

**BRECKLAND COUNCIL**

**CABINET: 8 January 2008**

**REPORT OF THE EXEXECUTIVE MEMBER FOR ENVIRONMENT AND HOUSING**

**Commercial**

**(Author: Gordon Partridge, Principal EHO )**

**HOUSES IN MULTIPLE OCCUPATION – ADDITIONAL LICENCING SCHEME**

**Summary:** This report relates to the submission to the Secretary of State of a request to apply an Additional Licencing Scheme for House in Multiple Occupation in Breckland.

**1. BACKGROUND**

- 1.1 Part 2 of The Housing Act 2004 introduced licencing for Houses in Multiple Occupation, ( HMOs ). In the case of HMOs of 3 or more stories occupied by 5 or more people licencing was a mandatory requirement. For HMOs of less than 3 stories or occupied by less than 3 people Local Housing Authorities, ( LHAs ), were able to apply for an Additional Licencing Scheme under Section 56.
- 1.2 Originally the Government proposed that LHAs of sufficiently high CPA rating would be able to simply apply such a scheme in their area, but failed to enact the appropriate legislation and, subsequently, rescinded that proposal. The Secretary of State now requires any such proposal to be submitted to her for consideration and approval.
- 1.3 Cabinet has already agreed that such a proposal should be submitted, ( see Cabinet report 25/4/2006, Proforma B and minutes attached ), and the submission document is hereby attached. Please note that this document will continue to be amended with up to date information up to the point of submission but the substantive elements will be as this document.

**2. KEY DECISION**

- 2.1 This is a key decision

**3. COUNCIL PRIORITIES**

- 3.1 The matter raised in this report falls within the following Council priorities:

- A safe and healthy environment
- A well planned place to live which encourages vibrant communities
- A prosperous place to live and work

**4. THE SCHEME**

- 4.1 The scheme will apply the requirement to licence an HMO to all classes of HMO throughout the Breckland District. Cabinet has already agreed to the fee being the same as for mandatorily licencable HMOs, ( £225 ), and that a proportion of the fee income can be used to fund a one year administration post to introduce the scheme, (see attached Cabinet report and Proforma as above ).
- 4.2 Currently we know of 526 HMOs in the district of which only 5 are mandatorily licenced with another 2 subject to enforcement activity relating to non-application for a licence.

## **5.0 OPTIONS**

- 5.1 Cabinet has already confirmed it's intent to apply an Additional HMO Licencing Scheme, ( minutes to Cabinet 25/4/2006 attached ).
- 5.2 However, should Cabinet wish to rescind that decision then the risks would be loss of income, uncontrolled spread of HMOs, HMO residents at risk due to poor housing conditions, HMOs controlled by persons not considered to be "fit and proper" to manage such properties, increased workload for officers, reduced ability to deal expediently with failures in management or compliance with enforcement notices

## **6.0 REASONS FOR RECOMMENDATION**

- 6.1 During their Housing inspection the Audit Commission confirmed their opinion that an Additional Licencing Scheme would help control the issues arising from the exponential growth of HMOs in the Council's area.
- 6.2 The Additional Scheme will apply the licencing and management conditions to all HMOs not currently covered by such legislation and will help control nuisances and anti-social behaviour associated with individual HMOs. Households living in HMOs will benefit directly from improved health, safety and welfare provision.
- 6.3 The administration of the scheme will be self financing through the fees raised.

## **7. RECOMMENDATION**

- 7.1 I recommend that Cabinet:
  - a) confirms it's submission of the Additional Licencing Scheme to the Secretary of State for her approval.

*Footnote:* Recommendation complies with the following :  
Equal Opportunities, Section 17, Crime & Disorder Act  
1998, and Human Rights Act 1998