

CABINET – 17TH JANUARY 2019

Report of the Head of Strategic and Private Sector Housing Lead Member: Councillor Smidowicz

Part A

ITEM 8 DISCRETIONARY HOUSES IN MULTIPLE OCCUPATION LICENSING SCHEME

Purpose of Report

To provide an update on the decisions made by Cabinet in November 2015; to consider the introduction of a Discretionary Houses in Multiple Occupation (HMO) Licensing Scheme and the progress to implement a Loughborough Accreditation Standard in partnership with the Students Union.

Recommendations

1. Cabinet note the evidence gathered to date and the impact of the implementation of the Government's expansion of the Mandatory Licensing of HMOs in the Borough.
2. Cabinet agree to further investigations being undertaken to gather evidence as referred to in paragraph 61 to assess the possibility of the introduction of an Additional or Selective Licensing Scheme.
3. Cabinet note that a Borough wide Accreditation Scheme with the Students Union will not be taken forward.

Reasons

1. To enable the Cabinet to consider the evidence gained.
2. Further information and evidence is required for Cabinet's consideration and the consultation process required to introduce an Additional or Selective Licensing Scheme.
3. Resources were no longer available from the Student Union to take a Scheme forward.

Policy Justification and Previous Decisions

The Scrutiny Management Board considered the findings and recommendations of the Managing Student Occupancy Scrutiny Panel at its meeting held on 19th March 2014 and the Cabinet subsequently considered the report on 10th April 2014. The Board then received three reports on the implementation of decisions taken following Scrutiny recommendations. The final one, considered on 28th October 2015, showed that the implementation of all Cabinet resolutions were sufficiently complete and no further monitoring was required.

However, the Board resolved to make two further recommendations to the Cabinet (detailed in Part B of this report).

At its meeting held on 15th November 2015, having considered the report of the Scrutiny Management Board, the Cabinet resolved the following:

1. *that the Head of Strategic and Private Sector Housing further investigate the potential to implement a Loughborough Accreditation Standard in partnership with the Loughborough Students Union;*
2. *that the Head of Strategic and Private Sector Housing consider the submission from the Loughborough Student Advisory Service of complaints data from 2014/15 and evaluate this alongside the evidence that has already been collated;*
3. *that the Head of Strategic and Private Sector Housing submit a report to a future meeting of the Cabinet to provide updates on the evidence gained and the actions taken in relation to resolutions 70.1 and 70.2, above.*

Reasons

1. *If this can be achieved, it will assist in improving standards in the student Private Rented Sector, and raise awareness among students about some of the risks associated with poor housing standards.*
2. *To determine whether or not there are further options for investigation.*
3. *To enable the Cabinet to consider the evidence gained and the potential for further initiatives.*

This report provides an update following those decisions.

Implementation Timetable including Future Decisions and Scrutiny

Not applicable.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implications arising from this report at this stage.

Risk Management

There are no risks associated with the recommendations within this report, however if the Council sought to introduce an Additional or Selective Licensing Scheme without sufficient justification there is a risk of legal challenge.

Key Decision: Yes

Background Papers: Scrutiny Management Board, 18th March 2015 – Agenda Item 8 and Minutes 53.2 and 53.3.

Scrutiny Management Board, 8th October 2014 – Agenda Item 8 and Minute 26.

Cabinet, 10th April 2014 – Agenda Item 6 and Minute 120.

Scrutiny Management Board, 19th March 2014 – Agenda Item 8 and Minute 51.

Cabinet Report, 19th November 2015 – Referral from Scrutiny – Managing Student Occupancy Scrutiny Panel – Agenda Item 6 and Minute 24.

Agendas and notes of the Managing Student Occupancy Scrutiny Panel meetings, available on the Council's website at:
http://www.charnwood.gov.uk/committees/managing_student_occupancy_scrutiny_panel

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Part B

Background

1. The Cabinet considered a report of the Scrutiny Management Board on 19th November 2015 when it was resolved that the Head of Strategic and Private Sector Housing should further investigate the potential to implement a Loughborough Accreditation Standard in partnership with the Loughborough Students Union; and consider the submission from the Loughborough Student Advisory Service of complaints data from 2014-2015 and evaluate this alongside the evidence that had already been collated in relation to potentially introducing an Additional or Selective Houses in Multiple Occupation (HMO) Scheme.

Licensing of Houses in Multiple Occupation (HMO)

2. The Housing Act 2004 requires Local Housing Authorities to licence mandatory licensable HMOs, and allows the licensing of other HMOs or privately rented housing.
3. Types of housing licensing are:
 - Mandatory Licensing
 - Additional Licensing
 - Selective Licensing
4. Under Housing Legislation, a HMO is an entire house or flat that is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.
5. For a property to be classed as a HMO, it must be used as the tenants only or main residence and it should be used solely or mainly to house tenants.

Mandatory Licensing

6. Mandatory Licensing under Part 2 of the Housing Act 2004, broadly speaking requires an HMO occupied by 5 or more persons in 2 or more households, sharing an amenity regardless of the number of storeys, to be licensed.
7. Prior to the 1st October 2018, only HMOs of 3 or more storeys, occupied by 5 or more persons in 2 or more households required a licence.

Additional Licensing

8. The Housing Act 2004 provides a power for Local Authorities to licence HMOs which are not covered by Mandatory Licensing. Part 2 of the Housing Act provides for Additional Licensing of HMOs for example, in a particular area or the whole district for those not covered by Mandatory Licensing.
9. The Act permits Additional Licensing where the Local Authority believes that a significant proportion of HMOs are being managed sufficiently ineffectively giving rise to problems for residents or the general public.

Selective Licensing

10. The Housing Act 2004 allows Local Authorities to introduce licensing for privately rented properties accommodating single households. It is intended to address the impact that poorly managed rented properties can have on the local environment and to improve housing conditions.
11. Part 3 of the Act sets out the scheme for licensing private rented properties in a Local Authority area. A Local Housing Authority can designate the whole or any part(s) of its area as being subject to Selective Licensing.
12. Where a Selective Licensing designation is made it applies to all Part 3 houses which may be houses or flats as defined by Sections 79 and 99 of the Act, which are privately rented properties in the area, subject to certain exemptions for example Registered Providers (formerly known as Housing Associations), or HMOs which are required to be licensed under Part 2 of the Act through an Additional Licensing Scheme.

Concerns raised by Councillors regarding Houses in Multiple Occupation

13. The concerns raised in relation to HMOs across the Borough, although predominately in Loughborough, include:
 - A need for a better understanding of who is living in HMOs, whether they are vulnerable people, there are safeguarding issues, and are right to rent checks being completed
 - Ensuring property standards through programmed Housing Health and Safety Rating System inspections
 - Checks on HMO property management across the Borough including:
 - Common parts, ensuring gardens and external areas are being maintained
 - Maintenance of Means of Escape and Fire Alarms
 - Inspection and testing of Gas and Electrical installations
 - Clarity in terms of Property Management and Ownership
 - Anti-Social Behaviour – and ‘Party Houses’

Number of HMO's in the Borough

14. It is estimated that there are in the region of 2,500 HMOs within Charnwood. Of this number, there currently 413 licensed properties (as at 23rd November 2018).
15. With the changes to Mandatory Licensing in October 2018, a significant number of new licence applications have been received and it is estimated that the number of licensed HMOs will rise to somewhere between 600-650 as a result. The licence fee received covers the Council's cost of processing the application, 1 inspection in the 5 year period but does not cover any enforcement action.

Complaints Information

16. Following the Cabinet resolution 13 of Minute 120 (2013-2014) data was collected for HMO complaints from the following sources:

- Planning and Regeneration
- Strategic and Private Sector Housing
- Neighbourhood Services
- Regulatory Services
- Cleansing and Open Spaces
- Loughborough University

17. The table below provides the data that has been collected from 2013-2014 to 2017-18 (the data is provided in Academic years from the 1st August to 31st July of each year):

Complaint Type	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Accumulations of waste	60	44	41	17	28
Noise (including music, banging, shouting etc)	14 *	239**	281**	217 **	335**
Untidy gardens	2	18	3	3	1
Side waste/bins	45	60	31	39	0
Housing Standards/Disrepair	10	16	18	17	13
Unauthorised Change of Use	35	36	35	18	4
Suspected Licensable HMO	1	6	15	4	8
Total	167	419	424	315	389

* The figures for 2013-2014 may not include all noise complaints received as data is not available.

** Includes data from Environmental Protection and Community Safety. NB Community Safety data relates to properties occupied by students – which are assumed to be HMOs (having 3 or more unrelated students).

18. The data submitted has been reviewed to understand the reporting mechanisms and how complaints are categorised and dealt with. Across the Council there are

a number of systems that complaints are recorded on, including Civica Flare, Northgate M3 and Sentinel (the Police data management system).

19. The complaints are categorised into low, medium and high priority and the actions that are taken are consistent across the Services, detailed in the table below:

Categorisation	Actions Taken
Low	Informal Discussions Warning Letters
Medium	Notices served
High	Court action taken

Loughborough Student Advisory Service (LSAS) Complaints Data

20. Following receipt of the Loughborough Student Advisory Services complaints data for the last five years, an evaluation of the submission was undertaken with the Council data and a comparison made with the previous years.
21. These complaints are in addition to those received by the Council but some may be duplicates of the ones received by the Council. Details of the submissions are presented in the table below:

Complaint Type	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Environmental Issues	1	1	2	2	1
Anti-Social Behaviour	5	7	2	1	1
Disrepair	29	36	61	72	46
Private Rented Sector	6	3	6	8	1
Total	45	47	71	83	49

22. Reviewing the evidence data for 2013-2014 the total number of Environmental Issues, ASB, Disrepair and Private Rented Sector complaints was 45.
23. The total number of complaints increased in 2015-2016 to 71 and 2016-17 to 83, but then decreased again in 2017-18 to 48.
24. Of all the complaints received and detailed in the table above, 100% were addressed through the available existing measures and multi-agency working which include:
- Student Advice and Support Service
 - University Community Wardens
 - Street Wardens
 - Environmental Health
 - Community Safety
 - Strategic and Private Sector Housing
 - Planning Enforcement

25. It is clear from the complaints received that the most common types of complaint associated with HMOs are:

- Accumulations of waste (including side refuse and refuse disposal arrangements)

Such accumulations can be dealt with successfully under the Crime and Anti-Social Behaviour Act 2014 – through a Community Protection Notice or, as in many cases, at the informal CPN Warning Letter stages.

- Noise

The Council and the University work in partnership and sit on a Multi-Agency Working Group to manage the issue of anti-social behaviour arising from students living in the wider community.

The Group follows an incremental approach in managing this issue. The main form of ASB is noise, including transient noise in the street and disturbance particularly at night. Incidences of ASB are recorded by the partnership using the Sentinel system and this information is then accessed to inform the determination of planning applications.

With the evidence gathered in relation to ASB complaints associated with HMOs in the Borough, the number of complaints equates to 15% (detailed in table below), compared to two schemes introduced in Ashfield District Council with 48.5% and Peterborough City Council with 38.6%.

The evidence identifies that 15% of the complaints are related to HMOs and this therefore not be considered as a significant proportion of HMOs being managed sufficiently ineffectively to require an Additional or Selective Licensing Scheme under the Housing Act 2004 to be considered.

Number of HMOs	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Number of HMOs complained about *	138	262	280	314	380**
Total Number of HMOs	2130	2083	2077	2077	2509
% of HMOs complained about	6%	13%	13%	15%	15%

* There may be more than one complaint lodged against an HMO.

** Includes 318 complaints reported by Community Safety which have not been filtered to identify multiple complaints against the same property ie the figure is likely to be higher than the actual number of properties about which complaints were received.

26. Complaints of disrepair, untidy gardens and refuse accumulations can all be dealt with effectively under existing legislation including the:
- Crime and Anti-Social Behaviour Act 2014
 - HMO Management Regulations
 - Housing Act 2004.

Enforcement Legislation and Council Policies

27. The Council has a Corporate Enforcement Policy and the Service areas have Polices and legislation which are used to take enforcement action detailed in the table below:

	Service Area	Legislation	Council Policies
1	Strategic and Private Sector Housing	Housing Act 2004 Including Management Regulations and HMO Licensing Crime and Anti-Social Behaviour Act 2014 Environmental Protection Act 1990	Private Sector Housing Enforcement Policy 2018

2	Regulatory Services	Environmental Protection Act 1990 Prevention of Damage by Pests Act 1949 Anti-social Behaviour, Crime and Policing Act 2014 Building Act 1984 Local Government Miscellaneous Provisions Act 1976 Clean Neighbourhoods and Environment Act 2005	Regulatory Services Enforcement Policy
3	Development Control	Town and Country Planning Act 1990	Planning Enforcement Plan
4	Community Safety	Crime and Anti-Social Behaviour Act 2014	Community Safety Partnership

28. The table below provides the details of the enforcement action taken by the Strategic and Private Sector Housing Service by year between 2014 and 2017 and then whether this action was associated with an HMO (licenced or not) and the outcomes of the action taken.

Year	Total Number Properties where Enforcement Action was Taken	Non - Licensed HMO	Licensed HMO	Details of HMO related issues, action taken and outcomes
2014	5	1	0	Issue: Fire separation. Action: Improvement Notice. Outcome: Complied with.

2015	16	1	1	<p>Non-Licensed HMO - Issue: Fire, Falls on stairs. Action: Prohibition Notice/Improvement Notice. Outcome: Complied with.</p> <p>Licensed HMO - Issue: Falls on stairs. Action: Improvement Notice. Outcome: Complied with.</p>
2016	15	1	0	<p>Non-Licensed HMO - Issue: Excess cold, Excess heat, Overcrowding. Action: Improvement Notice. Outcome: Complied with.</p>
2017	23	1	1	<p>Non-Licensed HMO - Issues: Excess cold, electrics, damp and mould. Action: Improvement Notice. Outcome: Property vacant.</p> <p>Licensed HMO - Issue: Falls on stairs. Action: Improvement Notice. Outcome: Property vacant, currently being renovated.</p>
Total	59	4	2	

29. For 2018 to date, the table below includes the action taken by all Council Services:

Year	Total Number Properties where Enforcement Action was Taken	Non - Licensed HMO	Licensed HMO	Details of HMO related issues, action taken and outcomes
Strategic and Private Sector Housing	20	0	1	Licensed HMO – Issues: Excess cold. Action: Abatement Notice. Outcome: Boiler replaced.
Enviro Crime	13	0	0	Not applicable
Planning	1	0	0	Not applicable
Environmental	5	0	0	Not applicable

Protection				
Community Safety	2	0	0	Not applicable
Total	41	0	1	

Additional and Selective Licensing Schemes

30. An exercise has been undertaken to establish the drivers and the reasons for the Local Authorities that have introduced a Selective or Additional Licensing Scheme.

31. The Local Authorities detailed below have introduced Discretionary Licensing Schemes and these fall into the two categories below:

Additional Licensing - for buildings converted into self-contained flats, and smaller shared houses and flats where there were fewer than 3 storeys and/or fewer than 5 persons sharing and will impose the following that:

- supporting documents are provided, such as gas and electrical certificates, fire alarm test reports etc, at appropriate intervals or upon demand.
- accommodation, common areas, and amenities are kept in good repair and in a safe condition
- reasonable steps are taken to prevent or reduce antisocial behaviour at, or associated with, the property

Selective Licensing - to improve conditions, management standards and tenancy practices in the Private Rented Sector to ensure that properties have a positive impact on the area.

32. The table below provides an illustrative sample of the Schemes that have been introduced in other Local Authority areas:

Local Authority	Additional Licensing Scheme	Selective Licensing Scheme
Ashfield District Council	Not applicable	Introduced a Scheme on 1 st February 2017 to deal with ASB, Crime, Disrepair and Vacant Properties
Hastings Borough Council	The Scheme was introduced for all HMOs in 4 wards to deal with ASB,	Introduced for 7 areas of low housing demand experiencing ASB

	noise, rubbish, crime and fire safety	
Northampton Borough Council	<p>Introduced for all 2 storey properties in designated areas.</p> <p>Aimed at improving housing conditions for the occupants, the appearance and amenity of the community and reducing nuisance is intrinsic to maintaining high quality accommodation and directly impacts on property values.</p>	Not applicable
Nottingham City Council	<p>The Scheme was introduced to deal with ASB and noise nuisance</p> <p>Licensing is required for a property if occupied by 3 or more people and the tenants form 2 or more households and falls within the Additional Licensing designated area</p> <p>The impact or the benefits of the Scheme have not been assessed. Have not yet assessed impact of additional licensing</p>	Not applicable
Peterborough City Council	Not applicable	<p>Selective Licensing was introduced in designated areas of Peterborough on the 1st December 2016</p> <p>Selective Licensing introduced to improve the management and condition of properties in the Private Rented Sector, which will in turn reduce crime and ASB</p> <p>All of the wards subject to Selective Licensing had ASB higher than the</p>

		<p>Peterborough average and large percentage changes</p> <p>Within the 12 months ending August 2015 there were 8,330 ASB incidents recorded by Cambridgeshire Police within the City, of those 3,218 occurred within the designated areas which was 38.6% of the overall total</p>
Thanet District Council	Not applicable	<p>The Scheme was introduced in April 2011 to tackle low housing demand and ASB and will continue from April 2016 for a further 5 years</p> <p>Selective Licensing was chosen over additional licensing as there is no obligation to inspect and it covers all potential situations</p>
Warwick District Council	<p>Warwick does not have Additional or Selective Licensing but are considering the case for Additional Licensing. The Council feels that the Government's proposal to extend mandatory licensing may take care of this, and so have not progressed work to make a case for an Additional Licensing Scheme</p>	
Worcester City Council	<p>All HMOs across the City require an Additional Licence. The Scheme was introduced to improve management and property standards and neighbourhoods and to identify and deal with rogue landlords</p> <p>The Council advised that it was too early to evaluate the Scheme</p> <p>HMO landlords were given 3 months to apply, 400 applications were received, 2 additional officers have been appointed and are funded through Licensing fees</p>	Not Applicable

Process of Implementing a Discretionary Licensing Scheme

Additional Licensing

33. An Additional Licensing scheme should only be considered if the Council believes a significant proportion of HMOs in the area are being managed sufficiently ineffectively as to give rise to, or be likely to give rise to, problems for the occupants or for members of the public.
34. Section 56(3) of the Housing Act 2004 states that prior to designating areas subject to licensing the Local Authority must:
 - Take reasonable steps to consult persons who are likely to be affected by the designation, and
 - Consider any representations made in accordance with the consultation and not withdrawn.
 - The Authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
35. An Additional Licensing Scheme would not apply to any HMO to which the national mandatory scheme applies. The proposed designation would not apply to any building which is an HMO as defined in S257 of the Housing Act 2004, relating to certain converted blocks of flats.
36. Additional Licensing could impose the following:
 - Requirement for particular types of HMO, or HMOs within a particular area to be licensed.
 - Property to be licensed is assessed as to its suitability for multiple occupation
 - Licence holder will undergo a fit and proper person test and the management arrangements will be reviewed for suitability
 - Licence will include conditions requiring supporting documents to be provided, such as gas and electrical certificates, fire alarm test reports etc., at appropriate intervals or upon demand.
 - Licence may include conditions for regulating the management, use and occupation of the house concerned, its condition and contents. For example, requiring the landlord to take reasonable and practical steps to prevent or reduce anti-social behaviour by person occupying it.
 - A licence may not include conditions imposing restrictions or obligations on a particular person other than the licence holder, or requiring any alteration in the terms of any tenancy or licence under which a person occupies the house.

Selective Licensing

37. The Council can designate the whole or any part or parts of its area as subject to Selective Licensing.

38. The purpose of such a scheme is to improve standards of property management in the private rented sector. If a landlord rents out property in a Selective Licensing area they will need to obtain a licence from the Council, subject to certain exemptions.
39. The licence would require landlords to manage their properties in accordance with conditions that the Council specifies; failure to do so could lead to enforcement action.
40. Selective Licence would not be required for the following properties:
 - HMOs which are required to be licensed (Mandatory) under Part 2 of the Housing Act 2004;
 - properties subject to a “temporary exemption notice”;
 - properties subject to a Management Order;
 - properties which are occupied under a tenancy or licence which has been granted by a non-profit Registered Provider of social housing;
 - properties which are occupied under a tenancy or licence which has been granted by a profit-making registered provider of social housing in respect of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008);
 - properties which are occupied under a tenancy or licence which have been granted by a body which is registered as a social landlord under Part 1 of The Housing Act 1996;
 - properties let under tenancies or licences described as ‘exempt’ from the requirement to be licensed by the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006/370.
41. At the end of the 5 years, the scheme must be reviewed.
42. A licence would normally be valid up to the expiry of the scheme. Every licence will have a set of conditions which the licence holder would be required to comply with.
43. There are mandatory conditions which the Council must include in the licence. In addition, the Council has the discretion to add other conditions to the licence in relation to the general management of the house. These can include conditions relating to the use and occupation of the house, and measures to deal with anti-social behaviour of the actual tenants or those visiting the property.
44. However, the conditions imposed must be ones which relate to the residential use of the property – they cannot, for example, place responsibilities on landlords to act where tenants may be committing crimes unrelated to their occupation of the property.
45. A Selective Licensing designation may be made if the area to which it relates satisfies one or more of the following conditions. The area is one experiencing:
 - low housing demand (or is likely to become such an area)
 - significant and persistent problem caused by anti-social behaviour
 - poor property conditions

- high levels of migration
 - high levels of deprivation
 - high levels of crime
46. In considering whether to designate an area for Selective Licensing on the above grounds, the Council may only make a designation if the area has a high proportion of property in the private rented sector; those properties must be occupied either under assured tenancies or licences to occupy.
47. Non-statutory guidance issued by the Department for Communities and Local Government in March 2015 ('The Government guidance') advises that a Local Housing Authority may only make a designation if the area has a high proportion of property in the private rented sector compared to the national average.
48. When considering whether to make a Selective Licensing designation a Local Housing Authority must first identify the objective/s that a designation will help to achieve – it must identify whether the area is suffering problems (providing evidence of these problems) that are attributable to any of the above criteria for making a designation and what it expects the designation to achieve.
49. It should only be used where existing measures alone are not sufficient to tackle the underlying housing problems of a specific area. It must consider whether there are any other courses of action available that would achieve the same objective/s as the proposed scheme without the need for the designation to be made.
50. Local Authorities should carefully consider any potential negative economic impact that licensing may have in their area and some of the other possible effects of the designation (and to include any risk assessment they may have carried out).
51. The Council must not make a particular designation unless:
- they have considered whether there are any other courses of action available to them that might provide an effective method of achieving the objective/s that the designation would be intended to achieve, and
 - they consider that making the designation will significantly assist them to achieve the objective/s (whether or not they take any other course of action as well).
52. The Council must decide what other measures they or other persons together with the Local Authority will take together with the Selective Licensing scheme to eliminate or mitigate the problems identified in the area and how they will work together.
53. The Council will have to show how such a designation will be part of the overall strategic borough wide approach and how it fits with existing policies on:
- Homelessness
 - Empty Homes

- Regeneration
 - ASB associated with privately renting tenants
54. From the 1st April 2015, Councils need to apply to the Secretary of State for Communities and Local Government (Secretary of State) for confirmation of any scheme(s) which would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the Local Authority area.
 55. Under these new arrangements, if a Council makes a designation that covers 20% or less of its geographical area or privately rented properties, the scheme will not need to be submitted to the Secretary of State, provided the authority has consulted for at least 10 weeks on the proposed designation.
 56. However, if the Council makes one or more designations that are in force partly concurrent to an existing scheme, and cumulatively all the designations cover more than 20% of the area or the private rented stock, those new designations will need to be submitted to the Secretary of State for approval. If two new designations account for more than 20% of the area or private rented stock when added together, they would both need to be submitted to the Secretary of State for approval.
 57. A Selective Licence would be granted with a set of conditions that must be observed. Failing to adhere to any licence condition is a criminal offence and may result in prosecution and an unlimited fine if found guilty.
 58. These conditions ensure the property is managed correctly, complaints of anti-social behaviour are dealt with appropriately and in a timely manner, gas and electrical certificates are supplied to the Licensing team and smoke alarms are kept in working order, amongst other things.
 59. Landlords cannot be held responsible for the actions of their tenants, but they can, more often than not, have some influence on the behaviour of their tenants. The Council believes that a good landlord would, once they became aware a tenant of theirs was engaged in unacceptable activities that had a detrimental effect on neighbours, try to take some steps to resolve the situation.

Conclusion

60. In conclusion following consideration of the evidence gathered to date and the Government expansion of the Mandatory Licensing of HMOs and having regard to the legislative requirements for making a proposal to introduce an Additional or Selective Licensing Scheme, that there is insufficient evidence to take this forward at this time.
61. A bid for £65,000 has been made for the Rogue Landlords Enforcement Grant.

The funding if the Council are successful will be used to:

- Undertake further research to identify Rogue Landlords across the Borough and take the appropriate action.

- Reviewing the current Policy approach to managing the negative impacts both poor housing and management can have on the Residents of the Borough.
 - Providing a recommended approach to managing the proportion of Houses in Multiple Occupation in the Borough to inform the Local Plan preparation and the possibility of implementing an Additional or Selective Licensing Scheme.
62. The Rogue Landlord Enforcement Grant announcements will be made on the 4th January 2019 and a verbal update will be provided at the Cabinet meeting.

Loughborough Students Union Proposal for Housing Accreditation

63. Discussions have been held with Loughborough Students Union (LSU) with a view to exploring opportunities around joint working on a 'Loughborough Accreditation Scheme', aimed at utilising the skills of students with appropriate training to carry out Housing Health and Safety Rating System inspections of student houses, tackling poor standards and driving improvements in the Privately Rented student property market in partnership with the Council.
64. The Council already work in partnership with DASH to provide an Accreditation Scheme for responsible landlords. The Council holds a Service Level Agreement (SLA) with DASH to engage with landlords through the DASH Landlord Accreditation Scheme. The Council pays £5,000 + VAT for this service (which covers the legal license fee (RIAMS), discounts on Local Authority staff training, Local Authority staff conferences and Local Authority newsletters and national consultations).
65. Landlord Accreditation is an efficient way to raise housing standards, and Charnwood benefits from the scheme being a dual Accreditation Scheme with a strong training element as well as conducting property inspections.
66. Meetings were held with DASH and the LSU to discuss how the two organisations could work together to extend or expand the existing Accreditation Scheme.
67. The last meeting was held in November 2017 when the Student Union advised they no longer had the resources to take the Scheme forward.
68. DASH will therefore under the SLA with the Council advise and work with the Student Union to promote the existing Accreditation Scheme funded by the Council across the Borough.