemes are proposed:
 - i. Designation 1 – covering 2 wards that have issues with anti-social behaviour.
 - ii. Designation 2 – covering 3 wards that have significant issues with property condition.
 - iii. Designation 3 – covering 4 wards that show issues with both deprivation and property condition.
 - iv. Designation 4 - covering 10 wards that have issues with property conditions.
3. There is also information about the proposed fees and proposed discounts that would apply to the schemes.
4. The proposed differentiated licence conditions that would apply to the various schemes is set out after each proposed scheme.
5. Further proposed information about the licensing process is also given, which covers:
 - a. who can be a licence holder and the fit and propose person test,
 - b. refunds and additional charges,
 - c. how license's will be transferred from previous schemes,
 - d. the application process,
 - e. enforcement and penalties, and
 - f. how the schemes will be reviewed.

Introduction

6. The legal definition of a House in Multiple Occupation (HMO) is extensive, but a brief definition is: a dwelling that's occupied by three or more people in two or more households (families), who share at least one basic amenity (kitchen, bathroom or toilet). You can read the legislation regarding the definition of a house or flat in multiple occupation here <http://www.legislation.gov.uk/ukpga/2004/34/part/7/crossheading/meaning-of-house-in-multiple-occupation>
7. Some buildings converted into self-contained flats can also be HMOs if they were converted without complying with the 1991 Building Regulations. This is defined in section 257 of the Housing Act 2004. You can read the legislation for the definition of HMOs which are converted blocks of self-contained flats here <http://www.legislation.gov.uk/ukpga/2004/34/section/257>
8. There are 3 types of licensing that can apply to properties in the private rented sector. All three types are included in this document. These are:
 - Mandatory Licensing - Under part 2 of the Housing Act 2004, places a duty on local authorities to operate a mandatory licensing scheme. Larger HMOs that are occupied by 5 or more persons forming at least 2 separate households are required to be licensed under this scheme.
 - Additional Licensing – Part 2 of the Housing Act 2004 also gives local authorities power to license HMOs that are not covered by mandatory licensing.
 - Selective licensing - Part 3 of the Housing Act 2004 gives local authorities power to license privately rented properties that are not covered by mandatory or additional licensing.

Additional and selective licensing is sometimes referred to as discretionary licensing as the decision to bring the schemes in is down to the discretion of the local authority.
9. This document includes information regarding mandatory licensing to not only give a fuller picture of the extent of licensing within Southwark, but to introduce proposals for changes to the scheme's discretionary conditions and fees. These changes are designed to be consistent with proposals for the additional licensing scheme and are the only parts of the mandatory scheme that will be subject to consultation.

Objectives

10. It is recognised that licensing is part of an overall approach to help improve the private rented offering within the London Borough of Southwark and outcomes achieved may not be solely as a result of licensing. With this caveat, progress will be assessed against the following key objectives:

- a. Objective - Reduction in ASB and repeat ASB incidents in PRS properties.

This applies to Mandatory HMO Licensing and proposed Selective Licensing - Designation 1 – see pages 6 -14 (Mandatory) and pages 17 – 23 (Designation 1).

- b. Objective – Improve property standards in the borough.

This applies to Mandatory and Additional HMO Licensing and Selective Licensing – proposed Designations 2, 3 and 4 – see pages 6 -15 (Mandatory and Additional) and pages 24 – 48 (Designations, 2, 3 and 4)

- c. Objective – Ensure compliance with licence conditions.

This applies to all schemes – see pages 6 – 48.

- d. Objective – Reduce the factors that contribute to deprivation.

This applies to Selective Licensing – proposed Designation 3 – see pages 32 – 40.

- e. Objective – Maximise the number of licensable properties that are licensed.

This applies to all schemes – see pages 6 – 48.

- f. Objective – Improve the professionalism of landlords and managers and the management of PRS property.

This applies to all schemes – see pages 6 – 48.

Mandatory Licensing proposals specific to the scheme

Properties covered by the scheme

11. All houses let in multiple occupation in the borough, that are occupied by 5 or more people, in 2 or more households require a licence under the mandatory licensing scheme.

Exemptions

12. Exemptions to the mandatory licensing scheme include:

- a) Properties that meet the converted block of flats test (section 257 HMOs), unless the individual flat/s meet the mandatory test, i.e. that the flat is multiply let to 5 or more persons in 2 or more households.
- b) Flats in Multiple Occupation in a purpose-built block of flats that houses 3 or more flats.
- c) properties let by a local authority or a Registered Provider (RP), traditionally known as a not-for-profit Housing Association.
- d) properties already subject to a management order or empty dwelling management order.
- e) properties subject to a temporary exemption notice.
- f) owners who reside in property they own as their main residence (owner-occupiers).
- g) holiday lets; and tenancies under a long lease and business tenancies.
- h) an HMO which is managed by a charity registered under the Charities Act 2011 and which—
 - i) is a night shelter, or
 - ii) consists of temporary accommodation for persons suffering or recovering from drug or alcohol abuse or a mental disorder.
- i) Any building which is occupied principally for the purposes of a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering.
- j) Student accommodation directly managed by educational institutions, e.g. halls of residence.
- k) Single family dwellings where a dwelling is occupied by one household.
- l) Homes with up to 2 lodgers.

Fees

13. The Council is required to split the fees into two payments. The initial part of the fee is charged to cover the processing of the application. If the application for a licence is successful a further fee will be charged before the full licence can be issued. This second fee is to cover the cost to the council for enforcement of the licence. What the actual split will be is to be determined following the consultation.

14. The flat fee covers the first 5 bedrooms with a small additional charge per bedroom above 5. (This is a change from the 'per bedroom' only fee under the current scheme).

15. The fee is proposed to be £1,500 + £100 per room above 5 bedrooms.

Conditions

16. The following are standard conditions that will be attached to each licence. The Licence Holder must comply with the following conditions throughout the duration of the licence.

17. There are two types of conditions that can be applied, mandatory conditions must apply as required by Schedule 4 of the Housing Act 2004 and discretionary conditions which the council can set for the management, use, occupation, condition and contents of the HMO.
18. In some circumstances, where the council believes there are specific issues not covered in the standard conditions for a particular property additional or more specific conditions will be added.
19. These mandatory conditions are prescribed by Schedule 4 Housing Act 2004 and The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018.
20. The following are standard conditions that will be attached to each licence. The Licence Holder must comply with the following conditions throughout the duration of the licence:

1. General

- 1.1 The property licence must be displayed within a communal area of the property and a copy of the conditions should be made available to all the occupying tenants (*discretionary condition*).
- 1.2 The address of the Licence Holder given on their application form shall be used as the address for the proper service of any letter, notice or other document between the London Borough of Southwark Property Licensing Team and the Licence Holder. It is the Licence Holder's responsibility to ensure that they take all reasonable steps to collect and act upon any letter, notice or other document sent to that address on a regular basis (*discretionary condition*).
- 1.3 The Licence Holder must notify the Council of any managing agent that they employ in relation to the property within 14 days of having employed the agent (*discretionary condition*).
- 1.4 No other persons other than the Licence Holder or the named agent (that the Licence Holder has notified to the Council) can collect and receive rental monies from the tenant(s) at this property. These monies can be passed onto any third parties if required (*discretionary condition*).
- 1.5 If the Licence Holder is not the manager of the property it is their responsibility to ensure that the manager complies with all the conditions of the licence (*discretionary condition*).
- 1.6 Every habitable room in the property must have acceptable natural daylight and ventilation. An area of glazing which is equivalent to at least 10% of the internal floor space of each habitable room must be provided. An area of openable glazing (for ventilation) which is equivalent to at least 20% of the internal floor space of each habitable room must be provided (*discretionary condition*).
- 1.7 The Licence Holder is in control of property with an Energy Performance Certificate (EPC) Rating of less than 'E'.

The Licence Holder shall within twelve months of the licence being issued carry out the works detailed on the EPC for the property to improve the energy efficiency of the HMO to achieve an EPC rating of 'E' or above

OR

within three months of the licence being issued register a valid exemption on the national exemptions register -

Guidance - <https://www.gov.uk/government/publications/private-rented-sector-minimum-energy-efficiency-standard-exemptions>

Register - <https://prsregister.beis.gov.uk/NdsBeisUi/used-service-before>

Where there is a lack of compliance, enforcement will be under the The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and The Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019.

(discretionary condition).

2. Gas Safety

- 2.1 If gas is supplied to the property, a valid Gas Safe gas safety certificate must be available, on request, at any time. The gas safety certificate must relate to the whole gas installation and include all gas appliances. It must demonstrate that all appliances have been serviced and safety checked within the previous twelve months. Any defects noted on the certificate must be promptly rectified *(mandatory condition)*.
- 2.2 The Licence Holder is required to ensure that a carbon monoxide detector is installed and kept in working order in any room within the premises where a solid fuel appliance is installed. The Licence Holder must supply to the authority, on demand, a declaration by as the condition and positioning of such alarms *(mandatory condition)*.

3. Electrical Safety

- 3.1 The Licence Holder shall ensure that every electrical installation in the house is in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of the electrical installation(s) in the house. The Licence Holder shall ensure that any electrical appliances supplied by the licence holder, (e.g. fridges, kettles, lawn mowers, hedge trimmers, etc.) in the house are in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of any electrical appliances in the property (supplied by the licence holder). Only approved Electrical contractors are to be permitted to carry out inspections of electrical installations and appliances or remedial works. Any necessary remedial works identified by such contractors shall be undertaken within a reasonable time period. The Licence Holder must, within seven days of inspection, provide the London Borough of Southwark with a copy of such inspection reports. The Licence Holder shall inform the London Borough of Southwark upon completion of such works *(mandatory condition)*.
- 3.2 A valid Portable Appliance Testing (PAT) record must be available, on request, at any time, for all electrical appliances provided in the property by the licence holder. PAT tests should be carried out every twelve months with records kept for at least five years. Any necessary maintenance or repair work must be undertaken by a competent electrical engineer in accordance with Part P of the Building Regulations. Copies of all maintenance records and PAT testing must be provided to the Council on request *(discretionary condition)*.
- 3.3 Where low-risk (i.e. works that are only recommended and are not required to protect safety) works have been identified for remediation on the Electrical Installation Condition Report (EICR), the Licence Holder shall at the expiry of the EICR (5 years from the date of issue) or within two years from the date of the licence, whichever comes sooner, have those works carried out. The licence holder must inform the Council when the works have been completed and provide an updated EICR *(discretionary condition)*.

4. Furniture

- 4.1 The Licence Holder is required to keep furniture made available by them in the house in a safe condition and must supply the authority, on demand, with a declaration by them as to the safety of such furniture (*mandatory condition*).

5. Fire Precautions

- 5.1 Provide fire precaution facilities and equipment at the property, as deemed necessary by the London Borough of Southwark. Information on necessary fire precautions and equipment for the property will be provided to the licence holder. Fire precautions and equipment must be maintained in proper working order. Appropriate records of such maintenance, such as current certificates, are to be kept and produced to the London Borough of Southwark on demand as evidence of such maintenance. Any defects noted on certification must be promptly rectified.

Provide details of fire exit routes to tenants and, in respect of the fire alarm system, ensure that all tenants are aware of fire and fault indications, are adequately familiar with controls (e.g. resetting) and aware of measures to avoid false alarms. Tenants should be aware of what to do in the case of a fire.

The LACoRs Fire Guide provides guidance on the levels of fire precautions expected in different types of HMO -

http://www.southwark.gov.uk/downloads/download/4354/lacors_fire_guidance

(*discretionary condition that ensures we are meeting mandatory requirements*)

- 5.2 The Licence Holder must supply to the authority, on demand, a declaration by them as to the condition and positioning of any smoke alarms (*mandatory condition*).
- 5.3 At the start of each tenancy, occupants must be given appropriate fire safety advice regarding the means of escape in case of fire and other fire precautions. In particular, the importance of keeping fire doors closed and keeping the escape route clear (*discretionary condition*).
- 5.4 Constatute with the requirements of the Regulatory Reform (Fire Safety) Order 2005 (<http://www.legislation.gov.uk/ukxi/2005/1541/contents/made>) the manager shall make a suitable and sufficient assessment of the risks to which tenants or visitors to the HMO are exposed for the purpose of identifying the general fire precautions required at the HMO. The manager shall supply a copy of the risk assessment to London Borough of Southwark on demand (*discretionary condition*).
- 5.5 Following testing, the Government have advised that several fire door manufacturers have failed the standard testing requirements, meaning that the fire doors sold will not hold back fire for a minimum of 30 minutes. This presents a significant safety risk to occupants.

The Government have issued some guidance to the private sector in relation to fire doors: https://www.gov.uk/government/publications/advice-for-building-owners-on-assurance-and-replacing-of-flat-entrance-fire-doors?utm_source=8f072d3d-8cb9-40d8-9d2f-edb0c7a50b03&utm_medium=email&utm_campaign=govuk-notifications&utm_content=weekly

The licence holder shall carry out a full inspection of any fire doors installed in the HMO. The licence holder shall ensure that:

- The door is sound and in good repair.
- Any glazing in the door is in good repair and at least 6mm minimum thick wired cast glass.
- The door been fitted with 100mm butt hinges that are securely fixed.

- The intumescent strips and cold smoke seals are in place and in good repair.
- The self-closer fitted to the door operates correctly, closing the door without intervention.
- The gap between the frame and the door is no more than 3mm.

The licence holder shall submit to the Council within three (3) months of the date of the licence a signed declaration stating that the above has been carried out.

In addition, the licence holder shall submit to the Council within three (3) months the licence manufacturers certification that the door meets the relevant British Standard for fire resistance and smoke control. Where you cannot evidence that the fire door meets the relevant British Standard for fire resistance and smoke control from both sides, carry out the following:

- Review your fire risk assessment.
- Put in place interim measures to mitigate the risk of sub-standard doors. The level of interim measures will depend on the nature and size of the building but could include;
 - advising the occupants in writing of the evacuation procedures and the reason and need to keep fire doors closed,
 - carrying out fire drills,
 - decreasing the intervals between management inspections,
 - putting in a waking watch,
 - making sure the route of escape is free of obstacles and combustible materials,
 - where it is safe to do so providing escape windows.

With the interim measures in place, either:

- either obtain third party certification that the in-situ doors meet the relevant British Standard, or
- plan to replace the doors.

Where you are uncertain that the doors to be purchased are from a manufacturer that can supply actual certified 30-minute fire resistant doors then we would recommend buying and installing doors labelled as 60-minute fire resistant. By doing so you are providing yourself with some assurance that the doors should at least provide 30-minute fire resistant if not greater.

The licence holder shall submit to the Council within twelve (12) months of the date of the licence third party certification that the in-situ doors meet the relevant British Standard or manufacturers certification relating to the resistance of the new fire doors installed at the HMO (*discretionary condition*).

- 5.6 The licence holder must inform the Council by email [add email] within 72 hours of becoming aware of the occurrence of a fire within the house (*discretionary condition*).

6. Tenancy Matters

- 6.1 The Licence Holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property (*mandatory condition*), details of the arrangements in place to deal with repair issues and emergency issues and a copy of

this licence and its conditions. Copies of the written statement of terms must be provided to the Council within 7 days upon demand (*discretionary condition*).

- 6.2 The Licence Holder shall ensure that only they or the named agent (that the Licence Holder has notified to the Council) creates new tenancies or licences to occupy this property whilst this licence is in force. Copies of any new written terms of tenancies or licences must be provided to the Council within 28 days upon demand (*discretionary condition*).
- 6.3 The Licence Holder shall not cause or permit any person who has previously applied for a property licence in respect of the property and has either:
- (a) been found not to be a Fit and Proper person, or
 - (b) been made subject to a Banning Order under the Housing and Planning Act 2016 to have control or management of the property, or to carry out or arrange any repair, improvement or other building works at the property (*discretionary condition*).

7. Anti-Social Behaviour

- 7.1 The Licence Holder shall take all reasonable and practical steps for preventing and dealing with anti-social behaviour and undertaking a thorough process of reasonable and effective steps to deal with any complaints that have been made directly to them or via Southwark Council or the Metropolitan Police, regarding their occupiers. For the purpose of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the house and/or their visitors, which causes a nuisance or annoyance to other occupants of the house, to lawful visitors to the house or to persons residing in or lawfully visiting the neighbouring area of the house (*discretionary condition*).

8. Waste Disposal

- 8.1 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:
- The collection days for the refuse and recycling bins for the property (LINK TO WEBSITE)
 - Details on what they can and can't recycle (LINK TO WEBSITE)
 - How they can dispose of bulky waste. (LINK TO WEBSITE)
 - General waste guidance from the Council's website: (LINK TO WEBSITE).

A copy of the information provided to the occupiers must be kept for 5 years and provided to the Council within 28 days on demand.

- 8.2 The Licence Holder must provide the tenants with adequate facilities for the disposal of refuse and recycling. The Licence Holder must ensure that there are suitable and appropriate receptacles for the storage of household refuse and recycling between collections, so that bags or loose refuse and recycling are not stored outside the property.
- 8.3 Where the standard local authority waste collection schemes do not suffice, the Licence Holder must arrange for private collections of waste from the property.
- 8.4 The Licence Holder shall carry out regular checks and ensure that the common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities, other than waste stored in appropriate receptacles for the storage of household refuse and recycling; and that waste such as old furniture, bedding, rubbish or refuse from the property is not left outside the property or in its vicinity.

- 8.5 The Licence Holder must not leave old furniture, bedding, rubbish or refuse from the property on the immediately outside the property or private land.
- 8.6 The Licence Holder must ensure that any type of waste which the Council does not routinely collect such as hazardous waste is disposed of in a safe and lawful manner.
- 8.7 If the Licence Holder becomes aware that the occupiers of the property or their visitors are not using the waste disposal facilities provided and/or leaving waste outside the property or in its vicinity (for example old furniture, mattresses), they must write a warning letter to the occupiers within 7 days advising them to remove the items immediately. A copy must be kept and must be provided to the Council within 28 days on demand.

(discretionary conditions that ensure we are meeting mandatory requirements).

- 8.8 The licence holder shall label any furniture, soft furnishing and kitchen appliances and white goods provided at the property, using a suitable indelible marker pen (removable labels are not acceptable) with the address and, where relevant, the room number the articles relate too, e.g. Room 1, 38, postcode. The labelling should be readable and clear. The licence holder will regularly check the labelling and re-label should the existing labelling have faded to the point it can no longer be read. This doesn't apply to articles provided by the tenants. Note. This condition will be applied in defined hotspot areas where there have been significant issues with dumping of articles of furniture, etc. as a way of easily identifying the properties the articles come from. *(discretionary condition).*

9. Fit and Proper Person

- 9.1 If the Licence Holder becomes aware that they or any other person involved in the management of the property have received a conviction, caution, informal warning or reprimand in respect of any offence as detailed in the HMO Licence application form, they must notify the Council in writing within 14 days of the information coming to their attention *(discretionary condition).*

10. Changes in the use and layout of the Property

- 10.1 No changes must be made to the use, layout or maximum occupancy level of the property without the Council's prior written consent *(discretionary condition).*

11. Council Standards for Licensable Houses in Multiple Occupation

- 11.1 The maximum occupancy for this house in multiple occupation is **X** people in **X** households *(mandatory condition).*
- 11.2 Table to be inserted stating room, room size, maximum people and maximum households.
- 11.3 The Licence Holder must ensure that no room is used by more than the number of persons specified in the licence *(mandatory condition).*
- 11.4 The total of number of people must not exceed the maximum stated. The table above outlines the number of people and households allowed per room *(discretionary condition).*
- 11.5 Licensed properties must comply with Southwark's Standards for HMOs within 18 months of the licence being granted and for the remaining duration of the licence *(discretionary condition).*

11.6 The Licence Holder is required:

- a) to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres (*mandatory condition*);
- b) to ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres (*mandatory condition*);
- c) to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres (*mandatory condition*);
- d) to ensure that any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation (*mandatory condition*).

11.7 The Licence Holder shall ensure that:

- a) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence (*mandatory condition*);
- b) where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence (*mandatory condition*);
- c) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified (*mandatory condition*).

A reference to a number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO (*mandatory condition*).

For the purposes of paragraph's 11.6 and 11.7 a room is used as sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes (*mandatory condition*).

Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be considered in determining the floor area of that room for the purposes of this paragraph (*mandatory condition*).

11.8 The terms of these conditions are unique to this property and cannot be applied to any other property (*discretionary condition*).

11.9 For the purposes of this licence, any occupier is regarded as one person, regardless of age (*discretionary condition*).

12. Access to Utility Meters

12.1 The licence holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the licence holder shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters (*discretionary condition*).

13. Flats in Multiple Occupation in a block of flats

13.1 The licence holder shall ensure the tenants of the Flat in Multiple Occupation (FMO) are informed in writing of the fire safety arrangements in place within the block, being, but not restricted to:

- Evacuation arrangements, e.g. an all-out or stay-put policy.
- The safest route to safety from the FMO.
- The designated fire assembly area.
- Fire Drill arrangements (if any).
- Fire Warden and/or waking watch arrangements (where provided).
- The nearest manual call point (where provided).

(discretionary condition)

14. Training Courses

14.1 The Licence Holder and manager of the house shall attend training courses or otherwise demonstrate competence in relation to any applicable codes of practice as specified by the London Borough of Southwark.

Details of Training Courses:

London Landlord Accreditation Scheme (LLAS) and:

Accreditation and Training for Landlords & Agents Service (ATLAS)

Website: www.londonlandlords.org.uk

The licence holder shall submit to the Council within twelve (12) months of the date of the licence copies of certification demonstrating competence and/attendance at the relevant training courses *(discretionary condition)*.

15. Interim Measures

15.1 The London Borough of Southwark have agreed interim safety and welfare measures with the licence holder to minimise the risk to tenants whilst works are carried out in relation to [fire safety] [space standards] [amenity standards]. These interim measures are:

[List measures – examples given below]

- Battery operated smoke detectors located in [add locations].
- Battery operated heat detectors located in [add locations].
- Battery operated hand-held emergency lighting located in [add locations].
- A 'waking fire watch' comprising:
 - 24 hour continuously staffed fire patrols of the building.
 - Trained and competent staff.
 - Staff given appropriate equipment and PPE.
 - An 'all out' evacuation plan managed by the watch staff.
- Undersized shower cubicles located in [add locations].
- Undersized baths located in [add locations].
- Microwaves located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Kettles located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Electrically operated space heaters [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]] [and] [the communal living rooms].

These interim measures shall be maintained in good repair, condition and where applicable, remain fully operational whilst in place. This includes, where applicable, adherence to standards and manufacturers guidance.

The licence holder must inform the Council by email [add address] within 72 hours of becoming aware of the failure of any of the interim measures (*discretionary condition*).

16. Missing documents

16.1 Provide electronic copies of the following documents that were missing from your licence application within 3 months of the issue of the licence:

[delete/add as appropriate]

- i. Energy Performance Certificate (EPC)(s)
- ii. Written tenancy agreement(s) with the occupying tenants.
- iii. Lease Agreements/Commercial Agreement with owner (if any)
- iv. Building insurance certificate
- v. Inventory of furniture and fittings(s)
- vi. Terms if contract (or a copy of your contract) with the Managing Agent (if any)
- vii. Gas Safety Certificate(s)
- viii. Portable Appliance Test (PAT) report(s)
- ix. Test certificates for fire alarm system
- x. Test certificates emergency lighting system
- xi. Asbestos report(s)
- xii. Fire Risk Assessment

Email the copies to [email address]

(*discretionary condition*)

16. Infectious Disease Control

16.1 In the event or either a national or local outbreak of an infectious disease (that poses a significant risk to health) that is spread by air, water or touch (or a combination of these), the licence holder shall as a minimum put in place the following measures:

- **Inform**

Notify all occupants in writing of the nature of the infectious disease, how it is spread and the measures put in place at the HMO to limit its spread.

Provide a Notice, clearly displayed, in an accessible common area, setting out the nature of the infectious disease, how it is spread and the measures put in place at the HMO to limit its spread.

- **Clean**

Increase the frequency of the cleaning schedule for all the common areas in the HMO, including (but limited to) living and dining areas, shared bathrooms, toilets and kitchens. The minimum frequency should be three times a week.

The cleaning regime should include (but is not limited to) the sanitisation/disinfection of:

- Door and window handles and locks,
- Doors, handles and controls of all white goods communally provided,
- Taps and plugs,
- Showers,

- Baths,
- Wash hand basins,
- Toilets,
- Shared surfaces, e.g. dining tables, chairs, coffee tables, etc.
- All shared surfaces and cupboards used in the storage, preparation and cooking of food and making drinks,
- The doors, handles and controls of cooking appliances and kettles.

- **Sanitise**

Provide hand sanitiser stations in each common room including (but limited to) living and dining areas, shared bathrooms, toilets and kitchens and at the main entrance to the HMO. The sanitiser should not be diluted in any way and supplied in pump action containers for ease of use.

Examples of an infectious disease that would require these measures to be put in place are, COVID-19, Tuberculosis, SARS-CoV, etc.

The licence holder must inform the Council by email [add email] within 72 hours of becoming aware of the occurrence of an outbreak.

(discretionary condition)

Additional Licensing proposals specific to the scheme

Properties covered by the scheme

21. All houses let in multiple occupation in the borough, that are not subject to mandatory licensing under the Housing Act 2004 will require a licence under the proposed additional licensing scheme.

Exemptions

22. Exemptions to the proposed additional licensing scheme include:

- a) properties licensable as an HMO under mandatory licensing;
- b) properties let by a local authority or a Registered Provider (RP), traditionally known as a not-for-profit Housing Association;
- c) properties already subject to a management order or empty dwelling management order;
- d) properties subject to a temporary exemption notice.
- e) owners who reside in property they own as their main residence (owner-occupiers).
- f) holiday lets; and tenancies under a long lease and business tenancies.
- g) an HMO which is managed by a charity registered under the Charities Act 2011 and which—
 - i) is a night shelter, or
 - ii) consists of temporary accommodation for persons suffering or recovering from drug or alcohol abuse or a mental disorder.
- h) Any building which is occupied principally for the purposes of a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering.
- i) Student accommodation directly managed by educational institutions, e.g. halls of residence.
- j) Homes let to up to two single people who are unrelated.
- k) Single family dwellings where a dwelling is occupied by one household.
- l) Homes with up to 2 lodgers.

Fees

23. The Council is required to split the fees into two payments. The initial part of the fee is charged to cover the processing of the application. If the application for a licence is successful a further fee will be charged before the full licence can be issued. This second fee is to cover the cost to the council for enforcement of the licence. What the actual split will be is to be determined following the consultation.

24. The fee is proposed to be £1,300.

25. This is a change from a per bedroom fee under the current scheme to a flat fee.

Conditions

26. The conditions attached to additional licences will in the main be the same as those attached to mandatory licences, with the exception that the condition relating to Anti-social behaviour will not apply as a general condition. Please refer to the section on mandatory licensing conditions set out from page 6.

27. In some circumstances, where the council believes there are specific issues not covered in the standard conditions for a particular property additional or more specific conditions will be added.

Selective licensing proposals

28. Part 3 of the Housing Act 2004 gives local authorities power to license properties that are not covered by mandatory or additional licensing.
29. The proposal is for selective licensing designations, which covers some of the existing selective licensing areas, some new areas that are not licensable under the current scheme and some changes to the fees and standard conditions on the licences.
30. All properties let in the private rented sector that are not included in the mandatory scheme, or included in the proposed additional licensing schemes, will be included in the selective licensing scheme if they are located within the designated area.
31. The total number of privately rented properties in Southwark is estimated to be 42,964¹.

Exemptions applying to all proposed Designations for Selective Licensing.

32. Exemptions to the proposed selective licensing designations include:
- a) properties licensable as an HMOs under mandatory or the proposed additional licensing;
 - b) properties let by a local authority or a Registered Provider (RP), traditionally known as a not-for-profit Housing Association;
 - c) properties already subject to a management order or empty dwelling management order;
 - d) properties subject to a temporary exemption notice.
 - e) owners who reside in property they own as their main residence (owner-occupiers).
 - f) holiday lets; and tenancies under a long lease and business tenancies.
 - g) Any building which is occupied principally for the purposes of a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering.
 - h) Student accommodation directly managed by educational institutions, e.g. halls of residence.
 - i) properties managed by a charity registered under the Charities Act 2011 and which—
 - a. is a night shelter, or
 - b. consists of temporary accommodation for persons suffering or recovering from drug or alcohol abuse or a mental disorder.

Fees applying to all proposed Designations for Selective Licensing.

33. The Council is required to split the fees into two payments. The initial part of the fee is charged to cover the processing of the application. If the application for a licence is successful a further fee will be charged before the full licence can be issued. This second fee is to cover the cost to the council for enforcement of the licence. What the actual split will be is to be determined following the consultation.
34. The fee is proposed to be £900.

Conditions

35. There are two types of conditions that can be applied to a selective licensing scheme. Mandatory conditions must apply as required by Schedule 4 of the Housing Act 2004 and

¹ Source – Metastreet - London Borough of Southwark - Private Rented Sector: Housing Stock Condition and Stressors Report – December 2019

discretionary conditions which the council can set for the management, use, occupation, condition and contents of the property.

36. In some circumstances, where the council believes there are specific issues not covered discretionary conditions for a particular property additional or more specific conditions will be added.
37. These mandatory conditions are prescribed by Schedule 4 Housing Act 2004.
38. As the proposed designations are based on different evidential criteria, the discretionary conditions are tailored to tackle the conditions pertinent to each of the four proposed designations. Therefore, the conditions pertinent to each proposed designation and given under the individual proposed designations.

Properties covered by the scheme

39. Southwark are consulting on four proposed selective licensing schemes. These are outlined below:

Designation 1

40. This designation includes two wards, named below, in a single designation (Designation 1).

The wards included in Designation 1 are:

Champion Hill

Newington

Table 1 – wards proposed to be included in Designation 1

41. The evidence demonstrates that the privately rented properties in these two wards are subject to high and repeated levels of anti-social behaviour as set out in the table 2 below:

	No of PRS	% PRS	% repeat ASB	%ASB
Champion Hill	924	21.2%	5%	43%
Newington	1,141	17.6%	6%	31%

Table 2 – Levels of ASB and repeated ASB in wards proposed to be included in Designation 1.

42. Further analysis of the evidence is given in the December 2019 Metastreet report (Private Rented Sector: Housing Stock Condition and Stressors Report) produced for the London Borough of Southwark as set out in Appendix 1.
43. The number of privately rented properties included in the proposed Designation 1 equate to 5% of the total privately rented properties in Southwark.

Conditions – those that would be attached to licences in the proposed Designation 1 (Anti-Social Behaviour).

1. General

- 1.1 The property licence must be displayed within a communal area of the property and a copy of the conditions should be made available to all the occupying tenants (*discretionary condition*).
- 1.2 The address of the Licence Holder given on their application form shall be used as the address for the proper service of any letter, notice or other document between the London Borough of Southwark Property Licensing Team and the Licence Holder. It is the Licence Holder's responsibility to ensure that they take all reasonable steps to collect and act upon any letter, notice or other document sent to that address on a regular basis (*discretionary condition*).
- 1.3 The Licence Holder must notify the Council of any managing agent that they employ in relation to the property within 14 days of having employed the agent (*discretionary condition*).
- 1.4 No other persons other than the Licence Holder or the named agent (that the Licence Holder has notified to the Council) can collect and receive rental monies from the tenant(s) at this property. These monies can be passed onto any third parties if required (*discretionary condition*).
- 1.5 If the Licence Holder is not the manager of the property it is their responsibility to ensure that the manager complies with all the conditions of the licence (*discretionary condition*).
- 1.6 The property must comply with and be maintained in accordance with and any Approved Codes of Practice which the Council or Central Government may from time to time require (*discretionary condition*).
- 1.7 Every habitable room in the property must have acceptable natural daylight and ventilation. An area of glazing which is equivalent to at least 10% of the internal floor space of each habitable room must be provided. An area of openable glazing (for ventilation) which is equivalent to at least 20% of the internal floor space of each habitable room must be provided (*discretionary condition*).
- 1.8 The Licence Holder is in control of property with an Energy Performance Certificate (EPC) Rating of less than 'E'.

The Licence Holder shall within twelve months of the licence being issued carry out the works detailed on the EPC for the property to improve the energy efficiency of the HMO to achieve an EPC rating of 'E' or above

OR

within three months of the licence being issued register a valid exemption on the national exemptions register -

Guidance - <https://www.gov.uk/government/publications/private-rented-sector-minimum-energy-efficiency-standard-exemptions>

Register - <https://prsregister.beis.gov.uk/NdsBeisUi/used-service-before>

Where there is a lack of compliance, enforcement will be under the The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and The Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019.

(*discretionary condition*).

- 1.9 Provide, in writing, to the tenants, the name, address and telephone number of the person managing the house.
- 1.10 The Licence Holder shall give a written declaration that they shall provide to each current and future occupant with the name, address and telephone number of the

landlord's appointed local out of hours contact, who will respond to emergency situations outside normal business hours, and be able to attend or arrange for a contractor to attend the property to deal with any emergencies within 24 hours of notification. A copy of these details shall be forwarded to the Council on demand.

- 1.11 The Licence Holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the Licence Holder shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters.
- 1.12 The Licence Holder shall not unreasonably cause the supply of water, gas (where provided) and electricity to house to be interrupted, where these supplies is under their control.

2. Gas Safety

- 2.1 If gas is supplied to the property, a valid Gas Safe gas safety certificate must be available, on request, at any time. The gas safety certificate must relate to the whole gas installation and include all gas appliances. It must demonstrate that all appliances have been serviced and safety checked within the previous twelve months. Any defects noted on the certificate must be promptly rectified (*mandatory condition*).
- 2.2 The Licence Holder is required to ensure that any carbon monoxide detector that is installed is kept in working order. The Licence Holder must supply to the authority, on demand, a declaration by them as to the condition and positioning of such alarms (*discretionary condition*).

3. Electrical Safety

- 3.1 The Licence Holder shall ensure that every electrical installation in the house is in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of the electrical installation(s) in the house. The Licence Holder shall ensure that any electrical appliances supplied by the licence holder, (e.g. fridges, kettles, lawn mowers, hedge trimmers, etc.) in the house are in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of any electrical appliances in the property (supplied by the licence holder). Only approved Electrical contractors are to be permitted to carry out inspections of electrical installations and appliances or remedial works. Any necessary remedial works identified by such contractors shall be undertaken within a reasonable time period. The Licence Holder must, within seven days of inspection, provide the London Borough of Southwark with a copy of such inspection reports. The Licence Holder shall inform the London Borough of Southwark upon completion of such works (*mandatory condition*).
- 3.2 A valid Portable Appliance Testing (PAT) record must be available, on request, at any time, for all electrical appliances provided in the property by the licence holder. PAT tests should be carried out every twelve months with records kept for at least five years. Any necessary maintenance or repair work must be undertaken by a competent electrical engineer in accordance with Part P of the Building Regulations. Copies of all maintenance records and PAT testing must be provided to the Council on request (*discretionary condition*).
- 3.3 Where low-risk (i.e. works that are only recommended and are not required to protect safety) works have been identified for remediation on the Electrical Installation Condition

Report (EICR), the Licence Holder shall at the expiry of the EICR (5 years from the date of issue) or within two years from the date of the licence, whichever comes sooner, have those works carried out. The licence holder must inform the Council when the works have been completed and provide an updated EICR (*discretionary condition*).

4. Furniture

- 4.1 The Licence Holder is required to keep furniture made available by them in the house in a safe condition and must supply the authority, on demand, with a declaration by them as to the safety of such furniture (*mandatory condition*).

5. Fire Precautions

- 5.1 The Licence Holder is required to ensure that smoke alarms are installed in the property and are kept in proper working order. The Licence Holder must supply to the authority, on demand, a declaration by them as to the condition and positioning of such alarms (*mandatory condition*).

6. Tenancy Matters

- 6.1 The Licence Holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property (*mandatory condition*), details of the arrangements in place to deal with repair issues and emergency issues and a copy of this licence and its conditions. Copies of the written statement of terms must be provided to the Council within 7 days upon demand (*discretionary condition*).

- 6.2 The Licence Holder shall ensure that only they or the named agent (that the Licence Holder has notified to the Council) create new tenancies or licences to occupy this property whilst this licence is in force. Copies of any new written terms of tenancies or licences must be provided to the Council within 28 days upon demand (*discretionary condition*).

- 6.3 The Licence Holder shall not cause or permit any person who has previously applied for a property licence in respect of the property and has either:

(a) been found not to be a Fit and Proper person, or

(b) been made subject to a Banning Order under the Housing and Planning Act 2016

to have control or management of the property, or to carry out or arrange any repair, improvement or other building works at the property (*discretionary condition*).

- 6.4 The Licence Holder shall obtain references from persons who wish to occupy the property, or a part of the property, before entering into any tenancy or licence or other agreement with them to occupy the property (*mandatory condition*). No new occupiers shall be allowed to occupy the property if they are unable to provide suitable references (*discretionary condition*).

(References should be as a minimum, checks to ensure the tenants identity, whether they have the right to rent a property [see <https://www.gov.uk/check-tenant-right-to-rent-documents/who-to-check>], their ability to pay rent and their past tenant history.) The Licence Holder must retain all references obtained for occupiers for the duration of this licence and provide copies to the Council within 28 days on demand.

- 6.5 The Licence Holder shall carry out adequate checks and obtain satisfactory proof that occupiers belong to a single household. Evidence of this must be retained for the duration of licence. This evidence must be provided to the Council within 28 days on demand (*discretionary condition*).

- 6.6 Where the standard local authority waste collection schemes do not suffice, the Licence Holder must arrange for private collections of waste from the property (*discretionary condition*).
- 6.7 The Licence Holder must ensure that any deposit taken under an assured shorthold tenancy is protected by placing it in an authorised tenancy deposit scheme. The tenant must be given the prescribed information about the scheme. The Licence Holder must ensure compliance with the requirements of the scheme and the operation of Part 6 in Chapter 4, Housing Act 2004 within the statutory time limit (currently 30 days). A copy of the prescribed information given must be provided to the Authority within 28 days on demand (*discretionary condition*).

7. Fit and Proper Person

- 7.1 If the Licence Holder becomes aware that they or any other person involved in the management of the property have received a conviction, caution, informal warning or reprimand in respect of any offence as detailed in the Licence application form, they must notify the Council in writing within 14 days of the information coming to their attention (*discretionary condition*).

8. Changes in the use and layout of the Property

- 8.1 No changes must be made to the use, layout or maximum occupancy level of the property without the Council's prior written consent (*discretionary condition*).

9. Council Standards for Licensable Properties

- 9.1 The maximum occupancy for this property is **one household OR two people in two households** (*mandatory condition*).
- 9.2 Licensed properties must comply with the occupancy levels stated in this licence within 18 months of the licence being granted and for the remaining duration of the licence (*discretionary condition*).
- 9.3 The terms of these conditions are unique to this property and cannot be applied to any other property (*discretionary condition*).
- 9.4 For the purposes of this licence, any occupier is regarded as one person, regardless of age (*discretionary condition*).

10. Access to Utility Meters

- 10.1 The licence holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the licence holder shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters (*discretionary condition*).

11. Training Courses

- 11.1 The Licence Holder and manager of the house shall attend training courses or otherwise demonstrate competence in relation to any applicable codes of practice as specified by the London Borough of Southwark.

Details of Training Courses:

London Landlord Accreditation Scheme (LLAS) and:

Accreditation and Training for Landlords & Agents Service (ATLAS)

Website: www.londonlandlords.org.uk

The licence holder shall submit to the Council within twelve (12) months of the date of the licence copies of certification demonstrating competence and/attendance at the relevant training courses (*discretionary condition*).

12. Interim Measures

12.1 The London Borough of Southwark have agreed interim safety and welfare measures with the licence holder to minimise the risk to tenants whilst works are carried out in relation to [fire safety] [space standards] [amenity standards]. These interim measures are:

[List measures – examples given below]

- Battery operated smoke detectors located in [add locations].
- Battery operated heat detectors located in [add locations].
- Battery operated hand-held emergency lighting located in [add locations].
- Undersized shower cubicles located in [add locations].
- Undersized baths located in [add locations].
- Microwaves located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Kettles located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Electrically operated space heaters [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]] [and] [the communal living rooms].

These interim measures shall be maintained in good repair, condition and where applicable, remain fully operational whilst in place. This includes, where applicable, adherence to standards and manufacturers guidance.

The licence holder must inform the Council by email [add address] within 72 hours of becoming aware of the failure of any of the interim measures (*discretionary condition*).

13. Missing documents

13.1 Provide electronic copies of the following documents that were missing from your licence application within 3 months of the issue of the licence:

[delete/add as appropriate]

- i. Energy Performance Certificate (EPC)(s)
- ii. Written tenancy agreement(s) with the occupying tenants.
- iii. Lease Agreements/Commercial Agreement with owner (if any)
- iv. Building insurance certificate
- v. Inventory of furniture and fittings(s)
- vi. Terms if contract (or a copy of your contract) with the Managing Agent (if any)
- vii. Gas Safety Certificate(s)
- viii. Portable Appliance Test (PAT) report(s)
- ix. Test certificates for fire alarm system
- x. Test certificates emergency lighting system
- xi. Asbestos report(s)
- xii. Fire Risk Assessment

Email the copies to [email address]

(discretionary condition)

14. Anti-Social Behaviour (*discretionary conditions*)

- 14.1 The Licence Holder shall take reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the flat/ house and to this end shall:

Report all incidences of anti-social behaviour to the appropriate authority, for example the police or the Council.

- 14.2 The Licence Holder shall enter into an assured shorthold tenancy agreement (unless an alternative arrangement is more appropriate, e.g. a licence to occupy) with each new tenant of the dwelling for which he/ she is the person having control. The tenancy agreement will include provisions relating to forfeiture of the property in the event of a breach of the tenancy agreement terms in the following circumstances:

"That the tenant or someone living in, or visiting the premises has been guilty of conduct which is, or is likely to cause a nuisance or annoyance to neighbours; or, that a person residing or visiting the premises has been convicted of using the premises, or allowing it to be used for immoral or illegal purposes or has committed an arrestable offence in, or in the locality of the licensed premises."

For the avoidance of doubt conduct causing a nuisance includes noise nuisance.

A further condition shall be added to the tenancy agreement that requires the tenant to obtain written permission to sub-let the property.

The Government have produced a model template for an Assured Shorthold Tenancy which can be found here - <https://www.gov.uk/government/publications/model-agreement-for-a-shorthold-assured-tenancy>

- 14.3 The Licence Holder shall investigate complaints of anti-social behaviour (as defined in Housing Act 2004, Section 57(5)) arising from their property and being caused by their tenants or tenants' visitors. Where appropriate they shall take legal advice and act to either caution or evict the tenants.
- 14.4 If the Licence Holder is informed by the Authority, Police or other organisation that any occupiers have entered into a Community Resolution; or have been issued with an Acceptable Behaviour Contract; or a civil injunction has been obtained against the occupiers; or if the occupiers have been prosecuted in relation to ASB, the Licence Holder must either visit the house within 7 days of being notified or ensure that it is visited by the person managing the house. During the visit, the Licence Holder must ensure that the occupiers are provided with a warning letter advising them (amongst other things) that their behaviour is not acceptable, that they are responsible for the conduct of their visitors, the impact on the victims and local community, and of the consequences of its continuation.
- Any letters, emails, legal notices or other documents relating to ASB, which are sent or received by the Licence Holder, or the agent on behalf of the Licence Holder, must be copied and kept for 5 years by the Licence Holder.
- 14.5 Where the Licence Holder has reasonable grounds to suspect that the ASB involves criminal activity the Licence Holder must ensure that the appropriate authorities are informed.

The Licence Holder shall co-operate with the Police and Authority in resolving ASB in any licensed property under their control. Such cooperation includes attending or being represented at any case conferences or multiagency meetings and providing information to the Police or the Authority when requested.

Any correspondence, letters and records kept in accordance with these conditions must be provided by the Licence Holder to the Authority within 28 days on demand.

14.6 Where there have been two or more corroborated reports of ASB to the relevant investigating agency, the Licence Holder shall install monitorable and recordable CCTV cameras covering the outside spaces of the dwelling, which can operate in both daylight and nighttime (where there are outside spaces). This is to include cameras covering the access points to the dwellings.

15. Security (*discretionary conditions*)

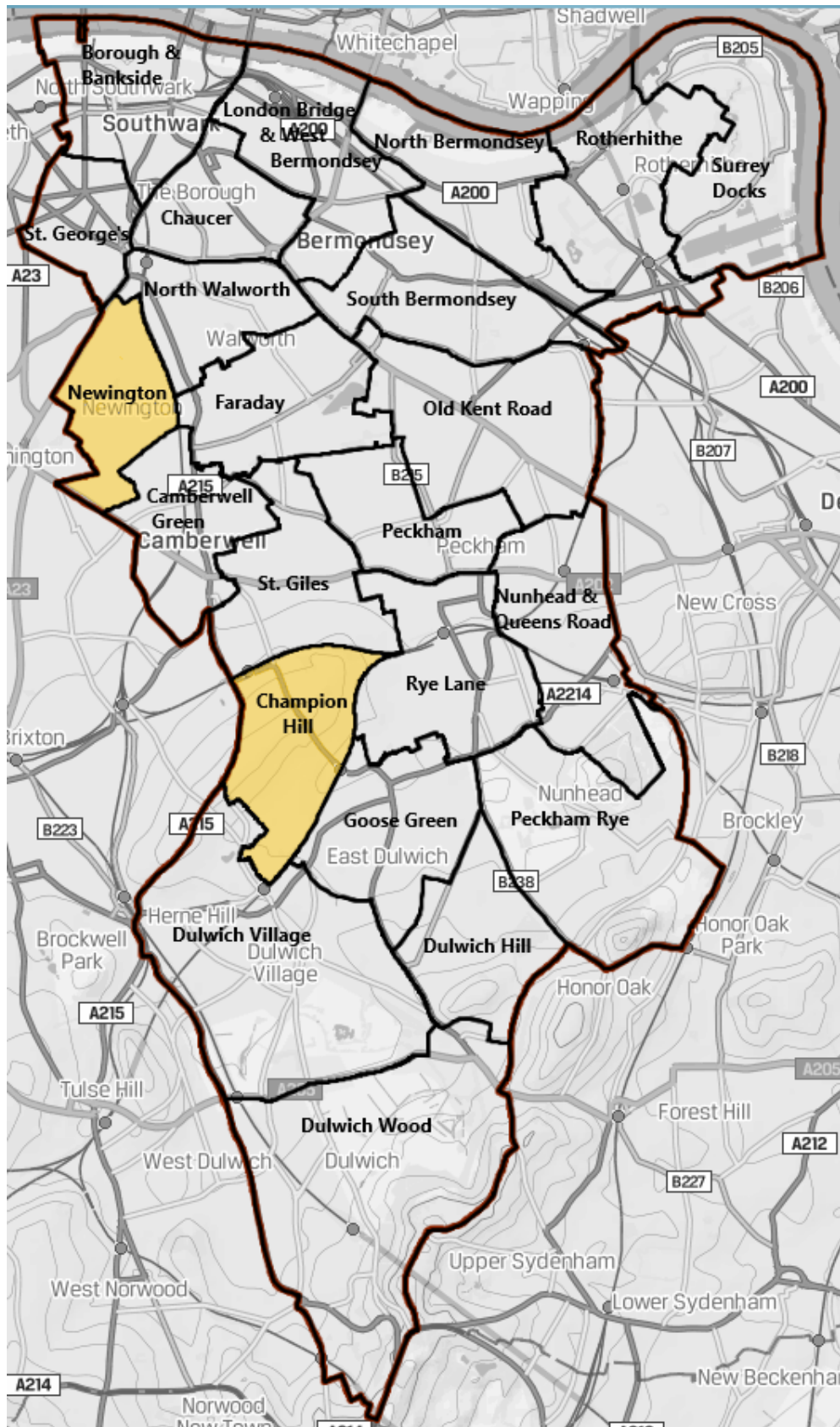
15.1 Ensure adequate security arrangements are in place to prevent unauthorised access to the premises. This includes:

- The front door of the dwelling shall be fitted with a 'peekhole' to allow the occupant to view who is at the front door.
- A device shall be fitted to the front door to allow for the door to be opened in a restricted manner to prevent access by unauthorised persons, e.g. a door chain.
- The front (and where provided back doors and French doors) door shall as a minimum be fitted with locks that meet BS3621.
- All windows shall be fitted with suitable window locks and the keys provided to the tenants.

15.2 Where previous occupants have not surrendered door keys, the Licence Holder will arrange for a lock change to be undertaken prior to new occupants moving in.

15.3 Where there are outside spaces within the curtilage of the property, movement operated security lights shall be fixed and mounted providing sufficient light to illuminate the outside spaces.

Map of Wards Included in Designation 1



Map 1 – wards included in Designation 1

Designation 2

44. This designation includes three wards, named below, in a single designation (Designation 2).

The wards included in Designation 2 are:

Faraday

Goose Green

St Giles

Table 3 – wards proposed to be included in Designation 2

45. The evidence demonstrates that the privately rented properties in these three wards are subject to poor property condition (Category one hazards) as set out in the table 4 below:

	No of PRS	% PRS	Cat 1 hazards
Faraday	1,794	32.4%	23.4%
Goose Green	1,918	28.8%	24.9%
St Giles	2,126	29.2%	26.1%

Table 4 – Levels of poor property conditions in the wards to be included in Designation 2.

46. Further analysis of the evidence is given in the December 2019 Metastreet report (Private Rented Sector: Housing Stock Condition and Stressors Report) produced for the London Borough of Southwark as set out in Appendix 1.

47. The number of privately rented properties included in the proposed Designation 2 equate to 13% of the total privately rented properties in Southwark.

Conditions – those that would be attached to licences in the proposed Designation 2 (property standards and maintenance).

1. General

- 1.1 The property licence must be displayed within a communal area of the property and a copy of the conditions should be made available to all the occupying tenants (*discretionary condition*).
- 1.2 The address of the Licence Holder given on their application form shall be used as the address for the proper service of any letter, notice or other document between the London Borough of Southwark Property Licensing Team and the Licence Holder. It is the Licence Holder's responsibility to ensure that they take all reasonable steps to collect and act upon any letter, notice or other document sent to that address on a regular basis (*discretionary condition*).

- 1.3 The Licence Holder must notify the Council of any managing agent that they employ in relation to the property within 14 days of having employed the agent (*discretionary condition*).
- 1.4 No other persons other than the Licence Holder or the named agent (that the Licence Holder has notified to the Council) can collect and receive rental monies from the tenant(s) at this property. These monies can be passed onto any third parties if required (*discretionary condition*).
- 1.5 If the Licence Holder is not the manager of the property it is their responsibility to ensure that the manager complies with all the conditions of the licence (*discretionary condition*).
- 1.6 The property must comply with and be maintained in accordance with and any Approved Codes of Practice which the Council or Central Government may from time to time require (*discretionary condition*).
- 1.7 Every habitable room in the property must have acceptable natural daylight and ventilation. An area of glazing which is equivalent to at least 10% of the internal floor space of each habitable room must be provided. An area of openable glazing (for ventilation) which is equivalent to at least 20% of the internal floor space of each habitable room must be provided (*discretionary condition*).
- 1.8 The Licence Holder is in control of property with an Energy Performance Certificate (EPC) Rating of less than 'E'.

The Licence Holder shall within twelve months of the licence being issued carry out the works detailed on the EPC for the property to improve the energy efficiency of the HMO to achieve an EPC rating of 'E' or above

OR

within three months of the licence being issued register a valid exemption on the national exemptions register -

Guidance - <https://www.gov.uk/government/publications/private-rented-sector-minimum-energy-efficiency-standard-exemptions>

Register - <https://prsregister.beis.gov.uk/NdsBeisUi/used-service-before>

Where there is a lack of compliance, enforcement will be under the The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and The Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019.

(*discretionary condition*).

- 1.9 Provide, in writing, to the tenants, the name, address and telephone number of the person managing the house.
- 1.10 The Licence Holder shall give a written declaration that they shall provide to each current and future occupant with the name, address and telephone number of the landlord's appointed local out of hours contact, who will respond to emergency situations outside normal business hours, and be able to attend or arrange for a contractor to attend the property to deal with any emergencies within 24 hours of notification. A copy of these details shall be forwarded to the Council on demand.
- 1.11 The Licence Holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the Licence Holder

shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters.

- 1.12 The Licence Holder shall not unreasonably cause the supply of water, gas (where provided) and electricity to house to be interrupted, where these supplies is under their control.

2. Gas Safety

- 2.1 If gas is supplied to the property, a valid Gas Safe gas safety certificate must be available, on request, at any time. The gas safety certificate must relate to the whole gas installation and include all gas appliances. It must demonstrate that all appliances have been serviced and safety checked within the previous twelve months. Any defects noted on the certificate must be promptly rectified (*mandatory condition*).
- 2.2 The Licence Holder is required to ensure that any carbon monoxide detector that is installed is kept in working order. The Licence Holder must supply to the authority, on demand, a declaration by them as to the condition and positioning of such alarms (*discretionary condition*).

3. Electrical Safety

- 3.1 The Licence Holder shall ensure that every electrical installation in the house is in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of the electrical installation(s) in the house. The Licence Holder shall ensure that any electrical appliances supplied by the licence holder, (e.g. fridges, kettles, lawn mowers, hedge trimmers, etc.) in the house are in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of any electrical appliances in the property (supplied by the licence holder). Only approved Electrical contractors are to be permitted to carry out inspections of electrical installations and appliances or remedial works. Any necessary remedial works identified by such contractors shall be undertaken within a reasonable time period. The Licence Holder must, within seven days of inspection, provide the London Borough of Southwark with a copy of such inspection reports. The Licence Holder shall inform the London Borough of Southwark upon completion of such works (*mandatory condition*).
- 3.2 A valid Portable Appliance Testing (PAT) record must be available, on request, at any time, for all electrical appliances provided in the property by the licence holder. PAT tests should be carried out every twelve months with records kept for at least five years. Any necessary maintenance or repair work must be undertaken by a competent electrical engineer in accordance with Part P of the Building Regulations. Copies of all maintenance records and PAT testing must be provided to the Council on request (*discretionary condition*).
- 3.3 Where low-risk (i.e. works that are only recommended and are not required to protect safety) works have been identified for remediation on the Electrical Installation Condition Report (EICR), the Licence Holder shall at the expiry of the EICR (5 years from the date of issue) or within two years from the date of the licence, whichever comes sooner, have those works carried out. The licence holder must inform the Council when the works have been completed and provide an updated EICR (*discretionary condition*).

4. Furniture

- 4.1 The Licence Holder is required to keep furniture made available by them in the house in a safe condition and must supply the authority, on demand, with a declaration by them as to the safety of such furniture (*mandatory condition*).

5. Fire Safety

- 5.1 The Licence Holder is required to ensure that smoke alarms are installed in the property and are kept in proper working order. The Licence Holder must supply to the authority, on demand, a declaration by them as to the condition and positioning of such alarms (*mandatory condition*).
- 5.2 Provide fire precaution facilities and equipment at the property, as deemed necessary by the London Borough of Southwark. Information on necessary fire precautions and equipment for the property will be provided to the licence holder. Fire precautions and equipment must be maintained in proper working order. Appropriate records of such maintenance, such as current certificates, are to be kept and produced to the London Borough of Southwark on demand as evidence of such maintenance. Any defects noted on certification must be promptly rectified.

Provide details of fire exit routes to tenants and, in respect of the fire alarm system, ensure that all tenants are aware of fire and fault indications, are adequately familiar with controls (e.g. resetting) and aware of measures to avoid false alarms. Tenants should be aware of what to do in the case of a fire.

The LACoRs Fire Guide provides guidance on the levels of fire precautions expected in different types of HMO -

http://www.southwark.gov.uk/downloads/download/4354/lacors_fire_guidance

(*discretionary condition that ensures we are meeting mandatory requirements*)

- 5.3 At the start of each tenancy, occupants must be given appropriate fire safety advice regarding the means of escape in case of fire and other fire precautions. In particular, the importance of keeping fire doors closed (where supplied) and keeping the escape route clear (*discretionary condition*).
- 5.4 The Licence Holder shall ensure the tenants of Flats in a block are informed in writing of the fire safety arrangements in place within the block, being, but not restricted to:
- Evacuation arrangements, e.g. an all-out or stay-put policy.
 - The safest route to safety from the FMO.
 - The designated fire assembly area.
 - Fire Drill arrangements (if any).
 - Fire Warden and/or waking watch arrangements (where provided).
 - The nearest manual call point (where provided).

(*discretionary condition*)

6. Tenancy Matters

- 6.1 The Licence Holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property (*mandatory condition*), details of the arrangements in place to deal with repair issues and emergency issues and a copy of this licence and its conditions. Copies of the written statement of terms must be provided to the Council within 7 days upon demand (*discretionary condition*).
- 6.2 The Licence Holder shall ensure that only they or the named agent (that the Licence Holder has notified to the Council) create new tenancies or licences to occupy this property whilst this licence is in force. Copies of any new written terms of tenancies or

licences must be provided to the Council within 28 days upon demand (*discretionary condition*).

6.3 The Licence Holder shall not cause or permit any person who has previously applied for a property licence in respect of the property and has either:

(a) been found not to be a Fit and Proper person, or

(b) been made subject to a Banning Order under the Housing and Planning Act 2016

to have control or management of the property, or to carry out or arrange any repair, improvement or other building works at the property (*discretionary condition*).

6.4 The Licence Holder shall obtain references from persons who wish to occupy the property, or a part of the property, before entering into any tenancy or licence or other agreement with them to occupy the property (*mandatory condition*). No new occupiers shall be allowed to occupy the property if they are unable to provide suitable references (*discretionary condition*).

(References should be as a minimum, checks to ensure the tenants identity, whether they have the right to rent a property [see <https://www.gov.uk/check-tenant-right-to-rent-documents/who-to-check>], their ability to pay rent and their past tenant history.) The Licence Holder must retain all references obtained for occupiers for the duration of this licence and provide copies to the Council within 28 days on demand.

6.5 The Licence Holder shall carry out adequate checks and obtain satisfactory proof that occupiers belong to a single household. Evidence of this must be retained for the duration of licence. This evidence must be provided to the Council within 28 days on demand (*discretionary condition*).

6.8 Where the standard local authority waste collection schemes do not suffice, the Licence Holder must arrange for private collections of waste from the property (*discretionary condition*).

6.9 The Licence Holder must ensure that any deposit taken under an assured shorthold tenancy is protected by placing it in an authorised tenancy deposit scheme. The tenant must be given the prescribed information about the scheme. The Licence Holder must ensure compliance with the requirements of the scheme and the operation of Part 6 in Chapter 4, Housing Act 2004 within the statutory time limit (currently 30 days). A copy of the prescribed information given must be provided to the Authority within 28 days on demand (*discretionary condition*).

7. Fit and Proper Person

7.1 If the Licence Holder becomes aware that they or any other person involved in the management of the property have received a conviction, caution, informal warning or reprimand in respect of any offence as detailed in the Licence application form, they must notify the Council in writing within 14 days of the information coming to their attention (*discretionary condition*).

8. Changes in the use and layout of the Property

8.1 No changes must be made to the use, layout or maximum occupancy level of the property without the Council's prior written consent (*discretionary condition*).

9. Council Standards for Licensable Properties

9.1 The maximum occupancy for this property is **one household OR two people in two households** (*mandatory condition*).

- 9.2 Licensed properties must comply with the occupancy levels stated in this licence within 18 months of the licence being granted and for the remaining duration of the licence (*discretionary condition*).
- 9.3 The terms of these conditions are unique to this property and cannot be applied to any other property (*discretionary condition*).
- 9.4 For the purposes of this licence, any occupier is regarded as one person, regardless of age (*discretionary condition*).

10. Access to Utility Meters

- 10.1 The licence holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the licence holder shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters (*discretionary condition*).

11. Training Courses

- 11.1 The Licence Holder and manager of the house shall attend training courses or otherwise demonstrate competence in relation to any applicable codes of practice as specified by the London Borough of Southwark.

Details of Training Courses:

London Landlord Accreditation Scheme (LLAS) and:

Accreditation and Training for Landlords & Agents Service (ATLAS)

Website: www.londonlandlords.org.uk

The licence holder shall submit to the Council within twelve (12) months of the date of the licence copies of certification demonstrating competence and/attendance at the relevant training courses (*discretionary condition*).

12. Interim Measures

- 12.1 The London Borough of Southwark have agreed interim safety and welfare measures with the licence holder to minimise the risk to tenants whilst works are carried out in relation to [fire safety] [space standards] [amenity standards]. These interim measures are:

[List measures – examples given below]

- Battery operated smoke detectors located in [add locations].
- Battery operated heat detectors located in [add locations].
- Battery operated hand-held emergency lighting located in [add locations].
- Undersized shower cubicles located in [add locations].
- Undersized baths located in [add locations].
- Microwaves located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Kettles located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Electrically operated space heaters [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]] [and] [the communal living rooms].

These interim measures shall be maintained in good repair, condition and where applicable, remain fully operational whilst in place. This includes, where applicable, adherence to standards and manufacturers guidance.

The licence holder must inform the Council by email [add address] within 72 hours of becoming aware of the failure of any of the interim measures (*discretionary condition*).

13. Missing documents

13.1 Provide electronic copies of the following documents that were missing from your licence application within 3 months of the issue of the licence:

[delete/add as appropriate]

- i. Energy Performance Certificate (EPC)(s)
- ii. Written tenancy agreement(s) with the occupying tenants.
- iii. Lease Agreements/Commercial Agreement with owner (if any)
- iv. Building insurance certificate
- v. Inventory of furniture and fittings(s)
- vi. Terms if contract (or a copy of your contract) with the Managing Agent (if any)
- vii. Gas Safety Certificate(s)
- viii. Portable Appliance Test (PAT) report(s)
- ix. Test certificates for fire alarm system
- x. Test certificates emergency lighting system
- xi. Asbestos report(s)
- xii. Fire Risk Assessment

Email the copies to [email address]

(*discretionary condition*)

15. Carbon Monoxide

15.1 Ensure that a carbon monoxide alarm is installed in any room in the house that contains a gas appliance (includes boilers) (*discretionary condition*).

15.2 The Licence Holder must ensure that the carbon monoxide alarms are kept in proper working order (this can be a check of the battery and operation of the alarm). A declaration as to the proper working order of such alarms must be supplied to the London Borough of Southwark on demand (*discretionary condition*).

16. Property Management and Safety

16.1 The Licence Holder must ensure that prompt action is taken to investigate and effectively address complaints about disrepair or pest infestation at the house. The Licence Holder must ensure, in particular, that a written response is made to any such complaint within 21 days of receipt, stating the action that has been or will be taken.

Copies of any such written complaint (including by email) and the response referred to in condition 17 must be provided to the Authority within 21 days on demand.

(*discretionary condition*)

16.2 The Licence Holder shall ensure that any repairs, improvement works or treatments at the house are carried out by competent person(s) who is employed directly by the Licence Holder or an agent/employee of the Licence Holder. Copies of receipts and/or

invoices for any such works must be provided to the Authority within 21 days upon demand (*discretionary condition*).

- 16.3 The Licence Holder must ensure that regular checks are carried out to ensure that the common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities (*discretionary condition*).
- 16.4 The Licence Holder must ensure that regular checks are carried out to ensure that the house is free from pest infestation. Where the Licence Holder becomes aware of a pest problem or infestation at the house they shall, within 7 days, take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and copies of these must be provided to the Authority within 28 days on demand (*discretionary condition*).
- 16.5 The Licence Holder must ensure that all outhouses, garages and sheds are kept secure, are used for their intended purpose only. The Licence Holder must ensure that these structures are not used for human habitation (*discretionary condition*).
- 16.6 The Licence Holder must ensure that the exterior of the house is kept clean and tidy and that issues of routine maintenance affecting the exterior, such as broken windows, are addressed promptly (*discretionary condition*).
- 16.7 The Licence Holder shall ensure that inspections of the house are carried out at least every six (6) months to identify any problems relating to the condition and management of the house. The Authority may increase the frequency of such inspections if it has good reason to be concerned about the condition or management of the house. The records of such inspections shall be kept for the duration of this licence. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection and issues found, and action(s) taken. Copies of these must be provided to the Authority within 28 days on demand (*discretionary condition*).

17. Homes (Fitness for Human Habitation) Act 2018

- 17.1 The Homes (Fitness for Human Habitation) Act 2018 modified the Landlord and Tenant Act 1985. The Licence Holder must ensure the property complies with the modification brought about by the Homes (Fitness for Human Habitation) Act 2018. The building must:

- not be neglected or in a bad condition,
- be stable,
- be free from a serious problem with damp,
- have a safe layout,
- have enough natural light,
- have enough ventilation,
- have a satisfactory supply of hot and cold water,
- have satisfactory drainage and lavatories,
- have satisfactory facilities to prepare and cook food or wash up, and
- free from category one hazards set out in the [Housing Health and Safety \(England\) Regulations 2005](#)

(*discretionary condition*)

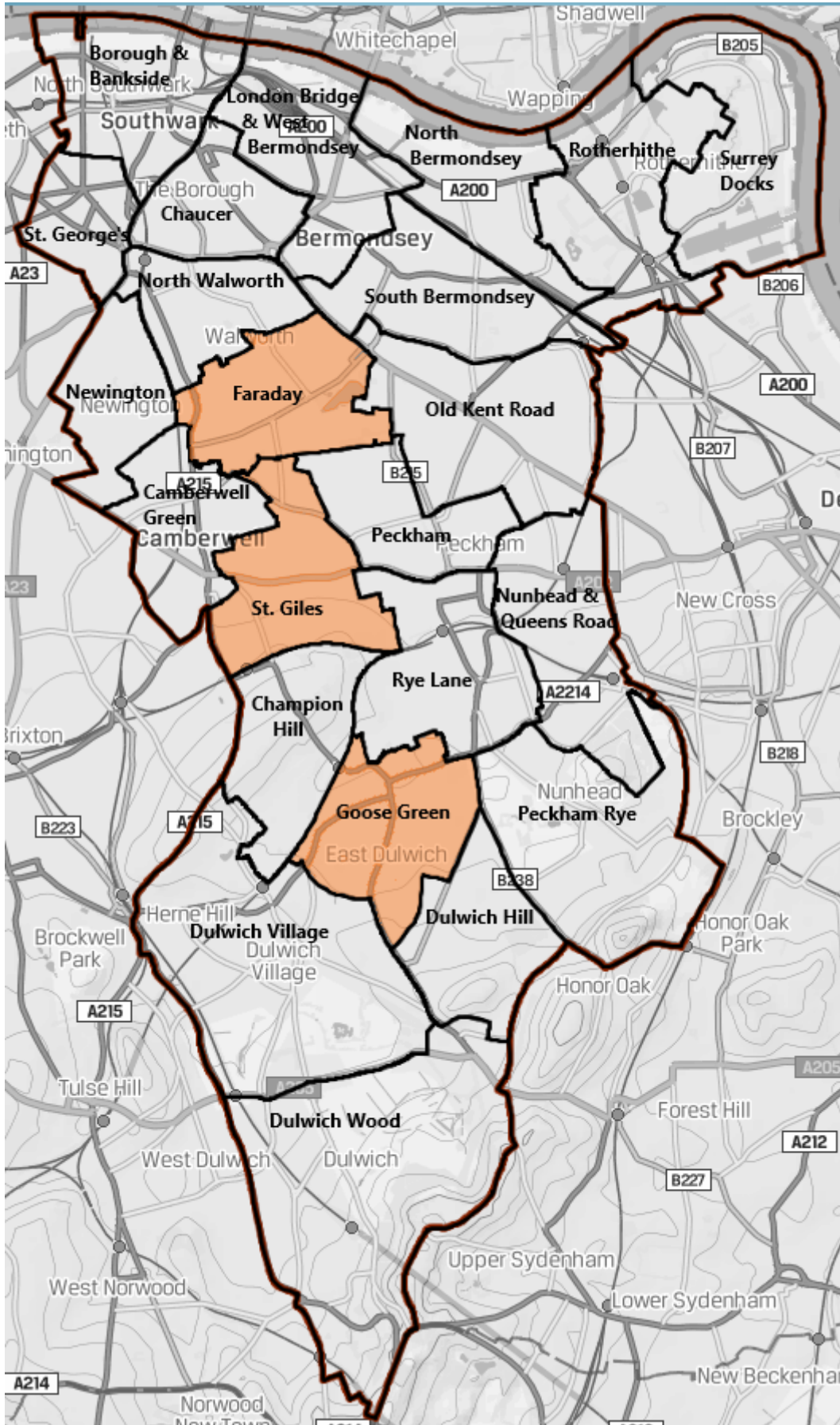
18. Noise standards

- 18.1 Where the Council has investigated complaints of noise nuisance related to the dwelling and concluded that the noise is not a nuisance but relate to normal domestic noise the Licence Holder will:

- provide carpets to any floors, where the floor covering is solid/hard, for example, floor-boards or laminate flooring, etc. The exception shall be flooring designed to protect a room from water, e.g. bathroom, laundry, kitchen, etc.,
- use noise insulation mats under any white goods, such as washing machines, tumble dryers, dishwashers, etc., and
- provide strips to door frames or doors that minimise the noise that occurs from the impact of a closing door.

(discretionary condition)

Map of Wards Included in Designation 2



Map 2 – wards included in Designation 2

Designation 3

48. This designation includes four wards, named below, in a single designation (Designation 3).

The wards included in Designation 3 are:

North Walworth

Nunhead & Queens Road

Old Kent Road

Peckham

Table 5 – wards proposed to be included in Designation 3

49. The evidence demonstrates that the privately rented properties in these four wards are subject to high levels of deprivation and poor property conditions (Category one hazards) as set out in the table 6 below:

	No of PRS	% PRS	Cat 1 hazards	IMD ranking
North Walworth	3,140	38.4%	18.2%	2.6
Nunhead & Queens Road	2,523	36.5%	22.9%	2.4
Old Kent Road	2,297	30.8%	16.9%	2.7
Peckham	1,807	30.1%	19.6%	2.4

Table 6 – Levels of deprivation and poor property conditions in the wards to be included in Designation 3.

50. Further analysis of the evidence is given in the December 2019 Metastreet report (Private Rented Sector: Housing Stock Condition and Stressors Report) produced for the London Borough of Southwark as set out in Appendix 1.

51. The number of privately rented properties included in the proposed Designation 3 equate to 22% of the total privately rented properties in Southwark.

Conditions – those that would be attached to licences in the proposed Designation 3 (property standards and maintenance and deprivation).

1. General

- 1.1 The property licence must be displayed within a communal area of the property and a copy of the conditions should be made available to all the occupying tenants (*discretionary condition*).
- 1.2 The address of the Licence Holder given on their application form shall be used as the address for the proper service of any letter, notice or other document between the London Borough of Southwark Property Licensing Team and the Licence Holder. It is

the Licence Holder's responsibility to ensure that they take all reasonable steps to collect and act upon any letter, notice or other document sent to that address on a regular basis (*discretionary condition*).

- 1.3 The Licence Holder must notify the Council of any managing agent that they employ in relation to the property within 14 days of having employed the agent (*discretionary condition*).
- 1.4 No other persons other than the Licence Holder or the named agent (that the Licence Holder has notified to the Council) can collect and receive rental monies from the tenant(s) at this property. These monies can be passed onto any third parties if required (*discretionary condition*).
- 1.5 If the Licence Holder is not the manager of the property it is their responsibility to ensure that the manager complies with all the conditions of the licence (*discretionary condition*).
- 1.6 The property must comply with and be maintained in accordance with and any Approved Codes of Practice which the Council or Central Government may from time to time require (*discretionary condition*).
- 1.7 Every habitable room in the property must have acceptable natural daylight and ventilation. An area of glazing which is equivalent to at least 10% of the internal floor space of each habitable room must be provided. An area of openable glazing (for ventilation) which is equivalent to at least 20% of the internal floor space of each habitable room must be provided (*discretionary condition*).
- 1.8 Provide, in writing, to the tenants, the name, address and telephone number of the person managing the house.
- 1.9 The Licence Holder shall give a written declaration that they shall provide to each current and future occupant with the name, address and telephone number of the landlord's appointed local out of hours contact, who will respond to emergency situations outside normal business hours, and be able to attend or arrange for a contractor to attend the property to deal with any emergencies within 24 hours of notification. A copy of these details shall be forwarded to the Council on demand.
- 1.10 The Licence Holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the Licence Holder shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters.
- 1.11 The Licence Holder shall not unreasonably cause the supply of water, gas (where provided) and electricity to house to be interrupted, where these supplies is under their control.

2. Gas Safety

- 2.1 If gas is supplied to the property, a valid Gas Safe gas safety certificate must be available, on request, at any time. The gas safety certificate must relate to the whole gas installation and include all gas appliances. It must demonstrate that all appliances have been serviced and safety checked within the previous twelve months. Any defects noted on the certificate must be promptly rectified (*mandatory condition*).
- 2.2 The Licence Holder is required to ensure that any carbon monoxide detector that is installed is kept in working order. The Licence Holder must supply to the authority, on demand, a declaration by them as to the condition and positioning of such alarms (*discretionary condition*).

3. Electrical Safety

- 3.1 The Licence Holder shall ensure that every electrical installation in the house is in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of the electrical installation(s) in the house. The Licence Holder shall ensure that any electrical appliances supplied by the licence holder, (e.g. fridges, kettles, lawn mowers, hedge trimmers, etc.) in the house are in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of any electrical appliances in the property (supplied by the licence holder). Only approved Electrical contractors are to be permitted to carry out inspections of electrical installations and appliances or remedial works. Any necessary remedial works identified by such contractors shall be undertaken within a reasonable time period. The Licence Holder must, within seven days of inspection, provide the London Borough of Southwark with a copy of such inspection reports. The Licence Holder shall inform the London Borough of Southwark upon completion of such works (*mandatory condition*).
- 3.2 A valid Portable Appliance Testing (PAT) record must be available, on request, at any time, for all electrical appliances provided in the property by the licence holder. PAT tests should be carried out every twelve months with records kept for at least five years. Any necessary maintenance or repair work must be undertaken by a competent electrical engineer in accordance with Part P of the Building Regulations. Copies of all maintenance records and PAT testing must be provided to the Council on request (*discretionary condition*).
- 3.3 Where low-risk (i.e. works that are only recommended and are not required to protect safety) works have been identified for remediation on the Electrical Installation Condition Report (EICR), the Licence Holder shall at the expiry of the EICR (5 years from the date of issue) or within two years from the date of the licence, whichever comes sooner, have those works carried out. The licence holder must inform the Council when the works have been completed and provide an updated EICR (*discretionary condition*).

4. Furniture

- 4.1 The Licence Holder is required to keep furniture made available by them in the house in a safe condition and must supply the authority, on demand, with a declaration by them as to the safety of such furniture (*mandatory condition*).

5. Fire Safety

- 5.1 The Licence Holder is required to ensure that smoke alarms are installed in the property and are kept in proper working order. The Licence Holder must supply to the authority, on demand, a declaration by them as to the condition and positioning of such alarms (*mandatory condition*).
- 5.2 Provide fire precaution facilities and equipment at the property, as deemed necessary by the London Borough of Southwark. Information on necessary fire precautions and equipment for the property will be provided to the licence holder. Fire precautions and equipment must be maintained in proper working order. Appropriate records of such maintenance, such as current certificates, are to be kept and produced to the London Borough of Southwark on demand as evidence of such maintenance. Any defects noted on certification must be promptly rectified.

Provide details of fire exit routes to tenants and, in respect of the fire alarm system, ensure that all tenants are aware of fire and fault indications, are adequately familiar with

controls (e.g. resetting) and aware of measures to avoid false alarms. Tenants should be aware of what to do in the case of a fire.

The LACoRs Fire Guide provides guidance on the levels of fire precautions expected in different types of HMO -

http://www.southwark.gov.uk/downloads/download/4354/lacors_fire_guidance

(discretionary condition that ensures we are meeting mandatory requirements)

- 5.3 At the start of each tenancy, occupants must be given appropriate fire safety advice regarding the means of escape in case of fire and other fire precautions. In particular, the importance of keeping fire doors closed (where supplied) and keeping the escape route clear *(discretionary condition)*.
- 5.4 The Licence Holder shall ensure the tenants of Flats in a block are informed in writing of the fire safety arrangements in place within the block, being, but not restricted to:
- Evacuation arrangements, e.g. an all-out or stay-put policy.
 - The safest route to safety from the FMO.
 - The designated fire assembly area.
 - Fire Drill arrangements (if any).
 - Fire Warden and/or waking watch arrangements (where provided).
 - The nearest manual call point (where provided).

(discretionary condition)

6. Tenancy Matters

- 6.1 The Licence Holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property *(mandatory condition)*, details of the arrangements in place to deal with repair issues and emergency issues and a copy of this licence and its conditions. Copies of the written statement of terms must be provided to the Council within 7 days upon demand *(discretionary condition)*.
- 6.2 The Licence Holder shall ensure that only they or the named agent (that the Licence Holder has notified to the Council) create new tenancies or licences to occupy this property whilst this licence is in force. Copies of any new written terms of tenancies or licences must be provided to the Council within 28 days upon demand *(discretionary condition)*.
- 6.3 The Licence Holder shall not cause or permit any person who has previously applied for a property licence in respect of the property and has either:
- (a) been found not to be a Fit and Proper person, or
 - (b) been made subject to a Banning Order under the Housing and Planning Act 2016
- to have control or management of the property, or to carry out or arrange any repair, improvement or other building works at the property *(discretionary condition)*.
- 6.4 The Licence Holder shall obtain references from persons who wish to occupy the property, or a part of the property, before entering into any tenancy or licence or other agreement with them to occupy the property *(mandatory condition)*. No new occupiers shall be allowed to occupy the property if they are unable to provide suitable references *(discretionary condition)*.

(References should be as a minimum, checks to ensure the tenants identity, whether they have the right to rent a property [see <https://www.gov.uk/check-tenant-right-to-rent-documents/who-to-check>], their ability to pay rent and their past tenant history.) The

Licence Holder must retain all references obtained for occupiers for the duration of this licence and provide copies to the Council within 28 days on demand.

- 6.5 The Licence Holder shall carry out adequate checks and obtain satisfactory proof that occupiers belong to a single household. Evidence of this must be retained for the duration of licence. This evidence must be provided to the Council within 28 days on demand (*discretionary condition*).
- 6.6 Where the standard local authority waste collection schemes do not suffice, the Licence Holder must arrange for private collections of waste from the property (*discretionary condition*).
- 6.7 The Licence Holder must ensure that any deposit taken under an assured shorthold tenancy is protected by placing it in an authorised tenancy deposit scheme. The tenant must be given the prescribed information about the scheme. The Licence Holder must ensure compliance with the requirements of the scheme and the operation of Part 6 in Chapter 4, Housing Act 2004 within the statutory time limit (currently 30 days). A copy of the prescribed information given must be provided to the Authority within 28 days on demand (*discretionary condition*).
- 6.8 If an occupant misses a rent payment, the Licence Holder must ensure that the occupant is contacted to ascertain whether they still occupies the house; and must ensure that a record of any such contact is kept. If no such contact is or can be made, the Licence Holder must ensure that the house is visited, no later than one month after the date on which the payment became due, to ensure that the house is secure and has not been abandoned.

Where a tenant misses a rental payment, the Licence Holder shall notify the Council's Homelessness Team **[add contact details]** of this so that the Council can work with the Licence Holder and tenant to prevent homelessness.

(*discretionary condition*)

- 6.9 When rent or licence fees are collected or received in cash from the occupiers, a written rent receipt must be given to the occupiers, within 7 days of receiving the rent. (This can be an email or written invoice confirming to the tenant, the date and amount paid). Copies of the rent receipts and records must be provided to the Authority within 28 days on demand (*discretionary condition*).
- 6.10 The Licence Holder shall not refuse a potential tenant solely based on the fact the tenant is in receipt of state assistance towards the cost of living, which includes rent (*discretionary condition*).
- 6.11 The Licence Holder shall at the commencement of a tenancy or where a tenancy exists provide to the tenant:
- An inventory of contents and their condition at the commencement of the tenancy,
 - details of the rent and dates due, rent payment methods and how and when rent may be increased and,
 - details of arrangements for the payment for services including gas, water, electricity and heating, and provide the relevant contact information for the services provided at the house.
 - details of the arrangements for the storage and disposal of refuse, including recycling requirements and days and times for collections.

(*discretionary condition*)

7. Fit and Proper Person

- 7.1 If the Licence Holder becomes aware that they or any other person involved in the management of the property have received a conviction, caution, informal warning or reprimand in respect of any offence as detailed in the Licence application form, they must notify the Council in writing within 14 days of the information coming to their attention (*discretionary condition*).
- 8. Changes in the use and layout of the Property**
- 8.1 No changes must be made to the use, layout or maximum occupancy level of the property without the Council's prior written consent (*discretionary condition*).
- 9. Council Standards for Licensable Properties**
- 9.1 The maximum occupancy for this property is **one household OR two people in two households** (*mandatory condition*).
- 9.2 Licensed properties must comply with the occupancy levels stated in this licence within 18 months of the licence being granted and for the remaining duration of the licence (*discretionary condition*).
- 9.3 The terms of these conditions are unique to this property and cannot be applied to any other property (*discretionary condition*).
- 9.4 For the purposes of this licence, any occupier is regarded as one person, regardless of age (*discretionary condition*).
- 10. Access to Utility Meters**
- 10.1 The licence holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the licence holder shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters (*discretionary condition*).
- 11. Training Courses**
- 11.1 The Licence Holder and manager of the house shall attend training courses or otherwise demonstrate competence in relation to any applicable codes of practice as specified by the London Borough of Southwark.
- Details of Training Courses:
- London Landlord Accreditation Scheme (LLAS) and:
Accreditation and Training for Landlords & Agents Service (ATLAS)
- Website: www.londonlandlords.org.uk
- The licence holder shall submit to the Council within twelve (12) months of the date of the licence copies of certification demonstrating competence and/attendance at the relevant training courses (*discretionary condition*).
- 12. Interim Measures**
- 12.1 The London Borough of Southwark have agreed interim safety and welfare measures with the licence holder to minimise the risk to tenants whilst works are carried out in relation to [fire safety] [space standards] [amenity standards]. These interim measures are:
- [List measures – examples given below]

- Battery operated smoke detectors located in [add locations].
- Battery operated heat detectors located in [add locations].
- Battery operated hand-held emergency lighting located in [add locations].
- Undersized shower cubicles located in [add locations].
- Undersized baths located in [add locations].
- Microwaves located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Kettles located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Electrically operated space heaters [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]] [and] [the communal living rooms].

These interim measures shall be maintained in good repair, condition and where applicable, remain fully operational whilst in place. This includes, where applicable, adherence to standards and manufacturers guidance.

The licence holder must inform the Council by email [add address] within 72 hours of becoming aware of the failure of any of the interim measures (*discretionary condition*).

13. Missing documents

- 13.1 Provide electronic copies of the following documents that were missing from your licence application within 3 months of the issue of the licence:

[delete/add as appropriate]

- i. Energy Performance Certificate (EPC)(s)
- ii. Written tenancy agreement(s) with the occupying tenants.
- iii. Lease Agreements/Commercial Agreement with owner (if any)
- iv. Building insurance certificate
- v. Inventory of furniture and fittings(s)
- vi. Terms if contract (or a copy of your contract) with the Managing Agent (if any)
- vii. Gas Safety Certificate(s)
- viii. Portable Appliance Test (PAT) report(s)
- ix. Test certificates for fire alarm system
- x. Test certificates emergency lighting system
- xi. Asbestos report(s)
- xii. Fire Risk Assessment

Email the copies to [email address]

(*discretionary condition*)

14. Carbon Monoxide

- 14.1 Ensure that a carbon monoxide alarm is installed in any room in the house that contains a gas appliance (includes boilers) (*discretionary condition*).
- 14.2 The Licence Holder must ensure that the carbon monoxide alarms are kept in proper working order (this can be a check of the battery and operation of the alarm). A declaration as to the proper working order of such alarms must be supplied to the London Borough of Southwark on demand (*discretionary condition*).

15. Property Management and Safety

- 15.1 The Licence Holder must ensure that prompt action is taken to investigate and effectively address complaints about disrepair or pest infestation at the house. The Licence Holder must ensure, in particular, that a written response is made to any such complaint within 21 days of receipt, stating the action that has been or will be taken.
- Copies of any such written complaint (including by email) and the response referred to in condition 17 must be provided to the Authority within 21 days on demand.
- (discretionary condition)*
- 15.2 The Licence Holder shall ensure that any repairs, improvement works or treatments at the house are carried out by competent person(s) who is employed directly by the Licence Holder or an agent/employee of the Licence Holder. Copies of receipts and/or invoices for any such works must be provided to the Authority within 21 days upon demand *(discretionary condition)*.
- 15.3 The Licence Holder must ensure that regular checks are carried out to ensure that the common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities *(discretionary condition)*.
- 15.4 The Licence Holder must ensure that regular checks are carried out to ensure that the house is free from pest infestation. Where the Licence Holder becomes aware of a pest problem or infestation at the house they shall, within 7 days, take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and copies of these must be provided to the Authority within 28 days on demand *(discretionary condition)*.
- 15.5 The Licence Holder must ensure that all outhouses, garages and sheds are kept secure, are used for their intended purpose only. The Licence Holder must ensure that these structures are not used for human habitation *(discretionary condition)*.
- 15.6 The Licence Holder must ensure that the exterior of the house is kept clean and tidy and that issues of routine maintenance affecting the exterior, such as broken windows, are addressed promptly *(discretionary condition)*.
- 15.7 The Licence Holder shall ensure that inspections of the house are carried out at least every six (6) months to identify any problems relating to the condition and management of the house. The Authority may increase the frequency of such inspections if it has good reason to be concerned about the condition or management of the house. The records of such inspections shall be kept for the duration of this licence. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection and issues found, and action(s) taken. Copies of these must be provided to the Authority within 28 days on demand *(discretionary condition)*.

16. Homes (Fitness for Human Habitation) Act 2018

- 16.1 The Homes (Fitness for Human Habitation) Act 2018 modified the Landlord and Tenant Act 1985. The Licence Holder must ensure the property complies with the modification brought about by the Homes (Fitness for Human Habitation) Act 2018. The building must:
- not be neglected or in a bad condition,
 - be stable,
 - be free from a serious problem with damp,
 - have a safe layout,
 - have enough natural light,
 - have enough ventilation,
 - have a satisfactory supply of hot and cold water,

- have satisfactory drainage and lavatories,
- have satisfactory facilities to prepare and cook food or wash up, and
- free from category one hazards set out in the [Housing Health and Safety \(England\) Regulations 2005](#)

(discretionary condition)

17. Noise standards

17.1 Where the Council has investigated complaints of noise nuisance related to the dwelling and concluded that the noise is not a nuisance but relate to normal domestic noise the Licence Holder will:

- provide carpets to any floors, where the floor covering is solid/hard, for example, floor-boards or laminate flooring, etc. The exception shall be flooring designed to protect a room from water, e.g. bathroom, laundry, kitchen, etc.,
- use noise insulation mats under any white goods, such as washing machines, tumble dryers, dishwashers, etc., and
- provide strips to door frames or doors that minimise the noise that occurs from the impact of a closing door.

(discretionary condition)

18. Minimum Energy Rating

18.1 The Licence Holder is in control of property with an Energy Performance Certificate (EPC) Rating of less than 'E'.

The Licence Holder shall within twelve months of the licence being issued carry out the works detailed on the EPC for the property to improve the energy efficiency of the HMO to achieve an EPC rating of 'E' or above

OR

within three months of the licence being issued register a valid exemption on the national exemptions register -

Guidance - <https://www.gov.uk/government/publications/private-rented-sector-minimum-energy-efficiency-standard-exemptions>

Register - <https://prsregister.beis.gov.uk/NdsBeisUi/used-service-before>

Where there is a lack of compliance, enforcement will be under the The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and The Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019.

(discretionary condition).

19. Fuel Poverty

19.1 Where a communal system is not in use, the Licence Holder shall ensure a suitable heating system is installed throughout the dwelling. Portable heaters and gas fires are not acceptable means of space heating. The system installed must be programmable and controllable and must include thermostatic control. The system is to include thermostatic radiator valves (if radiators are provided).

19.2 Where a communal system is not in use, the Licence Holder shall ensure a suitable system for providing hot water is installed. The system shall be programmable and controllable *(discretionary condition)*.

19.3 The Licence Holder shall, in writing, provide the tenant with details on how to use the heating and hot water systems, and how they are programmed. Where the system is a

communal system, the Licence Holder must inform the tenants of this and how it is controlled and how the system is charged for (*discretionary condition*).

19.4 Where a property contains single glazed windows, draught proofing shall be provided to the windows and external doors (*discretionary condition*).

20. Water Saving

20.1 The Licence Holder shall, where possible, install water saving devices to the bathroom and kitchen facilities provided in the dwelling. This should include (but not limited to):

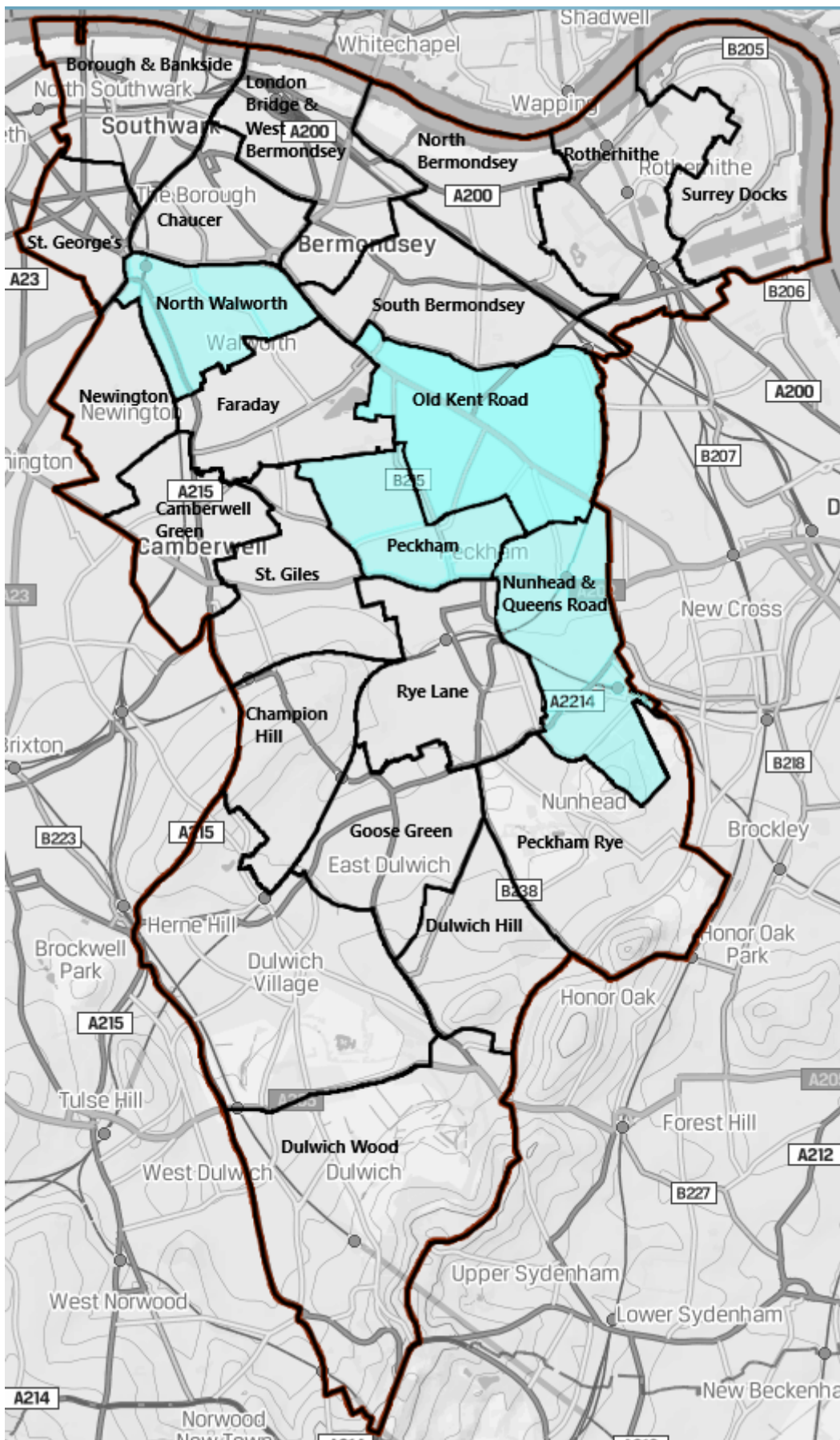
- tap aerators,
- shower flow regulators,
- shower timer devices,
- Combismart - thermostatic valve – only where Combination Boilers are fitted, and
- toilet cistern – flush water-use reduction devices.

The great majority of water companies offer both a free 'water saving' assessment of property and a selection of free water saving devices. The Council advises that you contact your water company in the first instance before purchasing any equipment.

The Council recommend that you have a qualified plumber install all devices in the property, to ensure proper fitting and use as these devices cannot be used for all types of water products, e.g. power showers.

(*discretionary condition*)

Map of Wards Included in Designation 3



Map 3 – wards included in Designation 3

Designation 4

52. This designation includes ten wards, named below, in a single designation (Designation 4).

The wards included in Designation 3 are:

Camberwell Green

Chaucer

Dulwich Hill

Dulwich Wood

London Bridge & West Bermondsey

Peckham Rye

Rotherhithe

Rye Lane

South Bermondsey

Surrey Docks

Table 7 – wards proposed to be included in Designation 4

53. The evidence demonstrates that the privately rented properties in these ten wards are subject to poor property conditions (Category one hazards) as set out in the table 8 below:

	No of PRS	% PRS	Cat 1 hazards
Camberwell Green	1,791	25.2%	22.6%
Chaucer	2,254	31.8%	18.8%
Dulwich Hill	1,102	26.2%	21.1%
Dulwich Wood	1,326	29.2%	18.8%
London Bridge & West Bermondsey	2,303	27.2%	15.1%
Peckham Rye	1,438	33.1%	19.3%
Rotherhithe	2,247	30.3%	20.3%
Rye Lane	2,258	33.3%	21.9%
South Bermondsey	2,617	35.7%	17.5%
Surrey Docks	1,933	29.7%	21.0%

Table 8 – Levels of poor property conditions in the wards to be included in Designation 4.

54. Further analysis of the evidence is given in the December 2019 Metastreet report (Private Rented Sector: Housing Stock Condition and Stressors Report) produced for the London Borough of Southwark as set out in Appendix 1.
55. The number of privately rented properties included in the proposed Designation 4 equate to 39% of the total privately rented properties in Southwark.

Conditions – those that would be attached to licences in the proposed Designation 4 (property standards and maintenance).

1. General

- 1.1 The property licence must be displayed within a communal area of the property and a copy of the conditions should be made available to all the occupying tenants (*discretionary condition*).
- 1.2 The address of the Licence Holder given on their application form shall be used as the address for the proper service of any letter, notice or other document between the London Borough of Southwark Property Licensing Team and the Licence Holder. It is the Licence Holder's responsibility to ensure that they take all reasonable steps to collect and act upon any letter, notice or other document sent to that address on a regular basis (*discretionary condition*).
- 1.3 The Licence Holder must notify the Council of any managing agent that they employ in relation to the property within 14 days of having employed the agent (*discretionary condition*).
- 1.4 No other persons other than the Licence Holder or the named agent (that the Licence Holder has notified to the Council) can collect and receive rental monies from the tenant(s) at this property. These monies can be passed onto any third parties if required (*discretionary condition*).
- 1.5 If the Licence Holder is not the manager of the property it is their responsibility to ensure that the manager complies with all the conditions of the licence (*discretionary condition*).
- 1.6 The property must comply with and be maintained in accordance with and any Approved Codes of Practice which the Council or Central Government may from time to time require (*discretionary condition*).
- 1.7 Every habitable room in the property must have acceptable natural daylight and ventilation. An area of glazing which is equivalent to at least 10% of the internal floor space of each habitable room must be provided. An area of openable glazing (for ventilation) which is equivalent to at least 20% of the internal floor space of each habitable room must be provided (*discretionary condition*).
- 1.8 The Licence Holder is in control of property with an Energy Performance Certificate (EPC) Rating of less than 'E'.

The Licence Holder shall within twelve months of the licence being issued carry out the works detailed on the EPC for the property to improve the energy efficiency of the HMO to achieve an EPC rating of 'E' or above

OR

within three months of the licence being issued register a valid exemption on the national exemptions register -

Guidance - <https://www.gov.uk/government/publications/private-rented-sector-minimum-energy-efficiency-standard-exemptions>

Register - <https://prsregister.beis.gov.uk/NdsBeisUi/used-service-before>

Where there is a lack of compliance, enforcement will be under the The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and The Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019.

(discretionary condition).

- 1.9 Provide, in writing, to the tenants, the name, address and telephone number of the person managing the house.
- 1.10 The Licence Holder shall give a written declaration that they shall provide to each current and future occupant with the name, address and telephone number of the landlord's appointed local out of hours contact, who will respond to emergency situations outside normal business hours, and be able to attend or arrange for a contractor to attend the property to deal with any emergencies within 24 hours of notification. A copy of these details shall be forwarded to the Council on demand.
- 1.11 The Licence Holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the Licence Holder shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters.
- 1.12 The Licence Holder shall not unreasonably cause the supply of water, gas (where provided) and electricity to house to be interrupted, where these supplies is under their control.

2. Gas Safety

- 2.1 If gas is supplied to the property, a valid Gas Safe gas safety certificate must be available, on request, at any time. The gas safety certificate must relate to the whole gas installation and include all gas appliances. It must demonstrate that all appliances have been serviced and safety checked within the previous twelve months. Any defects noted on the certificate must be promptly rectified *(mandatory condition)*.
- 2.2 The Licence Holder is required to ensure that any carbon monoxide detector that is installed is kept in working order. The Licence Holder must supply to the authority, on demand, a declaration by them as to the condition and positioning of such alarms *(discretionary condition)*.

3. Electrical Safety

- 3.1 The Licence Holder shall ensure that every electrical installation in the house is in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of the electrical installation(s) in the house. The Licence Holder shall ensure that any electrical appliances supplied by the licence holder, (e.g. fridges, kettles, lawn mowers, hedge trimmers, etc.) in the house are in proper working order and safe for continued use. The Licence Holder shall supply the London Borough of Southwark, within seven days of demand, a written declaration or appropriate certification as to the safety of any electrical appliances in the property (supplied by the licence holder). Only approved Electrical contractors are to be permitted to carry out inspections of electrical installations and appliances or remedial works. Any necessary remedial works identified by such contractors shall be undertaken within a reasonable time period. The Licence Holder must, within seven days of inspection, provide the London Borough of Southwark with a copy of such inspection reports. The

Licence Holder shall inform the London Borough of Southwark upon completion of such works (*mandatory condition*).

- 3.2 A valid Portable Appliance Testing (PAT) record must be available, on request, at any time, for all electrical appliances provided in the property by the licence holder. PAT tests should be carried out every twelve months with records kept for at least five years. Any necessary maintenance or repair work must be undertaken by a competent electrical engineer in accordance with Part P of the Building Regulations. Copies of all maintenance records and PAT testing must be provided to the Council on request (*discretionary condition*).
- 3.3 Where low-risk (i.e. works that are only recommended and are not required to protect safety) works have been identified for remediation on the Electrical Installation Condition Report (EICR), the Licence Holder shall at the expiry of the EICR (5 years from the date of issue) or within two years from the date of the licence, whichever comes sooner, have those works carried out. The licence holder must inform the Council when the works have been completed and provide an updated EICR (*discretionary condition*).

4. Furniture

- 4.1 The Licence Holder is required to keep furniture made available by them in the house in a safe condition and must supply the authority, on demand, with a declaration by them as to the safety of such furniture (*mandatory condition*).

5. Fire Safety

- 5.1 The Licence Holder is required to ensure that smoke alarms are installed in the property and are kept in proper working order. The Licence Holder must supply to the authority, on demand, a declaration by them as to the condition and positioning of such alarms (*mandatory condition*).
- 5.2 Provide fire precaution facilities and equipment at the property, as deemed necessary by the London Borough of Southwark. Information on necessary fire precautions and equipment for the property will be provided to the licence holder. Fire precautions and equipment must be maintained in proper working order. Appropriate records of such maintenance, such as current certificates, are to be kept and produced to the London Borough of Southwark on demand as evidence of such maintenance. Any defects noted on certification must be promptly rectified.

Provide details of fire exit routes to tenants and, in respect of the fire alarm system, ensure that all tenants are aware of fire and fault indications, are adequately familiar with controls (e.g. resetting) and aware of measures to avoid false alarms. Tenants should be aware of what to do in the case of a fire.

The LACoRs Fire Guide provides guidance on the levels of fire precautions expected in different types of HMO -

http://www.southwark.gov.uk/downloads/download/4354/lacors_fire_guidance

(*discretionary condition that ensures we are meeting mandatory requirements*)

- 5.3 At the start of each tenancy, occupants must be given appropriate fire safety advice regarding the means of escape in case of fire and other fire precautions. In particular, the importance of keeping fire doors closed (where supplied) and keeping the escape route clear (*discretionary condition*).
- 5.4 The Licence Holder shall ensure the tenants of Flats in a block are informed in writing of the fire safety arrangements in place within the block, being, but not restricted to:
- Evacuation arrangements, e.g. an all-out or stay-put policy.
 - The safest route to safety from the FMO.

- The designated fire assembly area.
- Fire Drill arrangements (if any).
- Fire Warden and/or waking watch arrangements (where provided).
- The nearest manual call point (where provided).

(discretionary condition)

6. Tenancy Matters

- 6.1 The Licence Holder shall supply the occupiers of the property with a written statement of the terms on which they occupy the property (*mandatory condition*), details of the arrangements in place to deal with repair issues and emergency issues and a copy of this licence and its conditions. Copies of the written statement of terms must be provided to the Council within 7 days upon demand (*discretionary condition*).
- 6.2 The Licence Holder shall ensure that only they or the named agent (that the Licence Holder has notified to the Council) create new tenancies or licences to occupy this property whilst this licence is in force. Copies of any new written terms of tenancies or licences must be provided to the Council within 28 days upon demand (*discretionary condition*).
- 6.3 The Licence Holder shall not cause or permit any person who has previously applied for a property licence in respect of the property and has either:
- (a) been found not to be a Fit and Proper person, or
 - (b) been made subject to a Banning Order under the Housing and Planning Act 2016 to have control or management of the property, or to carry out or arrange any repair, improvement or other building works at the property (*discretionary condition*).
- 6.4 The Licence Holder shall obtain references from persons who wish to occupy the property, or a part of the property, before entering into any tenancy or licence or other agreement with them to occupy the property (*mandatory condition*). No new occupiers shall be allowed to occupy the property if they are unable to provide suitable references (*discretionary condition*).
- (References should be as a minimum, checks to ensure the tenants identity, whether they have the right to rent a property [see <https://www.gov.uk/check-tenant-right-to-rent-documents/who-to-check>], their ability to pay rent and their past tenant history.) The Licence Holder must retain all references obtained for occupiers for the duration of this licence and provide copies to the Council within 28 days on demand.
- 6.5 The Licence Holder shall carry out adequate checks and obtain satisfactory proof that occupiers belong to a single household. Evidence of this must be retained for the duration of licence. This evidence must be provided to the Council within 28 days on demand (*discretionary condition*).
- 6.6 Where the standard local authority waste collection schemes do not suffice, the Licence Holder must arrange for private collections of waste from the property (*discretionary condition*).
- 6.7 The Licence Holder must ensure that any deposit taken under an assured shorthold tenancy is protected by placing it in an authorised tenancy deposit scheme. The tenant must be given the prescribed information about the scheme. The Licence Holder must ensure compliance with the requirements of the scheme and the operation of Part 6 in Chapter 4, Housing Act 2004 within the statutory time limit (currently 30 days). A copy of the prescribed information given must be provided to the Authority within 28 days on demand (*discretionary condition*).

7. Fit and Proper Person

- 7.1 If the Licence Holder becomes aware that they or any other person involved in the management of the property have received a conviction, caution, informal warning or reprimand in respect of any offence as detailed in the Licence application form, they must notify the Council in writing within 14 days of the information coming to their attention (*discretionary condition*).

8. Changes in the use and layout of the Property

- 8.1 No changes must be made to the use, layout or maximum occupancy level of the property without the Council's prior written consent (*discretionary condition*).

9. Council Standards for Licensable Properties

- 9.1 The maximum occupancy for this property is **one household OR two people in two households** (*mandatory condition*).
- 9.2 Licensed properties must comply with the occupancy levels stated in this licence within 18 months of the licence being granted and for the remaining duration of the licence (*discretionary condition*).
- 9.3 The terms of these conditions are unique to this property and cannot be applied to any other property (*discretionary condition*).
- 9.4 For the purposes of this licence, any occupier is regarded as one person, regardless of age (*discretionary condition*).

10. Access to Utility Meters

- 10.1 The licence holder shall ensure that their tenants can access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the house at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the termination of the tenancy. Furthermore, the licence holder shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters (*discretionary condition*).

11. Training Courses

- 11.1 The Licence Holder and manager of the house shall attend training courses or otherwise demonstrate competence in relation to any applicable codes of practice as specified by the London Borough of Southwark.

Details of Training Courses:

London Landlord Accreditation Scheme (LLAS) and:

Accreditation and Training for Landlords & Agents Service (ATLAS)

Website: www.londonlandlords.org.uk

The licence holder shall submit to the Council within twelve (12) months of the date of the licence copies of certification demonstrating competence and/attendance at the relevant training courses (*discretionary condition*).

12. Interim Measures

- 12.1 The London Borough of Southwark have agreed interim safety and welfare measures with the licence holder to minimise the risk to tenants whilst works are carried out in relation to [fire safety] [space standards] [amenity standards]. These interim measures are:

[List measures – examples given below]

- Battery operated smoke detectors located in [add locations].
- Battery operated heat detectors located in [add locations].
- Battery operated hand-held emergency lighting located in [add locations].
- Undersized shower cubicles located in [add locations].
- Undersized baths located in [add locations].
- Microwaves located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Kettles located [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]].
- Electrically operated space heaters [in all rooms used for sleeping] [in the following rooms used for sleeping [add locations]] [and] [the communal living rooms].

These interim measures shall be maintained in good repair, condition and where applicable, remain fully operational whilst in place. This includes, where applicable, adherence to standards and manufacturers guidance.

The licence holder must inform the Council by email [add address] within 72 hours of becoming aware of the failure of any of the interim measures (*discretionary condition*).

13. Missing documents

- 13.1 Provide electronic copies of the following documents that were missing from your licence application within 3 months of the issue of the licence:

[delete/add as appropriate]

- i. Energy Performance Certificate (EPC)(s)
- ii. Written tenancy agreement(s) with the occupying tenants.
- iii. Lease Agreements/Commercial Agreement with owner (if any)
- iv. Building insurance certificate
- v. Inventory of furniture and fittings(s)
- vi. Terms if contract (or a copy of your contract) with the Managing Agent (if any)
- vii. Gas Safety Certificate(s)
- viii. Portable Appliance Test (PAT) report(s)
- ix. Test certificates for fire alarm system
- x. Test certificates emergency lighting system
- xi. Asbestos report(s)
- xii. Fire Risk Assessment

Email the copies to [email address]

(*discretionary condition*)

14. Carbon Monoxide

- 14.1 Ensure that a carbon monoxide alarm is installed in any room in the house that contains a gas appliance (includes boilers) (*discretionary condition*).
- 14.2 The Licence Holder must ensure that the carbon monoxide alarms are kept in proper working order (this can be a check of the battery and operation of the alarm). A declaration as to the proper working order of such alarms must be supplied to the London Borough of Southwark on demand (*discretionary condition*).

15. Property Management and Safety

- 15.1 The Licence Holder must ensure that prompt action is taken to investigate and effectively address complaints about disrepair or pest infestation at the house. The Licence Holder must ensure, in particular, that a written response is made to any such complaint within 21 days of receipt, stating the action that has been or will be taken.
- Copies of any such written complaint (including by email) and the response referred to in condition 17 must be provided to the Authority within 21 days on demand.
- (discretionary condition)*
- 15.2 The Licence Holder shall ensure that any repairs, improvement works or treatments at the house are carried out by competent person(s) who is employed directly by the Licence Holder or an agent/employee of the Licence Holder. Copies of receipts and/or invoices for any such works must be provided to the Authority within 21 days upon demand *(discretionary condition)*.
- 15.3 The Licence Holder must ensure that regular checks are carried out to ensure that the common parts, gardens and yards are free from waste, which could provide harbourage for pests and/or is a nuisance and/or is detrimental to the local amenities *(discretionary condition)*.
- 15.4 The Licence Holder must ensure that regular checks are carried out to ensure that the house is free from pest infestation. Where the Licence Holder becomes aware of a pest problem or infestation at the house they shall, within 7 days, take steps to ensure that a treatment program is carried out to eradicate the pest infestation. Records shall be kept of such treatment programs and copies of these must be provided to the Authority within 28 days on demand *(discretionary condition)*.
- 15.5 The Licence Holder must ensure that all outhouses, garages and sheds are kept secure, are used for their intended purpose only. The Licence Holder must ensure that these structures are not used for human habitation *(discretionary condition)*.
- 15.6 The Licence Holder must ensure that the exterior of the house is kept clean and tidy and that issues of routine maintenance affecting the exterior, such as broken windows, are addressed promptly *(discretionary condition)*.
- 15.7 The Licence Holder shall ensure that inspections of the house are carried out at least every six (6) months to identify any problems relating to the condition and management of the house. The Authority may increase the frequency of such inspections if it has good reason to be concerned about the condition or management of the house. The records of such inspections shall be kept for the duration of this licence. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection and issues found, and action(s) taken. Copies of these must be provided to the Authority within 28 days on demand *(discretionary condition)*.

16. Homes (Fitness for Human Habitation) Act 2018

- 16.1 The Homes (Fitness for Human Habitation) Act 2018 modified the Landlord and Tenant Act 1985. The Licence Holder must ensure the property complies with the modification brought about by the Homes (Fitness for Human Habitation) Act 2018. The building must:
- not be neglected or in a bad condition,
 - be stable,
 - be free from a serious problem with damp,
 - have a safe layout,
 - have enough natural light,

- have enough ventilation,
- have a satisfactory supply of hot and cold water,
- have satisfactory drainage and lavatories,
- have satisfactory facilities to prepare and cook food or wash up, and
- free from category one hazards set out in the [Housing Health and Safety \(England\) Regulations 2005](#)

(discretionary condition)

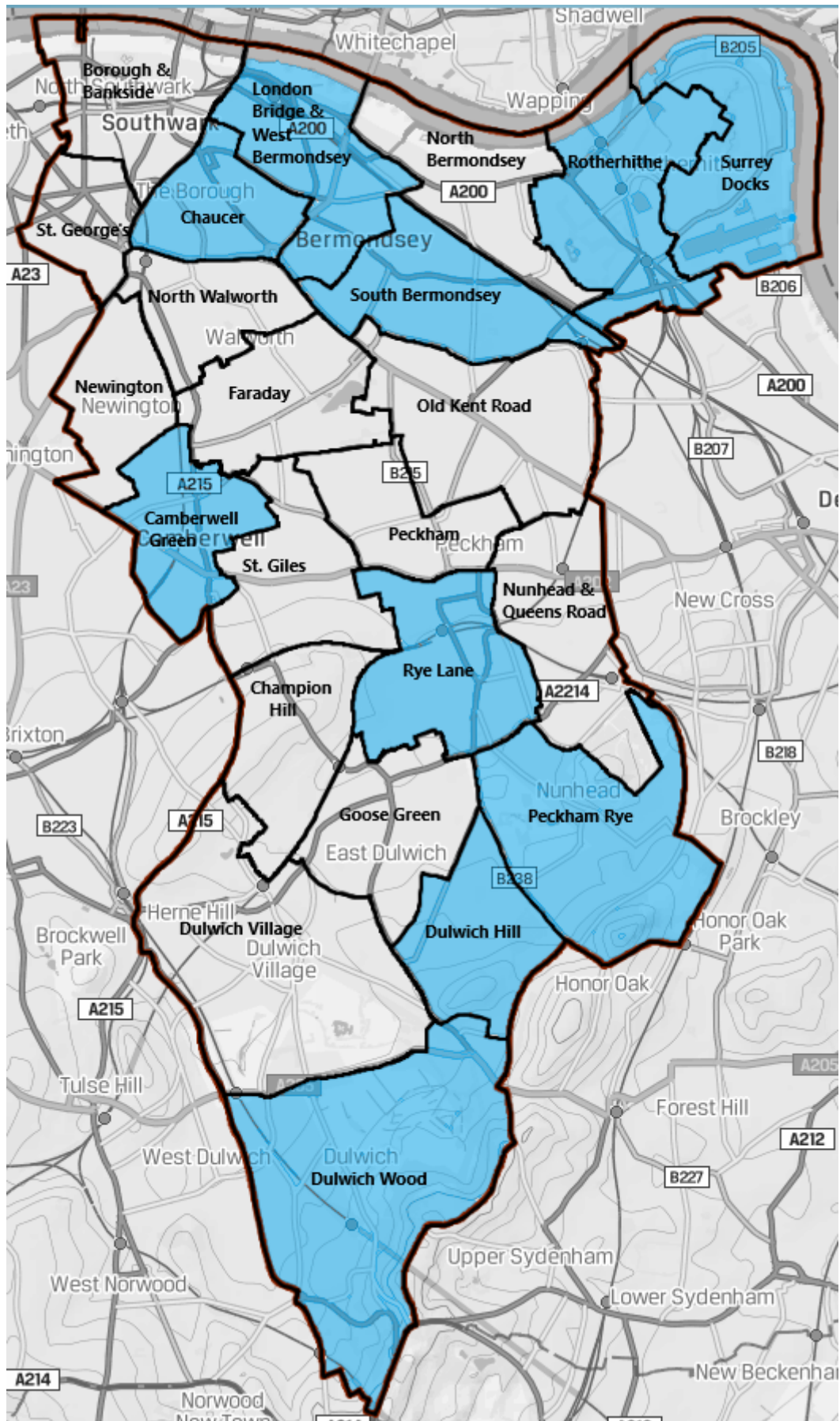
17. Noise standards

17.1 Where the Council has investigated complaints of noise nuisance related to the dwelling and concluded that the noise is not a nuisance but relate to normal domestic noise the Licence Holder will:

- provide carpets to any floors, where the floor covering is solid/hard, for example, floor-boards or laminate flooring, etc. The exception shall be flooring designed to protect a room from water, e.g. bathroom, laundry, kitchen, etc.,
- use noise insulation mats under any white goods, such as washing machines, tumble dryers, dishwashers, etc., and
- provide strips to door frames or doors that minimise the noise that occurs from the impact of a closing door.

(discretionary condition)

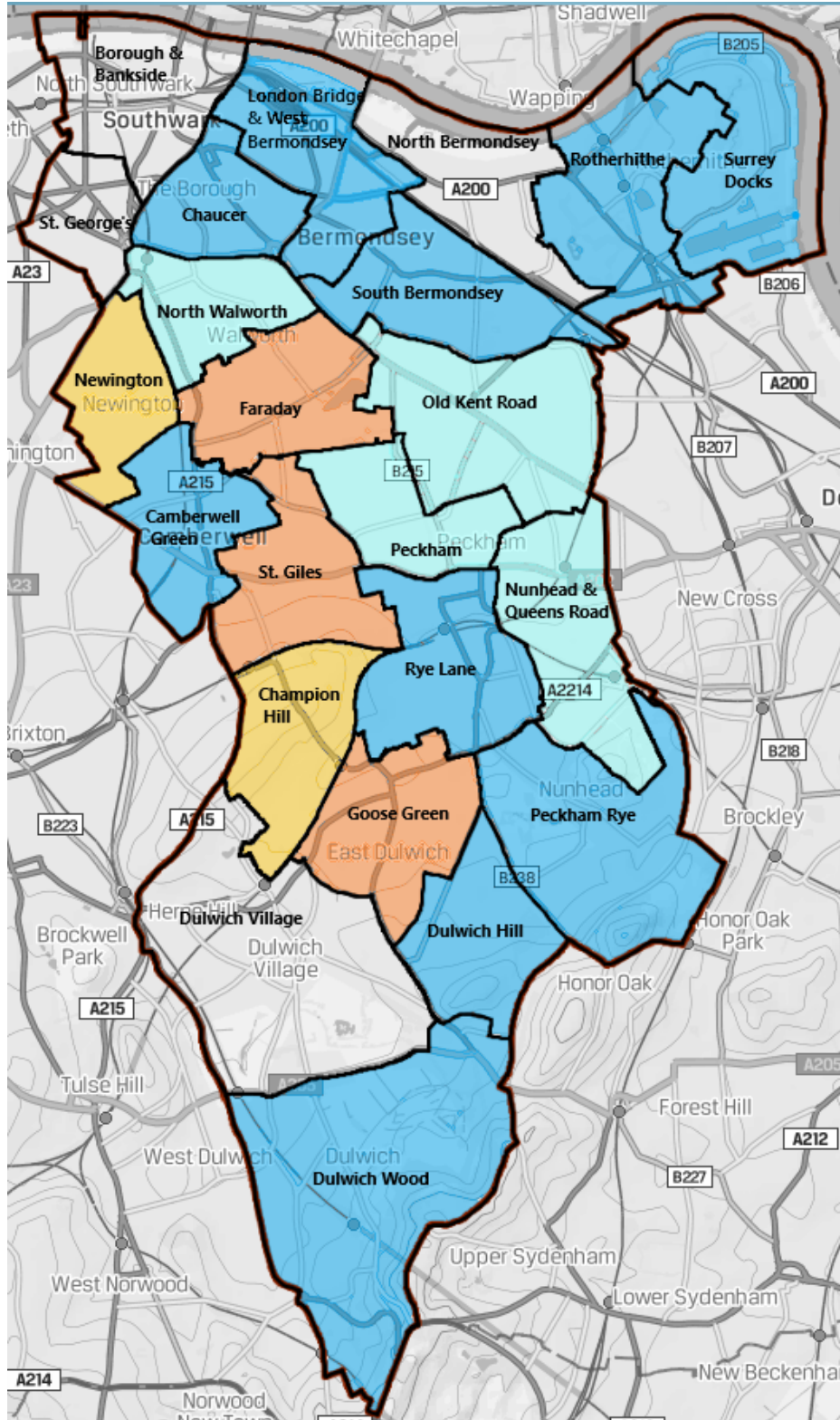
Map of Wards Included in Designation 4



Map 4 – wards included in Designation 4

The Designations Combined

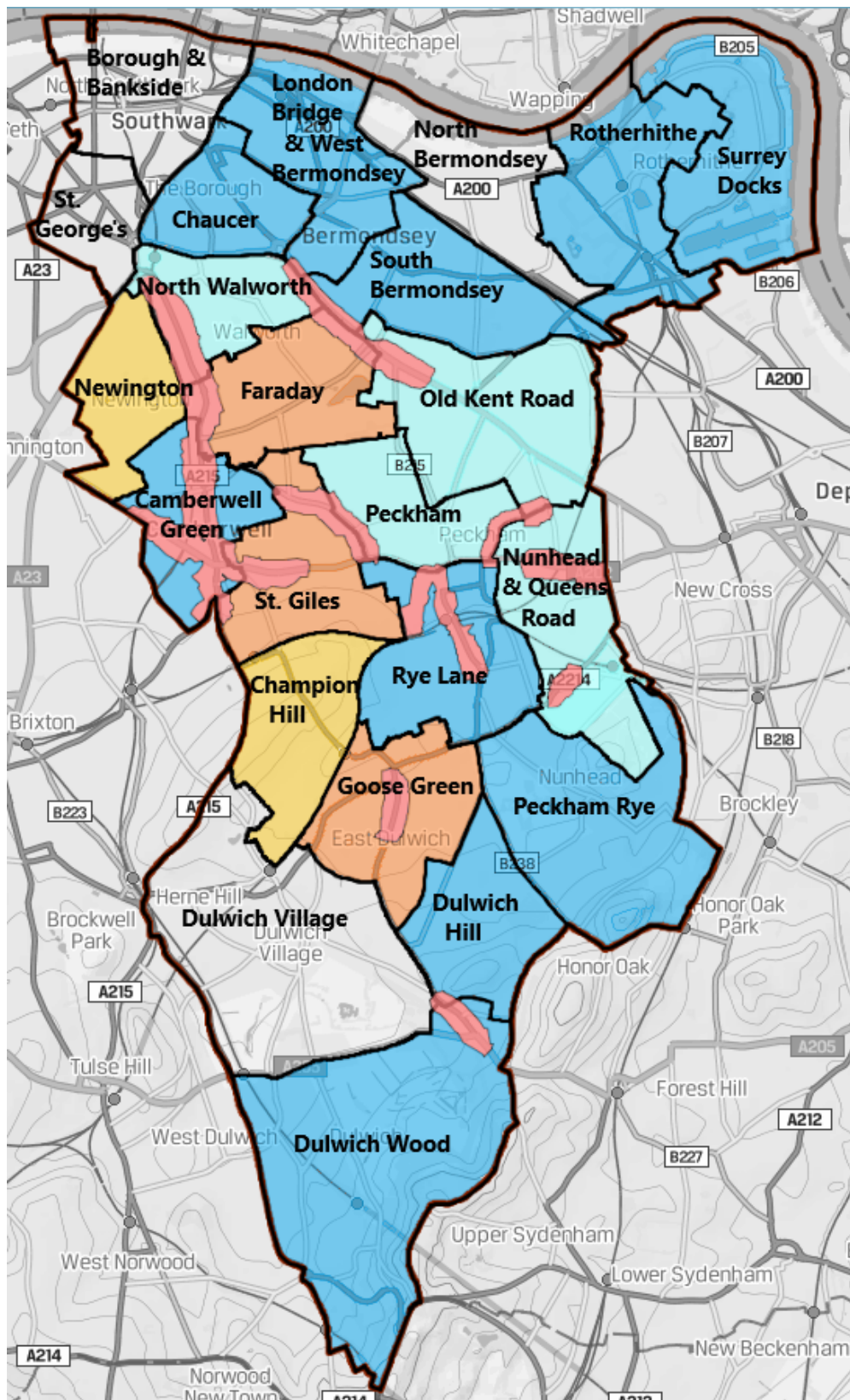
56. Map five below shows the all the wards covered by the four separate Designations.
57. Collectively the four proposed designations equate to 85% of the total PRS in the borough. The combined designations exclude four wards where the PRS properties do not show sufficient evidence to justify selective licensing under any of the criteria.



Map 5 – wards included in all Designations

A comparison with the current proposals and the previous selective licensing schemes.

58. Map six below shows the all the wards covered by the proposed four separate Designations overlaid with the areas covered by the previous selective licensing schemes that operated between 2016 and 2020.



Map 6 – proposed areas overlaid with the areas covered by the previous schemes (pink = previous areas)

Proposals for the licensing process across all schemes

59. The following proposals will apply to mandatory Licensing as well as the proposed additional and selective licensing schemes.

Changes in the use and layout of the Property

60. No changes must be made to the use or layout of the property without the Council's prior written consent. This licence is not valid for the property to be occupied as an HMO. Should the property be used as an HMO the Licence Holder must notify the council immediately and apply for an HMO licence.

Discounts on licensing fees

61. A 30% early bird discount will be applied to the proposed selective and additional schemes, which will operate for a period of 3 months from the point a scheme starts.

62. A discount of 50% will be offered on the second part of the fee (enforcement element) for all licensing schemes where the landlord and/or managing agent has signed up to the Council's Gold Standard Charter (see appendix 3 for details on the Charter).

- a. A requirement of the Gold Standard Charter is that a landlord must be accredited. The discount for being an accredited landlord under the existing scheme has therefore been removed under the proposals for the new schemes.
- b. The Gold Standard Charter discount can be applied for a managing agent of a licensable property however, if the Licence Holder and/or landlord has not signed up to the Gold Standard Charter, landlords who change their managing agents during the period of the licence must ensure that any new agent is also signed up to the Gold Standard Charter or repay the discount, pro-rata, for the period of time the property is being managed by an agent not signed up to the Gold Standard Charter.
- c. Discounts will not apply to properties where the council has found it necessary to issue a warning letter requiring the landlord/agent to apply for a licence. This applies to previously unlicensed properties or properties where a previous licence has expired more than 3 months before the renewal application has been received.
- d. A Gold Standard Charter landlord/agent who has not applied for a licence on a licensable property without a warning letter from the council can have their Gold Charter status removed.
- e. If a licensing application is not successful the fee for enforcement will not be charged. Any subsequent applications made for the same property will be charged the application fee (discount will apply where appropriate) and the further fee for enforcement if a licence is to be issued.

63. A further discount of 50% on the second part of the fee (enforcement element) for all licensing schemes, is available where the landlord and/or managing agent, as well as being signed up to the Council's Gold Standard Charter has also signed up to the Platinum Standard Criteria (see appendix 3) and their property has been accepted onto the Council's Finder's Fee scheme (or subsequent iterations). This means that when combined with the Gold Standard Charter Discount the second part of the fee (enforcement element) will be free of charge.

64. There will be no charge for all licensing schemes, where the landlord and/or managing agent, as well as being signed up to the Council's Gold Standard Charter, has also signed up to the Platinum Standard Criteria (see appendix 3) and their property has been accepted onto the Council's Social Lettings Agency (or subsequent iterations).

Refunds and additional charges

65. No fee will be charged for revoking a licence, however any applications made following revocation will be charged the normal applicable fee.
66. The initial fee (payable at the point of application) will be charged with no refund given where:
- planning permission for use as a licensable property is refused before a full licence has been issued.
 - permission to use the property for private letting is refused by a relevant party, e.g. a freeholder, mortgage company, etc.
 - an application is withdrawn by the applicant before a full licence has been issued.
67. If an application is made in error by the applicant (i.e. duplicate or property is not licensable under any of the active designations) a full refund will be given.
68. Fees will not be refunded if:
- the property changes hands or no longer requires a licence before the licence period expires
 - planning permission is refused following issue of a full licence and the property no longer requires a licence.
 - permission to use the property for private letting is refused following issue of a full licence by a relevant party, e.g. a freeholder, mortgage company, etc.

Transfer of unexpired licences from the existing schemes

69. Licences issued under the current additional and selective licensing schemes (within the period 1/1/2016-31/12/2020 inclusive) that have not expired will be valid under the proposed schemes for the remainder of their licence period. This is to prevent essential council resources being taken up with re-licensing properties that have already been licensed, inspected and brought up to standard within a 5-year period under the existing schemes. The focus at the beginning of the new schemes can then be on continuing to license properties in areas previously unaffected by licensing or that have not been licensed previously.

Application process for a licence

70. Applications and payments will continue to be made online as per the existing licensing process.
71. Applicants who are struggling to complete the online process can obtain assistance from a member of staff however; unless there is a specific reason why they need assistance (e.g. accessibility or disability) an additional charge of £100 will be added to the fee to cover the cost of the additional administration of the application by the council.
72. Paper applications can be issued on request however, unless there is a specific reason why online application cannot be made (e.g. accessibility or disability) an additional charge of £250 will be added to the fee to cover the cost of the additional administration of the application by the council.
73. Once in receipt of a full and complete application The Council aim to process an application in 12 weeks. Please note a full and complete application consists of an application form, initial payment and all required documentation. If an incomplete application is submitted the applicant will be informed and given one opportunity to provide what is required before we reject the application. Please note the payment made is not refundable.

74. If the Council has not decided an application in 52 weeks from receipt of a full and complete application (as defined above), tacit consent will apply and the property will be able to operate as though the Council has granted the licence unconditionally. In exceptional circumstances the Council may extend this period once. The applicant will be notified of the reason and time period of the extension if an extension is granted by the Head of Service. In any circumstance an extension cannot be longer than 12 weeks from the expiry of the initial 52-week period.

Licence Holder

75. The Licence Holder will usually be the person who exercises practical control of the property including the collection of rent, arranging repairs & management.
76. The Licence Holder may be the owner or manager of the property. The owner is responsible for ensuring that an appropriate person is appointed to be the licence holder.
77. The Licence Holder must be resident in the UK. Any landlord resident outside of the UK must appoint a UK based manager to be the Licence Holder for the property.
78. If the Licence Holder decides they will no longer hold the licence the owner must ensure that a new Licence Holder is appointed and a new application is made. The existing licence cannot be varied or transferred to a new licence holder.
79. If a licensed property is sold the licence is not transferable to the new owner. If the property remains a licensable property the new owner is responsible for appointing a Licence Holder and making a new application within 12 weeks of taking control the property.

Fit and Proper Person

80. If the Licence Holder becomes aware that they or any other person involved in the management of the property have received a conviction, caution, informal warning or reprimand in respect of any offence as detailed in the Licence application form, they must notify the Council in writing within 14 days of the information coming to their attention.
81. The applicant must declare on the application form whether they have any of the convictions listed below. The applicant must also state whether, to the best of their knowledge, any manager has convictions listed below.
- any previous convictions relating to violence, sexual offences, drugs and fraud;
 - any convictions relating to housing or landlord and tenant issues;
 - been found guilty of unlawful discrimination;
 - Contravened relevant legislation in any HMOs they have managed.
82. The Council may decide that the applicant cannot be considered a fit and proper person and refuse a licence on that basis. The Council will take into account:
- what the conviction was for;
 - the date of the conviction and whether it is spent ;
 - whether the conviction will affect the person's ability to be a good landlord.

Enforcement of the Full Licence

83. Properties will be inspected to ensure compliance with the licence conditions during the time the licence is active.
84. Assessments will be carried out under the Housing Health & Safety Rating System and, where necessary, enforcement action will be taken under part 1 of the Housing Act 2004 where

category 1 and significant category 2 hazards are found in line with the adopted Private Sector Housing - Enforcement Policy

Penalties

85. Once a licensing scheme has been designated it is a criminal offence to let out a licensable property in Southwark without applying for a licence.
86. Failure to apply for or obtain a licence could lead to the tenants of the property obtaining a rent repayment order from the First Tier Tribunal (Property Chamber), requiring the landlord or agent to repay any rent paid for the period in which the property was unlicensed up to a maximum of 12 months.
87. Failure to apply for or obtain a licence could lead to prosecution, which can result in an unlimited fine or a Civil Penalty Notice in accordance with the council's Private Sector Housing - Enforcement Policy. The council or tenants can also apply to the First Tier Tribunal (Property Chamber) for a Rent Repayment Order, depending on whether rent is paid by the tenant or by the council as housing benefits, requiring the landlord or agent to repay any rent paid for the period in which the property was unlicensed up to a maximum of 12 months.
88. Failure to comply with licence conditions could lead to prosecution, which can result in an unlimited fine, or a Civil Penalty Notice could be issued to the Licence Holder in accordance with the council's Private Sector Housing - Enforcement Policy.
89. Once a licensing designation has been made, no notice under section 21 of the Housing Act 1988 (notice requiring possession) may be served in relation to a short-hold tenancy of the whole or part of an unlicensed property, whilst it remains unlicensed.
90. Landlords and managing agents who have a previous poor management record or have failed in the past to comply with the council's requirements to maintain and manage their properties may be deemed to be unfit to hold a licence or may be issued with a shorter-term licence and subjected to more frequent checks.
91. If the person who applies for a licence owns or manages a property, which has previously been the subject of a formal notice, leading to works in default, Fixed or Civil Penalty Notice or prosecution by a local authority under the provisions of Part 1 of the Housing Act 2004 (for example, an improvement notice, prohibition order, hazard awareness notice, emergency remedial action, emergency prohibition order, demolition order and clearance area powers), then the proposed Licence Holder may be an unsuitable candidate (not "fit and proper") and may not be granted a licence.
92. If the person who applies for the licence has previously had a licence revoked or refused by any local authority or owns a property that is subject to an interim or final management order, they may not be considered fit and proper to hold a licence.

Reviewing Progress

93. The Housing Act 2004 requires local authorities to review their licensing schemes from time to time and to revoke the scheme if they consider this to be the most appropriate action. A process of review will be useful to assess whether there are ways of making the scheme more effective and ultimately to determine the success of the scheme in its later stages with a view to informing the exit strategy. It is proposed that an initial review is carried out at the end of year 2 with a further review at the end of year 4 to help inform the strategic direction following the expiry of the five year scheme, e.g. whether a further scheme is needed or whether the scheme objectives have been met.
94. In addition, a financial review of the scheme will be carried out on an annual basis.

Gold Standard Charter

Landlord/Managing Agent Commitment

I am:

- A member of a recognised landlord's/managing agents association
- A member of an accreditation scheme

I will:

- Take responsibility for the safety of my tenants and my property/properties
- Give clear written tenancy agreements and information packs to my tenants
- Keep my tenants well informed of their rights and available services
- Provide security of tenure for my tenants
- Protect my tenants from illegal or unnecessary eviction
- Charge fair rents and avoid additional charges
- Provide a decent home for my tenants
- Maintain and repair my property/properties to a high standard

Platinum Standard criteria: (landlords may opt in or out of this criteria)

- I have signed up to Southwark Council's Social lettings agency or finder's fee scheme to let my property(ies) to prospective tenants identified by the council
YES/NO (circle as appropriate)

Landlord(s)/Agent Signature:.....

Date:.....

Expiry date (5 Years from date of signature)

Please see the next pages for a full list of the Gold/Platinum Standard Charter criteria

Full List of Gold Standard Charter Criteria

As a landlord/agent in the private rented sector operating in Southwark I am/will:

1. Join a recognised landlord's association/representative group or have a housing related professional qualification (landlords) and be a member of an accreditation scheme to help keep up to date with the law and best practice on housing.
2. Have landlords insurance for the building and fixtures, making clear the tenants' need to insure their contents.
3. Advertise my property honestly and in accordance with the law.
4. Place all tenants' deposits in a government-backed tenancy deposit scheme (TDP).
5. Publish any fire risk assessments for my properties online.
6. Accept tenants who are in receipt of Housing Benefits or Universal Credit

For my tenants and their tenancies I will:

7. Provide tenants with a clear written tenancy agreement.
8. Agree meter readings for them to use when the bills are transferred to them.
9. Provide a clear written description of which party is responsible for paying; council tax, utility bills, phone, broadband, satellite TV or other media services and any other regular charges known to affect the letting.
10. Provide information on where the meters are and the location of gas and water valves for emergency purposes as well as details of emergency contacts.
11. Give tenants a pack that includes the following: a copy of the How to Rent: the checklist for renting in England (available from <https://www.gov.uk/government/publications/how-to-rent>), a schedule of conditions and/or inventory appropriate to the property concerned signed by both parties and including photos, information on local and council services available to the tenant, where to get mediation and tenancy advice, contacts and information regarding the council's Private Renter's Union and information on how to arrange for bulk waste removal.
12. Ensure that tenancy agreements give clear and full information about the responsibilities of both the landlord and the tenant, and of any restrictions.
13. Provide security of tenure by: giving the tenant the choice of a fixed term tenancy of up to five years for security, or a 'periodic tenancy' for flexibility after the initial six or twelve months of the tenancy has ended successfully.
14. Protect tenants against harassment or illegal eviction and not evict tenants without an acceptable reason. For example: *For portfolio landlords:* Tenant's poor conduct, tenant is not occupying the property, tenant has breached the tenancy agreement, rent is in arrears or often late, tenant has a relevant criminal conviction, tenant displays relevant anti-social behaviour, landlord needs to sell or completely refurbish the property, property is to be sold by the lender, where there has been a change in the tenant's status e.g. tenant is no longer an employee of landlord or is no longer a student & property is purpose-built student accommodation, the tenancy cannot legally continue or the landlord has been issued with an over-crowding notice. *For single property landlords (all of the above and the following):* A landlord or family member needs the accommodation for their own use and there are no alternatives (i.e. for financial reasons).

15. Agree to enter into council supported mediation before taking action to terminate tenancies where there are issues with the tenant's behaviour.
16. Increase the notice given for a tenant to leave the property by one month for each year the tenant has lived in the property, up to a maximum of six months.
17. Keep rents and additional costs to a reasonable level by: committing to charging rents which are as reasonable as their financial situation allows (being aware of the effect high rents have on tenants' lives), not using Letting Agents who charge fees to tenants and will not charge any fees to tenants either, ensuring that rent will not be increased more than once every two years, giving three months' notice of any increase in rent, not charging tenants for the renewal of tenancy agreements.
18. Provide the tenant with the chance to carry out a joint inventory inspection at the start and end of the tenancy.
My properties will:
19. Provide a Decent Home (using the Decent Home Standard as a guide) that is: free from Health & Safety Hazards (i.e. Category 1 hazards or significant category 2 hazards under the Housing Health and Safety Rating System, in a good state of repair, has reasonably modern facilities and services, Provided with a reasonable degree of thermal comfort and have an Energy Performance Certificate of D or above
20. Have a planned programme to improve the energy efficiency of the building, as far as reasonably practicable.
21. Have a planned programme for maintenance and improvements, carried out as far as possible at times which are convenient for the tenant.
22. Have a gas service and repair contract (when there are gas appliances in the property)
23. Have outdoor spaces (where appropriate) that are clean and safe with adequate fencing and paved areas.
24. Have draft proofing to all external doors and windows where necessary.
25. Will be thoroughly cleaned at the beginning of any tenancy, including carpets and flooring, bathrooms and kitchens, and any furnishings and appliances included in the letting.
26. Have walls, floors, ceilings and fixtures which are in a good state of repair, clean and in reasonable decorative order.
27. Have any repairs carried out promptly: emergency repairs - defined as affecting health or safety, e.g. major electrical fault, blocked WC. repair carried out within 24 hours, urgent repairs - defined as affecting material comfort, e.g. Hot water, heating, fridge failure, serious roof leak. Repairs carried out within 5 working days, non-urgent repairs - anything that does not fall into the two former categories that do not affect health and safety or material comfort. Repairs carried out in 20 working days.
28. Platinum Standard Criteria: I will sign up one/some/all of my properties to the council's Social Lettings Agency and/or Finder's Fee scheme to assist people in housing need in partnership with Southwark's Housing Solutions Department (see website for more details on the schemes at <https://www.southwark.gov.uk/home-owners-services/private-home-owners-and-landlords/earn-money-from-your-property>)

Proposals for the Private Rented Sector 2021-2026

Landlord's Gold Standard Charter

Appendix 3

Introduction

1. The Gold Standard Charter is aimed at landlords and managing agents letting properties in the private sector. It is a voluntary scheme that rewards landlords and managing agents already providing a good service to tenants and encourages others who provide an acceptable service to improve. We believe the Charter includes standards which provide for a professional level of good practice within the sector above those required by law.

How the Charter will work

2. Landlords and managing agents, who sign up to the Gold Standard Charter and are accepted on to the scheme, will be declaring themselves, publicly, to be responsible and a provider of high standard accommodation and tenancies.
3. Applications to sign up to the Charter will be made online. Checks will then be made by the Council to ensure the applicant is fit and proper (see definition

below) and that they are complying with the gold standard charter criteria. The applicant will then be invited to sign two copies of the charter document. The council will keep one copy for its records and the successful applicant will be given a copy and access to the charter logo to use on their documentation.

Note: Fit and Proper test for the purposes of Gold Standard Charter membership - *The council will determine the landlord or managing agents unsuitable to be accepted onto the scheme if :*

- (a) a banning order under section 16 of the Housing and Planning Act 2016 is in force against the person.*
 - (b) They have committed any offence involving:*
 - *Fraud or dishonesty (including benefit fraud)*
 - *Violence*
 - *Drugs*
 - *Matters listed in Schedule 3 to the Sexual Offences Act 2003*
 - *Or received a caution, informal reprimand or formal warning in respect of any of the above*
 - (c) Practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in or in connection with the carrying on of any business*
 - (d) Contravened any provision of the law relating to housing or of landlord and tenant law including any civil proceedings in which judgment was made against the proposed member*
 - (e) Acted in contravention of any relevant Approved Code of Practice (including the code of practice issued by the government under section 233 of the Housing Act 2004 relating to the management of HMOs)*
 - (f) Been refused a license for an HMO under Parts 2 or 3 of the Housing Act 2004 anywhere in England or Wales*
 - (g) Breached the conditions of an HMO licence in England or Wales*
 - (h) Been subject to a HMO Control Order or Management Order in England or Wales in the five years preceding the date of this application*
 - (i) Failed to comply with a housing notice (requiring works etc.) served by a Local Authority in respect of any property currently or previously owned by the proposed member*
 - (j) Been declared bankrupt*
4. Members who become 'not fit and proper' during their charter membership will have their membership cancelled and will be barred from applying to the scheme again until such time as they had become fit and proper again (at the discretion of the council).
 5. Membership would last for 5 years following the date the charter was signed and, upon expiry, members would need to make a new application online to sign up to the charter and renew their membership for a further 5 years.
 6. A list of landlords signed up to the charter will be available online and updated regularly. There will also be a reporting tool so that tenants can report their

landlord or agent if they are not upholding their charter obligations. Following investigation, if there have been significant breaches, charter status can be removed. The landlord or agent would also be barred from applying to the scheme again until such time as they had provided adequate evidence, to the satisfaction of the council that they were taking all steps to ensure that they could comply with Charter principles in the future.

7. The council will actively promote the charter through its website, its private sector tenants union, and in partnership with other councils and third sector groups involved with the private rented sector (PRS).
8. The council will provide an information pack for landlords/agents to help them comply with the charter criteria.
9. One of the criteria for achieving the Gold Standard is that members are signed up to a recognised accreditation scheme.
10. Accreditation schemes will only be accepted if;
 - The landlord or managing agent can prove that they are current valid members and
 - The scheme includes an initial training session and a minimum amount of continuous professional development to remain a member.
11. Example of acceptable schemes include:
 - London Landlord Accreditation Scheme (LLAS)
 - Private Rented Sector Accreditation Scheme (PRSAS)
 - National Landlords Association (NLA)
 - Residential Landlords Association (RLA)
 - Association of Residential Letting Agents (ARLA)
 - National Approved Lettings Scheme (NALS)
 - Private Rented Sector Accreditation Scheme (PRSAS)
 - UK Association of Letting Agents (UKALA)
12. One of the main benefits of becoming a Gold Standard Charter member is a substantial discount on any property licensing fees incurred within the borough.
13. Property licensing fees will be split into two payments, Part A and Part B. On application the Part A fee is charged to cover the cost, to the council, of processing the application. If the application is successful a further fee (Part B) will be charged before the full licence is issued. This second fee is to cover the cost, to the council, of enforcing the licence. A discount of 50% on this (Part B) licensing fee will be given to all landlords who have signed up to the Charter. A Gold Standard Charter landlord or managing agent will be providing a higher standard of property and tenancy than they are legally required to and as such are more likely to be compliant with the conditions of their licence. The council therefore considers that the cost of enforcement should be less than that of any other landlord or managing agent. The council may recharge any discount to fees

if the landlord or managing agent has their charter status removed following breaches in compliance as mentioned in point 6 above.

14. Landlords can sign up to an additional criteria for the “Platinum Standard”. This additional criteria is a requirement to sign up to one of the council’s leasing or incentive schemes included in the Charter for assisting people in housing need in partnership with Southwark’s Housing Solutions Department. Landlords who sign up to one of the schemes must accept the current Local Housing Allowance rate as the rent for the property. No shortfall of the rent payment is allowed to be made by the tenant.

15. There are 2 incentive schemes which attract an additional discount for the Platinum Standard Charter landlords. These are:

a. Scheme 1: the social lettings agency

Landlords can escape the hassle of property management and receive a long term, guaranteed income.

Scheme includes:

- a guaranteed rent paid directly to your bank account even if the property is empty
- regular visits to the property to ensure the tenant is looking after it
- a lease of up to five years
- full management of all tenant issues including day to day repairs where the tenant has caused damage
- guaranteed vacant possession at the end of the lease
- no fees or charge for our service

b. Scheme 2: the finder’s fee scheme

The finder’s fee scheme is a free tenant finding service. The council finds a choice of tenants for the property and offers an incentive payment and rent.

Scheme includes:

- cash incentive
- the possibility to choose the tenant that suits you
- a fast service - if you are ready to let, we can send tenants to you the same day
- a no fees or charges service

16. Platinum Standard Charter landlords who sign up to the social letting agency will not have to pay a fee for any of their licensable properties signed up to this scheme.

17. Platinum Standard Charter landlords who sign up to the finder’s fee scheme will not have to pay the part B fee for a licence, only the Part A (administration fee).

18. If a landlord or managing agent's membership to the Charter expires before the expiry of the licence and they do not apply to renew their membership successfully within three months of expiry of their membership, the council can recharge the discount on a pro rata basis for the time period of the licence that is not covered by the charter membership.
19. The Gold Standard Charter discount can be applied if the licence holder is not a Gold Standard Charter member but the managing agent of the licensable property is. However, if the licence holder changes their managing agent for the property during the period of the licence they must ensure that; the new managing agent is signed up to the Gold Standard Charter or, repay the discount, pro-rata, for the period of time the property is being managed by an agent who is not a Gold Standard Charter member.
20. Discounts will not apply to properties where the council has issued a warning letter regarding an unlicensed licensable property. This also applies where a licence has expired for more than 3 months before a new application has been received. The landlord or managing agent's membership to the Gold Standard Charter will also be reviewed and may be cancelled.
21. The Gold Standard Charter will be reviewed 18 months after the start date of the scheme and will be reviewed every 18 months thereafter. The review will look at the effectiveness and success of the scheme and make any changes necessary to the criteria, discounts and process.

Other Benefits for the Landlord

22. By complying with the Charter criteria landlords will offer longer tenancies guaranteeing regular rental income, saving on costs of cleaning and advertising the property for rent, and periods of no rental income.
23. Members will also be invited to take their place on a regular forum for consultation on future PRS policy and receive invitations to our landlords' events (which count towards their CPD hours for accreditation).
24. There will be tenancy/legal advice available from the council if they are having issues with a tenant and fast track help for any property licensing issues.
25. When bigger problems arise mediation supported by the council will be available to help resolve issues between landlords and tenants. This will help landlords to avoid costly court proceedings for eviction.

Benefits to the Tenants

26. Secure tenancies with a choice on the length of tenancy agreement to suit their needs.

27. Secure tenancies with mediation supported by the council to help resolve issues between them and their landlord to help prevent eviction.
28. Predictable rents for the duration of their tenancy and more advanced warning should the landlord need to increase the rent.
29. A safe clean secure home which meets the Decent Homes Standard.
30. Repairs and other issues dealt with appropriately and in a timely manner.
31. A single direct point of contact for housing enforcement and tenancy relations services if they have any concerns about their property or landlord.
32. An insulated home to help escape fuel poverty.

Consultation

33. The consultation, as detailed in appendix 4, gives stakeholders and members of the public the opportunity to comment on the above proposals and help shape the future Gold Standard Charter.

Private Rented Sector Property Licensing Proposals

Engagement and Consultation Plan

Contents

1. Introduction
2. What can be influenced by the public / what is fixed?
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1. Introduction

1.1 What is the purpose of this engagement?

There are two parts to the engagement.

The first is to ask for details of any experiences regarding the condition of the private rented sector in Southwark and its effect on deprivation, crime and antisocial behaviour.

The second is to provide stakeholders such as landlords, managing agents and tenants, neighbouring local authorities and the general public with the opportunity to provide their opinions on the Council's draft proposals to renew the additional licensing scheme, and to renew and extend the selective licensing scheme.

The result of this consultation, together with evidence obtained from various other sources will help the council devise a final set of proposals for licensing from 2021-2026 and ensure any proposals meet the needs of, and address appropriate issues, in the borough and the private rented sector.

1.2 What do we want to achieve?

The proposals for the schemes can be found in Appendix 1; however, the overall aim of licensing is to help us to work with landlords to drive up the conditions and management standards of the private rented sector by:

- Facilitating the identification of all privately rented properties within the borough
- Establishing a more complete register of landlords operating in Southwark
- Enabling us to provide an improved strategic approach to managing the sector by redefining how the service operates by shifting the emphasis from a reactive to a proactive service
- Giving us the opportunity to inspect licensable properties to assess living conditions and to ensure that conditions of the licence are being adhered to
- Helping us to ensure that a proper standard of management of privately rented property is maintained and that properties do not become overcrowded
- Strengthening enforcement action to tackle rogue landlords in the sector

The specific objectives for the licensing proposals are:

- Reduction in ASB and repeat ASB incidents in PRS properties in the proposed Selective Licensing designation 1 and Mandatory HMO Licensing
- Improve property standards in the borough in the proposed Selective Licensing designations 2, 3 and 4 and in Mandatory and Additional HMO Licensing
- Ensure compliance with licence conditions
- Reduce the factors that contribute to deprivation in the proposed Selective Licensing designation 3

1.3 How do we plan to achieve our objectives?

The council proposes to carry out a 14 week consultation to obtain feedback and views issues connected to the private rented sector and the proposals for discretionary licensing. Following this wide reaching, full consultation the council will analyse all responses to the consultation and develop a final consultation results report and demonstrate how it has responded to the suggestions received. The results of the consultation will help to inform the final proposals for discretionary licensing. This could include a decision not to introduce discretionary licensing schemes, to introduce a variation of the schemes set out in the proposals. These final proposals will be published and formally agreed by the Council.

2. What can be influenced by the public and what is fixed?

Fixed:

- The continuance of a Mandatory Licensing Scheme
- Mandatory licence conditions for both selective and additional schemes

Can be influenced by the public:

- Whether we bring in a new additional licensing scheme
- Where we bring in a new additional licensing scheme
- Whether we introduce a new selective licensing scheme(s)
- Where we introduce new selective licensing scheme(s)
- The fees and discounts applicable to the proposed schemes
- The discretionary licence conditions for the proposed schemes.

3. Engagement and Consultation Plan

3.1 Who are we engaging with?

The following is a list of examples of the stakeholders that the council will consult with and is not limited.

General target group	Examples of Individuals/organisations
Landlords	<ul style="list-style-type: none"> • Landlords operating and/or living in Southwark • Housing Associations/ Other registered social landlords • Neighbouring borough landlords • Londonpropertylicensing.co.uk
Landlord groups	<ul style="list-style-type: none"> • National Landlords association • London Landlord Accreditation Scheme • Residential Landlords Association • Guild of Residential Landlords • BLA (British Landlords Association)
Managing and letting agents	<ul style="list-style-type: none"> • ARLA Propertymark • Managing and letting agents with local branches operating in Southwark
Residents	<ul style="list-style-type: none"> • Tenants who have privately rented within the last 5 years • Residents who have indirect experience of the private rented sector (i.e. neighbours of PRS properties) • Other organisations that represent tenants in the PRS • Southwark business owners • Southwark owner/occupiers

Organisations that represent tenants in the PRS	<ul style="list-style-type: none"> • Representatives of Tenant Management Organisations (TMOs) • Representatives of Tenant and resident Organisations (TROs) • Generation Rent • Renters Rights London • The Tenants Voice
Professional bodies	<ul style="list-style-type: none"> • Chartered Institute of Housing • Chartered Institute of Environmental Health • The Building and Social Housing Foundation • Local Government Association • Local Government Information Unit • IPPR
Universities	<ul style="list-style-type: none"> • London Southbank University • London College of Communication, University of the Arts • LeSoCo • LSE Students' Union • University of the Arts Students' Union • London South Bank Students' Union • University of London Students' Union • National Union of Students
Neighbouring local authorities	<ul style="list-style-type: none"> • Lewisham • Lambeth • Croydon • Bromley • Tower Hamlets • City of London
Charities	<ul style="list-style-type: none"> • Lambeth and Southwark Mind • Shelter • Crisis • St Mungo's • National Housing Federation • Centre point • The Children's Society • Barnardo's • Action For Children • Women's Aid • SOLACE • Refuge • Joseph Rowntree Foundation • Praxis • Healthwatch England • The Tenants Voice • Actionplus Foundation (UK) • Trust for London • Citizens Advice Southwark • City YMCA

Advice groups	<ul style="list-style-type: none"> • Black Elderly Group Southwark • Blackfriars Settlement • Dulwich Helpline • Blackfriars Advice Centre • Citizens Advice Bureau • Southwark Law Centre • Cambridge House Legal Centre • Multi-Lingual Community Rights Shop • Victim Support Southwark • Southwark Mediation Centre • Southwark Disablement Association • Bengali Community Development Project • Aaina Women's Group • Latin American Women's Rights Services • Millwall Community Scheme • Southwark Churches Care • Southwark Legal and Advisory Network • Southwark Pensioners Centre • Southwark Somali Advisory Forum • Generation Rent
Health	<ul style="list-style-type: none"> • NHS School Nursing Service • Mental Health Trust for Southwark • Southwark Hospitals • GPs (websites) • NHS local clinical Commissioning groups • Social Services
Emergency Services	<ul style="list-style-type: none"> • Southwark Safer Neighbourhood Police teams • Modern Slavery Unit Met police • UK Border Agency- ICE • Fire Service- Borough Commander
Other	<ul style="list-style-type: none"> • Southwark Foodbanks • London Credit Unions • Trading Standards • Suppliers of temporary accommodation • Southwark Schools • MPs, Local Cllrs • GLA • Mayor of London

3.2 When and how are we engaging?

When: The consultation period for selective and additional licensing proposals required by MHCLG is 10 weeks. In light of current government advice to address Covid19 constraints during public consultation in order to reach as many consultees as possible, it has been decided that this consultation will be extended to 14 weeks, commencing February 2021 concluding May 2021. The extended consultation timeline has been given to ensure that; adequate time is given during the consultation to ensure that activities are carried out in full compliance with Covid-19 restrictions, and taking into account additional measures to ensure engagement with a wide range of stakeholders to include all groups. To support this and making use of the additional time, a number of different engagement activities have been planned for the licensing proposals.

Online consultation questionnaire

The primary way in which people will be able provide their feedback on the schemes and give details of their experiences will be via the online consultation questionnaire. This is to ensure as much as possible that the responses received are focused on the questions that we need answered and to facilitate the collation, comparison and tracking of responses.

The questionnaire will be relevant for all interested parties as it will ask targeted questions dependant on who you are i.e. whether you are a tenant, landlord or managing agent etc. The questionnaire will be hosted on a dedicated and easily accessible page on the Council's website that will provide the respondent with all the information necessary about the proposal to allow them to make an informed response. The on-line questionnaire will be accessible via all digital platforms – mobile, tablet, laptop/computer. Residents without digital access will be able to request a paper copy or can be supported to complete the questionnaire digitally at one of our engagement sessions or during an appointment with an officer.

Meetings/workshops/forums/engagement sessions

During the course of the consultation we will be running a number of online events to encourage engagement with stakeholders. We will be attending multiple online landlord's forums and homeless forums to inform them about the consultation and engage in Q & A sessions. Attendees will be invited to our online consultation workshops and/or encouraged to fill out our online consultation questionnaire on the tablets we will have available at the sessions.

We will be holding a total of six workshops, three for landlords and agents and three for residents. These workshops will allow each group the opportunity for an in-depth interactive session to discuss their thoughts on our proposals and their experiences regarding the condition of the private rented sector in Southwark and its effect on deprivation, crime and anti-social behaviour.

Face to face with residents

In light of the Covid-19 restrictions face to face activities will be avoided but replaced with direct mailing, posts on social media, identifying PRS hotspots for targeted Street leaflet drops, outdoor banners in outdoor spaces likely to receive high footfall during any lockdown, use of council tax data to target tenants and piggybacking onto planned Council correspondence, residents phone survey.

Housing Solutions run weekly tenancy workshops online to equip those who are actively looking for private rented accommodation with the skills and knowledge to help find a tenancy in the private rented sector. We will be attending a number of these workshops to inform attendees of the consultation and ask for their views and encourage them to participate in the online questionnaire.

In writing/email

Contact details will also be advertised as part of the consultation so that representations can also be made via e-mail or in writing. There will be a dedicated email address for responses.

The consultation will take note of any formal petitions and will also take note of any activity on social media, although this will not equate to a formal representation.

3.3 What are the questions we will ask?

The example questions used here are samples taken from our online consultation questionnaire and should not be considered exhaustive. There will be an extensive evidence pack with all of the background information to allow respondents to understand what they are being asked and give a considered response.

1. Whether the stakeholder has direct experience of antisocial behaviour, deprivation or poor housing conditions in the private rented sector.
2. How has Covid-19 affected them.
3. If they agree with the council's proposal to introduce a renewed additional licensing scheme
4. If they agree with the council's proposal to introduce a renewed and expanded selective licensing scheme
5. Whether they agree with the principles of each schemes and the wards that we have proposed to include
6. If they think the fees and discounts reasonable
7. If they are a landlord, whether they would be interested in signing up to the Gold Standard Charter and whether the proposed discount on licensing fees would be an incentive.
8. If they are a tenant in the private rented sector whether they would be more likely to move into a property with a landlord or managing agent who has signed up to the Gold Standard Charter than one without.
9. If there any criteria for the Gold Standard Charter that you think should NOT be included, and why.
10. If there any criteria for the Gold Standard Charter that you would like to see ADDED, and why.
11. If they are a tenant in the private rented sector whether they would be interested in joining a renter's union.
12. There will be an optional set of questions asking people for information about their age, sexual orientation, ethnicity and age etc. This will help us ensure that we are gathering views from all communities.

3.4 How will we promote the engagement opportunity?

The Council will conduct necessary communications activity to promote the consultation and ensure that a true reflection of the views of the affected groups in relation to this consultation is achieved. The key to successful consultation is to ensure that stakeholders who could be affected are informed and aware of the proposals and understand how they can provide feedback. Communications will take place throughout the duration of the consultation and will include:

- Advertising on electronic media such as The Source, Southwark Council website
- An eform linked to the main consultation webpage
- Advertising on Social media such as Twitter, Instagram, Facebook
- Straplines linked to the main consultation page to be added to all Officer email signatures
- Posters/Advertising on buses and bus shelters
- Direct emailing of landlords and managing/letting agents or properties licensed within the last 5 years
- Online engagement sessions with managing/letting agents.
- Direct mail and email to local communities

- Press releases in local publications such as Southwark Life, South London Press, Peckham Peculiar
- Posters referring people to the consultation.
- Flyers to be sent to addresses that are indicated by Council data as occupied by residents with a profile that matched those in the PRS.
- Flyers to be included in correspondence to tenants and landlords.
- Flyers for students to be distributed at local higher education establishments
- Online community meetings and events in Southwark, including area housing forums, street consultation events and focus groups for the representatives of some minority groups
- Online landlord representative events, including a landlords forum, landlords focus group and Southwark Homeowners Forum for leaseholders
- Publicity on a landlord information website
- Online meetings with representatives of charities such as Shelter, Crisis, St Mungo's etc.
- Emails to a wide range of national, regional and local stakeholders
- Posters/Advertising on In-Block Management Boards
- Posters/Advertising on Resident Association community boards
- A dedicated email address for responses
- Banners for events.
- PowerPoint presentations for events.
- Direct emailing of landlords who are members of the landlord forum
- Direct emailing to Landlord forums or other professional landlord groups.
- Direct emailing of accreditation schemes.
- Direct emailing of Resident Associations, TMOs and TROs.
- Officers interviewing tenants and landlords/managing agents whilst on inspections
- Direct contact with landlords and managing agents and bodies representing landlords and agents
- Invitation of various stakeholders to online workshops
- Presentations at online forums
- Advertised internally on staff intranet
- Direct email to the equivalent team in neighbouring local authorities

3.5 What is our plan for letting people know the outcome of the consultation?

Throughout the consultation process a record of each consultation event or period that has been undertaken and the feedback obtained will be formally logged. The record will detail the date of the consultation, what form of consultation took place, who was consulted and what feedback was given. Once the consultation has concluded and all responses are in, all feedback will be analysed and summarised in the consultation report.

Southwark council are committed to ensuring all comments received are recorded and there is a clear audit trail of all decisions made and how consultation responses were taken into consideration and balanced with any evidence and specific information gathered. The consultation report will be published and placed on the website. The outcomes of the consultation and response to the consultation, plus any recommendations for a selective and additional licencing scheme will be made to the Council's Cabinet. The response to the Consultation and what actions and/or changes have been made to the scheme as a result will form part of the submission to government.

3.6 What is our plan for mitigating the challenges of consulting during Covid19 restrictions?

In light of current government guidelines on carrying out public consultation under Covid19 restrictions, Southwark Council will extend the consultation by 4 weeks to allow sufficient time for wide reaching engagement. Southwark will replace traditional face to face engagement with digital, paper and other remote alternatives. Below are some examples of these and further detail can be found in the activity plan in the next section.

- Gaining views by proxy through community groups and charities
- Use of online and paper surveys

- Use of specifically targeted community outdoor campaigns to reach digitally excluded groups as well as wider affected stakeholders (e.g. in parks, schools, sides of buses and near supermarkets, pharmacies)
- Online forums for key affected stakeholders e.g. landlords, businesses, and tenants
- Targeted paper and e-leafletting campaign
- Direct email/telephone campaign to affected stakeholder groups
- Targeted digital marketing to affected audiences who cannot be reached physically due to Covid-19
- Regular monitoring of incoming results enabling us to adapt our approach at pace to ensure that reasonable efforts are made to engage with all groups including hard to reach, shielding, older and digitally excluded
- Working with local groups and charities to ensure that the consultation communications are distributed to the appropriate communities.

4. Activity plan

NO.	WHAT	WHO	PURPOSE	WHERE	WHEN
	Landlords Forum	80+	Introduce the plan to hold a consultation and ask for volunteers to attend our licensing consultation workshops	Online	2021 TBC
	Homeless forum	40+	Introduce the plan to hold a consultation and ask for volunteers to attend our licensing consultation workshops	Online	TBC
	Landlords Workshop	10+	Discussion workshop to understand private sector landlords' opinions on the proposals with brief Q&A session.	Online	February/March/April
	Tenants Workshop	10+	Discussion workshop to understand private sector tenants' opinions on the proposals with brief Q&A session.	Online	February/March/April
	Landlords Workshop	10+	Discussion workshop to understand private sector landlords' opinions on the proposals with brief Q&A session.	Online	February/March/April
	Tenants Workshop	10+	Discussion workshop to establish private sector tenants' opinions on the proposals with brief Q&A session.	Online	February/March/April
	Landlords Workshop	10+	Discussion workshop to establish private sector landlords' opinions on the proposals with brief Q&A session.	Online	February/March/April
	Tenants Workshop	10+	Discussion workshop to establish private sector tenants' opinions on the proposals with brief Q&A session.	Online	February/March/April
	Attend Community Council Meetings		Introduce the plan to hold a consultation and ask for volunteers to attend our licensing consultation workshops	Online	TBC
	News Story for press	General public	Fly on wall bad landlord case study with lead into licensing consultation	EHN, Southwark Life, South London Press, Southwark News, Peckham Peculiar, Lambeth & Southwark News	First week of consultation
	Adverts in press	General public	Advertise licensing consultation	EHN, Southwark Life, South London Press, Southwark News, Peckham Peculiar, Lambeth & Southwark News	Week one of consultation and week 6 of consultation
	Landlords Bulletin	300+	Advertise licensing consultation	Mail list	February

	London Landlord accreditation scheme newsletter	All member of the LLAS	Advertise licensing consultation	Members list	TBC
	Strap lines on emails	General public	Advertise licensing consultation	Housing enforcement (19 officers) Housing Options/tenancy relations teams	Duration of consultation
	Social media campaign	General public	Advertise licensing consultation	Facebook. Twitter, Instagram, Yammer	Once a week for the duration of consultation
	Advertising on electronic media	General public	Advertise licensing consultation	The Source, Southwark Council website	Duration of consultation
	Southwark Life Housing e-news newsletter	Mailing list	Advertise licensing consultation	TBC	
	Email/Mail shot to stakeholders	Mailing list	Advertise licensing consultation	TBC	March
	Email invitations	Mailing list	Invite landlords, tenants and agents to our discussion workshops on our licensing proposals	Email	February
	Posters	General public	Advertise licensing consultation	To be displayed in public places most frequented under current Covid-19 restrictions e.g. parks, lampposts	Duration of consultation
	Adshels	General public	Advertise licensing consultation	Roadside in high traffic areas, bus stops and busy pedestrian areas	Duration of consultation
	Digital marketing boards	General public	Advertise licensing consultation	Busy pedestrian areas	Duration of consultation
	Banners	General public	Advertise licensing consultation	Railings outside public owned buildings and outdoor spaces e.g. parks	Duration of consultation
	Flyers	General public	Advertise licensing consultation	Posted in targeted areas	Duration of consultation
	Information bulletin	General public	To advertise the consultation and offer the public the chance to approach us informally and ask questions they have regarding the scheme.	TBC	Multiple events throughout the consultation

5. Contact information

Stakeholders are able to contact officers if they would like to know more about the engagement plan or activities at resi@southwark.gov.uk

Version 3

Date 07 12 2020

Author: *Emma Trott – Regulatory Services - Environment*

Officer	Position	Version	Distribution date
Emma Trott	Private Sector Housing Enforcement & Licensing Unit Manager	1	
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Jonathan Hamston	Community Engagement		



APPENDIX 5

**Consultation on Proposals
for the Private Rented
Sector 2021 – 2026:
Equality analysis**

January 2020

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	A public consultation to renew and extend property licensing in the private rented sector and to introduce a Gold Standard Charter for the Private Rented Sector		
Equality analysis author	Emma Trott, Private Sector Housing Enforcement & Licensing Unit Manager		
Strategic Director:	Caroline Bruce		
Department	Environment & Social Regeneration	Division	Regulatory Services
Period analysis undertaken	November 2020 – December 2020		

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

The Council is currently running an additional licensing scheme that requires all houses in multiple occupation (HMOs) in the borough to be licensed. These are properties that have 3 or more people from more than one household sharing amenities and usually house the most vulnerable in our society.

The Council is currently running a selective licensing scheme that requires all rented properties, which do not fall under the definition of an HMO, in certain areas of the Borough to be licensed.

Both of the above schemes are due to end on the 31st December 2020.

Licensable properties are required to meet conditions that are aimed at ensuring fit and proper management and tenancy, providing a fair environment for all landlords, better choice and standard of rented accommodation, and be adverse to rogue and non-compliant landlords and tenants.

The Council plans to consult on additional licensing continuing for another five years, from 2021 to 2027/8 and on new selective licensing designations starting in 2021/22.

The Council has powers to deal with poor living conditions within the private rented sector (PRS). However, the legal standard that is enforceable is relatively basic and does not reflect the council's aspirations for the Borough.

The Council also plans to consult on the introduction of a Gold Standard Charter for the private rented sector. The standard encompasses a higher standard than that included in the licensing schemes, to reflect good practice and improve the quality of accommodation and conditions for tenants.

The Council wants to make sure that private rented properties in the Borough offer residents a choice of safe, good quality and well managed accommodation. Decent housing is the bedrock of people's lives and a strong and cohesive local community. A more stable and high quality private rented sector will lead to better community relations and less of the anti-social behaviour that can hurt our neighbourhoods.

The council wants to make Southwark a place to call home and a place to belong. That means giving residents all the personal, social and economic tools to overcome challenges and achieve their aspirations. We also want to make sure people from all walks of life are welcome in our communities, and provide a good quality environment.

The decision maker is Cabinet

Section 3: Overview of service users and key stakeholders to be consulted

2. Service users and stakeholders	
Key users of the department or service	<p>The PRS provides accommodation for roughly one third of the residents of Southwark. Over 40,000 residents live in privately rented dwellings.</p> <p>The types of tenants who occupy properties in the private rented sector can range from the poorest and most vulnerable in our society to students, young professionals and families.</p> <p>It is estimated that there are over 5,000 private sector landlords operating in Southwark. These are important recipients of our services. There is a willingness on the parts of most landlords to comply with basic health and safety requirements. However, lack of incentive, knowledge and so many resources to refer to often means that they are unaware of their responsibilities and do not know what constitutes decent accommodation, good practice or how to achieve a higher standard of accommodation.</p> <p>Private sector tenants are key users of our services as they are able to report to us any problems they are experiencing in their homes that may need intervention by the Council.</p> <p>The general public are also able to report to us any problems that may be experiencing that are arising from private rented dwellings.</p> <p>Monitoring data collated indicates there are a number of key characteristics of clients using the services.</p> <p>Approximately 72 per cent are from black and minority ethnic (BME) communities. This is significantly higher than the proportion of Southwark residents from these communities, which is closer to 50 per cent according to 2011 Census data. This level of take-up by BME communities is clearly a key factor when considering how best to commission services able to meet their needs.</p> <p>In terms of service users 3,569 out of a total of 27,696 within a one year period reported having a disability. This indicates a significant level of need relating to ill-health and disability.</p>

	<p>The Covid-19 pandemic has had a huge impact on the way the Council can engage with stakeholders and members of the public. In order to ensure it reaches all groups it must take into account, for example, that a reliance on new technology and social media could exclude people in certain groups and special care must be taken to find a range of ways make the consultation more accessible whilst complying with current restrictions.</p> <p>The consultation will be extended to 14 weeks to ensure ample time is given to allow for the challenges, posed by the Covid-19 restrictions, in reaching a broad group of stakeholders and the general public.</p>
<p>Key stakeholders were/are involved in this policy/decision/business plan</p>	<p>Consultation regarding property licensing and the Gold Standard Charter is due to take place from February 2021.</p> <p>The purpose of this will be to consult with a broad range of stakeholders before finalising the licensing proposals, including the areas in which selective licensing will operate and the content and process for the Gold Standard Charter.</p> <p>Stakeholders will consist of representatives from:</p> <ul style="list-style-type: none"> • Landlords groups • Managing agents • Tenants groups • Internally with other council teams that work with the PRS (e.g. Tenancy Relations, Trading Standards) • Relevant charities and other third party groups providing support to the private rented sector. • The general public • Neighbouring Local Authorities <p>The broad scope of the consultation will be to establish whether the detail of the additional and selective property licensing schemes as well as the content of the Gold Standard Charter is inclusive, appropriate, accessible and beneficial.</p>

Section 4: Pre-implementation equality analysis

Age - Where this is referred to, it refers to a person belonging to a particular age

(e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Potential impacts (positive and negative) of proposed policy/decision/business plan

The private sector houses the full range of age groups. Families with small children and older people who reside in private rented accommodation can have very low incomes and other disadvantages, for example education and language barriers so their ability to mitigate problems is more limited. The conditions in this market in Southwark stretch from the exclusive accommodation provided in the north of the borough to the very lowest end of the rental market.

Generally the effect of property licensing is to formalise the lightly regulated private rented housing market by imposing an increased regulatory framework to impose obligations on landlords / licence holders. It should lead to better quality accommodation and greater community stability for groups who are unable to access social housing or homeownership therefore it can assist with community cohesion and tackle exclusion.

Better managed PRS properties also improves the quality of life of many other Southwark residents not living in the PRS as they are indirectly impacted by low level neighbourhood anti-social behaviour such as noise.

Licensing schemes should affect all equally. It has the potential to improve the situation for all areas of the community as it increases knowledge of legal requirements and affects landlords and tenants regardless of age, race, disability etc.

Consulting with tenants and the public should not have any negative effects other than that some groups may not have their opinions represented due to their age and their ability to access the Council's online materials or ability to attend online consultation events. Alternative ways of accessing these groups is essential to ensuring an inclusive and useful consultation to ensure the Council's proposals provide a fairer private rented sector for all.

The risk for severe illness with COVID-19 increases with age, with older adults at highest risk. For example, people in their 50s are at higher risk for severe illness than people in their 40s. Similarly, people in their 60s or 70s are, in general, at higher risk for severe illness than people in their 50s. The greatest risk for severe illness from COVID-19 is among those aged 85 or older.

Equality information on which above analysis is based

Census data, DCLG Reports, British Housing Condition Survey Data, Housing Act 2004 HHSRS data, MetaStreet Housing Stock Condition and Stressors Report December 2019 (appendix 1), <https://www.gov.uk/coronavirus>
<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/older->

[adults.html](#)

Mitigating actions to be taken

In order to ensure that we include the members of the older generation who may not have access to online materials or younger generations (i.e. 16-24 year olds) the consultation will include:

- The consultation will be extended to 14 weeks, to ensure that; adequate time is given during the consultation to ensure that activities are carried out in full compliance with Covid-19 restrictions, and taking into account additional measures to ensure engagement with all age groups.
- Publicity on social media with a link to an online questionnaire
- Direct mailing in areas where specific age groups are likely to reside.
- Contacting charities and third party advice groups that represent such stakeholders directly as part of the consultation, such as Age Concern, Help the Aged, Action for Children, the Children's Society and groups representing ethnic minorities.

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Possible impacts (positive and negative) of proposed policy/decision/business plan

Licensing schemes and the Gold Standard Charter should affect all equally. It has the potential to improve the situation for all areas of the community as it increases knowledge of legal requirements and affects landlords and tenants regardless of age, race, disability etc. It should lead to better quality accommodation and greater community stability for groups who are unable to access social housing or homeownership therefore it can assist with community cohesion and tackle exclusion.

Tenants with disabilities or medical conditions are usually more vulnerable to certain hazards, even those that present at a low enough level to not be a hazard under the HHSRS. Licensing will help the council to improve the management of the PRS and reduce the chances of hazards occurring.

Consulting with tenants and the public should not have any negative effects other than that some groups may not have their opinions represented due to their ability to access the Council's online materials or ability to attend online consultation events. Alternative ways of accessing these groups is essential to ensuring an inclusive and useful consultation to ensure the Council's proposals

provide a fairer private rented sector for all.

Disability alone may not be related to higher risk for getting COVID-19 or having severe illness. Most people with disabilities are not inherently at higher risk for becoming infected with or having severe illness from COVID-19. However, some people with disabilities might be at a higher risk of infection or severe illness because of their underlying medical conditions.

Equality information on which above analysis is based

Census data, DCLG Reports, British Housing Condition Survey Data, Housing Act 2004 HHSRS data (vulnerable groups), Decent Homes Standard 2006, <https://www.gov.uk/coronavirus>
<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-disabilities.html>

Mitigating actions to be taken

In order to ensure we capture opinions from anyone with a disability the consultation will include:

- The consultation will be extended to 14 weeks, to ensure that; adequate time is given during the consultation to ensure that activities are carried out in full compliance with Covid-19 restrictions, and taking into account additional measures to ensure engagement with people who have disabilities.
- An online questionnaire
- Publicity on social media with a link to an online questionnaire
- Direct mailing.
- Contacting charities and third party groups that represent such stakeholders directly as part of the consultation, such as Mind, Southwark Disablement Association and Together for Mental Wellbeing.

Gender reassignment - The process of transitioning from one gender to another.

Possible impacts (positive and negative) of proposed policy/decision/business plan

No specific impacts have been identified or raised in relation to this.

Licensing schemes and the Gold Standard Charter should affect all equally. It has the potential to improve the situation for all areas of the community as

increases knowledge of legal requirements and affects landlords and tenants regardless of age, race, disability etc. It should lead to better quality accommodation and greater community stability for groups who are unable to access social housing or homeownership therefore is can assist with community cohesion and tackle exclusion.

Equality information on which above analysis is based.

<https://www.gov.uk/coronavirus>

Mitigating actions to be taken

There is no evidence that the consultation will negatively affect anyone in this group or that access to the consultation will be restricted. However the consultation will be extended to 14 weeks, to ensure that; adequate time is given during the consultation to ensure that activities are carried out in full compliance with Covid-19 restrictions, and taking into account additional measures to ensure engagement with a wide range of people from all groups.

Marriage and Civil Partnership - In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favorably than married couples and must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination).**

Possible impacts (positive and negative) of proposed policy/decision/business plan

Licensing schemes and the Gold Standard Charter should affect all equally. It has the potential to improve the situation for all areas of the community as increases knowledge of legal requirements and affects landlords and tenants regardless of age, race, disability etc. It should lead to better quality accommodation and greater community stability for groups who are unable to access social housing or homeownership therefore is can assist with community cohesion and tackle exclusion.

Equality information on which above analysis is based

<https://www.gov.uk/coronavirus>

The consultation will be extended to 14 weeks, to ensure that; adequate time is given during the consultation to ensure that activities are carried out in full compliance with Covid-19 restrictions, and taking into account additional measures to ensure engagement with a wide range of people from all groups.

Mitigating actions to be taken

There is no evidence that the consultation will negatively affect anyone in this group or that access to the consultation will be restricted.

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavorably because she is breastfeeding.

Possible impacts (positive and negative) of proposed policy/decision/business plan

In general more people are raising their families in the PRS as the supply of social housing is restricted and property ownership becomes less affordable. Therefore more children are being affected by PRS issues. Pregnant women, new mothers and their babies are more vulnerable to certain hazards and require a higher level of self-care and cleanliness in the home. Facilities such as adequate hot water and heating are essential and can cause serious issues if not available for just a short period of time.

Whilst legislation allows us to require a landlord to repair boilers and heating systems if they are not working, we cannot legally require the landlord to put measures in place to prevent the issues occurring. Encouraging landlords to have boiler service and repair contracts, for example, will mean that a tenant can arrange for repairs quickly and conveniently reducing the likelihood of a malfunction and reducing the potential impact should their boiler fail in some way. Similarly, as long as a bathroom or kitchen functions legislation does not allow for its replacement.

There will probably be a significant number of expectant mothers living in the PRS and the effect of licensing for these households is positive.

Licensing schemes and the Gold Standard Charter should affect all equally. It has the potential to improve the situation for all areas of the community as it increases knowledge of legal requirements and affects landlords and tenants regardless of age, race, disability etc. It should lead to better quality accommodation and greater community stability for groups who are unable to access social housing or homeownership therefore it can assist with community cohesion and tackle exclusion.

The consultation will be advertised in many types of media, including in the printed media, social media and in public places. Consultation materials will be available online. Therefore, pregnant women and new mothers who may be less mobile should still be able to participate in the consultation.

Equality information on which above analysis is based

Census Data, DCLG data, Anecdotal evidence, <https://www.gov.uk/coronavirus>

Mitigating actions to be taken

In order to ensure pregnant women and new mothers who may be less mobile can participate in the consultation the consultation will include:

- Advertising on social media and an online questionnaire
- The consultation will be extended to 14 weeks, to ensure that; adequate time is given during the consultation to ensure that activities are carried out in full compliance with Covid-19 restrictions, and taking into account additional measures to ensure engagement with people who have disabilities.
- Direct mailing.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Possible impacts (positive and negative) of proposed policy/decision/business plan

There are reported problems with ethnicity and access to PRS lettings. It is also the case that new communities form in Southwark over time. These communities are often exposed to the poorest accommodation as they seek to gain a foothold in the wider community.

As the PRS is likely to be the only accessible housing tenure for new communities to Southwark, different faith groups will be well represented and licensing as well as the Gold Standard Charter will have a positive effect for these households.

Licensing schemes and the Gold Standard Charter should affect all equally. It has the potential to improve the situation for all areas of the community as increases knowledge of legal requirements and affects landlords and tenants regardless of age, race, disability etc. It should lead to better quality accommodation and greater community stability for groups who are unable to

access social housing or homeownership therefore is can assist with community cohesion and tackle exclusion.

Consulting with tenants and the public should not have any negative effects other than that some groups may not have their opinions represented due to language barriers and their ability to understand the consultation.

There is clear evidence that black and minority ethnic groups are at higher risk of dying from COVID-19 than the rest of the population though that risk may not be the same for all ethnic groups. Data from the ONS published on 7 May show that, after adjusting for age, men and women of black ethnicity were at highest risk. They were more than four times as likely to die from COVID-19 compared to people of white ethnicity.

Equality information on which above analysis is based

Census Data, DCLG data, Anecdotal evidence, <https://www.gov.uk/coronavirus>
https://www.health.org.uk/news-and-comment/charts-and-infographics/emerging-findings-on-the-impact-of-covid-19-on-black-and-min?gclid=EAIaIQobChMI8rqkiaLc7QIVGoBQBh0IOgt-EAAYASAAEgLSZfD_BwE

Mitigating actions to be taken

In order to ensure we capture opinions from anyone from BME communities the consultation will include:

- The consultation will be extended to 14 weeks, to ensure that; adequate time is given during the consultation to ensure that activities are carried out in full compliance with Covid-19 restrictions, and taking into account additional measures to ensure engagement with people from BME communities.
- An online questionnaire
- Publicity on social media with a link to an online questionnaire
- Direct mailing.
- Contacting charities and third party groups that represent such stakeholders as part of the consultation, such as Citizens Advice Bureaus, Aalna Women's Group.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism).

Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Possible impacts (positive and negative) of proposed policy/decision/business plan

As the PRS is the likely to be the only accessible housing tenure for new communities to Southwark, various ethnic groups will be disproportionately represented and licensing as well as the Gold Standard Charter will have a positive effect for these households.

Licensing schemes and the Gold Standard Charter should affect all equally. It has the potential to improve the situation for all areas of the community as increases knowledge of legal requirements and affects landlords and tenants regardless of age, race, disability etc. It should lead to better quality accommodation and greater community stability for groups who are unable to access social housing or homeownership therefore is can assist with community cohesion and tackle exclusion.

Equality information on which above analysis is based

<https://www.gov.uk/coronavirus>

Mitigating actions to be taken

There is no evidence that the consultation will negatively affect anyone in this group or that access to the consultation will be restricted.

Sex - A man or a woman.

Possible impacts (positive and negative) of proposed policy/decision/business plan

No specific impacts have been identified or raised in relation to this.

Licensing schemes and the Gold Standard Charter should affect all equally. It has the potential to improve the situation for all areas of the community as increases knowledge of legal requirements and affects landlords and tenants regardless of age, race, disability etc. It should lead to better quality accommodation and greater community stability for groups who are unable to access social housing or homeownership therefore is can assist with community

cohesion and tackle exclusion.

Equality information on which above analysis is based

Organisations' equality & diversity policies
 Monitoring data collected
 Monitoring information from other programmes e.g. Community Capacity programme
 Feedback from stakeholders
 Analysis of impacts of Welfare Reform (Southwark Council, Corporate Strategy unit)
<https://www.gov.uk/coronavirus>

Mitigating actions to be taken

There is no evidence that the consultation will negatively affect anyone in this group or that access to the consultation will be restricted.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

Possible impacts (positive and negative) of proposed policy/decision/business plan

No specific impacts have been identified or raised in relation to this.

Licensing schemes and the Gold Standard Charter should affect all equally. It has the potential to improve the situation for all areas of the community as it increases knowledge of legal requirements and affects landlords and tenants regardless of age, race, disability etc. It should lead to better quality accommodation and greater community stability for groups who are unable to access social housing or homeownership therefore it can assist with community cohesion and tackle exclusion.

Equality information on which above analysis is based

<https://www.gov.uk/coronavirus>

Mitigating actions to be taken

There is no evidence that the consultation will negatively affect anyone in this group or that access to the consultation will be restricted.

Human Rights

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol

Possible impacts (positive and negative) of proposed policy/decision/business plan

Property licensing and the proposed Gold Standard Charter will support the Human Rights of members of the community of Southwark at a number of levels. Improved property conditions support improved public health, reduction in fear, harassment and uncertainty in the domestic environment.

Our focus on improved facilities, safety, security, privacy and improving management and maintenance all contribute to the resident of a PRS property realising the intended benefits of an improved private rented sector and in particular the right to life.

Information on which above analysis is based

The Human Rights Act, Housing Act 2004 HHSRS,
<https://www.gov.uk/coronavirus>

Mitigating actions to be taken

There is no evidence that the consultation will affect the human rights of any stakeholder or member of the public.

Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Establish whether the detail of the proposed licensing schemes and the content of the Gold Standard Charter is inclusive, appropriate, accessible and beneficial.	Carry out consultation as planned in Appendix 2 of the main cabinet report	14 weeks from February 2021
2	Establish whether the detail of the proposed licensing schemes and the content of the Gold Standard Charter is inclusive, appropriate, accessible and beneficial.	Analyse results of consultation and draft consultation report Make appropriate changes to the details of the licensing schemes and the contents of the Gold Standard Charter and award scheme	May – July 2021
3	Ensuring that licensing and the Gold Standard Charter have an effect across the broad range of PRS in the Borough	Carry out reviews of the Gold Standard Charter	18 months from the start of the schemes and every 18 months thereafter
4	Launch full scheme with input and administration from proposed Renter's Union	Set up full scheme with campaigning and administration	2021/22

5. Equality objectives (for business plans)				
Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.				
Objective and measure	Lead officer	Current performance (baseline)	Targets	
			2022/23	2024/25
Monitoring equality outcomes from property licensing and the Gold Standard Charter consultation	Emma Trott	None	March 2023	September 2024

Monitoring equality outcomes from the full schemes	Emma Trott	None	September 2023	September 2025
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