



EASTERN LANDLORDS ASSOCIATION  
'The Landlord Support Service'

Eastern Landlords Association  
1 Spowston Road  
Norwich  
NR34QL

12<sup>th</sup> January 2026

To:  
Great Yarmouth Borough Council  
Department for Levelling Up, Housing & Communities  
Rt Hon Steve Reed MP, Secretary of State for Levelling Up, Housing & Communities  
Rupert Lowe MP, Great Yarmouth

**Re: Unlawful implementation of Selective Licensing Scheme in Great Yarmouth**

Dear Sir/Madam

I write further to my previous letter as new evidence and information has come to light – evidence which was actively withheld during the public consultation and right through until less than 3 hours before the council vote on implementing selective licensing across a huge section of Great Yarmouth

In our previous letter we made it clear that we consider that the proposed scheme falls short of the mandatory requirements set out in the Government's statutory guidance on selective licensing in the private rented sector (Housing Act 2004, Part 3) and associated best practice which ultimately means that the scheme should **not be approved** by council members. Any decision to implement the scheme as drafted will, we maintain, be challengeable. This letter was ignored and the council approved the scheme.

On the day of the council meeting to approve selective licensing, finally the modelling data, used as evidence for the basis of imposing licensing, was publicised and made available for scrutiny just a few **hours before the final council vote**. Refusal to provide this during consultation is a breach of the duty to consult fairly and transparently as detailed in the local government guidance here:

<https://www.local.gov.uk/sites/default/files/documents/The%20Gunning%20Principles.pdf>

This supports our belief that the scheme is unlawful, particularly given that similar selective licensing schemes have previously been found unlawful by the courts when statutory requirements were not met. *R (Peat & Others) v Hyndburn Borough Council* / *R (Regas) v London Borough of Enfield*

Furthermore, in response to the communication from landlords and Rupert Lowe MP, the council confirmed that the licensing implementation is simply to raise funds for the council to utilise & enforce the powers they already have. This is a contravention of the Housing Act and undermines the principles behind selective licensing and supports our belief that the scheme is unlawful. GYBC council's explanation as to why they don't use existing powers and the real reasons for implementing selective licensing in the area:

**“Existing Enforcement Powers. The council does have existing enforcement powers. However,**

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**selective licensing will provide the resources, through the licence fee, to enable a pro-active inspection programme to be carried out and for compliance checks in connection with gas and electrical safety to be carried out. The council would not otherwise have the resources to do this so would be unable to make full use of its powers.**

Selective licensing is **not a discretionary power that can be exercised without compliance with the law**. The Housing Act 2004 and accompanying guidance require local authorities to:

- Demonstrate that the area meets statutory criteria (e.g., low housing demand, significant antisocial behaviour, poor property conditions).
- Conduct a full and transparent public consultation at a formative stage, supplying sufficient information for intelligent consideration.
- **Publish** an Equality Impact Assessment and consider human rights implications.
- Assess alternatives and **justify** why less intrusive measures are inadequate.

To lay our case clearly, and transparently, and request a full postponement of the implementation of the further selective licencing in Great Yarmouth we assert that:

### **1. Transparency and Evidence Base**

The BRE modelling data, which is the **ONLY** source of evidence supporting the scheme was **withheld** throughout the consultation period right through to the day of the council vote for implementation. This ensured that the foundational evidence supporting the justification of the scheme was unavailable to consultees who, without access to the methodology, assumptions, raw data and outputs of the modelling, could not scrutinise the evidence base and feedback on this prior to the councils vote to green light the scheme. It is **impossible** for the council to argue that they have met Section 80 (9) of the Housing Act requiring councils to consider representations made, as withholding this modelling actively prevented transparent consultation. Furthermore, the council's explanation of this was that the report was commissioned and contracted as **confidential**, suggesting the council knew on commissioning the report that it could **not be used in consultation**. This clearly breaches the Gunning principles and implies intended suppression of the basis and demonstration of licencing needs and objectives.

- I. Great Yarmouth's 2025 BRE housing stock modelling report used the **2019 English Housing Survey to train the model** which is woefully out of date and could lead to significant inaccuracies in their property hazard 'predictions'. Furthermore, certain elements rely on **statistical imputation** or third-party data whose precision can vary (e.g. Experian tenure estimates, which may not reflect recent changes.)
- II. It is clear from the easily accessible and publicly available EHS data, that the Category 1 Hazards in the PRS have drastically reduced between 2018/2019 (The basis of GYBC's model data supporting the need for Selective licencing) and the latest available data at the time of consultation which will have been the 2024 EHS, showing the Category 1 Hazards in the PRS have reduced by 29% in the same time period. **We therefore assert that GYBC simply have no basis to implement selective licensing and to do so based on inaccurate and out of date is a breach of the housing act, and their powers to implement selective licencing.** Please see Category 1 Hazards across the PRS sector according the English Housing Survey.

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2018/2019 forms the basis of the BRE modelling data used by GYBC but withheld during consultation and throughout until the council voted to implement.

Year	PRS	Social Rented	Owner-Occupied
2016–17	15%	6%	9%
2017–18	14%	5%	8%
2018–19	14%	5%	8%
2019–20	13%	4%	8%
2020–21	12%	4%	7%
2021–22	14%	4%	8%
2022–23	12%	4%	8%
2023–24	10%	4%	8%

- III. The BRE model is **predominantly** used to evidence **housing hazards** which is the main stated reason for implementing selective licencing. BRE’s stock model (v6) is calibrated using **EHS 2019 results** (6, nearly 7 years out of date) – identifying statistical patterns (e.g. what types of dwellings tend to have Hazards, disrepair, etc.). These patterns inform the *imputation algorithms* (using cold-deck methods) that **predict** Great Yarmouth homes’ **likelihood** of issues (HHSRS hazards, fuel poverty, etc.). EHS is also used to generate the national/regional benchmarks for comparison in the report. The **model confirms use of the 2019 survey**, when BRE built the model. (Footnote: the v6 model was updated from EHS 2018 to EHS 2019 data.) No post-2019 physical survey data was incorporated, as 2020–2021 EHS had limited inspection data due to COVID. So essentially, **the model used to justify licencing uses data which has no relevance to today’s PRS standards. It is simply irrelevant, historic data.** We believe this is the reason the modelling data was withheld during consultation.
- IV. The model uses **Cold-Deck Imputation**: For any missing characteristics, BRE employs **cold-deck imputation** using EHS distributions. *Cold-deck* means using an external dataset as the “donor” – here, **EHS 2019** provides known proportions. For example, if 30% of East of England pre-1900 terrace houses have a Category 1 hazard in EHS, the model might assign a ~30% chance to each similar house in Great Yarmouth of having one. Crucially, this is done in a way that preserves aggregate totals. The footnotes state: “*assigning values in accordance with their known proportions in the stock*” but this can only be based on 2019 data.
- V. **SimpleCO<sub>2</sub> Energy Model**: This is BRE’s simplified energy calculation (derived from the established BREDEM model). It takes each dwelling’s inputs (insulation, heating system, size, etc.) and computes an estimated SAP rating, annual energy cost, and CO<sub>2</sub> emissions. From this, they deduce if the dwelling likely has an “Excess Cold” hazard (essentially if the modelled SAP <



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a threshold, indicating a very poorly heated home, corresponding to HHSRS Category 1 for cold). The SimpleCO<sub>2</sub> model uses SAP 2012 methodology and is fed by both observed data (EPCs) and imputed data

- VI. The modelling data uses HHSRS Hazard Models using **EHS 2019 data**, BRE built logistic regression models (or similar) to **predict the probability of a dwelling having hazards** like *falls, damp and mould (disrepair), or fire safety issues*, given its type, age, and tenure. These probabilities are applied to Great Yarmouth's stock. Local factors (like tenure from TDS, type from OS) refine the predictions. So, for each dwelling, the model outputs an **expected risk of Category 1 hazards** and whether it likely "has" one or not (for mapping and counts). Using 6 year out of date data to 'predict likelihood' of category 1 hazards, with **no other supporting evidence AT ALL** is entirely insufficient to implement selective licencing to address poor housing conditions – There is currently not one single item of actual evidence to support a poor housing quality, only predictions and likelihood based on 6+ year out of date data.
- VII. The model's outputs for things like "has a Category 1 hazard" are the basis of the implementation of further licencing in the area and are **fundamentally mere predictions**. BRE can estimate 17% of private homes have a serious hazard, **but they did not inspect any homes**. Any given house may or may not actually have the hazard the model thinks. For example, the model might flag a specific Victorian terrace as likely having excess cold, but perhaps the owner installed new insulation recently that wasn't recorded – then the model is wrong for that house. This limitation is typical of all stock models. The Council should treat dwelling-level flags **as indicators for further investigation, not as gospel**. **BRE's accuracy rate for individual property hazard presence might be, say, 70-80%. This is still useful to prioritise inspections, but it means some level of ground-truthing is needed if intention to implement selective licencing were to proceed. There has been none.**
- VIII. **Experian Data Uncertainties:** Some components (low income households, unlicensed HMO identification) rely on Experian's marketing data and clever inference. These can be less tangible. For instance, the model claims about 14% of private sector households in GY are low-income (LIHC definition). This is based on **modelled incomes, not actual reported incomes**, which introduces uncertainty. Similarly, the exact count of HMOs (1,002 estimated) is an approximation; **only 227 are confirmed by license**, so ~775 are "maybe HMOs" flagged by Experian patterns. The Council would need to validate those on the ground.
- IX. There has been **NO On-the-Ground Validation at all** to support the 'predictions' Now that the model has identified specific properties likely to have issues (e.g. ~1,700 private rentals predicted to have a Category 1 hazard, or 737 PRS dwellings with EPC below Band E), the Council should initiate a sampling inspection program. Inspect, say, 50 properties that the model flags as high-risk and 50 that it flags as low-risk, and confirm and publish how often it's right.
- X. The model does not provide confidence intervals or error margins for its estimates, which is essential for policy justification or legal scrutiny



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- XI. None of this could be questioned, scrutinised or feedback on due to the council's deliberate failure to provide the evidence for implementation of licencing. No supporting or 'real' evidence is provided at all.

## 2. Failure to Engage with the Renters Rights Act and New Powers

The scheme makes no mention whatsoever of the forthcoming Renters (Rights) legislation or the substantial new powers and rights that it introduces, including the abolition of Section 21 evictions, mandatory landlord registration and redress schemes, minimum energy performance standards, tenancy deposit reform and other protective measures for tenants. These reforms have the potential to achieve many of the vague objectives of the selective licensing scheme (improved property conditions, better management and accountability) without imposing a burdensome licensing regime on the entire private rented sector in the area, as well as the council itself. The Council has a **duty** to consider all reasonably available options before designating an area for licensing under the Housing Act and has to consider these options and any justification for not using them to reach a robust decision. **Ignoring the advent of the Renters Rights package amounts to a failure to consider alternatives in accordance with the guidance.** In the case of **Brown v Hyndburn BC [2018] EWCA Civ 242** The court noted that Parliament deliberately gave broader powers for HMO (multi-let) licensing (which can include property condition requirements) but narrower powers for selective licensing. Issues like gas safety, electrical safety, smoke/CO alarms are covered by **other laws or Part 1 housing enforcement powers**, so a council **must not bootstrap them into Part 3 licence conditions unless explicitly allowed by law**. The case also reinforced the principle that **health and safety hazards in rentals should be addressed via Part 1 (Housing Health and Safety Rating System) enforcement or national regulations, not local licensing conditions**. In summary, **Brown v Hyndburn** ensured that selective licensing schemes remain **focused on management and tenant-related issues**, preventing regulatory overreach.

## 3. Equality and Human Rights Considerations

Nowhere in the publicly available consultation document is there an Equality Impact Assessment (EIA) or any reference to the Equality Act 2010 or the Human Rights Act 1998. This impact assessments were therefore unavailable to consultees, and the council cannot therefore have considered consultees' responses to these this in their decision to implement.

The council sent a very short and incomplete impact assessment to the ELA, and this was based on the outdated 2019 modelling outputs from the same modelling data used as 'evidence' of poor housing standards. There is no detailed modelling basis for the impact assessments, and these have clearly been created to tick a box rather than actually establish what the impact of this licencing may be.

- There is no meaningful assessment for the increased costs that may be passed to tenants.
- There is no meaningful assessment into the effects this may have on the homelessness crisis in the area.
- There is no meaningful assessment into the impact of protected groups (elderly, disabled, victims of abuse).

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- There is no meaningful assessment relating to human rights appraisals.

**Statutory guidance requires** that authorities have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different groups. The scheme could disproportionately impact protected groups, yet the council has clearly failed to consider or provide analysis of those potential differential impacts or accompanying mitigation measures. Similarly, the absence of any human rights appraisal (articles relating to respect for private and family life, peaceful enjoyment of possessions and protection from discrimination) is a **material omission** from both the consultation, and the decision to implement.

#### **4. Incomplete Consideration of Alternatives and Enforcement Tools**

Although the consultation contains a brief table on page 13 comparing "business as usual", Additional HMO licensing and Landlord Accreditation. The consultation fell well short of a comprehensive appraisal of the enforcement and regulatory toolkit available under the Housing Act and related legislation. The council has however clearly admitted failure in their duty to use the powers already available and cited funding as their reason for failure. There is no mention of, or evidence that consideration is given to:

- Civil Penalty powers,
- Management Orders,
- Improvement notices,
- prosecutions,
- Proceeds of Crime orders
- Targeted interventions alongside a scheme.

A selective licensing scheme **must be a last resort**, arrived at only after exhausting or explaining the limitations of less intrusive measures. The narrative provided - that "business as usual" is "too shallow" and that accreditation would merely engage the "good guys" - is inadequate justification for the blanket intervention being proposed.

In terms of cost, the councils current scheme appears to be operating at a profit (disallowed under the Housing Act) and yet they have used this scheme cost, + rent inflation as justification for the new scheme costs, which simply cannot be justified and appear to evidence that the new scheme will also generate a disallowed profit.

The ELA also raised that the previous scheme, by the council's own officer's admission, **failed**, making it even more essential to consider whether the raft of other available powers and the new renters rights act would achieve a better and more efficient outcome for the council's constituents. A formal and full assessment of the previous scheme is requested as to 'lessons learnt' which can be used to inform the proposed scheme in conjunction with the statutorily required assessment of other powers available and options considered before implementing a 'LAST RESORT' selective licencing scheme.

It has now become apparent by the council's own admission, that the council have neither considered nor utilised existing powers, and their justification for its failure to enforce existing laws, and fulfil its statutory duty to its residents is funding:

*"Existing Enforcement Powers. The council **does have existing enforcement powers**. However,*

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*selective licensing will **provide the resources**, through the licence fee, to enable a pro-active inspection programme to be carried out and for compliance checks in connection with gas and electrical safety to be carried out. **The council would not otherwise have the resources to do this so would be unable to make full use of its powers.** It also makes any subsequent enforcement against 'rogue landlords' considerably more efficient as it makes it clear who the responsible person is (the licence holder) rather than the council having to determine that on a case-by-case basis based on who receives the rent etc. Finally, it enables the council to inspect properties without the requirement for a complaint from a tenant. Many tenants are reluctant to complain about poor conditions, but a pro-active programme means that these can be addressed without it threatening the relationship between the landlord and tenant."*

### **5. Failure to apply the Gunning Principles for Public Consultations**

The Gunning Principles are four rules for fair public consultation: 1. proposals must be at a formative stage, 2. sufficient information must be provided for intelligent consideration, 3. there must be adequate time for a response, and 4. consultation results must be conscientiously considered before a decision is made.

- i) By Confirming in the 24-25 & 25-26 Great Yarmouth borough council action plans that they intend to roll out the selective licencing scheme. The consultation simply cannot have latterly been conducted when the proposal was at a formative stage – the council already confirmed implementation intention.
- ii) By failing to provide impact assessments and the modelling data which is the only evidence available to support the foundational basis for the scheme, Great Yarmouth undeniably fail to meet the principle that sufficient information must be provided for intelligent consideration, the basic information was withheld.
- iii) By failing to provide even basic data supporting the desire for licencing, Great Yarmouth Borough council made it impossible for themselves to be able to conscientiously consider the consultation results before a decision is made, because they consciously withheld important, material and substantive information and data.

The council have therefore simply and irrefutably **breached points 1, 2 & 4 of the gunning principles.**

### **6. Lack of Impact Assessments**

The consultation lacked any published assessment of the financial and social impact of the licensing regime. There is no detailed analysis of costs and benefits for landlords, tenants and the Council; no accounting for how fees and compliance costs would affect rents or the viability of small-scale landlords; no projection of the scheme's likely yield and enforcement burden; no evaluation of unintended consequences (such as displacement of tenants or exclusion of vulnerable households). Impact assessments underpin proportionality and legality and without them, **the statutory tests cannot be satisfied and the requirement for sufficient information to be provided for intelligent consideration again cannot be met as this data has not even formed part of the council's decision to vote in favour of implementation.**

### **7. Failure to include properly considered costs in the consultation.**

The council stated in the consultation that the licence would cost:

**Part A fee:** £117

**Part B fee:** £667

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### **Total Licence Fee: £784**

When challenged on the licence cost by the ELA, the council provided a breakdown of its calculations. It transpires that, post-consultation and implementation vote, the Part A fee has almost doubled to £200, while Part B has been reduced. However, the reductions and changes in Part B appear to be blatant manipulation, increasing costs for car allowances and training despite reducing staff by five people due to outsourcing (at significant increased cost to licence payers).

Both sets of fee calculations, the first used to justify fees during consultation and the second shared post-implementation vote by elected officials, are demonstrably at odds with each other.

The council stated in response to the ELA's challenge during consultation on costs:

**"We are confident that we have a robust financial model which is based on reasonable assumptions about activity, and costs that are known in relation to existing posts or which can be accurately predicted based on the likely banding of new posts."**

This was their statement to the voting elected officials, yet they **edited their costs by 34% overall** only one week after the vote to approve the scheme. How can it be argued that costs are robust and accurate, then be changed by 34% overall—and individually by as much as 50%

The fees overall within the council's calculations changed by 34% between the council voting on its implementation and one single week later, evidencing that the fee calculations are completely unreliable and have no substantive basis.

Due to the council's failure to calculate costs in a robust and transparent way for the consultation, they have entirely misled consultees and possibly even elected officials on the actual cost of the scheme and its implementation, further failing the Gunning Principles.

### **8. Other Statutory Shortfalls**

The license conditions themselves are not printed within the body of the consultation but are only accessible via an external link (page 22). Consultees cannot make an informed response to obligations they are required to comply with if they are not contained in the same document. Certain grounds for designation (ASB, crime, low demand, migration) are dismissed summarily without reasoned analysis, leaving an impression of **selective justification**. The proposal should explicitly detail transitional arrangements, appeals processes, monitoring, review timetables and engagement with regional/national strategies (e.g. the Levelling Up agenda), **none of which are present**.

#### **In summary:**

The statutory conditions to implement selective licencing without state approval **have not been met at all**.

When considering whether to make a selective licensing designation a local housing authority must first identify the objective or objectives that a designation will help it achieve. In other words, it must identify whether the area is suffering problems that are caused by or attributable to any of the criteria for making the designation and what it expects the designation to achieve

**Great Yarmouth Borough Council have not clearly stated its objectives, only used in accurate and out of date modelling data, which evidentially provides a skewed view of the 'predicted hazards' due to known improvements in recent years, to reason proposing selective licencing.**

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The council must also consider whether there are any other courses of action available to it that would achieve the same objective or objectives as the proposed scheme without the need for the designation to be made.

**There is no detail regarding other courses of action are available which may achieve the same objective (Like the implementation of the renters rights act, or a programme of renewal, education for landlords, accreditation schemes etc – these have either not been considered or summarily dismissed without detail or explanation.**

**Only** where there is no practical and beneficial alternative to a designation should a selective licensing scheme be made

**The council have clearly failed to even consider alternatives (as demonstrated by their stated intentions in the 24-25 & 25-26 Great Yarmouth borough council action plans) and by their failure to detail any alternatives in their consultation, as shown. We believe there are practical and beneficial alternatives, including the implementation of the renter's rights act and other proposals put to the council by the Eastern Landlords Association which were summarily dismissed without investigation, and the council has failed to address these in any way.**

If the local housing authority decides there is no practical and beneficial alternative to the scheme, it must only make the designation if it is satisfied that the scheme will significantly assist it in achieving its objective or objectives, with other actions the local housing authority may be taking.

**The council has made no meaningful or detailed information available regarding how the scheme will assist the improvement of poor housing, in fact it has already confirmed the existing scheme has in fact failed. Nor has it shared or detailed any other meaningful action at all that the authority itself will be taking to improve the area. It simply cannot implement expansion of a failed licencing program without any other intervention.**

Under the Housing Act 2004 The authority must also seek to adopt a co-ordinated approach in connection with dealing with **homelessness**, empty properties and anti-social behaviour, both—  
(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 a 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 have made no consideration to the effect of licensing on homelessness in the area, in fact the consultation is completely devoid of such consideration, or an impact assessment, and fails to demonstrate any consideration of other courses of action available to them which may provide effective method of achieving the objective (which is unclear) that designation of selective licencing is intended to achieve.**

In the Main cabinet report the council concedes following concerns raised by the ELA that landlords

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potentially leaving the market could increase homelessness, but simply downplays the concern regarding their previous scheme “landlords did not leave the market in large numbers and any who did sell were replaced by other landlords” however they failed to consider our anecdotal evidence of landlords leaving the market generally as noted by Saville’s, already due to the renters rights act and punitive taxation regimes

In the equality impact assessment homelessness is not mentioned at all, and in the sustainability impact assessment where the question is written: will it reduce homelessness, the actual answer given is a question mark ? The **assessment does not quantify the risk or propose mitigation**; it simply flags the possibility. In the same table, the Council notes there is “little evidence” from other schemes that licensing leads to rent rises or significant loss of rental properties, suggesting it expects **no major homelessness impact**. Essentially, the sustainability assessment registers a *theoretical risk* to housing availability but **assumes** any effect will be negligible. This lack of any care at all towards the impact on homelessness in the area is nothing short of dangerous. The inability/refusal to consider the wider legislative and taxations regimes affecting landlords, and evidence provided regarding landlord exits demonstrates a council wide ineptitude and lack of concern regarding homelessness and the horrific and long-term impact it has on families, children and communities.

**Finally regarding the impact assessment for deprivation/socio-economic disadvantage the response states that:**

The services offered to tenants will be in line with current council policy. (So – Councils confirm no changes or improvements to tenant support or services as part of a wider program, as required to implement selective licencing) The proposed selective licencing area is in three very deprived wards and will have a significant positive impact on the health of poorer residents (They fail to explain how, any increase in rent, as the council acknowledges could happen but the council dismiss this as insignificant. A proper cost impact assessment considering the wider legislative and taxation landscapes will have shown a notable potential increase in rents, which could very well lead to an increase deprivation and have a negative effect on tenants health) It will also help to level up **the market imbalance between deprived and vulnerable people and their landlords** by ensuring that their right to live in secure homes that comply with minimum standards is enforced. (I find this statement incredibly alarming - The renter’s rights act is specifically targeting tenant security and minimum standards. This statement alludes that the council wishes to punish landlords for being landlords, and actively impact their financial stability, which ultimately is even more damaging for tenants as repossessions of tenanted homes almost always result in eviction on non-discretionary grounds. Destabilising landlords is a dangerous and envious aim when the people who really suffer is those that lose their homes as a result). Especially where the overwhelming majority of private landlords offer secure, safe and proper housing.

It is clear that the council have paid absolutely no regard whatsoever to the effects of this licencing, combined with other legislation on homelessness. A total and reckless failure of its duty and responsibilities.

**In the event a council is imposing selective licencing due to poor housing conditions:**

Local housing authorities can address poor housing conditions through their powers in Part 1 of the Act, **which are extensive**. As mentioned below a local housing authority should not use its Part 3 powers (selective licencing) where it is appropriate to tackle small numbers of properties which are in

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disrepair directly and immediately under Part 1. There may, however, be circumstances in which a significant number of properties in the private rented sector are in poor condition and are adversely affecting the character of the area and/or the health and safety of their occupants. In that case, **as part of a wider strategy** to tackle housing conditions, the local housing authority may consider introducing a selective licensing scheme so that it can prioritise enforcement action under Part 1 of the Act, whilst ensuring through licence conditions under Part 3 that the properties are properly managed to prevent further deterioration.

Local housing authorities **are required to consider the following factors** to aid them in determining whether there are poor housing conditions in their area:

The council **MUST**, if proposing selective licensing due to poor conditions refer to [Article 4 of the Selective Licensing of Houses \(Additional Conditions\) \(England\) Order 2015](#). Which states:

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 referred to in article 3(1)(a) **to be inspected**, with a view to determining whether any category 1 or category 2 hazards exist on the premises<sup>(1)</sup>;
- (b) that the local housing authority **intends to carry out such inspections as referred to in paragraph (a), 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**, including any licence conditions imposed under section 90 of the 2004 Act, contribute to an improvement in general housing conditions in the area.

The scheme should **state what action the authority intends to take under Part 1 of the Act if it identifies there are serious deficiencies with properties**, including the timescale for taking the appropriate action and its enforcement plan for non-compliance with improvement notices or prohibition orders it serves. **The council have simply used modelling data based on 2019 EHS which is misleading, out of date and does not meet the above, legal requirements set out by the Housing Act. No properties have been inspected, no real world evidence has been provided and the council have not utilised (by its own admission, due to funds) the use of Part 1 powers already at its disposal. The council has also not stated what action the authority intends to take it identifies, serious deficiencies under its part 1 powers prior to implementation of a selective licensing scheme.**

In our view, the scheme has been approved by the council without

- Lawful basis
- Lawful consultation
- Adhering to the Housing Act requirements
- Required impact assessments
- Required consideration of alternatives
- Required consideration of their own actions to address problems
- Failure to adhere to the gunning principles

This scheme, along with the implementation of the Renters rights act, the increased taxation on property income and other legislative measures are likely to increase the cost of letting in Great Yarmouth by between £44 - £71 a month per home, just to cover the cost of additional legislation and

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*'The Landlord Support Service'*

taxation. This does not include an inflationary rent rise, increased mortgage costs, as more and more landlords come off pre 2022 rate rise, fixed mortgage rates. Combined, this could cost tenants up to £100+ a month more which is excessive and adds significant pressure to already overstretched families battling with the cost-of-living crisis, crippling energy costs, the increasing unemployment numbers and frozen housing allowances and tax bandings. The failure of Great Yarmouth Borough council to consider the wider implications of this scheme along with other legislation is reckless and damaging to the community and tenants alike. It adds further pressure to what is already a crisis in homelessness and piles additional costs on already struggling tenants.

We call for an immediate **pause** to Great Yarmouth's selective licensing scheme and require Great Yarmouth council to go back to the drawing board and follow the relevant legislative requirements for implementation. We also request that the government **PAUSE ALL proposed** selective licensing schemes across the country pending the implementation of the renter's rights act to ensure legislation and the related costs do not overlap and deepen the housing and cost of living crisis.

Yours sincerely

Paul Cunningham (Jan 12, 2026 13:43:21 GMT)

**Paul Cunningham**  
**Chair**  
**ELA - Eastern Landlords Association**

C BAKER (Jan 12, 2026 15:26:34 GMT)

**Charlie Baker**  
**Chair**  
**VOLA - Voice of Landlords Associations**