





Report of: Housing Scrutiny Committee

To: Executive Board














Date: 5th November 2007

Item No:

Title of Report : Recommendations on the additional HMO Licensing Scheme

Summary and Recommendations

Purpose of report: To present to Executive Board, recommendations made by the Housing Scrutiny Committee on the additional HMO licensing scheme

Key decision: No

Portfolio Holder: Councillor Patrick Murray, Improving Housing Portfolio Holder and Councillor Jim Campbell, Better Finances Portfolio Holder

Scrutiny Responsibility: Housing Scrutiny Committee

Ward(s) affected: All

Report Approved by: Councillor Ed Turner, HSC Chair, Jeremy King, Legal Services

Policy Framework:

Recommendation(s): The Executive Board is asked to respond to the Scrutiny Committee's recommendations:

1. If it agrees or disagrees with the recommendations outlined.
2. If it agrees when will the recommendations be implemented and who will take the lead?
3. If it disagrees why?
4. If more information is required from other officers when that will be considered?

1. Minutes of the Housing Scrutiny Committee – 11th October 2007

43. APPROVAL TO CONSULT UPON AN ADDITIONAL HOUSES IN MULTIPLE OCCUPATION (HMO) LICENSING SCHEME

The Environmental Health Business Manager submitted a report (previously circulated now appended) which sought approval from the Executive Board at its meeting on 8th October 2007, to consult on an additional Houses in Multiple Occupation (HMO) Licensing Scheme.

Gail Siddall attended the meeting and introduced the report and said that the consultation would be open till the end of December 2007.

The Committee was informed that the Executive Board at its meeting on 8th October 2007, had agreed:

- (i) That the Environmental Health Business Manager be authorised to consult upon additional House in Multiple Occupation (HMO) licensing as set out in the report;
- (ii) To consult on a stepped approach starting with Option A and progressing through to Option D, aimed at achieving licensing of all the HMO stock;
- (iii) That consultation on an additional HMO Licensing Scheme should cover the whole of the City Area.

Councillor Williams said that the Community Scrutiny Committee had requested a report on balanced communities as there was the perception that Oxford was becoming polarised, because of the increasing number of HMO's,, which had implications for education and health services in the City.

Councillor Sinclair asked what the percentage was of 3 storey properties registered, how long would the registration last and how would this be managed financially with regard to Officer time? In response Gail Siddall said that 300 properties out of 800 3-storey properties had been registered. The registration would last for 5 years and that a fee would be levied, which would be used to fund the scheme. The fees for the additional licensing were still to be calculated.

Councillor Sareva said that she welcomed the scheme but would like to see houses with families in them being monitored and that Gail Siddall said that this was not possible, however if there were more than two people living in property and they were not related, then this property would fall under the HMO regulations.

Councillor Scanlan asked if it was possible to check if a house was registered. In response Gail Siddall said that there was a public register of licences, however college properties were exempt if that College had signed up to the Code of Practice, which was self-governing. She added that she would be meeting with the Brookes Student Union to discuss HMO issues with them.

The Committee agreed:

- (a) To endorse the scheme and support the recommendations of the Executive Board;
- (b) To recommend the Executive Board:
 - (1). That priority should be given to licensing HMO properties where children were resident;

(2). That following advice from Officers, the fees charged for the additional HMO Licensing Scheme could only be used to fund that scheme, the Executive Board looks again at the budget proposal to raise £70k extra income for the Council to be used on other services;

(3). That the results of the consultation should be presented to the Housing Scrutiny Committee for review prior to the Executive Board taking a decision on this issue.

(c) *To thank Gail Siddall for attending the meeting.*

2. Introduction

2.1 On 8th October Executive Board agreed to consult on an additional HMO licensing scheme for Oxford. Housing Scrutiny Committee considered the proposals for the scheme at its meeting on 11th October. The Scrutiny Committee endorsed the proposals to phase in a HMO scheme for properties currently outside the requirements of the mandatory licensing scheme, but wished to make a couple of comments to Executive Board about this issue.

3. HMO's with children

3.1 The Scrutiny Committee would like HMO's with children resident prioritised for licensing if at all possible. Members are concerned about the health and social impacts of children living in poor quality accommodation and hopes that the Executive Board endorses this aim. It is likely that Housing Scrutiny Committee will repeat this aim when they consider the results of the consultation in early 2008.

4. Budget

4.1 The Housing Scrutiny Committee was interested in how much the fees would be for a five year HMO license. It was noted that this was still to be established, but the committee was informed by officers that whatever was raised from HMO fees could only be used to pay for the scheme. It could not be used to fund other services.

4.2 It should be noted that there is excess in the current HMO licensing account because when the fee for the mandatory scheme was set, this was done without knowing the true extent of the number of HMO's that would fall into the scheme, and there has been a greater number of applications for a license than originally anticipated.

4.3 It is proposed in the indicative budget to raise an additional £70,000 from HMO licensing in 2008/09 and £30,000 in 2009/10 and 2010/11.

4.4 The Housing Scrutiny Committee would like Executive Board to clarify whether the excess raised from the HMO licensing scheme can be used to fund other services (as is suggested in the indicative budget) or whether this has to stay within the HMO licensing budget.

5. Comments from the Portfolio Holder (Councillor Patrick Murray)

- 5.1 The first recommendation on prioritising HMO's with children is not possible as officers have to deal with each application as they come in, although I do appreciate the sentiment.
- 5.2 On the budget issue, I think officers have answered this.

6. Comments from the Portfolio Holder (Councillor Jim Campbell)

- 6.1 Comment on recommendation 2 - The more flexibility we can allow ourselves with the eventual income (from HMO licensing), the better.

7. Comments from the Strategic Director (Michael Lawrence)

- 7.1 None received.

8. Comments from Finance and Asset Management (Nichola Stretton, Group Accountant)

- 8.1 From a finance point of view I need to clarify that should the additional income target suggested be taken up as part of the 08-09 budget process, the income will NOT be used to fund other services as suggested in this report. It will be used to reduce the current budget burden of the existing HMO & Occupational/Residential Health & Safety Team which currently costs the authority £411k (controllable and net of their current income budget) - so in effect it will only fund the scheme(s).

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Background papers:

