



## Renters' Rights Bill – House of Lords committee stage

### About the Chartered Institute of Environmental Health (CIEH)

*We are the professional voice for environmental health representing over 7,000 members working in the public, private and non-profit sectors (including environmental health professionals working in local authority private rented sector housing enforcement teams). Building on our rich heritage, we ensure the highest standards of professional competence in our members, in the belief that through environmental health action people's health can be improved. For further information visit [www.cieh.org](http://www.cieh.org) and follow us on X [@The\\_CIEH](https://twitter.com/The_CIEH).*

### Summary

**We are asking peers to support two amendments tabled by Lord Shipley that would remove unnecessary barriers to the use of licensing schemes to improve housing standards.**

### Key points

- The first amendment (see [here](#)) would enable local authorities operating selective licensing schemes to use licence conditions to improve housing conditions.
- The second amendment (see [here](#)) would increase the maximum duration of additional HMO licensing schemes and selective licensing schemes from five to ten years.

### Background

#### Why is licensing important?

Licensing provides a means for local authorities to inspect privately rented housing using enforceable conditions - and to identify and resolve problems - without the need for tenants to have complained. Licensing schemes pay for themselves through the fees that are charged. They thereby provide a sustainable and predictable source of income that enables local authorities to maintain staffing levels and support the training of new officers. Licensing schemes also enable local authorities to target regulation on where it is most needed, i.e. on tackling the worst landlords and supporting the most vulnerable tenants.

#### What would these amendments do?

The first amendment would permit local authorities operating selective licensing schemes to use licence conditions to improve the physical state of the licensed properties. It would remove a peculiar disconnect in current legislation whereby local authorities are permitted to introduce selective licensing schemes in order to address poor housing<sup>1</sup> but are not permitted to include in the licences themselves conditions requiring the physical state of the licensed properties to be improved. It would give local authorities the same discretion in relation to the licence conditions used in selective licensing schemes as they already have in relation to the licence conditions used in additional HMO licensing schemes.

The second amendment would permit local authorities to implement longer additional HMO licensing schemes and selective licensing schemes without repeating the time consuming and

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<sup>1</sup> [The Selective Licensing of Houses \(Additional Conditions\) \(England\) Order 2015](#)



expensive designation process. Local authorities introduce these schemes in order to bring about large-scale improvements which are unlikely to be fully achieved within five years. The amendment would allow them to advertise longer term posts and to include training of new staff in these schemes. It would also provide more time for local partnerships formed through such schemes, for example to resolve antisocial behaviour, to become embedded and effective.

## **What else is needed?**

We are also encouraging peers to ask the Government to make a despatch box commitment to remove the requirement for local authorities establishing selective licensing schemes to ensure that the private rented sector forms a high proportion of properties in the area.<sup>2</sup> If there are issues in the private rented sector which can be addressed through selective licensing schemes, it seems arbitrary for local authorities to be unable to establish such schemes without ensuring that the sector forms a high proportion of properties.

## **Further information**

For further information please contact Mark Hope, Senior Policy and Public Affairs Executive, at [m.hope@cieh.org](mailto:m.hope@cieh.org) or on 020 7827 5822.

Our views on other aspects of the Bill are set out in our [second reading briefing](#). We are concerned about the large enforcement burden that the provisions of the Bill will impose on local authorities and the need for proportionate funding that is sustained and predictable. We are recommending that the Bill should be amended to permit ombudsman fees to be used to fund the enforcement costs associated with the ombudsman scheme. We are also asking peers to support the amendment tabled by the Bishop of Manchester that would allow the required 24 hours' notice for an inspection of a residential property to be served solely on the property's occupier (see [here](#)).

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<sup>2</sup> [The Selective Licensing of Houses \(Additional Conditions\) \(England\) Order 2015](#)