

COUNCIL MEETING – 22 FEBRUARY 2010

Amendment to Motion M (2009/10)

(Amendments are shown in bold and underlined, deletions have been struck through)

“This Council Notes:

- The announcement from the Labour Government that there will be new local powers for Councils to control the spread of high concentrations of shared rented homes and to tackle pockets of unsafe and substandard accommodation run by bad landlords.
- That this legislation, due to come into effect from April would change the planning rules, giving local authorities ~~the powers to manage the development of HMOs in their area~~ **further powers to manage the development of HMOs in their area**
- ~~The changes also mean that landlords will need to apply for planning permission in order to establish a new HMO with a change of use and the Council also would have extra flexibility to license landlords~~ **The changes mean that the threshold to require a landlord to apply for planning application to establish a new HMO will reduce from six unrelated people sharing a family home to three.**
- That badly managed HMO's can create serious problems for residents, when the landlord does not comply with the law and does not provide safe and adequate facilities.
- **Since 2004 Local Authorities have had the power to establish additional licensing schemes for problem areas, however this was generally available to Local Housing Authorities considered as “Excellent” or “Good” in Audit Commission inspections**
- **Any Local Authority could apply to the relevant national authority for permission for additional licensing schemes**
- **Local Authorities already have the power;**
 - a) **to revoke HMO licences if landlords breach licence conditions**
 - b) **to refuse reapplication of HMO status (often after 5 years when licences end)**
 - c) **To revoke HMO licences if buildings fail to meet minimum standards**
- The current trials of risk rating systems to assess HMO's in the borough, which targets resource at high risk accommodation.
- The plan to target those problem HMO's on the Ladder and carry out compliance inspections to ensure building and housing standards are in accordance with Building and Planning Law
- The recent work by the Housing Improvement team in Harringay ladder area, via a letter drop informing residents in HMO's of the standards required
- That the recently allocated migration fund is being used to identify and co-ordinate speedy multi-agency action

- The new strategic Corporate HMO Strategy currently under development which will target at problem premises through coordinating services in Street Action plans.
- The strengthening of the application process for Certificates of Lawfulness, including reinvestigating suspicious applications.
- The Council has begun to revoke Certificates of Lawfulness where relevant
- The development of a Rogue Landlords/Property Initiative, which will establish a target list of offenders who will face action from a number of services including Legal Services, Police and Enforcement Officers.
- The work of the HMO Members Advisory Group in tackling problem HMO's and unauthorised developments.

This Council Believes

- That we have a duty of care to all residents to ensure that standards of housing are of a decent level, and do not have a negative effect on vulnerable residents.
- That badly managed HMO's can be a source of anti social behaviour in the borough, particularly issues relating to noise.
- The increased number of HMO's provides strain on infrastructure and services in Haringey, specifically regarding parking and waste collection.
- We should engage with cooperative landlords whilst ensuring that those landlords who fail to work proactively with the council and its strategic partners shall face repercussions.
- That prosecuting those landlords who do not comply with legislation sends a strong message to other rogue landlords but the courts need to use the full powers available to them
- That as soon more information on the recent legislative change is available the Council should commit to use all of the powers available

This Council Resolves:

- To liaise with the Department of Communities and Local Government and relevant ministers to provide greater clarity on HMO legislation and remove bureaucracy.
- To work with landlords, occupants of HMO's, and resident groups to accommodate the needs of all, particularly providing education about anti social behaviour.
- Finalise and implement the Corporate HMO Strategy and Rogue Landlords/Property Initiative to tackle at risk premises in the borough.
- To support those landlords who are cooperative and ensure that those who fail to comply with the law face repercussions.

Proposed – Cllr Matt Davies

Seconded – Cllr Karen Alexander