

OFFICER DECISION NOTICE



Reading
Borough Council
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This notice is to be used for the following types of officer decisions. (Select one option).

A. Decisions taken by officers under a specific express delegation from Council or a Committee.

B. Decisions taken by officers under a general delegation from Council or a Committee, which relates to (i) a permission or a licence, or (ii) the rights of an individual, or (iii) a contract or expenditure over £100,000.

1. Title of decision:	Housing Standards Enforcement Policy Update – Temporary Exemption Notices
2. Date of the decision:	27 February 2026
3. The decision maker:	Acting Assistant Director for Planning, Transport and Public Protection

4. Decision details:

The Housing Standards Enforcement Policy states how the Council will fulfil its functions in the Housing Act 2004, in relation to temporary exemptions from the licensing requirement.

The Council has determined to amend the policy to allow discretion in the issuing of exemptions, changing the wording from

“The Council may serve a Temporary Exemption Notice (“TEN”) where a landlord is, or shortly will be, taking steps to make an HMO non-licensable. A TEN will be served where an owner of a licensable HMO states in writing that they are taking steps to make an HMO non-licensable, that the HMO will not be licensable within three months, and they provide appropriate evidence.

A TEN can only be granted for a maximum period of three months. A second three-month TEN can be served in exceptional circumstances. Where a licensable HMO is not licensed, the landlord cannot evict an occupier under section 21 of the Housing Act 1988 until a valid HMO Licence or exemption application is received.

The Council does not wish these notices to be used routinely, and therefore a second notice will only be acceptable in exceptional and unforeseen circumstances agreed by the service manager.”

To

“The Council may serve a Temporary Exemption Notice (“TEN”) where a landlord is, or shortly will be, taking steps to make an HMO non-licensable. A TEN may be served where an owner of a licensable HMO states in writing that they are taking steps to make an HMO non-licensable, that the HMO will not be licensable within three months, and they provide appropriate evidence.

A TEN can only be granted for a maximum period of three months. A second three-month TEN can be served in exceptional circumstances. Where a licensable HMO is not licensed, the landlord cannot evict an occupier under section 21 of the Housing Act 1988 until a valid HMO Licence or exemption application is received.

The Council does not wish these notices to be used routinely, and therefore a second notice will only be acceptable in exceptional and unforeseen circumstances agreed by a Principal Officer or Group Manager.”

5. Reasons for the decision:

The legislation states (2)The authority may, if they think fit, serve on that person a notice under this section (“a temporary exemption notice”) in respect of the house.

The policy rewording therefore allows some flexibility

The posts with responsibility for this function have also been clarified to match the current structure.

6. Alternative options considered (if any) and rejected:

There are none

7. List of open Background Papers:

There are none

8. List of confidential or exempt Background Papers:

There are none

9. Any other matters taken into consideration:

<input type="checkbox"/> Legitimate expectation of consultation	<input type="checkbox"/> Procedural requirements
<input type="checkbox"/> Public Health implications	<input type="checkbox"/> Environmental or Climate Change
<input type="checkbox"/> Health and Safety	<input type="checkbox"/> Risk Management implications
<input type="checkbox"/> Transparency of Information (FOI etc)	<input type="checkbox"/> Privacy Impact Assessments
<input type="checkbox"/> Human Rights Act Duties	<input type="checkbox"/> Equality Impact Assessment
<input type="checkbox"/> Corporate Parenting	<input type="checkbox"/> Community Safety
<input type="checkbox"/> Regulatory duties	<input type="checkbox"/> EU withdrawal
<input type="checkbox"/> Armed Forces Covenant	<input type="checkbox"/> Other

Details of the matters taken into account:

10. Legal considerations

The Housing Act 2004 states (2)The authority may, if they think fit, serve on that person a notice under this section (“a temporary exemption notice”) in respect of the house.

11. Financial considerations

No significant financial implications are envisaged from this decision

12. Internal consultations

Sections 13- 18: To be completed only for Decision A (express delegation from a Committee)

1. The name of the Committee:	Housing Neighbourhoods and Leisure
2. Date of the meeting:	14 March 2018
3. Minute number:	26(2)
4. The delegation given by the Committee:	Regulatory Services, in consultation with the Head of Legal and Democratic Services, be authorised to discharge the Council’s 48 duties and powers under the Housing and Planning Act 2016 and The Smoke and Carbon Monoxide Alarm (England)

	<p>Regulations 2015 along with subsequent Regulations and Orders as well as policies and procedures related to this legislation.</p> <p>The Housing Standards Enforcement Policy adopted at this meeting also states</p> <p>“Minor changes to policy delivery may be required from time to time. The Head of Planning, Development and Regulatory Services has delegated authority to make changes, which do not affect the broad thrust of policy direction. This will enable changes to policy delivery to be accommodated and best practice to be included without a formal re-adoption process.”</p>
<p>5. The name of any member of the committee who declared a conflict of interest in relation to the decision:</p>	<p>N/A</p>
<p>6. Any councillor or officer required to be consulted prior to the exercise of this delegation and details of their response.</p>	<p>Director of Legal and Democratic Services</p>