

Thurrock Council
Civic Offices
New Road
Grays RM17 6SL

24th November 2025

For the attention of:
Dulal Ahmed – Private Sector Housing Regulation Manager

Re: Proposed Selective Licensing Scheme for Private Rented Properties

Dear Mr. Ahmed,

You have been kind enough to explain the steps that we need to take to complete the licensing application at our meeting on Monday 17th November. However, your letter of 11th November, in response to our earlier official complaint, has done little to address the concerns raised in our letter. For the most part, you appear to be simply reiterating the Council's position. In order for us to understand the evidence behind the motives for introducing the scheme, I would be grateful if you could clarify certain items under the following headings from your response letter.

1. Consultation Process and Engagement

You have stated that the only direct communication to take place was to 171 individuals for whom you held an email address. Can you confirm how many of the 171 actually responded to your consultation exercise? Can you explain how these individuals came to be on a mailing list and, more to the point, why thousands of other landlords and agents are not on the list?

You claim that information was circulated to around 90,000 households, yet your own figures suggest that there are only approximately 64,000 households in the borough. I have reached out to family, friends and business associates all living in the borough and find that none have ever received a residents newsletter. Can you explain the anomaly in the figures and perhaps offer a more realistic figure for those who actually receive, or are even aware of, regular communications from the council.

You suggest that every effort was made to reach all relevant stakeholders, yet neither the largest agent (Griffin Residential) nor the largest independent landlord (Montana Properties) in the area knew anything about the consultation. Our investigations over recent weeks confirm that this is not an isolated oversight. You will have numerous references on file relating to Griffin Residential and my own company, with full contact details, along with a significant number of other relevant stakeholders. I have to conclude, therefore, that no meaningful effort was made to identify and contact the agent and landlord sector in this instance.

You will recall that I raised the issue of the diminutive response in my last letter. The response figure of just 207 individuals represents less than 0.15% of the adult resident

population. Research confirms that a figure below 5% will achieve a statistically unreliable outcome of any consultation. Clearly, the figure of 0.15% is, therefore, not only unreliable but completely unusable as evidence. The results of the consultation suffer from a **non-response bias** and must be totally disregarded. However, in your response to this point, you do not appear to address this serious issue. Rather, you actually concur that you are unable to compel people to respond. I can only conclude from that comment that you concede that the response figures fall into the non-response bias category. For this reason alone, the consultation process must be considered null and void in respect of having any relevance to the final decision to go ahead with the scheme.

I raised the concern that tenants had been seriously misled regarding rent rises due to the scheme. In the Q&As, in answer to the question *'will my rent go up as a result of licensing?'* the answer given was – *'Licensing should not affect your current rent. It is contractually agreed between you and your landlord through the terms and conditions of your tenancy agreement'*. I suggested that this answer was, at best, grossly misleading. It gave tenants the belief that they were contractually protected in perpetuity against such a rent rise. In reality, of course, the licensing fee will be added to tenant's rent on the next rent review date. Unfortunately, your response did nothing to address this. Instead, and recognising the significance of the Q&A error, you simply chose to play down the impact of the inevitable rise by suggesting that it would represent only 1% of the total rent. Again, this figure is not only misleading but also erroneous. In simple terms, and not allowing for compound costs over the five years having paid all fees in advance, the fee will add 1.8% to our average monthly rent. Perhaps still not excessive, until I point out that it represents an additional 35% on top of our proposed annual increase. For the avoidance of doubt, the figures are as follows:

- Our current average monthly rent is £950
- The license fee breaks down to £17.25 per month, which represents 1.8% of the current rental amount (this figure does **NOT** include the significant additional costs to landlords for actually preparing the license application)
- Our average annual increase on £950 would be £50 or 5%
- The actual increase will, therefore, be £50 plus £17.25 or 35% higher than it would have been without licensing.

It follows, therefore, that there is every possibility that this misleading section of the evidence will have had an impact on how tenants assessed to what extent they might be financially affected. For this reason, I believe that the consultation process was unfairly balanced.

2. Evidence Base and Policy Justification

The document titled 'Evidence for Consultation' shows various graphs and charts that all appear to contain estimated figures. Taking the issue of, for example, Category 1 Hazard, can you explain how the percentage figures were arrived at? In the evidence document, you specify a Cat 1 Hazard as simply being a ***serious or immediate risk to a person's health and safety***. The correct categorization should actually read a ***risk so severe that it is likely to cause significant harm such as major injury or death***. Such instances would generally feature in National news items. Can you explain, therefore, why you estimate that a **staggering average of 1 in 8 properties** across the borough fall into this category? What evidence do you have other than your 'estimates'? To my knowledge, no inspection has ever been made of any of my properties.

The Government's 'Guide for Local Authorities' states that the council must consider all other options to tackle issues before embarking on the Selective Licensing route. In your documents, I have seen just one 4 line paragraph suggesting that you have looked at and summarily rejected alternative measures. You have said that these have been **proven** to be reactive or limited in scope. If that is the case, why would the Government insist that they be looked at as a first option?

You have attempted to make a direct correlation between the propensity for antisocial behaviour and the number of Private Rental properties in any given area. You have not distinguished between ASB confined to the home and ASB in the streets and towns. In short, you do not appear to have considered factors other than Private Rental properties when apportioning blame. The presence of blocks of multiple flats will explain the existence of some of the high density areas of Private Rental properties. These blocks will generally be in built-up areas and towns where there is a tendency for residents from **all** housing sectors to accumulate. I therefore find your 'evidence' sadly lacking in substance.

You state that the Housing Act 2004 empowers local authorities to apply Selective Licensing. However, you omit to accede to the condition that you should **only** proceed where it will **significantly** assist in achieving its stated objectives. You have shown no evidence whatsoever to suggest that there will be any significant improvement in the three objectives. The Government guidance goes on to say that implementation of the scheme should only go ahead in conjunction with other measures. You have given no indication of what these other measures might be and how you think they will make a difference.

The Government guidelines state that Local authorities should also carefully consider any potential negative economic impact that licensing may have on their area – particularly the risk of increased costs to landlords who are already fully compliant with their obligations. These additional costs can reduce further investment and are frequently passed on to tenants through higher rents. What consideration have you given to the costs involved for Landlords in simply completing the licensing application alone? Can you provide proof that consideration was actually given and what figure was arrived at for each application?

Once all applications have been received by the council, you will have a precise figure of how many Privately Rented properties there are in each ward. Can you confirm that, should these figures conflict with your earlier estimates, you will review and reconsider implementation of the scheme accordingly, in line with Government guidelines? Should that be the case, has the council considered what level of compensation will be afforded each property for costs unnecessarily incurred?

You state that you will ensure that all Landlords, Agents and Residents will be fully informed of the scheme by 5th January 2026. As you are aware, you are required to give three months' notice before implementing the scheme. Can you therefore confirm that the scheme will, in fact, not become enforceable until 5th April 2026 OR three months after all interested parties have been informed, whichever is the latter.

Unless or until you are able to clarify all of the above, I must conclude that the guidelines, set out in the Government's 'Guide for Local Authorities', **have not been followed**. As a consequence, the scheme must be halted.

3. Licensing Fees

You have kindly provided me with a breakdown of your projected costs for implementing the scheme. Inevitably, I would be grateful for some explanatory notes in order that I might understand some of the entry terminology. There appears to be a number of duplicated entries and unnecessary steps for the same item.

For example, the preparation of the actual license document consists of 1 hour to draft the license, 1.1 hours to prepare the license and 0.5 hours to create the license. That's almost one third of an entire working day just to add a name and authorization stamp to an already prepared document costing a fraction of a penny to produce.

There are three entries for 'Land Registry' (@1.5, 1.11 & 2.15). Can you explain what could take 1.5 hours in dealings with Land Registry? Indeed, what is the necessity for dealing with Land Registry at all?

Throughout the fee tables, considerable amounts of time have been set for the most basic of tasks. One full hour has been set aside for collection of fees and production of a receipt. This, in fact, should be completely automated and take just seconds. Even if it were necessary for someone to manually check your bank statement against applicants, I would estimate that this could be done at the rate of 100 per hour.

Significant sums have been set against entries in both parts 2 and 3 where there is no guarantee that these sums will ever be required. The entire amount shown in part 3, £235.64, assumes that a complete regime of enforcement will be utilised. In reality, even by your own figures, only around 10% of properties will be the subject of just minor enforcement. How can you justify these fees when it is statistically unlikely that they will be required? This appears to be a clear case of Guilty until proven Innocent. Given this fact, can you clarify exactly what will happen to the unused or excess fees that are to be paid in advance? You mention that the council will review its fee structure after the first year. What does this mean exactly? You have already stated that no refunds will be forthcoming, so what assurances do we have that these excesses will not end up paying for other social services?

You have said that your fees are benchmarked against schemes in other boroughs. Can you explain what your interpretation of 'benchmark' is please? Our research shows that the fees in these other boroughs bear no resemblance to the fees being charged by Thurrock, even when adjusted for start date. The only boroughs which come close are two inner London boroughs which have a significantly higher rental income. More importantly, **ALL** five boroughs mentioned in your letter offer forms of discount - Earlybird reductions, Accredited Landlord reductions and Multi Property reductions. By contrast, Thurrock offers none of these incentives. It is difficult, therefore, for me to understand how the term 'Benchmark' forms any part of the justification for the fees that you are charging.

4. Communication, Transparency and Implementation

This has been generally dealt with at 1. & 2. above.

5. Value for compliant landlords

I do not understand this assertion. Tackling rogue landlords and poor property maintenance has no value whatsoever to me. On the contrary, with sub-standard properties on the market, my properties should attract responsible discerning tenants.

6. Differentiating compliant landlords

Again, this does not benefit me in the least. I am, in fact, subsidising the less reputable landlords by having to pay the full fee for inspections and enforcement. The incentive, therefore, for me to continue my role as a reputable landlord, is severely diminished.

7. Tenant Impact & Communication

Dealt with at 1. above. Intended or not, the erroneous statement in your Q&A document clearly infers that rents will not rise because of this scheme. You even compounded the error by suggesting that it would be contractually, and therefore legally, wrong for landlords to pass on the costs. This 'two part' answer clearly suggests that it was carefully thought out and quite deliberate.

You assert that there is no evidence that anyone was misled by the statement. You appear to be defending a negative. How would evidence manifest itself in this instance? Any tenant reading that answer in the Q&A in good faith would have been pleased with the content and would have been very unlikely to have commented further, thus leaving no evidence trail.

8. & 9. Future of the Scheme & Neighbouring Councils

I raised the subject of the Essex Unitary Councils changes, due in 2028. Unfortunately, your response has done little to clarify what the situation might be if a new administration cancelled the scheme or refused to extend it over the resultant joint borough. You suggest that the proposed Essex changes have no immediate bearing on the scheme, but you make no mention of contingencies for the future. I have spoken recently to two Basildon Councillors, and neither had any knowledge of the scheme or its potential roll-out in Basildon. I would be grateful if you could provide me with the names of those Councillors at Basildon with whom you have discussed the scheme so that I can follow up on any policy making there.

At our meeting on 17th November you quite rightly pointed out that a final decision had not yet been made regarding the future partner boroughs. Your letter only mentions Southend on Sea and Basildon, yet you mentioned several other boroughs at the meeting. You say that Basildon are 'exploring the feasibility' of introducing the scheme. I would suggest that every borough in the country might explore the feasibility, but this does not equate to actual implementation by any stretch of the imagination.

I believe that the changes involved in moving over to Essex Unitary Councils remains a very serious issue for the implementation of the licensing scheme. You have given me no indication that the matter has been considered in any depth.

Conclusion

I am unable to see any meaningful attempt, in your letter of 11th November, to specifically address the points that I had previously raised. Your letter simply asserts that you have followed guidelines, used available evidence (mainly estimated) and are acting in the interests of all concerned. In my letter here today, I have tried to impress on you the need for a higher level of transparency and interaction. Without this, I, and the vast majority of landlords here in Thurrock, will feel that justification for the introduction of this scheme is woefully lacking in substance.

I look forward to your written response, pending escalation to the next stage of the complaints process.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line and a small flourish.

S. A. Boyling
Montana Property Development Co. Ltd