



Ministry of Housing,
Communities &
Local Government

Rt Hon Robert Jenrick MP
Secretary of State for Housing,
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By email: Nick.Gracie-Langrick@croydon.gov.uk

Dear Mr Gracie-Langrick,

Thank you for your application on behalf of The London Borough of Croydon (the Council) seeking Secretary of State confirmation to designate the Council's district as subject to selective licensing under **section 80 (1) of the Housing Act 2004**.

The London Borough of Croydon Council has applied to me, the Secretary of State for Housing, Communities and Local Government for confirmation of a selective licensing designation of 28 wards on the grounds of poor housing conditions and significant and persistent Anti-Social behaviour.

After careful consideration, I have concluded that the application **fails to satisfy the criteria set out in s.81 (2) and s.81(4)(b) of the 2004 Act and Article 4 of the Selective Licensing of Houses (Additional Conditions) Order 2015**. As such I consider that it is appropriate to **refuse** to confirm the designation of 28 wards as subject to selective licensing on both grounds applied for. Below is a detailed breakdown of my assessment, this may assist you should you wish to make another application.

ARTICLE 3 (Conditions specified for the purposes of Section 80(2)(b) of the 2004 Act)

(1) The following conditions are specified as additional conditions for the purposes of section 80(2)(b) of the 2004 Act, which a local housing authority must consider are satisfied in relation to the area before making a selective licensing designation under this provision -

- a. that the area contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area;
- b. that the properties referred to in sub-paragraph (a) are occupied either under assured tenancies or licences to occupy; and
- c. that one or more of the sets of conditions in articles 4 to 7 is satisfied.

I am satisfied that the Council have met the statutory criteria in Article 3 Selective Licensing of Houses (Additional Conditions) (England) Order 2015.

ARTICLE 4 (Conditions in relation to housing conditions)

The first set of conditions is -

- a. that having carried out a review of housing conditions under section 3(1) of the 2004 Act, the local housing authority considers it would be appropriate for a significant number of the properties in the PRS to be inspected, with a view to determining whether any category 1 or category 2 hazards exist on the premises;
- b. that the local housing authority intends to carry out such inspections with a view to carrying out any necessary enforcement action and
- c. that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to the improvement in general housing conditions in the area.

The Council did not provide sufficient evidence of housing conditions under s.3(1) of the 2004 Act. I am not satisfied that the Council have met the statutory criteria in Article 4 Selective Licensing of Houses (Additional Conditions) (England) Order 2015.

The Council have a wide range of tools available to them to tackle poor housing conditions in their area, the Council detailed what other measures had been considered, they were therefore unable to demonstrate how selective licensing, combined with other measures taken by them will contribute to the improvement in general housing conditions in the area.

In the Council's previous selective licensing scheme 2015-20, the Council did not demonstrate strong outcomes or efficient delivery of the scheme. This evidence further persuades me not to grant a further scheme.

I am not satisfied that the Council have met the statutory criteria in Article 4 Selective Licensing of Houses (Additional Conditions)(England) Order 2015

CONSULTATION REQUIREMENTS (s.80(9) of the 2004 Act).

Before making a designation, the local housing authority must:

- a. take reasonable steps to consult persons who are likely to be affected by the designation; and
- b. consider any representation made in accordance with the consultation and not withdrawn

I am satisfied that the Council have met the statutory criteria in s.80(9) of the 2004 Act.

SECTION 81 of the 2004 Act (Designations under section 80: further considerations)

(2) The authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy.

(3) The authority must also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour -

(a) as regards combining licensing under this Part with other courses of action available to them, and

(b) as regards combining such licensing with measures taken by other persons.

(4) The authority must not make particular designation under section 80 unless -

(a) they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of achieving the objective or objectives that the designation would be intended to achieve, and

(b) they consider that making the designation will significantly assist them to achieve the objective or objectives (whether or not they take any other course of action as well).

The Council did not provide a copy of the housing strategy to evidence that the power to designate is consistent with the Council's overall housing strategy.

The Council did provide sufficient evidence of a co-ordinated approach in connection with dealing with other strategies (on homelessness, empty properties and anti-social behaviour).


The Council did provide sufficient evidence to demonstrate what other courses of action have been considered or actioned previously.

The Council did not provide an up to date comprehensive housing strategy, the overall objectives did not provide the level of detail necessary to satisfy me that making the designation will significantly assist them to achieve the objectives stated.

I am not satisfied that the Council have met the statutory criteria under s.81(2) and s.81(4)(b).

In conclusion, and after careful consideration, I have decided **not to approve** the application. It is not incumbent on the Council to publish a notice informing its populace that an application for a selective licensing designation has not been successful.

However, it is best practice, and I, therefore, encourage the Council to take reasonable steps to publish the outcome of this application.

A handwritten signature in black ink that reads "Robert Jenrick." The signature is written in a cursive style. Below the signature is a single horizontal line.

Rt Hon Robert Jenrick MP
Secretary of State for Housing, Communities and Local Government