

Have your say on landlord licensing in Camden



Table of Contents

	Page
1. Introduction	3
2. Background	3
3. Top line summary	4
<i>Survey results</i>	4
4. Engagement	5
5. Key findings from consultation	5
<i>Type of respondent</i>	6
<i>Impact of the scheme on property and neighbourhoods</i>	8
<i>Opinion on renewing the scheme</i>	8
<i>Opinion on one year licences</i>	9
<i>Opinion on the HMO licence fee</i>	10
<i>Proposed HMO standards</i>	11
6. Proposed changes to the scheme	11
<i>Changes following the consultation</i>	12
7. Selective licensing	12
APPENDICES	13
Appendix A – Review Report	14
Appendix B – Consultation summary report	36
Appendix C – Free text comments	47
Appendix D – Letters from organisations	61
Appendix E – Communications plan evaluation	83
Appendix F – Enforcement policy amendments	96
Appendix G - Fees	99
Appendix H – HMO Standards (proposed) and list of changes	102

Consultation - Renewal of Camden's additional HMO licensing scheme

1. Introduction

This report presents the findings of the consultation carried out as part of the proposal to renew the HMO additional licensing scheme. The current scheme ends on 8 December 2020. It sets out the responses and key findings of the 12 weeks statutory consultation which started on the 16 December 2019 and finished on 8 March 2020.

This report should be read in conjunction with the report on the review of the current HMO additional licensing scheme dated 8 June 2019 ([appendix A](#)). This report informed the Cabinet report dated 13 November 2019 when it was agreed to continue the current scheme for the remainder of the five year term and to commence the statutory consultation on the proposal to renew the HMO additional licensing scheme.

Whilst a small section had been included in the consultation to seek initial public opinion about a possible selective licensing scheme, this has not been included in this report. A further report including proposals for the consideration of a potential selective licensing will be brought to a future meeting of the Cabinet.

2. Background

In 2015 the Council introduced a borough wide additional licensing scheme for HMOs. An HMO is defined in law as a house or flat shared by three or more persons who are not part of the same family. The Council also licenses some buildings converted into flats (where the conversion does not meet recent building standards) and where half or more of the flats are rented.

Our licensing scheme has helped improve the quality and safety of homes for people living in the private rented sector. As of 1 May 2020, we had received over 4,515 licence applications, licensed over 3,390 properties and carried out 3,778 inspections. According to the additional HMO licensing review, 99% of the licences contained requirements for works to meet the HMO standards, mainly to do with fire safety but also electrical works, improvements to bathroom and kitchen facilities and heating. Nearly three quarters of the licences had either been fully or mostly complied with.

At the same time, the Council has targeted letting agents and landlords who are operating unlicensed or ineffectively managed HMOs. According to the Greater London Authority (GLA) rogue landlord database LB Camden is now issuing more civil penalty notices (CPNs) and prosecuting more rogue landlords/agents than any other borough in London. Since the current HMO licensing scheme started we have taken 141 prosecutions against rogue landlords/agents and issued 251 CPNs. In addition, 7 rent repayment notices have been served against unlicensed landlords by the Council (2 orders obtained, 4 settled informally and 1 pending) and 21 rent repayment orders have been obtained by tenants. We have also banned one of our worst landlords from operating for a period of five years with several others in progress.

The review showed that the licensing scheme had made good progress in improving property and management standards in a large number of HMOs in Camden - thereby improving² the safety, comfort and well-being of tenants. But there are still a significant number of HMO properties (particularly section 257 HMOs) that remain unlicensed and there are issues with non-compliance with conditions imposed by the HMO licences. On the basis of our original estimate of 8,000 HMOs

within Camden that would be subject to additional licensing, almost half remain unlicensed. This may be an underestimate because of the number of unidentified section 257 HMOs.

The Camden Plan is the council's response to Camden 2025 and states:

“we will strive to make homes in Camden safe, well-managed and well-maintained, and make sure that people's homes meet their needs. The additional HMO licensing scheme plays an active role in shaping a private rented sector that works for everyone.”

It is for these reasons the Council is proposing to renew the current scheme.

3. Top line summary

We received 1,063 survey responses from people living and working in Camden and the neighbouring boroughs. 70% of the responses were from residents (31% of these were private tenants). 26% of the total responses were from landlords and agents.

There were 4 formal letters from organisations which have been listed, along with the Council response, in [appendix D](#). These provided detailed comments on the scheme, and after consideration, the Council has made some changes to the fee structure (see section 6 below).

The most common criticisms in the free text comments made in the online survey ([appendix C](#)) were around the cost being passed on to tenants, the fees being too high, the standards being too complex, it will lead to a reduction in the private rented sector and that Camden should pay attention to its own stock. There were also a significant number of positive comments, mainly in general support of the scheme and particularly in relation to the introduction of one year licences.

Survey results

Overall 64% either agreed or strongly agreed with the renewal of the scheme (only 20% disagreed or strongly disagreed).

In terms of the impact of the HMO licensing scheme, 34% either agreed or strongly agreed that safety standards had improved (16% either disagreed or strongly disagreed). An equal amount agreed and disagreed with the statement that landlords and agents had got better at managing and maintaining properties, and less respondents thought that the neighbourhood had improved; that the reputation of private renting had improved; or that housing standards across Camden had improved.

It is worth noting that only half of the respondents were aware of the scheme before taking part in the consultation. This may account for the fact that half or more of the respondents stated they 'neither agree nor disagree', 'don't know' or did not answer in relation to these questions about the impact of the scheme.

There was strong support for the Council issuing a shorter one year licence where there are serious concerns about management and 65% of respondents either agreed or strongly agreed and only 18% said they disagreed or strongly disagreed.

In relation to the reasonableness of the proposed fees, a majority of 44% agreed or strongly agreed it was reasonable and 36% either disagreed or strongly disagreed.

Significant majorities supported the three sets of proposed HMO standards with 60% or above agreeing or strongly agreeing with the standards and under 20% disagreeing or strongly disagreeing.

4. Engagement

Throughout the consultation period there were extensive communications and engagement work to ensure the consultation reached as wide a range of stakeholders as possible both in Camden and the six neighbouring boroughs. The evaluation of the communications plan is detailed in [appendix E](#).

We used community researchers to carry out face to face surveys in five areas of high footfall in Camden, namely Kilburn High Road, West End Lane, Camden High Street, Kentish Town Road, Finchley Road and also known housing market areas that straddle the borders with neighbouring boroughs, namely Kilburn (Brent), St John's Wood (Westminster), Highgate (Islington/Haringey) and Holborn (Islington) areas. The community researchers completed 557 surveys.

. These measures included (not exhaustive):

- Working with Camden Federation of Private Tenants to reach a wide spectrum of tenants across the borough. This included website information, 12 social media posts, direct mailing to 400 tenants, assisting tenants with accessibility issues;
- Regular links via social media (Camden twitter account, Facebook) and the Council's website;
- Adverts in the Camden New Journal and Ham & High (x2 each) and local newspapers in neighbouring boroughs (x4)
- Working with the London Landlord Accreditation Scheme to publicise the survey;
- Newsletter to all licensed HMO landlords and managing agents;
- HMO landlord and agent event;
- Email to all regional and national landlord and agent organisations, and purpose built student accommodation providers in Camden;
- Bus shelter posters;
- Article in the Camden leaseholder magazine and talk at the leaseholder meeting;
- Articles in the Camden Magazine at the beginning and end of the consultation;
- Internal comms including internal digital display boards on each floor and 'essentials';
- Leaflets and posters in all Camden libraries and digital displays in sport centres and GP surgeries;
- Letter to all known managing and letting agents;
- Working with Camden Federation of Private Tenants (CFPT), Citizens Advice, legal advice centres, London university student accommodation offices etc. to publicise the survey.
- Drop in sessions at five libraries (Swiss Cottage, West Hampstead, Kentish Town, Pancras Square, Holborn) (* see note at end of report)

5. Key findings from the consultation

We received 1,063 survey responses from people living and working in Camden and the surrounding boroughs of Barnet, Brent, City of London, Haringey, Islington and Westminster (inclusive of 557 face to face interviews completed by community researchers). This includes comments from organisations such as the London boroughs of Barnet, Brent and Islington, Camden Federation of Private tenants (CFPT), Camden and Islington Public Health, Flat Justice, IQ Student Accommodation, London Irish Centre, Mary Ward Legal Centre, National Landlord Association (NLA). We received five comments by email from the general public, one email message from Age

UK (London) and four detailed letters from LB Haringey, Residential Landlords Association (RLA), Safeagent and UNIPOL. There were four attendees at the library drop in sessions (* see *note at end of report*).

The analysis in this section relates to the key findings from the quantitative survey responses, the full summary report can be found in appendix B. All qualitative or free text comments have been listed in [appendix C](#). The additional comments sent by email outside the survey and the comments made by the attendees at the library drop in sessions (* see *note at end of report*) have been included with the free text comments. The four formal letters from the organisations are attached in [appendix D](#) and any points raised in addition to the general comments have been addressed in the same appendix. The changes made to the fees as a result of these comments can be found in section 6 below.

Type of respondent

We received 218 responses from landlords and 56 from letting/managing agents (total of 274) which amounts to 26% of the total responses. We were very pleased with the number of landlords and agents responding – only 146 landlords responded to our original consultation in 2015 (14% of the total). This could well reflect the improved communication that the Council has with landlords who have already licensed properties in Camden through e-newsletters and landlord forums. 83% of landlords and 96% of agents were already aware of the additional licensing scheme.

Of the landlords, 67% managed their own properties, 71% did not belong to any professional organisation and the vast majority had a small portfolio of between 1-5 properties almost equally split between HMOs and single family units. 23% of managing agents did not belong to any professional organisation which, whilst a much better rate than landlords, is surprising as such membership is good professional practice.

749 responses were received from residents, of which 232 were private tenants (which included 75 tenants of HMOs). 31% of the residents responding were private tenants which is approximately in line with the proportion of private tenants in the borough. Only 35% of residents were already aware of the additional licensing scheme with private tenants and those in HMOs being at a similar level. This illustrates the need to raise awareness of HMO licensing with tenants. We hope this will be addressed by the forthcoming work on tenant engagement – a project being delivered with help from grant funding from the Ministry of Communities and Local Government (MHCLG).

Most private tenants responding were employed, including those living in HMOs, although as would be predicted, there were relatively more students living in HMOs as compared to the private sector generally. Very few tenants belonged to a tenant organisation although 18% were members of the Camden Federation of Private Tenants (CFPT), probably reflecting the help offered by the organisation in publicising the scheme and the assistance to tenants with difficulty accessing the online survey.

We had 13 businesses or organisations that responded to the scheme, which was only 1.2% of the responses. About half of those responding were aware of the scheme.

In total we had 238 responses from people living and working in other boroughs, which is 22% of the total. This shows that people in the surrounding boroughs were successfully engaged in the consultation.

Impact of the scheme on property and neighbourhoods

Figure iii. Opinion on whether HMO licensing has made a difference to property and neighbourhoods

Question	Residents			Private tenants			Landlords			Letting/ managing agents		
	Agree	Dis	Neith/ DK	Agree	Dis	Neith/ DK	Agree	Dis	Neith/ DK	Agree	Dis	Neith/ DK
Landlords and agents have got better at managing and maintaining properties	20%	19%	58%	26%	18%	53%	22%	27%	52%	41%	21%	38%
Safety standards have improved	30%	15%	53%	35%	13%	49%	44%	21%	40%	70%	16%	14%
The neighbourhood has improved	16%	29%	52%	16%	25%	55%	9%	42%	50%	18%	45%	38%
It has improved the reputation of private renting in Camden	17%	18%	63%	15%	17%	65%	11%	38%	55%	20%	48%	32%
It has improved housing standards across areas that neighbour Camden	15%	16%	66%	14%	15%	68%	10%	33%	60%	20%	35%	41%

'Agree' = strongly agree + agree; 'Dis' = strongly disagree + disagree; 'Neith/DK' = neither agree nor disagree + don't know.

The results of this part of the survey provide an interesting insight. There is clearly a large proportion of respondents who stated that they neither agreed nor disagreed or didn't know, with the notable exception of agents who clearly believed that safety standards in properties had improved and were more inclined to agree that landlords and agents had got better at managing properties. The opinions expressed in this section are likely to reflect the awareness of the existing scheme as only 35% of residents (and a similar proportions of private tenants) knew about the scheme before taking part in the survey. A much larger percentage of landlords, and nearly all managing agents were aware of the scheme and this may be a reason why managing agents in particular express a stronger opinion.

In addition, the fact that 70% of agents agreed with the improvement in safety standards may well reflect the wider experience and overview that managing agents have of HMOs in Camden.

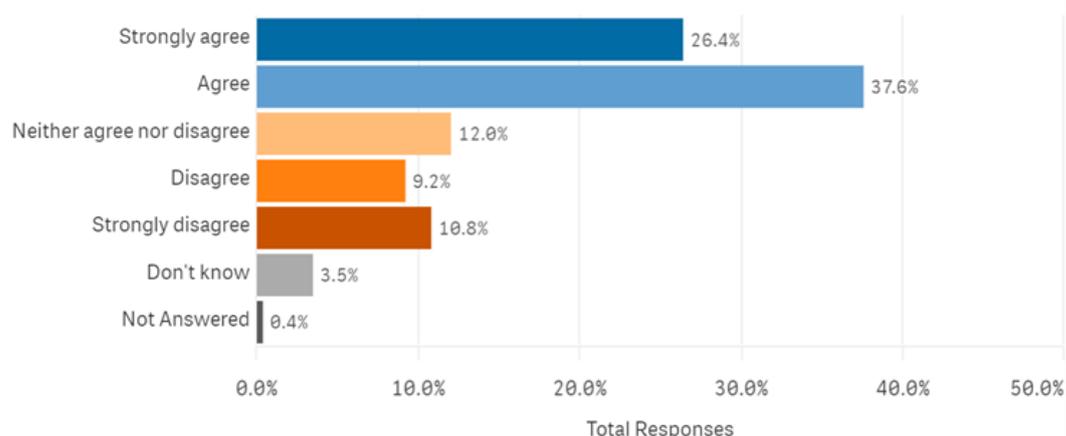
The review carried out in 2018/19 (appendix A) showed that there were substantial improvements in the licensed HMOs. It is clear that the message to residents and some landlords needs to be communicated more effectively.

Opinion on renewing the scheme

The top line regarding views on the renewal of the scheme is that 64% agreed with the proposal to renew the scheme, 20% disagreed and 16% neither agreed nor disagreed/don't know/not answered.

Figure iv. Overall opinion on renewing the scheme:

To what extent do you agree or disagree with Camden Council renewing the current borough wide HMO licensing scheme for a further five years when the current scheme ends in December 2020?



Of the 274 landlords and letting/managing agents that responded, 33% of these are in agreement with renewing the scheme and 46% disagreed. There are more landlords in favour of renewing the scheme than were in favour of the initial introduction of the scheme in 2015. In this earlier consultation 25% of landlords were in favour of the scheme and 72% were not in favour.

Of the 232 private tenants, 80% of these are in agreement with renewing the scheme and 10% disagreed.

Figure v. Opinion on renewing the scheme:

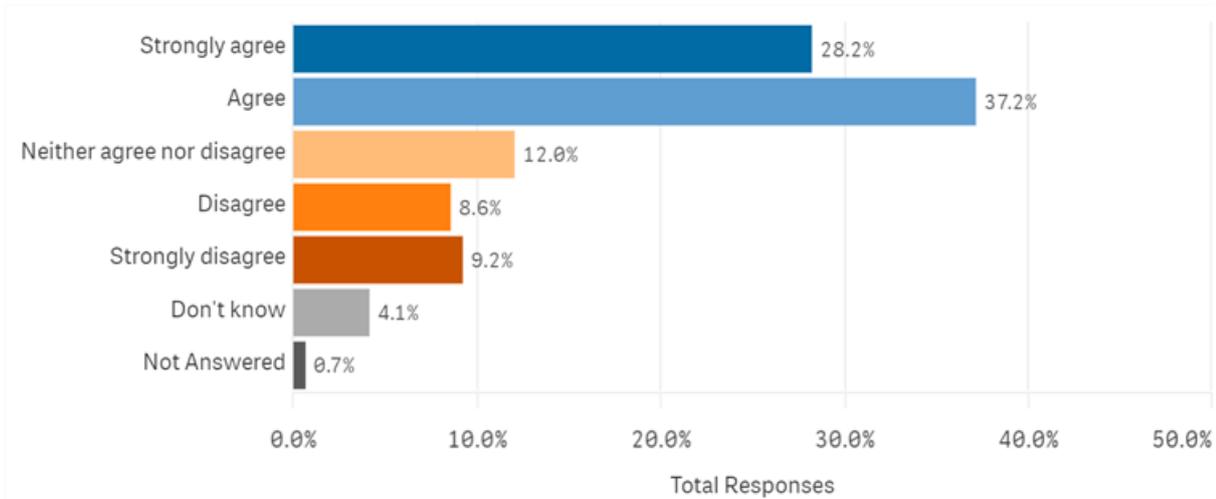
Respondent	Strongly agree / agree	Strongly disagree/ disagree	Neither agree nor disagree
Resident (749)	75%	11%	9%
Landlord (218)	35%	44%	20%
Letting or managing agent (56)	25%	54%	16%
Business or organization (13)	62%	15%	23%
All respondents (1,063)	64%	20%	12%

Opinion on one year licences

Overall, 65% agreed that shorter licences of one year were a good idea in circumstances where there are serious concerns about management. Only 18% disagreed.

Figure vi. Overall opinion on one year licences

To what extent do you agree or disagree with one year licences in circumstances where there are serious concerns about management?



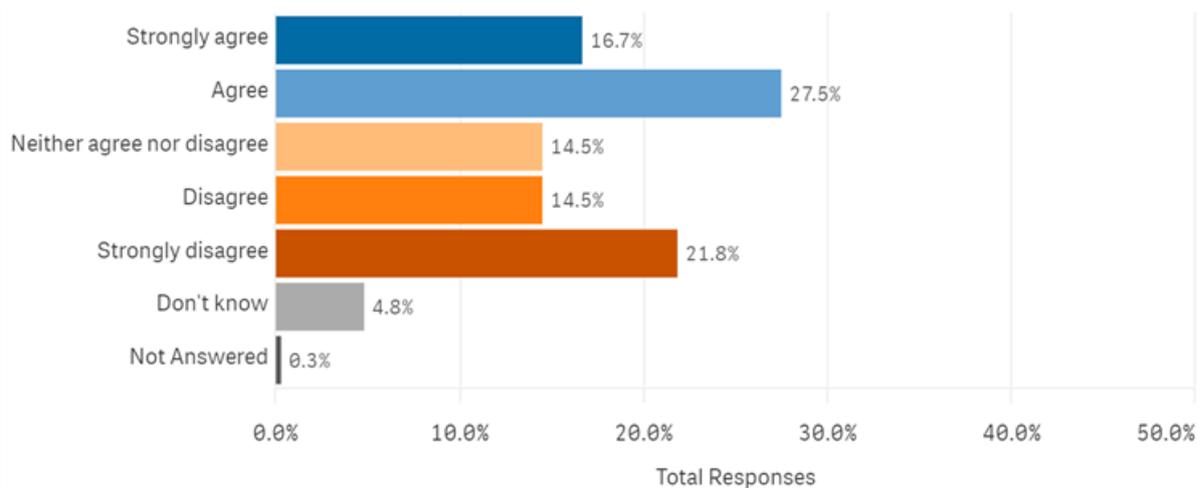
Residents were 70% in agreement which included 72% of private tenants. Of landlords, 55% agreed with shorter licences and 32% of letting and managing agents agreed. There is clearly good support for this initiative with all groups, although managing agents are less enthusiastic.

Opinion on the HMO licence fee

Overall, 44% agreed with the proposed licence fee structure and 36% disagreed.

Figure vii. Overall opinion on the HMO licence fee

To what extent do you agree or disagree that the proposed HMO licence fee is reasonable?



Amongst the residents responding, 55% agreed overall, which included 59% of all private tenants and 57% of tenants in HMOs. Amongst landlords, there was a much lower satisfaction with the proposed fees. Only 11% of landlords agreed with a higher number of agents at 18% agreeing (12% of both landlord and agents combined).

However, it is worth noting that only 16% of landlords and agents thought the fee was reasonable when the scheme was originally introduced in 2015 (when the fee was £390 for a three bedroom HMO).

The fee is the least popular of the proposals. Issues with the fees also came up in the qualitative aspect of the consultation. Some amendments have been made to the proposed fees (see section 6 below) following the feedback.

Proposed HMO standards

Overall, 60% agreed with the three sets of standards with less than 20% disagreeing.

Figure viii. Overall opinion on the proposed HMO standards

To what extent do you agree or disagree with the Council's proposed HMO standards?

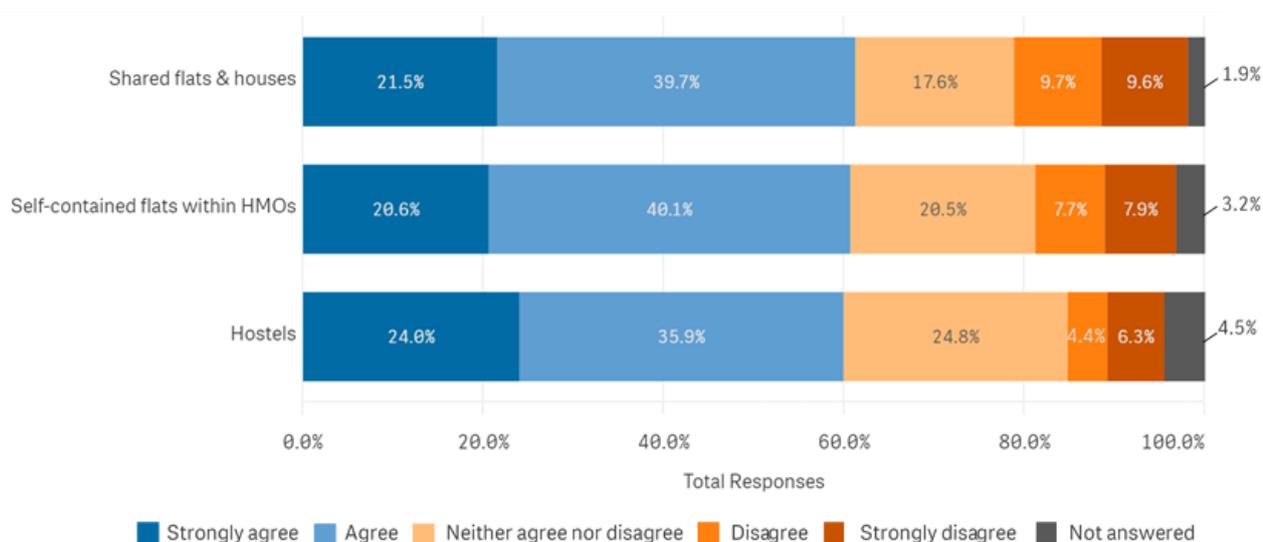


Figure ix. Breakdown of opinion on the proposed HMO standards

Standard	Residents		Private tenants		Landlords		Letting/managing agents	
	Agree	Dis	Agree	Dis	Agree	Dis	Agree	Dis
Shared flats and houses	71%	13%	72%	12%	32%	40%	46%	29%
Self-contained flats	71%	11%	72%	11%	30%	28%	45%	29%
Hostels	67%	10%	63%	9%	40%	9%	43%	30%

'Agree' = strongly agree + agree; 'Dis' = strongly disagree + disagree

The HMO standards are clearly more popular with residents and tenants than landlords, although it is interesting to note that managing agents are more in agreement with the standards. On the whole there is good support for the standards.

6. Proposed changes to the scheme

The following are the proposed changes which were outlined in the consultation:

Shorter licences (see appendix F)

Shorter licences (one year) to landlords or agents where there are serious concerns about the management of their properties. This would be in circumstances where landlords have not met their

statutory and contractual obligations, such as avoiding or being slow to licence, not complying with licence conditions which have put the health and safety of the tenant at risk, failing to pay relevant charges, fines or penalties, not obtaining relevant permissions from other council services (e.g. planning, building control or leaseholder services) etc.

Fees (see appendix G)

Introducing a new fixed fee of £1,300 for all HMOs, with a discount of £100 for accredited landlords, for both new and renewal applications. The current fee is based on the size of the property (building fee plus a fee for each bedroom/let). The intention is the new fee will simplify the calculation to avoid costs associated with chasing under/overpayments. The fee will be split into two parts, part 1 for the application processing, administration and validation and part 2 for operational and enforcement costs:

Part 1 - £1,100

Part 2 – £200

The fees will be kept under review on an annual basis to ensure income does not fall short or exceed cost recovery.

HMO standards (see appendix H)

The Council already has a set of standards that apply to HMOs. These mainly relate to room sizes, kitchen and bathroom facilities, fire safety, heating and sufficient electrical sockets. The Council is proposing to introduce separate standards for a) shared flats and houses and b) self-contained flats within HMOs so there is more clarity on what is required. We will continue to have separate standards for hostels. The requirements in the standards are essentially the same as before although there have been some minor changes mainly to improve clarity.

Changes following the consultation

Following constructive feedback from the consultation, the following additional changes are proposed:

- The enforcement part of the fee (part 2) charged to ANUK/Unipol purpose built student accommodation has been reduced by £150. This is to take into account the fact that these properties are generally new and well managed and require little enforcement action.
- The renewal fee has been reduced to £1,130 to take into account the fact that inspections will not be carried out on all renewal applications. There will still be a significant amount of work on compliance checks. This will only apply if the renewal application is made within the term of the licence. If the application is made after the licence has expired, then a new application will have to be made.
- A new definition of licensable section 257 HMOs (certain converted blocks of flats which do not meet the standards of the 1991 Building Regulations or later). It is proposed that this definition is changed from 'half or more of the flats being tenanted' to 'less than half of the flats being owner-occupied'. This change is more closely aligned to the definition in section 257 which refers to occupation by owner-occupiers as opposed to tenants, and Government guidance which states schemes should only apply to HMOs mainly or wholly tenanted.

7. Selective licensing

We also sought initial views on whether a selective licensing scheme should be introduced in the future to license all private rented accommodation, not only HMOs. This could be in the whole or only part of the borough. Because of the current Covid-19 crisis, the Council has put this matter on hold for the foreseeable future.

***Note: added since the Cabinet meeting on 1 July 2020 as the library drop-in sessions had been omitted from the original report**

Appendices:

Appendix A: Review report

Appendix B: Consultation summary report

Appendix C: Free text comments

Appendix D: Letters from organisations

Appendix E: Communications plan evaluation

Appendix F: Enforcement policy amendments - issuing of short term licences

Appendix G: Fees

Appendix H: HMO standards (proposed)

Appendix A

REVIEW REPORT

Review of Camden's Additional HMO Licensing scheme

Date: 8 June 2019

1. Summary

- 1.1. The council implemented a borough-wide additional house in multiple occupation (HMO) licensing scheme on 8 December 2015 to improve management standards. The council has a duty to undertake a review of any discretionary licensing scheme it has implemented to determine whether it is achieving the schemes' objectives. With the current scheme due to end in December 2020, it was deemed appropriate to undertake a review to inform a decision on whether to renew the scheme for a further 5 years.
- 1.2. Therefore a review of Camden's additional Houses in Multiple Occupation (HMO) licensing scheme designation was conducted between September 2018 and February 2019.
- 1.3. It shows that the licensing scheme has made good progress in improving standards in a large number of HMOs. However, there are still a significant number of properties that remain unlicensed and there are issues with non-compliance.

2. Introduction

- 2.1. Camden Council implemented a borough-wide HMO additional licensing scheme on 8 December 2015. The designation comes to an end on 8 December 2020 - 5 years after commencing.
- 2.2. HMOs are defined in the Housing Act 2004 and include houses and flats occupied by three or more people forming more than one household. Certain buildings converted into self-contained flats can also be HMOs. The additional licensing scheme extended the existing mandatory HMO licensing scheme, which only applies to larger HMOs, to include all other HMOs as defined in the Act.
- 2.3. Additional HMO licensing is intended to help the council tackle poor management, poor housing conditions and overcrowding in HMOs not subject to mandatory licensing by providing additional powers to regulate them.
- 2.4. The council has a duty to carry out a review of any discretionary licensing scheme it has implemented to determine if it is achieving the aim of improving management standards. As we are over half way through the additional licensing scheme this is an appropriate time to review the operation. The outcome of this review will help inform a future decision on the renewal of the scheme designation. The review is also intended to lead to service improvements within the remaining life of the existing scheme and for any future scheme. It is also a positive way of engaging with partners, both internal and external, landlords and tenants, and as such has the additional benefit of raising awareness of HMO licensing.
- 2.5. Camden was the first inner London borough to introduce borough-wide additional licensing. Since then six other inner authorities have introduced a borough-wide scheme with at least one more due soon. This picture is reflected regionally and nationally. The GLA is actively encouraging London boroughs to introduce borough wide additional licensing schemes. As the private rented sector has increased rapidly in the last couple of decades, there is a growing recognition at national level that the private rented sector needs proper regulation.

The Government have recently introduced a raft of new legislation to improve the rights of private sector tenants, including strengthening enforcement powers and the ability of tenants to take their own action, extending the definition of mandatory licensing, the introduction of a national minimum room size for HMOs, the banning of letting fees for tenants and most recently announcing their plans to abolish 'no fault' section 21 evictions.

3. Background

Legislative context

- 3.1. Under section 56(2), part 2 of the Housing Act 2004, a local authority can introduce an additional HMO licensing scheme where there is evidence that a significant proportion of the HMOs in its area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- 3.2. The CLG in guidance produced in 2010 gave examples of properties being managed ineffectively. This list was not exhaustive, but included "those whose internal condition, such as poor amenities, overcrowding etc., adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues" and "those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare, health or safety of residents and/or impacting upon the wider community".
- 3.3. In Camden, the additional HMO licensing scheme has extended the requirement to license to smaller HMOs occupied by 3 or more persons who form more than one household (section 254 of the HA 2004) and certain buildings converted wholly into self-contained flats (section 257 of the HA 2004). Section 257 HMOs are those where the standard of conversion does not meet the 1991 building regulation standard and where fewer than two-thirds of the flats are owner-occupied. For licensing purposes fewer than half of the flats should be owner-occupied (CLG guidance (2010) stated that properties predominately owner occupied should not be licensed). Therefore in Camden, 50% or more of the flats must be privately rented.
- 3.4. This is in addition to mandatory HMO licensing which all local authorities must implement, which, put simply, applies to properties that are occupied by five or more persons forming more than one household.
- 3.5. Under s:60(3) local authorities must "from time to time review the operation of any designation made by them". A decision to renew a discretionary HMO licensing scheme cannot be made until the existing scheme is properly evaluated. This report fulfils this statutory requirement.

Strategic context

- 3.6. Camden 2025 sets out the Council's vision for the future of residents and businesses in the borough:
 - Whether renting or buying, homes should be affordable and secure.
 - Homes should be safe, warm and free from damp.
 - Homes should be accessible and flexible to meet people's needs, whether that is someone growing older or a growing family.
 - Nobody should be sleeping on the streets.
- 3.7. The Council's response is set out in the Camden Plan 2018-2022:
 - We will make sure that everyone has a sustainable roof over their head or is on a pathway to achieving this, minimising homelessness and rough sleeping.

- Will strive to make homes in Camden safe, well-managed and well-maintained, and make sure that people’s homes meet their needs. We will play an active role in shaping a private rented sector that works.

3.8. We will deliver this by:

- Bringing people and agencies together to get things done
- Opening up the council so all citizens can have a say
- Working towards better and less expensive rents to prevent problems and intervene early

The private rented sector in Camden

3.9. The private rented sector (PRS) is the second largest tenure in England and has more than doubled in the last 20 years.

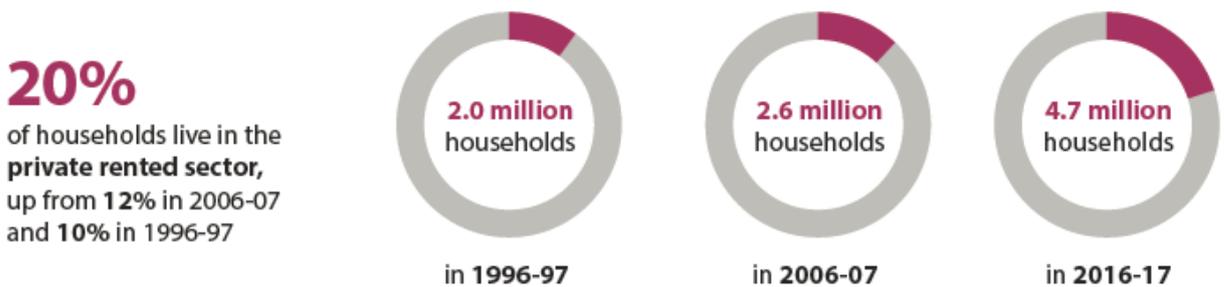


Fig. 1 – changes to PRS levels (England)

3.10. In Camden 32.2% of households live in the PRS (compared to London which is 25%). It is now only fractionally smaller than the owner-occupied sector which is 32.9% of households. This continues to be a growth sector with a significant increase in letting agents operating within Camden from around 300 in 2015 to almost 800 in April 2019.

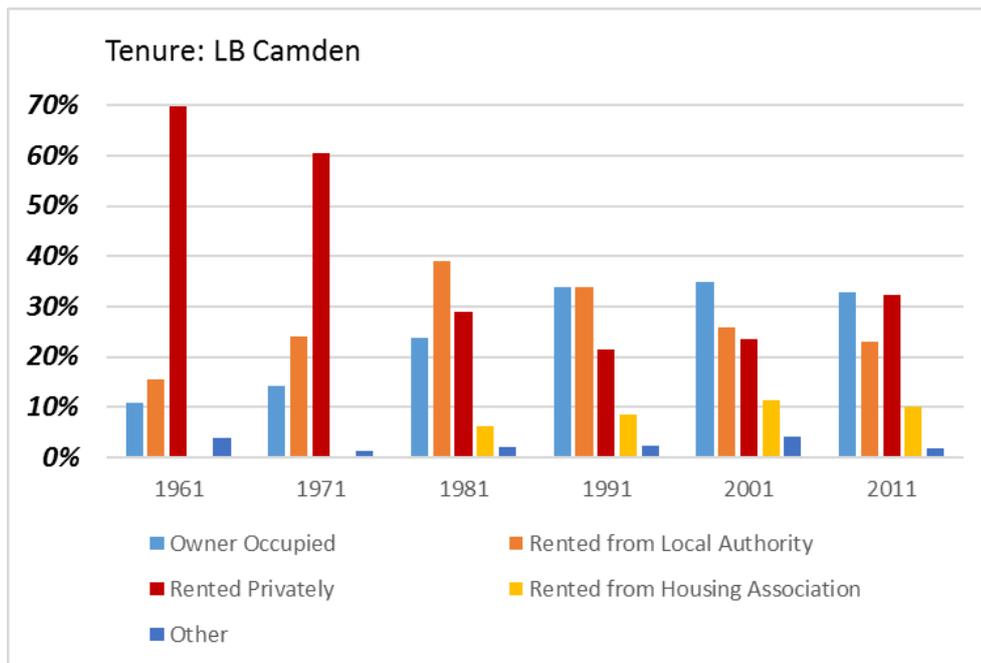


Fig. 2 – bar chart showing tenure over time

3.11. Good quality HMOs can provide a decent and affordable place to live. With rising rents, an increasing number of renters are having to share properties. Landlords are also looking to rent properties out to sharers as a way of maximising rents.

Rent levels in Camden

3.12. For many residents in Camden, HMOs provide affordable accommodation and as such, are an important part of the rental sector in Camden. Every part of Camden has areas of relative affluence alongside areas of poverty. Camden ranks among the 69 most deprived districts in England.

3.13. Overall mean rents rose 1% in September 2018 compared to September 2017. Rents had risen to peak in March/September 2015 at 23% higher than September 2011. They are now 17% higher than September 2011. The room rate stands out with a 40% rise over the past year.

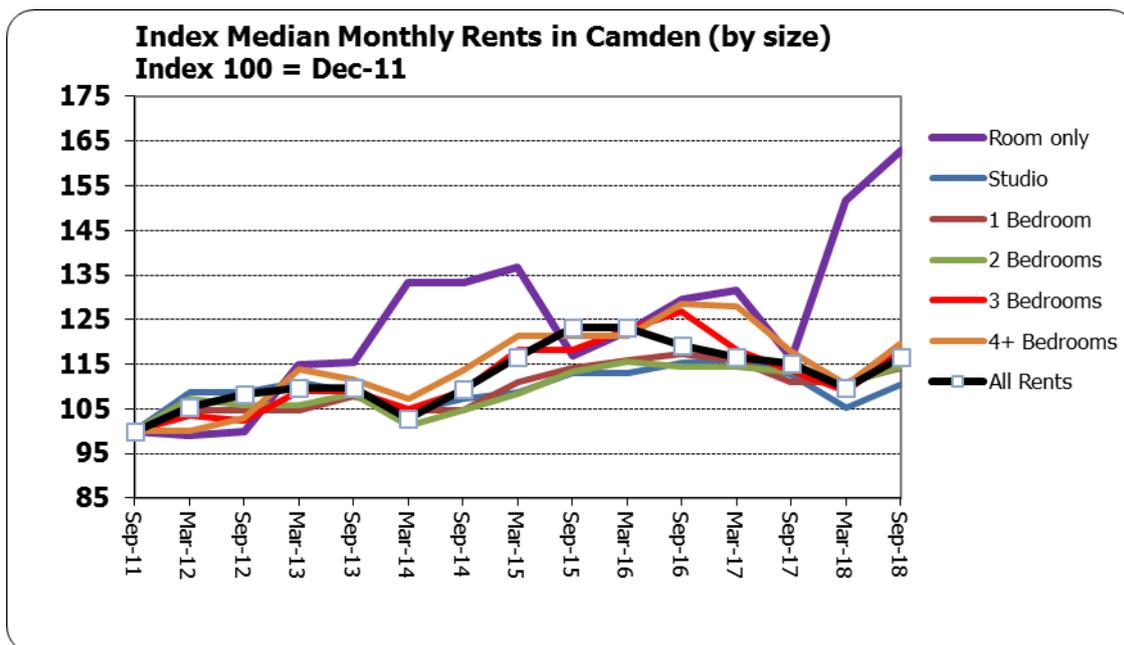


Fig. 3 – median monthly rents in Camden

4. HMO Licensing in Camden

Introduction and implementation of the scheme

4.1. The initial research carried out prior to the first scheme being introduced estimated there were approximately 5,000 - 8,000 HMOs within the borough. This is thought to be an under estimate, particularly because of the number of Section 257 HMOs.

4.2. The table below details the headline figures at the mid-point of the scheme (8 June 2018) and to date.

	8 June 2018	8 June 2019
HMO applications received	2,981	3,946
HMO licence inspections completed	2,067	3,009
Additional HMO licences granted	1,646	2,640

The full set of statistics for additional licensing and enforcement can be found in Annex A.

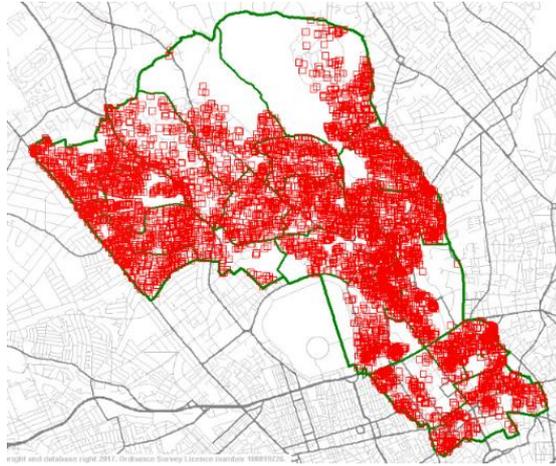


Fig. 4 – spread of licensed HMOs in Camden

- 4.3. Applications are made online. As part of the processing procedure an application must be verified. This involves carrying out essential background checks which include validating the submitted documentation, ensuring suitable management and funding arrangements are in place, ensuring the most appropriate person is the proposed licence holder, obtaining/checking details of all relevant persons and carrying out all ‘fit and proper’ checks.
- 4.4. Once validated, the HMO is inspected by an environmental health officer. Inspecting ensures that all necessary works are addressed during the licensing period and that the permitted number is an accurate reflection of the room sizes and facilities provided. It also allows an opportunity for tenants to be involved in the process as they are always notified of the visit. All licences are subject to a mandatory consultation period, which gives all interested parties the opportunity to make comments, before the final licence is issued.

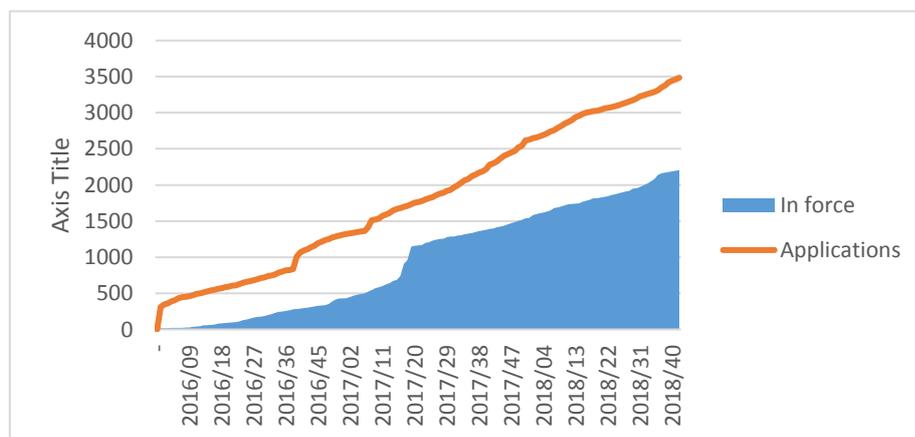


Fig. 5 – HMO additional licence applications/licences in force

HMO fees and charges

- 4.5. Local authorities operating licensing schemes are able to charge fees to cover the costs of their licensing scheme. Camden’s HMO Licensing fees are split into two parts:
 - Part 1 – Application fee – to cover the cost of processing applications received, including officer costs, compliance inspection.
 - Part 2 – Enforcement fee – to cover the cost of running and enforcement of the licensing scheme.

- 4.6. Licence fees have to be reasonable. They can be calculated against the actual cost of setting up the scheme, administering the applications and subsequent inspection and enforcement of the licensed premises over the whole five year period of the licence. The fee must only cover the costs of operating the scheme and it is for each local housing authority (LHA) to determine the fee payable in its area.
- 4.7. The application fees were initially set at £450 for the property with an additional cost of £45 per let. Since 2016/17 the fees charged have risen by a fixed percentage each year (Fig. 6). A detailed review of the fees in September 2018 demonstrated that the income derived from licensing fell short of achieving full cost recovery. This involved analysing the time taken to complete all stages of the application and enforcement, including staff costs. The review calculated the full cost recovery fee to be £1,300 for an HMO with three lettings. In order to introduce the necessary increase in fees gradually, the fees were increased on 2 April 2019 to £750 for the property and £60 per let, with another increase forecast for 2020/21.



Fig. 6 – HMO additional licence applications/licences in force

- 4.8. A benchmarking exercise of London local authorities mandatory / additional HMO licensing schemes further supported the need to review licence fees and demonstrated that Camden’s were substantially lower than the average (see figures 7 and 8 below). The fee increase for 2019/20 placed Camden’s fees at or around the average of other authorities 2018/2019 fee levels.

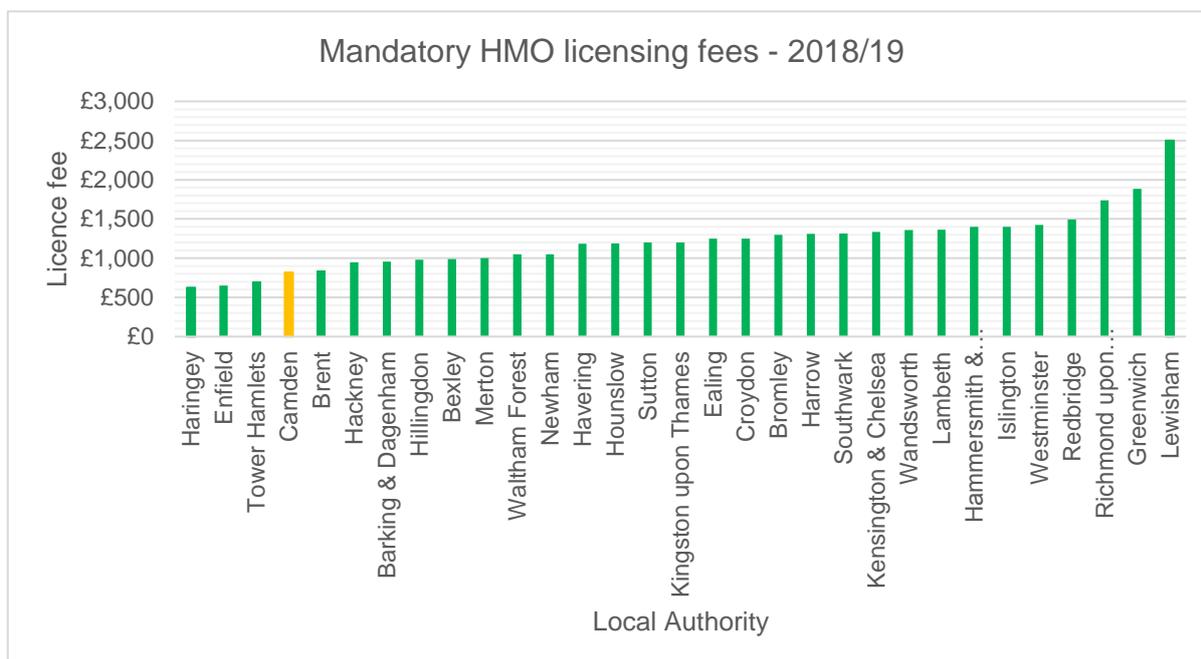


Fig. 7 – Benchmarking of Mandatory HMO Licensing fee (5 units) with all London Local Authorities 2018/19

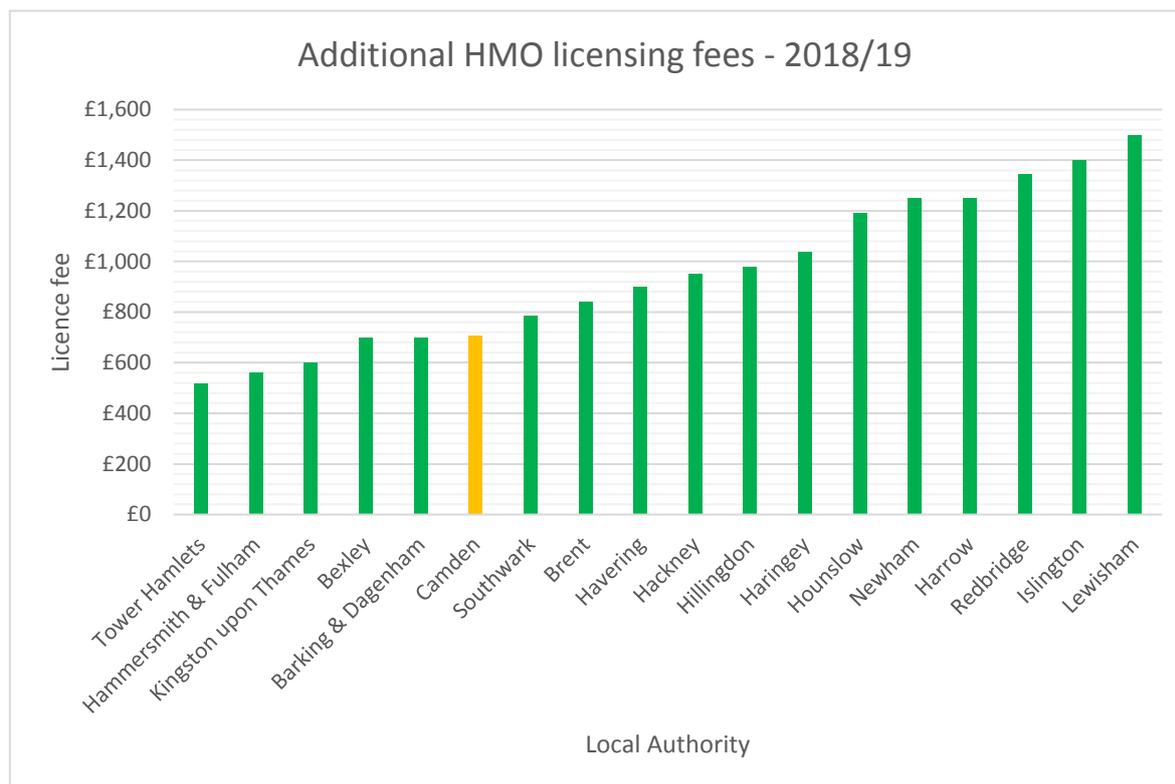


Fig. 8 – Benchmarking of Additional HMO Licensing fee (3 units) with London Local Authorities 2018/19

5. The effect of HMO licensing on private sector housing

HMO licensing

- 5.0. Licensing has provided a level playing field for all landlords by applying a set of minimum standards to all HMOs. These standards are clear and easy to understand and are available on the Council’s website. A small number of managing agents (and portfolio landlords) have become familiar with the standards and have been able to make the necessary improvements to properties before the licensing inspection. Otherwise the necessary works are listed on the licence and a period of time up to a maximum of 2 years (depending on the impact on the health and safety of the tenants) is allowed for the works to be carried out.
- 5.1. 99% of the additional HMO licences contained requirements for works to meet the HMO standards. To date, an estimated 15,000 specific conditions have been added to licences requiring the licence holder to carry out works to bring properties up to the appropriate standard and to manage them effectively. This is in addition to the informative that is sent out with the licence, listing health and safety and management issues that, whilst they do not form part of the licence, are issues that the landlord is legally obliged to carry out. See Annex E for photos showing some of the issues encountered at the initial licensing inspection.
- 5.2. See below for a breakdown of the most commonly required works on the licence:

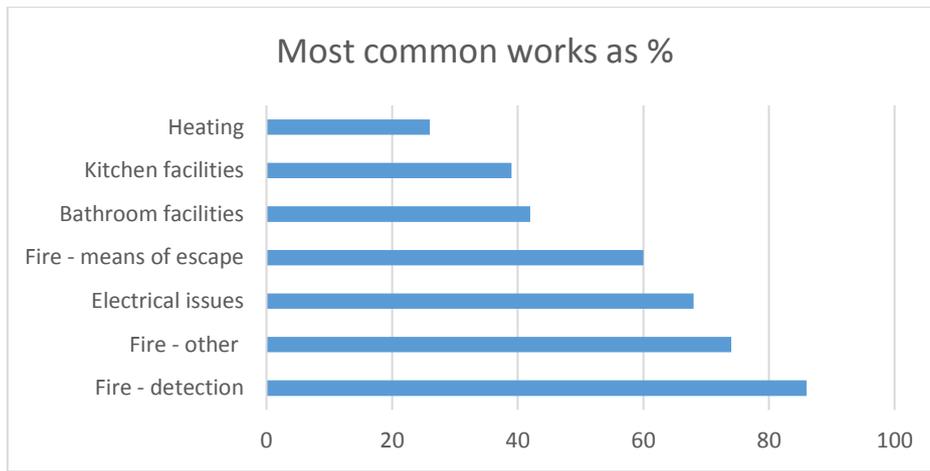


Fig. 9 – Breakdown of works required on licence

- 5.3. 64% of additional HMO licences were accompanied by additional requirements relating to the housing health and safety rating system (HHSRS) and management works. About one third of these had between 1-5 works listed and a quarter 6-10 works listed.
- 5.4. The five most commonly HHSRS hazards identified at the initial inspection are detailed below, with the findings at the time of the compliance inspection:

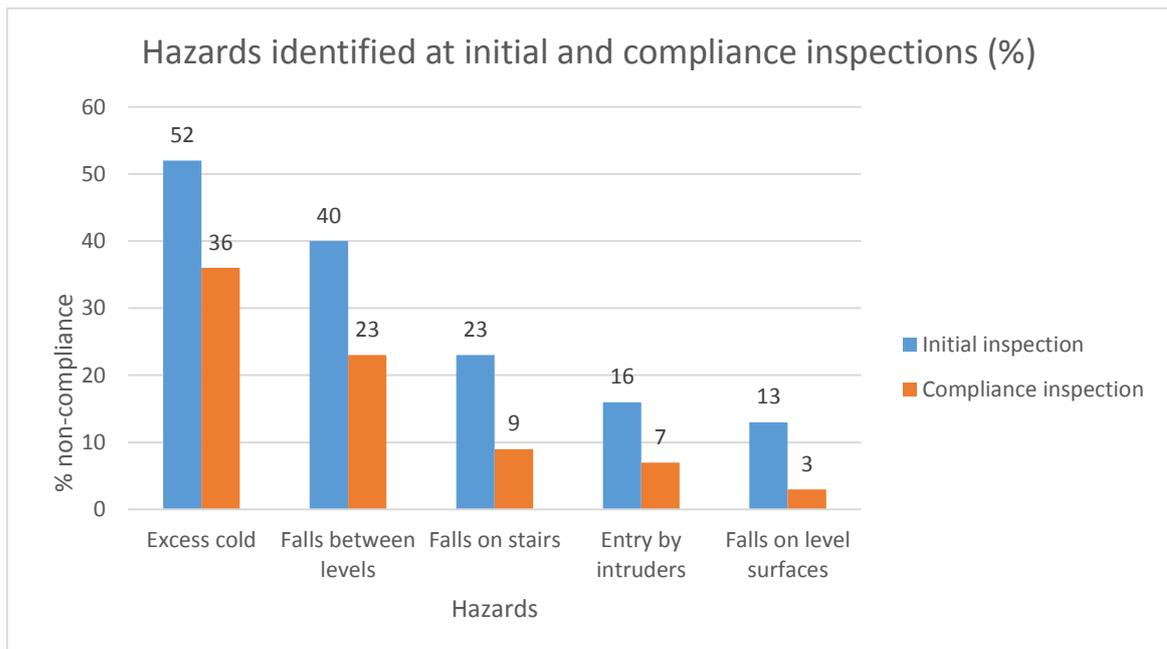


Fig. 10 – Breakdown of most common HHSRS hazards at initial and compliance inspections

- 5.5. At the time of the re-visit, 34% of the landlords had carried out all the works necessary, 38% more than half and 16% less than half. Importantly the fire hazard in these properties had been reduced by 60%.
- 5.6. In terms of the works actually carried out, the estimated amount spent on licensed properties by landlords to comply with requirements to date is £3,318,535, an average of £1,106 per property. The estimated amount saved to the NHS from alleviating the top 5 hazards in the home is estimated at £1.173 million.

Enforcement

- 5.7. In general, licensing has been a means of raising standards in HMOs without the need to take legal action. In most cases the Council tries to work with landlords to ensure compliance, but where this is not possible or where the works pose a serious risk to health, the private sector housing (PSH) enforcement team will take legal action.
- 5.8. Before the implementation of the HMO licensing scheme, the council was much more reactive to complaints and prosecutions were steady but not relatively high. Most legal action now relates to letting agents and landlords who are operating unlicensed or ineffectively managed HMOs. The licensing scheme has allowed the enforcement team to proactively focus on problematic types of property and also suspect portfolio landlords/agents. According to the GLA rogue landlord database LB Camden is now issuing more civil penalty notices and prosecuting more rogue landlords/agents than any other borough in London.
- 5.9. Camden is one of the few boroughs to use civil penalty notices as an enforcement measure on a large scale. It was noted in the second year of the scheme many agents did not start licensing until they had been subject to an investigation, prosecuted or received a civil penalty notice.
- 5.10. The PSH enforcement team have noticed the following effects:
- a large number of rogue landlord/agent networks have been exposed
 - some of the worst criminal landlords/agents have been exiting the Camden rental market in response to the clampdown (although they do not feel there has been an effect on the better landlords).
 - some long standing problematic landlords/agents have become more professional in their management practices and now carry out programmed improvements to their properties.
 - the team have been able to tackle some of the ‘oddities’ in the housing market e.g. properties which are let by property guardians, rent to rent arrangements, so called ‘lifestyle’ clubs (i.e. tenancies are replaced by membership schemes) and ‘sham’ tenancies.
- 5.11. The range of enforcement options include:
- Prosecution under Housing Act 2004 (and associated regulations)
 - Civil penalty notices (CPNs)
 - Council led rent repayment orders (RROs)*
 - Management orders
 - Banning orders

Many of the above options are resource intensive but will be essential if Camden is to be seen as serious about addressing rogue landlords and letting agents operating in Camden’s HMO’s. The enforcement team have had no additional resources for this work to date but the recent review of the scheme (4.7 above) will enable additional resources to be allocated.

* Tenants are also able to make an application for a RRO if their landlord commits one of several specific offences relating to their home or tenancy, including a failure to licence. These no-longer depend on a landlord being prosecuted for the offence.

- 5.12. The enforcement policy can be found [here](#).

Trading standards

- 5.13. Camden's Trading standards team enforce a wide range of consumer protection legislation and work to protect consumers and legitimate businesses in the property sector. They look at unfair commercial practices and also enforce legislation relating to the redress schemes, client money protection and the recent Tenant Fees Act 2019 which prohibits most tenant fees charged by letting agents from the 1 June.
- 5.14. The team have worked successfully with PSH enforcement officers where they have focussed on sham tenancies and fraudulent business practices, mainly in HMOs. The team mainly impose fines using penalty charge notices (PCNs) and in more serious cases, can also apply to the County Court for an enforcement order.
- 5.15. Over the last nine months, nine PCNs amounting to £118,500 have been issued and six prosecutions have been taken in addition to support given to the PSH enforcement team and tenants pursuing RROs against their landlords.

Housing needs and homeless prevention team

- 5.16. The PSH team work closely with homeless prevention to deal with cases of harassment and illegal eviction and to inform and assist tenants at risk of homelessness.
- 5.17. It is difficult to obtain data on the levels of harassment and illegal eviction in HMOs because of the different case management systems. However, it is clear that as enforcement action has increased, liaison between the teams has improved and increased.
- 5.18. The PSH team has recently been successful in bidding for Controlling Migration Funds from the MHCLG to address rogue landlords exploiting migrant tenants living in dangerous and unlicensed HMO's. The funding will enable the recruitment of a multi-disciplinary team including a tenancy relations officer to lead on rent repayment orders for harassment and illegal convictions.

Landlord accreditation

- 5.19. Camden manages and operates the London Landlord Accreditation Scheme (LLAS) on behalf of all London local authorities. The scheme was launched in 2004 to recognise good practice and improve conditions within the private rented sector. The scheme is voluntary and currently has over 36,000 members.
- 5.20. LLAS provides a one day basic training course on tenancy and property management which leads to accreditation. Landlords must also follow a code of conduct and be a fit and proper person. Individual landlords receive a discount on the licensing fee equivalent to the accreditation fee.
- 5.21. The number of LLAS accredited landlords increased in the run up to the introduction of the licensing scheme but appears to have stayed at the same level since the introduction of the scheme.



6. Review findings

6.0. The review of the current scheme was conducted over the following time periods:

- Series of compliance inspections – October 2018 - January 2019 (88 properties inspected)
- Landlord survey - August - November 2018 (77 completed responses)
- Tenant survey - August - November 2018 (43 completed responses)

The landlord survey was publicised through the HMO landlord newsletter, the Council's website, on all emails generated in the private sector housing team, at the landlord and agent event and through the accreditation scheme. The tenant survey was more difficult to publicise but we used the London student accommodation services, Camden Federation of Private Tenants, flyers left at inspections and social media. Whilst the number of responses was a little disappointing we feel that they are generally representative of the views of landlords and tenants. However, it is acknowledged we need to do more work to successfully engage with tenants.

See annexes B, C and D for the issues arising, summary of the open comments from landlords and recommendations.

6.1. The key findings of the review were:

6.2.1 Property improvements:

- Nearly all (99%) of licences issued had works that were required, mainly fire safety and electrical works but also amenities and facilities and heating
- A significant number (64%) of the properties also needed works under the Housing Health and Safety Rating System
- 34% of landlords had carried out all the work within the time period required
- 16% had carried out none or less than half of the works

6.2.2 Tenants:

- The compliance survey indicated 74% of licences had not been brought to the attention of the tenant
- 56% of tenants who responded to the survey knew that landlords who rented shared housing should have a licence
- 49% of tenants taking part in the survey said they did not know if the property they lived in had a licence
- 54% of tenants who responded to the survey were in favour of licensing (19% were not)
- 16-26% thought licensing was improving management, safety standards, noise/nuisance/rubbish or the reputation of private renting in Camden
- 42% of the tenants responding said they had experienced problems with their landlord since 8 December 2015 (when licensing was introduced) citing harassment the most

Note: The response to the tenant survey was very low and we have little information on which tenants responded and how they heard about the survey. It indicates there is a need to engage more effectively with tenants in future consultations.

6.2.3 Landlords:

- In descending order, the main ways in which landlords found out they needed a licence were:
 - professional organisation (26%)
 - letter in the post (21%)
 - word of mouth (19%)
 - Camden website (17%)
 - from the owner or managing agent (14%)
- 8% of landlords of licensed properties lived overseas
- 25% of licensed properties were ex-local authority
- Processing HMO licence - 51% rated good/very good (25% poor/very poor)
- Licensing inspection - 49% rated good/very good (14% poor/very poor)
- Understanding of safety requirements - 56% thought licensing had improved understanding (39% thought it had not)
- Improved HMO conditions - 39% thought licensing was improving conditions (39% thought it had not)
- Online application form - 42% rated good/very good (21% poor/very poor)
- Licence information - 48% rated good/very good (14% poor/very poor)
- Council website - 42% rated good/very good (16% poor/very poor)
- Time to issue licence - 36% rated good/very good (34% poor/very poor)

6.2.4 Complimentary initiatives and partnerships:

- The additional licensing scheme has enabled better collaboration with internal and external colleagues and partners, and also better engagement with the landlord and agent community.
- We used existing and new partnership networks to engage the key stakeholders in order to assess the effectiveness and impact of the scheme. These included:
 - Meetings with internal colleagues – November 2018 – May 2019
 - Meetings with PRS external stakeholder group - 8 November 2018, 27 March 2019
 - HMO landlord newsletter – 27 September 2018 (Autumn), 14 February 2019 (Winter)
 - HMO landlord and agents events - 4 October 2018, 4 April 2019
 - Mailing to all managing and letting agents in Camden – August 2018

6.2.5 Feedback from internal stakeholders:

- Between January and May, the impact and effectiveness of the HMO licensing scheme was discussed at the team meetings of environmental services, leaseholder services, PRS placements, planning enforcement, pest control, PSH enforcement team, food safety team, trading standards, pollution team, council tax, community safety and building control.
- There was generally a low level of awareness of the scheme amongst other teams, the main exceptions being trading standards and council tax who are more actively engaged with the PSH enforcement team. Team discussions were generally

enthusiastic and useful and have resulted in more referrals. Unfortunately there is no way of capturing the actual number of referrals from other departments.

6.2.6 Feedback from external PRS stakeholders:

- The external attendees of this meeting are CAB, Shelter, Mary Ward Legal Centre, Camden Law Centre, Safer Renting, London Fire Authority, Camden Neighbourhood Policing Team, University of London Housing Services and Camden Federation of Private Tenants. Council representatives are HMO licensing, PSH enforcement, trading standards and homelessness prevention.
- These meetings sought to share good practice and provide a valuable opportunity for the Council to raise awareness of current initiatives. The meetings happened regularly in 2014-2015 during the run-up to the implementation of additional licensing scheme and were resurrected in November 2018. It is planned to hold these meetings quarterly and to invite guest speakers to talk on relevant topics and well as all parties providing updates. The meeting on 27 March 2019 had 3 different perspectives on Rent Repayment Orders (RROs) (the PSH enforcement team, a leading law firm often representing landlords and a community interest group representing tenants).
- Feedback from this group has been positive and the meetings are well attended:
 - Flat Justice – “Camden’s ‘Rent Repayment Order: A Tenant’s Guide’ is the best out there”.
 - Camden Federation of Private Tenants – “Camden are so far ahead of the game when compared to other local authorities”.
 - General comment that no other local authority has regular partnership engagement meetings like Camden.

6.2.7 HMO landlord events and newsletter:

- These initiatives have been very well received and have provided platforms to engage positively with landlords. There are over 3,000 licensed landlords and managing/letting agents on the current mailing list. They are used to inform landlords and agents of changes to national legislation, local initiatives, how to become better at managing and maintaining properties and their legal responsibilities. The key message is that we want to work positively with good landlords but will take robust enforcement action against landlords who avoid their legal responsibilities.

6.2.8 Health and housing in Camden:

- Healthwatch Camden published a report in May 2019 regarding the impact of housing on their health in response to residents raising the issue. They focussed on private renters. They found that housing issues are contributing to high levels of stress and anxiety which are detrimental to mental health, not only because of health and safety issues, but also poor relationships with landlords and neighbours, and rent and security of tenure. They also found that there is a low awareness and uptake of available support services.
- The report recommended that health and housing should be integrated at both strategic and service delivery level, that support services should be easier to find and use (particularly for private renters), and that GP practices should play a more active role in signposting.

- Whilst the report did not look at HMOs in particular, by addressing management standards and improving standards, it is clear that HMO licensing can only have a positive impact on the health and well-being of tenants. However, there is clearly scope to develop stronger links with our public health partners and local health care service providers.
- The report can be found [here](#).

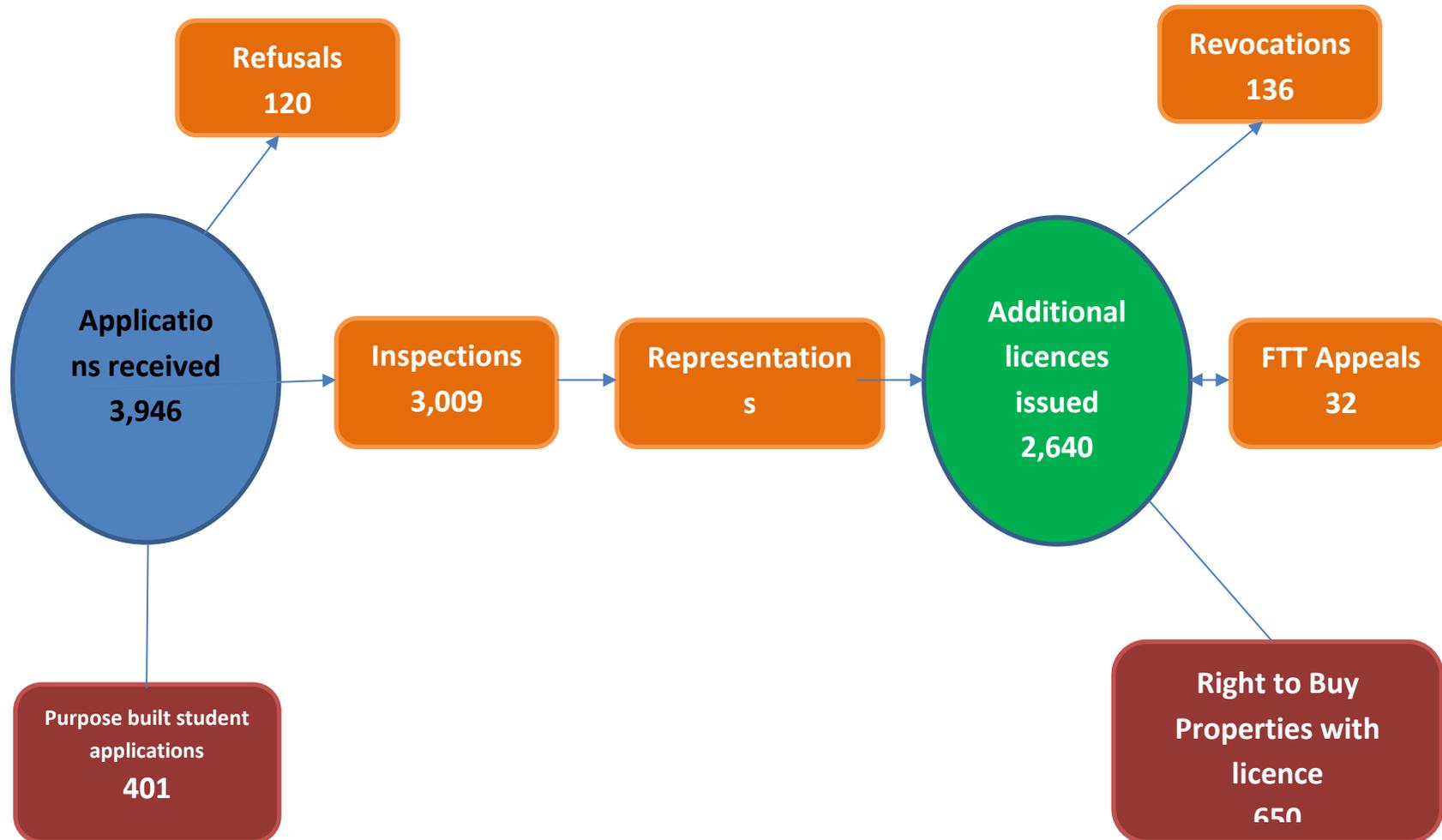
7 Conclusions

- 7.1. It is clear from the review of the scheme that additional HMO licensing is having a positive impact on improving property and management standards within Camden - ultimately improving the safety, comfort and well-being of tenants.
- 7.2. However, despite the scheme being in place for several years there remains a core group of rogue landlords and agents that seek to exploit vulnerable tenants for financial gain. Whilst the enforcement team are actively pursuing these landlords there is still more to be done.
- 7.3. There are still a significant number of HMOs (in particular section 257 HMOs) that have not yet licensed. On the basis of our original estimate of 8,000 HMOs within Camden that would be subject to additional licensing, there are still 5,000 remaining. However, it is thought this might be an underestimate because of the number of section 257 HMOs. A database of HMOs, including section 257s, is currently under development. An intelligence driven and targeted campaign is required to encourage those that haven't licensed to come forward, backed up by robust enforcement.
- 7.4. The rates of compliance are not as good as they need to be and more work needs to be done to encourage all landlords (in particular managing agents) to ensure all work required is completed within the necessary timescales.
- 7.5. HMO licensing is acknowledged to be a long term strategy and the scheme was never intended to provide instant solutions. It is an evolving scheme and we want to learn from the experience of the last 3 years and the feedback we have received from landlords and tenants.
- 7.6. Potential improvements to any future renewal of the scheme:
 - Review minimum standards.
 - Consider giving shorter licences (one year) where there are concerns about the management of properties.
 - Fees to be reviewed and charged in two parts, following Gaskin v Richmond.A comprehensive list can be found in annex D.

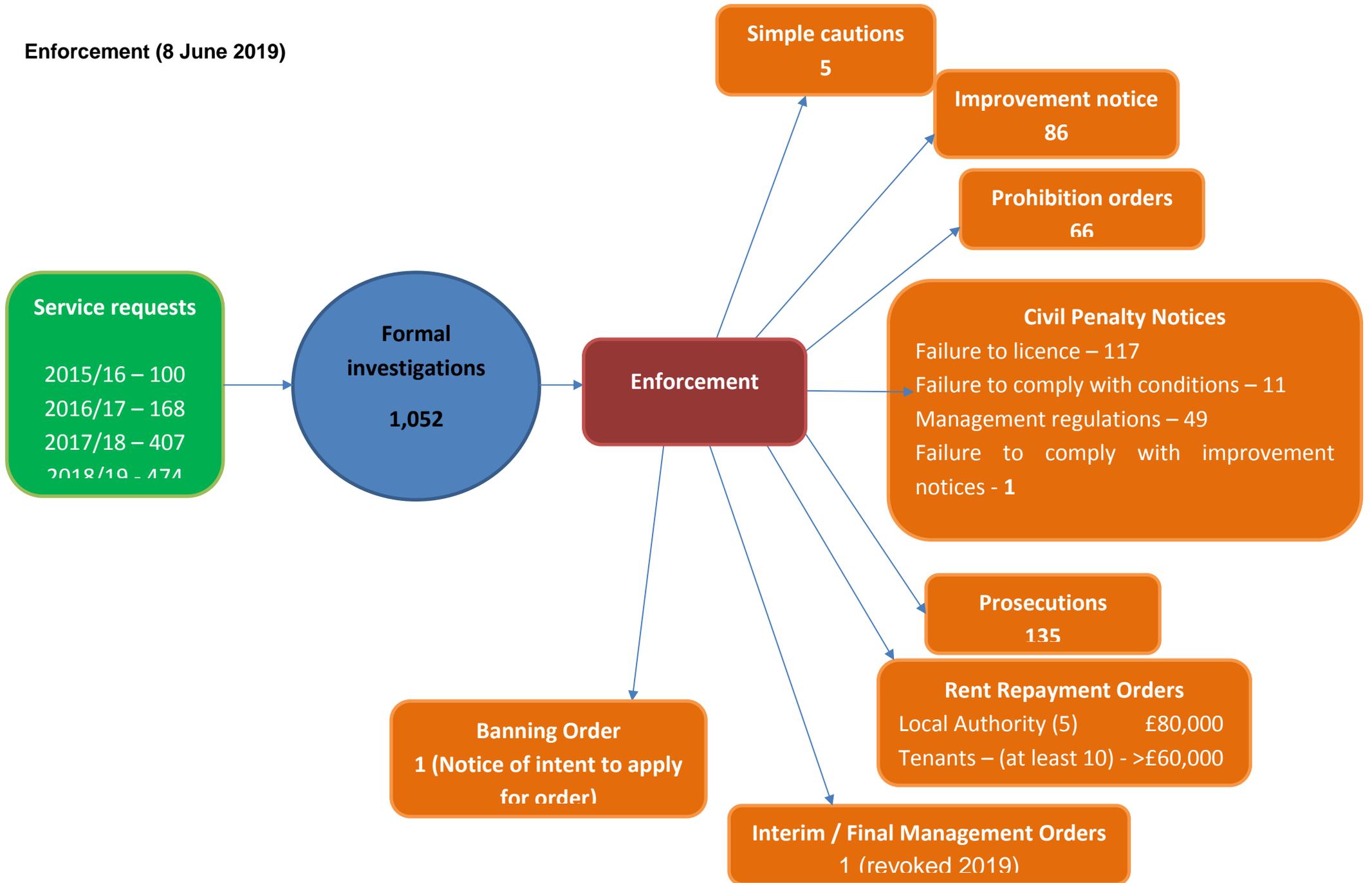
Paper ends

Annex A – Additional licensing and enforcement statistics (8 June 2019)

Additional licensing



Enforcement (8 June 2019)



Annex B – Issues arising from compliance inspections

Application

- EPCs missing
- Poor floor plans

Standard conditions

- Do not notify us of material change in circumstance in respect of the licence holder, manager etc.
- Do not notify us of changes to construction or layout, e.g. living room to bedroom, roof extension etc.
- Do not display the licence (nor otherwise bring it to the tenant's attention).
- Existing tenants have moved into undersized rooms

Works

- Managing agents not ensuring works carried out.
- Inconsistencies between officers
- Works on informative that should be on licence
- Lack of awareness of works in HHSRS/management informative
- Some landlords only did work once we had contacted them and before visit
- Not reading room tables – using undersized rooms

Specific recommendations for managing agents:

- Managing agents – ensure have processes in place (e.g. ensure licences are logged and monitored)
- Need to read the licence from front to back
- Pay attention to the permitted number and room tables, ensure undersized rooms are not re-occupied
- Ensure all works necessary are carried out satisfactorily and in the time period required
- Notify where properties are sold
- Notify where managing agents change
- Notify where changes to layout or use of rooms
- Bring the licence to the attention of the tenants (e.g. display in the property and give to tenants)
- Routine visit regularly (3mth recommended, max 6 mth)

Annex C - Landlord and Agent survey - “what do you think would help us improve our service?”

50 written comments/suggestions were received. Several landlords made multiple comments. No. of comments relating to the same issue are shown within ().

Comments:

General

- The scheme penalises the good landlords (6)
- There should be more prosecutions of bad landlords (2)
- There should be more policing of the scheme (4)
- Tick box exercise (1)
- Stop sending newsletter/mailings (1)
- More use of newsletters etc. (1)
- Criticism of the landlord and agent survey form (1)
- Stop the additional licensing scheme (3)
- Smaller properties should not be treated the same as larger ‘traditional’ HMOs/included in the scheme (5)
- Different system for S:257s with small common parts (1)

Minimum standards

- General criticism (2)
- Electrical sockets (2)
- Room sizes (5)
- External ventilation to kitchen (1)
- Changing the goalposts (2)
- More officer discretion (2)
- Not enough consultation on minimum standards with landlords (1)
- Going beyond what was intended by Government (3)
- Confusing when local authorities have different schemes/standards (2)

Process

- Process too slow/less paperwork/leaner process (3)

Fees

- Fees too high (1)
- More transparency re fees (2)
- It is a tax on landlords (2)
- Lower fees for single property resident landlord (1)

Staff

- Helpful staff/knowledgeable staff (3)
- Lack of consistency/more training for staff (2)

Suggestions:

- Model property as example of what to achieve, more help and guidance (2)
- More guidance on health and safety issues (1)
- Provide ways of reporting landlords who do not licence (1)
- Leaflet all homes in Camden (1)
- Use tenant websites more e.g. rightmove, spareroom.com (1)

- Works required should have fast track approval from LBC departments e.g. leaseholder services/building control/planning (1)
- Give alternative options to landlords where there is a problem (1)
- Keep applicants updated on progress of application + work to specified timescales (1)
- Enable licensing through Camden account portal (1)
- Flow diagram of the licensing application process (1)
- More information about the licensing scheme should be given to tenants (1)
- Concerns about renewal (1) [e.g. sufficient notice e.g. 3-6 mths; do not require another inspection; do not add any more minimum standards]

Quotes:

“I found the experience very uplifting. I have been a moving advertisement for HMO licences. I keep telling my fellow landlords friends that there is nothing to fear and so much to be gained by becoming a licensed property manager. There would be a vast amount of knowledge and expertise to be tapped into. People who have spend years gathering information on how to run a safe and risk free property will guide confused landlords on how to turn a badly managed property into a pleasant and safe places to live. I ask my fellow landlord friends weather they will live or allow their own children to live in a place if it not safe or comfortable. Some friends are beginning to think I work for the Local Authority.”

“I believe it is just another tax on landlords which seem to be persecuted by all and sundry.”

“It is confusing for landlords and council officers when each area has a different set of rules.”

“There will remain a section of HMOs that are unlicensed and in a poor condition. I think that the focus should be on these. Instead, Camden, along with others simply puts greater pressure on those landlords that are doing the right thing.”

“Be more reasonable with minimum room sizes and plug sockets in the bedroom as I feel this is too much.”

“I found the team helpful on the phone so please keep it up – it can’t be easy at times!”

“Whilst the HMO licensing scheme makes sense to tackle rogue landlords, the rigid implementation simply penalises those who are trying to stay within the rules.”

Annex D – short to medium term improvements

These are some examples of improvements to address issues that came up during the review and whilst engaging with internal and external stakeholders:

- More initiatives with managing and letting agents e.g. service level agreement, consumer panels, regular mailings, training
- Review HMO standards
- Encourage robust applications e.g. rejection of incomplete applications, contact information for licence holder + manager.
- Review licence fee, ensure compliance with European Service Directive.
- Improve licence format
- Consider granting of shorter licences where management found to be poor.
- More investment in IT and data warehousing capability
- Robust enforcement where necessary, increasing use of fit and proper, IMOs, banning orders
- Targeting of areas with poor property conditions – e.g. Kilburn High Street, Camden High Street, Cricklewood Broadway, Kentish Town Road etc.
- Better engagement with tenants
- Greater efficiencies in inspections
- Develop and improve website content

From the survey, landlords tell us that we should:

- Provide more guidance to landlords about the application process, works that may be needed on the licence and the health and safety works
- Inform tenants about licensing
- Use online renting sites to identify properties
- Speed up the process, keep landlords informed of progress of application, specify timescales
- Work with planning, leaseholder services and building control
- Provide ways to report rogue landlords
- Give plenty of notice when the licence needs to be renewed
- Review the minimum standards to make less onerous
- Not inspect again on renewal
- Applications could be through the Camden account portal
- More publicity e.g. leaflet all homes in Camden

Annex E - photos of issues found at initial HMO licence inspection



Sunken bath with restricted headroom and smooth floor tiles. Likely to result in trips/falls.



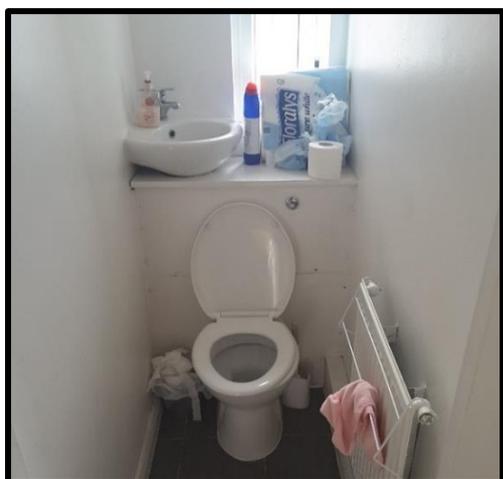
Shower mixer controls located outside of shower cubicle + dangerous wiring.



Tenant needs to step across shower cubicle to access WC.



Wash hand basin located inappropriately within shower cubicle.



WC wash hand basin located inappropriately behind WC.



WC cistern for flat located in common parts due to space limitations, resulting in breach of fire separation of wall.



Inappropriate stacking of floor standing fridge freezer above washing machine.



Open plan kitchen to means of escape stairs.



Inappropriate compact kitchen unit for use by tenant.



Trailing extension cable across floor and overloading of sockets creating trip and fire hazards.



Inadequate room sizes – proximity of cooking facilities to bed.



Appendix B

Consultation summary report

HMO Licensing Renewal

<https://consultations.wearecamden.org/supporting-people/hmo-licensing-renewal>

This report was created on Wednesday 10 June 2020

The consultation ran from 16/12/2019 to 08/03/2020

1: Are you:

Option	Total	Percent
A resident (including private tenants)	749	70.46%
A business or organisation	13	1.22%
A landlord	218	20.51%
A letting or managing agent	56	5.27%
Other	27	2.54%
Not Answered	0	0%

If 'other', please specify:

There were 41 responses to this part of the question.

2: Are you living (or is your office based):

Option	Total	Percent
In Camden	729	68.58%
In an area neighbouring Camden (please choose borough below)	238	22.39%
A landlord or agent elsewhere in the country	96	9.03%
Not Answered	0	0%

If in a neighbouring area, please state your borough:

Option	Total	Percent
Barnet	39	3.67%
Brent	62	5.83%
City of London	8	0.75%
Haringey	29	2.73%
Islington	51	4.80%
Westminster	54	5.08%
Not Answered	820	77.14%

If in Camden, it will be helpful if you could give us your full post code. This is not compulsory but will allow us to look the results of this survey by area.

There were 364 responses to this part of the question.

3: Do you:

Option	Total	Percent
Live in your home/family home	238	22.39%
Rent from a private landlord	233	21.92%
Rent your home from the local authority	210	19.76%
Rent your home from a housing association	59	5.55%
Other	13	1.22%
Not Answered	310	29.16%

4: Are you:

Option	Total	Percent
A student	22	2.07%
Working	142	13.36%
Not working	70	6.59%
Not Answered	829	77.99%

5: Are you:

Option	Total	Percent
Living in a flat or house on your own, with only one other person or family	150	14.11%
Living in a flat or house with two or more other people where you share bathrooms, toilets or kitchens (including bedsits)	75	7.06%
Other	10	0.94%
Not Answered	828	77.89%

If other, please give details:

There were 12 responses to this part of the question.

6: Are you a member of any of the following: (please select all that apply)

Option	Total	Percent
Camden Federation of Private Tenants	42	3.95%
London Renters Union	5	0.47%
Another organisation	2	0.19%
Not Answered	1017	95.67%

If another organisation, please specify:

There were 10 responses to this part of the question.

7: If you are answering on behalf of a local authority, organisation or business, please tell us which one:

There were 8 responses to this part of the question.

8: Do you:

(please select all that apply)

Option	Total	Percent
Manage your own properties	193	18.16%
Use a managing agent	92	8.65%
Not Answered	793	74.60%

9: Please indicate how many properties you own/manage:

how many - 1-5

Option	Total	Percent
HMOs	128	12.04%
Single family	131	12.32%
Not Answered	844	79.40%

how many - 6-10

Option	Total	Percent
HMOs	12	1.13%
Single family	15	1.41%
Not Answered	1040	97.84%

how many - 11-20

Option	Total	Percent
HMOs	10	0.94%
Single family	10	0.94%
Not Answered	1047	98.49%

how many - 21-50

Option	Total	Percent
HMOs	12	1.13%
Single family	2	0.19%
Not Answered	1049	98.68%

how many - 51+

Option	Total	Percent
HMOs	13	1.22%
Single family	26	2.45%
Not Answered	1033	97.18%

10: Are they:

(please select all that apply)

Option	Total	Percent
In Camden	242	22.77%
Outside Camden	134	12.61%
Not Answered	793	74.60%

11: Are you a member of any of the following:

(please select all that apply)

Option	Total	Percent
National landlord association (NLA)	48	4.52%
Residential landlord association (RLA)	36	3.39%
Association of Residential Letting Agents (ARLA)	30	2.82%
SafeAgent (previously NALS)	10	0.94%
RICS	12	1.13%
ATLAS/London Landlord Accreditation Scheme (LLAS)	17	1.60%
Another organisation	19	1.79%
None	136	12.79%
Not Answered	821	77.23%

If another organisation, please specify:

There were 14 responses to this part of the question.

12: Before taking part in this consultation, were you aware that the Council introduced a licensing scheme for all houses in multiple occupation (HMOs) in Camden in 2015?

Option	Total	Percent
Yes	523	49.20%
No	526	49.48%
Not Answered	14	1.32%

13: To what extent do you agree or disagree with the following statements about whether the HMO licensing scheme has made a difference to your property or the neighbourhood?

impact - Landlords and letting agents have got better at managing and maintaining properties

Option	Total	Percent
Strongly agree	49	4.61%
Agree	182	17.12%
Neither agree nor disagree	221	20.79%
Disagree	131	12.32%
Strongly disagree	97	9.13%
Don't know	360	33.87%
Not Answered	23	2.16%

impact - Safety standards have improved (e.g. fire precautions)

Option	Total	Percent
Strongly agree	70	6.59%
Agree	296	27.85%
Neither agree nor disagree	176	16.56%
Disagree	108	10.16%
Strongly disagree	66	6.21%
Don't know	324	30.48%
Not Answered	23	2.16%

impact - The neighbourhood has improved (e.g. there is less noise, nuisance or refuse)

Option	Total	Percent
Strongly agree	32	3.01%
Agree	124	11.67%
Neither agree nor disagree	245	23.05%
Disagree	182	17.12%
Strongly disagree	159	14.96%
Don't know	294	27.66%
Not Answered	27	2.54%

impact - It has improved the reputation of private renting in Camden

Option	Total	Percent
Strongly agree	37	3.48%
Agree	130	12.23%
Neither agree nor disagree	235	22.11%
Disagree	129	12.14%
Strongly disagree	113	10.63%
Don't know	396	37.25%
Not Answered	23	2.16%

impact - It has improved housing standards across in areas that neighbour Camden

Option	Total	Percent
Strongly agree	33	3.10%
Agree	118	11.10%
Neither agree nor disagree	217	20.41%
Disagree	111	10.44%
Strongly disagree	107	10.07%
Don't know	451	42.43%
Not Answered	26	2.45%

14: To what extent do you agree or disagree with Camden Council renewing the current borough wide HMO licensing scheme for a further five years when the current scheme ends in December 2020?

Option	Total	Percent
Strongly agree	281	26.43%
Agree	400	37.63%
Neither agree nor disagree	128	12.04%
Disagree	98	9.22%
Strongly disagree	115	10.82%
Don't know	37	3.48%
Not Answered	4	0.38%

15: To what extent to you agree or disagree with one year licences in circumstances where there are serious concerns about management?

Option	Total	Percent
Strongly agree	300	28.22%
Agree	395	37.16%
Neither agree nor disagree	128	12.04%
Disagree	91	8.56%
Strongly disagree	98	9.22%
Don't know	44	4.14%
Not Answered	7	0.66%

16: To what extent do you agree or disagree that the proposed HMO licence fee is reasonable?

Option	Total	Percent
Strongly agree	177	16.65%
Agree	292	27.47%
Neither agree nor disagree	154	14.49%
Disagree	154	14.49%
Strongly disagree	232	21.83%
Don't know	51	4.80%
Not Answered	3	0.28%

17: To what extent do you agree or disagree with the Council's proposed HMO standards?

standards - Shared flats and houses

Option	Total	Percent
Strongly agree	229	21.54%
Agree	422	39.70%
Neither agree nor disagree	187	17.59%
Disagree	103	9.69%
Strongly disagree	102	9.60%
Not Answered	20	1.88%

standards - Self-contained flats within HMOs

Option	Total	Percent
Strongly agree	219	20.60%
Agree	426	40.08%
Neither agree nor disagree	218	20.51%
Disagree	82	7.71%
Strongly disagree	84	7.90%
Not Answered	34	3.20%

standards - Hostel standards

Option	Total	Percent
Strongly agree	255	23.99%
Agree	382	35.94%
Neither agree nor disagree	264	24.84%
Disagree	47	4.42%
Strongly disagree	67	6.30%
Not Answered	48	4.52%

If you disagree, please tell us why:

There were 183 responses to this part of the question.

18: To what extent do you agree that the Council should consider introducing a new licensing scheme for other private rented sector property and not just HMOs?

Option	Total	Percent
Strongly agree	215	20.23%
Agree	306	28.79%
Neither agree nor disagree	132	12.42%
Disagree	128	12.04%
Strongly disagree	214	20.13%
Don't know	62	5.83%
Not Answered	6	0.56%

19: Do you feel that the private rented sector has had a negative impact on your neighbourhood?

Option	Total	Percent
Yes	366	34.43%
No	676	63.59%
Not Answered	21	1.98%

**20: If yes, please tell us why:
please select all that apply**

Option	Total	Percent
Anti-social behaviour	193	18.16%
Poor property conditions	252	23.71%
Crime	125	11.76%
Poverty	137	12.89%
High migration	124	11.67%
None of the above	77	7.24%
Other	87	8.18%
Not Answered	616	57.95%

If 'other', please specify:

There were 132 responses to this part of the question.

21: Is there anything else you would like to tell us about the scheme and/or our proposal?

If 'yes', please explain here:

There were 521 responses to this part of the question.

22: Would you like to receive a copy of the licensing designation?

If yes, please provide your name so we can send you a copy of the designation:

There were 257 responses to this part of the question.

And please enter a valid email or postal address:

There were 228 responses to this part of the question.

23: How did you hear about this consultation? (Please select all that apply)

Option	Total	Percent
Camden Council website	80	7.53%
Camden Council social media (Twitter/Facebook)	19	1.79%
We are Camden	3	0.28%
Camden Council intranet for staff	4	0.38%
A poster	17	1.60%
A flyer	5	0.47%
A direct mailing (e.g. email or letter)	272	25.59%
Camden Council's residents' magazine	8	0.75%
A Camden Council newsletter	19	1.79%
A Camden Council event	9	0.85%
Camden Federation of Private Tenants (CFPT)	59	5.55%
London Landlord Accreditation Scheme (LLAS)	3	0.28%
A different landlord accreditation scheme or organisation	5	0.47%
An information or advice service	6	0.56%
Camden New Journal newspaper	10	0.94%
Ham & High newspaper	5	0.47%
A relative or friend	11	1.03%
Other	483	45.44%
Not Answered	96	9.03%

If other, please specify:

There were 549 responses to this part of the question.

24: What is your age?

Option	Total	Percent
16-24	62	5.83%
25-34	170	15.99%
35-44	208	19.57%
45-54	192	18.06%
55-64	151	14.21%
65-74	127	11.95%
75-84	55	5.17%
85 and older	15	1.41%

Prefer not to say	57	5.36%
Not Answered	26	2.45%

25: Which of the following best describes your gender?

Option	Total	Percent
Male	462	43.46%
Female	473	44.50%
Non-binary	24	2.26%
Prefer not to say	74	6.96%
Not Answered	30	2.82%

If you describe your gender with another term, please provide this here:

There were 5 responses to this part of the question.

26: Do you identify as trans?

Option	Total	Percent
Yes	4	0.38%
No	897	84.38%
Prefer not to say	104	9.78%
Not Answered	58	5.46%

27: Are your day-to-day activities limited because of a health problem which has lasted, or is expected to last, at least 12 months?

Option	Total	Percent
Yes, limited a lot	77	7.24%
Yes, limited a little	108	10.16%
No	756	71.12%
Prefer not to say	78	7.34%
Not Answered	44	4.14%

28: Which of the following best describes your sexual orientation?

Option	Total	Percent
Bi	12	1.13%
Gay or lesbian	44	4.14%
Heterosexual/straight	727	68.39%
Prefer not to say	226	21.26%
Not Answered	54	5.08%

If you describe your sexual orientation with another term, please provide this here:

There were 16 responses to this part of the question.

29: What is your ethnic group?

Option	Total	Percent
Asian/Asian British	132	12.42%
Black/African/Caribbean/Black British	105	9.88%
Mixed	64	6.02%
White	537	50.52%
Other	43	4.05%
Prefer not to say	142	13.36%
Not Answered	40	3.76%

30: What is your religion?

Option	Total	Percent
Buddhist	26	2.45%
Christian (all denomination)	313	29.44%
Hindu	28	2.63%
Jewish	35	3.29%
Muslim	96	9.03%
Sikh	10	0.94%
Any other religion	24	2.26%
No religion	311	29.26%
Prefer not to say	177	16.65%
Not Answered	43	4.05%

Appendix C

Free text comments

The free text comments that were made in questions 17 and 21 on the online survey have been summarised below and responded to accordingly. These include comments that were received by email. The free text comments on selective licensing (question 20) have not been addressed below but will be considered when the Council considers this issue in the future.

Fees

This is just a revenue raising activity for the council

The Council charges a fee to cover the administration and enforcement of the licensing scheme over five years. The law states the fee can only be used for this purpose and no other Council function. The Council does not make a profit.

The fee is too high/ more explanation for the fee/the renewal fee should be lower

Benchmarking exercises have shown our current fee to be below average when compared to other London boroughs even though we carry out a full survey of all properties before we license them (not many local authorities do this). The Council has been subsidising the costs of the licensing scheme to date, and so to cover all the costs associated with the new scheme the proposed fee is to be increased to £1,300 (with a discount of £100 for accredited landlords). The new fee differs from the existing fee structure as it is a flat fee that relates to all HMOs rather than one that reflects the number of units.

Following the comments made during the consultation, the proposed renewal fee will be lowered to £1,130. This reflects the fact we will not be visiting all properties on renewal of the licence.

The fees will be kept under review on an annual basis to ensure income does not fall short or exceed cost recovery. The costs of the fee have been kept as low as possible. Over the course of the 5 years the fee is quite small given the rental income.

Adds a further financial burden to landlords

The cost of licensing a property works out at £5 a week, the equivalent of two cups of coffee. This is only slightly more than a TV licence.

Costs may be/will be passed to the tenant

We have no evidence to suggest that rents have gone up with licensing or that costs have been passed on to tenants and believe that market forces have the most impact on the level of rents in the borough

Bulk discount for multiple properties/ any licensing should be per landlord

The legislation states that it is the HMO that is licensed, and therefore the Council has to process each licence application separately. As stated previously each property is visited so the licence can be tailored for each individual property. The same work is therefore required for each HMO regardless of ownership.

Introduce a "light" fee for good landlords

The worst landlords, who we have serious concerns about, will only receive a shorter term licence under the new scheme. They will have to pay the same fee as for a five year licence, and will have

to apply for a new licence after 12 months. They will have to do this until they cease to be a 'landlord of concern'.

If Camden can't fund this scheme from council tax receipts then 'scrap it'

The Council is utilising powers the Government introduced in the Housing Act 2004 which enabled Councils to license HMOs funded by a fee charged to landlords. It was a clear intention that these schemes would be funded by private landlords rather than council tax (and therefore all residents in a borough).

Standards

Request for double sockets is too much/ unnecessary

The HMO standards require each bedroom to have four double sockets. The standard is to ensure the current and future tenants can use portable / plug in electrical appliances conveniently and safely to suit their needs. It reduces the need for tenants to use adapters and extension leads which contribute to both an increased fire risk, over heating of cables, and risks of falling or tripping. It also allows tenants greater flexibility to move furniture around whilst still accessing the suitably located power sockets and not having to use / rely on extension leads.

This provision is at the lower end of what is recommended in guidance from professional organisations such as the ECA and IEE. It was also reduced from five double sockets which the Council required in HMOs until the introduction of additional HMO licensing in 2015.

Query value of electrical improvements

In relation to electrical improvements, it is the law that an electrical installation condition report (EICR) is carried out every five years under the HMO management regulations and it will shortly be a legal requirement for the same in all privately rented properties (as well as giving a copy to the tenants in the same way as a gas safety certificate). Requirements for double sockets are dealt with above.

Could install 50 smoke alarms and fire extinguishers for the price of one fire door/ query value of additional fire doors

The need for alarms does not replace the need for protection from fire. Alarms are to provide an early warning system to occupiers and fire doors and suitable partition walls are needed to keep smoke and fire out of the escape route.

Because all HMOs vary in the way they are occupied and size, there is not one solution to fire safety in HMOs that can be applied broadly. Properties are assessed on risk and local authorities, including Camden, apply the principles outlined in LACORS national fire safety guidance and the latest BS 5839:Part 6.

Query value of a sink in a small toilet

We take reference to sink to mean a wash hand basin (WHB). A WHB in a toilet is a basic personal hygiene requirement in a shared property. If there is another house/flat mate in the bathroom then it is likely the person using the toilet will either not wash their hands or will use the kitchen sink. Both of which can lead to the spread of disease. Where it is impossible to install a WHB because of the lack of space, the officer concerned may consider waiving the requirement depending on the circumstances.

Disagree with 1.5m ceiling height

When looking at room sizes, it is proposed that the floor area beneath 1.5m will not be counted. The Council's minimum standards used to specify 1.9m, but has been reduced to align with The Licensing of Houses in Multiple Occupation (mandatory Conditions of Licences) (England) Regulations 2018.

There is existing/sufficient national/ EU legislation on standards of housing

The HMO minimum standards are a simple and clear guide to the requirements in the Housing Act 2004 and associated legislation that relate to HMOs.

Reduces amount spent on properties

Landlords should factor the need to comply with legal and safety requirements into their costs at the same time as property maintenance and management.

Disagree with the conditions of cohesive living/ shared flats and houses where tenants have one tenancy agreement between them so they operate as one unit should be treated differently to those who have a single tenancy for each room within a dwelling

In relation to room sizes, there is a lower minimum size where there is a cohesive group and where there is a shared living space over 10m² (excluding kitchens). This is because a group of sharers are more likely to share all the space in the house or the flat that individuals who do not know each other in a room by room let. The shared living room will allow tenants the opportunity to relax, study and socialise in a room other than their bedroom. They will also be more likely to negotiate the use of shared space and facilities. This is why the bedrooms are allowed to be smaller in these circumstances.

In relation to fire safety, we apply the national LACORS fire safety guidance and the latest edition of BS 5839:Part 6. The requirements are slightly less for shared properties with a group of tenants who know each other as the risk is deemed lower. Tenants are more likely to know the whereabouts of their flat/house mates and are also more likely to warn them and ensure they evacuate in case of fire.

Minimum temperature of 21°C in sleeping rooms and 18°C in other rooms is inconsistent with current Public Health England guidance and Camden's Climate Action Plan

The housing, health and safety rating system (HHSRS) operating guidance, paragraph 2.04 states "The statistical evidence shows that there is a continuous relationship between indoor temperature and vulnerability to cold related death. The colder the dwelling, the greater the risk. There are indications that with temperatures up to 19°C there will be some excess death". Also paragraph 2.05 states "A healthy indoor air temperature is around 21°C, although cold is not generally perceived until the temperature drops below 18°C. A small risk of adverse health effects begins once the temperature falls below 19°C".

In terms of the climate action plan we also require heating to be programmable and thermostatically controlled. Whilst we are not able to list the other remedies for excess cold in a property on the licence (as these are required under HHSRS rather than the HMO standards), we will always list these in the informative that is sent out with the licence. These will address thermal insulation issues such as solid walls/ lack of roof insulation and single glazing.

Room size requirement not reasonable/ makes it difficult to rent

The Council acknowledge that some bedrooms (and even kitchens and bathrooms) will fall below the minimum room size. In some cases, these rooms have been badly sub-divided from original larger rooms to form more bedrooms to fit more tenants in the flat or house. We see this a lot in ex-

local authority flats where owners have also not sought permission from leaseholder services to carry out the work.

In other cases, the rooms may have been built that way. However, in these cases, the property would have been designed and built with the intention a single family would have been in occupation. Smaller rooms (including box rooms) would have been intended for children. Where a single family occupies the flat or house, all members of the household will utilise and have access to the whole of the space.

In properties with smaller bedrooms, and sometimes small kitchens, it is better that these are used as they were intended, for a single family. Not all houses and flats are suitable to be used as an HMO.

Room size for a single bedroom of 9 m², is large/ relax standards like neighbouring boroughs (e.g. Barnet, Brent, Westminster) & national HMO standards

The minimum room size of 9m² for a single person applies to bedrooms where there isn't a sufficiently big enough living area or where the rooms are let on a 'room by room' basis. We do not believe that a room of 9m² is too large, when this is the only personal space a tenant will have access to 24 hours a day. This is the room that they will use to sleep, relax, study and socialise.

Where the HMO is let to a cohesive group of sharers such as a group of friends and where they have a living room of at least 10m² (which means there will be enough room for a sofa and a television) we allow a smaller room size of 7.1m² for a single person.

There are no national or regional standards, and the legislation states that the licence conditions should reflect those the local housing authority 'consider appropriate' for regulating the management of the HMO and its condition and contents.

No material difference between renting to a family or to several unrelated adults

There is a recognised difference between the way a family occupies a property and unrelated adults would. A family will have different concept of personal space, will share belongings within the property, are likely to cook together and will negotiate the use of facilities better. Therefore, for example, the demands on facilities such as kitchens, bathrooms are less and the use of electrical sockets will be less. In addition, the fire safety risk in an HMO is evidenced as higher. This is due to tenants having less control over the activities of other tenants, the increase use of electrical sockets (leading to unsafe practices), tenants less likely to know the whereabouts of the household, bedrooms being used as living areas (increase use of candles etc.), external doors being locked without easy access to keys etc.

Regulate shared flats and houses of reasonable size (no more than 3 or 4 bedrooms) to the same standards and requirements as family homes/ 3 people in a 2 bed flat should not require additional HMO licence

These properties are defined in the legislation as HMOs. As soon as these properties (even one bedroom + living room) are let to a group of three sharers rather than one family, the use of the space changes as outlined in the paragraph above. Room sizes, sufficient facilities and fire safety are just as important, sometimes more so, in smaller properties as larger ones.

Fails to differentiate sufficiently between self-contained flats and shared spaces

There are some differences between the standards for self-contained flats and shared accommodation and this is why we are introducing separate standards for self-contained flats.

An agent should not be liable for the standards if they are just a rent collector

The licence holder is the person legally responsible for ensuring the works on the licence are carried out – although they may ask the managing agent to carry out the work. However, letting and managing agents should not let or manage a property that is not licensed as they may be fined or prosecuted if they do.

Disagree that licensing is used to reduce anti-social behaviour

Landlords do have a responsibility to ensure that the behaviour of their tenants does not negatively affect neighbouring residents. There should be a clause in the tenancy agreement to this effect and it should be enforced if necessary.

You should use the same points/ standards for private hostels as per the HMOs

Hostels are a particular type of accommodation, usually used to house a group of people with a common need, with services being provided (meals, housekeeping or welfare services etc.). They are generally used as temporary accommodation and may include homeless persons, staff accommodation provided in connection with employment, unaccompanied minors, asylum seekers, ex-offenders, semi-independent living schemes etc. Hostels must have appropriate planning consent for lawful operation as a hostel. Because of the temporary nature and specific circumstances of this accommodation, there have always been separate standards.

Standards should be prioritised on safety

We do prioritise the length of time given to carry out works in accordance with how seriously it might impact on the health and safety of the tenant e.g. fire safety and electrical works.

Rules and regulations should not be changed every 5 years

We are not proposing any significant changes to the HMO standards for the new scheme. We are just making them clearer to understand. In terms of when the additional licensing scheme was introduced in 2015, we reduced the standards to reflect additional HMOs e.g. a lower number of electrical sockets, a lower bedroom size where cohesive living/living room, wash hand basins no longer needed in all bedrooms etc.

More rules, the more likely landlords will get things wrong/creates unnecessary or over board regulations/ standards too prescriptive/adds complexity

The HMO standards are a clear and simple guide to what is required. When properties are inspected, we always attempt to meet the landlord or agent on site so we have the opportunity to explain the works required and why. In addition, landlords and agents can contact the officer who inspected the property at a later date to ask questions.

Suggest specific guidance for HMOs where there are children residing e.g. like Southwark Council's standards/ there is no provision for separate rooms for boys and girls post puberty/ is the family supposed to move when a child reaches ten years old

We rarely see shared HMOs used as family accommodation, and on the whole we do not believe they provide suitable accommodation for families. However, for licensing purposes, children are considered as one person. The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 state that a bedroom not less than 4.64m² can be used by one person under 10 years of age, and in circumstances where children occupy an HMO we may vary the licence to allow a smaller room to be used by children in occupation.

We would not expect a landlord to let a property to a family which contravenes the room size standards, or in the case where there is a room between 4.64m² and 7.1m², where a child will reach 10 years old within the life of the tenancy agreement.

We do not count infants under the age of 1 year old.

Other issues around overcrowding will be dealt with under other housing legislation (part X of the Housing Act 1985 and part 1 of the Housing Act 2004).

Exemption to small HMO properties that has an entrance doorway that is less than 6m²

Section 257 HMOs (some buildings converted into flats that do not meet the 1991 building regulation standard, or later) with small entrance ways leading to the flat entrances on the same level do not need to be licensed. They remain HMOs, and even though the hallway is small there remains a fire safety risk to the occupants of the flats. However, a smaller and simpler fire alarm system is needed. Fire doors and fire resisting construction is also needed.

Take a more holistic approach to older properties in Camden where the configuration does not necessarily align with the more recent building policy standards

Section 257 HMOs are only HMOs if they do not meet the 1991 building regulation standard or later (the 1991 standard required adequate fire safety measures). In these and other HMOs, the works required take into account the fact buildings are older.

Visit the site and discuss with tenants to see if they are happy

We always write to tenants when we visit to carry out the licensing inspection, so if they are aware of our visit and can be present if they want to be. In terms of works, we are aware that the priority for tenants is to live in a home that is affordable, in the right location and their tenancy is secure. Unfortunately safety is not always a factor. The HMO standards are a minimum standard to ensure health and safety in the home.

The licence should address number of people vs number of rooms, not size of rooms

The reasons for a minimum room size have been outlined above. It is important for an occupier to have sufficient space within a room for the minimum amount of furniture (bed, wardrobe, chest of drawers, table and chair) and to be able to move in the room safely. This is the only private space the tenant has to sleep, relax, study and socialise.

Saying that a boyfriend and girlfriend (or same sex) can't share a room if on different contracts is wrong/ why can't 3 people share a room if they want?

The proposed HMO standards state that no more than two persons may occupy any room regardless of the size and that a double room shall be occupied by one household only. So a room can be occupied by a couple in a relationship regardless of the tenancy agreement (although it would be highly unusual for a couple to have separate tenancy agreements so the Council would want to be sure of the circumstances). The Council do not think it is appropriate for rooms to be shared by more than two people or two people on separate tenancy agreements (who are not part of the same family/household) on a permanent basis as this could lead to issues with privacy and anti-social behaviour. Normally a tenancy agreement gives exclusive use of a space to the tenant. If a property is classed as a hostel, rooms may be occupied by up to 5 persons.

HMOs should be upgraded to meet current building regulation standards e.g. sound proofing

The Building Regulations are not retrospective and cannot be applied to existing buildings, only new buildings. Upgrading HMOs in this way would fall outside the licence conditions that may be imposed under section 67 of the Housing Act 2004.

Add a further criteria of EPC certificates for HMOs or restrict the length of licences e.g. Oxford are not given a 5 year licence unless they provide a valid EPC certificate with a minimum of an E rating

As part of the processing of HMO licence applications, the Council looks at the energy performance certificate (EPC) for the property. If there isn't an EPC then a referral will be made to the trading standards team who may take enforcement action. There is a requirement now under the Minimum Energy Efficiency Standards for all rented properties to have a minimum energy performance rating of E and the Council will take enforcement action where appropriate. This may also mean that a landlord or agent will receive a shorter one year licence.

General

The scheme is penalising good/small landlords/ rogue landlords fall below the radar/ignore rules/ monitor/inspect landlords and if they fall below a standard they will incur a fine

A licence to operate an HMO applies to all landlords, however the Council takes robust action against bad landlords. Camden takes more legal action against rogue landlords than any other London borough as evidenced by the GLA's rogue landlord database. In addition, as outlined above, we will only issue a 12 month licence to landlords who give cause for concern. These landlords will have to apply for a new licence every 12 months, until they satisfy the Council that they are managing the property professionally.

You had 5 years to find the bad landlords, means that all landlords have got their properties up to HMO standards as they have HMO licences/ Camden has a poor record of administering HMO scheme

We have now received over 4,515 licence applications, licensed over 3,390 properties and carried out 3,778 inspections (1 May 2020). According to the additional HMO licensing review, 99% of the licences contained requirements for works to meet the HMO standards, mainly to do with fire safety but also electrical works, improvements to bathroom and kitchen facilities and heating.

There remain issues with compliance and also landlords not licensing their HMOs. In some cases, landlords are actively avoiding licensing and in these cases we are taking robust enforcement as outlined above. There are also some landlords who remain unaware of the scheme, particularly in s:257 HMOs, and therefore we are constantly publicising the scheme and using local intelligence to identify those without a licence.

Disagree that the common part of the building requires a separate licence to the flats already in the building

Each HMO requires a licence. Therefore if there is a flat in multiple occupation (FMO) is within a section 257 HMO, then the FMO will need a licence and the section 257 HMO needs a licence. In the rare cases that they are under the same ownership or management, this might not remain the case. They are both separate entities and have different requirements.

In the case of single family units within a section 257 HMO, all flats under the control of the licence holder will be included on the HMO licence.

A landlord cannot apply unless tenants are already in place

Under the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006, the local housing authority can only licence properties which are occupied as HMOs. Therefore, we do not accept applications from landlords when the property is not an HMO as there is no requirement to license. However, we will accept an application on production of a signed tenancy agreement in advance of the property actually being occupied.

Stops landlords from considering renting to a family

An HMO licence does not prohibit a property being let to a family. A licence holder can ask for a HMO licence to be revoked at any time. There is no cost attached to this (although there will be another fee payable if another licence application is made).

Council housing, housing association & hospitals needs to be supervised

Under the Housing Act 2004, schedule 14, buildings controlled or managed by public bodies etc., are excluded from being an HMO and therefore licensing. However, the Council can use other enforcement powers against housing associations. The Council cannot take action against itself, but Council tenants have other forms of redress such as the Homes (Fitness for Human Habitation) Act 2018. Hospitals are regulated by the Care Quality Commission.

If a council or registered provider/housing association tenant is not happy with the standard of their property or the management, there is always a clear formal complaints process that can be followed, with redress if necessary to the Local Government Ombudsman (council tenants) or Housing Ombudsman (registered provider/housing association tenants) who will investigate the circumstances of the complaint.

Camden should work to improve its own stock first/ Camden is a bad landlord for its' own tenants/ own stock doesn't have same standards

The Council has previously stated the intention to become a better landlord themselves alongside working with private landlords to improve standards in the private rented sector. Camden Council is the biggest landlord in the borough, responsible for some 33,000 homes. Since the launch of our Better Homes programme in 2013/14, the Council has carried out internal works such as kitchens and bathrooms to over 4,300 homes and external works such as roofs and windows to over 7,000 homes. Furthermore, 265 lifts have been installed as well as 37 communal heating schemes. The housing capital programme currently has budgets of £334m over the next five years to carry out internal, external, fire safety, and energy efficiency works to Council homes.

The Council should check standards of the PRS property it uses to place homeless people

The Council (temporary accommodation unit) inspects accommodation used for homeless people regardless of whether it is an HMO or needs a licence. If the property is not owned or managed by the Council, and it is an HMO, it will also need to be licensed.

Disagree if someone is renting their living room

HMO licensing applies where there are 3 or more people living in the property (not one household) regardless of the number of bedrooms or whether someone is using the living room as a bedroom.

The scheme will drive landlords out of the market / inhibit landlords entering the PRS market/ stamping out HMOs will change the demographic - lose young people

There is no evidence to suggest HMO landlords have left the market in Camden since additional licensing has been introduced. Whilst the PRS has seen unprecedented growth in the last decade and Camden has one of the highest levels in London, we believe there are other factors that have been recently introduced by the Government that might affect the PRS more than licensing e.g. changes to taxation, regulation of fees etc. It is also clear that Covid-19 will have a significant impact over the next few months and possibly years.

As mentioned above, some properties are not suitable for use as HMOs, and can provide much needed accommodation for couples/single families.

Camden should use its existing powers

Camden uses all available powers, as evidenced by the number of fines and prosecutions carried out by the private sector housing team, detailed above. Our homelessness team do a lot of work with landlords and tenancy sustainment. And our trading standards team work with letting and managing agents, again taking enforcement action when necessary. We provide grant assistance to landlords in certain circumstances. Camden also hosts the [London Landlord Accreditation Scheme \(LLAS\)](#) who support and train landlords.

Five years is too long for a licence

A licence may be granted for such a period as is specified in the licence and in any case no longer than five years. However, Government guidance specifies that a licence should normally be granted for five years unless the local authority is satisfied a shorter period is appropriate.

A licence should not be issued until the works have been carried out

There are only certain circumstances when a licence can be refused which mainly relate to the suitability of management arrangements (and whether the licence holder or manager are 'fit and proper' i.e. have relevant convictions). Issuing an HMO licence with necessary works as licence conditions is the most effective means of ensuring the works are carried out. Failure to comply with the licence conditions can lead to prosecution (with an unlimited fine) or a civil penalty notice (CPN) with a fine of up to £30,000.

Neighbours should be informed of new applications and be given the opportunity to object

The legislation requires the licence applicant to notify all 'relevant persons' of the application and the Council to consult and serve a copy of the licence (or refusal etc.) on these 'relevant persons'. These are defined in the legislation and do not include neighbours unless they are a leaseholder of any part of the premises to which the application relates. They are essentially parties with an interest in the property to be licensed. However, there is a public register of all licensed properties which can be inspected by anyone, which is available on the Council's [HMO webpages](#).

Bad landlords should lose their HMO licence

A banning order can be made against a landlord or agent who has been convicted of a banning order offence, which includes having control of, or managing, an unlicensed HMO or breaching licence conditions. The Council has already made a banning order against a landlord of an unlicensed HMO and has several more in progress.

How do you deal with leaseholders of Council flats renting without a licence/ if the HMO is ex-Council use the details you have on record

We treat ex-local authority leasehold properties the same as any other HMO. Landlords must ensure any flat or house occupied as an HMO is licensed or enforcement action will be taken. The application process is also the same. However, where we notice unauthorised alterations we will refer these to leaseholder services and/or the neighbourhood managers for further action. The neighbourhood manager is also sent a copy of the draft and final licence as the Council is a 'relevant person' as defined by the legislation (they have a legal interest in the property).

Not enough support for landlords/ no benefit to landlord/ may be misunderstandings about what is required

As mentioned above, we inspect all properties being licensed for the first time (and some on renewal), and ask the landlord or licence holder to be there at the time of the visit so we can explain what work is needed and why. We will also answer questions once the draft licence has been issued.

We send out quarterly newsletters to all HMO landlords and agents and hold twice yearly HMO landlord forums. We also have a lot of information available on our website.

The more general benefit for landlords (and tenants) is to have the confidence that their property has been inspected and licensed and so on the assumption that all works have been carried out and maintained, is safe and fit to be rented as an HMO. It creates a level playing field for all landlords so all properties have to meet a minimum standard and the bad landlords will not be able to get away with shortcuts.

Landlords should self-regulate/ suggest small number of non-conformances would be better managed as 'advices'/ agents ensure high standards

Whilst we have many good landlords in Camden, there is no evidence to suggest that landlords or agents comply with the necessary legislation and requirements without intervention. The review of the scheme completed on 8 June 2019 showed 99% of the additional HMO licences contained requirements for works to meet the HMO standards. An estimated 15,000 specific conditions had been added to licences requiring the licence holder to carry out works to bring properties up to the appropriate standard and to manage them effectively. This was in addition to the informative sent out with the licence, listing health and safety and management issues that, whilst they do not form part of the licence, are issues that the landlord is legally obliged to carry out.

Shouldn't impose same standards for live in landlords

A resident landlord can have two lodgers without having to obtain an HMO licence. It is only when there are three or more lodgers that a licence is needed. In reality, the same issues apply to shared properties regardless of whether there is a landlord living in the property.

Rogue tenants database/ do something about bad tenants

There are no plans at national, regional or local level to provide such a database for tenants. It is good management practice to carry out reference checks on tenants before letting a property, this may include taking up references from previous landlords.

Breaches of the tenancy agreement by the tenant are a contractual matter between the landlord and the tenant(s). As mentioned above, it is good practice to ensure there are clauses relating to anti-social behaviour in the tenancy agreement and that these are enforced as necessary.

Monitor licences for those landlords who lease properties from the owner and then manage the leasing of the room

These are properties sometimes termed 'rent to rent'. We expect these properties to be licensed in the same way as any other. However, we will consider carefully who will be the named licence holder in each case as this is the person who is legally responsible to ensure the conditions on the licence are met. It will generally be the party in receipt of the rent and who can comply with all licence conditions, and this is usually the owner under typical rent to rent agreements. We will also make sure that the person who owns the property knows it is being used in this way.

Government should change the law to say that all private rented property should meet a certain standard

Part 1 of the Housing Act 2004 introduced the housing, health and safety rating system (HHSRS) which applies to all properties, nationally and regardless of tenure. This is currently under review by the Government as it is acknowledged that it is difficult for both landlords and tenants to understand. It is likely that there will be a move towards a more standards based approach.

A landlord may be a lessee within a freehold property where some of the conditions are outside the control of the landlord

It may sometimes be the case where a freeholder is responsible for certain works or they will not give their permission to carry out works e.g. replacement windows, fitting of mechanical ventilation. We will consider these cases individually and may vary or waive occasional works if there is sufficient evidence they cannot be completed as required.

The GLA (Greater London Authority) should manage the scheme so there is consistency/ there are different standards across London boroughs

The GLA do not have devolved powers from Government in relation to housing and so do not have the authority to implement a London wide scheme. The legislation only allows individual local authorities to make schemes. The Council acknowledges that this leads to different schemes in different boroughs and sometimes different standards for HMOs, which can be difficult for landlords with properties in more than one local authority area. This is an unfortunate consequence of the lack of provision of a regional or national scheme.

The Council should work with other boroughs to do background checks

The Council has reference to the [GLA's rogue landlord checker](#) and the national rogue landlord database which lists landlords and agents who have been prosecuted or fined. Each database works slightly differently and is not a complete record of prosecutions and fines. There is also a time limit on how long the landlords and agents will be on the databases

The Council supports the introduction of a national register of landlords which would hold information relating to relevant convictions against landlords at a national level.

The scheme should be used to regulate Air B&B

A property is only an HMO if it is occupied by persons as their only or main residence – so it does not include holiday lets. Properties used as short term lets are dealt with by the Council's planning department as there may be a breach of planning rules. If the Council is the freeholder (e.g. it is an ex-local authority flat) then it may also be a breach of the terms of the lease in which case the Council's leaseholder services may take action.

The Council should work with HMRC (HM Revenue & Customs)

Environmental health professionals in London have worked with the HMRC in relation to property licensing so they are aware of the information available. They have reference to all local authorities' public register of HMO licences. Camden's register is available on the Council's [HMO webpages](#).

Advertising to encourage tenants to report rogue landlords

The Council does regularly put out social media posts to encourage tenants to report rogue landlords. They can report landlords through the Council's own website or through 'contact Camden'. Also through the GLA website 'report a rogue landlord or agent'.

The Council has recently secured funding through the MHCLG (the Government department dealing with housing and local government) to develop their engagement with private tenants, a key feature being a new website which will be used to empower tenants and signpost tenants to all relevant services within the Council and Camden.

Be mindful with people with physical and especially mental disabilities who are not appropriate to be sharing accommodation with non-family members

The Council always tries to work with tenants during the licence process and will advise and signpost services as appropriate. However, we are not able to ask for works on the licence that are particular

to the occupiers, as we can only ask for works specified in the HMO standards on the licence (and HHSRS and management works on the attached informative).

The scheme should not apply to accredited purpose built student accommodation (PBSA) sector landlords which are governed by ANUK. As far as we know no such properties have been inspected by any local authority with such a scheme and your proposals are merely a vehicle to generate cash for this sector.

See the detailed response to this in appendix D below in relation to comments by Unipol in their letter to the Council dated 18 February 2020, including details of the proposed reduction in fee for PBSA. Licence inspections are carried out in all PBSA after the initial licence application.

Complaints

There were some complaints raised as part of the survey. These mainly related to the following:

Landlord and agent experience of the licensing process

The following were the most common issues raised:

- length of time between application and inspection

We acknowledge that there is an inevitable delay between a duly made application being made and an inspection being carried out. Camden, unlike many other local authorities, inspects properties before issuing a licence because we are able to produce far more meaningful licences. This is also a valuable opportunity to engage with landlords and tenants. We are hoping to reduce the time to the inspection over the next few months by recruiting additional staff which will be possible because of the increase in fees which will now cover the full costs of the scheme.

- differing advice from different officers

The HMO minimum standards are a simple and clear guide to the requirements. Our inspecting officers are also all qualified and experienced environmental health practitioners and we have regular meetings, training and peer reviews to ensure a standard approach. We are therefore confident that the standards are consistently applied. However there may be occasions when officer discretion is needed in the application of the standards and very occasionally there might be a difference of approach. This should be resolvable by talking the circumstances through with the case officer and on the rare occasions it is necessary, with their manager.

- no follow up visit to check works

The primary focus of the HMO licensing team is to carry out initial visits to the property, and we will not always have the capacity to carry out further visits to check works. In many cases we will accept evidence of works in the form of certification, photos and invoices. In some circumstances visits may be carried out by either licensing officers or the enforcement team. We will also carry out visits to some properties at the time of the licence renewal.

Complaints about the provision and allocation of social housing

These were outside the remit of the consultation

Specific complaints about HMOs, property conditions and landlords

These have been referred to the relevant teams

Complaints about the online survey questions

- Use of the term 'high migration' in Q 19 regarding selective licensing

This term is used specifically because it is one of the criteria that the Government introduced in relation to the introduction of selective licensing schemes. We asked respondents to give their opinion on each of the Government criteria except 'low housing demand' as this is not a problem in London. Migration in this context refers to the movement of people from one area to another and includes migration within the UK - it is not restricted to migration from overseas. The question relating to selective licensing was intended to gather initial views. The Council has put their consideration of selective licensing on hold temporarily because of the Covid pandemic.

- The framing of the equality monitoring questions

The Council needs to be sure that specific groups are not impacted negatively by any decision we take and we want to see whether any groups have particular issues regarding problems with the private rented sector/HMOs. The questions regarding sexuality are the preferred questions according to Stonewall (an organisation campaigning for the equality of lesbian, gay, bi and trans (LGBT) people across Britain). As specified the questions were entirely optional.

Positive comments and suggestions

There were over 80 free text comments in support of the scheme. These were mainly general in nature and favoured strong regulation of the private rented sector. Examples were as follows:

“Overcrowding, noise, vermin, and waste/recycling disposal problems are also major issues in HMOs and former houses that have been cheaply converted into ‘flats’ which are not really suitable as flats. I believe stronger regulation will benefit all involved.”

“I totally agree that the council should licence the private rental sector. I have many friends who have lived in private rentals in appalling conditions with exorbitant rents....this also needs to be looked at and regulated.”

“When I applied for a HMO licence in Camden it was a lot clearer than applying in other Boroughs I liked the fact that you sent an officer around who knew what he was doing and was clear about what the flat needed, and gave me a year to put in place the what was asked for, eg 4 double sockets in each bedroom. Other landlords I know have not had the same level of clarity.”

“I live in a licensed HMO, which is rented from an excellent landlord. When I first moved in to the property, he made clear what was meant about the scheme, we have very good fire safety standards in the flat (fire alarm system, fire doors etc), and he comes to check these regularly. My landlord is extremely responsive if anything occasionally goes wrong. I feel protected by the HMO scheme.”

“I am so proud to know the borough I grew up in is trying to hold landlords accountable. Private tenants have too few rights and we are moving towards a world with more private tenants than ever. If you cannot stop people buying up all our potential homes as buy-to-let investments, at least you can work hard to prevent rogue landlords and poor conditions.”

Comments from local and regional organisations

“We support Camden's proposal to renew the borough HMO scheme as an appropriate tool to improve living conditions for private renters. Islington is proposing to introduce a similar borough wide HMO licensing scheme this summer. A consistent approach creates a level playing field for landlords that operate in both boroughs and provides added reassurance for tenants looking to rent in our area of North London. “ (LB Islington)

“Given the imbalance of power between tenants and landlords, and the increasing use of privately rented accommodation, MWLC is in favour of the continuing regulation of landlords.” (Mary Ward Legal Centre)

“We believe that the major focus needs to be on getting the initial 8.000 properties identified and licensed, and that very careful thought needs to be given about expanding licensing across the borough, as this could distract from the above, if financial and human resources are spread too thinly trying to achieve too much too quickly.” (Camden Federation of Private Tenants)

“We fully support your proposals for a renewed additional HMO licensing in Camden, including the changes to that scheme. We also support your proposal to examine the case for selective licensing in the borough.” (LB Barnet)

“We believe that any regulation of the private rented sector must be balanced. Additional regulatory burdens should focus on increasing the professionalism of landlords, improving the quality of private rented stock and driving out the criminals who act as landlords and blight the sector. These should be the shared objectives of all the parties involved, to facilitate the best possible outcomes for landlords and tenants alike. Good practice should be recognised and encouraged, in addition to the required focus on enforcement activity. Working with a delivery partner would support this, it would allow the council to focus on criminal and negligent landlords.” (National Landlords Association)

“It is not uncommon for properties that have been converted for multiple occupancy / rental use, to have scant provision for the appropriate containment and presentation of refuse and recyclables, or at least fully commensurate with the number of occupiers. It is requested that consideration be given to the appropriate provision/presentation of waste being a responsibility of the property owner or manager, (i.e. for them to take some responsibility for the behaviour of their tenants), and perhaps this can be most meaningfully enshrined in the Licence. Furthermore, an extensive and/or more complete register of property owners / managers would be welcomed, as the availability of such contacts would facilitate improved communication and enforcement activities undertaken by the Council's Environment Services officers.” (LB Camden Environment Services)

“There is overwhelming evidence that poor housing is associated with poor physical, mental, and social health.” (Strategist, Camden and Islington Public Health)

“We very much welcome all action by the London Borough of Camden to support private renters in the borough. It was very good to learn of the positive impacts from the additional HMO licensing scheme. Lastly I attach Age UK's recent report on older private renters. Age UK London's 2017 report on the experiences of older private renters, 'Living in Fear' [can be read here](#).” (Age UK (London))

Appendix D

Letters from organisations

- Safeagent letter (7 March 2020) and response
- Residential Landlords Association (RLA) (10 January 2020) and response
- UNIPOL letter (18 February 2020) and response
- LB Haringey

Proposed Additional Licensing Scheme Renewal in the London Borough of Camden

Safeagent Consultation Response

7 March 2020

An Introduction to safeagent

Safeagent is an accrediting organisation for lettings and management agents in the private rented sector. Safeagent (formally NALS) was established in 1999, by the Empty Homes Agency, with backing from the Royal Institution of Chartered Surveyors (RICS) the Association of Residential Lettings Agents (ARLA) and the National Association of Estate Agents (NAEA). Safeagent provides an overarching quality mark, easily recognised by consumers, with minimum entry requirements for agents.

Safeagent agents are required to:

- deliver defined standards of customer service
- operate within strict client accounting standards
- maintain a separate client bank account
- be included under a Client Money Protection Scheme

Agents must provide evidence that they continue to meet safeagent criteria on an annual basis to retain their licence. The scheme operates UK wide and has 1500 firms with over 2000 offices, including a number of agents within the London Borough of Camden.

Safeagent was recognised by the GLA as an approved body for the London Rental Standard. We are also a co-regulation partner with Liverpool City Council and a recognised training provider under the Rent Smart Wales scheme.

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

Overview

We understand the council is seeking to renew the borough wide additional licensing scheme that has operated from 2015 to 2020.

We understand the council is also seeking initial feedback on proposals for a selective licensing scheme. However, we are unable to make any comment at this time as we were unable to find any outline proposal within the documentation published on the council's website.

Existing licensing schemes

Before deciding to renew the additional licensing scheme, we think it is important for the council to demonstrate they have effectively implemented and enforced the property licensing schemes already in force.

We note the consultation summary report states that over 4,300 licence applications have been received since the additional licensing scheme was introduced in 2015, and over 3,100 of those applications have been approved.

According to research we commissioned last year, Camden Council estimated there were 7,600 HMOs that required a licence.

Whilst the council have clearly undertaken a lot of work over the last five years, it is concerning to note that no licence application has been submitted for over 40% of HMOs in the borough. It is highly likely that these properties will contain the worst conditions and yet many of those landlords and agents have not faced any enforcement action during the life of the scheme.

We would highlight section 61(4) of the Housing Act 2004 which places a duty on the council to take all reasonable steps to secure that applications for licences are made to them in respect of HMOs which are required to be licensed.

In this context, we would encourage the council to focus the new scheme on the geographical areas of greatest concern and/or consider limiting the scheme to HMOs occupied by four or more people, to focus resources on higher occupancy properties.

Section 257 HMOs (certain converted blocks of flats)

We understand the council intend to continue licensing section 257 HMOs where less than half the flats are owner occupied.

We have concerns about including these properties within the additional licensing scheme due to the difficulty experienced by letting agents in assessing whether a property meets the relevant building standards. It is not something that is reasonable for a letting agent to assess.

In situations where there is a freeholder and separate long leaseholders, the situation is further complicated by the need to determine whether less than half of the flats are owner-occupied. Only the freeholder may possess this information and the tenure of each flat may vary over time.

This would make it extremely difficult for a safeagent letting agent to assess whether a licence is required, despite their best endeavours. For example, it may be that the building did not require a licence when a flat was rented out, but subsequently requires licensing because another leasehold in the building has rented out their flat. As such, a letting agent could find themselves committing an offence of managing a flat in a licensable building without a licence, simply because another flat had been rented out without their knowledge.

Bringing section 257 HMOs within the additional licensing scheme could also be problematic for long-leasehold owner-occupiers who find their flat is within a licensable building through no fault of their own. The licensing fee may push up their service charge and could cause difficulties with their mortgage lender. As the licence would need to be disclosed to a prospective purchaser, some mortgage lenders may be reluctant to lend on a residential mortgage within a licensed section 257 HMO, thus adversely impacting on the property's value.

It is also the case that the 2015 general approval to introduce an additional licensing scheme only applies if the council has consulted persons likely to be affected by the scheme designation. Without

actively consulting with long leaseholder owner occupiers and explaining the implications of licensing section 257 HMOs, the conditions in the general approval would not be met and the additional licensing scheme could not be introduced without Secretary of State approval.

Whilst opposed to the idea of including all section 257 HMOs within the additional licensing scheme, we recognise that there are circumstances where a particular type of section 257 HMO may be worthy of more intensive regulation. For example, where a landlord has converted a property into cramped and poorly designed studio flats entirely for private rental without any planning and building regulation approval.

In such circumstances, the additional licensing scheme could be restricted to section 257 HMOs where the whole building and all the individual flats within it are in single ownership or considered to be effectively under the same control. The London Borough of Ealing adopted this approach in response to our consultation feedback. They also restrict the licensing of section 257 HMOs to situations where the number of flats exceeds the number of storeys in the building. We would encourage Camden Council to give this further thought and consider adopting a similar approach.

Licensing fees

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

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

For mandatory HMO and additional licensing, we note that the council currently charge £750 per property plus an extra £60 for each unit of accommodation. Many safeagent members let out shared houses and flats to groups of 3 and 4 people, which currently equates to £930 or £990.

We understand the proposed new fee is £1,300, representing an increase 31% to 40% for these smaller HMOs. We feel this is far too steep an increase and will unfairly penalise landlords who offer more spacious lower occupancy properties.

We think the council should offer a lower fee for licence renewals, to reflect there is less work involved in renewing existing licences. We note the council do not intend to inspect all such properties during the licence application process, which will further reduce the processing costs.

We also think the two-stage fee payment model is too heavily front loaded, with £1,100 due up front and £200 when the licence is due for approval. We would ask that the council share their financial modelling as to how they arrived at this 85 / 15 split. It may also be useful to benchmark against other local authorities as this indicates the licence processing cost is far higher than in many other areas.

We welcome the council's proposal to continue the accreditation fee discount. However, we would request that the discount is extended to licensed properties where the designated manager is an accredited letting agent - including members of safeagent.

The proposal says accredited letting agents where the legal entity is a company cannot benefit from the discount whereas an individual who has attended a one day training course can. We see this as a missed opportunity to recognise the value of accredited letting agents. We would welcome the opportunity to meet with the council to explain the safeagent accreditation process and the added value that this brings, so this issue can be given further consideration.

Length of licence

We have no objection to the council issuing shorter one-year licences to landlords or agents where there are serious concerns about their management of properties, provided this new arrangement is applied in a fair and proportionate manner.

Having clear guidelines on how the policy is applied will help to reassure the majority of compliant landlords and agents that shorter licences will not be unfairly applied for minor unintended transgressions where no harm has been caused.

Licence Conditions

We were unable to find a set of proposed licence conditions within the documentation. As such, we have been unable to provide any comment on this aspect of the proposed scheme.

HMO Standards

We have not had time to study the proposed changes to the HMO standards and have made no detailed comments.

As a general observation, we think local HMO standards should make clear they are local authority guidance rather than a rigid set of standards and the council will adopt a flexible approach when deciding if each property is reasonably suitable for occupation and by how many people.

Inspection regime

We welcome the council's commitment to continue inspecting properties as part of the initial licence approval process with a risk-based inspection regime for licence renewals. We think licensing is far less effective when undertaken as a desktop only exercise. It also provides a good opportunity for council officers to provide clear guidance on the nature of any remedial work required to fully comply with housing regulations.

It is important that the council has sufficient officers available to conduct any inspections in a timely manner so that licence approvals are not unduly delayed.

We would ask the council to publish clear service standards setting out the timescale for processing and approving licence applications and to publish regular updates so that performance in this area can be monitored. In other boroughs, we regularly see licence approvals taking six months or more due to a backlog of work and inadequate resourcing.

Delivering effective enforcement

We are pleased to note that the council undertakes an active enforcement programme focused on the worst landlords and agents who seek to evade the licensing scheme.

Without effective enforcement, new regulatory burdens will fall solely on those that apply for a licence whilst the rogue element of the market continue to evade the scheme and operate under the radar.

This creates unfair competition for safeagent members who seek to comply with all their legal responsibilities. They are saddled with extra costs associated with the licence application process and compliance, whilst others evade the scheme completely.

Recognising the important role of letting agents

Letting agents have a critical role to play in effective management of the private rented sector. We would encourage the council to explore mechanisms for effective liaison with letting agents and to acknowledge the benefits of encouraging landlords to use regulated letting agents such as safeagent licensed firms.

Regulation of letting agents

To achieve better regulation of the private rented sector and improve consumer protection, it is important the council takes a holistic approach that extends far beyond the proposed licensing scheme.

Since October 2014, it has been a requirement for all letting agents and property managers to belong to a government-approved redress scheme. In May 2015, a further requirement was introduced requiring agents to display all relevant landlord and tenant fees, the redress scheme they belong to and whether they belong to a client money protection scheme, both in-store and on the company's website. On 1 April 2019, the requirements were updated again, requiring letting agents and property managers to be members of a government approved client money protection scheme if they hold client funds. At safeagent we operate one of the government approved client money protection schemes.

To assist councils in regulating the private rented sector and effectively utilising these enforcement powers, we developed the NALS Effective Enforcement Toolkit. Originally published in June 2016, the toolkit has been updated in conjunction with London Trading Standards and is currently undergoing a further review. The latest toolkit can be downloaded free of charge from our website: https://safeagents.co.uk/wp-content/uploads/2018/12/07618_NALS_EnforcementToolkit_Web.pdf

Should you wish to discuss any aspect of this consultation response, please do not hesitate to contact me. Can you also please confirm the outcome of the consultation exercise in due course.

Isobel Thomson Chief Executive

Safeagent
Cheltenham Office Park
Hatherley Lane
Cheltenham
GL51 6SH

Tel: [REDACTED]

Email: [REDACTED]

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

Council response particular to Safeagent letter (7 March 2020)

The comments by Safeagent were sent to us by Richard Tacagni, managing director, London Property Licensing.

We thank them for their detailed and considered response to the proposals and we would respond as follows:

Selective licensing

The question in the consultation survey was to gather initial opinions only, primarily on whether they thought any specific issues were a problem in their area. Because of the current situation with Covid-19, any work on selective licensing has been put on hold for the foreseeable future.

Existing licensing schemes

We are pleased to note that it is acknowledged that the private sector housing (PSH) team have undertaken a lot of work over the last five years.

We have carried out extensive publicity over the last five years in order to publicise the scheme. The communications plan evaluation is attached as appendix E which shows the publicity around the consultation only. Another communication plan has been proposed for after the designation has been made. A very similar exercise was carried out in 2014/15 when the scheme was initially introduced. In the meantime, we have engaged our landlords through a variety of means e.g. landlord forums, newsletters, website, direct mailings, action days, publicity around enforcement action, social media etc. In addition there has been a lot of publicity around licensing generally both regionally and nationally, including the London Property Licensing website. At the end of the day it is beholden on landlords to acquaint themselves with local schemes and to comply accordingly.

In response to the comments about the worst landlords not having 'faced any enforcement action during the lifetime of the scheme', Camden has also carried out far more enforcement than any other London borough (according to the GLA rogue landlord tracker).

As HMOs in Camden are peppered around the borough, and poor property conditions in HMOs are not linked to any particular area or HMO type, we do not think there is any benefit to restricting the scheme to smaller areas or a particular group of HMO.

Many local authorities that started with an additional HMO licensing scheme linked to a geographical area have since moved to borough wide schemes. One reason for this is that it makes a scheme simpler to communicate to landlords and tenants. Another disadvantage would be that it would make some HMOs in Camden safer than others, and landlords who had HMOs in the wards chosen could feel the scheme was unfair.

The Council is also pursuing the following initiatives that will lead to improved identification of HMOs in the borough:

- The Council is working with the GLA to develop an HMO identification tool which, once developed, will allow the Council to take a more targeted intelligence led approach.
- We are also working on a MHCLG funded project to actively engage tenants through social media and a dedicated website, which will also lead to more awareness of the scheme amongst tenants. This will no doubt lead to more referrals.
- We will be working closer with managing and letting agents in the future. We hope to start a focus group for agents and work towards a comprehensive online training programme. In

addition, we will be developing a 'licensing mark' which we hope will be used by agents marketing property to let.

Section 257 HMOs

Section 257 HMOs are buildings converted to self-contained flats that do not meet the 1991 building regulation standard (or later).

In the vast majority of cases, there is no doubt when a building was converted to self-contained flats. If the building was converted after 1991 owners will frequently have the paperwork as this is often included in the sale particulars. In the few cases where there is a question over the matter, we ask the owner to consult our building control department who, for a fee, will visit and either confirm the building conversion complies with the 1991 standard or state what works will be need to comply.

In most lease terms and conditions, leaseholders have a duty to inform the freeholder if they decide to rent their flat. It is therefore beholden on freeholders to remain sufficiently acquainted with their properties to know who is living in each flat.

Letting and managing agents will want to make sure that the freeholder has evidence about whether the property will require licensing before letting or managing the property, as they then might be held responsible.

The benefits of including section 257 HMOs in a scheme are:

- It improves the fire safety in the common parts. The fire safety works are tailored to the size of the property.
- The flats in the property which are rented and under the control of the licence holder are all inspected. Under the new scheme, we will have a clear standard that applies to these flats which relates to the health, safety and welfare of the occupants. Camden's licensing scheme does not discriminate against flats in smaller buildings as we also find poor conditions in these properties.
- Long leaseholders can find it beneficial to have a named licence holder who is responsible for the proper management and maintenance of the property. A long standing complaint by long leaseholders is about absent freeholders and poor management practices in blocks of flats.

We have not heard of mortgage companies refusing a mortgage to a leaseholder because of a section 257 licence. In fact, it would be beneficial to a mortgage company to know a property was licensed as it would be less of a risk in terms of fire safety. Camden believes that it would be helpful if national landlord associations work with UK Finance (what was the Council of Mortgage Lenders) to ensure they reflect discretionary licensing within their terms and conditions.

We do not agree that long leaseholders in section 257 HMOs were not sufficiently consulted. 70% of the responses to the consultation were from residents and 32% of these were owner occupiers – the largest group of residents and slightly more than private tenants. Considering the nature of the accommodation within Camden a large number if these will live in flats in converted buildings. The consultation and associated publicity made it clear that section 257 HMOs were included in the scheme and the summary of the proposals went into some detail about section 257 HMOs including the proposed standards which will apply specifically to self-contained flats.

It is proposed that the new definition of licensable section 257 HMOs is changed from 'half or more of the flats being tenanted' to 'less than half of the flats being owner-occupied'. This change is more closely aligned to the definition in section 257 which refers to occupation by owner-occupiers as

opposed to tenants, and to Government guidance which states schemes should only apply to HMOs mainly or wholly tenanted.

Licensing fees

We have covered the reason for the proposed increase in fees widely in other parts of this consultation report and full details of the fees and how they are calculated are provided in appendix G. The proposed fee will cover the costs of the scheme which includes a licence inspection. Fees have been lower previously but have not been covering the costs of the scheme which has therefore been subsidised. The Council has benchmarked the licensing fees with other London boroughs. Whilst they are in the top third in terms of cost, they are not the highest. Half of the boroughs have fees over £1,000.

Proposed change following representation:

However, we have noted Safeagent's comments on the renewal of the scheme, and the fact that not all properties will be inspected, and so have reconsidered this and propose to **reduce the renewal fee to £1,130**. This will only apply if the renewal application is made within the term of the licence. If the application is made after the licence has expired, then a new application will have to be made.

In terms of the benchmarking with other boroughs this renewal fee is in the middle.

Discount for accredited agents

We have considered the matter of discounting accredited letting and managing agents. However, we are not minded to change this at the current time.

Length of licence

There is clear guidance on the circumstances in which one year licences will be issued within the PSH team's enforcement policy (appendix F).

Licence conditions

The mandatory licence conditions are available on the Council's HMO licensing website. There are no proposed changes to the standards.

HMO standards

We make it clear on the standards that their application to a property will be assessed on a case by case basis.

Inspection regime

We acknowledge that there is an inevitable delay between a duly made application being made and an inspection being carried out. As you appreciate, Camden, unlike many other local authorities, took the decision at the beginning of the scheme to inspect the property before issuing a licence because we are able to produce far more meaningful licences. This is also a valuable opportunity to engage with landlords and tenants.

We are hoping to reduce the time to the inspection over the next few months by recruiting additional staff. This will be possible because of the increase in fees which will now cover the full costs of the scheme. In addition, along with most other local authorities, we have had some difficulties recruiting experienced staff. The Council is engaging with regional and national partners to develop training opportunities for private sector housing staff and intend to play an active role in recruiting and training new staff once an accredited course is in place.

We publicise the timescales for processing a licence on the website and in correspondence after the application. We will continue to review the information we supply in our communications to ensure it corresponds with established timescales. The average time between the receipt of a duly made application (with the correct fee and all necessary certification) and the issue of a final licence is 159 working days. However, this includes occasions after the issue of the draft licence where there are multiple representations and appeals to the First-tier Tribunal (FTT).

Delivering effective enforcement

We are pleased that our effective enforcement programme has been noted.

Recognising the important role of letting agents

As mentioned above, the Council intends to develop a programme where we work more closely with letting and managing agents. This will take account of the recent policy and regulatory developments and will do this in partnership with our trading standard colleagues.



London Borough of
Camden
5 Pancras Square
London
N1C 4AG

10th January
2020

Additional Licensing Consultation Proposal

Thank you for the opportunity to respond to the above consultation. Although we appreciate the issues raised by the council, the RLA believes that licensing does not raise standards in the PRS and has an overall negative impact on landlords, tenants and the housing market.

Fee Structure

The proposed fee of £1300 for a licence is excessively high for landlords to pay for a new application, especially in comparison to other licensing authorities in London. An example being Haringey Council who charge £500 for the Part A payment, compared to the £1100 Part A payment Camden Council is currently proposing.

Landlords will apply for licences and, likely, pass the cost on to tenants in the form of increased rents to cover the cost of applying for a Licence, doing nothing to address affordability. In contrast, the worst landlords – the criminal operators – will ignore the scheme, as they do many other regulations.

The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. The current fee structure proposed reflects this argument, and the council should consider amending the fee structure and reducing the proposed application fee overall.

Raising Standards

There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. Additionally, the decent homes standard is a measure of the standard of housing and has no legal applicability to PRS housing. The Housing Health and Safety Rating System (HHSRS) is the relevant standard for the PRS.

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources wasted processing applications, it should continue to direct these limited resources at identifying private rented properties and taking effective enforcement action, where necessary.

Existing Enforcement Powers

There are over 150 Acts of Parliament and more than 400 regulations affecting landlords in the private rented sector. Councils should fully use the enforcement powers already granted to them by the Housing and Planning Act 2016, ranging from civil penalties, rent repayment orders, banning orders and the introduction of a database for rogue landlords and letting agents, rather than rely on Licensing Schemes to regulate landlords in addition to these powers. The Council has also not taken into consideration the amount of informal enforcement activity undertaken between local authorities and private landlords.

Tacit Consent

The council have made no mention in the Fee Structure document if Tacit Consent applies should the processing of the licence goes beyond the advertised times, as well as not provided a timescale for the length of processing time for a licence application.

Concerning the processing time for a licence application, regulation 19 of the Provision Regulations deals with the speed of processing of applications. Specifically, they require that applications must be:

- processed as quickly as possible and, in any event, within a reasonable period running from the time when all documentation has been submitted;
- the length of the processing period must be fixed and made public in advance.
- Where an application is not processed within the advertised period, the authorisation will be deemed to have been granted automatically.

The *Gaskin* case says that the Provision of Services Directive applies to licensing schemes in full. This does a lot more than just talking about fees. The transposition of this into the UK law states that regulators should set out how long it will take to carry out a licensing approval process and if they do not meet that timeline then approval should happen automatically.

The council needs to set out and display their licensing processing time publicly, and if tacit consent will apply if the processing of the application goes beyond the advertised processing timescale.

Conclusion

There are alternatives to licensing that the council can consider.

The RLA advocates using council tax records to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for the small minority of criminals to operate under the radar. It would be a more effective method of targeting these criminals and rooting them out of the sector than an unnecessary licensing scheme.

Thank you for giving these views your attention, and please get in contact for further details of our response if desired. I would only like to add that the RLA's goal is to make renting better for everybody, creating a more harmonious PRS in the process.

Kind regards,

Samantha Watkin
Policy Officer
Residential Landlords Association



Council response particular to RLA letter (10 January 2020)

We thank the RLA for their response and would respond as follows:

General

The comments by the RLA are general in nature and are similar to those made to other local authority consultations.

Fee structure

We have covered the reason for the proposed increase in fees widely in other parts of this consultation report and full details of the fees and how they are calculated are provided in appendix G. The proposed fee will cover the costs of the scheme which includes a licence inspection. Fees have been lower previously but have not been covering the costs of the scheme which has therefore been subsidised. The Council has benchmarked the licensing fees with other London boroughs. Whilst they are in the top third in terms of cost, they are not the highest. Half of the boroughs have fees over £1,000.

However, we have noted the consultation feedback on the renewal of the scheme, and the fact that not all properties will be inspected, and so have reconsidered this and propose to **reduce the renewal fee to £1,130**. This will only apply if the renewal application is made within the term of the licence. If the application is made after the licence has expired, then a new application will have to be made.

In terms of the benchmarking with other boroughs this renewal fee is in the middle.

Raising standards

Again, this subject has been covered in other parts of the consultation report. We always inspect properties before issuing a licence for the first time (and sometimes on renewal). A review of the current additional HMO licensing scheme was carried out in 2018/19 to determine if the scheme was meeting its' objectives (appendix A). It is clear that the scheme is having a significant and positive impact on improving property and management standards within Camden - ultimately improving the safety, comfort and well-being of tenants. To this end, the Council has also been engaging with landlords and agents through newsletters and events and there are plans to hold more focus groups and training sessions in the near future.

The Council views licensing as a strategic means of improving standards across the whole of the private rented sector in Camden. Most of the time we are working with good and excellent landlords. However, 99% of the licences have required works to improve the health and safety for the occupants, frequently relating to fire safety. Once the works have been highlighted, many landlords are happy and willing to comply.

However, the Council will always take robust action against rogues. We will generally, although depending on the circumstances, not always, give landlords the opportunity to licence before taking legal action. And legal action is, in the main, related to other offences such as management regulations as well as failing to licence. In addition to the enforcement team, a rogue landlord task force was set up in August 2019 (with time limited funding from the MHCLG) which is focusing on the worst landlord and agents.

We use all the available powers under the Housing Acts and use CPNs, rent repayment orders (RROs) and banning orders fully. According to the Greater London Authority (GLA) rogue landlord database the Council continues to issue more civil penalty notices (CPNs) and prosecute more rogue landlords/agents than any other borough in London.

Tacit consent

We note the comments on tacit consent and are reviewing our processes with our legal team to ensure we are fully compliant. We already publicise the timescales for processing a licence on the website and in correspondence after the application. We will continue to review the information we supply in our communications to ensure it corresponds with established timescales. The average time between the receipt of a duly made application (with the correct fee and all necessary certification) and the issue of a final licence is 159 working days. However, this includes occasions after the issue of the draft licence where there are multiple representations and appeals to the First-tier Tribunal (FTT).

We acknowledge that there is an inevitable delay between a duly made application being received and an inspection being carried out. Camden, unlike many other local authorities, took the decision at the beginning of the scheme to inspect the property before issuing a licence because we are able to produce far more meaningful licences. This is also a valuable opportunity to engage with landlords and tenants.

We are hoping to reduce the time to the inspection over the next few months by recruiting additional staff. This will be possible because of the increase in fees which will now cover the full costs of the scheme. In addition, along with most other local authorities, we have had some difficulties recruiting experienced staff. The Council is engaging with regional and national partners to develop training opportunities for private sector housing staff and intend to play an active role in recruiting and training new staff once an accredited course is in place.

We are further satisfied that this does not interfere with good landlords operating their legitimate HMO businesses. Once a landlord has made a duly made application they do not suffer prejudice and cannot be prosecuted under s72. We also fast track certain cases where particular circumstances require this to happen.

Alternatives

As mentioned above, the Council believes that HMO licensing has been an incredibly useful strategic tool in improving standards in large numbers of HMOs. It has had a much wider and significant impact on property standards than a reactive service. Camden hosts the London Landlord Accreditation Scheme (LLAS) which plays a role in supporting landlords and professionalising the sector. The Council also offers grants to landlords for certain works. Licensing has enabled the Council to work in more proactive ways with our HMO landlords through newsletters and forums and we are hoping to develop more training opportunities for both landlords and agents in the future (see below).

The Council is also pursuing the following initiatives that will lead to improved identification of HMOs in the borough:

- The Council is working with the GLA to develop an HMO identification tool which, once developed, will allow the Council to take a more targeted intelligence led approach.
- We are also working on a MHCLG funded project to actively engage tenants through social media and a dedicated website, which will also lead to more awareness of the scheme amongst tenants. This will no doubt lead to more referrals.
- We will be working closer with managing and letting agents in the future. We hope to start a focus group for agents and work towards a comprehensive online training programme. In addition, we will be developing a 'licensing mark' which we hope will be used by agents marketing property to let.



the home of student housing

www.unipol.org.uk/

For the Attention of Janet Wade (Principal EHO)

18th February 2020

Dear Janet Wade

Re: Purpose Build Student Accommodation (PBSA) and The Consultation on the Review of HMO Licensing by Camden Council.

This letter forms part of Unipol's response to your consultation on HMO Licensing. We have chosen to respond by letter as we do not feel that the questionnaire provided gives us scope to respond fully in respect of purpose built student accommodation and this letter concentrates entirely on purpose built student accommodation (hereafter PBSA) which is designed to meet the exacting standards of today's students.

Unipol is responding here as both a national housing charity and as a regulator operating two of the three Approved Codes under Section 233 of the Housing Act 2016. Unipol does not own or manage any accommodation itself that would be directly affected by these proposals in respect of PBSA in the proposed areas.

The ANUK/Unipol National Codes covers 4,970 bed spaces in 19 developments operated by 12 different Code members within the designated licensed areas proposed within Camden. The Council gives a number of clear objectives as to why it wishes to implement selective licensing:

- To build as many genuinely affordable homes as we can as quickly as we can, and help others to do so as well. We will build more affordable homes than we have done in a generation.
- To make sure that everyone has a sustainable roof over their head or is on a pathway to achieving this, minimising homelessness and rough sleeping.
- Strive to make homes in Camden safe, well-managed and well-maintained, and make sure that people's homes meet their needs. We will play an active role in shaping a private rented sector that works.

- To help young people who have grown up here, or who have strong connections to the borough, to build their adult lives here.
- To support people living in our homes to live fulfilling, connected and healthy lives, tackling social isolation and unemployment head on.
- To focus on building communities that are mixed, with well-designed homes and infrastructure that encourage integration, cohesion and active lifestyles.

but it is difficult to see how selective licensing would achieve this within PBSA

- we understand the Council already has policies to encourage the growth of PBSA to reduce pressure on off-street HMOs
- most new PBSA is new or newly converted and is of high and regulatory compliant quality
- ant-social behaviour is dealt with easier within a managed complex
- security in PBSA is high, often with out of hours or 24-hour security cover and high levels of CCTV
- PBSA sites are generally managed well with approved dedicated waste collection arrangements
- vulnerable residents are identified and offered closer support within an enclosed community.

As there is no fee cost presented in the consultation document it is difficult to work out the cost of licensing for the PBSA sector. We have assumed, based on the fees that have been set elsewhere, £1000 per property on 2,100 five bed shared faults. On that basis the fee cost would be in excess of £2m, we also estimate the administrative costs of accommodation suppliers completing licensing documentation at another £1.2m. An overall cost of £3.2m. This will definitely be paid for in higher rents to students with little obvious benefit to those tenants. In our view licensing will (because of the way in which institutional arrangements are structured) some University accommodation whereas the other University accommodation will not be affected. It is hard to see how very similar buildings, all with student occupants, should be treated differently.

The National Union of Students, as the voice for tenants, supports the exemption of PBSA who are members of the National Codes from licensing and has made representations directly to Government on that basis.

Camden Council has never demonstrated any problems that relate to PBSA which are members of the Approved Codes. I suspect that throughout the 15 years of the National Codes being in place Camden Council have never taken enforcement action against any Code property.

Members of the Unipol/ANUK Codes meet rigorous standards and these give a much greater guarantee of standards than licensing where standards are primarily designed for smaller properties. The National Codes have a verification and inspection regime based on established national benchmark standards and covers over 350,000 bed spaces nationally - as far as we are aware no Local Authority has ever taken enforcement action against a member for the last 15 years.

It is our view that National Code members should be exempted from local licensing. It is our view that selective licensing should not be extended to PBSA properties that are accredited under the National Codes. Unaccredited PBSA properties should fall under appropriate licensing: those not within the Codes would be subject to the Local Authorities full licensing powers. A Code member failing to meet the relevant standards is removed from the Code and enforcement and licensing action can then be taken. In the case of a member being removed from the Code the local authority and the relevant educational institutions are always informed. The reasons for removal are placed in the public domain through a Tribunal system.

If exemption is not possible then a “light touch” co-regulatory system should be developed between the National Codes and Leicester City Council that minimises administration and cost and we would be pleased to discuss whatever options, you wish in this area.

The selective licensing scheme suggested by Leicester does not acknowledge the arrangements that pertain to PBSA: A “fit and proper person” test is being operated. In the case of corporate ownership, the fit and proper person would normally be the Company Secretary and this would be unlikely to have any bearing on whether the building was being properly run.

Unipol would welcome an in-depth discussion with the Council about how either exemption of co-regulation could be implemented as part of moving forward with the selective licensing proposal.

In the attached Appendix I have given some further information and background about the national Codes and further information can also be found on <http://www.nationalcode.org/>

I hope this is helpful.

Yours sincerely

Martin J Blakey
Chief Executive of Unipol on behalf of the National Code

Unipol Student Homes and the Unipol/ANUK National Codes

Purpose Build Student Accommodation and The Consultation on Proposals for Selective Licensing by Camden Council

Background When the Housing Act 2004 was passed and mandatory licensing for HMO's was introduced educational institutions signing up to an Approved Code (under Section 233 of the Act) and were exempted from licensing requirements.

The Act also approved a Code for what we would now call private sector PBSA but they were not exempted from licensing. At the time the private PBSA sector was in its infancy and the vast majority of purpose built accommodation was provided as "Halls of Residence" by educational institutions and so it would have been premature to accord this sector some special status under the Act. In any event, the definition for mandatory licensing was based (as it still is) on higher risk properties and almost all of the PBSA private sector market fell outside of mandatory licensing (and this was confirmed in the Court of Appeal in the case of UNITE v the London Borough of Islington whose torturous case for redefining the definition of mandatory licensing was thrown out).

Since 2004 the PBSA has developed out of all recognition from where it was then. In 2003 private providers represented only 4% of PBSA but by 2019 this had risen to 54% and now private providers operate a larger number of bed spaces for students throughout the UK than educational establishments.

The Role of the National Codes

In 2006-2007 only 80,000 bed spaces were in the National Code. The sector looks very different in 2019, with over 100 non-educational establishment providers accredited across 82 different locations in the UK and operating between them more than 320,000 bed spaces.

The nature of the businesses that operate within the sector has also changed. The larger providers are more likely to be financed by owned by corporations, such as Goldman Sachs or the Canadian Pension Plan Investment Board or the Wellcome Trust. Not only are there large funders dealing in a now established asset class, but they are also willing to do so because their accommodation is being accredited under a Code that they recognise as being able to deliver clear benefits for both the occupants and managers alike. There is no comparison between these owners and suppliers and off-street landlords.

How the Codes Work The ANUK/Unipol National Codes are owned by a "Consortium" consisting of the Accreditation Network UK, NUS and Unipol Student Homes. It is this body which appoints an independent Chair of the Tribunal (which deals with complaints if they cannot be resolved earlier). It is responsible for the terms of reference and conduct of the other decision making bodies - the Committee of Management and the Audit Panel.

The Committee of Management consists of representatives of every member of the Code that operates 3,000 or more bed spaces, together with a number of smaller providers, and other key stakeholders with an interest in the purpose built student accommodation sector. It meets at least twice a year and has a range of functions, including the approval of the Annual Report to DCLG.

An independent Audit Panel exists in order to oversee the operations of the verification system, through which judgements are taken as to whether new applicants are fit to become members as well as whether existing members should be permitted to remain accredited under the relevant Code, a process which every member has to submit to at least once every three years.

The procedures for ensuring that accommodation providers who wish to join the Codes are rigorously applied and involve three specific stages, including visits to a development (of the Code's choosing) that they operate by a member of a specialist team of verifiers, each of whom have significant expertise within the sector. Membership of the Code will not be granted unless the verifier makes a recommendation to that effect, and the Audit Panel then ratifies all such recommendations. Such scrutiny means that it is not simply a case that new applicants will automatically be granted membership.

Local Authorities and Their Regulatory Role

No one is arguing that PBSA suppliers should be exempt from standards. The argument is that the standards within the National Code are the best method of ensuring high standards. Suppliers and landlords who are not in the Code should fall under the local authority's normal enforcement procedures and the National Code Administrator will assist them by providing what information the Code has about them to help local authorities use their powers. In the event that a Code member fails to meet the standards, they are swiftly called to account and suspended and relevant local authorities are always informed. The reasons for suspension or expulsion are placed in the public domain with the reasons fully covered.

When PBSA have been included within Council licensing schemes, the evidence is that they rarely inspect those schemes. On the rare occasions they visit a large building they frequently send a single Environmental Health Officer with no specialist training who simply "looks at the building" who then often uses the inapplicable LACORS standards (the LACORS guidance makes clear that "student halls of residence (including those managed by commercial providers)" are not covered by their guidance) The standards applicable are set within the Regulatory Reform (Fire Safety) Order 2005. HM Government Fire Safety Risk Assessment Sleeping Accommodation Guidance.

Council response to purpose built student accommodation (PBSA) comments - particular to Unipol letter (18 February 2020)

When the Council initially introduced additional licensing in 2015, the council decided to offer a discounted fee to providers of certain student accommodation providing they are members of the ANUK/Unipol national codes. The reasoning for this was that these buildings should provide accommodation that is modern, well-built and well managed.

Even so, the council needs to ensure that these buildings meet Camden's HMO standards and licensing conditions. The National Codes Administrator (NCA) have only carried out verification visits to about a third of Camden developments covered by national codes. The advantage of the Camden scheme is that officers will visit all properties before licensing.

Licensing and standards

Whilst Unipol repeatedly mentions *selective* licensing in its letter, Camden is primarily consulting on the renewal of the additional HMO licensing scheme. Although there was a question in the consultation survey relating to selective licensing, this was only seeking initial views and due to the current situation with Covid-19 has been put on hold for the foreseeable future. Only accommodation falling into the definition of an HMO will require a licence.

The ANUK/Unipol national code primarily covers management standards within a property. There are no standards which apply to physical conditions within a building. The code relates to "guidance applicable to developments of this type laid down by the Local Authority". Therefore these can only be enforced by the local authority using an HMO licencing scheme.

Fees

The Council charges a fee to cover the administration and enforcement of the licensing scheme over five years. The law states the fee can only be used for this purpose and no other Council function. The Council does not make a profit.

The legislation states that it is the HMO that is licensed, and therefore the Council has to process each licence application separately. Camden inspects each property prior to issuing a licence so the licence can be tailored for each individual property. The same work is therefore required for each HMO regardless of ownership.

Proposed change following representation:

Bearing in mind the comments made by Unipol in relation to enforcement, the Council is proposing to reduce the enforcement part of the fee (part 2) for licensing of purpose built student accommodation to take into account the fact that these properties are generally well managed and require little enforcement action. The proposal is that this will be reduced to £50 from £200. However, there can be no reduction in the part of the application fee covering the administration costs of licensing (part 1) as each licence requires the same administrative input including inspection.

This reduced fee will only be applied to landlords of purpose built student accommodation meeting certain conditions which include the licensee or manager being accredited under the ANUK/Unipol codes of practice. These are approved codes of practice for renting and managing student accommodation and more information can be found at <http://www.anuk.org.uk>. You can read more about the eligibility criteria for this discount on the Council's website.

A discount will be applied where the provider is accredited under one of the ANUK/Unipol national codes of standards for large accommodation, and

- The provider is able to show proof of Building Regulation approval contemporaneous with the build or conversion, which must be after the 1991 Building Regulations, and
- Detailed architects drawings of the building are provided at the time of application. These must accurately show the room dimensions. Also the location of elements of an automatic fire detection system, including detectors, alarms, sounders, call points, control panels, Locations of emergency lighting and fire-fighting equipment should also be indicated, and
- An up to date fire risk assessment is provided.

Chief Executive

Zina Etheridge



Martin Prall
Executive Director Supporting People and Deputy Chief Executive
London Borough of Camden

Date: 19 December 2019

By email: [REDACTED]

Dear Martin

Re: Proposal to introduce Property Licensing Scheme in L.B Camden

I am writing in response to your letter regarding Camden's launch of your public consultation. As a neighbouring borough we have a shared interest in your Council's proposal to introduce further property licensing schemes and await the outcome of your consultation on whether Selective Licensing will become a future proposal.

The housing crisis and difficulties in managing a growing private rented sector are issues that resonate within Haringey. So it is heartening to know of the success you have had with your previous property licensing programme and the outcomes that this accomplished. Your work also adds to the growing evidence of the benefits of utilising the discretionary enforcement tools available to local government.

Here in Haringey, we wholeheartedly support your view that local government needs the freedom to optimise the powers available to us. Working in partnership with others, this will enable us to make the most of our very stretched resources to regulate this ever expanding sector and make a positive impact on so many peoples' lives. We are, therefore, in full support of your proposal for a Borough wide additional HMO licensing.

Haringey Council have recently introduced borough wide additional HMO licensing and have a commitment within our own borough plan to introduce selective licensing for non HMO properties. I am sure that there are many shared practices that we can learn from you and I wish you every success in your new proposal.

Yours sincerely

Zina Etheridge
Chief Executive

Chief Executive
5th Floor, River Park House
225 High Road
LONDON N22 8HQ

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www.haringey.gov.uk

HMO licensing consultation



Communication evaluation
16 December 2019 to 8 March 2020

camden.gov.uk



Communication headlines

Responses

- Our target was achieved: 1, 063 responses received in total with 506 from comms and 557 interviews with community researchers
- 22% private renters responded
- 26% landlords and managing/letting agents responded
- Half of respondents didn't previously know about Camden's licensing scheme so we've made over 500 more people aware of our work

Key stats – raising awareness

- Our consultation page had over 20,000 visits
- 66,584 total impressions were made on twitter and over 12,000 on Facebook (Impressions are the number of times a post from your page is displayed. For example, if someone sees a page update in their Facebook newsfeed and then sees that same update when a friend shares it, that would count as 2 impressions).

Main takeaways

- Refreshing our designs helped to increase the response rate
- A combination of communications and engagement was complimentary and highly effective
- Key point for Cabinet: licensing will be key to the Council's ambitions post-COVID-19. COVID disproportionately impacts BAME communities, and BAME communities are over-represented in Camden's PRS housing meaning this new scheme will be vital going forward.

Objectives

- Encourage between 1,000 to 2,000 people to take part in the consultation
- Raise awareness of the additional House in Multiple Occupation (HMO) licensing scheme among private renters, so renters understand the Council's ability to help them if they live in poor housing conditions.
- Raise awareness of the additional House in Multiple Occupation (HMO) licensing scheme, increasing the number of landlords, letting and managing agents that are licensed by 10%

Consultation results

On Monday 16 December, we launched a consultation on the renewal of the current additional House in Multiple Occupation (HMO) licensing scheme. The consultation ran for 12 weeks and ended on Sunday 8 March 2020.

During this period we received a total of 1,063 responses to the consultation, which exceeded our target of 1000.

Response rate

Through a range of communication methods we aimed to reach residents, private tenants, landlords, letting and managing agents, businesses and advice services in Camden and in the neighbouring boroughs of Barnet; Brent; Westminster; Islington; Haringey and in the City of London.

We received a particularly high response from residents (70%), which included 22% of private tenants, which is a good response rate, particularly as this group are often hard to reach and do not frequently engage with the Council. We also received a good response rate from landlords and managing/letting agents (26%). Both being our primary audience for this consultation.

The breakdown of responses included:

Residents (incl private tenants)	749	70.46%
Business or organisation	13	1.22%
Landlords	218	20.51%
Letting or managing agents	56	5.27%
Other	27	2.54%
TOTAL	1063	100.00%

Response rate - continued

Within the consultation questions we included a question about how you heard about the consultation, with a list of communication methods. 506 responses were achieved through a range of communication methods. One of the most effective communication methods was direct mailing, which includes e-newsletters, 272 people stated that they heard about the consultation through this method. The council website also proved to be an effective method with 80 people stating they heard about it through this method, followed by communications via the Camden Federation of Private Tenants, where 59 people ticked this method. Face to face engagement via the community researchers was also very effective with 557 responses recorded via this method.

N.B. The total in this table exceeds the total respondents as people ticked more than one answer. Other includes a range of methods, including google, community researchers, events and the library.

Option	Total	Percent of All
Camden Council website	80	7.526%
Camden Council social media (Twitter/Facebook)	19	1.787%
We are Camden	3	0.2822%
Camden Council intranet for staff	4	0.3763%
A poster	17	1.599%
A flyer	5	0.4704%
A direct mailing (e.g. email or letter)	272	25.59%
Camden Council's residents' magazine	8	0.7526%
A Camden Council newsletter	19	1.787%
A Camden Council event	9	0.8467%
Camden Federation of Private Tenants (CFPT)	59	5.550%
London Landlord Accreditation Scheme (LLAS)	3	0.2822%
A different landlord accreditation scheme or organisation	5	0.4704%
An information or advice service	6	0.5644%
Camden New Journal newspaper	10	0.9407%
Ham & High newspaper	5	0.4704%
A relative or friend	11	1.035%
Other	483	45.44%
Not Answered	96	9.031%

Consultation summary

Promoting the consultation through a range of communication channels and the refreshed designs for the campaign, which are more appealing and engaging, raised awareness of the consultation and helped achieve the excellent response rates of 1,063, over our target.

At the same time we aimed to build general awareness of the licensing scheme, including messages about needing a licence to rent or own an HMO and highlighting what we are doing for private renters to improve standards. As a result of the consultation campaign half of the respondents who didn't previously know about the licensing scheme now have some knowledge of it.

We also aimed to increase the amount of landlords and agents that are licensed. Applications did continue to come in during this period, but there was no notably increase in applications in comparison to the year before.

Our tailored and direct communications worked well in this campaign. For example the landlord e-newsletter had a really high open rate of 54% and 186 views to the HMO article.

Face to face engagement including the community researchers and the Camden Federation of Private Tenants proved to be very effective with over half the responses achieved through this method.

Our core channels including social media, the Camden website and bus stop advertising were also successful in this campaign. The news item published was in the top 12 most viewed item in that period, the HMO licensing webpage saw a 630 increase in views compared to the year before and the consultation page on We are Camden had a record of nearly 20,000 visits, which made it the most popular consultation during this period. Other consultations had between 2,500 and 3889 visits to the page.

Consultation summary - continued

Social media, helped raise awareness of the scheme and the different issues that tenants often face. These type of posts achieved high engagement and comments to the page. For example a Facebook post highlighting safety issues in a flat had 1,211 impressions, which was one of the highest reaches throughout the period. A similar post about damp and other safety issues had 20 comments, where people related to the situation. Posts that highlighted what we are doing to help tenants and landlords were also more popular, had higher engagements and reached more people. For example the highest performing Twitter post had 8,072 impressions and 100 engagements. This post highlighted what we are doing to improve standards as well as linking to the consultation.

Through monitoring and recording the responses received on a weekly basis we were able to make changes to the communications depending on the results. For example we pushed out more social media posts that targeted more private tenants. We also encouraged a higher input from community researchers in order to maximise the amount of responses we could receive. Monitoring also allowed us to note spikes to the responses, which could be linked back to a particular method. For example the bus stop poster advertising went out across Camden for two weeks from 14 January 2020, which during this period saw the largest spike in the responses received, which nearly doubled.

In view of the requirement to engage and communicate in neighbouring boroughs we used a range of communications to reach people from other boroughs, including face to face interviews with our community researchers, adverts in local papers and engaging with relevant staff (including comms teams) in other London local authorities. In total we had 238 responses from people living and working in other boroughs, which is a good response rate of over 20%.

The next six slides showcases some of the main highlights of the different communication methods used in the consultation.

Digital communications

Highlights

- We posted our [news item](#) on the Camden website on 16 December 2019, and this stayed up until 8 March 2020, with refreshed messages in January and February. There were **279** visits to this page, which for this period was within the **top 12 most viewed news items**. The consultation was also prominent on the Camden homepage via the carousel throughout the whole period, which also linked to the news item.
- We directed all our communications to two webpages. The majority of the communications linked directly to the consultation at We are Camden via the web link camden.gov.uk/hmoconsult. During the consultation period there were **19,889 views** to the page, with **10,693 new visits**. This is extremely high compared to other consultations and it was the **most popular** consultation during this period. For example three other consultations that took place during the same time only had between **2,500** and **3,889** views.
- When appropriate we linked our communications to camden.gov.uk/hmolicensing, which is the HMO licencing webpage. During this period there were **6,867 visits** to the page, with **4,369 new visits**. Compared to the same period last year there has been an increase of **630 visits** to the page and an increase of **465 new visits**.

Other digital communications

- We included a news item on the London Landlord Accreditation Scheme website on 16 December, which stayed up until 8 March 2020. We also encouraged all six neighbouring boroughs and partner organisations to include on their website and other relevant digital channels during the consultation period.

The screenshot shows the Camden Council website's consultation page. The main heading is "Have your say on our landlord licensing scheme". Below this, there is a news article dated 24 February 2020, titled "There's still time to have your say on our proposals to renew our additional HMO licensing scheme". The article discusses the council's plans to renew the licensing scheme for Houses in Multiple Occupation (HMOs) and includes contact information for the Press Office. To the right of the article is a sidebar with contact details for the Press Office, including phone and email addresses, and a "Press Office - out of hours" notice. Below the article is a search bar and a "News" section. To the right of the news section is a promotional banner for "The home for landlords" with a "JOIN US" button. At the bottom of the page, there is a "Timeline" section showing the consultation period from 16 December 2019 to 8 March 2020, and a "Contact" section with the name Janet Wade, Principal EHO, and the email hmo@camden.gov.uk. There is also a "Document Library" link.

Direct mail

We promoted the consultation through a number of targeted e-newsletters, bulletins and emails.

Highlights

- The landlord e-newsletter, sent out on 17 December to 3,457 landlords and agents had a really high open rate of **54%**, and a high click rate of **186** to the article.
- The tenant and leaseholder email bulletin, sent out on 18 December and on 24 January. The first newsletter had a **20% open rate**, with **161 views** to the article. The second newsletter had a **25% open rate** with **172 views** to the article. Both open rates and views are good in comparison to other newsletters and articles.
- Essentials e-newsletter and essentials item. The first essentials item, sent out on 16 December had **147 views**, and 38 clicks to the article in the newsletter. The second item posted on 23 January had **62 views** and the third item posted on 28 February had **218 views**. This was a personal story from a staff member, which often have higher page views than other items.

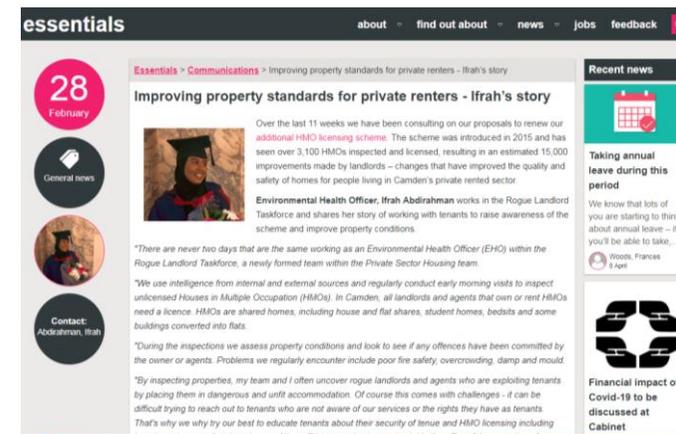
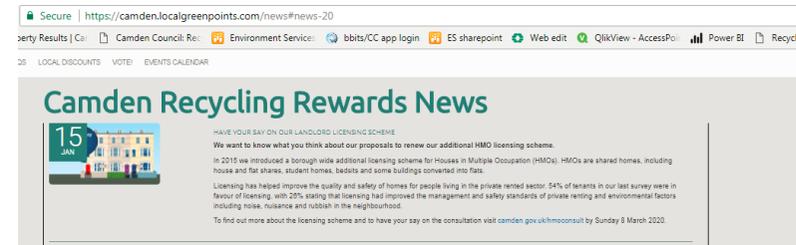
Other e-newsletters

- We also included communications in the recycling e-newsletter in February and the business e-newsletter in January and March.

Emails

At the start of the consultation, we sent direct mail via email to a range of targeted external and internal stakeholders. For example emails were sent out to regional and national landlord organisations, purpose built student accommodation providers, the chief executive of all six neighbouring boroughs and PRS partner organisations, including Shelter, CAB, legal advice centres, Better Renting and the London University student accommodation offices.

Internally, we communicated directly with frontline services via email and face to face meetings. This included Camden libraries, Contact Camden, environmental services and housing services. Councillors also received a briefing note at the start of the consultation and an update towards the end of the consultation.



Social media

Over the consultation period, we sent out two to three posts through Twitter and Facebook, on a weekly basis. The posts were tailored to different audiences, including tenants, landlords and residents.

Social media gave us the opportunity to raise awareness of some of the issues that the scheme helps to improve for private renters, as well as encouraging people to take part in the consultation.

Neighbouring boroughs and partner organisations also used social media to promote our consultation, and the London Landlord Accreditation Scheme (LLAS), used Twitter to directly reach landlords.

Highlights for Twitter

- **66,584** total impressions for the consultation period
- **742** total engagements for the consultation period
- The highest performing Twitter post had **8,072** impressions and **100** engagements. All other posts had over **1,000** impressions, with the majority over **2,000**.

Highlights for Facebook

- **12,025** total reach for the consultation period
- **427** total engagements for the consultation period
- The highest performing Facebook post reached **1,948** people and **65** engagements. All other posts ranged from a reach of **135** to **886**. Engagements ranged from **2** to **148**



If you rent privately in Camden we want to know your views on our proposals to renew our landlord licensing scheme. Tell us your views at camden.gov.uk/hmoconsult



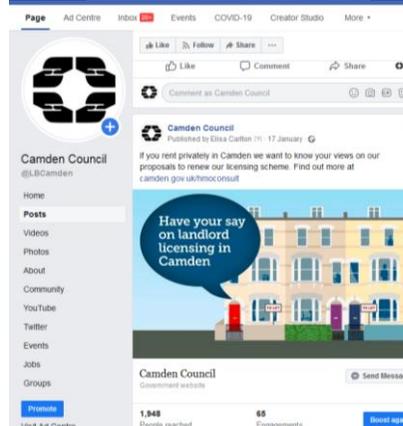
3:05pm · 23 Dec 2019 · TweetDeck



Landlords, managing and letting agents we are keen to hear your views on what has worked well and what you think we can improve with our proposals to renew our landlord licensing scheme.
camden.gov.uk/hmoconsult



A third of households in Camden live in privately rented homes. Everyone deserves a safe and decent place to call home. Tell us your views at camden.gov.uk/hmoconsult



Print and media

- We included features in the Winter 2019 and Spring 2020 edition of the Camden magazine.
- We also posted a press release on our Camden website, which showcased the scheme and the work carried out. It included a quote from our Housing Cabinet Member, who visited two HMO properties. There were **96 views** to this page, which was within the **top 20 most viewed news items** for that month.

Get involved Press

Have your say on our landlord licensing scheme

In 2019 we introduced a borough-wide additional licensing scheme for Houses in Multiple Occupation (HMOs). HMOs are shared homes, including houses and flat shares, student homes, beddits and some buildings converted into flats. Licensing has helped improve the quality and safety of homes for people living in the private rented sector.

Renewing the scheme will make sure we continue to make homes in Camden safe, well-managed and well-maintained as set out in our Camden 2025 plan. We will also be able to continue to protect rogue landlords who own or rent an HMO without a licence.

To find out more about the licensing scheme and to have your say on the consultation visit camden.gov.uk/news/consulting by Sunday 8 March 2020.

STAR survey
Thank you to everyone who has completed the STAR survey.

Thank you for sharing your views on safety
Earlier in the year, we asked for feedback about safety from the private rented sector. Over 1000 people shared their views on safety. We will use this feedback to improve the safety of homes in Camden.

Landlord licensing scheme

Thank you to everyone who got involved in our landlord licensing consultation. We asked for your thoughts on proposals to renew our additional licensing scheme for Houses in Multiple Occupation (HMOs). HMOs are shared homes, including houses and flat shares, student homes, beddits and some buildings converted into flats.

Over 1000 people shared their views on safety and we will use this feedback to improve the safety of homes in Camden.

Now in Camden
Spring has sprung at Three Fields
Three fields in our residents, including children from the local nursery, have been getting into the spring spirit. The nursery staff and children have been busy planting flowers and vegetables in their own garden. The children are looking forward to the coming summer months. A new tree will also be planted on the site in the spring. We will also be celebrating 100 years of council housing. You can find out more about the borough's tree planting plans on page 46.

Fully funded university places with Camden scholarships
We're working with Hult International Business School and Brunel, University of London, to help Camden residents of all ages realise their potential through a range of scholarship opportunities, with courses starting this autumn.

Housing Cabinet Member visits HMO properties to see licensing scheme in action

Camden Newsroom / Housing Cabinet Member visits HMO properties to see licensing scheme in action

London, 02 March 2020
Camden's landlord licensing scheme has seen over 3,100 houses in multiple occupation inspected and licensed resulting in an estimated 16,000 improvements made by landlords - changes that have improved the quality and safety of homes for people living in Camden's private rented sector.

Camden was the first inner London borough to introduce an additional licensing scheme for House in Multiple Occupation (HMOs) in 2019. HMOs are shared homes, including house and flat shares, student homes, beddits and some buildings converted into flats.

As the current additional HMO licensing scheme is now coming to an end the Council is proposing to renew it for another five years.

To see the scheme in action Councilor Meric Apak, Cabinet Member for Better Homes, visited two Camden HMOs.

Press Office
(Mon to 5pm, Monday to Friday only)
Tel: 020 7974 5717
Email: pressoffice@camden.gov.uk

Press Office - out of hours
(for urgent media enquiries only)
Tel: 07901 554530

Contact information
General Council enquiries

Posters, adverts and outdoor advertising

- We displayed posters and distributed leaflets in our local sport centres, GPs and health centres, as well as through partner organisations including CAB, Mary Ward, the Irish Centre and landlord organisations.
- Half page adverts were placed in the Camden New Journal and Ham & High in December and January. We also placed half page adverts in neighbouring borough newspapers; Barnet Times, City Matters, Enfield and Haringey Independent and the Westminster Extra and the Islington Tribune in January.
- Bus stop poster advertising went out across Camden for two weeks from 14 January 2020, which during this period saw the largest spike in the responses received. We also used digital screens in public facing Camden buildings and internally in Camden offices.



Appendix F

ENFORCEMENT POLICY AMENDMENTS

The following are extracts from the proposed revised enforcement policy regarding issuing or varying a licence for a shortened period of one year where to landlords or agents where there are serious concerns about their management of properties.

5 Enforcement Options

a) The table below is for guidance and demonstrates the main levels and interventions for enforcement:

Formal low level interventions	Legal or Formal Notice or Order	Means to secure works of repair or improvement e.g. improvement notice
	Penalty Application	Enforcement of legislation that can apply a penalty for a breach or offence such as for the Smoke and Carbon Monoxide Alarm (England) Regulations 2015.
	Decision to issue or vary a licence for a shortened period	HMO licences are typically issued for a 5 year period (the maximum period allowed under the Housing Act 2004) but we will issue or vary licences for a lesser period in certain circumstances described within this policy.

c) Decision to issue or vary a licence for a shortened period

In determining an application for a licence for a property under the Housing Act 2004 the Council must decide whether to grant or refuse a licence. Where the Council is minded to grant a licence there is no prescribed duration period except insofar as the legislation sets a maximum licence period of not exceeding 5 years.

In granting a licence the Council will ordinarily do so for the maximum 5 year period allowed by law. However, where evidence exists regarding a 'person' and/or a property that gives cause for concern as to the appropriateness of granting a 5 year licence then the Council will instead consider granting a licence for a shortened period of 1 year only. The circumstances that may give rise to such a cause for concern will include, but are not limited to, the following:

- Applications containing material omissions and inaccuracies, deliberately misleading information, failing to notify relevant parties of an application, or failing to submit timely applications.
- Management deficiencies

- Failing to comply with obligations to tenants
- History of complaints
- Previous formal action
- Compliance issues with previous licences
- Failure to obtain consents or approvals (such as for planning or building regulation purposes)
- Failure to pay relevant charges, fines or penalties to the Council (including Council Tax)
- Objections by mortgagees

In cases where the above circumstances come to light after a licence has been granted then the licence may be varied to reduce the licence period.

Any decision to issue a licence for a shortened licence period will be made taking account of the generality and wider context of this enforcement policy statement and will not preclude, or be dependent upon, any other action under this policy.

The shorter licence period will mean that the landlord will need to submit a new licence application on expiry of the shorter-term licence after one year. However, the grant of the licence will enable the address to be legally rented, allowing the landlord in many cases to remedy the issue that gave rise to the reduced-term licence or for a relevant conviction to cease to be a factor justifying a future application resulting in a further reduced term. The issuing of the one year licence will be monitored and re-assessed at the end of the one year licence.

To provide additional clarity Appendix B to this enforcement policy sets out circumstances in which there will be a presumption in favour of licences being granted for a one year period only.

Appendix B – Examples of circumstances that give rise to a presumption in favour of HMO licences being granted for a reduced period.

- Deliberately false or misleading information provided in a licence application
- Where the licence is a renewal and the works required on a previous licence have not been carried out
- Failing to notify relevant parties of an application
- Failure to submit timely applications
- Underlying conduct leading to convictions/CPNs in respect of more than one property
- Alterations to properties or subdivision of rooms without appropriate consents or approvals

- Failure to remedy items listed within an Electrical Installation Condition Report as being 'danger present' or 'potentially dangerous'
- Failure to remedy defects listed within a gas safety certificate
- Significant or numerous items of disrepair found at the time of inspection
- Failure to protect a tenant's deposit

Appendix G

FEES

Proposed fees and charges for additional HMO licensing

The application and granting of a licence will be subject to the payment of a fee. Article 13(2) of the EU Services Directive (2006/123/EC) requires that the licence fee paid by the applicant must be reasonable and proportionate to the cost of the authorisation (licensing) procedure and shall not exceed the cost of the authorisation (licensing) procedure. The Directive also makes it clear that licence fees can only be used to recover costs and should not be used to make a profit.

Fees for licence applications consider all the council's costs in administering and carrying out its licensing functions. The fee will be split into two parts, Part 1 covers the costs of processing, administration and validation of the application, including initial inspection; Part 2 of the fee comprises a contribution towards the running costs of the scheme and exercising other licensing functions, including compliance and enforcement of licences issued. The move to a two part fee follows the European Court of Justice's ruling on charging licence fees in the case of Hemming v Westminster.

1. Proposed fees

Type	Part 1	Part 2	Total fee payable (on successful application)
New applications			
House or flat in multiple occupation (section 254)	£1,100	£200	£1,300
Common parts (section 257)	£1,100	£200	£1,300
Purpose built student accommodation	£1,100	£50	£1,150
Renewal applications			
House or flat in multiple occupation (section 254)	£930	£200	£1,130
Common parts (section 257)	£930	£200	£1,130

Purpose student accommodation	built	£930	£50	£980
-------------------------------------	-------	------	-----	------

The Part 1 fee will be due when the licence application is made, and Part 2 will become due at the point we decide to grant the licence. Applicants will have the opportunity to pay both Part 1 and Part 2 at time of application.

We will not charge for:

- change of details of any existing licence holder, manager, owner, mortgagor, freeholder or leaseholder such as change of address.
- change of mortgagor, owner, freeholder and leaseholder (unless they are also the licence holder or manager).
- variation of licence.
- change of manager (unless they are also the licence holder)

Examples of typical scenarios

- A leaseholder letting a four bedroom flat to 'sharers' (a flat in multiple occupation (FMO)). The total fee will be:
 - New application £1,300 (£1,200 if accredited)
 - Renewal application £1,130 (£1,030 if accredited)
- A freeholder of a house converted into flats, each occupied by a single household, where the freeholder has no responsibility for issues within the flats. The total fee will be:
 - New application £1,300 (£1,200 if accredited)
 - Renewal application £1,130 (£1,030 if accredited)

2. Proposed discount

Accreditation

A discount of £100 will be deducted from the final Part 2 fee for licence holders who are members of a landlord accreditation scheme which requires them to meet a code of conduct and complete a training course.

3. Refunds

Property not licensable

Where an application for a licence does not progress beyond the initial phase for whatever reason only the Part 1 fee will be charged. Where applicants have elected to both Part 1 and Part 2 fees on application, they will be refunded the Part 2 element of the fee.

Invalid applications

A valid licence application must contain the following:

- A fully completed application form

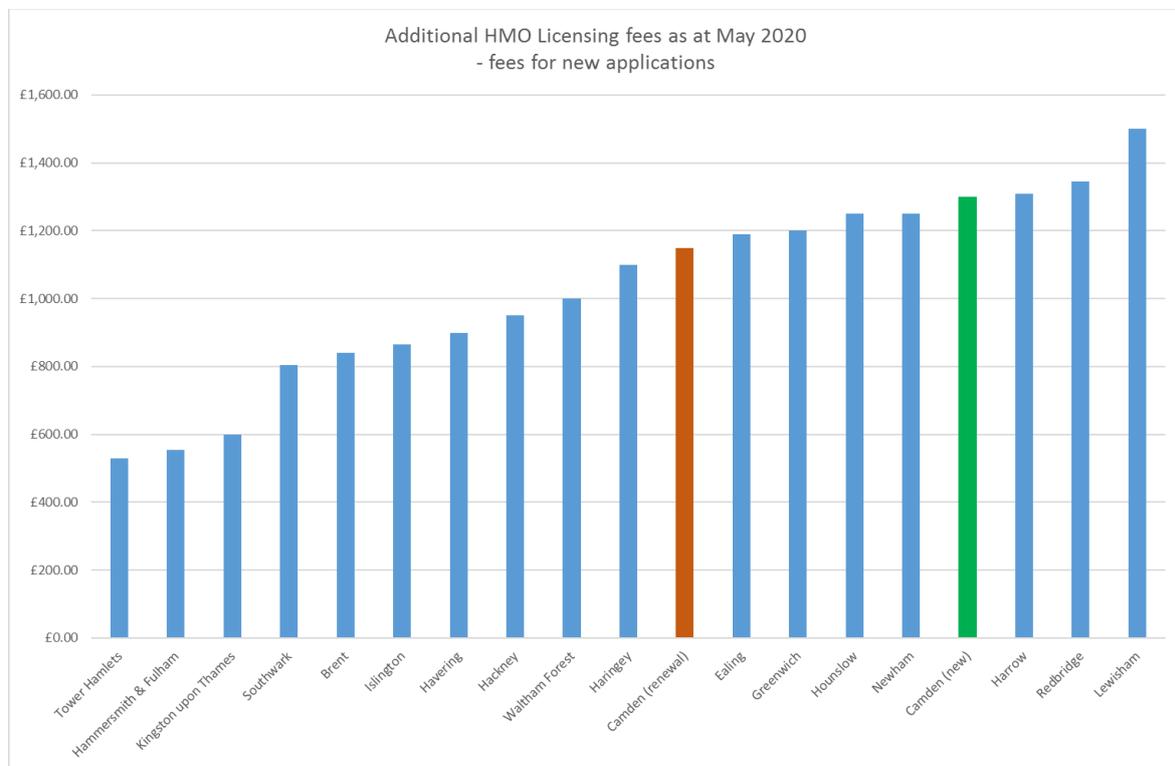
- Appropriate fee
- Appropriate certificates
- Accurate floor plans and room dimensions

If an invalid or incomplete application is received the applicant will be contacted and asked to provide further information. However, if this information is not received within the time period given the application will be cancelled and the fee paid refunded.

Refusals

There will be no refund of the initial Part 1 fee if the application is refused for any reason (before or after the licensing inspection).

4. Comparison of additional HMO licensing scheme fees – London boroughs



Source: Fees information sourced from relevant local authority websites [20 May 2020]

Appendix H

HMO STANDARDS (PROPOSED) + LIST OF CHANGES

London Borough of Camden

HMO STANDARDS
(SECTION 254 HMOs)

Housing Act 2004

Effective XXX

These are the standards that the London Borough of Camden will apply to houses in multiple occupation (HMOs) defined by section 254 (of the Housing Act 2004). All section 254 HMOs in Camden should comply with these standards although each property will be assessed on a case by case basis.

A section 254 HMO is a house or flat occupied by 3 or more people who are not all part of the same family where any kitchen and bathroom facilities are shared or outside the dwelling.

These standards are used by the council to determine the maximum number of occupiers and households for an HMO requiring a licence.

Planning policy: The council is committed to the preservation of HMOs within the borough. The self-containment of shared accommodation may need planning permission and therefore you should always contact the Council's planning department if you propose to install kitchen or bathroom facilities within bedrooms or bedsits of HMOs.

FITNESS FOR HUMAN HABITATION

[The Homes \(Fitness for Human Habitation\) Act 2018](#) has clarified the responsibilities of landlords to ensure that their property, including any common parts of the building, is fit for human habitation at the beginning of the tenancy and throughout. The Council will therefore expect all HMOs to be fit for human habitation – the definition of fitness is contained in the [Landlord and Tenant Act 1985](#). A property may be unfit if:

- the building has been neglected and is in a bad condition
- the building is unstable
- there is a serious problem with damp
- it has an unsafe layout
- there is not enough natural light
- there is not enough ventilation
- there is a problem with the supply of hot and cold water
- there are problems with the drainage or the lavatories
- it is difficult to prepare and cook food or wash up
- there is a category 1 or 2 hazard under the housing health and safety rating System (HHSRS)

Note: Some of these issues are already addressed by the minimum standards detailed below. Others may be better addressed by the housing, health and safety rating system (HHSRS) in which case a referral may be made to the private sector housing enforcement team to take action under part 1 of the Housing Act 2004.

ROOM SIZES

The Government introduced national minimum room sizes in The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. However, the Government emphasised these are a statutory minimum and are not intended to be the optimal room size. They stated “local housing authorities will continue to have discretion to require higher standards within licence conditions, but must not set lower standards”. The minimum room sizes below are those the Council has deemed appropriate to apply to HMOs in Camden.

Sleeping rooms

Minimum floor area where kitchen (shared or exclusive use) is provided in a separate room		Minimum floor area where kitchen facilities are located within the room	
Single	Double	Single	Double
9m²	11m²	12m²	14m²

Minimum floor area for rooms in HMOs with a shared kitchen and a shared living room of at least 10m² and where there is cohesive living.		
Single (where no WHB is installed)	Single with WHB (where a WHB is installed)	Double (With or without WHB)
7.1m²	7.3m²	10.2m²

- Where the ceiling height is less than 1.5m the floor area beneath is not counted.

- If any personal washing facilities are included within the room, the area required for any facility as detailed in personal hygiene facilities (see page11), must be excluded when calculating the overall room sizes.
- Floor area that cannot be used because of its shape or location must not be included when calculating room sizes.
- A child will be treated as a separate person/occupant.
- No more than two persons may occupy any room regardless of the size.
- A double room shall be occupied by one household only.

HEATING

- Fixed space heating to be provided in every bedroom, living room, bathroom and kitchen diner. Space heating must be capable of maintaining a constant temperature of at least 21°C in sleeping rooms and bathrooms and at least 18°C in all other rooms.
- All heating sources must be provided with adequate controls to allow the occupants to programme and regulate the temperature within their unit of accommodation (e.g. provision of thermostatic radiator valves (TRVs), thermostat to electric heaters). As from 1st January 2018, all new heating sources must be Lot 20 compliant.
- Where there is a centralised heating system, heating should be available to individual tenants at all times.

POWER SOCKETS

- At least four (4) suitably located double sockets (or equivalent) must be provided to each sleeping room. This is in addition to those sockets provided in kitchen areas (where kitchen facilities are provided within a bedsitting room). Conventional electric sockets with additional but USB ports are acceptable but generally will not reduce the number of sockets required.

FIRE SAFETY

- The HMO design, construction and condition should limit the spread of fire and smoke. In addition, there should be adequate fire protection to the means of escape and between each unit of accommodation. The HMO should also be

provided with appropriate detection and alarm systems and, as appropriate, emergency lighting and firefighting equipment. All works to be carried out in accordance with LACORS national guidance on fire safety and the latest edition of BS5839:Part 6 (these provide more detailed information on how to assess and control risks in various types of HMO).

This note is not part of the standard but it is a legal requirement: *The common areas of blocks of flats, maisonettes and HMOs are subject to the Regulatory Reform (Fire Safety) Order 2005 and must have a Fire Risk Assessment (FRA) carried out by a responsible person. In practice the responsible person will usually be the licence holder, but could be the manager or managing agent.*

CARBON MONOXIDE

A BS EN 50291 kitemarked carbon monoxide alarm (mains or battery powered) should be fitted in any room where any fuel burning appliance is fitted, including those that burn gas, oil, coal and wood. This includes any room that has a flue running through it. If there is an enclosed boiler, it should be fitted just outside the enclosure. Alarms should be fitted in accordance with the British standard.

KITCHEN FACILITIES

Shared kitchens

Minimum floor area for shared use kitchens			
3 - 4 persons cohesive living (1-set of kitchen facilities)	5 persons (1-set of kitchen facilities)	6 - 10 persons (2-sets of kitchen facilities)	11 – 15 persons (3-sets of kitchen facilities)
4.8m²	6m²	11m²	16m²

Shared kitchen diners

Minimum floor area for shared use kitchen diners			
3 - 4 persons (1-set of kitchen facilities)	5 persons (1-set of kitchen facilities)	6 - 10 persons (2-sets of kitchen facilities)	11 – 15 persons (3-sets of kitchen facilities)
8m²	8m²	15m²	22m²

Exclusive use kitchens

Minimum floor area for separate exclusive use kitchen	
1 person	2 or more persons
4m²	4.5m²

Number of occupants sharing

- Five persons can share one full set of kitchen facilities. More than five persons will require an additional set of kitchen facilities. For example:

Number of individuals sharing kitchen	Minimum number of sets of kitchen facilities
Up to 5 persons	1 set
6 - 10 persons	2 sets
11 - 15 persons	3 sets

- Kitchen facilities must be in a properly designed room or area, laid out so as to allow for the safe and hygienic preparation and cooking of food.
- Where the bedrooms are more than one floor away from the kitchen, the kitchen must be provided with facilities to eat meals within the kitchen, for example a kitchen-diner or a separate dining room adjacent to the kitchen.

- A kitchen diner must be provided with an adequately sized table and number of chairs for the number of users.
- One full set of kitchen facilities will include the following:
 - kitchen sink
 - cooking facilities
 - kitchen worktop
 - food storage (dry goods cupboards and fridge/freezers)
 - kitchen cupboards
 - power sockets
 - refuse storage
- A fire blanket (to comply with the current British Standard) must be provided in each kitchen within the HMO. Fire blankets should be suitably located in a conspicuous position and generally nearer to the kitchen door than to the cooker.

Kitchen sink

- Integral sink and drainer of a suitable and practical size on a base unit, properly connected to the drainage system, and provided with an adequate and constant supply of drinking water and an adequate and constant supply of hot water, without fluctuation in temperature.

Cooking facilities

- Any cooker must be located remote from exit doors and away from windows.
- **Exclusive use kitchens or kitchens within bedsitting rooms** - a minimum of two rings, conventional oven and grill. If a 'portable' cooker is provided it must be installed so that the cooking rings are level with the adjacent work surfaces and properly secured, and have the capability to operate all rings and oven simultaneously. A standard microwave is not acceptable as a replacement for a conventional oven. However, a combination oven/grill/microwave is acceptable in an exclusive use kitchen as long as an additional worktop area/secure shelf at eye level is provided to accommodate the appliance.
- **Shared kitchens** - a full sized cooker with a minimum of four rings, conventional oven and grill, to be stable and securely fitted.

Kitchen worktop

- A usable, properly secured, readily cleansable work surface must be provided in a suitable position adjacent to the cooker in every kitchen or kitchen area. Worktop to be at the same height as the cooker rings.
- **Exclusive use kitchens** - minimum dimensions 600mm deep x 800mm wide for one household.
- **Shared kitchens** - a further 500mm (linear width) per additional person/household sharing e.g. minimum provision for five people is 2.8 linear metres of worktop.

Food storage - dry goods

- One cupboard for the storage of dry goods per person, with a minimum storage capacity of 0.08 cubic metres. The recommended minimum dimensions to meet this requirement are:

Width: 30cm

Depth: 38cm

Height: 70cm

- The cupboard space in the unit below the sink is not suitable for dry goods storage.
- Where more than five persons share a kitchen, each person's dry goods cupboard must be suitably secure.

Food storage - fridge/freezer

- A refrigerator with a freezer compartment, with a minimum capacity 140 litres for one to two persons.
- Kitchens shared by more than two people to have a separate refrigerator and a separate freezer. Each tenant must be provided with a shelf or area, of adequate size, within the refrigerator and freezer appliances for their sole use. The minimum capacity for each appliance is:

3 to 4 persons - 160 litres

5 persons - 200 litres

- Where more than five persons share a kitchen, each person must either be provided with individual refrigerator & freezer space or a separate refrigerator/freezer within their unit of accommodation.

Kitchen cupboards

- Sufficient cupboards for the storage of kitchen utensils and crockery in shared kitchens must be provided.

Power sockets

- **Exclusive use kitchens** - the requirement is for three double electrical sockets or equivalent. Two of these double sockets are to be suitably located above worktop level.
- **Shared kitchens** - there must be a minimum of five double electrical sockets or equivalent (at least three of these double sockets to be suitably located above worktop level) per full set of kitchen facilities. Therefore, two sets of kitchen facilities require a total of ten double sockets, six of which are to be above worktop level.
- In all cases, electrical sockets must be located at least 300mm horizontally from a sink, draining board or hob.

Refuse storage

- Provide impervious refuse storage containers within the kitchen with suitable close fitting lids.

Kitchen ventilation

- Mechanical extraction capable of extracting to the external air at a rate of not less than 60 litres/second must be provided. Or if a cooker hood is fitted, the extraction rate to the external air can be reduced to 30 litres/second. This should be operable by the tenant and the controls suitably located.
- In internal rooms the mechanical extractor fan shall be controlled by the operation of the main room light switch and have a 15 minute overrun.

Kitchen lighting

- Kitchens must have adequate artificial lighting. Artificial lighting must be positioned to provide sufficient light to enable domestic and recreational activities to be carried out without eyestrain.
- Kitchen-diners must have sufficient natural lighting and adequate artificial lighting to enable domestic and recreational activities to be carried out without eyestrain. Windows must be of adequate size and of appropriate shape and position to allow for reasonable daylight penetration into rooms.

Kitchen floors

- Suitable non-slip, impervious and readily cleansable floor covering must be provided in separate kitchens and the kitchen areas of bedsitting rooms.

Kitchen walls/ceilings

- Walls and ceilings to be readily cleansable and those directly adjacent to cookers, sinks and food preparation areas must be provided with impervious and readily cleansable splash backs.

HOUSEHOLD WASTE

Adequate provision for refuse storage and recycling should be provided in accordance with Camden's collection service requirements.

PERSONAL HYGIENE FACILITIES

Ratios of bathing, wash hand basin and WC facilities:

4 or fewer occupants	Where there are 5 persons sharing facilities	Where there are 6 or more persons sharing facilities
<p>At least one bathroom with a fixed bath/shower, wash hand basin and a WC (which may be situated in the bathroom).</p>	<p>a) Two bathrooms each containing a bath/shower, WC and a wash hand basin.</p> <p><u>OR</u></p> <p>b) A bathroom containing a bath/shower/WHB and a WC/WHB in a separate compartment</p>	<ul style="list-style-type: none"> • 6 - 10 persons Two full sets of facilities (bath/shower/WC/WHB) • 11 – 15 persons Three full sets of facilities (bath/shower/WC/WHB) • 16 - 20 persons Four full sets of facilities (bath/shower/WC/WHB) etc. <p><u>Note:</u> At least one of the WC/WHB's must be in a separate compartment.</p>

Note: See below for additional requirements for wash hand basins in bedsits or non-cohesive lettings ('room by room' lettings).

Minimum floor areas for sanitary facilities

Sanitary facilities in appropriate room	Minimum floor area*
Bath only	2.3m²
Bath & WHB	2.5m²
Bath, WC & WHB	2.8m²
Shower only	1.7m²
Shower & WHB	2.0m²
Shower & WC & WHB	2.2m²
WC & WHB	1.2m²

* The minimum floor areas include the required drying and activity space.

Wash hand basins in bedsits or non-cohesive lettings ('room by room' lettings)

- Where reasonably practicable there must be a wash hand basin with splash back in each unit of accommodation where the units in the HMO are let individually (other than a unit containing a kitchen sink).

Note: This requirement is subject to the age, character, size and layout of the HMO/FMO and the existing provision of wash hand basins.

- Any WHB provided in a unit of accommodation must be a minimum size of 550mm x 400mm.

Bathrooms

- Bath/shower must be not more than one floor distant from any one unit of accommodation.
- Baths, WHBs and showers are to be provided with a constant supply of cold and hot water.
- Any WHB provided in a bath/shower room must be of an appropriate size.
- Shared facilities must be in a suitable enclosed and lockable room or compartment, so as to allow adequate privacy when using the facility. Where showers are located within a bedsitting room they should be provided with an enclosed private drying space except where there are sufficient alternative shared facilities available. Any door or window glazing must be obscured.
- Mechanical ventilation must be provided to bath/shower rooms which, operating together with any passive ventilation (openable window, air brick or flue), is capable of extracting to the external air at a rate of not less than four air changes per hour. The extractor fan must be either connected to the light switch and have a minimum 15 minute overrun or controlled by a humidistat set to 65% relative humidity.

WC compartments

- WC compartments must be located within the residential premises, and not more than one floor distant and 30m horizontally from the users.
- Each WC compartment must be provided with a reasonably sized WHB (with a constant supply of cold and hot water).
- WC compartments must be provided with either an openable window or mechanical extraction capable of extracting to the external air at a rate of not less than four air changes per hour. The extractor fan must be connected to the light switch and have a minimum 15 minute overrun.

General

- The arrangements and layout of all rooms and facilities must be fit for purpose; in particular the arrangement must allow unobstructed entry and exit into the room and ease of use of the facilities within.

- Floor and wall surfaces must be in good repair, impervious and readily cleansable. Floor surfaces or coverings must be slip resistant when wet. Walls directly adjacent to WHBs, baths and showers must have impervious splash backs.
- Adequate natural and/or artificial lighting must be provided to the room/compartment to enable the facilities to be used in a safe manner.

DEFINITIONS

Bedsit – a one room unit of accommodation which **may** contain cooking facilities or bathroom facilities (but not both). Also see definition of non-cohesive living below.

Studio – a self-contained unit of accommodation that consists of one room functioning as bedroom, living room and kitchen with an en-suite bathroom.

Flat – a self-contained unit of accommodation consisting of two or more rooms behind the flat entrance door, one of which is designated as a bedroom, plus a bathroom and kitchen facilities.

Shared house/flat – an HMO which has shared communal space including a living room. The tenants will have typically moved in at the same time and live together as a cohesive group.

Cohesive living - a type of occupation where a group of tenants occupy the accommodation in a manner which is similar to a household or family. A group of tenants moving into accommodation together, under a single contract where there are clear indications of social interaction between the tenants, is an example of cohesive living.

Non-cohesive living – this will often be ‘room by room’ lettings - where bedrooms are let on an individual basis. Each bedsit or letting will be let to separate individuals who will live independently, with little or no communal living between tenants. Each letting will have its own individual tenancy agreement and there will usually be a lock on each individual letting door. There is unlikely to be a communal living or dining room.

Household – a household could be a single person or members of the same family who live together. This includes people who are married or living together, people in same-sex relationships, any member of a family (including aunts, uncles, nieces, nephews, cousins, grandparents and grandchildren and their partners; step children and foster children).

London Borough of Camden

HMO STANDARDS

FOR SELF-CONTAINED FLATS AND STUDIOS WITHIN A HOUSE IN MULTIPLE OCCUPATION

Housing Act 2004

Effective XXX

These are the standards that the London Borough of Camden will apply to self-contained flats and studios within a house in multiple occupation (HMO) defined by sections 254 and 257 of the Housing Act 2004. All such flats in Camden should comply with these standards although each property will be assessed on a case by case basis.

A section 257 HMO is a building converted entirely into self-contained flats where the standard of conversion does not meet the 1991 building regulation standard and one-third or more of the flats are rented out. LB Camden licenses those section 257 HMOs where less than 50% of the flats are owner occupied. A section 254 HMO is a house or flat occupied by 3 or more people who are not all part of the same family where any kitchen and bathroom facilities are shared or outside the dwelling.

In section 257 HMOs these standards apply to areas of the HMO under the control of the licence holder i.e. they will always apply to common parts and will apply to any unit(s) rented by the licence holder.

These standards do NOT apply to any flat or house occupied by a group of 3 or more tenants sharing facilities (who are not part of the same family). The HMO standards for section 254 HMOs will apply in this case.

Planning policy: The council is committed to the preservation of HMOs within the borough. The self-containment of shared accommodation may need planning permission and therefore you should always contact the Council's planning department if you propose to install kitchen or bathroom facilities within bedrooms or bedsits of HMOs.

FITNESS FOR HUMAN HABITATION

[The Homes \(Fitness for Human Habitation\) Act 2018](#) has clarified the responsibilities of landlords to ensure that their property, including any common parts of the building, is fit for human habitation at the beginning of the tenancy and throughout. The Council will therefore expect all HMOs to be fit for human habitation – the definition of fitness is contained in the [Landlord and Tenant Act 1985](#). A property may be unfit if:

- the building has been neglected and is in a bad condition
- the building is unstable
- there is a serious problem with damp
- it has an unsafe layout
- there is not enough natural light
- there is not enough ventilation
- there is a problem with the supply of hot and cold water
- there are problems with the drainage or the lavatories
- it is difficult to prepare and cook food or wash up
- there is a category 1 or 2 hazard under the housing health and safety rating System (HHSRS)

Note: Some of these issues are already addressed by the minimum standards detailed below. Others may be better addressed by the housing, health and safety rating system (HHSRS) in which case a referral may be made to the private sector housing enforcement team to take action under part 1 of the Housing Act 2004.

ROOM SIZES

Self-contained flats

For self-contained flats with separate rooms for living, sleeping and cooking, maximum occupation will be assessed under part 1 of the Housing Act 2004 and the national minimum prescribed standards below:

The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 states the minimum national room sizes for sleeping accommodation are as follows:

- The floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51m²
- 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 m²
- 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 m²
- Any room in the HMO with a floor area of less than 4.64 m² is not used as sleeping accommodation.

Note: The above room sizes relate to areas used for sleeping only. Kitchens and bathrooms will require additional space (see below).

Studios

For studios consisting of one room used for sleeping/living and containing kitchen facilities and an en-suite bathroom, maximum occupation will be assessed under Part 1 of the Housing Act 2004 and the standard below:

Minimum floor area for studio flats	
Single	Double
12m²	14m²

Note: The above room sizes do not include bathrooms, which will require additional space (see below)

FIRE SAFETY

- The HMO design, construction and condition should limit the spread of fire and smoke. In addition, there should be adequate fire protection to the means of escape and between each unit of accommodation. The HMO should also be provided with appropriate detection and alarm systems and, as appropriate, emergency lighting and firefighting equipment. All works to be carried out in accordance with LACORS national guidance on fire safety and the latest edition of BS5839: Part 6 (these provide more detailed information on how to assess and control risks in various types of HMO).

This note is not part of the standard but it is a legal requirement: *The common areas of blocks of flats, maisonettes and HMOs are subject to the Regulatory Reform (Fire Safety) Order 2005 and must have a Fire Risk Assessment (FRA) carried out by a responsible person. In practice the responsible person will usually be the licence holder, but could be the manager or managing agent.*

CARBON MONOXIDE

A BS EN 50291 kitemarked carbon monoxide alarm (mains or battery powered) should be fitted in any room where any fuel burning appliance is fitted, including those that burn gas, oil, coal and wood. This includes any room that has a flue running through it. If there is an enclosed boiler, it should be fitted just outside the enclosure. Alarms should be fitted in accordance with the British standard.

KITCHEN FACILITIES

The following kitchen facilities must be provided to each flat or studio:

Minimum floor area	
1 person	2 or more persons
4m²	4.5m²

- Kitchen facilities must be in a properly designed room or area, laid out so as to allow for the safe and hygienic preparation and cooking of food.
- kitchen facilities will include the following:
 - kitchen sink
 - cooking facilities
 - kitchen worktop
 - food storage (dry goods cupboards and fridge)
 - kitchen cupboards
 - power sockets
 - refuse storage
- A fire blanket (to comply with the current British Standard) must be provided to the kitchen of each flat. Fire blankets should be suitably located in a conspicuous position and generally nearer to the kitchen door than to the cooker.

Kitchen sink

- Integral sink and drainer of a suitable and practical size on a base unit, properly connected to the drainage system, and provided with an adequate and constant supply of drinking water and an adequate and constant supply of hot water, without fluctuation in temperature.

Cooking facilities

- Any cooker must be located remote from exit doors and away from windows.
- A minimum of two rings, conventional oven and grill. If a 'portable' cooker is provided it must be installed so that the cooking rings are level with the adjacent

work surfaces and properly secured, and have the capability to operate all rings and oven simultaneously.

- A standard microwave is not acceptable as a replacement for a conventional oven. However, a combination oven/grill/microwave is acceptable as long as an additional worktop area/secure shelf at eye level is provided to accommodate the appliance.

Kitchen worktop

- A usable, properly secured, readily cleansable work surface must be provided in a suitable position adjacent to the cooker in every kitchen or kitchen area. Worktop to be at the same height as the cooker rings. Minimum dimensions 600mm deep x 800mm wide.

Food storage - dry goods

- A cupboard for the storage of dry goods with a minimum storage capacity of 0.08 cubic metres. The recommended minimum dimensions to meet this requirement are:

Width: 30cm

Depth: 38cm

Height: 70cm

- The cupboard space in the unit below the sink is not suitable for dry goods storage.

Refrigerated food storage

- A refrigerator with a minimum capacity of 140 litres.

Kitchen cupboards

- Sufficient cupboards for the storage of kitchen utensils and crockery must be provided.

Power sockets

- Three double electrical sockets or equivalent. Two of these double sockets are to be suitably located above worktop level.
- In all cases, electrical sockets must be located at least 300mm horizontally from a sink, draining board or hob.

Refuse storage

- Provide impervious refuse storage containers within the kitchen with suitable close fitting lids.

Kitchen ventilation

- Mechanical extraction capable of extracting to the external air at a rate of not less than 60 litres/second must be provided. Or if a cooker hood is fitted, the extraction rate to the external air can be reduced to 30 litres/second. This should be operable by the tenant and the controls suitably located.

Kitchen lighting

- Kitchens must have adequate artificial lighting. Artificial lighting must be positioned to provide sufficient light to enable domestic and recreational activities to be carried out without eyestrain.
- Kitchen-diners must have sufficient natural lighting and adequate artificial lighting to enable domestic and recreational activities to be carried out without eyestrain.
- Windows must be of adequate size and of appropriate shape and position to allow for reasonable daylight penetration into rooms.

Kitchen floors

- Suitable non-slip, impervious and readily cleansable floor covering must be provided to kitchen areas.

Kitchen walls/ceilings

- Walls and ceilings to be readily cleansable and those directly adjacent to cookers, sinks and food preparation areas must be provided with impervious and readily cleansable splash backs.

HOUSEHOLD WASTE

Adequate provision for refuse storage and recycling should be provided in accordance with Camden's collection service requirements.

PERSONAL HYGIENE FACILITIES

Minimum floor areas for sanitary facilities

Sanitary facilities in appropriate room	Minimum floor area*
Bath only	2.3m²
Bath & WHB	2.5m²
Bath, WC & WHB	2.8m²
Shower only	1.7m²
Shower & WHB	2.0m²
Shower & WC & WHB	2.2m²
WC & WHB	1.2m²

* The minimum floor areas include the required drying and activity space.

Bathrooms

- Facilities must include a bath and/or shower, WC and wash hand basin (WHB).
- Baths, WHBs and showers are to be provided with a constant supply of cold and hot water.
- Any WHB provided in a bath/shower room must be of an appropriate size
- Facilities should be provided within an enclosed private space.
- Mechanical ventilation must be provided to bath/shower rooms which, operating together with any passive ventilation (openable window, air brick or flue), is capable of extracting to the external air at a rate of not less than four air changes per hour.

The fan must be connected to the light switch and have a minimum 15 minute overrun.

WC compartments

- Each WC compartment must be provided with a reasonably sized WHB (with a constant supply of cold and hot water).
- WC compartments must be provided with either an openable window or mechanical extraction capable of extracting to the external air at a rate of not less than four air changes per hour.

General

- The arrangements and layout of all rooms and facilities must be fit for purpose; in particular the arrangement must allow unobstructed entry and exit into the room and ease of use of the facilities within.
- Floor and wall surfaces must be in good repair, impervious and readily cleansable. Floor surfaces or coverings must be slip resistant when wet. Walls directly adjacent to WHBs, baths and showers must have impervious splash backs.
- Adequate natural and/or artificial lighting must be provided to the room/compartment to enable the facilities to be used in a safe manner.

HEATING

- Fixed space heating to be provided in every bedroom, living room, bathroom and kitchen diner. Space heating must be capable of maintaining a constant temperature of at least 21°C in sleeping rooms and bathrooms and at least 18°C in all other rooms.
- All heating sources must be provided with adequate controls to allow the occupants to programme and regulate the temperature within their unit of accommodation (e.g. provision of thermostatic radiator valves (TRVs), thermostat to electric heaters). As from 1st January 2018, all new heating sources must be Lot 20 compliant.
- Where there is a centralised heating system, heating should be available to individual tenants at all times.

POWER SOCKETS

- At least four (4) suitably located double sockets (or equivalent) must be provided to each sleeping room. Where there is a separate living room at least three (3) suitably located double sockets (or equivalent) must be provided to each room (sleeping and living rooms). This is in addition to those sockets provided in kitchen areas (where kitchen facilities are provided within a studio). Conventional electric sockets with additional but USB ports are acceptable but generally will not reduce the number of sockets required.

DEFINITIONS

Studio – a self-contained unit of accommodation that consists of one room functioning as bedroom, living room and kitchen with an en-suite bathroom.

Flat – a self-contained unit of accommodation consisting of two or more rooms behind the flat entrance door, one of which is designated as a bedroom, plus a bathroom and kitchen facilities.

London Borough of Camden

HMO STANDARDS

(HOSTELS)

Housing Act 2004

Effective XXX

These are the standards that the London Borough of Camden will apply to hostels. These standards are used by the council to determine the maximum number of occupiers and households for a hostel requiring a licence.

Hostel - accommodation usually being used to house a group of people with a common need, with services being provided (meals, housekeeping or welfare services etc).

For example: homeless persons, staff accommodation provided in connection with employment, unaccompanied minors, asylum seekers, ex-offenders, semi-independent living schemes etc. Hostels must have appropriate planning consent for lawful operation as a hostel.

All hostels in Camden should comply with these standards although each property will be assessed on a case by case basis.

Planning policy: The council is committed to the preservation of HMOs within the borough. The self-containment of shared accommodation may need planning permission and therefore you should always contact the Council's planning department if you propose to install kitchen or bathroom facilities within bedrooms or bedsits of HMOs.

FITNESS FOR HUMAN HABITATION

[The Homes \(Fitness for Human Habitation\) Act 2018](#) has clarified the responsibilities of landlords to ensure that their property, including any common parts of the building, is fit for human habitation at the beginning of the tenancy and throughout. The Council will therefore expect all HMOs to be fit for human habitation – the definition of fitness is contained in the [Landlord and Tenant Act 1985](#). A property may be unfit if:

- the building has been neglected and is in a bad condition
- the building is unstable
- there is a serious problem with damp
- it has an unsafe layout
- there is not enough natural light
- there is not enough ventilation
- there is a problem with the supply of hot and cold water
- there are problems with the drainage or the lavatories
- it is difficult to prepare and cook food or wash up
- there is a category 1 or 2 hazard under the housing health and safety rating System (HHSRS)

Note: Some of these issues are already addressed by the minimum standards detailed below. Others may be better addressed by the housing, health and safety rating system (HHSRS) in which case a referral may be made to the private sector housing enforcement team to take action under part 1 of the Housing Act 2004.

ROOM SIZES

The Government introduced national minimum room sizes in The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018. However, the Government emphasised these are a statutory minimum and are not intended to be the optimal room size. They stated “local housing authorities will continue to have discretion to require higher standards within licence conditions, but must not set lower standards”. The minimum room sizes below are those the Council has deemed appropriate to apply to HMOs in Camden.

Sleeping rooms

Minimum floor area where kitchen is provided in a separate room					Minimum floor area where kitchen facilities are located within the room				
1 person	2 persons	3 persons	4 persons	5 persons	1 person	2 persons			
7.5m ²	10.5m ²	14.5m ²	19m ²	22.5m ²	11m ²	13m ²			

- Not more than two persons may occupy a sleeping room which contains cooking facilities.
- Where the ceiling height is less than 1.5m the floor area beneath is not counted.
- If any personal washing facilities are included within the room, the area required for any facility as detailed in personal hygiene facilities (see page 11), must be excluded when calculating the overall room sizes.
- Floor area that cannot be used because of its shape or location must not be included when calculating room sizes.
- There must be at least one metre horizontal separation between each bed.
- If bunk-beds are provided the ceiling height must be sufficient to allow the occupant to sit on the top bunk.
- If bunk-beds are provided the upper level must only be used by those aged between 7 and 60 years of age.
- A child will be treated as a separate person/occupant.

HEATING

- Fixed space heating to be provided in every bedroom, living room, bathroom and kitchen diner. Space heating must be capable of maintaining a constant temperature of at least 21°C in sleeping rooms and bathrooms and at least 18°C in all other rooms.
- All heating sources must be provided with adequate controls to allow the occupants to programme and regulate the temperature within their unit of accommodation (e.g. provision of thermostatic radiator valves (TRVs), thermostat to electric heaters). As from 1st January 2018, all new heating sources must be Lot 20 compliant.
- Where there is a centralised heating system, heating should be available to individual tenants at all times.

POWER SOCKETS

- At least two suitably located double sockets (or equivalent) must be provided per bed space. This is in addition to those sockets provided in kitchen areas.

FIRE SAFETY

- The HMOs design, construction and condition should limit the spread of fire and smoke. In addition, there should be adequate fire protection to the means of escape and between each unit of accommodation. The HMO should also be provided with appropriate detection and alarm systems and, as appropriate, emergency lighting and firefighting equipment. All works to be carried out in accordance with LACORS national guidance on fire safety and the latest edition of BS5839:Part 6 (these provide more detailed information on how to assess and control risks in various types of HMO).

This note is not part of the standard but it is a legal requirement: *The common areas of blocks of flats, maisonettes and HMOs are subject to the Regulatory Reform (Fire Safety) Order 2005 and must have a Fire Risk Assessment (FRA) carried out by a responsible person. In practice the responsible person will usually be the licence holder, but could be the manager or managing agent.*

CARBON MONOXIDE

A BS EN 50291 kitemarked carbon monoxide alarm (mains or battery powered) should be fitted in any room where any fuel burning appliance is fitted, including those that burn gas, oil, coal and wood. This includes any room that has a flue running through it. If there is an enclosed boiler, it should be fitted just outside the enclosure. Alarms should be fitted in accordance with the British standard.

KITCHEN FACILITIES

If meals are provided by the management each case will be considered on an individual basis, in all other cases the kitchen facilities requirements detailed below will apply.

Shared kitchens

5 persons (1-set of kitchen facilities)	6 - 10 persons (2-sets of kitchen facilities)	11 – 15 persons (3-sets of kitchen facilities)
6m²	11m²	16m²

Shared kitchen diners

5 persons (1-set of kitchen facilities)	6 - 10 persons (2-sets of kitchen facilities)	11 – 15 persons (3-sets of kitchen facilities)
8m²	15m²	22m²

Exclusive use kitchens

Minimum floor area for separate exclusive use kitchen	
1 person	2 or more persons
4m²	4.5m²

Number of occupants sharing

- Five persons can share one full set of kitchen facilities. More than five persons will require an additional set of kitchen facilities. For example:

Number of individuals sharing kitchen	Minimum number of sets of kitchen facilities
Up to 5 persons	1 set
6 - 10 persons	2 sets
11 - 15 persons	3 sets

- Kitchen facilities must be in a properly designed room or area, laid out so as to allow for the safe and hygienic preparation and cooking of food.
- Where the bedrooms are more than one floor away from the kitchen, the kitchen must be provided with facilities to eat meals within the kitchen, for example a kitchen-diner or a separate dining room adjacent to the kitchen.
- A kitchen diner must be provided with an adequately sized table and number of chairs for the number of users.
- One full set of kitchen facilities will include the following:
 - kitchen sink
 - cooking facilities
 - kitchen worktop
 - food storage (dry goods cupboards and fridge/freezers)
 - kitchen cupboards
 - power sockets
 - refuse storage
- A fire blanket (to comply with the current British Standard) must be provided in each kitchen within the HMO. Fire blankets should be suitably located in a conspicuous position and generally nearer to the kitchen door than to the cooker.

Kitchen sink

- Integral sink and drainer of a suitable and practical size on a base unit, properly connected to the drainage system, and provided with an adequate and constant supply of drinking water and an adequate and constant supply of hot water, without fluctuation in temperature.

Cooking facilities

- Any cooker must be located remote from exit doors and away from windows.
- **Exclusive use kitchens or kitchens within bedsitting rooms** - a minimum of two rings, conventional oven and grill. If a 'portable' cooker is provided it must be installed so that the cooking rings are level with the adjacent work surfaces and properly secured, and have the capability to operate all rings and oven simultaneously. A standard microwave is not acceptable as a replacement for a conventional oven. However, a combination oven/grill/microwave is acceptable in an exclusive use kitchen as long as an additional worktop area/secure shelf at eye level is provided to accommodate the appliance.
- **Shared kitchens** - a full sized cooker with a minimum of four rings, conventional oven and grill, to be stable and securely fitted.

Kitchen worktop

- A usable, properly secured, readily cleansable work surface must be provided in a suitable position adjacent to the cooker in every kitchen or kitchen area. Worktop to be at the same height as the cooker rings.
- **Exclusive use kitchens** - minimum dimensions 600mm deep x 800mm wide for one household.
- **Shared kitchens** - a further 500mm (linear width) per additional person/household sharing e.g. minimum provision for five people is 2.8 linear metres of worktop.

Food storage - dry goods

- One cupboard for the storage of dry goods per person, with a minimum storage capacity of 0.08 cubic metres. The recommended minimum dimensions to meet this requirement are:
 - Width: 30cm
 - Depth: 38cm
 - Height: 70cm
- The cupboard space in the unit below the sink is not suitable for dry goods storage.
- Where more than five persons share a kitchen, each person's dry goods cupboard must be suitably secure.

Food storage - fridge/freezer

- A refrigerator with a freezer compartment, with a minimum capacity 140 litres for one to two persons.
- Kitchens shared by more than two people to have a separate refrigerator and a separate freezer. Each tenant must be provided with a shelf or area, of adequate size, within the refrigerator and freezer appliances for their sole use. The minimum capacity for each appliance is:

3 to 4 persons - 160 litres

5 persons - 200 litres

- Where more than five persons share a kitchen, each person must either be provided with individual refrigerator & freezer space or a separate refrigerator/freezer within their unit of accommodation.

Kitchen cupboards

- Sufficient cupboards for the storage of kitchen utensils and crockery in shared kitchens must be provided.

Power sockets

- **Exclusive use kitchens** - the requirement is for three double electrical sockets or equivalent. Two of these double sockets are to be suitably located above worktop level.
- **Shared kitchens** - there must be a minimum of five double electrical sockets or equivalent (at least three of these double sockets to be suitably located above worktop level) per full set of kitchen facilities. Therefore, two sets of kitchen facilities require a total of ten double sockets, six of which are to be above worktop level.
- In all cases, electrical sockets must be located at least 300mm horizontally from a sink, draining board or hob.

Refuse storage

- Provide impervious refuse storage containers within the kitchen with suitable close fitting lids.

Kitchen ventilation

- Mechanical extraction capable of extracting to the external air at a rate of not less than 60 litres/second must be provided. Or if a cooker hood is fitted, the

extraction rate to the external air can be reduced to 30 litres/second. This should be operable by the tenant and the controls suitably located.

- In internal rooms the mechanical extractor fan shall be controlled by the operation of the main room light switch and have a 15 minute overrun.

Kitchen lighting

- Kitchens must have adequate artificial lighting. Artificial lighting must be positioned to provide sufficient light to enable domestic and recreational activities to be carried out without eyestrain.
- Kitchen-diners must have sufficient natural lighting and adequate artificial lighting to enable domestic and recreational activities to be carried out without eyestrain. Windows must be of adequate size and of appropriate shape and position to allow for reasonable daylight penetration into rooms.

Kitchen floors

- Suitable non-slip, impervious and readily cleansable floor covering must be provided in separate kitchens and the kitchen areas of bedsitting rooms.

Kitchen walls/ceilings

- Walls and ceilings to be readily cleansable and those directly adjacent to cookers, sinks and food preparation areas must be provided with impervious and readily cleansable splash backs.

HOUSEHOLD WASTE

Adequate provision for refuse storage and recycling should be provided in accordance with Camden's collection service requirements.

PERSONAL HYGIENE FACILITIES

Ratios of bathing, wash hand basin and WC facilities:

4 or fewer occupants	Where there are 5 persons sharing facilities	Where there are 6 or more persons sharing facilities
<p>At least one bathroom with a fixed bath/shower, wash hand basin and a WC (which may be situated in the bathroom).</p>	<p>c) Two bathrooms each containing a bath/shower, WC and a wash hand basin.</p> <p><u>OR</u></p> <p>d) A bathroom containing a bath/shower/WHB and a WC/WHB in a separate compartment</p>	<ul style="list-style-type: none"> • 6 - 10 persons Two full sets of facilities (bath/shower/WC/WHB) • 11 – 15 persons Three full sets of facilities (bath/shower/WC/WHB) • 16 - 20 persons Four full sets of facilities (bath/shower/WC/WHB) etc <p><u>Note:</u> At least one of the WC/WHB's must be in a separate compartment.</p>

Note: See below for additional requirements for wash hand basins in bedsits or single units let individually.

Minimum floor areas for sanitary facilities

Sanitary facilities in appropriate room	Minimum floor area*
Bath only	2.3m²
Bath & WHB	2.5m²
Bath, WC & WHB	2.8m²
Shower only	1.7m²
Shower & WHB	2.0m²
Shower & WC & WHB	2.2m²
WC & WHB	1.2m²

* The minimum floor areas include the required drying and activity space.

Wash hand basins in single unit lets or bedsits

- Where reasonably practicable there must be a wash hand basin with splash back in each unit of accommodation (other than a unit containing a kitchen sink).

Note: This requirement is subject to the age, character, size and layout of the hostel and the existing provision of wash hand basins.

- Any WHB provided in a unit of accommodation must be a minimum size of 550mm x 400mm.

Bathrooms

- Bath/shower must be not more than one floor distant from any one unit of accommodation.
- Baths, WHBs and showers are to be provided with a constant supply of cold and hot water.
- Any WHB provided in a bath/shower room must be of an appropriate size.
- Shared facilities must be in a suitable enclosed and lockable room or compartment, so as to allow adequate privacy when using the facility. Where showers are located within a bedsitting room they should be provided with an enclosed private drying space except where there are sufficient alternative shared facilities available. Any door or window glazing must be obscured.
- Mechanical ventilation must be provided to bath/shower rooms which, operating together with any passive ventilation (openable window, air brick or flue), is capable of extracting to the external air at a rate of not less than four air changes per hour. The extractor fan must be either connected to the light switch and have a minimum 15 minute overrun or controlled by a humidistat set to 65% relative humidity.

WC compartments

- WC compartments must be located within the residential premises, and not more than one floor distant and 30m horizontally from the users.
- Each WC compartment must be provided with a reasonably sized WHB (with a constant supply of cold and hot water).
- WC compartments must be provided with either an openable window or mechanical extraction capable of extracting to the external air at a rate of not less than four air changes per hour. The extractor fan must be connected to the light switch and have a minimum 15 minute overrun.

General

- The arrangements and layout of all rooms and facilities must be fit for purpose; in particular the arrangement must allow unobstructed entry and exit into the room and ease of use of the facilities within.

- Floor and wall surfaces must be in good repair, impervious and readily cleansable. Floor surfaces or coverings must be slip resistant when wet. Walls directly adjacent to WHBs, baths and showers must have impervious splash backs.
- Adequate natural and/or artificial lighting must be provided to the room/compartments to enable the facilities to be used in a safe manner.

Changes to minimum standards

Insertion of information relating to The Homes (Fitness for Human Habitation) Act 2018. As mentioned, some of these issues will be addressed by the minimum standards and others using HHSRS under part 1.

Room sizes, sleeping rooms - ceiling height has been reduced to 1.5m in line with the DCLG technical housing standards (2015) and the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regs 2018.

Insertion of explanatory note regarding the the national minimum room size and the Council's own minimum room sizes as outlined in the Government guidance 'houses in multiple occupation and residential property licensing reform: guidance for local housing authorities'.

Stipulation that double rooms should be occupied by one household – not by two people on individual contracts

Heating – added 'Lot 20 compliant' New EU Ecodesign Directive – legal requirement from 1 Jan 2018.

Power sockets – added reference to USB ports to reflect change to use of sockets. Officer guidance will specify in what circumstances we might accept less sockets.

Fire safety - BS5839 Part 6 was updated in April 2019 which brought in changes which have not been incorporated in the LACORS fire safety guidance (2008) which in some respects is now out of date.

Carbon monoxide alarm – added so requirement in line with Building regulation standards across the UK and some of the requirements in British Standard BS EN 50292:2013

Kitchen facilities – clarifies that this lower room size of 4.8m² is only allowed where there is cohesive living

Kitchen mechanical ventilation –small changes to requirements to clarify

Wash hand basins in bedrooms – removed the need for a wash hand basin in each bedroom where there is cohesive living. Reference to where wash hand basin 'required' removed from minimum room size for single bedroom.

Wash hand basins in bathrooms – removed the need for a minimum size of 550mmx400mm. Whilst a full size WHB is preferable. Officers will ensure it is suitable for use, bearing in mind the space available and location.

Bathroom and WC ventilation – small changes to requirements to clarify

Separate HMO standards for self-contained flats and studios within HMOs defined by sections 254 and 257 of the Housing Act 2004. The standards for studios are the same in both.

Changes to definitions to help clarity.