

RECORD OF EXECUTIVE DECISION

Tuesday, 20 February 2018

Decision No: (CAB 17/18 20180)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	SUSTAINABLE LIVING
SUBJECT:	LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION (HMOS)
AUTHOR:	Steven Hayes-Arter

THE DECISION

- (i) That Cabinet approves the proposals for a public consultation for an additional HMO licensing scheme in Bevois, Bargate, Portswood and Swaythling wards. The proposed start of the consultation is from 26th February 2018 for twelve weeks.
- (ii) That Cabinet considers the outcome of the consultation at its meeting on 19th June 2018 and, if appropriate, designates the proposed area as being subject to additional licensing, which would come into effect on 1st July 2018.

REASONS FOR THE DECISION

1. The current Additional HMO licensing scheme that covers Bevois, Bargate, Portswood and Swaythling has been running since 1st July 2013 and will expire on 30th June 2018. The scheme requires that all HMO properties (other than those covered by the Mandatory Licensing scheme and HMO's governed by S257 of the Housing Act 2004) with three or more occupiers from two or more households are licensed and must comply with any licence conditions including conditions relating to standards for safety and amenities set by Southampton City Council. It is not lawful to extend the designation, a new designation would need to be made if the council wished the area to be subject to a licensing scheme.
2. The current scheme has issued over 3500 licences and has therefore had a very positive impact on this type of property. Dealing with issues of poor property conditions, poor management and anti-social behaviour & ultimately raising the safety standards of the HMO stock. This ensures safe, good quality private rented accommodation is available to meet housing needs in the city.
3. The additional scheme has ensured that the smaller HMOs not included in the Mandatory licensing scheme are licensed.
4. The scheme ensures that concerns and complaints about conditions and the impact of the property on the local community can be addressed effectively and promptly. Such as noise nuisance & other anti-social behaviour and issues with

waste.

5. The Housing Act 2004 requires a public consultation on proposals for an Additional Licensing Scheme before consideration is made to approve any designation.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. That the Council manages the issues associated with HMOs without an additional licensing scheme. The Government has advised that the Mandatory HMO Licensing regime is to be extended in 2018 to include all HMOs with five or more occupiers irrespective of how many storeys the HMO has. This will decrease the number of properties covered by the proposed additional scheme to approximately 1750 (47% reduction). Whilst the new mandatory scheme will ensure larger HMOs will be regulated, there will still be a significant number of HMOs that are not included. Therefore the proposed further designation will enable a more proactive and comprehensive approach and will significantly assist with dealing with identified problems associated with the high density of HMOs in these four wards.
2. The Council could solely rely on powers contained within part 1 of the Housing Act 2004 & The Houses in Multiple Occupation (Management) Regulations 2009 to deal with issues associated with HMOs. The evidence suggests that these powers alone would not sufficient address the problems that have been identified with HMO's in the area and would not provide an effective method of achieving the council's objectives.
3. The Council could consider a City wide scheme for smaller HMOs or could extend the designated area to cover other wards not included in the current additional schemes. However there is insufficient evidence to show that there are sufficient numbers of HMOs that are poorly managed outside of the designated wards. Also the extended mandatory licensing regime being implemented in 2018 will bring more HMOs under licensing control, so widening the additional scheme is not considered proportionate.

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: 20 February 2018

Decision Maker:
The Cabinet

Proper Officer:
Pat Wood

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)*