

By email only



Mr Geraint Maddocks  
c/o Property Licensing Team  
Westminster City Council  
City Hall  
64 Victoria Street  
London

SW1E 6QP

19 January 2025

Dear Geraint Maddocks,

**RE: WPA response to Private Rented Property Licensing consultation**

I am writing on behalf of Westminster Property Association (“WPA”) to provide our response to the Private Rented Property Licensing consultation.

Westminster Property Association is a not-for-profit membership body representing the leading owners, investors, professional advisors and developers of real estate across the commercial and cultural heart of the capital. You can view our current membership list [here](#).

WPA recognises the importance of the Private Rented Sector (PRS) to Westminster’s housing landscape and shares the City Council’s desire to ensure all residents have access to high-quality, well-maintained homes.

However, with a national registration scheme for landlords expected under the Renters’ Rights Bill, which aims to achieve similar objectives and is described by the Government as the biggest change in rental legislation in 30 years, we would strongly encourage the City Council to consider any duplication with this incoming national policy and delay implementation until the impact of the scheme can be fully understood. Duplication risks placing a potentially unnecessary regulatory burden on landlords, particularly as it is currently unclear what the national registration scheme will involve and how it will impact housing supply and demand.

We would like to take this opportunity to thank you and your team for your engagement on the proposed initiative, in particular, your participation in our workshop in December 2024. I have summarised in this letter the key matters arising from the consultation (appendix 1) to which we wish to respond, while appendix 2 (page 3) provides detailed answers to the specific questions in the consultation document.

We look forward to continuing to engage with the City Council further and if you have any questions regarding our response, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Charles Begley', is positioned above the printed name.

**Charles Begley**  
Chief Executive,  
Westminster Property Association

## **APPENDIX 1**

### **Feedback overview**

#### **Fee and proposed discounts**

We recommend extending the proposed fee discounts to better reflect the diversity in charitable uses of private rented properties, incorporating properties rented under Section 106 or as key worker housing.

If fees are to be discounted based on EPC ratings, then we encourage the City Council to ensure that buildings which reach these standards can receive the appropriate accreditation in a timely manner.

We also recommend the City Council review how planning and policy can better support the swift upgrading of Westminster's heritage buildings and ensure that planning applications which propose building works that will improve energy efficiency are determined in a timely manner to improve the overall quality of Westminster's housing stock. A 'retrofit first, not retrofit only' approach should be encouraged to allow property owners to improve the energy efficiency of older buildings, including the demolition and redevelopment of buildings where required.

#### **Differentiation with the PRS database**

WPA recommends that the City Council give great consideration to whether a selective licensing scheme should be introduced before the Renters' Rights Bill is passed. WPA is concerned that the scheme will be duplicated by the PRS database as part of this Bill, which is currently going through Parliament and will require landlords to register themselves and their properties on the database. This could mean that much of the required information will already be available to the City Council, increasing the regulatory and administrative burden to landlords with little additional benefit.

#### **Enforcement of the policy**

WPA encourages the City Council to detail more thoroughly how the scheme will be enforced and what deterrents will be put in place for landlords who choose not to follow the rules to ensure maximum compliance.

We understand failure to apply for a licence will result in a financial penalty or prosecution and that that this can result in landlords subsequently registering. However, we would like to receive more concrete data on the impact similar enforcement policies have had elsewhere.

#### **Available resource**

We would urge the City Council to consider the burden managing this scheme may have on council resources, particularly when there is very likely to be a similar national scheme coming forwards. We would welcome confirmation that the City Council will have the additional resource available to handle the significant volume of licensing applications that will occur if the scheme is implemented.

#### **Impact of the scheme**

WPA would like to see more tangible evidence on the potential impact of the scheme and we urge the City Council to conduct more research into how it may effect the supply of housing and rents in Westminster, and therefore the City Council's ability to reach its housing targets. As the Renter's Rights Bill has not yet passed, we are unable to determine the impact of this additional regulatory burden on housing stock and supply. Any reduction in supply, could see rents increase. WPA would recommend pausing implementation of the scheme until the real term impact on the housing market can be accurately assessed and understood.

## APPENDIX 2

### WPA response to consultation questions

**Question 1. From your own experience, to what extent do you believe each of the following to be a problem in Westminster?**

#### **Poor property conditions**

Westminster City Council has predicted that there are 6,764 private rented properties across the borough that have at least one serious hazard.<sup>1</sup> However, WPA would like the City Council to provide more information on how this estimation was made, given the volume of poor property conditions is a central justification for the scheme.

#### **Antisocial behaviour (ASB)**

ASB is a multifaceted and complex social issue which is not limited to the private rented sector (PRS). WPA would like the City Council to provide further detailed evidence on the root causes of anti-social behaviour in Westminster and how it is attributed to housing accommodation provided by the sector, as this is currently unclear.

**Question 2. Thinking about the private rented sector (PRS) as a whole in Westminster, to what extent do you agree or disagree with the following statements?**

#### **The Private Rented Sector (PRS) is growing**

WPA strongly agrees with the above, with the PRS seeing a 22% increase over the last 13 years and being widely expected to increase further.<sup>2</sup>

#### **The physical condition of PRS properties is a problem**

WPA would not generally consider the physical condition of PRS properties to be a large-scale issue but instead a small minority of properties need to be brought in line with the general property standard of the area.

#### **The energy efficiency of PRS properties is generally of a poor standard**

Westminster has a large number of historic buildings and 56 conservation areas, making building upgrades to improve energy efficiency challenging. WPA would encourage reviewing planning and policy to facilitate faster planning consents for building works that reduce operational carbon emissions.

**Question 3. Thinking about the private rented sector (PRS) as a whole in Westminster, to what extent do you agree or disagree with the following statements?**

#### **The private rented sector (PRS) causes neighbourhood problems such as noise, nuisance, rubbish and other ASB**

As mentioned above, problems such as anti-social behaviour are not limited to the PRS and should not be considered as a root cause of these issues. WPA would encourage the City Council to provide further evidence that can demonstrate how selective licensing has reduced ASB where similar initiatives have been implemented elsewhere.

**Question 4. Thinking about the private rented sector as a whole in Westminster, to what extent do you agree with the following statements?**

#### **Landlords of private rented sector (PRS) properties have a responsibility to manage their properties effectively**

WPA strongly agrees that landlords have a responsibility to manage their properties effectively and, barring a small percentage of housing stock, this is already the case.

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<sup>1</sup> [Westminster City Council, 'Licensing Private Rented Properties in Westminster: Consultation Evidence Pack'](#)

<sup>2</sup> Ibid.

**To help with the management of PRS properties, landlords should be 'fit and proper' persons (e.g. have proper management or financial arrangements in place, and not have convictions for certain types of offences)**

We strongly agree that landlords should be fit and proper persons.

**Question 5. To what extent do you agree or disagree with the proposal for a selective licensing scheme in the eight wards in Designation 1?**

Although we support the City Council's desire to improve the quality of stock, we are concerned about the impact this scheme will have on housing supply and rents (as this is currently untested) and question whether the City Council has the resources it needs to implement the scheme effectively. WPA is also concerned that duplication created by a national registration scheme as a result of the incoming Renters' Rights Bill will create an unnecessary administrative and regulatory burden.

**Question 6. To what extent do you agree or disagree with the proposal for a selective licensing scheme in the seven wards in Designation 2?**

As mentioned in question 5, we have concerns around the impact of the scheme and the City Council's ability to implement the scheme effectively.

**Question 7. To what extent do you agree or disagree that a selective licensing scheme will help to achieve the following outcomes?**

**Improve the physical condition of private rented properties**

Based on the effectiveness of prior licensing schemes implemented in Westminster, selective licensing will have a limited impact. Of the 2,541 properties that received an HMO licence, less than a quarter have been improved since the start of the additional HMO licensing scheme.<sup>3</sup>

**Improve the health and safety of tenants**

As most properties in Westminster meet these standards the impact of selective licensing may not be significant.

**Help to tackle neighbourhood issues such as noise, nuisance, rubbish and other Antisocial behaviour (ASB)**

WPA would urge the City Council to assess whether there are other policies that could be implemented to improve ASB in the area and evidence if and where selective licensing has improved ASB elsewhere.

**Question 8. To what extent do you agree or disagree that a selective licensing scheme will help to achieve the following outcomes?**

**Help identify poorly performing landlords, managing agents and letting agents**

WPA partially agrees that selective licensing will help to identify poor performing landlords. However, the PRS database that will come into effect if the Renters' Rights Bill is passed has a high potential to do this more effectively and would limit the need for the implementation of the selective licensing scheme.

**Assist landlords to raise their management standards**

The majority of homes would not be found to need improvements and therefore the scheme may have a limited benefit.

**Support good landlords**

While being well intentioned, the scheme will be an extra administrative and regulatory burden and could lead to some 'good' landlords exiting the area.

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<sup>3</sup> [Westminster City Council, 'Licensing Private Rented Properties in Westminster: Consultation Evidence Pack'](#)

**Question 9. To what extent do you agree or disagree with the proposed selective licensing discretionary conditions?**

The conditions may only have a limited positive impact on the private rented sector, as they are largely conditions that a professional landlord would already have in place.

**Question 10. What are your views on the proposed selective licensing fee?**

WPA believes that the fee is at the right level, however we recommend that the proposed discounts need to be extended to cover properties rented under Section 106 or key worker housing.

**Question 11. What are your views on the proposed discounts?**

As above.

**Question 12. To what extent do you agree or disagree with the proposed licensing scheme objectives?**

WPA supports the objectives of the scheme, however, we would encourage the City Council to consider whether implementing this scheme will have the impact it hopes and weigh this against the additional resource cost to the City Council and the regulatory and administrative burden to landlords, when there is a similar national scheme due to come forwards.

**Question 13. If you disagree with any of the objectives for the licensing scheme, or think any other licence scheme objectives should be included, please can you explain why?**

WPA supports the objectives of the scheme.

**Question 14. How satisfied are you with the overall proposals for selective licensing?**

As laid out in the above, the WPA shares the objectives of the scheme but recommends the City Council consider whether it is necessary to place another regulatory burden on the sector when a similar national scheme is expected to come into force.