

# HMO Licensing and Planning

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# What I'll cover

- Licensing and planning legislative regimes
- Licence conditions
- Joined-up working between licensing and planning
- Recent actions taken by the licensing team

# Licensing and planning legislative regimes

- HMO licensing and planning regimes are not interlinked
- Been lobbying Government to make more joined-up
- Suggested possible changes to legislation  
e.g. making a condition of HMO licence to have relevant planning consents; or allowing refusal if no planning consent in place
- Discussions with regulatory and planning lawyers
- Minor changes have been made to [guidance](#) with text added to section 2.6 around ensuring planning permission has been given before issuing a licence...

# Licensing and planning legislative regimes

- However this is at odds with the Housing Act 2004 i.e. not having planning permission is not a reason to refuse to grant a licence
- If planning permission is refused, we still have to grant a licence if the following conditions are met:
  - House is suitable for occupation by max persons and households specified
  - No banning order in place
  - Proposed licence holder is F&PP and most appropriate person
  - Proposed management arrangements are satisfactory
- If planning enforcement takes place and the property is no longer occupied as an HMO, we can revoke the licence

# Joined-up working

- Improved communications between teams
- We share details of licensed HMOs and applications with planning
- Planning send us details of properties with planning applications to convert to HMOs, which leads in to our investigations programme
- We work closely on enquiries about individual properties, for example where a long-established HMO wants to upsize
- We have provided input to the recent HMO SPD document

# Licence conditions

- Give us some control over the management of properties
- Require improvements to be carried out regarding property conditions, serious hazards, safety certificates, HMO management regulations breaches, for example
- Close working with other agencies and BCC teams e.g. NET, ASB, Bristol Waste
- Require evidence of non-compliance
- Non-compliance doesn't necessarily lead to enforcement action
- Have power to revoke licences if no longer F&PP to be licence holder

# Recent actions taken by the licensing team

- We include references to planning permission and article 4 in our letters which accompany HMO licences – recently re-written and moved to the top.
- Following feedback, we have added information to the licensing web pages, so this information is given prior to a licence application being made: [Check if you need a property licence and apply - bristol.gov.uk](https://www.bristol.gov.uk/property-licences)
- We have made changes to the public register of HMO licences so that members of the public can directly access information about which properties are licensed and the licence holder and manager names and addresses: [Register of licensed properties - bristol.gov.uk](https://www.bristol.gov.uk/property-licences)