

REPORT TO: Environment and Urban Renewal Policy and Performance Board

DATE: 16th November 2022

REPORTING OFFICER: Operational Director – Policy, Planning & Transportation

PORTFOLIO: Environment and Urban Renewal

SUBJECT: Houses of Multiple Occupation - Working Party Update

WARDS: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To update the Board on the progress of the Houses of Multiple Occupation (HMO) Working Party.

2.0 RECOMMENDATION: That

- 1) the Board endorses the Terms of Reference of the Working Party (Appendix 1); and**
- 2) the Board notes the action plan set out in Section 5.0**

3.0 SUPPORTING INFORMATION

3.1 Following the discussion paper presented to the Board on 21 September, a Working Party was established to consider that paper's recommendations in more detail. The Working Party (WP) met for the first time on the 27 October 2022.

3.2 The WP compiled a list of issues reported by Members relating to HMOs. These issues included:

- Unlikely to know who lives in these properties one week to next, this impacts on community life
- Poor appearance / condition of rental properties
- Nuisances such as parties and congregations at / outside premises
- Concern that smaller HMOs have low standards of accommodation
- That every room in a HMO should be en-suite
- Inadequate waste management facilities, such as bin provision
- That there should be a voluntary registration scheme for landlords who operate private rental properties / HMOs

4.0 POLICY IMPLICATIONS

- 4.1 Members are keen to ensure that any HMOs or privately rented accommodation provide suitable standards of housing for their tenants.
- 4.2 For some issues, such as the condition of premises, antisocial behaviour, and waste management the Council has powers that can be used to tackle nuisances.
- 4.3 In relation to policy relating to acceptable standards, there is national legislation in place as set out below:
 - National legislation and guidelines are followed when assessing HMO applications. The national guidance can be found here:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/925269/HMOs_and_residential_property_licensing_reforms_guidance.pdf
 - There are also mandatory conditions within schedule 4 of the Housing Act 2004:
<https://www.legislation.gov.uk/ukpga/2004/34/schedule/4>
 - There are also a number of prescribed standards set out in legislation:
<https://www.legislation.gov.uk/ukxi/2006/373/schedule/3/made>
 - HMO's also need to comply with general provisions of the Housing Health and Safety Rating Scheme.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7853/safetyratingsystem.pdf
 - The Housing Authority has a memorandum of understanding with Cheshire Fire service in relation to enforcement of fire safety.

5.0 OTHER IMPLICATIONS

- 5.1 The Working Party agreed an action plan to cover the following:
 - Undertake a borough-wide exercise to gather evidence on numbers of small HMOs to identify locations and clustering (using Council data sources)
 - Examine the level of clustering of HMOs at Frederick Street, Widnes
 - Use the West Bank area as a pilot area to test interventions
 - Identify small HMOs and private rented properties in West Bank and investigate options for discretionary (selective) licencing of private rented properties. The pilot will be used to inform options for any future borough wide scheme
 - Investigate an Article 4 Direction for West Bank to remove 'permitted development rights' preventing single dwellings

becoming small HMOs (note this does not prevent applications being made for planning permission)

- Improve the management of waste from HMOs in West Bank
- Quantify the cost of these interventions for budget purposes
- Present recommendations to the Executive Board

6.0 RISK ANALYSIS

6.1 There are no legal or financial risks arising from this report.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 There are no equality and diversity implications arising from this report.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

None.