

# Decision under Delegated Powers

**Officer Requesting Decision:**

Katie Moore – Head of Strategic Housing

**Officer Making Decision:**

Rob Mitchell – Chief Executive

**Recommendation:**

That approval is given for the following:

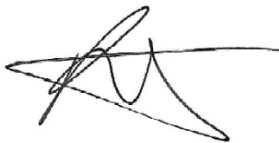
- Permanent increase in hours of the L235 Housing Standards Officer post, from 74 hours per week to 148 hours per week, with effect from 1<sup>st</sup> October 2023
- Temporary increase in hours of the M462 Housing Licensing Administration Officer post, from 74 hours per week to 222 hours per week, for the period 1<sup>st</sup> October 2023 to 31<sup>st</sup> March 2024
- Deletion of the (vacant) M440 Housing Licensing Officer post.

**Reason:**

To ensure sufficient capacity for the delivery of the Housing Standards service, including the mandatory, additional and selective licensing schemes.

**Authority for Decision:**

Section 8 of the Council Constitution contains authority for the Head of Paid Service (Chief Executive) to agree changes to the establishment, within budget and without major operational disruption or interruption of services or involving a change from direct to indirect provision or vice-versa or other policy implications.

**Decision and Date:**

**Robert Mitchell (he, him, his)**  
**Chief Executive**

24<sup>th</sup> August 2023

## **Background:**

The Housing Standards Team deliver mandatory, additional and selective licensing schemes for privately rented residential properties within Charnwood.

Under the Housing Act 2004 housing authorities are required to deliver a mandatory licensing scheme for some houses in multiple occupation (HMOs). Mandatory licensing of HMOs with 3 or more storeys which house 5 or more people from 2 or more households came into force in 2006. Mandatory licensing was extended to all properties which house 5 or more people from 2 or more households in 2018.

Under the Housing Act 2004 housing authorities have a power to introduce additional licensing for HMOs that fall outside of the scope of the mandatory licensing requirements, and a power to introduce selective licensing for other types of privately rented residential properties in some areas.

On 10<sup>th</sup> December 2020, Cabinet approval was given for the Charnwood Borough to be declared an area for additional licensing (for all HMOs which house 3 or more persons and Section 257 HMOs) and for the Hastings and Lemyngton Wards of Charnwood to be declared areas for selective licensing (for all privately rented residential properties). On 1<sup>st</sup> July 2021 Cabinet approval was given for the implementation of the additional and selective licensing schemes.

The additional and selective licensing schemes were implemented on 1<sup>st</sup> April 2023 (applications opened on 1<sup>st</sup> February 2023). These schemes are expected to be in place for at least 5 years (up to 31<sup>st</sup> March 2028).

The Housing Standards Team currently consists of the following permanent posts:

- L241 Specialist Environmental Health Officer (37 hours – permanent)
- L235 Housing Standards Officer (74 hours - permanent)

The following fixed-term post was created to increase capacity within the team for the delivery of the licensing schemes, including administration of license applications, ensuring compliance with licence conditions and identification of unlicensed properties:

- M440 Housing Licensing Officer (74 hours – fixed term for 24 months).

Attempts to recruit to these hours were unsuccessful. It is believed that this related to the temporary nature of the role and the high level of demand / limited availability of individuals with the required skills and experience.

The following fixed-term post was subsequently created to increase capacity within the team for the administration of the license applications:

- M462 Housing Licensing Administration Officer (74 hours – for 24 months).

Attempts to recruit to these hours have been successful and 74 hours are currently filled.

Over 1,600 license applications (relating to the mandatory, additional and selective schemes) have recently been received. Additional resources are required to process

and determine these applications, issue approved licenses and ensure compliance with licensing requirements.

A permanent increase in hours of the L235 Housing Standards Officer post (from 74 to 148 hours) is recommended to ensure sufficient capacity to deliver the mandatory, additional and selective licencing schemes. The L235 Housing Standards Officer posts is able to deliver all aspects of the mandatory, selective and additional licensing schemes, including the processing and determination of applications and ensuring compliance through activities such as inspecting licensed properties and identifying unlicensed properties. The L235 Housing Standards Officer posts is also able to take enforcement action in cases of identified non-compliance. A permanent increase in hours will assist with recruitment and retention of skilled and experienced staff. (50% of the costs for the total 148 hours will be charged to the licensing scheme income).

A temporary increase in hours of the M462 Housing Licensing Administration Officer post (from 74 hours to 222 hours for a period of 6 months) is also recommended to ensure sufficient capacity to process and determine the large number of new applications that have recently been received. (100% of the costs for the total 222 hours will be charged to the licensing scheme income).

It is recommended that the vacant fixed-term M440 Housing Licensing Officer post (74 hours) be deleted.

[Please note - A further review of staffing requirements within the Housing Standards service, including staff management and administrative resources, is due to be carried out prior to 31<sup>st</sup> March 2024].

### **Comments from Human Resources:**

HR Adviser: S Choudhury (13/07/23)

Once the DD is approved management will need to follow the recruitment policy when recruiting to the newly created posts.

### **Financial Implications:**

Approximately £80,400 is required for the recommended increase in hours of the M462 Housing Licensing Administration Officer post at salary grade D (including on-costs) for the 6 month period 1<sup>st</sup> October 2023 to 31<sup>st</sup> March 2024.

Approximately £97,800 per year is required for the recommended increase in hours of the L235 Housing Standards Officer post at salary grade SO1 (including on-costs and essential car user costs).

These additional costs will be funded using the income from the licensing schemes (recharged to F305).

There is a fee of £700 per licence under the mandatory, additional and selective licensing schemes. The fee is paid in 2 parts. The first part (£395) is due when the application is made. The second part (£305) is due when the licence is issued.

£492,031.53 of the income that was received from fees relating to the mandatory licensing scheme during previous financial years and from the additional and

selective licencing schemes during February 2023 and March 2023 has been carried forward to 2023-2024.

£213,230.00 income has been received from fees relating to the mandatory, additional and selective licensing schemes during the first 3 months of 2023-2024.

Approximately £488,000.00 additional income is expected to be received during the remaining 9 months of 2023-2024 (as there are more than 1,600 pending applications for which the part 2 payments are due to be received once licenses are issued).

It is anticipated that new mandatory, additional and selective license applications and related fees will continue to be received during future years (albeit at a lower level than during 2023-2024).

The total staffing costs due to be funded by the income from the licensing schemes (recharged to F305) are:

	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	Total
L235 Housing Standards Officers	£48,900	£97,800	£97,800	£97,800	£97,800	£440,100
M462 Housing Licensing Administration Officers	£160,800	£67,000	£0	£0	£0	£227,800
Totals	£209,700	£164,800	£97,800	£97,800	£97,800	£667,900

The income that has been carried forward from previous financial years and has already been received during the current financial year is more than sufficient to cover these expected staffing costs up to 31<sup>st</sup> March 2028.

The income that is expected during the remainder of the current financial year and during future financial years can be put towards the cost of the additional L235 Housing Standards Officer hours from 1<sup>st</sup> April 2028 onwards.

### **Risk Management:**

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
This request is not agreed, and there is insufficient capacity to deliver the licencing schemes effectively. This could result in increased complaints, legal challenges, negative publicity and reputational damage.	Medium	Medium	Offer over-time to existing staff within the Housing Standards Team. Increase the legal budget for the service. Publish positive news stories about the service to balance any negative publicity.

**Key Decision:**

Yes.

**Background Papers:**

DD033 2022

DD160 2022.