



REPORT TO: ANGUS COUNCIL SCRUTINY & AUDIT COMMITTEE

21 JUNE 2016

Report by Area Manager Colin Grieve, Scottish Fire and Rescue Service

**SUBJECT: SCOTTISH FIRE AND RESCUE SERVICE HOUSES IN MULTIPLE
OCCUPATION (HMO) AUDITING POLICY**

Abstract

The Report contains information relating a new Scottish Fire and Rescue Service - Houses in Multiple Occupation (HMO) auditing policy that has recently been implemented by the service.

1 PURPOSE OF THE REPORT

To provide information for the Committee regarding a new policy recently implemented by the Scottish Fire and Rescue Service on the auditing of Houses in Multiple Occupation (HMO).

2 RECOMMENDATIONS

It is recommended that members:

Note and question the content of this report.

3 FINANCIAL IMPLICATIONS

None.

4 BACKGROUND

4.1 Houses in Multiple Occupation (HMO) are licenced by local authorities under Part 5 of the Housing (Scotland) Act 2006. The responsibility for fire safety within HMO's lies with the duty holder and is enforced by the Scottish Fire and Rescue Service (SFRS) in accordance with the Fire (Scotland) Act 2005.

4.2 During the first three years of the SFRS, the services Fire Safety Enforcement Framework included a programme for auditing HMO's in partnership with local authority inspectors. In order to provide a consistent approach nationally a new policy was introduced on 1st April 2016 across Scotland.

4.3 Comprehensive consultation nationally about the content of the HMO policy between Scotland's Housing Network and the SFRS has been undertaken and assistance will be given to each local authority to ensure a successful transition to the auditing programme from 1st April 2016.

5 LOCAL ARRANGEMENTS

- 5.1 The SFRS has recognised that there may be different arrangements and reporting systems in the various local authority areas. The Fire Safety Enforcement team in Angus has consulted with the local authority and will continue to work in partnership with the licensing authority to maintain the high standards of fire safety that are currently experienced in HMO's.

6 ROLE OF THE SCOTTISH FIRE AND RESCUE SERVICE

- 6.1 The role of the SFRS will be to adopt a risk based approach for its audit programme for HMO's based on:

- New HMO applications
- A sample of existing licensed HMO's of which any high risk premises will be audited annually
- Complaints that require further intervention
- At licence renewal where the local authority raises fire safety concerns
- At the request of a licencing officer following an application to change ownership, vary or transfer a licence
- At any other time where fire safety concerns are raised e.g. operational intelligence
- The occurrence of a fire in a HMO

- 6.2 When the audit of a HMO has been completed a standard letter will be sent to the licencing officer indicating the audit outcome and will be one of the following templates:

- Broadly compliant and no further actions are required. The fire authority supports the granting/renewal of a HMO licence
- Areas for improvement or minor deficiencies have been indicated to the applicant or licence holder and no further action is required. The fire authority supports the granting/renewal of a HMO licence
- Fire safety deficiencies that require to be addressed prior to the fire authority supporting the granting/renewal of a HMO licence
- An enforcement notice has been issued and deficiencies need to be addressed prior to the fire authority supporting the granting/renewal of a HMO licence
- A prohibition notice has been issued and deficiencies need to be addressed prior to the fire authority supporting the granting/renewal of a HMO licence

- 6.3 A fire safety enforcement officer may attend a licencing board, if requested to do so, in order to provide fire safety expertise to assist the board in instances where the SFRS do not support the granting of a licence.

7 ROLE OF THE LOCAL AUTHORITY

- 7.1 Through the consultation process with the local authorities it has been agreed with the licencing officers that they are in a position to inform the SFRS locally of any fire safety issues that they discover during the course of their HMO renewal inspections.

NOT PROTECTIVELY MARKED

Once the local fire safety enforcement officers have been informed they will investigate the issue and if it is necessary they will conduct a fire safety audit, inform the licencing officers of the outcome and ensure the fire safety deficiencies are remedied.

- 7.2 The SFRS locally will support the licencing officers to enable them to identify obvious fire safety issues by discussing with them those issues they could be expected to observe during a HMO inspection and be available to assist them as needs arise.

8 CONCLUSION

- 8.1 The SFRS continues to support the HMO licencing authority in its commitment to ensuring the highest standards of accommodation for HMO's. The local fire safety enforcement team will continue to undertake a programme of fire safety audits for HMO's and work with the licencing authority to act proportionately for any fire safety issues.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 Not applicable.

10 ENVIRONMENTAL ISSUES

- 10.1 There are no environmental issues arising as a consequence of this report.

11 SUMMARY

- 11.1 This report provides information for the Committee regarding a new policy recently implemented by the Scottish Fire and Rescue Service on the auditing of Houses in Multiple Occupation (HMO).

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