

**EXCERPT OF MINUTE OF MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE
HELD ON 3 FEBRUARY 1999****HOUSES IN MULTIPLE OCCUPATION**

24. **C** There was submitted a report dated 3 February 1999 by the Director of Planning and Development (1) advising Members of the introduction of a Registration of Houses in Multiple Occupation Scheme (1996) following a report by the Director of Environmental Services; (2) indicating that there are no significant sustainability implications; (3) outlining the background, category of occupancy and means of escape requirements; (4) indicating that the provision of this service will have an impact on the resources of the Planning and Development Building Control department equating to the time of 2½ members of staff, and (5) recommending appropriate action.

Decided:

- (1) that the policy and conditions in the report which should now be applied to houses in multiple occupation in North Lanarkshire be approved;
- (2) that the report be referred to the Environmental Services Committee for information, and
- (3) that with regard to resources to support this work it be noted that a further report would be submitted when the Mandatory Licensing Scheme for Houses in Multiple Occupation was introduced.

NORTH LANARKSHIRE COUNCIL
REPORT

To: PLANNING AND DEVELOPMENT COMMITTEE)		Subject: HOUSES IN MULTIPLE OCCUPATION
From: DIRECTOR OF PLANNING AND DEVELOPMENT		
Date: 3 February 1999	Ref: AGC/LMcW	

Purpose of Report

1. The purpose of this report is to advise members of the introduction of a Registration of Houses in Multiple Occupation Scheme (1996) following a report by the Director of the Environmental Services.

Sustainability Implications

2. There are no significant sustainability implications associated with this Report.

Background

3. The Housing Scotland Act 1987 contains a series of regulatory powers specifically related to houses in multiple occupation (HMOs). This is a clear indication that Parliament and the Government recognise the special needs and hazards associated with this type of accommodation.
4. Section 162 of the Housing Act requires the local authority to ensure that such means of escape from fire that are considered necessary are adequately provided for. The Director of Environmental Services has requested the services of Building Control to act as consultant and provide all necessary reports, following consultation with the fire authority, on the necessary provision for means of escape from Houses in Multiple Occupation.
5. Following a pilot study, it is considered necessary to introduce a Departmental policy which will provide guidance to Building Control Surveyors and facilitate a consistent interpretation of requirements when reporting to the Director of Environmental Services. The policy has taken into account, the non statutory recommendations contained in the Scottish Home and Health Department guide, the statutory requirements of the Building standards (Scotland) regulations 1990 and the experience and knowledge gained when required to determine under delegated powers, applications for relaxation of the building regulations relative to means of escape from fire (Appendix 1 gives details of the guidance to which reference has been made). The means of escape requirements will largely depend on:-
 - (i) The category of occupancy.
 - (ii) the practicality of rescue from upper storey bedroom or bedsitting room windows by the Fire Authority.

Category of Occupancy/

6. Three categories of housing in multiple occupation are recognised:-
- a) dwellings (up to and including 6 occupants)
 - b) shared residential accommodation (up to and including 10 occupants) entered at ground level and not more than 3 storeys in height.
 - c) other residential accommodation (more than 6 occupants) and all other HMOs which are not included in the above categories.

Means of Escape Requirements

7. The following are the general requirements which are considered necessary to secure means of escape and should be applied to **all** categories of houses in multiple occupation.
- * Every room used for sleeping accommodation should have direct access to a stair enclosure or a circulation area which gives direct access to a stair enclosure.
 - * Each unit of sleeping accommodation at a height of not more than 4.5 metres above ground level must be provided with an emergency escape window.
 - * Each unit of sleeping accommodation at a height of more than 4.5 metres but not more than 11 metres must be provided with Emergency Access Windows where only one means of escape is available.
 - * Each unit of sleeping accommodation used by occupants should be separated by a wall which would provide 30 minute fire resistance.
 - * Communal rooms such as lounges and kitchens should be separated by walls which would provide 30 minute fire resistance.
 - * The stairway serving upper levels of an HMO and common staircases serving the building should be separated from the remainder of the building by a construction having a 60 minute period of fire resistance.
 - * All openings in these walls and openings giving access to the stairway enclosure or circulation space should be protected by 30 minute fire resisting self closing doors.
 - * All electric lighting in common hallways or stairways within the house should be on a separate circuit.
 - * The main entrance exit doorway should be provided with ironmongery that can be readily opened from inside without the use of keys.
8. **Shared Residential and Other Residential Accommodation**
- * In shared and other residential accommodation, an automatic detection and alarm system complying with BS5839: Part 1:1988 should be provided throughout the building.

9. Other Residential Accommodation

- * Where the occupant capacity exceeds ten or there is a requirement for an alternative escape route, emergency lighting complying with BS 5266 Part 1:1988 should be provided in all escape routes.
- * Where it is confirmed by the Fire Authority that rescue from an escape window cannot be safely executed then that room or rooms shall be provided with an alternative escape route.

10. Additional Requirements Related to Category of Occupancy - Dwellings

- * A smoke detection and alarm system complying with BS 5839 Part 1 and having a standby system, should be provided to all circulation spaces and rooms other than toilets, bathrooms and shower-rooms.
- * All gas appliances should be certified annually by a suitably qualified heating engineer/plumber registered for that purpose.

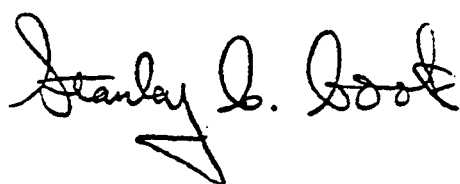
11. Since it is not possible to cover all circumstances, some flexibility in the application of certain means of escape requirements will be necessary. In such cases careful consideration should be given in each case taking into account any existing compensatory features.

12. The provision of this important service to the community will have an impact on the department's Building Control resources equating to approximately $2\frac{1}{2}$ members of staff. The Government has indicated its intention to introduce a Mandatory Licensing Scheme for Houses in Multiple occupation in the near future and this will affect resource requirements. In the meantime, it is the intention to manage the current scheme within existing resources but it should be noted that this may have an effect on the general level of service we provide in other areas of Building Control.

Recommendation

13. Committee are asked to:-

- i) approve the policy and conditions in this report which should now be applied to Houses in Multiple Occupation in North Lanarkshire.
- ii) refer this report to the Environmental Services Committee for their information
- iii) note the position with regard to resources with a further report being submitted when the mandatory scheme is introduced;



Stanley C. Cook
DIRECTOR OF PLANNING AND DEVELOPMENT

18 January 1999

For further information please contact Archie Cowie on 01236 616213.

In compiling the recommendations in this report, reference has been made to the following:-

The Housing Scotland Act 1987, Part VIII, Housing in Multiple Occupation, Section 162

Technical Standards for Compliance with the Building Standards (Scotland) 1990

Scottish Home and Health Department Fire Service Circular 2/1998

Guide to Means of Escape and Related Fire Safety Measures Existing Houses in Multiple Occupation (1988)

Judgment by Sheriff JCM Jardine, 8 February 1994 (Ian Graham Pearson v City of Glasgow District Council)