

**My Ref:** IG-11977  
**Your Ref:**  
**Contact:** Freedom of Information Team  
**Email:** [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)



**Nottingham**  
**City Council**

**Freedom of Information Team**  
**Information Compliance**  
**Legal & Governance**  
2<sup>nd</sup> Floor  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

Requester

At contact address specified for request number above

**Tel:** 0115 876 4376

**Email:**

[FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)

[www.nottinghamcity.gov.uk](http://www.nottinghamcity.gov.uk)

21 March 2019

Dear Requester

### **Request under the Freedom of Information Act 2000 (the Act)**

The council has considered your request which was received on 28 February 2019 and our response to your questions is shown below.

*Under the freedom of information act I would like to request a list of all HMO licensed properties in Nottingham including address and postcode.*

The council can also advise a version of the HMO Register is available to download via the following webpage, which includes the address, maximum occupants, and the date of issue:

<https://www.nottinghamcity.gov.uk/housing/landlords-guide-to-licensing-your-rented-properties/mandatory-licensing-for-hmos/>

If you require a full copy of the HMO register, the council are aware that this information is available on request under the Housing Act 2004. Section 232 of the Housing Act 2004 states that every local housing authority must maintain a register of licences for houses in multiple occupation (HMO) (subsection (1)). The register must contain prescribed particulars (which, by virtue of SIs 2006 No.373 and 2007 No.1903, include the name and address of the licence holder) (subsection(3)), it must be made available for inspection (subsection (4)) and a copy of the register (or an extract) must be supplied, subject to payment of a fee, on request (subsection (5)).

Section 21(2)(b) of the FOI Act states: '*information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.*'

Subsequently, this information is technically exempt from disclosure under the FOI Act, due to the council's obligations under section 232 of the Housing Act 2004.



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The council can advise as per your right to do so under the Housing Act 2004, if you wish to arrange a viewing of the full register, email: [hmo@nottinghamcity.go.uk](mailto:hmo@nottinghamcity.go.uk). If you require certified copies of the register, please refer to the attached document, entitled **"Access to the Register of Licences"**. Please note certified copies of the register are subject to payment of a fee.

As the council are withholding the requested information under section 21 of the FOI Act, please accept this letter as a refusal notice issued under section 17 of the FOI Act.

You are free to use any information supplied for your own personal use. If the information provided is marked as published under an [Open Government Licence](#) you are free to reuse it, subject to the licence terms. However, if the information is not published under an Open Government Licence and you wish to reuse it, for example, by publishing the information or issuing copies to the public you are required to request permission for re-use of this information under the Re-use of Public Sector Information Regulations 2005 (RPSI). Your RPSI request must be in writing and include your name and address for correspondence, and specify the information you want to re-use and the purpose you intend to use it for.

If you are unhappy with the response provided or with the handling of your request, you can ask for an internal review in writing stating the reasons for your dissatisfaction. Your request for an internal review should be made to the council within forty working days of the date of this letter. Please quote reference IG-11977 in all communications.

You can contact the Freedom of Information Team either by email: [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk) or writing to the **Freedom of Information Team, Information Compliance, Legal & Governance, 2<sup>nd</sup> Floor, Loxley House, Station Street, Nottingham, NG2 3NG.**

If you remain unhappy after receiving the response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF**. You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk).

Yours sincerely

Freedom of Information Team  
Legal & Governance  
Nottingham City Council