

Meeting date: 19th September 2018
Report to: Cabinet Member for Environment & Housing



Subject/report title: Standards relating to the licensing of Houses in Multiple Occupation
Report from: Alan Brown : Assistant Director – Highways and the Environment
Report author/lead contact officer: Richard Staveley: Trading Standards and Environmental Compliance Manager
rstaveley@solihull.gov.uk

Wards affected:

All Wards | Bickenhill | Blythe | Castle Bromwich | Chelmsley Wood |
 Dorridge/Hockley Heath | Elmdon | Kingshurst/Fordbridge | Knowle |
 Lyndon | Meriden | Olton | Shirley East | Shirley South |
 Shirley West | Silhill | Smith's Wood | St Alphege

Public/private report: Public

Exempt by virtue of paragraph: N/A

1. Purpose of Report

1.1 To seek the approval of the Cabinet Member to adopt three standards/policies in relation to the licensing of Houses in Multiple Occupation.

2. Decision(s) recommended

2.1 To approve the standard for 'Fit and Proper Person Policy' for Solihull Council attached as Appendix 1.

2.2 To approve the standard for 'Amenities and Facilities Guide for Houses in Multiple Occupation' for Solihull Council attached as Appendix 2.

2.3 To approve the standard for 'A Guide to Fire and Security Protection in Multi-Occupied Residential Properties' produced and periodically up dated by Homestamp for Solihull Council. [Link to the relevant Homestamp webpage [here](#)]

3. What is the issue?

3.1 Legislation which comes into force in October 2018 substantially broadens the scope of properties which will require a House in Multiple Occupation (HMO) licence.

3.2 In order for a licence to be issued both the property and those who operate it are

required to meet certain standards. The proposed standards detailed at 2.1 to 2.3 set out the approach Solihull Council will take when considering licence applications. They provide a framework for officers and landlords to work to and ensures transparency of the decision making process.

- 3.3 Some of the requirements are set out in statute but where the Regulations only specify an 'appropriate' level of provision, these standards outline what we would consider appropriate in Solihull.

4. What options have been considered and what is the evidence telling us about them?

- 4.1 There are no alternative options. The legislation requires the Council to deal with the licensing of Homes in Multiple Occupation.
- 4.2 The Local Authorities Coordinators of Regulatory Services (LACORS) fire safety standard has been considered to inform the Solihull standards.

5. Reasons for recommending preferred option

- 5.1 The amenities and facilities guide is an updated version of a document used by Solihull officers for a number of years. This report formalises the use of these standards.
- 5.2 There are 2 main fire standards – the LACORS Standard and the Homestamp standard. The LACORS standard is a national standard but LACORS, as an organisation, no longer exists, and has not done so for a number of years. The Homestamp standard is a West Midlands based standard and is being up dated. At time of writing this report the 2015 version is the most up to date.
- 5.3 The Homestamp standard is based on the LACORS standard but was approved by a number of regulatory bodies and industry representatives. Further Solihull Council, along with a number of other Local Authorities, are partners in the Homestamp Consortium so by adopting this standard we are consistent with our neighbouring authorities.

6. Implications and Considerations

- 6.1 Delivery of key themes in the Council Plan:

How will the options/proposals in this report contribute to the delivery of the key themes in the Council Plan? *(select which themes apply and briefly state how the options / proposals in this report contribute to their delivery):*

- Improve Health and Wellbeing –
 - Raising the standard of privately rented properties.
- Managed Growth –
 - Delivering the Growth and Sustainable Development Strategy for the Borough

- Shaping places with communities
- Driving economic success

Deliver Value –

- Enabling landlords to help themselves rather than relying on officers.

6.2 Implications for children and young people, vulnerable groups and particular communities:

6.2.1 There are no direct implications for children, young people, vulnerable groups or particular communities as a result of this report. However, the application of these standards as part of the regime of licensing houses in multiple occupation will serve to improve the safety of such accommodation.

6.3 Consultation and Scrutiny:

6.3.1 This report has not gone to scrutiny. The Homestamp standard has been created in consultation with enforcement agencies and the industry.

6.4 Financial implications:

6.4.1 The change in legislation will lead to an increase in the number properties that will be liable for an HMO license, the income generated from this will offset the officer time of providing the service.

6.5 Legal implications:

6.5.1 There are legal implications to this report. The application of these standards will define whether or not a property receives a licence as an HMO. We have introduced an appeals process for those landlords who have a licence rejected.

6.6 Risk implications:

6.6.1 There are no significant risks associated with the recommendations in this report.

6.7 Statutory Equality Duty:

6.7.1 There are no direct statutory equality implications as a result of this report.

7. List of appendices referred to

7.1 SMBC - Fit and Proper Person Policy

7.2 SMBC - Amenities and Facilities Guide for Houses in Multiple Occupation

8. Background papers used to compile this report

8.1 N/A

9. List of other relevant documents

9.1 N/A