



# Landlord Licensing and HMO Planning Controls CONSULTATION QUESTIONNAIRE

Living in good quality, safe homes and neighbourhoods is a key priority for residents in the London Borough of Merton, and it plays a significant part in residents' lives. Over the last decade, there has been a significant increase in the number of properties that are rented out by private landlords. The importance of good quality, private sector rented accommodation cannot be underestimated, and so Merton Council is now consulting on proposals to introduce licensing of landlords of privately rented homes, as well as changes to some planning rules, in some parts of the borough, to help improve housing quality and address anti-social behaviour identified in these wards.

You can read about the proposals in the Council's consultation document, which is available at [www.merton.gov.uk/PRSconsultation](http://www.merton.gov.uk/PRSconsultation). For a printed copy of the document, please email [translationservicebookings@merton.gov.uk](mailto:translationservicebookings@merton.gov.uk)

To give your feedback, please:

- complete the questionnaire online at [www.merton.gov.uk/PRSconsultation](http://www.merton.gov.uk/PRSconsultation) or
- complete this paper questionnaire and return it FREEPOST to the address on the back of this questionnaire

**All responses must be received by 22 January 2023**

Merton Council has appointed Opinion Research Services (ORS), an independent research company, to manage the questionnaire responses and other consultation feedback. ORS will produce an independent consultation report in which feedback from individual members of the public will be anonymous, but views from organisations or people acting in their official capacity may be attributed.

All the questions are entirely optional, and any information that you provide in response to this consultation will be processed by ORS in accordance with the latest Data Protection regulations. Information will only be used to inform this consultation and any personal information that could identify you will be kept for no more than 1 year after any decisions have been finalised. For further information, please see [www.merton.gov.uk/privacy](http://www.merton.gov.uk/privacy) and [www.ors.org.uk/privacy](http://www.ors.org.uk/privacy)

# YOUR CONNECTION WITH MERTON

Which of the following apply to you? PLEASE TICK ✓ ALL BOXES THAT APPLY

<input type="checkbox"/> Live in Merton – rent my home from a private landlord	<input type="checkbox"/> Live in Merton – rent my home from the council or housing association
<input type="checkbox"/> Live in Merton – own my home	<input type="checkbox"/> Live in Merton –or other type of occupier
<input type="checkbox"/> Private landlord in Merton	<input type="checkbox"/> Letting or managing agent with properties in Merton
<input type="checkbox"/> Represent an organisation based in or covering Merton	<input type="checkbox"/> Own or manage a business in Merton
<input type="checkbox"/> Work in Merton	<input type="checkbox"/> Have another connection with Merton
<input type="checkbox"/> No connection with Merton	

## LOCAL ISSUES?

*The number of homes that are privately rented in Merton has grown considerably and is now around one-third of all properties, as it becomes more difficult for people to buy their own home, and the availability of social housing remains limited.*

*Although many landlords provide a good standard of accommodation and service to their tenants, the Council is concerned about the poor living conditions, and poor tenancy and property management, associated with some privately rented homes. This often has a negative impact upon neighbourhoods, with high levels of noise complaints and accumulation of rubbish etc.*

**To what extent do you believe each of the following to be a problem in some areas of Merton?**

PLEASE TICK ✓ ONE BOX IN EACH ROW

	Not a problem at all	Not a very big problem	A fairly big problem	A very big problem	Don't know
Poor property conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Antisocial behaviour e.g. noise, rubbish, vandalism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Crime e.g. burglary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deprivation and/or poverty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## THE PROPOSED NEW LICENSING SCHEMES

Merton Council is committed to improving housing conditions in the Private Rented Sector (PRS); and to tackling instances of anti-social behaviour and other issues that arise from poorly managed privately rented properties.

The Council is therefore considering introducing schemes that would require all private landlords with properties to let **within some parts of Merton** to apply for a licence for each of their rented properties. The Council would need to determine that the proposed licence holder is a 'fit and proper' person to manage their properties.

The Council would include conditions on property and tenancy management in order to control anti-social behaviour and ensure that properties provide high quality and safe homes.

### ADDITIONAL LICENSING (OF HMOs)

Please read pages 4 and 12 of the consultation document for more information

A 'House in Multiple Occupation' (HMO) is a property rented by three or more people who are not all from one household and who share some amenities like a kitchen and bathroom. Larger HMOs already need to be licensed by law, however, councils may also choose to license the remaining, smaller HMOs: those with 3 or 4 people, forming two or more households; this is called '**additional licensing**'.

HMOs are a key part of Merton's private rented sector, providing low cost, flexible housing for residents who may be on low incomes. However, the Council has seen a rise in complaints related to poorly managed HMOs (neighbours suffering noise/disturbance, issues relating to overcrowding, inadequate rubbish and recycling facilities etc), and has evidence that indicates that some HMO properties are unsafe, and of poor quality.

**To what extent do you agree or disagree with the proposal to introduce some form of additional licensing of HMOs in parts of Merton?** PLEASE TICK ✓ ONE BOX ONLY

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
---	--	---	---	--	---

The Council's evidence indicates that the number of HMO properties is higher in particular wards in the east of the borough. The number of serious hazards in homes, and anti-social behaviour incidents associated with HMOs, are also higher in the same areas. The Council is therefore proposing to introduce an **Additional Licensing scheme** covering these areas, in particular the following seven wards: **Graveney, Longthornton, Pollards Hill, Figge's Marsh, Cricket Green, Lavender Fields and Colliers Wood** (see map on the final page of this questionnaire).

This would require landlords to apply for a licence for each of their HMO properties they intend to rent out within these wards.

**To what extent do you agree or disagree with the Council's proposal to introduce an Additional Licensing scheme covering these seven wards?** PLEASE TICK ✓ ONE BOX ONLY

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
---	--	---	---	--	---

## SELECTIVE LICENSING (OF OTHER PRIVATELY RENTED PROPERTIES)

Please read pages 4 and 9 of the consultation document for more information

*Other privately rented properties (i.e. which aren't HMOs) will be occupied by a single family/household, or two unrelated people sharing. These properties can also be licensed in some circumstances; this is known as 'selective licensing'.*

*Many privately rented homes are well managed, but the Council has seen a rise in the number of problems and complaints related to poorly managed properties. The Council believes that together with other measures, selective licensing would help to address issues with property conditions and antisocial behaviour that have been identified in particular areas, and improve neighbourhoods.*

**To what extent do you agree or disagree with the proposal to introduce some form of selective licensing scheme in parts of Merton?** PLEASE TICK ✓ ONE BOX ONLY

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
---	--	---	---	--	---

*The Council's evidence indicates that complaints made by tenants about poor property conditions and inadequate property management were highest in particular wards in the east of the borough; the same wards also have the highest rates of anti-social behaviour associated with privately rented properties. The Council is therefore proposing to introduce a **Selective Licensing scheme** covering these areas, in particular the following four wards: **Graveney, Longthornton, Pollards Hill, and Figge's Marsh** (see map on the final page of this questionnaire).*

*This would require landlords to apply for a licence for each of the properties they intend to rent out within these wards.*

**To what extent do you agree or disagree with the Council's proposal to introduce a Selective Licensing scheme covering these four wards?** PLEASE TICK ✓ ONE BOX ONLY

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
---	--	---	---	--	---

## OBJECTIVES OF LICENSING

Please read pages 15 to 17 of the consultation document for more information

*As outlined above, the Council believes that together with other measures, additional and selective licensing can help address issues with property conditions, property management and antisocial behaviour, for example: by ensuring appropriate waste disposal facilities are provided, and by requiring landlords to ensure their properties are safe and in a good state of repair, adequately heated and not overcrowded etc.*

**To what extent do you agree or disagree that the proposed licensing schemes would contribute towards the Council's objectives of reducing problems with ASB and improving property conditions and management?** PLEASE TICK ✓ ONE BOX ONLY

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
---	--	---	---	--	---

**Please use the space below to provide any comments about the proposed selective or additional licensing schemes, or the areas that they should cover, and explain any alternative approaches to reducing ASB associated with privately rented properties, and/or improving their condition and management, that you think the Council should consider.**

**PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY**

## LICENCE FEES Please read pages 27 to 29 of the consultation document

If any licensing scheme(s) is/are introduced, landlords would need to pay an appropriate level of licence fee per property to cover administration and other costs (NB. the Council would not make a profit from the licensing scheme(s)). The licence fee has to be split into two parts: a non-refundable administration fee paid when the application is made; and another fee covering ongoing administration/enforcement, payable once the licence is approved.

The Council is proposing discounts to incentivise landlords to comply with the scheme, and recognise the benefits of landlords becoming accredited; these are explained in more detail in the consultation document.

Please share your views on the proposed **level of discount** by indicating whether you feel each discount is too large, about right, or too small. PLEASE TICK ✓ ONE BOX ON EACH ROW

	I think the discount is too large	I think the discount is about right	I think the discount is too small	Don't know
A 10% discount for 'Early Bird' applications made in the first two months of the scheme	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A discount of £50 for applicants that are accredited by, or a member of, an approved body (LLAS, NRLA, NALS, UKALA, ARLA or RICS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Where an applicant owns, manages and has control of multiple properties in a single block: a 10% discount for each subsequent property (after the first property) within the block	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The fee structure for the proposed schemes is explained in the consultation document. It is proposed that licences will be issued for up to five years (e.g. depending on when the application is received, the extent to which the licence holder has complied etc.).

The fees proposed for additional HMO licences vary according to the number of bedrooms in the property, reflecting the additional work that would be needed to assess larger properties.

As already outlined, some landlords would pay slightly less than the amounts indicated below if they qualify for one or more of the proposed discounts.

Please share your views on the proposed **Additional HMO and Selective Licensing fees** by indicating whether you feel each fee is too high, about right, or too low. PLEASE TICK ✓ ONE BOX ON EACH ROW

Fees for an licence issued for up to 5 years	I think the fee is too high	I think the fee is at about the right level	I think the fee is too low	Don't know
£1,115 for a HMO licence for properties with 2 bedrooms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
£1,165 for a HMO licence for properties with 3 bedrooms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
£1,215 for a HMO licence for properties with 4 bedrooms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
£652 for a selective licence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## LICENCE CONDITIONS Please read pages 20 to 27 of the consultation document for more information

*In addition to certain mandatory conditions prescribed by the Housing Act 2004, the Council can also apply other discretionary conditions to each licence scheme. You may wish to review the 'Proposed Licensing Conditions' section of the accompanying consultation document before answering these questions.*

*The Council proposes that any new licensing schemes should include some additional conditions aimed at improving the management of the property, relating to: tenant responsibilities (including anti-social behaviour and the storage and disposal of waste); tenancy and occupancy agreements (covering matters such as the date of commencement, rent, termination, security of tenure, repairs, pets etc); gas and electrical safety certificates/reports; fire safety (detection systems and compliance of furniture/fittings); energy performance certificates and buildings insurance.*

**In general, to what extent do you agree or disagree with having conditions such as these for an additional HMO licence? PLEASE TICK ✓ ONE BOX ONLY**

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
---	--	---	---	--	---

**In general, to what extent do you agree or disagree with having conditions such as these for a selective licence? PLEASE TICK ✓ ONE BOX ONLY**

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
---	--	---	---	--	---

**Are there any other comments that you would like to make about the licence fees and / or conditions?**

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

## NEW PLANNING CONTROLS (ARTICLE 4 DIRECTION)

Please read page 5 and pages 30 to 32 of the consultation document for more information

There are many parts of Merton that have older houses, and to maximise rental incomes, these are sometimes converted into dwellings that are let to separate individuals or households: Houses of Multiple Occupation (HMOs).

Developers and landlords already need to apply for planning permission to convert a single property into a large HMO (those occupied by seven people or more), but smaller HMOs (occupied by between three and six people forming two or more households) can currently be created without the need for planning permission. HMOs need to be properly managed and maintained, as they can be a source of unsuitable accommodation and negatively impact the immediate area, both for the occupiers and the wider community.

In addition to the licensing proposals outlined above, the Council also believes that the increase in the number of HMOs in some parts of Merton should be controlled to protect local amenity and the well-being of the area. The Council is therefore proposing to make a change to planning rules that would require landlords and developers to apply for planning permission before converting an existing single property in some parts of Merton, into a small HMO.

**To what extent do you agree or disagree with the proposal to introduce a policy requiring planning permission to convert a single home into a small HMO (Article 4 Direction), in some parts of Merton?**

PLEASE TICK ✓ ONE BOX ONLY

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
---	--	---	---	--	---

The Council's evidence indicates that the number of HMO properties is higher in particular wards in the east of the borough. The number of serious hazards in homes, and anti-social behaviour incidents, associated with HMOs, are also higher in the same areas. The Council is therefore proposing to introduce Article 4 Direction in these areas, in particular the following seven wards: **Graveney, Longthornton, Pollards Hill, Fidge's Marsh, Cricket Green, Lavender Fields and Colliers Wood** (please see map on the final page of this questionnaire).

**To what extent do you agree or disagree with the Council's proposal to introduce this policy (Article 4 Direction) covering these seven wards? PLEASE TICK ✓ ONE BOX ONLY**

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
---	--	---	---	--	---



■ **If you have any comments about the proposed policy to require planning permission to convert a single property into an HMO (Article 4 Direction) in some parts of Merton, or the areas that it should cover, please explain in the space below.** Should you also wish to submit a formal representation directly to the council about the proposed Article 4 direction, then please email [future.merton@merton.gov.uk](mailto:future.merton@merton.gov.uk) by **22 January 2023**. Any *personally* identifying information provided in response to the question below will be anonymised (although comments submitted by organisations may be attributed). ■

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

## **DO YOU HAVE ANY FURTHER COMMENTS?**

---

**Are there any other measures you think the Council should consider to reduce deprivation and anti-social behaviour problems, and improve the quality and management of privately rented properties in Merton? Are there any other comments that you would like to make about any aspect of the proposals for licensing and Article 4 Direction?**

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

## LICENSING DESIGNATION

---

Merton Council is legally obliged to offer to send you a copy of the Licensing Designation before any licensing scheme is introduced. These are supporting documents that define various things including the area where licensing will be required, as well as detailing the commencement and duration of the designation.

**If you would like to receive a copy of the Licensing Designation in the event of a scheme being approved, please provide your name with either an email or postal address below.** Your contact details will be separated from your questionnaire response before being shared with Merton Council; your answers will remain anonymous in the results and report findings received by the Council. Your contact details won't be passed to any other parties, will only be used by Merton Council to contact you about the Licensing Designation and will be kept for no longer than three months after any final Licensing Designation is made. For more information, please visit: [www.Merton.gov.uk/privacy](http://www.Merton.gov.uk/privacy) and [ors.org.uk/privacy](http://ors.org.uk/privacy)

# INFORMATION ABOUT YOU

Merton Council has a duty to promote equality and want to make sure all parts of the community are included in this consultation, but these questions are optional. All consultation responses will be taken fully into account when making decisions, regardless of whether you provide your details.

## If you are providing your own personal response

→ PLEASE ANSWER THE QUESTIONS BELOW  
TICK ✓ ONLY ONE BOX FOR EACH QUESTION

### What was your age on your last birthday?

- |  |                                     |
|--|-------------------------------------|
| <input type="checkbox"/> Under 25          | <input type="checkbox"/> 55 to 64   |
| <input type="checkbox"/> 25 to 34          | <input type="checkbox"/> 65 to 74   |
| <input type="checkbox"/> 35 to 44          | <input type="checkbox"/> 75 to 84   |
| <input type="checkbox"/> 45 to 54          | <input type="checkbox"/> 85 or over |
| <input type="checkbox"/> Prefer not to say |                                     |

### What is your gender?

- Male  
 Female  
 Other  
 Prefer not to say

### What is your ethnic group?

- White  
 Mixed or multiple ethnic groups  
 Asian or Asian British  
 Black, African, Caribbean or Black British  
 Any other ethnic group  
 Prefer not to say

### What is your full home postcode?

*This will help us understand views in different areas.  
Your full postcode will not be passed on to Merton Council*

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------

## If you are responding as a private landlord or a letting or managing agent

→ PLEASE ANSWER THE QUESTIONS BELOW

### Which of the following apply to you?

PLEASE TICK ALL THAT APPLY

- Own or manage a property that would be licensable under the Council's proposals (i.e. a potential HMO within the proposed 7 wards or another rented property within the proposed 4 wards)
- Own or manage a property elsewhere in Merton (or exempt from the proposal for some other reason)
- None of the above (e.g. only operate outside Merton)
- Prefer not to say

### How many properties do you own or manage in total in Merton?

WRITE IN OR LEAVE BLANK IF YOU PREFER NOT TO SAY

## If you are submitting a response on behalf of an organisation → PLEASE ANSWER THE QUESTIONS BELOW

### What is the name of the organisation and who does the organisation represent?

*Please be as detailed as you can. So, for instance, if you are responding on behalf of a group or department, please say the name of the group.*

PLEASE ANSWER IN THE BOX BELOW

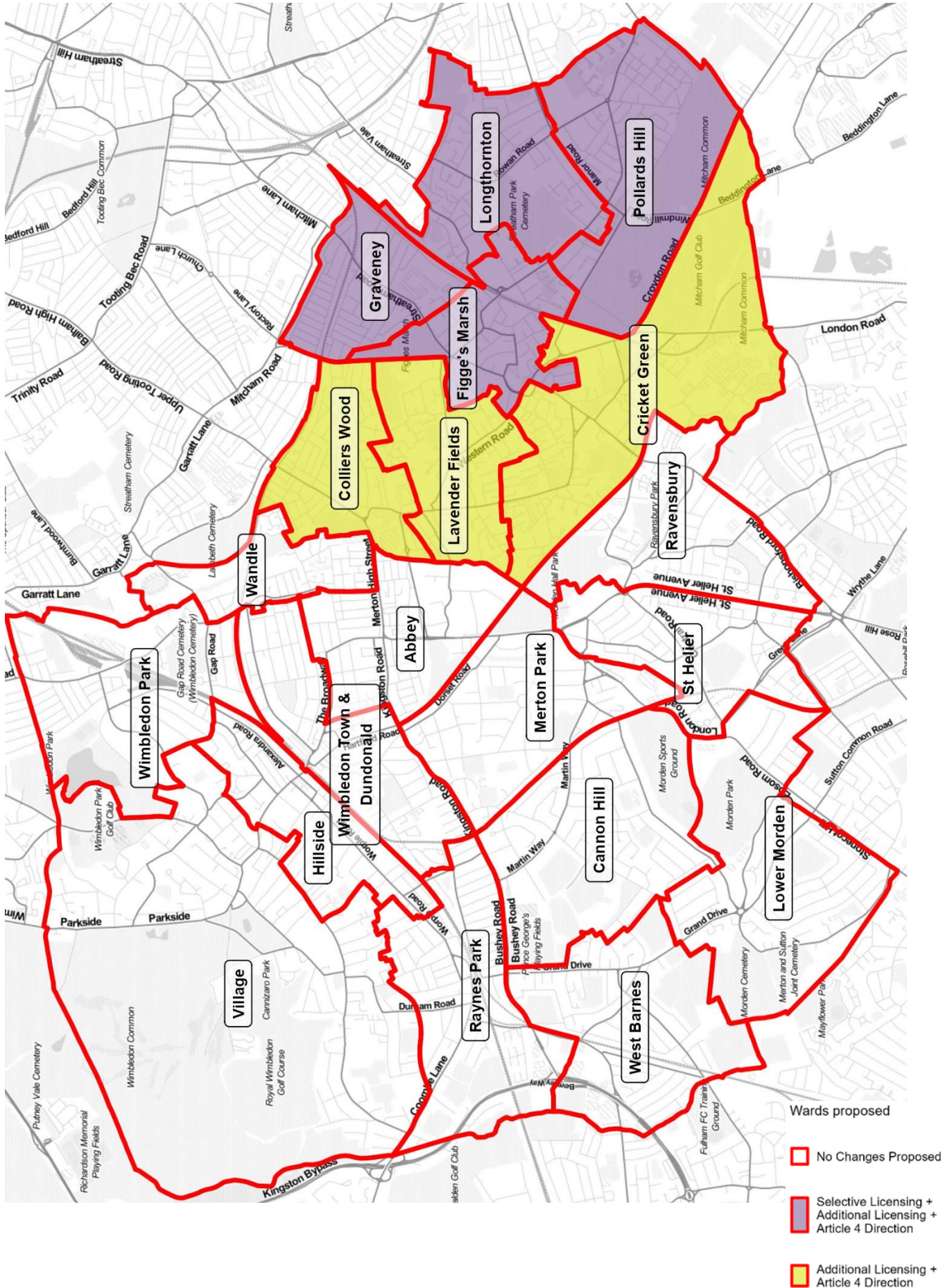
**THANK YOU VERY MUCH FOR YOUR TIME**

Please return this questionnaire to arrive by **22 January 2023** to

**Opinion Research Services**

**FREEPOST SS1018 · PO Box 530 · Swansea · SA1 1ZL**

Map showing Merton wards where selective licensing, additional licensing and article 4 direction are proposed.



UMSV01100000AEA