

CABINET MEMBER DELEGATED DECISION 26 AUGUST 2021

Report title: Additional Licensing of Houses in Multiple Occupation.

Wards: All

Portfolio: Cabinet Member for Housing and Homelessness, Councillor Maria Kay

Report Authorised by: Bayo Dosunmu: Strategic Director for Resident Services

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REPORT SUMMARY

This report sets out a recommendation for designating the whole of the London Borough of Lambeth subject to Additional Licensing of Houses in Multiple Occupation (HMO). In addition, the report recommends that revised HMO Amenity Standards, HMO Licence Conditions and the Private Sector Housing Enforcement Policy be adopted, which will complement the introduction of Additional Licensing of HMOs.

FINANCE SUMMARY

Officers have estimated that the costs over 5 years for the scheme are approximately £10m and that revenue generation has been matched to cover those costs, which will mean the scheme will generate £10m over 5 years. The proposed fees, discounts, scheme costs and resourcing requirements for the scheme are set out in the accompanying Designation Report. The fees and costs have been profiled over the 5 years that a scheme is expected to run for and account for the likely level of licence applications expected to be received in any one year. This means that some years will produce revenue surpluses and others will see costs being greater than revenue generation. Surpluses will therefore need to be carried forward in an earmarked reserve to offset deficits in subsequent years in order to ensure scheme costs are fully covered over the 5-year period.

RECOMMENDATIONS

- (i) That the Cabinet Member agree that all Houses in Multiple Occupation (except those that are subject to mandatory licensing) in the London Borough of Lambeth are subject to additional licensing as set out in the report at Appendix 1, which is referred to herein as the Designation Report, having considered the representations received in response to the consultation on proposals to introduce additional HMO Licensing as set out at section 5 Designation Report.
- (ii) That the Cabinet Member agree note the EQIA attached to this report at Appendix 2.
- (iii) That the Cabinet Member agree the Designation Report which is attached at Appendix 1.
- (iv) That the Cabinet Member agree that the designation comes into force on the 30 November 2021 and lasts for a period of five years (subject to any call in).
- (v) That the Cabinet Member agree the Conditions to be attached to Houses in Multiple Occupation Licences as set out at Appendix 5 of the Designation Report.

- (vi) That the Cabinet Member agree the Houses in Multiple Occupation Amenity and Space Standards as set out at Appendix 6 of the Designation Report.
- (vii) That the Cabinet Member agree Private Sector Housing Enforcement Policy as set out at Appendix 7 of the Designation Report.
- (viii) That the Cabinet Member agree the scheme be publicised in accordance with the law and before enforcement commences and a comprehensive publicity campaign to begin as soon as the scheme is approved.
- (ix) That the Cabinet Member agree to delegate to the Strategic Director of Resident Services in consultation with the Cabinet Members for Housing and Homelessness and Finance and Performance, the authority to agree minor changes to the proposed implementation and delivery, including administration, fees and conditions where necessary and ensure that all statutory notifications are carried out in the prescribed manner.

1. CONTEXT & REASONS

- 1.1 Regulation of the private rented sector (PRS) has become an ever more important part of our role as the local housing authority, not least due to the size and increasing dominance of the tenure in the borough, which now stands at 34.5% of the total housing market. In the last Lambeth Labour Party Manifesto, improving conditions in the PRS was a major focus with the following commitments made:
- We will expand our landlord licensing scheme to double the number of HMOs covered.
 - We will name, shame and prosecute rogue landlords who fail to provide decent homes, doubling the number of inspections of private rented homes over the next four years so dodgy landlords have nowhere to hide.
 - Use our powers to levy fines of up to £30,000 and to ban rogue landlords from operating in Lambeth.
 - We will introduce a new private renters' charter setting out renters' rights and Lambeth's powers to intervene.
- 1.2 Under Part 2 of the Housing Act 2004 ("the Act"), the Council, as a local housing authority, must licence certain types of HMOs; this is called "Mandatory HMO Licensing". In October 2018, the statutory definition of a dwelling which requires a Mandatory HMO licence was widened to include a dwelling of less than three storeys, provided it is occupied by five or more persons living in two or more separate households. Exceptions to that include purpose-built flats situated in a block comprising three or more self-contained flats. Under the Act, a local housing authority may designate the whole or part of its area for "Additional HMO Licensing" in relation to a description of HMOs specified in the designation. The designation can be made if the Council considers that a significant proportion of the HMOs in the area are being managed sufficiently ineffectively to be likely to give rise to particular problems either for those occupying the HMOs or for members of the public. Sections 56(3) of the Act states that before making a designation for additional licensing the Council 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.
- 1.3 This report sets out, in part, how the service is moving towards meeting the commitment to expand property licensing, by putting forward proposals that would require every type of HMO in the borough to be licensed. The proposals have been subject to a wide-reaching consultation, the results of which and the Authorities response to the consultation can be considered at section 5 of the Designation Report.

Reason for the recommendations

- 1.4 The subsequent designation (if approved) of an Additional HMO Licensing Scheme is a key decision, because the amount of potential revenue this measure may raise is greater than £500,000 and because such a scheme will likely have a significant community impact affecting all wards in Lambeth.
- 1.5 The Housing Act 2004 sets out the grounds on which a licensing scheme can be introduced. These grounds are that 'a significant proportion of the Houses in Multiple Occupation, 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 Houses in Multiple Occupation or for members of the public'. The Cabinet Member is asked to note the evidence set

out in the Designation Report in this regard. The Cabinet Member must be satisfied that that evidence supports the introduction of a borough wide scheme.

- 1.6 The decision to set the date the scheme comes into force allows Officers to consider all the relevant issues that affect the proper administration and enforcement of a scheme, ensuring when it is introduced it is fully fit for purpose and is able to deliver on the agreed objectives. If agreed, the scheme will come into force on 30 November 2021 and will last for five years. If the Cabinet Member's decision is called in, then the date will be 3 months from the date the decision is made following call in.
- 1.1 By agreeing the Designation Report at Appendix one, the Cabinet Member is agreeing that the evidence needed to support the introduction of a borough wide scheme is made out and that the required legislative steps have been carried out. The evidence base relied upon is set out in Appendix 4 Private Rented Sector Housing Stock Condition and Stressors Report.
- 1.2 To support the recommended introduction of Additional HMO Licensing scheme, robust and reasonable HMO standards and conditions are required to ensure the health, safety and welfare of residents living in HMOs and those living with HMOs in their neighbourhoods. The proposed suite of licence conditions and new HMO Amenity Standards are discussed at sections 12, 13 and Appendices 5 and 6 of the Designation Report and recommended to be adopted.
- 1.3 Robust enforcement is required to compliment the proposed introduction of Additional HMO Licensing to ensure those landlords wishing to avoid licensing are routed out and the appropriate and fair action is taken against them.
- 1.4 In PPARS we ensure that our outputs are focused on delivering the Council's overall vision. This work contributes towards the following objectives:

Borough Plan – Objectives	Relevant?
Sustainable growth: a growing economy that everyone benefits from	Y
Resilient communities: communities that are thriving and connected	Y
Independence: people have support to live as well and independently as they can	Y
Place: Lambeth is a place people want to live, work and invest	Y

Resident Services – Objectives	Relevant?
Consistently excellent customer services	Y
Clean, green, safe and healthy environments	Y
Improved outcomes through partnership working	Y
Better use of data/digital	Y
Commercial focus	Y
Equal opportunities for staff	-

2. What is an HMO?

2.1 Under the Housing Act 2004 a HMO is either:

a. A building occupied by three or more persons living in two or more households, where there is a sharing of some or all amenities.

Or

b. A building converted into flats where the conversion fails to meet the 1991 Building Regulations and a third or more of the flats are privately rented.

2.2 Currently the Council operates the mandatory licensing of HMOs as required under the Housing Act 2004. This is a national scheme which applies to HMOs that house five or more persons in two or more households (where there is a sharing of some or all amenities, such as bathing or cooking facilities). It specifically excludes flats that are HMOs in purpose-built flats situated in a block comprising 3 or more self-contained flats. There are a number of properties in Lambeth which are not caught by the mandatory scheme and yet are occupied in the aforementioned way.

2.3 Section 56 of the Housing Act 2004 allows local authorities to introduce a licensing scheme that applies to HMOs not subject to the mandatory scheme. For such a designation to be made, 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.

2.4 In 2018 the London Borough of Lambeth estimated there were approximately 1,900 HMOs, of which predictive models suggested that 70% are likely to fall within the definition of an HMO that the Government say have to be licensed. However, recent data analysis work has significantly revised this estimate to approximately 5,000 HMOs. In relation to the overall PRS market in the London Borough of Lambeth (50,000 homes) the percentage of HMOs is approximately 10% of this market, making HMOs an extremely significant type of housing for the population of the London Borough of Lambeth. Data also shows that Anti-Social Behaviour (ASB) rates (per 1000 properties) are significantly higher in the HMO sector when compared to the PRS as a whole and the 37.6% of the HMOs in Lambeth contain one or more serious hazards that affect the health and safety of the residents of Lambeth.

2.5 The data currently demonstrates that there is sufficient evidence to conclude that there are significant and persistent problems with the management and standard of HMOs in the London Borough of Lambeth. Designating an Additional HMO Licensing scheme will help lead to a reduction in ASB when combined with other measures being taken by the London Borough of Lambeth and its partners. A designation will help contribute towards the corporate strategic housing objectives of driving up housing standards and addressing issues of poor HMO management, whilst at the same time providing tenants with better information about properties they may be planning to rent. It is also consistent with the London Borough of Lambeth's co-ordinated approach towards homelessness and the co-ordinated approach adopted between partner agencies and the London Borough of Lambeth to deal with ASB and other environmental problems.

Key Elements of the Designation Report

2.6 The Cabinet Member's attention is drawn to:

- a. The options appraisal carried out in relation to proposals as set out in Section 4 of the appended Designation Report.
- b. The evidence to support the introduction of a borough wide scheme set out in Section six of the appended Designation Report.
- c. The proposed licensing conditions at Appendix five of the appended Designation Report. These have been reviewed and further developed to support the proper standards, management and provision of effective tenancy arrangements in HMOs. A number of the conditions are mandatorily required, and the Council is then able to put in place discretionary conditions.
- d. The proposed amenity standards at Appendix six of the appended Designation Report. These have been reviewed and further developed to help ensure that HMOs of all types provide sufficient and adequate amenities and that room sizes in HMOs are sufficient to meet the welfare needs of the tenants.
- e. The proposed Enforcement Policy at Appendix seven of the appended Designation Report. The policy has been thoroughly reviewed to support the introduction of Additional HMO Licensing and the need for effective enforcement of it.
- f. If the Designation Report is agreed, the Council must take certain steps as set out in statute to publicise and notify respondents of the decision. These steps are set out in Section eleven of the Designation Report.

3. FINANCE

- 3.1 The proposed fee structure can be seen at Section 10 of the appended Designation Report. This sets out the standard cost for a license and the discounts that will be applied. The revenue generated by the fees seeks to recover, in full, the cost of administering the scheme. The Council is prohibited from making a profit from a scheme. The costs, fees and discounts will be subject to, at least, an annual review.
- 3.2 Officers have estimated that the costs over 5 years for the scheme are approximately £10m and that revenue generation has been matched to cover those costs, which will mean the scheme will generate £10m over 5 years. The fees and costs have been profiled over the 5 years that a scheme is expected to run for and account for the likely level of licence applications expected to be received in any one year. This means that some years will produce revenue surpluses and others will see costs being greater than revenue generation. Surpluses will therefore need to be carried forward in an earmarked reserve to offset deficits in subsequent years in order to ensure scheme costs are fully covered over the 5-year period.
- 3.3 The proposals also take account of case law requiring the fees to be split between administration and enforcement and acknowledge that tacit consent will apply to the proposed scheme in accordance with the Provisions of Services Regulations 2009.

4. LEGAL AND DEMOCRACY

- 4.1 Part 2 of the Housing Act 2004 (the Act) provides a mandatory licensing scheme for certain properties defined in that Act as Houses in Multiple Occupation (HMO). Section 56 of the Act

extends a Local Housing Authority with a power to extend that scheme to certain types of HMO's outside the mandatory scheme by designating the whole or any parts of its area as being subject to Additional Licensing. The Council is obliged to consult those who are likely to be affected by the introduction of such a scheme.

- 4.2 The effect of designating an area for additional licensing is that HMO's in scope would fall to be licensed by the Council and the Landlord (or managing agent) liable to pay a fee to us for the same. The Licensee would be expected to comply with a range of conditions designed to ensure good property and management standards. Section 63 of the Act sets out the Council's powers to fix a fee for this purpose. Any fee set must be fair, transparent and reflect the costs incurred by the Council in carrying out its functions. Fees cannot be used to raise extra revenue for other purposes.
- 4.3 Before making a designation, the Council must in accordance with Section 56 of the Act:
 - 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 likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public;
 - b) Take reasonable steps to consult with persons who are likely to be affected and consider any representations made in accordance with the consultation and not withdrawn; and
 - c) 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.
- 4.4 Section 57 goes on to specify further matters that a Local Housing Authority must do, have regard to, or consider, namely:
 - a) That the exercise of the power is consistent with the authority's overall housing strategy.
 - b) That a coordinated approach is adopted 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;
 - c) 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; and
 - d) That making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well).
- 4.5 The designation report (Appendix 1) provides the evidence to support the introduction of the proposed additional licensing scheme detailed in this report and addresses the matters detailed above.
- 4.6 In April 2015, the Secretary of State granted a general approval for the purposes of section 58(1)(b) of the Act (which reserves to the Secretary of State (SoS) the power to confirm a designation). The condition for that is specified in the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015, namely that the Council carries out a consultation for a minimum period of not less than 10 weeks. As the consultation in this instance was run over 12 weeks, SoS consent will not be required.
- 4.7 Section 56 (3) of the Housing Act 2004, states that when considering designating an additional licensing scheme in their area the local housing 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. This includes residents, local or national businesses, tenants,

landlords and their managing agents both in and outside the authority's area. The extent and outcome of that exercise is highlighted in section 5 of the Designation Report and Appendix 3 which details the quantitative online consultation responses. The following principles of consultation were set out in a recent High Court case: First, a consultation had to be at a time when proposals were still at a formative stage. Second, the proposer had to give accurate and sufficient reasons for any proposal to permit of intelligent consideration and meaningful response. Third, adequate time had to be given for consideration and response and finally the product of consultation had to be considered with a receptive mind and conscientiously taken into account in finalising any statutory proposals. The process of consultation had to be effective and looked at as a whole it had to be fair. Fairness might require consultation not only upon the preferred option, but also upon discarded options. A statutory consultation has been conducted in accordance with section 56(3) of the Act. The Council is obliged to take account of representations received in the course of the same and all material objections must be reported back to the decision maker before a designation is made. All representations received must be properly considered in the light of administrative law principles, Human Rights law and the relevant statutory principles.

- 4.8 Under Section 58 of the Act, where a designation does not require confirmation by the Secretary of State, it cannot come into force until three months after it is made. A designation may be made for up to 5 years.
- 4.9 A Notice of Designation of an Area for Additional Licensing of Houses in Multiple Occupation has to be published in accordance with Section 56 to 60 of the Housing Act 2004 and Regulation 9 of the Licensing and Management of Houses in Multiple Occupation and Other Houses [Miscellaneous Provisions] [England] Regulation 2006. Should the council approve the proposed scheme it will come into force 3 months after the date of approval.
- 4.10 Section 149 of the Equality Act 2010 sets out the new public sector equality duty replacing the previous duties in relation to race, sex and disability and extending the duty to all the protected characteristics i.e. race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity, marriage or civil partnership and gender reassignment. The public sector equality duty requires public authorities to have due regard to the need to:
- Eliminate unlawful discrimination, harassment, and victimisation
 - Advance equality of opportunity and
 - Foster good relations between those who share a protected characteristic and those who do not.
- 4.11 Part of the duty to have "due regard" where there is disproportionate impact will be to take steps to mitigate the impact and the Council must demonstrate that this has been done, and/or justify the decision, on the basis that it is a proportionate means of achieving a legitimate aim. Accordingly, there is an expectation that a decision maker will explore other means which have less of a disproportionate impact.
- 4.12 The Equality Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken – that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the Equality Duty by justifying a decision after it has been taken.
- 4.13 The Council, as a public body, is under a duty to consider whether the exercise of its powers interacts with rights protected by the European Convention, set out in the Human Rights Act 1998.

The Convention rights applicable are:

- Article 1, Part I - protects the right of everyone to the peaceful enjoyment of possessions. No one shall be deprived of their possessions except in the public interest and subject to the

conditions provided for by law and by the general principles of international law. This does not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest etc.

- Article 8 - protects the right of the individual to respect for their private and family life, their home, and their correspondence. There should be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of amongst other matters, public safety, the economic well-being of the country, for the prevention of disorder or crime, for the protection of health, or for the protection of the rights and freedoms of others.

4.14 Any interference with a Convention right must be necessary and proportionate and in pursuing an ETO, the council has to consider carefully the balance to be struck between individual rights and the wider public interest.

4.15 This proposed key decision was entered in the Forward Plan on 7 June 2021 and the necessary 28 clear days' notice has been given. In addition, the Council's Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

5. CONSULTATION AND CO-PRODUCTION

5.1 A wide-ranging consultation programme was commenced on 18 December 2020 for 12 weeks to obtain the views of key stakeholders, including landlords, letting/managing agents, tenants, residents, businesses, stakeholder/representative organisations, as well as neighbouring boroughs. Section five of the appended Designation Report sets out the details and results of the consultation in full. In summary:

- a. 417 responses were received during the consultation.
- b. 66% of residents support proposal to introduce Additional HMO Licensing, with 98% residents supporting a scheme that would be across the whole of the borough.
- c. 81% of private landlords, managing agents, letting agents and landlords' associations oppose licensing, though if licensing were to be introduced 85% would want to see this borough wide.

5.2 The consultation identified key issues for the Council to consider, including the proposed fees, the evidence base, ways to support landlords and agents in tackling ASB more effectively and HMO License Conditions. Landlords and agents criticise the costs and the unfairness of charging good landlords as well as bad.

6. RISK MANAGEMENT

6.1 The main risks that impede on the successful delivery of this consultation are:

Table 1 – Risk Register

Item	Risk	Likelihood	Impact	Score	Control Measures
1	Legal challenge	1	8	8	Ensure statutory requirements and guidance for designating licensing schemes are fully met.
2	IT infrastructure and web development delayed	1	8	8	IT/Web project implemented with sufficient time to deliver Project Group in place managing process Infrastructure/Web tested prior to implementation
3	A significant proportion landlords do not licence properties	3	4	12	Ensure scheme is promoted and landlords are given information. Directly target landlords and their tenants. Use enforcement measures where appropriate and publicise.
4	A proportion of landlords sell their properties	2	1	2	Promote benefits of Licensing. More work with landlords and tenants.
5	Licence fees are passed onto tenants through increased rents	2	2	4	Fees set at reasonable level with appropriate discounts and the business case for licensing is communicated to applicants
6	Higher than planned volume of licensing applications	1	8	8	Ensure application process is as efficient as possible. Match staff resource to workflow and ensure flexible staffing approach to meet demand.
7	Insufficient fee revenue is achieved to self-fund the scheme	1	8	8	Robust financial modelling to provide sufficient margin to mitigate against a shortfall.

					Regular financial reviews of costs and fees
8	Public expectations are too high regarding what the scheme can deliver.	3	2	6	Develop a clear communications plan to promote the scheme and explain what it aims to deliver.

Key

Likelihood	Very Likely = 4	Likely = 3	Unlikely = 2	Very Unlikely = 1
Impact	Major = 8	Serious = 4	Significant = 2	Minor = 1

7. EQUALITIES IMPACT ASSESSMENT

- 7.1 An EIA has been carried out on the proposed scheme. The EIA is appended at Appendix Two.
- 7.2 The Corporate Equality Impact Assessment Panel considered in the EIA on the 25 June 2021 and the outcome of that meeting is set out below:

Recommendations	Department Response to Recommendations (Please insert your response to each recommendation here.)
What data shows the positive feedback and are there certain areas that there are HMOs in Lambeth?	Feedback has given and this has been positive feedback from residents and businesses. Research has found that the spread of HMOs are universal across Lambeth. In Bishops there seems to be more flats turning into HMO's more recently
Is there pressure on parking from HMO's also adding to pollution?	Licensing gives licenses to those HMO's that already exist. There is no control of where HMOs are. The licencing is about how it is run and the health and the safety of the residents that reside within it
Can you see long term positive effects of HMOs on other residents?	A landlord can not evict tenants. Conditions are attached to licence including maintenance and maintenance of outside areas. Cleaning schedules are put into place as part of the council conditions. Officers monitor this and Lambeth is issuing enforcement for Landlords failing to maintain a HMO
How do we look after our residents that are not looked after by the council in the private rented sector?	The service responds to tenants that complain and then if there are grounds there will be enforcement actions taken. The Council is looking at selective licensing but there needs to be evidence to support its introduction
Please explain the Tenancy Relations Officer role?	Some landlords will try to push tenants out, so there will be a team of Tenancy Relations Officers to deal with illegal evictions and harassment so they will exercise the Protection from eviction act. They will also assist for tenant to apply for rent repayment order to apply for a refund of one year's rent through the courts.

When a landlord applies for the licence what is the process?	Measures such as Gas safety, Electrical safety and risk assessment are put into place. The application helps the landlord to have good look at the property and ensure safety and standards are met. The property is risk rated so if it is a tall building with lots of residents there are more visits from the team. The most risky HMOs are prioritised for more inspections
How do we ensure protection for equality groups?	We make sure that everyone has an equal playing field. We can take away how we will be able to do this
How would we ensure that this can be considered in the HMO license conditions?	Yes, we will consider how we can implement this
When is it going to consultation?	Consultation has happened in January 2021
What data shows the positive feedback and are there certain areas that there are HMOs in Lambeth?	Feedback has given and this has been positive feedback from residents and businesses. Research has found that the spread of HMOs are universal across Lambeth. In Bishops there seems to be more flats turning into HMO's more recently
Is there pressure on parking from HMO's also adding to pollution?	Licensing gives licenses to those HMO's that already exist. There is no control of where HMOs are. The licencing is about how it is run and the health and the safety of the residents that reside within it

7.3 Of note was a question concerning how the scheme can ensure licence holders offer protection to protected equality groups. This matter is being considered and legal opinion sought on how that could be achieved. Any changes to the licence conditions as a result of this will be brought back to the EIA panel.

7.4 The EIA Panel Members approved the EIA.

8. COMMUNITY SAFETY

8.1 The Council embraces its duty under section 17 of the Crime and Disorder Act 1998 to prevent crime and disorder and works very closely with colleagues in other enforcement agencies, including the Police, Immigration Enforcement, etc. The development of the licensing proposals takes account of this duty and seeks, where possible, to reduce criminality associated with private sector housing enforcement.

9. ORGANISATIONAL IMPLICATIONS

Environmental

9.1 The scheme will see improvements to the management of HMOs in the borough, which will have positive environmental impacts.

Health

9.2 The scheme will see improvements to the management, standards and tenancy arrangements for HMOs in the borough, which will have positive health, safety and welfare impacts in residents who reside in HMOs.

Corporate Parenting

9.3 Not applicable

Staffing and accommodation

- 9.4 The Council is committed to improving standards in the private rented sector, which is one of the reasons the Service is already subject to a staffing restructure, which will see additional staffing resources brought into the Service to assist with licensing and enforcement. Further additional staffing resources will be added into the Service should an additional HMO licensing scheme be designated to provide support in achieving the schemes objectives, such as a dedicated solicitor. have been requested to provide the support needed to manage and implement this project.
- 9.5 The Service operates a remote service. This means that there will not be additional burdens placed upon Council accommodation.

Responsible Procurement

9.6 Not applicable

10. TIMETABLE FOR IMPLEMENTATION

10.1 The table below sets out the timeline in relation to the statutory consultation on proposals to introduce additional HMO Licensing.

Activity	Proposed Date
Date published on Forward Plan	7 June 2021
Decision Date	26 August 2021
End of Call-in Period (key decisions only)	7 September 2021
Revised Decision Date (if called-in)	TBC
Scheme Implementation	30 November 2021

AUDIT TRAIL

REPORT HISTORY

Name and Position/Title	Lambeth Directorate	Date Sent	Date Received	Comments in paragraph:
Councillor Maria Kay	Cabinet Member for Housing and Homelessness	2 July 2021	4 August 2021	-
Bayo Dosunmu, Strategic Director	Resident Services	2 July 2021	-	-
Andrew Ramsden, Finance	Finance and Property	2 July 2021	13 July 2021	3.1 to 3.3
Jean-Marc Mocarne, Legal Services	Legal and Governance	2 July 2021	19 July 2021	4.1 to 4.15
Democratic Services Wayne Chandai	Legal and Governance	2 July 2021	19 August 2021	Recommendations
Lawrence Conway Communications	Strategy & Communications	2 July 2021	-	
Carmel Howard Human Resources	Human Resources & Organisational Development	2 July 2021	-	
Doug Perry	Environmental Services	2 July 2021	-	
Original discussion with Cabinet Member	01.10.2020			
Report deadline	N/A			
Date final report sent	21 July 2021			
Part II Exempt from Disclosure/confidential accompanying report?	No			
Key decision report	Yes			
Date first appeared on forward plan	7 June 2021			
Key decision reasons	Expenditure, income or savings in excess of £500,000. Meets community impact test.			
Background information	<ul style="list-style-type: none"> MHCLG - Approval steps for additional and selective licensing designations in England – February 2010 The Empowerment Fund (nationalarchives.gov.uk) The Housing Act 2004 Housing Act 2004 (legislation.gov.uk) Licensing Of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 Selective licensing in the private rented sector: a guide for local authorities - GOV.UK (www.gov.uk) London Borough of Lambeth – Metastreet Report - Private Rented Sector: Housing Stock Condition and Stressors Report 			

Appendices	Appendix One – Designation Report and its appendices Appendix Two – Equalities Impact Assessment Appendix Three - Quantitative Online Consultation Responses Appendix Four - Private Rented Sector Housing Stock Condition and Stressors Report
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APPROVAL BY CABINET MEMBER OR OFFICER IN ACCORDANCE WITH SCHEME OF DELEGATION

Signature: _____

Date:

Post: Nigel Lambert: Assistant Director for Public Protection, Assurance & Regulatory Services

I confirm I have consulted the relevant Cabinet Members, including the Leader of the Council (if required), and approve the above recommendations:

Signature: _____ **Date:** _____

Post: Councillor Maria Kay
Cabinet Member for Housing and Homelessness,

Any declarations of interest (or exemptions granted):

Any conflicts of interest:

Any dispensations: