

Arboretum, Dunkirk and Lenton, Radford and Park Area Committee
17 February 2016

Title of paper:	Update on the additional licensing of Houses in Multiple Occupation (HMO) scheme operating in Nottingham		
Director(s)/ Corporate Director(s):	Andrew Errington, Community Protection Andy Vaughan, Commercial and Operations	Wards affected: Arboretum, Berridge, Bridge, Dales, Dunkirk and Lenton, Mapperley, Radford and Park, Sherwood, St Ann's, Wollaton East and Lenton Abbey	
Report author(s) and contact details:	David Hobbs Operations Manager - Housing Licensing and Compliance Community Protection David.hobbs@nottinghamcity.gov.uk 0115 8761555		
Other colleagues who have provided input:	Lorraine Raynor, Head of Environmental Health and Safer Housing		
Date of consultation with Portfolio Holder(s) (if relevant)			
Relevant Council Plan Key Theme:			
Strategic Regeneration and Development			<input type="checkbox"/>
Schools			<input type="checkbox"/>
Planning and Housing			<input checked="" type="checkbox"/>
Community Services			<input type="checkbox"/>
Energy, Sustainability and Customer			<input type="checkbox"/>
Jobs, Growth and Transport			<input type="checkbox"/>
Adults, Health and Community Sector			<input type="checkbox"/>
Children, Early Intervention and Early Years			<input type="checkbox"/>
Leisure and Culture			<input type="checkbox"/>
Resources and Neighbourhood Regeneration			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users): Update on the operational delivery of the additional licensing of houses in multiple occupation (HMO) scheme.			
Recommendation(s):			
1	To note the contents of the report.		

1 REASONS FOR RECOMMENDATIONS

- 1.1 This is an update report on the additional licensing scheme. The scheme began on 1 January 2014 and will run until 31 December 2018, unless it's revoked prior to this.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The additional licensing scheme has been operating since 1 January 2014, following the adoption of the scheme by Executive Board in September 2013. The Council

received a judicial review challenge to the scheme by East Midlands Property Owners (EMPO). This was successfully defended in March 2015, some 15 months after the scheme began.

- 2.2 It is estimated there are 3,200 HMOs in the designation requiring a licence, applications have been received for 1,961 (1,103 from Area 4 wards). It is believed that the judicial review had an impact on applications early on, with some landlords taking a “wait and see” approach; however now that the case has been settled there is a significant level of non-compliance in terms of applying for a licence. Some of the changes show an increase in the number of mandatory licensable applications, suggesting landlords applying for a licence, whereas before additional licensing they reduced their numbers to avoid licensing.
- 2.3 Between 1 Jan 2014 and 31 Dec 2015:
- 872 licences issued (720 of these within Area 4)
 - 442 applications at inspection / assessing management stage
 - Anticipated all current applications being determined (issued / refused) by December 2016
 - 21 licences refused
 - 72% of additional licences issued with extra conditions / restrictions to ensure properties improved to the Council’s minimum amenity standards, including improving bathing amenities / kitchen facilities, increasing size of room(s), prohibit small rooms, improve electrical / ventilation provision
 - 34 properties were improved using other parts of Housing legislation
 - 93 compliance visits of HMOs
 - 53 required works to bring them up to the Council’s amenity standard
- 2.4 Over the period of the licensing scheme
- Estimated 1440 properties will be improved
 - Reductions in anti-social behaviour
 - Improvements in neighbourhoods
 - All licences issued with conditions requiring them to be proactive in managing their houses including how they tackle anti-social behaviour
 - Tackle rogue landlords operating in this market
- 2.5 There are still a number of applications of that haven’t been received. There is on-going work within the Safer Housing team to undertake initial enforcement action by serving section 16 notices to those properties suspected of being HMOs that have failed to apply. So far in 2015 1,282 section 16, requisition of information notices have been served requiring owners and managing agents to provide information on the current occupation of the property, the majority of these have been against unlicensed HMOs.
- 2.6 The work of the Safer Housing team compliments the Housing Licensing and Compliance team in tackling rogue landlords including those that have failed to apply for licences. In 2015 the teams undertook the following:
- | | |
|------------------------------|----|
| • Improvement Notices Served | 55 |
| • Prohibitions | 23 |
| • Emergency Prohibitions | 24 |
| • Emergency Remedial Actions | 14 |

- Raids/Warrants 11
- Prosecutions 4
- By passed electrics 6

2.7 Overall in 2015 more than 295 non-licensing related improvements were made to HMOs, ensuring citizens were protected from significant hazards that could have affected their health, safety and welfare.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 None

4 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

4.1 None

5 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

5.1 None

6 STRATEGIC ASSETS & PROPERTY COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)

6.1 None

7 EQUALITY IMPACT ASSESSMENT

7.1 An EIA has not been completed, as this is an update to an earlier report.

8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

8.1 None

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

9.1 Executive Board Report, 17 September 2013 - Proposal for a Scheme of Additional Licensing of Houses in Multiple Occupation and Approval of HMO Licence Conditions and Fees:
<http://open.nottinghamcity.gov.uk/comm/download3.asp?dltype=inline&filename=58017/ExecutiveBoardReportAdditionalLicensingfinal.pdf>.