

Report sponsor: Sam Dennis
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Update of Space and Amenity Standards for Houses in Multiple Occupation

Purpose

- 1.1 The space and amenity standards for Houses in Multiple Occupation (HMOs) were endorsed by the Cabinet Member in February 2007. The standards need to be reviewed and amended as circumstances require. It is now a good time to get a fresh endorsement of our standards as we have over the years made minor amendments and since the original document was prepared we have also produced more specific standards for owners and managers of bed and breakfast type temporary accommodation HMOs.

Recommendation(s)

- 2.1 To endorse the new space and amenity standards for HMOs contained in Appendices 1 and 2.

Reason(s)

- 3.1 It is several years since the last Cabinet Member endorsement of HMO space and amenity standards. The standards have been reviewed and updated and we are seeking a fresh endorsement of them and the additional standards specific to Bed and Breakfast type HMOs used as temporary accommodation.

Supporting information

- 4.1 The Housing Act 2004 places a duty on Local Housing Authorities to licence certain prescribed HMOs. Since October 2018, a prescribed HMO has also included buildings of one or two storeys with 5 or more occupiers and at least two households.
- 4.2 If the authority is satisfied that they can grant a licence in respect of a particular HMO, the maximum number of households or persons as specified in the application form or some other maximum as decided by the authority will be set as a condition of granting the licence. The Act also gives a power to authorities to serve overcrowding notices in non-licensable HMOs.

- 4.3 The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 (as amended) prescribe the washing and toilet facilities required in licensable HMOs. To some extent kitchen facilities are also prescribed.
- 4.4 In order to determine maximum numbers for licensing purposes, the Council will have to consider both the provision of amenities and space in the particular HMO and assess whether the house is reasonably suitable for occupation as an HMO by the number proposed.
- 4.5 An overcrowding notice in connection with non-licensable HMOs must state in relation to each room in the HMO concerned what the local authority consider to be the maximum number of persons by which the room is suitable to be occupied as sleeping accommodation or that the room is unsuitable to be occupied as sleeping accommodation.
- 4.6 The amenity and space standards were first developed in 2007 after consultation with members of The Three Cities Group comprising of Derby, Nottingham, and Leicester City Councils. These were used to determine maximum numbers for licensable HMOs and the maximum numbers of persons permitted to occupy rooms in non-licensable HMOs. They may be amended from time to time as circumstances require. The proposed updated amenity standards are set out at Appendix 1.
- 4.7 Proposed standards specifically for Bed and Breakfast type HMOs, particularly where homeless families are placed, have been developed as a result of the increased need in the City for this type of accommodation. It is also to set out standards for family rooms in order to keep family groups together These are set out at Appendix 2. These may also be amended from time to time as circumstances require.

Public/stakeholder engagement

- 5.1 The proposed revised standards have been developed together with staff in Housing Options and Social Care as this is where the referrals are generated from.

Other options

- 6.1 Not applicable.

Financial and value for money issues

- 7.1 None arising out of this report.

Legal implications

- 8.1 None arising out of this report.

Climate implications

9.1 None.

Other significant implications

10.1 None arising out of this report.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu	
Finance	Amanda Fletcher	
Service Director(s)	-	
Report sponsor	Samantha Dennis	
Other(s)	Michael Kay	
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Background papers:	None	
List of appendices:	Appendix 1 – Proposed Amenity and Space Standards for HMO's Appendix 2 – Proposed Standards Specifically for Bed & Breakfast type HMOs	