



**Glazebrook Associates Ltd
Environmental Health and Housing**

TO WHOM IT MAY CONCERN

7th August 2018

Dear Sir/Madam,

West Wing, Ashley House, Aldwick Road, Bognor Regis PO21 2PB
Proposal for extension to existing HMO – compliance with Private Sector Housing requirements

Introduction and Involvement with this project

Glazebrook Associates Ltd (see CV in attached Appendix 1) is regularly engaged by landlords (from both the public and private sector) to advise on the suitability of property for use as HMOs.

120 Aldwick Road Ltd first engaged me to advise on a the original conversion of Ashley House in October 2015 and for this additional development on the same site in July 2018, at which time I was asked to provide comments with regard to any potential HMO issues arising from the plans as they were at that stage and to clarify exactly what would be required in order to ensure that the new block would comply fully with Arun District Council's standards and the requirements of the Housing Act 2004. In addition, there has been consultation with other experts involved to provide a holistic approach to make the design work effectively internally.

HMO Definition & National Standards

The Housing Act 2004 (The Act) provides definitions to describe Houses in Multiple Occupation (HMOs), allows for the licensing of certain HMOs and prescribes standards relating to facilities within them which must be complied with.

An HMO is defined for the purposes of The Act as being a building or part of a building that meets one of three "standard tests" or falls into the category of a building converted into self-contained flats without meeting the standards of the 1991 Building Regulations. In order to be an HMO, the building must be occupied by more than one household as their main residence (or as a student residence) and they must share a basic amenity.

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Section 65 (2) of The Act states that a local authority may decide that a house is not reasonably suitable for occupation by a particular maximum number of households or persons and, therefore, should not be issued with a licence, even if it does meet the nationally “prescribed” standards for occupation.

Local Authorities have sought to impose this legal ‘allowance’ by producing their own minimum standards above and beyond those legally prescribed. The relevant prescribed standards are set out in Schedule 3 of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. They deal respectively with heating, washing facilities, kitchens, units of living accommodation without shared basic amenities and fire precautions. These prescribed standards contain NO requirement that any area or facility should be a particular size. Dimensions are entirely absent and requirements are qualitative, i.e. using words such as “adequate”, “appropriate” and “reasonably practicable”. See ‘HMO licensing’ below regarding changes to new minimum room size requirements for licensable HMOs.

HMO Licensing

Mandatory HMO licensing, under the Housing Act 2004 (The Act), has been in force since 2006 and applies throughout England and Wales. It does not apply to all HMOs but is restricted to certain larger properties under Part II of the Act and is *currently* specifically aimed at HMOs which are:

- Three or more *storeys* in height;
- Contain five or more people in two or more *households*;
- Contain shared facilities such as a kitchen, bathroom or WC

A household is either a single person or members of the same family who live together. A family includes people who are:

- Married or living together – including people in same-sex relationships;
- Relatives or half relatives, for example grandparents, aunts, uncles, siblings;
- Step-parents and step-children

When calculating the number of storeys, the following must be included:

- Any basement if it is used as living accommodation, constructed, adapted or converted for use as living accommodation; if it is used in connection with and as an integral part of the HMO or if it provides the main entrance from the street;
- Any loft or attic if it is used as living accommodation; constructed, converted or adapted for use as living accommodation; if it is used in connection with and as an integral part of the HMO; and

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- Any other storey used wholly or partly as living accommodation or in connection with and as an integral part of the HMO.

If the accommodation is situated above or below business premises, each storey of business premises is included in the calculation. So, a two-storey maisonette above a shop is a three-storey property for the purposes of HMO licensing.

The Act and associated regulations list certain exemptions from HMO licensing including:

- Any property occupied by just two people who form two households;
- Buildings managed by a local housing authority, registered social landlord, police or fire & rescue authority or a health service body;
- Buildings already regulated under certain other statutory provisions
- Certain student halls of residence;
- Buildings occupied principally for the purposes of a religious community whose principle occupation is prayer, contemplation, education or the relief of suffering; and
- Buildings which are owner occupied with no more than two lodgers.

The proposed new block of accommodation clearly fits into the definition of an HMO requiring a Mandatory HMO license.

In any case, the Act provides for the extension of the Licensing scheme to other HMOs/dwellings under an Additional HMO licence scheme although Arun District Council has not implemented such a scheme.

Changes coming into force in October 2018 relating to HMO licensing involve extending mandatory HMO licensing to include most houses and flats occupied by 5 or more people in two or more households who share kitchen, bathroom and/or WC facilities, *regardless* of the number of storeys.

These changes would have *no additional impact* on the requirement for this property to be licensed once completed.

The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 are introducing mandatory conditions for licences issued from 1st October 2018 regarding minimum room sizes as follows:

- to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51sqm;

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- to ensure that the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22sqm;
- to ensure that the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64sqm;
- to ensure that any room in the HMO with a floor area of less than 4.64sqm is not used as sleeping accommodation.

These changes make no difference to the proposals for this development with all rooms well in excess of the specified minimum room dimensions.

Consultation with Arun DCs Private Sector Housing & Public Health Team

Arun District Council's HMO standards have been reviewed to be more in line with all of the other authorities in Sussex. Having consulted with the Private Sector Housing (PSH) team for the main Ashley House Conversion in 2016 (LPA ref: BR/100/16/PI) which has now been operating for some time, I am satisfied that I have a full understanding of the local requirements and that the PSH team will have no objections to the proposals for this Application site.

I am confident that the proposed plans will exceed Arun's standards to successfully achieve an HMO licence with no additional requirement. As a new build development, any possible Housing Health & Safety Rating Standard (HHSRS) concerns under Part 1 of the Act will also be fully met.

Current Position & Plans

The new block will consist of 3 storeys; the ground and first floors are identical with 6 twin bedrooms, a large shared kitchen/diner with two sets of catering facilities, 3 shared shower rooms (one with WC and WHB and two with shower and WHB) and two separate WCs with WHB. The second floor consists of 3 twin bedrooms, a kitchen/diner and two shower rooms with WCs. This development is meant as an addition to the existing main building which is a quality, well-managed HMO leased to Butlins on a long-term basis for use by its staff. Occupiers of this block will have access to the communal facilities of the main building and will be supervised by the on-site caretaker who has his/her own private accommodation.

While leased to Butlins, the property will be occupied only by its staff. As with all staff accommodation provided by Butlins throughout the country, it will be occupied on a licence basis tied to having a job with the Company. In keeping with the current on-site accommodation in Bognor, most rooms will be occupied on a twin basis with friends and colleagues of the same sex sharing rooms.

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Butlins, as a company, relies heavily on a team dynamic to operate successfully and staff form close bonds within the team(s) in which they work. The intention is to ensure that anyone allocated a shared room will already know their room sharing partner and have the option to veto an allocation should there be any disharmony between individuals. The Company has no desire to foster poor relations and already has vast experience in managing exactly this type of shared accommodation on all its sites including in the main building. The Company is keen, not only to avoid disputes in the allocation process, but also to minimise any disputes which may arise after living arrangements have been tested, and therefore have a clear policy in place to handle these should they occur. At no time would two individuals who do not get on be expected to share a room, in exactly the same way as any on-site accommodation is currently managed.

While all meals are provided for all staff on site, kitchens are included in the planned accommodation purely to allow staff to cater for themselves if they so desire. Butlins' experience is that staff members generally prefer to partake of the meal provision service and only occasionally cater for themselves. However, there are 5 kitchens servicing 15 rooms housing a maximum of 30 people (a ratio of 1:6). Given that all meals are already provided on-site, this provision is considered very generous. There are also ample dining facilities in each kitchen.

Communal facilities for all staff on the Ashley House staff are already provided in the two large centre rooms within the main building and have been designed specifically to minimise any potential disturbance to neighbours. As already mentioned, there is a permanent on-site caretaker/manager whose responsibilities include the enforcement of house rules to which all staff are required to sign. The on-site caretaker, coupled with the careful positioning of the communal facilities (which are considered important to allow the staff suitable downtime) in my opinion considerably reduces any worries about anti-social behaviour.

It is my understanding that the neighbours to the building have already been consulted and are reassured by the measures planned.

Staff will have the use of 'Butlins bikes' with the docking stations housed in two locations on the Ashley House site. Staff are not allowed to have cars on this site, ensuring minimum disturbance (if any at all) to neighbours.

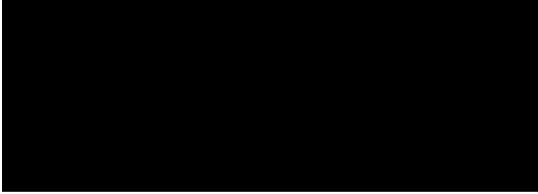
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Conclusions

I am satisfied that the completed property will be fully compliant with both national and local standards and will obtain a licence under the Mandatory HMO licensing scheme.

Yours faithfully,



Mrs. Michele Glazebrook BSc (Hons) MCIEH CEnvH DMS
Chartered Environmental Health Practitioner
Director Glazebrook Associates Ltd

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Appendix 1

Michele Glazebrook, Director

Background & Experience

I am a chartered member of the Chartered Institute of Environmental Health Officers, having qualified with a B.Sc. (Hons) in Environmental Health in 1984. I have worked in the field of housing for the last 33 years, specialising particularly in Statutory Nuisance/Disrepair issues and Houses in Multiple Occupation.

I have spent 10 years as an enforcement officer within Local Government followed by 23 years in private practice, so have extensive experience of dealing with both the tenant and landlord perspective. I have inspected several thousand properties across a wide range of house type including small, tenanted, individually occupied dwellings to very large hotels and hostels used for Temporary Accommodation, all tenure types and most forms of dwelling construction. When required I have attended the relevant courts to act as an expert witness and have acted as both expert and advocate in the First Tier Tribunal on matters relating to HMO appeals.

I am a Warwick University accredited trainer for the Housing Health & Safety Rating System (HHSRS) and have run many training courses for Local Authority enforcement officers on behalf of the CIEH following the introduction of the assessment procedure in the Housing Act 2004. I have run in-house training courses on all aspects of Housing enforcement, including Statutory Nuisance and Disrepair and HHSRS, covering both social and private landlords and tenant groups.

I am the Treasurer and member of the Steering Group of the National HMO Network, and contribute regularly to consultation document responses and have attended meetings with Ministers to progress relevant matters. I have also been an accredited verifier for the inspection of large scale private student accommodation for Unipol.

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