

# Landlord Licensing Consultation

## Evidence Pack

### Additional HMO and Selective Licensing Proposals 2025



**FAIRER  
RENTING**

## Foreword

Hackney Council remains firmly committed to ensuring all our residents have a safe, warm and secure home. With around a third of residential properties in Hackney being privately rented, we have long campaigned for better standards in the private rented sector.

The borough's growing population relies more than ever on the private rented sector, with over 40% of homes privately rented in some wards – more than double the national average. But rising demand, paired with limited regulation, has left too many residents stuck in unsafe or poor-quality homes.

A recent independent review of Hackney's private rented sector highlighted the scale of the challenge. It found that a significant proportion of privately rented homes may contain serious hazards – above the national average. This is unacceptable, and we are determined to change it. Everyone in Hackney deserves a decent home, and we know more must be done to make that a reality.

Too many renters still face unacceptable conditions and poor property management. Tenants are often left with little support and no options. These conditions don't just harm individual tenants, they also contribute to wider issues in our neighbourhoods – from disrepair and waste to antisocial behaviour.

Thousands of privately rented homes in Hackney – including many houses in multiple occupation (HMOs) – fall outside the scope of the current mandatory licensing scheme. Yet many of these properties may still contain serious hazards. We are determined to close this gap.

We also recognise that many landlords in Hackney already provide well-maintained, responsibly managed homes. But in a poorly regulated market, rising demand has exposed serious failings. While we will continue to support good landlords, we must act against those who force renters to face unacceptable and sometimes dangerous conditions.

That's why we are launching this consultation: to hear from tenants, landlords, letting agents, local businesses and others on how we can shape a fairer private rented sector.

Together, we can ensure Hackney's private rented sector delivers the safe, secure homes our residents deserve.



**Mayor Caroline Woodley**

A handwritten signature in black ink that reads "C Woodley".



**Cllr Sem Moema**  
Mayoral Adviser Private Renting  
and Housing Affordability

A handwritten signature in black ink that reads "Sem Moema".

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## Executive Summary

Hackney Council is committed to creating a fairer private rented housing sector. By improving the condition and quality of properties in the rental market, developing a fair environment for both tenants and responsible landlords, and targeting rogue operators and those letting unsuitable properties, we aim to drive up standards to the benefit of all. To achieve this, we are consulting on new licensing proposals for the private rented sector (PRS) in the borough. Property licensing is a way of ensuring safer and better standards in private rented homes.

Hackney is consistent with the rest of London in that it has a shortage of affordable housing, with house prices remaining out of reach for many. The demand for social housing far outstrips the supply. As a result, private renting is increasingly becoming the only viable option for many Hackney residents, including those who are vulnerable and on low incomes. Currently, 32% of Hackney's housing stock is in the PRS, one of the highest proportions in London, and this is expected to continue to rise in the future.

While the majority of properties in the PRS are well maintained and safe, there is a growing number of properties that are substandard and potentially dangerous. Even landlords with good intentions may not always be aware of the latest legal and safety requirements. These properties pose a risk to the health, safety, and wellbeing of tenants, cause issues with neighbours, and require numerous interventions from council teams that are already under pressure. It is crucial for the Council to utilise all available tools to improve the situation for tenants renting properties in this sector. Licensing plays a key role in this effort.

The Renters' Rights Bill, introduced to parliament in September 2024 and set to become law later this year, will give private renters more security and stability. However, it does not replace private sector licensing but aims to work in harmony with it to improve the experience of those within the sector. Though the Act will give the Council greater enforcement and investigatory powers, it does not put in place the proactive approach to housing standards that licensing enables. Therefore, without licensing, the Council would still be reliant on tenants complaining and landlords being upfront about issues.

The Council has made significant progress in raising standards in the PRS through the administration and enforcement of the current mandatory HMO licensing scheme, as well as its previous boroughwide additional HMO and pilot selective

licensing schemes. These schemes have established a regulatory framework that requires landlords to proactively manage and maintain their properties by meeting conditions attached to their licences. From 2018 to 2023, the additional and selective licensing schemes led to improvements in private rented homes through a combination of informal collaboration with landlords and agents, and formal enforcement action where needed.

Despite these improvements, private renting continues to be a necessity rather than a choice for many tenants, due to factors such as lack of rent controls and security of tenure. While the Council has improved a large number of privately rented homes, the worst housing conditions are still likely to be experienced by tenants who rent privately, and communities are more likely to be adversely impacted by issues arising from poorly managed privately rented properties.

In order to build on the achievements of the current and previous schemes, the Council is proposing, subject to consultation, to implement new five year private property licensing schemes which would include:

- borough-wide additional HMO licensing: this would apply to all HMOs except those that require a mandatory HMO licence.
- selective licensing: this would apply to all privately rented homes (excluding HMOs) within 17 wards, to address the prevalence of poor housing conditions.

These schemes would run concurrently and, subject to approval by the Council's Cabinet, could be implemented early in 2026.

Whether you are a tenant, a landlord, a managing or letting agent, business, service provider, local authority, voluntary organisation, local resident or another key stakeholder in Hackney or a surrounding area, this is your chance to have your say on private rented property licensing in Hackney.

# 1 Introduction

This consultation document provides information about the scale of problems relating to poor property conditions, ASB and poor property management in Hackney's private rented sector and the evidence to support the Council's proposals to introduce new licensing schemes. It also provides a detailed description of the proposed licensing schemes, licence conditions, fees and scheme objectives.

We want to know your views on our proposals before any final decision is made about the future of property licensing in Hackney. We are keen to hear from all those who are likely to be affected by the proposals, including local tenants, landlords, managing agents and members of the community who live, operate businesses or provide services in the proposed designated areas and/or the surrounding areas.

We would encourage you to complete our online survey by visiting: [bit.ly/Hackney-Licensing](https://bit.ly/Hackney-Licensing)

We shall also be holding a number of forums during the consultation period. If you are interested in sharing your experiences and views, please email [licensing.consultation@hackney.gov.uk](mailto:licensing.consultation@hackney.gov.uk).

The consultation will run for 14 weeks from Thursday 12th June 2025 until Sunday 21st September 2025.

For further information about the proposed new licensing schemes, assistance with completing the questionnaire or to request a paper copy of the consultation please contact:

- Email: [licensing.consultation@hackney.gov.uk](mailto:licensing.consultation@hackney.gov.uk)

Once the consultation has closed the council will review the replies. A full consultation report, including the council's response to any alternatives suggested, will be published on the property licensing pages of the web site at <https://hackney.gov.uk/property-licensing>

## 2 The Private Rented Sector (PRS) in Hackney

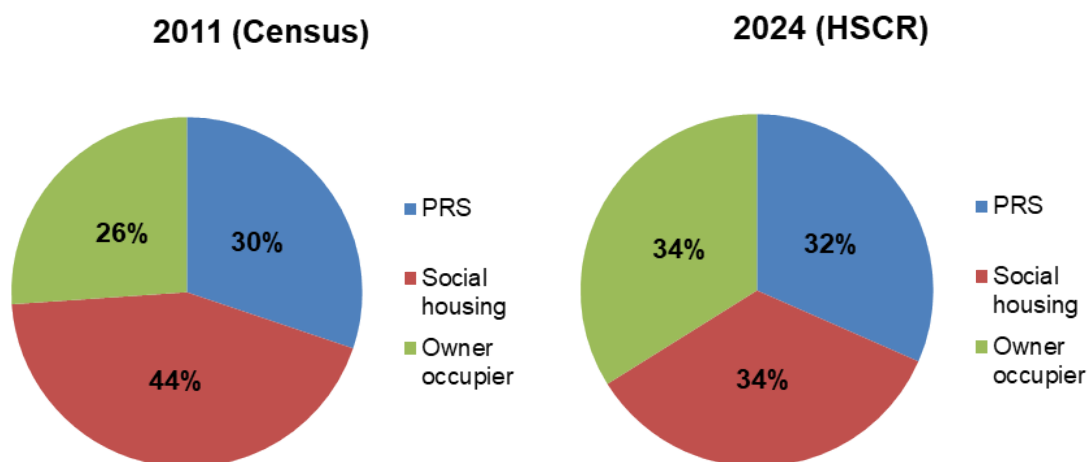
In order to obtain a greater understanding of the private rented sector in Hackney, the Council worked with internal and external agencies to review multiple intelligence sources relating to the housing stock in the borough, undertaking analysis to provide estimates of:

- Current levels and breakdown of PRS properties and tenure change over time.
- Levels of serious hazards that might amount to a category 1 or high-scoring category 2 hazard under the Housing Health and Safety Rating System (HHSRS).
- Other housing related stressors, including ASB, service demand, population and deprivation linked to the PRS.

The full results are presented within the Housing Stock Conditions Report (HSCR), which is attached as Appendix 1; however, some key findings from the report are detailed below.

### 2.1 Housing tenure

Consistent with the long term nationwide and regional trend, the PRS in Hackney has grown from 30,707 properties in 2011 to 39,493 in 2024. This represents a 28.6% increase over the last 13 years. The PRS as a proportion of total housing stock has also grown considerably over that time period.



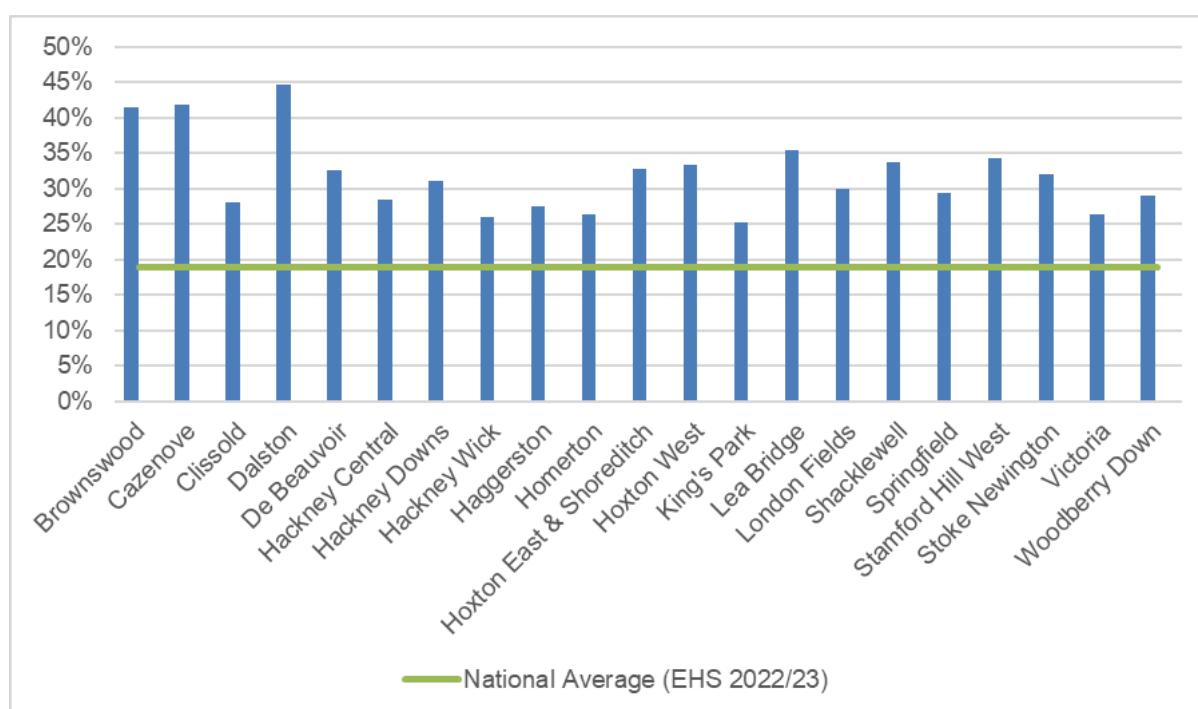
### *Housing tenure in Hackney from 2001 to 2024*



	2001 (Census) (Households)	2011 (Census) (Households)	2021 (Census) (Households)	2024 (HSCR) (Dwellings)
PRS	14,760	30,707	34,406	39,493
Social housing	43,669	44,430	42,945	43,125
Owner occupier	27,613	26,553	28,730	42,382
Total	<b>86,042</b>	<b>101,690</b>	<b>106,081</b>	<b>125,000</b>

***Number of households/dwellings by tenure 2001, 2011, 2021 and 2024***

The PRS in Hackney is distributed across all 21 wards. The number of PRS properties per ward ranges from 2,970 (Hoxton West) to 1,302 (Stamford Hill West). The percentage of PRS properties in each ward ranges between a maximum of 44.7% (Dalston) and a minimum of 25.2% (King's Park). Therefore, 21 out of 21 Hackney wards have a higher percentage PRS than the national average (19%)<sup>1</sup>. The average rate of PRS across all wards is 32%.

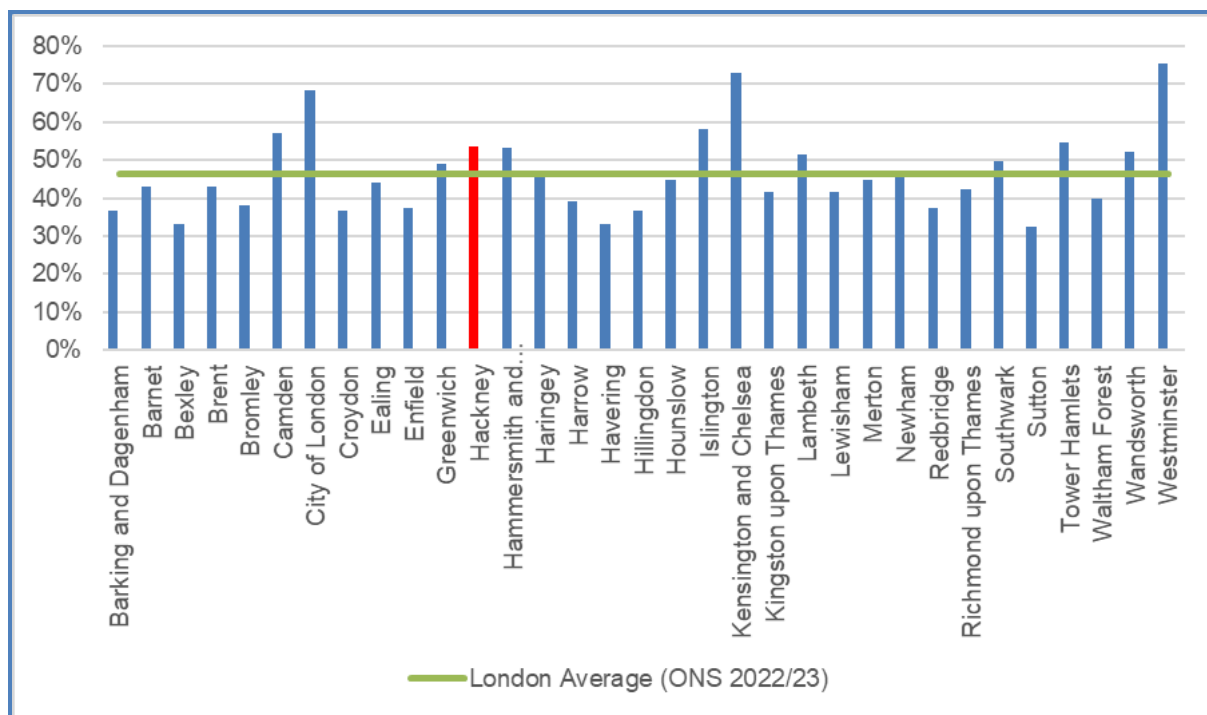


***Percentage of PRS dwellings by ward (HSCR)***

<sup>1</sup> [English Housing Survey 2023 to 2024: headline findings on demographics and household resilience.](https://www.gov.uk/government/statistics/english-housing-survey-2023-to-2024-headline-findings-on-demographics-and-household-resilience)  
- GOV.UK

## 2.2 Rent and affordability

One of the major changes to the PRS across London over the last 20 years has been the increase in rents. This has resulted in residents not being able to afford and access decent, affordable housing. Rents in Hackney are among the least affordable in London. On average, residents in Hackney spend 54% of their income on rent, compared to the London average of 46%. This makes Hackney the 6th most expensive borough in the city when it comes to how much of your income goes toward housing.



**Median rent as a percentage of London median pay by London borough (ONS 2022/23)**

## 2.3 Deprivation

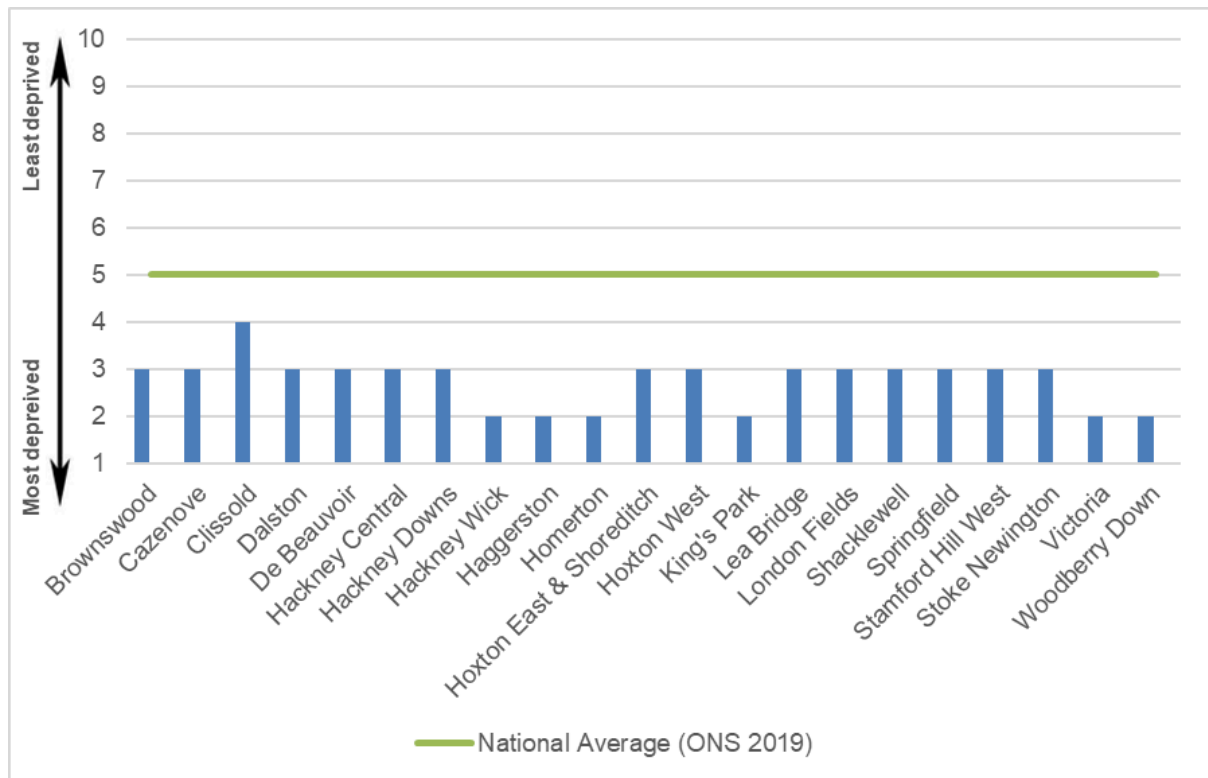
The Indices of Multiple Deprivation (IMD) is a measure of relative deprivation for small areas (Lower Super Output Areas (LSOAs)), based on seven domains of deprivation:

- Income
- Employment
- Education
- Health
- Crime
- Living environment

- Barriers to housing and services.

Hackney ranks as the 6<sup>th</sup> most deprived borough in England out of 296 (based on 2023 wards)<sup>2</sup>.

Hackney has wards ranging from IMD deciles 2 to 4 with all 21 wards having a population weighted IMD ranking below the national average (of 5). On this scale, 1 represents the most deprived and 10 represents the least deprived.



**Average IMD decile by ward (ONS 2019)**

## 2.4 Fuel poverty

Fuel poverty in England is measured using the Low-Income Low Energy Efficiency (LILEE) indicator. Under this indicator, a household is considered to be fuel poor if they are living in a property with a fuel poverty energy efficiency rating of band D or below and when they spend the required amount to heat their home, their disposable income is below the official poverty line.<sup>3</sup>

In general, fuel poverty relates to households that must spend a high proportion of their household income to keep their home at a reasonable temperature.

Fuel poverty is affected by three key factors:

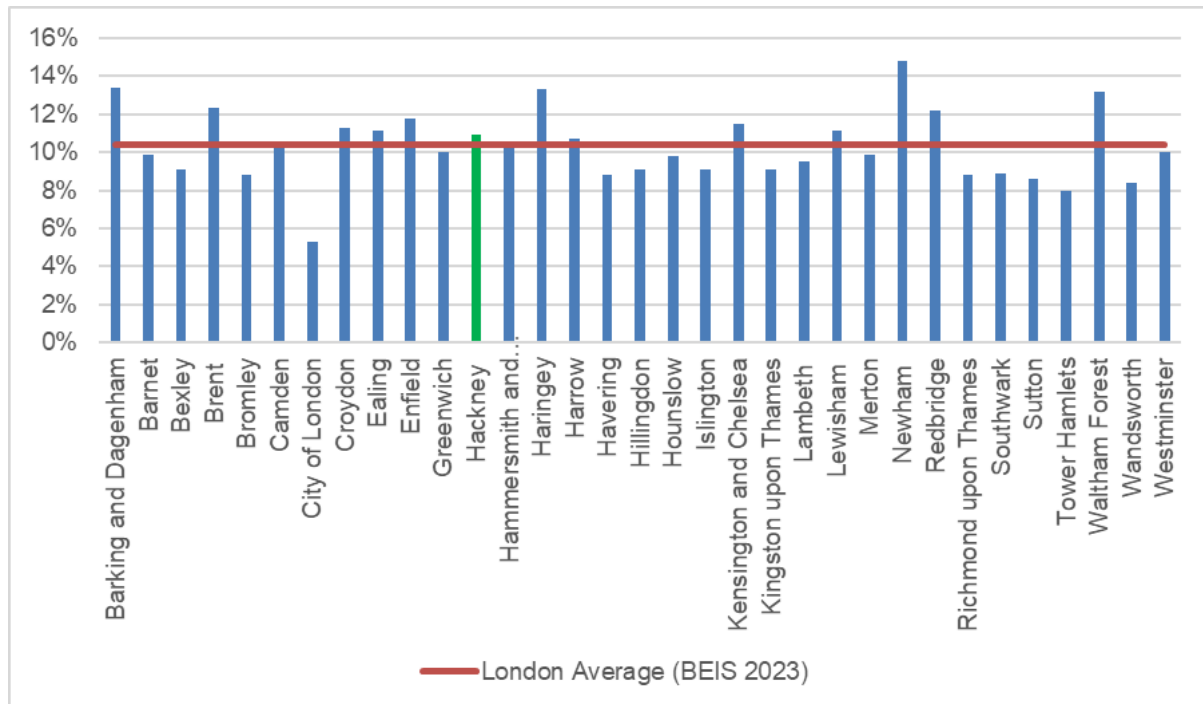
- a household's income;

<sup>2</sup> [English Indices of Deprivation 2019 \(ONS\)](https://www.gov.uk/government/collections/english-indices-of-deprivation-2019)

<sup>3</sup> <https://www.gov.uk/government/collections/fuel-poverty-statistics#2022-statistics>

- fuel costs;
- energy consumption (which in turn is affected by the energy efficiency of the property).

The fuel poverty score produced by the Department for Business, Energy & Industrial Strategy (BEIS) using 2021 data and published in 2023 shows that currently Hackney has a slightly higher proportion of households in fuel poverty (10.9%) than the London average (10.4%).<sup>4</sup> These figures are likely to significantly change at the next point of publishing as a result of the 2022 acute fuel price increases.



**Percentage of households in fuel poverty by London borough (BEIS 2023)**

## 2.5 Housing conditions

The recent review of Hackney's housing stock has provided insights about the presence and distribution of a range of housing factors in the borough<sup>5</sup>. This was developed independently by Metastreet Ltd who implemented a stock-modelling approach based on metadata and machine learning to provide insights about the prevalence and distribution of a range of housing factors. This approach has been used by several councils to understand their housing stock and relationships with key social, environmental, and economic stressors.

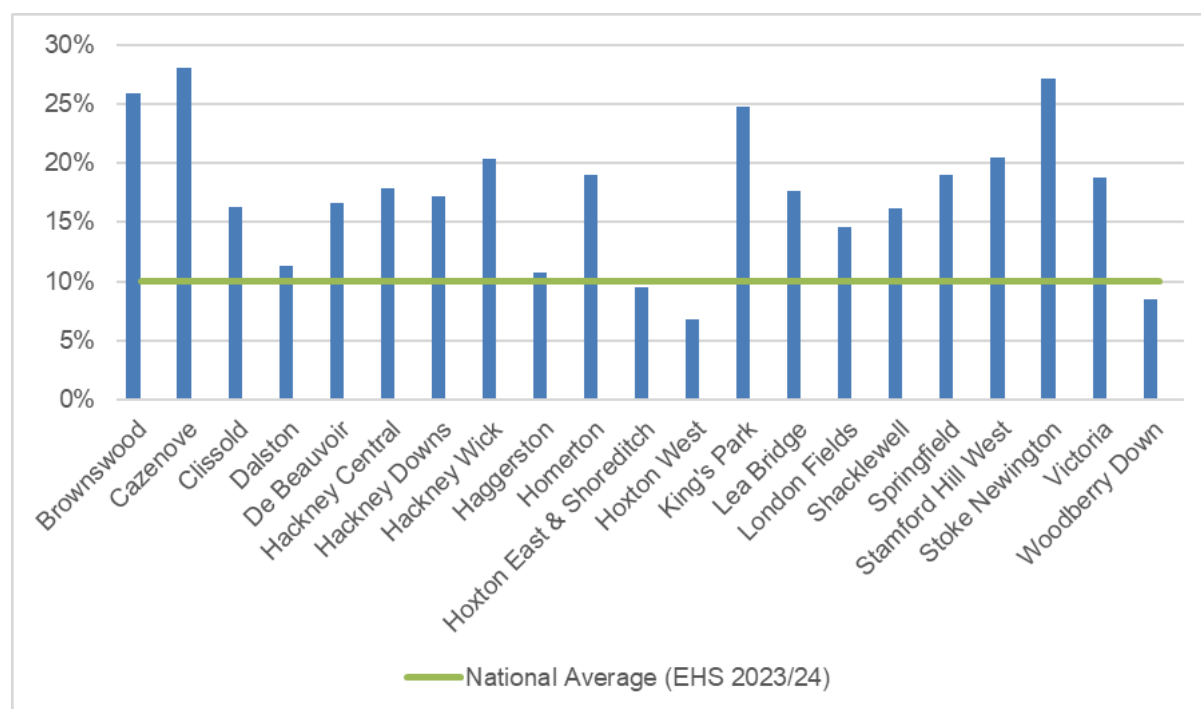
The main finding was that poor housing conditions are likely to be widespread in the PRS. Under the HHSRS, category 1 hazards are the most serious housing hazards and may result in the immediate risk to a person's health and safety. A significant

<sup>4</sup> Department for Business, Energy & Industrial Strategy 2021 [Sub-regional fuel poverty data 2024 \(2022 data\) - GOV.UK](#)

<sup>5</sup> Housing Stock and Stressors Report, Metastreet, 2025

category 2 hazard, although less serious or less urgent, can still be regarded as placing the occupiers' health, safety and welfare at risk.

Our evidence shows that serious hazards in Hackney's PRS are likely to be distributed across the whole borough, with 6,707 private rented properties (including HMOs) predicted to have at least one serious hazard, representing 17% of Hackney's PRS. When looking at the PRS as a whole, including HMOs, 18 of 21 wards have predicted rates of serious hazards above the national average (10%).

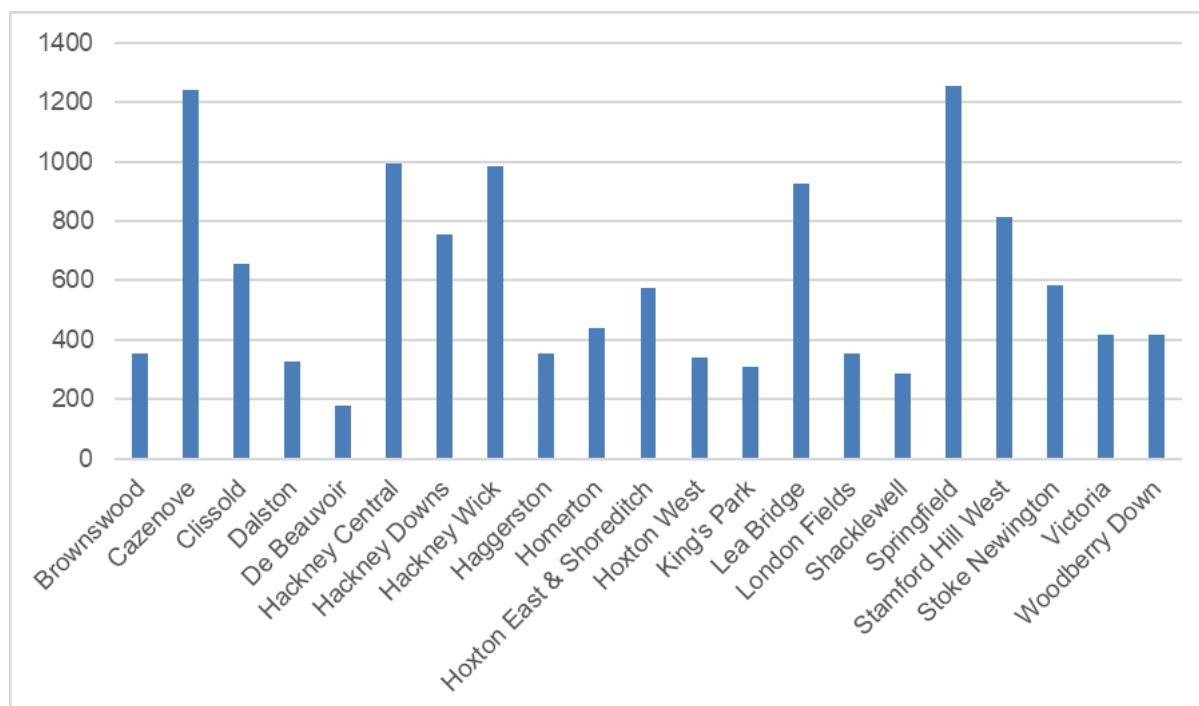


***Predicted percentage of PRS properties with serious hazards (HSCR)***

## 2.6 Antisocial behaviour

ASB incidents (noise & waste) linked to PRS properties include domestic noise (music, alarms and parties) and waste (e.g. accumulation of household waste in gardens, pavements or communal areas, fly-tipping by tenants or failure to dispose of bins properly).

ASB (noise and waste) is linked to private rented properties across wards in Hackney. Over a five-year period (October 2019 to September 2024), 12,568 ASB incidents have been recorded in the borough (excluding known HMOs). Springfield (1,256) and Cazenove (1,243) had the highest levels of ASB.



***Number of ASB incidents (noise and waste) linked to PRS properties (excl. HMOs) (HSCR)***

## 3 Types of property licensing scheme

### 3.1 What is property licensing?

Where the relevant legal test is met, property licensing allows the Council to regulate private rented properties in their area by issuing a licence to the person responsible for the property, usually the landlord. The aim of such schemes is to improve the private rented market by ensuring that the licence holder is a 'fit and proper' person to hold the licence and that the property is of a decent standard for a landlord to rent out.

Licences come with conditions that relate to the use and management of the property. Some of these conditions are mandated by Government; however, the Council has scope to add its own conditions that are tailored to dealing with specific problems in the designation relating to the private rented sector.

The Housing Act 2004 sets out three types of property licensing schemes and prescribes how the Council can implement them.

### 3.2 Mandatory HMO licensing

Under Part 2 of the 2004 Act, HMOs falling within a prescribed, statutory description must be licensed in order that they can legally be let. Most HMOs occupied by five or more persons living in two or more households, and where those persons share (or lack) facilities, such as kitchens/bathrooms/WCs, fall within the scope of mandatory HMO licensing. All local authorities in England must operate a mandatory HMO licensing scheme.

For the purpose of this consultation, mandatory HMO licensing is not being considered.

### 3.3 Additional HMO licensing (discretionary)

Part 2 of the Housing Act 2004 also allows local authorities to designate areas as being subject to an additional licensing scheme. A licence is required for most HMOs, in that area, which are not already subject to mandatory HMO licensing, and are occupied by three or four persons living in two or more households, and where those persons share (or lack) facilities, such as kitchens/bathrooms/WCs.

Additional licensing can also include properties converted into flats known as section 257 HMOs. These are buildings which have been converted into and consist entirely of self-contained flats where less than two thirds of the flats are owner-occupied, and the conversion into flats did not comply with the appropriate building regulations.

In order to make an additional licensing scheme, the local authority must consider that a significant proportion of the HMOs in the area are being managed ineffectively, so as to give rise to one or more particular problems, either for those occupying the HMOs or for the public. A proposed additional licensing scheme forms part of this consultation and the Council welcomes feedback regarding the proposals.

### 3.4 Selective licensing (discretionary)

Under Part 3 of the Housing Act 2004, local authorities may also designate an area as subject to selective licensing, requiring those managing or having control of other privately rented accommodation that does not have to be licensed under other licensing schemes, to obtain a licence to let their property. This includes, but is not necessarily limited to, properties rented to either an individual, a single family or two unrelated sharers.

In order to designate an area as a selective licensing area, the local authority must be satisfied that certain, prescribed conditions are met.

In summary, the designated area must be experiencing one or more of the following:

- a) low housing demand (or likely low housing demand in the future);
- b) a significant and persistent problem caused by ASB;
- c) poor housing conditions;
- d) high levels of migration;
- e) high levels of deprivation; and/or
- f) high levels of crime.

In addition, with regard to criteria c) to f) above, the designated area must have a high proportion of property in the private rented sector (PRS).

A proposed selective licensing scheme forms part of this consultation and the Council welcomes feedback regarding the proposals.



## 4 What are the benefits of property licensing schemes?

Property licensing schemes offer benefits to landlords, tenants, the wider community and the Council. These include the following:

### Benefits to tenants

- Through conditions that accompany any granted licence, licence holders are required to proactively manage and maintain their rented homes.
- Licensing improves the standard of private rented properties. This makes properties safer for tenants who occupy them.
- Licensing allows a local authority to adopt a much more proactive approach to tackling poor housing conditions and raising standards in private rented housing.
- Licensing encourages good practices – if a landlord is not able to demonstrate that they comply with fire, gas and electrical safety conditions, a licence will not be granted.
- Many people who are vulnerable, disabled and living on low incomes rely on private renting. Licensing helps the Council to protect as many tenants living in private renting as possible.
- Through increased communication about licensing, tenants not only become more aware of their rights and responsibilities, but also gain an improved understanding and greater access to Council services that can support them.

### Benefits to landlords

- Licensing encourages landlords to proactively manage their properties and to take reasonable action to address problems.
- The Council will work with landlords to help support them and build their professionalism.
- Licensing enables the Council to create a 'level playing field' for responsible landlords by taking a much more robust approach to the minority of 'rogue' landlords who fail to invest in their properties.
- Providing transparent and consistent regulation within the PRS market to ensure rogue or non-compliant landlords cannot undercut responsible ones.

### Benefits to the community

- Poorly managed privately rented properties have a negative impact on many neighbourhoods. Licensing will increase the number of landlords managing their properties effectively, including the enforcement of tenancy conditions to combat neighbourhood nuisance caused by their tenants or people visiting their properties.
- Reducing ASB will make areas safer, more desirable and healthier places to live.
- There is a connection between HMOs and poor waste management. All property licences contain a condition that the holder must provide adequately sized bins and sufficient recycling containers for the occupiers.
- When an HMO is overcrowded, this is often linked to an increase in noise complaints. Through licensing the Council is able to limit the number of occupants in a property, reducing overcrowding and the likelihood of noise nuisance.
- Licensing increases the Council's ability to uncover empty properties and encourage their use back into the housing market.

### Benefits to the Council

- Licensing enables the Council to target support and information for both tenants and landlords more effectively.
- Licensing provides opportunity for easier engagement with landlords, managing agents, lettings agents, and others involved in the sector.
- Licensing creates improved data, enabling an intelligence led approach to enforcement.
- Licensing increases the Council's ability to uncover previously unknown HMOs, some of which will fall under mandatory licensing.

## 5 Property licensing schemes in Hackney

### 5.1 Licensing schemes in Hackney

From 2004 Hackney Council has operated a mandatory HMO licensing scheme, under which around 450 properties have been licensed.

Hackney also operated two discretionary schemes between 2018 and 2023, a boroughwide additional HMO licensing scheme, and a pilot selective licensing scheme in three wards (Brownswood, Stoke Newington and Cazenove), designated under the criteria of poor housing conditions. Nearly 4,000 properties were licensed under the additional HMO scheme and 2,692 under the selective licensing pilot scheme. These schemes enabled the Council to proactively address problems within such properties in Hackney.

### 5.2 Improvements in poor property conditions

The mandatory scheme, and particularly the five-person threshold associated with it, can bring with it market responses, including some landlords opting to reduce occupancy levels below the threshold of five people to avoid HMO licensing and the increased scrutiny it delivers.

HMOs across the country are known to contain higher elements of risk, linked to key elements such as inadequate fire detection and protection. Fire risks are found to rise with increased occupancy, multiple ignition sources, vulnerable occupants, poor construction and lack of fire prevention measures. HMO licensing helps to ensure that properties are not overcrowded and are free of serious hazards, including fire safety.

Through the discretionary licensing schemes, the Council has been able to improve basic standards, often in the most dangerous housing at the bottom end of the housing market, where some of the most vulnerable people in society live. All licences have conditions attached which must be complied with, allowing the Council to regulate the Private Rented Sector (PRS), improve housing conditions, and foster better management standards.

In particular, the Council have been able to impose a level of 'self-regulation' in the PRS, as landlords will not be granted a licence unless they are able to demonstrate at the time of application that they are a 'fit and proper' person to be the licence holder and also that the property complies with fire, gas and electrical safety conditions.

Licensing requires landlords to proactively manage their properties and take reasonable action to rectify any identified problems to ensure compliance with licence conditions.

Hackney's Private Sector Housing Team have employed a range of enforcement tools at their disposal, including issuing statutory notices, such as improvement notices, notices relating to civil penalties and prohibition orders, encompassing the full scope of Housing and Environmental Health legislation. This has resulted in much-needed improvements in the PRS and in raising housing standards across the

borough for the benefit of many tenants.

The Council has seen a steady increase in the number of service requests made by private sector housing tenants reporting disrepair issues. There was a spike in the number of service requests during the start of the pandemic in 2019/20, which fell slightly in 2020/21 but has increased in 2021/22 and 2022/23. This trend is detailed in the table below:

Financial year	Number of service requests received
2019/2021	486
2020/2021	286
2021/2022	335
2022/2023	401
2023/2024	370

### 5.3 Reduction in antisocial behaviour

Poorly managed privately rented properties have a negative impact on many neighbourhoods. In particular, high levels of noise complaints and accumulations of rubbish can be linked to the failure of private landlords to manage their properties and tenancies effectively.

Poor waste management and fly tipping are linked to the PRS, particularly within HMOs. All HMO licences contain a condition that the licence holder must provide adequately sized bins and sufficient recycling containers for the occupiers. They must also display a notice for the occupiers of the property indicating the day of the week rubbish and recycling is collected. Through partnership working and sharing of intelligence, we continue to educate both landlords and tenants on their responsibilities in terms of waste disposal.

When a property is overcrowded, this is often linked to an increase in noise complaints. Through licensing, we have been able to limit the number of occupants in a property, reducing overcrowding and the likelihood of noise nuisance.

We have seen, through licensing, a notable increase in landlords managing their properties more effectively in order to ensure they do not breach licence conditions<sup>6</sup>. This includes the enforcement of tenancy rules to prevent ASB by tenants or their visitors.<sup>7</sup>

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<sup>6</sup> <https://researchbriefings.files.parliament.uk/documents/SN04634/SN04634.pdf>

<sup>7</sup> <https://bmjopen.bmj.com/content/12/12/e065747>

## **5.4 Working with and supporting good landlords and agents**

We recognise that the majority of landlords in the borough are both responsible and cooperative. We have taken a more educational approach seeking to work with landlords and bring about compliance through informal means.

We have particularly encouraged landlords to become accredited to increase their professionalism in managing their properties. Through accreditation, landlords are able to achieve a level of knowledge and competence before letting a home, which is key to raising standards in the PRS. As of April 2025, Hackney had 1,968 landlords accredited to the London Landlords Accreditation Scheme (LLAS).

Detailed guidance for landlords on their legal obligations and responsibilities has been produced and made available online.

Through the licensing schemes, a database of more than 10,000 landlords and agents operating in Hackney has been compiled, supporting better communication and engagement with the sector.

## **5.5 Supporting private rented sector tenants**

In promoting tenants' rights and responsibilities, tenants' awareness of the minimum standards to be expected in rented accommodation can dramatically be increased. Tenants have been encouraged to report landlords who have not licensed their properties or who do not comply with licensing conditions. In the 5 year period, October 2019 to September 2024, the Council has received approximately 1,900 service requests from tenants in PRS dwellings across Hackney, resulting in significant interventions and property improvements.

It is clear from running the mandatory HMO and the discretionary licensing schemes, that licensing allows the Council to work proactively with landlords and tenants. Licensing provides clear conditions for landlords to comply with, promotes an improvement in property conditions and enables ASB to be minimised through better, more effective management. Licence conditions can be enforced against much more effectively and quickly than using other powers available to the Council, such as Part 1 of the Housing Act (2004). Formal action under Part 1 is generally a slow process, with appeals allowed for most types of notices, which can significantly delay the time period for compliance. Whilst the mandatory HMO and discretionary licence schemes have enabled the Council to begin to make some progress in raising standards in the PRS, there is still much more to do.

## **5.6 Working in partnership to improve the PRS**

The current licensing schemes have been a key tool used alongside other initiatives and partnerships to tackle issues affecting the PRS. We have engaged in several joint working initiatives and partnerships with agencies such as the police, the London Fire Brigade, Justice for Tenants, Safer Renting, and the Citizens Advice Bureau. We will continue to work with these and other stakeholders to ensure the safety and well-being of tenants, improve housing standards, and address any emerging challenges within the PRS.

**Please note: This version of Case Study 1 has been updated to correct factual errors identified in the original. The changes clarify the procedural details of the case but do not alter the overall message or conclusions presented. The original case study was published on 12 June 2025, and this revised version was added on 29 July 2025.**

### **Case Study 1: Prohibition Orders issued following discovery of multiple hazards in a rented property**

#### Background

The Private Sector Housing Team became aware of tenants living within basement accommodation within a large converted building whilst investigating a 'faulty' fire alarm system within a multiply-occupied flat above.

#### Hazards identified

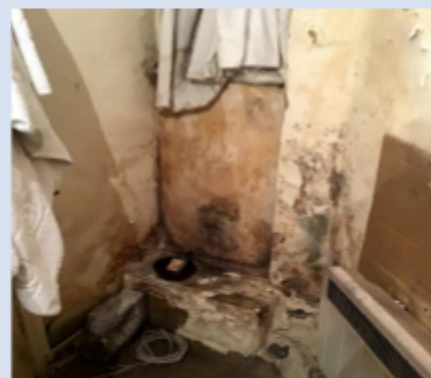
On inspection, the private sector housing officer found extremely poor living conditions in the accommodation, with four Category 1 hazards identified under the Housing Health and Safety Rating System (HHSRS): damp, excess cold, pests infestations and hygiene and food safety risks. The cumulative effect of these hazards posed a serious risk to the health and wellbeing of the tenants.



#### Council action

Due to the severity of the conditions, it was determined that the required improvement works could not safely be carried out while the flats were occupied. As a result, a Prohibition Order was issued under the Housing Act 2004, legally preventing the use of the basement for residential purposes until the hazards were fully addressed. The Council offered advice and assistance to help the affected tenant(s) to find alternative accommodation.

In 2021, it emerged that the landlord had breached the Prohibition Order when a selective licence application was submitted by a new managing agent. However, soon after, the property became vacant again following a fire in the flat above.



The Selective Licence application was withdrawn by the Council because property subject to a Prohibition Order is exempt from property licensing under the Housing Act 2004. The licence fee was duly refunded to the landlord.

#### Ongoing compliance and monitoring

Remedial works have since been undertaken in the basement. However, the Council has declined to revoke the Prohibition Order until all required improvements have been verified as complete in line with the original schedule of works.

The ability to refuse licences and issue Prohibition Orders gives the council the necessary tools to intervene when tenant health and safety is at risk.

**We will continue to use the selective licensing framework to improve housing conditions and hold landlords accountable for substandard management of rented properties.**



## 6 Proposals for a selective licensing scheme

### 6.1 Selective designation: Poor Housing Conditions

The Private Rented Sector (PRS) in Hackney is affected by various housing issues, which are worsened by other issues such as ASB, poverty, high rents, fuel poverty and homelessness.

The Council has been truly selective in proposing the areas for this licensing scheme. Thorough evidence gathering and research has been carefully carried out to ensure that the most severe problems in each ward can be dealt with. All properties in the designated area that are rented to a single household (e.g., a family) or two unrelated sharers (e.g., two friends living together) would need to have a licence to be legally let.

Based on this evidence, it is proposed, subject to consultation, that the Council introduces a selective licensing scheme covering 17 out of 21 wards in which there is a high percentage of PRS and high levels of poor housing conditions. These wards are experiencing high levels of serious hazards (category 1 and high scoring category 2 hazards) above the national average, as well as representing a geographically coherent area within the borough. The proposed wards are outlined below:

#### **Proposed wards for selective licensing designation**

Brownswood  
Cazenove  
Clissold  
Dalston  
De Beauvoir  
Hackney Central  
Hackney Downs  
Hackney Wick  
Homerton  
King's Park  
Lea Bridge  
London Fields  
Shacklewell  
Springfield  
Stamford Hill West  
Stoke Newington  
Victoria

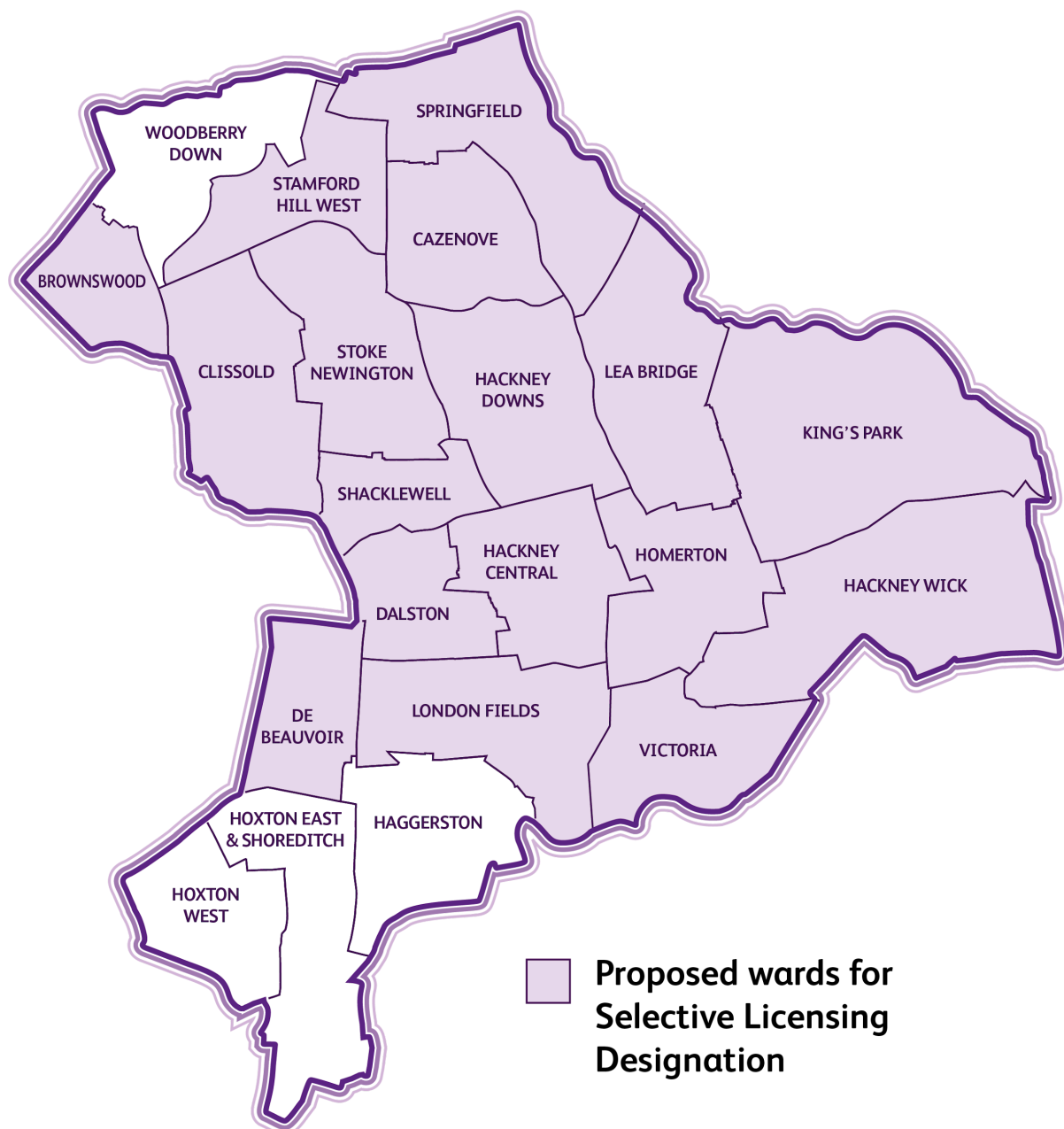
The total size of the proposed selective licensing designation would apply to 76% of Hackney's PRS. Until late 2024, a selective licensing designation of this size would require approval from the Ministry of Housing, Communities and Local Government (MHCLG); Councils may now approve the introduction of selective licensing schemes of any size, locally through the Council Cabinet, though they still must satisfy all legal requirements in regards to evidencing the need for a scheme, thoroughness of public consultation and proof that, if introduced, a scheme is being properly administered.

Subject to consideration of the responses in the consultation process, the Council is keen to address the serious problems of poor housing conditions in these 17 wards as soon as reasonably practicable and could implement this scheme in early 2026 which would run for five years.

The designation is subject to change as a result of this consultation and the Council welcomes input into the scheme.



### 6.1.1 Map of proposed selective licensing designation

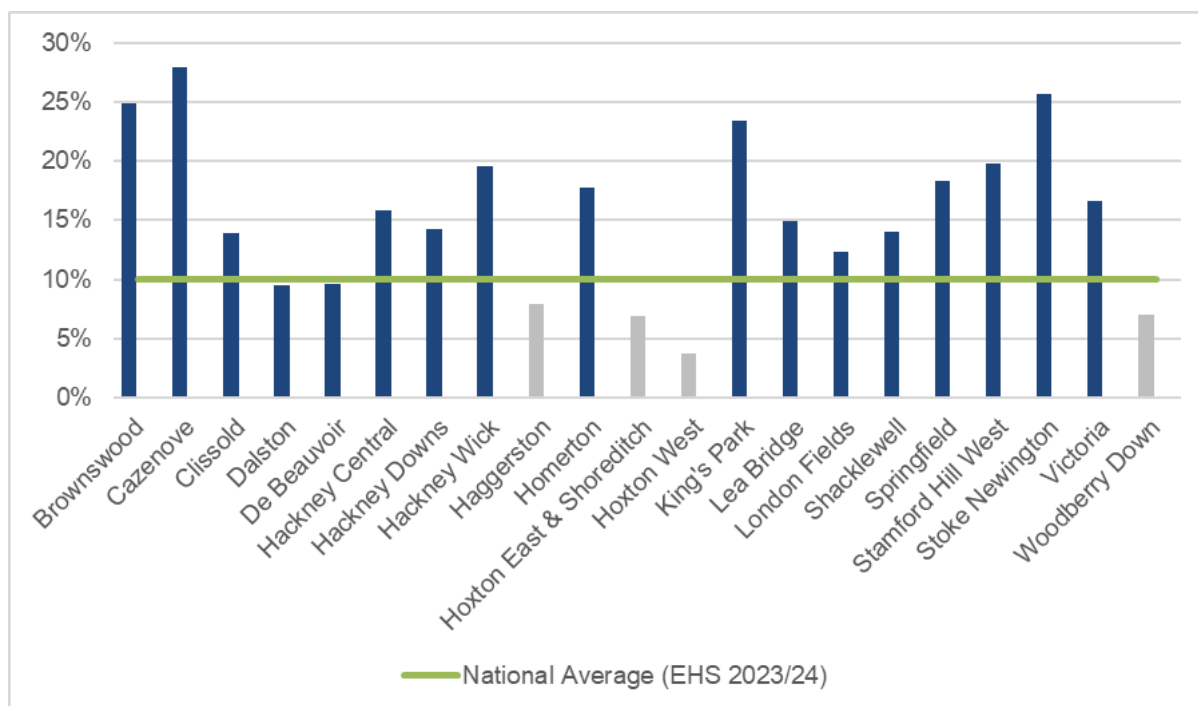


### 6.1.2 What is the evidence of poor housing conditions in this designation?

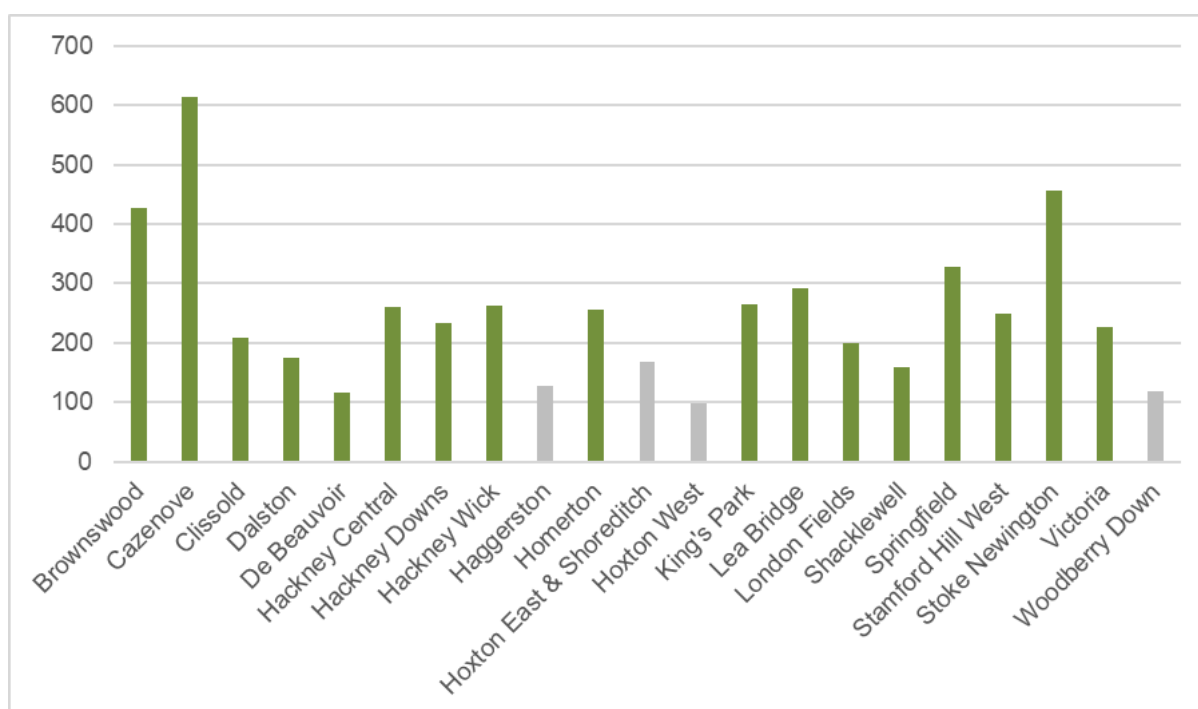
Our evidence shows that in the 17 wards within this designation the proportion of PRS properties (excluding known HMOs) with serious hazards is predicted to be similar or higher than the national average of 10% and range from Dalston with a 9.5% predicted hazard rate to Cazenove with 27.9%.

Overall, in these 17 wards, 4,728 PRS properties (excluding known HMOs) are predicted to have at least one serious hazard.

A significant number of these properties would need to be inspected to accurately identify and assess the presence of serious hazards and ensure tenant safety.



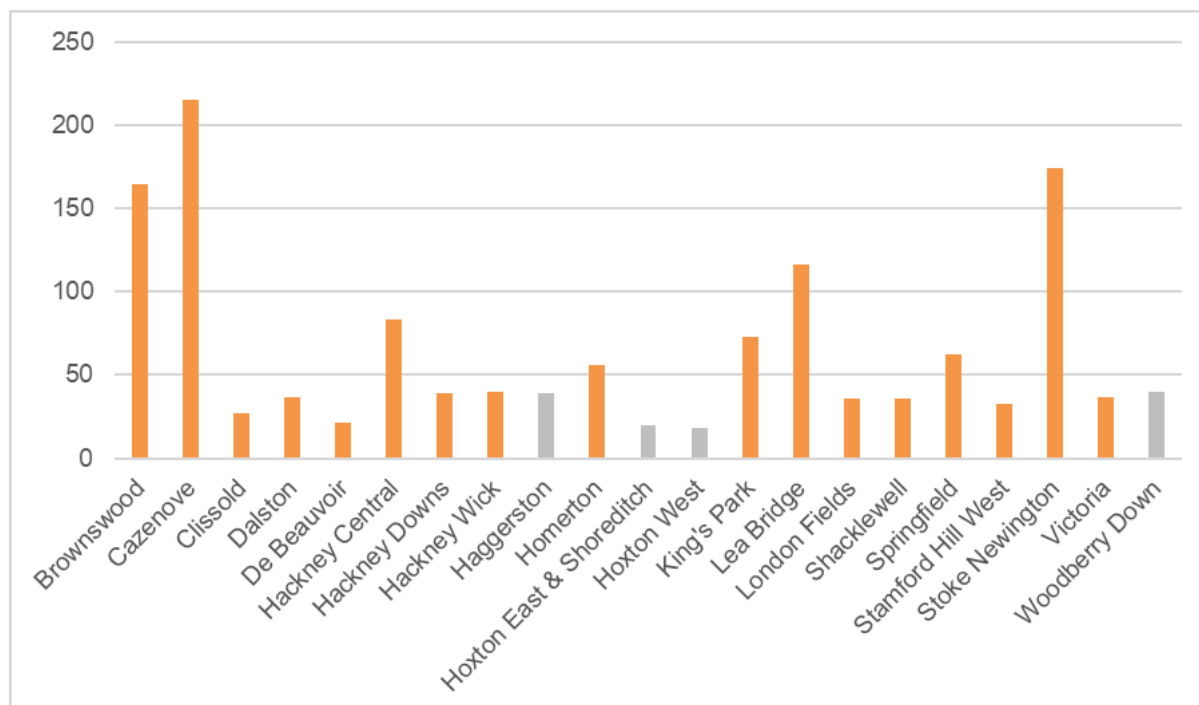
***Predicted percentage of PRS properties (Excl. HMOs) with serious hazards by ward (HSCR)***



***Predicted number of PRS properties (Excl. HMOs) with serious hazards by ward (HSCR)***

Complaints made by PRS tenants and others to the Council about poor property conditions and inadequate property management are a direct indicator of the poor quality within the PRS. Hackney received 1,367 complaints from PRS tenants

(excluding HMO tenants) boroughwide and 1,250 of these were within these 17 wards over a five-year period (2019-2024). Cazenove (215) & Stoke Newington (174) had the highest levels of complaints.



### **Complaints linked to PRS properties (Excl. HMOs) by ward (HSCR)**

## **6.2 Other factors impacting poor housing conditions**

### **6.2.1 Damp and mould**

Damp and mould is one of 29 hazards assessed under the HHSRS. The HHSRS is a tool used to assess risks in residential properties. Hazards assessed at the most dangerous level using issued Government guidance are classified as 'category 1'. All other assessable hazards that are judged to be significantly worse than average are 'category 2' hazards. Local authorities have a duty under the Act to take enforcement action on category 1 hazards and a power to take enforcement action on category 2 hazards.

Damp and mould primarily affect the airways and lungs, but they can also affect the eyes and skin. The respiratory effects of damp and mould can cause serious illness and, in the most severe cases, death. The presence of damp and mould can also affect tenants' mental health. This could be due to worries about the health impacts of damp and mould, unpleasant living conditions and destruction of property and belongings, among other concerns.

Everyone is vulnerable to the health impacts of damp and mould, but people with certain health conditions, children and older adults are at greater risk of more severe health impacts. In 2022, the media reported widely on poor conditions caused by damp and mould in social and private rented housing. This was primarily prompted by highlighting the tragic case of two-year-old Awaab Ishak who died in 2020 due to

prolonged exposure to mould in his home.

Certain groups are more likely than others to live in homes with damp and mould<sup>8</sup>. These include:

- people with a long-term illness;
- people who struggle to heat their homes and/or are experiencing fuel poverty;
- people on low incomes;
- people with disabilities;
- people from ethnic minority backgrounds;
- people living in temporary accommodation.

### **6.2.2 Overcrowding**

Overcrowding is a secondary impact of housing unaffordability. A household is classified as overcrowded if it has fewer bedrooms than it needs to avoid undesirable sharing, based on the age, sex and relationship of household members. 10.2% of privately rented households within Hackney are overcrowded. This is lower than the London average of 15% but higher than the average for England (8.5%)<sup>9</sup>.

Overcrowding exacerbates hazards such as damp and mould due to the increased laundry and cooking activities required to cater to more people in a confined space. Insulation and ventilation cannot generally cope with the extra demand. The HHSRS states that 'crowded conditions can result in a moisture burden above that which the dwelling is designed to safely deal with, and this can be a cause of condensation and high humidities, giving rise to associated health risk'<sup>10</sup>.

Evidence indicates that poor housing conditions and overcrowding negatively affect physical and mental health and can also have a major impact on educational achievement. For example, children's education may be affected by overcrowding directly, through a lack of space for homework, as well as indirectly because of school absences caused by illness<sup>11</sup>.

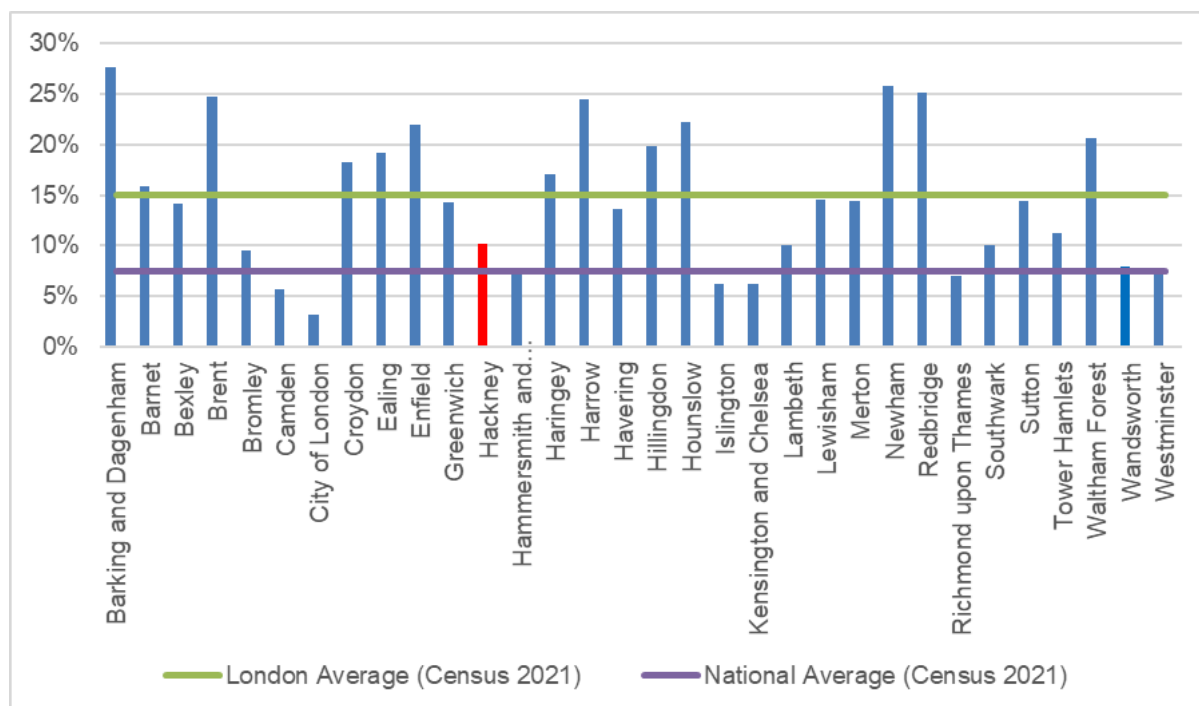
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<sup>8</sup> [Understanding and addressing the health risks of damp and mould in the home](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/61221/Understanding_and_addressing_the_health_risks_of_damp_and_mould_in_the_home.pdf) GOV.UK ([www.gov.uk](https://www.gov.uk))

<sup>9</sup> [Overcrowding and under-occupancy by household characteristics, England and Wales](https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/overcrowdingandunderoccupancybyhouseholdcharacteristicsenglandandwales/2018-01-18) - Office for National Statistics

<sup>10</sup> [HHSRS Guidance](https://www.hhsrs.org.uk/guidance)

<sup>11</sup> [The impact of bad housing on children's lives](https://www.shelter.org.uk/our-work/advocacy-and-policy/childrens-housing) (Shelter)



**Percentage of overcrowded PRS properties by London borough (Census 2021)**

### 6.2.3 Fuel poverty

Whilst energy prices in the UK are no longer near the extreme highs seen in late 2022 and early 2023, energy prices still remain high and unaffordable for many. With growing pressure on household finances because of increasing energy costs and wider concerns about the cost of living, there are reports that households are choosing between “heating or eating” over the winter months.

### 6.2.4 Minimum Energy Efficiency Standard (MEES)

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

Under the current Minimum Energy Efficiency Standard (MEES), properties must have an Energy Performance Certificate (EPC) rating of E and above before they can be let out. Currently in Hackney, 0.73% of the PRS (excluding known HMOs) have an F and G rating, which means approximately 255 PRS properties are likely to fail the MEES statutory requirement<sup>12</sup>.

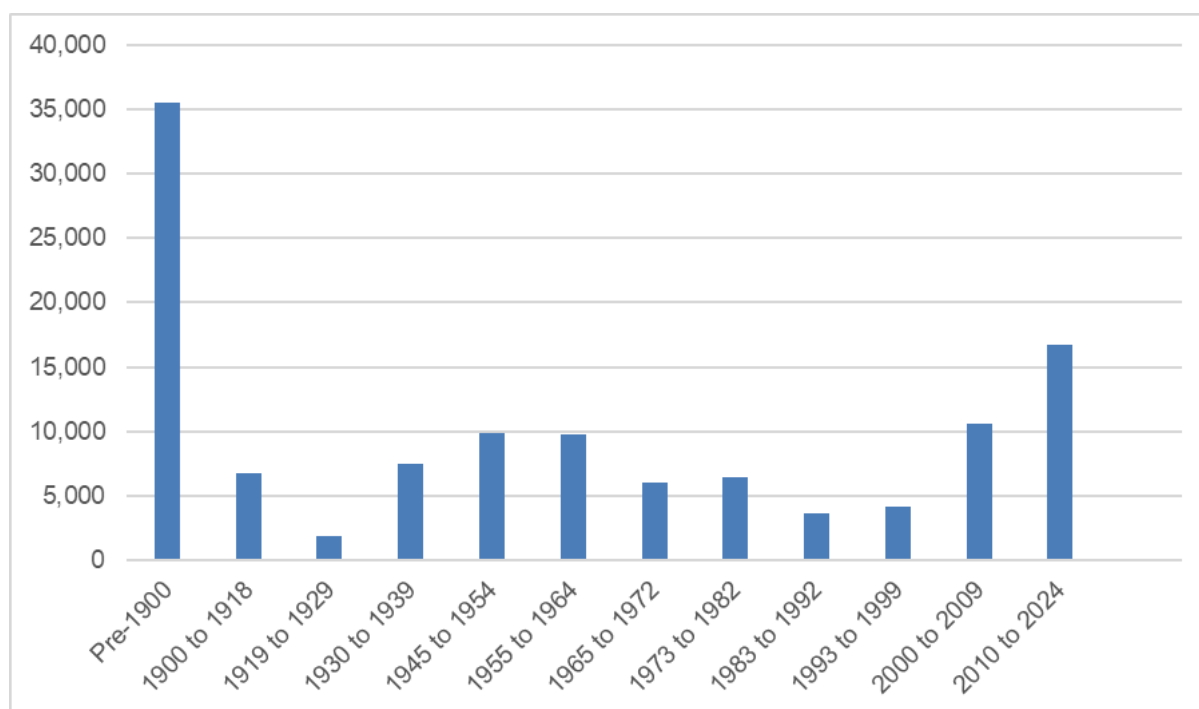
The statistical evidence shows that there is a continuous relationship between indoor temperature and vulnerability to cold-related deaths<sup>13</sup>. The colder the dwelling, the greater the risk. The percentage rise in deaths in winter is greater in dwellings with

<sup>12</sup> Housing Stock Condition and Stressors Report (Metastreet 2025)

<sup>13</sup> [Housing Health and Safety Rating System](#)

low energy efficiency ratings. Therefore, the F and G properties present a serious risk to the occupants' health, particularly if over the age of 65.

It is notable that there is a gradient of risk with age of the property, the risk being greatest in dwellings built before 1850, and lowest in the more energy efficient dwellings built after 1980. Hackney has a high level (almost a third) of residential properties built pre-1900. Wards with many older properties tend to have more hazards such as excess cold, fire & electrical issues, damp and mould<sup>14</sup>.



**Age profile of housing stock for all tenures (VOA 2024)**

### 6.3 Why are four wards not included in the selective licensing scheme proposals

The four wards of Haggerston, Hoxton East and Shoreditch, Hoxton West and Woodberry Down are not currently being included in the selective licensing scheme proposals. These wards do not have the high levels of housing hazards that we see in other parts of the borough.

The council considers it more appropriate to be selective in its approach and focus resources on the worst affected areas. However, these wards will be kept under review and a second designation could be considered should the evidence change.

<sup>14</sup> [Council Tax: stock of properties, 2024 - GOV.UK](#)

## 7 Proposals for an Additional HMO licensing scheme

The evidence base demonstrates that the criteria for a borough-wide additional licensing scheme is met in that a significant proportion of the borough's HMOs are being poorly managed and are giving rise, or are likely to give rise, to problems affecting their occupiers or members of the public.

Whilst we have made good progress in identifying and improving mandatory HMOs, there is more to be done as our evidence shows that a significant proportion of HMOs in the borough are being managed ineffectively, proven by the cumulative presence of serious housing hazards and/or significant and persistent ASB.

We are therefore proposing to introduce an additional HMO licensing scheme that will apply to all wards in the borough. Subject to consultation and approval, the scheme will come into force in early 2026 and last for five years.

An additional HMO licence will be required for properties that are:

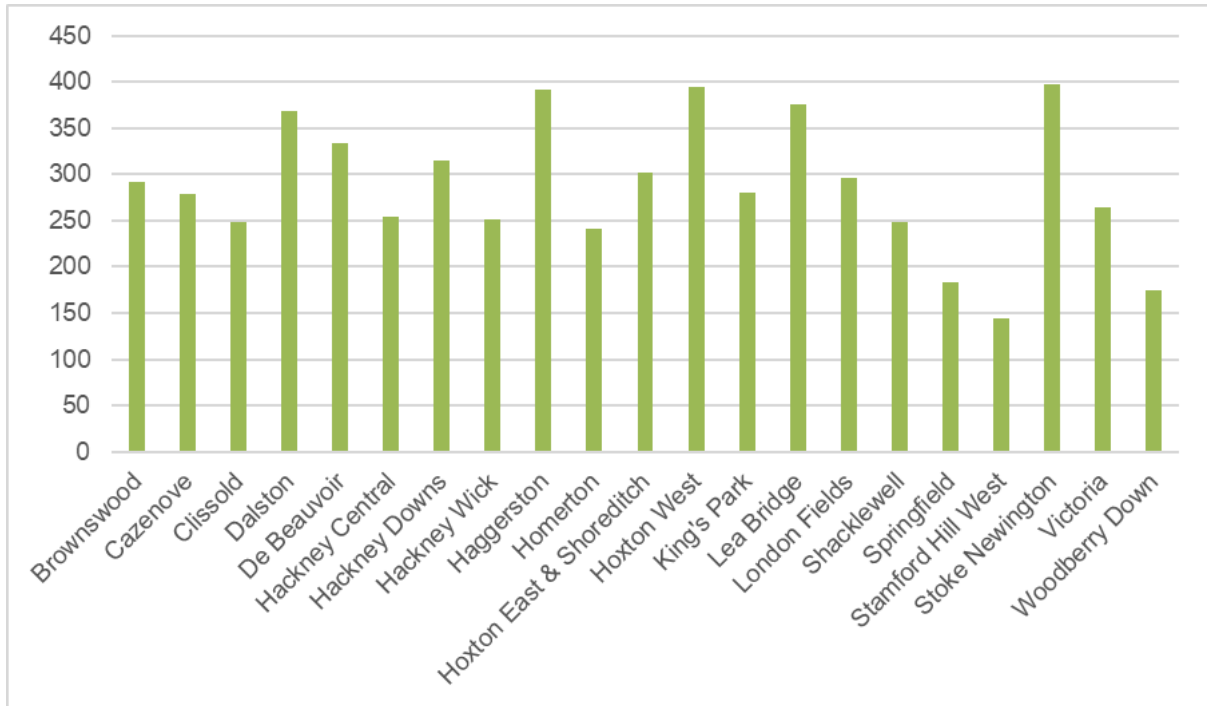
- HMOs rented to three or more occupiers in two or more households that share (or lack) toilet, washing and cooking facilities. Please see Section 12 for exemptions.
- This excludes HMOs that require a mandatory HMO licence.
- This includes multiple-occupied flats in purpose-built blocks (with over two flats) where more than three people live in the flat.

The proposed additional HMO scheme will not apply to certain converted flats or blocks, known as Section 257 HMOs. However, if a converted block falls within the additional HMO designation, each individual flat within the block will require its own selective licence, unless it is otherwise exempt.

### 7.1 What is the evidence to support the Council's proposals to implement an additional HMO scheme?

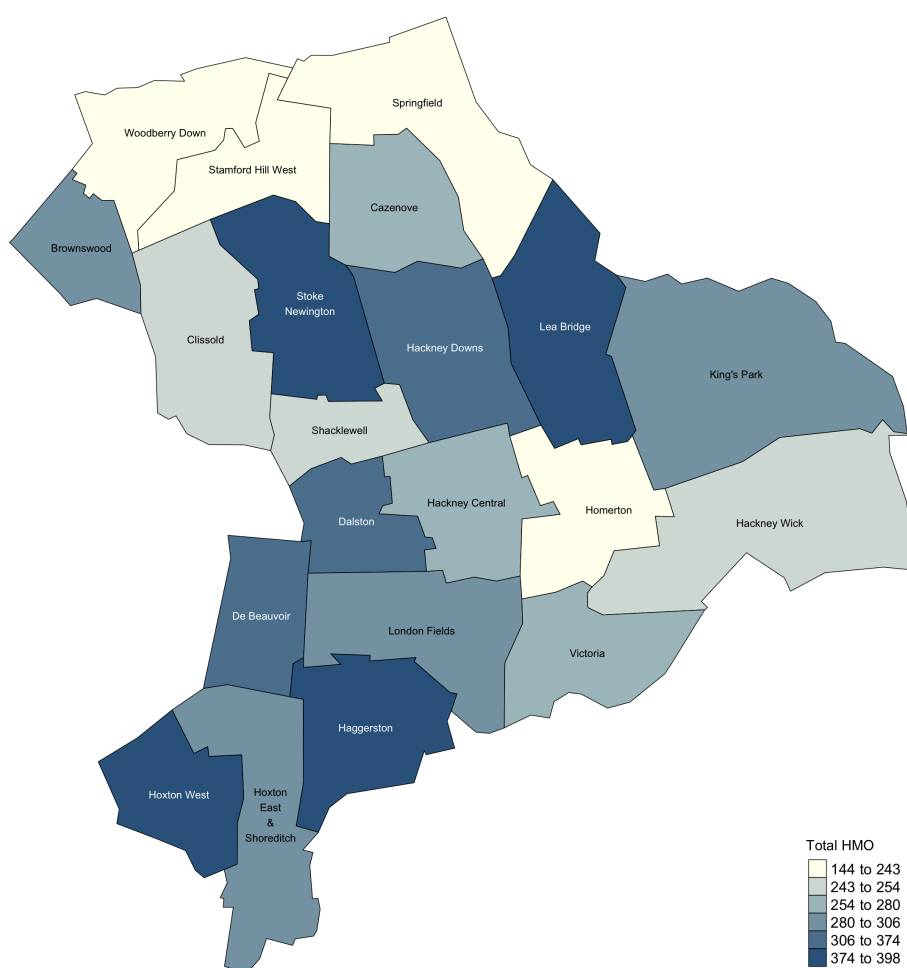
#### 7.1.1 *Numbers and type of HMO as a subset of the private rented sector*

Hackney has 6,038 HMOs (known and predicted) distributed across all 21 wards



***Number of HMOs by ward (HSCR)***



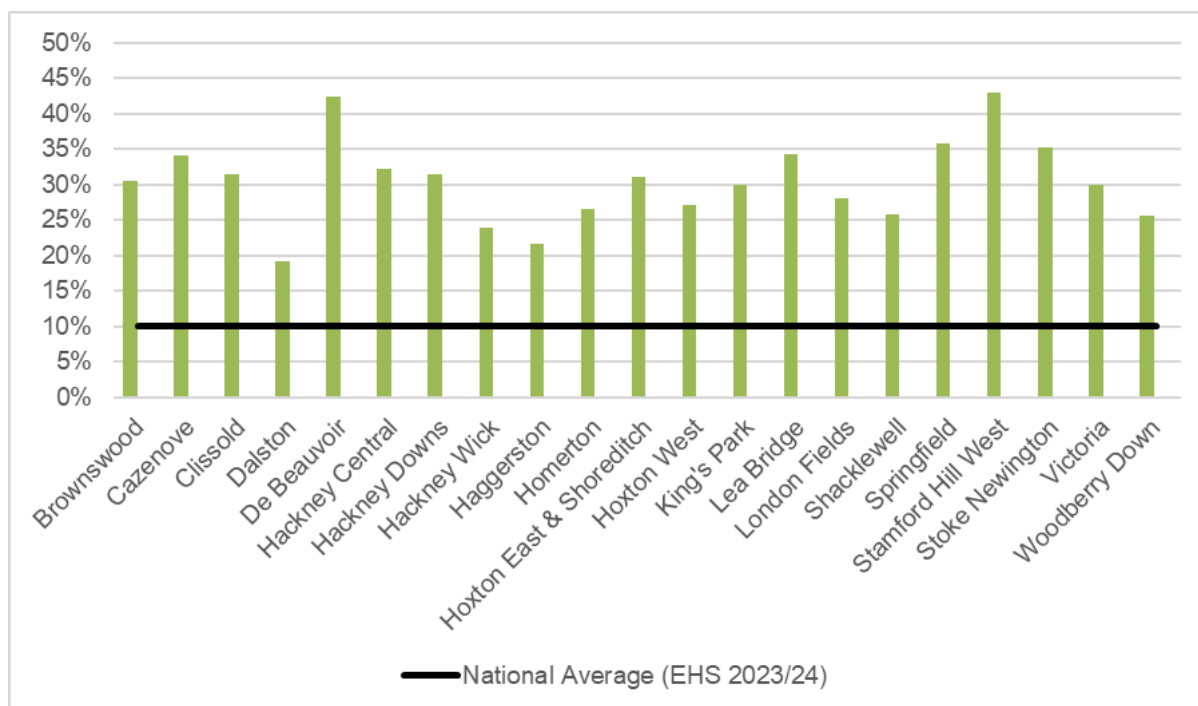


Map of distribution of HMOs by ward (HSCR)

### 7.1.2 HMOs & housing conditions

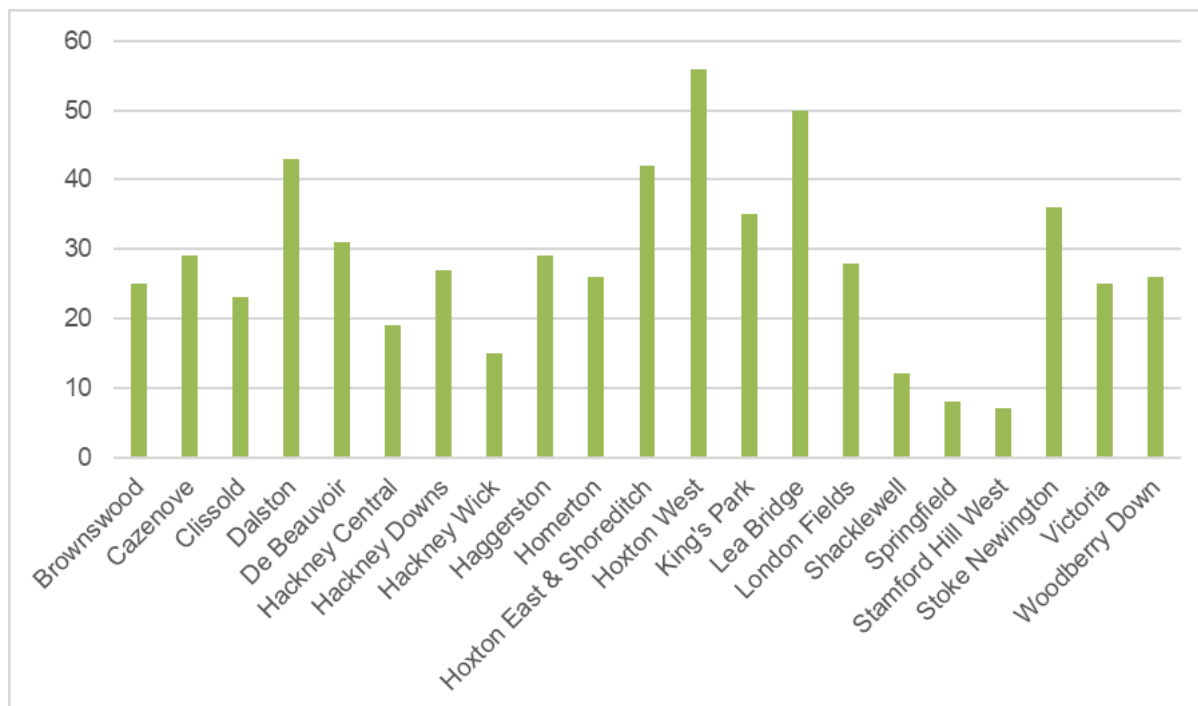
Poor housing conditions are prevalent in Hackney's HMOs. The evidence shows that 1,818 HMOs in Hackney are predicted to have serious hazards. This represents 30.1% of all HMOs in Hackney and is three times the national average of 10%<sup>15</sup>.

<sup>15</sup> [English Housing Survey 2022/23 Chapter 4: Dwelling condition](#)



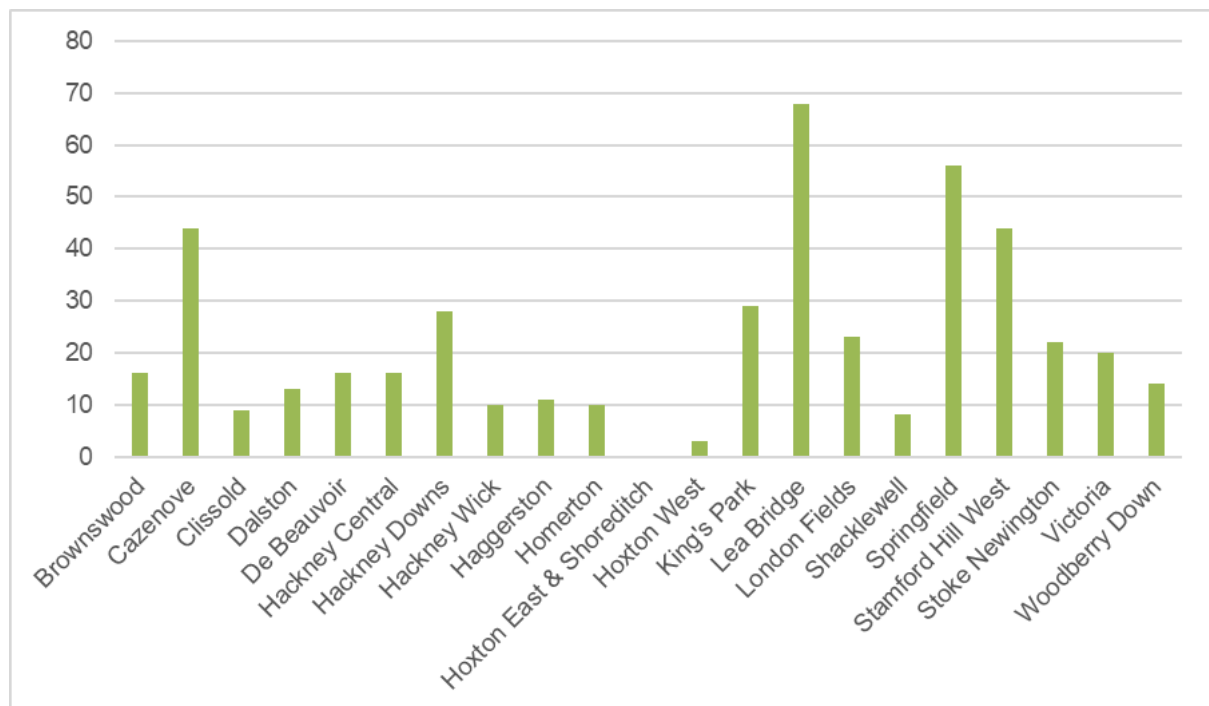
### ***Predicted percentage of HMOs with serious hazards by ward (HSCR)***

Complaints made by tenants and others to Hackney Council about poor property conditions and inadequate property management are a direct indicator of low quality and poorly managed HMOs. Hackney received 592 complaints linked to HMOs over five years (2019-2024). HMOs with complaints linked to them are distributed across all wards, with Hoxton West (56) and Lea Bridge (50) having the highest levels.



### ***Complaints linked to HMOs by ward (HSCR)***

Responding to complaints in HMOs has required a significant number of Council interventions, representing a drain on Council resources. Over a five-year period (2019-2024) the Council has issued HMOs with 460 waste notices. Lea Bridge (68) and Springfield (56) required the most waste notices on HMOs.

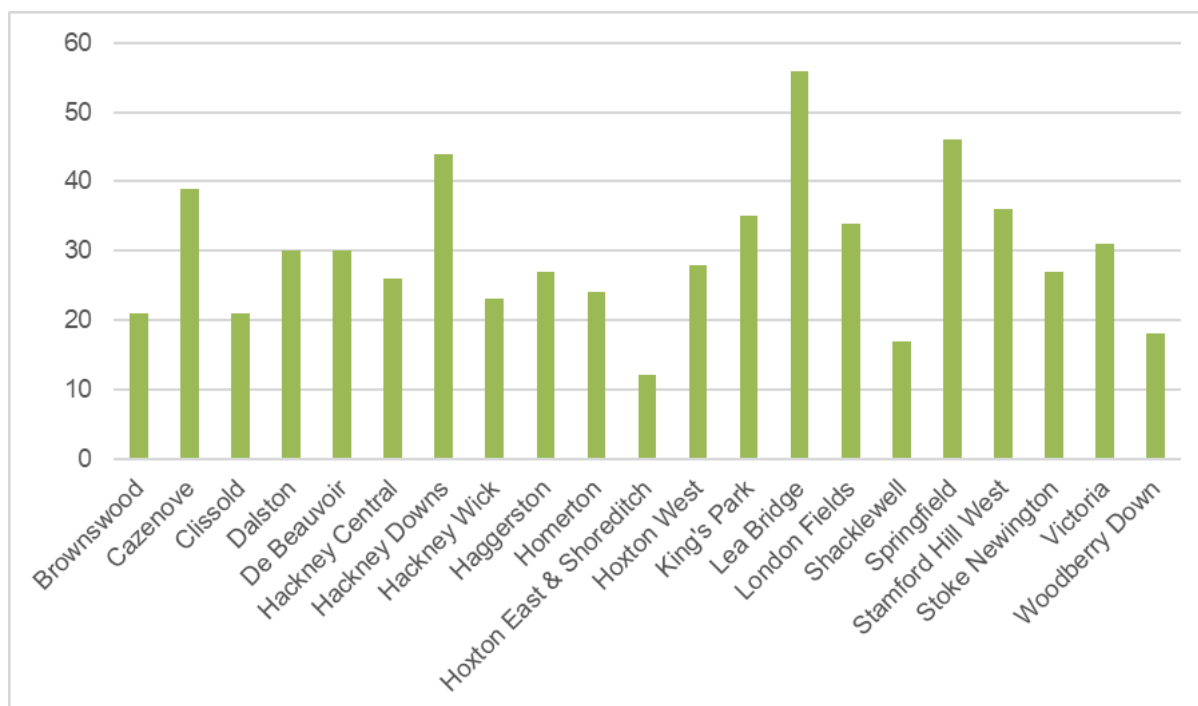


**Waste Notices issued to HMOs (known and predicted) by ward (HSCR)**

### 7.1.3 HMOs & ASB

ASB linked to HMOs is distributed across all wards. Over a five-year period, 3,396 ASB incidents (noise and waste) have been linked to HMOs in Hackney.

Repeat incidences of ASB (two or more ASB investigations linked to one dwelling) in HMOs indicate that some landlords are failing to take appropriate action to address issues of ASB when it first occurs and is a direct indicator of poor management. Repeat ASB in HMOs is evident across all wards in Hackney with 625 HMOs having repeat ASB linked to them.



### ***HMOs with two or more ASB incidents by ward (HSCR)***

The evidence demonstrates a link between HMOs and poor housing conditions, poor management and ASB. As the PRS continues to grow, with an increasing use of multi-occupied properties, more residents are negatively impacted by these conditions.

Poorly managed HMOs not only place extra demands on the Council, but they also create problems for their tenants and the surrounding community. It is vital that all HMOs meet an adequate standard, are effectively managed and offer a safe home to their occupants.

By introducing an additional HMO licensing scheme, the Council will be able to regulate HMOs that do not already require a mandatory licence. This will enable us to continue improving conditions in this important sector and tackle the identified problems.

## **Case Study 2: Blocked fire exit in a licensed HMO**

### Background

As part of the Council's responsibilities under the Housing Act 2004, the Private Sector Housing Team regularly investigates complaints and monitors adherence to licence conditions within licensed HMOs. One of the mandatory conditions requires landlords to maintain external areas, including gardens, in a clean and safe condition. In this instance, a tenant reported that rubbish accumulation in the rear garden was blocking the fire exit, raising concerns about safe exit during an emergency.

### Hazards Identified

Upon inspection, the Housing Officer observed that both the front and rear gardens were in a neglected state. The rear garden, in particular, was being used as a storage area for bulky waste items, including mattresses and other household debris. The rubbish was obstructing the clear path to a designated fire escape route.

This obstruction was identified as a significant safety hazard, compromising the tenants' ability to safely exit the property in the event of a fire or emergency. It also directly breached the Management of Houses in Multiple Occupation (England) Regulations 2006, specifically regarding the maintenance of common parts and means of escape.

### Council Action

The council took prompt enforcement action to mitigate the risk and ensure compliance. A Civil Penalty Notice was issued to the landlord for a breach of the HMO Management Regulations. Following enforcement, the landlord arranged for the immediate clearance of the rubbish and restored the fire escape route to a safe and accessible condition.

### Outcome

This case highlights the vital role of tenant reporting and proactive enforcement in maintaining safety standards in shared accommodation. It also reinforces the importance of landlords adhering to all licence conditions, particularly those concerning fire safety and property maintenance.

**The Council is committed to upholding housing standards in the private rented sector. We will continue to respond swiftly to complaints and apply appropriate sanctions, to ensure the ongoing safety of tenants.**

## **8 Addressing poor conditions and management standards through licensing**

The proposed selective and additional HMO licensing designations would allow the Council to bring about a significant improvement to property conditions and property management in the area during the life of the scheme, reducing incidences of serious housing hazards within the borough.

As demonstrated, our evidence shows that a high proportion of Private Rented Sector (PRS) properties in the proposed selective licensing designation area are predicted to have unacceptably high levels of serious hazards. The Council believes it is necessary to inspect a large number of these properties to accurately identify the type and severity of hazards present. If any hazards are found, the Council will take the required enforcement actions to rectify them.

Our evidence also shows that a high proportion of additional HMOs in the borough are being managed ineffectively, proven by the cumulative presence of serious housing hazards and significant and persistent ASB.

Through these licensing regimes and the granting of licences, standard licence conditions would be imposed that require licence holders to manage their properties proactively and to take reasonable action to address any identified problems.

We will ensure that properties identified as 'high risk' are prioritised for inspection by officers to check for hazards and compliance with the licence conditions. This will allow the Council to take enforcement action (under Part 1 of the Housing Act), where necessary, to improve conditions.

The licensing inspection regime will also enable us to identify tenants on low incomes who are living in homes with an E, F or G EPC rating and those who may be affected by fuel poverty. Tenants will be referred to the appropriate services to ensure they receive the available support, and landlords will be advised accordingly. For those whose properties fall below the legal requirement and who ignore the advice and support of the Council, the Private Sector Housing team will work to bring them into compliance.

Licensing also gives the Council further powers to reduce ASB in the PRS. Without licensing the Council is only able to take action against tenants for ASB, as opposed to licensing, which places a duty on landlords to manage ASB in their properties as well. Landlords will receive guidance and advice on managing tenants involved in ASB, particularly in cases of serious ASB requiring formal court action.

The Council will expect property management issues identified during an inspection to be resolved within a reasonable period, depending on the severity of the issue. Improvement notices, overcrowding notices and prohibition orders are formal notices that may be issued to bring about improvements in properties. Landlords who fail to license their properties could also receive a civil penalty or may be prosecuted.

We will also continue to collaborate with the local Police, the London Fire Brigade and other Council departments to identify properties that need improvement.

The Council will proactively work with landlords to address poor housing conditions and poor property management and help them to comply with the licence conditions

in the borough. We will provide information and guidance on managing properties via the Council's web site and through forums (either in person or online).

We will use licensing to empower tenants by educating them on the standards that they should expect from their rented accommodation, their rights and how to access Council services that can support them if needed.



### **Case Study 3: Unlicensed property in severe disrepair identified during compliance enforcement action day**

#### Overview

During a recent targeted enforcement "Action Day," the Compliance Team identified an unlicensed single-family dwelling exhibiting serious external disrepair. The visit led to the discovery of a significant safety hazard and prompted formal enforcement action under housing legislation.

#### Background

The Compliance Team conducts regular enforcement Action Days as part of its selective licensing strategy. These operations use data intelligence to target areas and properties with a high likelihood of non-compliance. On this occasion, the team visited a property flagged through intelligence reports, which was found to be operating without a selective licence under the Housing Act 2004. Upon inspection, officers also observed that the entrance steps to the property were in a state of severe disrepair, posing a significant health and safety risk.

#### Hazards Identified

A structural defect in the concrete entrance steps was identified. A visible gap in one of the steps had been inadequately concealed with loose wooden boards, creating a substantial trip and fall hazard. This condition was assessed as a Category 1 hazard under the Housing Health and Safety Rating System (HHSRS), due to the potential for serious injury—including fractures or concussions—for both residents and visitors.

#### Council Action

As a result of the findings an Improvement Notice was issued under Part 1 of the Housing Act 2004, requiring the property owner to carry out urgent repairs to the steps and eliminate the identified hazard. A Civil Penalty Notice was also served due to the absence of a property licence, in contravention of Part 3 of Housing Act 2004. The financial penalty was set at £3,500, reduced in consideration of the landlord's subsequent application for a licence following the inspection.

#### Impact and significance

No complaints had been received about the disrepair prior to the visit. The hazardous condition was only identified through the council's proactive compliance checks, highlighting the critical role of intelligence-led enforcement in uncovering hidden risks to tenant safety.

**This case highlights the importance of regular property inspections and the effectiveness of selective licensing enforcement in improving housing standards and protecting tenant safety**



## 9 Proposed licensing scheme conditions

The conditions that the Council proposes to include in licences granted under the selective and additional HMO schemes can be seen in [Appendix 2](#) and [Appendix 3](#) and the documents downloadable from the consultation web page.

Each set of proposed licence conditions includes, for ease of reference, both mandatory conditions that the Council is obliged to include under statute, and discretionary conditions that we propose to include in licences granted in Hackney.

As part of the consultation process, respondents are able to give us their views about the proposed discretionary conditions for the selective and additional licensing schemes.

Please note, the proposed licence conditions for both schemes represent the conditions that the Council would normally impose in respect of a licence granted on application for a selective or additional licence. However, the Council may impose alternative (bespoke) conditions, where necessary and appropriate, on an individual case basis.

## 10 Proposed licensing scheme fees

### 10.1 Fee proposal

Licence applicants will be required to pay a fee for each property that needs a licence. The proposed selective licence fee is £925 per property and the proposed additional HMO licence fee is £1,400 per property. We are also proposing a number of discounts outlined below.

Licences will be granted for the duration of the scheme (up to 5 years) unless we have concerns about the management, use, condition or occupation of the property, in which case we may grant a licence for a shorter period.

Where we take enforcement action, the licence may be revoked or varied to a shorter term. If the licence is revoked, and the property continues to be rented out, a new application will have to be made and a new licence fee paid at the standard rate.

Licences are not transferable. If a person wants to become the new licence holder for a property, they must apply for a new licence, and pay a new licence fee.

Full payment must be received and cleared before a licence is issued.

Further information is available in the proposed schedule of fees, charges and discounts, attached as [Appendix 4](#). These fees form part of the consultation, and the Council welcomes any views on them.

### 10.2 Fee split

By law, the fee must be levied in two parts.

Part A will be payable on submission of the application and will cover the cost of processing and the administration in determining the eligibility of the application. Should the application be refused or rejected by the council or withdrawn by the applicant this first Part A payment will not be refunded.

Part B will be payable once the application has been assessed and the decision is made to grant the licence. This will cover the administration, management, and enforcement of the licensing functions for the scheme.

In the event that we decide to refuse a licence application, only the Part A fee will be payable.

### 10.3 Fee amounts

Type of license	Part A fee	Part B fee	Total fee
Selective	£555	£370	£925
Additional HMO	£840	£560	£1,400

## 10.4 Fee discounts

Nature of discount	Amount (Selective)	Amount (Additional)
EPC B and above	£100 off Part B	£100 off Part B
EPC C	£50 off Part B	£50 off Part B
Accredited landlord	£100 off Part B	£100 off Part B
Multi-dwelling	£100 off Part A	£100 off Part A

## 10.5 How we calculated the fees

The proposed fees have been calculated on the basis that the schemes will be cost-neutral to the Council and will not generate a profit. Licence fees cover our costs of administering the schemes and meeting the scheme objectives that are set out below. A significant proportion of the licence fee income will meet the necessary staffing costs to deliver the scheme outcomes, but the fees will also meet other running costs, such as IT expenditure, with appropriate allowances made for inflationary increases during the life of the scheme.

The proposed fees are underpinned by assumptions about the level of income the fees will generate, based upon the number of properties that we expect to be licensed during the life of the schemes and the numbers of those properties that we expect to be eligible for discounts.

## 10.6 Fee comparisons

The table below shows how the proposed fees and discounts compare with the advertised fee structures for other London Boroughs with similar schemes.

Local Authority	Selective fee	Additional HMO fee
Westminster	£995	£1,450
Barking and Dagenham	£950	£1,400
Hackney	£925	£1,400
Lambeth	£923	£1,518*
Southwark	£900	£1,518
Waltham Forest	£895	£1,200
Newham	£750	£1,250

\* Based on a three-bedroom HMO

## 11 Selective and additional licensing exemptions

Selective licensing applies to all privately rented properties within the designations unless they are licensable HMOs or exempt by law. Such exemptions include tenancies granted by public bodies (for example housing associations), holiday homes and some business tenancies. A full list of exemptions for selective licensing can be found at [The Selective Licensing of Houses \(Specified Exemptions\) \(England\) Order 2006 \(legislation.gov.uk\)](#)

Schedule 14 of the Housing Act provides an exemption from HMO licensing law for some types of buildings. These include buildings controlled by public sector bodies (for example, housing associations), some buildings occupied by students, and some owner-occupied buildings. A full list of exemptions can be found at [Housing Act 2004 \(https://shorturl.at/v8hfa\)](#)

## 12 Alternatives to licensing

We have considered other courses of action, or alternatives to the licensing proposals. But we do not believe that they provide an effective means of tackling poor housing conditions and repeat ASB in the borough.

Alternative Measure	Strengths	Weaknesses
Use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers	<p>Following an investigation, formal statutory notices can be served that require improvements to be carried out to a property.</p> <p>Councils can carry out work in default if a notice is not complied with.</p> <p>Landlords risk being prosecuted if they do not comply with the notice, or the Council can impose a civil penalty on the person responsible.</p>	<p>The powers do not place any obligation on landlords to be proactive in improving conditions. Formal action is generally slow, with appeal provisions against most types of notices served, which can significantly delay the time period for compliance.</p> <p>Work in default can be effective, but it is expensive and time-consuming to the Council, with the risk that not all costs are recovered.</p> <p>Successful prosecutions and civil penalties do not in themselves secure improvements in property conditions and the Council's costs in pursuing legal action are often not met in full.</p>
Rely on prosecutions and civil penalties for housing offences	Provides landlords with a disincentive to keep properties in poor conditions.	These powers do not place any obligation on landlords to be proactive in improving conditions. Successful prosecutions, or the imposition of civil penalties, do not in themselves secure improvements in property conditions. The absence of licensing significantly reduces the scope of the Council to impose civil penalties in respect of identified housing breaches.
Wider promotion of voluntary accreditation schemes to facilitate improvement in management practices and standards	For those landlords who take part, accreditation can increase their knowledge and competence and their ability to effectively manage	This requires voluntary landlord engagement, and rogue operators are unlikely to attend/engage in such schemes.

	a property.	
Improvement grants to improve sub-standard properties	Grants subsidise improvement works, improving standards and giving benefits for landlords and tenants.	Generally, there are few grants available, and the Council has very limited scope to offer grants through successful external funding bids. For the most part, grant awards would fund improvements that the landlord should be carrying out to meet their legal obligations.  Any grant scheme would be discretionary and would rely on voluntary landlord engagement.
ASB powers	Formal notices can be served at addresses identified as having ASB issues. This can resolve ASB at the particular address.	Action would generally be taken against the tenant in occupation. The powers do not place any obligations on landlords to be proactive in managing their properties to prevent or reduce the likelihood of ASB occurring.
Renters Rights Bill (Introduced to Parliament September 2024)	Will give the Council greater enforcement and investigatory powers.	Does not put in place a proactive approach to housing standards and still relies on tenants complaining and landlords being upfront about issues.

## 13 Proposed scheme objectives

Licensing is part of a broader, co-ordinated approach to help improve privately rented properties in Hackney. In general terms, we propose to use selective and additional licensing to continue to improve property conditions within the borough, tackle ASB and keep our residents safe. It is the Council's intention to carry out inspections within the proposed designations with a view to enforcing against category 1 and category 2 hazards. Properties identified as 'high risk' will be prioritised for inspection by officers.

We are committed to improving property conditions and management standards in the PRS, so that it contains good quality accommodation, helps us to achieve sustainable communities and continues to contribute positively to the local economy.

The objectives of our proposed schemes are outlined below:

Objective	Outcomes
<p>1. Create a fairer private rented sector</p>	<ul style="list-style-type: none"> <li>• Enhanced protection for private renters through better regulation and enforcement.</li> <li>• Significant reduction in housing hazards and disrepair, ensuring homes are healthy, safe and fit for purpose.</li> <li>• Rogue and irresponsible landlords are held to account through fines, prosecutions and compliance measures.</li> <li>• Responsible landlords are supported and protected from being undercut by non-compliant landlords.</li> <li>• Vulnerable tenants, including low-income households, are better protected from exploitation and poor housing conditions</li> <li>• Increased confidence in the PRS as a visible and safe housing option in Hackney.</li> </ul>
<p>2. Improve housing conditions in the PRS by improving poor property management standards</p>	<ul style="list-style-type: none"> <li>• All landlords must comply with licensing conditions (unless exempt); failure to do so results in enforcement action.</li> <li>• Targeted enforcement ensures that Houses in Multiple Occupation (HMOS) meet fire safety, space and amenity standards.</li> <li>• Serious housing hazards are addressed</li> <li>• All rented properties meet a minimum EPC rating of E or higher (unless exempt).</li> <li>• Health, safety and wellbeing of private tenants are significantly improved.</li> <li>• Ongoing monitoring of licensed properties ensures sustained compliance and quality.</li> <li>• The council builds a comprehensive picture of Hackney's PRS, enabling more strategic enforcement and support.</li> </ul>

3.	Increase tenant awareness of their rights and minimum standards to be expected in rented accommodation	<ul style="list-style-type: none"> <li>• Tenants and landlords have improved knowledge of their rights and legal responsibilities.</li> <li>• Tenants are empowered to identify and report substandard conditions and poor landlord practices.</li> <li>• Hackney Council provides accessible, up-to-date information via a dedicated “How to Rent” guides for both tenants and landlords.</li> <li>• Clear signposting and support channels for tenants enables timely reporting and resolution of housing issues.</li> <li>• Stronger tenant voices contribute to higher standards in the PRS.</li> </ul>
4.	Improve engagement between the council and private sector landlords.	<ul style="list-style-type: none"> <li>• Increase the number of accredited landlords, raising professionalism and accountability within Hackney’s PRS.</li> <li>• Improved communication channels keep landlords informed of legal updates, licensing changes and best practices.</li> <li>• Responsible landlords are actively involved in shaping local housing strategies and benefit from targeted support.</li> <li>• The Council fosters collaborative relationships with landlords to drive up standards borough-wide.</li> </ul>



## 14 Licensing and wider council strategies

Property licensing is an effective tool in improving conditions for private renters and forms an integral part of the council's overarching housing strategy. In addition, licensing can support the delivery of several broader council priorities that recognise the impact of poor-quality housing and anti-social behaviour in residents' lives. The proposed licensing designations are consistent with the overall aims of the following strategies, plans and policies.

### 14.1 Hackney Strategic Plan

The Hackney Strategic Plan 2022 to 2026 - Working Together for a Better Hackney, focuses on three key priorities:

- **Fairer, Safer Hackney:** Aims to tackle inequality, reduce poverty, create job pathways, build 1,000 new Council homes, improve housing standards, and support at-risk residents.
- **Greener, Healthier Hackney:** Seeks to achieve net zero emissions by 2040, reduce traffic, improve air quality, address health inequalities and support older and disabled residents.
- **Every Child in Hackney:** Emphasises the need to ensure every child in Hackney has the best start in life, improve education, maintain youth services, invest in mental health, provide access to play and culture, tackle child poverty, and support families in need.

Property licensing schemes are instrumental in achieving Hackney's priorities. By ensuring private rented properties meet safety and quality standards, these schemes directly contribute to improving housing conditions and protecting vulnerable residents from poor housing and evictions.

By enhancing living conditions, property licensing schemes foster safer and more cohesive neighbourhoods, contributing to the broader goals of fairness, safety, and health in Hackney, making these schemes a crucial element in the successful implementation of the Hackney Strategic Plan.

### 14.2 Private Sector Housing Strategy

The Private Sector Housing Strategy 2025 - 2030 sets out how the Council, along with its partners, will support the improvement of housing and management standards in the private sector. The priorities and actions in this strategy are arranged into four key themes:

1. Improving property and management standards in the Private Rented Sector.
2. Increasing the supply and access to good quality, well managed, affordable homes in the Private Rented Sector.
3. Ensuring that housing standards and living conditions in the sector contribute towards better health outcomes for all.

4. Ensuring that Hackney is a place where people want to live and are proud to live.

Private property licensing schemes are instrumental in regulating property conditions, management, and occupancy in the private rented sector. Licensing schemes also provide essential tools for tackling anti-social behaviour and overcrowding, thereby improving housing conditions and reducing inequalities. Additionally, the licensing schemes will support proactive management and inspection to address issues with non-compliant landlords, ensuring a safer and more well-managed private rented sector in Hackney.

### 14.3 Homelessness and Rough Sleeping Strategy

The Homelessness and Rough Sleeping Strategy 2023-2026 aims to increase affordable housing, tackle rough sleeping, support residents with complex needs, address youth homelessness, and mitigate inequality impacts.

The strategy identifies the important role that the private rented sector can play in providing settled homes for people who are homeless or at risk of homelessness. Increasing access to the number of private sector homes which the Council can use to do this is critical if we are to reduce our reliance on temporary accommodation and provide stable and secure homes for people.

By regulating the private rented sector through licensing schemes, it provides an opportunity to work with local landlords to improve standards and drive-up conditions in the private rented sector and increase the supply of much needed stable family homes. Licensing schemes will also enable the Council to offer greater protection to tenants in the private rented sector, by reducing the prospect of unlawful evictions, which in turn helps to both avoid and reduce homelessness in the borough.

### 14.4 Empty Properties

The council recognises that empty properties are a wasted resource for both the community and the owner and can cause a variety of issues such as reducing the supply of housing and attracting ASB, other criminality and community tension. The Private Sector Housing Strategy outlines the Council's commitment to reducing the number of empty homes in the borough. Bringing empty properties back into use is a priority for the council, and clamping down on those landlords that keep homes empty for years on end is a key step to increasing the supply and availability of affordable homes in the borough.

Bringing empty properties up to standard and back into use as decent liveable homes is complimentary to the objectives of the proposed licensing schemes.

## 14.5 Regeneration

Hackney Council's regeneration strategy is centred on creating fairer, safer, and more sustainable communities by balancing inclusive growth with the preservation of the borough's unique character. This involves major initiatives such as the redevelopment of public spaces, improvements to transport infrastructure, and support for local businesses.

As part of this approach, private property licensing schemes serve as a key regulatory tool to ensure that landlords in regenerating areas uphold high standards of property management, supporting Hackney's broader regeneration goals - fostering sustainable, inclusive neighbourhoods where all residents can benefit from local development.

## 14.6 Anti-Social Behaviour

The Private Sector Housing Strategy recognises that as well as physical housing conditions, environmental blight and anti-social behaviour can all influence the way people feel about where they live.

To tackle ASB problems, we have made it conditional on all private landlords who hold licences under our HMO or selective scheme to prevent and combat ASB associated with properties they manage. Section 57(5) of the Housing Act 2004 gives a definition of ASB for the purposes of licensing under Parts 2 and 3 of the Act.

Additional and Selective Licensing will enable the Council to encourage landlords to work with their tenants to reduce ASB. Information and support will be available both online and through forums.

## 15 Further information

The Public Sector Equality Duty (PSED), Section 149 of the Equality Act 2010 requires the Council to have “due regard” to its equality aims when exercising its public functions. An Equality Impact Needs Assessments was carried out as part of these proposals. The results of the EINA are attached as [Appendix 5](#).

## Glossary

Term	Meaning
Private Rented Sector (PRS)	The portion of housing in the borough that is rented from private landlords.
Privately rented	Homes rented from a private landlord.
Socially rented	Homes rented from the council or a Registered Provider (commonly referred to as a Housing Association).
Selective licensing	A discretionary licensing scheme which requires landlords to have a licence to legally let their property to a family or no more than two unrelated sharers.
Additional Houses in Multiple Occupation (HMO) Licensing	A discretionary licensing scheme which requires landlords to have a licence to legally let eligible HMOs occupied by three or four unrelated persons living in two or more separate households that share (or lack) one or more basic amenity, which fall outside the scope of Mandatory HMO licensing
Mandatory Houses in Multiple Occupation (HMO) Licensing	A national scheme which requires landlords to have a licence to legally let eligible HMOs occupied by five or more unrelated persons living in two or more separate households that share (or lack) one or more basic amenity
Designation	A geographical area chosen for licensing that meets relevant legal tests
Housing Health and Safety Rating System (HHSRS)	A government prescribed system that rates housing hazards based on their risk to occupiers' health, safety, and welfare
Category 1 hazard (Category 1)	The most serious hazards under the HHSRS, which include immediate risk to a person's health, safety and welfare
Category 2 hazard (Category 2)	Less serious hazards under the HHSRS. Whilst considered less serious they can still be regarded as placing the occupiers' health, safety and welfare at risk.
Serious hazard	Defined in the Housing Stock Condition and Stressors Report as Category 1 and/or high scoring Category 2 hazards, HHSRS
Statutory notice	A legal document issued by the council that requires the recipient to complete specified actions within a specified timeframe.
Antisocial behaviour (ASB)	Behaviour related to the occupiers of, and/or visitors to, a rented property that causes nuisance, annoyance and irritation to neighbours and the community. Most commonly

Term	Meaning
	noise, litter and waste
Deprivation	Living on low income and not having the money to pay for some basic requirements.
Indices of Multiple Deprivation	A dataset produced by the government to give a relative value to how deprived an area is, compared to the rest of the country.
Barriers to housing and services	One of the government's measures of deprivation. It combines measures relating to housing affordability, overcrowding and homelessness.
Minimum Energy Efficiency Standard (MEES)	Regulations that set a minimum energy efficiency standard (EPC rating of E) that applies to privately rented properties.
Energy Performance Certificate (EPC)	EPCs rate how energy efficient properties are using grades from A to G (with 'A' the most efficient grade).
Accreditation	Schemes overseen by various organisations, including local authorities and landlord associations, to provide training and encourage good practice by private landlords.

## 16 Appendices

Appendix 1	Housing Stock Conditions and Stressors Report (Metastreet, 2025)
Appendix 2	Proposed Selective Licence Conditions
Appendix 3	Proposed Additional HMO Licence Conditions
Appendix 4	Proposed Schedule of Proposed Fees, Charges and Discounts
Appendix 5	Equality Impact Assessment