



Delegated Report to the Executive Director for Housing, Regeneration and Environment

Review of the Implementation Timetable for the Additional Licensing Scheme

Date: 14th April 2020

Key decision: N/A

Class: N/A

Ward(s) affected: All

Contributors: Head of Law, Governance and HR
Director of Financial Services

Outline and recommendations

This report follows on from the 11th March Mayor and Cabinet report on the introduction of two new licensing schemes in Lewisham which was approved. Following on from that meeting, the Executive Director is now asked to agree to the following recommendations relating to the implementation of the new Additional Licensing Scheme:-

- 1.1. Note the impact of Covid-19 on the timetable for the rollout of the new Additional Licensing Scheme for HMOs as outlined in section 6;
- 1.2. Note that as the 26th March Licensing Supplementary Committee meeting was cancelled the fees for both of the new Licensing Schemes have not been agreed;
- 1.3. Approve the request to pause all activities, in particular the public facing activities, that are required as part of the implementation of the new Additional Licensing Scheme;
- 1.4. Resubmit the Licensing Schemes Fees and Charges report to the Licensing Supplementary Committee for approval at an appropriate time following the end of the pandemic;
- 1.5. Determine a revised timetable to launch the Additional Licensing Scheme once the scheme's fees and charges have been approved; and
- 1.6. Advertise to bring into force the designation once the launch date and the implementation timetable has been agreed.

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Timeline of engagement and decision-making

- 27 Feb 2019** Lewisham's Corporate Strategy 2018-2022 published. "Tackling the housing crisis" is a key priority and the strategy includes a commitment to implement a full borough-wide licence scheme to crack down on rogue landlords.
- 06 Mar 2019** Housing Select Committee expressed its strong support for an application to be made to the Secretary of State for Housing Communities and Local Government for approval to implement a Selective Licensing Scheme.
- 24 Apr 2019** The Mayor and Cabinet agreed that:
- officers undertake a public consultation on the proposal for a new additional licensing scheme and for a selective licensing scheme (as split via the designations) which will require approval from the Secretary of State, and
 - if the new additional licensing scheme and the selective licensing schemes are agreed, the council will incur costs of up to £400,000 to introduce the schemes, which will be wholly recoverable from licencing fees.
- 28 May 2019**
– Public Consultation for revised additional licensing scheme and the new selective licensing scheme.
- 21 Aug 2019**
- 11 Mar 2020** Mayor and Cabinet agrees to introduce an Additional Licensing Scheme and delegate authority to the Executive Director for Housing, Environment and Regeneration to finalise the application for a Selective Licensing scheme and submit to the Secretary of State.
- 17 Mar 2020** The decision was made to cancel all non-statutory Council and committee meetings following the Covid-19 pandemic.
- 19 Mar 2020** Licensing Supplementary Committee meeting is cancelled due to Covid-19 pandemic. This means the fees for the Licensing Schemes have not been formally set.

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1. Summary

- 1.1. On 11th March 2020, Mayor and Cabinet considered a report, “Borough-wide Licensing: Consultation responses and proposals to introduce new licensing schemes”. The report’s recommendations which included seeking agreement to introduce an Additional Licensing Scheme and delegate authority to the Executive Director for Housing, Environment and Regeneration to finalise the application for a Selective Licensing scheme and submit to the Secretary of State were approved.
- 1.2. On 12th March 2020, Covid-19 was declared a pandemic by the World Health Organisation. On 23rd March the Prime Minister placed the UK under lockdown with fines handed out to anyone who leaves their home for anything other than to go to work, buy food and medicine or to exercise. This has significantly impacted the council’s ability to progress the activities needed to launch the new additional licensing schemes and to work on the application for the Selective Licensing scheme as priority and focus is on supporting our residents and businesses, ie, tenants, managing agents and landlords, as well as our homeless, rough sleepers, those vulnerable in shared accommodation to tackle the challenges of Covid-19.
- 1.3. The Government has published emergency legislation to protect tenants during this time and has reinforced that where possible landlords should ensure that tenants continue to be 100% safe and secure in their homes.
- 1.4. Officers are therefore seeking the Executive Director’s agreement to pause the implementation of the Additional Scheme until such a time that the Lead Member for Housing and the Executive Director for Housing, Regeneration and Environment agree that the process can restart/go ahead.
- 1.5. This report relates specifically to the approval to introduce an Additional Licensing Scheme in Lewisham agreed at the Mayor and Cabinet meeting on 11th March 2020. At that meeting, the Mayor delegated authority to progress the application for the Selective Licensing Scheme to the Executive Director for Housing, Regeneration and Environment so the delegated authority is already in place.

2. Recommendations

This report follows on from the 11th March Mayor and Cabinet report on the introduction of two new licensing schemes in Lewisham which was approved. Following on from that meeting, the Executive Director is now asked to agree to the following recommendations relating to the implementation of the new Additional Licensing Scheme:-

- 2.1. Note the impact of Covid-19 on the timetable for the rollout of the new Additional Licensing Scheme for HMOs as outlined in section 6;
- 2.2. Note that as the 26th March Licensing Supplementary Committee meeting was cancelled the fees for both of the new Licensing Schemes have not been agreed;
- 2.3. Approve the request to pause all activities, in particular the public-facing activities, that are required as part of the implementation of the new Additional Licensing Scheme;
- 2.4. Resubmit the Licensing Schemes Fees and Charges report to the Licensing Supplementary Committee for approval at an appropriate time following the end of the pandemic;
- 2.5. Determine a revised timetable to launch the Additional Licensing Scheme once the scheme’s fees and charges have been approved; and

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- 2.6. Advertise to bring into force the designation once the launch date and the implementation timetable has been agreed.

3. Policy Context

- 3.1. **Lewisham Council Corporate Strategy:** - The implementation of the Additional Licencing Schemes directly supports a number of our corporate strategies and policies. A summary of how the Additional Licensing Scheme supports our key strategies is set out below:-

- *The Corporate Strategy 2018-2022:* Tackling the housing crisis so that everyone has a decent home that is secure and affordable; Improved standards across all housing sectors; Building safer communities so that every resident feels safe and secure living here as we work together towards a borough free from crime
- *The Housing Strategies* (both 2015-20 and draft 2020-26 currently out for public consultation): Greater security and quality for private renters (current Housing Strategy); Promoting health and wellbeing by improving our residents' homes (current Housing Strategy); Improving the quality, standard and safety of housing (draft 2020-26 strategy);
- *Safer Lewisham Plan:* reduction in harm and vulnerability is identified as a critical as part of an overall prevention, intervention and enforcement approaches.
- *MOPAC Police and Crime Plan 2017-21:* The safer Lewisham Partnership has committed to working to the Mayor's Office for Policing and Crime (MOPAC) Police and Crime Plan. This advocates a multi-disciplinary and problem-solving approach between the council and the police, using all the powers and resources at our disposal to tackle and prevent antisocial behaviour (ASB).
- *Sustainable community strategy 2008-20:* being a safer borough, where people feel safe and live free from crime, antisocial behaviour and abuse.

- 3.2. **The Coronavirus Act 2020:** - This Act received royal assent and became law in the UK on 25th March 2020. The Act grants the Government emergency powers to manage the Coronavirus Pandemic and provides the legal basis for the 'lockdown' of citizens and businesses. The Act allows the government the discretionary power to limit or suspend public gatherings, to detain individuals suspected to be infected by Covid-19, and to intervene or relax regulations in a range of sectors to limit transmission of the disease, ease the burden on public health services, and assist healthcare workers and those financially affected.

- 3.3. Its scope ranges from the food supply chain to the management of the deceased, to technical amendments needed to loosen up requirements and obligations around issues such as authorisations, vetting, and home schooling. There are various measures to facilitate boosting staff numbers for healthcare and social services; provisions in relation to workers' rights and entitlements; powers to enforce social distancing, powers to facilitate remote operation of the court system, provisions in relation to the emergency financial support measures, provisions in relation to local authorities and in relation to business and residential tenancies. All of the provisions in the Act are time-limited for two years and not all the provisions came into force immediately. Measures can also be suspended and reactivated later. It will also be possible to extend or end the provisions of the Act, depending on the scientific evidence.¹

¹ Adapted from Insights – The UK Coronavirus Act: an overview – 31st March 2020

- 3.4. **Non Statutory Guidance:** - The Government published non-statutory [guidance](#)² at the end of March 2020 for local authorities on enforcing standards in rented properties during the Covid-19 outbreak. The purpose of the guidance is to advise local authorities on how to effectively enforce standards in rented properties and meet their legal obligations as well as supporting landlords and tenants through the challenges of the Covid-19 pandemic.
- 3.5. Within the guidance Government has advised that ‘where local authorities are in the process of introducing non-mandatory licensing schemes, but these are not yet in force, they should consider:
- Pausing these at an appropriate point, in line with the advice on proactive and reactive work.
- 3.6. The government guidance further states that for proactive and reactive work:
- Local authorities should consider suspending all non-urgent proactive work where there is not a duty to carry this out, for example, scheduled targeted action or inspections of licensable properties, and prioritising reactive work, e.g. complaints from tenants.
 - A triage system may be used to ensure the most serious risks are prioritised and vulnerable tenants are protected.
 - If you are using proactive action specifically to protect vulnerable tenants, you will need to consider carefully whether you continue with this work. Any decision to continue or suspend proactive action should be made based on an assessment of risk at the most.
- 3.7 This is not a statutory guidance issued under section 9 of the Housing Act 2004. The guidance is intended to provide a recommended approach for local authorities, taking into account the Covid-19 outbreak and current public health guidance. Local authorities are not required to have regard to the guidance under section 9(2) of the Act. However, Lewisham is proposing to follow the advice set out in this guidance and so as the Additional licensing scheme is not fully implemented, this is an appropriate point for us to pause implementation.

4. Background

The impact of Covid-19 on service provision

- 4.1. The UK was lockdown on the evening of 23rd March 2020. Staff were asked to work from home wherever possible and the provisions set out in the Coronavirus Act 2020 were introduced. From that point onwards the Council shifted its focus to supporting residents and businesses through the pandemic and reallocating resources to deliver the critical services.
- 4.2. In conjunction with the local government representative bodies and inline with other London boroughs, Lewisham has identified its critical services for prioritisation during the Pandemic. Within the Housing Needs division these critical services include:-
- Emergency repairs;
 - Critical housing safety (fire safety, gas safety); and
 - Emergency housing provision.

² Covid-19 (Coronavirus) and the enforcement of standards in rented properties

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Emergency Repairs

- 4.3. The council is working closely with our social housing stock suppliers to ensure emergency repairs are undertaken as a matter of priority.

Emergency Housing Provision

- 4.4. The Council is working tirelessly to support our most vulnerable residents and respond to the challenges we face as a result of the current coronavirus outbreak. As a result, we have temporarily suspended choice based lettings to enable us to provide emergency housing to those who are vulnerable and at most risk of being affected by the outbreak. Officers are now focussed on direct-matching of properties for our most vulnerable clients, with a particular focus on vulnerable households who are currently sharing facilities, urgent safeguarding cases, rough sleepers and emergency cases.
- 4.5. We have secured access to additional units through Goldsmiths, University of London, who have linked us to providers of their student accommodation. We are also progressing the procurement of Morton House working with colleagues in the Regeneration Division.
- 4.6. We are also preparing for a possible spike in referrals from hospital discharges as they need to move people who have recovered well enough to leave the hospital as quickly as possible.

Critical Housing Safety

- 4.7. The Council continues to prioritise protecting tenants from danger in their home by ensuring that landlords are dealing with anything that might put their tenants at risk in particular any Category 1 hazards as well as ensuring that properties have all the required health and safety certificates. Licensing officers and the Rogue Landlord officers are giving advice to residents and to landlords in relation to housing safety. Whilst we are no longer carrying out routine licensing inspections, we will continue to inspect high-risk properties where this is possible without compromising residents' safety.

Support for Landlords and Managing Agents

- 4.8. The coronavirus pandemic is impacting every aspect of our lives, creating uncertainty and fear amongst both renters and landlords. Renters in the private sector, who may struggle to pay their rent if they cannot work, or lose their income, as a result of the virus pandemic, will understandably be concerned. Landlords, who in turn may be unable to meet their mortgage obligations, or who are simply unsure how to respond to their renters' plight, are likewise bound to be affected by the current situation.
- 4.9. The Private Sector Housing Agency continues to support landlords and tenants during these difficult times. In the light of recent government guidance, we have revised our licensing and disrepair enforcement services policy to work with landlords to provide safe and habitable housing for renters in Lewisham during these difficult times.
- 4.10. This temporary policy acknowledges the financial and practical difficulties that landlords may find themselves operating under. It specifically advises landlords and their agents to gather evidence of their attempts to carry out their repair obligations. We will accept that there may be circumstances in which they will be unable to carry out essential and urgent repairs. The policy reminds landlords that while we will be sympathetic, pragmatic and understanding, the evidential burden of establishing that they have a reasonable excuse rests with them. It advises landlords and their agents about the type of evidence they should collate to establish this.
- 4.11. In line with other good practice and following Government's lead, the Council will defer payment of licensing fees where landlords and their agents are in genuine financial hardship as a result of the effects of Covid-19. The policy advises landlords about the

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sort of evidence they should collate to obtain a deferment.

- 4.12. We remain available to provide telephone and email advice and support to landlords. This includes posting regular updates on the council's website and circulating emails to landlords.

Support for Tenants and Residents

- 4.13. We remain committed to ensuring that tenants are safe in their homes, and their and others' safety is not compromised by being made homeless.
- 4.14. We have publicised the government guidance on evictions to both landlords and tenants in partnership with our housing needs colleagues.
- 4.15. Our Rogue Landlord Team continue to provide telephone advice and will intervene in incidents of unlawful eviction and harassment. The Rogue Landlord Team have been kept very busy with casework coming directly from our tenants who are being harassed as well as cases of illegal evictions. There has also been an increase in casework referred from Councillors and senior managers.
- 4.16. We have been forced to scale back property inspections resulting from complaints of disrepair and to prioritise only those where the hazards are an imminent and serious risk to residents, or where residents are vulnerable. We will make use of video and photographs to triage these cases.
- 4.17. We will work with our housing needs and private sector procurement colleagues to arrange alternative housing for tenants whose property cannot be repaired because of a lack of available workmen.

5. Rationale for pausing the schemes

- 5.1. Due to the current pandemic, the PSHA team will not be able to implement the new additional scheme as detailed in the report submitted to the Mayor and Cabinet on 11 March 2020. The need for social distancing means officers will need to enter homes only when it is necessary to do so and doing standard licensing visits is not deemed sufficiently necessary for officers to do. Not being able to undertake standard licensing visits means the licensing of properties cannot happen.
- 5.2. The Licensing Supplementary Committee that was due to consider the Fees and Charges report in respect of the Additional and Selective Licensing Schemes has not met as their meeting was cancelled. This means the fees for both schemes have not been formally set and without set fees, we will not be able to charge landlords the money. So once again if we cannot charge then we cannot issue licences.
- 5.3. Council resources have been re-assigned to work on Covid-19 responses and this has impacted on the implementation plan as key partners eg Comms team/Webteam are no longer available to provide support. In addition to this staff working on the BWL project have been in self-isolation due to the pandemic. This has meant we have been unable to meet the key milestones for implementing the scheme, in particular, obligations relating to advertising the designation.
- 5.4. The current economic uncertainty does not provide a conducive environment for the Council to be launching a scheme that could be viewed as asking landlords to pay for licences at a time when it is recognised that landlords incomes may be impacted due to the economic downturn and tenants facing redundancies or furloughing. This is not the right time to launch a scheme that essentially adds to a landlord's overheads.

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6. Proposed plan for Additional HMO scheme

6.1. The proposal is to pause the launch of the Additional HMO Scheme in line with government guidance on new licensing schemes. The Licensing and Housing Enforcement Team will continue to make service improvements in line with the original plan to ensure operational readiness for when the scheme is reinstated.

Activities on Hold

6.2. This report proposes is to pause the following activities;

6.2.1. Activities planned for the week of Mar 26th 2020 (seven days from the decision)

- We are required to publish a notice within the designated area within seven days of the designation being confirmed. This means publishing notices regarding the designation on noticeboards within council buildings and other public spaces. With the current lockdown very few residents are likely to see the notices, thereby
- Publishing on the council website the notice regarding the designation. The decision is driven by Covid-19 taking prime focus in all housing communications. Publishing the notice on designation would take resources and focus away from Covid-19 at this critical time.

6.2.2. Activities planned for the week of Apr 2nd 2020 (fourteen days from the decision)

- We are required to notify all those consulted on the proposed designation within two weeks of the designation being confirmed. This has not taken place as the 11th of March Mayor and Cabinet decision stood at the point when we had moved resources and focus to prepare for the challenges of Covid-19.
- Publishing feature article and news stories in news channels both online and offline, flyers to key events, social media updates and e-mail to stakeholders. As above these activities will take resources and focus away from Covid-19 at this critical time. Additionally, with all non-critical events cancelled producing flyers at this time would not be the best use of council finances.

6.2.3. Delaying recruitment activities planned from April 2020 as new staff form the largest costs of implementing the scheme. With no revenue to balance these costs, the Council would not be in a position to recover these costs.

Scheme Costs

6.3. We will limit the cost to the scheme by placing the above activities on hold.

Scheme Launch

6.4. We will revisit the launch dates for the scheme when the Executive Director of Housing Regeneration and Environment agrees that the time is right following consultation with the Lead Member for Housing.

6.5. We will provide the public with a minimum of three months notice on scheme launch dates. This will be supported by extensive advertising and an early bird scheme will be available to encourage landlords to apply for their licences at the beginning of the five year scheme.

7. Financial implications

7.1. This report asks the Executive Director for Housing, Regeneration and Environment to note the impact of Covid-19 on the timetable for the rollout of the new Additional Licensing Scheme for HMOs and that the meeting of the Licensing Supplementary committee which was due to consider the report was cancelled.

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- 7.2. It further requests approval to pause the decision to take the additional licencing scheme public on 4 August 2020. As such, as this is only a delay in implementation and all activity on recruitment and other initiatives to implement the scheme have been put on hold, there are no direct financial implications arising from the report as costs have not yet been incurred.
- 7.3. The income and expenditure associated to the implementation of the additional licencing scheme will be deferred until a revised launch date for the additional scheme has been agreed and fees levels have been approved by the Licencing Supplementary Committee.

8. Legal implications

An 'additional' licensing scheme designation needs 'general approval' and consultation is required

HMO Licensing Schemes

- 8.1 The Housing Act 2004 provides local authorities with the power to impose different types of licensing schemes for houses in multiple occupation, ("HMO"s). HMO's governed by Part 2 of the Housing Act 2004 are generally defined as premises which are 3 or more storeys high, contain 5 or more people in 2 or more households and contain shared facilities. There is a statutory requirement for every HMO to be licensed by a local authority. This is 'mandatory' licensing.
- 8.2 Part 2 of the Housing Act 2004, gives local authorities power to introduce licensing schemes for HMO's that are not covered by mandatory licensing schemes, and / or which go beyond the national mandatory regime. For each type of different statutory licensing scheme, the definition of an HMO is modified accordingly.
- 8.3 Designations require either 'General Approval' (for 'additional' licensing schemes) or the approval of the Secretary of State by confirmation (for 'Selective' licensing schemes). The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selection of Other Residential Accommodation (England) General Approval 2015, revoked the former 2010 General Approval provisions, such that 'General Approval' is deemed to be granted for additional licensing schemes, subject only to confirmation by the local authority that it has consulted persons, likely to be affected by them, (s. 56(3)(a) of the 2004 Act,) for not less than 10 weeks. Designations may last no longer than 5 years from the date on which they come into force.

Additional Licensing Schemes

- 8.4 An authority may, pursuant to s. 56 of Part 2 of the 2004 Act, designate either the whole of its area or a part of its area as subject to 'additional licensing' in relation to a description of HMO's specified in its express designation. When exercising power under s. 56, local authorities must ensure that exercise of their power is consistent with their overall housing strategy, seek to co-ordinate their approach to homelessness, empty properties, and to antisocial behaviour affecting the private rented sector, not make a designation unless they have considered whether there are other effective measures dealing with the problem, and consider that the designation will significantly assist them to deal with the problem.
- 8.5 On 26th March 2020, the Coronavirus Act 2020 came into force. The Covid -19 (Coronavirus) and the enforcement of standards in rented properties, was published in March 2020, expressly stated as being non-statutory guidance issued under s.9 of the Housing Act 2004. ["Guidance".] This Guidance is intended to provide a recommended approach for Local Authorities taking into account, the Covid -19 outbreak and current public health guidance. A link to the Guidance is provided within para. 3.2 of this report.

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- 8.6 Paragraph 4 of this report sets out the Local Authorities Housing priorities to address the recommended approach for Local Authorities taking into account the Covid-19 outbreak and the current public health guidance.

Commitment to Equality

- 8.7 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 8.8 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act,
- advance equality of opportunity between people who share a protected characteristic and those who do not,
- foster good relations between people who share a protected characteristic and those who do not

- 8.9 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.

- 8.10 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

- 8.11 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

- [Equality Act - Codes of Practice](#)
- [Equality Act - Technical Guidance](#)

- 8.12 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

- 8.13 The essential guide provides an overview of the equality duty requirements including the

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general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

- [Public Sector Equality Duty Guidance](#)

9 Equalities implications

- 9.1 With respect to the Council's Comprehensive Equalities Scheme 2016-20, the proposals described in the Appendix A – Mayor and Cabinet Report – **11 March 2020** make a clear contribution to the following equality objectives:
- Tackling victimisation, discrimination and harassment
 - Improving access to services
 - Closing the gap in outcomes between citizens
 - Increasing mutual understanding and respect within and between communities
 - Increasing participation and engagement
- 9.2 Although socio-economic status is not a characteristic protected under the Equality Act 2010, it is part of the lived experience of all characteristics protected under the Equality Act. As such, the proposals described in this report will make a specific contribution to tackling socio-economic inequality; particularly as it affects low-income households, people with learning disabilities, those who do not speak English as a first language and others whose circumstances increase their risk of vulnerability to exploitation.
- 9.3 As part of the councils Covid-19 reponse, the Housing Needs Division is working tirelessly to support our most vulnerable residents and respond to the challenges we face as a result of the current coronavirus outbreak. Officers are focussed on direct matching of properties for our most vulnerable clients, with a particular focus on vulnerable households who are currently sharing facilities, urgent safeguarding cases, rough sleepers and other emergency cases such as hospital discharges.

10 Climate change and environmental implications

- 10.1 The licensing schemes will identify climate and environmental issues not already known such as energy performance, fly-tipping and waste management issues directly linked to properties in the PRS.
- 10.2 A coordinated approach will be taken to engage with landlords. Inspections will focus on the eradication of category 1 and 2 hazards on cold and thermal efficiency, especially for vulnerable residents.
- 10.3 Inspections of these properties will be conducted on a risk basis including analysis of potential poor standards in the stock and will work to address poor standards including damp and cold.
- 10.4 Our officers will be trained to provide advice on potential issues relating to energy efficiency, root damage, subsidence and light.
- 10.5 Undertake targeted work with all landlords and using landlord forums to promote energy efficiency, including engaging with landlord accreditation schemes that promote energy efficiency.

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- 10.6 Support a new PRS renters union across the sector to provide a forum for renters; allowing us to raise awareness of the Climate Emergency and measures to tackle it and the union to flag up specific concerns to be addressed
- 10.7 The licensing and enforcement team is committed in support Lewisham’s climate change initiative by supporting the climate initiative team in
- developing a programme to target high-risk streets and neighbourhoods with tailored advice including the publication and promotion of initiatives,
 - assessing the actions and investment needed to get all buildings in the PRS to an average of EPC B and in identifying energy inefficient properties,
 - exploring the potential to provide a discount on the licence fees based on their EPC rating
- 10.8 As part of the Covid-19 response, the licensing and enforcement team is committed to tackling environmental issues should they arise as per the temporary licensing and enforcement policy published for the Covid-19 emergency.
- It specifically advises landlords and their agents to gather evidence of their attempts to carry out their repair obligations
 - The policy reminds landlords that while we will be sympathetic, pragmatic and understanding, the evidential burden of establishing that they have a reasonable excuse rests with them.
 - It advises landlords and their agents about the type of evidence they should collate to establish this developing a programme to target high-risk streets and neighbourhoods with tailored advice including the publication and promotion of initiatives.

11 Crime and disorder implications

- 11.1 One of the objectives of the proposed schemes includes tackling ASB and crime. The scheme will identify crime and disorder issues as a result of inspections and investigation. This may result in an increase in anti-social behaviour casework, which is investigated primarily by the Council’s Crime, Enforcement & Regulation Service.
- 11.2 The Private Sector Housing Agency will tackle ASB and crime through active and robust enforcement working in partnership with a range of internal and external agencies including the Crime Enforcement and Regulation Service and Police.
- 11.3 The Council must ensure that the selective licensing scheme is consistent with the authority’s overall Housing Strategy and must seek to continue to adopt a coordinated approach in dealing with Homelessness, ASB and empty properties. The Council in its Housing Strategy is committed to working in partnership with the landlords and tenants of the PRS which represent the second-highest tenure in the Borough.
- 11.4 In response to the Covid-19 pandemic, we remain committed to ensuring that tenants are safe in their homes, and their and others’ safety is not compromised by being made homeless. Our rogue landlord team continue to provide telephone advice and will intervene in incidents of unlawful eviction and harassment.

12 Health and wellbeing implications

- 12.1 A key component of delivering the scheme outcomes is the promotion of careers in PRS housing to young people. We will create additional opportunities to promote careers in housing and environmental health to young people, to create a long-term pipeline of

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qualified officers.

- 12.2 A poorly managed private rented detracts from the look and feel of the street and this will put off residents of all sectors from remaining in the Lewisham, regardless of tenure. A good quality private rented offer will encourage residents to stay in the borough, in turn creating sustainable communities.
- 12.3 Housing has a huge influence on our mental health and wellbeing. Those who are vulnerable – elderly or young, isolated, without a support network, and adults with disabilities – are more likely to be affected. Poor housing conditions have a long-term impact on health, increasing the risk of severe ill-health or disability by up to 25 per cent during childhood and early adulthood. Children living in crowded homes are more likely to be stressed, anxious and depressed, have poorer physical health, and attain less well at school. An improvement in property conditions is expected to lead to a general improvement in residents living conditions and their health.
- 12.4 As part of the temporary Covid-19 licensing and enforcement policy, we are no longer carrying out routine licensing inspections. We will continue to inspect high-risk properties where this is possible without compromising residents' safety. We remain available to provide telephone and email advice and support to landlords. This includes posting regular updates on the council's website and circulating emails to landlords.

13 Background papers

- 13.1 Appendix A – [Mayor and Cabinet Report – 11 March 2020](#)

14 Glossary

Term	Definition
Coronavirus	Coronavirus” is defined in the Act as meaning severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (the virus itself) and “coronavirus disease” means Covid-19 (the official designation of the disease which can be caused by coronavirus).

15 Report author and contact

- 15.1 For further information please contact Fenella Beckman (Head of Private Sector Housing Agency) on fenella.beckman@lewisham.gov.uk or 0208 314 8632.

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