

EXECUTIVE BUSINESS MEETING: 4 MARCH 2010

**INTRODUCTION OF AN ADDITIONAL LICENSING SCHEME IN
THE CATHAYS COMMUNITY WARD OF CARDIFF**

**REPORT OF CORPORATE DIRECTOR (BUILT ENVIRONMENT)
AGENDA ITEM: 4**

PORTFOLIO: COMMUNITIES, HOUSING & SOCIAL JUSTICE

Reason for this Report

1. To report on the results of the consultation exercise approved by EBM on 10 September 2009, and detail the case for declaration of an Additional Licensing scheme in the Cathays Community Ward of Cardiff in relation to houses in multiple occupation (HMO's) in the private rented sector.

Background

2. Cardiff is a University City with approximately 30,000 students in residence from three expanding universities.
3. Students comprise approximately 11% of Cardiff's population. The majority live in Cathays or Plasnewydd, typically in shared terraced pre 1919 houses.
4. Cathays is an attractive area of the City for students because of its proximity to campus and the city centre. Over 50% of the residents in Cathays are full time students. The high demand from students for properties in the area allows some landlords and agents to advertise and let poor quality properties in Cathays.
5. In 2006 a strategic partnership was established between the Council and the City's universities through the adoption of the Cardiff Student Community Plan. This addresses "studentification" of certain areas of the city housing high numbers of students. Typically these areas display a range of common problems such as rubbish accumulation, parking stress, street scene decay and poor housing. This partnership is harnessed by the employment of a jointly funded co-ordinator to lead on the implementation of a student community plan. Despite this, student unions continue to state that student housing is the single most important issue they have to deal with and community dissatisfaction continues.

6. This dissatisfaction culminated in a motion being put to Council on 20 November 2008 highlighting the impact of a high student population in certain areas of the City. The motion called for officers to explore how the provisions of the Housing Act 2004 for extending licensing of HMO's might be applied to Cardiff. A Task & Finish group consisting of Members and Officers was established to consider options for moving forward.
7. The Group established that Additional Licensing of HMOs could provide part of an effective solution. It then considered which area would benefit most and what could be reasonably achieved within the time available.
8. A summary of this evaluation is at Appendix 1. It shows that Cathays would benefit most from the introduction of a licensing scheme, although the statistics also suggest Plasnewydd and Gabalfa might merit the extension of the licensing scheme in the future.
9. On 10 September 2009 the Executive resolved to undertake internal and external consultation on the proposal to introduce an additional licensing scheme within the Cathays Community Ward of Cardiff.

Legislative Context

10. The Housing Act 2004 radically overhauled the way local authorities regulate standards in private rented housing. From 30 June 2006, the Act introduced a number of new provisions:-
 - The Housing Health and Safety Rating System (HHSRS) is a comprehensive regime allowing Councils to take action in relation to 29 potential hazards.
 - Mandatory licensing which requires the Council to operate a licensing scheme for Houses in Multiple Occupation (HMO's). This scheme applies to all HMO's with five (or more) people in properties with three (or more) storeys. Over 580 properties have been licensed and will continue to be monitored.
 - The Act allows the Council to introduce further licensing schemes of private rented properties to meet the needs in their locality.
11. Licences are granted when the Council is satisfied that:
 - The property is suitable (or can be made suitable) for the maximum number of occupants;
 - The licence holder is a fit and proper person
 - and there are suitable management arrangements in place
12. Licence conditions are used to control the ongoing maintenance and management of HMO's.
13. Mandatory licensing cannot deal with all the problems highlighted in the private rented sector because it applies to only a small proportion of the stock and makes little visible impact in an area.

Council Powers to Introduce Additional Licensing

14. Under the Housing Act 2004, there are two powers available for the Council to extend licensing to other categories of property:-
 - Additional licensing powers enable the Council to extend the scope of its HMO licensing to other descriptions of HMO either in all or in part of its district.
 - Selective licensing powers enable the Council to extend licensing to other types of properties other than just HMOs in an area of the City where there may be issues relating to low housing demand or anti-social behaviour.
15. Before using these discretionary powers the Council must carry out a thorough appraisal and a consultation exercise with stakeholders.
16. The Welsh Assembly Government issued a General Approval to Local Authorities in April 2007 to implement additional licensing. This means that no additional approval is required from the Welsh Assembly Government (WAG) if the criteria for the general approval are met.

The Case for Additional Licensing of Cathays Community Ward

17. In order to designate an area the Council must be satisfied that the following requirements are met:
 - **Criteria 1** - Before making a designation the authority must consult persons who are likely to be affected by the designation and consider any representations.
 - **Criteria 2** - The authority must consider that a significant proportion of the HMO's of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMO's or for members of the public.
 - **Criteria 3** - The authority must have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMO's in the area.
 - **Criteria 4** - The authority must ensure that the exercise of the power is consistent with the authority's overall housing strategy.
 - **Criteria 5** - The authority must seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour as regards combining licensing under this part with other courses of action available, and as regards combining such licensing with measures taken by other persons.
 - **Criteria 6** - The authority must not make a particular designation unless they have considered whether there are other courses of

action available to them that might provide an effective method of dealing with the problem.

- **Criteria 7** – The Council must consider that making the designation will significantly assist them in dealing with problems in the area.

Criteria 1 - Consultation Undertaken

18. The following consultees were invited to comment on the proposal:-

- WAG
- Local Ward Members
- Landlords
- Student Quartet
- Universities
- Students
- Association of Letting and Managing Agents
- South Wales Police
- Community Safety Team
- South Wales Fire service
- Waste Management
- Pollution
- Traffic & Transportation
- Community Groups
- Local residents & tenants

The consultation ran for a period of 2 months from 15 October 2009 – 15 December 2009.

19. A Public Consultation Document together with a questionnaire was developed to ascertain stakeholders views (Appendix 3). The questionnaire was made available in both paper format and on-line.

20. The questionnaire comprised of 14 questions divided into 7 sections as follows:-

- General
- Documentation provided at tenancy commencement
- Property Condition
- Property Management
- The Local Area
- Anti-Social Behaviour
- Additional Licensing Scheme

The questionnaire also allowed for respondents to add their comments on the proposed scheme.

21. A total of **620** completed questionnaires were received from the following respondents:

Tenants	86%
Owner-occupiers	9%
Landlords	3%
Letting Agents	1%
Left blank	1%

22. The respondents lived in the following accommodation:

Shared Houses	62%
Houses	21%
Flats	9%
Halls of Residence	5%
No response	3%

23. Letters supporting the introduction of an additional licensing scheme were received from the following consultees:

- Cardiff University
- University of Wales Cardiff
- University of Glamorgan
- Cardiff University Students Union
- South Wales Police
- Jenny Randerson AM
- CPS Homes

24. Letters opposing the introduction of an additional licensing scheme were received from the following consultees:

- Cardiff Landlords Forum and separately from 2 members of the Forum
- Guild of Residential Landlords
- National Landlords Association

A summary of responses can be found in Appendix 3.

Local Member Consultation

25. Local Ward Members from Adamsdown, Cathays, Grangetown, Plasnewydd, Gabalfa & Riverside were invited to attend a Task & Finish Group. The Members who attended the Task & Finish group on behalf of their Wards namely, Cathays, Plasnewydd, Riverside and Gabalfa, are in support of the Council introducing an additional licensing scheme in the Cathays area.

Criteria 2 – HMOs Managed significantly ineffectively

26. Every year Private Sector Housing receives over 2000 service requests about the condition of private properties in the City. During 2008/09 346 service requests (14.83% of all service requests for the City) were made concerning Cathays. Cathays has the highest rate of complaints per property in the City.

27. In 2005, the Council commissioned a Private Sector Housing Stock Condition Survey. The City was divided into 10 sub areas for the purposes of the survey. Cathays and Gabalfa were combined to form one area (Area 5). The survey focused on private housing only, so includes owner occupied dwellings, stock owned by Registered Social Landlords (RSLs), vacant dwellings as well as private rented properties.
28. The Private Rented Sector represents 15.6% of the stock in Cardiff. The survey showed that the Private Rented Sector in Cardiff exhibited the highest level of unfitness for human habitation with 9.7% of dwellings unfit compared to an average of 5.6% for all dwellings and only 2.5% in the RSL sector. Similarly, Private Rented Sector properties have the highest repair cost in these tenure groups, with the very highest costs being in HMOs.
29. The survey showed that 58.6% of HMOs lacked any means of escape in case of fire i.e. fire doors and structural protection forming a protected route in the event of a fire. 13.5% had no fire alarm system or smoke detectors at all. 43.5% of HMOs relied on battery operated smoke detectors only, which is worrying given the higher fire risk typically found in HMOs; the Housing Health and Safety Rating System Operating Guidance 2006 states that battery operated detectors have a 45% failure rate.
30. The highest levels of unfitness in Cardiff were found in Area 5 (Cathays and Gabalfa combined) with 8.9% of dwellings in the area being unfit. Area 5 has by far the highest repair cost per dwelling in Cardiff, with a standardised repair cost per square metre of £29.50 compared to the next highest at £23.90 for area 9 (Llanrumney, Pentwyn, Rumney and Trowbridge) and an average for the city of £19.10 per square metre.
31. Area 5 shows by far the highest levels of fuel poverty, with 19.4% of households living in fuel poverty compared to the second highest in area 7 (Penylan and Plasnewydd) at 10.1%.
32. During 2008/09 the following complaints were received for the Cathays area:-

Accumulation Service Requests	118 (22.78% of total for Cardiff)
Noise Nuisance Complaints	195 (11.74% of total for Cardiff)

33. During 2008/09, 274 burglaries were recorded in the Cathays Community Ward area, representing 12.09% of all burglaries in Cardiff.
34. Proactive enforcement has had a significant and quantifiable impact but has not been possible in Cathays, due to the restrictive legislation in place at the time. Consequently, the enforcement programme in Cathays has been directed in response to complaints from tenants only. This piecemeal approach has not been able to secure consistent improvements across the area. In contrast, areas like Plasnewydd, North Riverside and Grangetown did benefit from proactive work programmes.

Declaration of an additional licensing area in Cathays will allow all properties to be identified, inspected and consistent standards applied. This will secure a sustained improvement to conditions of large numbers of properties and to neighbourhoods.

35. Tenants were asked what documentation/information was provided by the Landlord when the tenancy commenced. The following table shows the percentage of tenants who received the information:

Info on refuse collection days	40%
Tenancy Deposit Scheme	39%
Responsibilities as tenants	36%
Gas Safety Certificate	19%

(Results given as a percentage of the 585 tenants who responded)

36. Tenants were asked what concerns they have in relation to the condition of their property. The following table shows the percentage of tenants who were concerned with particular aspects of their property:

Damp and Mould	64%
Energy Efficiency	54%
Security	50%
Efficient heating system	48%
Fire Safety	40%
Property in poor state of repair	35%

(Results given as a percentage of the 585 tenants who responded)

37. When respondents were asked if Landlords/Agents manage properties to an acceptable standard:-

Do not manage to an acceptable standard	44%
Do manage to an acceptable standard	29%
Don't know	9%
No response	18%

(Results given as a percentage of the 585 tenants who responded)

38. Respondents were concerned with the following in relation to Cathays:

Litter, rubbish & waste in gardens/forecourts	84%
Burglary	67%
General street-scene (To let boards)	54%
Car Parking	52%
Safety	50%
Noise Nuisance	36%
Community Engagement	24%
Other Crime	19%

(Results given as a percentage of all 620 respondents)

39. However, when asked if HMO's have a negative impact on the Cathays area:-

Negative impact on area	21%
Do not have a negative impact on area	47%
Don't know	30%
Left blank	2%

(Results given as a percentage of all 620 respondents)

Criteria 3 – Codes of Practice

40. The Rent Only Residential Management Code for Wales adopted by the Welsh Assembly Government in February 2006 gives guidance to landlords & agents on their responsibilities towards each other and to various clients. The consultation exercise conducted in relation to an additional licensing scheme proposed for Cathays has highlighted that significant portions of the guidance are not being followed by landlords & agents.
41. The code requires managers to protect any money held by them, but not owned by them, but evidence from the consultation suggests that few tenants are informed about the protection of their bonds. From the survey, few tenants receive copies of the gas safety certificates or inventories of properties that they are moving into. The code specifically instructs that inventories should be provided and that managers must be aware of their obligations relating to gas safety.
42. Substantial parts of the code relate to the completion of works and specifies that managers should maintain good communication with the tenants about what and when works are to be carried out. Such works should be completed within a reasonable time, to a reasonable standard and that disturbance to the tenants should be minimised. The answers to the survey questions relating to property condition indicate that managers commonly fail to inform tenants about works and take considerable time to get them completed. Poor quality work seems to be a common complaint from tenants living within the Cathays ward.

Criteria 4 - Consistent with Local Housing Strategy

43. Cardiff Council's Local Housing Strategy 2007-2012 (updated 2009) sets out the key issues facing housing in Cardiff and outlines opportunities, constraints, problems and priorities for the next five years. The introduction of an Additional Licensing scheme has been identified within both the Local Housing Strategy and within the Enforcement Policy which was adopted in March 2009 and is therefore completely consistent with the Local Housing Strategy.

Criteria 5 - Co-ordinated approach

44. Cardiff Council has a number of strategies and policies dealing with housing, energy efficiency and sustainability, homelessness, empty properties, waste management, student communities and crime and anti-social behaviour which support and integrate well with the introduction of an Additional Licensing scheme.
45. The Council has processes in place where any household at risk of becoming homeless are referred to the Housing Advice Unit. The provision of good quality comprehensive housing advice is a key element of the preventative measures to reduce homelessness as prioritised in Cardiff Council's Homelessness Strategy.
46. The Council's Empty Property Strategy deals with problematic vacant properties that are in poor or deteriorating physical condition, causing nuisance to neighbouring properties, attracting anti-social behaviour or vermin, fly tipping etc or are subject to unauthorised entry. This active approach led to 78 properties being returned to use during 2008/09.
47. Community Safety, anti-social behaviour, sustainability and energy efficiency and waste management are all priority considerations for the Council. The Licensing process and HHSRS provides the Council with the mechanisms to take action to secure improvements on these issues. Appropriate standards will be developed in conjunction with appropriate partners such as the Police, and South Wales Fire.

Criteria 6 – Other courses of action

48. The Council has implemented a number of schemes and initiatives to address the challenges and issues present within the Cathays Community Ward. Despite the action detailed throughout this report, these complex issues continue to cause problems within the area. The Council can only make a sustainable improvement to the area if Landlords play their part too.
49. Accreditation Plus is a scheme developed in partnership with a number of agencies including the Universities and run by Cardiff Council to acknowledge good quality and well managed accommodation. The scheme aims to bring properties above the minimum legal standard, asking for additional features including fire protection, energy efficiency, adequate facilities, provision of furniture and security. Landlords are required to sign a Management Code covering issues such as tenancy agreements, rent collection, response to repair requests and the Custodial Bond scheme. All landlords must meet the qualifying criteria and must not have been prosecuted for a major offence relating to the ownership and management of any property.
50. The scheme was run between 2002 and 2006 during which time 166 properties were accredited. However, a further 108 abortive visits were undertaken where landlords failed to complete the process and become accredited. The Council had hoped that Universities would only advertise

accredited properties on University accommodation lists but due to the limited number of accredited properties, this was not possible. This process was also very resource intensive as a number of visits to the property would need to be undertaken to survey the property, ascertain works required and then ensure the works had been completed to award accreditation.

51. In November 2008 the Landlord Accreditation Wales (LAW) Scheme was launched. The scheme concentrates on accrediting landlords not properties. The importance of landlords having a wide and detailed knowledge of the many issues surrounding the letting of residential property was recognised and as such the scheme provides landlords with information and professional development opportunities to allow them to operate a successful business whilst providing their tenants with safe, high quality accommodation, thereby reducing the need for intervention from Local Authorities.
52. A total of 104 Landlords within Cardiff have become accredited since the launch of the scheme. In order to assist the Council improve uptake of the Accreditation scheme, the Universities within Cardiff have agreed to only advertise properties owned by accredited landlords on the University accommodation lists by 2011.
53. Attendance on a suitable and accredited training course on tenancy management and legal standards in private renting is a condition of the mandatory licensing scheme. In order to assist landlords in meeting this requirement, 251 vouchers were sent to Landlords inviting them to attend the LAW course free of charge. Only 36 have accepted this offer and become accredited. If introduced, training will become part of the Additional Licensing scheme conditions, and the licensing fee structure will be used as a further incentive for landlords to become accredited by offering a discount for accredited landlords.
54. Being an accredited landlord is beneficial not only in terms of business and reputation. It also means that the Council has less need to intervene when an issue arises since landlords should have the necessary skills and knowledge to rectify problems without the need for enforcement.
55. In March 2009, the Council adopted the "Private Sector Housing Enforcement Policy", which outlines the Council's obligations to comply with legislation in order to improve housing standards in Cardiff. The Council firmly believes that securing sustained improvements to the private sector stock in Cardiff can only be achieved through a robust partnership approach involving tenants, landlords, local communities, the voluntary and private sectors.
56. The Council has partnership arrangements in place with landlords which have been strengthened over the last few years. The Council has a number of ways in which they educate landlords including:-

- The Cardiff Landlord's Forum and ALMA are both supported by the Council but are landlord / agent led organisations providing valuable information to Cardiff landlords
 - Every year the Council holds a Landlords' Open Day, an event that regularly attracts over 200 delegates
 - A Landlords Newsletter is produced on a quarterly basis providing valuable information and knowledge.
57. It was acknowledged that there was no comprehensive housing information for students. In response www.cardiffdigs.co.uk was launched in 2008. This is targeted at students in their second or third year of study looking for and living in privately rented accommodation. There was a lack of information for those students on moving into their new homes and the impacts they have on their communities. Cardiff Living is a downloadable pack containing useful information and practical tips. Despite marketing, results of the consultation questionnaire show that only 4% of tenants were provided with this information when they moved in.
58. The Council in conjunction with Cardiff Students Union have run an annual campaign since 2005 called "Get it Out for Cardiff". This campaign targeted students to educate them to place refuse out for collection on the correct day when moving out of their tenancy. Whilst this annual campaign has been very successful, results of the consultation questionnaire show that 84% of respondents are concerned about litter, rubbish and waste in the Cathays area. In addition, the Council's Waste Management Team has created an Education and Enforcement Team to assist with the continued waste issues within Cathays.
59. A pilot Wheeled Bin scheme was introduced in November 2009. A Waste Education and Enforcement team is established and Cathays benefits directly from this. The team identifies problem areas and takes appropriate action. End of term difficulties in December were particularly acute to the extent that Waste Management undertook an additional one off "Get it out for Cardiff" initiative to remove the waste.
60. Operation Saturn, run by the Police but in partnership with Universities and the Council was born out of the high crime statistics peaking in Cathays in September and October every year. Crime figures also show that Cathays sector has a higher number of robberies, burglaries and autocrime than in other areas of the City. The intention of the operation was to take a multi agency approach to prevent and reduce all aspects of criminal activity and anti social behaviour. The emphasis was placed on education and awareness with the key message for this operation being "prevention rather than detection". Despite a positive response from the public and people stating that they felt safer due to the increased police presence, it can be seen from the results of the consultation questionnaire that, since Operation Saturn, 67% of respondents are still concerned with burglary and 50% with safety within the Cathays area.

Criteria 7 - Making the designation will assist the Local Authority to deal with the problems

61. The introduction of an additional licensing scheme would have the following direct benefits:

- **Improvements to Accommodation** will be secured by licensing conditions including means of escape from fire, amenities and space standards.
- **Improvements to Health & Safety** will be secured by ensuring gas and electrical installations are safe.
- **Sustainable improvements to the Cathays area** will be made through licensing conditions to improve the “street scene” by requiring suitable waste storage facilities.
- **Better value for money secured by a proactive approach in one area** – By making a concerted effort in one 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 Tenancy Management & Property Conditions** for tenants living within the area. Licensed properties will abide by a common set of conditions controlling property maintenance and tenancy management. Examples of matters controlled include:-
 - Fire safety management
 - Condition and appearance of communal areas, gardens and forecourts
 - Control of rubbish and waste
 - Maintenance of gas and electricity installations
 - Provision of a written tenancy agreement to each tenant

It is intended that landlords will be required to provide their tenants with prescribed information at the start of their tenancies.

- **Improvements made through Landlord training** – The conditions attached to each licence will require that the licence holder attend appropriate training on the legal requirements relating to private renting and tenancy management, such as the Landlord Accreditation Wales course.

This aims to encourage a professional approach by landlords.

- **Eradication of bad landlords** – Those landlords who are not “fit and proper”, e.g. with a criminal record or bad housing track record cannot hold a licence.

62. The introduction of an additional licensing scheme would have the following indirect benefits:

- **Improvements to Accommodation** will be secured by using other methods such as the Housing Health and Safety Rating System. It is intended that minimum standards will be applied to secure improvements in relation to excess cold and security.
- **Reducing Anti-Social Behaviour** by making Landlords / Property Owners more accountable for the behaviour of their tenants and tackle anti-social behaviour
- **Availability of information** - Licensing allows the Council to maintain a public register of licensed landlords. This will allow the Council to share information more easily with other council services e.g. waste management with the resulting efficiency in services and enforcement activity. Also members of the public will have access to the information. This could bring benefits as neighbours will be able to write to a landlord highlighting their concerns.

63. When asked if an Additional Licensing Scheme would benefit tenants and the local community; results from the consultation questionnaire show:-

Will benefit tenants	85%
Will not benefit tenants	5%
Don't know	10%
Left blank	2%
Will benefit the local community	76%
Will not benefit the local community	6%
Don't know	17%
Left blank	1%

(Results given as a percentage of all 620 respondents)

Designation

64. It is proposed that the scheme will go live from 1 July 2010. This would allow three months (as required in Regulation 9 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (Wales) Regulations 2006 to allow for a marketing strategy to be developed and publicity to be undertaken.

65. Within seven days of the designation the Council would be required to publish the decision on the Council's Internet site, public notice boards and within two local newspapers in order to notify all stakeholders.

Licensing Standards

66. Supplementary Planning Guidance for Household Waste Collection and Storage is currently being revised to include a standard for shared HMOs.

Licence conditions will be used to require the provision of sufficient waste storage facilities in line with the Supplementary Planning Guidance.

67. The Fire Safety and Amenity Standards that will be applied in Cathays will also be applied to any remaining HMOs subject to Mandatory Licensing. These standards, detailed at Appendix 4, represent an amendment to those agreed within the Private Sector Housing Enforcement Policy agreed by Executive on 5 March 2009.

Conclusions

68. The impact of high density occupation in small geographical areas of the city is significant. The problems caused are numerous and complex to resolve. No one solution in isolation can achieve a sustained improvement. However, working in partnership can make a significant difference and work to date has secured some successes. Landlords could play a more significant role but this “buy in” has not been achieved, to any significant degree, despite significant effort by the Council and Universities to encourage more responsible renting. Without the backing of a legislative scheme, no significant change in landlord management practices will be secured.

Reasons for Recommendations

69. Additional Licensing could bring significant benefits in Cathays by securing improved housing accommodation, better management of properties and improved community health.

Legal Implications

70. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council’s fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

71. If additional licensing is introduced there will be a cost to Landlords for the fee of the licence and any subsequent works required to meet the licensing conditions. The licence fee will be valid for a period of 5 years (however, in special circumstances the Council may decide to grant the licence for a lesser period). The following fees will apply:

A HMO licence under the Cathays Additional Licensing Scheme = £500

A HMO licence under the Cathays Additional Licensing Scheme where the landlord is accredited under Landlord Accreditation Wales = £400

- A HMO licence under the Cathays Additional Licensing Scheme where, at the time of first inspection by the licensing officer, the HMO meets all licensing and management standards = £400 (A £500 fee will be levied with a refund given of £100 where the property is confirmed by the inspecting officer to meet all standards)
72. A HMO licence under the Cathays Additional Licensing Scheme where the HMO meets all licensing and management standards and the landlord is accredited under LAW = £300 (A £400 fee will be levied with a refund given of £100 where the property is confirmed by the inspecting officer to meet all standards)
73. Award of a HMO licence to a new owner on revocation of an existing HMO licence (Mandatory or Additional Licensing) = £200
74. Large portfolio landlords will be offered a payment plan whereby fees may be paid in stages over the course of the scheme. A payment plan will only be agreed where the landlord immediately notifies the Council of all of those properties which are required to be licensed. The agreement of the plan will be at the Council's discretion and may be rescinded, requiring immediate payment in full of all outstanding fees, where, in particular, it is discovered that the landlord's management practices are unsatisfactory or that there has been a failure to disclose the details of all licensable HMOs.
75. In order to support the Landlord Accreditation Wales Scheme, licensed landlords will be offered discounted attendance at the LAW training course.
76. These fees will be subject to annual review as part of the Council's budget setting process.
77. Should there be a need for additional staff resources at any point during the course of the five year designation this will be fully funded from additional licensing fee income. The ability to charge a fee would enable the council to resource the scheme and uphold legal standards.

RECOMMENDATION

The Executive is recommended to declare the Cathays Community Ward an additional licensing area with effect from 1 July 2010 to run for a period of 5 years.

PAUL ORDERS

Corporate Director
26 February 2010

The following Appendices are attached:-

Appendix 1 – Results from the House Condition Survey 2005 and statistics for student areas within Cardiff

Appendix 2.– Cardiff Council's Additional Licensing (Cathays) Scheme for HMO's 2010 including map of Cathays Community Ward

Appendix 3 – Results of Consultation questionnaire and responses to written representations

Appendix 4 – Licensing Standards with relation to Fire Safety & Amenities

Results from Private Sector House Condition Survey 2005 (estimated)

Areas in Cardiff (see table below)	Number of Dwellings by Area	Number of Rented Accommodation by Area	Number of HMOs per area	Percentage of rented accommodation as HMOs	No of SC Flats
Area 1	10,682 8.78%	518 2.72%	0	0	None
Area 2	11,876 9.76%	774 4.07%	82	10.60%	181 2.73%
Area 3	15,680 12.89%	2,081 10.93%	626	30.08%	1298 19.57%
Area 4	15,215 12.50%	3,242 17.03%	942	29.06%	1070 16.13%
Area 5	8,237 6.77%	4,634 24.35%	3,106	67.02%	1373 20.70%
Area 6	17,345 14.25%	1,115 5.86%	154	13.81%	142 2.14%
Area 7	12,135 9.97%	3,649 19.17%	2,360	64.68%	1500 22.61%
Area 8	8,630 7.09%	1,740 9.14%	609	35.0%	946 14.26%
Area 9	14,142 11.62%	742 3.90%	89	11.99%	123 1.85%
Area 10	7,738 6.36%	537 2.82%	0	0	0
Total	121,680	19,032	7,969		6,634

Area	Wards in Area
1	Creigiau/St Fagans, Pentyrch, Radyr & Morganstown, Rhiwbina, Whitchurch & Tongwynlais
2	Caerau, Ely, Fairwater
3	Canton, Llandaff, Llandaff North, Riverside, Whitchurch & Tongwynlais
4	Butetown, Canton, Grangetown, Riverside
5	Cathays, Gabalfa
6	Cyncoed, Heath, Llanishen, Rhiwbina
7	Penylan, Plasnewydd
8	Adamstown, Splott
9	Llanrumney, Pentwyn, Rumney, Trowbridge
10	Lisvane, Llanishen, Pontprennau/ Old St Mellons, Trowbridge

Actual statistics April 2008 – March 2009

Ward & total number of properties	Class N exemptions (CTAX)	Enforcement Requests	Accumulations Service Requests	Noise Nuisance *	Overall Crime Statistics	Burglary
City-Wide 146,305	3,676	2333	518	1661	44465	2451
Adamsdown 4345	87 2%	120 5.14%	19 3.67%	107 6.44%	1823 4.10%	132 5.39%
Cathays 5558	1646 29.61%	346 14.83%	118 22.78%	195 11.74%	8145 18.32%	326 13.30%
Gabalfa 2813	253 8.99%	52 2.23 %	10 1.93%	47 2.83%	757 1.70%	55 2.24%
Grangetown 8318	76 0.91%	144 6.17%	23 4.44%	144 8.67%	1973 4.44%	77 3.14%
Plasnewydd 7582	941 12.41%	370 15.86%	128 24.71%	256 15.41%	2469 5.55%	271 11.06%
Riverside 6341	113 1.78%	146 6.26%	34 6.56%	90 5.42%	1771 3.99%	100 4.08%

* Noise Nuisance statistics (based on domestic noise excluding barking dogs)

* Crime statistics are based on those provided by South Wales Police in May 2009 and which were presented to Executive in September 2009. Statistics for Cathays include crime committed in the City Centre. The Executive Business Report "Introduction of an Additional Licensing Scheme in the Cathays Community Ward of Cardiff" shows the burglary statistics for 2008/09 for Police Beat area 3901 which corresponds to Cathays Community Ward and which excludes the City Centre.

Cardiff Council Houses in Multiple Occupation Additional Licensing (Cathays) Scheme 2010

Cardiff Council in exercise of their powers under sections 56 of the Housing Act 2004 and hereby make the following Scheme.

CITATION, COMMENCEMENT and REVOCATION

1. (1) This scheme may be cited as the Cardiff Council Houses in Multiple Occupation Additional Licensing (Cathays) Scheme 2010.
- (2) This scheme shall come into force on **1 July 2010**.

INTERPRETATION

2. In this scheme:-

“**2004 Act**” means the Housing Act 2004;

“**Authority**” means the Cardiff Council;

“**House**” has the same meaning as in section 99 of the 2004 Act;

“**House in multiple Occupation**” has the same meaning as in section 254 to 259 of the 2004 Act and “multiple occupation” shall be construed according;

“**HMO**” has the same meaning as Section 77 of 2004 Act;

“**Single Household**” has the same meaning as section 258 of the 2004 Act;

“**Main residence**” has the same meaning as section 259 of the 2004 Act;

“**Person having control**” and “**person managing**” have the same meaning as in section 263 of the 2004 Act;

“**Responsible person**” means the person having control or the person managing;

“**Storey**” shall have the same meaning as section 3 The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (Wales) Order 2006

AREA OF LICENSING SCHEME

3. This Scheme shall apply to all HMOs within the Cathays Community Ward in Cardiff as defined in the attached map.

APPLICATION

4. (1) this Scheme shall not apply to:
 - (a) a building where the person managing or having control of it is –
 - I. A local housing authority
 - II. A body which is registered as a social landlord under part 1 of the Housing Act 1996 (c.52)
 - III. A police authority established under section 3 of the Police Act 1996 (C.16)
 - IV. The metropolitan Police Authority established under section 5B of that Act
 - V. A fire and rescue authority

VI. A health service body within the meaning of Section 4 of the National Health Service and Community Care Act 1990 (c.19)

(b) Any building

- I. which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full time course of further education or high education at a specified educational establishment or at an educational establishment of a specified description, **and**
- II. where the person managing or having control if it is the educational establishment in question or a specified person or persons of a specified description provided by Welsh Assembly Government.

(c) Any building except those defined by section 257 of 2004 Act which is occupied principally for the purpose of a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering.

(d) Any building except those defined by section 257 of 2004 Act which is occupied only by persons within the following:

- I. one or more persons who have, whether in the whole or any part of it, either the freehold estate or a leasehold interest granted for a term of more than 21 years;
- II. any member of the household of such a person or persons;
- III. no more than two persons in addition to the responsible person and any other member of his household;

e) Any house which is occupied by two persons who form only two households;

f) A converted block of flats, except any converted block of flats to which 257 of the 2004 Act applies and which is an HMO by virtue of that section.

AUTHORITY GIVEN BY THE SCHEME

5. To exercise the powers and duties conferred by Part 2 of the Housing Act 2004 and in particular, subject to paragraphs 3 and 4 (1), the authority shall compile and maintain a public register of all houses in multiple occupation.

PARTICULARS TO BE INSERTED IN THE REGISTER

6. Each entry in the register in respect of a house shall contain the following particulars:-

- (a) The name and address of the licence holder;
- (b) The name and address of the person managing the licensed HMO;
- (c) The address of the licensed HMO;

- (d) A short description of the licensed HMO;
- (e) A summary of the conditions of the licence;
- (f) The commencement date and duration of the licence;
- (g) Summary information of any matter concerning the licensing of the HMO which has been referred to a residential Property tribunal or to the Lands Tribunal; and
- (h) Summary information of any decision of the tribunals referred to in sub-paragraph (g) which relates to the licensed HMO, together with the reference number allocated to the case by the tribunal.
- (i) The number of storeys comprising the licensed HMO;
- (j) The number of rooms in the licensed HMO providing –
 - I. Sleeping accommodation; and
 - II. Living accommodation;
- (k) In the case of a licensed HMO consisting of flats:
 - I. The number of flats that are self contained; and
 - II. The number of flats that are not self contained;
- (l) A description of shared amenities including the numbers of each amenity; and
- (m) The maximum number of persons or households permitted to occupy the licensed HMO under the conditions of the licence.

LICENSING

- 7. (1) The responsible person for a house in multiple occupation shall apply to licence the house with the authority
- (2) On an application for Licensing, the responsible person shall fully complete an application in a form prescribed by the Authority and shall, in particular:
 - (a) give the authority the details of the house specified in paragraph 6: and
 - (b) pay a fee of a reasonable amount determined by the authority.
 - (c) provide a criminal conviction certificate, giving a basic level of disclosure, from Disclosure Scotland or Criminal Records Bureau
- (3) The Licence shall be for a maximum period of five years from date of issue but may be granted for a shorter period of time should the Authority deem it appropriate.
- (4) On or before expiry of the period of the licence, the responsible person shall apply for renewal of the licence, as long as the Scheme remains in force.
- (5) On renewal of the licence, the responsible person shall
 - (a) notify the authority of any changes in the particulars entered in the register in respect of the house
 - (b) pay a fee of a reasonable amount determined by the authority.
 - (c) Provide a criminal conviction certificate, giving a basic level of disclosure, from Disclosure Scotland or Criminal Records Bureau

- (6) During any period of the licence, the responsible person shall notify the authority of any change in the particulars of the house which make it necessary to alter the particulars in the register except for a decrease in the number of tenants for which the licence is valid.

CONDITIONS FOR LICENSING

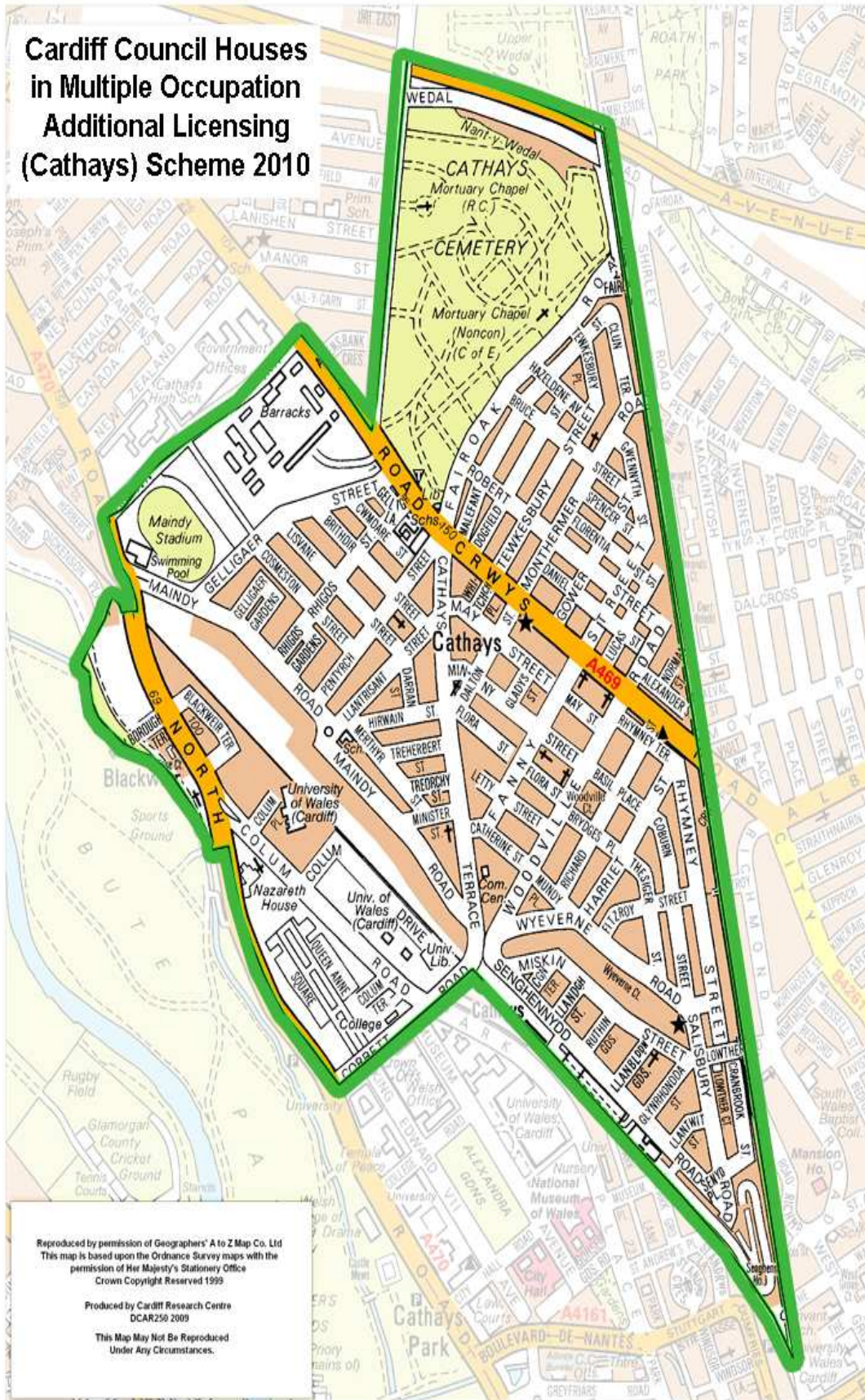
8. (1) the authority may, on application for first licence of a house or renewal or variation of a licence:
- (a) refuse the application on the ground that the house is unsuitable and incapable of being made suitable for such occupation as would be permitted if the application were granted.
 - (b) Refuse the application on the ground that the person having control of the house or the person intended to be managing the house is not a fit and proper person;
 - (c) Require as a condition of granting the application that such works as will make the house suitable for such occupation as would be permitted if the application were granted are executed within such time as the authority determine; or
 - (d) Impose such conditions relating to the management of the house during the period of the licence as the authority determine
- (2) The authority shall give the applicant a written statement of their reasons where they –
- (a) refuse to grant his/her application for a HMO licence or for renewal or variation of the licence;
 - (b) require the execution of works as a condition of granting such an application, or
 - (c) impose conditions relating to the management of the house
- and they will give the applicant and each person with a relevant interest in the premises an opportunity to make representations.
9. (1) The authority may, at a time during the period of the licence (whether or not an application has been made)-
- (a) Alter the number of households or persons for which a house is licensed on the grounds that the house is unsuitable and incapable of being made suitable for such occupation as is permitted by virtue of the registration; or
 - (b) Alter the number of households or persons for which a house is licensed or revoke the licence unless such works are executed within a time specified by the authority as will make the house in question suitable for occupation as is permitted by virtue of the licence.
 - (c) Require works to be carried out following a post licensing inspection to negate any hazards identified in the house.

- (2) The authority shall, in deciding whether to exercise the power under sub-paragraph (1), apply these same standards in relation to the circumstances existing at the time of the decision as were applied at the beginning of the period of the licence.
- (3) The authority may revoke a licence if they consider that –
 - (a) the person having control of the house or the person managing is not a fit and proper person; or
 - (b) there has been a breach of the conditions relating to the management of the house.
- (4) The authority shall –
 - (a) notify the responsible person of any decision by the authority to exercise a power mentioned in sub-paragraph (1) or (3) in relation to the house; and
 - (b) at the same time give them a written statement of the authorities' reasons.

PROHIBITION AGAINST OVER-OCCUPATION

- 10. No person shall permit another to take up residence in a HMO or part of a HMO unless;
 - (d) The house is licensed ; and
 - (e) The number of households or persons occupying it will not as a result exceed the number licensed for it.

**Cardiff Council Houses
in Multiple Occupation
Additional Licensing
(Cathays) Scheme 2010**



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Consultation on Additional Licensing for Houses in Multiple Occupation (HMOs) in Cathays

The results of this questionnaire will enable the Council to ensure that the HMO Additional Licensing Scheme addresses your concerns. For more information on the Scheme refer to the Public Consultation Document.

HMOs are rented houses which are shared by more than one household, for example, shared student houses, houses converted into flats /bedsits for rent.

General

- a.** Do you live in Cathays?
 Yes No
- b.** What kind of property do you live in?
 Flat House Bedsit Halls of residence
 Shared house If shared house, how many people live there?
- c.** How long have you lived at this property?
- d.** Are you?
 Tenant Owner-occupier Landlord Agent
 Other (please specify) _____

If you are renting a property within Cathays, please complete all questions.

If you own a property within Cathays, please complete questions 4-8.

If you have an interest in the Cathays area please complete questions 4-8.

- 1.** Did your landlord / agent provide you with the following when you moved in?
 Tick all that apply.
- | | |
|---|---|
| <input type="checkbox"/> Tenancy Agreement | <input type="checkbox"/> Information about refuse collection days |
| <input type="checkbox"/> Details of how deposit is protected | <input type="checkbox"/> Information about C2C |
| <input type="checkbox"/> Copy of Gas safety certificate | <input type="checkbox"/> Information about www.cardiffdigs.co.uk |
| <input type="checkbox"/> Copy of Energy performance certificate | <input type="checkbox"/> Information about 101 (non-emergency number) |
| <input type="checkbox"/> Inventory | <input type="checkbox"/> Your responsibilities as a tenant |
| <input type="checkbox"/> Rent Book | <input type="checkbox"/> Location of electric, gas, water meters, how to switch off water |

Property Condition

2. Are you concerned about any of the following in relation to your home? Tick all that apply.

- Not enough amenities (i.e. toilet, bathroom, kitchen facilities)
- Waste & storage
- Fire Safety (e.g. means of escape, fire doors, extinguishers)
- Too little space / too many people
- Security (adequate locks)
- Efficient heating system
- Energy Efficiency
- Property in poor state of repair
- Damp and Mould

Other (Please specify)

3. Do you think that Landlords and Agents manage your properties to an acceptable standard?

- Yes No Don't know

If not why not?

.....

The local area

4. Are you concerned about any of the following in relation to Cathays? Tick all that apply.

- Waste & Environmental issues Safety
- Frontages General street scene (e.g. To Let boards)
- Noise Nuisance Community engagement
- Car Parking

Other (please specify)

Anti-Social Behaviour

5. Are you concerned about any of the following in relation to Cathays? Tick all that apply.

- Noise nuisance Litter, rubbish & waste in gardens/forecourts
- Burglary

Other crime (please specify)

Other (please specify)

Additional Licensing Scheme

6. Do you think that the Additional Licensing Scheme will benefit:

	Yes	No	Don't know
The local community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tenants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6A. Do you think that HMOs have a negative impact on your area?

Yes No Don't know

6B. What, if anything, do you consider to be the major impact of unregulated HMOs on your local community?

.....

.....

.....

.....

7. Do you have any other comments regarding the Scheme ?

.....

.....

.....

.....

8. How did you find out about this consultation? (please tick)

Newsletter Capital Times Local Press
 Meeting Focus Group www.cardiff.gov.uk
 www.cardiffdigs.co.uk www.welshlandlords.org.uk

Other

Thank you for taking part. Please return survey by 15th December to:

**Charlotte Dunleavy
Housing & Neighbourhood Renewal
Ground Floor
Willcox House
Dunleavy Drive
Cardiff
CF11 0BA**

You can also complete the survey online at: <http://surveys.cardiff.gov.uk/hmo/english/>

Summary of written representations to consultation on the Additional Licensing Scheme for HMO's in Cathays

Comments received from:	Comment Received	Response from Cardiff Council
<ul style="list-style-type: none"> • Cardiff Landlords Forum • Chris & Jan Watkins • Guild of Residential Landlords (Cardiff & National Branches) 	<p>Why introduce Additional Licensing when Mandatory Licensing exercise has not been completed?</p> <p>What practical steps are being taken to identify bad landlords?</p>	<p>Since the introduction of mandatory licensing over 580 properties have been licensed. It was originally estimated that there were 1500 licensable HMO's in Cardiff. This has been found to not be the case. Proactive work is being undertaken to identify HMO's where applications should have been made, but we are finding that our mandatory licensing coverage is reasonably comprehensive. Prosecutions are being taken forward where landlords have failed to make an application. The Council is satisfied that the mandatory licensing workload is not so onerous, that it would interfere with the successful application of an additional licensing scheme.</p>
<ul style="list-style-type: none"> • Cardiff Landlords Forum 	<p>What is being done to prosecute bad landlords?</p>	<p>The Council's Enforcement Policy, adopted in March 2009, introduced a deadline of 1st September 2009 whereby Cardiff Council will actively pursue all cases where a property has been left unlicensed and prosecute where there are no reasonable grounds for excuse or mitigation.</p>
<ul style="list-style-type: none"> • NLA 	<p>How successful has the Mandatory scheme been in tackling the issues of fire safety & amenity standards?</p>	<p>The majority of properties licensed require some works to improve fire safety and amenity standards. This year improvements have been made to 170 of the 580 licensed HMO's and there remains a further 250 HMO's with ongoing works to improve fire safety and amenities which will become accomplished over the next 12 months.</p>
<ul style="list-style-type: none"> • Cardiff Landlords Forum 	<p>Why concentrate Additional Licensing on the Cathays area only?</p>	<p>A city-wide approach would not be viable due to the differences in issues across the City, lack of resources and it would not be achievable over the 5 year designation period.</p>
<ul style="list-style-type: none"> • Cardiff Landlords Forum • Guild of Residential Landlords (Cardiff) • Chris & Jan 	<p>Cathays has been selected as a trial and not for any problem of an exceptional area.</p>	<p>Cathays hasn't been selected for a trial. A Task & Finish group was set up and considered all areas that have the highest concentration of students within Cardiff, namely, Adamsdown, Cathays, Gabalfa, Grangetown Plasnewydd, & Riverside. A range of statistics were evaluated (e.g. crime, noise, complaints, burglary). In addition, proactive work has been undertaken in relation to making improvements to HMO's in the Plasnewydd, Grangetown & Riverside areas a number of years ago. This coupled with the results of the statistics suggest that Cathays would benefit most from the introduction of a licensing scheme.</p>

Watkins		
Comments received from:	Comment Received	Response from Cardiff Council
<ul style="list-style-type: none"> • Cardiff Landlords Forum • Guild of Residential Landlords 	<p>Challenging the council's statement that "Physical and Management Standards in the private rented sector, in particular HMO's are often found to be very low and present the highest risk to Health & Safety"</p>	<p>The report presents the case for Additional Licensing.</p>
<ul style="list-style-type: none"> • Cardiff Landlords Forum • Chris & Jan Watkins • NLA 	<p>Challenging the Councils view "that properties in the Cathays Community Ward are being managed significantly ineffectively and as a result having a detrimental effect on both the occupiers and locality" S. 56 (2) Housing Act 2004</p>	<p>Refer to data and consultation results contained within the body of the Executive report and also at Appendix 3.</p>
<ul style="list-style-type: none"> • Cardiff Landlords Forum • Chris & Jan Watkins • Guild of Residential Landlords (Cardiff & National) • NLA 	<p>The Council has not considered any other courses of actions and has therefore not complied with S. 57 (4) (a) Housing Act 2004</p>	<p>The Council has considered a range of actions including:-</p> <ul style="list-style-type: none"> • Accreditation Plus • Landlord Accreditation Wales • Revised Enforcement Policy • Cardiff Living pack • Get it out for Cardiff Campaign • Introduction of a Wheeled Bin scheme in Cathays • Operation Saturn (in partnership with South Wales Police) <p>Further information is contained within the body of the report.</p>
<ul style="list-style-type: none"> • Cardiff Landlords Forum • Guild of Residential Landlords • NLA 	<p>There is nothing to suggest that by introducing Additional licensing will significantly assist the Local Authority in dealing with any problems S. 57 (4) (b) Housing Act 2004</p>	<p>The direct & indirect benefits of introducing an additional licensing scheme are contained within the body of the report.</p>

<ul style="list-style-type: none"> • Cardiff Landlords Forum 	<p>What consultation has there been with WAG?</p>	<p>The WAG issued a General Approval to Local Authorities in April 2007. A copy of the Public Consultation Document was submitted to the Housing Policy Directorate on Oct 15th where comments were invited on the proposal. No response has been received.</p>
<p>Comments received from:</p>	<p>Comment Received</p>	<p>Response from Cardiff Council</p>
<ul style="list-style-type: none"> • Cardiff Landlords Forum 	<p>Are Local Authorities using the Planning system to prevent landlords letting to students in some areas</p>	<p>Local authorities do not have powers to control tenure, hence they cannot prevent letting to students. Whilst some Authorities (e.g. Leeds) have introduced policies to try to limit the numbers of students who live in certain areas by preventing more Halls of Residences, HMOs and certain extensions being constructed in selected 'restraint' areas, no known evidence has been published on the success of such schemes in limiting student density. One factor which would limit any such goal is that up to six persons (including students) can occupy a dwelling house without the need for planning consent to change use to a HMO.</p>
<ul style="list-style-type: none"> • Cardiff Landlords Forum 	<p>Planning – Why has the Council's Planning Department permitted conversions from 2 storey properties into large 3 storey properties?</p>	<p>Relatively few dwellings within Cathays have been redeveloped to add an additional storey for residential use: planning design policies would generally rule this out. On the other hand loft conversions have been fairly widespread within Cardiff as a whole, including Cathays, but many of these are permitted development, depending upon their design, and thus were not subject to Planning control. In any case whilst an application for a loft extension can be refused on other grounds, it cannot be refused on the basis that it may be occupied by a student.</p>
<ul style="list-style-type: none"> • Cardiff Landlords Forum • Chris & Jan Watkins • Guild of Residential Landlords (Cardiff & National Branches) 	<p>The Council already has enforcement tools under the HHSRS to deal with issues without the need to introduce additional licensing</p>	<p>Whilst it is recognised that the HHSRS does give the Council some power to address some of the issues, the Council does not have all of the powers available to secure the changes possible if Additional Licensing was introduced.</p>

<ul style="list-style-type: none"> NLA 		
Comments received from:	Comment Received	Response from Cardiff Council
<ul style="list-style-type: none"> Cardiff Landlords Forum 	<p>Querying the validity of the results of the House Condition Survey 2005 because of the sample size</p>	<p>It would not be feasible to visit every private property in Cardiff, so a Housing Stock Condition Assessment was undertaken. The survey comprised a physical survey of 3,794 private sector dwellings. It provides an overview of the housing situation in Cardiff, as well as calculating an estimate of the standards of housing stock condition in terms of disrepair, unfitness, energy efficiency, decency and severity of hazards. Data collection and analysis for the assessment has been implemented in line with ODPM guidance, in an attempt to standardise Housing Stock Condition Assessments. These assessments are a key piece of research for Local Authorities, informing the development of housing policies.</p>
<ul style="list-style-type: none"> Cardiff Landlords Forum Chris & Jan Watkins Guild of Residential Landlords (Cardiff branch) 	<p>What is meant by the expression “56.8% of HMO’s do not have provision for escape from fire”</p>	<p>Results of the House Condition Survey show that 56.8% of HMO’s do not have provision for escape from fire (As stated in the paragraph above the House Condition Survey is a key piece of research for Local Authorities). HMO’s need to have adequate provision for means of escape of fire, usually achieved by provision of a fire alarm system and a protected route allowing escape through the property.</p>
<ul style="list-style-type: none"> Cardiff Landlords Forum Chris & Jan Watkins Guild of residential Landlords (Cardiff & 	<p>Additional Licensing cannot deal with all issues mentioned within the Public Consultation Document – for example To Let signs, Anti-social behaviour, Security issues</p>	<p>It is acknowledged that the implementation of an Additional licensing scheme will only form part of a solution and the need to work in partnership to address the challenges and issues present within the Cathays Community Ward will be vital. The introduction of an Additional Licensing Scheme will be developed within the wider context with partners including Planning, Waste Management, Pollution (Noise control), Universities and the Police.</p>

National branches) <ul style="list-style-type: none"> NLA 		
Comments received from:	Comment Received	Response from Cardiff Council
<ul style="list-style-type: none"> Cardiff Landlords Forum Chris & Jan Watkins Guild of residential Landlords (Cardiff) 	Burglary statistics are misleading due to the way they are reported	The statistics are not misleading – they represent each individual that has been burgled. Students do not live as a family and each have their own belongings, therefore if each of the residents is burgled this is a crime in its own right.
<ul style="list-style-type: none"> Cardiff Landlords Forum Guild of residential Landlords (Cardiff) 	At recent PACT meeting - statistically Cathays is one of the safest University Wards in the Country	Nationally, 1 in 3 students are victims of crime. However, in Cardiff (NOT Cathays) this figure falls to 1 in 10. Whilst this figure is low compared to other University Cities and towns, there is a peak of crime in October when students return to their studies. Despite this, Cathays is the highest area in the City for burglaries with 326 separate incidents (13.30%) (figures for 2008/09). In addition 67% of questionnaire respondents are concerned about burglary and 50% concerned about safety in Cathays.
<ul style="list-style-type: none"> Cardiff Landlords Forum 	Cardiff Living needs to be given time to work	Cardiff Living was introduced in 2008 and revised in partnership with Landlords in 2009. 1,500 CD's were produced and distributed to ALMA accredited Lettings Agents. In addition an article was contained within the Landlords Newsletter in August 2009 which was sent to over 2,000 landlords inviting them to obtain CD's by contacting the Council (disappointingly only 6 landlords took up this offer). The results of the Additional Licensing consultation questionnaire show that only 4% of tenants were given this information when they moved in.
<ul style="list-style-type: none"> Cardiff Landlords Forum Guild of residential 	The Landlord Accreditation Wales Scheme needs time to develop	The LAW was launched in Nov 2008. Attendance on a suitable and accredited training course on tenancy management and legal standards in private renting is a condition of the mandatory licensing scheme. In order to assist landlords in meeting this requirement, 251 vouchers were sent to Landlords inviting them to attend the LAW course free of charge. Disappointingly only 36 (14%) Landlords have accepted this offer and

Landlords (Cardiff)		become accredited as a result.
<ul style="list-style-type: none"> Cardiff Landlords Forum 	Are there any boarded up houses in Cathays?	PSH is currently dealing with 8 empty properties within the Cathays area. However, due to the proximity of Cathays to the city centre, university campuses and the number of large family homes available, there is a strong market incentive for landlords to rent in the Cathays area and empty properties are therefore not currently problematic in the Cathays area.
Comments received from:	Comment Received	Response from Cardiff Council
<ul style="list-style-type: none"> Cardiff Landlords Forum 	Why has the Council abandoned the Accreditation Plus scheme?	Accreditation Plus has not been abandoned, the take up to the scheme was poor and experience showed the scheme to be resource intensive and that changes were required. There are plans to re-launch the Scheme in 2010.
<ul style="list-style-type: none"> Cardiff Landlords Forum 	Fees – Accredited properties Accredited landlords, members of Landlord groups, landlords with multiple properties should receive a discount or should justify the benefit of a lower charge or no charge at all	It has been agreed that Accredited Landlords / Landlords with Accredited properties will be charged a lesser fee. Landlords of properties that meet all licensing and management standards on application will receive a £100 refund on inspection. Full details on the fee structure is contained within the report.
<ul style="list-style-type: none"> Cardiff Landlords Forum Guild of Residential Landlords (Cardiff Branch) 	The problems are almost entirely those not related to the occupants of housing and landlords but due to the proximity to Cardiff City Centre	The council consistently receives high numbers of complaints on:- <ul style="list-style-type: none"> a) sub-standard housing conditions b) waste management issues c) noise nuisance
<ul style="list-style-type: none"> Guild of Residential Landlords (Cardiff Branch) 	Sees Additional Licensing as a way of reducing numbers of houses in the Private Rented Sector / controlling the housing market in the Cathays area.	Additional Licensing is not a way to reduce the private rented housing market in Cathays but it is to control standards.
<ul style="list-style-type: none"> Guild of Residential Landlords (Cardiff Branch) 	Why target Landlords not properties managed by agencies	The scheme will apply to all properties whether managed directly by Letting Agents and Managing Agents.

<ul style="list-style-type: none"> • Guild of Residential Landlords 	<p>There is nothing to suggest that Additional Licensing will significantly assist provision of escape from fire</p>	<p>Licensing conditions will contain works for means of escape from fire.</p>
<ul style="list-style-type: none"> • NLA 	<p>Landlords have a limited ability to affect matters such as waste disposal & garden maintenance irrespective of licensing requirements.</p>	<p>Licensing conditions will contain works for storage of waste.</p>
<p>Comments received from:</p>	<p>Comment Received</p>	<p>Response from Cardiff Council</p>
<ul style="list-style-type: none"> • Mr Lewis – Local resident 	<p>Concern that introduction of Additional Licensing scheme will undermine the value of properties in Cathays area</p>	<p>The Council does not believe this to be the case because:-</p> <ul style="list-style-type: none"> a) Standards to be applied are reasonable and should be provided by any reasonable landlord. b) The additional licensing fee is not significant when compared to potential rental income. c) The Cathays Housing Market is close to the City Centre / Universities and is a strong area to rent to students resulting in a stable market. d) The improvements secured through the Additional Licensing scheme and other initiatives will improve the street scene with possible positive impacts on values.
<ul style="list-style-type: none"> • NLA 	<p>Landlords are not one of the required professionals under a statutory obligation to provide details of any spent criminal convictions and a s such a CRB check would be inappropriate</p>	<p>The Council has no interest in spent convictions and will require only a basic level of disclosure such as that easily obtained by making an on-line application to Disclosure Scotland.</p>

Summary of results for Consultation on Additional Licensing for Houses in Multiple Occupation (HMO's) in Cathays

Do you live in Cathays?	
Yes	528 (85%)
No	84 (14%)
Left blank	8 (1%)

What kind of property do you live in?					
Flat	59 (9%)	House	129 (21%)	Bedsit	0
Halls of residence	30 (5%)	Shared House	385 (62%)	Left Blank	17 (3%)

How long have you lived at this property?	
Less than 1 year	419 (67%)
1 - 5 years	109 (18%)
Over 5 years	49 (8%)
No Response	43 (7%)

Are you?					
Tenant	535 (86%)	Owner-occupier	57 (9%)	Landlord	17 (3%)
Agent	4 (1%)	Left blank	7 (1%)		

Q1 √	DID YOUR LANDLORD / AGENT PROVIDE YOU WITH THE FOLLOWING WHEN YOU MOVED IN? TICK ALL THAT APPLY
470 (88%)	Tenancy Agreement
208 (39%)	Details of how deposit is protected
101 (19%)	Copy of Gas safety certificate
60 (11%)	Copy of Energy performance certificate
259 (48%)	Inventory
9 (2%)	Rent Book
215 (40%)	Information about refuse collection days
30 (6%)	Information about C2C
20 (4%)	Information about www.cardiffdigs.co.uk
24 (4%)	Information about 101 (non-emergency number)

194 (36%)	Your responsibilities as a tenant
133 (25%)	Location of electric, gas, water meters, how to switch off water

Q2	PROPERTY CONDITION	
	Are you concerned about any of the following in relation to your home? Tick all that apply.	
110 (21%)	Not enough amenities (i.e. toilet, bathroom, kitchen facilities)	
215 (40%)	Fire Safety (e.g. means of escape, fire doors, extinguishers)	
266 (50%)	Security (adequate locks)	
259 (48%)	Efficient heating system	
290 (54%)	Energy Efficiency	
169 (32%)	Waste & storage	
100 (19%)	Too little space / too many people	
188 (35%)	Property in poor state of repair	
340 (64%)	Damp and Mould	
	Other (please specify)	
	Mice/ Rats/ Vermin	15
	Pests	2
	Slugs	4
	Bed bugs	1
	Poor Appliances	2
	Electricity supply / safety	4
	Gas Safety	1
	Water Safety	1
	Fire Alarms	2
	Water in emergency lighting	1
	Leaks	7
	Poor insulation / lack of heating	2
	Structural issues	3
	Amenities not usable	1
	Problems with who can enter the house (keyholders who do not live there)	2
	Works not being carried out	5
	Single glazing	2
	No TV signal / internet signal	2
	How to use water meters	1
	Security of Bike Shed	1

Do you think that Landlords and Agents manage your properties to an acceptable standard?	
Yes	180 (29%)
No	275 (44%)
Don't know	53 (9%)
Left blank	112 (18%)

If not why not?	
Fire	3
Electrical Hazards	8
No/Void Gas Safety record	5
Old/broken/leaking boiler	16
Leak	16
Faulty facilities	16
Faulty appliances	19
Sanitation problems	8
Bad heating/ not insulated	25
Bedroom too small to live in	2
Miscellaneous Hazards / disrepair	36
Structural Collapse and Falling	2
Not Responding to complaints / Taking too long	166
Lack of communication with Landlord/agencies	49
Unfair fines on calling landlord out to fix problems they are responsible for	3
Shoddy repairs done	130
Landlord let someone else stay in property over summer when the tenants were paying rent to keep the property	2
House not Cleaned before moved in	27
Promised maintenance work - not carried out over the summer	12
Nowhere to live while sorting out problems within house	3
No Deposit protection	2
Landlord/agents come round without warning	3
Have to provide post dated cheques for whole year	2
Not allowed to take contract away to look over - forced to sign it there & then	1
Filthy and Verminous	23
Nuisance - Animals (slugs/woodlice)	3
Overgrown Garden / Full of rubbish	2
Miscellaneous	4

Q4 √	THE LOCAL AREA	
	Are you concerned about any of the following in relation to Cathays? Tick all that apply.	
438 (71%)	Waste & Environmental Issues	
225 (36%)	Frontages	
221 (36%)	Noise Nuisance	
325 (52%)	Car Parking	
312 (50%)	Safety	
333 (54%)	General street scene (e.g. To Let boards)	
149 (24%)	Community engagement	
	Other (please specify)	
	Rubbish (all over street/lack of collection/not being provided with bins/extra bins for students)	12
	Rats	9
	Seagulls	2
	Not keeping student houses up to standard of fulltime residents / lowering tone of entire street	3
	Students causing problems (broken glass/ sick/ partying)	7
	Builders (on student housing) rude to residents/park anywhere they like	6
	Worried about welfare/ conditions for students	2
	To Let' signs all year round	2
	Took off 'To Let' sign, agency put it up, back even though we are staying next year	1
	Targets for thieves	2
	Violence / Sexual abuse	3
	Lighting of streets (even small streets)	1
	Graffiti	1
	Damaged caused to cars (Police not concerned)	7
	Drainage	4
	Shops boarded up (Woodville Road)	1
	The interests and view of landlords who manage their properties well in Cathays	1

Q5 √	ANTI-SOCIAL BEHAVIOUR	
	Are you concerned about any of the following in relation to Cathays? Tick all that apply.	
226 (36%)	Noise Nuisance	
416 (67%)	Burglary	
117 (19%)	Other crime (please specify)	
	Other crime- Car crime/SexualAssult/Mugging/Illegal parking/Vandalism/Graffiti	117

523 (84%)	Litter, rubbish & waste in gardens/forecourts	
	Other (please specify)	
	Under 'Other Crime'	
	Car crime/vandalism	33
	Graffiti proliferation	3
	Illegal Parking	8
	Sexual Assault / Stalking	37
	Vandalism	3
	Blocking pavements by builders	1
	Muggings / Knife Crimes	11
	Drunk and disorderly	6
	Burgled	3
	Threatening behaviour	2
	Stolen/ vandalised bikes	4
	Drug dealing	1
	Poor living conditions for animals.	1
	Non licensed properties and properties that are let without the correct fire precautions in place.	1
	Various	3
	Total	117

Q6 √	ADDITIONAL LICENSING SCHEME	
	Do you think that the Additional Licensing Scheme will benefit:- The local community: YES: 465 (76%) NO: 35 (6%) DON'T KNOW: 107 (17%) LEFT BLANK 9 (1%) Tenants: YES: 515 (85%) NO: 30 (5%) DON'T KNOW: 61 (10%) LEFT BLANK: 14 (2%)	
	Do you think that HMOs have a negative impact on your area? YES: 130 (21%) NO: 292 (47%) DON'T KNOW: 183 (30%) LEFT BLANK: 15 (2%)	
	What, if anything, do you consider to be the major impact of unregulated HMOs on your local community? What, if anything, do you consider to be the major impact...	
	Decreased Standard of living	35
	Poorly maintained properties	57
	Poor external appearances of property	54
	Increased burglaries due to poor security	15
	Poor housing standards / safety of tenants	56
	Landlords/agencies exploiting tenants	46
	Landlords/agencies investing very little/ nothing back into local area	19
	Tenants unaware of waste storage/ waste collection dates/ lack of collections	66
	Families moving out of area	22

Lack of accountability for Landlords/agents	34
Lack of ownership causing the tenants not to look after the property they are renting	61
Damage to adjoining properties	3
Bringing down the look of the local area	33
Messy Frontages	16
Overcrowding	16
Put regulated HMOs out of business	2
No sense of community	26
Noise nuisance	22
Multiple cars per house using up residents parking	10
Not protecting the local environment	7
Insurance premium increasing due to local burglaries	2
Fly tipping by landlords	2
Anti-Social Behaviour	8
Increase in rats	12
"Ghost town" in university holidays	5
Ghetto/Slum	6
Damaging Linked Properties	3
No improvement	7

Q8. How did you find out about this consultation?

Newsletter	37	Capital Times	7	Local Press	22
Meeting	33	Focus Group	33	www.cardiff.gov.uk	19
www.cardiffdigs.co.uk	19	www.welshlandlords.org.uk	11	Other	424

Do you have any other comment regarding the scheme?

Fully Support it	67
Should be extended to all areas of cardiff	6
Should apply to all rented accommodation in Cathays to have impact on whole community	1
Owners of student housing should pay more Council Tax as their tenants use the most resources	4
Better vetting of agents/landlords	5
Landlords will just move to area outside of Cathays - increase CPOs	2
Need to sort issue of landlord/agency not responding to service requests	2
Severe fines/imprisonment need to be implemented on landlords who do not comply and the money needs to be invested back into the area	2
Standard of living needs to be increased in many of the houses	7
Landlords need to be made accountable for the conditions of the housing that they rent	4
Hope it is as supportive and offers as much guidance as the Accreditation Wales Scheme	1
Something need to be done about landlords/agents are failing to keep their side of the housing contract	6
Council needs to do spot checks on the property and fine the landlords who are not keeping their property to a high standard	1
Advice given to students on how to live in the community	2
Isn't clear that it would solve the problems of noise nuisance/littering/human waste	1
The local authority need to invest money back into the area	2
The council are unable to enforce mandatory licensing so don't have faith that they will be able to enforce additional licensing	10
Existing regulations and laws need to be enforced more strictly first	5
The licensing fee is too large	6
Cost should reflect the income generated on the property as there is less income generated than on a three storey house	3
Just another way for the Council to raise revenue	1
No benefit to licensing two storey properties	4
Red tape	3
Landlord will pass the cost down to the tenants	6
Landlords need to provide tenants with all the information provided in previous questions	3
Landlord/agency relationship with students are appalling	2
Concerns about treating owners with spent convictions unfairly	1
How are the landlords expected to make it to the Accreditation Scheme when many do not live in the area/same country	2
The council should be targeting the bad landlords, not punishing the good landlords	5
There will be a shortage of builders to carry out the work so needs to be a long time scale	1
Need to sort out the tenants too	2
Recycling to be collected each week as we produce far more recycling than waste	2
Allow us to put waste outside our house/ provide us with bins	2
Offer tenants a scheme they can use when their service requests are ignored	2
Waste management is a huge issue	1
Overcrowding is a big issue	1
Council are not taking into account the fact that we are in a recession	2
Car crime	1
Mould is a big issue	2

HMO Licensing Fire Safety and Amenity Standards

Cardiff Council Amenity Space Standard Table: Licensable properties

Required Amenities	Shared HMO	Bedsits / flats
<u>Personal Hygiene</u>		
Bathrooms (This means a room containing a bath or shower, but not necessarily a toilet or wash hand basin).	1 bathroom for every 5 occupants. 1 to 5 occupants = 1 bathroom. 6 to 10 occupants = 2 bathrooms. 11 to 15 occupants = 3 bathrooms.	1 bathroom for every 5 occupants. 1 to 5 occupants = 1 bathroom. 6 to 10 occupants = 2 bathrooms. 11 to 15 occupants = 3 bathrooms.
Water Closets (WC) (Toilets)	1 WC for up to 4 occupants (may be in bathroom/shower room) 1 WC per 5 occupants (in a separate compartment to the bath/shower) 2 WCs per 6 Occupants (may be in bathroom/shower room) 2 WCs per 7 occupants (with 1WC to be in a separate compartment) 3 WCs per 11-15 occupants (with 1WC to be in a separate compartment to the rooms containing baths/showers). * All W.C's must contain a WHB with hot and cold water	1 WC for up to 4 occupants (may be in bathroom/shower room) 1 WC per 5 occupants (in a separate compartment to the bath/shower) 2 WCs per 6 Occupants (may be in bathroom/shower room) 2 WCs per 7 occupants (with 1WC to be in a separate compartment) 3 WCs per 11-15 occupants (with 1WC to be in a separate compartment to the rooms containing baths/showers). * All W.C's must contain a WHB with hot and cold water
<u>Kitchens</u>		
Cooker	1 cooker (oven, grill, 4 hobs) per 5 occupants Option for up to 7 occupants, rather than providing a second full cooker, is to provide one full cooker and one <u>convector</u> microwave combination oven of capacity (min) 27 litres. This option is not available where there are 8 or more occupants. For 8 - 10 persons : 2 cookers (oven, grill, 4 hobs) 11-15 persons: 3 cookers (oven, grill, 4 hobs)	Minimum 2 hobs, oven & grill (May be a worktop appliance) per single person unit. Minimum 4 hobs, oven & grill per double person unit. (For flats with more than 2 occupiers, apply standard for Shared HMOs)
Sinks With permanent supply of hot & cold water and draining board.	1 sink per 5 occupants Option for up to 7 is to provide one sink and a dishwasher (or 2 sinks). For 8 - 10 persons : 2 sinks 11-15 persons: 3 sinks	1 per unit (For flats with more than 2 occupiers, apply standard for Shared HMOs)
Electrical sockets	3 double sockets in addition to any serving major appliances (major appliances being fridges, freezers, dishwashers, washing machines, etc.)	Minimum requirement of 3 double sockets specifically for the kitchen area (may accept 2 double sockets in 1 person units). Additional sockets needed for cooker and refrigerator.
Worktop (Usually 600 mm deep)	2.0 linear metres per 5 occupants with an additional 0.5 linear metres for each extra person.	2.0 linear metres per 5 occupants with an additional 0.5 linear metres for each extra person..
Food Storage	0.4 cubic metres dry goods per person (1 average cupboard). 0.1 cubic metres (100 litres) (3.5 cubic feet) combination of refrigerated and frozen food storage per person (this would normally mean one shelf in a fridge and one shelf in the freezer, per person).	0.4 cubic metres dry goods per person (1 average cupboard). 0.1 cubic metres (100 litres) (3.5 cubic feet) combination of refrigerated and frozen food storage per person (this would normally mean one shelf in a fridge and one shelf in the freezer, per person).
Ventilation	Extractor fan (to outside air) to be provided with a minimum extraction rate of 30 litres/second if located near to the cooker or 60 litres/second if located elsewhere.	Extractor fan (to outside air) to be provided with a minimum extraction rate of 30 litres/second if located near to the cooker or 60 litres/second if located elsewhere.

Space Standards

Example 1: Shared house of 3 or more occupants.

Kitchen:

7m² for up to 6 persons with 2.5m² per additional user. Not to be more than 1 floor away from any bedroom unless the property has a dining room or other eating area.

Bedroom:

Where a separate living room is provided:

Minimum 6.5m² for a single room

Minimum 11m² for a double room

Where no separate living room is provided:

Minimum 10.0m² for a single room

Minimum 15m² for a double room

Living room:

11.5m² for up to 6 persons with 2.5m² per additional person.

Example 4: Flat/bedsit with combined lounge kitchen and bedroom
(Total of 1 room excluding bathroom)

1 person unit = 13m²

2 person unit = 15m²

Example 2: Flat with combined lounge kitchen and a separate bedroom (Total of 2 rooms excluding bathroom)

Lounge – Kitchen:

10m² for 1 person or 13m² for 2 people

Bedroom: 6.5² for 1 person or 11m² for 2 people.

Example 3: Flat with combined lounge bedroom and a separate kitchen. (Total of 2 rooms excluding bathroom)

Lounge – bedroom: 10m² for one person 15m² for 2 people.

Kitchen: 5.5m² For up to 2 people.

Example 5: Flat with separate lounge, separate bedroom/s , and separate kitchen.

Bedroom: 6.5m² for 1 person 11m² for 2 people

Lounge: 8.5m² For 1 person. 10m² for 2 persons and 11m² for up to 6people with an additional 2.5m² per person after this.

Kitchen: 5.5m² For up to 2 people. 7m² For up to 6 people with 2.5m² per additional person.

Additional Notes

These space standards are the minimum that will be accepted for the purpose of HMO licensing. However, if carrying out a HMO conversion there may be additional Planning Development Control or Building Control standards and requirements. In particular, there may be minimum space standards for flats and it is the owner's responsibility to satisfy all necessary criteria.

Bathrooms: There is not minimum size requirement for bathrooms and shower rooms, however there should be enough space to allow a person to easily change and dry in the room where the bath or shower is located.

The examples provided are a guide only and Cardiff Council accepts that alternative combinations or sizes of rooms etc may be acceptable in some situations for the purposes of HMO licensing.

Housing Technical Panel

Housing Fire Safety - Quick Reference Guide (Wales)

Version 1.0 27 February 2009

This Quick Reference Guide provides a summary of the fire safety measures outlined in “Housing – Fire Safety: Guidance on fire safety provisions for certain types of existing housing” published by LACORS in August 2008.

The guide provides enforcement officers and landlords with a brief summary of appropriate fire safety measures that may be applied to a number of property types and aims to ensure consistency in the application of fire safety measures. However, officers and landlords should familiarise themselves with the provisions of the National Guidance - available at www.lacors.gov.uk.

The Housing Act 2004 introduced the Housing Health and Safety Rating System which is a method by which housing conditions can be assessed. It uses a risk based approach and its aim is to provide a system to enable risks from hazards to health and safety in dwellings to be removed or minimised. Some houses must also achieve an acceptable standard of fire safety under HMO Licensing provisions. These provisions are enforced by local councils.

In some premises, landlords must carry out a fire risk assessment under the provisions of the Regulatory Reform (Fire Safety) Order 2005. These provisions are enforced by fire and rescue authorities.

The National Lacors Guidance recommends that individual risk based solutions to fire safety are applied to each individual property, and this document must not therefore be viewed as a prescriptive standard.

Please note that the works described in this document are a guide only. Alternative fire safety measures may be carried out in order to achieve an equivalent level of fire safety.

However, if the recommendations in this Quick Reference Guide are followed it should be possible to achieve an acceptable level of fire safety in premises of normal risk. Additional measures may be required in higher risk premises.

Housing Technical Panel

Housing Fire Safety – A Quick Reference Guide

Note – for the purposes of this guide the following definitions apply:

Single household occupancy – a house occupied by a single person, a co-habiting couple or a family and where the property is not a house in multiple occupation.

Shared House HMO – A House in Multiple Occupation where the whole property has been rented out by an identifiable group of sharers such as students, work colleagues or friends as joint tenants. Each occupant normally has their own bedroom but they share the kitchen, dining facilities, bathroom, WC, living room and all other parts of the house. There is a single tenancy agreement. The group shares the characteristics of a single family household but is still technically an HMO because the occupants are not related.

Bedsit HMO with Shared Cooking Facilities – a building which has been divided into separate letting units (usually of one room only) and let to unconnected individuals. Kitchens, bathrooms and WCs are usually shared.

Bedsit HMO with Individual Cooking Facilities - a building which has been divided into separate letting units (usually of one room only) and let to unconnected individuals. Each unit may contain cooking facilities but bathrooms and WCs are shared.

<u>Single Household Occupancy</u>	
<u>2 STOREY</u>	<u>3/4 STOREY</u>
(EXAMPLE D1)	(EXAMPLE D2)
<ul style="list-style-type: none"> • No requirement for protected route, but escape route should be sound, conventional construction and should not pass through risk rooms. • Where means of escape is through a risk room, the option of escape windows to habitable rooms may be considered. • Where construction standards are poor, travel distances are long, or other high risk factors are present, a 30 mins protected route may be required. • 30 mins separation to cellar/basement (including door) OR accept sound traditional construction in good repair. • Fire blanket in kitchen. • Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus cellar/basement). 	<ul style="list-style-type: none"> • No requirement for protected route, but escape route should be sound, conventional construction and should not pass through risk rooms. • Where construction standards are poor, travel distances are long, or other high risk factors are present, a 30 mins protected route may be required. • 30 mins separation to cellar/basement (including door) OR accept sound traditional construction in good repair. • Fire blanket in kitchen. • Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus cellar/basement).
Fire Safety Order does not apply to this type of property.	

<u>2 STOREY (SHARED HMO)</u>	<u>2 STOREY (BED-SIT)</u> (WITH SHARED COOKING FACILITIES)
(EXAMPLE D4)	(EXAMPLE D7)
<p>1. <u>Ideal standard</u> (for normal risk property)</p> <ul style="list-style-type: none"> (a) 30 minute protected route with FD30 Fire Doors (no smoke seals) (b) Walls/ceilings between units of accommodation to be of sound, traditional construction. (c) 30 mins separation to cellar/basement (including door) OR accept sound traditional construction in good repair. 2 Storey + habitable basement/attic – treat property as 3 storey shared house. (d) <i>Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher on each floor in escape route recommended.</i> (e) Fire blanket in kitchen. (f) Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus lounge and cellar/basement, and interlinked heat alarm to kitchen. <p>OR</p> <p>2. <u>In low risk shared houses</u> (see below)</p> <ul style="list-style-type: none"> • Solid, close fitting doors, AND/OR escape windows to rooms leading on to escape route. Walls/ceilings on escape route to be of sound, traditional construction. • Additional fire door (FD30) on last door from kitchen to escape route. • Plus specifications as (b) to (f) above. <p>NB. ‘Low’ risk properties are those having the following characteristics:</p> <ul style="list-style-type: none"> • low occupancy level - all able-bodied; • little chance of fire occurring and few combustible/flammable materials; • little chance of fire spreading throughout property. Quick detection to allow occupants to escape • more than one acceptable escape route. 	<p><u>‘Bed-sit type’ houses</u> - individual rooms with shared cooking facilities. (e.g. where property is not occupied by a single group, there are individual contracts, locks on doors etc).</p> <ul style="list-style-type: none"> (a) Either - 30 minute protected route with FD30S Fire Doors <u>or</u> - in low risk properties, close fitting, solid doors <u>and</u> escape windows. (b) 30 mins separation to walls/ceilings between units of accommodation. (c) 30 mins separation to cellar/basement (including door) (d) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). (e) Fire blanket in kitchen. (f) <u>Grade D LD2 Alarm</u> – interlinked smoke alarms to escape route plus lounge and cellar/basement <u>and</u> heat alarm in each shared kitchen PLUS Interlinked Grade D smoke alarms in each bedroom.
	Fire Safety Order MAY apply in these property types.
	<u>2 STOREY (BED-SIT)</u> (COOKING FACILITIES IN BEDROOMS)
	(EXAMPLE D7)
	<p><u>Traditional Bedsits</u> – those with cooking facilities in each bedroom/unit of accommodation.</p> <ul style="list-style-type: none"> (a) 30 minute protected route with FD30S Fire Doors. (b) 30 mins separation to walls/ceilings between units of accommodation. (c) 30 mins separation to cellar/basement (including door) (d) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). (e) Fire blanket in kitchen. (f) Mixed Alarm System. Grade D, LD2 system with interlinked smoke alarms to escape route and basement/cellar with interlinked heat alarms to each bedsit PLUS additional non-interlinked mains wired smoke alarm to each bedsit.
Fire Safety Order does not apply to this type of property.	Fire Safety Order applies to these property types.

<u>3/4 STOREY (SHARED HMO)</u>	<u>3 STOREY (BED-SIT)</u> (WITH SHARED COOKING FACILITIES)
(EXAMPLE D5)	(EXAMPLE D8)
<ul style="list-style-type: none"> a) 30 minute protected route with FD30 Fire Doors (no smoke seals) b) 30 mins separation to walls/ceilings between units of accommodation. c) 30 mins separation to cellar/basement (including door). d) <i>Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher on each floor in escape route recommended.</i> e) Fire blanket in kitchen. f) Grade D LD3 Alarm system (i.e. interlinked smoke alarms to escape route plus lounge and cellar/basement, <u>and</u> heat alarm to kitchen. g) No requirement for emergency lighting or signage, unless complex escape route. 	<ul style="list-style-type: none"> a) 30 minute protected route with FD30S Fire Doors b) 30 mins separation to walls/ceilings between units of accommodation. c) 30 mins separation to cellar/basement (including door) d) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). e) Fire blanket in kitchen. f) Grade A LD2 Alarm system –interlinked smoke detectors to escape route plus each bedsit, lounge and cellar/basement, <u>and</u> heat detector to shared kitchen. To include control panel, call points and min 75db at bedhead. g) No requirement for emergency lighting or signage, unless complex escape route.
	Fire Safety Order MAY apply in these property types.
	<u>3 STOREY (BED-SIT)</u> (COOKING FACILITIES IN BEDROOMS)
	(EXAMPLE D8)
	<ul style="list-style-type: none"> a) 30 minute protected route with FD30S Fire Doors b) 30 mins separation to walls/ceilings between units of accommodation. c) 30 mins separation to cellar/basement (including door) d) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in escape route (subject to risk assessment under Fire Safety Order). e) Fire blanket in kitchen. f) Grade A LD2 Alarm system –interlinked smoke detectors to escape route plus lounge and cellar/basement, <u>and</u> interlinked heat detector to each bedsit with cooking facilities. To include control panel, call points and min 75db at bedhead <p><u>PLUS</u></p> <ul style="list-style-type: none"> g) Non interlinked Grade D smoke detectors in EACH bed-sit.
Fire Safety Order does not apply to this type of property.	Fire Safety Order applies to these property types.

Houses Converted to Self-Contained Flats

<u>2 STOREY</u>	<u>3/4 STOREY</u>
(EXAMPLE D10)	(EXAMPLE D11)
<ul style="list-style-type: none"> a) 30 minute protected common escape route with FD30S Fire Doors (with smoke seals) i.e. flat entrance doors b) Within individual flats – sound, well constructed and close fitting doors. c) 30 mins separation to walls/ceilings between each flat. d) 30 mins separation to cellar/basement (including door) e) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in <u>common escape route</u> (subject to risk assessment under Fire Safety Order). f) Fire blanket in kitchen. g) Grade D LD2 Alarm system –interlinked smoke detectors to common escape route plus heat detector in entrance hall of each flat <p><u>PLUS</u></p> <ul style="list-style-type: none"> h) Non-interlinked Grade D smoke detectors in hallway of each flat. i) No requirement for emergency lighting or signage, unless complex escape route. 	<ul style="list-style-type: none"> a) 30 minute protected common escape route with FD30S Fire Doors (with smoke seals) i.e. flat entrance doors b) Within individual flats – sound, well constructed and close fitting doors. c) 30 mins separation to walls/ceilings between each flat. d) 30 mins separation to cellar/basement (including door) e) Multi-purpose AFFF 6 litre foam or 1.5kg dry powder extinguisher required on each floor in <u>common escape route</u> (subject to risk assessment under Fire Safety Order). f) Fire blanket in kitchen. g) Grade A LD2 Alarm system –interlinked smoke detectors to common escape route plus heat detector in entrance hall of each flat. To include control panel, call points and min 75db at bed head <p><u>PLUS</u></p> <ul style="list-style-type: none"> h) Non-interlinked Grade D smoke detectors in hallway of each flat. i) No requirement for emergency lighting or signage, unless complex escape route.
<p>Fire Safety Order applies to these property types.</p>	

A Note on Fire Extinguishers and Alarm Systems:

In shared houses, a multi-purpose fire extinguisher (type 1.5kg dry powder or 6 litre AFFF Foam) is **recommended** on each floor within the escape route.

In all HMOs where the Fire Safety Order applies, including houses converted to self contained flats and bedsits, multi-purpose extinguishers (type as above) are **required** unless the landlord can demonstrate through risk assessment that an acceptable level of safety can be achieved without the provision of extinguishers.

LD3 – A system incorporating detectors in circulation spaces that form part of the escape route from the dwelling only.

LD2 – A system incorporating detectors in circulation spaces that form part of the escape route, and in all rooms that present a high fire risk to occupants.

Grade D – A system of one or more mains powered smoke / heat alarms each with battery standby supply. There is no control panel.

Grade A – A system of mains powered smoke / heat detectors, which are linked to a control panel to give information on the location of the fire or any fault. In general the system must incorporate manual call points, which should be located on each floor level and at final points of exit.