

Summary of Comments made on the Executive Agenda for
Thursday 18 March 2021

3. Community Infrastructure Levy (CIL) Projects List for 2021/22

The Finance & Audit Committee supported the report.

5. HMO Licensing and Planning Permission

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:

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

Current wording:

When an HMO licence application is received for the first time or in advance of an HMO license 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 times scales:

- Landlords making an HMO license application for the first time be given two months to submit a valid planning application.
- Landlords of properties where an HMO license needs to be renewed, must submit a valid planning application before the current license expires.

Recommended wording:

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 main report:

Current wording:

2.3 Note that landlords of relevant properties that require an HMO license and do not have planning permission will face enforcement action if they do not apply for permission.

Recommended wording:

2.3 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 main report

The Head of Housing Services in liaison with the Portfolio Holder, were both asked to take appropriate advice, legal or otherwise, and re-word Recommendation 2.4 in the report which would then be presented to Executive for approval on 18 March 2021. It was felt that the current wording of the recommendation was not making clear which policy was being referred to for the requirement that planning permission be obtained.

The Executive are required to vote on this because it forms a recommendation to them.

As a general observation, following advice received from the Head of Housing Services the following day, "license" should be spelt "licence", and it is suggested that this correction is made to the policy document.

8. Review of Significant Business Risk Register

The Finance & Audit Scrutiny Committee noted the report.