

RECORD OF EXECUTIVE DECISION

Tuesday, 18 November 2014

Decision No: (CAB 14/15 13684)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	HOUSING AND SUSTAINABILITY
SUBJECT:	LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION (HMOS)
AUTHOR:	Janet Hawkins

THE DECISION

- (i) To approve the proposals for a public consultation for an additional HMO Licensing Scheme in Freemantle, Shirley, Millbrook and Bassett wards; to start 27th November 2014 for twelve weeks.
- (ii) To consider the outcome of the consultation at its meeting on 21st April 2015 and, if appropriate, designates the proposed area as being subject to additional licensing, which would come into effect on 3rd August 2015.

REASONS FOR THE DECISION

1. Evidence shows that there are significant problems associated with Houses in Multiple Occupation (HMOs) in Southampton, including poor property conditions, poor management and anti-social 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.
2. An Additional Licensing Scheme covering smaller HMOs, including those consisting of two storeys and those occupied by three or more unrelated people, was introduced in July 2013 in four wards in the City (Bevois, Bargate, Portswood and Swaythling). This is ensuring the improvement in the condition and management of these properties for the tenants. It is also addressing community concerns about the local impact of HMOs, for example through effective enforcement of licence conditions and working with landlords and letting agents to address concerns such as letting boards and waste collection. This is to ensure safe, good quality, privately rented accommodation is available to meet housing needs. To date there have been 1855 applications received, almost 1600 HMOs inspected and over 900 licences issued. The HMO warden is also making an impact in the local communities working with landlords and letting agents to tackle issues such as letting boards. The scheme has also enjoyed support from several residents' groups and other bodies in terms of providing extra powers to mitigate the impact of poorly managed HMOs in the wider community.

3. The evidence gathered to date identifies an area including Freemantle, Bassett, Millbrook and Shirley Wards to propose a further designation for an additional licensing scheme for all HMOs. It is not lawful to extend the existing designation; a new designation would need to be made. The data collation for these wards is ongoing and the Council now needs to move into a period of consultation with landlords, tenants, local residents and other interested parties.
4. The Housing Act 2004 requires a public consultation on proposals for an Additional Licensing Scheme before any designation is made.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. That the Council manages issues associated with HMOs in these four wards without an Additional Licensing Scheme. The Article 4 Direction now means that planning permission is required for all new HMOs in the City, but this does not apply to existing HMOs. The proposed further designation would enable a more proactive and comprehensive approach and will significantly assist the Council in dealing with HMO issues in the identified areas.
2. That an Additional Licensing Scheme be implemented without public consultation. This has been rejected as it would be unlawful. The General Consent given by the Secretary of State on 30 March 2010 to local authorities to designate an area or areas does not apply unless consultation has taken place for a minimum of ten weeks.

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: 18th November 2014

Decision Maker: The Cabinet

Proper Officer: Judy Cordell

SCRUTINY

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

Call-In Period expires on

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)*