

Executive
18 March 2021

Title: HMO Licensing and Planning Permission - Addendum
Lead Officer: Mark Lingard, Private Sector Housing Manager
Portfolio Holder: Jan Matecki
Public report
Wards of the District directly affected: All

Contrary to the policy framework: No
 Contrary to the budgetary framework: No
 Key Decision: yes
 Included within the Forward Plan: Yes
 Equality Impact Assessment Undertaken: No
 Consultation & Community Engagement: Yes
 Final Decision: Yes
 Accessibility checked: Yes

Officer/Councillor Approval

| Officer Approval | Date | Name |
|--|-------------|--------------------------------|
| Chief Executive/Deputy Chief Executive | 01/03/21 | Bill Hunt |
| Head of Service | 15/02/21 | Lisa Barker |
| CMT | 01/03/21 | Chris Elliott |
| Section 151 Officer | 01/03/21 | Mike Snow |
| Monitoring Officer | 01/03/21 | Andrew Jones |
| Finance | 15/02/21 | Andrew Rollins/Victoria Bamber |
| Legal | 29/10/20 | Max Howarth |
| Portfolio Holder(s) | 22/02/21 | Councillor Jan Matecki |

The changes were necessary following several requests for clarification of various points within the Executive report and Appendix A which sets out the proposed policy details. Furthermore, it had not been appreciated that the recommendation for the delegated authority required Executive to make a recommendation to Council.

1. Addendum

- 1.1. Following suggestions made prior to the meeting by the Head of Housing Services and the Portfolio Holder, Housing and Culture, the Overview and Scrutiny Committee **recommended** that wording in Appendix A to the report and Recommendation 2.3 in the main report, be amended to read:

Appendix A "Warwick District Council HMO Licensing and Planning Permission Policy – Private Sector Housing", section 3.0 – Implementation"

When an HMO licence application is received for the first time or in advance of an HMO licence being renewed the Private Sector Housing Team will check the planning status of the property with the Planning Enforcement Team.

Where planning permission is needed the landlord will be required to apply for planning permission within the following **time** scales:

- Landlords making an HMO licence application for the first time **where there are no current residents will be advised to obtain planning permission before their licence can be issued.**
- **Landlords making an HMO licence application for the first time where residents are currently in occupation to be given two months to submit a valid planning application before enforcement action is taken.**
- **Landlords making an HMO licence application who submit a planning application within the required time but then who fail to provide any required documentation within a two month period will be subject to enforcement action.**
- Landlords of properties where an HMO licence needs to be renewed, must submit a valid planning application **in time for this to be considered** before the current licence expires. **A new licence will not be issued without planning permission being in place**

Recommendation 2.3 in the report

Note that landlords of relevant properties that require an HMO licence, **where those properties have residents occupying and using the premises as an HMO**, and do not have planning permission will face enforcement action if they do not apply for permission **within the required timeframe.**

Recommendation 2.4 in the report

That, subject to approval of recommendation 2.1, Executive approves the delegation of authority to the Head of Housing Services to take appropriate action under this policy to ensure compliance with all its requirements, including the need to obtain planning permission, and asks Council to update the Constitution to reflect this change.