
Bath & North East
Somerset Council

Additional HMO Licensing 2018

Consultation
Document

Bath and North East
Somerset Council Housing
Services



This consultation document seeks views on proposals to implement an additional licensing scheme for Houses in Multiple Occupation (HMOs) in all wards within the Bath City area. A map of the area is shown in Appendix 1.

A 10 week public consultation begins on 16th March 2018 and ends on the 25th May 2018. Once this process has been completed the Cabinet will make a final decision whether to implement an additional HMO licensing scheme and if so, the detail of the licensing scheme.

This document explains the background evidence to support an additional licensing scheme in Bath and North East Somerset, and the proposed details of the scheme and how it could work in practice.

The Council invites comments in response to this consultation from all stakeholders including tenants, local residents, landlords and agents.

Please click [here](#) to complete the associated questionnaire online.

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Introduction

The Private Rented Sector (PRS) in England has grown from 1 in 10 households in 2004 to 1 in 5 households in 2017¹. Local data gathered in 2017 indicated that the PRS in Bath and North East Somerset is higher than the national average and growing quickly, now accounting for 27% of dwellings in the district².

Privately rented homes shared by 3 or more people in 2 or more households and sharing one or more facilities, account for 16% of the private rented sector in B&NES. These properties are referred to as Houses in Multiple Occupation (HMOs).

HMOs are often associated with poorer standards of management and quality and tend to be occupied by the more vulnerable members of society, often on lower incomes who lack social mobility and choice. Mandatory Licensing of larger HMOs has been designed to tackle this and ensure that the poorest and highest risk properties in the private rental market meet legal standards and are properly managed to provide greater protection of the health, safety and welfare of the occupants of this type of property.

In Bath and North East Somerset, recent stock modelling indicates that 21% of the privately rented HMO stock falls below the minimum statutory housing standard. Housing Services Officers deal with a significant number of issues and complaints originating from HMOs requiring work with landlords to facilitate improvements. Whilst mandatory licensing captures larger HMO properties, it does not apply to smaller HMOs with less than 5 occupants.

To help ensure smaller HMOs are well managed and meet minimum safety standards, the Housing Act 2004 allows Local Authorities (LAs) to extend licensing to other PRS properties and this comes in two forms:

- **Additional licensing of HMOs:** enables LAs to licence other classes of HMOs which don't come under the mandatory licensing regime. It can apply to specific types of HMOs in specific areas as determined but the LA.
- **Selective licensing:** enables LAs to extend licensing to other types of properties in the PRS other than just HMO's.

The proposed scheme would include all Houses in Multiple Occupation (HMOs) in the designated area of Bath City that are not already subject to mandatory licensing (or exempted by the relevant sections of the Housing Act 2004), subject to the exception below:

Exception:

1. Buildings converted entirely into self-contained flats (s257 HMOs), although the individual flats maybe licensable in their own right.

¹ English Housing Survey, 2017

² Building Research Establishment (BRE), 2017

2. Purpose built student accommodation where the organisation which manages the building is subject to a national approved code of practice and the building in question is subject to that code.

Please note that a building occupied by the owner(s) and their household and no more than 2 other persons is not regarded as an HMO under current legislation and therefore would not be required to be licensed under this proposal.

Why is Bath and North East Somerset (B&NES) Council considering additional licensing in Bath City?

Although lots of good work has been undertaken in B&NES to improve property standards, HMOs with shared facilities in many parts of the City of Bath are not adequately regulated through the mandatory licensing scheme. This leads to a range of common problems such as housing complaints, higher rates of housing health and safety hazards, rubbish accumulation, poor garden maintenance and disrepair.

In 2013, an additional (HMO) licensing scheme was introduced in 3 wards in Bath City: Westmoreland, Oldfield and the northern part of Widcombe, and includes all HMOs with shared facilities.

The objectives of the scheme were to ensure minimum standards of safety and welfare; effective and appropriate management; reduction in the impact of poor HMOs on the community; reduction in poor energy efficiency and excess cold and support for landlords and agents to meet their obligations.

A recent evaluation of the scheme has shown that licensing has been beneficial in improving standards across the designated area by reducing significant hazards, addressing management regulation failures and improving welfare conditions.

The additional licensing scheme has licensed over 1,000 HMOs (900 Licence Holders), covering over 4,000 bed spaces. The regulation of these homes has identified poor standards including inadequate fire precautions, breach of minimum standards and welfare issues which have been identified for improvement and proactively addressed by Housing Services. The HMOs in the scheme have been made more transparent to the Council and to the community, allowing the Council to efficiently contact the owners and managers for action and compliance.

Over 1,700 inspections have taken place and over 2,000 property specific licensing conditions have been applied to properties. On initial inspection, 31% of HMOs were found not to meet the minimum statutory housing standard because they contained a significant health and safety hazard.

Officers have worked extensively in the additional licensing area enforcing legislation and raising standards where required, acting on local intelligence and using a range of tools to identify unlicensed HMOs. Through this work properties have been brought into the scheme and standards raised, and where appropriate enforcement action has been taken. Enforcement of the scheme has resulted in

35 simple cautions being issued and six successful prosecutions for failing to licence properties under the scheme.

The Council feels that this first B&NES additional licensing scheme has been successful in improving standards of HMO properties in the designated area. However, these 3 wards are not the only areas in Bath City that have HMO properties and the council feels there is a strong argument to extending the Additional Licensing scheme across the whole of Bath City. This would ensure that almost all HMO properties within the local authority area would be subject to licensing and would improve property and management standards across a large proportion of the private rented sector.

Along with evidence from the current scheme in the 3 wards in Bath City, the Council has considered the evidence from a range of other sources before coming to this decision on a proposal for a further Bath City wide Additional HMO Licensing Scheme. The council believes that introducing Additional (HMO) licensing in Bath City will:

- Ensure that properties are managed properly
- Improve communities across the designated areas
- Reduce complaints of poor housing conditions, noise, rubbish, overgrown gardens, and disrepair related to private rented sector housing (PRS)
- Ensure that the licence holder and property manager are suitable
- Ensure that the standards of accommodation provide a safe and healthy environment (such as having adequate fire, gas and electrical safety, suitable room sizes and adequate kitchens/ bathrooms for the number of tenants)
- Identify the location of HMOs and the name and contact details of landlords responsible for them.

What is the proposal?

Bath and North East Somerset Council is proposing to introduce an Additional (HMO) Licensing scheme for Houses in Multiple Occupation (HMOs) across the whole of Bath City as shown in Appendix 1.

Licensable HMOs that would be included in the scheme would have 3 or more occupiers from 2 or more households where there is sharing of a basic amenity such as a bathroom, WC or kitchen, regardless of the number of stories.

The scheme would run for a period of 5 years during which the Council would undertake a review of the scheme. At the end of the 5 years the scheme ceases to exist unless the Council designate a further scheme following and appraisal of the evidence of need and public consultation exercise.

The objectives of the scheme would be to achieve:

- minimum standards of safety and welfare or better for HMO residents;
- effective and appropriate management of HMOs;

- a reduction of the impact of poorly managed HMOs on local communities;
- the provision of support for landlords and agents to meet their objectives;
- high levels of compliance with licence conditions; and
- effective enforcement of the scheme.

Further details of the proposal are presented later in the consultation document.

What are the benefits of licensing?

The aim of the scheme is to lead to an improvement of the management and property conditions across the designated area through engagement with HMO owners and managers. Members of B&NES Housing Standards and Improvement Team will carry out inspections of licensable HMOs, be available to offer advice and support to both landlord and tenant and enforce licensing and other legal requirements. Licensing of privately rented properties, albeit often unpopular, can provide benefits to tenants, landlords and the wider community.

What are the benefits of licensing for landlords?

- All landlords will receive information and support to help them meet legal requirements for safety and management
- Landlords whose properties currently meet legal standards will operate in the knowledge that all HMOs in the area will have to do likewise
- Greater ability for the landlords to set out what is expected of tenants
- Improvement in the reputation of private landlords.

What are the benefits of licensing for tenants?

- A clear set of rules that all landlords must follow
- A landlords code of good management practice
- Inspections and follow up to ensure that minimum standards for rented housing are met.

What are the benefits of licensing for the community?

- Better managed rented housing
- Reduced environmental problems, such as litter and overgrown gardens
- Protect vulnerable people who may currently live in poor condition properties
- Public register means that landlords of problem HMOs can be contacted by neighbours directly to deal with concerns.

How licensing fits with Bath and North East Somerset Council's strategies

The Additional (HMO) Licensing proposal is consistent with the Council's overall housing strategy, including:

- The Council's **Economic Strategy (2014-2030)** states that it is B&NES's aim that the "local housing market is balanced and integrates a choice of high quality homes including affordable homes in thriving vibrant, sustainable communities" and that B&NES will "enforce minimum standards in rented housing and offer guidance". This is particularly important now that the private rented sector makes up 27% of the housing stock (21,000 properties) and that recent stock modelling indicates that 21% of the HMO stock falls below the minimum statutory housing standard.
- The Council's **Homelessness Strategy (2014-2018)** in which includes a priority to "Protect housing standards and conditions in low cost private rented housing".

Co-ordination with other broader functions

The additional licensing proposal will co-ordinate with, and support, a range of broader corporate functions, including:

- Welfare reform means that multiple occupancy accommodation is likely to become the realistic housing option for more people, particularly those on lower incomes. Additional (HMO) licensing will help to ensure minimum standards of safety and management are achieved in this type of accommodation allowing this resource to be used more effectively by the Housing Options & Homelessness Team.
- The Council's Homelessness strategy includes an action to increase the number of people living in private rented accommodation that meets the Decent Home Standard. Licensing will assist with this approach by ensuring all HMOs with shared facilities in the designated area are inspected and brought up to the minimum statutory standard where required.
- Knowledge of HMOs addresses and contact details of landlords/HMO managers will help Waste Services to reinforce the information and key messages provided to tenants and landlords for waste collection arrangements, times and reporting problems. The licence condition on arrangements for recycling and rubbish assists with waste and recycling initiatives and to reduce amenity issues.
- Knowledge of HMOs addresses and contact details of landlords/HMO managers allows the Council to more effectively deal with incidents of nuisance including noise, overgrown gardens and pests. This work will be assisted by the licencing conditions and information held on the public register of licence holder.
- An accurate knowledge of HMOs addresses supports and informs HMO Planning decisions, which are based, at least in part, on the concentration of HMOs within the locality.

- The public register of HMO aids and supports the Council's agenda around transparency and community engagement.

Alternatives to licensing

The Council has considered whether there are any courses of action, other than Licensing, that might achieve the same objectives in the proposed area.

The following alternative options have been considered to deal with the problems associated with some HMOs in B&NES:

- **Targeted proactive enforcement** - A Council funded pro-active enforcement programme to inspect all HMOs is not viable in the current financial climate. Furthermore, this option would not provide the Council with the accurate information on the location and management of HMO properties on the scale needed for an effective improvement scheme.
- **Reactive house condition inspections and enforcement** - Reactive enforcement is a course of action that will continue and will run alongside additional licensing as it already does with mandatory HMO licensing. However, enforcement only addresses individual properties one at a time and is reliant on tenants and other parties making a formal complaint to the Council. Tenants who are concerned about the loss of their tenancy due to retaliatory eviction may not come forward despite the new protections that exist. They may also lack awareness and knowledge on how and when to seek help.
- **Voluntary initiatives** - In the past, the Council have operated a voluntary property accreditation scheme. It was successful in improving a significant number of properties; however, being voluntary it only attracted those landlords keen to ensure they met legal safety and management standards. It did not find and engage with landlords of the potentially poor quality properties and who were not concerned about meeting current safety and management standards or unwilling to become known to the Council. As such, this type of initiative has limited impact and will be highly unlikely to improve the sector as a whole.
- **Co-regulation** - To assist those landlords who want to provide safe and good quality properties, B&NES in conjunction with its West of England Partners, operates a **Rental Standard** which endorses providers of accreditation schemes who require their members to meet certain standards. The voluntary scheme aims to recognise good practice and improve standards in the private rented sector by engaging with landlord and agent associations and representative bodies. The purpose of the Rental Standard is to help those landlords who want to follow good practice in managing their properties. However, it is not intended to ensure compliance and the schemes vary by provider. Therefore, even within those properties whose landlords are members of such as scheme, the standards of safety and management may not meet minimum legal standards. The remaining properties with no link to a scheme would also have to be identified and inspected by the local authority which is problematic and not viable given the costs which would be incurred.

- **Mandatory HMO licensing only** - Mandatory licensing only covers the larger HMOs with shared facilities (3 or more storeys with 5 or more people). It does not cover the majority of HMOs most of whom house less than 5 people or are only 2 storeys high and which can still pose risks to tenants. The scope of mandatory HMO licensing will change in the future to include HMOs with 5 or more occupants, regardless of storeys. However, it will not include HMOs with 3 or 4 occupants.
- **Additional licensing designations to cover smaller or larger areas** - The evidence currently points towards Bath City as benefiting most from an Additional HMO Licensing scheme. Other options where the evidence supports HMO Licensing include a further scheme covering the existing Additional Licensing area of Westmoreland, Oldfield and Part of Widcombe and a scheme covering the existing Additional Licensing area plus the surrounding wards of Twerton, Newbridge and Kingsmead.
- **Selective licensing** - Subject to satisfactory evidence of meeting the legal criteria, this option is available for requiring all privately rented accommodation to be licenced as determined by the Local Housing Authority. This option has not been explored in detail to date, given the focus on HMOs.
- **Management Orders** - The use of Interim Management Orders (IMO) can be used for individual HMOs to take the management away from the landlord for up to 12 months. IMOs are not an area based approach and can only be used on individual properties as a reactive response to protecting health, safety and welfare.

Licensing Scheme being considered

The Council is therefore proposing to introduce an 'Additional (HMO)' licensing scheme for privately rented properties across Bath City with 3 or more occupiers from 2 or more households where there is sharing of a basic amenity such as a bathroom, WC or kitchen, regardless of the number of storeys.

Mandatory HMO licensing already operates in Bath and North East Somerset and applies to any private rented property where it is rented to 5 or more people who form more than 1 household, where it is at least 3 storeys high and where tenants share toilet, bathroom or kitchen facilities.

Having more than one household living in a property can increase the risk to the health, safety and welfare of the occupiers if the property is not properly managed. A number of landlords do not maintain their properties, leaving tenants at risk, and failing to adequately manage their properties leading to anti-social behaviour affecting neighbouring premises. For properties with 3 or more occupiers that are shared by more than one household outside of the above mandatory criteria, an Additional Licensing (of HMO properties) designation may be made if a Council considers that a significant proportion of HMOs of a defined description, in a designated area are being poorly managed to an extent which will give rise to **one or more** particular problems either for those occupying the property or members of the public.

The Bath City area is proposed for 'Additional (HMO)' licensing.

Having reviewed the data across the proposed areas and sought legal advice, Bath and North East Somerset Council is of the opinion that the legal test for designating Bath City for Additional (HMO) Licensing has been met. This is based on the following:

1. The presence of housing health and safety hazards within HMOs located in the Bath City results in an adverse impact on the occupants.

- Council inspection of HMOs at the start of the existing Additional HMO Licensing scheme found significant HHSRS hazards for 31% of properties. A similar rate of hazards is likely to be found elsewhere in the City irrespective of the geographical area covered (R1).
- Table 1, A Comparison of Category 1 hazards in the Private Rented Sector for HMO and non HMO dwellings, shows a significant level of hazards and disrepair in HMOs across Bath City and for many wards a higher level of hazards in HMOs than non HMOs (R4).

Table 1: A Comparison of Category 1 hazards in the Private Rented Sector for HMO and non HMO dwellings

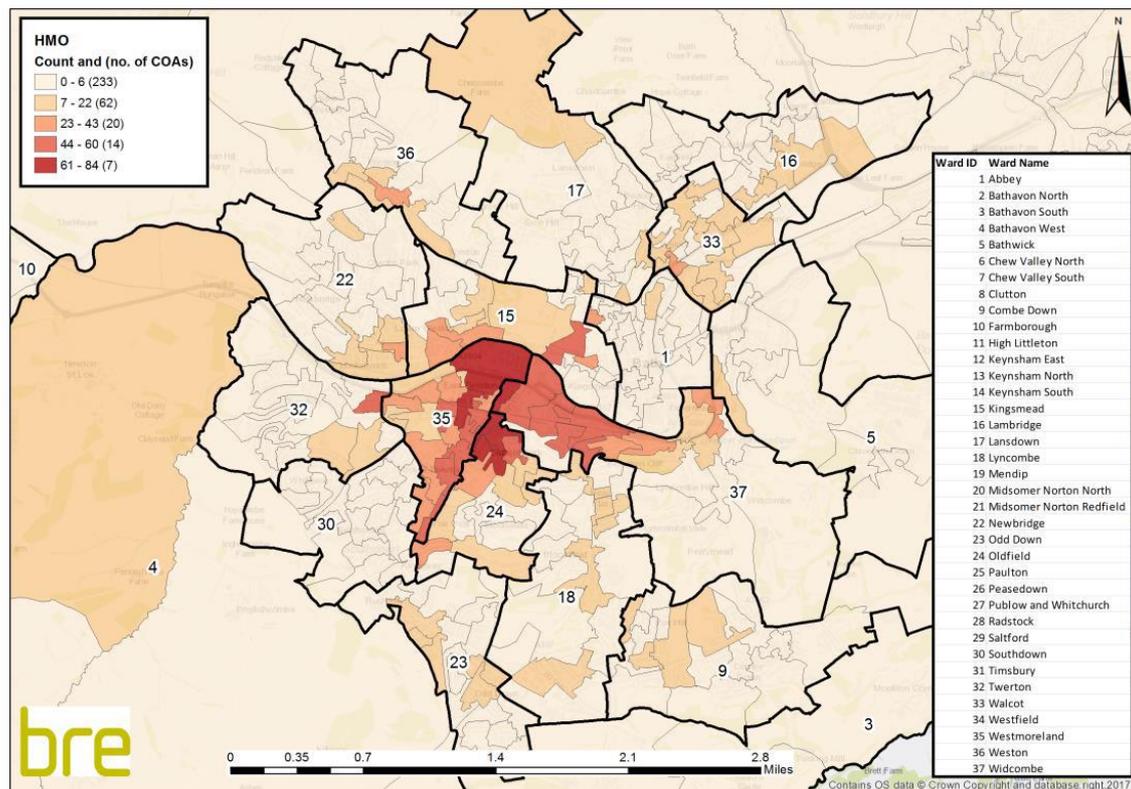
Ward	Non HMO			HMO		
	Number	% C1	% Disrepair	Number	% C1	% Disrepair
Abbey	2879	16	9	110	43	16
Bathwick	537	7	4	28	32	4
Combe Down	359	13	4	69	17	10
Kingsmead	1518	13	8	258	26	11
Lambridge	468	12	4	77	22	12
Lansdown	1345	14	6	69	23	22
Lyncombe	2113	16	4	70	14	11
Newbridge	2401	13	4	121	26	11
Oddown	348	10	3	87	14	7
Oldfield *	233	17	5	536	0	10
Southdown	224	11	3	57	14	9
Twerton	342	19	4	110	17	8
Walcot	1228	9	8	202	24	7
Westmoreland *	971	10	6	800	0	8
Weston	397	14	6	80	11	0
Widcombe *	805	14	10	485	0	8

* Existing Additional (HMO) Licensing scheme

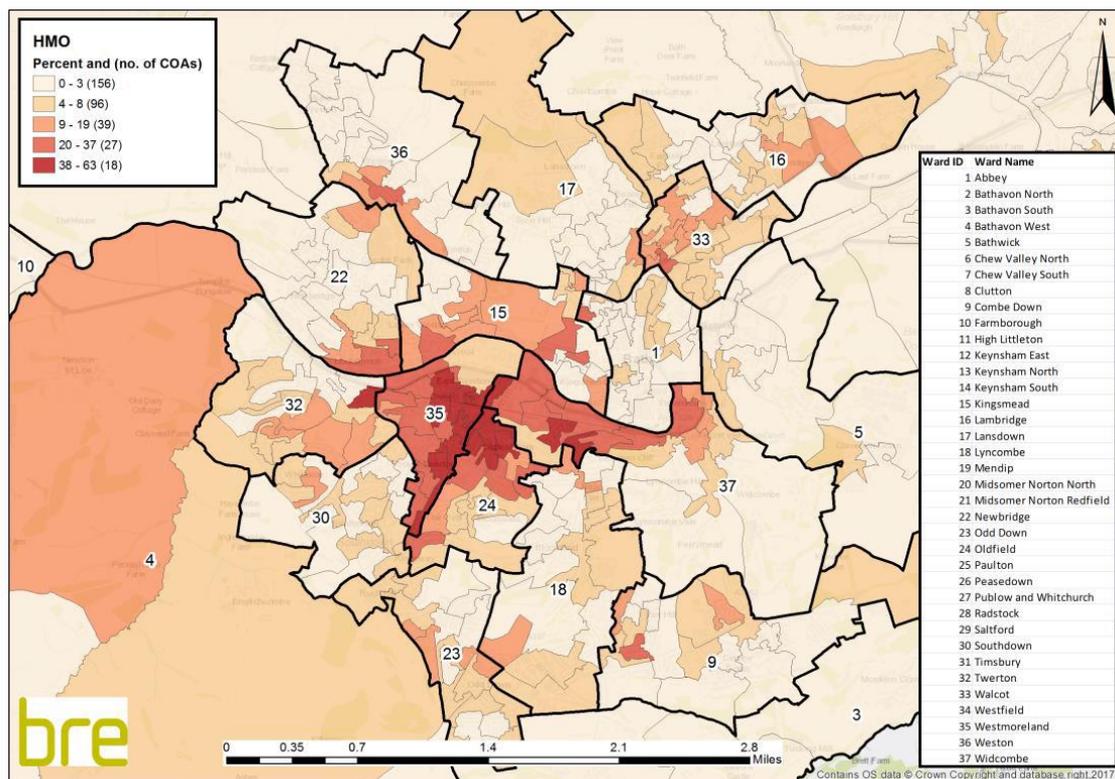
2. A significant proportion of service requests received by Housing Services over the last 4 years are from occupants of HMOs.

- 440 or 25% of all service requests come from HMO occupants (R3).
3. **There is general support by residents, and landlords for HMO Licensing within existing licensing area.**
- Nearly all residents not living in HMOs responding to an online/postal survey in September 2017 felt HMOs should be licensed by the council and reported a negative effect on their local area from rubbish, noise, poor garden maintenance, property condition, and overcrowding. Nearly half of landlords with licensed HMOs in the additional licensing area supported the scheme continuing (R1).
 - Around half of residents not living in HMOs responding to a door step survey in 2017 reported a negative effect of HMOs in their area (R2).
4. **There are significant concentrations of HMOs within many areas across the whole of Bath City.**
- A recent study indicates the presence of 3159 HMOs within the Bath City boundary. The maps show the distribution of HMOs at census output area level with shading for areas with 7 or more. There are significant numbers of HMOs distributed across the whole of Bath City (R4).

Map 1: Count and distribution of HMOs across Bath City



Map 2: Percentage and distribution of HMOs across Bath City



References:

[R1. Review of the 2014 Additional HMO Licensing Scheme](#)

[R2. Door Step Survey Residents Views 2017](#)

[R3. Local Information HMOs 2017](#)

[R4. BRE Integrated Dwelling Level Housing Stock Modelling and Database for Bath and North East Somerset](#)

How will the proposed scheme be delivered?

The Council already runs a licensing scheme in Westmoreland, Oldfield and parts of Widcombe, which comes to an end in December 2018. The Council is committed to ensuring that the Additional (HMO) Licensing scheme contributes to improvements in housing conditions across the private rented sector. The Council intends to inspect all licensable properties over the period of the licence. All newly licensable HMOs under a City Wide Additional (HMO) scheme would receive an inspection before the issue of a licence. Properties which are currently licensed under the existing Additional (HMO) Licensing scheme will need to apply for a new licence, but will not be inspected before the licence is granted. All licensable HMOs will be inspected at least once during the 5 year licensing period. The Council will provide advice and support to landlords to help to bring property conditions up to the required standards along with ensuring that the landlord's statutory responsibilities are also met.

The administration of the application process, including inspections and providing general advice and support to landlords will be undertaken by Officers funded by license fee income.

Enforcement of licensing

Additional (HMO) Licensing operates in the same way as mandatory (HMO) licensing and has the same legal status and penalties for non-compliance. Landlords will need to abide by a set of conditions as part of their licence. Draft licence conditions have been drawn up (see [Appendix 2](#)).

The Housing Standards and Improvement Team will carry out a programme of pro-active compliance inspections of licensed HMOs. A firm approach to compliance will be taken. Enforcement action proportionate to the circumstances of the case and in line with the Housing Services Enforcement Policy will be taken against landlords found to be operating an unlicensed HMO covered by the scheme or failing to comply with licence conditions.

Monitoring the schemes

It is important that progress of the licensing scheme be monitored in line with its respective objectives. These are:

- minimum standards of safety and welfare or better for HMO residents;
- effective and appropriate management of HMOs;
- a reduction of the impact of poorly managed HMOs on local communities;
- the provision of support for landlords and agents to meet their objectives;
- high levels of compliance with licence conditions; and
- effective enforcement of the scheme.

Monitoring will be carried out through compliance inspections of licensable HMOs and collecting data on follow up action, work carried out with landlords and agents, and environmental impact.

Licence application and fees

Application

It is the Council's intention to make the application process for landlords as streamlined as possible. Online applications and payment will be the preferred method, keeping processing costs at a minimum and therefore a discount is being proposed for this method. The application process includes determining if the landlord or proposed licence holder is a 'fit and proper' person. This requires the declaration of any unspent convictions, unlawful discrimination and prosecutions under housing, public health, environmental health or landlord and tenant law. A new requirement will be a basic disclosure obtained from The Disclosure and Barring Service to be provided with the application. The Licensing Team will make checks into a person's 'fit and proper' status.

The following documents will also be required with the application and it is proposed that they are attached with the online application in order to obtain the discounted fee:

- Current gas certificate
- Current electrical certificate
- EPC

- Layout plan to show the number and arrangement of rooms and facilities
- Basic disclosure certificate (obtainable from The Disclosure and Barring Service for £25)

Fees

In setting licence fees, the Council must ensure that the fee income does not exceed the costs of running the scheme, including the processing of applications, monitoring compliance and enforcing the scheme. The fee structure is also required to be reasonable and proportionate.

A licence would normally be granted for a period of five years and no further fees would be payable during the life of the licence. However, licences are non-transferrable; therefore a change of licence holder will require a new application and fee payment. A review of fees will be undertaken annually and they may be adjusted to reflect changes in costs.

The standard fee proposed is £800. A two stage payment process, of £500 with the application and £300 on issue of the licence, is being considered, as is a single fee payment of £800 with the application at the start of the process. Another option is for applicants to be given a choice of paying the whole fee upfront or in 2 stages as above. A decision on the payment option to be implemented will be made after considering the responses to this consultation.

Incentives

It is proposed that the standard fee is discounted by £50 for an online application with the required additional documents attached. This reflects the time saved in processing an online form and having all the necessary information submitted with the application. Suggestions for alternative incentives for landlords, which reduce the cost of licensing a property to the Council, which arise as the result of this consultation, are welcome and will be considered.

It is also proposed that a late fee of £200 is applied where the property has been operating as an unlicensed HMO.

Calculation of fees

Work carried out	Standard fee	Reward fee
Processing application including assessment, decision making, record keeping, payments, drafting and checking licence	£500	Discount of £50 for online application with layout plan, EPC, Disclosure, Gas and Electrical certificates attached
Compliance checks, enforcement of conditions, enforcement of scheme and other costs associated with running scheme	£300	

Total fee	£800	£750

Additional late application fee		
Follow up procedures for operating an unlicensed HMO	£200	£200
Total fee (including late fee)	£1000	£950

Refund policy

Refunds will be given if an application was made in error. For further information please see our Housing Services Charging Policy on the council's website.

How the fees have been calculated

Under the Housing Act 2004, councils are permitted to charge a fee for HMO licence applications in order to cover their costs. Councils are not allowed to make a profit; equally they do not want to run at a loss. Local Authorities are not permitted to charge a fee for finding and enforcing against unlicensed HMOs but are allowed to charge for administration and costs included in running the scheme for its full duration.

Working on the principles agreed with other West of England local authorities (Bristol City Council, North Somerset Council and South Gloucestershire Council) to help cover the costs, B&NES Council calculated their fees to include the following elements:

- Processing and checking applications
- Making statutory judgements
- Fit and proper person assessments
- Taking and reconciling payments
- Processing and issuing proposed and final licences
- Maintaining information and systems
- Booking inspections
- Conducting inspections including travel and follow up.
- set up costs
- promotion and publication
- developing documentation and processes
- ensuring compliance with licensing conditions.
- Enforcement of the scheme
-

Estimated total for 5 years

An estimate of the projected costs of administering the B&NES Additional HMO Licensing scheme together with the corresponding fee income is provided below.

	Cost	Income
Application processing comprising: Administration; Inspection and assessment; Judgements, drafting, checking, representations, serving on all parties.	£1,126,000 <i>£362,000</i> <i>£490,000</i> <i>£274,000</i>	£1,000,000
Enforcement and other costs comprising: Compliance checks and enforcement of conditions; Other costs.	£512,000 <i>£482,000</i> <i>£30,000</i>	£600,000
Total	£1,638,000	£1,600,000

Consultation

The Housing Act 2004 requires that before making a designation, the Council is required to undertake a formal consultation process on the proposed implementation of any licensing designations and take reasonable steps to consult with persons likely to be affected. This includes local residents, tenants, landlords, managing agents and other members of the community who live or operate businesses or provide services within the proposed designation and neighbouring areas that may be affected.

Our engagement and consultation process will last for a period of 10 weeks, which commences on the 16th March 2018 and finishes on the 25th May 2018. To provide an impartial consultation, M-E-L Research, an independent research agency are undertaking the consultation process.

Evaluation and decision making

Following the closure of the consultation period the responses will be evaluated and a summary published on the B&NES Council's website. The responses will be considered and will inform officer recommendations to Cabinet Members before making a final decision as to whether to proceed with Additional (HMO) Licensing.

If the Council's Cabinet agree the proposed designations for the purpose of Additional (HMO) Licensing, a designation would become operative on 1st January 2019, with the scheme lasting for a period of five years. If Cabinet decide not to designate the area, B&NES could continue solely with Mandatory HMO Licensing and the current reactive enforcement regime. These timescales may be subject to change in the event of unforeseen circumstances.