

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	West Suffolk Houses in Multiple Occupation(HMO) Guidance and Standards	
Report No:	CAB/SE/14/012 [to be completed by Democratic Services]	
Report to and date/s:	Cabinet	2 December 2014
Portfolio holder:	Anne Gower Portfolio Holder for Housing Tel: 01440 706402 Email: anne.gower@stedsbc.gov.uk	
Lead officer:	Simon Phelan Head of Housing Tel: 01638 719440 Email: simon.phelan@westsuffolk.gov.uk	
Purpose of report:	To request formal adoption of standards and fees	
Recommendation:	It is <u>RECOMMENDED</u> that the West Suffolk Houses in Multiple Occupation (HMO) Guidance and Standards, and HMO licence fee, as contained in Appendix A to Report No. CAB/SE/14/012, be approved.	
Key Decision: (Check the appropriate box and delete all those that <u>do not</u> apply.)	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p> <p>It is likely:-</p> <p>(i) To result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; and</p> <p>(ii) To be significant in terms of its effects on communities living or working in an area comprising two or more Wards in the Borough.</p>	

<p><i>The key decision made as a result of this report will be published within 48 hours and cannot be actioned until seven working days have elapsed. This item is included on the Decisions Plan.</i></p>			
Consultation:		<ul style="list-style-type: none"> HMO landlords, letting agents, eastern Landlords Association and tenants of HMOs were consulted. No responses were received which would require any changes. 	
Alternative option(s):		<ul style="list-style-type: none"> Not applicable 	
Implications:			
<p>Are there any financial implications? If yes, please give details</p>		<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> Resources are associated with staffing costs with the licence fee covering the administration of the licence The previous flat rate for St Edmundsbury was £150. The proposed fee is £500 	
<p>Are there any staffing implications? If yes, please give details</p>		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> 	
<p>Are there any ICT implications? If yes, please give details</p>		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> 	
<p>Are there any legal and/or policy implications? If yes, please give details</p>		<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> HMO legislation is met through adoption and implementation 	
<p>Are there any equality implications? If yes, please give details</p>		<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Legal, health and reputational	Medium	Approval and implementation of the guidance and standards	Low
		Adequate resource in service	
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		Cabinet Report F43 – 24 June 2014	
Documents attached:		Appendix A: HMO Guidance and Standards (including appendices)	

1. Key issues and reasons for recommendation(s)

1.1 Housing Act 2004 duties

- 1.1.1 The Council has a statutory duty, under the Housing Act, to inspect, licence and ensure satisfactory standards in HMOs. This document details the approach, standards and licensing fee to be consistently implemented and enforced as appropriate across West Suffolk.
- 1.1.2 HMOs pose a higher risk to the health of tenants, than single occupied dwellings, but also provide necessary accommodation for mainly single people often on lower incomes. The aim is to ensure safe and well managed HMOs in the private rented sector.
- 1.1.3 Larger HMOs (those with three or more storeys and five or more persons) are required to be licensed and there is a fee to cover the cost of this process; the proposal is that it should be £500.

1.2 Consistent Approach

- 1.2.1 A West Suffolk HMO Guidance and Standards document has been developed as attached as Appendix A to this report. It aligns the existing standards and fees for both St Edmundsbury and Forest Heath District Councils, and ensures a consistent approach towards dealing with HMOs and gaining compliance with the legislation and standards.
- 1.2.2 For ease of reference, a copy of Report F43, considered by the Cabinet on 24 June 2014 is attached as Appendix B. This report sought approval for progressing consultation on the document and associated fees. Consultation has since taken place throughout West Suffolk focussing on HMO landlords, HMO tenants, Eastern Landlords Association and letting agents. Response has been supportive and not requiring any changes to the document.
- 1.2.3 It is necessary for the standards and fee to be approved by the formal democratic process as we will use this to ensure compliance and as the basis for any future enforcement.