

Licensing Committee

Wednesday, 21st April, 2021

MEETING OF LICENSING COMMITTEE HELD REMOTELY VIA MICROSOFT TEAMS

Members present: Councillor Donnelly (Chairperson);
Aldermen Copeland and Sandford; and
Councillors Bradley, Bunting, Collins, Howard, Hussey,
Hutchinson, T. Kelly, Magee,
Magennis, McAteer, McCabe, McCusker,
McKeown, Nicholl and Smyth.

In attendance: Ms. N. Largey, Divisional Solicitor;
Mr. S. Hewitt, Building Control Manager;
Mr. K. Bloomfield, HMO Unit Manager;
Ms. V. Donnelly, City Protection Manager; and
Ms. C. Donnelly, Democratic Services Officer.

Apologies

Apologies were reported on behalf of Councillors M. Kelly and McCullough.

Minutes

The minutes of the meeting of 10th March were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

No declarations of interest were recorded.

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 the applications that had been issued under the Scheme of Delegation.

Houses in Multiple Occupation (HMO)
Licenses Issued Under Delegated Authority

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

Upon a request by a Member, it was agreed that future reports of HMO Licenses issued under delegated authority would be presented by HMO policy area and also by electoral ward.

Non-Delegated Matters

Update on Department for Communities
response to Licensing Committee

The City Protection Manager presented the Committee with an update in respect of the following report:

“1.0 Purpose of Report or Summary of main Issues

1.1 The purpose of this report is to update Committee Members on the response from the Department for Communities (DfC) to the invitation to attend a meeting to discuss the Licensing Committee’s ongoing frustrations at the ineffectiveness of the current HMO Act 2016 and around the proposed upcoming review of the legislation.

2.0 Recommendations

2.1 Committee is asked to note the response from DfC proposing to attend the May Committee meeting to provide feedback from their Review of HMOs.

2.2 In light of DfC’s proposal to attend the May Licensing Committee, Members are asked to consider that the workshop that was proposed with DfC and other statutory agencies to discuss HMOs be deferred until after DfC have presented a HMO Review briefing to the Committee.

3.0 Main report

Key Issues

3.1 The Council wrote to DfC requesting if the Minister could attend a meeting to discuss the Committees’ ongoing frustrations at the ineffectiveness of the current HMO Act 2016 and around the proposed upcoming review of the legislation.

- 3.2 Members will recall that the Minister's office responded in February and declined the Council's invitation to attend a meeting with Members, however, it was indicated that a representative from DfC would facilitate a meeting. A subsequent invitation was sent to DfC requesting the attendance of a DfC representative at this evening's Committee, however, DfC have advised that they have received 227 responses to the HMO Review and they will not be in a position to attend a meeting until they have analysed the responses received. DfC have further proposed that they could attend a meeting in May to provide a briefing on the findings of the HMO Review.
- 3.3 Given that DfC have declined to engage with the Committee until after they have conducted their review, the proposed workshop that was agreed to take place with DfC and other statutory partners may be best convened after DfC have had an opportunity to attend Committee. The outcome of the briefing by DfC on the HMO Review may provide a useful basis for informing a workshop with DfC and other statutory partners. Members are invited to consider this approach in light of the current position adopted of DfC to meet with the Committee.
- 3.4 **Financial and Resource Implications**
- There are no financial and resource issues associated with this report.
- 3.5 **Equality and Good Relations Implications**
- There are no equality or good relations issues associated with this report.

The Committee agreed to receive an update on the review of HMO legislation from representatives of the Department for Communities (DfC) at its meeting in May, and to defer the proposed workshop until after DfC had presented its review to the Committee.

Restricted Items

Update on Legal Proceedings in respect of Standard Licence Condition

The Divisional Solicitor provided the Members with an update on Judicial Review proceedings which had been issued in respect of the Committee's decision taken on 16th December 2020, to amend the standard terms and conditions attached to a House in Multiple Occupation (HMO) licence, to include a requirement of an emergency out of hours contact number for all HMOs within the Council area.

The Committee noted the update.

Chairperson