



Discretionary Licensing - Presentation to Bristol Homes Board

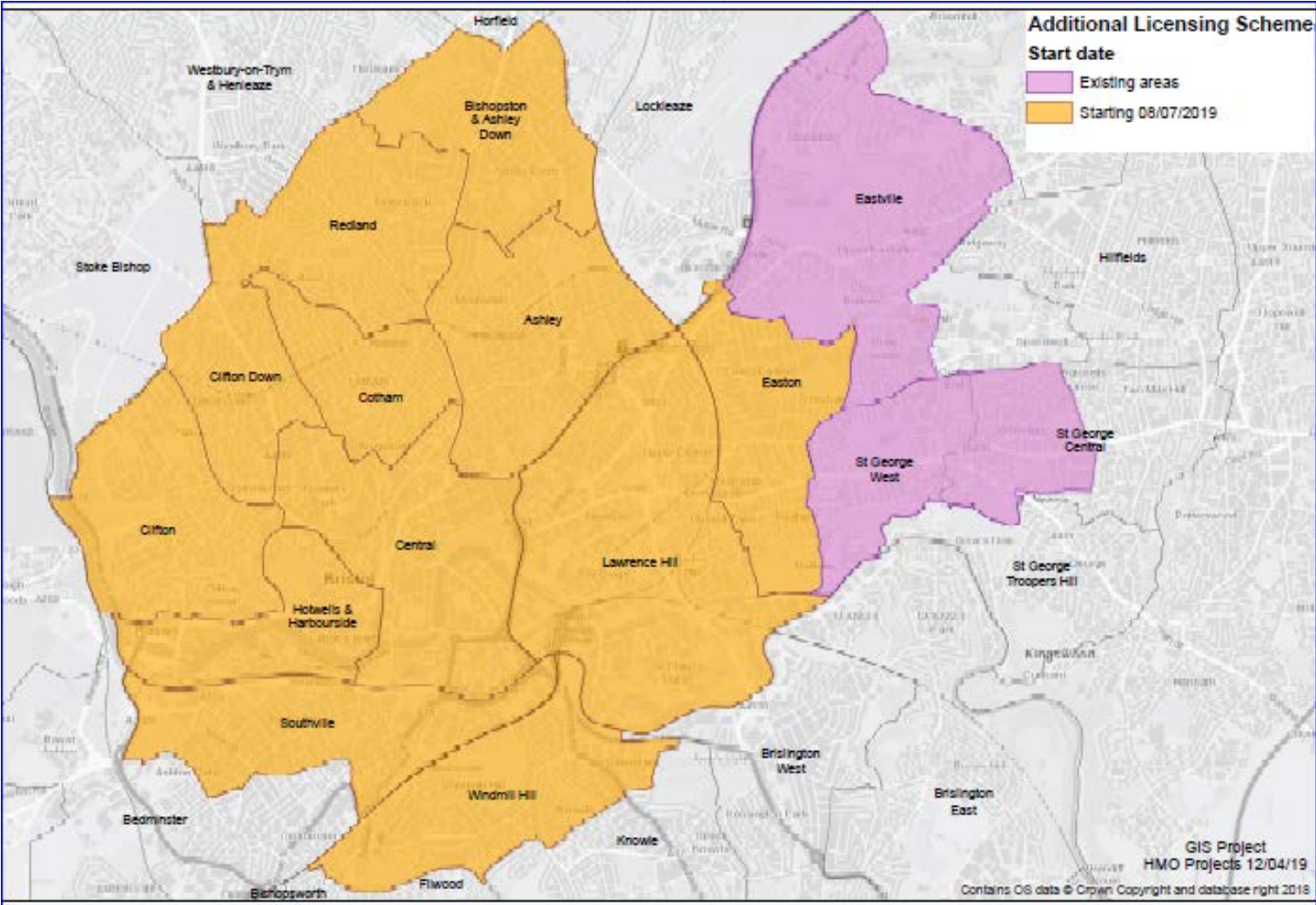
Discretionary Licensing Schemes

- Bristol's discretionary licence schemes
 - Stapleton Road (April 2013 - April 2018)
 - Eastville / St George (2016 - June 2021)
 - Central Additional Licensing scheme comes into force on 8th July 2019
- Also mandatory Licensing of large HMOs with 5 or more unrelated occupants (2006 – ongoing)

Bristol Profile – Building Research Establishment Report 2017

- There are 200,945 dwellings in Bristol
- Private Sector housing accounts for 81.5% of the stock
- PRS accounts for 28.9% of all housing in the city and still growing
- This is 9% above the national average
- 22% of PRS are Houses in Multiple Occupation (HMOs) (12, 559)
- 62% HMOs are in the central wards of Bristol
- 20% of these come under mandatory HMO licensing
- 56% potentially meet ‘Additional’ HMO licensing criteria
- HMOs in the private rented sector in Bristol are generally in poorer condition than non-HMOs
- 22% of PRS HMOs have category 1 hazards and 9% are in a state of disrepair (compared to 13% and 6% in non-HMOs in the PRS)
- 15% of low income households live in an HMO in the PRS

Discretionary Licensing Areas in Bristol



Central Additional Licensing Scheme Consultation

- Initial 12 week consultation took (19th Feb-13th May 2018)
- **69%** of 2746 responses agreed or strongly agreed that AL would help resolve the issues of poor management and poor condition conditions in HMOs,
- A 2nd consultation (8th Nov to 20th Dec 2018) sought views on a revised fee structure.
- **47%** of 257 responses strongly agreed or agreed that the revised fee structure was fair.
- Those consulted included: Landlords & Agents, Private Tenants in the area, other residents, landlord & tenant organisations, student union, councillors/ MPs

Exemptions

- Student accommodation managed by ANUK under National Code of practice are exempt
- HMOs owned and managed by Bristol University or University of the West of England are legally exempt

Fee Structure

- Fee structure had to be reviewed following High Court case [Gaskin v Richmond upon Thames \[2018\]](#)
- Licence fee income ring-fenced for the processing licences, administration and enforcement
- Fees payable in two parts – Part 1 fee for application processing and Part 2 for enforcement and administration. (see Table 1)
- Additional fee of £100 for applicants who are found to be unlicensed.
- Discounts for valid safety certificates (£150) and West of England Rent with Confidence members (£50)
- Loans may be available to landlords to help fund works needed to bring properties up to licensing standards

Total Fee breakdown

Application Status	Discount Amount	Fee (New Application)	Fee (Renewal Application)
Licence application and fee* received with no safety or EPC certificates and no Rent with Confidence membership	£0	£1,255	£1,055
Minus discount for Rent with Confidence membership only but no safety/EPC certificates	£50	£1,205	£1,005
Minus discount for satisfactory safety/EPC certificates but no Rent with Confidence membership	£150	£1,105	£905
Minus discount for both Rent with Confidence membership and satisfactory safety/EPC certificates	£200	£1,005	£855
Plus Investigation cost for finding unlicensed property	£100	£1,355	£1,155

Licensing Standards

- Amenity standards include
 - Room sizes
 - Occupation
 - Heating/ventilation
- Fire standards
 - Fire alarms
 - doors and partitions
 - Means of Escape

Property Licence Conditions

These include:

- There are in total 38 HMO licence conditions to meet and a further 8 Code of Good Management practice standards
- Meet HMO licensing standards and undertake all work contained in the license conditions: fire precautions, space heating, bathroom and kitchen facilities etc.
- Property to be maintained in good repair and facilities and equipment must be kept in a safe condition and good working order;
- Have valid fire alarm, emergency lighting and gas and electrical safety test certificates and an EPC
- Tenants provided with a written tenancy agreement
- Have a working smoke alarm installed on each floor and where there is a solid fuel burning combustion appliance, a carbon monoxide alarm

Stapleton Road Scheme Outcomes

Detail	Number
Number of properties licensed	1207
Number of licence inspections undertaken	2485
Number of licensable properties where at least one serious hazard identified	396
Number of licensable HMOs where management breaches identified	137
Number of referrals made to other agencies/ Departments	204
Number of Service Requests received in the license area	1549
Number of notices served both formal and informal	665
Number of Civil Penalty Notices issued for not licensing a licensable property	2

Eastville / St George outcomes (so far)

Detail	Number
Number of properties licensed	3122
Number of licence inspections undertaken	3079
Number of licensable properties where at least one serious hazard identified	440
Number of licensable HMOs where management breaches identified	181
Number of referrals made to other agencies/ Departments	301
Number of Service Requests received in the license area	3080
Number of notices served both formal and informal	747
Number of Civil Penalty Notices issued for not licensing a licensable property	9

Central Bristol HMO scheme – Operational Plan

The delivery plan is programmed in two phases

Processing and issuing:

- processing of the licence applications and issuing of the licence within 2 years of satisfactory application.
- inspection of all known licensable properties within the 5 years

The inspection programme priorities:

- Landlords with previous enforcement action against them
- Where tenants are known to be or we are made aware of vulnerability
- Landlords known to us with a history of poor management
- Work with high portfolio landlords and agents in coordinating inspections
- Minimises car use, car sharing and promote public transport, cycling etc. (where practicably possible)
- The programme will be regularly reviewed to ensure we keep on track

Recruitment is underway for additional staff resources

Conclusion

- It is a legal requirement to licence HMO
- Restrictions on landlords serving section 21 notice to quit
- All properties will be inspected
- Licence conditions and standards must be complied with
- Living conditions are improved above the legal minimum
- Fear of eviction for tenants who complain reduced
- Failure to licence a property or comply with conditions can result in enforcement action (prosecution/CPN)
- The scheme is self funding from licence fee income

Questions?

tom.gilchrist@bristol.gov.uk