

Council – 14th January 2020

ITEM 9

**Recommendation from Cabinet
7th January 2020**

Coventry City Council

Minutes of the Meeting of Cabinet held at 2.00 pm on Tuesday, 7 January 2020

Present:

Members:

Councillor G Duggins (Chair)
Councillor A Khan (Deputy Chair)
Councillor K Caan
Councillor P Hetherington
Councillor T Khan
Councillor K Maton
Councillor J Mutton
Councillor M Mutton
Councillor J O'Boyle
Councillor P Seaman

Deputy Cabinet Members

Councillor P Akhtar
Councillor R Ali
Councillor B Gittins
Councillor G Lloyd
Councillor D Welsh

Non-Voting Opposition
Members:

Councillor A Andrews
Councillor G Ridley

Other Members:

Councillor R Brown
Councillor J Clifford
Councillor J McNicholas
Councillor K Sandhu
Councillor R Sing

Employees (by Directorate):

Chief Executive's

M Reeves (Chief Executive)

People

G Quinton (Deputy Chief Executive (People)), N Hart

Place

M Yardley (Deputy Chief Executive (Place)), S Bennett,
D, Blackburn, A Chowns, B Hastie, P Jennings,
J Kilgallon, J Newman, R Sugars, A Walster, S Weir

Apologies:

Councillor N Akhtar

RECOMMENDATIONS

65. **Declarations of Interest**

Councillors R Ali, K Caan and A S Khan declared disclosable pecuniary interests in matters the subject of Minutes 67 (Additional Licensing in Coventry – Consultation Results) and 68 (Selective Licensing in Coventry – Consultation Results).

They left the meeting for consideration of these items.

67. **Additional Licensing in Coventry – Consultation Results**

Further to Minute 96/18, the Cabinet considered a report of the Deputy Chief Executive (Place), which set out the results of consultation on Additional Licensing in Coventry.

The report indicated that the Housing Act 2004, Part 2, provided a discretionary power, subject to carrying out consultation, for Local Housing Authorities to licence all private landlords in a designated area with the intention of ensuring that Houses in Multiple Occupation (HMOs) meet a minimum standard of management.

On the 8th January 2019, the Cabinet authorised officers to proceed with a citywide 10-week consultation beginning on the 9th January 2019 and ending on 20th March 2019. The consultation was undertaken in the form of online questionnaires, ward drop in sessions, focus groups and Member meetings. There were a mix of responses but with the highest number being from landlords and residents. The responses highlighted a number of issues that both residents of HMOs experience and residents living alongside HMOs. There was a strong support for the introduction of an Additional Licensing scheme, the fee structure was considered reasonable and proportionate by the majority, likewise there was support to manage the licence period depending upon the compliancy of the particular landlord. There were some concerns around the legality of the fee structure and how the length of licence would be determined in practice. These have been considered and addressed with some recommended amendments. The full consultation results were set out at Appendix 2 of the report submitted. The report also provided a summary and analysis of the consultation results and further recommendations.

In addition, a petition bearing 14 signatures was received objecting to the Additional Licensing and was set out within the report. The petition organiser was invited to the meeting for the consideration of this matter, but did not attend. The petitioners were opposing the imposition of selective and additional licensing schemes and requested that the proposed licensing schemes be stopped. The Cabinet noted the matters raised by the petitioners.

It was proposed that a city wide Additional Licensing scheme be extended to all HMOs in the city (in all 18 wards) and would include all smaller multiple occupied properties not currently subjected to mandatory HMO licensing. This would serve to address all HMOs whatever the size and ensure a level playing field for the quality and management of them.

RESOLVED that, having considered the consultation results attached at Appendix 2, the Cabinet request that the Council approve the following:

- 1. Designate the whole of Coventry City as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all Houses in Multiple Occupation (HMOs), irrespective of the number of storeys, that contain three or four occupiers.**
- 2. Designate the whole of Coventry City as subject to Additional Licensing under Section 56(1)(a) of the Housing Act 2004 for all HMOs as defined under Section 257 of that Act where those HMOs are mainly or wholly tenanted, including those with resident landlords.**
- 3. That the designations in paragraphs 1 and 2 above come into force on the 4th May 2020 for a period of 5 years.**
- 4. Designate the Deputy Chief Executive (Place) to sign the Coventry City Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2020 as attached at Appendix 7 in accordance with the provisions set out in 2M 3 of the Scheme of Delegations in the Council's Constitution.**
- 5. Resolve to adopt the proposed fees and charges structure as attached at Appendix 4 and review those fees annually to ensure they remain reasonable and proportionate and address any issues relating to surpluses or deficits in accordance with case law and the EU Services Directive.**
- 6. Resolve to adopt the HMO Licensing Policy 2020 as attached at Appendix 3.**