Cabinet

Forest Heath
District Council

Title of Report:	Houses in Multiple Occupation(HMO) Guidance & Standards	
Report No:	**CAB/FH/14/001**	
Decisions plan reference:	Dec14/06	
Report to and date/s:	**Cabinet**	9 December 2014
Portfolio holder:	Rona Burt Cabinet Member for Planning, Housing & Transport **Tel:** 01638 712309 **Email**: rona.burt@forest-heath.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 **RECOMMENDED** that: **(1) The Cabinet formally adopts the HMO standards and licence fee.**	
Key Decision: *(Check the appropriate box and delete all those that **do not** apply.)*	*Is this a Key Decision and, if so, under which definition?* Yes, it is a Key Decision - ☐ No, it is not a Key Decision - ☒	
*The 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.*		
Consultation:	• 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):	• Not applicable	

Implications:	
*Are there any **financial** implications? If yes, please give details*	Yes ☒ No ☐ • Resources are associated with staffing costs with the licence fee covering the administration of the licence • The previous flat rate for Forest Heath was £500 and St Edmundsbury was £150. The proposed fee is £500
*Are there any **staffing** implications? If yes, please give details*	Yes ☐ No ☒
*Are there any **ICT** implications? If yes, please give details*	Yes ☐ No ☒
*Are there any **legal and/or policy** implications? If yes, please give details*	Yes ☒ No ☐ • HMO legislation is met through adoption and implementation
*Are there any **equality** implications? If yes, please give details*	Yes ☐ No ☒
Risk/opportunity assessment:	*(potential hazards or opportunities affecting corporate, service or project objectives)*

Risk area	**Inherent level of risk** (before controls)	**Controls**	**Residual risk** (after controls)
Legal, health and reputational	Medium	Approval and implementation of the guidance & standards	Low
		Adequate resource in service	

Ward(s) affected:	All Wards
Background papers: *(all background papers are to be published on the website and a link included)*	Cabinet – 15 July 2014 – Report No CAB14/158 (https://democracy.westsuffolk.gov.uk/CeListDocuments.aspx?CommitteeId=129&MeetingId=1594&DF=15%2f07%2f2014&Ver=2)
Documents attached:	Appendix - HMO Guidance & Standards 2014 (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 3 or more storeys and 5 or more persons) are required to be licenced 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. It aligns the existing standards and fees for both Councils, and ensures a consistent approach towards dealing with HMOs and gaining compliance with the legislation and standards.

1.2.2 Consultation has 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 council process as we will use this to ensure compliance and as the basis for any future enforcement.