



NORTHAMPTON
BOROUGH COUNCIL

CABINET AGENDA

Wednesday, 4 December 2019

The Jeffrey Room, The Guildhall, St. Giles
Square, Northampton, NN1 1DE

6:00 pm

Members of the Cabinet:

Councillor: Jonathan Nunn (Leader of the Council)

Councillor: Phil Larratt (Deputy Leader)

Councillors: Mike Hallam, Tim Hadland, Stephen Hibbert, Brandon Eldred, Anna King and James Hill.

Chief Executive

George Candler

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837722

PORTFOLIOS OF CABINET MEMBERS

CABINET MEMBER	TITLE
Councillor J Nunn	Leader
Councillor P Larratt	Deputy Leader
Councillor M Hallam	Environment
Councillor B Eldred	Finance
Councillor T Hadland	Regeneration and Enterprise
Councillor S Hibbert	Housing and Wellbeing
Councillor A King	Community Engagement and Safety
Councillor J Hill	Planning

SPEAKING AT CABINET MEETINGS

Persons (other than Members) wishing to address Cabinet must register their intention to do so by 12 noon on the day of the meeting and may speak on any item on that meeting's agenda.

Registration can be by:

Telephone: (01604) 837722
(Fax 01604 837057)

In writing: Democratic and Member Services Manager
The Guildhall, St Giles Square, Northampton NN1 1DE
For the attention of the Democratic Services Officer

By e-mail to democraticservices@northampton.gov.uk

Only thirty minutes in total will be allowed for addresses, so that if speakers each take three minutes no more than ten speakers will be heard. Each speaker will be allowed to speak for a maximum of three minutes at each meeting. Speakers will normally be heard in the order in which they registered to speak. However, the Chair of Cabinet may decide to depart from that order in the interest of hearing a greater diversity of views on an item, or hearing views on a greater number of items. The Chair of Cabinet may also decide to allow a greater number of addresses and a greater time slot subject still to the maximum three minutes per address for such addresses for items of special public interest.

Members who wish to address Cabinet shall notify the Chair prior to the commencement of the meeting and may speak on any item on that meeting's agenda. A maximum of thirty minutes in total will be allowed for addresses by Members unless the Chair exercises discretion to allow longer. The time these addresses take will not count towards the thirty minute period referred to above so as to prejudice any other persons who have registered their wish to speak.

KEY DECISIONS

 denotes the issue is a 'Key' decision:

- Any decision in relation to the Executive function* which results in the Council incurring expenditure which is, or the making of saving which are significant having regard to the Council's budget for the service or function to which the decision relates. For these purpose the minimum financial threshold will be £250,000;
- Where decisions are not likely to involve significant expenditure or savings but nevertheless are likely to be significant in terms of their effects on communities in two or more wards or electoral divisions; and
- For the purpose of interpretation a decision, which is ancillary or incidental to a Key decision, which had been previously taken by or on behalf of the Council shall not of itself be further deemed to be significant for the purpose of the definition.

NORTHAMPTON BOROUGH COUNCIL


CABINET

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, The Guildhall, St. Giles Square, Northampton, NN1 1DE
on Wednesday, 4 December 2019
at 6:00 pm.

George Candler
Chief Executive

AGENDA

- 1. APOLOGIES**
- 2. MINUTES**
- 3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE IF NECESSARY**
- 4. DEPUTATIONS/PUBLIC ADDRESSES**
- 5. DECLARATIONS OF INTEREST**
- 6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES**
- 7. REVIEW OF THE LICENCE FEES FOR HOUSES IN MULTIPLE OCCUPATION (HMOS)**

 (Copy herewith)

- 8. PERFORMANCE OUTTURN REPORT QUARTER 2**

(Copy herewith)

- 9. EXCLUSION OF PUBLIC AND PRESS**

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

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NORTHAMPTON BOROUGH COUNCIL

CABINET

Wednesday, 13 November 2019

PRESENT: Councillor Nunn (Chair); Councillor Larratt (Deputy Chair); Councillors Eldred, Hadland, Hallam, J Hill, Hibbert and King

APOLOGIES: None

1. APOLOGIES

There were none.

2. MINUTES

The minutes of the meeting held on 16 October 2019 were agreed and signed by the Leader.

3. INTENTION TO HOLD PART OF THE MEETING IN PRIVATE IF NECESSARY

The Leader explained that Item 14 (Regeneration and Redevelopment of Berkeley House and St Mary's Court, Spring Boroughs – Appendix 6) had been exempted under schedule 12A, Part 1, (3) of the Local Government Act 1972. Since Item 14 was related to Item 10 it was agreed that Item 10 would be taken immediately before the private session.

4. DEPUTATIONS/PUBLIC ADDRESSES

There were none.

5. DECLARATIONS OF INTEREST

There were none.

6. ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were none.

7. HOUSES IN MULTIPLE OCCUPATION SUPPLEMENTARY PLANNING DOCUMENT (SPD) - DRAFT CONSULTATION OUTCOMES, PROPOSED CHANGES AND ADOPTION

Councillor Hill as the relevant Cabinet Member presented the report seeking approval to adopt the Houses in Multiple Occupation (HMO) Supplementary Planning Document (SPD).

Councillor McCutcheon considered that the report was good overall, although dovetailing of policies and joined-up thinking was very important. The requirement for HMOs was related to the lack of new homes. There were matters of detail which would need to be resolved during implementation.

Councillor Stone expressed concern at the time taken to make progress. There was no evidence that more HMOs were needed – people were being forced into HMOs because other housing was not available. All rooms should have en-suite facilities and the standard room size needed to be larger.

Councillor Stone referred to the second point under 2.1.1 on page 29. She considered that HMOs had adversely affected the character and amenity of local areas – particularly when there was a high turnover of residents and neighbours did not know each other.

Councillor Hill stated that progress had been dictated by the strict conditions of the Planning Inspectorate. It was important that processes were followed and this had resulted in a strong and robust policy.

The Head of Planning pointed out that HMO room sizes were standard and that work had been done with Housing regarding this.

RESOLVED:

- 2.1 Cabinet agreed the policy responses to the public consultation exercise held between August and October 2019 as set out in paragraph 3.2.5 below, and
- 2.2 Cabinet approved the adoption of the Houses in Multiple Occupation Supplementary Document (Appendix 1) which takes into account the responses to the public consultation exercise
- 2.3 Cabinet agreed that the Head of Planning be given delegated authority in consultation with the Cabinet Member for Planning to make any necessary minor amendments, including spelling and changes in the format of the SPD where they do not alter the intent of the SPD, prior to its publication.

8. PARKING STANDARDS SUPPLEMENTARY PLANNING DOCUMENT (SPD) - DRAFT CONSULTATION OUTCOMES, PROPOSED CHANGES AND ADOPTION

Councillor Hill as the relevant Cabinet Member presented the report seeking approval to adopt the Parking Standards SPD.

Councillor McCutcheon noted that one of the difficulties of increasing numbers of HMOs was additional parking requirements. This SPD would give grounds for refusal of HMOs in unsuitable areas and would be useful for the Planning Committee.

RESOLVED:

- 2.1 Cabinet approved the adoption of the Parking Standards Supplementary Planning Document.
- 2.2 Cabinet agreed that the Head of Planning be given delegated authority in consultation with Cabinet Member for Planning to make any necessary minor amendments, including spelling and changes in the format of the SPD where they do not alter the intent of the SPD prior to its publication.

9. SPECIALIST HOUSING SUPPLEMENTARY PLANNING DOCUMENT (SPD) - DRAFT CONSULTATION OUTCOMES, PROPOSED CHANGES AND ADOPTION

Councillor Hill as the relevant Cabinet Member presented the report seeking approval to adopt the Specialist Housing SPD. It was important that specialist housing was in the right location, and was able to be adapted to the changing needs of residents over time.

Councillor Stone considered this to be a very important policy. In-house provision of specialist housing was better than private. New builds should be cost and energy efficient, and wheelchair access should be provided as standard. Appropriate specialist housing

provision supported quality of life across the board, and could save money on other services if implemented well.

RESOLVED:

- 2.1 Cabinet approved the adoption of the Specialist Housing Supplementary Planning Document (SPD).
- 2.2 Cabinet agreed that the Head of Planning be given delegated authority in consultation with the Cabinet Member for Planning to make any necessary minor amendments, including spelling and changes in the format of the SPD where they do not alter the intent of the SPD prior to its publication.

11. VULCAN WORKS - OPERATOR ARRANGEMENTS

Councillor Hadland as the relevant Cabinet Member presented the report which would inform the tendering process. On page 213, item 3.1.14, the final bullet point should be amended to read 'VWCH Mobilisation and Operation – January 2021'.

Councillor Birch stated that this was an exciting project. She questioned the robustness of the projection that 59 units were required, and noted that the internal fit of the units would be crucial in encouraging take-up by businesses. Since costs in Northampton were inexpensive compared to cities such as London and Birmingham, consideration should be given to attracting businesses from a wider area, not just the 35 mile radius mentioned in the report.

Councillor Hadland clarified that the 35 mile radius was not a limit, and businesses from further afield would be encouraged.

RESOLVED:

- 2.1 Cabinet noted the progress to date on the construction of the Vulcan Works Creative Hub (VWCH) as set out in paragraphs 3.1.4 to 3.1.7
- 2.2 Cabinet approved the procurement of a service provider to operate the VWCH as set out in section 3.2 of this report.
- 2.3 Cabinet delegated authority to the Economic Growth and Regeneration Manager in consultation with the Borough Secretary, the Chief Finance Officer and the Cabinet Member for Regeneration and Enterprise to appoint the successful operator following the OJEU compliant procurement process as set out in this report.

12. FINANCE MONITORING TO 30 SEPTEMBER 2019

Councillor Eldred as the relevant Cabinet Member presented the report and noted that the increased forecast overspend was primarily due to pressures in the benefits area, temporary accommodation and reduced income from recycling. These were being addressed and reserves would be used if required.

Councillor Stone stated that she was disappointed at the lack of detail in the report. Councillor Eldred advised that whilst some additional detail could be provided, the report was not intended to duplicate the audit information.

In response to a question from Councillor Stone, Councillor Eldred advised that a business

plan was in place for the Guildhall, with functions and weddings being held on a regular basis.

Councillor Eldred advised that residents had the option of paying council tax as one annual payment, quarterly, or in 10 or 12 monthly payments.

Councillor Stone requested more information regarding the Veolia budget and noted the 4% built-in profit. Councillor Hallam defended the profit, since if the operator was not making enough profit, they would not deliver a good service.

RESOLVED:

- 2.1 Cabinet noted the contents of the report and noted that future reports will set out the actions being taken by Corporate Management Board (CMB) to address issues arising.
- 2.2 Cabinet noted the amendments to the general fund capital programme as set out at paragraph 3.5.1.
- 2.3 Cabinet approved a £0.500m virement within the HRA capital programme as set out at paragraph 3.6.2.

10. REGENERATION AND REDEVELOPMENT OF BERKELEY HOUSE AND ST MARY'S COURT, SPRING BOROUGHS

Councillor Hibbert as the relevant Cabinet Member presented the report. Seven blocks were to be demolished and 126 new homes built, as approved by Planning Committee in July 2019. The demolition would be separate from the construction to allow for archaeological investigation. Tenants would have the right to return and resident leaseholders would be protected. Councillor Hibbert thanked Helen Town, Northampton Partnership Homes (NPH) and NBC officers for their hard work in bringing this to fruition.

Councillor Stone as the ward councillor stated that the flats had been an eyesore for years and were not fit for purpose. The new development would be welcomed, although time and resources would be required to reassure residents, since there would be significant disruption.

Councillor Stone expressed concern that the social rents option had been discounted. The government had capped benefits, but not rents, resulting in poverty. She also warned against allowing 'gentrification' of the area, since it was a prime site, close to the town centre and railway station.

The Borough Secretary advised that Appendix 6 should be considered in private session, before returning to agree the recommendations in public.

13. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

14. REGENERATION AND REDEVELOPMENT OF BERKELEY HOUSE AND ST MARY'S COURT, SPRING BOROUGHS - APPENDIX 6

This item was heard in private, following which Cabinet returned to public session to agree the recommendations from Item 10 as follows:

RESOLVED:

2.1 Cabinet:

- (a) Approved the regeneration and redevelopment of Berkeley House and St Mary's Court, by Northampton Partnership Homes (NPH) on behalf of the Council, including the demolition of the existing seven blocks of flats and the construction of 126 new affordable homes, within the financial envelope presented in the exempt report Appendix 6, in accordance with the proposals set out in the planning application for this scheme, described as 'The Roof Gardens', approved by the Council's Planning Committee on 30 July 2019;
- (b) Approved the publication of a formal demolition notice for Berkeley House and St Mary's Court (affecting the seven blocks of flats within the area identified in the plan that is shown edged red in Appendix 1) and the subsequent demolition of each block of flats as it becomes vacant;
- (c) Resolved to make a Compulsory Purchase Order (CPO), in accordance with s226(1)(a) of the Town and Country Planning Act 1990, for the acquisition of the land and third party interests within the area identified in the plan that is shown edged red in Appendix 1 in order to enable the regeneration of the Berkeley House and St Mary's Court site and the development of 'The Roof Gardens' scheme;
- (d) Delegated to the Chief Executive, in consultation with the Cabinet Member for Housing & Wellbeing, the Borough Secretary & Monitoring Officer and the Chief Finance Officer, the authority to effect the making, confirmation and implementation of the CPO and to take all necessary steps to give effect to the CPO including the payment of any compensation in relation to the land shown on the plan in Appendix 1 including, but not limited to, the procedural steps described in Paragraph 4.3.10 of this report;
- (e) Delegated to the Chief Executive, in consultation with the Cabinet Member for Housing and Wellbeing, the Borough Secretary & Monitoring Officer and the Chief Finance Officer the authority to appoint external professional assistance if necessary to meet the requirements of paragraph 4.3.10 of this report;
- (f) Considered and took account of the consultation feedback pursuant to Appendix 4 of this report;
- (g) Approved the proposed capital scheme budget of £15.9m which will include the scheme costs involved in the acquisition of leasehold properties, development costs i.e. standard construction costs, demolition and asbestos removal, any potential archaeology fees and finally, location construction costs;
- (h) Delegated to the Chief Executive, in consultation with the Cabinet Member for Housing and Wellbeing and the Chief Finance Officer, authority to approve the release of the relevant funds from the Housing Revenue Account Capital Programme following the procurement process and outcomes within the financial envelope presented in exempt report Appendix 6;

- (i) Delegated to the Head of Housing & Wellbeing, in consultation with the Cabinet Member for Housing & Wellbeing and the Chief Finance Officer, the authority to determine the rent levels and services charges for the new rented homes, based on the outcome of the Council's application to Homes England for capital funding to support the proposed development of 'The Roof Gardens'. The proposal is for "affordable" rents (80% of open market rents) but capped at a level which is no higher than the Local Housing Allowance rate; and
- (j) Agreed to accept further reports to future meetings of Cabinet on any issues that may require further consideration and decision by Cabinet.

The meeting concluded at 6:55 pm

Appendices

2



NORTHAMPTON
BOROUGH COUNCIL

CABINET REPORT

Report Title	Review of the licence fees for Houses in Multiple Occupation (HMOs)
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	4 December 2019
Key Decision:	Yes
Within Policy:	Yes
Policy Document:	Yes
Directorate:	Housing and Wellbeing
Accountable Cabinet Member:	Councillor Stephen Hibbert
Ward(s)	All

1. Purpose

- 1.1 On 16 October 2019, Cabinet approved the designation of an Additional HMO (Houses in Multiple Occupation) Licensing Scheme for a period of five years commencing on 1 February 2020.
- 1.2 The new Additional HMO Licensing Scheme replaces the five-year scheme that was introduced in 2014 and ended on 2 November 2019.
- 1.3 Following a comprehensive review of the HMO licence fees, Cabinet is asked to approve changes to the HMO licence fees and amendments to the Private Sector Housing Fees & Charges Policy.

2. Recommendations

- 2.1 It is **recommended** that Cabinet:
 - (a) Approves the changes to the HMO licence fees (as set out in Paragraphs 3.2.5 – 3.2.12 of this report), including the apportionment of the HMO licence between the processing of the application and the administration of the HMO licensing scheme, and delegates to the Head of Housing and Wellbeing the authority to implement these revised fees with regard to applications for HMO licenses received with effect from 11 December 2019.

- (b) Approves the updated Private Sector Housing Fees & Charges Policy (attached to this report as **Appendix A**); and
- (c) Approves the transitional arrangements (as set out in Paragraph 3.2.16 – 3.2.17 of this report) for those HMO licences that were issued under the previous Additional HMO Licensing Scheme of 2014 and were not due to expire until after 2 November 2019.

3. Issues and Choices

3.1 Report Background

- 3.1.1 As a local housing authority, Northampton Borough Council has a general statutory duty under Part 2 of the Housing Act 2004 (“the Act”) to implement, administer and enforce a licensing regime with regard to Houses in Multiple Occupation (“HMO”) in its district.
- 3.1.2 HMO licensing within Northampton is split into two categories; mandatory and additional. A property will be a licensable HMO on a mandatory basis if it is occupied by five or more persons living in two or more separate households and it meets specific tests set out in Part 7 of the Act. Local housing authorities may also designate areas of their district as subject to additional licensing in relation to a description of HMO specified by them if certain requirements are met.
- 3.1.3 On 19 October 2019, following a period of consultation with the public, Cabinet approved the designation of an additional HMO licensing scheme for a period of five years commencing on 1 February 2020. This new scheme replaces the original five-year additional licensing scheme that was introduced in 2014 and ended on 2 November 2019. A property will be a licensable HMO under the additional scheme if it is occupied by three or more persons living in two or more separate households and it also meets the specific tests set out in Part 7 of the Act
- 3.1.4 The Act includes a power for local housing authorities to charge fees for the administrative cost of considering applications for new HMO licenses and for renewals of existing licenses and enforcement of its HMO licensing regime. The High Court also recently ruled that this fee charging power also entitles local housing authorities to charge HMO licence holders a fee as a contribution to the cost of enforcing the HBO licensing regime.
- 3.1.5 The fee structure for the licensing of HMOs in Northampton is set out in the Council’s Private Sector Housing Fees and Charges Policy which is designed to ensure transparency, consistency and fairness in the way in which fees and charges are calculated and applied.
- 3.1.6 It also seeks to encourage good behaviour and ensure that responsible landlords pay lower fees and charges.
- 3.1.7 During this year’s review of the HMO licensing fees, consideration has been given to not just the cost of processing applications and administering the scheme but also case law, guidance and the practice of other local authorities.
- 3.1.8 The review also takes into account the Council’s designation of an Additional HMO licensing scheme (covering a larger geographical area than the previous scheme approved in 2014) for a five year period from 1 February 2020.

Number of licensed HMOs in Northampton

- 3.1.9 On 30 September 2019, there were a total of 869 licensed HMOs in Northampton and, of these:

- 474 have a Mandatory HMO licence (because they are occupied by at least five persons who form two or more households and share some facilities); and
- 395 have an Additional HMO licence (because they are situated in a designated area and are occupied by at least three persons who form two or more households and share some facilities).

3.1.10 The Housing Enforcement Team’s intelligence-led approach to enforcement has enabled Officers to identify 960 ‘properties of interest’ that are suspected of being licensable HMOs and have been operating without an HMO licence.

3.1.11 Although some of these ‘properties of interest’ are Mandatory HMOs that are situated throughout the borough, most have required an Additional HMO licence because they are situated in the designated area of the Additional HMO licensing scheme. The number of licensable HMOs that are operating without an HMO licence is expected to increase from 1 February 2020 when the new, larger Additional HMO licensing scheme comes into effect.

3.1.12 The Council’s Housing and Planning Teams are sharing intelligence and working collaboratively and proactively to identify HMOs that require a licence and/or planning permission but are operating without it.

Existing HMO Fee Structure

3.1.13 Under the existing fee structure, the amount that an applicant pays for their HMO licence depends on the number of people who can occupy the property and whether or not the application is completed on time.

3.1.14 The Council will offer a reduction in the HMO licence fee where a completed application (for a new licence or the renewal of a licence) is made on time.

3.1.15 Of the 369 new or renewed HMO licence applications received in 2018/19, a total of 242 (66%) qualified for an ‘early bird discount’. Of the 141 new or renewed HMO licence applications received during the first half of 2019/20, 93 (66%) qualified for an ‘early bird discount’.

3.1.16 The following fees are currently charged for new HMO licences:

Application for new licence	Description	Amount	Early bird discounted amount
Standard HMO Licence Fee (for up to 5 persons)	The fee charged for a new HMO licence (or to renew an HMO licence that has already expired) for HMO that can accommodate up to 5 persons	£1,100	£675 (a saving of £425)
Standard HMO licence Fee (for 6 or more persons)	The fee charged for a new HMO licence (or to renew an HMO licence that has already expired) for HMO that can accommodate 6 or more persons	£1,140 for 6 persons (Plus £40 per person if more than 6 persons)	£715 (a saving of £425)

- 3.1.17 Where an HMO licence is being renewed, the amount that an applicant pays for their HMO licence depends on the number of people who can occupy the property and whether or not the licence is renewed on time.
- 3.1.18 An 'early bird discount' is awarded to those who renew their licence on time.
- 3.1.19 The following fees are currently charged for the renewal of HMO licences:

Application to renew licence	Description	Amount	Early bird discounted amount
Renewal HMO Licence Fee (for up to 5 persons)	The fee charged for the renewal of a licence for an HMO that can accommodate up to 5 persons	£1,100	£625 (a saving of £450)
Renewal HMO licence Fee (for 6 or more persons)	The fee charged for the renewal of a licence for an HMO that can accommodate 6 or more persons	£1,140 for 6 persons (Plus £40 per person if more than 6 persons)	£665 (a saving of £450)

3.2 Issues

Local Government Association guidance

- 3.2.1 Although Regulations provide for the payment of a fee in relation to the granting of a licence under the Housing Act 2004, it is for each licensing authority to determine the fee payable in its area.
- 3.2.2 The licence fee must be reasonable and be based on the actual total cost of setting up the scheme, processing the applications, administering the scheme and undertaking enforcement during the whole five year period of the licence.
- 3.2.3 In July 2017, the Local Government Association (LGA) updated its guidance on locally set licence fees in the light of a number of legal challenges (most notably *Gaskin v Richmond-upon-Thames LBC* and *Hemmings v Westminster City Council*): "Councils should be able to separate out the cost of processing an initial application from those costs associated with the ongoing administration of a scheme, because this latter element cannot be charged to unsuccessful licence applicants".
- 3.2.4 Although the Council has not previously separated out the HMO licence fee between processing and administration, this is something that needs to be addressed in the new fee structure. If it does not, then the risk is that an unsuccessful applicant may be able to successfully challenge, by way of judicial review, the existing practice of not separating out administration and enforcement costs.

Proposed HMO Fee Structure

- 3.2.5 The calculation of Northampton's new HMO Licence fees has been carried out using a standard spreadsheet that was originally formulated by the LGA and incorporates all costs involved in the setting up of the scheme, together with the ongoing staff costs in relation to administration and enforcement and projected inflation over the 5 year licensing period. See **Appendix B**.
- 3.2.6 Reflecting the LGA guidance, it is proposed that, from 11 December 2019, Northampton's HMO licence fee is made up of two parts:
- **First Payment of £546** – this is for processing the licence application and is paid when the application is submitted. It is non-refundable. in the event of refusal of the application.
 - **Second Payment of £723** – this is for administering and enforcing the licensing scheme and will be requested in an invoice that is sent to the applicant with the draft HMO licence.
- 3.2.7 Applicants will be required to make the second payment within 14 days of receiving the invoice and the draft HMO licence. The final licence will not be issued until this payment is made. If the applicant does not pay, their application will be returned to them as incomplete and the Council will look to take enforcement action against them for operating a licensable HMO without an HMO licence.
- 3.2.8 In order to encourage and reward good behaviour, landlords who currently apply for an HMO licence in a timely manner or renew an existing HMO licence before it expires have been provided with an 'early bird discount'. It is proposed that this incentive will continue and, as most of the people who qualify for the discount are better landlords and need a lot less administration and enforcement, the discount will be applied to the second payment.
- 3.2.9 It is proposed that, from 11 December 2019, the HMO licence fees (for Mandatory and Additional HMOs) are as follows:

Application for new licence	Description	Fee payable (in two parts)	Early bird discounted amount
Standard HMO Licence Fee (for up to 5 persons)	The fee charged for a new HMO licence (or to renew an HMO licence that has already expired) for an HMO that can accommodate up to 5 persons	① £546.00 (Processing)	① £546.00 (Processing)
		② £723.00 (Administration and enforcement)	② £473.00 (Administration and enforcement)
		TOTAL £1,269.00	TOTAL £1,019.00 (a saving of £250)

Standard HMO licence Fee (for 6 or more persons)	The fee charged for a new HMO licence (or to renew an HMO licence that has already expired) for an HMO that can accommodate 6 or more persons	① £546.00 (Processing)	① £546.00 (Processing)
		② £763.00 (Administration and enforcement)	② £513.00 (Administration and enforcement)
		Plus £40 per person if more than 6 persons	Plus £40 per person if more than 6 persons
		TOTAL £1,309.00	TOTAL £1,059.00 (a saving of £250)

3.2.10 It is proposed that, from 11 December 2019, the fees for the renewal of a Mandatory or Additional HMO licence will be as follows:

Application to renew licence	Description	Fee payable (in two parts)	Early bird discounted amount
Renewal HMO Licence Fee (for up to 5 persons)	The fee charged for the renewal of a licence for HMO that can accommodate up to 5 persons	① £546.00 (Processing)	① £546.00 (Processing)
		② £723.00 (Administration and enforcement)	② £180.00 (Administration and enforcement)
		TOTAL £1,269.00	TOTAL £726.00 (a saving of £543)
Renewal HMO licence Fee (for 6 or more persons)	The fee charged for the renewal of a licence for HMO that can accommodate 6 or more persons	① £546.00 (Processing)	① £546.00 (Processing)
		② £763.00 (Administration and enforcement)	② £220.00 (Administration and enforcement)
		Plus £40 per person if more than 6 persons	Plus £40 per person if more than 6 persons
		TOTAL £1,309.00	TOTAL £766.00 (a saving of £543)

3.2.11 In order to further incentivise landlords to license their HMOs at the start of the new Additional HMO licensing scheme on 1 February 2020, it is proposed that an additional discount of £200 is given for the first 150 completed new licence applications that are received under the new scheme. This will reduce the HMO licence fee to £819, representing a total saving of £450.

3.2.12 All Additional HMO licences (both new and renewed) that are issued on or after 1 February 2020 will be issued with an end date not later than 31 January 2025.

Benchmarking against other local authorities

3.2.13 Although it is for each licensing authority to determine the HMO fees that are payable in its area – based on the costs involved in setting up, administering and enforcing the scheme – a benchmarking exercise has been carried out to establish whether or not the HMO fees that Northampton is proposing to charge are significantly different to what other local authorities are charging.

3.2.14 For an HMO with up to 5 persons, landlords and owners are being charged the following amounts by their local authority:

Local authority	Initial HMO licence	Renewal HMO licence	Term
Oxford City Council	£525 - £1,940	£250 - £475	5 years
Nottingham City Council	£990 - £1,720	£990 - £1,720	5 years
Reading Borough Council	£690 - £1,485	£475	5 years
Northampton BC (Proposed)	£1,019 - £1,269	£726 - £1,269	5 years
Coventry City Council	£1,055 - £1,250	£545	5 years
Watford Borough Council	£1,172	£975	5 years
Birmingham City Council	£1,150	£850	5 years
Swindon Borough Council	£735 - £1,050	£735 - £1,050	5 years
Kettering Borough Council	£1,000	£1,000	5 years
London Borough of Hillingdon	£980	£735	5 years
Cambridge City Council	£950	£855	5 years
Bedford Borough Council	£906	£906	5 years
Rugby Borough Council	£650 - £900	£493	5 years
Peterborough City Council	£750 - £900	£750 - £900	5 years
Sheffield City Council	£750	£430	5 years

3.2.15 The table above shows that, over a ten year period, the HMO fees that Northampton is proposing to charge are not markedly different to what most other local authorities are charging over the same period.

Transitional arrangements for licensed HMOs

3.2.16 As the previous Additional HMO Licensing Scheme ended on 2 November 2019 and the new five year Additional HMO Licensing Scheme does not come into effect until 1 February 2020, it is recommended that transitional arrangements are put in place to ensure that landlords whose Additional HMO licence had not expired when the scheme ended are not financially disadvantaged.

3.2.17 It is proposed that, where an Additional HMO licence had not expired when the Additional HMO Licensing Scheme ended on 2 November 2019, the whole of the unexpired term of the licence will be carried over (at no cost to the landlord) to the new Additional HMO licensing scheme which starts on 1 February 2020.

3.3 Choices (Options)

Approval of the changes to the HMO licence fees

Option 1

- 3.3.1 Cabinet can choose to approve the changes to the Council's HMO licensing fees in order to generate sufficient fee income for the Council to license Mandatory HMOs and set up, administer and enforce the Additional HMO licensing scheme. It would also reduce the risk of High Court challenge of the Council's current practice of charging a combined fee for administration and enforcement of the HMO licensing regime.

Option 2

- 3.3.2 Cabinet can choose **not** to approve the changes to the Council's HMO licence fees. However, this will mean that the Council will have to charge either the current lower HMO fees (preventing the Council from recovering the full cost of operating the licensing scheme) or higher HMO fees that will exceed the cost of setting up, administering and enforcing the licencing scheme and cannot be justified. It may also result in an increased risk of High Court challenge of the combined HMO license fee.

Approval of the updated Private Sector Housing Fees & Charges Policy

Option 3

- 3.3.3 Cabinet can choose to approve the updated Private Sector Housing Fees and Charges Policy. This is required in order to ensure that the Policy is up to date and reflects the amended HMO license fees should Cabinet approve Option 1.

Option 4

- 3.3.4 Cabinet can choose not to approve the updated policy. However, if it is not approved, this decision is likely to attract criticism from the press and public and have an adverse effect on the reputation of the Council, as its written policy and what it actually charges in fees will be different. This situation may also result in an increased risk of High Court challenge if the new fees are approved and charged. If successful, the Council may be ordered to refund the difference between the old fees and the new fees to applicants.

Approval of the transitional arrangements

Option 5

- 3.3.5 Cabinet can choose to approve the transitional arrangements set out in paragraphs 3.2.16 and 3.2.17. Approval would ensure that landlords of HMOs that are licensed at the time the existing Additional HMO licensing scheme ends on 2 November 2019 are not financially disadvantaged.

Option 6

- 3.3.6 Cabinet can choose not to approve the transitional arrangements and require all landlords to apply for a new Additional HMO licence on 1 February 2020. This is likely to attract a lot of criticism from landlords and may result in an increased risk of challenge in the High Court. If successful, the Council may be ordered to refund affected landlords.
- 3.3.7 It is recommended that Cabinet approve options 1, 3 and 6, for the reasons outlined above.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 The action that the Council is proposing to take is in line with Council policy and reflects the priorities in the Corporate Plan.

4.2 Resources and Risk

- 4.2.1 The revised fees and charges proposed in relation to HMO licensing have been calculated in accordance with the Local Government Association guidance and, as a result, reflect the cost of the processing, administration and enforcement of the HMO scheme.
- 4.2.2 The Housing Enforcement Team has worked with the Finance Team to capture the costs of the HMO Licensing Scheme so that a licence fee can be based on historic costs against assumed volumes.
- 4.2.3 An assessment of officer time spent on HMO licensing activities was conducted. An estimate of on-costs and overheads have also been apportioned.
- 4.2.4 The Public HMO Register was used as the basis to estimate volumes as well as an estimate for the Additional HMO Licensing Scheme.
- 4.2.5 Costs and time spent on activities remain relatively stable. It is volumes that will impact upon the licence fee income budget. Volume estimates are prudent and income budgets set in accordance with this via the Medium Term Financial Plan (MTFP).
- 4.2.6 Regular annual reviews will take place and the Fees and Charges will be updated as appropriate.

4.3 Legal

- 4.3.1 Part 2 of the Act provides for the licensing of HMOs. It sets out specific rules relating to grant or refusal of applications for the licensing by local housing authorities of HMOs if they are intended to be occupied by five or more persons living in two or more separate households and if the property itself meet specific tests set out in Part 7 of the Act.

- 4.3.2 Section 63 (3) of the Act specifically permits a local housing authority to require that an application for a HMO licence, including an application for renewal of such a license, is accompanied by a fee fixed by that authority.
- 4.3.3 Section 63 (7) permits local housing authorities to fix fees having taken into account all of the costs incurred by the authority in carrying out their functions under Part 2, which includes the costs of setting up the mandatory licensing scheme, as well as any additional licensing scheme, and administering and enforcing it.
- 4.3.4 Part 2 also permits a local housing authority to set up and administer a scheme of additional licensing. Northampton Borough Council set up such a scheme initially on 3 November 2014, which designated all HMOs containing three or four occupiers living in two or more households, irrespective of the number of floors in the building, in a particular geographical area of the borough as licensable. This scheme expired on 2 November 2019.
- 4.3.5 A further scheme designating all HMOs containing three or four occupiers living in two or more households in a larger geographical area of the borough was designated by Cabinet on 16th October 2019. This will come into effect on 1 February 2020.
- 4.3.6 Section 63 (5) and (6) permits the creation of regulations which may, amongst other things, specify the maximum fees which are to be charged by local housing authorities. Although regulations have been created in accordance with section 63 (5 and (6), no provision has been made within them for effectively capping the fees which may be charged by local housing authorities. It is for each individual authority to determine what is an appropriate fee to set up, administer and enforce a regime of HMO licensing and this determination is potentially judicially reviewable in the High Court.
- 4.3.7 The case of R (on the application of Gaskin) v Richmond upon Thames LBC [2019] P.T.S.R. 567 is authority for the principle that in letting and managing property for profit, a HMO landlord provides a service for the purposes of the Provision of Services Regulations 2009. As such, in operating a regime of HMO licensing in accordance with Part 2 of the Act, local housing authorities will be running an authorisation scheme for the purposes of the Services Regulations 2009.
- 4.3.8 As a result, the practice of charging a single fee for administering and enforcing a HMO licensing regime in accordance with Part 2 of the Act may infringe the Provision of Services Regulations 2009 on the basis that it is not limited to the costs of the procedures and formalities of the authorisation scheme. However, charging a separate fee upon grant of an HMO licence, following payment of an initial fee for consideration of the licence application, which is limited to the costs of enforcing the authorisation scheme would not infringe the Provision of Services Regulations 2009

4.4 Equality and Health

- 4.4.1 HMO licensing helps the Council to improve housing conditions and the life chances, health and wellbeing of people with protected characteristics, including homeless people, young people, older people, people with disabilities and families with children.

- 4.4.2 Poor living conditions – including overcrowding, damp and cold, trip hazards, unsafe gas and electrical installations, and a lack of natural light and ventilation – are known to have a significant adverse impact on the health, wellbeing and safety of all tenants, but especially on older people, people with chronic health problems, people with restricted mobility, and children.
- 4.4.3 The inspection and licensing of HMOs, together with the imposition and enforcement of the licensing conditions, will benefit people with protected characteristics and have a positive impact on Equality and Diversity.
- 4.4.4 HMO licensing is part of the Borough Council’s commitment to improving communities and our town as a place to live. In implementing the revised Private Sector Housing Fees & Charges Policy, the Council will have due regard to its Public Sector Duty and continue to work to tackle discrimination and inequality and contribute to the development of a fairer society.

4.5 Consultees (Internal and External)

- 4.5.1 Despite there being no requirement or expectation for a statutory or discretionary external consultation to take place, the Corporate Management Board and Cabinet Members have been consulted about the proposals set out in this report. The overall approach to HMO fees and charges (as set out in the Private Sector Housing Fees & Charges Policy) has been discussed, in recent years, with landlords, letting agents and stakeholders in a series of landlord focus groups and meetings of the Landlord Forum.
- 4.5.2 The size of HMO licencing fees proposed in this report have been benchmarked with other local authorities as set out in paragraphs 3.2.13 to 3.2.15.

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 If implemented, the action proposed in this report will help to meet 2 of the priorities in the Corporate Plan 2018 - 20:
- **More homes, better homes:** The HMO fee income will provide the Housing Enforcement Team with the capacity to identify licensable HMOs that are operating without a licence, tackle criminal, rogue and irresponsible landlords, and make effective use of its enforcement powers to ensure good standards in the private rented sector; and
 - **Keeping the town and people safe:** The HMO fees income will support the Housing Enforcement Team’s intelligence-led, targeted approach to enforcement and will improve the condition, management and safety of private rented housing in Northampton.

Appendices

Appendix A – Private Sector Housing Fees & Charges Policy (11 December 2019)

Appendix B – Completed HMO Licensing Costs Calculator

5. Background Papers

'Open for business. LGA guidance on locally set licence fees', Local Government Association (Updated July 2017)

Cabinet Report – Proposed Designation of an Additional HMO Licensing Scheme (16 October 2019)

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Private Sector Housing Fees & Charges Policy

for the Regulation of Housing Standards

Updated 11 December 2019

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1. Introduction

- 1.1 Northampton Borough Council is committed to improving standards in private sector housing, bringing empty properties back into use and ensuring that all private rented accommodation is well managed, properly maintained and safe and habitable.
- 1.2 It is also committed to ensuring that all Houses in Multiple Occupation (HMOs) that require a licence are licensed on time and comply with the licence conditions.
- 1.3 Although Northampton has some excellent landlords and letting agents, the Council has a vital role to play in tackling criminal, rogue and irresponsible landlords and preventing them from profiting from their non-compliance.
- 1.4 In order to regulate private sector housing, the Council's Private Sector Housing Team will request information, carry out inspections, process licence applications, provide owners and landlords with advice and information, investigate possible offences and, where appropriate, take enforcement action and prosecute offenders.

2. Purpose of the Fees & Charges Policy

- 2.1 The law allows Councils to charge for the licensing of Houses in Multiple Occupation and the cost of the enforcement action it takes in relation to private sector housing.
- 2.2 Although the Council values the very important role that the private rented sector plays in meeting the high demand for housing in Northampton, it also recognises the need to take robust action against those landlords whose selfish, anti-social and unlawful behaviour is putting tenants' health and wellbeing at risk, spoiling local neighbourhoods and placing an additional financial burden on public services.
- 2.3 In order to support and complement Northampton's Private Sector Housing Enforcement Policy, this Fees & Charges Policy is designed to encourage good and responsible behaviour and ensure that, where possible, the cost of enforcement is borne by the offender, rather than by the taxpayer and responsible landlords.
- 2.4 To this end, the Council will offer a reduction in the HMO licence fee where a completed application (for a new licence or the renewal of a licence) is made on time. It will also shorten the term of an HMO licence where the licence application is submitted very late and/or the Council has reason to believe that its Officers will need to spend a lot of time monitoring and enforcing standards in that HMO.
- 2.5 This Policy reflects the current cost of enforcement actions and processes, and it sets out an approach that is designed to ensure transparency, consistency and fairness in how fees and charges are applied.
- 2.6 The Fees & Charges Policy should be read in conjunction with other policies and strategies including, for example, the Private Sector Housing Enforcement Policy, the HHSRS Procedure and the Private Sector Housing Civil Penalties Policy.

3. Principles underpinning the Policy

3.1 Northampton's Fees & Charges Policy is based on the following principles:

- The Council will enforce the law efficiently and effectively without imposing unnecessary burdens on responsible owners, landlords and occupiers;
- All fees and charges will be calculated on the basis of what it costs the Council to license HMOs, take enforcement action, carry out works in default and provide advice and written reports;
- All licensable HMOs will be subject to the same fees and charges arrangements, irrespective of whether they are affected by the Mandatory HMO Licensing regime or the Additional HMO Licensing regime;
- Owners and landlords who fail to license their HMOs on time will be required to pay more for their HMO licence and, when they are eventually issued with an HMO licence, the Council is likely to issue them with a shorter licence that lasts less than the standard term;
- Owners and landlords (including the owners of long-term and problematic empty properties) who are served with formal Notice(s) by the Council will be required to bear the full cost of enforcement in line with this Policy;
- Where it is necessary for the Council to carry out works in default, the Council will seek to recover all of its costs (including the cost of the works) from the owner or landlord at the earliest opportunity; and
- The Council will ensure its fees and charges are as low as possible by improving efficiency and making effective use of information technology;

4. Calculating the Fees & Charges

4.1 Since 2017, the Council has been carrying out an annual review of its fees and charges for Private Sector Housing to ensure they reflect the true cost of the work.

4.2 In Autumn 2019, a review of the HMO fees and charges was carried out to take into account the designation of an Additional HMO licensing scheme that covers a much larger part of the borough than the licensing scheme introduced in 2014.

4.3 The revised fees and charges – set out in **Appendix A** the calculation of these fees and charges are set out in **Appendix B** – reflect the true cost of the work involved and have been calculated by determining all costs involved in setting up the scheme, together with the ongoing staff costs in relation to administration and enforcement and the projected inflation over the 5 year licensing period.

5. Licensing of Houses in Multiple Occupation

- 5.1 Since introducing its Additional HMO Licensing Scheme on 3 November 2014, Northampton Borough Council has licensed approximately around one half third of the estimated number of licensable HMOs operating in the designated area.
- 5.2 Although a bigger proportion of licensable Mandatory HMOs are licensed, the Council is continually uncovering Mandatory and Additional HMOs that are being operated, unlawfully, without an HMO licence.
- 5.3 It is a criminal offence if a person controlling or managing an HMO does not have the required licence. Failure to comply with any condition attached to a licence is also an offence. The Council will consider all available enforcement options when dealing with unlicensed HMOs and breaches of the licence conditions.
- 5.4 If a licensable HMO does not have a licence, any Section 21 Notice (a notice seeking possession) that the landlord serves on the tenants is likely to be invalid. Identifying and targeting licensable HMOs that are operating without a licence, therefore, will not only help the Council to tackle criminal, rogue and irresponsible landlords, but it will also prevent homelessness.
- 5.5 Although enforcement action has an important role to play in ensuring that HMOs are properly managed and meet the required standards – and the Council is firmly committed to ensuring that the cost of such action is borne by the offenders – this Fees & Charges Policy includes a number of incentives and penalties that are designed to encourage good practice and the timely licensing of HMOs:
- All licensable HMOs (Mandatory and Additional) will be subject to the same fees and charges arrangements, including incentives and penalties;
 - Owners and landlords who submit their completed licence application (for the initial HMO licence or the renewal of their HMO licence) in a timely manner will receive a 5 year HMO licence and an ‘Early Bird Discount’ that will reduce the size of the licence fee they are required to pay; and
 - Owners and landlords who fail to submit their completed licence application (for the initial HMO licence or the renewal of their HMO licence) in a timely manner will not receive an ‘Early Bird Discount’ and, when they are issued with an HMO licence, they may be issued with a shorter licence lasting less than 5 years.

Cost of the initial HMO Licence

- 5.6 The cost of the initial licence fee will depend on the number of people that the HMO can accommodate and when the licence application is received by the Council.
- 5.7 A bigger licence fee will be charged if the HMO is able to accommodate more than 5 persons, and an ‘Early Bird Discount’ will be allowed if the completed licence application is received by the Council within the required timescales.

- 5.8 Up until 31 March 2021 [see **Appendix A**], an HMO licence fee of £1,269 – comprising a first payment of £546 for the processing of the licence application and a second payment of £723 for the administration and enforcement of the licensing scheme – will be payable for an HMO that can accommodate up to 5 persons.
- 5.9 If the HMO can accommodate more than 5 persons, the size of the second payment (for the administration and enforcement of the licensing scheme) will be increased by £40 for each additional person (above 5 persons) that the HMO can accommodate.
- 5.10 If an ‘Early Bird Discount’ is appropriate, the size of the second payment (for the administration and enforcement of the licensing scheme) will be reduced by £250.
- 5.11 From 2020/21 onwards, the HMO fees will be reviewed and updated, on an annual basis, to reflect any changes in the costs that the Council incurs in providing this service. Any changes will come into effect in the subsequent municipal year.

Award of an ‘Early Bird Discount’ for initial Licences

- 5.12 An ‘Early Bird Discount’ will be awarded, at the discretion of the Council, where the completed HMO licence application (including the licence fee) is received:
- within 8 weeks of the HMO becoming licensable; or
 - within 8 weeks of the owner completing the purchase of an existing, licensable HMO
- 5.13 In order to determine whether or not an ‘Early Bird Discount’ should be awarded, the Council may ask the applicant to provide evidence to confirm the date of purchase or support their claim that the HMO has only recently become licensable.
- 5.14 Where the Council is satisfied that the applicant has withheld relevant information or provided misleading information – especially in relation to the way in which the HMO is being (or has been) occupied – it will not award an ‘Early Bird Discount’.

Length of the initial HMO Licence

- 5.15 The length of the initial licence will depend on when the completed licence application (including the licence fee) is received by the Council.
- 5.16 A licence of up to 5 years – which, in the case of an Additional HMO licence, shall expire no later than 31 January 2025 – will be issued if the completed licence application is received:
- within 13 weeks of the HMO becoming licensable; or
 - within 13 weeks of the owner completing the purchase of an existing, licensable HMO
- 5.17 Where a Licence is submitted after 13 weeks after becoming licensable with no justification, the Council will produce an enforcement report for consideration of a Civil Penalty.

- 5.18 The Council also reserves the right to reduce a licence term of any licence if the Council's inspection of the HMO results in Category 1 hazards, breach of licence conditions and/or offences under the HMO Management Regulations being identified and a Notice being served on the owner or landlord.

Cost of renewing an HMO Licence

- 5.19 The cost of renewing an HMO licence will depend on the number of people that the HMO can accommodate and when the licence application is submitted.
- 5.20 Up until 31 March 2021 [see **Appendix A**], an HMO licence fee of £1,269 – comprising a first payment of £546 for the processing of the licence application and a second payment of £723 for the administration and enforcement of the licensing scheme – will be payable for an HMO that can accommodate up to 5 persons.
- 5.21 If the HMO can accommodate more than 5 persons, the size of the second payment (for the administration and enforcement of the licensing scheme) will be increased by £40 for each additional person (above 5 persons) that the HMO can accommodate.
- 5.22 If an 'Early Bird Discount' is appropriate, the size of the second payment (for the administration and enforcement of the licensing scheme) will be reduced by £543.
- 5.23 From 2020/21 onwards, the HMO fees will be reviewed and updated, on an annual basis, to reflect any changes in the costs that the Council incurs in providing this service. Any changes will come into effect in the subsequent municipal year.

Award of an 'Early Bird Discount' for the renewal of Licences

- 5.24 An 'Early Bird Discount' will be awarded, at the discretion of the Council, if a duly completed renewal application (including the licence fee) is received by the Council at least 28 days before the existing HMO licence expires.
- 5.25 Up until 31 March 2021 [see **Appendix A**], the 'Early Bird Discount' will reduce, by £543, the cost of renewing an HMO licence.

Purchase of an existing licensed HMO

- 5.26 Although an existing HMO licence cannot be transferred to the new owner when the HMO is sold, the fee that is charged for the new HMO licence may, at the Council's discretion, be treated as a licence renewal and qualify for an 'Early Bird Discount'.
- 5.27 To be treated as a licence renewal and qualify for an 'Early Bird Discount', the HMO that has been sold must have had a valid HMO licence at the time the sale was completed, the new owner must already be operating a licensed HMO in Northampton and a completed licence application (including the licence fee) must have been received by the Council within 8 weeks of the purchase being completed.

Additional charges

- 5.28 In order to improve efficiency and keep its HMO fees and charges as low as possible, the Council is planning to introduce online HMO licensing in 2019/20 and, when the new system is up and running, the Council will require all HMO licence applications (including licence renewals) and payments to be made online.
- 5.29 Where it is necessary for an Officer to sit with the applicant to complete their licence application online, the Council will normally charge them £75 + VAT for this.
- 5.30 A charge of £75 + VAT will normally be made if the landlord / owner applicant fails to attend a pre-application HMO inspection or cancels it with less than 24 hours' notice.

6. Housing Enforcement

- 6.1 The Council's Private Sector Housing Team will respond to complaints from tenants and other residents about private housing and it will prioritise the complaints on the basis of an assessment of the risk and seriousness.
- 6.2 The Housing, Health and Safety Rating System (HHSRS), set out in Part 1 of the Housing Act 2004, is a method of assessing how likely it is that the condition of a property will cause an unacceptable hazard to the health of the occupant(s) of the property or neighbouring properties.
- 6.3 The HMO licensing regime includes arrangements for assessing the suitability of the premises for the number of occupants, including the adequacy of the amenities. It also provides for the assessment of the fitness of a person to be the licence holder and the potential management arrangements of the premises.

The pre-formal process

- 6.4 In many instances, the Council will follow a pre-formal process in which it will seek to work with landlords to reduce hazards. This will provide owners and landlords with the opportunity to quickly resolve any problems, to the Council's satisfaction, without incurring any of the charges that will be made for any formal enforcement action.
- 6.5 The Council will avoid any actions, however, that may encourage owners, landlords and agents to be non-compliant.

The formal process

- 6.6 Where enforcement action is necessary, the Council will use a variety of regulatory powers and will normally charge offenders for the cost of preparing and serving Statutory Notices. The amount charged [see **Appendix A**] reflects the true cost of the work and takes into account the average number of hours taken to complete the task, the hourly rate of the Officers involved and the service on-costs.
- 6.7 In exceptional circumstances, the Council may exercise its discretion and decide not to charge an offender for the cost of enforcement. Such decisions will be made by the Council's Head of Housing and Wellbeing or Private Sector Housing Manager and will be based on the individual circumstances and merits of each case.

Carrying out Works in Default

- 6.8 The Council has been given powers under the Housing Act 2004 and other legislation to carry out works in default where a person has been required to do works but has failed to do so.
- 6.9 In most instances, a person will be given notice of the Council's intention to carry out works in default. As soon as the Council has commenced the works, it is an offence for any person to obstruct the Council or any of the contractors or agents that have been employed to carry out the works.
- 6.10 The full cost of the works will be recovered in accordance with the relevant statutory provisions. A Charge will be placed on the property and the debt will be pursued. If interest can be charged while the debt remains unpaid, this will be added to the debt.
- 6.11 In order to encourage owners and landlords to undertake the work themselves, the Council's charges for arranging works in default [see **Appendix A**] reflect the true cost of organising and paying for the work. These costs must be met by the offender.
- 6.12 The Council is not obliged to carry out the works and reserves the right not to do so where the cost of the works is likely to be high or there may be difficulties recovering the costs. Works may be considered to remove serious hazards only.

Empty Properties

- 6.13 There is a high demand for accommodation in Northampton. As well as being a wasted source of housing, empty properties can be an eyesore, damage adjoining properties, blight neighbourhoods and attract anti-social behaviour.
- 6.14 The Council will identify, risk assess and prioritise long-term, problematic and nuisance empty properties, using the full range of informal and formal action (including works in default, enforced sales and, where appropriate, compulsory purchase) in order to bring them back into use.

7. Discretionary Services

- 7.1 Where the Council is asked to provide a discretionary service in relation to private sector housing – such as an Immigration Compliance Visit & Report – it will make a reasonable charge that reflects the true cost of the work.
- 7.2 Although the Private Sector Housing Team will continue to provide owners and landlords with advice and guidance, this will be provided mainly through the Council's website. Site visits will continue to be undertaken but, if customers require written reports or scaled drawings, the Council will normally charge for these.

8. Debt Recovery

- 8.1 Where a charge is made for enforcement action, the debt will be registered as a local land charge against the owner's property. This means that, when the property is sold, the whole debt (including the interest that has accrued) will have to be repaid.
- 8.2 The Council will not, as a matter of course, allow a land charge to sit against a property until it is sold. It will vigorously pursue all debts that are owed to it in relation to its enforcement activity, works in default and other charges.

8.3 In order to recover outstanding debts, the Council may:

- Use databases and tracing agencies to track down debtors with a view to securing money judgments against them and appointing court bailiffs to recover the debt.
- Demand that rents are paid to the Council, rather than the landlord, where the law allows and it is appropriate to do so
- Use the enforced sale procedure under the Law of Property Act 1925, where appropriate, to force the sale of the property in order to recover the money that is owed.

9. Guidance

9.1 A wide range of guidance on licensing and enforcement has been issued by the Government and other agencies, and the Council will continue to have regard to all relevant guidance when formulating its policies and procedures.

APPENDIX A – PRIVATE SECTOR HOUSING FEES & CHARGES

From 11 December 2019 until 31 March 2020, Northampton Borough Council's Private Sector Housing Fees & Charges will be as follows:

ELEMENT	DESCRIPTION	AMOUNT
Standard HMO Licence Fee (for up to 5 persons)	The fee charged for a new HMO licence (or the late renewal of an HMO licence that has already expired) in relation to an HMO that is able to accommodate up to 5 persons.	£1,269 ————— First payment (for processing the application) is £546 Second payment (for administration and enforcement of the HMO licensing scheme) is £723.
Standard HMO Licence Fee (for 6 or more persons)	The fee charged for a new HMO licence (or the late renewal of an HMO licence that has already expired) in relation to an HMO that is able to accommodate 6 or more persons.	£1,309 for 6 persons plus £40 per person if more than 6 persons ————— First payment (for processing the application) is £546 Second payment (for administration and enforcement of the HMO licensing scheme) is £763 plus £40 per person if more than 6 persons.
Early Bird Discount for a new HMO Licence	The discount that is allowed (at the discretion of the Council) to reduce the second payment (relating to the administration and enforcement of the HMO licensing scheme) where the completed application and the first payment are received by the Council within 8 weeks of the HMO becoming licensable or the new owner completing the purchase of an existing, licensable HMO and the second payment is received by the Council within 14 days of the invoice being issued. (An Early Bird Discount will <u>not</u> be allowed if the new HMO licence is required because the previous HMO licence was not renewed on time and has already expired).	£250

ELEMENT	DESCRIPTION	AMOUNT
Standard HMO Licence Renewal Fee (for up to 5 persons)	The fee charged for the renewal of an existing HMO licence in relation to an HMO that is able to accommodate up to 5 persons.	£1,269 ----- First payment (for processing the application) is £546 Second payment (for administration and enforcement of the HMO licensing scheme) is £723.
Standard HMO Licence Renewal Fee (for 6 or more persons)	The fee charged for the renewal of an existing HMO licence in relation to an HMO that is able to accommodate 6 or more persons.	£1,309 for 6 persons plus £40 per person if more than 6 persons ----- First payment (for processing the application) is £546 Second payment (for administration and enforcement of the HMO licensing scheme) is £763 plus £40 per person if more than 6 persons.
Early Bird Discount for the Renewal of an existing HMO Licence	<p>The discount that is allowed (at the discretion of the Council) to reduce the second payment (relating to the administration and enforcement of the HMO licensing scheme) where the completed renewal application and the first payment are received by the Council at least 28 days <u>before</u> the existing HMO licence expires and the second payment is received by the Council within 14 days of the invoice being issued.</p> <p>(Under certain circumstances, this Early Bird Discount will be allowed where an existing licensed HMO is purchased by a person who is already operating, and responsible for, another licensed HMO in Northampton).</p>	£543

ELEMENT	DESCRIPTION	AMOUNT
Practical help and support in completing an online licence application	The charge made when it is necessary for an Officer to sit with the applicant to help them complete their licence application online.	£75 + VAT
Viewing of Public HMO Register	The charge made when it is necessary for an Officer to assist the viewing of the Public HMO Register for more than 30 minutes.	£75 + VAT for each hour or part thereof (excluding the first 30 minutes which are free)
Pre-application inspection	The charge made when a pre-application inspection is carried out (at the request of a landlord / owner) before an HMO licence application is submitted.	£150 + VAT
Missed or cancelled pre-application inspection	The charge made when a landlord / owner fails to attend a pre-arranged HMO inspection or cancels a pre-arranged inspection with less than 24 hours' notice.	£75 + VAT
Variation to an existing HMO Licence	The charge made when any material changes are required to an existing HMO licence	£120
Service of an Improvement Notice or a Suspended Improvement Notice	The charge made when it is necessary for the Council to serve an Improvement Notice or Suspended Improvement Notice because the owner or landlord has failed to engage with the Council or it is unlikely that a pre-formal process will result in a satisfactory resolution.	£450
Service of a Prohibition Order	The charge made when it is necessary for the Council to serve a Prohibition Order because all or part of the property cannot be occupied safely and resolution cannot be achieved by way of an informal agreement.	£450
Service of an Emergency Prohibition Order	The charge made when it is necessary for the Council to serve an Emergency Prohibition Order because there is an imminent risk of serious harm to the health and safety of the occupier(s) in all or part of the property.	£500
Request to remove or revoke a Prohibition or Emergency	The charge made when the Council is requested to revoke or remove prohibition / emergency prohibition orders – this will always entail a visit to the premises.	£225

Prohibition Order		
ELEMENT	DESCRIPTION	AMOUNT
Emergency Remedial Action	The charge made when it is necessary for the Council to undertake Emergency Remedial Action because there is an immediate risk of serious harm to the health and safety of occupier(s) in all or part of the property.	£440 + VAT plus the cost of the works
Works in Default	The charge made when it is necessary for the Council to carry out works because the owner or landlord of the property has failed to comply with a statutory notice and, on its own, prosecution would not ensure the health and safety of the occupier(s). The full cost of the works will be recovered in line with the relevant statutory provisions, a land charge will be placed on the property and the debt will be pursued. If interest can be charged while the debt remains unpaid, this will be added to the debt.	Cost of the works plus a charge of £300 + VAT or 15% of the cost of the works + VAT (whichever is the greater)
Immigration Compliance Visit & Report	The charge made when the Council is asked to provide a report on the suitability of a home to accommodate someone from abroad who is applying to reside in the UK.	£225 + VAT

Fee Calculations

Officer Salary breakdown

Wage Costs		Admin	Tech	officer	manager
Salary + On-costs full year		£27,355.00	£38,167.00	£50,354.00	£73,132.00
Operational Days in a year		202	202	202	202
Cost per Operational day		£135.42	£188.95	£249.28	£362.04
Chargeable hours per day	6.00	£22.57	£31.49	£41.55	£60.34
Allowance for management support	10%	£2.26	£3.15	£4.15	£6.03
Standard cost to the Council of one hour of working time		£24.83	£34.64	£45.70	£66.37

Recharge Costs

2018/19 RECHARGES TO COST CENTRE 32307	
Internal Health and Safety	0.55
HR Organisational Development	3,808.84
Performance Management	2,812.80
Guildhall	16,968.17
Finance Operations	4,975.57
ICT	14,854.26
Corporate Finance	157.42
Digital Team	2.16
TOTAL	43,579.77
Recharge per FTE	12,451.36
rounded	13,000.00
FTE	7.00
Total Cost	91,000.00

Break down of administrative tasks

	Action	Admin time	Technical time	Officer time	Mgt time
1	Application received and worksheet created on M3	01:35			
2	Check application valid e.g. all compulsory questions completed and correct fee included Examine gas safety and other certificates submitted with licence for validity and consider application	00:25			
3	Duly made application Generate acknowledgement letter and send to applicant. Enter details from application form onto M3 and upload documents	00:30			
3	Return application form for completion of missing details and chase up missing information including writing and sending appropriate letters/ telephone calls etc.	00:15			
4	Get land reg to check details	00:10			
5	Check floor plans for measurements and facilities calculate no of occupants	00:15			
6	Carry out fit and proper person checks with other council services e.g. council tax, housing benefit, and external agencies and link to property	00:25	00:30		
7	pass to officer to assess part 2 conditions	00:05			
8	Officer to assess fire safety, facilities etc for Part 2 conditions			00:40	
9	1 in 20 properties - Visit property to check licence details and determine priority for inspection including travel time and prepare schedule of conditions for processing.			01:15	
8	return to business support with appropriate conditions identified			00:10	
9	Prepare draft licence documents and certificates of service for all interested parties including time for postage	02:00			
10	Check and sign licence documents, send to interested parties licence documents and consider representations, update computer records and serve licence documents	00:15			00:15
11	receive any representations & update M3	00:10			
12	manager to consider any representations				00:20
13	Prepare licence documents and certificates of service for all interested parties inc time for postage	00:45			
	Total	06:50	00:30	02:05	00:35
	<i>Total hours as a Decimal</i>	6.833333333	0.5	2.083333333	0.583333333

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Break down on ongoing costs

	Action	Admin time	Technical time	Officer time	Mgt time
1	Admin alert officer that visit required regarding conditions	00:15			
2	Intel carryout background checks on owners and create information package for officers		01:15		
3	Officer to arrange sec 239 notice to all appropriate persons			00:30	
3	Officer to carryout full inspection of property HHSRS & Management			01:30	
4	Officer to undertake HHSRS Assessment			00:45	
5	Preparation of schedules of work			00:45	
6	send letters/notices to all relevant persons			00:15	
7	Housing Enforcement manager to review notices				00:15
8	revisit for compliance			00:40	
9	update M3			00:30	
8	discuss with HEM if non-compliant			00:15	00:15
9	review certificates on annual basis	00:15			
10	send reminders	00:15			00:15
11	consideration of management orders for non-compliant properties	00:15	01:00	00:30	00:45
12	identification of non licensed HMOs	00:20	02:00	01:30	00:20
13	Collation of data	00:45			
	Total	02:05	04:15	07:10	01:50
	<i>Total hours as a Decimal</i>	2.083333333	4.25	7.166666667	1.833333333

Admin	
HMO Licence fee per property based on 2200 anticipated applications	
Admin Hours	6.83
Admin Rate	£24.83
Admin Cost	£169.65
Intel Hours	0.5
Intel Rate	£34.64
Intel Cost	£17.32
Officer Hours	£2.08
Officer rate	£45.70
Officer cost	£95.21
Manager Hours	£0.58
Managers Rate	£66.37
Manager Cost	£38.72
Total Cost at time of calculation	£320.90
	75.00%
Disbursements - overheads	£225.41
To inflation proof costs are to be increased to cover for the median point in applications over the 5 year period = 2% per annum until median point	
Total	£546.31

Enforcement	
HMO Licence fee per property based on 2200 anticipated applications	
Admin Hours	2.08
Admin Rate	£24.83
Admin Cost	£51.72
Intel Hours	4.25
Intel Rate	£34.64
Intel Cost	£147.22
Officer Hours	£7.17
Officer rate	£45.70
Officer cost	£327.52
Manager Hours	£1.83
Managers Rate	£66.37
Manager Cost	£121.69
Total Cost at time of calculation	£648.15
	25.00%
Disbursements - overheads	£75.14
To inflation proof costs are to be increased to cover for the median point in applications over the 5 year period = 2% per annum until median point	
Total	£723.29

Licence fee for a 5 person house	£546
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Licence fee for a 5 person house	£723
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CABINET REPORT

Report Title	Corporate Performance. All Measures and Outturn report Quarter 2 - 1 Jul 2019 – 30 September 2019
Agenda Status	Public
Cabinet Meeting Date	4 December 2019
Key Decision:	No
Within Policy:	Yes
Policy Document:	No
Directorate:	Chief Finance Officer
Accountable Cabinet Member(s):	Councillor P Larratt
Ward(s)	n/a

1. Purpose

To inform Cabinet of the council's performance indicators figures for 2019 – 2020 Quarter 2.

2. Recommendations

- 2.1. That Cabinet review the contents of the performance report (Appendix 1) and recommend actions to be taken, if any, to address the issues arising.
- 2.2. The Annual Performance Report will be presented in June of each year to the Audit Committee.

3. Issues and Choices

3.1. Report background

Data is collected across a range of locally developed indicators which are collected on a monthly, quarterly or annual basis. These form the basis of the council's performance monitoring process. Cabinet members receive information on all the measures through

the Corporate Performance All Measures Report (Appendix 1). This enables the monitoring of the Corporate Plan within their portfolios on a regular basis.

This report summarises the council's monthly, quarterly and annual performance indicators figures for 2019-2020:

The appended report details:

- A performance dashboard overview for each of the corporate themes
- Key Performance Indicator (KPI) results with supporting commentary

3.2. Issues

Progress against Corporate Plan priorities.

3.3. Overall indicator performance against targets

87.50% of performance measures, where data was available, reached their target or performed within agreed tolerances or above, for the Corporate Plan priorities. This has improved slightly over the previous quarter (85.29%). The number of Red and Amber KPIs has fallen by 7.72% over the last quarter with the number of Green and Blue returns rising to 81.25% combined figure.

There has also been a continued stability in reporting of sick days lost. Work has continued to ensure accurate reporting is maintained.

Work is continuing on KPIs for

Performance Status	2018/2019		2019/2020	
	Q3%	Q4	Q1	Q2
Blue (Exceptional or over performance)	13.79%	14.71%	32.35%	25.00%
Green	44.83%	32.35%	41.18%	56.25%
Amber (Within agreed tolerance)	10.00%	14.71%	11.76%	6.25%
Rounded total	70.00%	61.77%	85.29%	87.50
Red (Outside agreed tolerances)	30.00%	38.24%	14.71%	12.50%

3.4 Exceptions

The below exceptions are to be considered by CMB and Audit as to whether any of these are considered to be classified as corporate risks.

High Performing Highlights (Exceptional or Over Performing)

KPI No	Detail	Q1
BV 012V	Average No of days/shifts lost to sickness for rolling 12 month period.	The drop reported in last quarter's report has continued to be stable, with figures now showing as below the national average.
CS05	% satisfied with the overall service provided by the Customer Service Officer.	The new system is now in place (as reported in the previous quarter) and there has been 45 surveys carried out with 43 people reporting that they were 'satisfied' or above with their services.
ESC01	Total Bins and boxes missed in period	There was a small rise in the number of bins and boxes missed over the quarter but the number is a very small proportion of potential misses and remains well within parameters. The numbers show a reduction over the last month of the quarter.
ESC04	% household waste recycled and composted	Recycling figures continue to improve due to the service change although they are expected to plateau prior to further promotional works.
HML09	No of households for who full homelessness duty is accepted	All decisions to accept a rehousing duty under the homelessness legislation have been made after the Council has discharged its duty to relieve the household's homelessness for 56 days. Although the number of acceptances is similar to the previous quarter, the homelessness officers' caseloads are reducing.
HMO01 of HMO with mandatory licence	No of HMOs with mandatory licence	The number of HMO with a licence continues to rise. As with the additional licences the team continue to pursue any cases where it is suspected licences are required and have not been applied for.
NI157b	% of minor planning apps determined within 8 weeks or agreed extension	Continues to perform at 100%
NI157c	% of other planning apps determined within 8 weeks or agreed extension	Continues to perform at 100%

Lower Levels of Reporting (outside agreed targets)		
KPI No	Detail	
EC05	% of land and highways assessed falling below an acceptable level (Litter)	NBC and Veolia have been working together to re-train Veolia's newly recruited Environmental Managers and have started to produce meaningful data on a monthly, rather than 4 monthly basis, this is showing an improvement in the both the robustness of the data produced and the speed in which those areas inspected are brought back up to standard. At least 75 inspections are undertaken each month to monitor the 4 environment standards across the borough. Each inspection looks at an area at a point in time and makes four judgments regarding the amount of litter, detritus, graffiti and flyposting in that area against a set of predetermined, nationally recognised, standards.
EC09	% of fly tipping incidents removed within 2 days of notification	Fly tipping continues to be a problem with increased incidents adding pressure to the service. Some fly tips contain hazardous waste which then requires specialist contractors to remove. This can result in slight delays to allow for grouping of requests in order to ensure benefits of scale.
HML01	Total number of households living in temp accommodation	The shortage of suitable move-on accommodation has continued to have an adverse effect on the amount of time that homeless households spend in temporary accommodation. The restructure of the Housing Options & Advice Service is almost complete; this will increase the team's capacity to prevent homelessness during the remainder of the year. During the quarter, the total number of council homes occupied by homeless households increased from 66 to 74.
MPE01	No of new businesses locating on NWEZ	As in the previous quarter the number of vacant units is now small so the amount of new businesses locating to the NWEZ and therefore jobs created is now low. However, two new businesses have re-located within the NWEZ during the last quarter which has created two new jobs. The business incentive scheme will end in March 2020.
MPE02	NWEZ New Jobs	

3.4. Data Quality

The council has processes in place to ensure that the data and information it provides to support management decision-making is as reliable as possible. The council has a strategy to improve data quality and service areas are working to achieve the objectives within it.

3.5. Governance

Cabinet are asked to review the appended performance report and recommend actions to be taken if any to address the issues arising.

4. Implications (including financial implications)

4.1 Policy

Corporate performance measures are monitored monthly or quarterly to track progress towards delivering the council's priorities as detailed in the Corporate Plan.

Service areas review and develop objectives annually through the service planning process. Measures and targets are identified to help.

4.2 Resources and risks

The risk process includes challenging and confirming capacity and ability to deliver as well as confirming continued priorities. These will be assessed as to whether these are within the levels of accepted risk appetite for the organisation.

4.3 Legal

There are no specific legal implications arising from this report.

4.4 Equality and Health

There is no specific health or equalities implications arising from this report.

4.5 Process and Consultees (Internal and External) - How the Proposals Deliver Priority Outcomes

Performance monitoring (financial and non-financial) to improve performance is good practice, in terms of efficient and effective management. It focuses on the key areas and therefore contributes directly to one of the 2018-20 priorities of the Corporate Plan "Ambitious, Prosperous and Proud" through quality modern services.

4.6 Other Implications

There are no other implications arising from this report

5 Background papers

Appendix 2. Corporate performance all measures and outturn report Q1 (July - September 2019)

Jan Stevenson
Governance and Compliance Support Officer

(Ext. 7806)

Corporate Performance

All Measures Report

September 2019

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NORTHAMPTON
BOROUGH COUNCIL

Introduction

The report details the full list of performance measures monitoring the Council's Corporate Plan by corporate priority and is published quarterly.

The measures contained within this report are monitored on a monthly, quarterly, half yearly or four monthly basis.

Performance is reported against the latest report period and then by overall performance year to date (YTD). Overall YTD performance is monitored against the current profiled target and helps us to keep track of the progress towards meeting the annual target.

Performance comparison against the same time last year is highlighted where comparative data is available.

Report Key:

-  Exceptional or over performance
-  On or exceeding target
-  Within agreed tolerances
-  Outside agreed target tolerance
-  Good to be low: Better
-  Good to be low: Worse
-  Good to be High: Better
-  Good to be High: Worse
-  No change
-  No data or target available
-  No data available
-  No target available

NORTHAMPTON
BOROUGH COUNCIL

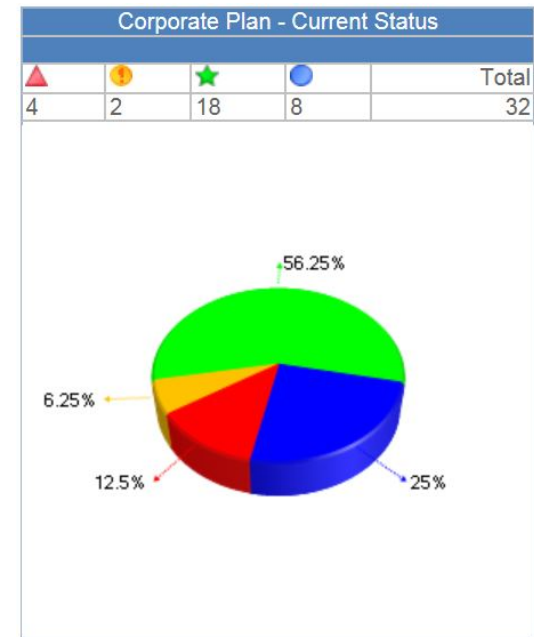
Northampton Borough Council Corporate Plan 2018 – 2020



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Ambitious | Prosperous | Proud

- **A stronger economy**
 - Shaping place and driving growth
 - Creating a thriving vibrant town
 - A clean, green and tidy town
- **Resilient communities**
 - Keeping the town and people safe
 - Empowering local people
 - More homes, better homes
- **Exceptional services to be proud of**
 - Putting the customer first
 - Spending your money wisely
 - Improving your governance



Monthly Measures

Measure ID & Name	Jun 19	Jul 19	Aug 19	Sep 19	Overall perf. to date	YTD	Current Profiled Target	Outturn Target	Polarity	Perf. vs. same time last year	YTD value same time last year
+ AST05a External rental income demanded against budgeted income (M)	100.00 %	100.00 %	100.00 %	100.00 %	100.00 %	100.00 %	100.00 %	100.00 %	Bigger is Better		100.00 %
We continue to demand all rents due. The new Assets manager is in post. We are working with them to ensure new meaningful KPIs are agreed and will be reported on.											
Source Date 30/09/2019											
+ AST05b % commercial rent demanded within the last 12 months (more than 2 months in arrears) (M)	?	?	?	?	?	?	?	?	Smaller is Better	?	92.30 %
With the new manager in post work has commenced on the Service Plan and new KPI for this area.											
Source Date 30/09/2019											
+ BV008 Local invoices paid within 10 days (M)	80.86	85.85	85.60	83.20	83.20	83.20	80.00	80.00	Bigger is Better		87.16
We continue to perform within targets. There has been a slight downward dip over the quarter and we are investigating the reasons behind this.											
Source Date 30/09/2019											
+ BV008 Percentage of invoices for commercial goods & serv. paid within 30 days (M)	98.10 %	99.30 %	99.60 %	99.20 %	99.20 %	99.20 %	99.00 %	99.00 %	Bigger is Better		98.30 %
We continue to meet targets set.											
Source Date 30/09/2019											
+ BV012_12r Ave. no. of days/shifts lost to sickness for rolling 12 month period (M)	7.76	7.59	7.56	7.57	7.57	7.57	8.40	8.40	Smaller is Better	?	?
The number of sick days taken by staff appears to have stabilised within acceptable targets.											
Source Date 30/09/2019											
4 81 + C10 Number of visitors to Abington Park Museum	7,574	2,766	6,351	3,132	30,383	30,383	30,300	52,100	Bigger is Better		30,801
Qtr 2YTD visits totalling 30,383 have ensured that we remain on target. July saw schools break up 4 days later than in the previous year which together with a heatwave impacted on our visitor numbers during the last week in July. August saw our visitor numbers in line with those of 2018, Masque Theatre audiences were affected by bad weather with one performance being cancelled but the Medieval Mayhem family fun day attracted 962 families and young children. During September, the museum was the venue for the Northampton Heritage Fair which drew 801 visits.											
Source Date 30/09/2019											
+ CS05 Percentage satisfied with the overall service provided by the Customer Service Officer (M)	98.11 %	95.61 %	95.40 %	93.48 %	96.45 %	96.45 %	90.00 %	90.00 %	Bigger is Better		93.94 %
45 surveys completed with 43 satisfied with the service given											
Source Date 30/09/2019											
+ CS13a % of calls for NBC managed services into contact centre answered (M)	97.09 %	97.17 %	96.81 %	97.79 %	94.81 %	94.81 %	90.00 %	90.00 %	Bigger is Better		92.64 %
Customer Service achieved targets on call answering. Call volumes in September increased compared to August which is expected at the end of the holiday period. Our aim is to reduce the average wait time to under 60 seconds. We received 7842 for the housing services where the average wait time for September was 1 minute 20 seconds. This includes 986 repeat callers where customers have called more than once regarding the same issue. This is equivalent to 47 calls a day (1FTE). We are working closely with NPH on the 'Right First Time' project which will help reduce the repeat and avoidable calls. The calls received for NBC services (4418) were answered with an average of 40 seconds											
Source Date 30/09/2019											
+ CS14a % OSS customers with an appointment seen on time (M)	90.4 %	92.6 %	92.1 %	94.1 %	90.6 %	90.6 %	90.0 %	90.0 %	Bigger is Better		96.0 %
Customer Services One Stop Shop achieved targets on appointments seen within 10 minutes. Drop in volumes increased compared to August which is expected due to the holiday period. We received a total of 1703 visitors to the drop in and appointment service during the period.											
Source Date 30/09/2019											
+ ESC01n Total bins/boxes missed in period (M)	288	460	358	230	1,939	1,939	2,040	4,080	Smaller is Better		2,193
There was a small rise in the number of bins and boxes missed over the quarter but the number is a very small proportion of potential misses and remains well within parameters. The numbers show a reduction in the last month of the quarter and Veolia remain committed to reducing this figure.											
Source Date 30/09/2019											

Monthly Measures

Measure ID & Name	Jun 19	Jul 19	Aug 19	Sep 19	Overall perf. to date	YTD	Current Profiled Target	Outturn Target	Polarity	Perf. vs. same time last year	YTD value same time last year
+ ESC02 % missed bins corrected within 24hrs of notification (M)	85.00 %	76.00 %	85.00 %	85.00 %	85.00 %		84.00 %	84.00 %	Bigger is Better		86.53 %
A small dip in performance in July, but performance has now improved and been stable for August and September.											
Source Date 30/09/2019											
+ ESC04 % household waste recycled and composted (NI192) (M)	49.25 %	44.34 %	47.85 %	48.12 %	48.12 %		44.00 %	44.00 %	Bigger is Better		53.85 %
This KPI continues to perform to over target in most months.											
Source Date 30/09/2019											
+ ESC05 % of Land and Highways assessed falling below an acceptable level - Litter (NI195a) (4M)	0.00 %	2.00 %	8.00 %	8.00 %	8.00 %		4.00 %	4.00 %	Smaller is Better		?
NBC and Veolia have been working together to re-train Veolia's newly recruited Environmental Managers and have started to produce meaningful data on a monthly, rather than 4 monthly basis, this is showing an improvement in the both the robustness of the data produced and the speed in which those areas inspected are brought back up to standard. At least 75 inspections are undertaken each month to monitor the 4 environment standards across the borough. Each inspection looks at an area at a point in time and makes four judgments regarding the amount of litter, detritus, graffiti and flyposting in that area against a set of predetermined, nationally recognised, standards.											
Source Date 30/09/2019											
+ ESC06 % of Land and Highways assessed falling below acceptable level - Detritus (NI195b) (4M)	4.00 %	4.00 %	4.00 %	4.00 %	4.00 %		4.00 %	4.00 %	Smaller is Better		?
Of the 75 environmental inspections undertaken as described in ESC05, the level of detritus that was found was within acceptable levels. However, with all the inspections, once identified we ensure that teams are sent in to remove the detritus.											
Source Date 30/09/2019											
+ ESC07 % of Land and Highways assessed falling below acceptable level - Graffiti (NI195c) (4M)	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %		2.00 %	2.00 %	Smaller is Better		?
As detailed above (ECS05) 75 areas are inspected each month for the main 4 environment standards. In this instance no areas were found to have graffiti.											
Source Date 30/09/2019											
+ ESC08 % of Land and Highways assessed falling below acceptable level - FlyPosting (NI195d) (4M)	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %		2.00 %	2.00 %	Smaller is Better		?
As detailed above (ECS05) 75 areas are inspected each month for the main 4 environment standards. In this instance no areas were found to have flyposting.											
Source Date 30/09/2019											
+ ESC09 % of Fly Tipping incidents removed within 2 working days of notification (SO2) (M)	60.63 %	63.02 %	66.05 %	71.82 %	71.82 %		90.00 %	90.00 %	Bigger is Better		81.14 %
Fly tipping continues to be a problem with increased incidents adding pressure to the service. Some fly tips contain hazardous waste which then requires specialist contractors to remove. This can result in slight delays to allow for grouping of requests in order to ensure benefits of scale.											
Source Date 30/09/2019											
+ HML01 Total no. of households living in temporary accommodation (M)	338	340	352	348	348		80	80	Smaller is Better		303
The shortage of suitable move-on accommodation has continued to have an adverse effect on the amount of time that homeless households spend in temporary accommodation. The restructure of the Housing Options & Advice Service is almost complete; this will increase the team's capacity to prevent homelessness during the remainder of the year. During the quarter, the total number of council homes occupied by homeless households increased from 66 to 74.											
Source Date 30/09/2019											
HML07 Number of households that are prevented from becoming homeless (M)	34	53	30	46	276		300	600	Bigger is Better		166
In addition to the households that have been prevented from becoming homeless in the quarter, the team has helped relieve homelessness for 73 households by accessing supported or private rented accommodation or helping them restore family ties. Since the beginning of April, extra resources have been invested in negotiating with private landlords to renew tenancies and working with local letting agents to provide working households with access to suitable rented housing.											
Source Date 30/09/2019											
HML09 Number of households for whom a full homelessness duty is accepted (M)	33	26	28	40	179		480	960	Smaller is Better		125

Monthly Measures

Measure ID & Name	Jun 19	Jul 19	Aug 19	Sep 19	Overall perf. to date	YTD	Current Profiled Target	Outturn Target	Polarity	Perf. vs. same time last year	YTD value same time last year			
All decisions to accept a rehousing duty under the homelessness legislation have been made after the Council has discharged its duty to relieve the household's homelessness for 56 days. Although the number of acceptances is similar to the previous quarter, the homelessness officers' caseloads are reducing.														
Source Date 30/09/2019														
+ IG03 % FOI/EIR cases responded to within 20 working days (M)	100.0 %	★	100.0 %	★	100.0 %	★	100.0 %	★	100.0 %	100.0 %	Bigger is Better	➡	100.0 %	
This quarter has seen the highest number of FOI and EIR requests received since both pieces of legislation came into force in January 2005. Despite this the Council managed to respond to all requests on time with only five responses challenged (2.75%) and no appeals to the Information Commissioners Office.														
Source Date 30/09/2019														
+ IG04 % Subject Access requests responded to within one month (M)	100.0 %	★	100.0 %	★	100.0 %	★	100.0 %	★	100.0 %	100.0 %	Bigger is Better	➡	100.0 %	
The Council has seen a spike in individuals requesting copies of their personal data. In the main these relate to homelessness decision appeals where applicants require a copy of their file to challenge the Council's decision not to offer permanent housing. The Data includes NPH SAR's. July = one, August = one. September = four														
Source Date 30/09/2019														
+ NI157a % Major Planning applications determined in 13 weeks or agreed extension (M)	100.00 %	★	100.00 %	★	100.00 %	★	100.00 %	★	100.00 %	100.00 %	Bigger is Better	➡	100.00 %	
100% applications determined within agreed time scales														
Source Date 30/09/2019														
+ NI157b % of 'minor' planning apps determined within 8 weeks or agreed extension (M)	100.00 %	●	100.00 %	●	100.00 %	●	100.00 %	●	95.00 %	95.00 %	Bigger is Better	➡	99.53 %	
100% applications determined within agreed time scales														
Source Date 30/09/2019														
+ NI157c % of 'other' planning apps determined within 8 weeks or agreed extension (M)	100.00 %	●	100.00 %	●	100.00 %	●	100.00 %	●	95.00 %	95.00 %	Bigger is Better	➡	99.79 %	
100% applications determined within agreed time scales.														
Source Date 30/09/2019														
+ PP22 % Hackney Carriage and private hire vehicles inspected which comply with regulations (M)	0.00 %	★	0.00 %	★	0.00 %	★	17.00 %	▲	17.00 %	▲	40.00 %	Bigger is Better	➡	12.00 %
No checks were undertaken in July or August due to holidays and staff absence. A joint operation with DVSA was carried out in September which targeted potentially non-compliant vehicles and the high level of defects noted was not unexpected. Appropriate enforcement action has been taken to deal with these licence holders. They include defects and those with technical breaches like not carrying their badges.														
Source Date 30/09/2019														
+ PP53a % Service Requests responded to within 5 working days (M)	96.89	●	101.05	●	93.24	★	94.14	★	96.43	★	92.00	Bigger is Better	➡	85.37
We continue to respond to Service Requests within the target.														
Source Date 30/09/2019														

Quarterly Measures

Measure ID & Name	Dec 18	Mar 19	Jun 19	Sep 19	Overall perf. to Date	YTD	Current Profiled Target	Annual Target	Polarity	Perf. vs. same time last year	YTD value same time last year
HMO01 No. HMOs with Mandatory licence (Q)	414	456	491	473	473	473	340	340	Bigger is Better		388
There is a slight drop in applications over this quarter. As in previous quarters the team will continue to pursue any cases where its suspected licences are required and have not been applied for.											
Source Date 30/09/2019											
HMO08 No. of HMOs with an additional licence (Q)	358	358	398	393	393	393	400	400	Bigger is Better		376
The number of additional licences applied for over the last couple of months has climbed, but the figures fluctuate as licences expire and are renewed, new applications are made and some applications are not renewed. We continue to ensure robust checking to ensure all properties are licenced in the correct way.											
Source Date 30/09/2019											
+ IG01 % LGO cases responded to within 28 days (excl. pre-determined cases) (Q)	100.0 %	66.0 %	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %	Bigger is Better		100.0 %
We have responded to all LGO cases within this quarter within timescales.											
Source Date 30/09/2019											
+ IG02 Av. days to respond to LGO enquiries (excl. pre-determined cases) (Q)	0.00	29.83	26.00	0.00	0.00	0.00	28.00	28.00	Smaller is Better		28.00
There were no requests received during this quarter.											
Source Date 30/09/2019											
MPE01 No. of new businesses locating on NWEZ (Q)	1	5	2	2	4	4	10	10	Bigger is Better		5
Two new businesses were supported in Q 2 creating 9 additional jobs and attracting £130,141 of private sector investment.											
Source Date 30/09/2019											
MPE02 No. of new jobs created on NWEZ (Q)	2	37	7	9	16	16	100	100	Bigger is Better		22
Two new businesses were supported in Q2, creating 9 additional jobs and attracting £130,151 of private sector investment.											
Source Date 30/09/2019											
+ PP16 % Off licence checks that are compliant (Q)	100.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	0.00 %	60.00 %	Bigger is Better		55.17 %
During the quarter, no off licence checks were carried out due to staff absence. A new member of staff is now in post on a fixed term basis to cover the absence and relevant checks will be resumed in the next quarter.											
Source Date 30/09/2019											
TCO05n Town Centre footfall (Q)	3,365,002	3,138,909	3,277,491	3,085,725	6,363,216	6,363,216	6,250,000	12,000,000	Bigger is Better		7,481,233
Footfall is on target with projected figures but has declined in comparison with 2018 figures.											
Source Date 30/09/2019											

Major Project update

Delivery of the Northampton Waterside Enterprise Zone

The construction of a new £300 million University of Northampton Campus, Carlsberg Bottling Plant, Northampton Castle Rail Station and One Angel Square are all complete. Work to bring forward a range of other schemes within the NWEZ continues with project to deliver the Vulcan Works, Four Waterside, Horizon Park and Northampton Railway Station Phase 2 all underway or in development. A Place Branding Strategy is being developed which will be planned in the new year. Movement within the EZ for Q2 shows 2 business coming into the Zone creating 5 Jobs.

Source Date 30/09/2019

Development of the Greyfriars site

Options for the potential use of the Greyfriars site and the delivery routes were reported to Members in June. Options for how this site can be brought forwards will now be investigated with funding to be sought. A meanwhile (temporary) use strategy for the site will be developed in order to encourage short term uses on the site.

Source Date 30/09/2019

Restoration and regeneration of Delapre Abbey and Park

Replacement of external lights awaiting delivery and Listed Building Consent approved. Other repairs are progressively being addressed by the maintenance team. All works are on Schedule to complete by the end of the year.

Source Date 30/09/2019

Delivery of the Business Incentive Scheme and account management to key businesses

Two new businesses were supported in Q2, creating 9 additional jobs and attracting £130,151 of private sector investment. The overall project, since inception, has supported 162 new and existing businesses with committed grants of £1,357,491, creating 780 jobs and leveraging £8,158,538 of private sector investment.

Source Date 30/09/2019

Delivery of the Four Waterside Development

Architects are continuing to progress the development of a masterplan for the site. This work is taking place alongside a commercial review of uses which includes soft market testing in order that what comes forward on the site can be delivered. An updated Flood Risk Assessment and ground contamination surveys have been commissioned and are due to be accounted for within the design of the scheme.

Source Date 30/09/2019

Development of the Cultural Quarter

The programme for the delivery of Northampton Museum and Art Gallery (NMAG) has slipped due to late steel works and more recently delay to achieving water tightness, this in turn is affecting some fit out works. Areas are being progressively prepared for inspection over the next few weeks. The programme remains on course to complete in Spring 2020.

The Council are working with NN contemporary to relocate them within the cultural quarter with a new facility for the organisation expected to be enabled for December.

Source Date 30/09/2019

Development of the Cultural Quarter - Vulcan Works

The Vulcan Works Project plans to build opportunities for start-ups and young businesses in the creative and IT sectors with a total of 59 letting units of variable sizes and levels of specification.

The steel structure on Angel Street is now completed, with both concrete floors poured. St. John's site sees good progress on ground beams and steels going in early November, whilst the roofs along Fetter Street are being stripped and replaced.

Source Date 30/09/2019

Delivery of the Castle Station development

Options and financial appraisal for a new multi-story car park at the Railway station is underway with a recommendation to council over its delivery to be presented by the end of the year.

Source Date 30/09/2019