

# **Licensing private rented accommodation**

## **Proposal to make a selective licensing designation in part of Canalside Ward**

January 2017



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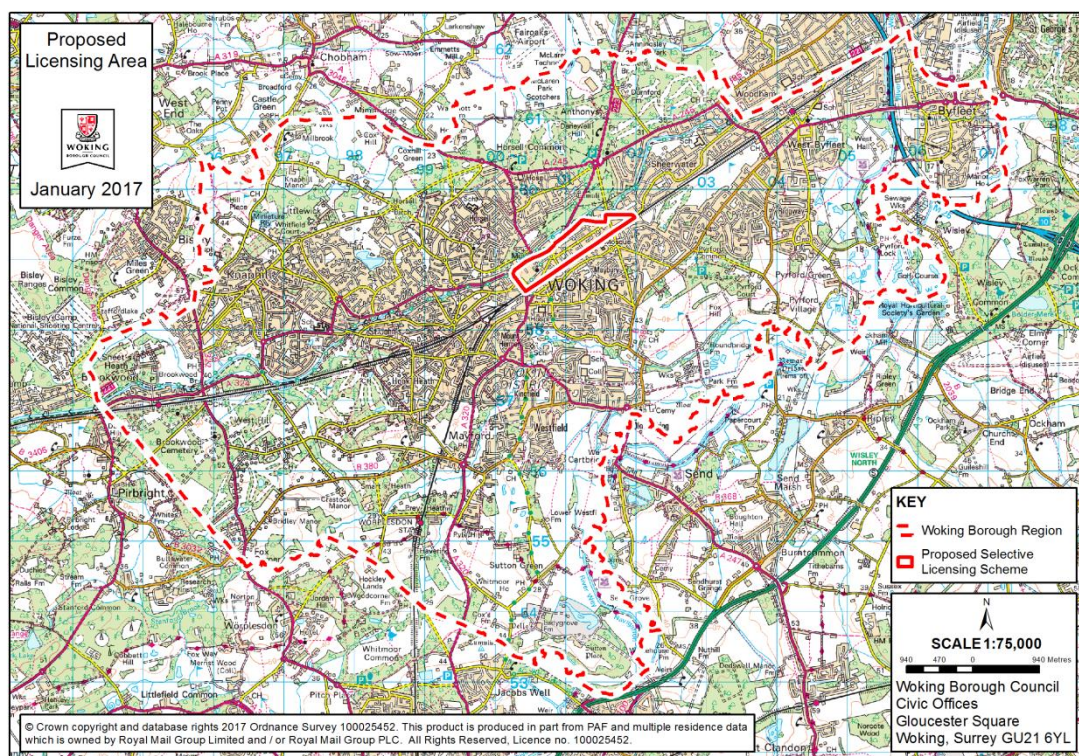
## Executive summary

Woking Borough Council is proposing to introduce a licensing scheme in a defined area of the Borough that would require all accommodation that is rented privately within the specified area to be licensed.

The proposed area experiences a combination of high levels of private renting associated with poor housing conditions, and comprises 1,827 dwellings of which 44% (804) are private rented.

The proposed area in which the scheme would operate comprises part of Woking town centre and Maybury (shown in Map 1).

Map 1 – Map of the proposed licensing area



Should the Council decide to make a designation it would come into force on 01 November 2017 and would last for three years. The designation would require that all private rented accommodation within the designated area is licensed by the Council for which a fee of £560.00 would be payable by private landlords when they make an application.

The Council is required to consult on its proposal, and following the careful consideration of the responses received during the public consultation, the Council will decide whether or not to make the selective licensing designation.

## **Why are we considering property licensing?**

Woking is an affluent borough which does not exhibit issues resulting from low housing demand, significant levels of anti-social behaviour, deprivation, or crime. Woking is also proud of its heritage – it is home to Britain's oldest purpose-built mosque dating from 1889 – and has responded positively to relatively high levels of migration over a number of years.

In short - Woking is a great place to live.

However, as a result the housing market across Woking is subject to increasingly high demand – fuelled by its location, employment opportunities and recreational space – and Woking is the second most expensive place in the UK to rent a double room ahead of London and behind Guernsey<sup>1</sup>.

Spiralling private rents have resulted in some forms of private rented accommodation becoming unaffordable for many residents, and this is especially the case for those on low incomes and/or in receipt of means-tested benefits. This has resulted in increasing demand for affordable private rented accommodation which has resulted in an unwelcome supply of poor quality accommodation within the private rented sector.

During the last three calendar years across Woking, the Council has received 531 complaints and other service requests from private tenants relating to poor private rented accommodation – an average of 177 each year. These service requests include concerns over disrepair, overcrowding, inadequate heating, fire safety and a range of other matters.

The Council has a wide range of tools available to intervene in the private rented sector and currently utilises its powers predominantly under Parts 1 and 2 of the Housing Act 2004 (housing conditions and licensing of HMOs respectively).

Although the Council actively uses these powers this achieves limited success. Where significant health and safety hazards are found by officers inspecting private rented accommodation enforcement action is instigated, for example by serving legal notices requiring the landlord to carry out remedial works.

To promote responsible renting, the Council launched a landlord accreditation scheme for private landlords and letting agents in September 2016, however the interest in the scheme has been low. Consequently it is not considered that accreditation in itself will provide the catalyst for improving standards in the private rented sector where the poorest conditions prevail.

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<sup>1</sup> <http://uk.easyroommate.com/s/flatshare-index/>

## **The benefits of a licensing scheme**

The Council's strategic vision sets out a number of aims including improving the health and well-being of community, and creating a sustainable community where people want to be. Key to fulfilling these aims is ensuring that the housing stock across Woking provides a decent place to live that also supports resident's health and well-being.

The introduction of a licensing scheme within a clearly defined area of the Borough will support the Council's strategic aims through:

- Improving housing conditions;
- Encouraging professional rental standards;
- Tackling landlords operating unlawfully;
- Reducing the incidence of tenant exploitation;
- Improving property management;
- Reducing overcrowding;
- Promoting the advantages of landlord accreditation;
- Reducing the incidence of harassment and unlawful eviction, and;
- Improving neighbourhood perceptions.

If the Council introduces a selective licensing scheme it is anticipated that every private rented property within the designated area will be inspected within the life of the designation, and that where significant health and safety hazards are found, enforcement action will be taken to remedy these hazards.

The private rented sector is often the only tenure choice for the most vulnerable households, and this remains the case in Woking. The combination of poor conditions, escalating rents, and the lack of security of tenure is a key cause of homelessness.

A licensing scheme in the private rented sector will help to address this issue by improving property conditions and landlord behaviours at the bottom of the private rented market.

## Legislative background

The Council's discretionary power to implement selective licensing of the private rented sector is set out in Part 3 of the Housing Act 2004. This enables the Council to require either all private rented properties within an area to be licensed with the Council (selective licensing), and/or to extend the mandatory licensing of certain HMOs to encompass additional sizes of HMOs (additional HMO licensing).

The designation requirements are set out in Sections 80–84 of the Housing Act 2004 and specify limited criteria that the Council must demonstrate apply to any selective licensing scheme. These were supplemented by The Selective Licensing of Houses (Additional Conditions) (England) Order 2015<sup>2</sup> which amended Section 80 in April 2015 to provide further additional conditions. Ministerial guidance (Selective Licensing in the private rented sector – A guide for local authorities) was issued in 2015 that accompanied the Order<sup>3</sup>.

As such, the proposed area must satisfy at least one of the following conditions (summarised):

- i) Low housing demand;
- ii) Significant and persistent problem caused by anti-social behaviour (ASB);
- iii) Poor property conditions;
- iv) High levels of migration;
- v) High levels of deprivation, or;
- vi) High levels of crime.

Also, if a designation is considered on the grounds of property conditions, migration, deprivation, or crime the area must have a high proportion of private rented sector properties, and this is currently considered as being a minimum of 19%<sup>4</sup> of the total stock in the area.

A selective licensing designation may only be implemented by a Council where the area in question comprises both less than 20% of the private rented sector in the borough and comprises an area of less than 20% of the total borough<sup>5</sup>. Schemes that do not meet these criteria require approval from the Secretary of State.

Where a licence is granted the licence will require the landlord to meet a range of licence conditions. Once the proposed designation has come into force, it will be a criminal offence for a private landlord to operate any private rented accommodation in the area without a licence. This offence carries an unlimited fine on summary conviction in the Magistrate's Court, and the Council may also apply to the First-tier Tribunal for a Rent Repayment Order (RRO), to recover certain housing benefit payments made in respect of the unlicensed property. Additionally, the Housing and Planning Act 2016 sets out proposals for the Council to issue a fixed penalty notice of up to £30,000 as an alternative to instigating prosecution proceedings.

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<sup>2</sup> The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 [SI 2015 No.977]

<sup>3</sup> Selective Licensing in the private rented sector – A guide for local authorities

<sup>4</sup> This is based on the national average for the PRS within the latest English Housing Survey – currently the 2014/15 English Housing Survey

<sup>5</sup> The Housing Act 2004: Licensing of houses in multiple occupation and selective licensing of other residential accommodation (England) General Approval 2015, Paragraph 6

## Woking demographics

The Borough of Woking lies in the western side of the County of Surrey. Its close proximity to London allied to excellent rail links to the capital, the south coast and the west country have resulted in Woking developing as a commuter town.

Woking is one of 11 Boroughs and Districts in Surrey and consists of 10 wards across 6,357 hectares, of which 60% is green belt.

The latest population estimate for Woking is 99,426 (2014), while the 2011 census indicated a population of 99,198 (representing a 10.4% increase since 2001). There are 39,467 households in Woking of which 6,566 are estimated to be rented privately – 16.6% of the total stock<sup>6</sup>.

Although Woking has a smaller private rented sector (16.6%) than the national average (currently 19.0%<sup>7</sup>), the private rented stock is not uniformly distributed across the Borough, with higher densities found linked to transport arteries and also in areas where the housing stock is older and where newer housing stock has been delivered for the property investment market.

Table 1 – Comparison of housing tenure by area

Area	Tenure		
	Owner-occupied	Social Rented	Private rented
England	63.6%	17.4%	19.0%
South East	68.7%	13.7%	17.6%
Surrey	73.9%	11.4%	14.7%
Woking	71.4%	11.9%	16.6%

By comparison with the rest of Surrey, Woking's private rented sector (16.6%) is larger than the average across Surrey (14.7%), and has the third-largest private rented sector within Surrey – half of one per cent smaller than the largest (Guildford Borough Council - 17.1%).

<sup>6</sup> Census 2011

<sup>7</sup> The English Housing Survey 2014/15

Table 2 – *Distribution of housing tenure across Surrey (percentages)*<sup>8</sup>

Council Area	Tenure		
	Owner-occupied	Social rented	Private rented
Elmbridge	73.8%	9.9%	16.3%
Epsom and Ewell	77.9%	8.0%	14.1%
Guildford	70.1%	12.8%	17.1%
Mole Valley	74.5%	12.2%	13.3%
Reigate and Banstead	74.3%	11.9%	13.8%
Runnymede	70.5%	12.9%	16.7%
Spelthorne	73.9%	12.4%	13.6%
Surrey Heath	77.6%	9.2%	13.2%
Tandridge	76.8%	10.8%	12.3%
Waverley	74.6%	12.3%	13.0%
Woking	71.4%	11.9%	16.6%

<sup>8</sup> Census 2011



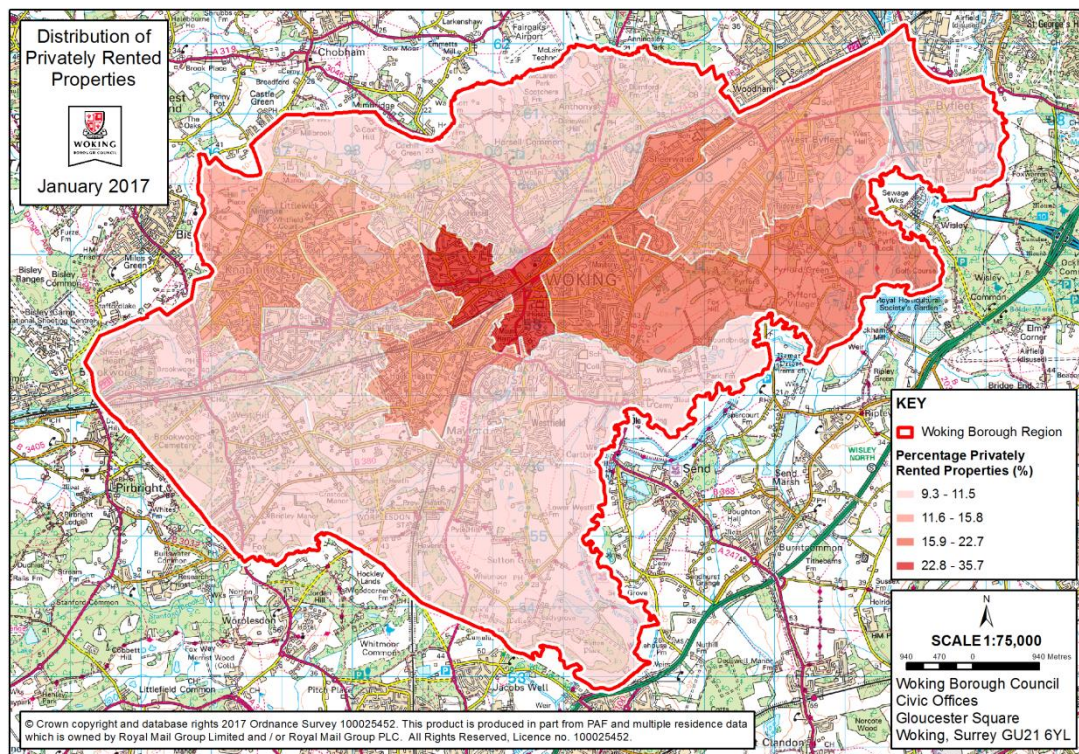
## Woking's private rented sector

The Council has undertaken a desktop review of the distribution of private rented accommodation across the Borough using the most recent Census data (2011 Census).

Census data is broken down into neighbourhood areas known as Middle Super Output Areas (MSOAs) with between 3,000–5,000 residents and these are further subdivided into smaller Lower Super Output Areas (LSOAs) with 1,000–3,000 residents.

This shows that with the exception of small localised hot spots (for example where a single block of flats is predominantly private rented) that the highest incidence of private renting was located in and around the town centre area where easy access is afforded to both transport links and employment.

Map 2 – Distribution of private rented sector across Woking



Census data (see Map 2) suggests a concentration of private rented sector properties within Middle Super Output Areas 004, 006, and 008. Each of these areas have higher than the national average percentages for private renting (19.0%), and are the only MSOAs to exceed this level of private renting across Woking.

In these areas there are 10,707 properties (27% of the total housing stock) providing 2,827 private rented properties which equates to 43% of the total private rented stock across Woking.



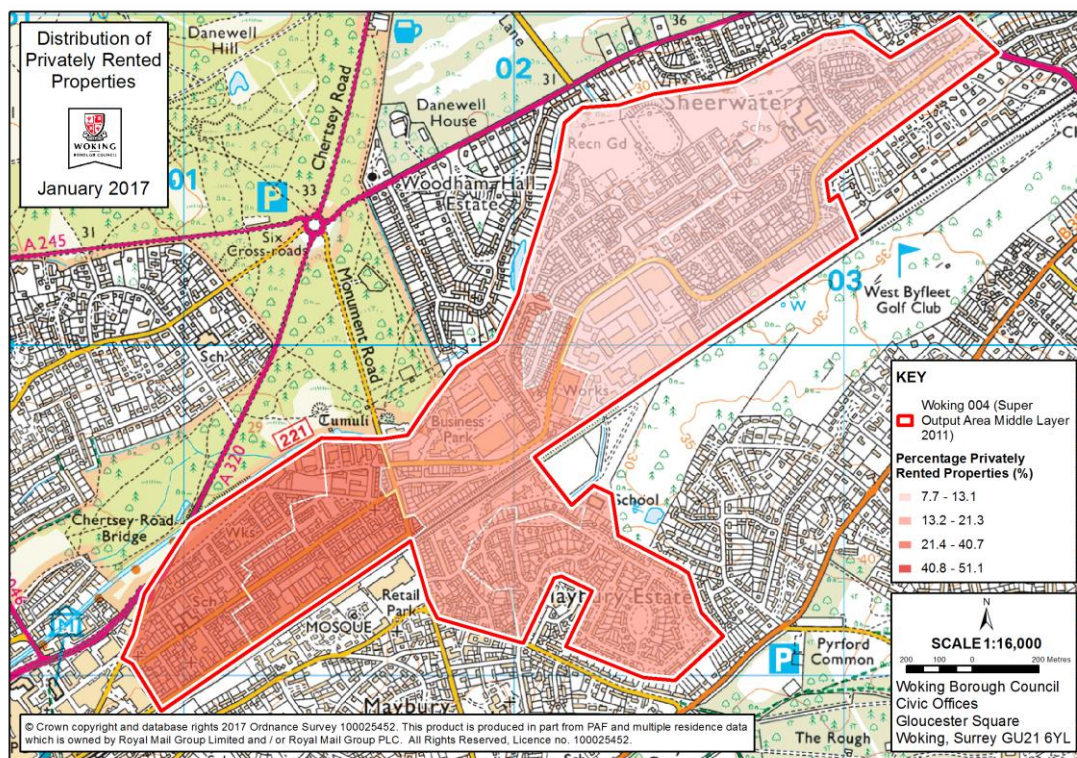
The MSOAs are in many cases diverse areas, and there is often a wide variance between the Lower Super Output Areas (LSOAs) that form each MSOA. For example LSOA 002E (West Byfleet) and LSOA 007E (Knaphill) both exhibit high levels of private renting (26.7% and 23.7% respectively), however these levels are attributable to very localised concentrations of privately rented properties rather than expressing a wider trend across a larger neighbourhood area.

Similarly, further analysis of the Middle Super Output Areas 004, 006, and 008 show variations in the level of private renting with only some LSOAs exhibiting higher than (national) average levels of private renting. These variations can be seen in Maps 3, 4 and 5.

Within MSOA 004 (see Map 3) high concentrations of private rented properties can be seen in the Maybury area north of the mainline railway and to the west of Monument Road, and while the levels of private renting reduces for the remainder of Maybury and the Maybury Estate the levels remain higher than the national average.

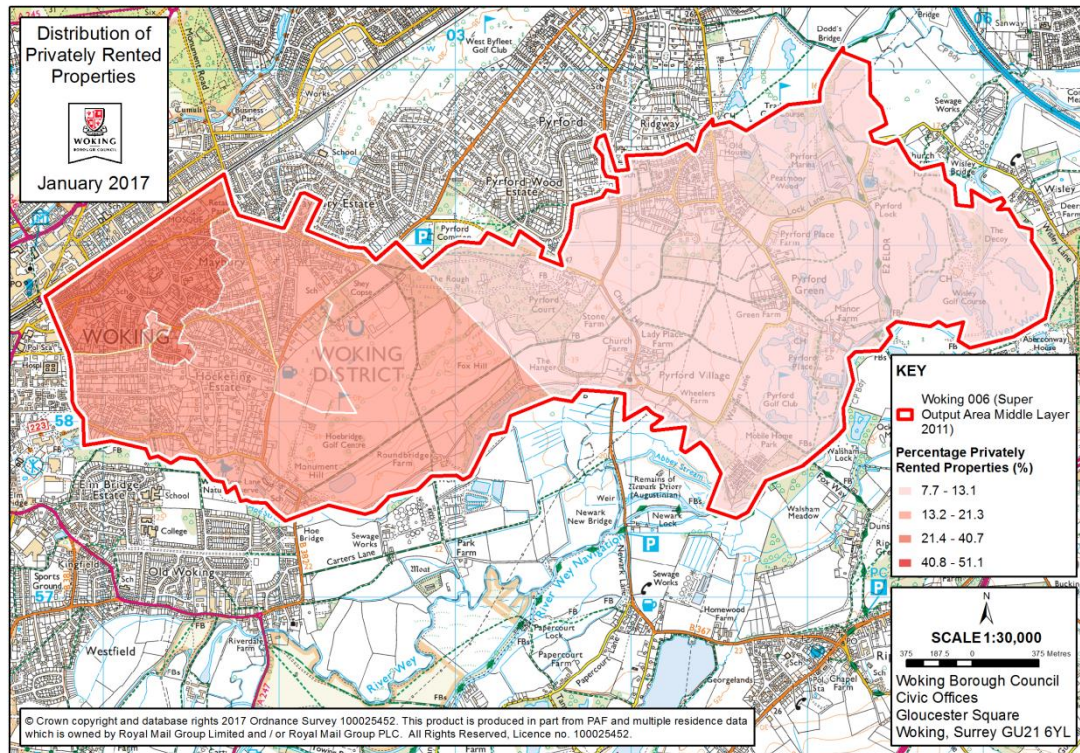
As would be expected there are reduced concentrations of private renting in Sheerwater which is predominantly an area of social housing.

**Map 3 – Distribution of private rented properties within key Middle Super Output Areas (MSOAs) – Woking 004**



Within MSOA 006 (see Map 4), again the level of private renting within Maybury on the southern side of the railway is high, with the concentration reducing with distance from the town centre and railway.

*Map 4 – Distribution of private rented properties within key Middle Super Output Areas (MSOAs) – Woking 006*

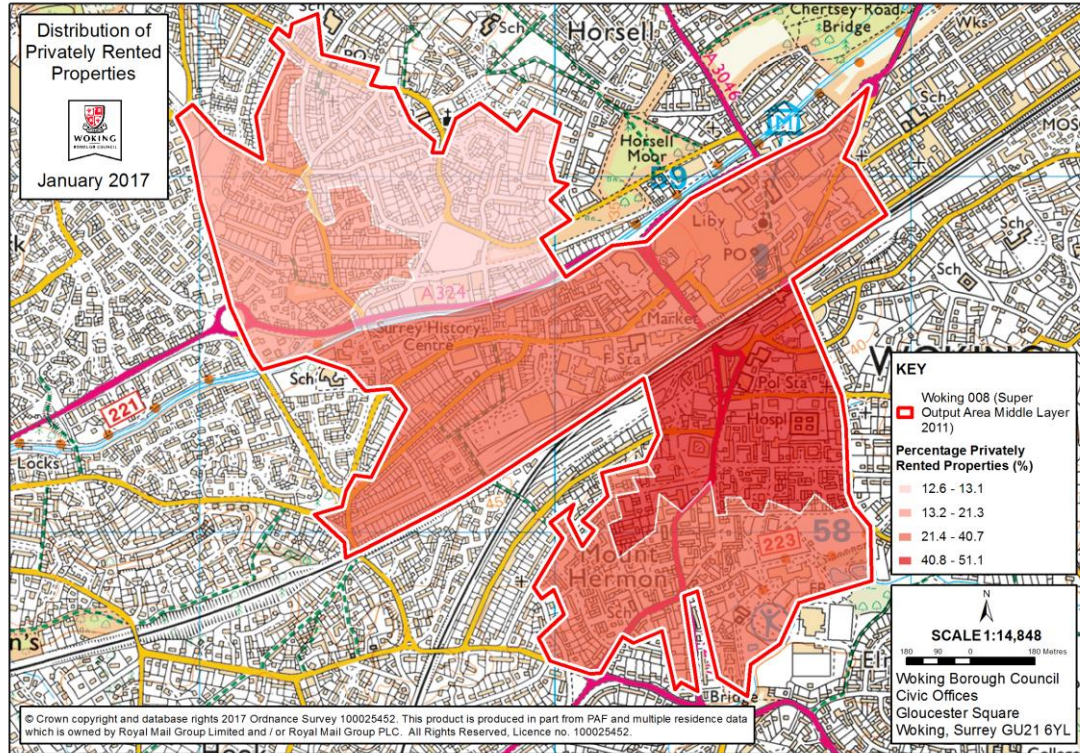


The distribution of private renting in MSOA 008 (see Map 5) continues the trends shown in MSOAs 004 and 006, with high concentrations of private rented properties across the town centre area north of the railway and adjacent to Maybury which once again reduce with distance from the town centre.



On the southern side of the railway the highest levels of private renting can be seen within the Mount Hermon area – an area largely characterised by blocks of purpose-built flats including large modern developments that have attracted the buy-to-rent market.

*Map 5 – Distribution of private rented properties within key Middle Super Output Areas (MSOAs) – Woking 008*



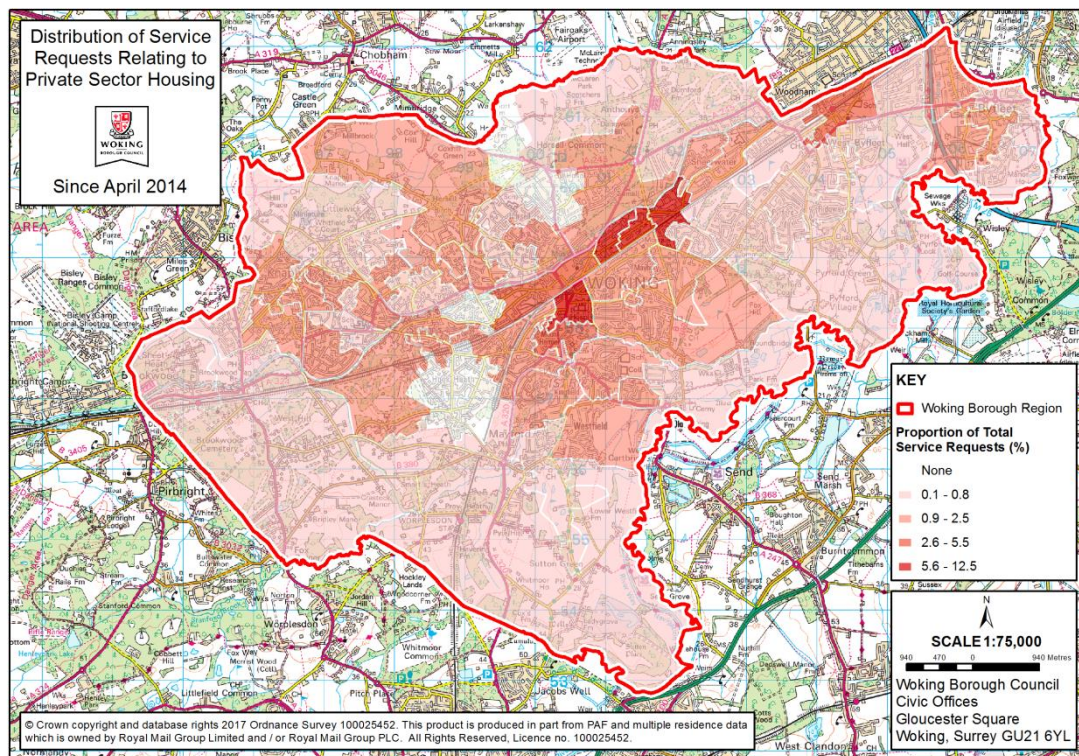
## Why intervene in Canalside Ward?

Canalside Ward lies to the north of the mainline railway line and includes the town centre and Maybury areas that exhibit high levels of private renting. The Ward contains some of the oldest private rented housing stock in the Borough and the Council receives proportionally more complaints and other service requests from private tenants living in parts of Canalside Ward.

Through the interrogation of data from individual LSOAs forming Middle Super Output Areas 004A, 004C, 004D and 008A there is a clearly defined area within Canalside Ward that is formed by the town centre area and a large portion of Maybury which exhibits exceptionally high levels of private renting (of around 39%) based on Census data (and including estimates where complete data is not available for a part LSOA).

There is a strong correlation between the concentration of private renting and the number of service requests received by the Council in respect of tenants' issues with private rented accommodation, with the highest proportion of service requests being generated from the town centre and Maybury areas within MSOA 004 north of the railway, along with the Mount Hermon area south of the railway within MSOA 008.

*Map 6 – Distribution of service requests relating to private sector housing (since April 2014)*

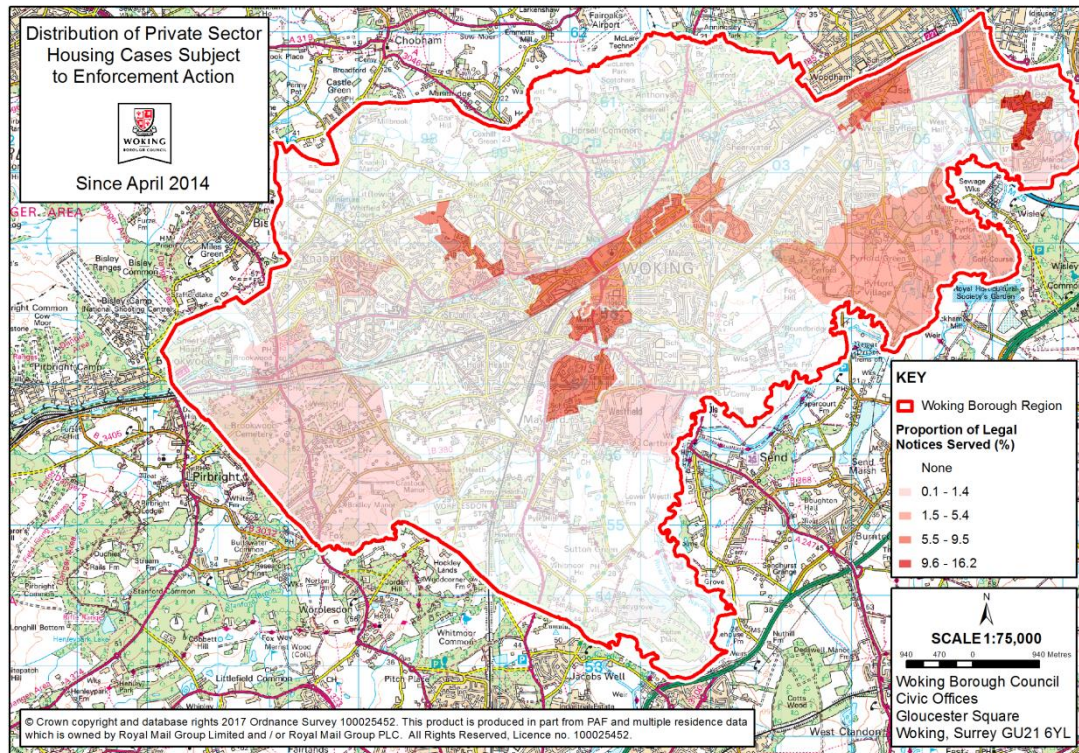


Unsurprisingly, the increased occurrence of enquiries from private tenants in this area has also resulted in an increased number of enforcement interventions being instigated within Canalside Ward.



It can also be seen that there are areas of Woking where higher levels of private sector housing enforcement have been instigated that do not necessarily correlate with areas experiencing high levels of private renting. This can be attributed to enforcement activity relating to pockets of private renting within a small neighbourhood area rather than highlighting a key concern with the private rented stock within the neighbourhood.

*Map 7 – Distribution of private sector housing cases subject to enforcement action (since April 2014)*

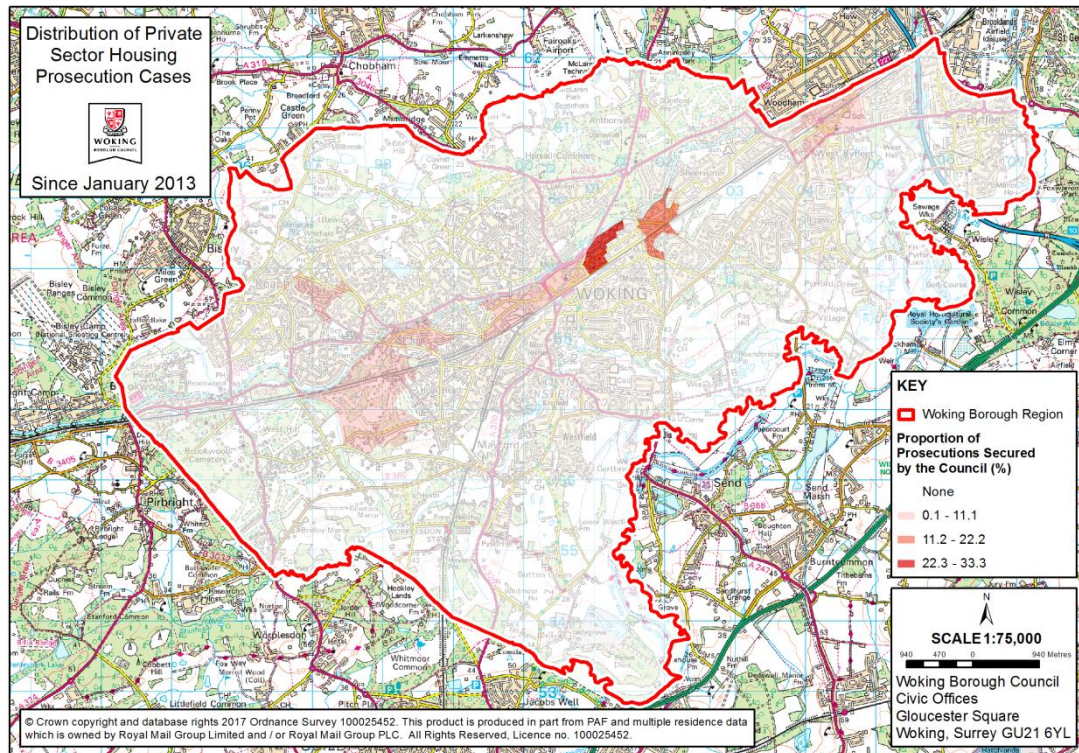


Where appropriate and proportionate, the Council instigates prosecution proceedings to protect the health, safety and welfare of private sector tenants, including cases where either the most serious offences have been identified that have warranted immediate prosecution, or where private landlords have failed to comply with the Council's enforcement action within required timescales.

The distribution of cases where private landlords have been subject to prosecution proceedings due to breaching housing-related legislation highlights that private landlords managing rented accommodation within the Maybury area north of the railway line and within MSOA 004 have been subject to proceedings more often than landlords operating elsewhere in the Borough.

It can also be seen that there are other areas of Woking where high levels of requests for service and/or enforcement interventions do not then result in the instigation of prosecution proceedings, and this suggests that private landlords operating in other parts of the Borough are more likely to comply with legislative requirements than those operating with parts of Canalside Ward.

Map 8 – Distribution of private sector housing prosecution cases (since January 2013)



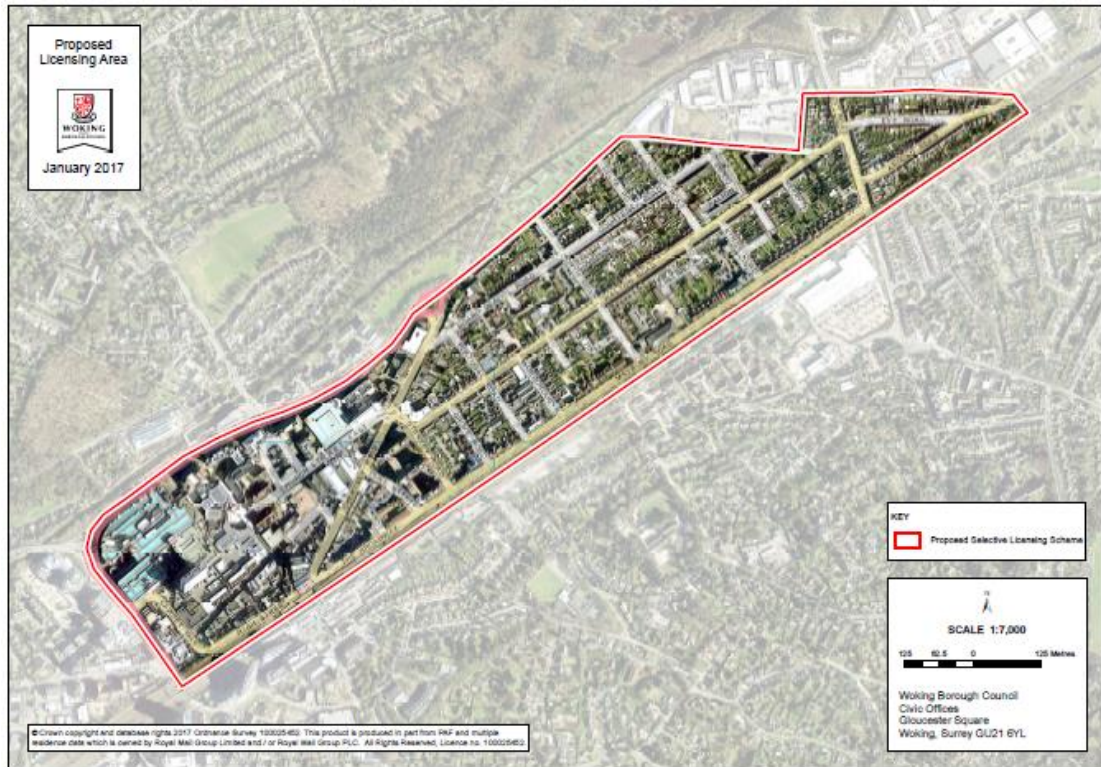
Canalside Ward also features consistently as an area of high private renting, with MSOA 004A, 004D and 008A all either wholly or partially forming part of the Ward. Further analysis of MSOA 004C also shows a high proportion of private renting within the area of that MSOA that does not cover Sheerwater (an area predominantly comprising social housing).

This area (shown in Map 9 below) comprises an area that exhibits both high levels of private renting, high levels of private sector housing enforcement action and is also defined by clear boundaries - i.e. the mainline railway to the south east, main roads to the majority of all other boundaries, and areas of light industrial use bordering the residential area.

It is this area of Canalside Ward that is the subject of the proposal to introduce a licensing scheme for all private rented accommodation (as set out below in Map 9).



Map 9 – Proposed licensing area within Canalside ward



© Getmapping plc



## **Assessing property conditions in the proposed licensing area**

During October 2016 the Council commissioned a housing stock condition survey within the proposed area of Canalside Ward that is the subject of this proposal. The stock condition survey was undertaken by a specialist company (David Adamson & Partners Ltd) who have a proven track record of undertaking stock condition surveys for local authorities to recognised surveying and statistical standards.

Prior to the survey, based on Census data the area was believed to contain around 1,630 dwellings of which around 620 were thought to be privately rented. The survey aimed to deliver 300 physical surveys of dwellings within the area (across all tenures) and this represented a far larger sample than would normally be the case for a stock condition survey of this type, and was intended to ensure optimum accuracy and statistical robustness.

The survey report detailing the results of the stock condition survey is available separately, and a summary of the results is as follows:

The survey found:

- The number of dwellings in the area totals 1,827
- The proportion of properties that fail the decent homes standard is higher than the national average
- The number of dwellings rented privately is 804 (44%)
- The number of private rented dwellings that fail the decent homes standard is 151 (19.4%)
- The proportion of owner-occupied homes (33%) is far lower than the national average (63%)
- Two-thirds of the properties in the area are flats, with one-third being houses
- Over three-quarters of the private rented properties are flats

Housing is a key determinant of health, and poor housing impacts directly on the health and well-being of residents. Despite the enforcement activity undertaken by the Council within Canalside Ward, one in five private rented properties within the proposed area currently fail the decent homes standard.

## Summary of the proposal

Woking Borough Council is consulting on the proposal to designate an area of Canalside Ward as a selective licensing scheme which will require all private rented properties to be licensed with the Council from the commencement date of the scheme.

A map of the proposed area is set out in Appendix 1, and an address list of the current properties within the area can be found at Appendix 2.

This proposal to designate an area of Canalside Ward as a selective licensing scheme is founded on:

- i) the proposed area having 44% of all properties private rented, which exceeds the requirement of a minimum of 19% of private rented dwellings, and;
- ii) that those private rented dwellings meet the criteria for poor housing conditions as set out in the Selective Licensing of Houses (Additional Conditions) (England) Order 2015<sup>9</sup>, in so far as;
- iii) 19.4% of the private rented dwellings in the proposed area fail the decent homes standard.

The Council is satisfied that the designation of this area as an area to which a selective licensing scheme applies is a decision that can be taken by the Council as the proposed area comprises less than 20% of the private sector housing stock in the Borough, and does not exceed 20% of the geographical area of the Borough.

## How to have your say on this proposal

The Council welcomes your views on this proposal, to respond please visit:

**[www.woking.gov.uk/haveyoursay](http://www.woking.gov.uk/haveyoursay)**

**The consultation closes on Sunday 30 April 2017, all responses must be received by this date.**

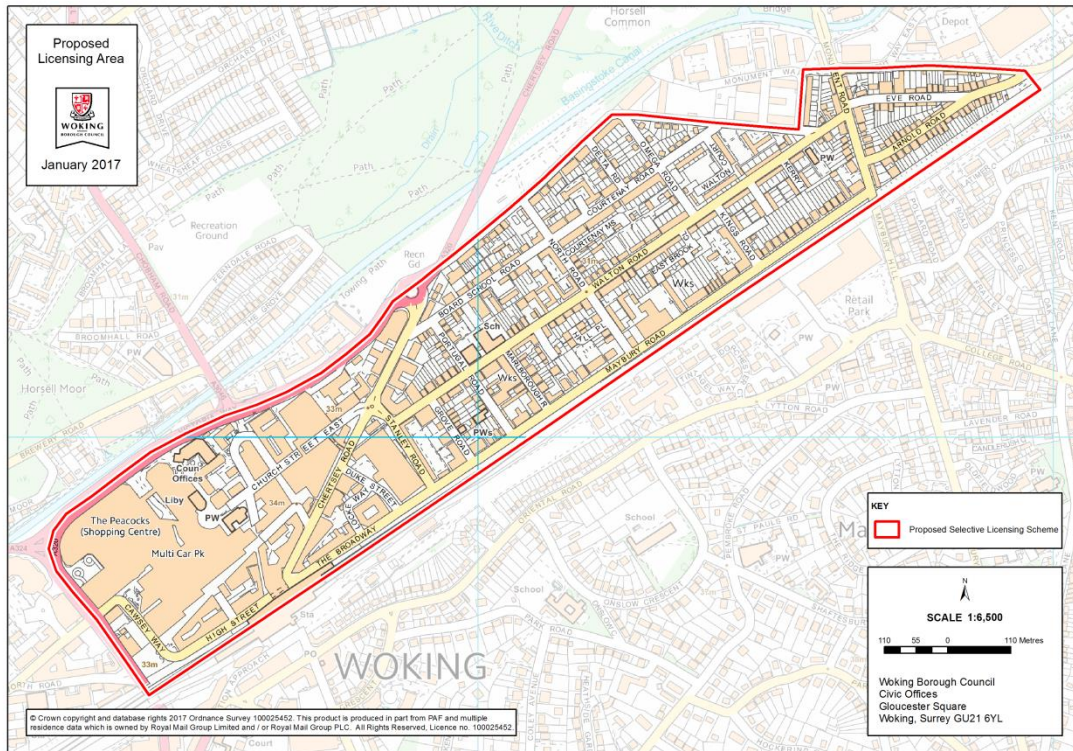
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<sup>9</sup> Paragraph 4

# Appendices

## Appendix 1 – The proposed selective licensing area

The area proposed to be subject to selective licensing is denoted by the red line below:



**Appendix 2 – The address details within the proposed selective licensing area**

The proposed area to be subject to selective licensing comprises the residential addresses as set out below:

Road name	Property numbers	Road name	Property numbers
ADDISON ROAD	All	HALL PLACE	All
ARNOLD ROAD	All	HIGH STREET, WOKING	All
BEDSER CLOSE	All	KERRY TERRACE	All
BOARD SCHOOL ROAD	All	KILRUSH TERRACE	All
BOUNDARY ROAD	All	KINGS ROAD, WOKING	All
BURLEIGH GARDENS	All	KINGSMEAD	All
CAWSEY WAY	All	LANCASTER CLOSE	All
CHAPEL STREET	All	LOCKE WAY	All
CHERTSEY ROAD	1 to 135 (odds) 2 to 100 (evens)	MARLBOROUGH ROAD	All
CHOBHAM ROAD	Town centre only from junction with Chertsey Road to Christchurch Way	MAYBURY ROAD	All
CHRISTCHURCH WAY	All	MERCIA WALK	All
CHURCH PATH	All	MOLLOY COURT	All
CHURCH STREET EAST	All	MONUMENT ROAD	1 to 53 (odds) 2 to 48 (evens)
CHURCH STREET WEST	Part from the junction with Victoria Way to Cawsey Way	MONUMENT WAY EAST	No residential properties affected
COMMERCIAL WAY	All	NORTH ROAD	All
COURTENAY MEWS	All	OMEGA ROAD	All
COURTENAY ROAD	All	PORTUGAL ROAD	All
DELTA ROAD	All	STANLEY ROAD	All
DUKE STREET	All	THE BROADWAY	All
EASTBROOK CLOSE	All	VICTORIA WAY	Town centre side from junction with Chertsey Road to Goldsworth Road
EVE ROAD	All	WALTON COURT	All
GLOUCESTER SQUARE	All	WALTON ROAD	All
GLOUCESTER WALK	All	WALTON TERRACE	All
GROVE ROAD	All	WEST STREET	All
		WOLSEY WALK	All

**Appendix 3 – Key data relating to the proposed selective licensing area**

The proposed area to be subject to selective licensing has the following attributes in respect to its area and the proportion of the private rented sector within the Woking Borough:

	Number of private rented sector properties	Geographical area
Woking Borough	6,566	63.60km <sup>2</sup>
Proposed area	804	0.55km <sup>2</sup>
Notes	12.2% of private rented properties are within the proposed area	The area comprises 0.9% of the total Borough

**Appendix 4 – The details of the Super Output Areas (SOAs) forming the proposed selective licensing area**

The proposed area to be subject to selective licensing comprises the following Super Output Areas:

SOA (Middle)	SOA (Lower)
Woking 004A	E00157942
Woking 004A	E00157945
Woking 004A	E00157950
Woking 004A	E00157947
Woking 004D	E00157929
Woking 004D	E00157940
Woking 004D	E00157948
Woking 004D	E00157951
Woking 004C	E00157941
Woking 004C	E00157943 (Part)
Woking 008A	E00157805 (Part)

**Appendix 5 – Prosecution cases relating to housing standards offences**

The following table sets out prosecutions secured by the Council since January 2013:

Date	Address	Post Code	Offence
25/03/2013	14 Chapel Street, Woking	GU21 6BY	Operating an unlicensed HMO
20/05/2013	15 Nursery Road, Knaphill	GU21 2NN	Failure to comply with Prohibition Order
16/09/2014	75A Walton Road, Woking	GU21 5DW	Operating an unlicensed HMO
14/04/2015	12 Moorholme, Woking	GU22 7QZ	Operating an unlicensed HMO; Failure to comply with HMO Management Regulations, and; Providing false documents
13/10/2015	14 Walton Road, Woking	GU21 5DL	Failure to comply with HMO Management Regulations
24/05/2016	17 Monument Road, Woking	GU21 5LR	Failure to comply with HMO Management Regulations
09/08/2016	75A Walton Road, Woking	GU21 5DW	Failure to comply with Prohibition Order
30/08/2016	21 Monument Road, Woking	GU21 5LR	Failure to comply with HMO Management Regulations
20/09/2016	18 Station Approach, West Byfleet	KT14 6NF	Failure to comply with HMO Management Regulations; Failure to comply with Improvement Notice, and; Failure to comply with Requisition for Information
11/10/16	15 Park View Court, Woking	GU22 7SE	Harassment under Section 1 (3A) of the Protection from Eviction Act 1977
10/01/16	22 Bainton Mead, Woking	GU21 3LW	Failure to comply with two Improvement Notices <sup>10</sup> Failure to comply with Requisition for Information <sup>11</sup>

<sup>10</sup> Included here for completeness, but prosecution secured after time period for data analysis.

<sup>11</sup> Included here for completeness, but prosecution secured after time period for data analysis.



## **Appendix 6 – The proposed licence conditions to apply to licences granted**

The following conditions are proposed to apply to all licences granted in the proposed selective licensing scheme.

### ***Notices to be displayed in the property***

1. *The licence holder shall ensure that:*
  - i) *A copy of the licence and all conditions are displayed prominently in the common area of the property at all reasonable times;*
  - ii) *A copy of the current gas safety certificate (if applicable) is displayed prominently in the common area of the property at all reasonable times;*
  - iii) *Details of what action should be taken by tenants in the event of an emergency are displayed prominently in the common area of the property at all reasonable times, and;*
  - iv) *A sign stating that anti-social behaviour in the premises will not be tolerated is displayed prominently in the common area of the property at all reasonable times.*

### ***Documents to be submitted to the local authority***

2. *The licence holder shall submit to Woking Borough Council:*
  - i) *A copy of the annual gas safety certificate (if applicable) each year, and;*
  - ii) *A current periodic inspection report for electrical installations within twelve months of the licence being granted.*

*The electrical safety inspection must be carried out by a registered electrician (i.e. as set out by the Registered Competent Person Electrical Register ([www.electricalcompetentperson.co.uk](http://www.electricalcompetentperson.co.uk))).*

### ***Documents to be submitted to the local authority when asked***

3. *The licence holder shall submit to Woking Borough Council when asked a declaration as to the:*
  - i) *Safety of the electrical appliances;*
  - ii) *Condition and positioning of the smoke alarms, and;*
  - iii) *Safety of any furniture that has been provided by the licence holder.*
4. *The licence holder shall retain copies of all tenancy agreements for the property and produce them within 14 days of a request to do so by Woking Borough Council.*
5. *The licence holder shall submit to Woking Borough Council, within 14 days of a request, a copy of the record of all complaints regarding anti-social behaviour received from occupiers, visitors and neighbours and the actions taken to prevent further complaints.*

### **Documents to be provided to the tenants**

6. *The licence holder shall provide each occupier with a written statement of the terms on which they occupy.*

*The written statement should include the following information: how deposits will be held and terms of return; an inventory of contents and condition at the commencement of the tenancy; details of rent and dates due, rent payment methods and how and when rent may be increased; and provide contact information for the property.*

7. *The licence holder shall provide each tenant with a legal written tenancy agreement.*

### **Management duties**

8. *The licence holder shall ensure that all:*

- i) Electrical appliances made available by the licence holder are kept in a safe condition;*
- ii) Smoke alarms, fire precautions and fire fighting equipment installed in the property are kept in proper working order;*
- iii) Furniture made available by the licence holder is kept in a safe condition, and;*
- iv) Smoke detection, fire alarm and emergency lighting installations are serviced at least every 12 months in accordance with BS 5839 & BS 5266 respectively.*

9. *The licence holder shall:*

- i) Keep a logbook of all maintenance, repairs, and servicing of smoke detection, fire alarm and emergency lighting installations, which shall be produced at the request of the tenants and/or the Council at all reasonable times;*
- ii) Allow entry to the common parts of the house by Council Officers or Fire Officers at all reasonable times. All reasonable assistance shall be given to those officers in carrying out their duties;*
- iii) Ensure that all houses in multiple occupation are compliant with Woking Borough Council's approved standards for houses in multiple occupation, and;*
- iv) Ensure that all amenities, facilities and equipment provided for occupants are adequately maintained and remain available for use at all times.*

### **Duty to notify the local authority**

10. *The licence holder shall notify Woking Borough Council, in writing:*

- i) Of any proposal to increase the number of licensed persons or households living in the house, and;*
- ii) Detailing all incidents of fire, damage to equipment provided for fire safety purposes, criminal activities in the house and incidents involving carbon*

*monoxide poisoning (i.e. all fires, vandalism, gas poisoning (suspected or otherwise), etc.).*

11. *The licence holder and their managing agent shall inform the Council of any relevant changes in their circumstances including any:
  - i) *New convictions/cautions which may be relevant to the fit and proper person test;*
  - ii) *Change in ownership or management of the licensed property; and*
  - iii) *Substantial works carried out at the licensed property.**
12. *The licence holder shall submit a completed licence application to reapply for a licence 28 days prior to the expiry date of the existing licence.*

### **Anti-Social Behaviour**

13. *The licence holder shall take reasonable steps to prevent occurrences of anti-social behaviour.*

*One example of preventing occurrences of antisocial behaviour is obtaining satisfactory references to determine prospective tenant's suitability.*
14. *The licence holder shall keep a record of all complaints regarding anti-social behaviour received from occupiers, visitors and neighbours.*

*The record shall include the:*

  - i) *Date and time of complaint;*
  - ii) *Name and address of complainant (person making complaint);*
  - iii) *Date and time of incident;*
  - iv) *Details of the incident/complaint (location, what exactly happened, who was involved);*
  - v) *Details of any witnesses;*
  - vi) *Name and address of the alleged 'perpetrator', and;*
  - vii) *Action taken by the licence holder to resolve the problem (e.g. contact made with the 'alleged perpetrator'; face to face or by letter or both).*
15. *The licence holder shall take all reasonable and practicable steps to reduce anti-social behaviour by persons occupying or visiting the house and shall if appropriate take legal advice and act either to issue formal warnings or evict those responsible for the anti-social behaviour.*

### **Permitted numbers**

16. *The maximum number of occupants who can occupy the letting rooms are shown below, please note that the maximum number of occupants (of any age) must not exceed «number» at any time:*

#### **Room location – maximum number of occupants**

Room «**location**» – «**number**» Occupiers maximum

## Appendix 7 – The proposed fees to apply to licence applications

The following fees are proposed to apply to all licence applications within the proposed selective licensing scheme:

Application type	Fee	Notes
<u>Licence applications</u>		
Selective licence new application	£560.00	<i>Maximum 3 year licence period</i>
Selective licence new application – accredited landlord	£200.00	<i>Applies where the proposed licence holder is an accredited landlord within the Woking Private Landlord Accreditation Scheme or other recognised accreditation scheme (e.g. NLA, RLA, LLAS)</i>
<u>Licence renewals</u>		
Selective licence renewal application	£420.00	<i>For renewal of licences issued for less than three years within the proposed scheme</i>  <i>New application required if renewal application is not received before licence expires</i>
Selective licence renewal application – accredited landlord	£200.00	<i>Applies where the proposed licence holder is an accredited landlord within the Woking Private Landlord Accreditation Scheme or other recognised accreditation scheme (e.g. NLA, RLA, LLAS)</i>  <i>New application required if renewal application is not received before licence expires</i>
<u>Licence variations</u>		
Change of licence holder	New application fee	<i>Licences are not transferrable and where there is a change of licence holder a new application will be required</i>
Change of property owner, freeholder, mortgagor and leaseholder	No fee	<i>Does not include change of licence holder</i>
Change of property manager	No fee	<i>Does not include change of licence holder</i>
Change of address details	No fee	<i>For a changes of address for any party</i>
Increase in the maximum number of occupiers	No fee	
Increase in the number of rooms, or changes in room sizes and/or amenities	No fee	
Licence variation instigated by the Council	No fee	

Application type	Fee	Notes
<u>Licence revocations</u>		
Revocation of licence	No fee	<i>No refund applicable where licences are revoked before their expiry date</i>
Licence application following revocation	New application fee	
<u>Others</u>		
Licence application refused	Application fee	<i>No refund given</i>
Property ceases to be licensable during the application process	Application fee	<i>No refund given</i>
Application withdrawn by applicant	Application fee	<i>No refund given</i>
Application made in error	No fee	<i>Any application fee paid refunded</i>

The proposed fees would apply from the commencement of the scheme until 31 March 2018 and will be reviewed annually in accordance with the Council's Fees and Charges Policy.

**Appendix 8 – The distribution of private rented properties within key Middle Super Output Areas (MSOAs)<sup>12</sup>**

The following table sets out the incidence of private renting in key Middle Super Output Areas across Woking:

Middle Super Output Area (MSOA)	Lower Super Output Area (LSOA)	Number of households	Number of private rented dwellings	Percentage private rented sector
Woking 004	Woking 004A	556	214	38.5%
	Woking 004B	464	75	16.2%
	Woking 004C	596	127	21.3%
	Woking 004D	681	269	39.5%
	Woking 004E	694	69	9.9%
	Woking 004F	627	67	10.7%
	<b>Total</b>	<b>3,618</b>	<b>821</b>	<b>22.7%</b>
Woking 006	Woking 006A	821	319	38.9%
	Woking 006B	604	118	19.5%
	Woking 006C	581	76	13.1%
	Woking 006D	690	53	7.7%
	<b>Total</b>	<b>2,696</b>	<b>566</b>	<b>21.0%</b>
Woking 008	Woking 008A	979	398	40.7%
	Woking 008B	539	68	12.6%
	Woking 008C	628	111	17.8%
	Woking 008D	1,031	371	36.0%
	Woking 008E	1,216	621	51.1%
<b>Total</b>	<b>4,393</b>	<b>1,570</b>	<b>35.7%</b>	
Woking 004, 006, and 008 total		<b>10,707</b>	<b>2,827</b>	<b>26.4%</b>
Woking total		<b>39,467</b>	<b>6,566</b>	<b>16.6%</b>

<sup>12</sup> Census 2011

**Appendix 9 – The distribution of private rented properties across Woking by Middle Super Output Area (MSOA)<sup>13</sup>**

The following table sets out the distribution of private rented properties within Middle Super Output Areas across Woking:

Middle Super Output Area (MSOA)	Number of households	Number of private rented dwellings	Percentage private rented sector (%)
Woking 001	3,174	332	10.5%
Woking 002	3,615	505	14.0 %
Woking 003	3,498	403	11.5%
Woking 004	3,618	823	22.7%
Woking 005	3,945	535	13.6%
Woking 006	2,696	566	21.0%
Woking 007	3,339	522	15.6%
Woking 008	4,393	1,570	35.7%
Woking 009	2,882	329	11.4%
Woking 010	2,509	396	15.8%
Woking 011	3,355	348	10.4%
Woking 012	2,443	227	9.3%
<b>Total</b>	<b>39,467</b>	<b>6,566</b>	<b>16.6%</b>

<sup>13</sup> Census 2011

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