Discretionary Property Licensing Evidence Report

2026

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Contents

Borough Profile 1
Legislative Framework 3
Selective Licensing 3
Additional Licensing 4
Previous Additional and Selective Licensing Designation 6
Review of designations 7
Related Strategies and Their Consistency with Additional and Selective Licensing 7
Scheme Objectives 9
Justification for discretionary property licensing 9
Additional Licensing 9
HMOs and Hazards 14
HMOs and Anti-Social Behaviour (ASB) 16
Private housing complaints 18
Evidence summary 20
Selective licensing 20
An area experiencing high levels of private renting 20
Poor Housing Conditions 23
Evidence Summary 25
Alternative Options Considered 26
Use of Housing Act 2004 enforcement powers 26
Voluntary Landlord Accreditation 27
Mandatory Licensing 27
Do Nothing 27
Licence Fees 28
Fee Discounts 29
Other Fees 30
Exemptions from Property Licensing 30
Licence Conditions 31
Consequences of Not Licensing a Licensable Property 32
Defences for Not Having a Licence 32
Appendix A 33
Appendix B 44

Table of Figures

Figure 1. Property types for general housing stock in Slough (Source: EPC 2025)…….....1

Figure 2. Tenure types 2011 (Source: ONS)…… 2

Figure 3. Tenure types 2025 (Source: ONS)…… 2

Figure 4. Number of all HMO properties (known and predicted/hidden) by ward in Slough (Source: Ti 2026)…….…….. 10

Figure 5. Number of known (licensed) HMO properties by ward in Slough (Source: Ti 2026). 12

Figure 6. Number of hidden (predicted) HMO properties by ward in Slough (Source: Ti 2026) 13

Figure 7. Proportions of unlicensed (hidden) HMOs (compared to licensed HMO) by ward in Slough (Source: Ti 2026)…….… 14

Figure 8. HMO properties (known and predicted/hidden) with serious hazards (HHSRS A – D) by ward in Slough (Source: Ti 2026)……..15

Figure 9. Serious hazard rate (HHSRS A – D per 100 properties) at HMO across Slough (Source: Ti 2026)……16

Figure 10. Number of ASB incidents linked to predicted HMOs (s254) by ward (Source Ti 2026)……..…… 17

Figure 11. Private housing complaints at HMOs (known & predicted/hidden) across Slough wards 1st October 2020 – 1st October 2025 (Source: Ti 2026)…….… 19

Figure 12. Number of private rented sector properties by ward. (Source: Ti 2026)…… 21

Figure 13. Percentage of private rented sector properties across wards in Slough (Source: Ti 2026)…….. 22

Figure 14. Private rented sector properties with serious hazards (HHSRS A – D) across Slough (Source: Ti 2026)……24

Table of Maps

Map 1. Distribution of all HMO properties (known and predicted/hidden) across Slough (Source:Ti 2026)…….. 11

Map 2. Distribution of HMOs (known and predicted/hidden) with serious hazards (HHSRS A – D) across Slough (Source: Ti 2026)…….. 15

Map 3. Distribution of ASB incidents over the period 1st October 2020 – 1st October 2025 linked to HMOs (known and hidden/predicted) across Slough (Source: Ti 2026)…… ……..….. 18

Map 4. Distribution of private housing complaints at HMOs (known & predicted/hidden) across Slough 1st October 2020 – 1st October 2025 (Source: Ti 2026, Map by Metastreet)…..……19

Map 5. Distribution of private rented sector properties by ward (Source: Ti 2026)…….. 22

Map 6. Percentage of private rented sector properties (as a proportion of total housing) by ward (Source: Ti 2026)…….. 23

Map 7. Distribution of private rented sector properties with serious hazards (HHSRS A – D) across Slough (Source: Ti 2026)……...25

Borough Profile

The Office of National Statistics Census 2021 population estimate for Slough was 158,500. This is an 12.6% increase from the 2011 figure (140,713). The latest available figures (2024) show a population of 167,359, so between the 2011 and 2024 the population grew by 18.9%.

Analysis of property type profile offers an indication of general housing stock makeup, density, and construction type. The proportions of property types of general housing stock in Slough are shown in Figure 1.

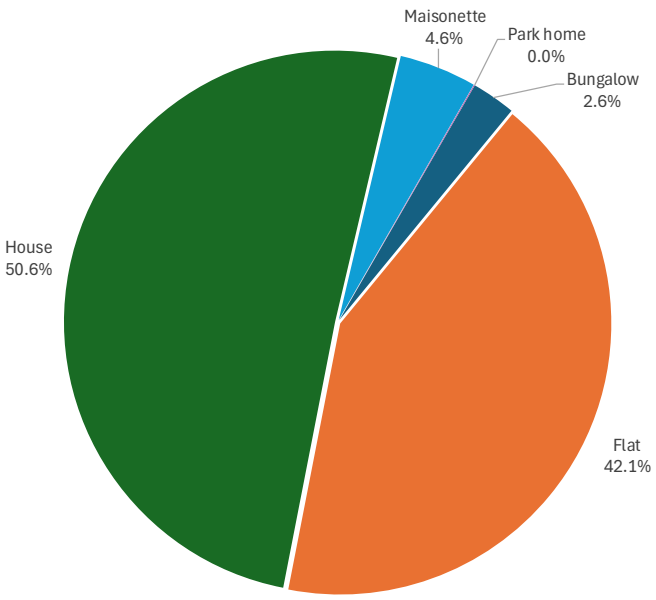


Figure 1. Property types for general housing stock in Slough (Source: EPC 2025).

Flats (42%) and houses (51%) dominate the property types, with bungalows (2.6%) and maisonettes (4.6%) being least represented. Park homes are included but only represent 0.04% of the housing stock.

There are 58,450 residential properties in Slough (excluding shell properties**)**. Of these, 28.6% (16,710) are private rented sector. Over the past decade, Slough has seen changes in tenure rates, with the private rented sector increasing from 25.3% of housing stock in 2011 (Figure 2) to 28.6% in 2025 (Figure 3).

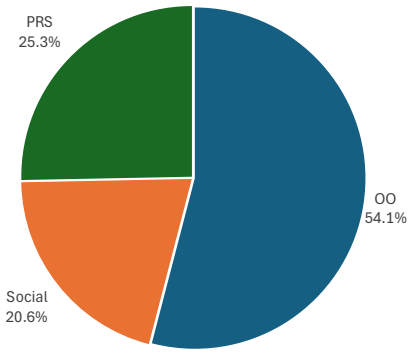


Figure 2. Tenure types 2011 (Source: ONS)

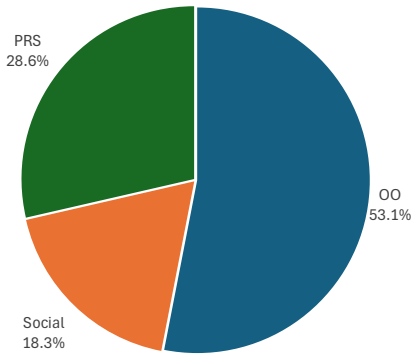


Figure 3. Tenure types 2025 (Source: Ti 2026).

The “share” of dwellings that are private rented sector has increased at the expense of both owner occupied and social housing.

The figure of 16,710 private rented properties includes a predicted 2,024 Houses of Multiple Occupation (HMO), of which around a third are currently licensable under the mandatory licensing regime. The mandatory licensing of HMOs applies to properties occupied by 5 or more people, who form two or more separate households e.g. individuals, unrelated friends, and they share basic amenities such as a kitchen, bathroom, or toilet.

The proposed selective licensing designation is predicted to contain 14,686 licensable properties, with the proposed additional licensing designation containing a predicted 1,350 properties.

With around 1500 households in temporary accommodation and average waiting times for an offer of social housing being many years, particularly for larger, family sized accommodation, the importance of good quality, private sector rented accommodation is paramount.

Whilst some limited forms of temporary accommodation are exempt from licensing (see “Exemptions from Licensing” on pages 29 and 30), the majority of temporary accommodation used by the Council would be licensable under the proposed schemes.

Discretionary licensing would allow the Council to set a standard that will help to ensure that the temporary accommodation utilised in the private rented sector is suitable. As of July 2026, private rented sector housing in the borough accounts for nearly 1,500 properties used as temporary accommodation by the Council, with other Local Authorities also placing homeless

households in the borough. Any future licensing schemes will align with the Council's new Homelessness Strategy.

In implementing discretionary licensing, the Council not only wants to tackle non-compliant landlords, but also work with all landlords to address tenancy issues at the earliest opportunity. The eviction and reletting process can be costly for landlords, and will have a range of negative impacts on tenants including moving costs and a possible move away from an existing support network or children's schooling.

Legislative Framework

Selective Licensing

Section 80 of the Housing Act 2004 ("the Act") allows for six different reasons for the introduction of selective licensing. They are that the area:

- is, or is likely to become, an area of low housing demand
- is experiencing a significant and persistent problem caused by anti-social behaviour
- is experiencing poor housing conditions
- has experienced, or is experiencing, an influx of migration into it
- is suffering from high levels of deprivation
- is experiencing high levels of crime

If a Local Authority is considering designating an area as subject to selective licensing for the following grounds:

- poor housing conditions and/or
- migration
- deprivation
- crime

then the Local Housing Authority may only make a designation if the area has a high proportion of housing in the private rented sector. Nationally the private rented sector currently makes up 19% of the total housing stock in England. If a proposed designation area has more than 19%, the area can be considered as having a high proportion of privately rented properties.

The legislative context for these factors can be found in The Selective Licensing of Houses (Additional Conditions) (England) Order 2015, articles 6 and 7. The detail of this Order can be found on the Government website at The Selective Licensing of Houses (Additional Conditions) (England) Order 2015

Prior to December 2024, Local Housing Authorities were required to seek confirmation from the Secretary of State for Levelling Up, Housing, and Communities for any selective licensing scheme that covers more than 20% of their geographical area or would affect more than 20% of privately rented homes in the local authority area. However, from 23rd December 2024 a new General Approval came into force and Local Housing Authorities in England are no longer required to obtain confirmation from the Secretary of State before implementing a selective licensing scheme of any size.

A Local Authority may only make a designation after they have considered if there are any other available courses of action to them and if these would produce the intended outcomes that the designation would achieve; and if making the designation will significantly assist them to achieve the objectives.

Before making a designation, the Council must consult with those likely to be affected by it and take account of any representations.

If designated, the proposed selective licensing designation would be introduced across all 21 of the borough's wards. The designation would last for 5-years unless revoked (see Review of Designations).

Additional Licensing

Section 55 of the Act sets out the scope of the licensing provisions under Part 2 and the general duties on Local Housing Authorities in relation to their licensing functions. The section provides that Local Housing Authorities are required to licence the types of HMOs prescribed in an order made by the appropriate national authority (those properties occupied by at least 5 persons who constitute more than one household).

Section 56 of the Act allows the Council to extend licensing beyond the scope of mandatory licensing. The Council can designate part, or all of its area, as subject to additional licensing for specified types of HMOs if it considers that a significant proportion of the HMOs (of the type it is considering licensing) are being managed ineffectively so as to give rise problems for the occupiers or members of the public. In considering the quality of management, the Council must take into account the degree to which relevant codes of practice (if any) are being adhered to (see Section 233 of the Act).

Before making a designation, the Council must consult with those likely to be affected by it and take account of any representations.

Section 57 sets out further requirements that the Council must consider before extending licensing to additional categories of HMO. These are:

• ensuring the use of additional licensing is in accordance with the Council's overall housing strategy and is part of a co-ordinated approach to deal with wider issues such as anti-social behaviour;

- examining whether there are other courses of action that could be used to deal with the problems identified (e.g. voluntary accreditation schemes) and;

- concluding that additional licensing, whether on its own or in conjunction with other policies, will make a significant contribution to dealing with the problems.

In the Act, "anti-social behaviour" means conduct on the part of occupiers of, or visitors to, residential premises:

- which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or;

- which involves or is likely to involve the use of such premises for illegal purposes

The proposed additional licensing scheme would cover privately rented properties occupied by three or four people making up two or more households sharing basic facilities e.g. bathroom, WC, cooking facilities, and buildings converted into self-contained flats that meet the definition of a Section 257 HMO.

Section 257 of the Act applies to whole converted properties, rather than individual dwellings, and describes an HMO as a building:

- which has been converted into and consists of self-contained flats, and;
- where the conversion work did not comply with the appropriate building standards and still does not, and;
- where less than two-thirds of the flats are owner-occupied.

The appropriate building standards are those required by the Building Regulations 1991 or 2000 (whichever were in force at the time of the conversion).

The nature of Section 257 HMOs means they may contain any number of different residents including leaseholders, freeholders, and tenants. Ownership and control of such properties can be complex, with right to manage companies, letting agents, managing agents and absentee owners, all of whom may have some interest in how a property is run.

These parties may not always agree on how the property should be managed. Licensing requires one party to take responsibility for the property and ensure it is managed effectively. Section 257 HMOs are also likely to have inadequate fire precautions compared with modern buildings, either because they were converted before the 1991 Building Regulations or because later conversion works have not been brought into compliance. As a result, additional measures such as smoke detectors, fire alarms and emergency lighting may be required.

If designated, the proposed additional licensing designation would be introduced in all 21 of the borough's wards. The designation would last for 5-years unless revoked (see Review of Designations).

Previous Additional and Selective Licensing Designation

Between 1st July 2020 and 30th June 2024 a Borough-wide additional licensing designation was in operation, with a selective licensing designation operating across the Chalvey and Slough Central wards.

Although there are no additional conditions in legislation directly relating to the renewal of an additional or selective licensing scheme, the non-statutory guidance recommends that a summary of outcomes is provided where possible and details of whether the desired outcomes in the previous scheme were delivered or not.

Over the five-year duration of the previous schemes, 149 properties were licensed under the additional licensing designation, and 3635 properties were licensed under the selective licensing designation.

A review of the operation of the previous schemes has identified the importance of having sufficient staffing resources to identify properties, particularly HMOs, which are licensable but not licensed, and the fee structure supports the staffing required. In addition, effective communication with landlords and tenants is key to ensuring that both are aware of the legal obligation on a landlord to licence their property, and that tenants know how to report an unlicensed accommodation.

Review of designations

Sections 60 and 84 of the Act provides that discretionary property licensing designations must from time to time be reviewed and can be revoked following a review, but in any case, must end five years after they have been made. When a scheme is revoked, notice of the revocation must be publicised in accordance with requirements contained in regulations.

If one or both of the proposed schemes are implemented, the Council will undertake an annual review and will publish the results of the review on its website.

Related Strategies and Their Consistency with Additional and Selective Licensing

Sections 57 and 81 of the Act requires that any additional and/or selective licensing scheme must be consistent with other related strategies.

The Corporate Plan 2023-2027 sets out three strategic objectives that the Council wishes to achieve. These objectives are:

1) A borough for children and young people to thrive
2) A town where residents can live healthier, safer and more independent lives
3) A cleaner, healthier and more prosperous Slough

The quality of the homes in which our residents live has a major impact on their lives, in particular the lives of the borough's children. Poor housing severely impacts a child's physical health through respiratory issues caused by damp and mould, and mental well-being including anxiety and stress, and lower attainment at school, due to poor concentration resulting from overcrowded living conditions and poor housing.

The implementation of additional and/or selective licensing will contribute to improving community safety and tackling anti-social behaviour, providing a safer town to grow-up, and contributing towards affordable, safe and healthy homes. Specifically, licensing will improve the quality of private rented housing in the borough by ensuring that all privately rented properties meet a minimum housing standard, providing tenants with more stable homes, and helping with building stable communities.

Licensing will also contribute to alleviating fuel poverty as measures to improve property standards will ensure that heating appliances are properly checked, maintained, and working efficiently. The licence application process will also ensure that properties meet the minimum energy efficiency requirements.

Discretionary property licensing will support the delivery of the Council's future homelessness strategy (due for review in 2026). The number of residents being made homeless from the private rented sector has increased sharply over with last five years with 126 households approaching the Council for housing assistance in 2020/21 due to loss of, or threat of losing, private rented housing, and 384 in 24/25. Households approached the Council for a number is reasons, including disrepair in their property. By ensuring that landlords meet a set housing management standard it would be expected that there would be a reduction of households presenting as homeless or threatened with homelessness due to disrepair.

Where appropriate, the Council can discharge its homelessness duty by offering a household suitable accommodation in the private rented sector. Licensing will ensure that any property in the borough offered to a household in discharge of our duties meets a minimum standard and should issues arise in the future, that the Council has the resources to act quickly and effectively to address any issues identified.

In addition, a landlord who is required to have a licence but does not, loses the right to gain possession of the property, thereby offering extra protections from illegal evictions. The Licence Holder will also be required to supply to the occupiers of the house a written statement of the terms on which they occupy the property. This is usually a tenancy or licence agreement. This ensures that tenants understand their commitments and that of their landlord, but also the agreement in terms of length of tenancy and notice periods. This adds the protection of occupying under a legal framework.

Given that the private rented sector plays such an important role in meeting the housing needs of the borough's residents, discretionary property licensing will support the Council's new Housing Strategy by empowering renters to understand and exercise their rights, and to hold landlords to account where those rights are not upheld.

Discretionary licensing will also support the delivery of Slough's existing Health and Wellbeing Strategy 2021-2026, and the draft Joint Local Health and Wellbeing Strategy 2026-2036. These strategies are collaborative plans led by the Slough Wellbeing Board, a partnership of local public, private, and voluntary organisations, aiming to improve residents' health, and are guided

by priorities including starting well, integration, strong neighbourhoods, and workplace health, to tackle inequalities and create a healthier community. The causal link between poor housing conditions and poor health outcomes is long established. The independent Marmot Review (2010) said housing is a "social determinant of health" meaning it can affect physical and mental health inequalities throughout life. By addressing poor housing conditions and raising property management standards, the proposed licensing schemes will contribute towards improving the health and wellbeing of the borough's private rented sector residents.

Scheme Objectives

The Council objectives for the proposed licensing designations over the five-year period are:

- To improve housing conditions in the borough's private rented sector by proactively identifying and remediating poor housing conditions.

- To improve property management standards and reduce risks related to overcrowding by ensuring that licence conditions are complied with and licence holders are "fit and proper".

- To protect vulnerable tenants by ensuring landlords and agents manage properties professionally

- To increase tenant awareness of the minimum standards they can expect in rented accommodation and what their other tenancy rights are.

- To reduce anti-social behaviour arising from private rented accommodation by compelling licence holders to investigate complaints and take appropriate action in line with the licence conditions.

Justification for discretionary property licensing

Additional Licensing

Overall numbers of HMOs (licensed and predicted/hidden) are predicted to be 2,024. This represents 12.1% of the borough's private rented dwellings and 3.5% of all dwellings. The overall number of HMOs (licensed and unlicensed) by ward is shown in Figure 4.

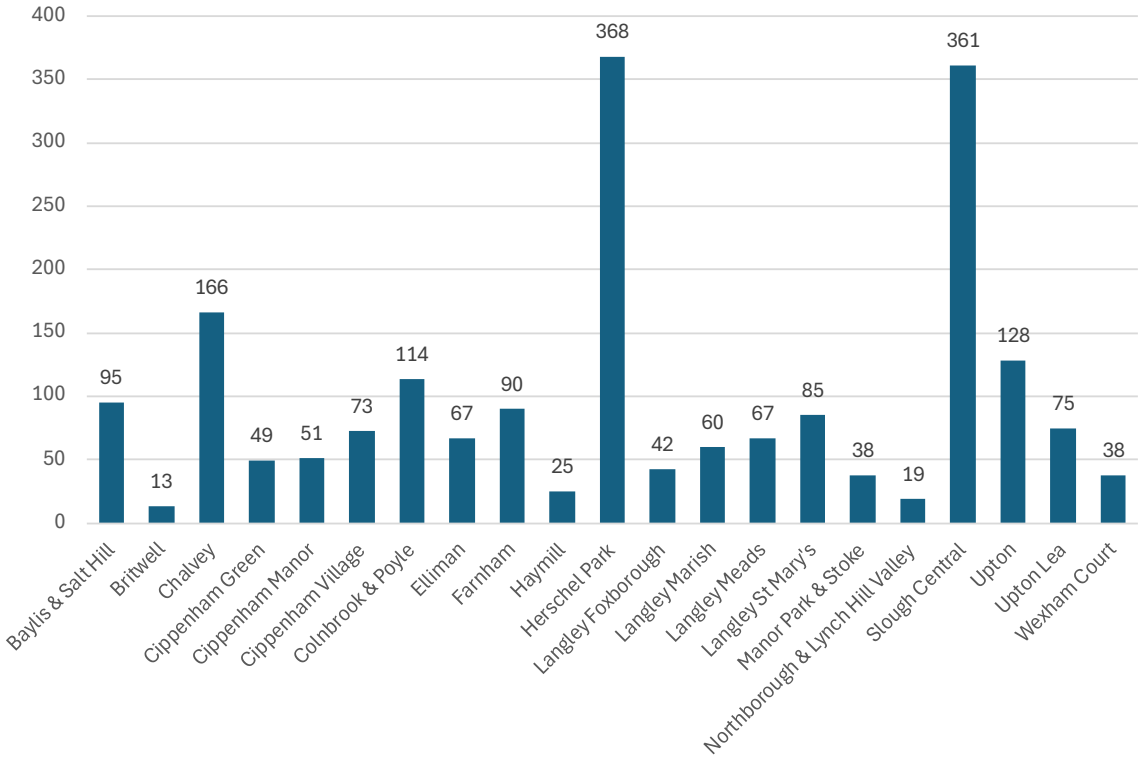
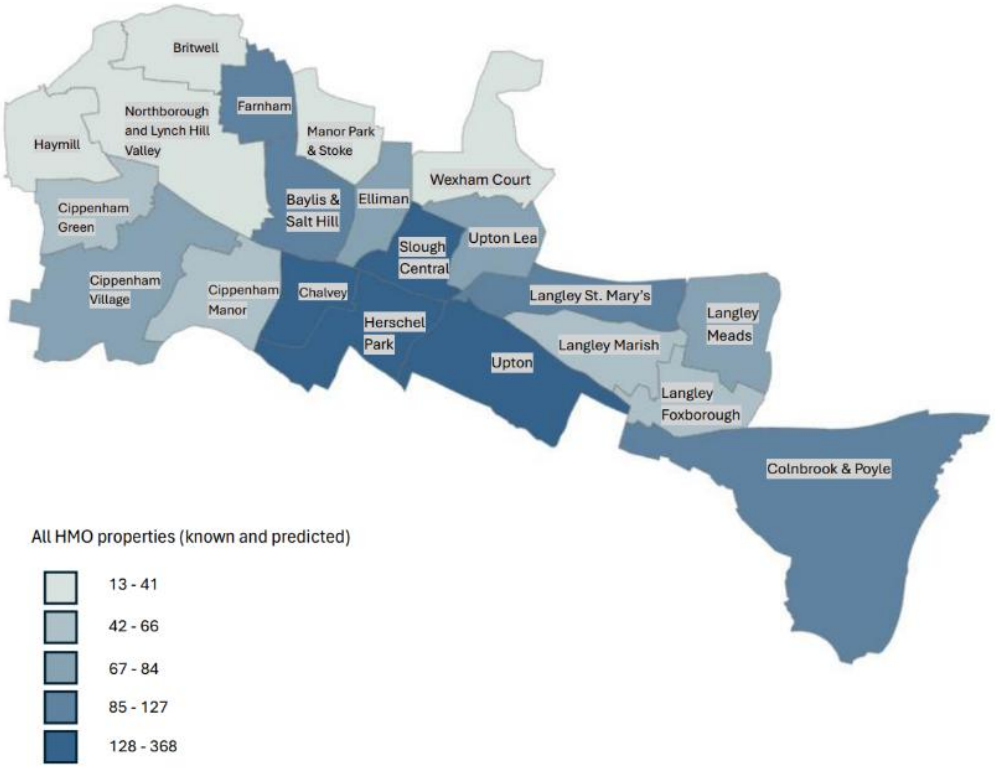


Figure 4. Number of all HMO properties (known and predicted/hidden) by ward in Slough (Source: Ti 2026).

The highest number of HMOs are in Herschel Park (368), the lowest (13) are in Britwell.

HMOs are distributed across Slough (Map 1).



Map 1. Distribution of all HMO properties (known and predicted/hidden) across Slough (Source: Ti 2026).

There are HMOs in every ward, with higher numbers in some southern and central wards e.g. Slough Central, Chalvey, Herschel Park.

There are 682 known HMOs across Slough (Figure 5). These are properties which are licensed (mandatory or additional HMO licence).

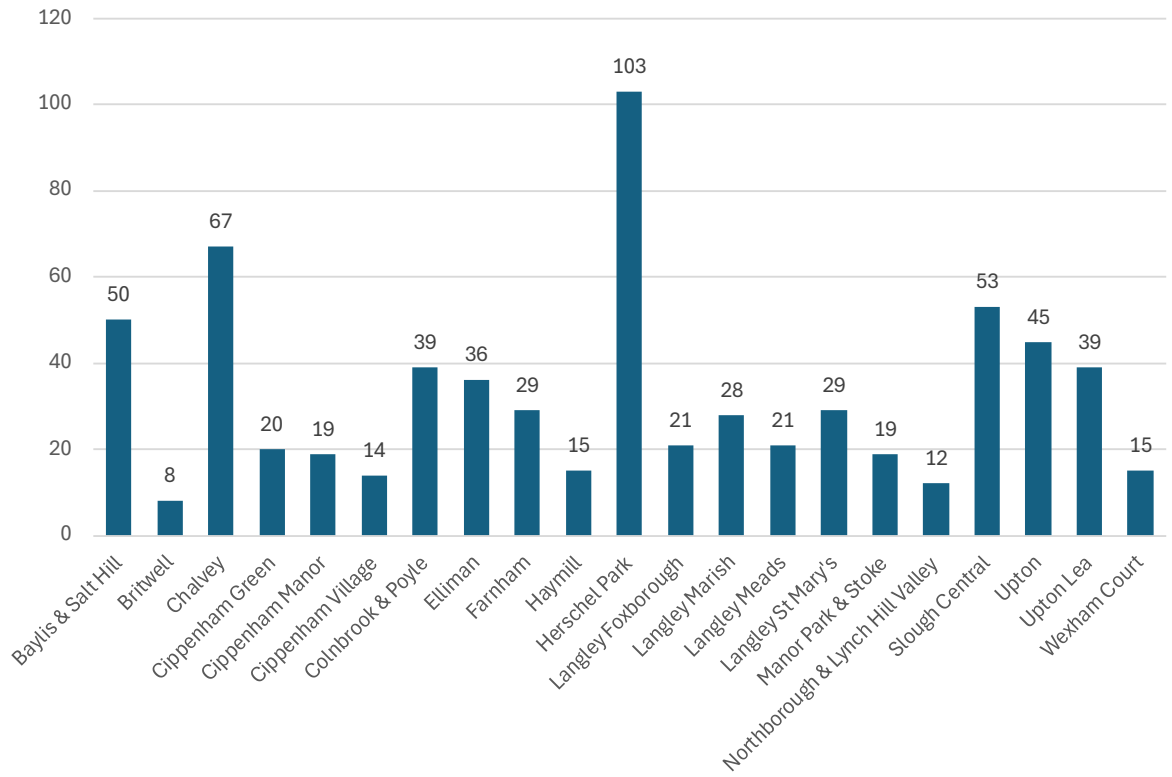


Figure 5. Number of known (licensed) HMO properties by ward in Slough (Source: Ti 2026).

There are licensed HMOs in every ward, with higher numbers in some central wards e.g. Chalvey, Herschel Park, Slough Central, Baylis and Salt Hill.

It is predicted that there are 1,342 hidden HMOs across Slough (Figure 6). The highest number of hidden HMO are in Slough Central (308), and Herschel Park (142). The 1,342 hidden HMOs represent 66% of potentially licensable properties. It is important to note that some HMOs may be exempt from licensing so not every hidden HMO will require a licence.

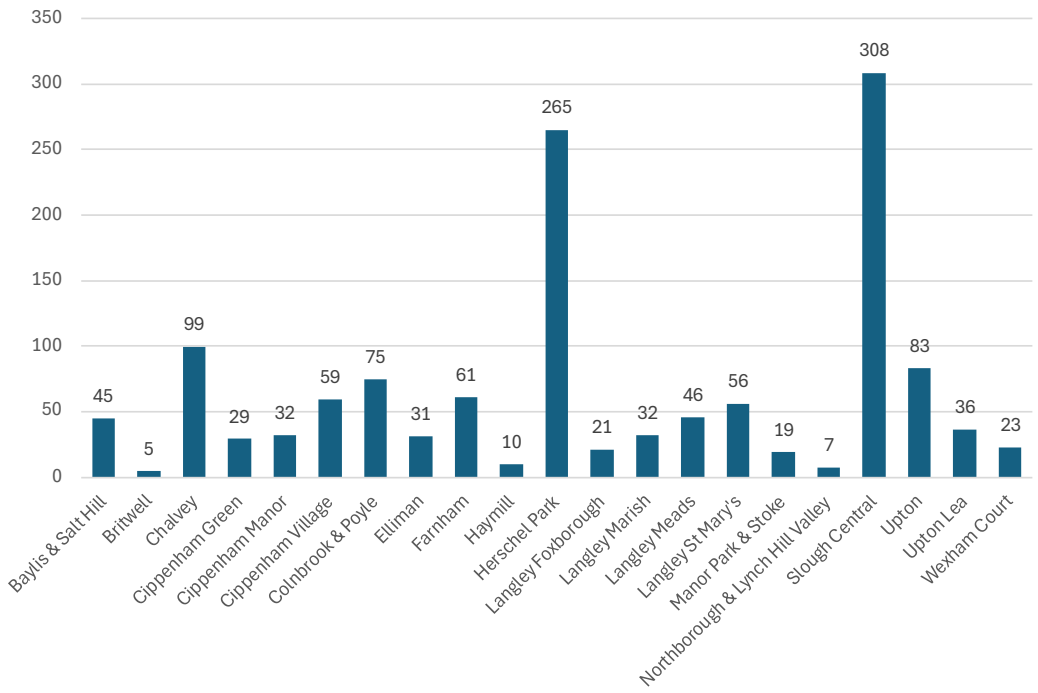


Figure 6. Number of hidden (predicted) HMO properties by ward in Slough (Source: Ti 2026).

The highest number of hidden HMOs are in Slough Central (308) and Hershel Park (142). The 1342 hidden HMOs represent 66% of potentially licensable properties.

There is a difference between number of licences issued and the predicted number of HMO properties. The number of licences (682: 33.7%) represents the known HMOs, whilst the others (1,342: 66.3%) are predicted/hidden HMOs. The differences may be because properties are exempt, don't require a licence, or simply don't have a licence.

The proportions of HMO that are hidden (unlicensed) varies across the wards (Figure 7).

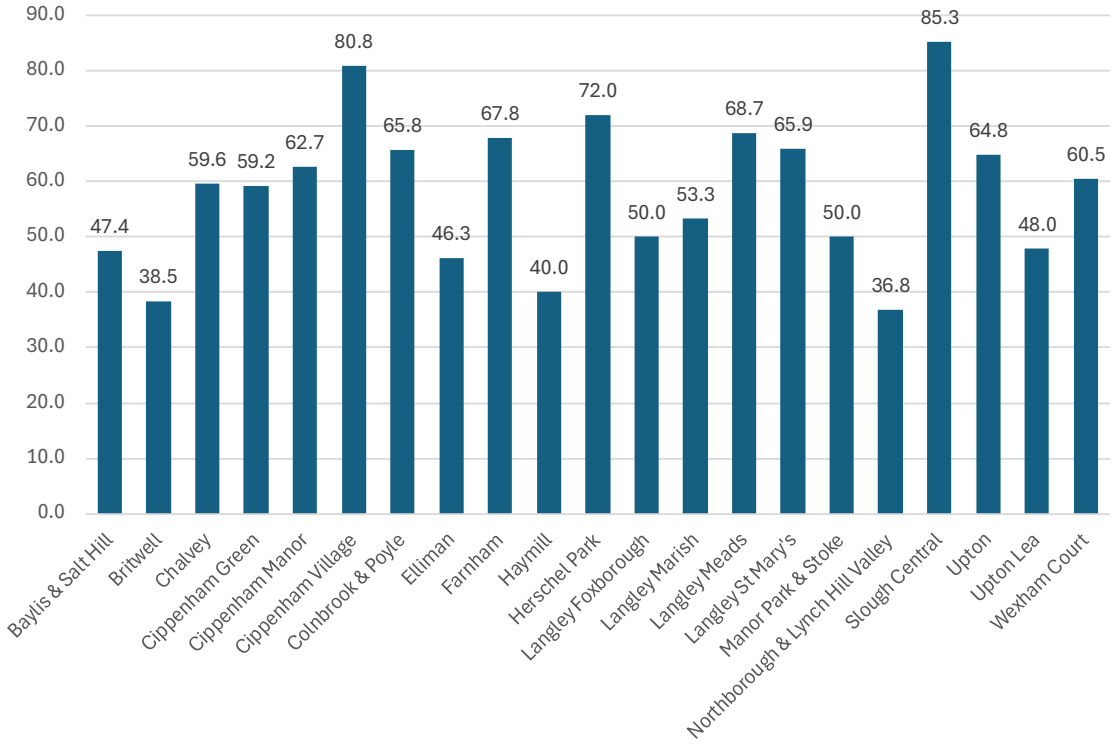


Figure 7. Proportions of unlicensed (hidden) HMOs (compared to licensed HMO) by ward in Slough (Source: Ti 2026).

Slough Central has the highest percentage of hidden HMOs (85.3%), whilst the lowest is Northborough and Lynch Hill Valley (36.8%).

The proposed additional licensing designation would require all hidden HMOs to be licensed (unless they are exempt from licensing).

HMOs and Hazards

The Housing Health and Safety Rating System (HHSRS) is a system for assessing housing conditions. A hazard is any risk of harm to the health or safety of an actual or potential occupier of accommodation that arises from a deficiency in a property.

There are a predicted 452 HMOs in the borough that are likely to have a serious hazard (Category 1,HHSRS) (Figure 8). This represents 22% of the HMO stock, significantly higher than the national average of 10% for the private rented sector as a whole.

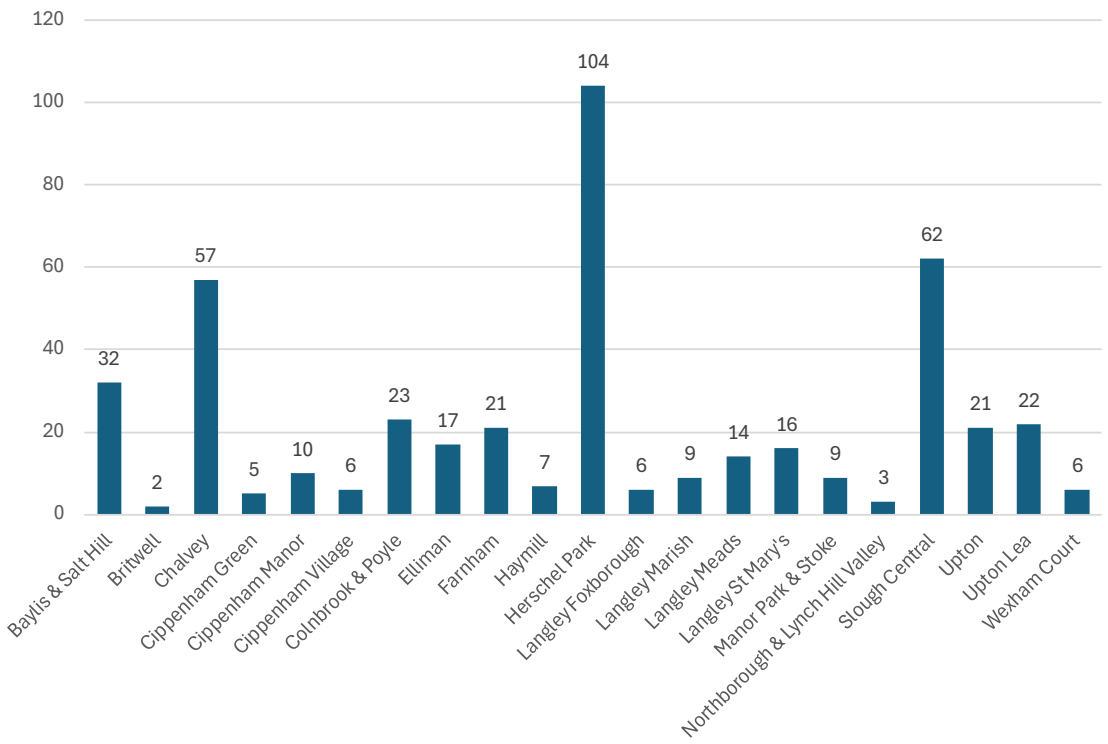
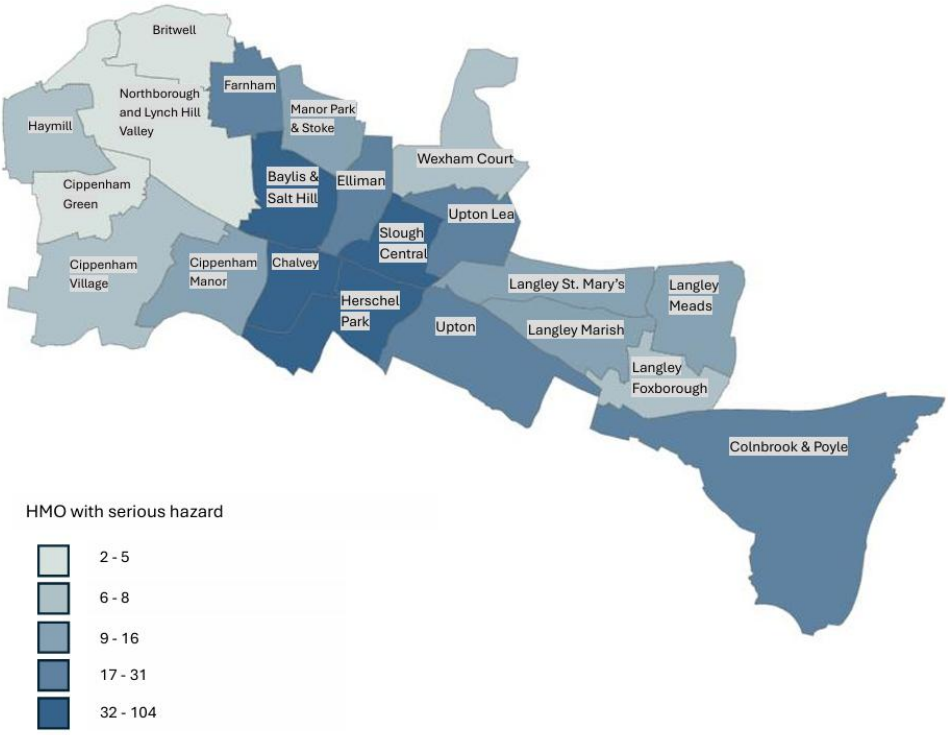


Figure 8. HMO properties (known and predicted/hidden) with serious hazards (HHSRS A – D) by ward in Slough (Source: Ti 2026).

Herschel Park (104) and Slough Central (62) have the highest number of HMOs with serious (Category 1) hazards. HMOs with serious hazards occur throughout the borough (Map 2).



Map 2. Distribution of HMOs (known and predicted/hidden) with serious hazards (HHSRS A – D) across Slough (Source: Ti 2026)

Although HMOs with serious hazards occur across Slough, higher values are seen in some central wards e.g. Slough Central Herschel Park, Chalvey, and Baylis and Salt Hill.

The number of serious hazards alone provides an important but incomplete picture. The serious hazard rate (serious hazards per 100 properties) can give a different impression regarding the general standard of HMO accommodation (Figure 9).

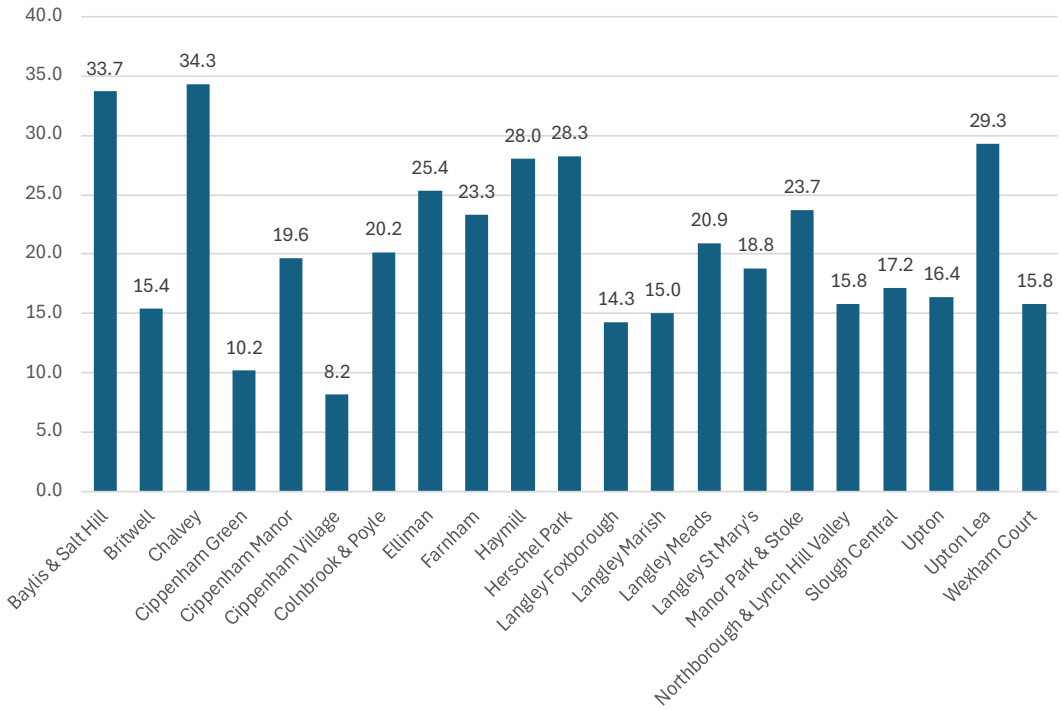


Figure 9. Serious hazard rate (HHSRS A – D per 100 properties) at HMO across Slough (Source: Ti 2026).

The highest hazard rates are in Chalvey (34.3 serious hazards per 100 dwellings) and Baylis & Salt Hill (33.7), whilst the lowest is in Cippenham Village (8.2). The overall hazard rate is 22.3 per 100 HMO properties.

HMOs and Anti-Social Behaviour (ASB)

ASB incidents recorded by the Council over the period 1st October 2020 – 1st October 2025 have been linked to actual and predicted HMO properties and analysed. A high level of ASB can be used as a proxy indicator of poor property management.

HMO properties typically have higher levels of transience which can result in higher waste production, more noise and other issues if the property is not managed well.

Where ASB incidents could not be matched directly at the property level, incidents were discarded from evidence analysis. For example, ASB incidents investigated on a street corner that cannot be directly linked to a HMO property were excluded.

The total number of ASB incidents includes HMO properties where there were multiple incidents. As such the data show the levels of anti-social behaviour across Slough at HMO properties. Overall, there were 921 ASB incidents linked to known and hidden/predicted HMOs (Figure 10). This corresponds to a rate of 45.5 ASB incidents per 100 HMO dwellings.

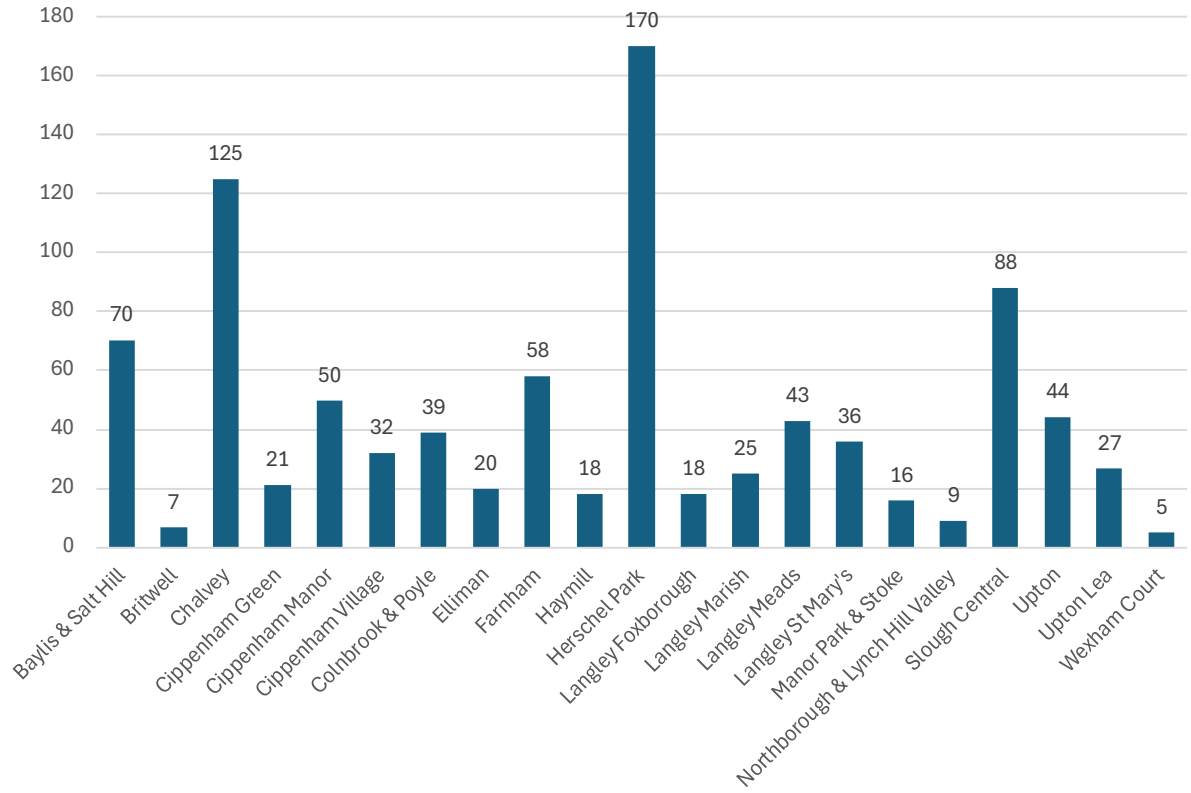
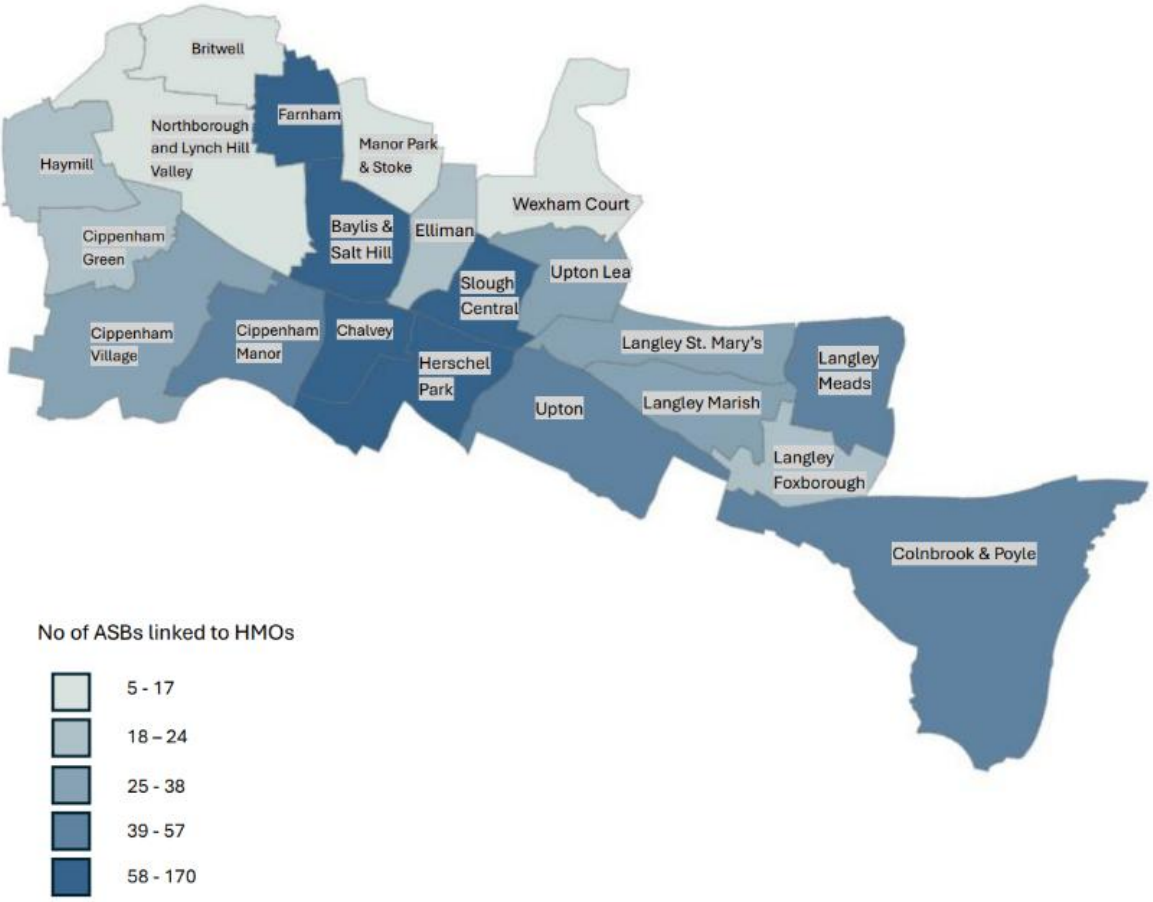


Figure 10. Number of ASB incidents linked to predicted HMOs (s254) by ward (Source Ti 2026).

Herschel Park recorded the highest number of ASB incidents (170), followed by Chalvey (125).

ASB incidents occurring at HMOs were widespread across the borough (Map 3).



Map 3. Distribution of ASB incidents over the period 1st October 2020 – 1st October 2025 linked to HMOs (known and hidden/predicted) across Slough (Source: Ti 2026)

ASB incidents linked to HMOs are more prevalent in some central wards e.g. Chalvey, Herschel Park, Baylis and Salt Hill, and Farnham.

Private housing complaints

Complaints made by tenants and others to the Council regarding poor property conditions and inadequate property management are a direct indicator of low quality and poorly managed HMO dwellings. In the period 1st October 2020 to 1st October 2025, there were 276 private housing complaints made about HMO (known and hidden) dwellings across Slough (Figure 11).

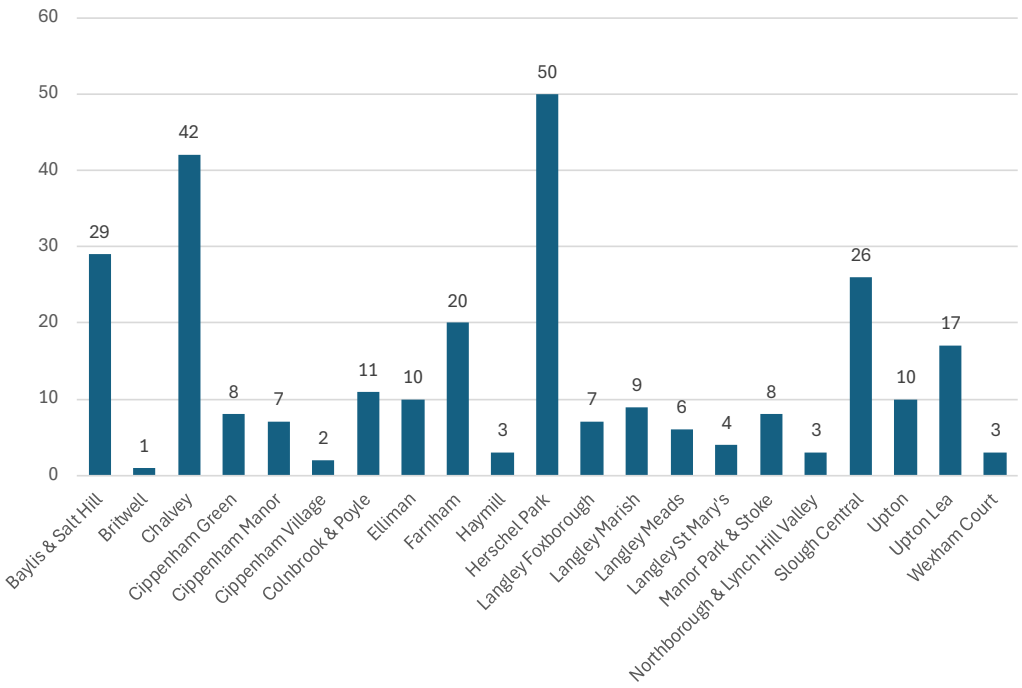
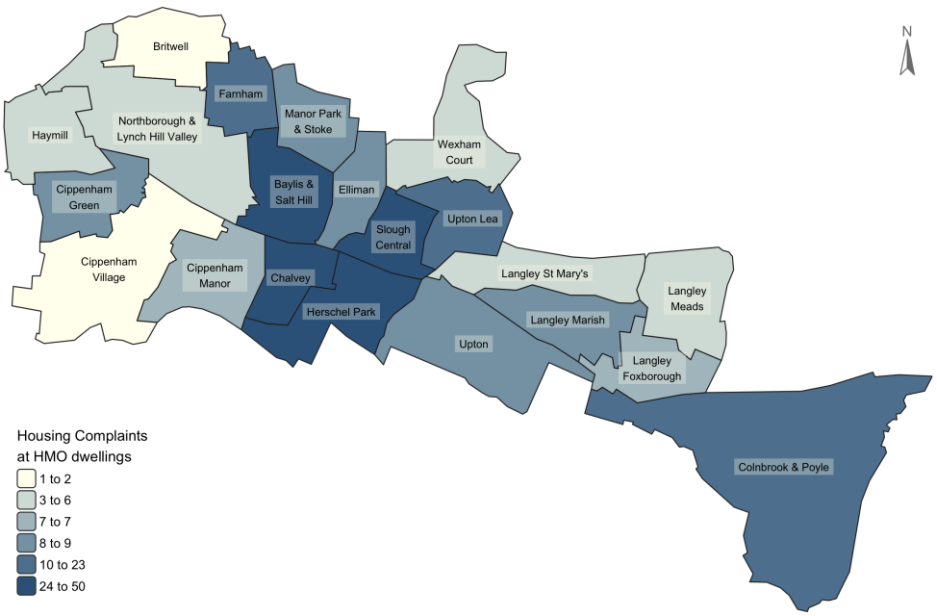


Figure 11. Private housing complaints at HMOs (known & predicted/hidden) across Slough wards 1st October 2020 – 1st October 2025 (Source: Ti 2026).

Herschel Park (50) had the largest number of complaints about HMOs, followed by Chalvey (42). Private housing complaints at HMOs occurred throughout the borough (Map 4).



Map 4. Distribution of private housing complaints at HMOs (known & predicted/hidden) across Slough 1st October 2020 – 1st October 2025 (Source: Ti 2026, Map by Metastreet).

Complaints are more prevalent in some central wards e.g Baylis and Salt Hill, Chalvey, Herschel Park, and Slough Central.

Evidence summary

The borough is predicted to have 2,024 HMOs (known and hidden/predicted) that share basic amenities ("section 254 HMOs") distributed across all 21 wards. Herschel Park has the highest number of HMOs (368), followed by Slough Central (361) with Chalvey (166) having the third highest.

Complaints made by tenants about HMOs are common and are distributed across all wards with the Council receiving 276 complaints between 1st October 2020 and 1st October 2025. The highest number of complaints were related to Herschel Park (50) followed by Chalvey (42).

The Council predicts that 452 HMOs in the borough are likely to have a serious hazard. This represents 22.3% of the HMO stock, significantly higher than the national average (10%) for the private rented sector as a whole.

There were 921 ASB incidents linked to known and hidden/predicted HMOs between 1st October 2020 and 1st October 2025. The total number of incidents includes HMOs where there were multiple incidents. As such, the data shows the levels of ASB across Slough at HMO properties. 921 incidents correspond to a rate of 45.5 ASB incidents per 100 HMO dwellings.

The data in this section indicates that a significant proportion of HMOs in the borough are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public. The Council are therefore proposing to license all HMOs not already covered by mandatory licensing including those in purpose-built blocks and Section 257 HMOs.

Selective licensing

An area experiencing high levels of private renting

One of the requirements of designating an area as subject to selective licensing is that it must contain a high proportion of privately rented homes compared with the national average (currently 19%).

There are 58,450 residential properties in Slough (excluding shell properties). Slough's private rented sector is now calculated to be 28.6% (16,710 including HMOs) of housing stock. This

compares to 25.3% (12,849) in 2011. This follows the nationwide trend with the private rented sector in the UK growing from 9.4% of housing stock in 2000 to 19% in 2023. It is now the second largest housing tenure in England, with a growing number of households renting from a population of around 1.5 million private landlords.

The private rented sector in Slough is distributed across all 21 wards with the number of properties ranging from 310 to 2459 (Figure 12).

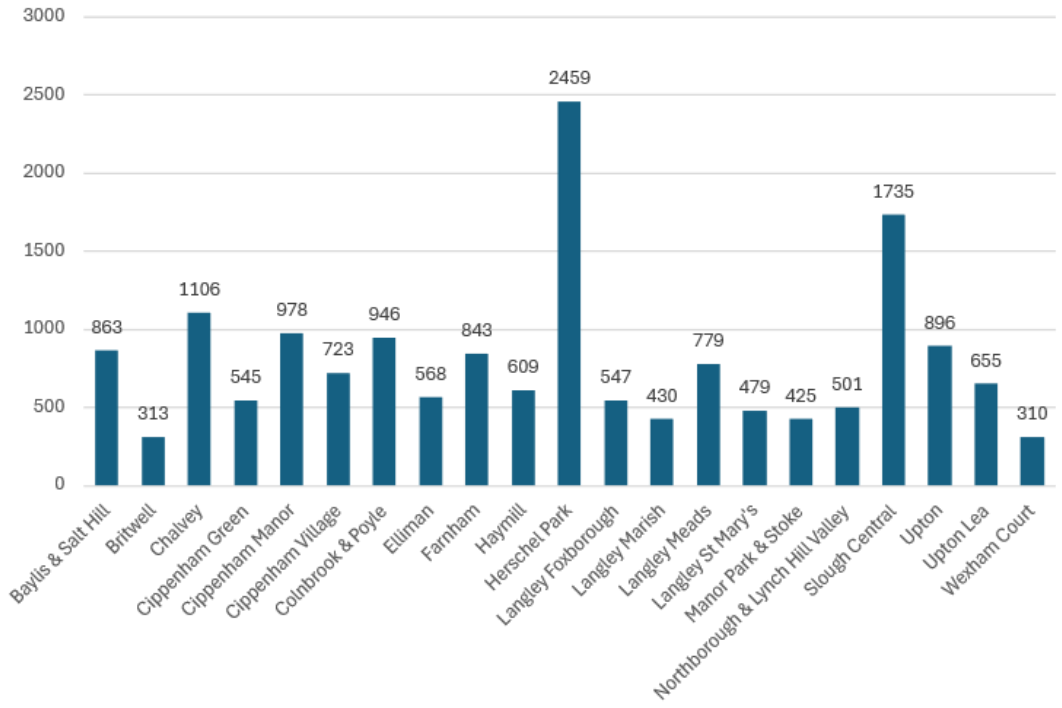
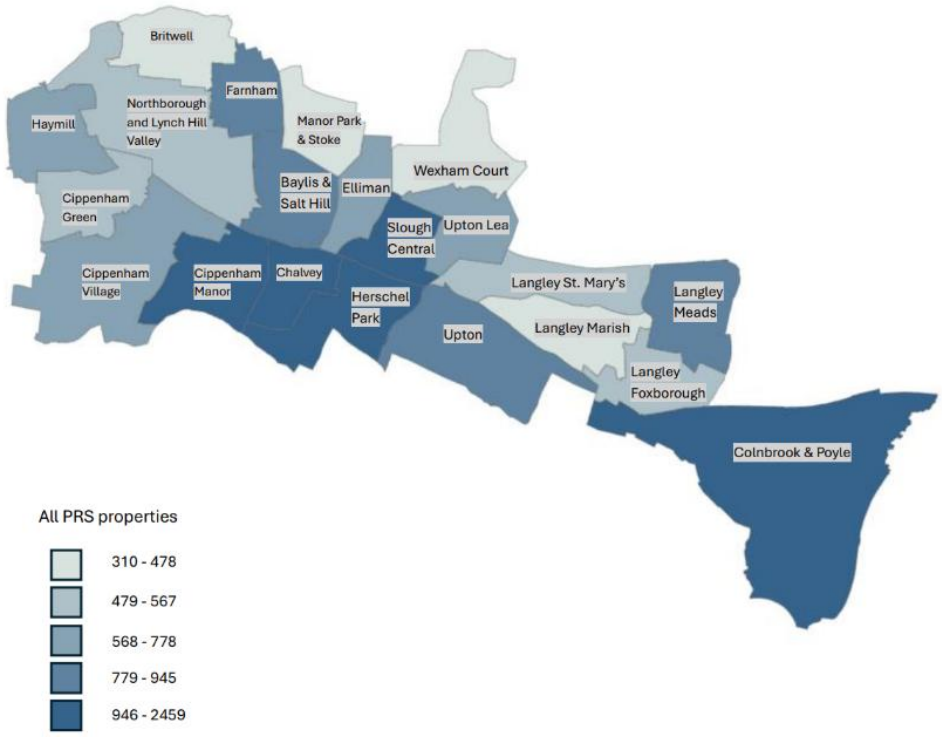


Figure 12. Number of private rented sector properties by ward. (Source: Ti 2026).

The highest number of private rented sector properties are in Herschel Park (2,459), and Slough Central (1,735). The lowest are in Wexham Court (310).

The distribution of private rented sector properties across the borough shows concentrations in the south/western wards e.g. Cippenham Manor, Chalvey, Herschel Park, and Slough Central (Map 5).



Map 5. Distribution of private rented sector properties by ward (Source: Ti 2026).

The percentage of private rented sector housing in each ward ranges between 12.7% (Britwell) and 60.5% (Slough Central) (Figure 13). Of the borough's 21 wards, 16 have a higher percentage private rented sector than the national average.

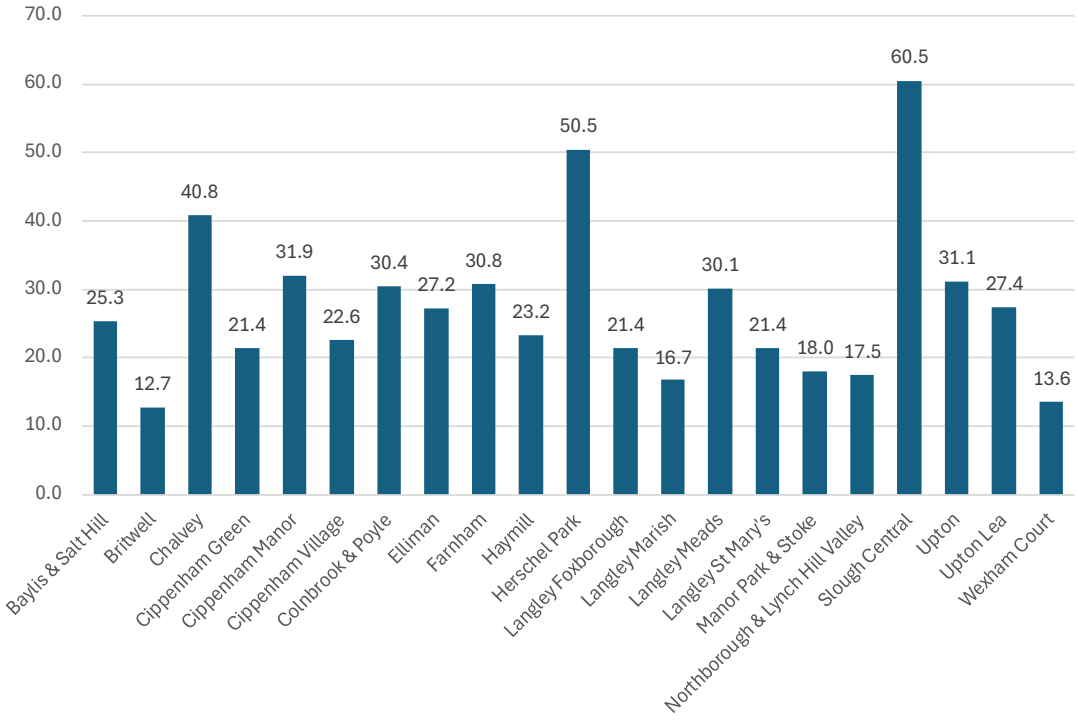
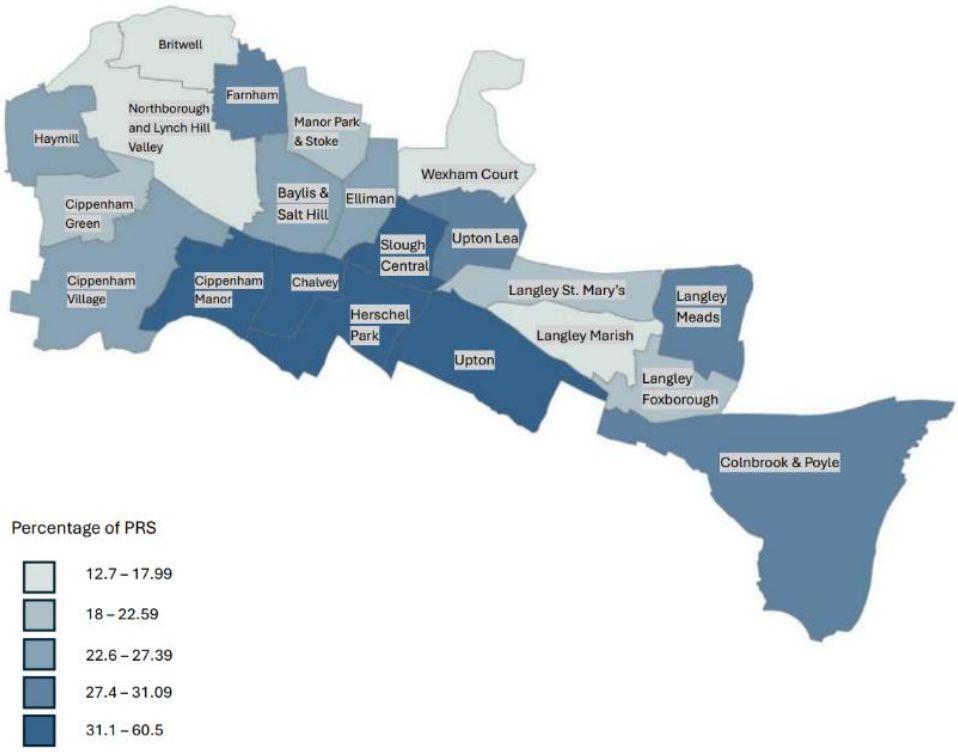


Figure 13. Percentage of private rented sector properties across wards in Slough (Source: Ti 2026)

The percentage of dwellings that are private rented sector varies across the borough (Map 6).



Map 6. Percentage of private rented sector properties (as a proportion of total housing) by ward (Source: Ti 2026).

Poor Housing Conditions

The Housing Health and Safety Rating System (HHSRS) is a system for assessing housing conditions. A hazard is any risk of harm to the health or safety of an actual or potential occupier of accommodation that arises from a deficiency in the dwelling, building or land in the vicinity.

The HHSRS assessment identifies 29 hazard types that give rise to hazards under four main public health categories; physiological requirements; psychological requirements; protection against infection; protection against accidents. Serious hazards have a physiological or psychological impact on the occupant and may result in medical treatment.

Using a sample of properties that are known to have at least one serious housing hazard, it is possible to predict the number of private rented sector properties with at least one serious hazard across the borough's private rented sector stock.

Using this methodology, it is predicted that there are 2,743 PRS properties with at least one serious home hazard in Slough (Figure 14). This represents 16.4% of the private rented sector stock, which is higher than the national average (10%).

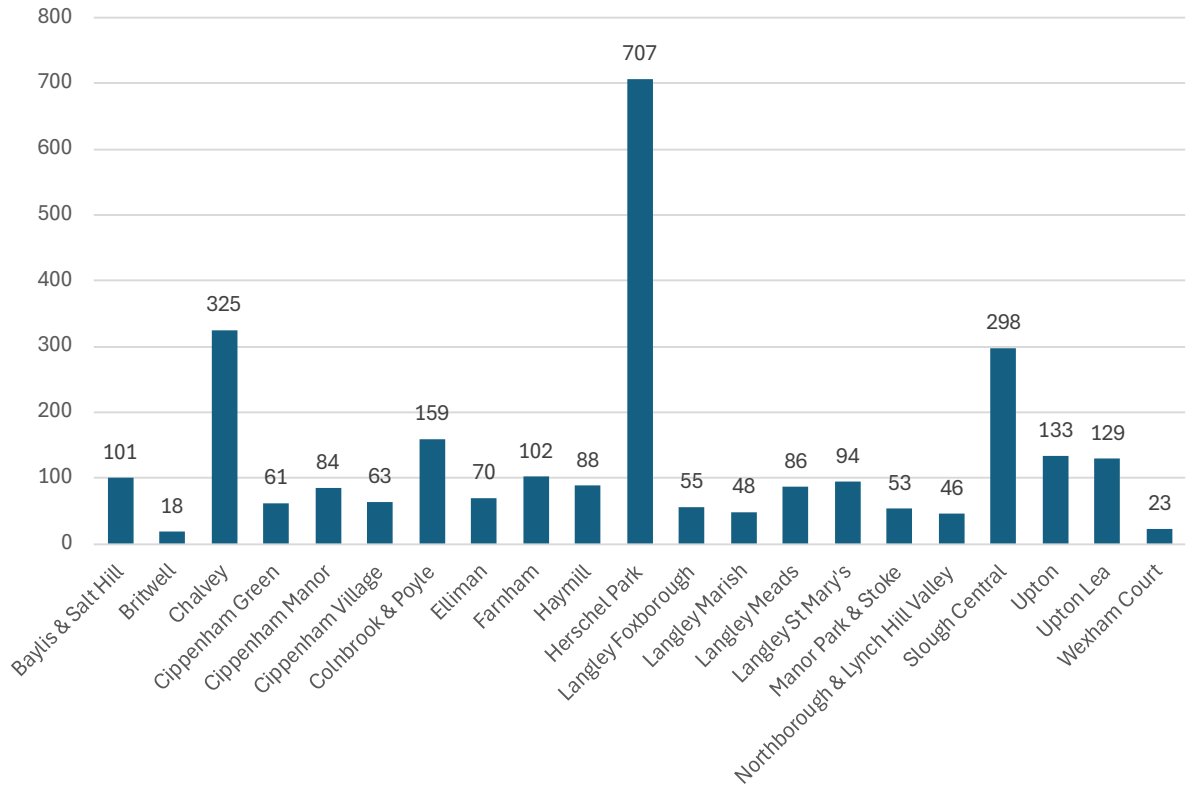
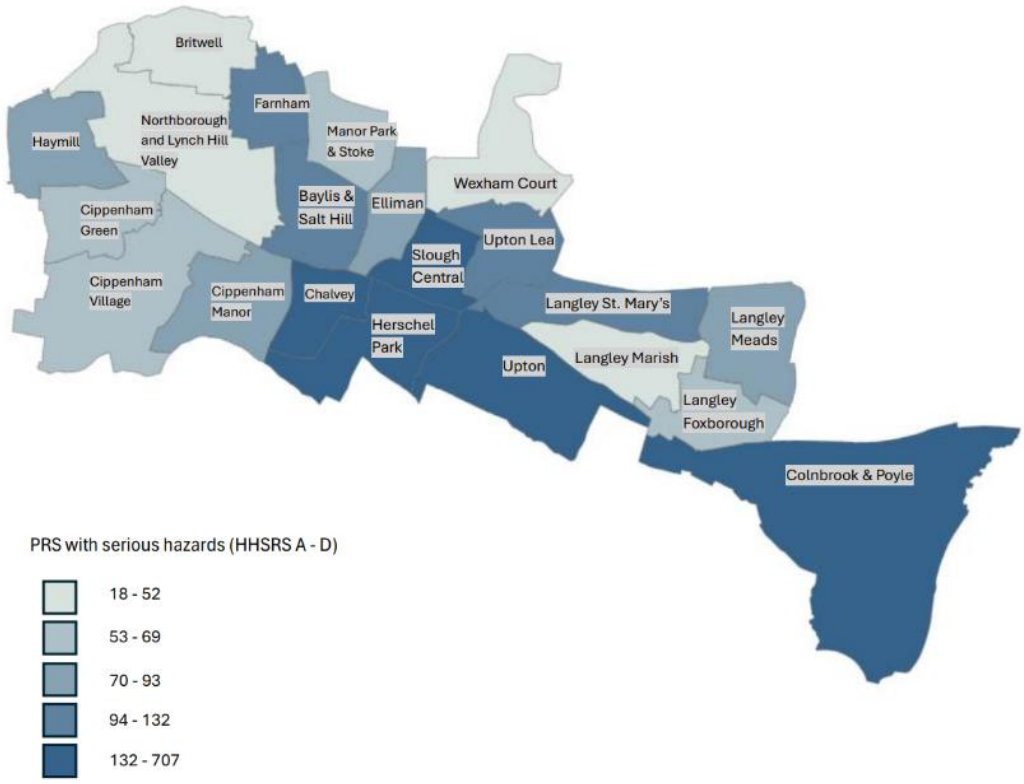


Figure 14. Private rented sector properties with serious hazards (HHSRS A – D) across Slough (Source: Ti 2026).

The highest number (707) of private rented sector properties with serious hazards are in Herschel Park, whilst the lowest number (18) are in Britwell.

Private rented sector properties with serious hazards are distributed throughout the borough. (Map 7).



Map 7. Distribution of private rented sector properties with serious hazards (HHSRS A – D) across Slough (Source: Ti 2026)

Central wards generally have higher numbers of private rented sector properties with serious hazards (e.g. Slough Central, Chalvey, Herschel Park), but Colnbrook and Poyle is an exception, with high numbers in the East.

Evidence Summary

The borough is predicted to have 16,710 private rented properties including a predicted 2,024 HMOs. The proposed selective licensing designation is predicted to contain 14,686 licensable properties (16,710 minus 2,024),

The Council can only consider a selective licensing designation if the area has a high (more than 19%) proportion of housing in the private rented sector. The proportion of private rented sector housing in the proposed selective licensing designation is 28.6% (25.1% excluding HMOs) and therefore is considered high.

It is predicted that there are 2,743 PRS properties with at least one serious home hazard in the borough. This represents 16.4% of the private rented sector stock, which is higher than the national average (10%). This clearly points to a private rented sector where poor housing conditions are prevalent and the Council believes that selective licensing will help improve conditions for tenants through the application

Alternative Options Considered

The Council have considered what other courses of action are available to address the issues described in this report. However, the Council does not believe that either individually, or collectively, that they would prove sufficiently effective as the implementation of discretionary property licensing.

Alternative approaches that the Council has considered and discounted include:

Use of Housing Act 2004 enforcement powers

The Council's enforcement powers in respect of the private rented sector are largely provided by the Housing Act 2004, with other public health legislation being applied where necessary and appropriate.

Under the Act, formal notices can be served that require improvements to be carried out. Should these improvements not be carried out, the Council can carry out works in default if a notice is not complied with. Landlords also risk being prosecuted if they do not comply with a notice.

Using the range of tools at its disposal, the Council will decide on the most appropriate action on a case-by-case basis. Formal action is generally a slow process with appeal provisions against most types of notices served, which can significantly delay the time for compliance. These powers do not place any obligation on landlords to be proactive in improving conditions. Work in default can be effective but is expensive and time consuming for the Council, with the risk that costs will not be recovered without significant delays. Whilst it is a powerful tool, it is still reactive.

Lastly, successful prosecutions do not themselves secure improvements in property conditions and the Council's prosecution costs will not always be met in full.

Voluntary Landlord Accreditation

The Council supports landlords in being members of accreditation schemes and recognises the benefits it can bring to both landlord and tenant in the successful management and sustainment of tenancies. However, accreditation requires voluntary landlord engagement and rogue landlords are unlikely to actively engage in these initiatives.

Mandatory Licensing

Mandatory licensing refers to the licensing of HMOs where the premises are occupied by five or more people who form two or more households. This licensing regime has been in place in the England since 2006, but only covers a proportion of the HMO sector. If additional licensing is not implemented, the mandatory licensing of larger HMOs would still take place.

The mandatory licensing of large HMOs is able to ensure that standards are in place for specific, individual premises, but does not apply to all HMOs. Therefore, the use of this mandatory licensing regime alone would not meet the objectives of ensuring all HMO benefit from the regulatory oversight that additional licensing would bring.

Do Nothing

The proposed discretionary property licensing schemes will put in place clear, set standards, that are advertised and consistent, ensuring that the issues that this report has evidenced are addressed.

Licensing will place a clear emphasis on proactive applications by landlords, allowing the Council to focus resources on those operating outside of the scheme.

While basic statutory standards can be enforced without a scheme, this would be on a reactive, complaint-based process, that does not lead to a consistent standard of protection to tenants, nor provision of clear standards for landlords to refer to. This could inadvertently lead to new premises not meeting statutory requirements.

The Council believes there is no single intervention that will help improve housing conditions or reduce issues for those living in HMOs, and each measure has its limitations. Discretionary property licensing will provide a mechanism which allows for a co-ordinated approach for strong effective partnerships, linking agencies and services together for the benefit of tenants and the communities they live in.

In line with its Corporate Plan, doing nothing is not an option the Council can consider.

Licence Fees

The Council will exercise its powers to charge under Sections 63(7) and 87(3) and (7) of the Act, and does so taking into account the Provision of Services Regulations 2009.

Sections 63 and 87 of the Act permits the Council to require any application for a licence under Part 2 and 3 of the Act to be accompanied by a licence fee, and that this fee may cover all costs incurred by the Council in carrying out its licensing functions.

The first part (Part A) of the licence fee is for the assessment and processing of the application to the stage of issuing the decision notice and, where applicable, the draft licence. The Part A fee is payable when the licence application is submitted.

The second part (Part B) of the licence fee is due following the issue of a draft licence but prior to the licence being issued. The fee must be paid in full in order for the licence application to be considered as having been duly made and, if it is not, then the application will not be considered, and a licence cannot be granted. If an application is unsuccessful the Part B fee will not be required.

In calculating the fee, the Council has determined the process for handling a licence application. This process includes the costs relating to the set-up costs of the scheme, the administrative process involved in handling an application, the legal processes involved in proposing the licence and conditions, and finally making the decision to either grant the licence or refuse a licence application. The fee covers the entire period of the scheme.

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. A significant proportion of the licence fee income will meet the necessary staffing costs to deliver the schemes outcomes, but the fees will also meet other running costs such as communications and software expenditure, with allowances made for inflationary increases during the life (up to 5 years) of the scheme.

The proposed fees are underpinned by assumptions about the level of income the licence fee will generate which in turn is based upon the number of properties that are expected to be licensed during the 5-year period of the schemes.

Each part of the licensing process has been assessed on the average amount of time each stage will take. The amount of time, in minutes, is then calculated against the total cost of administering the scheme. This process has identified that the total cost incurred to carry out the function of selective licensing to be £750 per licence application, and the cost of an additional licensing to be £950 per licence.

The Council is not proposing to have a discounted fee structure for membership of a landlord accreditation scheme, nor an "early bird" discount. It is felt that the administration of a multi-faceted fee structure would take resources away from the licensing team and detract from the main purpose of the schemes. The lost licence fee income resulting from an early bird discount would also result in an increase of the standard fee.

The Council proposes an additional charge of £75 where licence application has not been made proactively and the Council has to carry out investigation activities to ensure that an application is made. The additional charge will be added to the Part A fee.

The table below sets out the proposed fee structure.

Licence type	Part A fee (unprompted)	Part A (Prompted)	Part B fee	Total fee (unprompted)	Total fee (prompted)
Additional	£525	£600	£425	£950	£1025
Selective	£400	£475	£350	£750	£825

Fee Discounts

Where three or more self-contained flats are owned or managed by the same person, a proposed discount of £75 will be applied to the Part A fee in respect of the second, third flats etc. The full Part A rate will be charged for the first flat. To be eligible for the discount:

- each dwelling must be separate (usually self-contained flats)
- each dwelling must share common ownership and management
- each licence application must be submitted at the same time

Other Fees

Change of licence holder	Standard fee (Part A & B)
Variation of licence – Change of property owner, freeholder, mortgagee, or leaseholder • Change of property manager • Change of address details • Agreed change in number of occupiers • Increase in number of rooms or changes in room size and/or amenities	No fee
Licence variation instigated by the Council	No fee
Licence application following revocation	Standard fee (Part A & B)
Application withdrawn by applicant	Part A
Licence application refused	Part A
Property ceases to be licensable during application process	Part A
Application withdrawn by applicant	Part A
Application made in error	No fee

Exemptions from Property Licensing

Additional and selective licensing will apply to all privately rented properties within the borough unless they are exempt by law. Exemptions from selective licensing include:

- properties licensable as a House of Multiple Occupation
- properties let by a local authority or a Registered Provider (traditionally known as a not-for-profit Housing Association)
- properties already subject to a management order
- properties subject to a temporary exemption notice
- owners who reside in property they own as their main residence

- holiday lets; and tenancies under a long lease and business tenancies
- any building which is occupied principally for the purposes of a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering student accommodation directly managed by educational institutions, e.g. halls of residence.
- properties managed by a charity registered under the Charities Act 2011 and which is a night shelter, or consists of temporary accommodation for persons suffering or recovering from drug or alcohol abuse, or a mental disorder.

and any other exemptions as specified by the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006.

An additional licence is not needed if:

- the property is an HMO that already requires a licence under the mandatory HMO licensing scheme;
- the property is subject to an Interim or Final Management Order under Part 4 of the Housing Act 2004 (i.e. the Council have taken over the management of the property);
- the property is covered by a temporary exemption notice.
- the property is managed a local housing authority, registered social landlord, police or fire & rescue authority or a health service body;
- the property is already regulated under certain other statutory provisions;
- the property falls within an exemption applying to certain student halls of residence;
- the property is occupied principally for the purposes of a religious community whose principle occupation is prayer; contemplation, education or the relief of suffering;
- the property is owner occupied with no more than two lodgers; or
- the property is occupied by just two people who form two households.

Licence Conditions

The licence conditions will include the mandatory conditions set out in Schedule 4 of the Housing Act 2004, as well other licence conditions designed to assist in meeting the objectives and desired outcomes of the designations. The proposed conditions for the properties licensed under the additional licensing designation can be found in Appendix A on pages 32 to 42. The proposed licence conditions for properties licensed under the selective licensing designation can be found in Appendix B on pages 43 to 50.

Consequences of Not Licensing a Licensable Property

The following are some of the consequences of not having a licence:

- face a Civil Penalty Notice of up to £40,000
- prosecution including an unlimited fine and a criminal record
- being put on the National Rogue Landlord Database
- being banned from working as a landlord (and losing the licence to rent anywhere in England) for at least 12 months, and in some cases indefinitely
- the Council or tenant may make an application to a Residential Property Tribunal for a Rent Repayment Order if the landlord has been convicted of the offence of operating a licensed property without a licence. Under a Rent Repayment Order, up to 24 months rent would be repaid to the Council or tenant.

Defences for Not Having a Licence

There are three defences available to someone who does not have the requisite licence:

- when there is a reasonable excuse for his failure. See sections 72(4B) and 95(3B) Housing Act 2004.
- a notification had been duly given in respect of the house under section 62(1)2 or 86(1)3 (Temporary Exemption)
- At the relevant time the landlord has applied for a licence and the application remains effective (sections 72(4(b) and 95(3)(b) Housing Act 2004.

However, the Council acknowledges that there may be situations beyond the landlord's control that prevent them from submitting an application. Should discretionary property licensing be introduced, it is important that any problems are communicated to the Council as soon as possible so that agreement can be reached.

Appendix A

Proposed Additional Licensing Conditions

Note: Slough Borough Council ("the Council") is acting in its capacity as a Local Housing Authority with the enforcement of the conditions. Reference to the Licence Holder in these conditions, includes where relevant, reference to a further person (e.g. property manager or managing agent) who has consented to the imposition of the restrictions or obligations at the point of the issue of the licence by the Council. This includes any additional conditions listed on the last page of this document.

'Property' means the house, flat or bungalow that is the subject of the licence.

1. Permitted Occupation

1.1 A new resident must not be permitted to occupy the property or any part of the property if that occupation:

- exceeds the maximum permitted number of persons for the house as detailed in the schedule of permitted occupation below.
- exceeds the maximum permitted number of households for the house as detailed in the schedule of permitted occupation below.

Occupancy and Maximum Permitted Persons per Letting*

Letting	Location	Area (sq m)	Max permitted per room
Bedroom 1	Ground floor right	10.32	2 persons
Bedroom 2	Ground floor rear right	10.42	2 persons

Total maximum permitted number of persons for the house	4
Total maximum permitted number of households	2
There is a bathroom located on	Ground floor
There is a kitchen	10.2 m^2

**Example of a schedule for a 4 person HMO.*

1.2 A new resident means a person who was not an occupier of the property and/or the specific room at the date of the issue of the licence.

1.3 Maximum permitted persons stated is regardless of age unless specified.

2. Minimum space standards

2.1 The Licence Holder must ensure that:

(a) The floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;

(b) The floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;

(c) The floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;

(d) Any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

2.2 Under this condition, a room is used as a sleeping accommodation if it is normally used as a bedroom, whether or not it is also used for other purposes.

2.3 Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be considered in determining the floor area of that room for the purposes of this condition.

3. Occupancy

3.1 The Licence Holder must ensure that:

(a) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;

(b) where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;

(c) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.

3.2 Under condition 3.1, a room is used as a sleeping accommodation if it is normally used as a bedroom, whether or not it is used for other purposes.

3.3 A reference to the number of persons using a room in an HMO as sleeping accommodation does not include a person doing so as a visitor of an occupier of the HMO.

4. Notification to rectify a breach

4.1 Where there has been a breach of condition 2.1 or 3.1, and the Licence Holder has not knowingly permitted that breach, the authority may require the Licence Holder to rectify that breach within a specified period. The specified period refers to a period of no more than 18 months, commencing from the date on which the authority notifies the Licence Holder of the breach, as specified in the notification.

5. Minimum room size

5.1 The Licence Holder must notify the authority of any room in the HMO used as sleeping accommodation with a floor area of less than 4.64 square metres.

5.2 Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be considered in determining the floor area of that room for the purposes of this condition.

6. **Registered charities**

6.1 Conditions 2.1, 3.1, and 4.1 do not apply to an HMO which is managed by a charity registered under the Charities Act 2011 and which:

(a) is a night shelter, or

(b) consists of temporary accommodation for persons suffering or recovering from drug or alcohol abuse or a mental disorder.

7. Tenancy management

7.1 The Licence Holder must supply the occupiers of the property with a written statement of the terms on which they occupy the property and details of the arrangements in place to deal with repair issues and emergency issues. Copies of the written statement of terms must be provided to the Council for inspection within 7 days upon demand.

7.2 The Licence Holder must protect any deposit taken under an assured short-hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the Council within 28 days on demand.

7.3 The following arrangements must be implemented to fulfil the requirements of this condition. Copies of the documents and evidence must be provided to the Council within 28 days on demand.

(a) Provision of an emergency 24-hour contact number (including out-of-hours response arrangements)

(b) Formal arrangements for the disposal of rubbish and bulky waste (See Condition 9)

(c) Schedule or details of the tenant's role and responsibility, including instructions for the heating systems and equipment.

7.4 The Licence Holder must effectively address problems of antisocial behaviour resulting from the conduct on the part of occupiers of, or visitors to, the premises by complying with the requirements of paragraphs (a) to (j) below:

(a) The Licence Holder must not ignore or fail to take action if they have received complaints of anti-social behaviour concerning the visitors to or occupiers of the premises.

(b) Any letters relating to antisocial behaviour, sent or received by the Licence Holder, must be kept for 5 years.

(c) The Licence Holder must ensure that written notes are kept of any meetings, telephone conversations or investigations regarding antisocial behaviour for 5 years.

(d) If a complaint is received, or antisocial behaviour is discovered, the Licence Holder must contact the tenant within 7 days. The tenant must be informed of the allegations of the antisocial behaviour in writing and of the consequences of its continuation.

(e) The Licence Holder shall, from the date of receipt of the complaint of antisocial behaviour, monitor any allegations of antisocial behaviour.

(f) Where the antisocial behaviour is continuing after 28 days from receipt of the complaint, the Licence Holder must, within 7 days, visit the premises and the tenant with a warning letter advising them of the possibility of eviction if the behaviour continues.

(g) Where the Licence Holder has reason to believe that the antisocial behaviour involves criminal activity, the Licence Holder shall ensure that the appropriate authorities are informed.

(h) If, after 14 days of giving a warning letter, the tenant has taken no steps to address the antisocial behaviour and the behaviour is continuing, the Licence Holder shall take formal steps under the written statement of terms for occupation, e.g. the tenancy agreement or licence and which shall include promptly taking any legal eviction proceedings to address the anti-social behaviour.

(i) here the Licence Holder is specifically invited, they shall attend any case conferences or multi-agency meetings arranged by the Council, police or any other agency.

(j) The Licence Holder is expected to co-operate fully and assist any agency that becomes involved in dealing with any matter relating to antisocial behaviour.

7.5.1 Any correspondence, letters and records referred to in condition 7.5 must be provided to the Council within 28 days of it being demanded.

8. Property Management

8.1 The Licence Holder shall ensure that all gas installations and appliances are in a safe condition at all times. The Licence Holder must keep a current valid gas safety certificate obtained within the last 12 months by a Gas Safe registered (or any equivalent registration scheme introduced in the future) engineer or, if a boiler was installed less than 12 months ago, a Gas Safe Installation Certificate. A copy must be provided to the Council within 7 days on demand. Copies of this certificate must also be provided to all occupiers at the start of their tenancy.

8.2 The Licence Holder must:

(a) keep electrical appliances and furniture made available by him in the property in a safe condition;

b) ensure that all electrical appliances and furniture provided by the landlord are in a safe condition. The Licence Holder must submit to the Council, for their inspection, an electrical appliance test report in respect of all electrical appliances that are supplied by the landlord to the council within 7 days on demand.

(c) ensure that every electrical installation in the property is in proper working order and safe for continued use; and

(d) supply the Council with a declaration confirming the safety of such electrical installations within 7 days on demand.

8.3 Where the Licence Holder becomes aware of a pest problem or infestation at the property, he shall take steps within 7 days to ensure that a treatment program is carried out with the intention of eradicating the pest infestation. Records of such treatment programmes shall be kept for 5 years and shall be provided to the Council within 28 days on demand.

8.4 The Licence Holder shall ensure that:

(a) an interlinked smoke alarm is installed on each storey of the property on which there is a room (“room” includes a hall or landing) used wholly or partly as living

accommodation (a bathroom or lavatory is to be treated as a room used as living accommodation);

(b) keep each such alarm in proper working order; and

(c) supply the Council, on demand, with a declaration by him as to the condition and positioning of such alarms.

8.5 The Licence Holder must ensure that:

(a) a carbon monoxide alarm is installed in any room ("room" includes a hall or landing) in the property which is used wholly or partly as living accommodation and contains a fixed combustion appliance other than a gas cooker (a bathroom or lavatory is to be treated as a room used as living accommodation);

(b) to keep any such alarm in proper working order; and

(c) to supply the authority, within 7 days on demand, with a declaration by him as to the condition and positioning of any such alarm.

8.6 The Licence Holder must ensure that any firefighting equipment and fire alarms are maintained in good working order. The Licence Holder must submit to the Council, for their inspection, a copy of all periodical inspection reports/test certificates for any automatic fire alarm system, emergency lighting and firefighting equipment provided in the property. These must be provided to the Council within 7 days on demand.

8.7 The Licence Holder must ensure that furniture made available in the property is in a safe condition. All upholstered furniture, covers, and fillings of cushions and pillows should comply with current fire safety legislation. A declaration as to the safety of such furniture must be provided to the Council within 7 days on demand.

8.8 The Licence Holder shall ensure that inspections of the property are carried out at least every six months to identify any problems relating to pest infestation, the general condition of the premises, the occupation and the management of the property. The Authority may increase the frequency of such inspections if it has good reason to be concerned about the condition or management of the HMO. A log shall be kept recording inspection details. The log shall include the:

- date and time of inspection, and
- name of person conducting the inspection, issues found, and actions taken

8.9 The log of such inspections shall be kept for the duration of this licence. The Licence Holder shall provide a copy of the log to the Council within 28 days on demand.

8.10 The Licence Holder shall ensure:

(a) that the security provisions for the access to the property (including but not limited to locks, latches, deadbolts and entry systems) are maintained in good working order at all times. Where the previous tenant has not surrendered keys, the Licence Holder must take reasonable steps to secure the property, including changing the locks to all external doors to the property prior to new tenants moving in. This condition applies only to doors providing direct access to the licensed dwelling and does not apply to communal entrance doors serving a block of flats or shared building.

(b) that keys are provided to the tenant where window locks are fitted.

9. Waste Management

9.1 The Licence Holder must ensure that there are sufficient waste receptacles to contain and dispose of waste, both inside and outside the property, for the number of occupants. Where additional waste receptacles above those provided by the Council are required, the Licence Holder must arrange appropriate waste storage and collection.

9.2 The Licence Holder must ensure that waste receptacles are not placed on the footpath more than 24 hours before collection, and that waste receptacles are removed from the footpath and returned to the designated storage area (see 9.4) within the curtilage of the property not more than 24 hours after collection.

9.3 Where the occupants or any other person contaminates the recycling receptacles, causing them to be rejected for emptying, the Licence Holder must ensure they are decontaminated within seven days of becoming aware.

9.4 The Licence Holder must ensure that there is a clearly defined external refuse storage area for waste receptacles. All rubbish and recycling containers should be located away from habitable rooms and wherever practicable at the side or rear of the property. All waste receptacles are to be positioned so that they do not obstruct footways and access ways, and do not obscure natural lighting from windows.

9.5 At the start of a tenancy, the Licence Holder must give written information to the tenants. This information should let tenants know:

- The day when refuse collections will happen.
- The type of bins to use for household and recycling waste.
- Details of the Council's bulky waste collection service.
- Details of the Council's missed bin collection service.
- Details of the Council's bins, waste and recycling webpages.
- To put bins at the property boundary by 6am on collection day.

This information should also be displayed in a prominent place in the property.

9.6 The Licence Holder must dispose of furniture or other bulky items left by tenants, ensuring no items are left in front or rear garden areas unless awaiting collection. Licence Holder must not leave items outside their property boundaries.

9.7 The Licence Holder must use a registered waste collection contractor to remove waste arising from the maintenance of the property, including construction and demolition waste, garden waste where this is produced by a contractor, furniture from furnished properties, and bulky items for disposal on change of tenancy, as this is classed as commercial waste. Alternatively, the Licence Holder can use the Council's Waste Transfer Station.

10. Documents to be displayed

10.1 The Licence Holder must display a copy of the licence to which these conditions apply in the common parts of the property. Additionally, copies must be provided to all tenants/occupiers at the start of their tenancy.

10.2 The Licence Holder must display a notice in the property with the name, address and emergency contact number of the Licence Holder. Additionally, copies must be provided to all tenants/occupiers at the start of their tenancy and provided to the Council within 28 days on demand.

10.3 The Licence Holder must display a copy of the current gas safety certificate in the common parts of the property.

10.4 If there have been new tenancies issued after 1st October 2008 for the premises, the Licence Holder must obtain a valid Energy Performance Certificate (EPC). Copies must

be/have been made available to all tenants/occupiers at the start of their tenancy and provided to the Council within 28 days on demand.

11. Financial Management

11.1 No person other than the Licence Holder or the agent named on the licence may collect and receive rental monies from the tenant. The Licence Holder and/or agent may pass on the rental monies to any third parties as required.

11.2 Where rents are collected or received in cash from the occupiers, the Licence Holder must ensure that the payment is recorded and that the occupants receive a receipt for the payment at the time of payment. This can be an email or written invoice confirming to the tenant, the date and amount paid. The Licence Holder must keep a copy of all such records and receipts. Copies of the rent receipts and records must be provided to the Council within 28 days on demand.

12. Material changes of circumstances

12.1 The Licence Holder must notify the Council, within 14 days of any material change in circumstances and, within 14 days of becoming aware of them, of any known and material change in the circumstances of any person managing or involved in the management of the HMO that may require the licence to be varied, revoked or require a fit and proper person check to be made, including:

(a) Details of any unspent convictions not previously disclosed to the Council that may be relevant to the Licence Holder or the property manager or the status of either of them as a 'fit and proper person', including in particular a conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.

(b) Details of any finding by a court or tribunal against the Licence Holder and/or the property manager that he or she has practised unlawful discrimination.

(c) Details of any contravention on the part of the Licence Holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.

(d) Information about any property the Licence Holder or property manager owns or manages, or has owned or managed:
- which has been made subject to a control order under section 379 of the Housing Act 1985, in the five years preceding the date of the licence application; or
- which has been the subject of any enforcement action described under Part 1 sections 5(2) or 7(2) of the Housing Act 2004, concerning Category 1 and Category 2 housing condition hazards; or
- in relation to which a local housing authority has either refused to grant a licence under Part 2 or 3 of the Act or has revoked a licence; or
- which has been the subject of an interim or final management order under the Housing Act 2004.

(e) A change of property ownership.

(f) A change of address or contact details, including country of residency.

(g) A change of manager or management arrangements, a signed copy of the new managing agent contract must be submitted within 14 days of instructing the new agent.

(h) Any proposed changes to the HMO, including its layout, that would affect the licence or licence conditions.

(i) Any proposed changes to the HMO, including its occupancy, that would affect the licence or licence conditions.

13. General

13.1 The Licence Holder must arrange for access to be granted at any reasonable time and must not obstruct Council officers carrying out their statutory duties, including inspecting, surveying and investigating the HMO to ensure compliance with licence conditions and any other relevant legislation.

13.2 The Licence Holder must provide to the Council, within 7 days on demand, the following particulars as may be specified in the notice with respect to the occupancy of the HMO:

(i) The names and numbers of individuals/households accommodated, specifying the rooms they occupy within the property; and

(ii) Number of individuals in each household.

13.3 The Licence Holder must ensure that whilst any alteration or construction works are in progress, the work is carried out to ensure the safety of all persons occupying or visiting the premises.

13.4 The Licence Holder must ensure that on completion of any works, the property shall be left in a clean, tidy condition and free from builders' debris.

13.5 Failure to comply with any licence condition without a reasonable excuse may result in a civil penalty of up to £40,000 or prosecution, leading to criminal conviction and an unlimited fine and other penalties as stated in the Housing Regulation Enforcement and Civil Penalty policies.

13.6 The property licence and conditions do not imply or grant by inference or otherwise any approval or permission for any other purposes, including those for Building Control (Development Control), and under The Regulatory Reform (Fire Safety) Order 2005. Conversely, compliance with any of those requirements does not confer or imply compliance with the requirements of the Housing Act 2004, including property licensing.

13.7 Any requirements relating to the licence and conditions are without prejudice to assessments and appropriate actions, including enforcement actions under the Housing Act 2004. This includes actions to deal with Category 1 and Category 2 hazards as may be identified under the Housing, Health and Safety Rating System and does not preclude such action.

Appendix B

Proposed Selective Licensing Conditions

Note: Slough Borough Council ("the Council") is acting in its capacity as a Local Housing Authority with the enforcement of the conditions. Reference to the Licence Holder in these conditions, includes where relevant, reference to a further person (e.g. property manager or managing agent) who has consented to the imposition of the restrictions or obligations at the point of the issue of the licence by the Council. This includes any additional conditions listed on the last page of this document.

'Property' means the house, flat or bungalow that is the subject of the licence.

1. Permitted Occupation

1.1 A new resident must not be permitted to occupy the property or any part of the property if that occupation:

- exceeds the maximum permitted number of persons for the property as detailed in the schedule of permitted occupation below
- exceeds the maximum permitted number of households for the property as detailed in the schedule of permitted occupation below.

Occupancy and Maximum Permitted Persons per Letting*

Letting	Location	Area (sq m)	Max permitted per room
Bedroom 1	First floor rear letf	7.32	1 person
Bedroom 2	First floor rear right	10.42	2 persons
Bedroom 3	First floor front right	6.90	1 person
Bedroom 4	First floor front left	11.24	2 persons

Total maximum permitted number of persons for the house	6
Total maximum permitted number of households	1
There is a bathroom located on	First floor
There is a kitchen	10.2 m^2

**Example of a schedule for a four-bedroom house.*

1.2 A new resident means a person who was not an occupier of the property and/or the specific room at the date of the issue of the licence.

1.3 Maximum permitted persons stated is regardless of age unless specified.

1.4 Rooms containing cooking facilities measuring less than 13.04m^2 must not be used for sleeping purposes except where the accommodation forms a self-contained unit designed for such use.

1.5 Where a tenancy agreement was in place before the property licence was issued (with existing tenants occupying the property) then this licence condition will not be applicable. However, the Council may still look to control any overcrowding of the property using additional legislation.

2. Tenancy management

2.1 The Licence Holder must supply the occupiers of the property with a written statement of the terms on which they occupy the property and details of the arrangements in place to deal with repair and emergency issues. This must be complied with from the date of the Licence and whenever there is a change in occupancy. Copies of the written statement of terms must be provided to the Council for inspection within 7 days upon demand.

2.2 The Licence Holder must protect any deposit taken under an assured periodic tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the Council within 28 days on demand.

2.3 The Licence Holder must demand references from persons who wish to occupy the property. The Licence Holder must retain all references obtained for occupiers for the duration of the licence and provide copies to the Council within 28 days on demand.

2.4 The Licence Holder must effectively address problems of anti-social behaviour resulting from the conduct on the part of occupiers of, or visitors to the premises by complying with the requirements of paragraphs (a) to (j) below:

(a) the Licence Holder must not ignore or fail to take action, if he has received complaints of antisocial behaviour concerning the visitors to or occupiers of the premises;

(b) Any letters, relating to antisocial behaviour, sent or received by the Licence Holder, must be kept for 5 years.

(c) The Licence Holder must ensure that written notes are kept of any meetings or telephone conversations or investigations regarding anti-social behaviour for 5 years.

(d) If a complaint is received, or anti-social behaviour is discovered, the Licence Holder must contact the tenant within 7 days. The tenant must be informed of the allegations of the anti-social behaviour in writing and of the consequences of its continuation;

(e) The Licence Holder shall from the date of receipt of the complaint, monitor any allegations of anti-social behaviour;

(f) Where the anti-social behaviour is continuing after 28 days from receipt of the complaint, the Licence Holder must within 7 days issue the tenant with a warning letter advising them of the possibility of eviction if the behaviour continues;

(g) Where the Licence Holder has reason to believe that the anti-social behaviour involves criminal activity they shall ensure that the appropriate authorities are informed;

(h) If, after 14 days of giving a warning letter the tenant has taken no steps to address the anti-social behaviour and the behaviour is continuing, the Licence Holder shall take formal steps under the written statement of terms of occupation. These steps shall include promptly taking any legal eviction proceedings;

(j) Where the Licence Holder is specifically invited, they shall attend any case conferences or multi-agency meetings arranged by the Council, police or any other agency; and

(k) The Licence Holder is expected to co-operate fully and assist any agency that becomes involved in dealing with any matter relating to anti-social behaviour.

Any correspondence, letters and records referred to in condition 2.4 above must be provided to the Council within 28 days on demand.

3. Property Management

3.1 The Licence Holder shall ensure that all gas installations and appliances are in a safe condition at all times. The Licence Holder must keep a record of the current valid gas safety certificate obtained within the last 12 months by a Gas Safe registered (or any equivalent registration scheme introduced in the future) engineer or, if a boiler was installed less than 12 months ago, a Gas Safe Installation Certificate, and give the tenant a copy of the certificate within 28 days of it being issued. Copies of certificates must be kept by the Licence Holder for a minimum of 2 years from the date of issue. A copy must be provided to the Council within 7 days on demand.

3.2 The Licence Holder must:

(a) keep electrical appliances and furniture made available by them in the property in a safe condition;

b) ensure that all electrical appliances and furniture provided by them are in a safe condition. The Licence Holder must submit to the Council, for their inspection, an electrical appliance test report in respect of all electrical appliances that are supplied by them to the Council within 7 days on demand.

(c) ensure that every electrical installation in the property is in proper working order and safe for continued use; and

(d) supply the Council with an Electrical Installation Condition Report dated within the last 5 years confirming the safety of such electrical installations within 7 days on demand.

3.3 Where the Licence Holder becomes aware of a pest problem or infestation at the property, he shall take steps within 7 days to ensure that a treatment program is carried out with the intention of eradicating the pest infestation. Records of such treatment programmes shall be kept for 5 years and shall be provided to the Council within 28 days on demand.

3.4 The Licence Holder shall ensure that:

(a) a smoke alarm is installed on each storey of the property on which there is a room (“room” includes a hall or landing) used wholly or partly as living accommodation (a bathroom or lavatory is to be treated as a room used as living accommodation);

(b) where more than one such smoke alarm is installed in a property that they are linked.

(c) keep each such alarm in proper working order; and

(d) supply the authority, on demand, with a declaration by them as to the condition and positioning of such alarms.

3.5 The Licence Holder must ensure that:

(a) a carbon monoxide alarm is installed in any room ("room" includes a hall or landing) in the property which is used wholly or partly as living accommodation and contains a fixed combustion appliance other than a gas cooker (a bathroom or lavatory is to be treated as a room used as living accommodation);

(b) to keep any such alarm in proper working order; and

(c) to supply the authority, within 7 days on demand, with a declaration by them as to the condition and positioning of any such alarm.

3.6 The Licence Holder must ensure that furniture made available in the property is in a safe condition. All upholstered furniture, covers, and fillings of cushions and pillows should comply with current fire safety legislation. A declaration as to the safety of such furniture must be provided to the Council within 7 days on demand.

3.7 The Licence Holder shall ensure that inspections of the property are carried out at least every 12 months to identify any problems relating to pest infestation, and the general condition and occupation of the property. The Council may increase the frequency of such inspections if it has good reason to be concerned about the condition or occupancy of the property. A log shall be kept recording inspection details. The log shall include the date and time of inspection, and name of person conducting the inspection, issues found, and actions taken.

3.8 The log of such inspections shall be kept for the duration of the licence. The Licence Holder shall provide a copy of the log to the Council within 28 days on demand.

3.9 At the start of a tenancy, the Licence Holder must give written information to the tenants. This information should let tenants know:

- The day when refuse collections will happen.
- The type of bins to use for household and recycling waste.
- Details of the Council's bulky waste collection service.
- Details of the Council's missed bin collection service.
- Details of the Council's bins, waste and recycling webpages.
- To put bins at the property boundary by 6am on collection day.

3.10 The Licence Holder must dispose of furniture or other bulky items left by tenants at the end of their tenancy, ensuring no items are left in front or rear garden areas unless awaiting collection. The Licence Holder must not leave items outside their property boundaries.

3.11 The Licence Holder must use a registered waste collection contractor to remove waste arising from the maintenance of the property, including construction and demolition waste, garden waste where this is produced by a contractor, furniture from furnished properties, and bulky items for disposal on change of tenancy, as this is classed as commercial waste. Alternatively, the Licence Holder can use the Council's Waste Transfer Station.

3.12 The Licence Holder shall ensure:

(a) that the security provisions for the access to the property (including but not limited to locks, latches, deadbolts and entry systems) are maintained in good working order at all times. Where the previous tenant has not surrendered keys, the Licence Holder must take reasonable steps to secure the property, including changing the locks to all external doors to the property prior to new tenants moving in. This condition applies only to doors providing direct access to the licensed property and does not apply to communal entrance doors serving a block of flats or shared building.

(b) that keys are provided to the tenant where window locks are fitted.

4. Documents to be provided to the tenant

4.1 Provide to all tenants at the start of the tenancy the documents below:

- a copy of the licence to which these conditions apply;
- a notice with the name, address and emergency contact number of the Licence Holder or managing agent for the property.
- for new tenancies issued after 1st October 2008, provide an Energy Performance Certificate. Under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, all rented properties must have a rating of E or above.

5. Financial Management

5.1 No person other than the Licence Holder or the agent named on the licence may collect and receive rental monies from the tenant. The Licence Holder and/or agent may pass on the rental monies to any third parties as required.

5.2 Where rents are collected or received in cash from the tenant, the Licence Holder must ensure that the payment is recorded and the tenants is given a receipt at the time of payment. This can be an email or hand written receipt confirming to the tenant the date and amount paid. The Licence Holder must keep a copy of all such receipts. Copies of the rent receipts must be provided to the Council within 28 days on demand.

6. Material changes of circumstances

6.1 The Licence Holder must notify the Council, within 14 days of any material change in circumstances and, within 14 days of becoming aware of them, of any known and material change in the circumstances of any person managing or involved in the management of the property that may require the licence to be varied, revoked or require a fit and proper person check to be made, including:

(a) Details of any unspent convictions not previously disclosed to the Council that may be relevant to them or their agent of the status of either of them as a 'fit and proper person', including in particular a conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.

(b) Details of any finding by a court or tribunal against them or agent that they have practised unlawful discrimination.

(c) Details of any contravention on the part of them or their agent relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.

(d) Information about any property they own or manage, or has owned or managed:

- which has been made subject to a control order under section 379 of the Housing Act 1985, in the five years preceding the date of the licence application;

or

- which has been the subject of any enforcement action described under Part 1 sections 5(2) or 7(2) of the Housing Act 2004, concerning Category 1 and Category 2 housing condition hazards; or
- in relation to which a local housing authority has either refused to grant a licence under Part 2 or 3 of the Act or has revoked a licence.
- which has been the subject of an interim or final management order under the Housing Act 2004.

(e) A change of property ownership.

(f) A change of address or contact details, including country of residency.

(g) A change of agent. A signed copy of the new managing agent contract must be submitted within 14 days of instructing the new agent.

(h) Any proposed changes to the property, including its layout, that would affect the licence or licence conditions.

7. General

7.1 The Licence Holder must arrange for access to be granted at any reasonable time and must not obstruct Council officers carrying out their statutory duties, including inspecting, surveying and investigating the property to ensure compliance with licence conditions and any other relevant legislation.

7.2 The Licence Holder must provide to the Council, within 14 days on demand, the following particulars as may be specified in the notice with respect to the occupancy of the property:

(a) The names and numbers of individuals/households accommodated, specifying the rooms they occupy within the property; and

(b) Number of individuals in each household.

7.3 The Licence Holder must ensure that whilst any alteration or construction works are in progress, the work is carried out to ensure the safety of all persons occupying or visiting the premises.

7.4 The Licence Holder must ensure that on completion of any works, the property shall be left in a clean, tidy condition and free from builders' debris.

7.5 Failure to comply with any licence condition without a reasonable excuse may result in a civil penalty of up to £40,000 or prosecution, leading to criminal conviction and an unlimited fine and other penalties as stated in the Housing Regulation Enforcement and Civil Penalty policies.

7.6 The licence and conditions do not grant any Building Control (Development Control) approvals, consents or permissions, retrospectively or otherwise for the property. Conversely, compliance with any of those requirements does not confer or imply compliance with the requirements of the Housing Act 2004, including property licensing.

7.7 Any requirements relating to the licence and conditions are without prejudice to assessments and appropriate actions, including enforcement actions under the Housing Act 2004. This includes actions to deal with Category 1 and Category 2 hazards as may be identified under the Housing, Health and Safety Rating System and does not preclude such action.

Discretionary Property Licensing Evidence Report

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