

Bath & North East Somerset Council

MEETING	Housing & Major Projects Policy Development & Scrutiny Panel	
MEETING	20th January 2015	
TITLE:	Update on the Additional HMO Licensing Scheme	
WARD:	Oldfield, Westmoreland and Widcombe	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None		

1 THE ISSUE

- 1.1 On the 12 June 2013 Cabinet resolved to designate an area, based around the wards of Oldfield, Westmoreland and part of Widcombe, as an Additional HMO Licensing area from 1st January 2014 to the 31st December 2018. This report aims to provide the Panel with an overview of the progress of the scheme and the achievements to date.

2 RECOMMENDATION

- 2.1 To note progress and achievements on the scheme as documented within this report.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 There are no direct financial implications arising from this report. However, it should be noted that licensing is both administratively complex and resource intensive. The cost of this administration is covered by the HMO licensing fee.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Housing Act 2004 increased Local Housing Authorities (LHA) abilities to regulate the private rented sector by introducing three forms of licensing, these

being: Mandatory licensing of HMOs; additional licensing of HMOs; and selective licensing of the private rented sector. Operating a property covered by the designation without a licence is an offence punishable by a fine up to £20,000.

5 THE REPORT

5.1 The scheme has already achieved a number of successful outcomes in terms of improving housing conditions, awareness of safety requirements and knowledge on the location and ownership of HMOs in the designated area. These include:

- 992 licensable HMOs identified of which 87% did not meet the licensing standard and 29% were prioritised for additional enforcement action;
- 43% of HMOs which did not meet the licensing requirements have had remedial works completed. The remainder will be followed up when the time allowed to complete works expires;
- A survey carried out in September indicated that 46% of HMO licence applicants felt that HMO licensing had increased their understanding of safety requirements for HMOs.

5.2 All of the HMOs identified have been inspected and all of the improvement measures required have been communicated to the 888 applicants for licences. This has resulted in additional protection for approximately 4000 B&NES tenants. Further information on the scheme and profile of applicants is given below:

Additional HMO Licencing Information 2014

Applications received to date	1050
Applications withdrawn	49
Licences revoked	7
Applications for properties which have since changed owners	40
Additional HMO licences issued or due to be issued	992
Additional licence holder applicants	888
Most HMO licences likely to be held by a licence holder	15
Limited companies applying to become licence holders	71
Letting agents applying to become licence holders	9
Licensable HMOs not meeting licensing standard at time of inspection	87%
Proportion with managers named on the licence	45%

5.3 A survey of HMO licence applicants in September 2014 found only 60% of applicants satisfied with service provided and 74% found the officer carrying out the inspection helpful. Analysis of the comments indicates that the main reason for dissatisfaction was the waiting time for the HMO licence. This concern is understandable however difficult to address as each licence is specific to the property, drafted individually and the complex licensing process constrained by prescriptive legislation.

5.4 The scheme has provided considerable learning and development opportunities for new ways of working and in particular for flexible working using mobile IT such as tablets to record and communicate inspection results.

5.5 Specific guidance has been produced for the HMO licence conditions relating to waste and gardens. The aim of this guidance is to inform landlords about the standard expected to achieve compliance with the conditions and assist officers with enforcement.

5.6 The key challenges for Housing Services have been:

- To inspect all properties up front prior to issuing licences. To date, Housing Services have conducted initial and full inspections of all properties where applications have been received and have undertaken compliance re-visits where required.
- Processing of applications, payments and subsequent drafting, checking and serving of proposed and final licences. At the time of writing all applications have been processed, all outstanding payments have been received and the majority of the proposed licences have been issued. All final licences are expected to be issued by mid 2015.

5.7 Following the issue of all final licences, the next phase of the scheme will be to identify any remaining unlicensed HMOs and follow up action to check and enforce licence conditions.

6 RATIONALE

6.1 Update report. There are no recommendations contained within this report.

7 OTHER OPTIONS CONSIDERED

Update report. None.

8 CONSULTATION

8.1 During the course of the year Housing Services have carried out a sample survey of applicants and consulted with Ward Councillors from the Additional Licensing area and Waste Services on specific guidance related to scheme conditions. Landlords have also been given access to a questionnaire where they can give Housing Services feedback on how the scheme is going and how the inspection was conducted. An autumn newsletter was also published keeping landlords

informed and advising them on key issues that have arisen throughout the course of the scheme.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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Background papers	<i>Cabinet Decision E2553 12th June 2013 Housing in Multiple Occupation: Additional Licensing</i>
Please contact the report author if you need to access this report in an alternative format	