

CABINET – 17TH JANUARY 2019

Report of the Overview Scrutiny Group

ITEM 8 DISCRETIONARY HOUSES IN MULTIPLE OCCUPATION
LICENSING SCHEME

Purpose of Report

To consider the comments and recommendations of the Overview Scrutiny Group in relation to the introduction of a discretionary Licensing Scheme in the Borough and approve the licensing fees if a scheme is to be introduced.

Recommendation of the Overview Scrutiny Group

That the Cabinet be informed that although the Group disputes some of the data provided in the report the Group supports the recommendations as set out in the report of the Head of Strategic and Private Sector Housing.

Reason

Having considered the report and asked questions of the Lead Member for Regulatory Services, Enforcement and Licensing and the Head of Strategic and Private Sector Housing on the matter, the Group concluded that it would be appropriate for the Cabinet to approve the recommendations set out in the report.

Meeting Discussion

Following questions from the Group, the Lead Member for Regulatory Services, Enforcement and Licensing and the Head of Strategic and Private Sector Housing provided the following responses:

- (i) The Group was advised that the evidence gathered for the report was based on the level of formal complaints received regarding HMO properties. In Charnwood the complaint level was under 20% whereas other Councils who had introduced a discretionary licensing scheme cited complaint levels of up to 45%. The Council had to ensure that there was sufficient demonstrable evidence to prove the need for a discretionary licensing scheme in the Borough and at present the evidence suggested that the need was not there. However, the Lead Member for Regulatory Services, Enforcement and Licensing referred to many Members having additional anecdotal evidence that problems with HMO's were much more widespread than as indicated by the available formal evidence.
- (ii) Funding of £65,000 from the Rogue Landlord Enforcement Scheme had been secured to carry out further research in the Borough relating to HMO's. The Group was advised that £15,000 would be used by the Planning Department and be invested in actions for the

Local Plan. The other £50,000 would be used to pay for external staff to carry out research in the area, investigating properties and interviewing residents.

- (iii) The Group was advised that once further research evidence had been gathered it would be used to assess whether a discretionary licensing scheme could be justified. If so, this would involve setting license fees to cover the administration costs of the proposed scheme.
- (iv) The Council already had a Corporate Enforcement Policy in place to address complaints using an incremental approach which was replicated in service specific policies.
- (v) The Group was concerned that there was a void between the anecdotal evidence they had regarding HMO's and the evidence reported to the Council. There was an agreement that something needed to be done to gather the further evidence required to be able to introduce an appropriate scheme.

Policy Justification and Previous Decisions

Scrutiny Committee Procedure 11.12 sets out the procedure by which a report of a scrutiny committee should be considered by the Cabinet.

Implementation Timetable including Future Decisions and Scrutiny

The information on this in the Cabinet report is not affected by the recommendation of the Overview Scrutiny Group.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no further financial implications associated with the recommendation of the Overview Scrutiny Group.

Risk Management

There are no specific risks associated with the recommendation of the Overview Scrutiny Group.

Key Decision:	Yes
Background Paper:	Overview Scrutiny Group Minute 47 2018/19, 14th January 2019
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