

Public consultation documents

Proposals for the additional licensing of Houses in Multiple Occupation (HMOs)

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Public Consultation

Short guide to proposals for additional licensing of Houses in Multiple Occupation (HMOs)

What are the Council doing?

Bath and North East Somerset Council are investigating the introduction of an additional licensing scheme for Houses in Multiple Occupation (HMOs) centred around the Wards of Oldfield, Westmoreland and Widcombe. The consultation seeks views on proposals to implement a scheme which could operate for up to 5 years initially.

Why are the Council proposing this scheme?

A considerable Council resource is spent responding to service requests and complaints directly related to HMOs. These include complaints of pests, noise, disrepair and other issues. Wards with high concentrations of HMOs are also linked to complaints about domestic waste being left out on the wrong day and requests for street sweeping. Statistics from Avon Fire and Rescue Service also indicate that HMOs in B&NES are nearly twice as likely to have a fire as a single household property.

The area proposed for additional licensing has been chosen because it contains the highest concentration of shared house type HMOs in B&NES, estimated to be around 1400 properties. Some occupants of HMOs in the selected area have also indicated to us that the management of their properties is not always as effective as it could be. In some properties fire precautions do not meet minimum safety requirements and waste and garden management is not satisfactory.

Local residents of Oldfield, Westmoreland and Widcombe have also expressed their concerns to the Council relating to HMOs and how they are having a detrimental effect on neighbourhoods. The main concerns from non-HMO residents relate to waste, excessive noise, badly maintained gardens and the poor visual appearance affecting the amenity of the local area. More details can be found in the evidence report.

What properties are proposed to be included?

An HMO is a property occupied by three or more persons from two or more households; a household could be a single person or persons related to each other.

A household can consist of: husband, wife, co-habitee, child, step-child, foster-child, grandchild, parent, step-parent, foster-parent, grandparent, brother, half-brother, sister, half-sister, aunt, uncle, niece, nephew, cousin.

Currently all HMOs with 3 or more storeys and 5 or more occupants with shared facilities have to be licensed under the Council's mandatory licensing scheme.

The Council are proposing to licence all HMOs that are not already subject to mandatory licensing, with the exception of:

- Buildings converted entirely into self-contained flats (s257 HMOs), although the individual flats may be licensable in their own right.
- Purpose built student accommodation where the organisation has signed up to the ANUK/Unipol Code of Standards for Larger Residential Developments or The National Code of Standards for larger Developments.

What is the suggested additional licensing scheme area?

The majority of HMOs with shared facilities known to Housing Services are contained within the three Wards of Westmoreland, Oldfield and Widcombe. The Council is proposing an additional licensing scheme centred around these 3 Wards along with small parts of adjoining Wards including Twerton, Bathwick, Southdown and Lyncombe.

What are the benefits of additional licensing?

When properties are neglected or poorly managed the impact on tenants and the local community can be considerable. Additional licensing will enable Housing Services and its partners to work with landlords to raise standards in the private rented sector and to significantly reduce the impact that large concentrations of private rented accommodation have on the surrounding neighbourhood.

How will additional licensing work in practice?

Anyone who owns or manages an HMO that falls within the additional licensing scheme will need to apply to Bath and North East Somerset Council for a Licence. Failure to do so can result in prosecution, a fine of up to £20,000 and being prevented from managing a licensable HMO in the future.

Fees will be charged for each licence in order for the Council to fully recover its costs. A licensing fee starting at £675 for a 5 year licence is proposed, along with an increase of £30 for each additional unit/occupant.

How long will the consultation last?

The consultation will run from the **17th September 2012 until the 30th November 2012.**

Where can I find out more and have my say?

To find out more and respond to the online consultation visit www.bathnes.gov.uk/hmos

This information can be made available in a range of languages, large print, Braille, on tape, electronic and accessible formats. Please contact Housing Services on 01225 396444 or email: hmo_licensing@bathnes.gov.uk

Making Bath & North East Somerset
an **even** better place to live, work and visit

Housing Services

**Public consultation
document**

**Additional licensing
of houses in multiple
occupation (HMOs)**



This consultation document seeks views on proposals to implement an additional licensing scheme for Houses in Multiple Occupation (HMOs) centred around the Bath Wards of Oldfield, Westmoreland and Widcombe. A map of the area and list of roads included in the scheme is shown in Appendix 1 and 2 respectively.

In March 2012 the Cabinet of Bath and North East Somerset Council (B&NES) directed that evidence be gathered to investigate if the legislative conditions for introducing additional HMO licensing could be met, and undertake 10 week public consultation as required by the [Housing Act 2004](#) (Section 56). Once this process has been completed the Cabinet will make a final decision whether to implement additional licensing and if so, the detail of the licensing scheme.

This document explains the background evidence to support an additional licensing scheme in Bath and North East Somerset and the proposed details of the scheme and how it could work in practice.

The Council invites comments in response to this consultation from all stakeholders including tenants, local residents, landlords and agents.

Please complete the associated questionnaire on-line www.bathnes.gov.uk/hmo or request a paper copy from Housing Services, Tel: 01225 396276 or Email: hmo_licensing@bathnes.gov.uk

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1. Introduction

Bath and North East Somerset Council works in partnership with landlords and property managers to improve the safety and quality of the housing stock within the district. In doing this the Council recognises that most landlords want to co-operate with the Council and that the majority of properties are well managed and in satisfactory condition. However, some landlords do not meet the property and management standards required.

HMO Licensing provides greater protection for the occupants of Houses in Multiple Occupation in terms of health, safety and welfare. It also helps improve the management of the property which is beneficial for occupants and for the wider community.

The overall aim of HMO Licensing is to ensure that Houses in Multiple Occupation in the private rented sector meet legal standards, are properly managed and in particular:

- ensure that those properties that potentially pose the highest risk to occupants are identified and improved;
- that safety and management standards comply with minimum requirements, and
- that problems likely to affect members of the public as a result of ineffective management are reduced.

In Bath and North East Somerset nearly 18% of all residential dwellings are privately rented. Of the private rented stock, 6,310 dwellings or nearly 50% of private rented homes are defined under the Housing Act 2004 (the Act) as HMOs. Of these, 3,850 are shared house or bedsit HMOs and the remainder are buildings converted into flats (B&NES Private Sector Housing Stock Condition Survey, 2012).

Housing Services have records relating to around 3,500 HMOs. The majority of HMOs known to Housing Services have shared facilities and over 50% of these are contained within the three wards of Westmoreland (20%), Oldfield (16%) and Widcombe (15%) where many residential properties have been adapted to meet the demand for shared or multiple occupancy homes. In the three wards of Westmoreland, Oldfield and Widcombe, HMOs known to Housing Services account for 16%, 13% and 11% of all households respectively and only a minority of these are covered by the mandatory licensing scheme.

When properties are neglected or poorly managed the impact on tenants and the local community can be considerable. Additional licensing will enable Housing Services and partners to work with landlords to raise standards in the private rented sector and to significantly reduce the impact that large concentrations of private rented accommodation have on the surrounding neighbourhood.

Under the Act, a Local Authority can designate areas for an additional licensing scheme subject to meeting certain criteria. Evidence must be gathered to prove the need for the scheme and the local community, businesses, landlords and stakeholders must be consulted on the proposals.

Before making a designation the authority must take reasonable steps to consult the local community and other persons who are likely to be affected by the designation and give them the opportunity to make their views known.

The consultation period will run from **17th September 2012 until the 30th November 2012**.

Following the consultation Bath and North East Somerset Council's Cabinet will make a decision on whether to designate an Additional HMO Licensing scheme.

2. Legislation

The Act came into force in 2006 and changed the way in which Houses in Multiple Occupation (HMOs) are regulated. Additional licensing can be applied to some or all of the HMOs in the area.

An HMO is a property occupied by three or more persons from two or more households; a household could be a single person or persons related to each other.

A family or single household can consist of - husband, wife, co-habitee, child, step-child, foster-child, grandchild, parent, step-parent, foster-parent, grandparent, brother, half-brother, sister, half-sister, aunt, uncle, niece, nephew, cousin.

In the Act, the definition of a HMO is technically complex. The following is a summary of the HMO definition in Section 254 of the Act taken from the Communities and Local Government (CLG) publication: A guide to the licensing and management provisions in Parts 2, 3 and 4 of the Housing Act 2004 Draft.

Meaning of a HMO

In order for a building, or part of a building, to form an HMO it must fall within the meaning of one of the following descriptions:

- a building in which more than one household shares a basic amenity e.g. a bathroom, toilet or cooking facilities. This is called 'the standard test';
- a flat in which more than one household shares a basic amenity (all of which are in the flat) e.g. a bathroom, toilet or cooking facilities. This is called 'the self-contained flat test';
- a building that has been converted and does not entirely comprise of self-contained flats. This is called 'the converted building test';
- a building which is comprised entirely of converted self-contained flats and the standard of the conversion does not meet, at a minimum, the standard required by the 1991 Building Regulations, and less than two thirds of the flats are owner occupied. This type of building is also known as a section 257 HMO.

Buildings that are not HMOs

The following is a summary from Schedule 14 of the Housing Act 2004 also taken from the CLG publication mentioned above.

Some buildings are not HMOs for the purpose of the Housing Act 2004 even if they meet the requirements of the HMO definition. These buildings are:

- those under the management or control of a local housing authority, a registered social landlord or certain other public bodies;
- those regulated under other enactments, such as care homes, children homes and bail hostels etc.;
- those occupied solely or mainly by students studying a full time course of further and higher education at a specified education establishment which manages the building in question and the specified education establishment is subject to an approved code of practice and the building in question is subject to that code;
- those that are occupied for the purpose of a religious community whose main occupation is prayer, contemplation, education or the relief of suffering. This exemption does not apply to a converted block of flats within the meaning of section 257 of the 2004 Act occupied by such a community;
- those that are occupied by a freeholder or long leaseholder and any member of his household (if any) and any other persons not forming part of his household and not exceeding two in number (e.g. owner occupiers household and one or two lodgers). This does not apply to section 257 HMOs;
- those that are occupied by only two persons each of whom form a single household e.g. a flat share of no more than two persons.

Mandatory Licensing

The Act also introduced a new duty on local authorities to operate a Mandatory Licensing scheme for certain houses in multiple occupation which consist of three or more storeys with five or more occupants (not including properties converted entirely into self-contained flats). Mandatory licensing requires HMOs to be suitably equipped with amenities and facilities for the number of occupants and ensures they are effectively managed by “fit and proper persons”. The licence specifies the maximum number of people who may live in the HMO and includes specific conditions which apply to every licence.

Discretionary and Additional Licensing

The Act contains provisions enabling Local Authorities to extend licensing to other properties to address particular problems that may exist. These additional provisions include “Additional Licensing” of HMOs.

3. Proposals

Bath and North East Somerset Council are investigating the introduction of an additional licensing scheme centred around the 3 wards of Oldfield, Westmoreland and Widcombe which will last 5 years initially. A map of the area proposed for Additional HMO Licensing which includes small parts of adjoining wards including Twerton, Bathwick, Southdown and Lyncombe is shown at Appendix 1. A full list of roads is shown in Appendix 2.

HMOs to be included in the proposed scheme

The proposed scheme includes all HMOs in the designated area that are not already subject to mandatory licensing, subject to the exception below.

Exception

- Buildings converted entirely into self-contained flats (s257 HMOs), although the individual flats maybe licensable in their own right.
- Purpose built student accommodation where the organisation has signed up to the ANUK/Unipol Code of Standards for Larger Residential Developments or The National Code of Standards for larger Developments.

Licensing Conditions

The proposed scheme would tackle specific problems by applying conditions to all licences. There are statutory conditions that must be applied to all licences as stated in Schedule 4 of the Act. The local authority may apply other conditions to regulate the management, use or occupation of the property. Conditions proposed for an additional licensing scheme can be seen in Appendix 3.

HMOs licenced under an additional licensing scheme must also comply with standards contained in The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 and relate amongst other things to kitchen and washing facilities. These standards have been incorporated into the West of England Local Authorities Standards for Licensed HMOs. They are currently used in the mandatory HMO licensing scheme and it is proposed that HMOs subject to additional licensing will also have to comply with these standards (Appendix 4).

A condition requiring compliance with the West of England Code of Good Management Practice (Appendix 5) is applied in the mandatory HMO licensing scheme and B&NES voluntary Accreditation scheme. Persistent non-compliance can lead to removal of a person's fit and proper person status meaning they will no longer be able to be involved with a licensable property. This condition is proposed for any additional licensing scheme.

It is also proposed to introduce an 'Undertaking of Good Practice' which tenants and landlords will have to sign up to. This undertaking will assist landlords to improve

management and ensure that everyone is aware of their responsibilities (Appendix 6).

4. Factors which support an Additional Licensing Scheme

B&NES as a district has a large proportion of HMOs in the private rented sector providing essential housing for many people in the community including young professionals, students, low income households and migrant workers. Some of these individuals may be vulnerable and find it difficult to improve their own situations.

A considerable Council resource is spent responding to service requests and complaints directly related to HMOs. These include complaints of pests, noise, disrepair and other issues. Wards with high concentrations of HMOs are also linked to complaints about domestic waste being left out on the wrong day and requests for street sweeping. Statistics from Avon Fire and Rescue Service also indicate that HMOs in B&NES are nearly twice as likely to have a fire as a single household property.

The area proposed for additional licensing has been chosen because it contains the highest concentration of shared house type HMOs in B&NES, estimated to be around 1400 properties. Occupants of HMOs in the selected area have also indicated to us that the management of their properties is not always as effective as it could be. Important information such as gas safety certificates are not always provided and in some properties fire precautions do not meet minimum safety requirements and waste and garden management is not satisfactory.

Local residents of Oldfield, Westmoreland and Widcombe have also expressed their concerns to the council relating to HMOs and how they are having a detrimental effect on neighbourhoods. The main concerns from non-HMO residents relate to waste not properly contained in bins and being left outside for long periods of time, excessive noise, badly maintained gardens and the poor visual appearance affecting the amenity of the local area. More details can be found in the evidence report (Appendix 7).

A voluntary accreditation scheme has been in operation for private landlords in B&NES since the late 1990s and incentives have been offered to encourage landlords to bring their properties up to standard and promote good practice.

Through accreditation B&NES have worked in partnership with private businesses, Bath Spa University and the University of Bath, Avon Fire and Rescue Service and Avon and Somerset Police to provide a joined up and targeted approach aimed at improving the private rented market. Housing Services also work in partnership with other Somerset Authorities through the Warm Streets programme to improve energy efficiency. There are currently 1800 accredited properties in B&NES, however, the number of new accreditations and renewals are falling. The high demand and high rental income achieved from letting a property as a HMO, regardless of whether it has Accredited status or not, may have reduced the market advantage. Staying off the radar of the local authority can also bring cost savings for property owners who avoid meeting their legal requirements and put occupants at risk.

Housing Services have successfully operated a mandatory HMO licensing scheme since 2006 and there are currently around 380 HMOs with a mandatory licence. Nearly all HMOs in the mandatory scheme required works to bring them up to the licensing standards. A significant number were also identified with actionable health and safety hazards including fire safety, excess cold and falling on stairs and it can be anticipated that other licensable HMOs will be of a similar standard. Housing Services have found mandatory licensing to be a successful tool that has helped in engaging and working with landlords.

5. Fitting in with council priorities and complementing existing action

Additional licensing will also impact on the following areas:

- Following [local housing allowance](#) changes, there is an expected increase in the number of individuals requiring HMO accommodation in order to avoid homelessness. Within the selected area shared house and bedsit HMOs will be improved across the board to ensure minimum standards are achieved.
- Occupancy will be managed in all licenced HMOs to reduce the risk of overcrowding.
- By promoting and informing managers and occupants about recycling and rubbish arrangements, additional licensing in partnership with Waste Services will help contribute towards the council's vision of [zero waste](#).
- Additional licencing will improve energy efficiency and contribute towards the corporate vision of low carbon communities by ensuring, where needed, energy ratings are improved.
- Occupants and managers will be made aware of their responsibilities towards reducing anti-social behaviour through licensing conditions.
- Additional licensing will promote working with landlords while taking a stronger position with those that don't engage with the Council.
- Additional licencing will complement the existing voluntary Accreditation scheme by building on the good practice developed through the scheme and bringing in a level playing field that doesn't just incorporate the 'good landlords' that volunteer to work with the council.
- Fire safety is an important issue and additional licensing will ensure minimum fire safety standards are achieved in consultation with Avon Fire and Rescue Service.
- Two of the key themes in the '[Housing and Wellbeing Strategy](#)' are 'better homes' and 'happy and healthy lives'. Additional licensing contributes towards both of these by improving the quality and safety of significant numbers of rented homes.

- Additional licensing contributes towards the [corporate vision](#) in a number of ways by improving standards for potentially vulnerable individuals and households. Good housing will contribute towards people fulfilling their potential, leading happier and healthier lives, increasing their prospects for the future and improving communities and neighbourhoods.

6. How will additional licensing work in practice?

Anyone who owns or manages a HMO that falls within the additional licensing scheme* will need to apply to Bath and North East Somerset Council for a Licence.

*In brief, the scheme proposals include all HMOs around Oldfield, Westmoreland and Widcombe except purpose built student accommodation and buildings converted entirely into self-contained flats.

The Council must give a licence if it is satisfied that:

- The HMO is reasonably suitable for occupation by the number of people allowed under the proposed licence or capable of being made suitable though licensing conditions,
- The proposed licence holder is a “fit & proper” person,
- The proposed licence holder is the most appropriate person(s) to hold the licence,
- The proposed manager, if not the licence holder, is a “fit and proper” person,
- The proposed management arrangements are satisfactory,
- The person involved in the management of the HMO is competent,
- The appropriate licensing fee is paid.

The Council can refuse to issue a licence if the above requirements are not met.

Landlords can appeal to the Residential Property Tribunal Service against decisions by the Council to refuse a licence, to attach conditions to a licence, to revoke a licence or to vary a licence.

Landlords and property managers who operate a licensable HMO without a licence can be prosecuted by the Council and face a fine of up to £20,000. They also risk being prevented from managing a licensable HMO in the future.

There are currently around 380 properties in the mandatory licensing scheme. It is estimated that if additional licensing is introduced as proposed, there will be up to 1,400 HMOs in the additional licensing scheme.

7. Benefits of additional licensing

Improvements to accommodation will be secured through licensing conditions to ensure adequate facilities, improved energy efficiency, suitable room sizes and better waste management.

Improvements to Health & Safety will be secured by ensuring gas and electrics are safe and suitable fire precautions are provided.

Improvements to Management of HMOs will be secured by ensuring that landlords are clear about their responsibilities, on-going management standards are maintained, managers adhere to the Code of Good Management Practice, 24 hours contact details are provided to tenants and the Local Authority and tenants are reminded of their responsibilities.

Sustainable improvements to the designated area will be made through licensing conditions to improve neighbourhoods by requiring suitable waste and recycling facilities, occupants and managers are made aware of their responsibilities and gardens are maintained.

Better value for money secured by a proactive area based approach – By making a concerted effort in a particular area, increasing presence and regularly visiting HMOs, it is likely that a more long term sustained improvement to overall property conditions and neighbourhood environments will occur.

Consistent approach to safety and property conditions for tenants living within the area. Licensed properties will be subject to a common set of conditions controlling property maintenance, facilities and safety standards.

Level playing field for Landlords. Those who are not considered “fit and proper” by the Local Authority because of a criminal record or history of poor housing management may not be permitted to hold a licence. All HMOs within the selected area will be inspected and checked to ensure minimum standards are met.

Assistance for landlords

Advice and assistance with landlord queries will be available from the Housing Standards and Improvement Team by calling 01225 396444 or via the One Stop Shop on Manvers Street in Bath. There is also a designated email address for landlords/agents and property owners to contact the team for advice and information: hmo_licensing@bathnes.gov.uk

The West of England housing website has been developed as a resource where the local Landlord Manual can be downloaded and the landlord proficiency test can be accessed <http://www.privatehousinginformation.co.uk/site/279.asp>

8. Fees

Fees will be calculated to recover the costs of the proposed scheme. A fee structure has been drawn up in consultation with our Finance department. See Appendix 8.

The fee proposal forms part of the consultation and the proposal is to have a similar format to mandatory licensing. The current mandatory fees structure can be accessed via <http://www.privatehousinginformation.co.uk/site/68.asp>

HMO licensing is required to be self-financing. In order to recover costs a licensing fee starting at £675 for a 5 year licence for a 2 unit HMO is proposed. This fee will cover the cost of the administration, issuing of licences/accompanying documents, inspections, licensing enforcement and monitoring of properties.

The Council intends that the additional licensing scheme will initially last for 5 years. However, in certain circumstances the Council may decide to grant a licence for a lesser period.

This information can be made available in a range of languages, large print, Braille, on tape, electronic and accessible formats. Please contact the Jeremy Manners on 01225 396276 or email:
hmo_licensing@bathnes.gov.uk

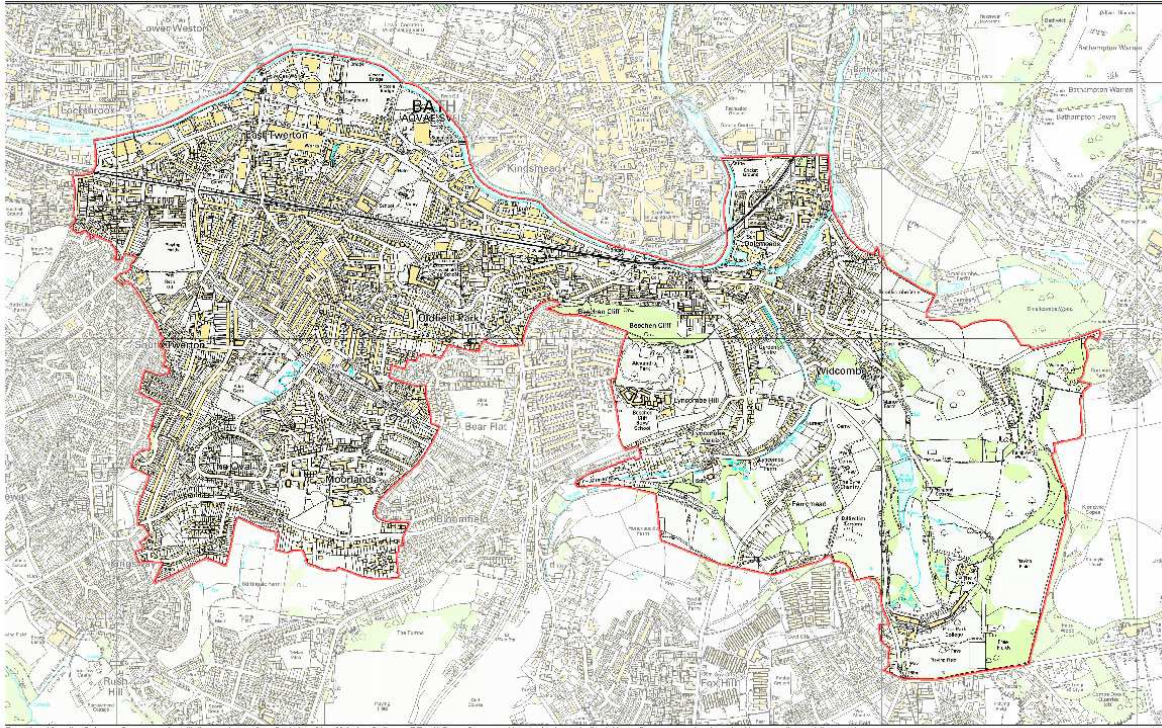
Appendix 1

Proposed additional HMO licensing area
Please refer to list of roads for a definitive description
of the proposed additional licensing area

Scale : 1:10000
Author : A Szajdzicka
Date : 13/09/2012



**Bath & North East
Somerset Council**



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Appendix 2

List of all roads within the proposed additional licensing area

All properties accessed via the roads and parameters listed below are proposed to be included in the scheme

Street	Area covered	Ward
ABBEY VIEW	All of road	Widcombe
ABBEY VIEW GARDENS	All of road	Widcombe
ACACIA GROVE	All of road	Oldfield
ALBANY ROAD	All of road	Westmoreland
ALBERT TERRACE	All of road	Westmoreland
ALEXANDRA ROAD	All of road	Widcombe
ALTON PLACE	All of road	Widcombe
ARCHWAY STREET	All of road	Widcombe
ARGYLE TERRACE	All of road	Westmoreland
ARLINGTON ROAD	All of road	Oldfield
ARMES COURT	All of road	Widcombe
ASH GROVE	All of road	Oldfield
ASHFORD ROAD	All of road	Oldfield
AYR STREET	All of road	Westmoreland
BECKHAMPTON ROAD	All of road	Oldfield
BEECH GROVE	All of road	Oldfield
BELLOTT'S ROAD	All of road	Westmoreland
BELVOIR ROAD	All of road	Oldfield
BRIDGE ROAD	All of road	Westmoreland
BROADWAY	All of road	Widcombe
BROOK ROAD	All of road	Westmoreland
BROUGHAM HAYES	All of road	Widcombe
BURNHAM ROAD	All of road	Westmoreland
CALEDONIAN ROAD	All of road	Westmoreland
CALTON GARDENS	All of road	Widcombe
CALTON ROAD	All of road	Widcombe
CALTON WALK	All of road	Widcombe
CAMBRIDGE TERRACE	All of road	Widcombe
CANTERBURY ROAD	All of road	Oldfield
CAROLINE BUILDINGS	All of road	Widcombe
CEDAR GROVE	All of road	Oldfield
CEDAR WALK	All of road	Widcombe
CEDAR WAY	All of road	Widcombe
CHANCERY MEAD ROAD	All of road	Oldfield

CHESTNUT GROVE	All of road	Oldfield
CHURCH LANE	All of road	Widcombe
CHURCH STREET	All of road	Widcombe
CHURCHILL BRIDGE	All of the bridge south of the river	Widcombe
CLARENDON ROAD	All of road	Widcombe
CLAUDE AVENUE	All of road	Oldfield/ Westmoreland
CLAUDE TERRACE	All of road	Westmoreland
CLAUDE VALE	All of road	Westmoreland
CLAVERTON BUILDINGS	All of road	Widcombe
COMBESIDE	All of road	Widcombe
CORONATION AVENUE	All of road	Westmoreland
COTSWOLD ROAD	All of road	Oldfield
CRANDALE ROAD	All of road	Oldfield/ Westmoreland
CRESCENT VIEW	All of road	Widcombe
CYNTHIA ROAD	All of road	Westmoreland
DARTMOUTH AVENUE	All of road	Westmoreland
DENMARK ROAD	All of road	Westmoreland
DORSET CLOSE	All of road	Westmoreland
DORSET STREET	All of road	Westmoreland
DURLEY PARK	All of road	Oldfield
EBENEZER TERRACE	All of road	Widcombe
ELM GROVE	All of road	Oldfield
ENGLISHCOMBE LANE	Part of road: 2-3, 8-25, 27-89 (odd numbers only), 91-140, 141-278, 280-288, Slade brook Court Flat 1-12 Englishcombe Lodge Baytrees The Firs	Oldfield
ENGLISHCOMBE WAY	All of road	Oldfield
EXCELSIOR STREET	All of road	Widcombe
FAULKLAND ROAD	All of road	Oldfield
FERRY LANE	All of road	Widcombe

FERSFIELD	All of road	Widcombe
FIRST AVENUE	All of road	Oldfield
FOREFIELD PLACE	All of road	Widcombe
FOREFIELD RISE	All of road	Widcombe
FOREFIELD TERRACE	All of road	Widcombe
GORDON ROAD	All of road	Widcombe
GREENWAY LANE	Part of road: 2-11, 14, 15, 18, 20, 22, 30-60 (even numbers only) 61, 62, 69, 70, 71, 76, 79, 80, 84, 86	Widcombe
HATFIELD BUILDINGS	All of road	Widcombe
HAYDEN CLOSE	All of road	Widcombe
HAYESFIELD PARK	All of road	Widcombe
HAZEL GROVE	All of road	Oldfield
HERBERT ROAD	All of road	Oldfield
HERSCHEL TERRACE	All of road	Westmoreland
HIGH STREET (Twerton)	Part of the road: 1-10 Whimster court 3-7 including Flats, 9 Flat 1-6 11- 42, 51-56, 62-72, 82, 91- 104 106 flat A-D 108 flat A-D 110 flat A-D 115-120 including all flats 132-133 flats 142- 144, 147-148 150 Flat 1-6 153-158 Garage Block	Westmoreland

	(26-29 & 38-41)	
HIGHLAND TERRACE	All of road	Westmoreland
HILLSIDE ROAD	All of road	Oldfield
HISCOCKS DRIVE	All of road	Oldfield
HOLLOWAY	All of road	Widcombe
HORSESHOE WALK	All of road	Widcombe
INVERNESS ROAD	All of road	Westmoreland
IVY AVENUE	All of road	Westmoreland
IVY GROVE	All of road	Westmoreland
IVY PLACE	All of road	Westmoreland
JUNCTION AVENUE	All of road	Oldfield
JUNCTION ROAD	All of road	Oldfield/Widcombe
KING EDWARD ROAD	All of road	Oldfield
KING GEORGE'S ROAD	All of road	Westmoreland
KINGSWAY	All of road	Oldfield
LANSDOWN VIEW	All of road	Westmoreland
LIME GROVE	All of road	Bathwick
LIME GROVE GARDENS	All of road	Bathwick
LIVINGSTONE ROAD	All of road	Oldfield
LORNE ROAD	All of road	Widcombe
LOWER BRISTOL ROAD	Part of road: 46-63A ,67-68, 71-74, 77-82, 84-87, Avon buildings 211 Waterfront House (Flats 3, 5-12) 1-6 Park View Mint Room (1 st Floor Flat) 1, 19-20 St Peters Place Charlton Court 6-8 Charlton Buildings (including Flats)	Westmoreland / Widcombe
LOWER OLDFIELD PARK	All of road	Widcombe
LOXTON DRIVE	All of road	Westmoreland

LYMORE AVENUE	All of road	Westmoreland/Southdown
LYMORE CLOSE	All of road	Westmoreland
LYMORE GARDENS	All of road	Westmoreland
LYMORE TERRACE	All of road	Westmoreland
LYNCOMBE HILL	All of road	Widcombe
LYNCOMBE VALE	All of road	Widcombe
LYNCOMBE VALE ROAD	All of road	Widcombe
LYNDHURST ROAD	All of road	Westmoreland
MACAULAY BUILDINGS	All of road	Widcombe
MAGDALEN AVENUE	All of road	Widcombe
MAGDALEN ROAD	All of road	Widcombe
MAYBRICK ROAD	All of road	Oldfield/Westmoreland
MAYFIELD MEWS	All of road	Westmoreland
MAYFIELD ROAD	All of road	Westmoreland
MELCOMBE ROAD	All of road	Oldfield
MIDLAND ROAD BRIDGE	All of the bridge south of the river	Widcombe
MILLBROOK PLACE	All of road	Widcombe
MILLMEAD ROAD	All of road	Westmoreland
MONKSDALE ROAD	All of road	Oldfield
MOORFIELDS CLOSE	All of road	Oldfield
MOORFIELDS DRIVE	All of road	Oldfield
MOORFIELDS ROAD	All of road	Oldfield
MOORLAND ROAD	All of road	Oldfield/ Westmoreland
MORLEY TERRACE	All of road	Westmoreland
NORTH PARADE ROAD	All of the road east of the river	Bathwick
OAK AVENUE	All of road	Oldfield
OAK STREET	All of road	Widcombe
OLDFIELD LANE	All of road	Oldfield
OLDFIELD ROAD	All of road	Oldfield/ Widcombe
PARK AVENUE	All of road	Widcombe
PERRYMEAD	All of road	Widcombe
POPLAR CLOSE	All of road	Oldfield
PRIDDY CLOSE	All of road	Westmoreland
PRIOR PARK BUILDINGS	All of road	Widcombe
PRIOR PARK COTTAGES	All of road	Widcombe
PRIOR PARK GARDENS	All of road	Widcombe
PRIOR PARK ROAD	All of road	Widcombe
PROSPECT ROAD	All of road	Widcombe

PULTENEY AVENUE	All of road	Widcombe
PULTENEY GARDENS	All of road	Widcombe
PULTENEY GROVE	All of road	Widcombe
PULTENEY ROAD	All of road	Widcombe
RALPH ALLEN DRIVE	All of road	Widcombe
RINGWOOD ROAD	All of road	Westmoreland
ROOKSBRIDGE WALK	All of road	Westmoreland
ROSEMOUNT LANE	All of road	Widcombe
ROSSITER ROAD	All of road	Widcombe
SECOND AVENUE	All of road	Oldfield
SHAFTESBURY MEWS	All of road	Oldfield
SHAFTESBURY ROAD	All of road	Oldfield
SHOPHOUSE ROAD	All of road	Twerton/ Westmoreland
SLADEBROOK AVENUE	All of road	Oldfield
SOUTH AVENUE	All of road	Westmoreland
SOUTH VIEW ROAD	All of road	Westmoreland
SOUTHCOT PLACE	All of road	Widcombe
SOUTHVILLE TERRACE	All of road	Widcombe
SPRING CRESCENT	All of road	Widcombe
SPRING GARDENS ROAD	All of road	Widcombe
ST KILDA'S ROAD	All of road	Oldfield
ST MARK'S GARDENS	All of road	Widcombe
ST MARK'S ROAD	All of road	Widcombe
ST MARY'S BUILDINGS	All of road	Widcombe
ST PETER'S TERRACE	All of road	Widcombe
STANLEY ROAD WEST	All of road	Oldfield
STIRTINGALE AVENUE	All of road	Oldfield
STIRTINGALE ROAD	All of road	Oldfield
STOTHERT AVENUE	All of road	Westmoreland
STUART PLACE	All of road	Westmoreland
SUMMERLAYS COURT	All of road	Widcombe
SUMMERLAYS PLACE	All of road	Widcombe
SUSSEX PLACE	All of road	Widcombe
SYDENHAM BUILDINGS	All of road	Widcombe
THE OVAL	All of road	Oldfield
THE TRIANGLE	All of road	Westmoreland
THE TYNING	All of road	Widcombe
THIRD AVENUE	All of road	Oldfield
THORNBANK GARDENS	All of road	Widcombe
THORNBANK PLACE	All of road	Widcombe
TOWPATH KENNET AND AVON	Part of Canal:	Bathwick

	1-2 Canal cottages Top Lock cottages	
TRIANGLE EAST	All of road	Westmoreland
TRIANGLE NORTH	All of road	Westmoreland
TRIANGLE WEST	All of road	Westmoreland
TYNING END	All of road	Widcombe
UPPER OLDFIELD PARK	All of road	Widcombe
VERNON PARK	All of road	Westmoreland
VERNON TERRACE	All of road	Westmoreland
VICTORIA BRIDGE ROAD	All of road	Westmoreland
VICTORIA BUILDINGS	All of road	Westmoreland
VICTORIA CLOSE	All of road	Westmoreland
VICTORIA ROAD	All of road	Widcombe
VICTORIA TERRACE	All of road	Widcombe
WALNUT DRIVE	All of road	Oldfield
WELLS ROAD	All of road	Widcombe/Lyncombe
WEST AVENUE	All of road	Westmoreland
WESTMORELAND ROAD	All of road	Widcombe
WESTMORELAND STATION ROAD	All of road	Widcombe
WESTMORELAND STREET	All of road	Widcombe
WIDCOMBE CRESCENT	All of road	Widcombe
WIDCOMBE HILL	All of road	Widcombe
WIDCOMBE PARADE	All of road	Widcombe
WIDCOMBE RISE	All of road	Widcombe
WIDCOMBE TERRACE	All of road	Widcombe
WILLOW GREEN	All of road	Oldfield
WINCHESTER ROAD	All of road	Oldfield
WINDSOR BRIDGE ROAD	All of the bridge south of the river	Westmoreland
WOOD STREET	All of road	Widcombe

Appendix 3

Proposed additional licensing conditions

Schedule 1

Mandatory conditions

1. If gas is supplied to the house, to produce to the Authority annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.
2. The licence holder is required to keep electrical appliances and furniture made available in the house in a safe condition and is required to supply the Authority, on demand, with a declaration as to the safety of the appliances and furniture.
3. The licence holder is to ensure that smoke alarms are installed in the house and to keep them in proper working order and to supply the Authority, on demand, with a declaration as to the condition and positioning of the smoke alarms.
4. The licence holder to supply to the occupiers of the house a written statement of the terms on which they occupy it.

Schedule 2

Discretionary conditions as imposed by Bath and North East Somerset Council

5. Within 2 months of the date of licensing provide a Periodic Inspection Report on the electrical installation indicating no defects under category 1 or 2. Any report should be less than 5 years old at the date of submission; if this expires during the term of the licence a new report must be submitted. OR When the current Periodic Inspection Report on the electrical installation expires, provide a new report indicating no defects under category 1 or 2. Any report should be less than 5 years old at the date of submission.
6. A declaration is to be provided on demand that the emergency lighting system is in proper working order. Emergency lighting to be maintained in accordance with the relevant British Standard (BS5266: Part 1: 2005).
7. A satisfactory certificate of inspection and testing as required under BS 5839-6: 2004 fire alarm system is to be provided on demand. Also indicate in writing which rooms and communal areas contain a smoke detector or heat detector.
8. There is to be no obligate sharing of bedrooms.
9. Tenants are to have 24hr direct access to all toilet, personal washing and cooking facilities and equipment.
10. All bedrooms, bathrooms, toilets, kitchens, communal space and shared facilities must be contained within the same building and be internally

accessed. Facilities and amenities are for use by the occupants of the licenced premises only. Externally located bedrooms are not acceptable. Converted garages will not be acceptable unless designed to be internally accessed and meet appropriate standards for domestic use.

11. All reasonable steps must be taken to advise all occupants of their weekly recycling and rubbish collection day and how to correctly put it out for collection from the front edge of the property.
12. Correct and sufficient containers must be provided for household recycling and rubbish within the unit of accommodation and outside. Additional containers can be provided by contacting Council Connect on 01225 39 40 41 or councilconnect@bathnes.gov.uk
13. All recycling and rubbish containers must be provided with a dedicated and appropriate storage area.
14. All reasonable steps must be taken to ensure any gardens and yards belonging to the licensed property are maintained in a neat and tidy condition. Where the occupants are responsible for maintaining the outside space they must be provided with suitable and sufficient tools to do this. Where tools are provided they must be allocated appropriate and secure storage outside of the main house.
15. The Licence Holder and any Manager are required to monitor garden maintenance and take the necessary steps to resolve any non-compliance.
16. Within 2 years from the date of licensing, the licensed property must achieve an energy efficiency rating of C or better as determined by the Energy Performance Certificate (EPC). Where the property cannot be legally improved to this level, the best possible rating must be achieved and all practical recommendations as determined by the EPC must be made. A copy of the EPC to be provided to Housing Service once the required rating has been met, maximum 2 years from the date of licensing. A copy of the latest EPC to be provided on demand. This is applicable to all licenced properties.
17. The licence holder and manager (if there is one) is to attend a recognised training course on the Approved Code of Practice relating to the management of HMOs within 12 months of publication of the code. Details will be available from the Council.
18. The HMO licensing standards document should be complied with at all times by the owner and any manager. This document may be updated during the term of the licence and it is the responsibility of the owner and any manager to ensure that they are aware of and are complying with the latest version. The latest version of the licensing standards can be found at **www.privatehousinginformation.co.uk**.
19. The following facilities and/or equipment detailed in the attached schedule of works must be provided within the stated time-scales:

Condition	Point number on schedule 3	Maximum time scale
Personal washing and toilets facilities		1 year
Kitchen facilities		1 year
Ventilation		1 year
Space heating		1 year
Fire precautionary facilities and equipment		6 months
Space standards		1 year
Permissions		

Above time scales start from the issue date of the licence.

These works are required for the property to meet the HMO licensing standards. Information from the application form indicated full compliance with the standards in other respects. It will be regarded as a breach of conditions if, on inspection, this is not the case.

20. Where the LACoRS “Housing - Fire Safety, Guidance on fire safety provisions for certain types of existing housing” has been used to determine fire precautions, the precautions must be reviewed annually. They must also be reviewed whenever there are alterations to the property or its contents and at changes of tenancy to ensure the fire precautions are appropriate to the risk.
21. Provide details of fire exit routes to tenants. Ensure that all tenants are aware of fire and fault indications of the fire alarm system, are adequately familiar with controls (e.g. resetting) and aware of measures to avoid false alarms. Tenants should be aware of what to do in the case of a fire.
22. Each habitable room must have sufficient means for ventilation which can be maintained securely while the occupants are absent.
23. At the start of all new tenancies, the Manager or Licence Holder must ensure that all tenants sign up to the ‘Bath and North East Somerset undertaking of good practice’. A copy must be given to each tenant and a copy signed and retained by the Manager or Licence Holder for the duration of the tenancy and provided to the council on demand.
24. The licence holder must provide a list of all occupants within 28 days if requested to do so by the local authority. *A list is hereby required for this property.
25. The Code of Good Management Practice is to be complied with. A copy of the Code is to be permanently displayed in the common parts of the property so as to be visible by all tenants.
26. Any person becoming involved in the management of the property after the licence date must be a fit and proper person, an application for a test must be made.

27. The licence holder and/or manager must notify the local authority of any change of name, address and any other contact details.
28. Where food is provided, food handlers must have adequate food safety training.
29. The layout of the property, including any numbering of rooms must not be altered without first gaining written permission from the council. Requests to alter the layout should be made in writing and include a full description of the proposed changes and the reason for doing so.
30. The property is to be occupied in accordance with and by no more than the number of persons and households identified in the table below:

Floor	Room	Shared (S) or Exclusive (E) facilities	Sleeping for (no. of persons)
x	x	x	x

The permitted number for the property is **X** households and **X** persons.

Appendix 4

The West of England (WoE) local authorities' standards for licensed Houses in Multiple Occupation (HMOs) under Part 2 Housing Act 2004 (6th September 2012)

Contents:

1. Amenity standards for HMOs or parts of HMOs either occupied by a socially interactive group (shared houses or shared flats normally subject to a joint tenancy) or by individual households living independently who either share facilities (bedsits) or have exclusive use of facilities (self contained flats).
2. Room size standards for properties occupied as above and including specific standards for HMOs where some board is provided, these properties are referred to as 'hostels'.

Notes:

3. The amenity standards include those prescribed by The Licensing and Management of Houses in Multiple Occupation and Other (Miscellaneous Provisions) (England) Regulations 2006 (SI 2006 No. 373).
4. The additional amenity standards indicate how the WoE local authorities will regard how the 'Tests as to suitability for multiple occupation' can be met under Section 65 Housing Act 2004.
5. The room size standards indicate how the WoE local authorities will decide on the maximum occupation of the property under Section 64 Housing Act 2004; this is known as the 'permitted number'.
6. The above standards need not necessarily be met on the date a licence becomes operative. Where this is not the case the licence will be issued with conditions requiring compliance with the standards within a required time period.
7. The standards do not apply to non licensable HMOs. Instead, the housing health and safety rating system under Part 1 Housing Act 2004 will be used to assess the suitability of amenity standards and living space.
8. All licensed HMOs will be subject to an assessment using the housing health and safety rating system under Part 1 Housing Act 2004. As result, it is possible that there will be additional requirements to be met.

Application:

9. Where reasonably practicable all HMO licensing standards must be complied with. However, every case must be considered on its own merits as Councils cannot apply a blanket set of standards for all HMOs in its district taking no account of the individual circumstances of the HMO in question. This will particularly be in respect of those standards that are not prescribed by legislation.

**HMO LICENSING STANDARDS
FOR FACILITIES PROVIDED FOR SHARED AND EXCLUSIVE USE**

Personal washing and toilet facilities

Location, size and condition **General** All facilities should be located in rooms of an adequate size and layout within 2 floors of any bedroom and accessible from communal areas unless provided as en-suite facilities for the exclusive use of that occupant. Facilities should be inside the building.

All baths or showers, toilets and wash hand basins should be of an adequate size and be provided with an adequate water supply, necessary fittings, drainage and be in a satisfactory condition to enable thorough cleaning. Constant hot water at a suitable temperature to be provided to baths / showers and wash basins. Baths or showers and wash hand basins should be properly sealed into wall surfaces and have 300mm of tiled splashback (or equivalent). Bathrooms and toilet compartments should be of an adequate size and layout.

Wash hand basins **Shared use** To be provided either within each individual unit of accommodation or within each shared bathroom and compartment containing a toilet (see table below).

Within each room and compartment containing a toilet.

Exclusive use Within each room and compartment containing a toilet.

Baths or showers and toilets	Shared use	Where there are four or fewer occupiers sharing there must be at least one fixed bath or shower and a toilet (which may be situated in the bathroom). Where there are five or more occupiers sharing there must be at least a fixed bath or shower for every 5 occupants (or part of) and at least one toilet separate to the bathroom for every 5 occupants (or part of), a further complete bathroom would be acceptable in place of a separate toilet. See table below as to how this standard can be met.
		In hostels where children are accommodated at least one bath should be provided.

Exclusive use A fixed bath or shower and a toilet.

Ventilation	General	Bathrooms to have mechanical ventilation to the outside air at a minimum extraction rate of 15 litres/second in addition to any window(s). Each toilet in a separate compartment is required to have a window equivalent to 1/20 th of the floor area or mechanical ventilation extracting at a minimum extraction rate of 6 litres/second.
		Ventilation should not be obstructed externally.
Heating	General	A fixed heating appliance in each bath or shower room sufficient to minimise condensation and provide thermal comfort.

Kitchens

Location, size and condition	General	If kitchens do not have a suitable dining area this facility must be provided within one floor distant (this may be a living room, bedsit or bedroom of suitable size - see standards for room sizes). If hostels provide all main meals the kitchen facilities below are to be provided for every 10 occupants and the cooker can be replaced with a microwave. If hostels have a commercial kitchen where access is not available at all times a separate kitchen must be provided to the standards below. Kitchens must have a safe and efficient layout and be of a suitable size - see standards for room sizes. All facilities and equipment must be fit for purpose.
	Shared use	A sink with constant hot and cold water, a draining board and tiled splash back for up to 5 occupants (a dishwasher will be acceptable as a second sink) or within an individual unit of accommodation.
	Exclusive use	A sink with constant hot and cold water, tiled splash back and a draining board.
Cookers	Shared use	A cooker with a 4 ring hob, oven and a grill for up to 5 occupants or within an individual unit of accommodation (a 27litre microwave with oven and grill will be acceptable as a second cooker).
	Exclusive use	A cooker with a 4 ring hob, oven and grill. A cooker with a 4 ring hob, oven and grill or a 2 ring hob, oven and grill together (positioned so that hobs are at worktop level) with a microwave will be acceptable in accommodation occupied by a single person.

Electrical Sockets	General	Four suitably positioned electric sockets are required plus one per major appliance (ie a cooker microwave, refrigerator/freezer, washing machine etc.).
Worktop	Shared use	Fixed worktop(s) with a smooth impervious surface for food preparation, minimum size 500mm x 1000mm for up to 5 occupants or within an individual unit of accommodation.
	Exclusive use	Fixed worktop(s) with a smooth impervious surface for food preparation, minimum size 500mm x 1000mm.
Storage	Shared use	A 0.3m ³ dry goods storage cupboard other than a sink base unit per occupier either in each occupant's room or in a shared kitchen.
	Exclusive use	A 0.6m ³ dry goods storage cupboard other than a sink base unit.
Refrigerators	Shared use	Two worktop height refrigerators with freezer compartments or 1 worktop height fridge and 1 worktop height freezer per 5 occupiers or a worktop height refrigerator with a freezer compartment within each individual unit of accommodation.
	Exclusive use	A worktop height refrigerator with a freezer compartment.
Refuse	General	Suitable and sufficient provision for household waste and recycling disposal both within the unit of accommodation and outside.
Ventilation	Shared use	Mechanical ventilation to the outside air at a minimum extraction rate of 60 litres/second or 30 litres/second if the fan is sited within 300mm of the centre of the hob. This is in addition to any windows.

Fire precautions (shared houses and bedsit accommodation)

Provide fire precaution facilities and equipment to reduce fire risk and to ensure the safety of people in the premises as far as is practicable in accordance with the LACoRS (Local Authorities Coordinators of Regulatory Services) publication "Housing - Fire Safety. Guidance on fire safety provisions for certain types of existing housing."

This provision must include:

A fire blanket conforming to BSEN 1869, 1967 in each shared kitchen.

A fire door conforming to BS 476; Part 22; 1987 to be provided to each shared kitchen. For up to 2 storey HMOs other than bedsit

accommodation, a sound, well constructed close fitting conventional door is acceptable. NB this does not include a hollow infill-type door ('egg box').

All locks on doors onto the means of escape and final exit doors to be capable of being opened from the inside without the use of a key.

Alternatively, provide the following:

(NB the fire detection and emergency lighting requirement below may be in excess of what is needed following a fire risk assessment and, in some cases, additional fire provisions may be needed; for example fire doors on bedsit accommodation and to bedrooms in larger properties).

Fire detection (shared accommodation - not bedsits)	A Category LD3 Grade A or D fire detection system conforming to BS5839: Part 6 (a Grade A system will be required for properties occupied by 7 or more persons). The system will normally include interlinked smoke detection in the circulation areas at each floor level, heat detection in kitchens, smoke detection in lounges and any cellar. Grade D detectors should have integral battery back-up. A sound level of 75dBA should be reached at bedheads. For 5 and 6 storey properties a Category LD2 Grade A system will be required
Fire detection (bedsit accommodation)	A Category LD2 Grade A or D fire detection system conforming to BS5839: Part 6 (a Grade A system will be required for properties occupied by 7 or more persons and 3 or more storey properties). The system will normally include interlinked smoke detection in the circulation areas at each floor level, heat detection in kitchens and bedsits with cooking facilities, smoke detection in bedsits without cooking facilities, shared lounges and any cellar. An additional Grade D non-interlinked smoke detector with integral battery back-up will be required in bedsits with cooking facilities. A sound level of 75dBA should be reached at bedheads.
Fire detection (individually owned flat in house/block)	In addition to the above, provide a heat detector in the room/lobby opening onto the escape route linked to the fire detection system in the common parts.
Emergency lighting (3 and 4 storey HMOs)	An emergency lighting system to BS5266.
Fire blanket	A fire blanket conforming to BS EN 1869 in each shared kitchen.
Fire doors	A fire door conforming to BS 476-22 to be provided to each shared kitchen. Alternatively, for up to 2 storey HMOs other than bedsit accommodation, a sound, well constructed close fitting conventional door is acceptable. NB this does not include a hollow infill-type door ('egg box').

Security locks All locks on doors onto the means of escape and final exit doors to be capable of being opened from the inside without the use of a key.

Fire precautions (hostels)

Requirements determined jointly with Avon Fire and Rescue on application.

Fire precautions (buildings converted entirely into self-contained flats)

Follow LACoRS publication "Housing - Fire Safety. Guidance on fire safety provisions for certain types of existing housing."

Heating

Fixed heating	General	A fixed and efficient heating appliance(s) capable of maintaining a temperature of 21°C with an outside temp of -1°C in each unit of living accommodation (electrical appliances must have a dedicated socket). Heating should be available at all times and be under the control of the occupier.
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Access

All facilities are to be available at all times and be internally accessed from all bedrooms and bedsitting rooms.

Definitions

Shared use	Where one or more basic amenities (personal washing, toilet or kitchen) are shared by two or more households.
Exclusive use	Where a basic amenity is provided for the use of a single household.
Bedsit accommodation	Accommodation occupied by person(s) living independently of others in the HMO, cooking facilities may be in the room or shared.
Single household	Person(s) of the same family group, this includes an individual living on their own, an individual living in a group is also regarded as a single household.
Family	Includes husband, wife, partner, child, stepchild, step parent, grandchild, grandparent, brother, sister, half-brother, half-sister, aunt, uncle, niece, cousin, foster child.
Unit of living accommodation	Part of the HMO occupied by a single household, this includes bedrooms in shared houses or flats, bedsitting rooms, self contained flats (all basic amenities provided for exclusive use of that household).
Hostel	Where board is provided as part of the occupation and it constitutes a persons only or main place of residence. Hostel includes

bed and breakfast and hotel accommodation used by persons as their only and main residence which is a house in multiple occupation.

Table to explain how the standards for baths/showers and toilets can be met

No. of persons sharing	Total no. of baths/showers and toilets* required	No. of toilets* that need to be separate	Or, no. of complete bathrooms accepted (bath/shwr toilet and whb)
1	1	0	-
2	1	0	-
3	1	0	-
4	1	0	-
5	1	1**	2
6	2	1**	3
7	2	1**	3
8	2	1	3
9	2	1	3
10	2	1	3
11	3	1	4
12	3	1	4
13	3	1	4
14	3	1	4

15

3

1

4

20

4

2

6 or (5 + 1 sep toilet)

* excluding outside toilets, a wash hand basin (whb) is to be provided within each room or compartment containing a toilet.

**only if reasonably practicable to provide ie there must be a suitable room (includes creating an en suite facility within a suitably sized bedroom) or space to install a toilet (with whb) from which a connection can be made into the foul drainage system without the need for a pumped system; alternatively, a bathroom could be partitioned off without the need to make an opening in a structural wall, the resultant layout should leave reasonable space for changing, drying etc.

LICENSABLE HMO MINIMUM ROOM SIZES

(NB sizes relate to areas with a minimum ceiling height of 1.6m)

ACCOMMODATION WITH FACILITIES SHARED BY OCCUPIERS

These standards apply where there is sharing of some or all facilities ie HMOs where:

- occupiers live independently of others eg single room lettings or bedsit accommodation (kitchen facilities within own room);
- occupiers forming a group eg students, professional persons and others who interact socially.

Where the room is for the sole use of occupier(s)	Number of persons	
	1	2
Kitchen	4m ²	5m ²
Bedroom	6.5m ²	10m ²
Combined kitchen and living room	11m ²	15m ²
Combined bedroom and living room*	9m ²	14m ²
Combined bedroom, living room & kitchen	13m ²	19m ²

Where the room is shared by occupiers	Number of persons				
	1-3	4	5	6	7-10
Kitchen	5m ²	6m ²	7m ²	9m ²	11m ²
Total communal living space**	13.5m ²	17m ²	18m ²	20m ²	27.5m ²

* independent living only

** occupiers forming a group (includes kitchens, dining rooms and living rooms - the kitchen must be at least the minimum size specified above)

ACCOMMODATION WITH FACILITIES FOR THE EXCLUSIVE USE OF OCCUPIERS

These standards apply where all facilities are for the exclusive use of occupiers forming a single household ie an individual or family (husband, wife, partner, child, stepchild, step parent, grandchild, grandparent, brother, sister, half-brother, half-sister, aunt, uncle, niece, cousin, foster child) ie

- self contained flats within HMOs.

	Number of persons				
	1	2	3	4	5
Bedroom	6.5m ²	10m ²			
Combined bedroom and living room	9m ²	14m ²			
Combined bedroom, living room & kitchen	13m ²	19m ²			
Kitchen	4m ²	5m ²	5m ²	6m ²	7m ²
Living Room	8m ²	11m ²	11m ²	11m ²	11m ²

HOSTELS

These standards apply to HMOs where board is provided as part of the occupancy.

	Number of persons	
	1	2
For exclusive use of occupants		
Bedroom	6.5m ²	10m ²
Combined bedroom and living room where no separate living room is provided.	9m ²	14m ²
Family bedroom (2 adults and 1 child under 10 years old)	14.5m ² or 18.5 m ² where no separate living room is provided.	

	Number of persons				
	1-3	4	5	6	7-10
For shared use of occupants					
Kitchen (all main meals* not provided)	5m ²	6m ²	7m ²	9m ²	11m ²
Kitchen (all main meals provided)	5m ²	5m ²	5m ²	5m ²	7m ²
Communal living room (not required if individual bedroom and living room meet the standard above)	8.5m ²	11m ²	11m ²	11m ²	16.5m ²
	11-15	16 or more			
	21.5m ²	At discretion of Local Authority			

* three meals a day (to be provided each day of the week)

Appendix 5

Good Management Code of Practice

Signing up to this code provides supporting evidence that the proposed licence holder will have satisfactory management arrangements in place for the property.

Conduct

The landlord agrees to conduct business with regard to the property and the tenancy in a courteous, reasonable and equitable manner and to answer promptly queries and issues raised by the tenant.

Inventories

The landlord agrees to ensure that an inventory is signed by both parties at the beginning of the tenancy (or as soon as practicable afterwards) and to give the tenant the opportunity both to carry out a joint inventory inspection at the outset and to discuss the inventory at the end of the tenancy.

Deposits

The landlord agrees to withhold any deposit only for the purpose for which it was levied, to return deposits as soon as possible after the end of a tenancy (in any event within 4 weeks) and to provide written details and receipts for any deductions which may be made. The landlord agrees to hold deposits in accordance with an authorised Tenancy Deposit Scheme once this legislation is introduced.

Repairs and maintenance

The landlord agrees to carry out repairs within a time period appropriate to the severity of the problem, keeping as far as is practicable to the guide timescales given below*. The landlord agrees to uphold as far as practicable all undertakings given on work to be completed prior to the tenant moving in, to consult the tenant when planning other major maintenance work during the tenancy and to give reasonable notice (except in emergencies) and details of any work, servicing or testing to be carried out. The landlord agrees to set up effective monitoring arrangements to check the condition of the building and installations.

Landlord's access to property and other statutory requirements

The landlord agrees to comply with all statutory obligations under housing and landlord & tenant legislation, associated regulations, Codes of Practice and British Standards including the legal requirement to gain access to the property (for inspection, repairs, monitoring or

other reasons) only by prior arrangement with the tenant and having given 24 hours notice (except in emergencies).

Neighbours

The landlord agrees to take reasonable steps to minimise any nuisance, alarm, harassment or distress that may be caused to neighbours by the way the property is used. The landlord agrees to offer occupiers of the immediately neighbouring properties a contact telephone number, address or e-mail address to report any problems, to ensure that "To Let" or "Let" boards are not left up as long-term advertising features, to keep the external appearance of the property in a reasonable condition and to make reasonable arrangements for the storage and disposal of refuse.

***Guide to repair timescales once a fault has been reported**

Emergency repairs - **24 hours** (Affecting health or safety e.g. major electrical fault, blocked WC).

Urgent repairs - **5 working days** (Affecting material comfort e.g. hot water, heating or fridge failure, serious roof leak).

Other non-urgent repairs - **20 working days**

Appendix 6

Bath and North East Somerset – HMO Licensing

Undertaking of good practice

This document is intended to ensure that tenants are aware of their responsibilities relating to waste management, fire safety and anti-social behaviour.

Waste and recycling

Tenants have a responsibility to:

- co-operate with the provisions in place for the storage and collection of recycling and rubbish and, to make sure that it separated correctly
- to put out recycling and rubbish for collection using the correct containers by **7am** on their collection day, or as late as possible **after 8pm** the previous evening at the front edge of the property
- to bring containers back in as soon as possible after emptying.

Landlords have a duty to inform you when and how recycling and rubbish collections are made. Tenants can be fined for leaving their recycling and rubbish out on the highway at the wrong time or place.

Fire safety

The fire precautions are there for the protection of the occupants of the property and should never be interfered with in any way.

- Never prop open doors or disconnect any door closing mechanism. This is especially important when you go to bed at night.
- Every week - check your smoke alarms are working as they should.
- Never interfere with the fire alarm. If you deliberately prevent the fire alarm from working correctly it may result in eviction by your landlord and/or prosecution by the Council.
- If you think that the fire alarm is sounding falsely or not working correctly, contact your landlord about it. Alternatively, contact Housing Services on 01225 396444.
- Always keep the hall, stairs and landings (the escape route) free from obstructions such as bicycles, unwanted furniture etc.
- Make sure you are familiar with using the fire blanket and any fire extinguishers in your home. Report any problems to your landlord.

Remember, if a fire has spread because of your interference with the fire escape systems and procedures, you may also face civil proceedings by the landlord to recover costs for any additional damage caused.

Neighbours and anti-social behaviour

Examples of anti-social behaviour include excessive noise (shouting, loud music etc.), drunk or disorderly conduct, rubbish dumping, harassment and vandalism.

Tenants should ensure that nothing that they or their visitors do will interfere with other occupants within the house or the neighbourhood. The result of anti-social behaviour on the part of a tenant and/or any of their visitors could include eviction and/or retention of deposits for repairs etc. Tenants can be prosecuted if they continue to cause a nuisance. In addition, cases can be referred to Avon and Somerset Police Anti-Social Behaviour Team which could result in the service of an Anti-Social Behaviour Order (or ASBO). Students may risk sanctions from their university.

TENANTS DECLARATION

Property address.....

Licence holder/Manager.....

I **name of occupant**.....
am an occupier of the licenced premises specified above.

My occupation of this property commenced on **DATE**.....

I have been informed of my responsibilities in relation to waste management , fire safety and anti-social behaviour at this property.

I confirm that I will co-operate with the landlord in all of the above and understand the consequences if I do not.

Signed

Date

I **name of licence holder/manager**.....
am the licence holder in respect of the licenced premises specified above.

I confirm that I have explained to the above occupier their responsibilities in relation to anti-social behaviour, waste management and fire precautions at this property.

Signed

Date

Recycling & rubbish collections



The collection day for: **ENTER ADDRESS**

is

ENTER DAY



Rubbish and recycling is collected weekly

Garden waste is collected fortnightly.

Enter you postcode at bathnes.gov.uk to find out which week you are on.

Put out your recycling and rubbish for collection by **7am** on your collection day, or as late as possible **after 8pm** the previous evening at the front edge of your property

Please note that you can be fined for leaving your recycling and rubbish out at the wrong time or place

For more details contact Council Connect on 01225 39 40 41, councilconnect@bathnes.gov.uk or visit www.bathnes.gov.uk/wasteservices



POLICE NOTICE: LOCK IT OR LOSE IT! SECURE ALL DOORS AND WINDOWS WHEN YOU GO OUT

Please display in the property

Housing Services – Proposed HMO Additional Licensing Fees

All licences to last for a maximum of 5 years.

HMO licence fee		Fee
New Licence	2 units of accommodation	£675
	Additional units of accommodation	£30 per additional unit
Additional Charges		Fee
Variation of a licence		£54 Where the variation is to increase occupancy add an additional £30 per additional unit.
Replacement/additional copy of the licence/or part of.		£14
Supplemental charges.		
These may be added to the cost of the licence or variation of a licence, where extra work is required or generated above that already included in the standard fee.		
All fees to be reviewed periodically		

Working out your HMO Licensing Fee

Identify the number of units of accommodation in the property.

The number of units of accommodation in a property will be equal to the:

- Number of occupied bedrooms in a shared house
- Number of occupied bedsitting rooms in a property split up into bedsits
- Number of occupied self-contained units plus the number of bedrooms/bedsits (where there is a mix of accommodation types).

For example, a 2 storey HMO that is occupied by 1 co-habiting couple and 2 single people in 3 rooms would be occupied by 4 persons in 3 units of accommodation. In this case, the standard fee for a licence application would be £705.

There will be no additional fit and proper person fee.

Charging Policy

Licences are non transferable and relate to the named Licence Holder(s) and the specific property. Where the licence holder changes a new application must be made together with a full fee.

A licence will not be issued until a complete application and the correct payment has been received by the Council.

The Council reserves the right not to refund fees unless it is legally obliged to do so.

Example of fees dependant on units

Units of accommodation	Fee £
2	675
3	705
4	735
5	765
6	795
7	825
8	855
9	885
10	915

Additional licensing of Houses in Multiple Occupation (HMOs)

Public consultation - Questionnaire

Please return completed form to:

HMO Licensing
Housing Services
Bath and North East Somerset Council
PO Box 3343
Bath
BA1 2ZH

Or, drop the form in at the One Stop Shop on Manvers Street, Bath

This information can be made available in a range of languages, large print, Braille, on tape, electronic and accessible formats. Please contact Jeremy Manners on 01225 396276 or email: hmo_licensing@bathnes.gov.uk

Consultation will run until the 30th November 2012. Please contact 01225 396444 for more information.

Additional Licensing - Houses in Multiple Occupation

The Council is considering introducing additional licensing in the Wards of Oldfield, Westmoreland and Widcombe, although some streets in adjacent Wards may also be included. Before making a decision on whether to implement such a scheme the Council would like to hear your views.

The Housing Act 2004 allows local housing authorities, like Bath and North East Somerset Council, to specify that landlords of some or all houses in multiple occupation (HMOs) must apply for a licence if they want to rent out their properties.

An HMO is a house or flat whose occupiers are not related and who share some facilities, like kitchens or bathrooms. Larger HMOs, with five or more occupants and three or more floors already require licences. Under additional licensing the Council could decide that some or all HMOs would also need a licence. By licensing properties the council can require certain standards to be met. Landlords will have to show that their properties are well managed and safe. In addition the Council would require all landlords to pass a fit and proper person check. This means that properties are run by competent landlords who behave in a professional manner and comply with all the necessary regulations. Full details are contained within the attached Consultation document.

What is your postcode?

Tell us about yourself

The Council is proposing to licence shared HMOs centred around the Oldfield, Westmoreland and Widcombe areas of Bath.

Relevant documents:

- [Consultation document](#) including definition of a HMO, exemption and exceptions from the proposals;
 - [Map of the proposed additional licensing area](#)
 - [List of roads proposed to be included in the scheme](#)
-

Are you..

Please select at least 1 option.

- A resident of the proposed additional licensing area
- A resident of B&NES
- A landlord
- A letting agent
- Representing a business or organisation
- Other
- Prefer not to say

If you are a resident of B&NES or the additional licensing area
About the house you live in - do you?

Please select one option.

- Live in your own home
- Rent your home privately from a landlord or agent
- Rent your home from a housing association / social landlord
- Other
- Prefer not to say

If you are a letting agent or representing a business or organisation.
Does your organisation cover or have premises in the proposed additional licensing area?

Please select one option.

- Yes
 - No
-

If you are a letting agent or landlord

Do you let property in the proposed additional licensing area?

Please select one option.

- Yes
- No

So we can verify that you are a real person - please provide your email address below.

Answer

Should the Council proceed with an additional HMO licensing scheme?

The aim of the proposed additional licensing scheme is to improve the standards and management of houses in multiple occupation and reduce the impact on occupants and local residents. The HMO will have to meet certain standards of health, safety and welfare. Conditions will be placed on managers to ensure standards are met such as adequate toilets, kitchen facilities and smoke alarms. The Council can prosecute landlords for not meeting their licensing conditions.

Additional licensing will require landlords to apply to the Council for a licence in order to operate legally. Landlords will have to declare any unspent convictions and breaches of housing law and this will be considered against whether they can be declared 'fit and proper' to manage a HMO. Management arrangements will also have to be satisfactory to the Council. If they are not the Council can step in and take over control of the property.

Some landlords believe that licensing is a bureaucratic process which puts an unnecessary financial burden on landlords and will have little benefit. In addition, the recent Private Sector Housing Stock Condition Survey also indicated that the physical condition of HMOs in B&NES is similar to that of other private rented housing. However, the Council consider that the wider benefit of additional licensing to tenants and local residents outweighs the expressed concerns.

Relevant documents

- [Consultation document](#)
- [Evidence report](#)

Strongly Agree Agree Neutral Disagree Strongly Disagree

Do you agree that additional licensing will improve the condition of HMOs?

Do you agree that additional licensing will help improve the local

area?

Do you agree that additional licensing will improve management of HMOs?

Do you agree the evidence shows that a significant proportion of the HMOs in the selected area are being managed sufficiently ineffectively to cause problems for occupants or members of the public?

How should we do it?

The Council is investigating whether to introduce additional licensing of HMOs centred around Oldfield, Westmoreland and Widcombe. This area has been chosen because it contains the highest concentration of HMOs with shared facilities in B&NES. Please look at the detailed map and list of roads of the proposed area. Within this area the Council are proposing to licence all HMOs except buildings converted entirely into self-contained flats and purpose built student accommodation.

Relevant documents:

- [Map of the proposed additional licensing area](#)
- [List of roads proposed to be included in the scheme](#)

Please select all of the options.

Strongly Agree **Neutral** **Disagree** **Strongly Disagree**

Do you agree that the scheme should cover HMOs with shared facilities and not include buildings converted into self-contained flats and purpose built student accommodation?

Do you agree that we are targeting the right area for this scheme?

We will offer advice and support to help landlords throughout the licensing process and to comply with all housing legislation. We also currently offer landlords online training and information as well as a free landlord manual at www.privatehousinginformation.co.uk

What other help and support do you think we should be offering landlords whose properties will need a licence?

(Max. 500 characters)

Standards and conditions

Since 2006 the Council has operated a mandatory licensing scheme for HMOs of 3 or more storeys with 5 or more occupants where there is sharing of facilities. Conditions applied to this scheme have led to improvements with regards to fire precautions, kitchen, bathroom and toilet provisions and has improved management arrangements.

We are suggesting that the same standards and general conditions currently used for mandatory licensing will also be used for additional licensing along with some new conditions relating to recycling and rubbish, energy efficiency, ventilation, undertaking of good practice, externally located bedrooms and garden maintenance.

Relevant documents:

- [Consultation document](#)
- [Proposed conditions](#)
- [Undertaking of good practice](#)
- [Code of good management practice](#)
- [West of England Standards for licensed HMOs](#)

Do you agree that the proposed licensing conditions will help improve how HMOs are managed?

Please select one option.

- Yes
- No

Do you agree that the proposed licensing conditions will help improve the safety and quality of HMOs?

Please select one option.

- Yes
- No

Would you like to see any changes to these proposed conditions or do you have any suggestions?

(Max. 500 characters)

In B&NES, a large amount of housing has poor energy efficiency which can be improved to reduce fuel bills and carbon dioxide emissions which is part of the Council's overall vision.

Most properties require an Energy Performance Certificate (EPC) which tells the tenants and owners how energy efficient their home is and how it can be improved. We are proposing to require that all licensed HMOs improve their energy efficiency rating where recommended by the EPC report.

Do you agree that it is a good idea to improve the energy efficiency of HMOs within the scheme?

Please select one option.

- Yes
- No
- Unsure

Licensing fees

The legislation allows the Council to recover the cost of licensing through the licensing fee.

Some landlords feel that licensing is simply about the Council making money. The Council believes that it is unfair for Council Tax payers to contribute towards the regulation of these properties. Therefore, it is proposed that licensing is self-funding meaning that a licence fee will be charged.

We are proposing a starting fee of £675 (equivalent to £11.25 per month over 5 years) for a 2 unit HMO with an increase of £30 per additional unit (the definition of a unit is contained within the proposed fees document). For example, an HMO that is occupied by 3 individuals in 3 rooms would be £705 for a licence which lasts for up to 5 years.

Relevant documents

- [Proposed fees](#)

Do you think the fee structure looks appropriate?

Please select one option.

- Yes
- No

Do you have any suggestions about the fees structure, for example, some people think we should offer discounts where landlords behave in a professional manner and save the Council time and resources.

(Max. 500 characters)

Vulnerable people

Do you think that these proposals will have a positive or negative impact on any vulnerable groups in the community?

Please select one option.

- Positive impact
- Negative impact
- Don't know

Please give us more detail on who you think will be positively or negatively impacted by additional licensing and why?

(Max. 300 characters)

Other comments

Would you like to make further comments on additional licensing?

Would you like to be kept informed about additional licensing?

If you would like a copy of the Council's decision please enter your email address below.

Would you like to be kept informed and be part of future discussions regarding additional licensing?

Please select one option.

- Yes - please enter your email address below
- No

Please enter your email address for future correspondence

More information about you (Optional)

Are you?

Please select one option.

- Male
- Female
- Prefer not to say

How old are you?

Please select one option.

- Prefer not to say
- under 25 years old
- 25 - 34
- 35 - 44
- 45 - 54
- 55 - 64
- 65 - 74
- 75 - 84
- 85 +

How do you define your ethnicity?

Please select one option.

- Prefer not to say
- White British
- White Irish
- White Eastern European
- Gypsy or Irish Traveller
- Any other White background
- Black Caribbean
- Black African
- Other Black background
- Indian
- Pakistani
- Bangladeshi
- Chinese
- Other Asian background
- Arab
- Any other ethnic group
- Mixed: White and Black Caribbean
- Mixed: White and Black African

- Mixed: White and Asian
- Any other Mixed background

Do you consider yourself to be disabled?

Please select one option.

- Yes
- No
- Prefer not to say

*****End*****