

<b>REPORT TO:</b>	<b>CABINET</b> <b>11 May 2020</b>
<b>SUBJECT:</b>	<b>Selective Licensing in Croydon, results from the consultation and next steps.</b>
<b>LEAD OFFICER:</b>	<b>Shifa Mustafa, Executive Director – Place</b> <b>Steve Iles, Director Public Realm – Place</b>
<b>CABINET MEMBER:</b>	<b>Councillor Alison Butler</b> <b>Deputy Leader (Statutory) and Cabinet Member for Homes and Gateway Services</b>
<b>WARDS:</b>	<b>All</b>

### **CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON**

This report builds on commitments in the Council's Corporate Plan (2018), reflecting on the Council's approach to the private rented sector and setting out the case for a renewal of selective licensing to meet the following key ambitions:

- *'Good, decent and safe homes, affordable for all'*
  - Important themes are *quality homes* and *homes for everyone*. Croydon's selective licensing scheme was introduced to ensure everyone in the borough has access to decent, safe housing. We want to ensure that all residents, regardless of tenure, feel they are protected, treated fairly, and can stay in their homes once they are in them.
- *'A cleaner, greener Croydon'*
  - Croydon's *Don't Mess With Croydon, Take Pride* campaign is important for setting out our ambitions for raising environmental standards and improving the living environment across the borough.
- *'One borough – many places'*
  - Some parts of Croydon have persistent or difficult issues to address. We want to provide targeted responses to the range of issues across our multifaceted borough.

### **FINANCIAL IMPACT**

The financial impact should be cost neutral as the cost of administering the scheme is covered by charging licence fees to landlords. More details on the current and proposed fee structure are outlined in the appendices below.

### **FORWARD PLAN KEY DECISION REFERENCE NO.: 1620CAB**

The decision may be implemented from 1300 hours on the 6th working day after the decision is made, unless the decision is referred to the Scrutiny & Overview Committee by the requisite number of Councillors.

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below.

## 1. RECOMMENDATIONS

Cabinet is recommended to:

- 1.1. Consider the outcome of the consultation process detailed in the Consultation Report produced by Opinion Research Services (April 2020) (Appendix 1), in particular the representations received and the Council's consideration of, and response to, these representations (Appendix 2).
- 1.2. Consider the Consultation Evidence Report (Appendix 3) which highlights the scale of problems relating to poor housing conditions and anti-social behaviour (ASB) in the private rented sector, identifies the objectives that a selective licensing designation would help the Council achieve and possible alternatives to such a designation and the equalities analysis at Appendix 13.
- 1.3. Upon consideration of the matters at 1.1 and 1.2, agree to choose selective licensing scheme option 3; from the three options presented at Cabinet on the 21<sup>st</sup> October 2019 that were central to the public consultation exercise and with due consideration of the alternative options presented; as the best option to proceed with, with the aim of achieving the significant improvements needed to the private rented sector in Croydon.
- 1.4. Upon consideration of the matters at 1.1, 1.2 and the agreement in 1.3 and using its powers under s.80 Housing Act 2004, agree to the designation of 22 wards, called area A (predominately in north Croydon), as a selective licensing area delineated and edged red and infilled green on the map at Appendix 4.
- 1.5. Upon consideration of the matters at 1.1, 1.2 and the agreement in 1.3 and using its powers under s.80 Housing Act 2004, agree to the designation of 6 wards, called area B (in south Croydon) as a selective licensing area as delineated and edged red and infilled orange on the map at Appendix 5.
- 1.6. Subject to Cabinet agreeing 1.4 and / or 1.5 that Cabinet delegate to the Executive Director Place, in consultation with the Cabinet Member for Homes & Gateway Services and the Director of Law and Governance, responsibility for agreeing the final document/s forming the application(s) to request confirmation of the selective licensing designation(s) from the Ministry of Housing, Communities and Local Government (MHCLG);
- 1.7. Subject to Cabinet agreeing 1.4 and / or 1.5 and where the appropriate national authority (Secretary of State for Housing, Communities and Local Government) confirms one or both designation(s) that Cabinet:
  - 1.7.1 Delegate authority to the Executive Director Place, in consultation with the Cabinet Member for Homes & Gateway Services to agree, along with the national authority, that the respective commencement date(s) for the designation(s) be the 1<sup>st</sup> February 2021 or from such other date as is specified by the national authority for this purpose;

- 1.7.2 Agree the proposed scheme objectives as detailed in Appendix 6;
- 1.7.3 Agree to the proposed fee structure for licence applications made under the selective licensing scheme(s) at Appendix 7;
- 1.7.4 Agree the proposed licence conditions that would apply to any granted selective licence as set out at Appendix 8;
- 1.7.5 Agree the proposed policy regarding the granting of property licences under any new licensing designation(s) at Appendix 11;
- 1.7.6 Delegate to the Executive Director Place in consultation with the Cabinet Member for Homes & Gateway Services authority to agree changes to the proposed implementation of the schemes where necessary including updating scheme documentation to reflect revised commencement date/s specified by the national authority for this purpose and to ensure that all statutory notifications are carried out in the prescribed manner for the designations and to take all necessary steps to provide for the operational delivery of any licensing schemes agreed by Cabinet.

## 2. EXECUTIVE SUMMARY

- 2.1 On the 28 March 2019 the Ministry of Housing, Communities & Local Government (“MHCLG”) issued guidance about Private Rented Sector (“PRS”) housing enforcement in general and selective licensing in particular in light of the Covid-19 emergency. The Government is encouraging Councils to *“take a common-sense, pragmatic approach to enforcement during these unprecedented circumstances”*. This includes *“considering pausing the introduction of non-mandatory licensing schemes where this will allow limited resources to be focused where they are most needed”*.
- 2.2 In considering pausing the introduction of selective licensing it can be noted that very few of the Council’s resources are being deployed in this area at present. The research and consultation was completed before the lockdown came into effect and the equivalent of one full time officer is engaged in writing the submission. Officers from the Council have been in contact with the MHCLG to ensure that sufficient time is built into the proposed delivery timetable to allow the proposed deadline of 1<sup>st</sup> February 2021 to be met.
- 2.3 Subject to Government approval, it is hoped to be able to introduce the new selective licensing scheme on 1<sup>st</sup> February 2021 by which time it is hoped that lockdown will be over even though other restrictions may still be in place. The start date can be delayed in accordance with any Government imposed restrictions which may be in force at the time.
- 2.4 The current selective licensing scheme came into force on 1<sup>st</sup> October 2015 and will expire on the 30<sup>th</sup> September 2020. On 21<sup>st</sup> October 2019, Cabinet considered the licensing consultation evidence report, attached as Appendix 3. This report presented evidence of poor housing conditions, deprivation, crime, anti-social behaviour (ASB) and environmental nuisance linked to the private rented sector (PRS) in Croydon and set out the process for renewing the selective licensing scheme covering private rented properties in Croydon.

- 2.5 The 21<sup>st</sup> October 2019 cabinet report also described how selective licensing should be seen as a crucial part of Croydon's wider housing strategy in that it forms a key part of the Quality Homes aspect of the Housing Strategy. The report stated that in the absence of a comprehensive regulatory regime for the private rented sector, selective licensing is a vital tool through which the Council can engage with landlords and improve housing standards through monitoring and enforcement of licensing conditions.
- 2.6 During the lifetime of the current Croydon Private Rented Property Licensing Scheme, [CPRPL 2015] there have been significant changes to which the Council has had to adapt. The two most important are a significant reduction of resources (both within the Council and all partner agencies) and a significant increase in the number of PRS dwellings.
- 2.7 It is also the case that housing stress has increased as while Local Housing Allowance (LHA) was frozen for a period of four years, rent levels continued to rise so that even when the LHA was increased, it still fell far behind rent levels. Since 2010, average private rents in London have risen more than three times as fast as average earnings [Mayor for London; Housing Strategy 2018 (MLHS)]. Despite this, Croydon rent levels are lower than nearly all other London Boroughs.
- 2.8 This combination of factors mean that since the commencement of the current scheme, a lot of families with children occupy PRS homes and are often crowded as they have too few bedrooms and open plan kitchens are often used for sleeping.
- 2.9 Research published in April 2020 by the New Policy Institute - Accounting for the Variation in the Confirmed Covid-19 Caseload across England, found that overcrowded neighbourhoods generated more Covid-19 infections than less-crowded areas, even after taking account of where the outbreak started, local deprivation and the passage of time.
- 2.10 At the time of the making CPRPL 2015, crowding was not considered to be so-significant an issue for the borough. The scale of the crowding problem has come to light during inspections in the current scheme. Overcrowding levels in PRS London households are significantly above, at 11% [Mayor for London; Housing Strategy 2018 (MLHS)] the national average of 6% [(EHCS)].
- 2.11 Further research recently released in the UK, US, and Germany suggests a strong correlation between air pollution and higher death rates due to Covid-19. The Council has produced and promoted an integrated five year action plan to focus on local actions the Council can take to reduce emissions and minimise exposure of air pollutants to those who live and work in Croydon. This plan is the Borough Air Quality Action Plan 2017 – 2022, produced as part of our duty to London Local Air Quality Management.
- 2.12 The new selective licensing scheme, proposed by this Cabinet report, sets objectives around improving property condition and the health and wellbeing of tenants and their families. Property inspections, through licensing, can support the objectives of the Air Quality Action Plan 2017 - 2022 and assist with wider measures necessary to reduce the impact of Covid-19 and other respiratory diseases by helping to improve air quality in PRS homes. The scheme will see improved public health and awareness raising based around behavioural changes and reduced resident exposure to harmful pollutants and particulate.

- 2.13 On 21<sup>st</sup> October 2019 Cabinet resolved to commence consultation for renewing the scheme. The cabinet report and licensing consultation evidence report [Appendix 3] indicated the Council's preference for a further scheme and for one that captured the full borough. The consultation was planned to commence on 11<sup>th</sup> November 2019 but had to be put back to 16<sup>th</sup> December 2019 to avoid clashing with the General Election. The consultation ran for 12 weeks and ended on the 9<sup>th</sup> March 2020.
- 2.14 Cabinet agreed to the following three selective licensing options to be consulted upon and the detail to these can be found within the consultation document at Appendix 3.
- 2.2i – Option 1: A part borough option with 2 designations covering in excess of 22 wards focusing on property condition, anti-social behaviour and deprivation.
  - 2.2ii – Option 2: A full borough option with 1 designation covering 28 wards focusing on property condition.
  - 2.2iii – Option 3: A full borough option with 2 designations focusing on property condition, anti-social behaviour and deprivation.
- The consultation also asked for views on an alternative option or the option of no selective licensing scheme at all.
- 2.15 The consultation exercise and results are produced in detail in the; final consultation report at Appendix 1, the council response to the consultation [Appendix 2] and the resultant proposed amendments to fees, property conditions and frequently asked questions that accompany the consulted selective licensing schemes [Appendices 7, 8 and 9]. The consultation exercise was well promoted resulting in over 2,000 residents, landlords, agents, and businesses in and out of the borough taking part.
- 2.16 The Council recognises the size and contribution the private rented sector makes to Croydon with 58,585 (35%) properties now in this tenure. As part of its drive to make Croydon a 'Better Place to Rent' a continued improvement to the private rented sector is sought. The consultation questionnaire asked people for feedback on whether the three conditions forming the basis of the proposed selective licensing schemes, ASB, property condition and deprivation, were current borough problems. The response from the questionnaire found;
- 2.4i - 60% of landlords and letting agents felt that ASB is at least a 'fairly big' problem, 45% felt this way about deprivation and 23% felt that poor property conditions are a problem.
  - 2.4ii - Approximately 75% of Croydon residents and stakeholders felt that each of the three conditions is at least a 'fairly big' problem.
- 2.17 The consultation questionnaire asked for feedback on the current licensing scheme. Only 13% of landlords and agents agreed that the current scheme has been effective, compared with 49% of residents and 43% of businesses and other stakeholders.
- 2.18 With the current designation ending on the 30<sup>th</sup> September 2020, people were asked their opinion on continuing with some form of new licensing scheme. Only 22% of landlords and agents agreed with the principle, whereas 68% of residents and 61% of other stakeholders supported the proposal.
- 2.19 The questionnaire offered the option of a part-borough, full-borough or an alternative to a licensing scheme. When asked what a respondents first choice would be:
- 2.7i - 32% of landlords and agents chose the full borough scheme as their first option; noting that 55% preferred 'another alternative' (including a smaller

scheme or 'no licensing')

2.7ii – 70% of Croydon residents and businesses / other respondents chose the first option as a whole borough scheme.

- 2.20 A full analysis of the consultation responses has been completed and officers have spent time considering them as part of deciding whether to recommend that the Council proceed with selective licensing or some of the alternatives that have been offered. Whilst it is fully appreciated that many landlords have responded negatively to the proposal, it is very evident that some of the negativity has centred on some aspects of the current scheme. Much of the feedback has been objective and has been of value in forming a recommendation about future direction.
- 2.21 Taking into account the strong feedback on current borough problems, the desire of residents for licensing, not discounting the adjudged negative impact of no licensing and the chosen option by residents being for a borough wide selective licensing scheme it is recommended that Option 3, is the most appropriate option to take forward for approval by the Government in line with licensing guidance [MHCLG Selective licensing in the private rented sector: A guide for local authorities. 2015 (MHCLG Guide 2015)]. This is considered more fully in paragraph 10 of this Cabinet report.

### **3. SELECTIVE LICENSING IN CROYDON.**

- 3.1 Introducing a selective licensing scheme, through choosing option 3, is being proposed by officers as the best way forward for the Council to deliver the significant improvements necessary to resolve the problems that have been identified in the private rented sector. Choosing from the three options is considered in paragraph 10.6.
- 3.2 Option 3 is for making two separate designations that together achieved a full borough scheme. The evidence found that the private rented sector in the borough had risen to 35% with over 19% found in all but six wards.
- 3.3 It is evident that the private housing stock in the whole borough suffers from poor property condition; over 23% contain a significant property hazard. Additionally, there remains a significant and persistent problem caused by anti-social behaviour with 12.4% of PRS properties having a reported issue investigated; with 268 incidents per 1,000 PRS properties. Deprivation is a feature across a number of areas in the borough with 11 of the 28 wards in the worst 30-40 percentile nationally.
- 3.4 The borough's problems help direct the differing basis of the two proposed selective licensing designations; areas A and B.
- 3.5 Designation area A contains 92.5% of the borough's PRS and has a land area that is 65.4% of the borough. It has a significant number of properties in the private rented sector that are in poor condition. The primary condition for licensing in area A is the poor condition of the private rented sector. Property condition is covered by the Housing Health and Safety Rating System (HHSRS) which includes hazards relating to overcrowding, excess cold, fire, damp, mould, and products of combustion including nitrogen oxide. Improved property conditions in addition support the wider public health and wellbeing agenda proposed for the designation objectives [Appendix 6].

- 3.6 Designation area B contains 7.5% of the borough PRS and has a land area that is 36.4% of the borough. It has a significant and persistent problem caused by anti-social behaviour. The primary condition for licensing is the significant and persistent problem caused by anti-social behaviour in the private rented properties; area B sees the focus of CPRPL 2015 continue. The PRS is less than 19% in each of the six wards.
- 3.7 With differing primary conditions, the management of the areas will see Council take different approaches. Importantly though, both areas will see common objectives set that look to tackle borough issues with property condition, ASB and deprivation. The proportion of PRS requires the Council to proceed with two designations in order to cover the whole borough; to deal with housing conditions the percentage PRS housing must exceed 20%. There is no such requirement if the primary issue is anti-social behaviour.
- 3.8 In the event that Cabinet agrees to the proposed designation(s) of a further selective licensing scheme, this is subject to ratification from the Secretary of State for Housing, Communities and Local Government.
- 3.9 The wards included in the two designations.

<u>Area A</u> (22 Wards)	<u>Area B</u> (6 Wards)
Addiscombe East	Kenley
Addiscombe West	New Addington North
Bensham Manor	Old Coulsdon
Broad Green	Sanderstead
Coulsdon Town	Selsdon & Addington Village
Crystal Palace & Upper Norwood	Shirley South
Fairfield	
New Addington South	
Norbury & Pollards Hill	
Norbury Park	
Park Hill & Whitgift	
Purley & Woodcote	
Purley Oaks & Riddlesdown	
Selhurst	
Selsdon Vale & Forestdale	
Shirley North	
South Croydon	
South Norwood	
Thornton Heath	
Waddon	
West Thornton	
Woodside	

#### **4. DESIGNATION AREA A.**

- 4.1 Croydon is a large borough of 28 wards covering 88 square kilometres in south London. Its population of 385,346 lives in the 164,378 residential properties. The wards towards the city see dense housing, often terraced, whilst those wards the southern boundary of London are less densely built.
- 4.2 Designation Area A comprises 22 wards and has a population of 316,000 which is about 80% of the borough total. Area A is estimated to contain 54,000 private rented properties ("PRS"), which is 40% of the total housing stock in area A and 92% of the borough's private rented housing.
- 4.3 All wards forming designation Area A see the PRS exceed 19% of the rented stock and the proposed selective licensing scheme will be used to focus on improving property conditions through prioritised enforcement action under Part 1 of the Housing Act 2004, whilst ensuring through licence conditions under Part 3, that the properties are properly managed to prevent further deterioration. The data presented in the consultation and additionally in Appendix 10, following a review of housing conditions under section 3(1) of the 2004 Act, clearly show that this Council considers a significant number of properties in the private rented sector need to be inspected in order to determine whether any of those properties contain category 1 or 2 hazards.
- 4.4 The property inspections and interventions, as part of the proposed scheme, will enable improvement across the range of property hazards with a clear focus on the public health of the population. Issues such as overcrowding, fire safety, excess cold, building energy performance ratings, impact of air quality and ASB (behaviour, waste and noise) will be the focus. More in-depth objectives will look to further improve the general professionalism of landlords providing support to understand responsibilities, tackle ASB and reduce preventable tenancy termination.
- 4.5 For the first two and a half years, the current scheme focused on visiting to inspect as many licensed properties as possible. Licence holders were pre-warned to ensure that they have their documents ready also giving them the opportunity to carry out any necessary repairs or maintenance. Despite this notice, action to resolve non-compliance with property conditions or enforcement action to resolve property hazards was still needed in 28% of cases [Appendix 10].
- 4.6 It became clear that additional resources should be put to a more focused approach; identifying for inspection the worst properties. Following a successful bid for Government funding a short term project in early 2019 saw inspections of flats over shops implemented and targeted at 18 local centres from Pollards Hill to Hamsey Green. A key finding of this project was the extent that poor property conditions, as well as uncooperative landlords (in certain areas) were a significant feature in the PRS. Property conditions breaches or enforcement action was needed in 37% of cases [Appendix 10]. It is clear that a significant number of properties in the private rented sector need to be inspected to determine conditions.
- 4.7 Other key findings included the finding of housing conditions which while not always causing health problems would certainly aggravate existing respiratory conditions such as asthma. Damp, mould, overcrowding and air quality were found to be significant problems. Many properties need energy efficiency improvements.

- 4.8 It is proposed that in the new selective licensing scheme that the Council will work with landlords to achieve improvement with energy efficiency of their properties. Indications are that the Minimum energy Efficiency standard will rise to D in 2025. At least 21% (11,600) of Croydon's PRS is a Band E or lower [Appendix 10]. Data from properties categorised as 'marketed for sale' has 31% of properties at bands E-F [Appendix 10]. Also, tenants can ask for energy efficiency improvements beyond this subject to their landlord's approval which cannot be unreasonably withheld. If a tenant makes a request the landlord is under no obligation to meet any of the costs. The Council will support the landlord and tenant in seeking funding for any improvements.
- 4.9 The current scheme saw over 2,800 applications from dwellings with no fire precautions, 7.5% of the stock. More needs to be done in ensuring fire safety and increasing awareness, with the various tenant groups, across the designation(s). Croydon has in excess of 55 tall residential buildings home to 6,023 units of which 2,920 licensed and just over 50% inspected. All tall buildings are in proposed designation area A [Appendix 10].
- 4.10 Post Grenfell, many Croydon residents remain anxious, fully aware of the tragic circumstances and the impact that fire can have. The responsible person, under the Regulatory Reform (Fire Safety) Order 2005, is currently required to have a suitable and sufficient Fire Risk Assessment carried out on their premises at regular intervals. In addition to this, the responsible person must ensure the building adheres to the Ministry of Housing Communities and Local Government, Advice for Building Owners of Multi-storey, Multi-occupied Residential Buildings, published in January 2020. This advice consolidates all previous advice notes for building owners into one document.
- 4.11 The responsible person(s) should be mindful of forthcoming changes to legislation regarding the safety of buildings, the first being the Fire Safety Bill due to be enacted by the autumn of 2020 and The Building Safety Bill due to be enacted in the spring of 2021. Included in this new legislation will be the need for building owners to employ a Building Safety Manager and ensure all information is available in order to be granted a Building Safety Case certificate for their building. In the absence of such certificate the building will not be able to be occupied. The licensing scheme in Croydon is well placed to support this transition whereby owners and responsible parties need to support the Council with all steps to ensure that all blocks within the borough meet fire safety requirements.
- 4.12 During the consultation many landlords said that selective licensing put excessive demands on them in terms of regulating the ASB of their tenants. Many landlords did not understand their responsibilities nor how to exercise them.
- 4.13 As part of a new scheme it is proposed to provide a support service for both landlords and tenants which will offer basic tenancy relations advice similar to the service currently offered to tenants. There will also be signposting for landlords to help them deal with the statutory health and social agencies.

## **5 DESIGNATION AREA B**

- 5.1 Designation Area B comprises the other 6 wards which are located in south Croydon. It has a total population of 78,000 which is about 20% of the total for the borough. There

are just over 4,000 dwellings, 17% of which are estimated to be privately rented. These wards contain around 8% of Croydon's private rental stock.

- 5.2 The main reason for having a selective licensing scheme in designation Area B are the high levels of anti-social behaviour. It is not necessary to have more than 19% PRS housing to qualify under this criteria.
- 5.3 The rate of ASB incidents per 1,000 PRS households in Area B is 443 compared to 254 in Area A. 20.05% of PRS properties were associated with at least one ASB incident.
- 5.4 As far as Council intervention is concerned
  - 5.4i There were 1,129 service requests relating to ASB issues (14% of the borough total)
  - 5.4ii 228 Notices were served under the Environmental Protection Act 1980 for issues related to ASB (also 14% of the borough total)
  - 5.4iii 34 Community Protection Notices or Warnings were issued (6% of the borough total).
- 5.5 The police reported a total of 3,338 ASB incidents (10% of their borough total) and 13,000 crimes (also 10% of their borough total)
- 5.6 The evidence suggests that there are also significant hazards in designation Area B, in 30% of the PRS stock. Until the end of January 2020, 1,894 licences have been granted which is 5.5% of all licences granted. Of which, 414 have been inspected (22%) with 117 (28%) were found not satisfactory with property condition breaches or enforcement action necessary. Compliance is lower with only 53% of expected applications received. This compares with a 75% compliance rate in Area A.

## **6. CONSULTATION**

- 6.1 The public consultation ran for 12 weeks from Monday December 9<sup>th</sup> and ended on the 9<sup>th</sup> March 2020.
- 6.2 When making a decision on whether to make a selective licensing designation a Council must identify the objectives that a designation will help it to achieve. The consultation considered scheme objectives and taking note of the feedback these have been reviewed and revised and can be found in Appendix 6.
- 6.3 The consultation was undertaken by Opinion Research Services on behalf of the Council with the results collated in the consultation report [Appendix 1]. In the consultation a number of methods were employed to ensure a broad engagement. In this section reference is made to the residents' survey (interviewer-led face to face survey), the self-completion consultation questionnaire (completed on-line or by hand) and focus groups (small meetings with invited attendees).
- 6.4 The consultation report detailed a number of other courses of action or alternatives to selective licensing that the Council had considered, but did not believe that, individually or collectively, provided an effective, or as effective a, means of tackling ASB and poor housing conditions in the borough, or of delivering the scale of improvement required in the Private Rented Sector (PRS). A summary of these alternatives is:

- Use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers.
- Voluntary accreditation schemes for landlords to facilitate improvement in management practices and standards.
- Reliance on enforcement action using civil penalty or prosecution powers.
- Use of Improvement Grants to raise sub-standard properties.
- Use of ASB enforcement powers.
- Do nothing.

- 6.5 In the resident's survey, 16% of residents inside Croydon and 22% outside Croydon said the Council should consider alternatives when asked if they preferred either a full borough or part borough selective licensing scheme to regulate private rented property conditions and management effectively and help tackle anti-social behaviour. In the main questionnaire 55% of landlords and agents and 21% of residents and 13% of business said the Council should consider alternatives.
- 6.6 375 respondents of the main questionnaire said the Council should consider alternatives, which included a more limited or targeted approach introducing a smaller more compact licensing scheme. Others simply reiterated the point that they did not support a licensing scheme. Typically, these respondents argued that the scheme punishes good landlords unfairly, while allowing bad landlords to operate without restrictions. Some landlords claimed that they had derived minimal benefits from the scheme and that the issues could be addressed through current legislation.
- 6.7 Some of the suggestions around targeting felt the Council needed to be more selective in terms of which areas it included in the scheme e.g. only including those with the worst anti-social behaviour or deprivation problems, or where there is felt to be a greater risk of overcrowding issues. A few named particular wards or areas where they felt licensing was more applicable: Thornton Heath, Broad Green, or West Croydon; some described them as central wards or when significant population changes occurred and some felt parts of the borough (in southern Croydon area) should be excluded.
- 6.8 Some of the alternatives proposed have looked at limiting licensing to specific problem properties such as those; subject to past complaint or selected by a tenant, selected because of issues, larger in size or HMOs, selected because of date of construction, owned by professional landlords, older or newer, or aged based. Other considered a licensing scheme for tenants or landlord (not property). Many of the scheme alternatives were not by themselves feasible but the ideas provide useful input into operations. The alternatives and wider representations received in respect to selective licensing have been considered and officers have provided a consideration of these issues for Members deliberations [Appendix 2].
- 6.9 It is considered that no alternatives were identified through the consultation process that would, individually or collectively, be capable of delivering the scheme objectives that the Council would be able to deliver through the operation of a large scale selective licensing scheme(s) as proposed in Option 3.

## 7. LICENCE FEE STRUCTURE

- 7.1 Through the statutory consultation, the Council confirmed that should a scheme be adopted, it was intending to charge a licence fee in respect of an application to licence a property and that its proposed fees had been calculated on the basis that the schemes would be cost-neutral to the Council, with licence fees covering the Council's costs of administering the schemes and meeting the scheme objectives.
- 7.2 The proposed fee structure started with the standard fee paid in two stages; Part A and Part B. It then proposed a reduced fee in certain circumstances which included; a new application for a property that was licensed under the current scheme, CPRPL 2015, scheme or an application in respect of a dwelling have being let for the first time such as through construction (new build, conversion, tenure change). Both discounts require the application to be received within certain times and evidence submitted to confirm eligibility. The proposed fees offered a discount, per dwelling, on the licence fee for a block under common ownership and management control.
- 7.3 The standard and reduced fees for this proposed scheme have been kept at the fee amounts for CPRPL 2015 excepting the discount introduced for the multi-let property licence. The fee for an alms-house is to be £30.
- 7.4 The consultation questionnaire asked for feedback on their support with the proposed discounts. 93% of landlords and agents agreed with the principle of applying a discount where a new application is made under the new scheme, where a licence was held under the previous scheme (re-applying). 76% of both residents and other stakeholders also agreed. When asked about applying a discount where the property is newly built or being let for the first time, 63% of landlords and agents supported the proposal, as did 57% of residents and 64% of other stakeholders.
- 7.5 The other discount related to the principle of reducing the fee for a dwelling in a multi-let property. The consultation questionnaire found that 58% of landlords and agents, 52% of Croydon residents and 54% of other stakeholder were in agreement.
- 7.6 The standard licensing fee is £750 for an application for an individual property and £650 for a dwelling in a multi-let property. The consultation questionnaire found that 95% of landlords felt that the proposed standard fees for a single dwelling and 82% for a multi-let property dwelling were too high. Residents living in Croydon were more evenly split with 51% seeing the individual property fee as too high, (41% for the multi-let fee), and 42% who felt the fee is about the right level (36% for the multi-let fee). Interestingly 23% of residents felt that the proposed multi-let dwelling licence fee was too low.
- 7.7 The questionnaire invited a view on the proposed discounted fees. 76% of landlords and agents felt the single property application fee was still too high (69% for the proposed multi-let dwelling licence fee). However, more than 20% felt the fees were at about the right level and 9% felt the reduced fee for a multi-let dwelling was too low. 48% of Croydon residents felt the proposed single property or multi-let dwelling fee was at about the right level, with 30% responding it was too high and 23% or too low.
- 7.8 The consultation proposed a one-year licence with a different fee where there are concerns about the licence holder's conduct or management standards as part of this

scheme. 53% of landlords and agents agreed with the principle of licenses of one year; 32% disagreed. 78% of Croydon residents agreed as did 73% of other respondents.

- 7.9 The one-year licence fee of £468 is based on, but lower than, the standard fee for single property licences and there are no discounts. 82% of landlords and agents felt that the proposed fees for a one-year licence were too high. Residents and stakeholders were similarly agreed on the fee being about the right level (approximately 44-45%) and too high (approximately 40-43%).
- 7.10 The consultation responses regarding fees and other charges and the recommendations in that regard are set out at Appendix 1 and 2. The views provided a range in opinion from those respondents who considered that the proposed fees were too high and discounts too low, to those who expressed the opposite view. The Council could have looked to reduce the fee for a standard licence as feedback did indicate it was too high. The Council has felt that the balance between £750 and £350 (and similarly for multi-let property licences) is correct and enables complainant landlords to make an application at the reduced rate which is felt to be much more reasonable. Officers are recommending to Members, that the Council adopt an approach where the scheme is self-funding and where the £750 fee were reduced the £350 fee would need raising.
- 7.11 The consultation gave support for the fee being for a licence for 5 years. This proposal is retained. Additionally and to promote compliance and reduce the risk of tenancy evictions, a reduced fee is now also proposed for a new application from a licensed landlord who acquires a property that is currently let and the application is duly made within one calendar month or, if previously rented but currently void, within one month from the date the new tenancy term commences.
- 7.12 In response to the consultation the proposed administrative £100 fee to accompany a Temporary Exemption Notice application has been removed as has the £50 fee to support landlords with making a full application. The concern was the landlords who may need to seek support maybe those that were the more vulnerable and the Council wanted to encourage full take up. The proposed fees and charges structure, as revised following the consultation, is attached as Appendix 7 for Members' consideration and approval.
- 7.13 A comparison has been completed looking at comparatively sized London selective licensing schemes which sees the standard charge as: Waltham Forest - £700, Barking and Dagenham - £900, Newham - £750 and Redbridge - £604. Brent operates a scheme in a number of wards and the standard fee is £540.

## **8. LICENCE CONDITIONS**

- 8.1 The licensing conditions are attached to all property licences which would be issued by the Council under any new Scheme. They place a responsibility on the licence holder in relation to how the property is managed for the duration of the licence. The proposed conditions were available for the statutory consultation exercise.
- 8.2 When asked about the level of agreement with the proposed conditions Landlords and agents were fairly split as to their views on the proposed licence conditions: 41% agreed,

while 43% disagreed. 73% of residents living in Croydon and 70% of other stakeholders agreed in general with the proposed conditions.

- 8.3 Approximately 90 respondents came back with comments about the licensing conditions. The responses raised questions in relation to effectiveness, legality and the wording. The consultation has seen a number of positive amendments proposed to the conditions which are attached as Appendix 8 for Members' consideration and approval. In addition, an amended set of frequently asked questions are attached as Appendix 9.
- 8.4 The proposed conditions have seen seven additions or rewording and one removal. Further notes have been added including addition explanations in the glossary with respect to the assessment for crowding, what constitutes a house in multiple occupation and the new Article 4 designation. In doing so the amendments take account of the view from landlords that they are not always able to tackle some of the conditions and to help them with the 'burden' of licensing and to make the scheme more effective support has been agreed with
- 8.4i – Providing advice notes on new and existing legislation to support compliance.
  - 8.4ii – Providing avenues to which vulnerable tenants can be directed for them to seek support.
  - 8.4iii – Providing support for landlords wanting to improve; the property energy rating, property crowding and fire safety.
  - 8.4iv – To consider creating a small non-executive committee to allow constructive liaison with a view to ensuring the maximum effectiveness of the scheme.
  - 8.4v – To update and publish the Croydon Private Rented Property Licensing Guide (property management plan - including conditions) to support landlords with meeting the conditions.
  - 8.5vi – To provide a form to allow a landlord to claim exemption from licensing.
  - 8.5vii – To review the referencing process to minimise the chance of discrimination.
  - 8.5viii – To produce template documents including; a property inspection form, tenancy management arrangements, a fire safety procedure, a 'new tenants welcome pack'.
  - 8.5ix – To provide clear pathways to allow landlords to receive support when tackling serious anti-social behaviour in a property.

## **9. DURATION OF A GRANTED LICENCE**

- 9.1 Throughout the consultation, feedback from landlord and all stakeholders has clearly indicated that all parties want to see the Council take action against non-compliant landlords. This involves ensuring that an application is made for all licensable premises and that the problem landlords who do not properly manage properties receive significant punishment.
- 9.2 At the same time that the Council looks to take increased enforcement, many landlords want information that will help ensure transparency about the decision making processes so that they too do not fall foul of regulations.
- 9.3 The consultation has shown clear support for a five year licence term and additionally the principles of the one year licence for landlords with a compliance issue. To ensure the principles are exercised consistently and fairly a policy document has been drawn up. The

Policy relating to the granting of a property licence has been attached as Appendix 11 and will, subject to Cabinet approval support the processes and decision making in this area.

- 9.4 Licences granted under a future selective licensing scheme are recommended to be granted for a 5-year period (assuming that there were no contra-indications that meant that a reduced term licence was warranted) and do not relate to a property which is exempt under national exemptions.

## **10. OPTIONS AND ALTERNATIVES CONSIDERED.**

- 10.1 Following the publication of the consultation response document a full review of all options for dealing with the problems in the private rented sector have been considered.
- 10.2 The Council had the option of proceeding with either a part borough scheme (option 1) or a full borough scheme (options 2 and 3). It could also decide on an option 4 which would involve proposing an alternative, smaller and part-borough scheme as an alternative to the three options subject to the consultation. Council officers are of a strong belief that the best approach for achieving the objectives in Appendix 6 is with the introduction of a full borough scheme and it believes that it has the evidence base to successfully achieve this. The consultation responses provided support for moving forward with a full borough scheme.
- 10.3 The Council could also not designate a selective licensing scheme at all (by not choosing to make one of the schemes proposed as options 1 – 3). Such a decision would leave only mandatory HMO licensing as the means of regulatory enforcement of housing management of rented properties, limited to those that are mandatory HMOs. Council officers believe that a selective licensing scheme is the most appropriate enforcement option for Croydon. A commitment central to the Croydon Corporate Plan 2018 – 2020; a good decent home affordable for all. And strategies relating to housing, empty properties, community safety and homelessness. The scheme will build on the significant work completed to date; that has seen improvements in properties, ASB tackled through intervention and enforcement, non-compliant landlords penalised and a partnership forming between the Council and the sector which plays such an integral part housing so many of the 384,837 residents.
- 10.4 In the Cabinet report of October 21<sup>st</sup> 2019 members considered alternatives to a selective licensing scheme as part of developing the options for the consultation [paragraph. 6.3]; the consultation responses proposed wider alternatives which the Council has reviewed. The responses propose the alternative where no scheme is introduced, others propose voluntary schemes such as accreditation, registration, pre-letting compliance inspections and wider education programmes. The alternative schemes propose a variety of part-borough licensing schemes where the suggested focus is the; tenant, landlord (without property), size and / or age of property, property condition, level or overcrowding or deprivation, PRS in chosen wards, property EPC rating and / or Council tax banding.
- 10.5 Some of the alternatives raised by respondents to the consultation have suggested widening the exemptions permitted within the scheme options subject to consultation. Exemptions proposed include properties that are; accredited (landlord or letting agent); managed by an approved letting agent; inspected by a third party and / or an under an independent approved compliance scheme. Further alternatives raised by respondents to the consultation have suggested alternative enforcement options including; fees set at £1,000 for two years till compliant, a ban on letting till compliant and problem landlords

being subject to enforced sale to the Council. The Council has valued all feedback, with some feedback seen to align with the principles in the chosen scheme options presented; although exemptions are recommended to remain aligned with the exemptions in national legislation [Housing Act 2004]. Having reviewed the outcomes from the consultation, it is not considered that the alternative schemes, whether used individually or in a combined manner, could deliver the necessary outcomes that a full selective licensing scheme can.

- 10.6 CPRPL 2015 has seen the Council progress objectives relating to ASB and property condition in the PRS. The evidence presented in the licensing consultation evidence report, attached as Appendix 3, allows the Council to move forward with licensing. English house condition statistics (published in February 2020 - EHCS), relating to the national average levels of private rented sector mean that option two does not meet the statutory test in The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 and option one relies on 22 wards with 16 additional, irregular satellite lower super output areas [the detail on these areas is in Appendix 3]. It is considered by officers that option one is too complex and as it is not proposing a scheme covering the full borough is not preferred by residents or the Council. Option 3 is the option that both meets the statutory test and provides Croydon with the option to make two separate designations that together comprise the full borough. CPRPL 2015 tackled ASB and the focus for ASB will continue but in a much reduced area in designation Area B, formed of 6 wards. The evidence against poor property condition enables the designation for Area A to be made where poor property conditions are prevalent. The objectives for the proposed scheme(s) are attached in Appendix 6.
- 10.7 In relation to the setting of fees, Cabinet could opt not to levy a fee on a cost recovery basis as proposed. Such a decision would mean that alternative funding streams for the proposed designations would need to be identified.

## **11. PRE-DECISION SCRUTINY**

- 11.1 The Consultation on proposals to 'renew' the private sector housing selective licensing scheme in Croydon was due to be tabled at the 28 April 2020 meeting of the Streets Environment and Homes Sub-Committee. Due to the events of the Covid-19 crisis affecting the scheduling of Council meetings it was not possible to hold this meeting. As such the members Sub-Committee met informally to discuss the proposals and have provided the feedback set out below for consideration by the Cabinet.
- 11.2 Those members agreed that that the Cabinet report presented with appendices (draft form) was comprehensive, with the content supported by quality data and analysis. It was also evident that there had been a high level of public consultation using a wide range of different engagement methods.
- 11.3 Members were also reassured by the information provided on the business continuity of the housing enforcement service(s), despite potentially experiencing a loss of revenue in the event of an unsuccessful outcome following submission to the Ministry of Housing, Communities and Local Government (MHCLG).
- 11.4 Dependant on confirmation of the designation(s) by the MHCLG, members felt that it would be beneficial for a communications plan to be developed to promote the new scheme(s). Any such plan should include specific messages tailored to the different

stakeholder groups (landlords, tenants and the wider community) with a view to enhancing the shared understanding of the scheme and its benefits within the community.

- 11.5 Members agreed that the item would be recommended to be included in the Sub-Committee's work programme for 2020/21 in order for an update to be received on the outcome of new application(s) and the implementation of the scheme.

## **12. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

- 12.1 The financial impact of this proposal is anticipated to commence in 2020/21 and be cost neutral. The cost of administering the selective licensing scheme is covered by charging licence fees to landlords.
- 12.2 The effect of the decision to introduce selective licensing would mean that the Council would incur additional costs for the administration of the scheme. It is expected that the costs will be covered by the license fee, as prescribed by the Housing Act 2004.

## **13. Risks**

- 13.1 There is the potential risk of a budget shortfall and a failure to effectively reduce Anti-Social Behaviour if the scheme does not receive sufficient applications. This risk is mitigated as we have the experience of running the scheme previously, and also by ensuring that we have sufficient staff levels to identify un-licensed properties and carry out licensing activities.
- 13.2 A number of schemes across the country have been subject to Judicial Review. These have only been successful where local authorities have failed to follow the correct processes or have been unable to justify part of their scheme, proposals or evidence base. There is therefore the potential for additional and unfunded legal work to meet any challenges or cases. To mitigate this risk, this report recommends funding for additional officers to carry out consultation and implementation and/or consultancy support.
- 13.3 Irresponsible and/or rogue landlords could migrate from neighbouring boroughs also seeking to introduce licensing schemes; however, this risk is mitigated through approval for a scheme designating all wards in Croydon as a selective licensing scheme.

## **14. FUTURE SAVINGS / EFFICIENCIES**

- 14.1 The scheme itself would be self-financing. The scheme has the potential to create potential savings in a number of areas.
- 14.2 Health benefits: the most common significant hazard found in older properties is excess cold which can be easily remedied by the installation of an adequate heating system and insulation. This would also contribute to reducing fuel poverty. Another significant hazard is trips and falls – works to remove the risk of these often costs less than £400 but the cost to care for someone who has been injured by falling over can be £3,000.

- 14.3 Fraud detection: Other licensing schemes have identified housing benefit, Council tax benefit and leasehold tenancy fraud through their schemes, recouping money for the public purse as a result and bringing much needed Council properties back into use for people that need them.

Approved by: Lisa Taylor, Director of Finance, Investment and Risk, S151 Officer

## 15. LEGAL CONSIDERATIONS

- 15.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that selective licensing was introduced in Part 3 of the Housing Act 2004 alongside Part 1 (Housing Conditions) and Part 2 (Housing in Multiple Occupation). Part 3 of the Housing Act 2004 gives the Council the power to designate areas of selective licensing to help tackle concerns over high levels of anti-social behaviour or low housing demand (e.g. low value properties, high turnover of occupiers, significant vacancy). In 2015 the conditions for designation were expanded by The Selective Licensing Houses (Additional Conditions) (England) Order 2015 to include poor property conditions, high crime, high levels of deprivation and high migration. The Council can designate an area for selective licensing for five years but must first demonstrate the evidence of their concerns, look at alternative approaches and consult widely. The Council has consulted widely and for twelve weeks, and this consultation is likely to withstand any challenge by way of judicial review, as long as the responses are conscientiously considered by Cabinet
- 15.2 Subject to limited exemptions, a valid licence must be held by the appropriate responsible person in respect of all privately rented properties in such a designated area, typically the landlord or managing agent. The legislation permits funds raised to be used for administration of the scheme and (subject to constraints) enforcement.
- 15.3 In 2015 revised approval arrangements were put in place such that where the proposed designation covers either 20% of the total geographic area of the authority or 20% of the total privately rented stock (based on consensus figures) the designation requires approval by the Secretary of State. Option 3 will require this approval. If the designation is confirmed by the Secretary of State, the designation cannot come into force until at least 3 months from the date of confirmation.
- 15.4 There is no 'light touch' process for authorities seeking to re-designate an area at the end of a period of licensing.
- 15.5 Before making any decision, Cabinet must have due regard to the responses received through the consultation undertaken and take those into account when making its decision. Cabinet must also have due regard to the matters set out in the non-statutory guidance (MHCLG Guide 2015) and in particular consider whether there are any other courses of action available to it that would achieve the same objective or objectives as any proposed schemes without the need for the designations to be made. This non-statutory guide can be accessed via the link:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418551/150327\\_Guidance\\_on\\_selective\\_licensing\\_applications\\_FINAL\\_updated\\_isbn.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418551/150327_Guidance_on_selective_licensing_applications_FINAL_updated_isbn.pdf)

- 15.6 In addition as a public authority, the Council must take account of the provisions of the Human Rights Act 1998 and not act in a way which is incompatible with a Convention right. Under Article 8, any interference with the right to respect for a person's private and family life and home must be lawful, necessary and proportionate and Article 14 requires that there must be no unjustified discrimination within the scope of human rights on any grounds, such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 15.7 The Council must also have 'due regard' to the Public Sector Equality Duty (PSED) in Section 149 of the Equality Act 2010. Section 149(1) provides that, in exercising its functions, a public authority must have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the 2010 Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 15.8 Section 149(3) provides that having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
  - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

In this regard, an Equalities Analysis has been prepared as detailed in paragraph 17 and attached as Appendix 13 and this must be scrutinised by Cabinet before making its decision.

Approved by Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance & Deputy Monitoring Officer.

## **16. HUMAN RESOURCES IMPACT**

- 16.1 There are no direct human resources impacts arising from the recommendations of this report. If any should arise these will be managed under the Council's policies and procedures.

Approved by Jennifer Sankar Head of HR Place & Interim Head of HR Resources, for and on behalf of Sue Moorman, the Director of Human Resources.

## **17. EQUALITIES IMPACT**

- 17.1 An Equalities Analysis has been carried out, Appendix 13 hereto, to ascertain the impact of a renewal of selective licensing on groups that share a protected characteristic. The key findings were that there is no reason to believe that the protected groups will be at any greater risk than the rest of the population. Opportunities to advance equality have been taken, so no change to the recommendations is suggested.
- 17.2 In developing the proposal for consultation on renewal of selective licensing in Croydon, regard has been had to the Council's Corporate Plan and its equality objectives contained in the Opportunity and Fairness Plan 2016-20.
- 17.3 Selective licensing has a positive impact relevant to all protected characteristic groups in that protection from unlawful discrimination is built into the selective licensing conditions. The proposed renewal of selective licensing in Croydon will offer vital protection for vulnerable tenants in a number of ways: through improving living and environmental conditions, providing enhanced protection against retaliatory eviction, signposting to other services, and joint working with other enforcement agencies to deal with crime and anti-social behaviour.
- 17.4 The evidence comes from officers experiences gained through implementation of the current selective licensing scheme in Croydon. Licensing inspectors talk to tenants and there are specific questions about health and anti-social behaviour.
- 17.5 The outcome of our Equality Analysis in relation to the recommendations contained in this report are as follows:
- No major change – Selective licensing protects all vulnerable tenants. It would be a serious breach of licencing conditions if a landlord were to discriminate against any of the protected groups. Landlords who have been convicted of a discriminatory offence cannot receive a licence. Selective licensing provides additional safeguards because of the joint-working arrangements and signposting which are built into the scheme.

Approved by: Yvonne Okiyo, Equalities Manager

## **18. ENVIRONMENTAL IMPACT**

- 18.1 The recommendations set out in this report should have a positive impact on energy use and energy efficiency in Croydon, as the selective licensing conditions include a requirement for landlords to improve the EPC rating of their properties. See Appendix 6 for the proposed selective licensing conditions.
- 18.2 The recommendations set out in this report should also have a positive impact on the living environment in Croydon. The selective licensing conditions encourage landlords to take responsibility for the condition of their properties and other matters such as waste disposal in the area relevant to a property.

## **19. CRIME AND DISORDER REDUCTION IMPACT**

- 19.1 The recommendations set out in this report should facilitate the prevention of crime in

Croydon under Section 17 of the Crime and Disorder Act 1998 and reduction of crime and disorder under Section 6 of the same Act. Private rented properties are increasingly used for unlawful purposes such as for growing or smoking cannabis, or housing illegal immigrants who are often employed in conditions of near slavery. Selective licensing enables intelligence sharing between multiple agencies and provides for the Council to take a lead in bringing together other appropriate agencies to address the problems which may be present at a single address.

## **20. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 20.1 The report seeks authorisation for the Executive Director Place to recommend an approach to renewal of selective licensing in Croydon, and delegated authority for the Executive Director, in consultation with the Cabinet Member for Homes and Gateway Services, to give final approval for seeking a selective licensing designation(s) from the Secretary of State in 2020.
- 20.2 These decisions are sought to ensure all residents, regardless of tenure, have access to decent, safe housing, feel protected and are treated fairly. These decisions are also aimed at improving the living environment across Croydon, and will enable targeted responses to the range of issues across the borough.

## **21. DATA PROTECTION IMPLICATIONS**

- 21.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'? YES

The details of people and companies with an interest in the licensed property will be obtained as part of the application process.

- 21.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED? YES

The Director of Public Realm confirms that a DPIA has been completed and signed off and will be kept under review

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## **APPENDICES TO THIS REPORT**

- Appendix 1: Final consultation report (April 2020).  
Appendix 2: Council response to consultation responses.  
Appendix 3: Licensing consultation evidence report (October 2019).  
Appendix 4: Selective Licensing Scheme designation - Area A.  
Appendix 5: Selective Licensing Scheme designation - Area B.  
Appendix 6: Selective Licensing scheme objectives.  
Appendix 7: Fee structure for licence applications.  
Appendix 8: Selective Licence scheme conditions.  
Appendix 9: Selective Licence scheme frequently asked questions.

Appendix 10: Further data to support licensing application to MHCLG.

Appendix 11: Policy relating to the granting of a property licences.

Appendix 12: Croydon: Housing Stock Condition and Stressors Report (September 2019).

Appendix 13: Equalities Analysis Form.

**BACKGROUND PAPERS:**

None, there are no background papers as papers are either attached as appendices or published with links given in the report.