

Unipol Student Homes

Nottingham City Council: Consultation of Additional Licensing of Houses in Multiple Occupation

Introduction

1. Unipol welcomes the opportunity to partake in the consultation on Additional Licensing. It does so in the context of working in Nottingham over the previous two years providing advice, information and an accreditation scheme for students.
2. The Unipol DASH Code accreditation scheme has been active since 1st August 2008 and currently has 347 landlord members covering around 8,000 tenants and Unipol have inspected in excess of 1,300 properties as part of this process. Accreditation is expected to grow by a further 3,000 bed spaces over the next year because of both organic growth and Nottingham Trent University joining the service a few months ago. The Code has the full backing of Nottingham City Council and Unipol and NCC staff work in partnership to ensure that where necessary matters are dealt with effectively.
3. Unipol has promoted the consultation amongst both students and landlords and is anxious that all parties that are likely to be affected by this policy should have an opportunity to take part in the discussion and formation of what is an important policy initiative.
4. Unipol has two reservations about the consultation process.
5. The first is that the timescale for responses is short, which may result in representative organisations having difficulty consulting their own membership which they need to do as part of formulating their response.
6. The second is that whilst inviting comments and ideas, this consultation does not present a completed set of policy options for comment to consultees. It would have been helpful to have an insight into the Council's views on the extent to which certain properties might fall within the additional licensing proposals and what any likely cost of licensing might be because these two factors might have influenced some responses.
7. Unipol is neither a business nor a resident and so the questionnaires issued are inapplicable to the organisation and so Unipol's representation is provided in letter form.

Proposed Area

8. Unipol regards this proposal as identifying a trial area of the City for additional licensing. The manner in which the area has been identified has been questioned by some as has the concentration on complaints and anti social behaviour which has formed the statistical basis for selection. Whilst this methodology is open to question, selection for a trial area needs to have some basis and it could be argued that any single method of selection (a condition survey, occupation density or number of HMOs) would have been open to question in similar ways.
9. Unipol welcomes the selected area because it is an area of both mixed occupancy and tenure (including private rented sector tenants, RSL's, Local Authority tenants and owner occupier). Whilst it includes a significant number of students there are many non student renters. Students renting in the area study at Nottingham Trent University's city campus and, because Unipol has only recently entered into a full service partnership with Nottingham Trent University this is one of the areas of the city which currently has a low level of accreditation. This may, in turn, have reflected on a higher number of complaints being made directly to the Council.
10. Unipol are keen that additional licensing in no way conflicts with a growth of accreditation in this area because it is expected that rapid progress will be made as more NTU landlords are encouraged to use the service.

Extent of Additional Licensing

11. Unipol accepts that, because of the nature of the housing stock in Nottingham mandatory licensing has failed to cover two particular problem areas:

- houses that house in excess of four people but which are below three stories
- larger houses that have been converted into flats which themselves contain HMOs.

12. In making its proposal Unipol is mindful that the standards to be enforced in Part II of the Housing Act 2004 are limited and houses with four and under occupants are already likely to meet those standards.

13. Unipol would like to see Additional Licensing address the issues raised above by applying it to:

- dwellings that house *in excess* of four people but which have less than three stories
- larger houses that have been converted into 3 or more flats which themselves contain HMOs occupied by 3 or more persons
- all flats above shops or commercial premises (mixed use) housing in excess of four persons.

Accreditation

14. It is important that the voluntary improvement of landlords within the area is combined with additional statutory powers that should be applied rigorously to those who refuse to meet higher standards voluntarily. Landlords and properties being accredited are volunteering to meet standards that are considerably in excess of those that the Council will be able to enforce under statutory enforcement. Not only is voluntary self regulation much more cost effective it is also quicker to affect change. The proposals should encourage the voluntary meeting of higher standards as well as providing powers to the Local Authority to tackle those who refuse to change voluntarily. This carrot and stick approach to voluntary and statutory enforcement has proved productive in other areas of the City.

15. It is important that the insensitive application of regulation does not alienate those who might have been willing to join an accreditation scheme and meet higher standards more quickly. It is also important that the Local Authority uses its scarce resources to effect change in the worst landlords and conditions on the ground rather than checking on landlords who have already been inspected under accreditation.

16. Unipol is aware of some landlords who offer a poor service to both their tenants and the community, where the powers proposed would improve performance and standards and additional licensing should first be used as a tool to encourage self-improvement and, if that fails, enforce statutorily the relevant standards.

Licensing Fee

17. The fee for a mandatory HMO licence in Nottingham is currently between £590-£640. Unipol is keen that in the proposed additional licensing area there is recognition that accredited landlords are already meeting the required standards. The mandatory licensing fee was decided before accreditation took root in Nottingham, but it is normal to reflect better quality properties and management with a lower fee and many authorities do this around the country.

18. Under additional licensing, Unipol feels that Nottingham City Council are in a strong position to promote both the Unipol DASH Code and the EMLAS systems by offering accredited landlords a very significantly reduced fee for additional licensing and imposing a higher fee for unaccredited landlords. This will reflect the real workload of Council Officers in approaching improvement through statutory enforcement rather than monitoring voluntary improvement.

19. Unipol is suggesting that the fee for a licence, over a five year span, should be set at £1,000 for unaccredited landlords (or for late applications). Where an owner is a member of a recognised accreditation scheme the charge should be £300. Unipol estimates that this proposal would be cost-neutral to the Council.

20. This would offer a clear incentive for owners to become accredited.

Additional Proposals

21. Whilst welcoming the selection of the area for additional licensing, Unipol would also like to raise a second area for consideration. A pocket of accommodation in Dunkirk, within the boundary of Greenfield Street, Highfield Road, Beeston Road and Clifton Boulevard, close to the University Park campus, should be considered for additional licensing. In this area the uptake of accreditation has been slow. Some landlords have stated that they find no necessity to improve their properties or management because they are located so close to the University of Nottingham that they will rent them in any event. The Local Authority should consider tackling this particular problem by using Additional Licensing.

22. A map is attached of this proposed area.

Conclusion

23. This short consultation marks a useful first step in drawing together a useful and coherent policy for HMOs in the City. It is important that the details of the policy are fully established and may form the basis of a further consultation to ensure maximum ownership of this important extension of the Local Authority's powers.

4 December 2009

Map of proposed area discussed in paragraph 22:

