

Martin Thomas

There are 2 significant statements in the report before you:

Firstly, "The guidance makes it clear that additional licensing is only an option where there are real problems with HMOs which cannot be solved using other approaches and available powers."

My response is the consultation document failed to demonstrate that the Council has considered other approaches and the use of its extensive existing powers to tackle perceived problems.

Secondly, "Housing Services are unable to monitor the living conditions or management of the majority of HMOs in the area without the power of additional licensing."

This statement says the Council has allocated insufficient resources to Housing Services but a lack of funds is not a lawful reason for introducing additional licensing.

In order for the Council's decision to be lawful, it must comply with primary legislation and needs to consider that "*a significant proportion of the HMOs to be covered by the scheme are, I stress the word "are", being managed sufficiently ineffectively, etc*".

Much of the Council's evidence relating to housing standards is not current and should be discounted.

The most recent evidence is the Council's 2012 Housing Stock Condition Survey which confirms that standards in the private rented sector (PRS), including HMOs, are superior to the average in England in every category and in several cases exceed the levels for owner occupied dwellings in B&NES.

The PRS performs better or equal than owner occupied properties in 13 out of 23 Category 1 hazards, including excess cold, electrical and fire, as well as Category 2 hazards. Indeed, Widcombe, Westmoreland and Oldfield wards perform better than many other wards in B&NES.

The 2012 Survey says there are more than 6,000 HMOs in B&NES. If it was true that "a significant proportion are being managed ineffectively" one might expect that in the 3 years to March 2013, the number of landlords prosecuted would be surely, at least 100? In fact, the Council prosecuted only 4 landlords.

If the Council genuinely wished to improve housing standards, why abandon the accreditation scheme without having something to replace it? The Council revised the number of accredited properties down from 1814 to 1158 excluding halls of residence, and 1500 including. Did someone knock a few houses down while no-one was looking? Why should anyone have confidence in the Council's figures?

Sadly, the Council has also misrepresented facts. For example, it claims that 'over 89% of all new mandatory licences were served with schedule 3 attachments which is a list of works required in order to meet the licensing standards. It sounds a shocking statistic but we can cite cases where the works had already been completed several months before the date of issue of the licence and its schedule 3.

Ladies and gentlemen, the facts speak for themselves. Other landlords will speak on other topics but there is no case for introducing additional licensing so far as housing standards are concerned.