

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**  
**23<sup>RD</sup> OCTOBER 2008**

**Houses in Multiple Occupation Policy Refresh**

<b>OPEN</b>	
<b>SUSTAINABLE COMMUNITY STRATEGY THEME:</b>	Improving health and wellbeing
<b>CORPORATE PLAN AIM:</b>	A Better Quality of Life
<b>CABINET MEMBER:</b>	Councillor Anne Hingley
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<b>APPENDICES</b>	Wyre Forest District Council Houses in Multiple Occupation Policy 2008. <i>The appendix to this report has been circulated electronically and a public inspection copy is available on request. (See front cover for details).</i>

**1. PURPOSE OF REPORT**

- 1.1 To agree a refreshed Wyre Forest District Council Houses in Multiple Occupation Policy, taking into account national guidance, for adoption by the Council. The refreshed policy in particular takes account of new national guidance on fire precautions appropriate for different circumstances in Houses in Multiple Occupation (HMOs).

**2. RECOMMENDATION**

**The Cabinet is asked to DECIDE to agree:**

- 2.1 **the adoption of the Wyre Forest District Council Houses in Multiple Occupation Policy 2008 as set out in Appendix 1.**

**3. BACKGROUND**

- 3.1 The definition of a House in Multiple Occupation (HMO) is “Houses or flats which have been divided into separate units of accommodation and are occupied by persons who do not form a single household” Typically an HMO will be described as bed-sit type accommodation and will have some degree of shared facilities, usually kitchens and / or bathrooms.

**The definition includes**

- Self contained flats with a common entrance
- Bed-sits and rented rooms

- Shared houses
- Staff accommodation
- Registered care homes
- Hostels and guest houses with permanent or long term occupation

3.2 The requirements for fire safety and amenity standards in HMOs depend on the property type and size. The Council undertakes surveys to actively identify HMO properties within the district and also have a yearly inspection programme for any such properties.

All homes should meet the Housing Act 2004 standards for habitation based upon an assessment of 29 possible hazards that may be found in residential premises. The following additional controls apply for HMOs:

- Adequate means of escape from fire
- Other adequate fire precaution measures, fire extinguishers / blankets etc
- Suitable and adequate facilities for cooking, taking into consideration the number of occupants in the dwelling
- Suitable and adequate facilities for sanitation, taking into consideration the number of occupants in the dwelling
- Suitable room sizes for occupants)

3.3 The Council has responsibility for the enforcement of standards in houses, including those in multiple occupation. Where houses are 3 or more storeys and have 5 or more occupiers, they are required to be licensed by the Council. This incorporates additional standards and a personal check on the manager/landlord.

3.4 The Council has an existing HMO policy, produced in 2006 (see background paper 10.1 below). This covers fire precautions and amenity standards expected in such properties.

#### **4. KEY ISSUES**

4.1 Houses in multiple occupation are commonly associated with an increased fire risk. The risk varies with the number of different households, storeys in the building and types of occupier. Specific advice is sought from the Hereford and Worcester Fire and Rescue Service where necessary i.e. the agreed standard approach is not deemed to be appropriate.

4.2 The Local Authority Co-ordinating Body for Regulatory Affairs (LACORS) has worked with the Chartered Institute of Environmental Health (CIEH) and the Chief Fire Officers Association to produce a national guide to appropriate fire precautions (see background paper 10.2). It is proposed to refresh the existing HMO policy to include the new guidance.

4.3 The new guidance has been discussed and agreed as the most appropriate way forward for common standards with officers of other Worcestershire Local Authorities and the Herefordshire and Worcestershire Fire and Rescue Service.

## **Agenda Item No. 8.1.**

- 4.4 The Residential Landlords Association has written to the Council recommending that the Council adopt the approach set out in the new guidance.
- 4.5 The profile of numbers and types of HMOs has altered in recent years and their distribution changed, partly due to the rise in numbers of migrant workers living in shared housing. Work is always ongoing to identify new HMOs and investigate their standards. There are 35 known houses in multiple occupation at present, of which 12 are licensed, however there are likely to be more shared houses that we are not currently aware of.
- 4.6 The Council should ensure that landlords maintain standards in HMOs for the benefit of residents and to provide clarity and advice to landlords. Such properties often house the most vulnerable people, including migrant workers.

### **5. FINANCIAL IMPLICATIONS**

- 5.1 There are no financial implications as a result of this report.

### **6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 Officers will act under the Private Sector Housing Enforcement Policy 2008 to follow up the requirements and ensure compliance, through the use of advice and if necessary improvement notices, prohibition orders and/or prosecution as enabled under the Housing Act 2004.

### **7. RISK MANAGEMENT**

- 7.1 The Council needs to adopt an appropriate response to its powers and duties under the relevant legislation and regulations and having an up to date policy in line with national guidance supports this.

### **8. CONCLUSION**

- 8.1 The Council is responsible for licensing and enforcing standards in HMOs and the application of appropriate, up to date, nationally agreed standards will act to protect and enhance the safety and welfare of vulnerable residents and visitors. The recommended policy incorporates the new national guidance.

### **9. CONSULTEES**

- 9.1 None

### **10. BACKGROUND PAPERS** *(to be hyperlinked)*

- 10.1 Wyre Forest District Council Houses in Multiple Occupation Policy 2006

- 10.2 LACORS national guidance on fire safety July 2008 ISBN 978-1-84049-638-3

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