

RECORD OF EXECUTIVE DECISION

Tuesday, 14 July 2015

Decision No: (CAB 15/16 14877)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	HOUSING AND SUSTAINABILITY
SUBJECT:	HMO ADDITIONAL LICENSING DESIGNATION FOR SHIRLEY, FREEMANTLE, BASSETT AND MILLBROOK WARDS
AUTHOR:	Mitch Sanders

THE DECISION

- (i) To note the outcome of a full consultation, which has taken place in accordance with the Housing Act 2004; and
- (ii) To approve the designation of the area of Southampton known as Freemantle, Shirley, Bassett and Millbrook electoral wards as being subject to additional licensing, requiring all houses in multiple occupation (HMOs) to be licensed, apart from section 257 HMOs and buildings exempted by Schedule 14 of the Housing Act 2004, the designation to take effect on 20 October 2015 for a period of five years.

REASONS FOR THE DECISION

1. The evidence shows that a significant proportion of HMOs in Freemantle, Shirley, Bassett and Millbrook wards are being managed ineffectively giving rise to problems for the tenants occupying them and/or members of the local community.
2. These problems include poor property conditions and antisocial behaviour, which are not being adequately addressed through the council's Mandatory Licensing Scheme (which covers HMOs comprising three or more storeys and occupied by five or more people) and other enforcement and regulatory measures available.
3. The Council has considered other courses of action, including the use of existing powers under the Housing Act 2004, but has determined that these will not be as effective in dealing with the problems in question.
4. Making the designation would assist the council in dealing with the problems associated with HMOs. The Council has considered the possible negative impacts but has concluded that the proposed scheme will not increase homelessness or the number of empty properties in the area. This conclusion is based on the evidence it has, including that for the current additional licensing scheme covering the Bevois, Bargate, Portswood and Swaythling electoral wards. The introduction of a licensing scheme would give the council

the resources it needs to robustly tackle problems and improve management and standards. In conjunction with other courses of action, it would also enable the council to focus on those areas with the most serious issues. The introduction of a scheme would be a proportionate response to addressing community concerns about the local impact of HMOs whilst ensuring safe, good quality privately rented accommodation is available to meet housing need.

5. Delegating authority to the Head of Regulatory and City Services for any changes required to the Council's HMO licensing policy or procedures, and undertake such actions necessary to enable the successful delivery of the scheme, subject to the appropriate consultation, will help ensure its smooth implementation from 20 October 2015. The Head of Regulatory and City Services, already has delegated authority under the Officer Scheme of Delegation to determine and alter as necessary a scale of reasonable fees for the licensing of HMOs, in consultation with the relevant Director.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. That the Council manages issues associated with HMOs without any Additional Licensing designations.
2. Section 57(4) of the Housing Act 2004 requires the council to consider alternatives to licensing that might provide an effective method of dealing with the problems identified. An evaluation of different options was carried out.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None.

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 14th July 2015

Decision Maker:
The Cabinet

Proper Officer:
Judy Cordell

SCRUTINY

Note: This decision will come in to force at the expiry of 5 clear days (as set out in the Constitution) from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period

Date of Call-in (*if applicable*) (*this suspends implementation*)

Call-in Procedure completed (*if applicable*)

Call-in heard by (*if applicable*)

Results of Call-in (*if applicable*)