

Subject:	Proposed Additional Licensing Scheme for Houses in Multiple Occupation (HMO) & Amendment of Standards for Licensed HMOs.		
Date of Meeting:	20 June 2012		
Report of:	Strategic Director Place		
Contact Officer:	Name:	Martin Reid	Tel: 293321
	E-mail:	Martin.reid@brighton-hove.gov.uk	
Key Decision:	Yes		
Wards Affected:	Five wards: Hanover and Elm Grove, Moulsecoomb and Bevendean, St Peters and North Laine, Hollingdean & Stanmer and Queen's Park		

For general release

1. Summary & Policy Context

- 1.1 This paper outlines proposals to license smaller Houses in Multiple Occupation (HMOs) in five wards, as a proportionate response to proactively improve property standards and management in this type of accommodation.
- 1.2 Resident & community feedback, consultation and other evidence has led us to consider our response to issues arising in wards where we have very high concentrations of smaller HMOs that our current mandatory licensing scheme doesn't cover.
- 1.3 The resident population in Brighton & Hove is predicted to increase from 256,300 in 2009 to 269,000 in ten years. The private rented sector as a whole is growing, including the number of HMOs, as demand rises and fewer households access owner occupation. The city has a relatively small social housing sector. Brighton & Hove City Council values our very large private rented sector, (at around 104,100 properties comprising at least 23% of the whole housing stock) and wants to see a strong, healthy and vibrant market. The sector has an important role in providing housing for those not wishing or able to consider home ownership, or for those to whom social housing is not an option, as well as providing housing for the city's large student population. In particular the sector:
 - Is economically advantageous as it caters for a highly mobile population;
 - Supports university growth to benefit local economy, labour market and cultural offer;

- Offers flexibility and capacity that is key to addressing housing need in the city;
- Supports investment in improving city housing stock;
- Supports direct and indirect employment, including in local trades and businesses.

- 1.4 The council is keen to ensure that the sector meets the demands placed upon it by the housing needs of the wide range of private rented tenants by providing well managed and quality accommodation and we strongly support voluntary arrangements such as accreditation. Private landlords and estate agent representatives are both members of the Strategic Housing Partnership and officers regularly attend meetings of landlord groups.
- 1.5 However, the private rented sector does have some problems for which statutory regulation, particularly licensing is required. The city has over 10 times the national average number of Houses in Multiple Occupation (HMOs). These are amongst the more difficult to manage properties in the sector. In some HMOs the standards of management and living conditions can be poor, for example research has shown the risk in HMOs from hazards such as fire can be as much as four or more times higher than the risk in a residential property occupied by a single household. Licensing allows local authorities to proactively identify and engage with landlords, particularly with the less responsible private landlords.
- 1.6 As well as improving conditions and safety in HMO properties, licensing has significant social and financial benefit to the general economy of the city. It maintains the buoyancy of the rental market by ensuring that the better landlords are not disadvantaged by non-compliant landlords.
- 1.7 Mandatory HMO licensing, which applies nationally, is aimed at those HMOs that present the highest risk, namely those of three storeys or more and occupied by five or more persons, who are not living together as a single family or other household.¹ Currently over 800 properties have been licensed under the existing mandatory licensing scheme.
- 1.8 In addition to these larger HMOs we are aware that there are potentially between 1,500-3,000 smaller HMOs concentrated in the Lewes Road corridor that our current licensing scheme does not cover, among which there is evidence of unsatisfactory management, disrepair and inadequate safety standards.
- 1.9 It is proposed that the additional licensing scheme would therefore cover smaller HMOs of two or more storeys and three or more people in the wards of: Hanover & Elm Grove; Moulsecoomb & Bevendean; St

¹ See sections 258 (5) and 259 of the Housing Act 2004 and Regulations 3 and 4 of The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. (SI 2006/ 373) for the definition of other households (and persons to be regarded as a member of such a household).

Peters & North Laine; Hollingdean & Stanmer; Queen's Park, so that these properties can be proactively targeted in the same way.

1.10 Before designating any additional licensing of HMOs the council must comply with the specific requirements set out within sections 56 and 57 of the Housing Act 2004. This includes being satisfied that a significant proportion of the HMOs proposed under the additional scheme are being managed sufficiently ineffectively. Consultation must also take place and the scheme must be consistent with the authority's overall housing strategy.

1.11 The aim of this report and accompanying appendix is to show compliance with these sections of the Act by supplying the detailed evidence required to support the proposal, including full details of the consultation exercises undertaken. It also seeks approval of changes to the HMO standards.

Through evidence and consultation we have sought to demonstrate the case for additional licensing to address issues arising with management and standards of smaller HMOs in the five Lewes Road wards by showing:

- Disproportionate levels of complaints, interventions and housing pressures arising in the five wards where we have demonstrated a concentration of HMOs;
- Door to door consultation demonstrating that over 70% of residents and 80% of businesses in these wards would like to see additional licensing of smaller HMOs in these wards.

1.12 In particular, in support of the recommendations, the detailed evidence in relation to the five wards in the report and Appendix 1 shows the following:

- Disproportionate homeless approaches from the 5 wards;
- Disproportionate empty private sector homes arising in the 5 wards;
- Disproportionate requests for assistance received by Private Sector Housing in relation to issues such as disrepair, lack of heating / hot water and damp in these wards;
- Higher rates of investment of housing renewal funding;
- Higher levels of Private Sector Housing enforcement action;
- Management and standards issues arising from a recent survey of c.500 smaller HMOs in these wards;
- Disproportionate levels of refuse and noise complaints;
- Higher levels of anti-social behaviour;
- Higher levels of mandatory licensed HMOs, with experience of issues arising and beneficial impact on management and standards from implementing the mandatory scheme;
- Case studies.

- 1.13 If Committee approves the designation of the additional licensing area as outlined in this report it is proposed that the designation will come into force, following statutory notification requirements, on 5 November 2012 for a period of 5 years.

2. Recommendations

It is recommended that Housing Committee:

- 2.1 Notes the results of the consultation and evidence gathering exercise undertaken in relation to the proposed additional HMO Licensing Scheme as set out in this report and in Appendix 1.
- 2.2 Designates the wards of Hanover and Elm Grove, Moulsecoomb and Bevendean, St Peters and North Laine, Hollingdean & Stanmer and Queen's Park as subject to additional licensing under S56(1) of the Housing Act 2004 in relation to smaller Houses in Multiple Occupation of two or more storeys and three or more occupiers. The designation comes into force from 5 November 2012 and will last for 5 years.
- 2.3 Approves the council's revised HMO standards (as set out in Appendix 2)
- 2.4 Approves the fee structure (as set out in sections 3.11-3.14) that will apply to additional HMO Licensing schemes for Houses in Multiple Occupation;

3. Background to the report

Details of the proposed Additional HMO Licensing Scheme

- 3.1 It is proposed that an Additional HMO Licensing Scheme is introduced for the following wards , Hanover and Elm Grove, Moulsecoomb and Bevendean, St Peters and North Laine, Hollingdean & Stanmer and Queen's Park for five years, from 5 November 2012.
- 3.2 Under additional licensing proposals landlords and managers of smaller HMOs would have to:
 - Meet appropriate personal and professional standards of conduct
 - Upgrade poorer buildings to minimum health and safety standards including fire and electrical safety
 - Exercise appropriate management and supervision of the buildings to help reduce any adverse impact of HMOs on the neighbourhood
 - Meet council standards for licensable HMOs.
- 3.3 If adopted, the scheme will be reviewed against objectives after two years of implementation.

- 3.4 If adopted as proposed, the Additional HMO Licensing Scheme will apply to all HMOs of two or more storeys within which there is some sharing of facilities and which are occupied by three or more persons comprising two or more households in the five wards already outlined.
- 3.5 For the avoidance of doubt, the proposed additional licensing scheme does not apply to any HMO to which the mandatory licensing scheme applies. Also, the proposed designation will not apply to any building which is a HMO as defined in S257 of the Housing Act 2004, relating to certain converted blocks of flats.

Legal Background

- 3.6 The Housing Act 2004 introduced the mandatory licensing of HMOs that have 3 or more storeys, are occupied by 5 or more persons who are living in 2 or more households and within which there is some sharing of facilities. It also allows the discretionary licensing of HMOs and other private rented housing to meet local needs in certain circumstances.
- 3.7 Sections 56 and 57 of the Housing Act 2004 provide local authorities with the power to designate an area as being subject to an Additional HMO Licensing Scheme in respect of some or all of the HMOs in that area that are not already subject to mandatory licensing.
- 3.8 Additional Licensing schemes may be introduced for a period not exceeding five years and can be used to address problems that may exist in sub-standard converted self-contained flats and smaller HMOs.

Criteria for establishing an Additional HMO Licensing Scheme

- 3.9 Before introducing an Additional HMO Licensing Scheme, the council must comply with the specific requirements set out within sections 56 and 57 of the Housing Act 2004. This includes being satisfied that a significant proportion of the HMO's proposed under the additional scheme are being managed sufficiently ineffectively. Consultation must also take place and the scheme must be consistent with the authority's overall housing strategy.
- 3.10 In detail, before making an additional HMO licensing designation for a particular type of HMO, or for a particular area, a local authority must:
 - a) ***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 public²;***

There is a concentration of HMOs in the five wards along the Lewes Road 'corridor' - Hanover & Elm Grove; Hollingdean & Stanmer; Moulsecoomb & Bevendean; St Peters & North Laine; and Queens

² Housing Act 2004 Section 56(2)

Park. 70% (598) of all large HMOs licensed under the mandatory licensing scheme are located in these wards and it's estimated from council tax records and the electoral roll that there could be between 1,500 and 3,000 small HMOs in the five wards that fall outside mandatory licensing.

We have been evidencing issues since 2008, following reporting of University of Brighton research on the issues to Strategic Housing Partnership, including a scrutiny report on Students in the Community on 28 January 2010 and the Student Housing Strategy in 2009. The full report in Appendix 1 presents a range of data showing that levels of council activity to address complaints about unsatisfactory housing conditions in the five wards is significantly higher than the city average. This information highlights particular problems with disrepair and dampness, which are significantly higher in these wards.

Complaints received about nuisance resulting from noise and rubbish problems are significantly higher in the five wards compared to the rest of the city. These are nearly two and a half times higher in respect of rubbish issues and over two and a half times higher in respect of noise problems, with the five wards being in the worst six city-wide for noise problems. In addition levels of anti-social behaviour recorded by the Police are over one and a half times higher in the five wards.

The council's Private Sector Housing Team has a good track record in resolving requests for assistance through informal and, where necessary, formal enforcement action. In the five Lewes Road wards levels of this kind of activity are between one and a half to two and a half times the average for other wards in the city. In addition, the council has invested over £2.5m in financial assistance (40% of the overall budget) during the past five years to address unsatisfactory housing conditions in the five wards. However, despite this significant investment of staff and financial resources the level of housing related complaints received in the five wards continues to increase year on year. Looking to the future, capital investment through grants or other financial assistance to help encourage landlords of small HMOs to carry out essential improvements is no longer an option due to public sector funding constraints.

The recent Council doorstep survey of a sample of c.500 smaller HMOs in the five Lewes Road wards confirms there is cause for concern with some aspects of management. Results from the survey suggest that 22% of smaller HMOs had no form of smoke detection and with those that did have half were relying on battery powered smoke detectors. 34% of tenants either had not seen a gas certificate or did not know if they had and 56% had not seen an electrical certificate or did not know if they had. A significant proportion of tenants (31%) reported some disrepair or dampness. In addition, 30% of all front gardens of small HMOs were observed to be untidy.

Taken together the full report (Appendix 1) concludes that problems with the management of HMOs in the five Lewes Road ‘corridor’ wards are not limited to a handful of individual properties. The evidence suggests that the problems are more widespread and that a significant proportion of all HMOs in the five wards are being managed sufficiently ineffectively. This is giving rise to problems for those occupying HMOs and members of the local community. These problems cannot be addressed by mandatory licensing as the majority of HMOs in the five wards are small and fall outside the remit of the national scheme. All the indications are that the range of ‘tools’ in the toolkit available to the Council are insufficient on their own to tackle the problem of poor management of smaller HMOs.

- b) ***consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question,***

A full options appraisal was undertaken (Chapter 5 in Appendix 1)

Eight possible options for tackling substandard and ‘problem’ smaller HMOs in the city were identified by stakeholders and appraised by a panel against the key objectives of the proposed additional licensing scheme. These were:

- Do nothing.
- Do the minimum - intervention in the small HMO sector limited to a basic ‘complaint response’ service
- Informal area action – setting up an action area as an impetus for action
- Targeted use of Interim Management Orders (IMOs) and Final Management Orders (FMOs).
- Article 4 Direction (Planning) only
- Area-based voluntary accreditation of landlords
- City-wide accreditation scheme
- An area based additional licensing scheme in the five wards.

The outcome of the option appraisal process was that an area-based licensing scheme for HMOs achieved the highest score as best meeting the objectives for securing the Council’s vision for the private rented sector and the contribution that small HMOs can make towards this.

- c) ***consider that making the designation will significantly assist them to achieve the objective or objectives (whether or not they take any other course of action as well).***³
- d) ***consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take***

³ Housing Act 2004, Sections 57(4) and 81(4)

any other course of action as well).⁴

With regards to c) and d) , as outlined in the full report (Appendix 1) additional licensing will significantly assist the council to achieve the objectives and deal with the problems associated with smaller HMOs in the five wards by offering a level playing field whereby all landlords and lettings agents have to follow the same standards as opposed to the reactive/responsive situation currently in place.

The introduction of an additional licensing scheme will result in the following:

- Improvements to the appearance and condition of HMOs (including the gardens and outbuildings) and the environmental impact they have on the local neighbourhood.
- Improvements to health and safety, as gas and electrical installations will be safe and fire precautions will be in place.
- Increased awareness of management issues including fire safety, the control of rubbish and waste, and the maintenance of communal areas, gardens, and gas / electricity installations.
- landlords/lettings agents will be prevented from managing licensable HMOs if they are assessed as being not a 'fit and proper' person.

Other, indirect improvements would include the following:

- Improvements to accommodation, achieved through the use of the Housing Health and Safety Rating System especially in situations where there is excess cold or the property is not secure.

e) *consult persons likely to be affected by the designation.*

Following government guidance, and the requirements in the Housing Act, full and extensive consultation on the proposed additional licensing scheme has taken place with residents, landlords and agents, local businesses and the local universities using online consultation, printed survey forms and at meetings. Appendix 1 contains a report which provides full details on the legal requirement of the consultation process, the purpose of the consultation that was carried out and the outcomes that were obtained. Within this appendix are also copies of surveys and the tabulated results and comments of these questionnaires.

f) *ensure that the exercise of the power is consistent with their overall housing strategy*⁵;

As outlined in the attached report (Appendix 1), additional licensing will contribute positively to the aims of the Housing Strategy 2009-14, the Student Housing Strategy that sits underneath it and the Private Housing Renewal Policy by regulating smaller HMOs. Supporting this proposal the council is also proposing changes for the planning process concerning small Houses in Multiple Occupation (HMOs) in the city and is currently giving

⁴ Housing Act 2004 Section 57(4)

⁵ Housing Act 2004, Sections 57(2) and 81(2)

consideration to adopting an Article 4 direction to require a planning application for any change of use from single dwelling house (C3) to a small HMO (C4) in the five wards with high concentrations of HMOs. It should be noted that Article 4 looks to the future changes to single dwelling houses whereas Additional Licensing would deal with the existing situation.

Additional licensing will also ensure that the accommodation is of a good standard, meets acceptable housing standards and is well managed by fit and proper persons.

- g) *seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by them or others.***⁶

The Council and its partners have an excellent track record of multi agency working and ensuring a co-ordinated approach in dealing with homelessness, empty properties and anti-social behaviour as outlined in the attached report (Appendix 1).

Using additional licensing will make effective use of all available powers and resources, enable the Private Sector Housing Team to ensure that additional licensing complements the other action that is being taken to improve neighbourhoods' and reduce the impact of poorly managed and maintained HMOs.

- f) *have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the area in question***⁷,

There are three Codes of Practice currently approved for the purposes of section 233: -

- * Universities UK/Guild HE Code of Practice for the Management of Student Housing, dated 17th August 2010
- * ANUK/Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments, dated 28th August 2008
- * Accreditation Network UK/Unipol Code of Standards for Larger Developments for Student Accommodation Not Managed and Controlled by Educational Establishments, dated 20th February 2006

The first two relate to buildings managed by educational establishments and which are, as a result, exempt from HMO licensing legislation when controlled by an establishment that is formally signed up to the Code. This covers both local universities.

⁶ Housing Act 2004, Sections 57(3) and (81(3)

⁷ Housing Act 2004 Section 56(5)

The third – covering buildings not managed by educational establishments - relates only to buildings occupied by 15 or more students. No such buildings have been identified in the five wards in question and it is therefore considered that none of the Codes of Practice has material relevance in the consideration of the proposed additional licensing scheme.

B Alterations to Brighton & Hove City Council's Standards for Licensable Houses in Multiple Occupation

3.11 The Housing Act 2004 enables Local Housing Authorities to set local standards for licensable Houses in Multiple Occupation. Brighton & Hove City Council standards were approved in 2006 and they incorporate the standards prescribed by national regulations. Officers have reviewed the standards and, in the light of experience over the past five years, certain changes are proposed (where the council has discretion) to improve conditions for tenants and management of the houses.

The proposed revised standards are attached in **Appendix 2** and were included in the consultation for additional licensing. 77 people commented on the standards, (30% of whom were landlords). 60% of all respondents thought the revised standards would contribute positively to conditions in HMOs. Of those less supportive, many commented on the fact that they thought the standards too onerous for landlords.

C HMO fees structure

3.12 The fee that is set must justifiable and representative of each individual local authority's process. Setting higher fees may, therefore, be open to challenge. The fee will cover the life of the licence for 5 years.

3.13 The Council will charge a fee to cover its costs associated with running the scheme. The proposed fee structure is based on the Sussex fee calculator agreed by all Sussex Local Authorities for mandatory HMO licensing. This should, therefore, avoid confusion for those landlords familiar with the mandatory scheme and has the benefit and robustness of County consensus on how a fee is calculated.

3.14 The fees are therefore set out below, based on existing mandatory fee structure adjusted to reflect costs associated with running the proposed additional licensing scheme for smaller HMOs. As the HMOs affected are generally smaller properties than mandatory licensed properties fees will be reduced as shown below where there are less than five sharers/lettings. As under the mandatory license fee structure adjustments are £12 per shared in a single tenancy shared property and £48 per letting in a multiple tenancy HMO.

3.15 Using the average licence fee figure of £641 for five years, this works out at around £2.46 a week for a whole property.

There are two levels of fee for HMO licensing.

Single tenancy shared houses- This would include all shared student houses or houses let to a group of professionals. There would be one tenancy agreement listing all of the occupants. The fee goes up or down according to the number of occupiers.

Multiple tenancy lets - Multiple tenancy properties include houses let as bedsits or houses where there are some self-contained flats and some bedsits. With this type of property each letting will have its own tenancy agreement. The fee goes up or down according to the number of lettings but any self-contained units are excluded when the fee is calculated.

License Fee Setting for smaller HMOS	Standard mandatory HMO fee for a 5 person/letting HMO adjusted for proposed additional licensing scheme	Reduction -£12 for each person under 5 (applies in reverse for over 5)	Proposed Additional Licensing Fee
Single Tenancy shared house 3 person	£590.00	£24.00	£566.00
Single Tenancy shared house 4 person	£590.00	£12.00	£578.00
Multiple Tenancy Lets 3 lets	£782.00	£96.00	£686.00
Multiple Tenancy Lets 4 Lets	£782.00	£48.00	£734.00

There may be a small number of five person/lettings HMOs in two storey properties, for which the 5 person/letting fee in the table above will apply. It is anticipated that there could also be some six, seven or even more person/lettings in two storey HMOs, for which the fee will be adjusted by adding the appropriate amount, as in the examples below: -

Single Tenancy shared house 5 person	£590.00	£0.00	£590.00
Single Tenancy shared house 6 person	£590.00	£12.00	£602.00
Single Tenancy shared house 7 person	£590.00	£24.00	£614.00
Multiple Tenancy Lets 5 Lets	£782.00	£0.00	£782.00
Multiple Tenancy Lets 6 Lets	£782.00	£48.00	£830.00
Multiple Tenancy Lets 7 Lets	£782.00	£96.00	£878.00

4. Consultation

- 4.1 Extensive consultation has taken place on the proposal, and in total 1504 people responded to the questionnaire. A detailed breakdown of responses is detailed in Appendix 1
- 4.2 A summary of responses is provided below:

Would you like to see an additional licensing of smaller HMOs in the proposed areas?					
	yes	no	don't know	not answered	Totals
initial consultation	40 (22%)	133 (73%)	10 (5%)	0	183
portal	136 (44%)	173 (56%)	0 (0%)	2	311
door to door	713 (71%)	81 (8%)	146 (14%)	70 (7%)	1010
	889	387	156	72	1504
	59%	26%	10%	5%	

4.3 Overall 59% of people who were questioned or who responded via the consultation portal supported the proposals and 26% did not, although the views of landlords and agents were much less supportive towards the scheme.

4.4 The initial consultation took place from 5 January 2011 to 30 March 2011. A total of 183 responses were received, 73% of those who responded disagreed with the proposal. Given the relatively low number of responses and the need to ensure any decision on implementation of the proposal is based on sufficient evidence and justification for an additional licensing scheme that is compliant with Housing Act 2004 legislation and guidance, it was agreed at Housing Cabinet Member Meeting on 18 January 2012 to extend the consultation.

- The extended public consultation opened on 19 January 2012 and ran until 31 March 2012. It was publicised on the council's web site and in the local Press. 311 people responded via the consultation portal.
- 1010 door to door surveys were carried out with residents and businesses in the wards between 16 February and 21 March 2012.
- 4000 leaflets giving information about the consultation and inviting views were dropped of at dwellings and businesses in the wards between 16 February and 21 March 2012.
- Public consultation took place at various Local Area Team resident meetings between 8 February 2012 and 19 March 2012, where some attendees raised some of the issues they were experiencing from HMOs in the wards.
- A presentation on the proposed additional licensing scheme took place at meetings with the National Landlords Association (NLA), Southern Landlords Association (SLA), Accredited Landlords and Strategic Housing Partnership (SHP) between 14 February 2012 and 23 April 2012.
- Meetings also took place with representatives of Universities and Student Unions from both University of Brighton and University of Sussex

- Overall 64% of people who responded to the extended public consultation would like to see additional licensing schemes in the area although many landlords and agents expressed opposition to additional licensing (detailed in Appendix 1).
- Generally there is stronger support of licensing for those living or running businesses in the five wards with, from the door to door survey:
 - 71% saying they would like to see additional licensing introduced
 - 81% of business responding would like to see additional licensing introduced

5. Financial and other implications

5.1 Financial Implications:

The proposed fees have been set at a level that is reasonably expected will cover the costs of providing the service. They have been based on estimated officer time and associated costs involved in processing the applications, inspections, monitoring and enforcement as well as relevant overheads. Based on processing 2000 licences over the five year period, it is estimated that the resources required would equate to three Technical/ Environmental Health Officer posts and two support posts per year. It is estimated that the cost of providing this service over the five year period will be £1.282m with projected income based on an average £641 fee being £1.282m. It is anticipated that the majority of applications will be received in the first year of operation and it is therefore intended to resource the service flexibly in response to demand.

Finance Officer Consulted: Michelle Herrington

Date: 11/06/2012

5.2 Legal Implications:

The legal framework for the introduction of additional HMO licensing is set out in the body of the report. Designation of the 5 wards cannot come into force unless the designation has been confirmed by the Secretary of State, or falls within a general approval. The proposed designation falls within the 2010 General Approval. If a designation is made, section 59 of the Housing Act 2004 provides for publication of a notice confirming the fact of designation. It is not considered that any individual's human rights are adversely affected by the recommendations.

Lawyer Consulted:

Name Liz Woodley

Date: 18/05/12

5.3 Equalities Implications:

A full equalities impact assessment has been undertaken and is attached in Appendix 1. No negative consequences of additional licensing were identified.

5.4 Sustainability Implications:

Maintenance and improvement of existing housing stock is generally more sustainable than continued deterioration. Licensing of HMOs should improve standards for the residents in those homes and the liveability of residential areas more generally.

5.5 Crime & Disorder Implications:

Additional licensing will assist the Private Sector Housing to have a better understanding of the problems in the five wards. This in turn should be helpful in addressing concerns about crime and disorder and in some cases additional licensing will help reduce the likelihood of neighbourhood nuisance

5.6 Risk and Opportunity Management Implications:

The risks associated with the proposals in this report have been managed in compliance with the Council's risk management strategy and a full risk log is attached in appendix 1

5.7 Corporate / Citywide Implications:

- Additional Licensing will have a positive impact on residents in the five wards, particularly for those living in smaller HMOs.
- Proposals to further consult on Additional Licensing are considered alongside Planning proposals to implement Article 4 directions to control numbers of new HMOs.
- Residents in other parts of the city may consider that issues that have led to proposals for additional licensing in the five identified wards also exist in their area.
- Experience with mandatory licensing suggests that additional licensing would have no significant adverse effect on property supply.

6. Evaluation of Alternative Options

6.1 These are outlined in section 3.9 (b) – Options Appraisal and in Appendix 1

7. Reasons for report recommendations

7.1 These are addressed above and in the relevant appendices

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 – Additional Licensing for Houses in Multiple Occupation. – Full Report

Appendix 2 – Revised Standards for Licensable Houses in Multiple Occupation HMOs (circulated separately).

Background Documents

1. Housing Act 2004 – Houses in Multiple Occupation Licensing Fees and Additional Licensing - Housing Cabinet Member Meeting - 5th January 2011
2. Additional Licensing for Houses in Multiple Occupation (HMOs) Consultation & Admendment of Standards for HMOs- Housing Cabinet member Meeting 18th January 2012
3. Brighton & Hove City Council Student Housing Strategy 2009-2014
4. Brighton & Hove City Council Students in the Community Scrutiny Report – 28 January 2010
5. Brighton & Hove City Council Housing Strategy 2009-14
6. Department of Communities and Local Government (DCLG) – Licensing of Houses in Multiple Occupation in England
7. DCLG – Approval steps for additional and selective licensing designations in England

