



Report to the Safer & Stronger Communities Scrutiny & Policy Development Committee Thursday 6th April 2017

Subject: Call in of Cabinet Member decision: Approval of New HMO Licensing Standards

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Type of item: The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Community Assembly request for scrutiny	
Call-in of Cabinet Member decision	X
Briefing paper for the Scrutiny Committee	
Other	

Category of Report: OPEN

1.0 Background

1.1 On the 23rd February 2017 the Cabinet Member for Housing took the following decision:

Purpose:

To adopt new HMO Licensing standards which are used to set HMO Licensing conditions, Overcrowding standards for non-licensable HMOs and insulation standards

Decision:

(i) To approve the revised HMO Licensing Standards as set out in Appendix A of the report, to come into effect on 6 April 2017; and

(ii) the Director of Housing and Neighbourhoods Service be authorised to approve amendments to the HMO Licensing Standards.

1.2 The original documents relating to this decision are attached.

- Individual Cabinet Member Key Executive Decision Report – *Appendix A*
- Individual Cabinet Member Decision Record – *Appendix B*
- HMO Licensing Standards - *Appendix C*
- Equality Impact Assessment – *Appendix D*
- Call in notice – *Appendix E*

Officers have also prepared a short briefing note which is also attached– *Appendix F*

1.3 As per Part 4, section 16 of Sheffield City Council’s Constitution, this decision has been called in, preventing implementation of the decision until it has been considered by this Scrutiny Committee.

1.4 The Call-In notice is attached (Appendix E), stating that the reason for the call-in is: *“To determine whether it is clear enough for tenants and landlords and robust enough to be enforced, and that there are sufficient council resources to do so”*

2.0 The Scrutiny Committee is being asked to:

As per the Scrutiny Procedure rules, scrutinise the decision and take one of the following courses of action:

- (a) refer the decision back to the decision making body or individual for reconsideration in the light of recommendations from the Committee;
- (b) request that the decision be deferred until the Scrutiny Committee has considered relevant issues and made recommendations to the Executive;
- (c) take no action in relation to the called-in decision but consider whether issues arising from the call-in need to be fed back to the decision maker or added to the work programme of an existing Scrutiny Committee;
- (d) if, but only if (having taken the advice of the Monitoring Officer and/or the Chief Finance Officer), the Committee determines that the decision is wholly or partly outside the Budget and Policy Framework, refer the matter, with any recommendations, to the Council after following the procedures in the Budget and Policy Framework Procedure Rules

(If a Scrutiny Committee decides on (a), (b) or (d) as its course of action, there is a continuing bar on implementing the decision).

2.2 The Scrutiny Procedure rules state that if a decision is referred back, it is referred back to the individual or body that made the decision. In this case the decision maker is the Cabinet Member for Housing.