

# Licensing Committee

Wednesday, 21st January, 2026

## MEETING OF THE LICENSING COMMITTEE

Members present: Councillor Doran (Chairperson); Aldermen McCullough and Rodgers, and Councillors Abernethy, Anglin, Bradley, T. Brooks, Bunting, Carson, M. Donnelly, P. Donnelly, D. Douglas, McAteer, McCann, McDowell, McKay, McKeown and Smyth.

In attendance: Mr. K. Bloomfield, HMO Manager; Mr. K. McDonnell, Solicitor (Regulatory and Planning); and Mrs. L. McLornan, Committee Services Officer.

### Apologies

No apologies for inability to attend were received.

### Minutes

The minutes of the meeting of 10th December 2025, were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 8th January.

### Declarations of Interest

No declarations of interest were recorded.

### Non-Delegated Matters

#### Quarter 3 (2025-26) statistics on the public level of engagement with the HMO website and proposed advertising campaign for January - February 2026

The HMO Manager presented the following report to the Committee:

- “1.1 Members at their November 2025 meeting requested that officers provide statistics on the public level of engagement with the HMO section on the Council’s website on a quarterly basis
- 1.2 To highlight a publicity campaign commencing on the 26 January 2026 to coincide with the commencement of the letting season for students looking new accommodation for the 2026/27 academic year.

**2.0 Recommendations**

- 2.1. The Committee is requested to note the engagement with the HMO section via the website during quarter 3 of the financial year 2025/26.
- 2.2 The Committee is requested to note an advertising campaign scheduled to coincide with the commencement of the student letting season for the academic year 2026/27.

**Key Issues**

- 3.1 From 15 September (launch of Know your rights booklet) – 31 December 2025 the HMO section of the Council's website received the following level of engagement.

Webpage	Views
<a href="#">NIHMO</a>	4,879
<a href="#">Know your rights: A guide for HMO tenants</a>	288
<a href="#">Information for tenants</a>	183

- 3.2 A social media advertising campaign with a primary target audience of students looking for new accommodation for the September term and a secondary audience of landlords, education establishments and parents will commence on the 26 January 2026 for a 2-week period.
- 3.3 The strap line “*Students: check before you rent - If the house is an HMO, make sure it's licensed.*” will front the campaign.
- 3.4 The campaign will also focus on the obligations the HMO licence holder has to maintain the property during the term of the tenancy, building on recent articles in ‘City Matters’.
- 3.5 Officers will also use boosted social media adverts, website pop-ups / banners, a press release and an article on Interlink.
- 3.6 The messaging will also be relayed by Officers to Landlords Association for Northern Ireland (LANI), student bodies, higher education institutions and Northern Ireland Council for inclusion on their website / social media channels.

**Financial & Resource Implications**

- 3.7 The funding of the advertising campaign is meet from HMO licence fee income and does not place a financial burden on the rate payer.

**Equality or Good Relations Implications/Rural Needs Assessment**

- 3.8 There are no issues associated with this report."

The Committee noted the recommendations.

**Restricted Item**

**The information contained in the reports associated with the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.**

Resolved – That the Committee agrees to exclude the members of the press and public from the meeting during discussion of the following item as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Schedule 6 of the Local Government Act (Northern Ireland) 2014.

The Members were also reminded that the content of 'restricted' reports and any discussion which took place during closed session must be treated as 'confidential information' and that no such information should be disclosed to the public as per Paragraph 4.15 of the Code of Conduct.

**HMO Review of Licence Scheme Charges**

The HMO Manager outlined a review of Licence Scheme Charges.

After discussion, the Committee agreed:

- i. to the increase of the HMO Licence Application Fee to £62 per person, per annum, effective from 1 April 2026, this being the amount necessary to cover only the cost of processing the application.
- ii. to the increase of cost of varying an HMO as follows –

<b>Licence Variations</b>	
Item	Cost
Addition of a new managing agent.	£250
Addition of a new occupant	£310 for each new occupant + £125 inspection fee (per visit)

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- iii. that a paper is also presented to SOLACE in February 2026 to confirm SOLACE agreement and confirmation that all SOLACE members will also take papers to their respective Council Committee in February / March 2026; and
- iv. to write to the Department for Communities Minister regarding the pending funding gap that will be created by the conflict between the Houses in Multiple Occupation (Fees) Regulations (Northern Ireland) 2019 and the Provision of Services Regulations 2009.

**Delegated Matters**

**THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN  
PURSUANCE OF THE POWERS DELEGATED TO IT UNDER  
STANDING ORDER 37(d)**

**Licences Issued Under Delegated Authority**

The Committee noted a list of applications for licences which had, since its last meeting, been approved under the Council's Scheme of Delegation.

**Houses in Multiple Occupation (HMO) Licences  
Issued Under Delegated Authority**

The Committee noted the applications that had been issued under the Scheme of Delegation during December 2025.

**Application for a New Licence to operate a  
House of Multiple Occupation for 65 Tates  
Avenue**

The Houses in Multiple Occupation (HMO) Manager presented the details of the application to the Committee.

He outlined that the property had had the benefit of an HMO licence, issued by the Council, with a start date of 20th January, 2021, and an expiry date of 20th January, 2026, in the name of Mr. Sam Shepherd.

The Committee was advised that ownership of the property transferred to "Remark Group Ltd." with an assignment date of 28th June, 2023. Mr. S. Shephard was a director of the Remark Group Ltd. In accordance with Section 28 "Change of ownership: effect on licence" of the 2016 HMO Act, the licence in the name of Mr. S. Shephard ceased to have effect on the date of transfer.

An application for a new HMO licence was received from Remark Group Ltd on 30th September, 2025. The property was inspected on 17th October, 2025, at which time it was vacant.

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The HMO Manager outlined that, pursuant to the 2016 Act, the Council could only grant a licence if it was satisfied that:

- a) the occupation of the living accommodation as an HMO would not constitute a breach of planning control;
- b) the owner, and any managing agent of it, were fit and proper persons;
- c) the proposed management arrangements were satisfactory;
- d) the granting of the licence would not result in overprovision of HMOs in the locality;
- e) the living accommodation was fit for human habitation and—
  - i. was suitable for occupation as an HMO by the number of persons to be specified in the licence, or
  - ii. could be made so suitable by including conditions in the licence.

The Committee was advised that, as it was a new application, the Council's Planning Service was consulted. It had confirmed that a Certificate of Lawful Existing Use of Development "CLEUD" was granted on 24th June, 2021.

It was reported that the NIHMO Unit had consulted with the Environmental Protection Unit in relation to daytime noise; the Public Health and Housing Unit in relation to rubbish accumulation/filthy premises; and the Enforcement Unit in relation to litter and waste and all had confirmed that there had been no relevant enforcement action required in respect of any of the issues in the HMO in the last 5 years. Officers were not aware of any other issues relevant to the fitness of the applicant or manager.

For the purposes of Section 12(2) of the 2016 Act, the Council had determined the locality of the accommodation within Housing Management Areas (HMA) "HMA 2/08 Edinburgh St" as defined in Council's Local Development Plan Strategy "2023 Strategy" which had been formally adopted on 2nd May, 2023. It was reported that Legal Services had advised that there was a clear requirement in section 8 of the 2016 Act upon the Council to be satisfied that the granting of a licence would not result in overprovision.

The officers had had regard to:

- a) the number and capacity of licensed HMOs in the locality; and
- b) the need for housing accommodation in the locality and the extent to which HMO accommodation was required to meet that need.

To inform the Council in its consideration of the above provisions, the Council had taken account of the 2023 Strategy given that "Nurturing sustainable and balanced communities was a fundamental aim of the LDP's housing policies." In particular, the Council had considered Policy HOU10, which stated:

"Within designated HMAs, planning permission will only be granted for Houses in Multiple Occupation (HMOs) and/or flats/apartments where the total number of HMOs and flats/apartments combined would not as a result exceed 20% of all dwelling units within an HMA."

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The Committee was advised that, on the date of assessment, 25th November 2025, 48% of all dwelling units in policy area HMA 2/08 Edinburgh St were made up of HMOs and (intensive forms of accommodation) flats/apartments, which in turn exceeded the 20% development limit as set out at Policy HOU10. There were 175 (27%) licensed HMOs with a capacity of 650 persons in that HMA.

The Committee was advised that the fact that the use of the property as an HMO was permitted for planning purposes was a relevant consideration in determining whether the granting of the licence would result in overprovision.

The HMO Manager reminded the Committee that there was a need for intensive forms of housing and, to meet that demand, HMOs were an important component of the housing provision. HMOs, alongside other accommodation options within the private rented sector, played an important role in meeting the housing needs of people who were single, who had temporary employment, students, low-income households and, more recently, migrant workers and asylum seekers.

He explained that, in assessing the number and capacity of licensed HMOs, as well as the need for HMO accommodation in the locality, officers could not be satisfied that the granting of the HMO licence would not result in overprovision of HMO accommodation in the locality of the accommodation for the purpose of section 8(2)(d) of the 2016 Act.

The Committee was advised that no objections had been received in relation to the application. The accommodation had been inspected on 30th October, 2025, at which time it complied with the physical standards for a 5 person HMO.

The Chairperson welcomed Mr. S. Shephard to the meeting. He advised the Committee that, as a landlord, the decision to refuse the HMO licence would halve his net worth as the house was all that he owned. He was a local businessman who had paid himself £6,000 per annum for the last five years and the HMO was a small nest egg for his family. He stated that he had been advised to move the property into a Limited Company and that he had not realised that it would result in a problem with his HMO licence. He provided details of a recent case from September 2024, where the High Court granted licences to 12 HMOs in similar circumstances and he requested that the Committee would treat him fairly and in the same vein as that applicant. He stated that the error had been an oversight by his property agent and his solicitor. He also argued that the overprovision test surely did not apply, as it was not a new application, rather, it was an existing HMO in the area, and, even if it did, he disagreed with the figures provided to the Committee.

In response to a Member's query, the HMO Manager explained that the cases to which he was referring did not have the same background. He outlined that those cases related to applications whereby the owner had applied and had been granted licences by the Housing Executive for a number of properties, prior to the 2016 Act being implemented, and in the other cases an error had been made by Council officers regarding applications made and granted in the wrong name as, at that time, the Council did not require the applicant to submit proof of title to confirm ownership, which was completely different to Mr. Shephard's case, in which the licence ceased to have effect pursuant to section 28 of the Houses in Multiple Occupation Act (Northern Ireland) 2016

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on the date that he transferred the property from himself to a Limited Company to which he was a Director.

He reminded the Committee that the requirement for the submission of a proof of title before an application was to be considered valid was approved by the Licensing Committee in December 2024 and came into operation on 1st April 2025.

Moved by Councillor McCann,  
Seconded by Councillor McKay and

Resolved - That the Committee agrees to refuse the application as, in accordance with Section 12 of the Houses in Multiple Occupation Act (Northern Ireland) 2016, it could not be satisfied that the granting of the HMO licence would not result in overprovision of HMO accommodation in the locality of the accommodation, as determined under section 8(2)(d) of the Act.

Chairperson