**Selective Licensing Application Form for Local Authorities**

Local authorities should submit applications for selective licensing in this template. In addition, we recommend that local authorities refer to the accompanying guidance (*[Licensing in the private rented sector- A Guide for local authorities)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418551/150327_Guidance_on_selective_licensing_applications_FINAL_updated_isbn.pdf)* and the relevant legislation ([Housing Act 2004, Part 3](https://www.legislation.gov.uk/ukpga/2004/34/part/3) and [The Selective Licensing of Houses (Additional Conditions) (England) Order 2015)](https://www.legislation.gov.uk/ukdsi/2015/9780111131435) to make sure that all of the statutory criteria are met.

Applications for selective licensing schemes can be complex and resource intensive to assess and may take approximately 10-14 weeks to be reviewed. We will contact you directly if we require any additional information. Please be aware that this is likely to extend the time it takes for us to review the application.

Please make us aware that you are intending to apply with an estimated date of submission. This helps us to plan and diarise assessments as they come in.

We are also happy to arrange a meeting to discuss the statutory criteria, your consultation, and any questions you might have on the process. Please contact us at selectivelicensing@communities.gov.uk if you wish to do so.

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| **Please note that we are not able to provide feedback prior to the submission of your application**  |

**Contact details**

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| **Name of Local Authority:** |

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| **Senior Housing Manager:** |

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| **Main contact:** |

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| **Email:** |

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| **Phone:** |

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| **Secondary contact:** |

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| **Email:** |

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| **Phone:** |

**Summary**

1. Please give the name of the local authority.

1. Please give a brief description of your local authority and the private rented sector landscape as a whole.

(200-300 words recommended)

**Renewal**

1. Are you applying to renew an existing selective licensing scheme?

Yes [ ]  No [ ]  Part-renewal [ ]

1. If you answered yes or part renewal to question 3, please provide details on the progress you have made against targets and objectives in the current scheme.

(300-600 words recommended)

1. Please explain:
	1. why the local authority believes a further five years are required, and
	2. what the local authority would do differently to make the renewal successful.

(300-600 words recommended)

**The Designation**

1. Is the total designation area more than 20% of the local authority’s geographic area?

Yes [ ]  No [ ]

1. What proportion of the borough’s private rented sector housing will be covered by the designation?
2. Please provide a detailed description of the proposed designation. This should include the following:
* Number of properties affected
* Types of properties affected
* A map of the area
* A brief outline of other licensing schemes currently operated by the local authority, including HMO mandatory licensing.

(300-600 words recommended)

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| **You must include evidence of how you meet the below criteria:** |
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| *(a)that the area contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area;* |
| *(b)that the properties referred to in sub-paragraph (a) are occupied either under assured tenancies or licences to occupy; and* |
| *(c)that one or more of the sets of conditions in articles 4 to 7 is satisfied.* |
| *(2) For the purposes of this article, a property shall not be regarded as being in the private rented sector where the landlord is a private registered provider of social housing, as defined by section 80 of the Housing and Regeneration Act 2008(2).* |

**The Conditions**

The local authority must specify the conditions they are applying under and provide evidence for how their scheme meets the criteria. These are:

* Low housing demand
* Significant and persistent anti-social behaviour
* Poor housing conditions
* High levels of migration
* High levels of deprivation
* High level of crime

Further information on the criteria can be found in the [accompanying guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418551/150327_Guidance_on_selective_licensing_applications_FINAL_updated_isbn.pdf).

1. Which condition/s are the local authority applying under? (Where a local authority’s application includes multiple smaller designations, please list each designation and the relevant condition/s)
2. How does the local authority meet the statutory criteria for the following conditions? The local authority only needs to provide a response to the conditions under which it is applying. **Please note: a word count recommendation has not been provided for this question as answers may differ substantially depending on the circumstance of the local authority.**

**Poor housing conditions (If applicable)**

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| **If you are applying for a scheme under the condition of poor housing conditions, you must include evidence of how you meet the below criteria.** |
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| *(a)that having carried out a review of housing conditions under section 3(1) of the 2004 Act, the local housing authority considers it would be appropriate for a significant number of the properties referred to in article 3(1)(a) to be inspected, with a view to determining whether any category 1 or category 2 hazards exist on the premises(*[3](https://www.legislation.gov.uk/ukdsi/2015/9780111131435#f00003)*);* |
| *(b)that the local housing authority intends to carry out such inspections as referred to in sub-paragraph (a), with a view to carrying out any necessary enforcement action; and* |
| *(c)that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, including any licence conditions imposed under section 90 of the 2004 Act, contribute to an improvement in general housing conditions in the area.* |

**Low housing demand (If applicable)**

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| **If you are applying for a scheme under the condition of low housing demand, you must include evidence of how you meet the below criteria.** |
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| *(a)that the area is, or is likely to become, an area of low housing demand; and*  |
| *(b)that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to the improvement of the social or economic conditions in the area.*  |
| *(4)In deciding whether an area is, or is likely to become, an area of low housing demand a local housing authority must take into account (among other matters)—*  |
| *(a)the value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority consider to be comparable (whether in terms of types of housing, local amenities, availability of transport or otherwise); (b)the turnover of occupiers of residential premises;* *(c)the number of residential premises which are available to buy or rent and the length of time for which they remain unoccupied.* |

**High levels of migration (If applicable)**

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| **If you are applying for a scheme under the condition of high levels of migration, you must include evidence of how you meet the below criteria.** |
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| *(a)that the area has recently experienced or is experiencing an influx of migration into it;*  |
| *(b)that a significant number of the properties referred to in article 3(1)(a) are occupied by those migrants referred to in paragraph (a); and*  |
| *(c)that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to—*  |
| *(i)the preservation or improvement of the social or economic conditions in the area; and* *(ii)ensuring that the properties referred to in article 3(1)(a) are properly managed, and in particular, that overcrowding is prevented.* |

**Significant and persistent anti-social behaviour (If applicable)**

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| **If you are applying for a scheme under the condition of significant and persistent problem with anti-social behaviour, you must include evidence of how you meet the below criteria.** |
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| *(a)that the area is experiencing a significant and persistent problem caused by anti-social behaviour;*  |
| *(b)that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and*  |
| *(c)that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem.* |

**High levels of crime (If applicable)**

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| **If you are applying for a scheme under the condition of high levels of crime, you must include evidence of how you meet the below criteria.** |
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| *(a)that the area suffers from high levels of crime;*  |
| *(b)that the criminal activity affects those living in the properties referred to in article 3(1)(a), or other households and businesses in the area; and*  |
| *(c)that making a designation will, when combined with other measures taken in the area by the local housing authority, other persons together with the local housing authority or by the police, contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.* |

**High levels of deprivation (If applicable)**

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| **If you are applying for a scheme under the condition of high levels of deprivation, you must include evidence of how you meet the below criteria.** |
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| *(a)that the area is suffering from a high level of deprivation, which affects a significant number of the occupiers of properties referred to in article 3(1)(a); and*  |
| *(b)that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to a reduction in the level of deprivation in the area.*  |
| *(2) In determining whether an area is suffering from a high level of deprivation, the local housing authority may have regard to the following factors in relation to the area—*  |
| *(a)the employment status of adults;**(b)the average income of households;**(c)the health of households;**(d)the availability and ease of access to education, training and other services for households;**(e)housing conditions;**(f)the physical environment; and**(g)levels of crime.* |

**Further mandatory considerations**

**Selective licensing as part of the overall housing strategy**

1. Does the local authority have an overall housing strategy? If ‘Yes’, this needs to be provided as a separate document.

Yes [ ]  [ ]  No [ ]  [ ]

1. If the local authority answered ‘Yes’ to question 11, please summarise how the proposed selective licensing scheme is consistent with this.

(100-300 words recommended)

1. How has the local authority sought to adopt a co-ordinated approach with existing policies in connection with dealing with homelessness, empty properties, and anti-social behaviour, regarding both:
* combining selective licensing with other courses of action available to them, and
* combining selective licensing with measures taken by others i.e., other organisations working in the area.

(600-1000 words recommended)

1. Please demonstrate how the local authority considered other courses of action available that might provide an effective method of achieving the objectives that the designation is intended to achieve, prior to making the designation.

(300-600 words recommended)

1. Please explain how making the designation will significantly assist the local housing authority in achieving its objective/s.

(200-500 words recommended)

**Other licensing schemes and enforcement measures**

The department will also consider in deciding whether to confirm a scheme whether there has been sufficient compliance with other licensing schemes in operation and the robustness of the proposed measures to ensure compliance with the new designation.

1. What systems has the local authority put in place to monitor compliance with the scheme?

(200-400 words recommended)

1. What enforcement measures are in place where there is non-compliance?

(200-400 words recommended)

**Selective licensing and consultation requirements**

1. What steps have the local authority taken to consult those that are likely to be affected by the designation? The local authority should summarise the contents of its consultation report document, which should be provided separately in full.

(300-500 words recommended)

1. Has the local authority considered any representations made in accordance with the consultation? If so, how? For more information and guidance on selective licensing and consultation requirements, please see page 16 in the [accompanying guidance.](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418551/150327_Guidance_on_selective_licensing_applications_FINAL_updated_isbn.pdf)

(300-600 words recommended)

**Fees**

1. What is your proposed fee structure? Please include any early bird schemes or discounts you are planning to offer.

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| **Local authorities must ensure that they have a 2-tier licensing fee structure:** |
| * **Tier 1) At the point of application for the costs of processing only; and**
 |
| * **Tier 2) If the application is successful, a further fee to cover the costs of running and enforcing the scheme.**

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For further details of the two-tier approach please read the following: [*Gaskin vs Richmond case*](https://www.bailii.org/ew/cases/EWHC/Admin/2018/1996.html)

**Checklist of documents to be submitted to the department:**

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|  | **Document**  |  |
| 1 | Application form |  |
| 2 | A copy of the consultation document and the published summary of the responses |  |
| 3 | A copy of the Designation |  |
| 4  | The minutes of the Council meeting resolving to make the designation |  |
| 5 | If available, a copy of the local authority’s housing strategy |  |
| 8  | If applying under poor housing conditions, information on the review of housing conditions under section 3(1) of the Act is required.  |  |
| 9  | Any additional documents that help to demonstrate how the designation meets the statutory criteria should be sent as Annexes and clearly labelled |  |