

BRECKLAND DISTRICT COUNCIL

Report of Paul Claussen, Executive Member for Planning and Environmental Services

To: Cabinet - 14 February 2012

(Author: Gordon Partridge Principal EHO)

Subject: Confirmation to Proceed with HMO Additional Licensing Scheme

Purpose: To consider the replies to the formal public consultation and to confirm, or not, the introduction of the scheme.

Recommendation: To consider the replies to the public consultation and confirm progress with the Additional Licensing scheme.

1. INTRODUCTION

1.1 Background

The Housing Act 2004 introduced mandatory licensing of Houses in Multiple Occupation (HMO) of 3 or more stories with 5 or more occupiers. A power was also introduced to allow for a discretionary Additional Licensing Scheme for other forms of multiple occupancy subject to the consent of the Secretary of State. Subsequently, this was modified to allow for deemed consent subject to meeting defined criteria, notably a public consultation and consideration of any replies.

1.2 Issues

As part of the deemed consent an Authority is required to consider any replies before moving to confirm, or not, progress of the scheme to introduction.

1.3 Options

Having considered the replies to the public consultation the options available to Cabinet are:

- to either confirm progress to introduction of the scheme
- to modify any part of the scheme; or
- not to introduce the scheme

1.4 Reasons for recommendations

Following waves of migration of workers from EU countries into the area large numbers of HMOs were established, and continue to be established, to house them. A considerable amount of officer time is taken up establishing ownership and management responsibility which will have to be declared at the licensing application stage. Licensing also allows direct application of conditions and standards.

2. IMPLICATIONS

2.1 Risk

The risk assessment indicates that if the recommendations are not implemented the following risks may occur.

The anticipated income of £90,000 will fail to materialise.

2.2 Financial

In order to help defray the administrative cost of the licensing scheme a fee of £300 will be charged per license. A license will last for 5 years.

2.3 Legal

Under the deemed consent provisions an Authority must consider any replies to the public consultation before deciding upon its future course of action

2.4 Equality and Diversity

Whilst large numbers of migrant workers are housed in HMOs there are no direct equality or diversity implications

2.5 Other

Anti-social behaviour, particularly noise, can be associated with HMOs. Licensing places responsibilities on managers to control such nuisances.

3. Alignment to Council Priorities

- 3.1 To Develop Stronger Communities
To Support Our Local Economy

4. Wards/Communities Affected

- 4.1 All

Background papers: - **Replies to public consultation**

Lead Contact Officer

Name/Post: **Gordon Partridge, principal EHO, Private Sector Housing**

Telephone Number: **ex 275**

Email: **gordon.partridge@breckland.gov.uk**

Key Decision: Yes

Appendices attached to this report: